

SENATO DELLA REPUBBLICA
————— **VIII LEGISLATURA** —————

Doc. XXIII
n. 1/VII

DOCUMENTAZIONE ALLEGATA

ALLA

RELAZIONE CONCLUSIVA

DELLA

**COMMISSIONE PARLAMENTARE D'INCHIESTA
SUL FENOMENO DELLA MAFIA IN SICILIA**

(DOC. XXIII N. 2 - VI LEGISLATURA)

VOLUME QUARTO

TOMO TREDICESIMO

PARTE SECONDA

PAGINA BIANCA

INDICE**Parte Seconda (*)**

Segue DOCUMENTO 414. — HEARINGS BEFORE THE PERMANENT SUB-COMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE EIGHTY EIGHTH CONGRESS FIRST SESSION PURSUANT TO SENATE RESOLUTION 17, 88TH CONGRESS:

PART 1 (September 25, 27, October 1, 2, 8, and 9, 1963)	»	237
PART 2 (October 10, 11, 15, and 16, 1963)	»	639
PART 3 (October 29, 1963; July 28, 29, and 30, 1964)	»	877
PART 4 (July 30, 1964)	»	1121
PART 5 (August 4, and 5, 1964)	»	1411

(*) Cfr. la parte finale dell'Avvertenza. (N.d.r.)

PAGINA BIANCA

PART 1

(September 25, 27, October 1, 2, 8, and 9, 1963)

PAGINA BIANCA

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

HEARINGS BEFORE THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE EIGHTY-EIGHTH CONGRESS FIRST SESSION PURSUANT TO SENATE RESOLUTION 17, 88TH CONGRESS

PART 1

SEPTEMBER 25, 27, OCTOBER 1, 2, 8, AND 9, 1963

Printed for the use of the Committee on Government Operations



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1963

24-366

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402 - Price \$2.00

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CONTENTS

Testimony of—	Page
Bergin, John J.....	327
Fitzsimmons, John A.....	327
Kennedy, Robert F.....	5
Duffy, LaVern.....	161, 195
Hundley, William George.....	135
Murphy, Michael J.....	42, 61
O'Donnell, Donald F.....	316
Reisman, Leonard.....	42, 60
Roach, John.....	203
Salerno, Ralph.....	121, 174, 212, 232, 360, 372
Shanley, John J.....	65, 247, 278, 372
Valachi, Joseph.....	78, 119, 136, 145, 179, 202, 204, 213, 224, 233, 245, 267, 295, 319, 327, 346, 363, 386

EXHIBITS

	Introduced on page	Appears on page
1. Criminal record of Michael Coppola.....	122	122
2. Criminal record of Joseph DiPalermo alias Joe Beck.....	125	125
3. Criminal record of Charles Barcellona.....	128	128
4. Criminal record of John Dioguardi.....	129	129
5. Criminal record of Peter LaPlaca.....	131	131
6. Criminal record of Charles DiPalermo.....	132	132
7. Photograph of Joe Beck.....	136	(*)
7A. Photograph of Joseph Saupp.....	136	(*)
8. Chart: Masseria-Maranzano War and Evolution of Gang Control—1930 to Present.....	162	paste in
9. Criminal record of Thomas Lucchese.....	177	(*)
10. Police entry showing murder of Aiello on October 23, 1930.....	195	195
11. Photograph of Bobby Doyle of Hartford, Conn.....	203	(*)
12. Criminal record of James Santuccio alias Bobby Doyle.....	204	(*)
13A. Criminal record of Vito Genovese and a number of the members of his family.....	316	(*)
13B. Criminal record of members of the Lucchese family.....	316	(*)
13C. Criminal record of Carlo Gambino and members of his family.....	316	(*)
13D. Criminal record of Giuseppe Magliocco and members of his family.....	316	(*)
13E. Criminal record of Joseph Bonanno and members of his family.....	317	(*)
14A. FBI reports on the Genovese family.....	317	(*)
14B. FBI reports on the Lucchese family.....	317	(*)
14C. FBI reports on the Gambino family.....	317	(*)
14D. FBI reports on the Magliocco family.....	317	(*)
14E. FBI reports on the Bonanno family.....	317	(*)
15. Grand jury presentment of the investigation of the death of Abe Reles, November 12, 1941.....	378	(*)
16. Pamphlet "An Urgent Message from Law Enforcement" assembled by the Combined Council of Law Enforcement Officials in New York.....	381	(*)

*May be found in the files of the subcommittee.

IV

CONTENTS

CHARTS PRINTED IN THE RECORD

	Page
A. The Vito Genovese family	248
B. The Gaetano Lucchese family	274
C. The Carlo Gambino family	294
D. The Giuseppe Magliocco family	308
E. The Joseph Bonanno family	313
Proceedings of—	
September 25, 1963	1
September 27, 1963	77
October 1, 1963	145
October 2, 1963	201
October 8, 1963	245
October 9, 1963	319

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

WEDNESDAY, SEPTEMBER 25, 1963

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:35 a.m., in the caucus room, Old Senate Office Building, pursuant to Senate Resolution 17, agreed to March 14, 1963, Senator John L. McClellan (chairman of the subcommittee) presiding.

Present: Senator John L. McClellan, Democrat, Arkansas; Senator Thomas J. McIntyre, Democrat, New Hampshire; Senator Daniel B. Brewster, Democrat, Maryland; Senator Karl E. Mundt, Republican, South Dakota; Senator Carl T. Curtis, Republican, Nebraska; Senator Jacob K. Javits, Republican, New York.

Present: Jerome S. Adlerman, general counsel; Donald F. O'Donnell, chief counsel; Philip W. Morgan, chief counsel to the minority; LaVern J. Duffy, assistant counsel; Paul E. Kamerick, assistant counsel; Harold Ranstad, assistant counsel; Arthur G. Kaplan, assistant counsel; Alphonse Calabrese, investigator; Eugene J. Marshall, Bureau of Narcotics; Martin Pera, Bureau of Narcotics; Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will come to order.

(Members of the subcommittee present at the convening of the session were Senators McClellan, McIntyre, Brewster, Mundt, and Curtis.)

The CHAIRMAN. The Chair wishes to make a brief statement for the record before we proceed to hear testimony in the course of the hearings.

By resolution of the Senate adopted March 14, 1963, the Senate Committee on Government Operations or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation of syndicated or organized crime.

Under previous similar resolutions of the Senate, this subcommittee has heretofore conducted some fruitful investigations into this subject matter. Obviously, however, our task is not finished, and further study of this problem is necessary.

Today, we begin a new series of hearings in this field. We will further examine into the existence of organized or syndicated crime in this country, its growth, how it operates, its impact on society, the toll it exacts from our economy and just how effective or deficient existing laws are in preventing it. We will also consider the evidence we hear and make a study of the record of this inquiry with a view to

2 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

determining if further statutes are needed to cover improper activities that are not now prohibited, and to give the law enforcement officials whatever additional tools they may need to secure better law enforcement.

Notwithstanding more diligent efforts to deal with the problem of lawlessness, organized crime continues to flourish in many of our metropolitan cities and in other areas throughout the country. As our society becomes more complex and our population increases, the opportunity for criminal activities and illicit operations also increase. Means of detection do not improve as rapidly as do methods of evasion.

The existence of such a criminal organization as Cosa Nostra is frightening. This organization attempts to be a form of government unto itself and outside of the law. This tightly knit association of professional criminals demands and gets complete dedication and unquestioned obedience by its members to orders, instructions, and commands from the ruling authority or boss or bosses thereof. Family, religion, and country are all secondary and required to be subservient to the interest of this vicious criminal syndicate. The benefits of membership therein are a share in its illicit gains from criminal activities and protection from prosecution and the penalties of the law, and also from enemies within the ranks of the criminal underworld society. The penalty for disloyalty or any serious deviation from the precepts, rules, and dictates of the order is usually death. This penalty has often been imposed and executed in the administration of its sinister government. Murder has often been ordered for a variety of reasons; a grab for power, the code of vengeance, gangland rivalries, infidelity to the organization, or even for suspicions of derelictions, particularly for informing or aiding law enforcement officials. The death sentence is usually carried out, we are advised, by a close friend of the condemned victim.

We expect to hear testimony from a member of Cosa Nostra, one Joseph Valachi, who is now serving a life sentence for a crime of murder committed while in prison and serving a 20-year sentence on a conviction of the narcotic laws. We believe he will be able to give a somewhat vivid description of the organization, the criminal enterprises in which its members engage, and a number of specific crimes, including murder—gangland style. He will also be able to tell us of the strict discipline imposed upon the members and the nature of the oath of allegiance required at the time of initiation. We believe a substantial part of his testimony can and will be corroborated.

We will examine further into one particular segment of criminal activity—the illicit traffic in narcotics. We will trace this drug along the route it follows from the time the opium poppies are harvested in the Middle East, through the Mediterranean, to the clandestine laboratories in Europe where it is refined, and across the ocean and through established channels of distribution and on down to the unfortunate victim and addict-consumer here in America.

Opium poppies provide the raw material for opium, morphine, and more importantly, heroin. We shall hear testimony which will describe the part played by opium in the broader picture of organized crime. The excessive profits make drug traffic attractive to criminal organizations and insures a steady income for their coffers. Traffic in opium is not only a crime in itself but it generates other crimes. A

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 3

penniless addict driven by his insatiable appetite for more drugs will commit almost any crime to finance the purchase of it.

During the course of these hearings, we intend to examine the nature of criminal organizations. We hope to determine whether existing laws are sufficient. We will give attention to the question of whether law enforcement agencies need more authority.

I may say personally that I have in mind a statute to deal directly with and to prohibit membership in such a criminal and secret organization as Cosa Nostra.

We hope that the hearings will serve not only to provide material and information for legislative study and guidance but that it also will alert the people of our country to the magnitude of this problem and prompt greater cooperation and assistance to law enforcement agencies by individual citizens.

The Chair will recognize members of the committee for any comments.

Senator MUNDT.

Senator MUNDT. Mr. Chairman, I have only a very few comments.

I would like to emphasize because the question has been raised by various members of the press as to why we are having this particular hearing now, that our committee, to my knowledge, has been working on this business of narcotics and the dope trade for at least 2 years through its staff.

Staff members have made extensive trips in this country and abroad, and we now have a witness available at the time when we need to use him, which I believe is going to be very helpful to us in trying to get to the basis of one of the most awesome types of syndicated crimes, the narcotics racket, which, in itself, has much to do with the juvenile delinquency problem of America.

I would also like to say that not only have the means of detection improved, not as rapidly as do the methods of evasion, but I would like to add that the methods and degrees of punishment need to improve much more rapidly in order to keep pace with the expansion of crime in this country.

I think that the case of Valachi illustrates this point as well as anything that has ever come before our committee. He was first convicted of a crime in 1923. That is 40 years ago. So, for 40 years on the American scene, this man has been in and out of penitentiaries, sometimes with little sentences, and sometimes being released from prison before the sentence was completed, and each time going back in for a greater and more reprehensible crime and finally finding himself convicted of murder.

I think this is also dramatized by the fact that the Mafia or the Cosa Nostra inflicts upon its own members, who violate their code, punishments far more severe than society inflicts upon them after they are apprehended. And, as a consequence, of course, we have syndicated crime on the increase in America.

I join the chairman in the hope and the expectation that from these hearings will come information which will enable us to pass legislation which will not only make it easier and more certain that criminals are apprehended but that will provide that once they are apprehended penalties which fit the crime and which protect society from their reappearance on the scene can be endorsed and invoked.

4 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

I think this is going to be a very constructive and helpful hearing as far as law-obeying Americans are concerned.

The CHAIRMAN. Thank you, Senator.

Senator MCINTYRE. I have no statement.

Senator BREWSTER. Very briefly, Mr. Chairman, allow me to commend you on initiating this study.

It has often occurred to me that local law enforcement agencies do not have sufficient power to deal with the vast organization of interstate crime that seems to have developed in the country. I believe this hearing will develop that information that will enable the Congress of the United States to pass those laws necessary to give the Federal Government all of the powers it needs to cope with this threat to our society.

So, Mr. Chairman, I look forward to what develops with great interest, and I commend you for the initiation of this hearing.

The CHAIRMAN. Thank you, Senator Brewster.

Senator CURTIS, do you have any statement?

Senator CURTIS. I have no statement; thank you.

The CHAIRMAN. As Senator Mundt has mentioned, some several months ago, possibly nearer 2 years ago, we instructed the staff to begin making a preliminary inquiry or study into the illicit narcotics traffic. In the course of that work, when it was about completed, the development occurred that this prisoner in the Federal penitentiary who had been convicted of violating the narcotics laws and of other crimes had begun to talk. When we learned about it; we asked the Department of Justice if it would consent or agree that we might at some time and possibly at this time, in the course of these hearings, have the benefit of that witness' testimony. The Department has very graciously consented to make him available whenever the committee would need to use him.

I may say that in the entire course of this investigation and preliminary work, the Department of Justice has wholly cooperated with this committee and without its cooperation our task would certainly be far more difficult and probably much less successful. We appreciate that.

It so happens that a former member of the staff of this committee, the former chief counsel of this committee, now holds the high position of Attorney General of the United States, the highest official in the law enforcement realm, and he is quite familiar with the work of this committee and its problems. He is experienced in sitting on this side of the table; but we wanted and we have asked him if he would not be the first witness to testify in these hearings, to give us the benefit of knowledge that he has gained in the high office he now holds; and also to give us the benefit of his counsel with respect to this problem. It is something of interest to every law-abiding citizen in this Nation.

We are happy and honored today to have with us the Attorney General of the United States, Robert F. Kennedy.

May I ask you to come around, Mr. Attorney General, if you will, please.

Mr. Attorney General, just as a matter of formality and in keeping with the rules of the committee, may I ask you if you will take the oath, please, sir?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 5

You do solemnly swear that the testimony you shall give before this Senate subcommittee shall be the truth, the whole truth and nothing but the truth, so help you God?

Attorney General KENNEDY. I do.

TESTIMONY OF HON. ROBERT F. KENNEDY

The CHAIRMAN. We welcome you today.

Little did I ever think that this situation would be exactly what it is many years ago when we were struggling over here on this side of the table together, but I am glad to have an Attorney General of the United States and particularly one who is such a good friend, who is experienced, knowledgeable, and understanding of the work of an investigating committee and particularly one in a hearing of this nature where we are trying to delve into one of the greatest menaces that confronts us from within.

We welcome you, and we are hopeful you will be helpful to us.

Senator MUNDT. May I say you should not have been surprised because this committee has made it a habit to train Attorneys General. This is the second Attorney General in quick succession who has graduated from the committee staff to the attorney generalship—Bill Rogers, you may recall, followed the same trip earlier.

The CHAIRMAN. Well, if we keep producing good ones, I think that this committee justifies its existence if for no other reason than by giving them that training that they need when they get there.

Senator MUNDT. I am worrying about Mr. Adlerman's operations over there.

Mr. ADLERMAN. Don't worry about that.

The CHAIRMAN. We have to keep a little levity in these things. However, we will now proceed.

Mr. Attorney General, do you have a prepared statement?

Attorney General KENNEDY. I do, Mr. Chairman.

The CHAIRMAN. I suggest to my colleagues that we do not interrupt the Attorney General until he has concluded his prepared statement. I am sure he will be then willing that we will ask him some questions.

Attorney General KENNEDY. Thank you, Mr. Chairman.

Before I begin, could I introduce several members of the staff of the Department of Justice who have done a good deal of work?

The CHAIRMAN. We are glad to have them, too, and we appreciate your introducing them to us at this time so the record may reflect that they are present and that they are working with you and us.

Attorney General KENNEDY. Mr. Jack Miller, head of the Criminal Division; Mr. William G. Hundley, who is head of the Organized Crime Section of the Department of Justice, in which most of this work is done; and Mr. Henry Peterson, who is the first assistant of the Organized Crime Section.

The CHAIRMAN. Thank you, gentlemen.

We are glad to have you and, again, you are the ones principally I was referring to when I spoke of the excellent cooperation we are getting from the staff of the Department of Justice.

Attorney General KENNEDY. Organized crime, one of the biggest businesses in America, has many faces. Some are well known, like that of the gambler operating the roulette wheel which is not only

6 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

illegal, but fixed. Another is that of the narcotics peddler, trading on the misery of the poor.

There are other faces—those of racketeers who engage in extortion, prostitution, corrupt labor relations, and bootlegging.

The reason racketeering can flourish in our society depends, however, on some other faces, not so well known.

There is the rackets leader, seeking protection from the law, and there is the public official who offers it—for a price—daily betraying his position of honor and trust in his community.

There is the syndicate gunman who issues threats, and there is the potential witness who receives them, frightened almost inevitably into silence.

It is this last aspect which makes the job of fighting racketeering hardest and it is this aspect which means that one of our most important weapons in the fight, at the Federal and local level, is criminal intelligence.

Intelligence—the most detailed information obtainable on the background and activities of suspected criminals—is essential to all law enforcement. It is even more important to successful action against racketeers.

Evidence concerning their clandestine operations is particularly hard to uncover. A witness who will testify in the face of threats to himself and his family is rare. This is one reason the disclosures made by Joseph Valachi are of such significance: For the first time, an insider—a knowledgeable member of the racketeering hierarchy—has broken the underworld's code of silence.

Valachi's disclosures are more important, however, for another reason. In working a jigsaw puzzle, each piece in place tells us something about the whole picture and enables us to see additional relationships.

It is the same in the fight against organized crime. Valachi's information is a significant addition to the broad picture. It adds essential detail and brings the picture into sharper focus. It gives meaning to much that we already know.

The picture is an ugly one. It shows what has been aptly described as a private government of organized crime, a government with an annual income of billions, resting on a base of human suffering and moral corrosion.

In 1957, more than a hundred top racketeers met at the now infamous crime convention at Apalachin, N.Y. But until 1960, the Federal Government had only the barest shreds of evidence about what happened at that meeting. A number of the delegates, including those from Chicago, escaped detection.

Federal investigative agencies are now pooling information on more than 1,100 major racketeers. Because of the investigative vigilance possible as a result of this intelligence effort, such a meeting could not occur unobserved today.

Because of intelligence gathered from Joseph Valachi and from informants—

We know that Cosa Nostra is run by a commission and that the leaders of Cosa Nostra in most major cities are responsible to the commission. We know that membership in the commission varies

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 7

between 9 and 12 active members and we know who the active members of the commission are today.

We know, for example, that in the past 2 years, at least three carefully planned commission meetings had to be called off because the leaders learned that we had uncovered their well-concealed plans and meeting places.

We know that the commission makes major policy decisions for the organization, settles disputes among the families and allocates territories of criminal operation within the organizations.

For example, we now know that the meeting at Apalachin was called by a leading racketeer in an effort to resolve the problem created by the murder of Albert Anastasia. The racketeer was concerned that Anastasia had brought too many individuals not worthy of membership into the organization. To insure the security of the organization, the racketeer wanted these men removed.

Of particular concern to this racketeer was that he had violated commission rules in causing the assault, the attempted assassination of Frank Costello, deposed New York rackets boss, and the murder of Anastasia. He wanted commission approval for these acts—which he has received.

We know that the commission now has before it the question of whether to intercede in the Gallo-Profaci family gangland war in New York. Gang wars produce factionalism, and continued factionalism in the underworld produces sources of information to law enforcement. Indications are that the gangland leaders will resolve the Gallo-Profaci fight.

The casualty list of this one gang war alone offers a somber illustration of how cruel and calculating the underworld continues to be.

Since the summer of 1961, there have been 5 persons murdered and 13 persons seriously injured; 10 of these were shot, 1 nearly strangled, 1 beaten in a New York night club, and 1 beaten and then thrown from a speeding car.

I might say, Mr. Chairman, that both the Gallos, Larry and Joe Gallo, appeared before this committee as did Mr. Profaci.

Such violence is not limited to New York or Chicago. There have been 37 gangland murders since 1960 and in the Youngstown, Ohio, area, there have been 70 bombings since 1950.

We know that Joseph Magliocco, who has taken over in Brooklyn as successor to the recently deceased Joseph Profaci, has not been confirmed by the commission and will probably not be. This is despite the fact that Magliocco recently sought the support of commission members Angelo Bruno and Steve Maggadino.

We know that while Vito Genovese is in Federal prison, Tommy Eboli is substituting for him in New York and Gerry Catena is doing the same in New Jersey.

Because of the power that Genovese wielded within the organization and the fear in which he is held by the New York organization, no move has been made to take over the top spot while his appeal of a narcotics conviction is pending in the courts.

If Genovese stays in prison after his case is concluded, we anticipate a major underworld power struggle in New York.

We know that because of Federal intelligence efforts other commission meetings have been limited to one or two members and have been held in highly clandestine fashion.

8 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Such intelligence is important not only because it can help us know what to watch for, but because of the assistance it can provide in developing and prosecuting specific cases.

Syndicate leaders and their associates have been identified and all are now under intensive investigation. A number of major racketeering figures have been convicted and many more cases are in the indictment or investigation stage.

Thus we have been able to make inroads into the hierarchy, personnel, and operations of organized crime. It would be a serious mistake, however, to overestimate the progress Federal and local law enforcement has made. A principal lesson provided by the disclosures of Joseph Valachi and other informants is that the job ahead is very large and very difficult.

We are doing an increasingly better job of using most of our assets in the effort to curb the enormous power of organized crime. But the effort has only just begun.

In 1961 and 1962, Congress granted us new statutory authority with which to act against the rackets. With bipartisan concern and support, we obtained new laws forbidding interstate travel for racketeering purposes, interstate shipment of gambling machines or paraphernalia, and use of interstate communications for gambling purposes.

These statutes have given the FBI jurisdiction to investigate such activity for the first time. Further, the FBI's investigative jurisdiction has been enlarged with the expansion of the Fugitive Felon and Federal Firearms Acts.

With these additional legal weapons, we have been able to improve greatly the Federal law enforcement effort. The Organized Crime and Racketeering Section of the Department's Criminal Division has been enlarged and revitalized and it has been given increasingly powerful help in prosecuting cases from the various Federal investigative agencies.

The statistics for cases involving organized crime give some indication of our activity. For the first 6 months of this year, we secured indictments of 171 racketeering figures—compared with 24 for the same period 3 years ago. This year, the number of convictions was 160; 3 years ago it was 35.

Organized crime cases have been in large part responsible for sharp increases in the work figures for the entire Criminal Division. Last year, Criminal Division attorneys spent 809 days in court and 7,359 days in the field. Two years prior, the figure was 283 days in court and 1,963 days in the field.

The parallel efforts of the investigative agencies have been unremitting. Above and beyond its outstanding activity under previous statutes, the FBI has conducted extensive and effective investigations of possible violations of the new laws. It is penetrating deeply into the operations and structure of the rackets.

The Federal Bureau of Narcotics has continued and improved on its notable record of intelligence gathering and enforcement. The Internal Revenue Service is pursuing racketeer tax frauds as an integral and important part of its work.

The Immigration and Naturalization Service, Postal Inspectors, and Customs Bureau, the Secret Service, the Department of Labor, and other agencies all have made an important contribution to our effort.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 9

The work of local law enforcement officials in many communities have been outstanding, notably in Los Angeles, under Police Chief William Parker; in Cincinnati under Police Chief Stanley R. Schrotel, and in New York, under Commissioner Michael J. Murphy.

All these efforts notwithstanding, however, we have yet to exploit properly our most powerful asset in the battle against the rackets: an aroused, informed, and insistent public.

In the words of the old saying, every society gets the kind of criminal it deserves. What is equally true is that every community gets the kind of law enforcement it insists on.

Regardless of new laws and old, regardless of resourceful and dedicated Federal investigative efforts, and regardless of how well rounded a picture of organized crime our intelligence helps us to secure, the only force that can conquer organized crime is the vigilance of citizens in every community.

Public attention is not enough. The extensive efforts of this committee and that of the late Senator Kefauver focused wide public attention on the scope of the problem. And yet not only has organized crime not diminished, but it has become an even more urgent national problem.

The recurring theme we have found in case after case is that where there is little public interest, the cash registers of organized crime clang loudly. Where public interest is aroused—and stays aroused—racketeers are driven into bankruptcy or prison.

A notable example is Newport, Ky., which was long known nationally for wide-open gambling and prostitution. Law enforcement there was deeply corrupted and small citizens' groups had been fighting the rackets for years without success.

In 1961, while reformers were mounting a new effort, we convened a special Federal grand jury. On the basis of solid investigative work by the Internal Revenue Service and FBI, the grand jury returned indictments which led to the conviction of Frank Andrews, one of the country's leading numbers operators, and an attorney and night club operator involved in the rackets.

We also made grand jury witnesses available to State authorities and an aroused local grand jury then indicted the mayor of Newport and several council members and policemen, for malfeasance. They are awaiting trial. Meanwhile, the voters ousted the Campbell County sheriff, and the chief of detectives in Newport has been replaced.

The fight is not over in Newport, but organized gambling and prostitution have been eliminated. A reform candidate has been elected sheriff and there are continuing efforts to elect more decent citizens to local public office. And, we are told, the Newport economy, once thought to be so dependent on illegal gambling, has had a sharp upturn. Business, which once avoided the area, is now settling down in an atmosphere of safety.

Beaumont, Tex., provides another example. Since 1960, when a special squad of IRS agents began intensive investigation there, the wide-open vice and corrupt law enforcement which had existed for decades have been largely eliminated. This result has been achieved by joint State and Federal efforts, which continue.

A number of public officials, including the sheriff, district attorney, and police chief of Beaumont and Port Arthur each admitted receiving

10 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

substantial amounts as "political contributions." In one case, these amounted to \$85,000 in 5 years.

All of these officials have been removed. Three leading local gambling figures have been convicted of tax charges and still other cases are either pending or under investigation.

The effect of aroused community interest is by no means limited to smaller cities. One of our principal areas of concentration has been a highly industrialized eastern city. A task force of Federal agents and several attorneys from the Organized Crime and Racketeering Section, working with the U.S. Attorney's Office, organized a coordinated drive against the racket interests there.

Their first target was the syndicate in the suburbs. They found half a dozen major crime figures—all of whom attended the Apalachin conference—conducting racketeering activities outside the city proper. Because of their connections with police, the racketeers were virtually immune from local prosecution.

As a result of our coordinated effort, their gambling headquarters were raided. Two were indicted and are awaiting trial for tax evasion and their top lieutenants have been convicted on gambling tax charges.

Further action at that time was blocked only because corrupt local police prevented surveillance of a courier who was bringing gambling profits to rackets chiefs shortly before the raid.

Nevertheless, the public attention aroused by these cases resulted in replacement of the suburban town government and police force.

Meanwhile, the attack on extensive racketeering activities within the city itself began with undercover surveillance by the Internal Revenue Service.

Raids on gambling headquarters followed and in one of these, we were able to make a clean sweep of arrests—of the operators and the employees of the three largest numbers operations in the city. Of the three operators, two have been convicted and the third is awaiting trial.

Law enforcement efforts in this city now are changing drastically. Police are now cooperating with fellow law enforcement officers rather than with the gamblers. Local, as well as joint Federal-local raids have been conducted and more are planned throughout the area.

I think it is fair to say that the change results from the public awareness and action stimulated by the original Federal drive.

Let me make it clear that for the most part, our experience with local law enforcement officials has provided us with case after case of dedicated, honest, and courageous police action.

One excellent example came in Detroit November 9, 1962. The scene was a former hotel, turned over totally to very large-scale numbers operations, other types of gambling, and prostitution. Security was maintained not only by a buildingwide buzzer alarm system, but also by a closed-circuit TV in the lobby.

City and State police joined forces with Internal Revenue Service agents and a joint 100-man raiding team was established. Operating with complete secrecy, they then conducted one of the most successful gambling raids in history.

The indictments of a number of gambling figures, including the chiefs of six numbers games in the city, have followed. While these have not yet been tried, Detroit officials tell us that many gambling

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 11

figures have moved out of town, that those who remained move around constantly, and that the numbers business in the city has dropped sharply.

Seized records show that prior to the raid, this single hotel operation brought in \$21 million a year.

Such enormous totals are not unusual. They illustrate how big a business organized crime has become.

As I testified before the Senate and House Judiciary Committees in the summer of 1961, we estimated that illegal gambling alone had a gross volume of some \$7 billion annually.

The work and the efforts we have made since that time, Mr. Chairman, bear out that figure.

We have made progress since that time. We have successfully prosecuted 1,283 gamblers for wagering tax or interstate gambling violations. This is a good beginning, but it is no more than a beginning, and the success of our efforts cannot be measured properly for several years.

There is, in any event, no doubt that illegal gambling still takes in enormous amounts of money, much of which is used to feed other kinds of organized crime.

To illustrate, in an interstate numbers game case which we prosecuted successfully in New York City, records seized during a raid disclosed that this single operation grossed \$6 million a year. In the three related cases successfully prosecuted in the western district of Pennsylvania a total of \$40 million was involved.

Figures of this magnitude have been found all over the country. In the State of Washington the defendants in a case involving interstate transportation of pinball machines admitted in open court that they paid 20 percent of their gross income of \$16.5 million to the State in taxes in 30 months despite the fact that the pinball machines, which were the source of the money, were illegal under State law.

Narcotics also provides enormous profits. Because of the remarkable vigilance and law enforcement efforts of the Bureau of Narcotics, under Henry Giordano, we know the syndicate leadership has ordered its members to stay out of the narcotics traffic.

The greed of a number of racketeers is so great, however, that despite the risk and despite these orders, they have continued to operate extensively in this field. More than a score of Cosa Nostra members have been convicted recently on narcotics charges.

This greed—and the efforts of the Bureau of Narcotics—are typified by a historic case involving an international heroin ring. This operation smuggled, conservatively speaking, \$150 million worth of heroin into this country in the false bottoms of trunks supplied to unsuspecting Italian immigrants.

How important this case was to the syndicate can be gaged from what happened to the 24 men indicted in New York. The body of one defendant was found in the Bronx, full of bullet holes, shortly before the trial. The badly burned body of a second defendant was found in a field near Rochester, N.Y., during the trial. Another defendant attempted suicide and three others, the leaders of the ring here, fled the country, two of them forfeiting \$50,000 bail.

The Bureau of Narcotics, picking up their trail in the Caribbean, traced them to Italy and then to Spain where they were arrested and

12 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

returned to this country. Ultimately, they were convicted both on the original narcotics charges and also on flight charges.

The remaining defendants were convicted and sentenced to long prison terms.

Gambling and narcotics are not the only sources of great income to the rackets. Usurious loans—known in the underworld as “juice loans” or “shylocking”—involve large amounts, as well as frequent hoodlum threats of violence made to insure repayment.

The principal syndicate “shylocker” in New York was carrying some loan records when he was arrested by the FBI recently for violating probation. While he first contested revocation of his probation at a hearing, he quickly changed his plea to guilty when the court sought to question him about the records.

From other sources we know why he was so anxious to avoid talking about his loans. He had loaned over \$125,000 of his own money at usurious rates. The additional money he was handling for the syndicate ran into hundreds of thousands more.

I might say, Mr. Chairman, he was one of those who attended the meeting at Apalachin.

Considering that an interest rate of \$6 back for \$5 borrowed per week is not unusual in the underworld, the size of the profits from this activity is apparent. If there is no repayment, that rate would compound to more than 700 percent over the usual 12-week loan period.

Yet even the enormous amounts of money involved in these activities tell only part of the story of the rackets' financial interests. What is at least as disturbing, and far more insidious, is the increasing encroachment of the big businessmen of the rackets into legitimate business.

In some cases, the familiar weapon of extortion has been used not only as a source of direct income, but as a wedge to obtain control of respectable enterprises.

An illuminating case in point began in 1960 with a series of threats directed against the partners in a Brooklyn furniture enterprise. Subsequently, one partner was beaten by unknown assailants. Acting on the advice of a New York rackets leader, the partners then sought protection from another important racketeer ranked high in the Pro-faci-Magliocco family.

The “patron” agreed to provide the necessary protection, but announced that he, too, was now a partner in the business, of which the paidup inventory alone was more than \$60,000.

In return for his new “partnership” he gave \$10,000 to one partner for his entire interest and \$5,000 to the other for a half interest.

Thereafter, the racketeer proceeded to milk the company dry. Then came a series of mysterious fires which resulted in an insurance settlement of over \$105,000.

Another scheme used by racketeers for intrusion into legitimate business is bankruptcy fraud. The method of operation is simple.

A racketeer buys or opens a retail store, often through a “front” man. He deposits substantial funds into a bank account for the store and, using that as a basis for credit, orders large amounts of merchandise.

He then sells the goods through the ostensibly legitimate store, but does not pay his creditors. Anxious to protect their investment, they give him extended opportunity to pay.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 13

By the time the collector comes with the sheriff, however, the ostensible merchant has disappeared—or contends that he lost the retail sale proceeds, now safely hidden, at the race track or in a so-called burglary.

Racketeer involvement in such cases is increasing. We have two cases now pending in different eastern cities, each involving six-figure amounts and other similar cases are under investigation.

Still another form of encroachment into legitimate business is the fictitious employee scheme.

To cloak their illegal activities, racketeers in some parts of the country have arranged to be placed on the payrolls of ostensibly legitimate businesses, which they may, indeed, own themselves.

This employment is purely fictitious and the racketeer performs no services for the firm. But the “job” permits him to devote his time to operating illegal activities while the job title and his tax returns show him to be a member of the honest business community.

A racketeer in this position can use the business as a funnel for racketeering profits by repaying loans, for example, with illegally obtained funds.

We now have this kind of activity under scrutiny in several areas, including a midwestern city where nine top racketeers are engaged in fictitious “front” jobs.

Other racketeers have interests in a variety of legitimate businesses—the garment industry, construction, bowling alleys, liquor wholesaling, real estate, jukeboxes, vending machines, restaurants, and others.

Such business interests in some cases have fostered official corruption. In an eastern city, a leading racketeer and the city’s mayor and police chief are awaiting trial on charges of extensive corruption involving substantial payoffs to the city officials in exchange for approving contracts for city business.

In a midwestern city, a high ranking municipal official is under indictment for attempting to extort thousands of dollars from firms seeking city contracts. There are other similar cases, and we now have more than a hundred investigations in 30 States involving the corruption of public officials.

Another highly profitable activity for racketeers with legitimate business interests has been stock fraud. Often rackets figures with considerable capital at their disposal invest not only in legitimate securities, but also in questionable stock.

Typically, they artificially raise the price of such stock with calculated purchases and then sell large amounts through “boilerroom” telephone solicitation.

In one case, a leading eastern rackets figure is now under indictment for evading taxes on more than \$1 million profit received from such sale of stock.

Similar situations and cases involving the sale of stolen securities are now under close investigation.

Racketeers’ intrusions into businesses are paralleled by their intrusions into labor relations. No one is better aware of the extent of labor racketeering and the toll it exacts than the members of this committee.

14 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

We have been alert to this type of criminal activity as well and in the past 32 months have taken prosecutive action against a number of corrupt businessmen as well as dishonest officers or members of some 45 different unions.

In the past 2½ years, 43 labor and 34 management representatives have been indicted for violations of the Taft-Hartley Act prohibition against payoffs to union officials. A total of 201 persons have been indicted for this and other labor-management offenses during the same period and we have so far secured 146 convictions.

In the case of the International Brotherhood of Teamsters alone, in the same period, we have secured 124 indictments against union officers, members, and associates and have, so far, secured 65 convictions, with 7 acquittals. In addition, as the result of Federal-local cooperation, there have been 23 convictions on State charges.

The job of law enforcement has become correspondingly harder as racketeering figures have tried to blur the line, in all fields, between their criminal and legitimate activities.

Our principal problem is insulation. The kingpins of the rackets—our main targets—are often far removed from their illegal activities. In fact, when we see that one of our subjects has become operational, we know he is no longer a kingpin.

For example, a racket lord need only contact one or two trusted lieutenants to successfully direct a massive, illegal gambling operation and collect great profits. With modern means of communication, he need not even enter the State in which the illegal activity is centered.

Needless to say, the racketeer knows that under present law, his telephone conversations are protected from interference.

And there are various telephone techniques to frustrate investigating officers who must attempt to obtain evidence of violations legally.

A bookmaker may subscribe to a regular telephone answering service. A bettor calls, usually from a pay phone, and leaves his number. The bookmaker then calls the answering service periodically and places a telephone call from pay booths to his customers.

Gamblers also install hidden knife switches or similar devices which can be tripped to cut the telephone circuit and prevent raiding officers from accepting calls from bettors which come in after they have gained entrance to the gambler's premises.

Top racketeers always deal in cash and there are innumerable ways to conceal cash from the very best of investigators. Secret numbered accounts in foreign banks, legitimate "front" businesses of the kind I have described, loan sharking—these are just a few of the methods.

Another is the "skimming" operation, conducted behind barred doors, in which a large percentage of the proceeds of so-called legal gambling is skimmed off and then hidden.

To avoid possible detection of this and other devices for concealing cash, the modern racketeer often reports sizable amounts, perhaps as much as \$30,000 or \$40,000, as "gambling winnings" or "miscellaneous income." These amounts are insignificant compared with the real totals and the racketeer can afford to pay them to avoid or discourage a tax case.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 15

Racketeers use other modern methods to avoid detection. Just 3 weeks ago, special agents of the Internal Revenue Service broke up the latest version of the old rolling crap game.

After a wild chase through a southeastern city, they apprehended a "rolling numbers bank"—a 1963 panel truck, air conditioned and completely equipped with tables, chairs, adding machines, and electrical outlets.

Thus, organized crime not only becomes more refined in its activities, but also takes advantage of modern developments in transportation and communication. As it does so—and grows richer and more powerful in the process—it can more easily elude law enforcement efforts.

And, as evidence becomes harder to obtain, the importance of informants increases correspondingly. They, to say the least, are hard to come by. The usual reply of a convicted hoodlum in a position to give information is that he doesn't want to trade a jail cell for a hearse.

The disclosures of Joseph Valachi—and of others with knowledge of criminal operations in various parts of the country—have helped to give us an unprecedented understanding of how those operations work.

But even the increasing flow of information from such sources does not answer the problem. Being able to identify a top racketeer is one thing. Securing the evidence to convict him in a court of law is quite another.

(At this point Senators Muskie and Javits entered the hearing room.)

Attorney General KENNEDY. While the new legal weapons Congress has already given us have been extraordinarily effective, as I indicated earlier, one major purpose in my appearing here is to seek the help of Congress in the form of additional legislation—the authority to provide immunity to witnesses in racketeering investigations; and reform and revision of the wiretapping law.

The problem of obtaining testimony is nowhere more acute than in establishing violations of the Racketeering Travel Act (sec. 1952 of title 18, United States Code, interstate and foreign travel or transportation in aid of racketeering enterprises) which the Congress enacted in August 1961.

Immunity here would materially assist our investigations of interstate racketeering in gambling, liquor, narcotics, prostitution, extortion, and bribery. For example, the power of immunity under the bribery provision of this statute could be used to advantage in our investigations of political corruption.

To further assist our investigations of political corruption, which is such a serious byproduct of organized criminal activity, we would also suggest to this Congress S. 1246, which would provide for the use of immunity in the general bribery and conflict-of-interest statutes.

This change would make an important tool available in certain political corruption situations where we are unable to establish an interstate connection as required under the travel statute.

Finally, if we are to make maximum progress in our drive on organized crime, I am convinced that we need legislation to permit the use of wiretapping by law enforcement officials.

The urgency for revision of the present and ineffective provision of the wiretapping statute is emphasized by the fact that the latest

16 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

electronic improvements are easily available to the criminal. The advantages these can give him over law enforcement officers are plain.

Leading racketeers make almost unrestricted use of interstate facilities, particularly communications, to direct their illegal activities.

Meanwhile, the present statute fails to protect the right of privacy over the telephone, because anyone can listen in without violating that statute. At present, to convict someone of illegal wiretapping, we must not only prove both that a tap was made but also that there was unlawful disclosure of the conversation.

Thus the present law neither prevents indiscriminate wiretapping nor recognizes the legitimate needs of law enforcement for authority, closely circumscribed to use this means of gathering evidence.

Last January the Department of Justice resubmitted to the Congress a carefully worded bill, S. 1308, with strong procedural safeguards, which would afford a clear-cut basis for the legitimate and controlled use of wiretapping by law enforcement officials. At the same time, the bill would expressly forbid all other types of wiretapping.

Section 5(b) of this bill empowers the Attorney General, or an Assistant Attorney General specially designated by the Attorney General to authorize application to a Federal judge for a wiretap order.

The section empowers the judge to issue an order permitting wiretapping in cases involving national security, murder, kidnaping, and racketeering cases.

Enactment of both of these statutes would give us important and effective weapons against organized crime.

The fact remains, however, that if such weapons and all of our efforts are to make any lasting difference, we must encourage, arouse, and sustain the vigilance of the public.

For if one thing is clear, it is that organized crime is a national problem. The racketeer is not someone dressed in a black shirt, white tie, and diamond stickpin, whose activities affect only a remote underworld circle.

He is more likely to be outfitted in a gray flannel suit and his influence is more likely to be as far-reaching as that of an important industrialist.

The American public may not see him, but that makes the racketeer's power for evil in our society even greater. Lacking the direct confrontation with racketeering, the American citizen fails to see the reason for alarm.

The reason, decidedly, exists. The financial cost of organized crime is not limited to the vast illicit profits of gambling or narcotics. When racketeers bore their way into legitimate business, the cost is borne by the public.

When the infiltration is into labor relations, the racketeer's cut is paid by higher wages and higher prices—in other words, by the public.

When the racketeer bribes local officials and secures immunity from police action, the price exacted by corrupt law enforcement—incalculable in dollars—is paid, again, by the public.

In short, organized crime affects everyone. It cannot be the concern only of law enforcement officers. It must be the urgent and active concern of every citizen.

I thank you, Mr. Chairman.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 17

(At this point Senator Javits withdrew from the hearing room.)

The CHAIRMAN. Thank you, Mr. Attorney General.

May I ask if you have anything additional you wish to add to your prepared statement?

Attorney General KENNEDY. Not at the moment, Mr. Chairman.

The CHAIRMAN. I think it is a most excellent statement. I wish every American citizen could have heard, and maybe many have heard you give your statement. Those who have not I wish might read it because I think it points up the critical situation that exists in our country with respect to law and order, in many aspects of it at least.

I know it is gratifying to every citizen to realize that through vigorous efforts we are making possibly some progress in this effort to abate the menace. But I think it is as you suggest, it is almost imperative that we get the rank and file citizens of this country to realize how important, how serious it is to the end that they will become aroused and make their contribution, any contribution within their power, toward enforcement of our laws and the assisting of law enforcement agencies and officers who have in this field today a very heavy responsibility.

I deeply appreciate your giving the time from your other duties to come here and work with us to give us the benefit of your observation and experience since you have been performing the duties of the high office you hold.

I was interested particularly in the recommendations you make for new laws. I think that good can come from hearings of this kind by simply getting information to the public that it might not have and that might, as you have indicated, bring to the citizen a greater consciousness of his duty and obligation and of the seriousness of the problem.

But the primary purpose always of congressional investigation is to search for knowledge and information to serve as instruction and guide to the Congress with respect to its duty to legislation; to examine into conditions, to ascertain if existing laws are adequate; to deal with those conditions, also to ascertain whether the tools that we have provided by law to our law enforcement agencies are adequate, that they are up to date, if they are effective or if they are deficient and what we should do about it.

That is and will remain the primary objective of not only this but other investigative hearings that this committee will conduct.

I notice you emphasize again the wiretapping legislation which you have previously recommended.

I fully understand that and I share the views of your Department and of yourself with respect to the need for this legislation. Those who introduce these bills and who recommend them know that they are subject to examination and study and they should be.

But the objective that you seek has my unqualified support.

Attorney General KENNEDY. Thank you.

The CHAIRMAN. I will do all I can to get such legislation enacted.

You mentioned another recommended legislation in another field, that is of granting immunity. I should like to have you amplify your statement about that for the record and indicate how it would work, how the legislation we seek in that area would operate, what use you could make of it advantageously in this war against crime.

18 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Attorney General KENNEDY. Well, both provisions I have recommended here, Mr. Chairman, have to do with immunity. One is to have an immunity statute attached to 1952 of title 18 which was passed by Congress at the last session, which deals with travel or illegal business across State lines and the illegal business is described as prostitution, organized crime, gambling, bribery, extortion. This is a very powerful weapon and it has been very useful to us so far. But we have a difficult time, as always, in obtaining witnesses to testify on some of these matters.

If we could give immunity to some of the key witnesses who have information about these kinds of activities, that would be extremely important.

The CHAIRMAN. Where two conspire to violate the law in a rackets game or where, for instance, a local official may be corrupted by a racketeer to permit him to engage in his racket, I understand now you do not have authority under the law to grant immunity to one of those so that he may testify against the other.

Attorney General KENNEDY. That is what we would like to have, Mr. Chairman. The difficulty is that where it goes across State lines these matters involve some of our biggest gangsters and hoodlums in the United States or their lieutenants. It is virtually impossible to obtain testimony from any of those who are directly involved. If they bring in one outside individual, a businessman, a labor leader, or an ordinary citizen, we have found from our experience that he becomes so intimidated that he will also refuse to testify.

So the result is that cases that we—because of our investigative work—realize exist we are not able to present in a court of law because we just do not have the witnesses.

If we could obtain an immunity provision attached to that statute so that we could give immunity and require testimony, it would be very helpful in cutting down on the bigtime activities of those involved in organized crime.

The CHAIRMAN. Has that legislation been introduced that you have recommended?

Attorney General KENNEDY. It has.

The CHAIRMAN. It is also pending?

Attorney General KENNEDY. The other immunity provision I have also recommended, Mr. Chairman—and we have not recommended an overall immunity statute because I know there is a good deal of reluctance about that—the second part that we have requested is an immunity provision dealing just with public corruption, corruption in labor-management affairs.

Once again you have a very difficult time, if there is a payoff or deal made between someone involved in a labor union and management, to get one or the other to testify, because both of them appear to have violated the laws. So they refuse to testify.

If we could take the least culpable and require his testimony, that would be extremely helpful. We would have made many more cases over the last 2½ years if we had had that.

Also, I think one of the worst byproducts of organized crime is the corruption of public officials. This would permit us to grant immunity and require testimony in those kinds of cases.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 19

Third, we have had information on occasion that efforts have been made to fix juries and if this provision was forthcoming from Congress we could grant immunity and therefore obtain evidence that we cannot obtain at the present time.

The CHAIRMAN. Now this you think would be most useful and would become an important tool in trying to reach the higher criminals in these conspiracies?

Attorney General KENNEDY. Senator, if those three bills were passed, the wiretapping, which is the most important, plus the immunity bills, then I would think that the need for this kind of hearing 5 years from now would not be necessary.

I think you are still going to have organized crime, you are still going to have problems, but the major effect that it has on peoples' lives and on communities would not exist 5 years from now.

I say that if the legislation is not passed, even though this increased effort is made at the local and Federal level, you are going to still have a major problem in the United States.

Organized crime has grown immensely since the days of the Ke-fauver investigation. I think that now we are treading water at least, but to start to make any major inroads into it we are going to need more weapons.

We can have a lot more hearings but unless we get the weapons to deal with it, unless local law enforcement has this kind of support which the wiretapping bill would give them, and unless the Federal Government is given the weapons to deal with this kind of problem, all we are going to do is to have articles written, stories written, and hearings, and not really get the jobs done.

The CHAIRMAN. As I understand it, many States have comparable statutes.

Attorney General KENNEDY. On the immunity?

The CHAIRMAN. Yes.

Attorney General KENNEDY. That is correct. But on the wiretapping, as Frank Hogan stated 2 years ago, some of their biggest cases had to be thrown out at the local level.

The CHAIRMAN. As I understand it, that is because of a Federal court decision.

Attorney General KENNEDY. That is right.

The CHAIRMAN. Do I understand you to say that if you had these weapons that it is your sincere belief you would have the tools with which you believe you could successfully combat this menace?

I do not mean wipe it out. There will always be crime, there will always be evil in the world, I understand that. But you believe with these weapons you would be able to combat the rise in crime successfully and particularly in these areas of racketeering?

Attorney General KENNEDY. That is correct, Mr. Chairman. I think the wiretapping bill, of course, is the most controversial, but I think an individual citizen's privacy would be safeguarded far more if this bill is passed than he is at the present time.

The CHAIRMAN. I want to ask you one other question at this time and then I want to yield to my colleagues but then I would like to ask you later possibly two other questions.

I stated in my opening statement, and I have discussed this with some of your staff recently—and I am sure the idea is not originally

20 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

mine, I am sure others have thought of it before and no doubt you have discussed it some in your consideration of this problem—as you said possibly for the first time now we hope at least to have a witness who has been a member of such an organization as Cosa Nostra testify and reveal inside knowledge about it. I know this would have its constitutional difficulties. In other words, it would not be easy to draft legislation to accomplish this result.

I am thinking in terms of making it a crime, making it illegal to belong to a secret society or organization or association, whatever term we want to give to it, where allegiance is taken that assumes disloyalty, an individual pledges disloyalty to the Constitution and laws of the United States. In other words, where there is a conspiracy at the time of entering the organization to violate laws, to permit crime, to pursue an enterprise of crime against the laws of the country, to make that act of joining or taking of the pledge or taking the oath to commit these things, and to provide protection to others of the organization who do and commit these acts, to make that a crime.

I know it will have some problems, constitutional problems maybe, but to me it seems that we have established the fact, and I think we all know it, that such an organization exists, that we might be able to enact some law striking directly at the source. There is where the source is, in the organization. That is why it can be so effective because it is organized. Why it can be so effective is because they agree and conspire to go beyond the laws, to violate the laws, to disregard them, to obstruct law enforcement right from the beginning.

We should strike directly with some statutes, strike directly at the membership, at the incipency of the offense, so to speak.

I wish you would give some thought to it.

I do not know whether you wish to comment on it now. You might have your staff study it.

Attorney General KENNEDY. Yes, we will be glad to work with the staff of the committee.

As you have pointed out and as we have discussed, there are certain constitutional problems. Obviously we are most sympathetic to the objective which would be very, very helpful.

If we can work out the constitutional problems, I think that that is what we should devote our attention to.

The CHAIRMAN. The general objective of it seems to me to be rather important.

Attorney General KENNEDY. That is correct.

The CHAIRMAN. I think I know that from another source but I will wait for the right time to place it in the record, but there are many today whom you are prosecuting, and some of whom you have already convicted, who possibly would not have been such misfortunates among our human population if they could have been prevented or if there had been an inhibition against it, or something to deter them from ever becoming a member of such an organization.

I think it is worth our serious study.

I am not saying at the moment that it can be done constitutionally, but if it can be I think that might be one of the important pieces of legislation that could come out of these hearings.

Thank you very much.

I will want to ask you another question or two.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 21

Senator Mundt indicated he wished to ask you a question. I do not want to monopolize the time. I want to give my colleagues an opportunity to ask questions.

Senator MUNDT. Thank you, Mr. Chairman.

Just how would this immunity statute operate if you had the authority you seek in the legislation? Would that mean that you could then get cited for contempt of court the witness who used the fifth amendment to protect himself?

Attorney General KENNEDY. You would give him immunity, Senator, if you required his testimony. You could grant him immunity and provision would be made that he would not be prosecuted for anything that he testified to.

Senator MUNDT. Then if he still was adamant and refused to testify, would you be able to convict him?

Attorney General KENNEDY. Then you bring him before the court and then undoubtedly, if he had been given immunity under the law and the statute was on the books and we had a right to give him immunity, the court would order him to answer the question. If he refused to answer the question after the court, the judge, ordered him to answer the question, then he could be sent to jail.

Senator MUNDT. In other words, his right to plead the fifth amendment on that particular question would be denied to him because there would not be any possible way for him to convict himself, but if he still refused he could be held for contempt of court?

Attorney General KENNEDY. That is correct.

Senator MUNDT. Otherwise I do not see how your immunity would help because this other factor you describe, the fear of reprisal, would still prevail.

Attorney General KENNEDY. That is correct.

I might say there are more than a dozen immunity statutes on the books at the present time dealing with all kinds, different kinds. The Federal Communications Commission has a right to grant immunity. When an individual is called before a grand jury under the antitrust laws he gets immunity automatically. So this is not a precedent-shaking step.

There are many other bills that have it already. This would be adding to it.

As I say, in this extremely important field, it would be very, very helpful.

Senator MUNDT. You seem to use the words "Mafia" and "Cosa Nostra" sort of interchangeably in these discussions. Could you outline for us the difference or the relationship between the Mafia and the Cosa Nostra?

Attorney General KENNEDY. I think it is almost a matter of semantics, Senator.

Senator MUNDT. You can use them interchangeably?

Attorney General KENNEDY. Yes. Some refer to it as the commission and consider it at that time not only just the 8 to 12 men that head it up but the whole organization. It is an organization. It is Mafia. It is the Cosa Nostra. There are other names for it, but it all refers to the same operation.

I think the importance of it is that it indicates, it shows, it demonstrates that there is an organized crime operation in the United States

22 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

and that it is run by a group of 10 or 12 men at the top, like a major industrial concern.

Senator MUNDT. It ramifies out to the members of a family.

Attorney General KENNEDY. That is correct. It is then broken down in the various major areas of the United States.

Senator MUNDT. I was rather expecting you to say something about the degree to which aliens belong to these organizations.

I wanted to inquire whether that is correct and, if so, whether you have all the deportation powers required to rid this country of aliens who take advantage of their presence to engage in these big-type crimes.

Attorney General KENNEDY. Some of them do participate. Deportation proceedings, as you know, Senator, frequently take a long period of time. Some of them, by the time the individual exhausts his legal remedies, it is 12, 15, or more years. So that is a great problem.

Senator MUNDT. It could cause a great frustration.

I was wondering whether anything could be done to expedite it.

Attorney General KENNEDY. There was some remedy we recommended last year which was passed by Congress which I think will be very helpful. It is not up before some of the higher courts for their interpretation. But if it is interpreted as we expected and as we anticipated and as we hoped when we suggested it, I think it will expedite the deportation of some of these individuals.

Now the ones who can really delay the deportation are those at the top because they are the ones who have all of these legal remedies that they have studied for such a long period of time.

It has not been helpful to those who are less fortunate and do not have the financial means, and that is not the way it should be.

Senator MUNDT. I recall in our earlier crime testimony, when you were serving as chief counsel, there was a case of a fellow down in New Orleans.

Attorney General KENNEDY. His case is about to come up, so I would rather not comment on it.

Senator MUNDT. It seems to me that is illustrative of what would happen.

Here is a fellow, an alien, a criminal, apparently reached the United States, and it was not able to get rid of him.

Attorney General KENNEDY. I would rather not discuss it.

Senator MUNDT. Are you completely satisfied with the nature of the sentences which are meted out, once you go through the laborious process of detection, prosecution, and conviction?

Attorney General KENNEDY. I say generally I would be, Senator. Obviously there are disappointments. At times when we have worked a long time on a major figure, as we have on occasion, and then he avoids any real serious penalty and receives a \$200 fine, it is obviously a disappointment to the investigative group as well as the Department of Justice and does not really further the ends of justice.

There are certain problems that we have around the country in connection with that.

Senator MUNDT. Is there anything that could be done in the legislative field to increase the minimal and maximal penalties which would be helpful; or is this just a matter of getting the case before the right judge?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 23

Attorney General KENNEDY. I do not think that there is anything that can be done in the legislative field. We have had these conferences around the country, Senator, talking about sentencing, which I think have been helpful, to try to get some more uniformity. While we are concerned that sometimes they are too lenient, we are also concerned that on occasion they are too harsh. If we can get greater uniformity I think it would be very helpful to those who get into difficulty with the law as well as law enforcement generally.

Senator MUNDT. Mr. Chairman, I will reserve the balance of my questions because I think other members would like to ask questions before the morning session ends.

The CHAIRMAN. Senator Muskie, do you have any questions?

Senator MUSKIE. Thank you, Mr. Chairman. I do not have many questions.

I would like, first, to compliment Attorney General Kennedy on his statement, on his concern with the problem, on his efforts to deal with it, and on the proposals he has advanced for improving those efforts. I think he has particularly made mention of the fact that as organized crime becomes more refined, more sophisticated in its method and activity, it becomes more difficult to deal with it.

With respect to Cosa Nostra, as I understand it, this is an organization which establishes an allegiance for its members that is higher than family, country, and religion. It becomes the primary allegiance of the member.

Attorney General KENNEDY. That is correct.

Senator MUSKIE. I think this is at the heart of the chairman's suggestion for dealing with it.

In connection with your own proposals, Attorney General Kennedy, are you concerned primarily with the problem of detecting crime and uncovering these activities or are you primarily concerned with obtaining evidence that will hold up in court?

Attorney General KENNEDY. The latter, Senator. I think we do have machinery that is now in operation which gives us a good deal of intelligence.

I think we are approaching this matter now as the Communist Party was approached in the 1930's and we are going to have intelligence. It might not pay off in prosecutions right away but maybe 3 years from now, or 5 years from now, or 10 years from now the information we can place in our files, the information we can learn on these individuals, can be extremely helpful to our successors. So I think that is on its way.

What we need, however, is that because the members of the commission, the top members, or even their chief lieutenants, have insulated themselves from the crime itself, if they want to have somebody knocked off, for instance, the top man will speak to somebody who will speak to somebody else who will speak to somebody else and order it. The man who actually does the gun work, who might get paid \$250, or \$500, depending on how important it is, perhaps nothing at all, he does not know who ordered it. To trace that back is virtually impossible.

You are going to have to get every one along the line, these two or three men, to talk.

They have all taken this oath. They all believe in the organization. They have always felt the worst thing you can possibly do is talk.

24 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

They have seen others who have talked who have not lived, so they are not going to talk.

The reason that Valachi is interesting is not that we don't have other people who are not talking to us but they are talking to us on the basis that we not disclose it or not disclose where the information came from. That is how we found out what happened at Apalachin. We could not produce a witness here who would tell you what happened at Apalachin.

Mr. Valachi is the only one who will actually come and testify in public and disclose the information in public as to what he knows. That is what distinguishes him.

You look back on organized crime and people who are talking about organized crime, somebody might talk about a particular criminal act.

What we have always lacked is somebody who could come in and tell the whole picture.

Now, he tells it mostly from the city of New York but he can touch on some of these other areas.

From what he has told us, what others have told us, we have been able for the first time really to put together who make up the commission.

It is extremely important. We have been able to put together who makes up these families and how they operate. That intelligence is well on its way.

With the passage of these bills then we would be able, in my judgment, to start to prosecute successfully those who are at the hierarchy. We get some of them. We have convicted some of them over the period of the last few years. There is a tremendous amount more to be done.

Until we have that kind of weapon to make that kind of breakthrough, we are not going to be successful in this operation.

Senator MUSKIE. An interesting thing about Mr. Valachi's case is that fear of reprisals has brought him forward. In most instances, it is the fear of reprisal which persuades these people to keep their information to themselves.

Attorney General KENNEDY. As you know, that fear of reprisal does not disappear because somebody happens to be behind bars because they feel as frightened there as they do any place else.

Senator MUSKIE. Senator Mundt touched on what seems to me to be the heart of the problem in this respect and that is this: I know these people fear reprisal from other members of the Cosa Nostra more than they do from prosecution. As a matter of fact, the imminence of protection of the bars might actually be a stimulus to them to talk rather than to the contrary. Is this how it has worked in Valachi's case?

Attorney General KENNEDY. Yes.

Senator MUSKIE. Would immunity without protection of some kind really serve the purpose that your recommendation is designed to serve?

Attorney General KENNEDY. They are going to have to be convinced that not only will they obtain immunity but that they will also obtain protection.

Senator MUSKIE. How long can you give them protection unless you convict them of a crime that would insure a long sentence?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 25

Attorney General KENNEDY. How long can you give an individual protection who comes in and testifies?

Senator MUSKIE. Yes.

Attorney General KENNEDY. We have taken steps, Senator, to even move people out of the country.

We have provided them positions and work in areas where nobody will really have any contact with them. We have arranged to move their families and have their names changed.

I think that we have procedures now where, if an important individual comes forward and is willing to testify, that we can give him that kind of protection.

We are also going to require funds to deal with that, not a great deal but we are going to require funds, and we are asking for that.

As I say, it is not a great deal of money but just for the transportation of families and establishing a person in another country.

Senator MUSKIE. Your ability to protect him in that way is inhibited by your inability to give him immunity from prosecution?

Attorney General KENNEDY. That is correct.

Senator MUSKIE. Thank you, Attorney General Kennedy.

The CHAIRMAN. Are there any other questions? Senator Curtis.

Senator CURTIS. It is nice to have you back, Mr. Attorney General.

Attorney General KENNEDY. Thank you, Senator.

Senator CURTIS. In this question of immunity, do you propose to give them general immunity? For instance, you might be investigating narcotics but his disclosure might also involve his tax returns. The statute you are suggesting would be a general immunity from anything he might testify to.

Attorney General KENNEDY. You would give him immunity to obtain particular information under this statute. If, in the course of the questioning of it, Senator, in the course of your asking questions, it was brought out that he committed another crime, we would not be able to prosecute him.

However, if you asked him about this particular crime and then it was developed later on that he also violated the tax laws, then he could be prosecuted under that.

What he testified to in response to your questions, he would have immunity for that.

Senator CURTIS. But it would be specific immunity rather than a general immunity?

Attorney General KENNEDY. Yes, it would be.

Senator CURTIS. So he would still be the judge as to whether or not his answer would tend to incriminate him?

Attorney General KENNEDY. Whatever answer he gave to the question posed to him, he would receive immunity for that, so he could not refuse to answer that. He would have immunity for any answer he gave to the question, any information.

Senator CURTIS. Even though it involved crime that was incidental to what you were investigating?

Attorney General KENNEDY. That is correct.

Senator CURTIS. How about a violation of State laws? Can Federal officials grant immunity to someone in order that they make a disclosure, and in so doing they disclose a violation of State law, then what would be the situation?

26 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Attorney General KENNEDY. We could not give him immunity for that. We would have to work that out with the State officials if that was important. But the Federal Government has no authority to grant immunity for State offenses.

Senator CURTIS. That is what I am thinking of. Many times these people are guilty of local and State laws as well as interstate.

Attorney General KENNEDY. That is right. They still would not have the right to take the fifth amendment when those questions were asked of them after they had been given immunity. They could not refuse to answer questions.

Senator CURTIS. I do not want to delay here but that raises the question, whether or not a Federal tribunal or even this committee could compel an answer if the only possible incrimination was the violation of a State law.

I do not know offhand whether the courts have passed on that or not. But I will not delay this discussion at this time.

Attorney General KENNEDY. Let me say that same kind of problem exists for any immunity statute at the present time.

Senator CURTIS. I am aware of it. I am not against it.

I merely illustrate the complexity of the problem.

Attorney General KENNEDY. That is right.

Senator CURTIS. Now, the avenue of using internal revenue violations, tax avoidance and failure to pay taxes, that still is an important weapon in reaching the underworld, is it not?

Attorney General KENNEDY. It is, Senator. It is also important in this drive and effort that has been made by the Internal Revenue Department and it has paid considerable dividends so far as collected income from these individuals—fines, penalties, and income.

Senator CURTIS. And it has been the direct tax cases as well as using the process of tax investigation that has led to the convictions of quite a portion of some very serious offenders, is that not correct?

Attorney General KENNEDY. Yes. Also there are over 25 various investigative bodies of the Federal Government, the information from all of them now is pooled on these major racketeers in the organized crime section. In a number of them the FCC investigated, came up with some important information regarding a major racketeer in his efforts to obtain a license to operate the radio on his boat. He had filled out his form falsely, so he got into difficulty.

Somebody else was in difficulty under the migratory bird statute, so a major racketeer, Joey Aiuppa, was convicted several weeks ago for violation of that statute.

It is all the investigative agencies of the Government working together.

Senator CURTIS. It requires a long tedious process of investigation; is that correct?

Attorney General KENNEDY. That is correct.

Senator CURTIS. Sometimes running not a few years but many years?

Attorney General KENNEDY. That is correct.

Senator CURTIS. There is a certain time which has to elapse from these original parcels of information that come in from the first investigation before you know whether you have a case or not.

Attorney General KENNEDY. That is right.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 27

Senator CURTIS. Then some further investigations before it is presented to a grand jury. Is that not correct?

Attorney General KENNEDY. That is correct, Senator.

Senator CURTIS. Ultimately there is a trial and that is a further delay. Then, of course, there is an appeal. So, the investigating work that you are doing, say in 1963, may have a very important effect upon convictions obtained in 1966, 1967, or even 1970. Is that not correct?

Attorney General KENNEDY. There might be that delay. On the other hand, we might have it at the present time. It varies.

As I said earlier, we are trying to obtain intelligence information now which might be helpful 10 years from now.

Senator CURTIS. So a good job done now in investigating, observing racketeers, coordinating information, is apt to pay off a long time from now; is that correct?

Attorney General KENNEDY. Yes.

Senator CURTIS. And the same is true, successful accomplishments now sometimes have had their roots back in some fine work that officers have done maybe just recently or maybe some time ago?

Attorney General KENNEDY. That is correct.

Senator CURTIS. Now, with reference to wiretapping, is it an oversimplification to say that Federal officers can wiretap but they cannot use the evidence in court. Is that about the problem?

Attorney General KENNEDY. No, they cannot wiretap just generally. In security cases, matters involving the national security, with the authority of the Attorney General upon a request from the Director of the Federal Bureau of Investigation, wiretapping can be undertaken but that evidence and information cannot be used publicly or in a court of law.

Senator CURTIS. But a Federal official can receive, informally, information obtained from wiretapping by others?

Attorney General KENNEDY. I think he might very well be violating the law if he does so.

Senator CURTIS. But he cannot use it in court?

Attorney General KENNEDY. I think it is a question of whether, if, in receiving that kind of information, the person disclosing that kind of information might be violating the law.

Senator CURTIS. I will not delay the discussion any longer; but I wonder if this has been given consideration. These problems of immunity and wiretapping are quite complex, and I am inclined to favor them, myself, but certainly not everyone who has resisted them does so with the remotest thought of assisting organized crime or the underworld, but they have certain fears and concerns about working it out. Is that not correct?

Attorney General KENNEDY. I think that is correct.

Senator CURTIS. I mean at the legislative level. Is that not true?

Attorney General KENNEDY. I am sure that is true.

Senator CURTIS. Has the Justice Department given any thought to asking for this power for a limited time, say, 2, 3, 4, or 5 years, and then for the law, by its very terms, to expire? That would force the issue upon the Congress again. It would give the Congress and the public an opportunity to see whether this enforcement weapon can be used without abuses and thus might enhance its chance of passage. Has any thought been given to that?

28 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Attorney General KENNEDY. No, I don't know that any thought has been given to it, Senator. If I thought that through such a provision we could obtain the passage of the wiretapping bill for a period of some time, say 5 years or so, we could obtain the passage of the law through adding such a provision, that would be acceptable to us.

Senator CURTIS. Because there are some very good lawyers, and others who raise serious questions about it, who definitely are the highest type citizens, in no way connected with the criminal element and who have strong reservations about this. But they might be willing to take a trial, as contrasted with enacting something that would forever be a part of our judicial code and require an affirmative act to get it repealed.

It seems to me that that angle should be given consideration.

Attorney General KENNEDY. Senator, also I have found, from our own discussions, in speaking about this in public that there is a great deal of lack of knowledge or information about the bill and what is the present status of the situation as far as wiretapping is concerned.

I think the citizen has less protection now from wiretapping, from violation of his privacy, than if the bill is passed.

You mention wiretapping, and immediately certain individuals say automatically there is something wrong with it and that they are going to be against it. They don't read the bill.

I have seen public statements by heads of organizations which obviously indicated they had not even read the bill which had been suggested.

No. 2, they don't know what the situation is at the present time and what the effect of section 605 is.

I think that an intelligent discussion about the bill would throw a lot of light on it.

Also, if we could get the bill with the provision you suggested, because I recognize that it does create a lot of controversy, if we could get the bill with the addition of the provision you have suggested, we would certainly accept that. I think it is just that important to try to get it by.

Senator CURTIS. It would cause some restraint on the use of it?

Attorney General KENNEDY. Yes.

Senator CURTIS. I think this is true, that a law-enforcement officer in almost any jurisdiction can stand in the shadows and hear what one citizen says to another and if he can properly identify the voices he can testify as to that any place in court. But if the conversation is on the telephone, he cannot.

It seems rather ironical to me because, after all, both of them might be an invasion of privacy to the same degree.

That is all.

The CHAIRMAN. Senator McIntyre.

Senator McINTYRE. Thank you, Mr. Chairman.

Mr. Attorney General, I want to thank you for your statement this morning, and tell you that I, for one, will keep in mind your recommended legislation.

Attorney General KENNEDY. Thank you.

Senator McINTYRE. Is it true that these syndicates gain their principal source of income from the so-called numbers racket?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 29

Attorney General KENNEDY. Yes; I think, lately, the principal source of income has been gambling, and the numbers racket is included in that.

There have been other forms of gambling, gambling on sporting events, for instance, which has been a considerable source of income and the so-called legitimate gambling has also been a considerable source of income.

Senator McINTYRE. I am sure that you are aware and, surprisingly, that there is this tremendous desire on behalf of the people to gamble.

I think perhaps you are aware that up in New Hampshire this past year we have passed a sweepstakes or general lottery?

Attorney General KENNEDY. Yes, I am.

Senator McINTYRE. I have often wondered whether or not the legalization of this whole field would at least tend to drive these hoodlums out of it and go along with what seems to be the public's desires.

Attorney General KENNEDY. I would be opposed to it.

I can understand the feeling for it. I happen to be opposed to it.

First, I don't think it drives the hoodlums out. Where we have seen legal gambling operate, it has not been a very happy picture, so far.

Senator McINTYRE. Have you found, then, that legalized gambling actually attracts this element of society into its midst?

Attorney General KENNEDY. It does, Senator.

Senator McINTYRE. I know this was one of the concerns in New Hampshire while this bill was being debated. But I have been tremendously impressed by the fact that there is a general public desire to put down a bet or to buy a number, or to get rich quick, unfortunately.

Another aspect of this which has always interested me is the field of narcotics. I realize that this opens up a large area. That is for public, legalized facilities for treatment of the narcotics addict.

Attorney General KENNEDY. We had a conference, Senator, last year, in which that position was voiced as well as other positions.

We had some reports on what happened in England and what happened in other countries.

A tentative report was made to the President at that time. He set up a commission under Judge Prettyman, who is now going to further study the situation and is in the process of writing a report which they will make to the President and to Congress for recommendations on changing the laws dealing with narcotics and also making some findings on this particular matter.

I think the work which they have done, plus the work which has been done by the Commission and everybody pooling their knowledge and information in this very difficult field, that we will have a good deal more to go on.

I think from the knowledge that we have it is changing many areas from the use of heroin and some of these others to pep pills, to these barbiturates that can be more easily procured. The trade in that kind of narcotic is now much higher and far more serious than it is in the narcotics as we ordinarily understand them.

Senator McINTYRE. Thank you very much.

The CHAIRMAN. Senator Brewster?

30 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator BREWSTER. Mr. Attorney General, allow me to add my compliments to the others you have already received.

You have testified that we have a single national crime syndicate. Is there an international crime syndicate that this is part and parcel of?

Attorney General KENNEDY. Senator, let me break it down. First, in the field of narcotics, there is no question that those who operate here in the United States operate with their counterparts in other countries. That would have to be an international operation. Sometimes that is done directly. Sometimes it is done through innocent third parties, sometimes even those in the diplomatic area, those involved in representing their country in the diplomatic field are brought into it and become involved themselves. So, that does touch on the international group that operates in narcotics.

On the broader area, I think that the Bureau of Narcotics feels that there is a close tie-in with racket figures in other countries.

I don't think yet that the evidence is conclusive as far as that is concerned. We have some evidence but I think it would be perhaps premature for me to make any overall answer to that.

Senator BREWSTER. Would you have any reason to believe that the activities of the syndicate here are directly controlled by outside forces that are outside our ability to prosecute?

Attorney General KENNEDY. They are not controlled. They have made alliances on occasion with outside forces and even officials in other countries, but they are not directed or controlled. I can say that, they are not directed or controlled by any outside power.

As I say, they have made alliances which have caused a good deal of concern with officials and leading citizens in other countries. But they are not controlled by them.

Senator BREWSTER. Changing the subject, sir, in some very few of our States we do have legalized slot machines or one-arm bandits. Do you have reason to believe that these are owned or controlled by the syndicate?

Attorney General KENNEDY. I think it varies, Senator. In some cases, I don't think there is any question that that is true. In others, I don't have that much information.

This generally has been a considerable source of income for racket figures in the United States.

Senator BREWSTER. Would you care to make any recommendations to the committee on whether or not these one-arm bandits should be legal under our Federal statutes?

Attorney General KENNEDY. We have passed some legislation dealing with the one-arm bandits and also with these pinball machines. I think passage of that law has had a considerable amount of effect.

After the Kefauver investigations, we passed a bill dealing with the one-arm bandits. Then the major source of income for these kinds of operations passed to the pinball machines.

We made extensive investigations here in this committee.

When I became Attorney General, we recommended some legislation dealing with the pinball machines. That has been passed and I think it has had some effect. It has put out of business, for instance, the largest manufacturer of pinball machines. I think it has had some effect.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 31

Of course, as you know, in your State of Maryland it has had some effect.

Senator BREWSTER. Do you believe you have been able to effectively prohibit the interstate shipment of gambling devices under the statute that you now have?

Attorney General KENNEDY. There are some problems under the law but I think there is no question that just passage of the bill, Senator, has had a major effect on the shipment of the machines.

Senator BREWSTER. One last question.

You mentioned oath. Do the members of the syndicate literally take an oath of allegiance to the syndicate?

Attorney General KENNEDY. Yes, they do, Senator. They literally take an oath and they have the bloodletting.

I think it will be described to you before the committee, but those who are members of this organization, who were brought into the organization, take this oath.

The CHAIRMAN. There is a ceremony and it is an impressive oath, too.

Attorney General KENNEDY. Yes, it is.

I might say in that connection that part of the requirement formerly was that you had to kill somebody in order to come into the organization. That seems to have been waived lately. But you could not go into the organization unless you had murdered somebody.

Senator BREWSTER. That is unbelievable.

The CHAIRMAN. Mr. Attorney General, just one or two more questions—

Attorney General KENNEDY. May I just add on there, Senator, there is focus on the fact that gangsters or hoodlums are getting more into legitimate businesses. I have expressed concern about that.

I don't want anybody to misunderstand the fact that they are also doing the same things that they were doing during the days of Al Capone. Because there have been large numbers of very brutal murders which have been committed by those in organized crime just over a period of the last 2 years. Certainly not a week goes by that somewhere in the United States an individual is not killed or murdered in some kind of gangland battle or a witness is not garroted and killed.

I don't know if you remember Mr. Squillante who appeared before this committee—

The CHAIRMAN. I remember him very well.

Attorney General KENNEDY (continuing). Who was involved in the garbage racket.

Our information is that he was taken up into Connecticut and chopped up into little bits and burned. That is why they have never been able to find him.

So this is going on, Senator.

The CHAIRMAN. I am not sure that I mentioned Mr. Hoover, the head of the FBI, a while ago. He has cooperated with us always, with this committee always, and he has no objection, as I understand it, to your making Mr. Valachi available to this committee.

Attorney General KENNEDY. No. I have seen stories written, Senator, that the Federal Bureau of Investigation or Mr. Hoover was opposed to these matters coming out by Mr. Valachi. That is completely untrue.

32 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

There isn't any information in connection with Mr. Valachi which has appeared and which will appear before this committee which was not cleared with the Bureau of Narcotics, the Internal Revenue Department, and the Federal Bureau of Investigation, to make sure that nothing was brought out that would hinder any investigation.

The CHAIRMAN. I thought the public should know that. We do get these stories. Sometimes writers draw on their imagination, sometimes they have heard some rumor to that effect.

I think it is well to clear it up so that we will know, the public generally will know, that this committee and your establishment, all of us, are working cooperatively together in this field.

Attorney General KENNEDY. That is correct.

The CHAIRMAN. I would like to ask you one other question about investigative hearings of this kind.

You said something about if you got all of these tools that 5 years from now such investigative hearings as these would hardly be necessary and you did not think would be necessary.

Until we get tools, until we get adequate staffs to deal with it effectively—I do not mean we will ever completely eliminate it—but to deal with it effectively, combat it successfully, what is your opinion about the duty of Congress to conduct hearings, to make inquiry, to continuously study the problem, to know what is going on, what is taking place and try to meet its responsibility to enact legislation from time to time that may be indicated by the conditions that prevail?

Attorney General KENNEDY. Senator, I think there is no question that if it had not been for the hearings that were held in 1957 through 1960 that involved organized crime that we would not have obtained passage of the legislation in 1961 and 1962. For instance, as a result of just the three bills dealing with gambling, the Federal Bureau of Investigation has more than 2,500 active investigations in this field already. It has made a major difference in the jurisdiction of the Federal Bureau of Investigation to go into matters that they could not go into in the past and has already broadly widened our area of intelligence.

So I think it is essential, since this is a major problem in the country, that it be studied, and that is why we were pleased to cooperate in providing Mr. Valachi and also in giving this other information because a congressional committee is the one that can do it. A congressional committee can develop that and a congressional committee can then develop findings which can lead to needed legislation which is essential. We need more legislation to deal with this problem.

After 2½ years in this position—I felt we needed it before—there is no question if we are going to be successful we need it now. The only way we are going to get it is through the action of this committee making report to Congress and then following up on these recommendations.

(At this point Senator Javits entered the hearing room.)

(At this point, Senator Curtis and Senator Mundt withdrew from the hearing room.)

The CHAIRMAN. It occurs to me, as a Member of Congress, that there are often areas as where the Congress ought to take action where legislation is needed. Yet we have to bring things to the attention of Congress to arouse it to meet its responsibilities sometimes. That is not a reflection on Congress.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 33

The Government is big today. We all have many, many complex problems, and the burden of work, the legislative burden grows heavier all the time. So we are prone to go along and say, "Well, we have law enforcement officials, they are on the job," and we do not realize what has developed and what the conditions really are and how urgently they do need attention. I think you will agree with this, that to prepare and conduct hearings like this, your staff and members of the committee, it is an arduous task and often a very unpleasant one. But I do think that there is a necessity for it, at intervals at least, to keep us informed with respect to conditions as they have developed and as they may exist.

I wish to thank you for that.

I have one other question. I am not going to ask it now. I am going to wait until some further testimony is developed.

I see another member came in, Senator Javits. I want to give him an opportunity to ask some questions.

I want to say this before I conclude that during the course of these hearings we invite you to follow them. If you have any other suggestions, any other information you think the committee should have, we will certainly welcome it. We will welcome any recommendations or comments or help you can give us.

Attorney General KENNEDY. Thank you, Senator.

The CHAIRMAN. I want you to know that.

Senator Javits?

Senator JAVITS. Mr. Attorney General, I apologize for not being able to hear you. I did read your statement.

I will explain I was urgently compelled to vote, very close votes, in the Labor and Public Welfare Committee on the pending bills for various types of Federal aid to education. I will only seek to take your time on one critically important thing to me.

As the Attorney General knows, I have been attorney general of my State and I have dealt with somewhat the same problems the Attorney General describes. In addition, it is well known that my State is rather a clinch opinion in this problem. So many of these racketeers are concentrated there, unhappily for us, and Apalachin, of course, is Apalachin, N.Y., which is the great showcase for this particular group of nefarious people.

Now, I notice the Attorney General's recommendations for legislation are based upon two concepts, the concept of immunity; that is, immunity to witnesses who will talk, and the concept of a wiretapping in the Federal Establishment.

I would like to ask the Attorney General in both those respects, treating with them separately, would the Attorney General, who I think is just as full of feeling on this subject as I and others are, give us some idea of the civil liberties aspects involved, first in the immunity, and second in the wiretapping, and how the Attorney General proposes to equate this civil liberties question, particularly in the wiretapping field, with the necessity, as he sees it, in view of the great feeling by so many Senators, that this is a field in which the Federal statute on balance ought to be permitted to remain as it is because of the invasion of privacy, civil liberties implications of wiretapping?

Attorney General KENNEDY. May I talk about the immunity first?

Senator JAVITS. Whatever you like.

34 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Attorney General KENNEDY. On the question of immunity, I will say that there are well over a dozen bills already to grant immunity.

I mentioned, while you were out, the antitrust laws, the Federal Communications Commission. I think there will probably be more than 20 or so bills that give immunity.

Senator JAVITS. May I correct the Attorney General, if he will allow me, so that his testimony may be accurate? He is not talking about bills, he is talking about laws.

Attorney General KENNEDY. Yes, excuse me, I mean there are laws on the books, statutes which have been enacted by Congress, which are now in existence.

The fifth amendment deals with testimony that might incriminate an individual. An individual does not want to talk. If he does want to talk, there is a certain penalty which we should be willing to pay if he cooperates with the Government. I think that has been accepted down through the ages.

The immunity provision we are suggesting does not establish any new precedent, does not go into any fields that have not already been plowed, if we are going to deal with this extremely difficult problem, if we are going to grant immunity in the field of communications, in the field of antitrust. I am not aware that anybody has been harmed in the civil liberties area. I think that in this extremely important field also it is not a general immunity but when you are having immunity for the bribing of public officials, for the attempt to fix a jury, for the payoff between labor and management, where it involves kidnapping, where it involves extortion, these are the kinds of crimes we are talking about here, then I think that it would make a major difference and we can show repeatedly in cases that we have had that it would make a major difference.

I am not aware that the immunity bills that are already in the books have affected individual civil liberties. I don't have any concern that they would have that kind of adverse effect.

Studying the overall picture, I don't think as a practical matter they would have an adverse effect.

Senator JAVITS. May I say to the Attorney General that, based upon my own law enforcement experience, I am giving this matter consideration most sympathetically. I do not want the Attorney General to assume I am against it.

Attorney General KENNEDY. You have had a lot of experience. This is an area where concern is voiced and I think it is well we discuss it.

Senator JAVITS. What I have had in mind is that the record should disclose your views on these subjects.

I would like to ask you your views on the immunity granted by the prosecutor proceeding unilaterally as contrasted with an immunity subject to application to the court. What does the Attorney General have in mind?

Attorney General KENNEDY. I have no objection to the latter. We have some laws that allow the prosecutor to do it, some which allow the prosecutor with the further approval of the Attorney General, and I would require at least that, and somewhere we have to go to the court.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 35

I think we could try to work out something that is satisfactory on that.

Senator JAVITS. The Attorney General's mind would not be fixed against even court approval?

Attorney General KENNEDY. No, it would not.

I would like to develop that with some of our people and see what the implications are.

Senator JAVITS. Would the Attorney General give us his position on that in due course for the record?

Attorney General KENNEDY. Yes.

Senator JAVITS. May I have permission, Mr. Chairman, to include it at this point?

The CHAIRMAN. If you will submit to us a memorandum or letter, it will be included in the printed record at this point.

Attorney General KENNEDY. I might also give the other immunity statutes on the books at the present time and what they require.

The CHAIRMAN. You may add to it any corroborating statement or data you think would be pertinent.

Senator JAVITS. Thank you, Mr. Chairman.

(The information asked for was subsequently supplied and is as follows:)

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., October 16, 1963.

HON. JOHN L. McCLELLAN,
Chairman, Permanent Subcommittee on Investigations of the Committee on Government Operations, U.S. Senate, Washington, D.C.

DEAR SENATOR: Regarding Senator Javit's request of September 25, 1963, that the record should disclose my views on immunity statutes, I should like to point out the following.

The concept of granting immunity to a witness to compel testimony is far from being new, that first immunity statute in this country having been passed in 1857 (Rev. Stat. sec. 860, 11 Stat. 155).

At the present time there are 55 Federal immunity statutes in effect and they may be classified as follows:

1. Statutes which permit immunity to be granted and testimony compelled before administrative agencies only:

7 U.S.C. 222 (Packers and Stockyards Act) (automatic immunity).

7 U.S.C. 610(h) (Agricultural Marketing Agreement Act) (automatic immunity).

7 U.S.C. 855 (Anti-Hog Cholera Act) (automatic immunity).

12 U.S.C. 1820(d) (FIDC hearings) (must claim privilege).

15 U.S.C. 49 (Federal Trade Act) (automatic immunity).

15 U.S.C. 155(c) (China Trade Act) (automatic immunity).

18 U.S.C. 2424(b) (White Slave Act) (automatic immunity).

19 U.S.C. 1333(e), 1341(e) (Tariff Act) (automatic immunity).

27 U.S.C. 202(c) (Federal Alcohol Administration) (automatic immunity).

29 U.S.C. 161 (Labor Relations Board investigations) (must claim privilege).

29 U.S.C. 209 (Fair Labor Standards Act) (automatic immunity).

29 U.S.C. 521 (Labor-Management Reporting and Disclosure Act) (automatic immunity).

42 U.S.C. 405(f) (Social Security Act) (must claim privilege).

42 U.S.C. 2201(c) (Atomic Energy Act) (must claim privilege).

45 U.S.C. 362(c) (Railroad Unemployment Insurance Act) (must claim privilege).

46 U.S.C. 1124(c) (Merchant Marine Act) (must claim privilege).

D.C. Code 45-1607 (rent control) (must claim privilege).

2. Statutes which permit immunity to be granted and testimony compelled

36 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

before administrative agencies and in court proceedings instituted by those agencies:

- 11 U.S.C. 25 (bankruptcy) (automatic immunity except for testimony by bankrupt in the hearing upon objection to his discharge).
- 11 U.S.C. 44a (bankruptcy) (automatic immunity).
- 15 U.S.C. 78u(d) (Security Exchange Act) (must claim privilege).
- 15 U.S.C. 79r(e) (Public Utilities Holding Act) (must claim privilege).
- 15 U.S.C. 80a-41(d) (Investment Company Act) (must claim privilege).
- 15 U.S.C. 80b-9(d) (Investment Advisers Act) (must claim privilege).
- 15 U.S.C. 715h(a) (Connolly Hot Oil Act) (must claim privilege).
- 15 U.S.C. 717m(h) (Federal Power Act) (must claim privilege).
- 16 U.S.C. 825f(g) (Federal Power Act) (must claim privilege).
- D.C. 46-3113 (unemployment compensation) (must claim privilege).
- 3. Statutes which permit immunity to be granted and testimony compelled before administrative agencies, court proceedings instituted by those agencies, grand jury proceedings and trials:
 - 7 U.S.C. 15 (Commodity Exchange Act) (automatic immunity).
 - 7 U.S.C. 499m(f) (Perishable Agricultural Commodities Act) (automatic immunity).
 - 15 U.S.C. 32, 33 (Sherman Anti-Trust Act) (automatic immunity).
 - 26 U.S.C. 4874, 7493 (Cotton Futures Act) (automatic immunity).
 - 26 U.S.C. 5315 (Industrial Alcohol Act) (automatic immunity).
 - 29 U.S.C. 308(c) (Welfare Pension Plans Disclosure Act) (automatic immunity).
 - 46 U.S.C. 827 (Shipping Act) (automatic immunity).
 - 47 U.S.C. 409(b) (Federal Communications Act) (must claim privilege).
 - 49 U.S.C. 43 (Elkins Act) (automatic immunity).
 - 49 U.S.C. 46-48 (Interstate Commerce Act) (automatic immunity).
 - 49 U.S.C. 305(d) (Motor Carriers Act) (automatic immunity).
 - 49 U.S.C. 916 (water carriers) (automatic immunity).
 - 49 U.S.C. 1017a (Freight Forwarders Act) (automatic immunity).
 - 49 U.S.C. 1484(i) (Federal Aviation Act) (must claim privilege).
 - 50 U.S.C. App. 643(a) (Second War Powers Act) (must claim privilege).
 - 50 U.S.C. App. 1152 (War Defense Controls Act) (must claim privilege).
 - 50 U.S.C. App. 1896 (rent control) (automatic immunity).
 - 50 U.S.C. App. 2026(b) (Export Control Act) (must claim privilege).
 - 50 U.S.C. App. 2155(b) (Defense Production Act) (must claim privilege).
- 4. Statutes which permit immunity to be granted and testimony compelled in grand jury proceedings and in trials:
 - 18 U.S.C. 1406 (Narcotics Control Act) (must claim privilege).
 - 18 U.S.C. 1954 (Welfare and Pension Plans Disclosure Act) (must claim privilege).
 - D.C. Code 22-1541 (gambling offenses) (must claim privilege).
 - D.C. Code 22-2721 (prostitution laws) (automatic immunity).
 - D.C. Code 23-110 (codefendant testifying for the Government) (automatic immunity).
 - D.C. Code 23-943 (Business Corporation Act) (automatic immunity).
 - D.C. Code 35-802 (life insurance) (automatic immunity).
 - D.C. Code 35-1346 (fire and casualty insurance) (automatic immunity).
- 5. Statute which permits immunity to be granted and testimony compelled in grand jury proceedings, in trials, and before committees of Congress: 18 U.S.C. 33486 (internal security cases) (must claim privilege).

The foregoing statutes may also be classified as to whether or not a witness must affirmatively claim his fifth amendment privilege against self-incrimination before he is entitled to immunity. Some of the statutes provide that the witness obtains immunity from prosecution with respect to any matter, transaction, or thing about which he is compelled to testify even though he does not first claim his constitutional privilege and refuse to answer the question. See *United States v. Monia*, 317 U.S. 424. These are commonly known as immunity bath statutes. The other statutes provide that the witness must first claim his privilege before he can obtain immunity. Whether the individual statute is of the immunity bath type or one under which the witness must claim the privilege has been indicated above.

It is my view that a witness should be required to claim his constitutional privilege before being given immunity and this in order to avoid the possibility of a witness getting an "immunity bath" solely by reason of his having been called to give testimony. The granting of immunity should in every instance

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 37

be a considered and conscious act and should not be attained by inadvertence, mistake, or neglect. By requiring the witness to affirmatively claim his privilege not to testify the examining body is afforded the opportunity to make a positive evaluation of the expected testimony in the light of its necessity to the public interest as opposed to whatever disadvantages to the cause of justice may be the result of immunizing a particular witness.

While most immunity statutes do not detail procedures for granting immunity, the Narcotics Control Act of 1956 (18 U.S.C. 1406) provides that whenever the testimony of a witness who has pleaded his privilege against self-incrimination is necessary to the public interest, the U.S. attorney, upon approval of the Attorney General, shall make application to the court that the witness be instructed to testify or produce evidence. The witness is then granted immunity as broad as his privilege against self-incrimination.

Upon receipt of a letter from the Attorney General to the effect that the testimony of a prospective witness is necessary to the public interest and approving an application to the appropriate district court to compel the testimony of the witness, the U.S. attorney must submit an application to the court setting out the following:

1. That the grand jury is inquiring into matters pertaining to the statute;
 2. That the witness was asked the following questions (repeating the questions in detail);
 3. That the witness refused to answer the stated questions;
 4. That the answers to the above questions are necessary to the public interest of the United States;
 5. That the application is made with the approval of the Attorney General (a copy of the letter of approval is attached to the application).
- In support of the application, an affidavit is filed by the U.S. attorney stating:
1. The testimony is necessary in the public interest;
 2. That the affiant was present during the testimony of the witness before the grand jury;
 3. That the information is material and necessary to the investigation being conducted by the grand jury;
 4. That the application is made in good faith.

Under the procedure the court has no discretion to deny the order on the ground that the public interest would not warrant it. The court's duty is only to ascertain whether the statutory requirements are complied with by the grand jury, the U.S. attorney, and the Attorney General. See *Ullman v. United States*, 350 U.S. 422 (1956). This seems proper since only the prosecutive branch of the Government has all the facts upon which to make the judgment whether a particular witness should be granted immunity or not. In addition, there is the constitutional question as to whether allowing the court discretion to deny the order might not be imposing a nonjudicial function on the court. See *Ullman v. United States*, *supra*.

It is also felt that the provision requiring the approval of the Attorney General before a U.S. attorney may make application to the court is a wise one. Allowing the prosecuting attorney to decide by himself whether or not to grant immunity is undesirable because he is not in a position to see the overall picture of organized crime. In an attempt to make a good record for himself in one prosecution he might grant immunity to a witness who is actually guilty of far greater wrongs than the defendant being prosecuted. The requirement of the Attorney General's approval is intended to serve as a check against hasty or improper action and to provide a broad view of the enforcement situation as corrective to the views of local prosecutors.

The argument that getting the Attorney General's approval would be too time consuming is not a valid one when we consider that the U.S. attorneys work closely with the Attorney General (through various sections in the Department of Justice) on all Federal criminal prosecutions. This is particularly true when organized crime is involved, so that it would be a matter of very little time before the approval or disapproval of the Attorney General would be forthcoming. Actually, in nearly all cases the decision to grant immunity would come before trial and probably even before the grand jury proceedings.

It is evident to all of us that combating the forces of organized crime is an undertaking of major proportions. It is also readily apparent that one of the few ways to get incriminating evidence against the principal figures in organized crime is to compel minor participants, who have valuable information, to testify in return for an immunity grant. It is imperative that the Department of

38 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Justice should be given this effective weapon in its fight against organized crime. The authority to make immunity grants has been given to nearly all administrative agencies and it seems incongruous to withhold it, in large part, from the prosecutive arm of the Federal Government, where it is most needed.

As was mentioned earlier in my testimony before the committee the problem of obtaining testimony is nowhere more acute than in establishing violations of the Racketeering Travel Act (18 U.S.C. 1952, interstate and foreign travel or transportation in aid of racketeering enterprises) which the Congress enacted in August 1961. With the foregoing in mind, I hereby submit for your consideration a draft bill aimed at remedying a serious defect in our present law. (See attachment 1.)

Your consideration of S. 1246 is also invited. (See attachment 2.) This bill would apply immunity provisions to chapters 9 and 11 of the United States Code, title 18, dealing with bankruptcy, bribery, and graft. This change would aid considerably in our efforts against organized crime activities regarding bankruptcy frauds, mentioned earlier in my statement to the committee, as well as make an important tool available in certain political corruption situations where we are unable to establish an interstate connection as required under the travel statute.

Sincerely,

ROBERT F. KENNEDY,
Attorney General.

A BILL To provide for the compulsion of testimony in racketeering cases

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That section 1952 of title 18, United States Code, is amended by adding the following new subsection at the end thereof:

"(d) No person shall be excused from attending and testifying or from producing books, papers, and documents before any grand jury proceeding based upon or growing out of any alleged violations of this section, or in any trial involving violations of this section, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that any individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. No individual shall be compelled to testify or produce evidence after having claimed his privilege against self-incrimination, unless such action has been approved by the Attorney General or an Assistant Attorney General designated by him."

A BILL To amend chapter 223 of title 18, United States Code, to permit the compelling of testimony under certain conditions and the granting of immunity in connection therewith

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 3486 of title 18, United States Code, is amended by inserting after the words "in any case or proceeding before any grand jury or court of the United States" the following: "involving violations of chapters 9 and 11 of title 18, United States Code, or".

Senator JAVITS. Now as to the wiretapping, may I give a suggestion, because it is useful perhaps to exchange experience.

We do have such a statute in New York. It is a court order statute. It is not in the sole power of the prosecutor. As attorney general, I had authority to seek such orders. I did. So that I am not trying to claim a virtue which is not mine. But I did impose in my office a whole list of regulations which I imposed but which were complied with, in order to safeguard the process and keep it from the excesses with which we are all familiar: the routine granting orders, perpetuation without review, the utilization of what is obtained for pur-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 39

poses far beyond, way out of the context that they were obtained for, and so on.

The Attorney General is very familiar with the classic portions that are contended for by civil liberties interests, people who have strong views on civil liberties?

Attorney General KENNEDY. First, I think it would be well to look at the legislation which is on the books at the present time, which, in my judgment, is completely inadequate under section 605.

First, to have a successful prosecution of a wiretapping case, you have to not only come up with the tape but you have to show a disclosure of the information. This means that the possibility of obtaining a prosecution of somebody tapping a telephone is very, very difficult. I think that there have been hardly any, certainly over the period of the last 10 or 15 years, because it is so difficult. I can trace a tape down, you can find out perhaps who was responsible for the tape, but then to prove that there was a disclosure of that information is extremely difficult.

I don't think, Senator, that individual privacy is being protected properly at the present time. I think it should be a violation of the law to tap, just putting a tap on a personal telephone.

I think it should be a violation of the law to disclose information.

I don't think you should have both requirements.

I think that, for the protection of the ordinary citizen, the private individual, the bill should be changed to give him greater protection. I don't think he has adequate protection at the present time.

I think the legislation that we have suggested and recommended would give him that kind of protection.

No. 2, I would have more authority at the present time as Attorney General than I would if this legislation were passed that we have recommended. I have authority to put a tap on a telephone, if I reach a conclusion that there is a matter involving national security. Nobody is going to review that. I just make that decision myself.

So I can decide that an individual, what he is doing, what an organization is doing, might have an effect on our national security. So I can have a wiretap. Nobody has any check on me. When I talk about "me," I mean me and all the preceding Attorneys General. You are just relying on our good judgment and good faith. Based on my predecessors, I think that that is warranted.

My point is that we have immense authority at the present time.

The enactment of this legislation certainly would not increase that authority.

I will summarize what we have suggested in this legislation, Senator, in matters dealing with the major crime, kidnaping, murder, extortion, narcotics, and organized gambling, that with the permission, with court permission and court authority, a tap could be imposed.

Now, what we would have to do when we went to the judge is that we would have to meet certain conditions. You provided them in your own office. We provide them in the statute.

I say the Attorney General or any Assistant Attorney General of the Department of Justice especially designated by the Attorney General may authorize application to the Federal judge of competent jurisdiction and such judge, after making findings required by section 8(c), may grant in conformity with section 8 of this act, leave to per-

40 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

mit the FBI or any Federal agency having investigative responsibility for the crime set forth on this subject to intercept wire communication when such interception may provide evidence of an offense punishable by death or by imprisonment for more than 1 year dealing with conspiracy to commit espionage or violation of Atomic Energy Act, offense involving murder, kidnaping, or extortion, an offense involving organized crime, dealing with organized gambling, an offense under the law of the United States involving the manufacture, importation, concealment, buying, selling, or otherwise dealing with narcotics, drugs, or marihuana.

Now, in order to get the order from the judge, each applicant under this section shall be made in writing under oath or affirmation and to state the applicant's authority to make such. Each applicant shall include the following information:

A full and complete statement of the facts and circumstances relied upon by the applicant, the nature and location of the communications facility involved, all previous applications known to the individual authorizing the application made to any judge for leave to intercept wire communications, involving the same communications or any of them, or involving any persons named in the application who have committed, are committing, or about to commit an offense, and the action taken by the judge in each such application.

So you are going to have to tell the judge how many applications you have made to put a tap on this particular phone and what has been the result of those applications, the date, the time, and the circumstances.

The judge may require the applicant to furnish additional testimony or documentary evidence in support of the application. Then the grounds for the issuance. Upon such application, the judge may enter an *ex parte* order granting leave to intercept wire communications at any place within the territorial jurisdiction of the court in which the judge is sitting.

If the judge determines on the basis of the facts submitted by the applicant that there is probable cause to believe: (1) an offense for which such application may be filed under this act is being or has been or is about to be committed; (2) facts concerning that offense may be obtained through such interception; (3) no other means are readily available for obtaining that information. That means, if we could obtain it through ordinary investigation that the judge would not give that right to wiretap; (4) the facilities from which such communications are to be intercepted are being used or about to be used in connection with the commission of such offense or are leased to, listed in the name of, or commonly used by a person who has committed, is committing, or is about to commit such an offense.

So that is a good deal of protection. It is an outline which the judge himself would have to pass on.

Then, (1) each order granting leave to intercept any wire communication shall specify the nature and location of the communications facility to which leave to intercept is granted; (2) each offense as to which information is to be sought; (3) the identity of the agency authorized to intercept the communication; and (4) the period of time during which such interception is authorized.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 41

Then, no order entered under this section may grant leave to intercept any wire communications for any period exceeding 45 days.

Therefore, you are going to have to go back. Extension of the order may be granted for periods of not more than 20 days.

I won't read all this to you, but the person then who is the subject and who might ultimately be indicted has the right to contest each one of those provisions and there would be a court hearing as to whether the applicant has met the requirements of the statute and whether the judge has adequately passed on it.

So all this record would then be available to the defendant.

Now, those are the areas in which we have to go to a court.

As I said, at the present time in that security case, espionage and sabotage, the Attorney General can grant that right, himself, can put a wiretap on.

In this bill we have outlined what is espionage and sabotage and violation of the Atomic Energy Act and where it involves those kinds of offenses, then the Attorney General on his own order, after a request from the Director of the Federal Bureau of Investigation, can put a tap on the telephone. However, that cannot be used in court unless these other provisions are met at that time.

So, in summary, I think there is a good deal of protection. If this legislation is passed, there is a good deal of protection for the individual, and if this legislation is passed, much more protection for the individual will exist than exists at the present time.

But I think so many people think if you are talking about wiretapping that you must be granting this immense authority to go around and tap everyone's telephone without any authority, which is not true in this bill.

Actually, as your New York Times has said, it is the best protection that can be given under the circumstances and is a required measure if we are going to deal with this problem.

If we didn't have the problem of espionage or sabotage, if we didn't have the problem of narcotics and organized crime in the United States, I would be against this entirely. But I think you have to put this against what the problem is that we are dealing with.

We are dealing with a problem that is getting greater and greater in this country. Either we are going to get the tools to deal with it or we are going to slip along as we are.

Senator JAVITS. I will say that I realize that there is this balance of public interest which must be considered. We will have to show also that really the wiretapping is an appreciable factor in crime detection and perhaps the criminals have gotten away from it because they are always finding ways by which to evade the law and perhaps are not using it quite as much as we might think. But that is a factual question.

I would like to conclude my questioning and ask the Attorney General this one question.

Is the Attorney General's mind open on the question of implementing the safeguards with respect to wiretapping as it is on implementing the safeguards with respect to immunity?

Attorney General KENNEDY. Absolutely.

Senator JAVITS. I thank you.

I thank the Chairman.

42 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Thank you, Senator.

If there are no other questions, then, we wish to thank you, Mr. Attorney General, for your patience and for a most excellent presentation.

Attorney General KENNEDY. Thank you, Senator.

The CHAIRMAN. We do have permission to meet while the Senate is in session this afternoon, I am advised. But, since it is now 1 o'clock, I think we had better go over until 3.

I may announce that our next witness we will hear this afternoon is Commissioner Murphy of the New York police force.

We will resume hearings at 3 o'clock with him as our witness.

The committee stands adjourned until 3 o'clock.

(Members present at time of recess: Senators McClellan, McIntyre, Brewster, and Javits.)

(Whereupon, at 1 p.m., the committee recessed until 3 p.m., the same day.)

AFTERNOON SESSION

(The hearing was resumed at 3:10 p.m., Senator McClellan presiding.)

The CHAIRMAN. The subcommittee will be in order.

(Members of the subcommittee present at the convening of the session were Senators McClellan, Brewster, Curtis, and Javits.)

The CHAIRMAN. The next witness is Police Commissioner Michael J. Murphy of New York.

Mr. Commissioner, will you come around, please?

Senator JAVITS. Mr. Chairman, would the Chair indulge me if I take the privilege and pleasure of introducing our police commissioner, whom we think does a mighty fine job. He is a career man so there is no politics in this. I would like to introduce him to the committee and I am very proud that the committee has seen fit to call New York City's police commissioner as one of its very early witnesses in these critically important hearings, and also that the commissioner is accompanied by Deputy Chief Inspector Shanley, one of the really strong and outstanding men of our police department, to help give this testimony today.

Assistant Commissioner Reisman is with him and it is a very strong team, Mr. Chairman, and I commend them highly.

The CHAIRMAN. Thank you very much.

All right, Mr. Commissioner, will you be sworn, and the other gentlemen, if you are going to testify.

Do you and each of you solemnly swear the evidence you shall give before this Senate subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Commissioner MURPHY. I do.

Mr. REISMAN. I do.

TESTIMONY OF MICHAEL J. MURPHY AND LEONARD REISMAN

The CHAIRMAN. Commissioner Murphy, the committee is very glad indeed to have you and to have you testify in these hearings and give us the benefit of your experience, long years of experience, I observed, in law enforcement work. I believe you have a prepared statement; have you not?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 43

Commissioner MURPHY. Yes, sir; I do.

The CHAIRMAN. The note here before me says for a period of 25 years you have been actively engaged in law enforcement, that you worked your way up from a patrolman to assistant chief inspector of the New York Police Department, and in 1955 you were appointed executive director of the New York-New Jersey Waterfront Commission, which position you held until 1959, when you returned to the police department as chief of staff and later becoming chief inspector, and was appointed commissioner of police two and a half years ago.

Am I correct?

Commissioner MURPHY. That is right, sir.

The CHAIRMAN. Now, you implement that further if you like for the record. I just had this brief note here, and if you will further identify yourself, you may proceed. I believe you have a prepared statement.

Commissioner MURPHY. Yes, sir.

The CHAIRMAN. Very well.

Mr. Reisman, do you have a statement, or will you just assist the Commissioner?

Mr. REISMAN. If there are any particular legal problems, which is my particular status, I will.

The CHAIRMAN. You do not have a prepared statement yourself?

Mr. REISMAN. I do not.

The CHAIRMAN. Very well, you may proceed.

Commissioner MURPHY. Thank you, Senator, and thank you, Senator Javits, for your kind introduction.

Mr. Chairman, and distinguished members of the committee, I am happy to be here with you today to discuss the problem of organized crime, and to pledge the continued cooperation of the New York City Police Department in all efforts aimed at eliminating this menace from our society.

In any large metropolis today, the crime problem is urgent and diversified and a source of constant concern. New York City, with its almost 8 million residents and its additional millions of workers and visitors daily, is the focal point for various enterprises, both legal and illegal. It is an extremely attractive magnet to every boy who wants to "make good," to everyone who wants to be in the "big time," whether the careers they envision are legitimate or unlawful. This, of course, presents New York with enormous law enforcement challenges.

To meet these challenges, the New York City Police Department has been raised to its greatest strength in history—over 25,000 policemen and women. It has a detective force of over 3,000, including experts who specialize in countering the attacks of racketeers. The police force has been increased by more than 5,000 in the last 9 years, through the efforts and interest of Mayor Robert F. Wagner.

Organized crime is not a recent phenomenon. Legislative hearings in the 1880's and 1890's revealed widespread and continuing criminal conspiracies which are the heart of organized crime. In 1904, the focal point of New York City's subculture was the depredations of the "Black Hand," a group which preyed on newly arrived Italian residents to the city. Their activities, which took the form of extortions, bombings, and death threats, led to the creation of a special squad in the police department. The new squad smashed the "Black Hand" in 4 years.

44 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Tragically, its first commanding officer, Italian-born Lt. Joseph Petrosino, was fatally ambushed by assassins while on an investigation in Sicily in 1909. Lieutenant Petrosino was a firm believer in undercover work, the maintenance of dossiers, and the need for legislation in this field. But, spawned by prohibition, organized crime began its comeback more blackhanded and blackhearted than ever.

Throughout the early years, police efforts against organized crime continued unabated and largely alone. The struggle, a difficult one, ebbed and flowed; for our foe was and still is resilient, resourceful, and unregenerate. As illegal sources of finance were shut off he sought and found new rackets. These ran from frauds on the immigrant through prostitution and gambling to bootlegging and rumrunning, whose profits and savagery have never been equaled before or since.

With the end of prohibition came the Luciano prostitution ring; the waterfront invasion; industrial racketeering with bomb-throwing, acid-spraying terrorists; the paper unions; and the sweetheart contract. Strenuous deeds by the city's prosecutors, in cooperation with the police department rackets squad, eliminated prostitution as an arm of organized crime. Thanks to the same combination, the industrial terrorist, as known then, no longer exists. This is not to say that all industrial racketeering has been eliminated; but it is now curtailed and circumspect.

Today the caution, sophistication, and personal conduct of the major racketeers, and the insulation inherent in their system, make it, in every practical sense, extremely difficult and, at times, almost impossible to secure evidence to convict them.

These difficulties, faced by law enforcement officials in obtaining evidence, are due in large measure to the lack of cooperation and absence of a sense of community responsibility on the part of that substantial element of the public that deals directly and indirectly with the underworld. The labor leader who hires a "few of the boys for picket line duty"; the no-questions-asked management who seek "the man who can deliver," that is, the strikebreaker; the businessman who overextends his credit and seeks the shylock; the horse player; and the policy player, all contribute to organized crime.

There are so many people who in one way or another seek the services of these racketeers and then find themselves saddled with unwanted and unscrupulous business partners and overseers. Additional invasion of industries and corporations is achieved through fronts and corporate structures which hide true ownership. The victim himself at first does not consider himself victimized. After a while, when his control over his personal or business life has been assumed by others, he decides he dare not seek the aid of law enforcement to extricate himself.

In other areas, such as organized gambling, law enforcement not only has to battle the criminals but also that substantial element of our society which in effect pounds on the gambler's door seeking admission. Their sympathies are too often with the bookie and the policy operator rather than with police and others who seek to eliminate this profitable underworld enterprise.

The history of organized crime throughout the last 80 years demonstrates that gambling has been a major revenue producer, although

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 45

at times supplanted by rumrunning, black markets, and narcotics. In that period, dozens of other rackets, once widespread and firmly entrenched, have been practically eliminated. But gambling demonstrates an ability to withstand every onslaught made upon it. I might add, this is in large measure due to its wide community acceptance. These cunning criminal groups have an almost instinctive ability to capitalize on the persistent desires of a part of the public for the prohibited. Their ingenuity in creating and supplying wrongful accommodations stresses the insidious nature of the enemy. Routine enforcement has never been adequate. Strenuous attempts to arouse the public through legislative committees and exposés, and similar extraordinary circumstances, produce only relatively short periods of suppression. Constant enforcement aimed at complete elimination of the bookie and the policy banker is the only answer.

Organized crime today is big business and, like all big business, employs all the aids and techniques of industry. Sophistication is so advanced that public relations policies are laid down by the various underworld groups. Ostentatious display, lavish public entertaining, conspicuous clothes, and the flashy blond, are 20 years out of date. The top echelon frowns on those who create a bad image. The air of respectability, the quiet life in the residential neighborhood, the "portrait" of the respectable, aging family man, are the order of the day.

Ease of transportation and communication has added to the difficulties in combating crime's higher echelons. Our constant attention has led to a large exodus of New York racketeers from New York City proper to places near and far. Yet we do not believe that any criminal interest has been relinquished to a material degree because of this. The remote control racketeer is commonplace. In addition, confederation is nationwide. An occurrence on the west coast may have had its genesis in New York City or vice versa. Jet transportation has made the United States a 4½-hour nation and the criminal select have taken full advantage of this streamlined age.

Organized crime has also built for itself a strong defensive position by other means. Its use of a more venerable asset—the Constitution—has made it almost impregnable. The adoption to illegal purposes of the safeguards intended to shield the rights of the law-abiding citizen are well known. These safeguards, by adroit manipulation, have been expanded and distorted to provide a shield for the professional criminal and, in turn, the criminal organization.

The same names appear year after year as the acknowledged hierarchy. The best efforts of law enforcement on these fronts have been—with some exceptions—discouraging. Experience has shown that the most practical approach is to strike at their sources of income.

In New York City, the police department and the district attorneys through the years have taken vigorous steps toward this objective, and as a result many very profitable ventures have been eradicated or curtailed. Today, it is fair to say that the following once flourishing rackets in our city have been eliminated: Slot machines, pinball machines, Italian lottery, punchboards, football cards, organized prostitution, and many protection rackets. Street and horse-room bookmaking and bigtime floating dice games have become a rarity.

46 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Curtailed, and subject to constant enforcement activity, are policy, telephone bookmaking, other illegal gambling of all types, and racket-controlled trade associations. Jukeboxes and carting, once mob monopolies, are now under legal supervision by special licensing bodies. Gambling and narcotics have been given increased police attention in New York City for the last 10 years. We believe these evils are being contained as much as possible under the laws as they exist. In 1962, police in New York made an arrest for violation of the gambling laws every 17 minutes, a total of 28,888; and an arrest for a narcotics violation every hour—a total of 7,914. In both areas, arrests are achieved in conformance with search and seizure rulings. However, since these new rulings, arrest totals have diminished.

The searing searchlight of the public hearing, and the increased effort by the State through its waterfront commission, State investigation commission, and State police, and by the city through its department of investigation have aided in reducing the power of the underworld. So has the entrance of the additional Federal agencies into the fight against organized crime, in the form of a newly created unit in the Department of Justice, and in its investigative arm, the FBI.

Led into the arena by new legislation and, most important, by the vigorous and knowledgeable leadership of Attorney General Robert Kennedy, these new allies have added to the existing aggressive and experienced forces of the police and district attorneys' offices. The constant anticrime activities of the Federal Narcotics Bureau, the U.S. Customs, and the Internal Revenue Bureau have also given great impetus to the attack.

Another ally in the battle against organized crime is the vital and penetrating reporting of the seven great daily newspapers in New York City.

The spotlight of publicity, which brings their corrupt and evil manipulations into the open, is a constant source of fear and anxiety to the criminal hierarchy. Aroused public opinion is one of the most effective weapons in routing out and destroying these underworld figures.

Much of these efforts have been building up since the Senate crime hearings in the 1950's. Now the responsibility for this segment of crime is no longer confined to the local police department and the various district attorneys in the city.

This combined effort has brought organized crime in New York City, in the last 10 years, to a relatively low ebb. The subsociety that existed in 1950 and exerted such malignant influence has gradually been depopulated. The higher levels of the antisocial community recognize this trend and have described the current condition as "the end of an era." But none of these "easy money"—indeed "dirty money"—boys ever considered retiring. Instead, they have moved into other fields, and continued to seek other revenues. Criminal cartels die hard. Despite the combined might of every level of government, the undersociety is still strong in membership and its vitality, endurance, and reserves are not to be underestimated.

The harsh fact is that, although organized crime has never faced such dedication to its destruction, it can afford to wait.

Law enforcement must press for greater strength and more legal weapons to hold the gains it has achieved and to make further inroads

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 47

against this evil community. But it must also realize that total victory can only be achieved with the full support of an aware and courageous public.

The supercaution of organized crime, while a tribute to law enforcement, generally helps thwart police efforts. The need for appropriate weapons to combat this ruthless group will become evident in the bloody testimony to be given here by one of their own. The witness' recital, I am certain, cannot help but support the constant demand for a more realistic approach to police problems on the part of State and Federal legislators. We need, on the part of Congress, more understanding of what we are trying to do; more information about the enemy we face. Perhaps the revelations given to this committee will spur that change in attitude.

The first step must be to provide Federal legislation reinstating unequivocally the right of law enforcement agencies to intercept telephonic communications. Without hesitation, I state my opinion that this right is the single most important weapon in the arsenal of law enforcement. My associates, including the most eminent and well respected names in law enforcement, have journeyed here to Washington time after time to plead for this type of legislation to no avail. The records of committee hearings contain in monotonous detail our statements, our frustrations and the deleterious effects which have stemmed from the lack of this essential investigative technique. As only one example, major narcotics indictments against wholesale traffickers have been dismissed solely because of the inability to utilize information obtained through these interceptions.

With Federal, State, and municipal enforcement agents combined in their efforts, there is no lack of skill or purpose, there is no absence of dedication or integrity.

Yet the best efforts and personnel that the United States can offer are turned back time and time again. The occasional battles that are won never quite approach victory against the overlords. They write off an underling or two, shore up the organization here and there, change tactics somewhat, and then go on as merrily and as mercilessly as before.

We know that the Bill of Rights applies to all; that these constitutional safeguards are an unshakable heritage of the people cannot be denied; nor do we suggest that they should be. But we hope for some relief in more practical applications of these basic laws—basic to the safety and protection of all the people.

The existing liaison between municipal police departments is strong, but can be stronger, particularly among its intelligence units.

The flow of information between Federal, State, and municipal agencies should be stronger, smoother, and swifter.

Serious thought should be given to the establishment of a nationwide agency to concentrate on gathering vital criminal intelligence—a natural clearinghouse for crime fighters—but not, however, with any enforcement responsibility.

In New York, we have embarked on two such mutual enterprises which should greatly aid the gathering and flow of information.

In the State, at the recommendation of Gov. Nelson Rockefeller, the legislature appropriated \$50,000 for a 6-month study of criminal identification and intelligence systems of all law enforcement agencies in our State.

48 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The study will attempt to bring together the resources of all State and local level agencies which are concerned with prosecution, probation, prison, and parole functions in addition to the police and the courts.

In the metropolitan area, through the sponsorship of the Metropolitan Regional Council, police chiefs of 3 States, in which lie the 21 counties that comprise the Greater New York metropolitan area, have formed together for the purpose of coordinating on a regional basis with their goal the solving of common problems of law enforcement and police administration.

Until these needed legal and procedural improvements are made, we will continue to attack the problem with all the skill and ability and dedication we possess. We must continue to lop off the tentacles of organized crime until we finally reach and destroy the heart and mind of this monster.

The CHAIRMAN. Thank you very much, Commissioner. It is an excellent statement.

Before I ask any questions, however, I wish to defer to the distinguished Senator from New York, who is a member of this committee; since this is your citizen, I am willing to grant you the privilege of interrogating him first.

Senator JAVITS. I am certainly very grateful to you, Mr. Chairman. I do notice, Mr. Chairman, if I may be permitted, to call the attention of the Chair to the fact that Deputy Chief Inspector Shanley apparently has a statement, too.

The CHAIRMAN. He will testify next, I think.

Senator JAVITS. Commissioner, one thing which perhaps may pervade these hearings interests me, concerning our town. We have about 1 million New Yorkers of Italian extraction, something in that area.

Commissioner MURPHY. I am not sure of the figure. I am sure it is in that area.

Senator JAVITS. It is pretty big.

Commissioner MURPHY. Yes, sir.

Senator JAVITS. I gather we are as big an Italian city in that sense as there is in the world.

Commissioner MURPHY. It is a bigger Italian city than Rome, I think.

Senator JAVITS. I notice also that page 2 of your statement (p. 44 of the hearing) speaks of the heroic life of Lt. Joseph Petrosino, who devoted his life early in this century to ruling out the Black Hand, which was operating in New York. That leads me to this question: Is crime any monopoly of those who are of Italian extraction or of Italian names?

Commissioner MURPHY. Not at all.

Senator JAVITS. And must we not be very careful in the course of everything that we do and say in respect of the particular inquiry we are going to be engaging in now, to see that every one understands that it is not blood that makes a criminal, it is the fact that an individual living in a society becomes a criminal?

Commissioner MURPHY. There is no question about it, Senator. Crimes are committed by individuals and not by any racial group or ethnic group.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 49

Senator JAVITS. Do you feel, too, that our procedures with respect to deportation of those who are not citizens, even though they may have come to this country—and this is the important thing that concerns me—at a very tender age tends to raise this question so that it should be answered?

In other words, if a man has been here, let us say for 50 years or more, and he came to the United States at the age of 1 or 2, if he is not a citizen, under our laws in the event of a conviction for serious crime, he can be, and often is, deported. That kind of gives a picture of a lot of foreigners over here destroying the peace and tranquillity of our Nation. I just wondered if you had any comments on that.

Commissioner MURPHY. As I said before, Senator, crimes are committed by individuals and not by any racial group. Certainly the Italians have no monopoly on the commission of crime in our city. We arrest many, many hundreds of thousands during the years. I have no breakdown of what their origin is or their background, but I am sure that they weren't all Italians. I think that your comments with respect to this are so. As far as the deportation proceedings are concerned, it is again the safeguards which our laws and our Constitution place about people, the rights of appeal, and so on, and these do drag on much longer than we would like to see them. But I am not expert in deportation, and I have no idea how it could be improved.

Senator JAVITS. The fundamental thing I wanted to ascertain from you, because I think it is an important question, is that there is no particular pattern that you find as our chief police officer in our great city, which has so many people of Italian extraction, which would make you feel that crime is in any way a problem associated with those of Italian extraction.

Commissioner MURPHY. No, and I would say to our shame it is not a monopoly of the foreign born by any means. The vast majority of our criminals are born here in this country.

Senator JAVITS. I am very glad to hear that from you, because that is important, as we shall be dealing so much in this particular set of hearings with people of Italian extraction and with Italian names.

Now I notice on page 4 of your statement that you deal with the apparent seduction for the citizen of gambling. Without in any way trying to get you into something which is a hot issue in New York, are we to take it that in your opinion gambling today represents what level in the hierarchy which have been the subject of writers in New York—No. 1, No. 2, or No. 3?

Commissioner MURPHY. I can't put it in an order of priority. It is a very important criminal enterprise. In the last hundred years it has been a major revenue producer in the organized crime structure and it always is and still is a major revenue producer for organized crime. The proceeds of this are channeled into many other illegal fields, including narcotics, and shylocking. To me it is a very, very important and very serious problem, illegal gambling.

Senator JAVITS. I notice that you say, or at least you feel it is your judgment, that the once flourishing rackets have been eliminated in, and I am quoting from page 4 of your statement and p. 45 of your testimony:

slot machines, pinball machines, Italian lottery, punchboards, football cards, organized prostitution and many protection rackets, street and horse-room book-making and bigtime floating dice games have become a rarity.

50 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Commissioner MURPHY. The gambling situation in our city is more of a telephone business now than it ever was, and bookmaking is almost conducted solely on the telephone.

Senator JAVITS. Now, my question is this: Is it in your judgment immeasurably greater than it was when these flourishing rackets, that you now say are pretty well under control, although they are by no means, I am sure, eliminated? Is gambling and bookmaking a much bigger operation today relative to the rest of racketeering activities than it was when these other rackets flourished?

Commissioner MURPHY. That is a very difficult assessment to make. In my opinion today the biggest gambling racket is policy, both in the number of people involved in it and the amount of moneys involved. Now, these other ones that we mentioned such as pinballs and slot machines and so on, those have been actually and virtually eliminated. I haven't seen a pinball or slot machine in 15 or 20 years.

Senator JAVITS. My point really was that these pinball and slot machine operations are on the whole pretty smalltime operations, and bookmaking and so on can be very bigtime. The question I am trying to get at is have we gotten into a stage here where bigtime gambling has replaced many of these other smaller time rackets?

Commissioner MURPHY. Well, all of them existed simultaneously some years ago. What proportion or what percentage of the overall picture each represented, I don't know. But I say that 15 or 20 years ago pinball was a very big thing in our city and in our State, and slot machines. But there hasn't been those in years and years and years.

Senator JAVITS. Now, would you care, Mr. Commissioner, to identify the No. 1 racket today, as far as we are concerned in New York, in the New York area?

Commissioner MURPHY. That is a very difficult thing to do, Senator, to say the No. 1 racket. From what point of view?

Senator JAVITS. From the point of view of law enforcement.

Commissioner MURPHY. That gives us the most problems, you mean, and the source of corruption and the source of illegal revenue to the underworld. Gambling is the most serious problem.

Senator JAVITS. I ask that only because we are a legislative committee, Mr. Commissioner, and naturally we would want to level our fire at what is primary. That was my only point in asking that.

Now, I notice that you feel that so many of these rackets have come under control and you say at page 7 of your statement:

This combined effort has brought organized crime in New York City in the first 10 years to a relatively low ebb.

I quoted those words from page 46 of your testimony.

Now, is that reflected in our felony arrests in New York?

Commissioner MURPHY. No, our felony arrests have gone up. What the percentage of them in the racket field is, I would have to make a detailed study of it. Each year our arrests go up, but so does everything else in the city.

Senator JAVITS. Except that with us, Mr. Commissioner, our population has remained relatively stable and, if anything, it has gone down a shade.

Commissioner MURPHY. That is right.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 51

Senator JAVITS. So that it is not attributable to population increase.

Commissioner MURPHY. No.

Senator JAVITS. Would you say it is a fair deduction, then, to say that the problem of crime, of serious crime, has increased to a greater extent than the problem of rackets?

Commissioner MURPHY. Oh, by far.

Senator JAVITS. You think that?

Commissioner MURPHY. Yes, sir.

Senator JAVITS. Could you give us any reason for that, or any basis for these hearings in respect of that point?

Commissioner MURPHY. Any reason for the increase in crime?

Senator JAVITS. What is your analysis, as an official, of that situation as it might bear on our work?

Commissioner MURPHY. Well, generally, it has appeared to me to be a complete loss of respect for authority on the part of many of our younger people. I think this is reflected in the antisocial behavior of juvenile delinquents, our assaults, and muggings. I think there has been a breakdown in family life in many instances. Actually, what we as police face is the failure of many organizations. We get the end product. Where the church has failed and the home has failed and the school has failed, and when all is lost, then the youth comes to our attention. The increase in crime and crimes of violence has far outstripped any increase in our population.

Senator JAVITS. Mr. Commissioner, do you see any connection between the operation of the racketeering, organized racketeering underworld, and their exploitation of these more numerous criminals, especially young criminals?

Commissioner MURPHY. Well, certainly in the area that I spoke of before, the policy operation, it requires a great many people to run the operation, from the runners to the collectors, through the bankers, and all the way up.

Senator JAVITS. Well, as to the narcotics business which I was directing myself to particularly is there some connection between the greater incidence of crime, that is, individual crime, and serious crimes and the operation of the rackets in narcotics?

Commissioner MURPHY. Well, we believe that a large percentage of our crime, particularly the petty larceny, and larceny field, in New York City is due to the drug habit, and drug addiction.

Senator JAVITS. So that in that way there is a connection between the narcotics racket and crime?

Commissioner MURPHY. Yes, sir.

Senator JAVITS. Would you put narcotics after gambling as the object of racketeering?

Commissioner MURPHY. You mean as a dollar-volume thing?

Senator JAVITS. As a problem.

Commissioner MURPHY. It is a very serious problem, and I think the two of them, and I hesitate to say one is more important than the other. They are equally urgent.

Senator JAVITS. I heard the figure mentioned that over 30 percent of those arraigned for felony in New York County in the criminal court, that is, the criminal court of jurisdiction over felonies, are narcotics addicts. Would you have any opinion on that?

52 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Commissioner MURPHY. I don't know that statistic, but our estimate of the total amount of crime committed in the city is that about one-third is by narcotic addicts.

Senator JAVITS. I notice in your list of those rackets that are curtailed, as you say, curtailed and subject to constant enforcement activity and so on, the omission of reference to labor rackets and just telescoping two questions in one, boilerrooms for the same worthless stocks. Is there any reason for that omission, and is there any different situation in those?

Commissioner MURPHY. I don't think that that exists today on the scale that it once did.

Senator JAVITS. In other words, you think that those two rackets also are not in the prime category of gambling and narcotics?

Commissioner MURPHY. Oh, no.

Senator JAVITS. I just had one other question and I am very grateful to the Chair for his courtesy to me. I notice that you recommend the wiretapping thing, upon which you put great stress, and of course we know the district attorneys of New York and Kings and our other counties are very interested, and I discussed that with the Attorney General this morning, and I won't take your time with that. I notice that you recommend the establishment of a nationwide clearinghouse. You call it an agency to concentrate on gathering vital criminal intelligence, a natural clearinghouse for crime fighters but not with enforcement responsibilities.

Now, isn't that maintained today, essentially, in the Federal Establishment? Isn't there quite a clearinghouse now?

Commissioner MURPHY. I think that they are slow in coming to it, and it has never been a clearinghouse.

Senator JAVITS. What do you have in terms of cooperation with our local police department that gets close to that in the Federal Establishment?

Commissioner MURPHY. Well, there is no central repository of criminal information in this country, or for that matter, in any State, except I believe an approach has been made to it in California. They are starting an operation there. We are trying to set one up in New York State now and we hope to expand it to Connecticut and New Jersey. The liaison is advisedly with each agency. We have men assigned to, say, for instance, Secret Service, Immigration and Naturalization, and Customs, and the FBI, and Narcotics, and Post Office inspectors, and so on, and everybody may have a little piece of information on this particular person.

Now, I notice the Attorney General in his testimony this morning stated that they are combining information from all Federal agencies on some 1,100 known racketeers, which I think is a major step in the right direction. Particularly in view of the smallness of our country today in the ease of transportation, and the nationwide confederation which does exist, and the interchange of personnel from city to city, we have to have this kind of information.

Senator JAVITS. So that you believe, Mr. Commissioner, I gather, that there is an organized hierarchy of racketeering in this country?

Commissioner MURPHY. Yes, sir.

Senator JAVITS. Which is countrywide?

Commissioner MURPHY. Yes, sir.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 53

Senator JAVITS. Thank you very much.

The CHAIRMAN. Thank you, Senator Javits. I wanted to concur in the remarks you made about our Italian people. I think our last population census showed about 4½ million of them in this country, and we are dealing with only a very, very small segment of them and they are not all on that side. We have a lot of very competent, able, and courageous law enforcement officials of that extraction, and so it just happens that this is one small segment that may have organized itself into something that offends us and needs looking into.

I think we could spend the rest of the afternoon reciting the names of great Italian statesmen, and doctors, and philosophers, and so on. The purpose here is to find out what the condition is and to ascertain if we need further legislation or if there is anything that the Congress should do or that can be done to remedy this condition.

Following up the last thought that Senator Javits interrogated you about, when I read that part of your statement about some clearinghouse agency, I thought in terms of what I have often thought of. I introduced a bill in the last session of Congress, a cosponsored one with Senator Kefauver, to set up or to establish a National Crime Commission.

Now, I wouldn't undertake to try to spell out the details of it, but having in mind two things, I intended to ask the Attorney General about this this morning and bring it up for discussion, and I overlooked it. I had in mind two things—to set up, as you say, a clearinghouse arrangement so that from all over the country anyone could call there and get a line on any record of any man convicted of crime and also to give that commission investigative authority, something comparable to that of a congressional investigating committee, with authority to hold hearings and require it to make annual or periodic reports to the Congress and to the Department of Justice with respect to conditions they may find to exist and also with respect to any remedial action they think could be taken.

I wouldn't want it in any sense to infringe upon the present authority and functions of the FBI. That wouldn't be the idea, but it would be to somewhat implement those functions. In other words, I don't know but what, if we had a good commission authorized and empowered to do work of that character, it would save a lot of time of some of us in Congress who have that duty and responsibility under the mandate of resolutions that Congress passed from time to time.

I wondered if you would care to make any comment about it. I think that is something else that the Congress needs to consider in connection with finding a remedy and tools and to deal with this problem.

Commissioner MURPHY. Senator, I specifically noted, I believe, that I would favor the establishment of a clearinghouse for criminal information divorced from an agency with any law enforcement responsibility.

I think there are enough law enforcement agencies in this country, and good ones, that we don't need another one.

The CHAIRMAN. What I had in mind, if you misunderstood me, was not to have any enforcement powers whatsoever.

Commissioner MURPHY. I fear that the start of such an agency could become the start of a national police. For that reason I would be very much against any such agency.

54 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. You would oppose a National Crime Commission?

Commissioner MURPHY. Yes, sir.

The CHAIRMAN. I see a number of States do have such.

Commissioner MURPHY. The crime commissions?

The CHAIRMAN. Yes.

Commissioner MURPHY. Yes, we have a New York State Commission of Investigation which is, in effect, a crime commission.

The CHAIRMAN. Does that not work well?

Commissioner MURPHY. I think it works well. It has done some excellent work in our State. The results are being shown in a number of cities.

The CHAIRMAN. It has no enforcement powers, has it?

Commissioner MURPHY. No, sir. It operates very much as you say, like a Senate committee, it hears evidence, holds public hearings, makes investigations, and turns over its information to the appropriate prosecuting official if a crime has been uncovered.

The CHAIRMAN. Are we to understand that you object to this character of hearings?

Commissioner MURPHY. No, sir; not at all. I think they are very useful and I think these are here. I think it is the only way we can get before the public some of our problems.

The CHAIRMAN. It is not the hearing powers that you object to, it is not the purpose of the hearings that you object to at all?

Commissioner MURPHY. No, sir.

The CHAIRMAN. It is your apprehension about creating another agency?

Commissioner MURPHY. Another agency?

The CHAIRMAN. How could you set up a clearinghouse, a national clearinghouse, without it being another agency?

Commissioner MURPHY. Because what I envision is strictly a center where all information will be funneled into it by the various Federal agencies, State agencies, municipal agencies, relating to criminal activities, and where you can draw on this bank of information and find out who this man's associates are in Tucson, Ariz., or in Los Angeles, and you can put together a jigsaw that comes to a solution of the crime you may be investigating.

The CHAIRMAN. I agree with that completely.

How can you set that up without its being another agency of government?

Commissioner MURPHY. I did not object to another agency of the Government. I objected to anything that could become a national police agency.

The CHAIRMAN. I did not have that in mind as the commission. The commission would be limited to two functions. I said a while ago I would not undertake to spell out the details.

I am thinking about it as a study project along with hearings like this and, of course, along with Congress from time to time as Congress may consider legislation in this field. It would have only two functions, as I indicated: To hold hearings and make investigations comparable to this and report its findings and recommendations to the Congress and to the Department of Justice, and also to set up a clearinghouse along the lines which you have advocated.

That is all I would favor.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 55

I would not want it to have any police powers whatsoever.

Of course, if you set up just that one aspect of it that you strongly favor, that would be another Federal agency, it would have to be, and I would favor it, I would agree with you completely.

As I understand it, you would not have the investigative powers because you think that might lead it into some enforcement.

Commissioner MURPHY. I think it would lead to it. I think it is superfluous. I think you have some of the greatest police investigating business in the country on all levels. I don't see why we need another one.

The CHAIRMAN. I am not talking about police investigation of that character. I am not talking about going out to investigate a given crime like the FBI.

I am talking about an overall investigation such as we may be conducting here.

Of course, Congress would still have the power and still has it now and from time to time such hearings are held. We held quite a lot of hearings some few years ago in various areas of criminal activity, including racketeering and improper activities in labor-management relations.

The point I am making is whether this burden must continue on the Congress or whether some responsibility in that line can be shifted to a commission set up for that purpose as a number of States have done.

I am not arguing now, I am just simply presenting it.

I wanted to be sure you understood what I had in mind.

Commissioner MURPHY. Thank you.

The CHAIRMAN. I do not know, myself; I just thought of it. In trying to think what the Congress can do and what needs to be done to more effectively combat evil.

I do not know that that is original. You probably have heard of it from other sources.

On page 44 you say:

Today the caution, sophistication, and personal conduct of the major racketeers, and the insulation inherent in their system make it, in every practical sense, extremely difficult and, at times, almost impossible to secure evidence to convict them.

Would you amplify that?

Commissioner MURPHY. You take the narcotics business, for instance, the key figures in this area would not be found within a quarter of a mile of any actual narcotics or anything that could possibly lead to their arrest.

The CHAIRMAN. You mean it is their techniques that they have improved so that makes it difficult to get at the real source?

Commissioner MURPHY. It makes it almost impossible to get at the top people because of the insulation that surrounds them. They have one or two trusted lieutenants who carry out their orders or their messages.

This is one of the great reasons we advocate this wiretapping legislation. They must, from time to time, resort to the use of the telephone.

The CHAIRMAN. I noticed this morning the Attorney General had as one of the conditions in the bill that they would have to establish

56 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

the fact that there is no other way to obtain the information needed, or the evidence, except by wiretapping, before a court would be authorized under the law to grant the request?

Commissioner MURPHY. We have wiretap legislation in New York State which was put in our constitution by referendum in 1938.

We have had many years of experience with it and it is a very strict law and very stringent requirement.

There have been legislative committees and investigations and hearings and no major abuses, very, very few abuses of this have ever been brought to light in these hearings.

The CHAIRMAN. That is since 1938?

Commissioner MURPHY. Yes, sir.

The CHAIRMAN. That is 25 years ago.

Commissioner MURPHY. Yes, sir.

The CHAIRMAN. You have had a quarter of a century's experience with it.

Commissioner MURPHY. Yes, sir.

The CHAIRMAN. Has there ever been serious complaints about abuses of it?

Commissioner MURPHY. No, sir. There have been investigations, there have been allegations, and nothing has been brought to light that would discredit the system.

The CHAIRMAN. Did it operate effectively for you when you were able to use it?

Commissioner MURPHY. Senator, a lot of the information that our witnesses will give you today would be impossible to secure without it.

The CHAIRMAN. I beg your pardon?

Commissioner MURPHY. I say a lot of information that will be given to this committee by our witnesses could not have been secured any other way.

The CHAIRMAN. Could not have been secured?

Commissioner MURPHY. No, sir.

The CHAIRMAN. Therefore, you regard it as one of the vital and indispensable tools necessary to combat organized crime?

Commissioner MURPHY. It is the most important and the most indispensable tool. It is not abused. We have over 4 million telephones in New York City.

The CHAIRMAN. A study of the bill that is pending now, recommended by the Justice Department, is pretty convincing that you just almost have to have a crooked court for it to be abused.

Commissioner MURPHY. We depend on the courts, we let them put us in jail, handle just matrimonial problems, and anything else.

I am sure we can trust our courts with discretion on this matter.

The CHAIRMAN. That is right. In a court where the issue can be contested, where there is a record kept—as pointed out here this morning that record can even be challenged by the defendant—it seems to me that, I would not say he has every right but on the surface it seems to me like the rights of the individual are pretty well protected, and particularly when you take into account that today his phone can be tapped and information gained and no conviction secured even though you approve the tapping of the phone.

Commissioner MURPHY. In New York we have that situation.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 57

The CHAIRMAN. I am talking about the Federal.

There is one other thing over here. You say:

Organized crime has also built for itself a strong defensive position by other means.

This is not what I referred to a moment ago.

You say:

Its use of a more venerable asset, the Constitution, has made it almost impregnable. The adoption to illegal purposes of the safeguards intended to shield the rights of the law-abiding citizen are well known. These safeguards, by adroit manipulation, have been expanded and distorted to provide a shield for the professional criminal and, in turn, the criminal organization.

Now, would you amplify that statement for us, what you mean?

(At this point, Senator Javits withdrew from the hearing room.)

Commissioner MURPHY. I don't know any way it could be changed or whether it should be changed, but it is a fact, the technical aspects of the laws with relation to search and seizure, some of the extremely technical grounds on which search warrants are vacated and evidence suppressed, the availability of the fifth amendment, these are the things I am referring to.

The CHAIRMAN. Some of these things we would not want to change.

Commissioner MURPHY. Of course not. I don't know that it could be changed if we wanted to.

The CHAIRMAN. You are just relating a condition that emphasizes the difficulty of law enforcement?

Commissioner MURPHY. Yes, sir; and to further emphasize that we need all the help we can get.

The CHAIRMAN. I go to the next page of your statement. You say:

We believe these evils are being contained as much as possible under the laws as they exist—

indicating that you might think there should be a change in some laws or supplemental laws.

Then you say:

In 1962, police in New York made an arrest for violation—
and so forth. You close that paragraph by saying:

However, since these new rulings, arrest totals have diminished.

What rulings do you have in mind?

Commissioner MURPHY. I am talking about the extension of the Federal exclusionary rule to all the State courts and the requirements of the search and seizure rulings. These have made it difficult for us and we are operating within it and we are learning to live with it the same as other agencies.

The CHAIRMAN. Those have made the problem more difficult?

Commissioner MURPHY. Yes, sir; and talking about the laws as they now exist, there are some problems on the local scene than can be corrected by our own State legislature with reference to technical aspects of the laws relating to the issuance of warrants and the execution of warrants that can be changed and fairly so.

The CHAIRMAN. You are referring primarily to your local situation?

Commissioner MURPHY. Plus the wiretapping situation which I always get back to.

58 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. On page 46, you say, and that is what I was driving at a moment ago:

Aroused public opinion is one of the most effective weapons in routing out and destroying these underworld figures.

At page 47 you say:

But it must also realize that total victory can only be achieved with the full support of an aware and courageous public.

How are we going to get the public more aware of these conditions?

Commissioner MURPHY. I think having hearings such as you are having now, with the coverage it is receiving, is the only way we are going to be able to do it. Certainly after you have had this series of hearings, I can't see but how the public would not become aware of the situation that exists in this country and the need for their cooperation in eliminating it. Every man who puts a two dollar bill on a horse with a bookmaker or on a policy slip is contributing to support of organized crime in this country.

The CHAIRMAN. Many of them today do not realize it, they are not conscious of it.

Commissioner MURPHY. That is true.

There are many others who don't have the community responsibility and wouldn't care.

The CHAIRMAN. I understand many would not care but there are many who do it without a present consciousness of what actually the consequences and implications of it are.

Commissioner MURPHY. That is why these hearings will be of great assistance to us.

The CHAIRMAN. You think hearings of this nature, conducted by the Congress, are calculated to get information and to arouse the public to a greater sense of obligation and duty in this field?

Commissioner MURPHY. I firmly believe that; yes, sir.

The CHAIRMAN. Thank you very much.

I believe we have discussed the wiretapping. You say you think that is the most essential.

You said at page 47:

As only one example, major narcotics indictments against wholesale traffickers have been dismissed solely because of the inability to utilize information obtained through these interceptions.

That is through wiretapping?

Commissioner MURPHY. Yes, sir.

The CHAIRMAN. You have been compelled to dismiss a number of cases?

Commissioner MURPHY. Against major narcotic traffickers in the New York district.

The CHAIRMAN. Where you felt you had the top man?

Commissioner MURPHY. We had him, no question about it.

The CHAIRMAN. There was no question about it but because of these rulings and this technicality you had to release him?

Commissioner MURPHY. Yes, sir.

The CHAIRMAN. If you were given what you here recommend and you got him you would not have to release him, you would be able to convict him?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 59

Until we do something about that, until our laws are adequate to make your work effective, then you frequently go through a lot of—

Commissioner MURPHY. Months and months of investigation.

The CHAIRMAN. Just go to waste.

Commissioner MURPHY. Yes, sir.

The CHAIRMAN. You get the knowledge but you can do nothing about it.

Commissioner MURPHY. Yes, sir.

The CHAIRMAN. The criminal continues his operation.

Commissioner MURPHY. Yes, sir.

The CHAIRMAN. Very well. I believe I have covered all I had in mind.

Senator CURTIS?

Senator CURTIS. Mr. Commissioner, I appreciate your comment here and I want to follow through a little bit on this wiretapping business. These cases that you referred to where you have had top operators in the narcotics racket, cases which had to be dismissed because you could not use the evidence that came through interceptions.

Commissioner MURPHY. Yes, sir.

Senator CURTIS. Those were in State courts?

Commissioner MURPHY. That is right.

Senator CURTIS. The defendants were being charged under State law?

Commissioner MURPHY. Yes, sir.

Senator CURTIS. At one time, you could use that evidence?

Commissioner MURPHY. Yes, sir; prior to the decision which made these laws applicable to the State court.

Senator CURTIS. Over how long a period of time, roughly, was wiretapping evidence admissible in New York?

Commissioner MURPHY. It was admissible up around 1957.

Senator CURTIS. And going back almost to the invention of the telephone; is that right?

Commissioner MURPHY. Yes, sir.

Senator CURTIS. Was it permissible during any period where the telephone was used extensively for big, illegal operations?

Commissioner MURPHY. Yes, indeed. As I said before, it was in our constitution from 1938, and still is, and was used extensively during those years. Very important convictions resulted from the use of interceptions.

Senator CURTIS. There was never any public outrage against its use?

Commissioner MURPHY. No, sir.

Senator CURTIS. It has been tested in your own State court?

Commissioner MURPHY. Yes; time and time again.

Senator CURTIS. Do you recall what decision this was?

Can any of your aids supply it?

Commissioner MURPHY. *Schwartz v. Texas*, my learned counsel tells me.

Senator CURTIS. About 1957?

60 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

TESTIMONY OF LEONARD REISMAN

Mr. REISMAN. If I may, Senator.

Senator CURTIS. Yes, I wish you would elaborate on that.

Mr. REISMAN. The matter of whether or not the State laws authorizing wiretapping were constitutionally sound was tested in the U.S. Supreme Court many years ago, *Schwartz v. Texas*, and other cases of similar nature, and they were found to be constitutionally sound.

In 1957, with the *Bonanti* case, the Supreme Court of the United States indicated that section 605 of the Federal Communications Act preempted the field and thus the interception and divulgence in a State might subject the police official in the State to Federal prosecution.

As a result, the district attorneys in the city of New York, and the police, although they have continued under court order to intercept, have not divulged that evidence either in grand juries or at the trial level.

Since that case, the highest court in the State of New York has still indicated that we can wiretap, and the evidence is admissible. However, we run the risk of Federal prosecution.

Senator CURTIS. Now, had the U.S. Supreme Court ruled on this provision in the Federal Communications Act prior to the time they made the——

Mr. REISMAN. Yes, they had. There had been all sorts of rulings. However, the trend in the Court finally culminated in 1957 with their decision that it preempted the field.

However, if I may just make a comment, it is moot at this point since the Supreme Court has acted. The legislative history of section 605 seems to indicate that it was never intended to preempt the field against the States' rights to intercept and indeed the Senate hearings in these very rooms, in the mid-1950's and later, were done with the aid of information obtained by court-ordered interceptions which came out of the city of New York.

Senator CURTIS. Do you recall whether or not this opinion was from a divided court?

Mr. REISMAN. I do not recall. I think it was divided; it usually is.

Senator CURTIS. You have reinforced my prejudices. I am a "States' Righter."

You say that this is in the constitution of New York, authorizing wiretapping?

Mr. REISMAN. In 1938, we had a constitutional amendment, by referendum of the people of the State of New York, and the legislative history there, Senator, is interesting. When this was first considered, the immediate reaction of the people of the State was opposed to the adoption of a wiretap amendment. However, after the debates in the halls of the State legislature, where the prominent and well-respected prosecutors testified as to their considered opinion, the whole attitude on the part of the people of the State of New York shifted, resulting in the adoption of the constitutional provision.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 61

Senator CURTIS. It seems inconceivable that a crime, whether or not a series of acts constitute a crime, is determined by the mechanical vehicle used for it. The same conversation at a table which a detective overhears is admissible, is it not?

Mr. REISMAN. Yes, sir.

Senator CURTIS. The fact that that is amplified over a wire makes it inadmissible. I do not know. Now, I do not think I am at odds with what you have to say about the constitutional guarantees being a hindrance to law enforcement, but I want to make it clear concerning the record. If you go back to the original language in the Constitution, it is not your feeling that the right of a trial by jury is a deterrent to law enforcement?

TESTIMONY OF MICHAEL J. MURPHY—Resumed

Commissioner MURPHY. Not at all.

Senator CURTIS. Is it your feeling that the right that no one can be compelled to testify against himself is a deterrent to law enforcement?

Commissioner MURPHY. No, sir.

(At this point, Senator Javits entered the hearing room.)

Senator CURTIS. Or the protection of people's homes against seizure and search without a warrant is not?

You are speaking of the web of interpretation that little by little has been attached to and woven around, rather than in finding fault with the basic principles involved.

Commissioner MURPHY. We are not finding fault with the principles. We are trying to point out the great difficulties that we face in securing evidence and obtaining convictions.

In pointing that out, we are asking for what relief can be granted within the Constitution, and the decisions to help us in our work.

We find no fault with the Bill of Rights, or trial by jury, or the fifth amendment, or search or seizure.

Senator CURTIS. In other words, as you have well stated, if you could present your evidence in court that you are able to obtain, you could live with all of these protections that are given to accused people?

Commissioner MURPHY. Yes, sir.

Senator CURTIS. Do you have any particular comment that you wish to make on juvenile crime, as such, or is it different from any other crime or any other group?

Commissioner MURPHY. I think, as I indicated before, in response to questions from another gentleman of the Senate, that this has become increasingly a problem of ours. It results, in my opinion, from the breakdown, the loss of respect for all authority in schools, homes, churches, police, government, and I think it has to be corrected first in those places.

We are only dealing with the sad results of failures elsewhere.

Senator CURTIS. Now, on another subject, I want to be sure I understand correctly. When you are speaking of the \$2 bet on the horse, are you including the bets placed at the racetrack?

Commissioner MURPHY. No, sir; the money that is bet at the racetrack does not go to support organized crime.

62 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator CURTIS. I understand. I wanted the record to be clear on that.

Whether people approve or disapprove of betting at the racetrack, the fact remains it is regulated and carried on out in the open and the tax is paid and it is not an undercover operation.

Commissioner MURPHY. Yes, sir.

Senator CURTIS. That is all, Mr. Chairman.

The CHAIRMAN. Senator Brewster.

Senator BREWSTER. Mr. Commissioner, this morning the Attorney General testified that there was a national crime syndicate, that this commission or board of directors actually directed criminal activity throughout the United States.

Would your experience bear that out?

Commissioner MURPHY. Yes, sir; completely.

Senator BREWSTER. Would you say that certain criminal activity in New York City was today being directed by forces outside of the State of New York over which you have no control and cannot reach?

Commissioner MURPHY. I would say that is quite possible.

Senator BREWSTER. Changing the subject, let me ask you about the degree of cooperation or noncooperation that exists between your law enforcement agencies in New York City and those of the Federal Government. Do you cooperate well together in exchanging information and working as a team?

Commissioner MURPHY. I can only characterize the relationship between all the law enforcement agencies, State, Federal, and local, in New York City as being on the highest plane with a complete exchange of information and trust and confidence.

We are in the unenviable position that we have more business than all of us put together can handle. So there is no competition for the business.

Senator BREWSTER. Would you recommend any legislation in this area that would make cooperation easier or more effective?

Commissioner MURPHY. The recommendation I made in my prepared statement relative to a clearinghouse, I think would make it less arduous to obtain the information which we have to get sometimes by traveling to 10 or 15 different agencies.

Senator BREWSTER. In connection with this, would the existing identification of services in the FBI serve on an expanded basis as a possible base for such a clearinghouse?

Commissioner MURPHY. Of course, largely the identification services are merely compilation of the fingerprint records and arrest records which are helpful in themselves but are not exactly what I had in mind. They are just part of it.

Senator BREWSTER. Thank you, Mr. Commissioner.

Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Commissioner, I understand that even the Italian Government now is undertaking to make a drive against what it regards as an organized criminal group in Italy. Do you have any information about that?

Commissioner MURPHY. Not any firsthand information. I have been following it with great interest.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 63

I believe the public opinion in Italy was aroused as a result of the killing of five or seven policemen with a boobytrapped car over there.

The Italian Government has been conducting—actually—practically house-to-house searches, as I read it, in Sicily.

The CHAIRMAN. I think there have been published reports to that effect. I thought the record should reflect it here.

I do not know whether their organization there, so far as we know, is somewhat on the same order as the organized syndicate here, but, anyway, you are convinced we do have such an organized group here—

Commissioner MURPHY. Yes, sir.

The CHAIRMAN (continuing). Who are dedicated—I use that word “dedicated”—to the pursuit of crime, the enterprise of crime as a livelihood and as a means of carrying on their business?

Commissioner MURPHY. Yes, sir.

The CHAIRMAN. Have you been familiar with the name of Cosa Nostra very long as the name of that organization?

Commissioner MURPHY. No, sir.

The CHAIRMAN. That has been a new name?

Commissioner MURPHY. It is a name I am not familiar with.

The CHAIRMAN. Without actually possibly knowing, what have we generally termed this organized group in this country heretofore?

Commissioner MURPHY. Syndicate, the mob, Mafia, the organization.

The CHAIRMAN. Various terms have been used but ultimately they mean the same thing: a group organized, dedicated to the perpetration of crime.

Commissioner MURPHY. Yes, sir.

The CHAIRMAN. And to the protection of each other in that operation.

Commissioner MURPHY. That is right.

Senator JAVITS. Mr. Chairman, I have just one question.

The CHAIRMAN. Yes, Senator Javits.

Senator JAVITS. Commissioner, one thing interests me. We are going to look into something which is said to be a crime hierarchy and so on, composed of a certain number of “families.”

The inspector’s testimony, I notice, refers to them as “families.”

Would you be able to tell us whether, in your judgment, this is the only one of these syndicate operations, whatever you might call them, groups of families, that exist in this country, in this field, or would you say there are others?

Commissioner MURPHY. There are other organizations. They are smaller, more local in nature.

This is the only thing I know of on this nationwide basis.

Senator JAVITS. On this scale?

Commissioner MURPHY. Yes, sir?

Senator JAVITS. Thank you very much.

The CHAIRMAN. Counsel wishes to inquire.

Mr. ADLERMAN. Commissioner, I notice in your testimony a little while ago you stated that about 30 percent or one-third of the arrests are those who have been using narcotics in one way or another.

Commissioner MURPHY. Yes, sir.

64 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. Is this due to the fact that the narcotic addict has to find money to satisfy his craving for the drug?

Commissioner MURPHY. Yes; and I think it is also due to the fact that the great work done by the Federal Bureau of Narcotics and local narcotics squads has made the supply very scarce and very expensive.

Mr. ADLERMAN. And by reason of the fact it is expensive they have to find money and so they go into things like prostitution, thievery, burglary, robbery?

Commissioner MURPHY. Yes, sir.

Mr. ADLERMAN. And the fact that there is a narcotics problem enormously increases the problem of law enforcement?

Commissioner MURPHY. Of course.

Mr. ADLERMAN. On the addict level, this is not an organized group, these are small people, are they not, as a general rule, I mean in the hierarchy of criminal activity?

Commissioner MURPHY. The addict is the poor unfortunate who has this habit.

Mr. ADLERMAN. The root of the thing is the supply of the narcotic?

Commissioner MURPHY. Yes.

Mr. ADLERMAN. The control of the supply of narcotics, the source of narcotics, is that in the hands of the mob, the organization, the Cosa Nostra?

Commissioner MURPHY. It is my belief and information that that organization has warned its members to stay out of the narcotics business. It is increasingly dangerous.

Mr. ADLERMAN. Some members violate those regulations?

Commissioner MURPHY. Yes, sir.

Mr. ADLERMAN. Do those members, the ones who have the source and control, the source of the narcotics, bring it in?

Commissioner MURPHY. I don't think there is a monopoly.

Mr. ADLERMAN. Do they have a large part?

Commissioner MURPHY. Yes, sir.

Mr. ADLERMAN. So, if you could successfully eliminate the mob, the mob control, or this hierarchy of criminal activity on a higher level, you would go a long way in reducing the source of supply?

Commissioner MURPHY. You would put a large dent in it. Actually, not the source of supply but the distribution. The source of supply is from abroad.

Mr. ADLERMAN. It would make it more difficult to get it here.

Commissioner MURPHY. Yes, sir.

Mr. ADLERMAN. It would dry up the sources in a way.

Commissioner MURPHY. Yes.

Mr. ADLERMAN. Coming to the wiretapping proposition, I was wondering perhaps if Commissioner Reisman could tell us—I think there has been a general misconception as to the amount of wiretapping that goes on in a city of the size of New York with 8 million people and 4 million telephones—how many orders have been obtained to wiretap by court order in the city of New York by the police department?

Mr. REISMAN. Mr. Counsel, our records in our department show that we have obtained on an average 300 wiretap orders a year as against our telephone population of some 4 million. Of course, you

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 65

must add to that figure for a complete total the wiretap orders which are obtained by the five district attorneys. However, it is my impression from the previous testimony of District Attorneys Silver of Kings County and Frank Hogan of New York County, that together the five district attorneys probably do not obtain the same amount or double the amount that we do.

Mr. ADLERMAN. In other words, a reasonable amount would be less than 500?

Mr. REISMAN. I would think so.

Mr. ADLERMAN. And that is for the whole city of New York: 8 million people, 4 million telephones?

Mr. REISMAN. That is correct.

Mr. ADLERMAN. Now, before you get a court order, you want to satisfy yourselves that it is going to be productive of results in a prosecution; is that correct?

Mr. REISMAN. Yes, sir.

Mr. ADLERMAN. This is ordinarily a rather expensive thing and it entails a lot of manpower, a 24-hour, round-the-clock watch, it entails subsequent investigations, surveillance, and so forth, it becomes a costly affair.

Mr. REISMAN. That is correct.

Mr. ADLERMAN. This is not promiscuously engaged in; is that correct?

Mr. REISMAN. That is right.

Mr. ADLERMAN. The average person is never subjected to wire-tapping, only the criminal is?

Mr. REISMAN. That is correct.

The CHAIRMAN. Is there anything further?

Commissioner, do you have any further statements you wish to make?

Commissioner MURPHY. No, thank you.

The CHAIRMAN. I want to express very deep gratitude to you and to your assistant for your presence here today, especially for the excellent testimony you have given.

Commissioner MURPHY. Thank you very much.

The CHAIRMAN. I hope the Congress will respond by giving you some help.

Commissioner MURPHY. Thank you; I hope so.

The CHAIRMAN. Thank you kindly.

We have one other witness for today, Mr. John F. Shanley, deputy chief inspector, New York City Police Department.

Will you be sworn?

You do solemnly swear that the evidence you shall give before the Senate subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SHANLEY. I do.

TESTIMONY OF JOHN J. SHANLEY

The CHAIRMAN. Be seated, Mr. Shanley.

You have been in law enforcement work 23 years. You are head of the Central Investigation Bureau of the New York City Police Department, is that correct?

Mr. SHANLEY. That is correct.

66 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. According to the information I have, this is the intelligence unit. Is that right?

Mr. SHANLEY. That is correct.

The CHAIRMAN. You also represent the police department, do you, in dealing with the various district attorneys in New York City and their work?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. As they perform their duties, you associate yourself with them and assist them?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. You appeared before this committee I believe in the hearings we had in 1961, did you?

Mr. SHANLEY. No, sir.

The CHAIRMAN. This is your first appearance?

Mr. SHANLEY. This is my first appearance. Members of the central investigation bureau have appeared before.

The CHAIRMAN. Other members have appeared but you have not personally?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. I was thinking we had had some help from your group before.

Thank you very much.

You have a prepared statement?

Mr. SHANLEY. I do.

The CHAIRMAN. Then you may proceed with it.

Mr. SHANLEY. Thank you.

The organized crime rulers, as exemplified by these five families which will be under scrutiny during these hearings, have had relatively long reigns. This stability of command, frustrating to the police, must be a puzzle to the public. These overlords have remained in their position of power despite ruthless and ambitious underlings on one side and the full might of Federal, State, and municipal enforcement on the other. This can be accounted for, to a degree, by certain tactics—methods of operation—employed by them.

Law enforcement efforts on the fringe of these kingdoms have had some success. However, police progression toward the core of this subculture is hard going, and the nearer to the heart the tougher the coverings.

This condition, unfortunate for law enforcement, is achieved through various measures. All have evolved from experience, all are employed in one form or another by each of the five families and all have proven successful. Some of these shields are in the form of tasks performed by subordinates. Others are variations on traditions, and still others, adaptations of practices used either in business or affairs of the State.

Among these protective measures are the following:

INSULATION

Every lawbreaker tries to avoid arrest. These efforts usually become more concrete and complicated in direct proportion to the prestige and cunning of the perpetrator. The top ranks of these families seldom become involved in crimes in such a manner that would subject them to embarrassment, much less arrest.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 67

Their personal conduct is free of obvious misdeeds. Social associations are generally very restricted, and contact with actual lawbreakers is nonexistent. Of necessity, as the levels descend, the members get closer to operations and become increasingly vulnerable to police activity. But this descent is deep in the pyramid and a long way from the top.

Specific plans and devices are used, but, basically, the strongest insulation is supplied by a philosophy which permeates the group; i.e., that the boss must be protected. Inculcation of this thinking on the membership has been highly successful. Whether, in younger men, this stems from the hope that such sacrifices in the beginning will eventually afford them similar comfort, or, in the case of the older men, never advanced, this thinking has become a part of a way of life, or whether it is a combination of fear and the traditional distaste for informing, cannot be firmly stated. But it is this philosophy that gives the strongest protection to the hierarchy of these infamous families. And it is a philosophy which has produced 30 years of silence, this witness being the only one who dared to abandon the credo.

RESPECT

Another inviolate rule is the requirement that there must be a strong sense of respect for leaders and traditions. This is beyond merely protecting the boss. It exceeds deference due any leader, and is not confined to ordinary bowers and scrapers present in all organizations. This is respect in the true sense of the word.

With relations to individuals, it seems to be achieved partly by position and partly by seniority, with stress on the former, although all things being reasonably equal, the older member has more prestige. Among some older men, it involves hat-tipping and bowing reminiscent of royalty, but usually it is less courtly, although by no means subtle. It is unmistakable.

A member's position and the value of his counsel appear, in many cases, to be enhanced by age per se. Perhaps old age, under the circumstances, is a superior achievement in itself.

In public places, the reflex response triggered by the need to comply with this code has been beneficial to law enforcement. The terms of address, the tone of voice, the held door, the proffered seat, and demeanor generally frequently reveal status in different groups. Based on these observations it is easy to believe that neglect of such niceties might bring severe discipline to the offender.

A number of sleepers—high-ranking members previously considered possessors of routine membership—have been uncovered from a deep probe started by displays of this nature.

THE BUFFER

As has been said, the top members of this evil group, as a rule, do not mix or even do business with their immediate subordinates. They deal through a buffer, a member, usually around the same age, who is carefully selected and highly trusted. When traveling, they generally have this person with them.

This underling acts as an aid, but he is no menial. He drives the boss when necessary, but he is not his chauffeur; he handles messages

68 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

from the field, but he is not a messenger; he discusses problems with the boss, but he is not a counselor; he would fight for his boss, but he is not a bodyguard; he travels with the boss socially, but he is not his equal. He performs a variety of functions—none overtly criminal—although he no doubt furthers many a conspiracy.

The buffer's main duty is to stay between the boss and trouble. In this, his value is great. The buffer, although he may not be a high-ranking member, has the confidence of the organization and is aware of all the operations. Only he could testify against the top man, but even here precautions are taken to assure that his testimony would be uncorroborated, and, therefore, useless in our State.

THE APPOINTMENT

In these families, all important matters go through channels. At the last stage, it comes to one man—the buffer—and he takes it to the overlord. This procedure is strictly followed, but there have been times when a low-level superior was permitted to speak to the boss on business. This is unusual, and requires following a set method.

The member concerned must obtain permission from his immediate boss. This request then goes through channels to the buffer, who presents it to the head. All this communication is done in person. Such a request is not honored except under unusual and urgent circumstances, or when it comes from an old, old friend.

When a request is granted, the buffer picks up both the petitioner and his immediate superior, and brings them to a place previously selected as convenient and acceptable to the overlord.

The meeting is formal. The matter is discussed, the petition is made, and, in due time, a decision is rendered, and then is handed down to the petitioner. This concludes the matter. These "appointments" are very infrequent, occur within families only, and differ from a sitdown.

SITDOWNS

A sitdown develops when there is a threat to gangland peace because of a dispute between members of this subsociety. At one time, force—frequent and ruthless—was the ultimate pacifier. However, according to the chiefs of these notorious clans, when open violence is used "the only winners are the cops."

If a question comes up, the syndicate lesser leaders arrange to sit down and thrash it out. In most cases the issue can be resolved at this level. If necessary, it can go higher. On occasion, when these disputes reach a higher level, the disputants find out they are members of the same family.

Sometimes the quarrel must finally be referred to the highest authority, the heads of the families. Arrangements are made to meet, and the heads sit down and talk the matter out. Their decision is final.

The sitdown, really a peace conference, has eliminated clashes between established houses.

The sitdown does not apply to settling differences with people outside of these families, although conciliatory approaches are used in such instances, at least at the start.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 69

DISCIPLINE

All disciplining of members of these tribes, no matter how barbaric, including murder, is done within the same house or family, by their own members. Thus, if a family member has violated the rules or refuses to abide by a superior's decision he must be punished. This punishment varies from a warning, through cutting him out of some lucrative endeavor, to the ultimate—murder.

Keeping the killing within the family eliminates the development of vendettas, makes it easy to perform the task, and paves the way for the disappearance.

It has been the experience in New York City that murders of mob members have been performed by fellow members of the same family. Almost without exception, any other recent racket-type killings in New York City have been committed by mavericks, spontaneously, or of people outside the family.

THE DISAPPEARANCE

Sometimes a sitdown decides murder is the only solution to the problem discussed. As mentioned, the homicide is assigned to the mob to which the victim belongs. Within a short time, the man disappears. In five instances in the last 3 years, a member and usually his car have vanished without a trace. These obliterations were carried out by Judases, "friends"—possibly actual blood relatives—completely trusted by the victim. The victim showed no fear, no change from routine, prior to his disappearance.

This technique has great advantages. There is no apparent violence. No sprawled body in a bullet-punctured car. No gruesome pictures. No inflamed press and public. Usually, sometimes after the victim was last seen, he is reported as a missing person in the jurisdiction in which he resides. Frequently, this is a small town adjacent to the city but, regardless, there is no body and no complaint of homicide. The case is carried as a missing person, a disappearance.

PERMISSION

"You gotta get permission." The first time a newcomer to a family is told this he is very surprised. He finds he must obtain permission to enter any illegal enterprise, commit a stickup or burglary, dispose of stolen property, or even borrow from a shylock.

The explanation given is that only undertakings in keeping with family policy will be allowed. As long as permission is obtained, the family will help with lawyers, bail bondsmen, et cetera, if anything goes wrong. This is a practical consideration, and then from a viewpoint of public relations, no crimes which may cause a great public outcry are desired.

With regard to obtaining permission to deal with a shylock, the explanation is that, when permission is granted, the family is vouching for the borrower. If the borrower fails to pay, the family will be required to make good; therefore, must pass on such loans in advance.

70 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

THE MONEY MOVER

The main objective of these families is the efficient amassing of money. Huge amounts of cash from illegal sources pose two problems. Its true ownership must be hidden, and it must be put to work. The greedy overlords consider the need to put the money to work quickly equal in importance to the need to hide its ownership. The money mover provides this service.

Money movers, reasonably skilled in finances, are family members and, although not at policy level in systematized crime, are important and trustworthy. The money mover handles cash for a clique rather than an individual. He may, for instance, handle the Profaci or the Genovese "house." There may be more than one money mover for each family.

The cash is given him through a conduit, and the profits return to the thugs the same way. The money mover knows broadly whose money it is. But, it is probably not possible to go beyond him in tracing the specific origin, as he does not know.

The money mover is apt at insulating himself. He has fury at his service. He has excellent and widespread connections. And he has as a partner an astute, unethical businessman. He and his partner merge two basic abilities: brains and brawn. The partner invests through corporations, other partners, and as an individual. Importing, real estate, trust funds, books, stocks and bonds, are typical undertakings. Both the money mover and his partner enjoy some return, but the bulk of the profits go to the mob. The object is to invest in legitimate situations, but anywhere a quick buck can be made without too much risk is not overlooked.

PUBLIC RELATIONS

More than ever, public opinion is a concern of the criminal administrators. All strong action must be cleared with higher authorities. So compelling is this concern that failure to control bad situations is a serious reflection on the boss. A recent assault on a Federal agent in Brooklyn caused a considerable decrease in the prestige of the head of the faction concerned. Many felt that the absence of discipline within his unit could cause his disappearance, although he personally was not involved.

The foregoing methods and traditions are fundamental to the administration of organized crime, and they have kept the leaders in their top spots. Right now, these hearings have aroused great apprehension among these criminals—particularly in the notorious five families. No doubt all aspects of the hearing and its possible repercussions have been examined and analyzed. Organized crime will take steps wherever possible to ride out the storm while waiting for a better climate. If new or additional tactics are necessary, organized crime will seek them and, having found them, will adopt them.

To prevent any additional defensive measures, law enforcement must think in terms of longtime exertions, sustained harassment of the upper echelons, must press for arrest and conviction of the middle and lower segments of this felonious community, and must make membership in any of these families so miserable that recruitment of new soldiers will be impossible.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 71

The CHAIRMAN. Thank you very much.

I will ask just two or three questions and then, Senator Javits, I will defer to you.

I was particularly interested in your saying that right now these hearings have aroused great apprehension among these criminals, particularly in the notorious five families.

Can you amplify that any?

Mr. SHANLEY. Well, this information is based on observations and certain wiretap information which has been obtained in the course of investigations into these families.

The CHAIRMAN. You know they are concerned?

Mr. SHANLEY. Definitely.

The CHAIRMAN. Which makes them a little uncomfortable.

Mr. SHANLEY. Very uncomfortable. They have considered various plans, the possibility of hiring public relations people.

The CHAIRMAN. Hiring public relations people?

Mr. SHANLEY. That is true.

The CHAIRMAN. I hope that public relations actually means the common acceptance of the term.

One other question. Much of this information you had or already knew about the Valachi story, did you not?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. You in your intelligence work accumulated a lot of this information over the years?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. You have not heard the story yet; Valachi's story will probably confirm a great deal of what you have said and probably add to it.

Mr. SHANLEY. What we have heard so far parallels pretty much what we have and will supply in detail.

The CHAIRMAN. You will testify further, I understand.

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. For that reason I am not going to undertake any further interrogation of you at this time.

Senator Javits, I defer to you.

Senator JAVITS. Thank you, Mr. Chairman.

For the same reason that the chairman will not examine you very extensively, Inspector, I will not either.

I have just two questions to ask you.

One, do you agree with the Commissioner that this is the principal hierarchy in racket crime in this country?

Mr. SHANLEY. I do.

Senator JAVITS. And that others are more satellite, more subordinate?

Mr. SHANLEY. That is true.

Senator JAVITS. Secondly, I gather that you approve of our hearings and feel that they will serve a useful purpose?

Mr. SHANLEY. Indeed. I think that the hearings have upset these people considerably more than anybody realizes.

In addition to that, in New York City, at least, it is our opinion that the whole ebb away from their full strength started with the Kefauver hearings. They have been edging down somewhat since. Not that they are weakened to any degree where we could feel confident that

72 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

they would not revive, but, nonetheless, this is a starting point, I believe.

Senator JAVITS. Thank you, Inspector.

Of course, our job is legislation and the operation of Government departments, but it is also good to know that we have some other evidence of the effects of what the chairman has initiated here.

The CHAIRMAN. Senator Brewster.

Senator BREWSTER. Inspector, I have just one question.

To some degree, would you say that the assistance of the syndicate causes continued juvenile delinquency in New York City?

Mr. SHANLEY. In the sense that these people will supply services which are generally prohibited, which will manufacture a general sense of disrespect and which will further anything that will make for an evil gain, obviously this would affect the youth of our city.

Senator BREWSTER. Thank you, Inspector.

The CHAIRMAN. Are there any questions, Senator Curtis?

Senator CURTIS. No questions.

The CHAIRMAN. Counsel?

Mr. ADLERMAN. Inspector Shanley, I notice you refer to the credo of this organization. I do not think you identify it as such but you mentioned it in the course of discussion of insulation. You discussed the credo of not informing.

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. How strong is this credo in this organization?

Mr. SHANLEY. As strong as life itself in this organization.

Mr. ADLERMAN. What is the penalty if a man talks?

Mr. SHANLEY. Death.

Mr. ADLERMAN. You are convinced of that?

Mr. SHANLEY. I am convinced of that.

Mr. ADLERMAN. Do you have any instances where such things have happened?

Mr. SHANLEY. Numerous instances, yes. There have been exceptions where it has not happened, which is hard to understand, but almost without exception this is what happens.

Mr. ADLERMAN. This is probably one of the greatest strengths of this organization, is that correct?

Mr. SHANLEY. That is correct.

Senator JAVITS. Will the counsel yield for one question on that point?

Mr. ADLERMAN. Yes.

Senator JAVITS. I notice what you said about movers of money, speaking of large sums. Is there any order of magnitude, for example; what are we dealing with here?

Mr. SHANLEY. I would say one particular man that we have a very close observation of right now, and I would not want to disclose his name, I would estimate he has a million dollars out in shylocking at one point a week which gives him \$10,000 a week from this alone. These are not a number of loans, these are generally confined to \$50,000 or \$100,000, paper, along those lines.

Senator JAVITS. Would you have any estimate of the annual volume of this hierarchy that we are talking about?

Mr. SHANLEY. That would be pretty difficult, Senator.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 73

Senator JAVITS. I just thought to get an order of magnitude would be interesting.

Mr. SHANLEY. I would say possibly in the gambling field and policy alone, close to the hierarchy here, would run a quarter of a million dollars a day.

Senator JAVITS. I cannot do quick mathematics, but have you thought through what that means a year?

Mr. SHANLEY. I guess it would be on a 6-day week, it would run to \$75 million or thereabouts.

Senator CURTIS. Is that the whole country?

Mr. SHANLEY. That is New York City.

Senator CURTIS. Where do they get all that money?

Mr. ADLERMAN. Inspector Shanley, if I may interrupt, you have had examples of large sums of money being found or you know of large sums of money being found when a raid has been made in some of these policy banks and so forth. Can you describe any particular amount that has been found?

Mr. SHANLEY. Normally they avoid this in New York.

The money and the policy slips are separated.

However, in recent cases, the day before yesterday, they were observing a man, a man who was subsequently arrested by the observers because he fled through red lights, and the offense was driving recklessly. When they came up to him he had \$3,000 on the floor of the car.

A man who was arrested previous—2 or 3 weeks prior to that, threw something on the ground, they picked it up. It was \$10,000.

Mr. ADLERMAN. Do you remember the Moriarity case, it was out of your district. Will you tell us about this case?

Mr. SHANLEY. Moriarity was apparently an exception to this rule. He did not appear to belong to anything. As a consequence, he had no way to move his money. He kept storing it up and storing it up. Eventually, he wound up with \$2 million which he left in a garage. As a consequence, he was convicted, the money has been seized. This indicates the lack of services, what can happen when you lack services that these syndicates have.

Mr. ADLERMAN. He was running a policy bank?

Mr. SHANLEY. He was running a policy bank.

Mr. ADLERMAN. He was not in the organization of Cosa Nostra?

Mr. SHANLEY. I don't believe he was in the organization. He would not have that much money lying loose. He would have it working for him.

Mr. ADLERMAN. He had it stored away in cardboard boxes and suitcases, and so forth?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. That indicates the size of some of these bank takings.

Mr. SHANLEY. That is right.

Mr. ADLERMAN. Do you have any illustration of the example of this matter of respect?

Mr. SHANLEY. Yes. In three instances, two or three instances, which we feel very significant; in one instance there was a roundup of a group of these people such as in Apalachin. They were all

74 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

brought in a station house. There was one man we knew but we never considered him to be of any particular high status.

There were very few chairs in the station house. These men were locked up. There were maybe 25 men.

All the other men we knew were pretty high-ranking. Nonetheless, every time this man had occasion to walk over to the detective to be interrogated, everybody stood up and let him pass them. When he came back, if there was no chair there, everybody jumped up and let him sit down.

Mr. ADLERMAN. This was a man comparatively unknown?

Mr. SHANLEY. Yes.

Subsequently, as a result of this, we made a deep probe into this. We found out he was a person of some substance.

I believe he will appear in your charts. I believe there is an instance of Tony Bender, who is now among those who have disappeared, he was in a station house also, having been arrested, and he was arrested with two or three other people, one of whom was supposed to be a very tough man.

The arrest was of a minor nature and this fellow was showing his disregard for the arrest activity. He was clowning around in the station house. While he was doing this, the detective told him to keep quiet. Still he clowning.

Bender said one sentence to him, "Why don't you sit down, Frank." Frank sat down and never opened his mouth for the rest of the night.

Mr. ADLERMAN. This would indicate to you the absolute authority of Tony Bender? Tony Bender was considered an underboss?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. This indicates to you the profound respect, the profound authority that a man would have even over a man who is considered to be extremely tough?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. Could you give us an illustration of some of these other things like the appointments or disappearances or permission or money moving, and so forth?

Mr. SHANLEY. In relation to the insulation, I think that a study of the arrest records of the people who will appear on this chart is one of the greatest indications of how effective insulation is.

Most of these people start off with a series of arrests when they are young men. They are arrested for various types of crimes.

Then as they go on and become a little bit older, these arrests cease.

A man who does not get up in the ranks, he continues to accumulate arrests, but these other people go sometimes 25 years without an arrest.

This is because they have been removed from the operational level. Somebody else is taking the risk. They are out of it.

Then, in relation to other efforts at insulation, most of these people that you will speak of, that are top level, no longer live in New York City.

We have no idea that they are not controlling a lot of things in New York City but they don't live there.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 75

One fellow lives way out of the State, another fellow lives in New Jersey, two of them have residences of sorts in New York but their most substantial residences are a considerable distance from New York.

Now they are so insulated we find it hard to even observe these people.

Mr. ADLERMAN. In other words, they have several layers of people between the perpetrators of the crime, who, in turn get orders from others, and so forth, up to the buffer?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. So it is almost impossible to connect the perpetration of the crime with a man who has originally given the order or who is getting the principal profit?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. Now, as to the money mover, could you give us any illustrations of the money mover? I know you say that you did not want to reveal the name of that particular person.

Mr. SHANLEY. We have an instance in that particular one. The money mover apparently had accumulated a certain amount of money in a very successful operation. What it was we didn't know. But he had to transport this money. A man was going at that time to Cuba. He took \$200,000 and sewed it in the lining of this man's coat. The man went to Cuba. He delivered it to somebody in Cuba that we feel was very high in the syndicate. Who it was, we don't know.

The CHAIRMAN. Is that recent?

Mr. SHANLEY. That was about 5 years ago.

The CHAIRMAN. That is just to illustrate how they operate?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. You have put this material together as a result of surveillances conducted by the police department, information received, bits and pieces from informants?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. Arrest records, partially from intelligence reports of other police departments?

Mr. SHANLEY. Partly.

Mr. ADLERMAN. And partly from wiretaps?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. Without revealing the wiretaps, you have received recent information which indicates that the Valachi testimony is a matter of deep concern and it leads to corroboration of the fact because they know or they have indicated that he knows about the way and the workings and the inner secrets of this organization?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. They are concerned as to what he is going to testify about?

Mr. SHANLEY. Definitely.

The CHAIRMAN. Very well.

Are there any further questions?

Since we are going to have the benefit of your presence in further testimony, in view of the hour, I am going to defer any further questions of you at present, but there will be some amplification,

76 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

further amplification needed to lay the proper background for some future testimony.

You referred to some charts. I think we will have those later and you will help us make the presentation with respect to them, will you not?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Very well.

I wish to thank you for your appearance today and look forward to further testimony from you.

Mr. SHANLEY. Thank you, sir.

The CHAIRMAN. The Chair will make an announcement.

The committee will recess to resume public hearings Friday morning at 10 o'clock.

I am going to try to start early because of the legislative situation, hoping that we can make a lot of progress by then. I cannot announce what that legislative situation is. I am just a little apprehensive.

Anyway, we are going to make as much progress as we can.

Friday morning when we resume the hearings I hope to have Valachi as a witness. He may not be the first witness that morning but we do expect and hope to have him at least that day. Possibly he will be the first witness. I am not sure.

The committee will stand in recess until 10 o'clock, Friday morning.

(Members present at time of recess: Senators McClellan, Brewster, and Curtis.)

(Whereupon, at 5 p.m., the subcommittee recessed, to reconvene at 10 a.m., Friday, September 27, 1963.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

FRIDAY, SEPTEMBER 27, 1963

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:15 a.m., in the caucus room, Old Senate Office Building, pursuant to Senate Resolution 17, agreed to March 14, 1963, Senator John L. McClellan (chairman of the subcommittee) presiding.

Present: Senator John L. McClellan, Democrat, Arkansas; Senator Edmund S. Muskie, Democrat, Maine; Senator Thomas J. McIntyre, Democrat, New Hampshire; Senator Daniel B. Brewster, Democrat, Maryland; Senator Karl E. Mundt, Republican, South Dakota; Senator Carl T. Curtis, Republican, Nebraska; Senator Jacob K. Javits, Republican, New York.

Present: Jerome S. Adlerman, general counsel; Donald F. O'Donnell, chief counsel; Philip W. Morgan, chief counsel to the minority; LaVern J. Duffy, assistant counsel; Paul E. Kamerick, assistant counsel; Harold Ranstad, assistant counsel; Arthur G. Kaplan, assistant counsel; Alphonse Calabrese, investigator; Eugene J. Marshall, Bureau of Narcotics; Martin Pera, Bureau of Narcotics, and Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will be in order.

(Members of the subcommittee present at the convening of the session were Senators McClellan, Muskie, McIntyre, Brewster, Mundt, and Javits.)

The CHAIRMAN. We have as our first witness today, Joseph Valachi, who is presently in the custody of Federal officials, serving a sentence for convictions in court. This witness has previously testified before the committee in executive session, and not in full, and only in part as to the information that he will be able to give us here.

Most of the testimony that he gave in executive session I am confident will be repeated here at this time.

I further wish to state that this witness has been made available to the committee by the Department of Justice. He is in their custody, and they did not have to make him available, but they have done so in an effort to be cooperative and to the end that we all have the same objective, I am sure, and that is better law enforcement, and better law observance, and to carry on the fight insofar as we can against organized crime and the rapid growth of serious crime in this country.

Very well, Mr. Valachi, will you stand and be sworn.

77

78 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

You do solemnly swear that the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth and nothing but the truth, so help you God?

Mr. VALACHI. I do.

TESTIMONY OF JOSEPH VALACHI

The CHAIRMAN. Will you be seated?

Mr. Valachi, will you state your name?

Mr. VALACHI. Joseph Valachi.

The CHAIRMAN. Where were you born?

Mr. VALACHI. In New York City.

The CHAIRMAN. When?

Mr. VALACHI. In 1903, September 22.

The CHAIRMAN. September 22, 1903?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Were your parents natives of America?

Mr. VALACHI. No, they were born in Italy, both of them.

The CHAIRMAN. What section of Italy?

Mr. VALACHI. In Naples.

The CHAIRMAN. Where are you now domiciled?

Mr. VALACHI. In the custody of the Federal prison.

The CHAIRMAN. You are now serving a sentence in the Federal penitentiary?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Are you actually serving three sentences, am I correct?

Mr. VALACHI. Fifteen, twenty, and life.

The CHAIRMAN. You are serving three different court sentences. The first was for 15 years?

Mr. VALACHI. The second for 20, and the third for life.

The CHAIRMAN. The first sentence of 15 years was on a narcotics charge, was it not?

Mr. VALACHI. That's correct, narcotic conspiracy.

The CHAIRMAN. A narcotic conspiracy?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. When were you given that sentence?

Mr. VALACHI. In 1960.

The CHAIRMAN. In 1960?

Mr. VALACHI. I think it was June 3.

The CHAIRMAN. And then you were given a second sentence in 1961?

Mr. VALACHI. February 13.

The CHAIRMAN. For what?

Mr. VALACHI. Narcotic conspiracy.

The CHAIRMAN. Another similar charge?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. But a different offense?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Very well, then, you said that you had a life sentence. What is your life sentence for?

Mr. VALACHI. Well, for second-degree murder, which happened in the prison.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 79

The CHAIRMAN. That happened while you were in prison?

Mr. VALACHI. While serving my time.

The CHAIRMAN. While serving the other two sentences?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Do you know whether the 20-year sentence and the 15-year sentence run concurrently or not?

Mr. VALACHI. The truth is that the judge didn't say.

The CHAIRMAN. He did not say to you?

Mr. VALACHI. The lawyer knows that.

The CHAIRMAN. The lawyer would know?

Mr. VALACHI. He noticed that, that he didn't say.

The CHAIRMAN. The lawyer noticed that?

Mr. VALACHI. Yes, sir, he noticed it.

The CHAIRMAN. We have your record and we will put it in later and that will reflect whatever it is.

Senator MUNDT. Before we get into his adult career, I would like to ask him a question or two about his boyhood.

The CHAIRMAN. I wanted to get all of that in here.

Senator MUNDT. How much teaching did you have?

You jumped over from the time you were born in New York and you got in prison. What did you do as a boy, did you go to school?

Mr. VALACHI. I went to public school and I got my working papers at 15, from 7-A. At that time we called it 7-A.

Senator MUNDT. That is seventh grade?

Mr. VALACHI. 7-A.

Senator MUNDT. Grade 7-A?

Mr. VALACHI. Yes, sir.

Senator MUNDT. Is that as far as you got in school?

Mr. VALACHI. That is how far, yes.

Senator MUNDT. Did you go to school later at some other point?

Mr. VALACHI. I went to school in Sing Sing.

Senator MUNDT. What is that?

Mr. VALACHI. I went to school in Sing Sing.

Senator MUNDT. Well, let us keep away from the prison school a little bit. You went seven grades in public school, and you did not quite finish the eighth grade and you never went to high school?

Mr. VALACHI. No, sir.

Senator MUNDT. What was the first job that you had when you left school at the end of the seventh grade?

Mr. VALACHI. I worked a scow, you know the sand boats.

Senator MUNDT. On sandbars?

Mr. VALACHI. I was a captain on a scow. I told them I was 21. I worked for O'Brien Bros., 80 South Street.

Senator MUNDT. Now, for how many years as a young man? You were still a boy?

Mr. VALACHI. I worked here and there.

Senator MUNDT. For how many years did you work to earn an honest and legitimate living before you first committed a crime?

Mr. VALACHI. I would say about a year, all told.

Senator MUNDT. About a year, and you gave up hard work at the end of about a year?

Mr. VALACHI. Yes, sir.

80 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator MUNDT. All right, I was just trying to get your background of education. Thank you.

The CHAIRMAN. Are there any other questions by members of the committee at this time?

Very well.

Before we go into any detail as to your previous record of law violations, I would like to ask you what occurred while you were in prison that caused you to commit the offense you committed there.

I want to develop that next, but before I ask you that, I want to ask you, first, if you are a member of any secret organization that is dedicated to or whose principal business is to pursue crime and protect those of its members who do commit crime. Are you a member of any such organization?

Mr. VALACHI. Yes, sir, I am.

The CHAIRMAN. What is the name?

Mr. VALACHI. Or I was.

The CHAIRMAN. You were; meaning that you probably are not now so accepted and regarded by the authorities of that organization but there was a time when you were a full-fledged member?

Mr. VALACHI. That is right.

The CHAIRMAN. May I ask at this time, and I do not care to go into details now, but when did you become a member of this organization?

Mr. VALACHI. In 1930.

The CHAIRMAN. In 1930?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. What is the name of it?

Mr. VALACHI. Cosa Nostra.

Mr. CHAIRMAN. That is in Italian?

Mr. VALACHI. That is "Our Thing" and "Our Family" in English.

The CHAIRMAN. "Our thing," and "Our Family" in English.

We will come back to that later, but that is an organization, is it, that requires absolute obedience and conformity to its policy as handed down by those in authority?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Is that correct?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Well, I might ask you at this time what are the different positions, or ratings, or rank in that organization? Starting at the top, what do you have?

Mr. VALACHI. Well, we have what we call griemeson, that is sort of like, in English, would express it as a commission.

The CHAIRMAN. That is as of now you have the commission, but in the past, at the time you joined it, what did you have?

Mr. VALACHI. They used to have the boss of all bosses.

Mr. CHAIRMAN. The boss of all bosses?

Mr. VALACHI. Yes, sir, and then we had the individual bosses of the individual families, and then we had an underboss, and then we had what we call a caporegima which is a lieutenant, and then we have what we call soldiers.

The CHAIRMAN. Are they also called button men?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 81

Mr. VALACHI. On the outside they call them button men.

The CHAIRMAN. But in the organization they are called soldiers?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. So that you have the boss of all bosses, and then the boss of a family, and then the underboss of a family, and then the lieutenants?

Mr. VALACHI. No, I meant to say if you want that in Italian, too, sotto capo is the expression of the underboss.

The CHAIRMAN. What is the expression of the lieutenant?

Mr. VALACHI. Caporegima.

The CHAIRMAN. What is the expression of the button men or soldiers?

Mr. VALACHI. Soldiers.

The CHAIRMAN. Just soldiers?

Mr. VALACHI. Soldiers among our own organization.

The CHAIRMAN. Those were the ranks or levels in the organization?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. You say now, however, there is a commission. Does it now have a boss of all bosses?

Mr. VALACHI. No, no more boss over all bosses, they have what you call a concerti, a consigia. I will put it to you this way: Charlie Luciano put it into effect, a member of six, to protect the soldiers, because if a lieutenant in the old days had it in for a soldier or he wanted to pick on the soldier, he could make up stories and to protect the soldier they formed what we call the consigio. In the case of soldiers accused of something, the lieutenant or whoever it may be must bring up charges on him.

The CHAIRMAN. That is something that is settled within each family?

Mr. VALACHI. That is right.

Senator MUNDT. Would that be kind of a kangaroo court?

Mr. VALACHI. You could call it a kangaroo court.

Senator MUNDT. A court that you set up in your own organization?

Mr. VALACHI. That is right.

Senator MUNDT. How many soldiers would be under a boss?

Mr. VALACHI. Well, certain families have, Vito Genovese has about 450, in and around that.

Senator MUNDT. 450?

Mr. VALACHI. About 450, yes, sir. It could be even 500, but I am giving it roughly.

Senator MUNDT. His, I take it, it was the largest of the families?

Mr. VALACHI. I think between Vito's and Gambino's family, just about both are large families. I am talking about Gambino now.

Senator MUNDT. How many soldiers belong to the little army that you were a part of?

Mr. VALACHI. Well, I was with Vito Genovese, that is the family, or our borgata, in Italian.

Senator MUNDT. Now, within the ranks of this army of crime or soldiers, were they all at the same level or did you have sergeants and captains, and so on?

Mr. VALACHI. Well, we had, for instance, we will say about 20 to 25 caporegimes.

82 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator MUNDT. What are they?

Mr. VALACHI. We call this like—I don't know how you call it in English—a regime, like you say, for instance, I will talk about my cogini. We had about 30 under 1 lieutenant—

The CHAIRMAN. Wait a minute, and now one at a time, and if you will address the Chair before I recognize you.

Mr. VALACHI. Now, these other lieutenants may have 60. It varies. Some may have 40, and some may have less. It all varies, you know.

Senator MUNDT. Within this little army, it is broken up into companies and brigades, or something?

Mr. VALACHI. That is right.

Senator MUNDT. And the whole army would be about 450 under a boss?

Mr. VALACHI. I rate, say, Gambino's family and Vito Genovese's, just about almost the same, as far as the number of soldiers are concerned.

Senator MUNDT. I have one other question on that point. Do all of the soldiers know each other? Do you know who the rest of the army is?

Mr. VALACHI. I wouldn't say all of us know the soldiers, know each other.

Senator MUNDT. Most of you know each other?

Mr. VALACHI. If one introduces to another as you go along in life.

The CHAIRMAN. Are there any questions at this point by any of my colleagues?

Senator MUSKIE. Mr. Chairman, I think it ought to be clear that we are not speaking about family in the usual sense. This is not a family in the sense of fathers and mothers and sons and daughters?

Mr. VALACHI. No; we are not speaking about that.

Senator MUSKIE. It is simply an organization of people who are not necessarily related to each other?

Mr. VALACHI. Oh, no; I didn't say "related." We are speaking about the Cosa Nostra. That is the expression they use, but not in the immediate family, by no means. It doesn't mean mother or father or any sister or brother or anything like that.

Is that what you mean, Senator?

Senator MUSKIE. Yes.

Mr. VALACHI. That is right.

Senator MUSKIE. Do these families meet, as such, or do these 450 members, for example, of 1 family, ever meet for the purpose of doing family business?

Mr. VALACHI. Well, my family, I am there 30 years and they never met, not as a whole. But we did have, every Christmas, a table, like a dinner, and my regime consists of 30, I was telling you about, and the rest of the families here and there, some did and some didn't, but my family, the one I belonged to for 30 years, never met as a whole.

Senator MUSKIE. So they did not even know each other?

Mr. VALACHI. Well, as I said, they will get to know each other as they went along, and you know, meet, and you meet quite a bit in life, as you go along. And you may be some place, and you know a member, and he is with some member you don't know, and he will introduce him to you.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 83

Senator MUSKIE. This is a secret organization, and how do you get to know that someone is a member of the same family?

Mr. VALACHI. He will introduce him to you, for instance, as "a friend of ours." That means a member.

Now, if he happens to be with someone that isn't a friend of ours, he will just simply say, "Meet a friend of mine," which means nothing, that is the code between us.

Senator MUSKIE. So there was a code that enabled you to identify other members of the family?

Mr. VALACHI. Yes, sir.

Senator JAVITS. I just had one or two questions. Now, with this group with which you were associated, the number of 40 or 50, were they all in New York City?

Mr. VALACHI. Well, what would you call Brooklyn, Senator?

Senator JAVITS. New York City.

Mr. VALACHI. Then all are in New York City.

Senator JAVITS. All five boroughs or in the New York City area?

Mr. VALACHI. That is right.

Senator JAVITS. What business during these 30 years—what business were you supposed to be in? What were you supposed to be doing for a living, as far as your family and friends were concerned?

Mr. VALACHI. As far as I am concerned, I got into my own businesses here and there. I got into the slot machine business and pinball machines, and number business, contracting in the dressing business, and businesses like that.

During the war I sold what you call ration stamps, you know, but I didn't have anything particularly coming from "the family." I never earned anything from the family, but you do have that, but I myself earned my own money. There were jukeboxes, and so on.

Senator JAVITS. Did you tell your family that you had any job, or any ordinary job? Of course, a number of these things that you describe are rackets, but what about some ordinary job? Did you ever pretend to have just an ordinary job like other people?

Mr. VALACHI. I mean myself, I didn't.

Senator JAVITS. You did not?

Mr. VALACHI. No.

The CHAIRMAN. Are there any other questions?

Senator McINTYRE. Joe, how did you get yourself in a position so that you could join this family? How did you go about applying for membership?

Mr. VALACHI. I didn't apply, Senator.

Senator McINTYRE. How does this happen?

Mr. VALACHI. Well, I will have to explain, you see. In my particular case, there was some trouble going on, and I was approached, you see, if I can get some more fellows like myself, and, well, at first I refused, but then another friend of mine got ahold of me, and he explained to me. I refused for the simple reason when I was in Sing Sing, I met an oldtimer that was doing time at that time, about, I would say in Sing Sing about 12 years before I got there, and he used to have trouble in his days, and they had wars in his time, what he terms as "Sicilians against Neapolitans," and he was a Neapolitan, and

84 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

his name was Alexander Senaro. So he was preaching to me and giving me the lowdown on this, like, for instance, he used the expression, "If you hang out with a Sicilian for 20 years and you argue with one of his kind, well, this Sicilian will turn against you." He made me have some fear in myself, and when they approached me, that was what I had in mind. That is the reason I sort of turned it down.

Then I was assured that it wasn't that way any more, that times have changed, and they named some of the people that were members at the time, which they named to me, and I had a special friend of mine, what we called Dominick Petrelli, and he talked to me, and another fellow named Bobby Doyle. So, when they explained the difference to me, then I agreed.

Senator McINTYRE. I have no further questions.

The CHAIRMAN. Do you have any questions?

Senator BREWSTER. I have no questions at this time, thank you, Mr. Chairman.

The CHAIRMAN. I would like now to go back to your being in prison under the two narcotic charges and ask you to tell us what happened that led up to your having committed the offense for which you are serving a life sentence.

You were in there on two narcotic charges.

Mr. VALACHI. You mean the last time I went in?

The CHAIRMAN. I am talking about the last time.

Mr. VALACHI. When I had the two sentences?

The CHAIRMAN. Yes.

Mr. VALACHI. Well, the last time I was in West Street, I was called down to West Street.

The CHAIRMAN. Let us identify "West Street." What do you mean by "West Street"?

Mr. VALACHI. A Federal house of detention. It is like a county jail.

The CHAIRMAN. That is what?

Mr. VALACHI. The house of detention.

The CHAIRMAN. Were you there waiting for trial, or waiting to be transported to prison?

Mr. VALACHI. Waiting for trial.

The CHAIRMAN. That is in New York?

Mr. VALACHI. That is right.

The CHAIRMAN. And you call it what?

Mr. VALACHI. West Street.

The CHAIRMAN. Very well. Now, while you were there, proceed.

Mr. VALACHI. Then I went back to Atlanta. Now, you asked me how I got into this trouble; is that right, Senator?

The CHAIRMAN. That is what I wanted to get at. You had been there on your 15-year sentence and you were taken out for trial on another charge, and you got a 20-year sentence. During that time you were held at West Street.

Mr. VALACHI. And then I went back to Atlanta.

The CHAIRMAN. After you got your 20-year sentence, you went back to Atlanta?

Mr. VALACHI. Well, when I went back the last time, that is now I have 15- and 20-year sentences, and one of my codefendants—

The CHAIRMAN. That is a codefendant in the case where you got the 20-year sentence?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 85

Mr. VALACHI. That is right.

The CHAIRMAN. One of your codefendants.

Mr. VALACHI. Yes, sir.

The CHAIRMAN. What is his name?

Mr. VALACHI. Vito Agueci. I don't know how to spell it, Senator.

The CHAIRMAN. That is A-g-u-e-c-i. He was one of your codefendants?

Mr. VALACHI. Yes, Senator.

The CHAIRMAN. And he was sentenced at the same time; was he?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. That you were?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. He was indicted in the same indictment with you?

Mr. VALACHI. Yes, sir; but they had taken him from West Street into Westchester County, and he was in another prison at this time, but we met on the bus going to Atlanta.

The CHAIRMAN. You met him on the bus going to Atlanta?

Mr. VALACHI. That is right.

The CHAIRMAN. Very well. Go head.

Mr. VALACHI. Now, naturally he has to stay 30 days in what we call the A. & O., quarantine, or A. & O.

The CHAIRMAN. In other words, when they first get to the Atlanta Penitentiary, when a prisoner gets there, they put him in what is called a quarantine, and you call it what?

Mr. VALACHI. A. & O.

The CHAIRMAN. He stays there for a period of about how long?

Mr. VALACHI. Thirty days.

The CHAIRMAN. Before he is then assigned to a cell?

Mr. VALACHI. That is right.

The CHAIRMAN. And put in with the rest of the prisoners?

Mr. VALACHI. Then in what we call the population. Then he goes into population.

The CHAIRMAN. Then he goes into population.

Mr. VALACHI. Yes, sir.

The CHAIRMAN. All right, very well.

Now, you had already been there, you had been there through quarantine?

Mr. VALACHI. So I stayed there only one overnight.

The CHAIRMAN. So when you get there, on this trip——

Mr. VALACHI. I was only 1 day and he remains there.

The CHAIRMAN. When you rode on the bus with him and got there, he remained in this quarantine for 30 days, and you only remained there 1 night because you had already gone through it before?

Mr. VALACHI. That is right.

The CHAIRMAN. When you were there the first time?

Mr. VALACHI. That is right.

The CHAIRMAN. And, therefore, you got out of there into population again the next day?

Mr. VALACHI. That is right.

The CHAIRMAN. Whereas he was held there during the period of 30 days?

Mr. VALACHI. Yes, sir.

86 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Now, at this point I would like to ask you, who was the boss of the family that you belonged to in Cosa Nostra?

Mr. VALACHI. In Atlanta, you mean?

The CHAIRMAN. At the time you went to Atlanta, at the time you were convicted, who was the boss?

Mr. VALACHI. Vito Genovese.

The CHAIRMAN. Vito Genovese was the boss?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Was he also and is he now also in Atlanta prison?

Mr. VALACHI. Yes; he was in Atlanta, but I understand he is transferred to Leavenworth now.

The CHAIRMAN. He may since have been transferred but he was in Atlanta while you were there?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. At any rate, when you and Agueci got there on the second time, Genovese was already there?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. And he is the boss?

Mr. VALACHI. He is my boss.

The CHAIRMAN. He is your boss, that is the topman of your family?

Mr. VALACHI. That is right.

The CHAIRMAN. In the Cosa Nostra?

Mr. VALACHI. That is right.

The CHAIRMAN. Now, you may proceed.

(At this point Senator Curtis entered the hearing room.)

Mr. VALACHI. When I got out of the A. & O., I still call it A. & O., I met Vito Genovese, and he wanted to talk to me.

The CHAIRMAN. You met him in the course of the prison routine?

Mr. VALACHI. That is right, in the yard, in the messhall, and I met him.

The CHAIRMAN. Had you seen him before that, before you went back to your second trial?

Mr. VALACHI. Oh, yes. I saw him when I went there the first time in 1960, and he was there the first time I went there.

The CHAIRMAN. So he was still in prison, and when you got back in population after that 1 day, you saw him again?

Mr. VALACHI. That is right.

The CHAIRMAN. Very well. Now, tell us what occurred.

Mr. VALACHI. Well, he asked me some questions concerning our case. He wanted to know how much I knew about two more defendants. There were about 24 in all but he was interested only in, for instance, like myself, Frank Caruso, or Vinnie Mauro, because also Frank Caruso and Vinnie Mauro belongs with Vito Genovese.

The CHAIRMAN. Out of the 24 that were indicted with you, there were some 12 or 13 of them, how many of them were Cosa Nostra members?

Mr. VALACHI. Well, these two and myself.

The CHAIRMAN. Who were the other two?

Mr. VALACHI. Vinnie Mauro and Frank Caruso.

The CHAIRMAN. Were they sentenced at the same time that you were?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 87

Mr. VALACHI. No; I left them on West Street.

The CHAIRMAN. They were still there, and they had not come to Atlanta?

Mr. VALACHI. They got picked up in Spain, and, naturally, our trial was already over, and so, naturally their trial was later. There were more members in the case, and I told you about Vinnie Mauro and Frank Caruso because they belonged with Vito Genovese.

Now the other members, there was another member there. Manero, and I can't think of his first name, and he belonged with Mr. Lucchese.

The CHAIRMAN. He belonged to another family?

Mr. VALACHI. That is right.

The CHAIRMAN. Let me ask you now, Who was your underboss, who was the next in command under Vito Genovese of your family?

Mr. VALACHI. Jerry Catena.

The CHAIRMAN. Is he also known as Tony Bender?

Mr. VALACHI. No; that's my lieutenant, Tony Bender. He was my lieutenant.

The underboss was Jerry Catena.

The CHAIRMAN. Who was your lieutenant?

Mr. VALACHI. Tony Bender.

The CHAIRMAN. Tony Bender was your lieutenant, and he was your immediate superior there?

Mr. VALACHI. That's right.

The CHAIRMAN. Now we have the command. Very well. What now occurred when you got back, and you said that you saw Genovese?

Mr. VALACHI. Well, he first told me about Tony Bender. At this time I saw about a week maybe, or 10 days, and I don't remember, Tony Bender disappeared, and he first told me.

The CHAIRMAN. He told you Tony Bender disappeared?

Mr. VALACHI. Oh, no; it was in the papers, and on radio, and I am just telling you at this time he had disappeared.

The CHAIRMAN. I might ask you, has he ever been found?

Mr. VALACHI. No; he never has been found.

The CHAIRMAN. Go ahead.

Mr. VALACHI. Vito Genovese told me that it was the best thing that could have happened to Tony, because Tony couldn't take it "like you and I," and he is talking to me, and so I looked at him, like I snapped back with my head. I thought maybe he was going to tell me he was an informer or something.

The CHAIRMAN. What is that?

Mr. VALACHI. I thought he was going to tell me he was an informer.

The CHAIRMAN. That Tony was an informer?

Mr. VALACHI. That is what I thought, and I said, "What do you mean?"

And he said, "Well, you know he was a sick guy, and he won't be able to take it like you and I." Like he couldn't take time, to put it this way, time in prison, or long prison sentence, and so that is the best thing that could have happened.

The CHAIRMAN. The best thing to happen was for him to disappear. That is what Genovese thought and he said to you?

88 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Does that "disappear" mean that that is about the end of him?

Mr. VALACHI. It meant that in our language, that he had ordered his death.

The CHAIRMAN. That he had ordered his death?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. That Genovese had ordered his death?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. That is the significance of what he told you at that time?

Mr. VALACHI. Absolutely.

The CHAIRMAN. And he was telling you, the reason was that he could not take it?

Mr. VALACHI. Yes.

The CHAIRMAN. He could not take it like you and he?

Mr. VALACHI. He said it was the best thing that could have happened. Do you have it clear?

The CHAIRMAN. Yes; I have it pretty clear.

I think that you might tell at this time how much power and how much authority that the boss like Genovese has over the family, and over the soldier members like you, or any one even as a lieutenant.

Mr. VALACHI. Senator, I happen to know Vito's power. He not only has the power in our family, and when I say "our family," I mean that is his family, and so I have to call it ours, because I am with him.

The CHAIRMAN. You mean the family that he is the boss of?

Mr. VALACHI. He also controls the power in the Gambino family and the Lucchese family. In other words, they eliminated the boss of all bosses, but Vito Genovese is a boss of all bosses under the table.

Can you understand what I mean?

The CHAIRMAN. Yes; but he is not the boss of all bosses in the sense that he is so recognized, but he does still wield a power and influence comparable to that of boss over all bosses in some three families, is that right?

Mr. VALACHI. That is right, but he could not control the family in Brooklyn.

The CHAIRMAN. These three families were all in New York?

Mr. VALACHI. Right.

The CHAIRMAN. But the Brooklyn family, what is the name of it?

Mr. VALACHI. Joe Profaci. He died. There is Joe "Bananas."

The CHAIRMAN. Does Vito control that family?

Mr. VALACHI. No; he don't.

The CHAIRMAN. He does not control that?

Mr. VALACHI. No; they stay on the ground, in other words. I am expressing it to you, Senator, in my words. In other words, the boss of that family, no one tells them what to do.

The CHAIRMAN. So Vito can't tell them what to do?

Mr. VALACHI. Not unless he tells them when they get together.

The CHAIRMAN. With respect to the members of the Genovese family of which you were one, what power does Genovese have as to

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 89

the life and death or punishment or any penalty over the members of the family?

Mr. VALACHI. You see, Genovese has such a way of, if he wants to get rid of anybody, he has such a way that he finds a way of legalizing it. In other words, for instance, he will make up stories and there is no one there to dispute him.

The CHAIRMAN. You mean legalize it—

Mr. VALACHI. Legalize it amongst ourselves.

The CHAIRMAN. You mean your own crowd? In other words, his word becomes law, that makes it legal?

Mr. VALACHI. Right.

The CHAIRMAN. Can he and does he pass out death sentences?

Mr. VALACHI. He passes them out. They tell you he was a rat, he is this. They tell you anything they want to.

The CHAIRMAN. He passes them out?

Mr. VALACHI. Yes.

The CHAIRMAN. You know that of your own knowledge?

Mr. VALACHI. That is for sure. Do you want to know about Frank?

The CHAIRMAN. Yes; we will get to some of those later.

Now let us get back again—I know it is difficult—let us get back again to what happened in prison after you met Genovese and he told you about Tony Bender. Now did you later become a cellmate of Genovese?

Mr. VALACHI. Yes.

The CHAIRMAN. Go ahead and tell us about it.

Mr. VALACHI. At this time when he got through with Tony Bender's conversation he asked me if I wanted to go in his cell.

The CHAIRMAN. With him?

Mr. VALACHI. With him. He said, "After all, I will be here a little while. I expect to get out and you will stay with the kids."

The CHAIRMAN. What is that?

Mr. VALACHI. He said he expected to get out. He said, "You stay with me a little while and then you remain." There was another boy, another inmate in the cell. He says, "When I leave you stay with him."

The CHAIRMAN. His case, Genovese's case, is appealed; is that right?

Mr. VALACHI. Yes; he expected to get out at this time.

The CHAIRMAN. He expected to get out?

Mr. VALACHI. But he lost that appeal.

The CHAIRMAN. At that time though he expected to win his appeal and get out?

Mr. VALACHI. Right.

The CHAIRMAN. That is what he was telling you?

Mr. VALACHI. Right.

Senator MUNDT. How long a term has he got?

Mr. VALACHI. Fifteen years.

The CHAIRMAN. What happened after he told you that?

Mr. VALACHI. I told him, "If you want me to come I will come." How can I say no to him?

The CHAIRMAN. You could not say no to your boss? They still have an influence after they are in prison, do they? Now, following his request that you come into the cell with him, what happened and what did you do?

90 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. He said "Well, what do you know about Vinnie and Frank?" I said, "Do you want to know what the conclusion I formed or do you want to know what I know?"

In other words, I am trying to tell him, do you want to know what I picked up at the trial, you know. I went through a 3½-month trial.

The CHAIRMAN. In other words, he was asking you to tell him to give him a report on what happened at the trial?

Mr. VALACHI. Right.

The CHAIRMAN. And what you knew?

Mr. VALACHI. He don't want to know what happened at the trial. He wanted to know what I know. In other words, what did those fellows tell me.

The CHAIRMAN. That was two other prisoners, he wanted to know what they told you?

Mr. VALACHI. Vinnie Mauro and Frank Caruso. I must explain the reason why.

The CHAIRMAN. All right.

Mr. VALACHI. In 1948 there was a law passed in our family.

The CHAIRMAN. In your family?

Mr. VALACHI. I am talking about our family now, Frank Costello at the time was boss. We weren't supposed to do any business in narcotics. That is what he wanted to know. So, I said, "Do you think them guys are going to tell me anything, knowing that I am coming here in Atlanta with you." I said, "Now if you want to know what I learned, not told"—he said, "I don't want to know what you learned or what you think; I want to know what you know."

Then I put it this way, "I don't know nothing."

The CHAIRMAN. When he told you that, you didn't know anything?

Mr. VALACHI. Naturally. He doesn't want to know what I think, he wants to know what I know. In other words, what did they tell me.

The CHAIRMAN. When you told him that, what did he do?

Mr. VALACHI. He gave me a pretty mean look and said "I will forget about it," so we forgot about it.

The CHAIRMAN. Was that along about the time that Vito Agueci asked you to make an appointment with Genovese for him?

Mr. VALACHI. No; not at this time, yet, because Vito Agueci is still in the A. & O. at this time.

The CHAIRMAN. He had not gotten out of quarantine?

Mr. VALACHI. Right.

The CHAIRMAN. He had not gotten into population yet?

Mr. VALACHI. Yes. When I spoke to Genovese, I myself was only out 1 day. So Vito Agueci is still in A. & O.

The CHAIRMAN. All right. Go ahead.

Mr. VALACHI. Well, I got into the cell a few days later. Everything looked all right between Vito and I. At least he acted that way.

The CHAIRMAN. He acted like everything was all right?

Mr. VALACHI. Right. Now when Vito Agueci comes out of the A. & O., a couple weeks go by, a month or a couple of weeks, whatever it was, when Vito Agueci got out of the A. & O. he was out a few days, he asked me if I could make an appointment with Vito Genovese to him.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 91

The CHAIRMAN. He asked you if you could make an appointment with Vito Genovese for him?

Mr. VALACHI. That he wants to meet him.

The CHAIRMAN. Had he never met him?

Mr. VALACHI. So far as I was concerned at this time he never met him.

The CHAIRMAN. Let me ask you this: Can a soldier just simply make an appointment and go up and see the boss, the top boss, any time he wants to?

Mr. VALACHI. No, he can't.

The CHAIRMAN. Do many of the soldiers never see or know the boss personally?

Mr. VALACHI. There are really many soldiers that never know the boss.

The CHAIRMAN. Soldiers that never know the boss?

Mr. VALACHI. Yes.

The CHAIRMAN. Is it difficult, is it most unusual to ever get them to talk to the top boss?

Mr. VALACHI. It is not unusual.

The CHAIRMAN. Some of them do?

Mr. VALACHI. Soldiers are in there 10 years, probably, and never saw a boss.

The CHAIRMAN. I did not understand that.

Mr. VALACHI. Probably a soldier is there 10 years and never saw the boss.

The CHAIRMAN. What was the reason why this man Agueci had to request you to see if Genovese would talk to him?

Mr. VALACHI. Because he knew I was with Vito Genovese.

The CHAIRMAN. He knew you were in there with him?

Mr. VALACHI. He knew I belonged with Vito Genovese because Vito Agueci himself is a member, from Canada.

The CHAIRMAN. From Canada?

Mr. VALACHI. Yes.

The CHAIRMAN. He is a member of another family, though?

Mr. VALACHI. In Canada.

The CHAIRMAN. The Buffalo family?

Mr. VALACHI. Buffalo and Canada is all one. When I say Canada I mean Toronto.

The CHAIRMAN. He was not a member of the Genovese family?

Mr. VALACHI. He was a member of another family in Buffalo. Stephen Magaddino.

The CHAIRMAN. He asked you to see if you could make an appointment with Genovese so he could talk with Genovese?

Mr. VALACHI. Yes.

The CHAIRMAN. Had you already gotten into Genovese's cell at that time?

Mr. VALACHI. At the time he asked me, yes.

The CHAIRMAN. So he knew that you had already gotten into the cell?

Mr. VALACHI. Yes.

The CHAIRMAN. All right, go ahead.

Mr. VALACHI. I had an idea what he wanted to tell Vito Genovese but I minded my business. I had an idea because I figured he

92 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

wanted to tell Vito all about this case and about the other two fellows on West Street which I told you about. I didn't care, it was none of my business. So I felt it my duty to ask Vito Genovese about this because if I didn't then maybe Vito would get to him through others because there were also a couple more in Atlanta that he belonged to Vito Genovese, Mike Copollo and LaPlaca.

The CHAIRMAN. You felt if you did not try to make an appointment with him or else tell Genovese about it, Genovese might find out from others that the fellow had asked you and you had not told him?

Mr. VALACHI. And I shunned him, I was trying to hide something.

The CHAIRMAN. He might think you were trying to hide something?

Mr. VALACHI. Yes.

The CHAIRMAN. Go ahead.

Mr. VALACHI. So I sat on his bed. I said "One of the defendants in my case," because there were two of them, the other one was no member, I says "wants to talk to you." He said "Who is he?" I said, "He is a friend of ours. He is with Steve in Buffalo." He knew what I meant by Steve. "I won't talk to him." OK.

The CHAIRMAN. He said he didn't want to talk?

Mr. VALACHI. Yes. Then I lay on my bunk. Maybe a half hour later, not too long, he called me on his bed. He was laying on his own bed. There were seven in the cell. Actually there is eight but at this time there was seven.

The CHAIRMAN. There were seven in the cell, including five others besides you and Genovese?

Mr. VALACHI. So I lie down on his bed.

The CHAIRMAN. You have to talk privately or on the side?

Mr. VALACHI. Yes. That is why I lay on my bunk or lay on his bunk. So he called me back. He said "I have a idea. I will make Sam Pia or Johnny Dio talk to him." I said, "Do what you want."

The CHAIRMAN. Johnny Dio and Sam Pia? Are they members?

Mr. VALACHI. Sam Pia belongs to Buffalo. Johnny Dio belongs with Tommy Lucchese. So I said, "Do what you want to do." He said, "Do you have an idea what he wants to talk to me about?" I said "I am not interested." He says "Ah, I have changed my mind. I will tell you what I will do. I will let you know tomorrow night." OK. He would let me know tomorrow night. The next day Vito Ageuci grabbed me again to talk to him. I said "I haven't talked to him yet, Vito." I don't want to tell him that he told me that he would let me know. I just said "I didn't talk to him yet, I didn't get a chance."

The CHAIRMAN. You told Ageuci you had not talked to him yet?

Mr. VALACHI. Yes. He says "Talk to him." I will try again tonight. So that night Vito Ageuci told me he don't want to talk to him at all. OK. I said "All right, I will tell him, then." "Yes, tell him." So, the next day I told Vito Ageuci, "I spoke to him and he don't want to talk to you."

Now that might have been a day, I don't know just when but very shortly, he asked, "You know what you do?" He said "Walk around with him, I want to see who he is."

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 93

The CHAIRMAN. He claimed that he didn't even know him?

Mr. VALACHI. That is right.

The CHAIRMAN. He wanted you to walk around with him so he would get a chance to see him and identify him?

Mr. VALACHI. Right.

The CHAIRMAN. Go ahead.

Mr. VALACHI. "Where do you want me to walk with him?" He said "You know where the bench is. Walk there maybe 50 feet or a hundred feet around." I don't know how long it is. So I don't know, Vito Agueci was around there at that time so I asked him to take a walk. I walked with him and another inmate. I made two laps. Vito Agueci and Mike Copollo were sitting down. When I figured he had a good view I broke it up. I said, "I don't want to walk any more." Then it started to rain. With this I got around the bocce court and everybody was under the shed, you know, it was raining. I happened to be with Joe Beck and another inmate. They were going in. I says "I will go in, too." When it rains you can go in whenever you want, get off the yard. I went in. When Vito came in he says "Where did you go?" I said "I came in, it was raining." I said "Didn't you see him?" He said "Yes, I saw him." I said "After you saw him I figured I would come in, it was raining, I came in with Joe Beck, that is all."

So it wasn't long after that he started telling me——

Mr. ADLERMAN. At this time did you detect a change in the attitude of Vito Genovese toward you after this?

Mr. VALACHI. No, I couldn't figure anything out. It looked funny to me but I couldn't figure it out.

Mr. ADLERMAN. You were friendly with him before?

Mr. VALACHI. I am sorry, I misunderstood you. Yes, his attitude was starting to change.

Mr. ADLERMAN. What was that?

Mr. VALACHI. His attitude started to change. It was noticeable.

Mr. ADLERMAN. How did you know that his attitude changed? What happened?

Mr. VALACHI. I went to take a shower——

Mr. ADLERMAN. You are back in the cell, after you walked around with Agueci?

Mr. VALACHI. Yes.

Mr. ADLERMAN. You went back in the cell with Vito Agueci?

Mr. VALACHI. Yes.

The CHAIRMAN. Tell us what happened in the cell when you went back.

Mr. VALACHI. I don't know if it was that day or the day after when the lights went out and he said he felt like talking that night. He says, he called Ralph Wagner, he said "come over, Wagner."

The CHAIRMAN. Who is that? Ralph Wagner? Another member of the cell?

Mr. VALACHI. An inmate but he is not a friend of ours. He is sitting down as though he is. If I did the same thing, I would have to run out of the cell—he is the boss, he sits down—a guy that ain't a member. I noticed that but I made believe I didn't notice it.

The CHAIRMAN. That is not according to Hoyle in the organization?

94 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. That is not according to Hoyle, that is right.

The CHAIRMAN. Go ahead.

Mr. VALACHI. So he started talking. He said "It is a good thing that he is a very good judge." What he meant is that when somebody tells him a story that he is able to judge, whatever he meant or referred to, he didn't say, he is telling the truth.

The CHAIRMAN. He said that to you in the presence of this other one?

Mr. VALACHI. In the presence of Ralph Wagner.

The CHAIRMAN. Who is not a member?

Mr. VALACHI. That is right.

The CHAIRMAN. That it is a good thing he is a good judge so that when anybody told him a story he knew whether they were telling the truth or not?

Mr. VALACHI. That is right.

The CHAIRMAN. That is what he said in the presence of both of you?

Mr. VALACHI. Yes.

The CHAIRMAN. Go ahead.

Mr. VALACHI. In the presence of both of us he says "You know, sometimes if I had a barrel of apples, and one of these apples is touched"——

The CHAIRMAN. Is touched?

Mr. VALACHI. Touched. Touch means a little touched, not all rotten but a little touched.

The CHAIRMAN. Bruised?

Mr. VALACHI. That "it has to be removed or it will touch the rest of the apples."

The CHAIRMAN. What significance did that have to you?

Mr. VALACHI. Just shaking my head and listening to him.

The CHAIRMAN. I say: What significance did that have to you?

Mr. VALACHI. I was just shaking my head and listening to him.

The CHAIRMAN. All right, go ahead.

Mr. VALACHI. In fact, I was doing it now unconsciously as I was telling you. As I was talking to you now I was shaking my head.

The CHAIRMAN. Go ahead.

Mr. VALACHI. So with that he said "I think I will go to sleep." He got up and he grabbed my hand and he gave me a kiss.

The CHAIRMAN. He grabbed your hand and gave you a kiss?

Mr. VALACHI. Yes. I turned around and gave him a kiss on the other side.

The CHAIRMAN. Is that some ritual that goes along in your organization?

Mr. VALACHI. No, this is a suspicious kiss.

The CHAIRMAN. This is a suspicious kiss?

Mr. VALACHI. Yes.

The CHAIRMAN. Very well, go ahead.

Mr. VALACHI. With that I sleep on the left, bottom bunk, and Ralph Wagner sleeps on the right bottom bunk. You see, we have one bunk on top of the other. Ralph mumbled under his breath, "Hum, the kiss of death."

The CHAIRMAN. Ralph Wagner mumbled that?

Mr. VALACHI. Yes. I ignored it.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 95

The CHAIRMAN. You ignored it. Go ahead.

Mr. VALACHI. Naturally I laid down and tried to figure out all night. I even noticed he used to take peeps to see if I was asleep because he was across from me, Vito Genovese. Well, I must admit I was upset.

The CHAIRMAN. Did you know what Genovese was talking about at that time?

Mr. VALACHI. Not yet.

The CHAIRMAN. You didn't yet know?

Mr. VALACHI. No.

The CHAIRMAN. But it had a meaning to you?

Mr. VALACHI. Yes. As I said, you know, suspicious kiss.

The CHAIRMAN. You did not know why he did it yet?

Mr. VALACHI. Look, an outsider got wise.

The CHAIRMAN. What?

Mr. VALACHI. Like Ralph Wagner, he got wise. He got wise and I am supposed to be smart.

The CHAIRMAN. May I ask you, Senator Curtis here suggests, and I think it is right, did you at the time accept and regard that as a kiss of death?

Mr. VALACHI. Yes. But I didn't think the kid would get it.

The CHAIRMAN. You didn't think that the kid would get it?

Mr. VALACHI. He got it. How could I miss when he got it.

The CHAIRMAN. Now your kissing him in return, is that a practice?

Mr. VALACHI. It was to make him understand I was smart to him.

The CHAIRMAN. You were what?

Mr. VALACHI. Smart to him, on that kiss. That is why I kissed him back.

The CHAIRMAN. You let him know that you understood?

Mr. VALACHI. That was my meaning, yes. At this time right now I am losing respect for him, see.

The CHAIRMAN. You are losing respect?

Mr. VALACHI. Yes. I am losing respect.

The CHAIRMAN. Prior to that time?

Mr. VALACHI. I had the highest, all through the 30 years.

The CHAIRMAN. Meaning you would do anything he told you to do?

Mr. VALACHI. Yes, anything. I even stuttered when I talked to him.

The CHAIRMAN. Stuttered?

Mr. VALACHI. At times. That is how much I thought of him. I must tell you the truth. You see, Senator, he is my compère. He stood up for me when I got married.

The CHAIRMAN. He is your godfather?

Mr. VALACHI. No, godfather is different.

Mr. ADLERMAN. Was he the best man at your wedding?

Mr. VALACHI. Yes. You see, godfather is, if you baptize somebody's baby, that is godfather.

The CHAIRMAN. He had been a friend for many years.

Mr. VALACHI. Since 1932 I got married.

Senator MUNDT. Were you trying to convey any message to him when you kissed him on the cheek?

96 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Senator, put it this way: I was pretty well steamed up inside.

The CHAIRMAN. He kissed you. This is the kiss of death. When you kissed him back does that mean you would kill him too?

Mr. VALACHI. That is what I meant. If somebody is going to tell me in that style, naturally I am going to answer him in the same style.

The CHAIRMAN. In other words, what you were trying to get across, "I got the message and look out, I am after you, too"?

Mr. VALACHI. I am trying to tell him we are in prison and in prison it is man to man. That is the way I felt. You know what I mean.

The CHAIRMAN. Nobody is boss any more?

Mr. VALACHI. When he takes that attitude naturally that is the attitude I take.

The CHAIRMAN. Very well. After you got the kiss of death what happened then? You lay there that night and you thought about it and then what?

Mr. VALACHI. The next day I went for a shower. I met a friend. He said to me—

The CHAIRMAN. You don't have to tell his name here. You told us in executive session. You don't have to tell it here. Proceed.

Mr. VALACHI. He said to me: "Of course I was with this guy at West Street." He knew Vito Agueci, this friend I referred to. "He is a greaseball."

Mr. ADLERMAN. Who did he mean by greaseball?

Mr. VALACHI. Vito Agueci. He didn't have to call him by that name.

The CHAIRMAN. What is the significance of "greaseball"?

Mr. VALACHI. A native-born Italian that don't talk English. We call him a "greaseball." Actually we never got along, the American and the Italian natives, because they have a different way of living.

Senator MUNDT. You got segregation within the family?

Mr. VALACHI. Senator, that is a natural thing. They got civilized late, in the last 20 years. You know what I mean? But they lived different from us. Their way of living is different. We got out maybe to a cabaret. To them it was a mortal sin one time. Now they are going out. They are in the big money, they learned all that in the last 25 years.

Senator MUNDT. You had some members that could not talk English at all?

Mr. VALACHI. They could not talk English, they would speak broken English. If you want to make a conversation with them, I, myself, could not get it straight. I got part of it. I really wouldn't know if he meant something. I could not get a hint, at least. Put it that way.

The CHAIRMAN. What did this man tell you in the shower?

Mr. VALACHI. When he told me that the greaseball ruined me, I knew now what the barrel of apples and everything meant.

The CHAIRMAN. When he said to you that the greaseball had ruined you, you knew then—

Mr. VALACHI. Then I knew. But I made him understand or think that I knew about it. I told him, "Oh, you know about it, huh?" In other words, that was it.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 97

The CHAIRMAN. You did not let on to him that you were getting that information from him for the first time?

Mr. VALACHI. I just told him: "Stay away from me." Now I know.

The CHAIRMAN. But it had a significance? It confirmed what you had been suspicious of?

Mr. VALACHI. That is right.

The CHAIRMAN. In other words, you had been thinking about it, worrying about it, when he said that to you you knew then the meaning of the touched apple and the kiss of death?

Mr. VALACHI. Now I know, right.

The CHAIRMAN. All right, proceed.

Mr. ADLERMAN. Mr. Valachi, did you meet Vito Agueci in the prison yard near the bocce court?

Mr. VALACHI. Yes.

The CHAIRMAN. Subsequent to that?

Mr. VALACHI. Yes.

The CHAIRMAN. What happened there?

Mr. VALACHI. It wasn't long after that I was near the bocce court. There were about seven members. In Atlanta we are about 90 New Yorkers, about 70 of us know ourselves from outside.

The CHAIRMAN. Who is that?

Mr. ADLERMAN. You have 90 members of the Cosa Nostra?

Mr. VALACHI. No, I say there are about 90 New Yorkers, not members but through the neighborhood, downtown, Bronx, Brooklyn, you know. Most of us seem to know one another. There was about seven members, or six or seven, somewhere around there. There was Barceloni, there was Beck, there was new guys that they had not introduced me to. I didn't know who they were. There was another group of men, as I explained to you, friends from the neighborhood, which is hanging out with them, associating with them. When Vito Agueci is about 40 feet away from me—

The CHAIRMAN. Forty feet away?

Mr. VALACHI. About 40 feet away sitting on some playing card tables, or something, he calls me some names in Italian.

The CHAIRMAN. You understood them, did you?

Mr. VALACHI. Yes. I understood but I didn't make him understand I hear him.

The CHAIRMAN. You pretended you did not hear him?

Mr. VALACHI. Because I knew right away that was a setup.

The CHAIRMAN. Can you repeat some of it? Can you repeat what they called you in Italian?

Mr. VALACHI. I was thinking if I could repeat it, yes. So I think now if I go after him, that is what I mean by a setup, if I go after him—

The CHAIRMAN. You did not tell me what he called you. Can you tell me some of the things he called you?

Mr. VALACHI. Well, that would cover it, Senator.

Senator CURTIS. Did he convey the idea that you were a rat?

Mr. VALACHI. That is what he was trying to say, Senator.

The CHAIRMAN. Very well, proceed.

Mr. VALACHI. Naturally if I make them understand I hear it, then I have to go after him.

98 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. In other words, your code required you to go after him if you heard it? You were not supposed to take it?

Mr. VALACHI. Naturally. So I called him——

The CHAIRMAN. You pretended you did not hear it?

Mr. VALACHI. I am calling him as he is talking, to come and play bocce. Charley Beck was there. He says "Come on, Vito, you play with me." So with that he came over and acted as if he didn't want to play bocce.

The CHAIRMAN. Did it appear to you that that was a setup to get you in trouble?

Mr. VALACHI. I really felt if I go after him the crowd will get there and stick a knife in my back and nobody will even be arrested for it.

The CHAIRMAN. You regarded it as a setup for your murder?

Mr. VALACHI. A hundred percent.

The CHAIRMAN. In other words, if they could provoke you into making an attack they would bang around you and stick you?

Mr. VALACHI. By me pulling what I pulled not only did I get him off guard, I got all of them off guard.

The CHAIRMAN. By pretending you did not hear it you threw them all off guard?

Mr. VALACHI. Yes.

The CHAIRMAN. Do you believe that they definitely planned to kill you there at that time?

Mr. VALACHI. Yes, a hundred percent, Senator. One hundred percent.

The CHAIRMAN. A hundred percent? How many members of the Cosa Nostra were there at that time?

Mr. VALACHI. As I said, I can go up to about seven. Actually, you know, you can imagine how I felt. I saw who I had to see anyway. There was Barceloni and there were four more that Barceloni introduced me to. There was Charlie Beck. Somebody was sitting on the table too, alongside where he was. All told there was about a good 20 or better.

The CHAIRMAN. So when you threw them off, what happened?

Mr. VALACHI. The whistle blew at this time.

The CHAIRMAN. Whistle for what?

Mr. VALACHI. To go in.

I even walked with Vito Agueci toward the cell.

The CHAIRMAN. Walked with him?

Mr. VALACHI. Yes. I go to B block, he goes to A block. When we reach where I make a left turn he makes a right turn, I went into my own cell and I found Vito Genovese all by himself. Naturally I am observing now.

The CHAIRMAN. You are observing him very closely now?

Mr. VALACHI. Yes. Every move he makes now I am observing. He sort of looked surprised when I came into the cell.

The CHAIRMAN. You mean Vito Genovese was surprised when you got to the cell?

Mr. VALACHI. Yes. I didn't say anything to him. I laid on my bunk and I started like I don't want to play cards, I don't want to do this, I don't want to do anything, I don't want to eat.

The CHAIRMAN. He is asking you all those things?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 99

Mr. VALACHI. No; I put it all together. I started to do all I can.

The CHAIRMAN. You were upset. Go ahead.

Mr. VALACHI. I was very much upset. It must have been about a day after that, naturally, I didn't say anything to him—

The CHAIRMAN. Did you recognize what they had said to you and were accusing you of as being that you were an informer and that meant a death sentence? Is that what it all added up to?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. They were accusing you of being an informer and what you knew meant the death sentence?

Mr. VALACHI. Yes, Senator.

The CHAIRMAN. Very well. Proceed now. The next day after.

Mr. VALACHI. I remember that I went to work 1 day after that. I had to go to work. I could not duck that.

The CHAIRMAN. But you were not eating?

Mr. VALACHI. No.

The CHAIRMAN. I might ask you why at this point you were afraid to eat.

Mr. VALACHI. I was afraid to go into any place where there was a crowd after this, any place where there was a crowd.

About 2 o'clock that afternoon, I got news in the tailor shop that they had locked up two fellows from my cell. One was Ralph Wagner and one was a close friend that I had made in prison.

The CHAIRMAN. They had locked him up?

Mr. VALACHI. They put him in the hole.

The CHAIRMAN. The hole is solitary?

Mr. VALACHI. Yes.

The CHAIRMAN. When you use the word "hole" that means solitary confinement?

Mr. VALACHI. Yes. I should have explained that.

The CHAIRMAN. Go ahead.

Mr. VALACHI. When I come in—we quit about 4 o'clock or something like that, or 10 before, I don't remember, but we quit and we come into the cell block and then from the cell block we go eat. I found Vito Genovese near the door, near the cell. The truth is, he is very seldom there at this time.

The CHAIRMAN. He is what?

Mr. VALACHI. He is very seldom there at this time. He asked me what happened, about these two fellows being arrested. I says, "I don't know." I am making pretend all the time that I am a friend of Ralph Wagner but I don't trust Ralph Wagner but I don't want him to know that.

The CHAIRMAN. You are making him think that?

Mr. VALACHI. All the time I make him think that. All the time I have been in the cell I make him think that.

The CHAIRMAN. What did you do after you found that situation?

Mr. VALACHI. He asked me "What happened?" I said, "How do I know what happened. I have to think about it."

"What do you mean?"

I says, "I have to think about it. All I know is that I have two friends and they are both in the hole. I know they didn't do anything. I don't know why they got in the hole."

Anyway, that ended that conversation.

100 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. You ended up in the hole, too?

Mr. VALACHI. Not at this time. The next morning.

The CHAIRMAN. The next morning?

Mr. VALACHI. Yes.

The CHAIRMAN. How did you manage to get in the hole, too?

Go ahead. Why did you want to go there?

Mr. VALACHI. I wanted to go in there, I felt they were going to kill me.

The CHAIRMAN. They were going to kill you?

Mr. VALACHI. Yes. So I must have a reason to go in the hole. I can't go to an officer and say, "Lock me up." He has to have a reason. He wanted to know the reason. I told him.

The CHAIRMAN. You did go to him and ask to go in the hole of your own volition?

Mr. VALACHI. Yes. He says, "I can't."

"They want to kill me. Is that good enough reason for it?"

"OK. Put him in the hole."

The CHAIRMAN. Is this when you told him you either would be killed or you would have to kill somebody?

Mr. VALACHI. Yes.

The CHAIRMAN. You told him that?

Mr. VALACHI. Either way you tell him he has to put you into the hole. I told him both.

Senator MUNDT. When you told the officer "they want to kill me," he naturally would be curious as to who they were, would he not? Did he ask you?

Mr. VALACHI. Actually, as a rule they know. He didn't even ask that question.

Senator MUNDT. He did not ask the question?

Mr. VALACHI. The associated warden will call you and ask you that. He does his duty. He just locks you up.

Senator MUNDT. Did they interrogate you in the cell?

Mr. VALACHI. Yes.

Senator MUNDT. What did you think was the reason why Wagner and the other fellow were put in the hole?

Mr. VALACHI. I couldn't figure it out. The only thing I thought is that he wanted these two fellows out of the way if something happens to me. Probably he did not trust Ralph Wagner, himself. He probably thought that Ralph would be on my side. Surely he knew the other guy would be on my side.

Senator MUNDT. Let me see if I get that. You thought that Genovese arranged to get the two fellows put in the hole. Is that right?

Mr. VALACHI. Senator, right now I would not say that, just that way.

Senator MUNDT. I was wondering what reaction you had.

Mr. VALACHI. I had some reaction, I was very suspicious and very unfavorable to me, put it that way, Senator. Is that all right?

Senator MUNDT. All right.

The CHAIRMAN. How long did you stay in the hole, was it about 4 days?

Mr. VALACHI. First let me tell you the conversation with Ralph Wagner. I met him in the hole.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 101

The CHAIRMAN. You met him in the hole and you had a conversation with him?

Mr. VALACHI. Yes, he was taking a shave. I said, "Do you know he talked to Vito Agueci? Do you know he spoke to that greaseball?" I was yelling.

The CHAIRMAN. Wagner was saying that?

Mr. VALACHI. I told Wagner that.

He says, "He did that?"

I said, "He is a phony."

I just got that off my chest. I told Wagner I was going to blow my top.

The CHAIRMAN. You had some conversations there with him. When you got out of the hole, how long was that afterward?

Mr. VALACHI. About 4 days later.

The CHAIRMAN. What did you do then? What happened then after you got out of the hole?

Mr. VALACHI. I went back to the same cell.

The CHAIRMAN. Did you want out of the hole?

Mr. VALACHI. The truth?

The CHAIRMAN. Yes.

Mr. VALACHI. I didn't want out of the hole.

The CHAIRMAN. But you do not necessarily control that, do you?

Mr. VALACHI. No, I don't control that at all. Ralph Wagner was there and talked me into it to come out.

The CHAIRMAN. To come out?

Mr. VALACHI. Right.

The CHAIRMAN. Does going into the hole under those circumstances have any significance to the rest of the members there present who know about it?

Mr. VALACHI. I am a dead duck after I went into the hole, Senator. Just like I would go into a police station on the outside.

The CHAIRMAN. In other words, if you go into the hole for protection, they know it?

Mr. VALACHI. The members, sure.

The CHAIRMAN. The members know it?

Mr. VALACHI. Sure. It would be just like their seeing you go into a police station to inform. It would be exactly the same thing.

The CHAIRMAN. In other words, you say certainly from that minute you were a dead duck.

Mr. VALACHI. Yes. The reason why I explained to you and compare it to a police station is so you would understand how serious it is to do something like I did in jail.

The CHAIRMAN. After you did that, was your life safe in the prison?

Mr. VALACHI. No, Senator, I am in trouble. I got to con my way around, see what I see, it was bad to come out of the hole, Senator.

You can imagine how I felt. I am in the cell again. Now I have to do the best I can, see if I can con him.

The CHAIRMAN. You had to do the best you can?

Mr. VALACHI. Yes. Con him, con my way out. I don't know what I have to do but I am on that line.

The CHAIRMAN. You are on that line, you have to do the best you can to try to keep them from carrying out what you anticipated they would attempt to do?

102 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Right.

The CHAIRMAN. The next day, did you go out in the yard, the next day when you got back in the cell?

Mr. VALACHI. Yes. I know the boys are friendly and I shook hands with everybody.

I should have told you they were giving me the cold shoulder before I went in the hole. Now everybody is friendly.

One particular person, Johnny Dio, knows that I didn't take no shower that day.

He said, "You must have got out late, Joe. You must have got out late, you didn't take no shower."

Senator, I could have told him, "How did you notice I didn't take no shower," but I was playing dumb. I said, "Yes; I got out late."

He said, "You can come tomorrow."

Tomorrow is not shower day. Now, this was a Wednesday. The next shower day is on Saturday.

I said, "Yes, John." He was looking up in the sky when he is telling me. He is not looking me in the face.

I said, "Yes, Johnny, I will be there tomorrow."

"All right. I will have the clothes for you. I will be there."

The CHAIRMAN. What job did Johnny Dio have?

Mr. VALACHI. He gave out the clothes in the showerroom. We call it the clothesroom. I never went, Senator.

The CHAIRMAN. Sir?

Mr. VALACHI. I never went.

The CHAIRMAN. Why?

Mr. VALACHI. Senator, it was another setup.

The CHAIRMAN. Another setup?

Mr. VALACHI. Right.

The CHAIRMAN. You knew then?

Mr. VALACHI. Yes. I was more sure than the first time.

The CHAIRMAN. Johnny Dio was not so interested in getting your hide clean as wanting to get the job done?

Mr. VALACHI. I felt like pulling his chin down when he was talking to me. In other words, "look at me when you talk." He was looking in the sky. I never saw anybody do anything like that. He didn't have the nerve to look at me in the face.

The CHAIRMAN. Go ahead.

Mr. VALACHI. Anyway, I never went to the shower. I didn't even go and eat.

The CHAIRMAN. You would not even go and eat?

Mr. VALACHI. No. I figured it out. I talked to Vito and I said to him, I made him look bad, I said to him, "of course you know"—wait a minute, did I tell you about when he asked me "What did you tell Ralph Wagner, that I spoke to Vito Agueci?"

The CHAIRMAN. Not yet. You may tell it.

Mr. VALACHI. That afternoon he sat on my bed. He says, "What is this I hear?"

You see, Ralph Wagner came out of the hole the same time I did. He says, "What is this I hear, you told Ralph Wagner that I spoke to Vito Agueci?"

The CHAIRMAN. Ralph Wagner had passed that on apparently to Genovese, you told him that you had spoken to him?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 103

Mr. VALACHI. Yes, that was all right. I was glad about that.

I said to him, "Look, whether you spoke to him or the other guy spoke to him, what difference does it make?"

You remember he had asked me about Pia and he had asked me about Dio.

I said, "What difference does it make, why don't you speak to him?"

He walked away. As I say, at this time I am a little tough in my tone of voice. Then I calmed down. I don't know whether it was the same day, it must have been the same day, when the next conversation I had with him, I said to him, "What am I supposed to do about this guy, Vito Agueci?" I said, "Can I get him?" Now I am looking for reaction.

The CHAIRMAN. In other words, Genovese knew that Agueci had accused you of being an informer or rat?

Mr. VALACHI. I imagine that is the first time that he realized that I did hear him.

The CHAIRMAN. So you asked him what you should do about it?

Mr. VALACHI. Right. He says, "Now you're talking. You blow your top."

I said, "I am sorry."

You know what he meant by "blow the top." I went in the hole.

I said, "I am sorry, I will make it up to you." That night—

Mr. ADLERMAN. What do you mean when you said you were going to make it up?

Mr. VALACHI. I said, "I am going to get him," which I never intended to do. I said to myself, he wants me to get rid of two birds with one stone.

Did you hear that, Senator?

The CHAIRMAN. Say that again.

Mr. VALACHI. I said to myself, he wants to get rid of two birds with one stone.

The CHAIRMAN. He wanted you to kill Vito Agueci and then that meant, of course, you would be eliminated, too?

Mr. VALACHI. I was thinking I would stall for my own time.

The CHAIRMAN. Stall for your own time?

Mr. VALACHI. Yes. I met Vito Agueci in the yard.

The CHAIRMAN. Did you have any intention of killing Agueci at all?

Mr. VALACHI. No.

The CHAIRMAN. You were just talking to him?

Mr. VALACHI. Right. I am stalling for time.

The CHAIRMAN. All right. Go ahead.

Mr. VALACHI. Naturally, if he waits for me to do that, then he has to wait to kill me. That is what it actually means.

The CHAIRMAN. All right.

Mr. VALACHI. I saw Vito. I walked over to Vito Agueci that night or late afternoon. We call night sometimes 7 or 6 o'clock.

The CHAIRMAN. Call it what?

Mr. VALACHI. Call night 5 or 6 o'clock. At this time we go in the yard. I walked over to Vito Agueci. I said, "Vito, before I went

104 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

in the hole you were trying to say something. Remember when you were sitting on the bench over there? Were you trying to tell me something, or you called me some name or something?"

He said in Italian, "God forbid," as if to say "God forbid."

The CHAIRMAN. God forbid that he accused you?

Mr. VALACHI. He said, "No, I never said anything." In other words, he was convinced that I didn't hear him.

The CHAIRMAN. You were talking to Agueci when he was alone, you did not have a crowd around?

Mr. VALACHI. There were people around but they had nothing to do with this affair.

The CHAIRMAN. Not the same crowd that was around him when he was accusing you?

Mr. VALACHI. Right.

The CHAIRMAN. A different crowd?

Mr. VALACHI. Right.

The CHAIRMAN. Go ahead.

Mr. VALACHI. I went into the cell that night, I told Vito Genovese, I said, "You know, I spoke to that greaseball. You know what? He denied everything. He even called me nothing. You know what I did? I made him believe that I believed him."

That is the way I left it.

"As of now I am going to take my time in getting him." He says, "Good. Don't get caught."

The CHAIRMAN. "Good" what?

Mr. VALACHI. "Good, take your time, don't get caught."

The CHAIRMAN. All right. Go ahead.

Mr. VALACHI. Senator, I didn't come out of the cell no more until that morning of May 22.

The CHAIRMAN. The morning of what?

Mr. VALACHI. The morning of May 22. That morning I came out and actually I was really in a state, I didn't know what to do.

The CHAIRMAN. Were you in a state of fear?

Mr. VALACHI. Yes.

The CHAIRMAN. Afraid for your life?

Mr. VALACHI. I walked up and down about once or twice. I made one lap a distance of about 4 blocks. The yard is about 4 blocks long. Then I made another lap, then I made another one. On my way back, I spot Joe Beck.

The CHAIRMAN. May I ask you at this point if these are the ones you have told us heretofore. Charlie Barcelona?

Mr. VALACHI. Yes.

The CHAIRMAN. Joseph DiPalermo?

Mr. VALACHI. DiPalermo.

The CHAIRMAN. His alias is Joe Beck?

Mr. VALACHI. Yes.

The CHAIRMAN. His alias is Joe Beck?

Mr. VALACHI. Yes.

The CHAIRMAN. Charles, his brother, that is Charlie Beck?

Mr. VALACHI. Right.

The CHAIRMAN. Johnny Dioguardi, Mike Coppola, known as Trigger Mike?

Mr. VALACHI. Yes.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 105

The CHAIRMAN. And Peter LaPlaca?

Mr. VALACHI. Right.

The CHAIRMAN. Those are the ones you were afraid of?

Mr. VALACHI. Yes; those are the ones that were actually having all the interviews and all that, doing all this that was going on.

The CHAIRMAN. They were the ones——

Mr. VALACHI. For instance, you remember I said when I walked Vito Agueci around, Mike Coppola was sitting with him. Joe Beck was on the side. They were all there.

The CHAIRMAN. When?

Mr. VALACHI. When I walked him around. You remember when I went into the cell to get Joe Beck the day it was raining. They were around at that time.

The CHAIRMAN. Were they also around at the time he was calling you an informer?

Mr. VALACHI. The only guy that wasn't around was Mike Coppola and LaPlaca. But the ones Barcelona introduced me to, four 6-footers, I don't know their names.

The CHAIRMAN. These were the ones you were really apprehensive about? Charlie Beck was there. Pete LaPlaca, Mike Coppola, and Joe Beck were in another part of the yard at this time you are referring to. All right.

When you came out that morning, what happened?

Mr. VALACHI. I spotted Joe Beck. I could have spotted Mike Coppola. I could have spotted anyone. It would not have made any difference to me. It happened to be near some construction.

As soon as I saw him I actually, I don't know what I thought of——

The CHAIRMAN. What were you on your way to at the time?

Mr. VALACHI. I was on my way from walking. Now I found him in front of me.

The CHAIRMAN. You found him in front of you?

Mr. VALACHI. Yes.

The CHAIRMAN. Who was behind you?

Mr. VALACHI. He was walking with another guy. Right away I saw a pipe. I grabbed a pipe and I went to work on Joe Beck. At least that is who I thought it was.

The CHAIRMAN. You saw a man you thought was Joe Beck?

Mr. VALACHI. Right.

The CHAIRMAN. Right in front of you?

Mr. VALACHI. Right.

The CHAIRMAN. One of these you understood was under orders to kill you?

Mr. VALACHI. Yes.

The CHAIRMAN. You honestly believed they were under orders from Genovese to kill you there in prison?

Mr. VALACHI. Yes, a hundred percent, Senator.

The CHAIRMAN. So when you saw Joe Beck, whom you thought was Joe Beck in front of you, you did what?

Mr. VALACHI. I hit him on the head with a pipe.

The CHAIRMAN. A piece of iron pipe from the construction job there?

Mr. VALACHI. Yes. They were building a new industry at this particular place of the yard, you know. Near the end of the ball stand, the grandstand.

106 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. You hit him with that pipe?

Mr. VALACHI. Yes.

The CHAIRMAN. More than once?

Mr. VALACHI. About three times.

The CHAIRMAN. About three times?

Mr. VALACHI. Yes. Very hard.

The CHAIRMAN. Then what did you do?

Mr. VALACHI. Then I saw a couple of guys running toward me. I didn't know who they were. In my excitement, I could see people but I can't make them out, see.

The CHAIRMAN. You were in a frenzy, I guess, at that time, were you not?

Mr. VALACHI. Yes. I don't know how to explain it.

The CHAIRMAN. You do not know how to explain it?

Mr. VALACHI. Yes. I can see the people. I must tell you that I found out in the hole from other inmates who these three people were.

The CHAIRMAN. You did not know at that time?

Mr. VALACHI. All I know is that they were rushing for me and I rushed at them.

I let go of that guy and I rushed at them.

The CHAIRMAN. You started at them with the pipe?

Mr. VALACHI. Yes. In other words, they made about two attempts before the officers came up.

Now, when the officer came over he wanted to take the pipe from me. I said, "No, you don't get this pipe. I will walk into the associated warden's office but you don't take this pipe from me."

The CHAIRMAN. You were not going to let him take the pipe?

Mr. VALACHI. I can't tell him there are a couple of guys trying to get me. I think if I handed him the pipe those guys may come at me. Every now and then I am looking behind as I am walking with the officer.

The CHAIRMAN. You walked on with the officer to the warden's office?

Mr. VALACHI. All the way to the associated warden's office.

The CHAIRMAN. What did you do with the pipe when you got there?

Mr. VALACHI. I handed it to the associated warden.

The CHAIRMAN. Then what did you find out after you got there?

Mr. VALACHI. Well, the associated warden, I don't know how, Senator, I sat down and he handed me a picture.

The CHAIRMAN. We will take a 5-minute break.

(Members present at time of recess: Senators McClellan, Muskie, McIntyre, Brewster, Mundt, Curtis, and Javits.)

(Members present after short recess: Senators McClellan, Muskie, McIntyre, Brewster, Mundt, Curtis, and Javits.)

The CHAIRMAN. Let us come to order.

You are testifying that you had gotten to the associate warden's room, and there you had given up the weapon you had—the pipe?

Mr. VALACHI. Yes.

The CHAIRMAN. Then what happened, in telling about whom you had actually assaulted?

Mr. VALACHI. He showed me a picture.

The CHAIRMAN. That was the associate warden?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 107

Mr. VALACHI. Yes. I still don't remember his name. The picture he showed me, I think it was, the first picture he showed me, I said to him, "Who is this?"

He said, "That is the guy you intended to hit."

"No," he said, "That is the guy you hit."

The CHAIRMAN. The first picture?

Mr. VALACHI. Then he showed me another picture. He took that away. He said, "This is the guy you intended to hit."

The CHAIRMAN. Is that when you first knew that you had hit the wrong man?

Mr. VALACHI. Yes, Senator. You can imagine how I felt. I told him, "Just lock me up," after that.

The CHAIRMAN. You told him what?

Mr. VALACHI. I told him, "Lock me up" after that. I sank in the chair.

The CHAIRMAN. You what?

Mr. VALACHI. I slumped in the chair. I didn't know if he was telling me the truth.

The CHAIRMAN. We had a picture here at the executive session, I believe we showed you, of the two men and there was great similarity. Momentarily, the picture is displaced right now, but we will find it.

Mr. VALACHI. You could not separate them, Senator. You could not separate these two in height, weight, appearance; both had glasses, both were ugly, both were skinny. I say one weighs 110 pounds and the other one weighs 110½ without weighing them. I just would guess their weight. That is how close they were.

The CHAIRMAN. At this point I want to stop. A little later we will take the noon recess, but before we do, I want each Senator to ask any questions they wish about the matter.

Senator CURTIS?

Senator CURTIS. I will wait my turn, but there is one point I am not sure of. Did this man die right away when you hit him two or three times?

Mr. VALACHI. About 50 hours.

Senator CURTIS. About 50 hours? But the general feeling was when you were taking off to the associate warden's office that he was near death; is that right?

Mr. VALACHI. That is what the office told me. The officer who was walking me.

Senator CURTIS. Your feeling was that you hit him hard enough and often enough that it would probably kill him?

Mr. VALACHI. Yes. As long as I had Joe Beck there.

The CHAIRMAN. In other words, you thought you were hitting Joe Beck?

Mr. VALACHI. Yes.

The CHAIRMAN. You actually intended to kill Joe Beck, did you not?

Mr. VALACHI. Joe Beck, Senator, was looking to kill me.

The CHAIRMAN. You thought it was a case of either you kill him or he kill you?

Mr. VALACHI. That is what I thought.

Senator MUNDT. You said after you got in the hole you learned of the identity of these big 6-footers who were coming after you and who you were keeping off with a pipe.

108 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Yes. I named them. I found out, in the hole, who they were.

The CHAIRMAN. Who were they? Were they also part of the gang who was going to kill you?

Mr. VALACHI. One was a friend of Joe Beck. Another one was a friend of Charlie Beck. And the other one was—I don't know whose friend this other one was. Like this fellow, I call him "Flo"; Flo was there.

I found out, through other inmates that came in the hole, as I was spending my time in the hole.

Senator MUNDT. After learning who they were, do you think they were trying to kill you and dispose of you or were they coming after you to protect the fellow you had killed?

Mr. VALACHI. I believed, I made up my mind about that, you see, I believed that they felt bad that I was a step ahead of them, and I believed, you see, when an inmate in the hole, in solitary, that I make friends with, say after about 2 weeks, he says, "Joe, there is an inmate here, he saw everything." He says, "You know who the three guys were that came after you?"

I said, "No."

"Well, I ain't going to tell you. The first chance we get, when we shave, I am going to let you meet him. In fact," he says, "they even want to testify for you."

I said, "I knew there was a couple of guys coming after me, but I didn't make them out."

When I met this inmate and he told me the names, I knew he was right, because, for instance, the names he mentioned, as I say, were friends of Joe Beck, of Charlie Beck; it was the same group.

Do you understand, Senator?

Only I could appreciate when he was naming them. I asked them where were they staying? He said, "When you walked, they were behind the grandstand." In other words, they didn't act fast enough or maybe they got there late; that he couldn't tell me, or they would have had me.

Senator MUNDT. You think they were part of the gang out to get you?

Mr. VALACHI. I know so. But I didn't know at the time.

Senator MUNDT. They were behind the grandstand?

Mr. VALACHI. They were hiding behind the grandstand. When this inmate mentions these names, only I knew. If he were to mention three names I never heard of, I don't know in the institution, I would figure just like that. But when he mentions three solid names to me which one of the three were members but friends of the members—

Senator MUNDT. Did you ever talk to them while they were shaving like you were going to do?

Mr. VALACHI. I didn't understand you.

Senator MUNDT. Did you have a visit with these three men while you were shaving?

Mr. VALACHI. Yes, I met this one inmate.

Senator MUNDT. You did not meet the three men who came at you?

Mr. VALACHI. I never met those men; no.

Senator MUNDT. I want to ask you a couple of questions dealing with the first part of your testimony.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 109

You belonged to Cosa Nostra for about 30 years?

Mr. VALACHI. Since 1930.

Senator MUNDT. What was your average income from your criminal contacts during those 30 years, your average annual income?

Mr. VALACHI. Senator, I wouldn't be able to tell you. Sometimes I was doing bad, sometimes I was doing good.

Senator MUNDT. What would be a good year? How much?

Mr. VALACHI. The days of the ration stamps I would say I made about \$150,000.

Senator MUNDT. \$150,000 a year?

Mr. VALACHI. No, just during the whole—I got in it about a year after. So let us say in a year or a little over a year.

Senator MUNDT. With the ration stamps?

Mr. VALACHI. Yes.

Senator MUNDT. You made about \$150,000?

Mr. VALACHI. I would say, all told.

Senator MUNDT. What I am trying to establish is that you were working as a soldier in this family, I am trying to determine what your income was as a soldier working for Genovese.

Mr. VALACHI. You don't get any salary, Senator.

Senator MUNDT. Well, you get a cut, then.

Mr. VALACHI. You get nothing, only what you earn yourself. Do you understand? Like what I earned with the stamps I went and got the stamps and sold them. Not that they gave them to me. I probably would go in Jersey and meet Sam Accardo, I know him personally. He would give me some.

Senator MUNDT. You say the only thing you got out of your membership and for carrying out your assignments that Genovese gave you was protection?

Mr. VALACHI. Yes. I told that to Vito in the cell. I said, "I never earned a nickel with you people."

He said, "Whose fault is that?"

I said, "I am just telling you. I am not saying this for any reason. I happen to be one who earned my own money."

I had machines, I had pinball machines. I had jukeboxes. I had horses. I had factories of my own. I got it all myself.

Senator MUNDT. In other words, if I understand your answer, all you got out of your membership in this family was protection from somebody cutting in on your racket?

Mr. VALACHI. That would be a good way to put it.

Senator MUNDT. Now, what would be your best estimate as to the income in those 30 years that Vito got out of this?

Mr. VALACHI. I would have to have an adding machine. I can't estimate that.

Senator MUNDT. Is it big money?

Mr. VALACHI. It would break the adding machine. I can't go anywhere near that figure.

Senator MUNDT. He made big money?

Mr. VALACHI. Yes.

Senator MUNDT. But he did not cut anybody in so far as the soldiers are concerned?

Mr. VALACHI. He is the tightest guy around.

Senator MUNDT. The tightest guy?

110 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Even Joe Beck used to say, "He never goes for nothing." That is our expression.

Senator MUNDT. How about the lieutenants, were they on salary?

Mr. VALACHI. Well, the lieutenant actually makes money with soldiers. I am an exception. Everybody likes to do business with the lieutenant. If a soldier has something he runs to the lieutenant right away but I didn't. I just didn't do anything like that.

The lieutenant has a chance, just being a lieutenant, making money with soldiers.

Senator MUNDT. In other words, the average soldier cuts the lieutenant in?

Mr. VALACHI. Yes.

Senator MUNDT. You were the exception?

Mr. VALACHI. Yes, I just worked for myself.

The CHAIRMAN. Senator MUSKIE.

Senator MUSKIE. Why did you choose to work for yourself, Joe?

Mr. VALACHI. They never gave me nothing anyway. I wouldn't hang around just waiting until they throw anything at me. You would have to hang around like a pup. I never hung around downtown. In other words, I belonged in the Village but I hung around Harlem or in the Bronx. I never went down to the Village unless they called me.

Senator MUSKIE. Were they organized for the purpose of conducting criminal activities to make money?

Mr. VALACHI. My story will come out as we go along.

As I said, I belonged to three families. My boss—let me put it to you this way, which would have favored me was Salvatore Maranzano. After I lost him, you know, I would put it just like we will say, Squillante, when he lost Albert, he was not worth a nickel. At least, I went on and on.

Senator MUSKIE. Let me ask you two or three questions about what took place in prison.

The key to this whole incident is Vito Agueci. He is the key figure in all of this?

Mr. VALACHI. Yes.

Senator MUSKIE. He was one of your codefenders in the narcotics case?

Mr. VALACHI. Yes.

Senator MUSKIE. Do you know whether or not he knew Vito Genovese before he asked you to arrange an interview with Vito?

Mr. VALACHI. You see, Senator, you have to remember, I don't know if Vito Genovese spoke to him or whether the other guys spoke to him. That I don't know for sure.

Senator MUSKIE. I do not think you understand my question, Joe. Vito Agueci asked you to arrange for him to meet with Genovese, is that right?

Mr. VALACHI. Yes.

Senator MUSKIE. Do you know whether or not he ever met Genovese?

Mr. VALACHI. As far as I know, no, he had never met him. I thought you were referring to the time when he did talk to him.

Senator MUSKIE. Did he say to you why he wanted to talk to Genovese?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 111

Mr. VALACHI. He said, "I will do anything to avenge my brother's death," which his brother went out on bail and he was killed in Canada, you see. So he figures probably, I wouldn't ask any questions of Vito Genovese, he thinks probably by getting on the good grace of Vito Genovese and telling him what he knew of this conspiracy, he thought maybe he could win over Vito Genovese. That is my idea. But I don't know what he really said.

Senator MUSKIE. Did you understand from him he told you he wanted to talk to Genovese about a narcotics conspiracy?

Mr. VALACHI. I didn't understand. I was only trying to figure it out. I would not dare ask Vito Agueci what he wanted to talk to him about because if he gets to talking to Vito Genovese, why should I show an interest as to what he has to say?

Senator MUSKIE. Would you not have to have a reason to give Genovese why he ought to talk to Agueci?

Mr. VALACHI. "He said he wants to talk to you." I did not give no reason.

Senator MUSKIE. You had no idea what he wanted to talk about?

Mr. VALACHI. I surmised but I didn't know what he wanted to talk about.

Senator MUSKIE. Genovese told you he did not want to talk to him?

Mr. VALACHI. Right.

Senator MUSKIE. Do you think he meant that, when he told you that?

Mr. VALACHI. He probably meant that. God knows how many things. Vito Agueci's brother had told him once that Vito Agueci is a great storymaker.

Senator MUSKIE. Which means that he was great——

Mr. VALACHI. He was great to make up some stories. Like he said Vito Agueci used to get me beat up all the time when we were kids. He always used to make stories.

He is a very jealous character.

Since then I was kind of getting away from Vito Agueci slowly. I was not too close to him because his brother was a different type than Vito Agueci.

Senator MUSKIE. After Genovese told you he would not talk to Agueci, do you know whether or not he did in fact talk to Agueci?

Mr. VALACHI. That is what I explained before, Senator. I don't know if he did the talking directly himself or used one of the other names or it could have been Trigger Mike Coppola. Mike Coppola, let me explain to you who he is. Mike Coppola is a lieutenant of Vito Genovese. Mike Coppola, as I said to you before, we are about 27 or 28 downtown. Mike Coppola has about 60 in his regime. You remember, I explained to you some have 30.

Mike Coppola is a very important man in the organization. So, Mike Coppola could have talked to him. Joe Beck could have talked to him. Maybe Vito Genovese allowed Joe Beck to talk to him. I didn't know. I didn't know who between them spoke to Agueci but I knew they talked.

Senator MUSKIE. You told us earlier of the conversations you had in the showers with someone who said that the "greaseball" had ruined you.

Mr. VALACHI. Yes.

112 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator MUSKIE. Is that when you understood for the first time that Agueci had talked to Genovese?

Mr. VALACHI. Absolutely.

Senator MUSKIE. At that point you knew that Agueci had had some talk with Genovese?

Mr. VALACHI. Yes.

Senator MUSKIE. You understood from that comment that Agueci had told Genovese that you had ratted or that you were an informer?

Mr. VALACHI. I understood that the fellow in the bathroom didn't even know what he was telling me. I got it that way.

As I explained, I am very familiar with them kind of people, see. In my life I always felt that a dumb person could hurt you more than any informants. For instance, like hundred informers—a dumb person, now this person I would say, he made a dumb statement but it meant a whole life to me. Do you get that?

Senator MUSKIE. Yes, I get that. Now I would like to get out in the yard at the time you killed—I do not think we have the victim's name—What was his name?

Mr. ADLERMAN. Joseph Saupp.

Senator MUSKIE. Is that the man?

Mr. VALACHI. Yes.

Senator MUSKIE. Is this out in the prison yard?

Mr. VALACHI. Out in the prison yard.

Senator MUSKIE. You saw him some distance away from you before you picked up the iron pipe to go after him?

Mr. VALACHI. I would say no more than 12 feet.

Senator MUSKIE. What was his attitude? Was he looking at you?

Mr. VALACHI. He was not looking, he was walking. I pounced upon him from the rear.

Senator MUSKIE. Did you feel at that time that they were prepared while you were out in the yard to get you?

Mr. VALACHI. Yes.

Senator MUSKIE. What made you feel that?

Mr. VALACHI. Senator, right now I couldn't tell you.

Senator MUSKIE. You mentioned to the chairman several names, Charles Barcelona, Joe Beck, Charlie Beck, Johnny Dio, Trigger Mike Coppola, and LaPlaca.

Were all of them or some of them in prison with you at that time?

Mr. VALACHI. Yes.

The CHAIRMAN. Were they out in the yard?

Mr. VALACHI. They were Vito's close associates.

Like Johnny Dio is another important man. Johnny Dio is the man who was arrested for the—you remember, the newspaper man, I don't remember his name, that they threw some acid at—on Broadway—Victor Reisel. Johnny Dio was the one who was accused of ordering that. Do you remember that?

Senator MUSKIE. Yes, that is when Victor Reisel was blinded.

Mr. VALACHI. Yes. I am trying to make you realize who Johnny Dio was.

Senator MUSKIE. He was in prison at the time this took place with you?

Mr. VALACHI. Yes. That is the one who spoke to me in the shower and looked up in the air.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 113

Senator MUSKIE. Did you see all of them in the yard or some of them out in the yard at the time you hit——

Mr. VALACHI. You mean at the time I was walking?

Senator MUSKIE. Yes.

Mr. VALACHI. I didn't see a soul. That is why I was walking up and down. I couldn't understand. As I explained to you, I don't know actually what I had in mind.

Senator MUSKIE. But you had the feeling that they were setting out to get you in the yard that day?

Mr. VALACHI. A hundred percent.

Senator MUSKIE. This fellow you mistook for Joe Beck was part of it?

Mr. VALACHI. If I could tell you other than in public you would understand why I had the feeling. I can't say it, Senator, not right now I can't. Will you spare me that, Senator?

Senator MUSKIE. You understood this man was Joe Beck?

Mr. VALACHI. Right.

Senator MUSKIE. Why did you decide to kill him at that time at that spot?

Mr. VALACHI. Because he was the guy that spotted me at that time. In other words, I felt that was my last day, in plain English. I felt that was my last day.

Senator MUSKIE. Did you feel you could get all of them before they could get you?

Mr. VALACHI. I don't know what I would have done if I didn't see him. I can't answer what I would have done.

Senator MUSKIE. In other words, you felt helpless and surrounded and you decided to strike when you could?

Mr. VALACHI. When I saw him, yes.

Senator MUSKIE. Did you feel that by killing him you could get back in the hole and thus get protection?

Mr. VALACHI. That is right.

Senator MUSKIE. In other words, this was a defense for you? You thought if you killed this man, whom you thought was going to kill you anyway——

Mr. VALACHI. I got some satisfaction, Senator. Put it that way.

Senator MUSKIE. You got some satisfaction.

That is all, Mr. Chairman.

The CHAIRMAN. I might make this observation. We will put the criminal records of these folks in the record this afternoon. We are going to get to the point quick. But we will put them in the record to show that you had justification, knowing they were that type people, that they will kill.

Mr. VALACHI. Yes, Senator.

The CHAIRMAN. Senator Curtis?

Senator CURTIS. I think I will pass for now.

The CHAIRMAN. Senator McIntyre?

Senator MCINTYRE. Joe, in view of all these disclosures to the FBI and Justice you have made, how safe do you feel?

Mr. VALACHI. The way I am now, right now?

Senator MCINTYRE. How safe do you feel?

Mr. VALACHI. At this moment?

Senator MCINTYRE. Yes.

114 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. I feel fine.

Senator McINTYRE. How would you feel if you went back to prison?

Mr. VALACHI. I will have to protect myself again, Senator. I will have to kill or be killed. I will not say they will kill me. I will always fight back if I go in prison.

Senator McINTYRE. Would it be fair to say that if you went back to prison that you would be a dead man?

Mr. VALACHI. If they got at me I wouldn't be in there 5 minutes, Senator.

Senator McINTYRE. What was your specialty in the field of crime?

Mr. VALACHI. Burglary.

Senator McINTYRE. This is what you did to make a living in addition to the jukebox business?

Mr. VALACHI. In my younger days.

Senator McINTYRE. In your younger days?

Mr. VALACHI. Yes.

Senator McINTYRE. Did you perform burglary after you became a member of the Cosa Nostra?

Mr. VALACHI. Oh, no.

Senator McINTYRE. No further questions.

The CHAIRMAN. Senator Javits.

Senator JAVITS. Your criminal record shows that you were convicted in 1923 and in 1925 and you were not again convicted until 1960; is that correct?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Senator, may I interrupt? Have you seen the record?

Senator JAVITS. I have it.

The CHAIRMAN. All of it? I think there are some convictions or suspensions in there. I do not know if you all have that.

Senator JAVITS. You were convicted in April 1925 on a burglary charge and in 1961 on a narcotics charge.

Now, the intervening period is 35 years, from 1925 until 1960.

Mr. VALACHI. Yes, sir.

Senator JAVITS. Now, in that intervening period of 35 years, did you have any criminal convictions?

Mr. VALACHI. No.

Senator JAVITS. Did you have any criminal arrests?

Mr. VALACHI. Picked up, yes; we use that expression "picked up."

Senator JAVITS. How many times were you picked up in 35 years?

Mr. VALACHI. I don't remember, Senator. If you have it there, you can refresh my memory.

Senator JAVITS. I have no record of your arrests. Were there many times?

Mr. VALACHI. Not too many times.

Senator JAVITS. A few times?

Mr. VALACHI. Yes.

Senator JAVITS. Now, exactly to what do you attribute your immunity from convictions in 35 years? How do you account for the fact that in 35 years you pursued a criminal career and you were not convicted once?

Mr. VALACHI. Actually, I was not committing any crimes.

Do you mean crimes for making a living?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 115

Senator JAVITS. Yes; the crimes that you described, yourself.

Mr. VALACHI. Well, after you get used to burglarizing or committing crimes, you don't feel these other things are crimes. For instance, I had been in some machines. I don't think that was a crime; everybody else had them. I don't know how to explain them. I had dress shops. I had horses. Everybody else was selling stamps.

How am I going to explain it to you, Senator?

Senator JAVITS. Now, in selling the stamps, did you know it to be an activity that was unlawful?

Mr. VALACHI. Yes, I did.

Senator JAVITS. Were you ever arrested while you were selling stamps?

Mr. VALACHI. I was only questioned.

Senator JAVITS. You were questioned by the police?

Mr. VALACHI. That is all.

Senator JAVITS. Were you represented, for example, by lawyers in that time when you were picked up?

Mr. VALACHI. When you are picked up, sometimes yes; sometimes no. Sometimes you don't even require a lawyer.

Senator JAVITS. How did you seek the help of your family when you were picked up?

Mr. VALACHI. I used to get my own help. What family do you mean?

Senator JAVITS. The family to which you belonged, the Genovese family.

Mr. VALACHI. I never bothered them. If I got picked up, I got myself out, I got my own lawyers.

Senator JAVITS. Did they give you any protection in the 35 years?

Mr. VALACHI. No.

Senator JAVITS. They did not furnish lawyers?

Mr. VALACHI. Never.

Senator JAVITS. Or bondsmen?

Mr. VALACHI. Never. I got my own bondsmen, my own lawyers.

Senator JAVITS. What use were they to you during that time?

Mr. VALACHI. As I say, they feel that they protect you in anything you have, whatever business you may have, and somebody wants to step on your toes, then you run to them and they protect you.

Senator JAVITS. Did you do that in the course of your 35 years?

Mr. VALACHI. I went through that; yes.

Senator JAVITS. You did?

Mr. VALACHI. Yes.

Senator JAVITS. In what connection? What did they do for you?

Mr. VALACHI. They straighten it out. If you are right you get your rights.

Senator JAVITS. Can you give us one example in which you went to them and they protected you and how they did it? What rights you got?

Mr. VALACHI. It would be like, let us put it this way, when I was in the numbers business.

Senator JAVITS. The numbers business?

Mr. VALACHI. Yes. Many times we lost a runner and all we had to do is, if the runner belonged to us—when I say “us,” I mean my office—we presented it to the lieutenant, he takes care of it.

116 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

If he belongs to you and somebody took him, well, he will come back.

Senator JAVITS. In other words, if the runner went to work for somebody else, the lieutenant got him back?

Mr. VALACHI. Yes. Sometimes they steal runners on you. You find out they are working under a different name, something like that.

Senator JAVITS. That actually worked for you. You actually got a runner back?

Mr. VALACHI. Yes. And I returned them to them, too.

Senator JAVITS. And you returned a runner to the other people?

Mr. VALACHI. Yes.

Senator JAVITS. When your lieutenant told you to?

Mr. VALACHI. Yes.

Senator JAVITS. What did you pay the lieutenant for this?

Mr. VALACHI. Nothing.

Senator JAVITS. Did you do anything for the family at all in this time or did you just do things for you?

Mr. VALACHI. Just kill for them.

Senator JAVITS. When they asked you to do something like that, you will tell us about that later in the hearing.

Mr. VALACHI. Right.

Senator JAVITS. That is the only thing you did for them, that was the only relationship; is that right?

Mr. VALACHI. Yes.

Senator JAVITS. Did you have any idea how Vito Genovese made all this money that would break an adding machine if he got nothing from you, and you are typical soldier? How did he make all this money?

Mr. VALACHI. Vito Genovese had a big lottery of his own, Italian lottery. In those days, it was very, very big. Vito Genovese had the whole village of slot machines. Vito Genovese has lots of interests in gambling like Las Vegas and Havana, Cuba, when it was there, and he has legitimate businesses. He has his name in lots of enterprises.

Senator JAVITS. Now, what he got out of it then, your actions and those of other members of the family, was to kill off or otherwise deal with people who were bothering him; is that right?

Mr. VALACHI. Anybody bothering him, naturally he has the soldiers.

Senator JAVITS. That is the function of the family?

Mr. VALACHI. Right.

Senator JAVITS. That is mutual protection?

Mr. VALACHI. Right.

Senator JAVITS. Through strong-arm methods by you or by other soldiers?

Mr. VALACHI. Right.

Senator JAVITS. That is the total of it.

Mr. VALACHI. Right.

Senator JAVITS. Otherwise, everybody operates by himself. They may take in partners but that is their option.

Mr. VALACHI. Right.

Senator JAVITS. Do you think this family is still in business?

Mr. VALACHI. Yes.

Senator JAVITS. You think it is?

Mr. VALACHI. Yes.

Senator JAVITS. You will in due course be giving us the names of those who are running it right now?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 117

Mr. VALACHI. Well, I am doing that now.

Senator CURTIS. In that connection, did they divide up the territory? Even though you operated on your own, you knew where you could operate?

Mr. VALACHI. No. You see, Senator, you take Harlem, for instance. We have about four families all mixed up there. There isn't any territory. You find Brooklyn guys in New York and New York into Brooklyn. They get along very well. If anything, you have in Brooklyn, in fact they help protect it for you. I would not say it is territories. You take, for instance, in Harlem, we have about three families bumping into one another. You have the Gambino family, the Lucchese family, and you have the Genovese family right in Harlem.

Harlem, it is not considered a big, how would you explain it, you know, it runs from 125th Street to about 186th Street. You have three families right there. You have members there from all different groups.

Senator CURTIS. One other question. If it is a long answer you do not need to give it now. But these stamps, these ration stamps that you sold, were they forgeries, or were they official stamps gotten away from the Government somehow?

Mr. VALACHI. There were forgeries around but I didn't bother with forgeries.

Senator CURTIS. Yours were genuine stamps?

Mr. VALACHI. Yes. Counterfeiting, we understand that kind of charge. There were so many legitimate stamps around I didn't think it was wise to go around with counterfeit stamps.

Senator CURTIS. Somebody was getting those out of the Government office?

Mr. VALACHI. OPA office.

Senator CURTIS. Direct from the OPA office to the gang?

Mr. VALACHI. I would not say for the gang, for the individual to whom he sold them. In other words, I didn't have any but a partner of mine, he had an OPA but he never made me know who he was, he kept him to himself.

Senator MUSKIE. Did you know how those stamps were obtained from the Government? If it is a long story, you do not need to relate it now.

Mr. VALACHI. I think I will describe that, Senator.

Senator CURTIS. We will go into that later.

Senator JAVITS. Do you attribute the fact that you were not convicted of a crime for 35 years to your membership in this family? Do you connect the two at all?

Mr. VALACHI. No.

Senator JAVITS. You were just lucky?

Mr. VALACHI. That is right.

Senator JAVITS. And you changed the nature of activities?

Mr. VALACHI. Put it that way.

Senator JAVITS. So your membership in the family had nothing to do, in your own opinion—

Mr. VALACHI. I was never in a position, if I was I would tell you, Senator, I was never in a position where the family helped me.

Senator JAVITS. In that 35 years?

118 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Probably I didn't need it. I was lucky. But if you were caught in anything they tell you to do, then you get their backing.

The CHAIRMAN. Senator Brewster.

Senator BREWSTER. Joe, following the same line of questioning, the organization did help other members, did they not?

Mr. VALACHI. Well, how would you explain it, it is a sort of little politics like, in that line.

Senator BREWSTER. Insurance policy?

Mr. VALACHI. Politicking.

Senator BREWSTER. Is it usually possible for the organization to kill somebody when they are in prison if they want to?

Mr. VALACHI. No. I think he went a little too far, Vito Genovese, in this case. Usually, I done time in my younger days and inmates just want to put their time in jail and want to get out. I have known where they settle their affairs outside and they didn't bother killing one another in jail.

I can't account for Vito Genovese's power and his power craze. I thought he made a big mistake in trying to handle this affair of mine.

Can you understand what I mean? Power went to his head. How else can I explain it to you, Senator?

Senator BREWSTER. Do you know if Vito tried to kill anybody, any other people in jail, by poison or hanging?

Mr. VALACHI. There was people killed but not in this particular time. They were killed, for instance, there was a witness against him in Murder, Inc. Do you remember that?

Senator BREWSTER. Yes.

Mr. VALACHI. There was a Peter Latempo poisoning.

Senator BREWSTER. What happened to him?

Mr. VALACHI. They found him poisoned in Raymond Street jail while he was there waiting to testify against Vito.

There was another one, Abe Reles. He was also supposed to testify. He fell out of the window.

Senator BREWSTER. How did he fall out of the window, do you know?

Mr. VALACHI. They threw him out.

Senator BREWSTER. These men were waiting to testify?

Mr. VALACHI. Against Vito and Albert Anastasia.

Senator BREWSTER. One was poisoned and one was thrown out of the window?

Mr. VALACHI. Yes. I think you remember the Kefauver investigation. That was brought out at that time, I remember that, about 11 years ago.

Senator BREWSTER. Thank you.

The CHAIRMAN. Very well.

The committee will stand in recess until 2:30.

We hope to run for about an hour or hour and a half this afternoon.

(Members present at time of recess: Senators McClellan, Muskie, McIntyre, Brewster, Mundt, Curtis, and Javits.)

(Whereupon, at 12:35 p.m., the subcommittee recessed until 2:30 p.m., this same day.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 119

AFTERNOON SESSION

(The hearing was resumed at 2:35 p.m., Senator McClellan presiding.)

The CHAIRMAN. The subcommittee will be in order.

(Members of the subcommittee present at the convening of the session were Senators McClellan, Muskie, and McIntyre.)

The CHAIRMAN. Mr. Valachi, this morning we covered generally the incidents and things that led up to your committing an offense for which you received a life sentence. You expressed regret about that in that there was a mistake of identity, and you actually attacked an innocent man, innocent from the standpoint of having never harmed you in any way, and not one of those whom you thought were in a conspiracy to liquidate you.

I will ask you this: With the background that you gave us this morning, and there is more to fill in on it, would you care to tell us why you have been willing under these circumstances to tell the law enforcement officials and come and tell this committee your story, what you know?

Are you willing to tell us why you came to that decision, having in mind what you testified to here, that giving information to law enforcement officials or cooperating with them under the code and the law of Cosa Nostra invites and usually receives a death penalty?

You stated that you are in fear of your life even if you return to the prison, if you don't have protection, they can even reach into the inside walls of prison and carry out their plans to liquidate those whom they feel have violated their laws.

In view of that, would you tell us why under these circumstances, you decided to cooperate with the Department of Justice and its agencies and with this committee?

TESTIMONY OF JOSEPH VALACHI—Resumed

Mr. VALACHI. The main answer to that is very simple. No. 1, it is to destroy them.

The CHAIRMAN. To what?

Mr. VALACHI. To destroy them.

The CHAIRMAN. Destroy who?

Mr. VALACHI. The Cosa Nostra leaders, or the bosses. The whole—how would you explain it—that exists.

The CHAIRMAN. You want to destroy the whole syndicate or the whole organization?

Mr. VALACHI. That is right; yes, sir.

The CHAIRMAN. Why do you feel like it should be destroyed?

Mr. VALACHI. Well, through the years, first of all I was concerned, and second, they have been very bad to the soldiers and they have been thinking for themselves, all through the years. It is all put together, and I put together so many things that it all comes to that, to destroy them.

The CHAIRMAN. There are just many reasons that add up to the fact that you don't think such an organization should be permitted to operate, or to exist, is that correct?

Mr. VALACHI. That is right. As the Senator put it before, what did I get out of it? Nothing but misery. As you all understand, once you are in, you can't get out.

The CHAIRMAN. Once you are in, there is no way to get out?

120 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. That is right.

The CHAIRMAN. There is no way to escape their penalties. You can try to get out?

Mr. VALACHI. You try but that doesn't mean that you are going to stay out.

The CHAIRMAN. You don't get out and live?

Mr. VALACHI. They will hunt you, that is right. Is that a good description of it, it is the best I can. Did I give you a good description of it? It is the best way I can express it.

The CHAIRMAN. Well, I think I understand you. But I asked you a question when I conferred with you out at the jail. I think it was last Tuesday afternoon. I asked you what you thought that Congress might do, and what we might do to combat this organization or this kind of a criminal syndicate, and you answered me, and do you want to tell me again what you said then?

Mr. VALACHI. Yes, I was hoping that you or Congress, and I don't understand too much, but talking to you Senators, I understand that you would come up with some law so as to make it a penalty or felony or whatever you may want to call it, to belong to this organization.

The CHAIRMAN. In other words, outlaw the organization, and make it a crime to even belong to it?

Mr. VALACHI. That is right. That is what I asked.

The CHAIRMAN. Now, I had not suggested that to you, and I don't know whether anyone had or not. When I asked you the question, what you thought we could do—

Mr. VALACHI. That is right.

The CHAIRMAN. You then are saying here today, after having given your testimony, and you have much more to give, that you would like to see this organization, this Cosa Nostra destroyed.

Mr. VALACHI. Yes, and I will ask you again the same question—if you make such a law, I would be a happy man.

The CHAIRMAN. What is that?

Mr. VALACHI. If you Senators make such a law, so it would be a crime just to belong to it, I will be a happy man.

The CHAIRMAN. I believe that you said to me at that time in the presence of others, that if there had not been such an organization, if there had not been, you did not think that you would be here today?

Mr. VALACHI. Well, naturally I wouldn't be here. That is for sure.

The CHAIRMAN. You might have been committing burglaries, such as you were before, and you might have been in prison, but there would not have been the necessity for you to have to take somebody's life; that is what you mean?

Mr. VALACHI. That is right, and I would have stopped sometime, and I couldn't go on all of the time, and I would have eventually gotten into some kind of business and I would have gone out from there.

The CHAIRMAN. Once you were in this organization, you belong to it?

Mr. VALACHI. In other words, I got out of the frying pan into the fire. That is my way of expressing it.

The CHAIRMAN. Very well, on this point, do my colleagues wish to ask any questions and I am going to move to something else in a moment. But that is what I thought would conclude this morning's hearings.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 121

Are there any questions?

Senator MUSKIE. This morning we got into some discussion of the nature of Cosa Nostra. Is this organization anything like the Mafia, or is it part of the Mafia, or is it the Mafia?

Mr. VALACHI. Senator, as long as I belong to this Cosa Nostra, all I can tell you is that they never express it as a Mafia. When I was speaking, I just spoke what I knew.

Senator MUSKIE. Let us suspend to see if we can get the microphones working again.

Now go ahead.

Mr. VALACHI. Now, Senator, I don't know what they called it in Italy. I know this thing existed a long time, but in my time I have been with this Cosa Nostra and that is the way it was called, the way I am telling you, Senators, that the outsiders call it the Mafia, and they call it buttons, or combination, or organization, and they have been using half a dozen expressions. That is all I can tell you.

Senator MUSKIE. But you never called it Mafia within the organization?

Mr. VALACHI. We never did.

Senator MUSKIE. That is all, Mr Chairman.

The CHAIRMAN. Are there any other questions from any member of the committee?

Very well, now, we will suspend with you for a moment, and you just remain where you are, and I want to put some material in the record.

Will you be sworn, please?

Do you solemnly swear that the evidence, given before this Senate subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Sergeant SALERNO. I do.

TESTIMONY OF SGT. RALPH SALERNO

The CHAIRMAN. Will you be seated.

Will you identify yourself for the record?

Sergeant SALERNO. Sgt. Ralph Salerno, of the New York City Police Department.

The CHAIRMAN. What are your duties?

Sergeant SALERNO. I am assigned to the supervision of the detectives in the central investigation bureau, which is the intelligence unit of our department.

The CHAIRMAN. Do you have custody in that position of criminal records of individuals, their records and convictions and arrests?

Sergeant SALERNO. Yes, sir; we do.

The CHAIRMAN. I want to ask the counsel to proceed to interrogate you.

Mr. ADLERMAN. Detective Salerno, you are a sergeant detective?

Sergeant SALERNO. Yes, sir.

Mr. ADLERMAN. And how long have you been with the police force?

Sergeant SALERNO. I have been with them 17 years.

Mr. ADLERMAN. And are you the expert for New York City police force on organized crime, the Mafia, and syndicate operations or Cosa Nostra?

122 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Sergeant SALERNO. I am one of the men assigned to that work.

Mr. ADLERMAN. Do you speak their language?

Sergeant SALERNO. I do speak and understand Italian.

Mr. ADLERMAN. Were you raised in a city close by where these people are operating?

Sergeant SALERNO. All of my life, yes.

Mr. ADLERMAN. And you understand what makes them tick?

Sergeant SALERNO. Yes, sir.

Mr. ADLERMAN. I might say, that Detective Salerno has an enviable war record and he is considered by the New York City Police Department as their foremost expert in this field.

The CHAIRMAN. Very well.

Mr. ADLERMAN. You heard the testimony of Mr. Valachi?

Sergeant SALERNO. Yes, sir; I have.

Mr. ADLERMAN. And he described a number of people who are members of the Cosa Nostra who are in the Atlanta prison or within the Atlanta prison?

Sergeant SALERNO. Yes, sir.

Mr. ADLERMAN. At the time that Mr. Vito Agueci called him an informant or a rat or words to that effect, he described the fact that there were a number of these people adjacent to Agueci and he feared a setup, and he named among them Michael Coppola. Do you know Michael Coppola?

Sergeant SALERNO. Yes, sir.

Mr. ADLERMAN. Do you have a copy of the police record of Michael Coppola?

Sergeant SALERNO. I have submitted that to you, yes, sir.

The CHAIRMAN. I present you herewith a document and ask you if you can identify it, please.

What is the document you have?

Sergeant SALERNO. This is a prisoner's criminal record, which is maintained in the Bureau of Criminal Identification, of the New York City Police Department. This particular document is the record of Michael Coppola, also known as Trigger Mike, and it is identified as being No. 54988.

The CHAIRMAN. Very well, let it be made exhibit No. 1 to this testimony, and let it also be printed in the record, that part of it that can be placed in the record.

(The document was marked exhibit No. 1 and follows:)

EXHIBIT No. 1

CRIMINAL RECORD OF MICHAEL COPPOLA, ALIAS TRIGGER MIKE, MICHAEL MARINO, MICHAEL RUSSO, MICHAEL ROSS, MICHAEL BRUNO, JOHN GROSSO, MIKE MARINO, JOHN COPOLLO, LITTLE MIKE, MICHAEL ROSS, JOHN RUSSO

No. 54988, D.C.I. 126955X, FBI 677976

1914: Michael Coppola, Incorrigible, D. of C. Truant School.

1917: Michael Coppola, NYC, Petit Larceny, D. of C. 9 months NYC Refty.

7-21-17: Michael Coppola, NYC, Burglary, Ptl. Hilbert, 39 Pct., Dismissed, Grand Jury, 7-30-17.

6-19-18: Michael Coppola, NYC, Attm. Grand Larceny (PP) final charge Dis Cond., Det. Finn. Sqd. 3 DB, 6 months Workhouse on 6-23-18, Judge McGeehan, 11 Court.

7-6-19: Michael Marino, NYC, Attm. Grand Larceny final chg. Dis Cond., Det. Smith, 305 MOD, 60 days Workhouse Judge Sweetser on 7-6-19.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 123

1-26-21: Michael Cappola, NYC, Grand Larc. File tapper, Sweeney, 43 Pct., discharged, Judge Tobias, 5th Court, 2-2-21.

12-8-21: Michael Marino, Boston, Mass., P.P. Alexander & Claffin, discharged, on 12-9-21.

2-6-22: Michael Cappola, NYC, Grand Larc, 1st Deg. (PP) McLaughlin, 39DD, 3½ to 7 yrs. Sing Sing, Judge Martin, Supreme Court, on 6-1-22.

(Was brought from workhouse and sentenced as above to start at expiration of workhouse sentence on arrest of 4-2-22.)

4-2-22: Michael Russo, NYC, Dis Cond. (PP), Walsh, MOD, 5 months and 29 days workhouse, Judge Corrigan 4-7-22.

3-10-26: Michael Coppola, NYC, Robbery, Det. Mahoney, Truck Sqd., discharged, Judge Flood, 6th Court, on 3-15-26.

10-15-26: Michael Coppola, NYC, Fel Assault and Burg., Det. Fitzgerald & Shields, 5th Dist. DD, discharged, Judge Corrigan, 7th Ct. 10-20-26.

6-8-27: Michael Coppola, Manhattan, Fel Asslt. (gun), Ptl. Webber, 16 Pct., discharged, Judge Rosalsky, Genl. Sessions Court on 10-27-27.

10-4-27: Michael Ross, NYC, Homicide (gun) Det. O'Conner, 14 Sqd., discharged, Homicide Court 10-10-27, Judge Corrigan.

8-14-28: Michael ROSS, NYC, Harrison Act, Fed. Agents, dismissed, U.S. Court on 10-8-28.

2-7-29: Michael Bruno, Manh., Grand Larceny, Det. Ross, 14 Sqd., Discharged, Judge Dodge, 5th Court on 2-7-29.

10-16-30: John Grosso, NYC, Assault & Robbery, Det. Chiquette, 28 Sqd., discharged, Judge Ford, 5th Court on 10-17-30.

1-15-31: Michael Coppola, NYC, Fel. Assault (gun), Det. Carroll, 23 Sqd., discharged, Judge Flood, 5th Court on 1-23-31.

2-9-32: Michael Coppola, NYC, Homicide (gun), Det. Dolan, MOD, discharged, Judge Renaud, Homicide Court 2-11-32.

6-12-33: Michael Copola, Manhattan, 722 PL (Dice), Kirwan, MOJ, 6-15-33, Discharged, Brandt, 4th Court.

6-16-33: Michael Ross, NYC, 722 PL, (Dice), Petrizze, 23rd Sqd., 7-17-33, Discharged, Aurellio, 5th Court.

10-17-34: John Copola, Manhattan, 722 PL (Dice), Minitier, 25th Sqd., 10-18-34, Discharged, Aurellio, 5th Court.

11-25-35: Michael Coppola, NYC, 887-CCP, Mulrean, 23rd Sqd., 12-2-35 Discharged, Oliver, 5th Court.

3-4-36: Michael Cappola, Manhattan, 887-CCP, Wittenberg, 23rd Sqd., 3-5-36, Discharged, Ford, 5th Court.

3-12-36: Michael Coppola, Miami, Fla., Vagrancy, Warren, Released \$500 Property Bond.

7-2-42: Michael Coppola, Manhattan, Vagrancy, McGrath 20th Sqd., 7-2-42 Discharged, Keeni, West Side Court.

5-11-44: Michael Coppola, Manhattan, Robbery, (Gun), Dribben, 6th DD, 5-12-44 Discharged, Maher, Felony Court.

6-12-44: Michael Capulo, Queens, 887-CCP, Carlan, 106th Sqd., 6-15-44 Discharged, Blanchfiell, Rockaway Beach Court.

9-3-57: Michael Cupola, Manhattan, 887-1 CCP, O'Leary, Narc. Bur., 9-8-57 Acquitted, Pendergrast.

FBI NO. 677976

Police Department, New York, New York: Michael Bruno, No. B-54988, February 7, 1929, grand larceny, discharged, February 7, 1929.

Police Department, New York, New York: John Grosso, No. B-54988, October 16, 1930, assault and robbery No. 9, discharged, October 17, 1930.

Police Department, New York, New York: Michael Cappola, No. B-54988, January 15, 1931, felonious assault (Gun), January 23, 1931, discharged.

Police Department, New York, New York: Michael Coppola, No. B-54988, February 9, 1932, homicide, February 11, 1932, discharged.

Police Department, New York, New York: Mike Copola, No. 54988, June 12, 1933, violation Penal Law 722, June 16, 1933, discharged.

Police Department, New York, New York: Mike Ross, No. B-54988, June 16, 1933, violation 722 Penal Law Sub. #11, June 17, 1933, discharged.

Police Department, New York, New York: John Capolo, No. B-54988, October 17, 1934, violation Section 722 Penal Law, October 18, 1934, discharged.

Police Department, New York, New York: Michael Cappola, No. B-54988, November 25, 1935, violation No. 887 CCP, December 2, 1935, discharged.

124 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Police Department, New York, New York: Michael Cappolo, No. B-54988, March 4, 1936, violation 887 CCP, Section 1, March 5, 1936, discharged.

Police Department Miami, Florida: Michael Coppola, No. 9860-M, March 12, 1936, vagrancy (pickpocket) to county March 12, 1936, March 12, 1956, released \$500 property bond.

Police Department, New York, New York: Michael Coppola, No. B-54988, July 2, 1942, vagrancy 887 CCP, July 2, 1942, discharged.

Police Department, New York, New York: Michael Coppola, No. B-54988, April 28, 1944, robbery (Gun), May 12, 1944, discharged.

Police Department, Miami Beach, Florida: Michael Coppola, No. A-19227, November 13, 1952, disorderly conduct frequenting gambling house, November 21, 1952, dismissed.

Narcotic Bureau, Washington, District of Columbia: Michael Cupolo, No. B-54988, September 3, 1957, 887 CCP Sub 1, acquitted.

Department of Public Safety, Miami, Florida: Michael Coppola, No. 52587, April 14, 1961, inquiry, not held.

United States Marshal, Post Office Box 391, Miami 3, Florida: Michael Coppola, No. 135-157-M-Cr., April 21, 1961, Internal Revenue Law-Income Tax evasion, February 12, 1962 sentenced to 1 year and 1 day to begin February 13, 1962.

Federal Correctional Institution, Tallahassee, Florida: Michael Cappola, No. 19238-TF, February 13, 1962, Income Tax Evasion, 1 year and 1 day.

USP Atlanta, Georgia: Michael Cappola, No. 85001, 4-17-62 transfr. Fed. Corr. Inst., Tallahassee, Florida, Income Tax Evasion.

1914: Michael Coppola, Truant School (As appearing on Police Department, New York, New York record sheet.)

1917: Michael Coppola, New York City, petty larceny; 9 months New York City Reformatory.

July 21, 1917: Michael Cappola, New York City, burglary; dismissed.

June 19, 1918: Michael Coppola, New York City, disorderly conduct; June 23, 1918, Workhouse, 1 month.

July 6, 1919: Michael Marino, New York City, disorderly conduct; July 6, 1919, Workhouse, 60 days.

January 26, 1921: Michael Cappola, New York City; grand larceny; February 2, 1921, discharged.

December 8, 1921: Michael Marino, Boston, Massachusetts, pickpocket; December 9, 1921, discharged.

1922: 1 term Workhouse, five months, 29 days, disorderly conduct (pickpocket). (As appearing on Police Department, New York, New York record sheet).

February 6, 1922: as Michael Coppola, New York City, grand larceny; sentenced June 1, 1922 and received.

September 13, 1922: Sing Sing Prison, No. B-74265, convicted grand larceny first; 3 years, 6 months to 7 years (New York); paroled March 4, 1925; discharged conditionally by Parole Board, May 20, 1927. (Was brought from Workhouse sentence as above to begin at expiration of Workhouse sentence.)

April 2, 1922: as Michael Russo, New York City, disorderly conduct; April 7, 1922, Workhouse, five months, 29 days.

March 10, 1926: as Michael Coppola, New York City, robbery; March 15, 1926, discharged.

October 15, 1926; as Michael Coppola, New York City, felonious assault and burglary; October 20, 1926, discharged.

June 6, 1927: as Michael Coppola, New York City, felonious assault; October 27, 1927, discharged.

October 4, 1927: as Michael Coppola, New York City, homicide-gun; October 10, 1927, discharged.

August 14, 1928: as Michael Ross, New York City, Harrison Act; October 8, 1928, dismissed, United States Court.

Mr. ADLERMAN. What is his alias?

Sergeant SALERNO. Trigger Mike Cappola.

Mr. ADLERMAN. Does he have a reputation as a killer?

Sergeant SALERNO. He does have an arrest for homicide, more than one.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 125

Mr. ADLERMAN. Is he considered a dangerous man by the police department?

Sergeant SALERNO. Well, actually he is no longer residing in New York City, Mr. Adlerman.

Mr. ADLERMAN. But when he was residing in New York City?

Sergeant SALERNO. Yes, sir.

Mr. ADLERMAN. He was considered a man capable of killing?

Sergeant SALERNO. Yes, sir.

Mr. ADLERMAN. I mean in the sense of the word that this would be part of an occupation, perhaps.

Sergeant SALERNO. You might say that; yes, sir.

The CHAIRMAN. Well, let me ask you, was he known to the police department, police force in New York, as being in this organization and one of the men to carry out its judgments?

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. He was recognized and known to be that by the police department?

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. Very well.

Mr. ADLERMAN. I would like to show you another record of Joseph Palermo, also known as Joe Beck.

The CHAIRMAN. I will ask you to examine that and see if you identify it.

Now may I ask you, Joe Beck is the man that you thought you saw in front of you, is he not?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Can you identify that record?

Sergeant SALERNO. This is the criminal record of Joseph Palermo, who is known as Joe Beck. He is identified in our records as B-203135.

The CHAIRMAN. Very well, let it be made exhibit No. 2 and that part of it that can be will be transmitted to the record.

(The document was marked "Exhibit No. 2" and follows:)

EXHIBIT No. 2

CRIMINAL RECORD OF JOSEPH DE PALERMO, ALIAS JOSEPH DI PALERMO, JOE BECK

No 203135, FBI 1519166

11-20-25: Jos. De Palermo, NYC, Selling Narcotics, Buckley, Narc. Sqd., 12-2-25, House of Refuge, Spec. Sess. Ct.

2-16-28: Jos. Palermo, NYC, Poss. dang. weapon (knife) Kelly 2nd div., 3-2-28, disch, Allen, Gen. Sess. Ct.

2-27-37: Jos. Di Palermo, Manh., Transporting liquor, Hessian, BH Sqd., 3-11-37, \$250 fine, McDonald, Spec. Sess.

5-11-38: Jos. Di Palermo, Manh., Transp. untaxed liquor, Treas. Dept. arrest, 15 mos. U.S. Penty, Lewisburg, Pa.

10-1-41: Jos. Di Palermo, Manh. Homicide, Kelly, 9 sqd. 6-10-42, acquitted Bohan, Gen. Sess. Ct.

5-22-43: Jos. Di Palermo, Bklyn. Unregistered still, DeMasi 10 div. 6-29-44, 1 yr. and 1 day & \$100 fine to run consecutively with 8-25-43 arrest.

7-1-43: Jos. Di Palermo, NYC, Sale & Poss. counterfeit stamps (gasoline), Agt. Grennan, SS Agt.

8-25-43: Jos. Di Palermo, Bklyn., Consp. to viol. Int. Rev. Laws, Rizza ATU, 6-29-44, 1 yr & 1 day \$100 fine to run consecutively with 5-22-43 arrest US Pen., Atlanta, Ga.

9-4-47: Jos. Di Palermo, Bklyn., Sec. 8 US Code, Vinci S&L Sqd., Turned over to ATU Feds.

126 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

9-4-47: Jos. Palermo, Bklyn, Alcohol tax, Adler, ATU Bklyn.
 X4-3-50: Jos. Di Palermo, NYC, Poss. Counterfeit money, 7 yrs. U.S. Penty, on 9-20-50, Atlanta, Ga.
 11-20-56: Jos. Di Palermo, US Custom, Invest. & quest & released.
 X7-3-58: Jos. Di Palermo, NYC, Conspiracy to viol. Narc. laws.
 7-8-58: Jos. Di Palermo, Bklyn, Sec. No. 2 PL Accessory to a felony, Dragow-itz, DAO, Bklyn.
 10-18-58: Jos. Di Palermo, Manh, 887 CCF, Talty 5 sqd.
 (X represents notations unsupported by fingerprints in Bureau of Criminal Identification files.)

FBI NUMBER 1519166

PD NY NY: Joseph Di Palermo, No. E-6857, 5-11-38, untaxed alcohol, 15 mos. USP, Lewisburg, Pa. on chg. of trans. untax paid alcohol.

ATU NY NY: Joseph Di Palermo, 5-11-38, transp., held in bail of \$50 by US Comm. 4-1-39 guilty, 4-21-39 450 days impr. stay of exec. of sent. for five days ordered.

USDH NY NY: Joe de Perlarmo, No. 24596, 5-11-38, still (hold for safe-keeping).

USM NY NY: Joseph Di Palermo, No. C-15-71, 5-12-38, poss. untax spirits, 5-13-38 rel on bail & son 4-21-39 sent. to a term of 15 mos.

USDH NY NY: Joseph Di Palermo, No. 27093, 4-21-39, untaxed alcohol, 15 mos. 4-26-39 disch to USNE Pen. Lewisburg.

USP Lewisburg, Pa.: Joseph De Palermo, No. 8410, 4-26-39, consp., to deal in untaxpaid spirits, 15 mos. 4-21-40 cond. rel.

PD NY NY: Joseph Di Palermo, No. B-203135, 10-1-41, homicide, 6-10-42 disch.

USM Brooklyn, NY: Joseph Di Palermo, No. 5697, 5-22-43, alcohol still, 5-22-43, 1 yr. \$100 fine SC & to run conc with No. 6123.

ATU Brooklyn NY: Joseph Di Palermo, NYE-1789, 6-22-43, vio. Int. Rev. Laws, 6-29-44 1 yr & 1 day & \$100 fine sent. to run consec. with case of 8-25-43.

USM NY NY: Joseph D. Palermo, No. C-29-274, 7-1-43, OPA vio.

USSS NY NY: Joseph DiPalermo, No. J-2-29393-S, 7-1-43, sale cft gas coupons.

USM Brooklyn NY: Joseph DiPalermo, No. 6123, 8-25-43, consp. to operate still, 8-25-43 1 yr & \$100 fine SC to run conc. with No. 5697.

ATU NY NY: Joseph DiPalermo, No. 7241-M, 8-25-43, viol. Int. Rev. Laws, 6-15-44 PG ct. 2 (Ind No. 39939) 6-29-44 sent Ind No. 39939 1 yr \$100 fine stand committed cts 1, 3, 4, disp. Ind No. 39941 sent. to 360 days \$100 fine to stand committed to run consecutive with sent. on Ind. No. 39939 other counts disp.

FDH NY NY: Joseph DiPalermo, No. 43757, 6-29-44, poss. of still, 2 yrs. 7-10-44 disch to USP Atlanta Ga.

DC Jail Wash. DC.: Joseph DiPalermo, No. TA-108-A, 7-10-44, in transit, NBI (removal).

USP Atlanta, Ga.: Joseph DiPalermo, No. 64222, 7-13-44, consp. & poss. unregist. still, 2 yrs.

Med. Center for Fed. Prisoners, Springfield, Mo.: Joseph Di Palermo, No. 5132-H, 5-5-45 in trans. from USP, Atlanta, Ga., possessing unregistered still, 2 yrs. 9-18-45 trans. to USP, Leavenworth, Kans.

USP, Leavenworth, Kans.: Joseph Di Palermo, No. 62188, 9-18-45 in trans. from MCFP, Springfield, Mo., IRA possess unregistered still, 2 yrs. 2-4-46 cond. rel.

PD NY NY: Joseph Di Palermo, No. B-203135, 9-4-47, Sec. 8 US Code.

ATU Brooklyn NY: Joseph Di Palermo, No. NYE-2189, 9-4-47, viol IRC 7-5-50 disp by US Comm.

USM Brooklyn NY: Joseph Di Palermo, No. 10073, 9-5-47, Still Parts, 7-5-50 disp by Comm.

FDH NY NY: Joseph Di Palermo, No. 59648, 4-3-50, trans. Count Amer. Ex. chks. 9-20-50, 7 yrs.

USM NY NY: Joseph De Palermo, No. C-376-50, 4-7-50, poss. of counterfeit money, Pending.

USP, Atlanta, Ga.: Joseph Di Palermo, No. 70844, 12-23-50, trans. forged Securities Inter., 6 yrs 6 mos. 3-1-55 cond. rel.

Customs Agency Ser. NY NY: Joseph Di Palermo, FP, 11-21-56, not given, questioned and released.

USM NY NY: Joseph DePalermo, 7-3-58, narc. vio, 4-3-59 15 yrs; \$20,000 fine.

Fed. Det. Hdqtrs. NY NY: Joseph DiPalermo No. H-10473, 7-3-58, consp & viol Narc Laws, S-NY: Bail \$75,000 USDJ.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 127

Narc Bu Wash DC: Joseph DiPalermo, No. NY :S 9673, 7-3-58, vio FNL consp. to vio. the Fed. Narc. Laws.

PD NY NY: Joseph DiPalermo, No. 203135, 7-8-58, accessory to a fel Sec 2 Penal Law NY State aid & abet a fug. to avoid prosecution.

USP Atlanta, Ga.: Joseph DiPalermo, No. 81463, 6-5-59, viol. Narc. Laws, (consp) T. 21 S. 173 & 174 USC, 15 yrs.

Prob. Dept. Kings Co. Cr., Brooklyn, NY: Joseph Di Palermo, No. 59412, 1958 FP 2-25-60, not given, PG Accessory to a misd.

11-20-25: As Jos. De Palermo NYC NY sell Narc 12-2-25 H of Refuge.

2-16-28: As Jos. Palermo NYC NY poss dang weapon knife 3-2-28 disch.

2-27-37: As Jos DiPalermo Manh NY trans liq. 3-11-37, \$250 fine.

WANTED: As Joseph DePalermo for homicide. Notify PD NYC NY per inf. rec. therefrom 10-7-41.

No LONGER WANTED: As Joseph DePalmero subj arr on chg of homicide 10-1-41 by PD NY NY per inf rec PD NY NY 12-17-41.

As Joseph De Palermo subj arr PD NY NY & indicted there for manslaughter in the 1st deg (per inf rec PD NY NY 12-24-41).

WANTED: As Joseph DiPalermo for questioning. Notify Treas. Dept. Bu of Narc Wash. DC per inf rec therefrom 3-3-50. In custody per Print No. 59648 FDH NY NY.

No LONGER WANTED: As Joseph Di Palermo arrested 4-3-50 at NY NY per inf rec. Treas. Dept. Bu of Narc Wash DC 4-28-50.

WANTED: Joseph Di Palermo for Viol. Fed. Narc. Laws (Case No. NY-S-9673). Notify Bureau of Narcotics Treasury Department. Washington 25, D.C. per inf. rec. therefrom 9-11-57.

STILL WANTED: inf. rec. 5-23-58.

No LONGER WANTED: per inf. rec. Bu of Narc. Wash. D.C. 7-8-58 (appre. on 7-3-58 at NY NY).

The CHAIRMAN. Would you give us some of the record that you can present?

Sergeant SALERNO. In 1925, Joe Beck was arrested for selling narcotics and he was so convicted. He was arrested.

The CHAIRMAN. In 1925 he was convicted on a narcotics charge?

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. Just go ahead.

Sergeant SALERNO. In 1928 he was arrested for possession of a dangerous weapon, a knife. This charge was discharged. In 1937 he was arrested for the transportation of liquor and he received a \$250 fine. In 1938 he was arrested for transportation of untaxed liquor, a Federal arrest, by the Treasury Department.

The CHAIRMAN. May I interrupt you? I am advised by staff here that he has a five-page record here. Is that correct?

I didn't want to take time to read all of it.

Sergeant SALERNO. There are that many pages of entries and not that many arrests, Senator. He was arrested for an unregistered still, and the sale and possession of counterfeit gasoline stamps and conspiracy to violate the internal revenue laws, for which he received 1 year and 1 day. He was arrested for alcohol tax violation, possession of counterfeit money, and conspiracy to violate the narcotics laws.

The CHAIRMAN. I see one arrest for homicide, too.

Sergeant SALERNO. I read that, Senator.

The CHAIRMAN. All right, present the next one.

Mr. ADLERMAN. I present the police record of Charles Barceloni, one of the men mentioned by Mr. Valachi, who he feared in jail.

The CHAIRMAN. Will you examine this one, please?

Sergeant SALERNO. This, Senator, is the criminal record of Charles Barceloni, who also uses the name of Joseph Barcellono occasionally and identified as B116817. It indicates arrests.

128 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Let it be made exhibit No. 3 and printed in the record as part of the record.

(Document was marked "Exhibit No. 3" and follows:)

EXHIBIT No. 3

CRIMINAL RECORD OF CHARLES BARCELLONA, ALIAS JOSEPH

No. 116817, DCI 7488X, FBI 699414

1927: Chas. Barcellona, Juv. Del., Cath. Protect.
 1931: Chas. Barcellona, Viol. Parole, Cath. Protec.
 8-7-33: Chas. Barcellona, Bronx., Att. Robb. 1st Asslt. Smith, 7 Div., 8-18-33 Elmira, Brearton Co. Ct.
 5-11-37: Chas. Barcellona, NYC, Harrison Act, Fed. Agts. 3-1-37, 4 yrs. US Pen, Cts. 1-13, 2 yrs. 14 coun. Ct. 14 to run concurrent.
 7-28-37: Deld State Auth. Above Sent. set aside & vacated due to sentence 8-3-37.
 8-3-37: Returned to viol. Parole Elmira Rel. Parole Comm.
 12-10-47: Charles Barcellona, Manh., 974 PL, Malone 8 Div., 12-10-47, \$100, Gamblers Mahoney.
 1-20-49: Charles Barcellona, Manh., 1751 PL 422 PHL, Donlin 23 Sqd., 2-18-49 Dismissed Ringel Fel Ct.
 5-24-49: Charles Barcellona, Manh., 1498-23, Fugitive, Maddock, 23 Sqd.
 5-25-49: Chas Barcellona, US Marshal, Manh, Sale Narc. D of J.
 8-3-54: Chas Barcellona, Manh., Att 1751 PL Seller Plea, Whiteley Narc. Sq. 6-18-57, 4 to 5 yrs. State Prison, Schweitzer Genl. Sess.
 6-18-55: Chas. Barcellona, Manh., 974 PL, Penzi 6 Div., 3-14-56, \$250—30 days Silver Spec. Sess.

FBI number 699414

PD NY NY: Charles Barcellona, No. B-116817, 8-7-33, No. 9 aslt & robb, final chg att. robb 1st., 8-18-33 Elmira Ref.

SR Elmira NY: Charles Barcellona, No. 40056, 8-21-33, att robb 1st deg., 15 yrs., 8-3-37, ret for vio of parole, 8-23-38 trans Clinton.

PD NY NY: Charles Barcellona, No. B1168917, 5-10-37, Harrison Act, see notes.

Narc BU Wash DC.: Charles Barcellona, inquiry 5-12-37.

As Charles Barcellona No. 16323 Bu of Narc Wash DC

5-10-37: Vio Fed. Narc. Laws 7-1-37 4 yrs. fined \$5 remitted.

Clinton Pr., Dannemora NY: Charles Barcellona, No. 25860, 8-23-38 in trans. from Elmira, Ref. As No. M 40056, conf. att. robb. 1st., 15 yrs max. 17-26-40 paroled.

USM Utica NY: Charles Barcellona, No. 5599, 7-26-40, vio Narc. Drugs Laws.

Dir. of Regis. USI & NS, Wash. D.C.: Salvatore Charles Barcellona, No. 1035321, 8-31-40 allen regis.

SOS War Dept: Charles Salvators Barcellona, No. 23-CFC-9, molder 6-11-42.

Capt. of the Port, NY NY: Charles Salvators Barcellona, No. 031-1307814-P, C.G. Ident. card, 11-2-43.

PD NY NY: Charles Salvatore Barcellona, No. B-116817, 1-20-49, 1751 PL & 422 PHL, 2-18-49 dism.

Bu. of Narc., Wash., D.C.: Charles Barcellona, NO. NYS-7337, Bu. of Narc., New York, New York. 1-20-49, poss. and sale of narc., pending.

Bu. of Narc. Wash., D.C.: Charles Barcellona, No. NYS-7521, Bu. of Narc. NY NY, 5-24-49, Fugitive.

USM, New York, NY.: Charles Barcellona, No. C 89 266, 5-25-49, sale of Heroin, 4-3-59 5 yrs in addition to present state narc. sent.

PD NY NY: Charles Barcellona, No. B116817, 8-3-54, 1751 PL (seller).

Prob Dept. Court of Gen. Sess. NY NY: Charles Barcellona, No. 73996, 8-3-57, att. Fel. poss. Narc. Drug WITS, pleaded guilty.

Sing Sing Pr. Ossining NY: Charles Barcellona, No. 121087, 6-20-57, Gen. Sess. NYCo ATT. Fel. Poss. a Narc. Drug w/int Sell, 4-0/5-0.

Fed. Det. Hdqters. NY NY: Charles Barcellona, No. H 10521, 7-15-48, writ HC narc.

USP Atlanta Ga.: Charles Barcellona, No. 85162, 5-24-62, Conspiracy to viol. Narc. Laws, 5 yrs.

Catholic Prot., 1927: Juv. del. (burg.) ; 1½ yrs.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 129

Catholic Prot., 1931: Vio. parole; 3 mos.

No. B-116817, PD, NYC, NY, 5-10-37: Harrison Act; on 7-1-37, 4 yrs. USP, counts 1 to 13; 2 yrs. US Pen, count 14, Judge Fed. Court, to run concurrently; 7-28-37, delivered to State Authorities and above sentences set aside and vacated due to sentence of 8-3-37, on chg of violation Harrison Act (14 counts).

8-3-37: Violation of parole; returned to Elmira NY Ref.; Parole Commission.

12-10-47: As Charles Barcellona, Manhattan, NY, vio. No. 974 Penal Law; fined \$100.

The CHAIRMAN. Will you proceed?

Sergeant SALERNO. This reflects an arrest for juvenile delinquency in 1933, attempted robbery in the first degree, and sent to Elmira Reformatory, and in 1937—

The CHAIRMAN. Does first degree mean with a deadly weapon?

Sergeant SALERNO. With force and fear, where it is used.

In 1937 violation of the Harrison Act, narcotics, Federal arrest, and he received 4 years on one count and 2 years and 14 months on a second count, both sentences to run concurrently.

He was returned to Elmira Reformatory for violation of parole.

In 1947 he was convicted for policy and he received a \$100 fine.

In 1949 he was arrested for violation of the narcotics laws, which was dismissed. He was then in 1949 declared a drug addict and then he was taken into custody by the Federal officers, and again in 1949 for sale of narcotics.

In 1954 he pleaded guilty to the sale of narcotics, and he received 4 to 5 years in State prison. He also has another conviction for policy in 1955, for which he received a \$250 fine, and he was arrested again on a Federal charge of narcotics and sent to Federal prison.

Mr. ADLERMAN. You are reading both from the FBI reports and from the police reports, is that right?

Sergeant SALERNO. Yes, sir.

Mr. ADLERMAN. I offer in evidence the record of Johnny Dioguardi.

The CHAIRMAN. We call him Johnny Dio here, he was before the committee once.

Sergeant SALERNO. This is the criminal record of Johnny Dioguardi, alias Johnny Dio.

The CHAIRMAN. That will be made exhibit No. 4.

(The document was marked "Exhibit No. 4" and follows:)

EXHIBIT No. 4

CRIMINAL RECORD OF JOHN DIOGUARDI, ALIAS JOHN DIO

No. 114267, DCI 4586 X, FBI 665273

8-3-32: John Dio, Manh., 530 PL (Coercion), Dugan, 15th Sqd., 10-13-52 Acquitted Spec. Sess. Ct..

5-10-33: John Dio, NYC, Fel. Aslt. Coercion Conspiracy, Phillips MOD, 9-4-34 Dismissed Freschi, Gen'l Sess. Ct.

3-26-36: John Dioguardi, Manh. Vagrancy, Kelly, 3-27-36, Discharged Mgst. Pearlman.

3-19-37: John Dioguardi, NYC, Extortion, Sabbatino, 5-4-37. Discharged McCook, Supreme Ct.

5-4-37: John Dioguardi, NYC, Extortion, Belsky DA. sqd., 7-28-37 3 to 5 yrs. Sing Sing, McCook, Supreme Ct.

10-30-44: John Dioguardi, Newark, N.J., Conspiracy Vio. Inter. Revenue Law, US Marshal, 6-29-45 Nolle Pros. ed. DCI 11-7-56.

4-14-53: John Dioguardi, Manh. State Tax Law, Cashman, CAO, 3-2-54 60 days, Wkhse, Haddock, Spec. Sess. Ct.

5-7-56: John Dioguardi, Mineola, Passing Stopped School Bus, Depps.

130 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

6-19-56: John Dioguardi, Manh., Bribery Conspiracy, Belsey, DAOS NY, No prints on file 9-5-57 No. 1-Penty 1 Yr. and \$500 fine No. 2—Penty 1 Yrs & \$500 fine; this sent. to run concurrent with No. 1.

8-29-56: John Dioguardi, NYC, Conspiracy To Obstruct Justice, US Marshal, D.C.I. 11-7-56.

10-29-56: John Dioguardi, Manh. Conspiracy & Bribery, Wheaton DOAS NY, 1-8-58, 15 to 30 yrs. States Prison, Mullen, Gen's Sess. Ct.

FBI number 665273

PD NY NY, John Dio, 8-5-32, viol. No. 530 PL coercion, disch. 10-13-52.

PD NY NY: John Dioguardi, No. 114267, 3-26-36, misd-misd (vag), 3-27-36 disch.

PD NY NY: John Dioguardi, No. B-114267, 3-19-37, extortion 850 PL, 5-4-37 disch.

Prob. Dept. Cr. of Gen. Sessions, NY NY: John Dioguardi, 3-19-37, extortion.

PD NY NY: John Dioguardi, No. 114267, 5-4-37, viol. 580 1423 Sub. 9850242, Sub 3, 4, 5, 7-26-37 3 to 5 yrs. on chg. of extortion.

Sup. Cr. NY NY 5-4-37: Extortion disch.

Sing Sing Prison, Ossining, NY: John Dioguardi, No. 93818, 8-3-37, comp. mal. misch. extor. aslt. 2nd. 3-5 yrs.

USM, Newark, NJ: John Dioguardi, No. 9187, 10-30-44, consp. to engage distiller & poss still, rel. \$1000 bail.

ATU Newark NJ: John Ignatius Dioguardi, No. 8323-M, 10-30-44, con. VIRL., 6-29-45 order of nolle prosee filed.

WH Riker's Island, NY NY: Joseph Dioguardi No. 403425, 3-30-54, viol. Tax Law, 60 days.

PD Co. of Nassau, Mineola NY: John Dio Guardi, No. 23076, 5-7-56, Sec. 81-24 VTL passing stopped school bus—arrested on a warr—failure to answer summons.

USM NY NY: John Dioguardi, 8-29-56, conspiracy to obstruct justice.

Fed. Det. Hdqtrs. NY 14 NY: John Dioguardi, No. H7060, 8-29-56, conspiracy obstruction of justice.

PD NY NY: John Dioguardi, No. B114267, 10-29-56, extortion & consp.

Prob. Dept. Cr. of Gen. Sess. NY NY: John Dioguardia, No. 74629, 6-19-56, 1 count consp., 1 count bribery on Labor Rep., convicted.

Prob. Dept. Court of Gen. Sess. NY NY: John Dioguardi, No. 31054, 10-29-56, extortion & conspiracy, convicted.

Sing Sing Pr. Ossining NY: John Dioguardi, No. 121847, 1-10-58, Gen. Sess. NY Co. VD Extortion, 15-0/30-0.

Fed. Det. Hdqtrs. NY NY, John Dioguardi, No. H14082, 4-29-60, S-NY-consp. income tax evasion, 4-29-60, 4 yrs.

USP Atlanta, Ga.: John Dioguardi, No. 82810, 6-17-60, conspiracy income tax evasion, 4 yrs.

USP, Atlanta, Ga.: John Dioguardi, No. 82810, 6-29-61, trans from No. 67192-NY, FDH NYC NY, conspiracy income tax evasion.

City Pr. NY NY 12-15-30: Viol. Corp Ord 5 das.

Child Cr. 1-20-31: Dis. child robb disch (as on prt. No. 93818).

Gen. Sess. NY NY 9-4-34: Aslt 2nd disch.

Spec. Sess. NY NY 4-17-37: Coercion & consp.

Sergeant SALERNO. This number is B114267, and FBI No. 665273. The first entry is in 1932, as Johnny Dio, he was arrested for coercion and acquitted. In 1933, as Johnny Dio, felonious assault, coercion, and conspiracy. These charges were dismissed. In 1936 he was arrested for vagrancy, and this was discharged. In 1937 for extortion, and he was discharged, and in 1937 again for extortion, and on this charge he went to Sing Sing for 5 years. In 1944 as Johnny DioGuardia, conspiracy to violate the internal revenue laws, it was nolle prossed. In 1953, violation of the State tax laws, 60 days in the workhouse. In 1956, for bribery and conspiracy. The penalty was 1 year in the penitentiary, and \$500 fine on the first count, and second count was 1

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 131

year in the penitentiary, and a \$500 fine, both sentences to run concurrently.

In 1956, he was arrested by Federal authorities for conspiracy to obstruct justice. Again in 1956 for conspiracy and bribery, he was sentenced to 15 to 30 years in States Prison.

In 1960, he was arrested for conspiracy to avoid payment of income taxes and he was sentenced to 4 years in prison.

The CHAIRMAN. Very well.

Mr. ADLERMAN. I offer for the record the FBI report on Peter LaPlaca. We don't have a local police report.

The CHAIRMAN. I hand you this document.

Sergeant SALERNO. This is the FBI record, U.S. Department of Justice, and their identification No. 800992.

The CHAIRMAN. It may be made exhibit No. 5.

(Document was marked "Exhibit No. 5" and follows:)

EXHIBIT No. 5

CRIMINAL RECORD OF PETER LAPLACA

FBI Number 800992

SRef Rahway NJ: Peter LaPlaca, No. 6539, 2-3-21, assault with intent to rape.

Passaic Co B of I Co Jail Paterson NJ: Peter La Placa, No. 3283, 6-18-34, conspiracy DH (number lottery).

SP Trenton NJ: Peter La Plac No. 16972, 7-12-34, conspiracy, 1-2 yrs \$500 fine.

USM Newark NJ: Peter Dominick LaPlaca, No. 7016-A, 2-13-59, bribing a juror.

FBI Newark NJ: Peter Dominick La Placa, 2-13-59, bribery Sec. 206 Title 18 USC, 3-16-60 8 yrs. imprisonment on chg. of bribery.

SO Jersey City NJ: Peter Dominick LaPlaca, No. 45723, 2-13-59, bribing a Juror.

USM Newark NJ: Peter Dominick LaPlaca, No. 7016-A, 3-16-60, bribing a juror, sen. to term of 8 yrs. Judge.

USPen. Lewisburg, Pa.: Peter Dominick LaPlaca No. A-26931-NE, 3-31-60, (A) (2) Bribe federal juror, 8 yrs. trans USP, Atlanta, Ga.

USP, Atlanta, Ga.: Peter Dominick LaPlaca, No. A-84164, 8-10-61 rec. in trans. from USP Lewisburg, Pa., bribe Fed. Juror T 18 S 4208 (a) (2) USC.

Fed. Det. Hdqtrs. NY NY: Peter Domonic LaPlaca No. H 19172, 1-3-63, DNJ Funeral Trip Fr. 84164-A (bribery of juror), 8 yrs.

DESCRIPTION: Race: white, Sex: male, Date of Birth: 4-21-01.

Sergeant SALERNO. Peter LaPlaca was arrested in 1921 in Rahway, N.J., assault with attempt to rape. No disposition is shown. In 1934 in Passaic County, conspiracy, lottery numbers. In 1934, on that conspiracy count he was then sentenced to 2 years in prison and \$500 fine.

February of 1959, in Newark, N.J., he was arrested for bribing a juror. On that charge he received 8 years imprisonment.

It is indicated that that 8-year term, he was transported to the Atlanta Federal Penitentiary, on that charge. That is it, Senator.

Mr. ADLERMAN. We have a complete record of Charles Palermo. There is one other here, and will you examine it and identify it.

Sergeant SALERNO. This is the criminal record of charges on Charles Palerm, and it is B-239114.

The CHAIRMAN. It will be made exhibit 6, and those that you have, print them in the record.

132 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

(The document was marked "Exhibit No. 6" and follows:)

EXHIBIT No. 6

CRIMINAL RECORD OF CHARLES DiPALERMO

No. 239114, DCI, 210750, FBI 4532585

5-16-45: Charles DiPalermo, Manh., Burg. Egan 8 Sqd., 5-28-45 discharged Felony Ct; Strong.

1-16-46: Charles DiPalermo, Manh. Fugitive Suffern, NY, Daly 5 Sqd., Turned over to Suffern, NY.

2-23-46: Charles DiPalermo, Suffern, NY, Burg. 3rd Perjury 2, D of J 2-18-46, 3-4-46 yr. Co. Jail Susp. Sent. \$250 Fine Prob. for 2 yrs.

1-17-46: Charles DiPalermo, Manh. Burg. Burg. tools, Doyle, S & L Sqd., 1-28-48 Dismissed Gen. Sess; Donnellan.

4-6-49: Charles DiPalermo, Nassau Co., NY, Sec. 2810 U.S. Code, Orther D.A. Sqd., Turned over to Federal Authorities.

4-6-49: Charles DiPalermo, ATU Bklyn, NY, vio. of Int. Rev. Law.

6-8-49: Charles DiPalermo, Manh. Burg. Unl. Entry, Ttalty 5 Sqd., 12-14-49 S.S. Prob. Gen. Sess.; Mullen.

2-20-50: Charles DiPalermo, Manh., Forgery, McBride Forg. Sqd., 6-5-50 Dismissed Felony Ct; Prendergas.

7-24-53: Charles DiPalermo, Manh., 722 PL Carrino, 7-24-53 \$3 Fine Night Ct; Fusco.

9-2-55: Charles DiPalermo, Manh. 722 PL, Wilhelm 1 DCO, 9-2-55, Dismissed Night Ct; Korn.

6-8-57: Charles DiPalermo, Bklyn, 722 PL, Wassenberger, PCCIU, 6-8-58 \$10 or 3 days Weekend Ct; Glowa.

1-20-59, Charles DiPalermo, Bklyn, 722-2 PL, BBPS, 1-20-59 Dismissed Bay-ridge Ct; Malbin.

FBI number 4532585

Marine: Charles DiPalermo, No. 862289, enlisted 5-4-43.

Capt. of the Port, NY NY: Charles DiPalermo, No. 031-1314441-G, CG Ident. Card, 9-3-43.

PD NY NY: Charles DiPalermo, No. B-239114, 1-16-46, fug. for other Auth. TOT Suffern NY.

Suffern PD Suffern NY: Charles DiPalermo, 1-23-46, 3rd deg burg.

District Attorney, New City, NY: Charles DiPalermo, No. X-3-46, 1-23-46, burg. 3rd perjury, 3-4-46 plea of perjury 2nd deg. sent. to 1 yr. in Co. Jail sent. susp. fined \$250 put on prob. for 2 yrs. fine paid on chg. of perjury 1st & 2nd; GL 1st burg 3rd & crim recv.

SO New City, NY: Charles DiPalermo, No. 16-46, 1-23-46, burg. 3rd.

PD NY NY: Charles A. DiPalermo, No. B-239114, prt. rec. 11-19-46, burg. burglars tools (safe ripped), 1-28-48 disch.

Ident. Div. Mineola, NY, No. 16564: Charles DiPalermo, Nassau Co. PD, 4-6-49, op unlicensed still, TOT ATU, No. 1478.

ATU Brooklyn, NY: Charles Anthony DiPalermo, No. NYE-2298, 4-6-49, op illicit still. pending.

USM Brooklyn, NY: Charles DiPalermo, No. 10779, 4-7-49, poss. unregistered still, pend. 10-4-51, 3 mos. SS 1 yr. prob.

Fed. Det. Hdqtrs. NY, NY: Charles DiPalermo, No. 57996, 4-7-49, unregis. still, 4-7-49 to ATU Agents.

PD NY NY: Charles DiPalermo, No. B-239114, 6-8-49 burg. store, 12-14-49 final chg. unl. entry, SS prob.

Prob. Dept. Cr. of General Sessions NY NY: Charles DiPalermo, 6-8-49, unl. entry, PG.

PD NY NY: Charles DiPalermo, No. B-239114, 2-20-50, forg.

Narc. Bu. Wash., D.C.: Charles A. DiPalermo No. NYS 10047, 8-8-58, Fed. Narc. Laws (consp.).

USM NY NY: Charles DiPalermo, 8-8-58, sale narc. 4-3-59 12 yrs.

Fed Det. Hdqtrs. NY NY: Charles DiPalermo, No. H-12103-NY, 4-4-59, sale of narcotics.

USPen, Atlanta, Ga.: Charles DiPalermo, No. 82373, 2-26-60, viol. Narc. Laws. (Conspy T 21 S 173-174 USC) 12 years.

5-16-45: As Charles DiPalermo Manh NY NY burg.

5-28-45: Dism.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 133

As Charles Anthony DiPalermo Case No. 10317-M A&TTD NY NY.

6-4-51: Conspiracy-violate IRL (illicit distillery).

10-4-51: PD Ind No. 42693 Eastern Dist. of NY-Ct 5, 10-4-51 sent to be imprisoned for 3 mos on Ct 5 execution of sent. susp. placed on prob. for 1 yr. Cts 1, 2, 3, 4, dismissed.

WANTED: Charles DiPalermo for viol. Fed. Narc Laws (Case No. NY-3-10047). Notify Bu of Narc Treasury, Dept. Wash. D.C. per inf rec therefrom 6-10-58.

In custody per Prt No. NYS 10047 Narc Bu.

Wash DC. no longer wanted: Per inf rec Bu of Narc Treasury Dept.

Wash DC 8-15-58. (Arrested 8-8-58 NY NY.)

Sergeant SALERNO. 1943, he was arrested for burglary, and this was discharged. In 1946 he was taken into custody as a drug addict from Severn, N.Y., and turned over to the authorities of that city, and again in 1946, perjury in the second degree, this is a Federal arrest and this is the one for which he was wanted in Severn, N.Y. He received a suspended sentence, \$50 fine, and placed on probation for 2 years. In 1946 he was arrested for burglary and possessing burglary tools, and this was dismissed. In 1949 he was arrested by the Alcohol Tax Unit of the Federal Government, for violation of the internal revenue laws. In 1949, burglary and unlawful entry and he received a suspended sentence and probation.

In 1950, forgery charge was dismissed against him.

He was arrested for disorderly conduct and he received a \$3 fine, and he has a second arrest for disorderly conduct and it was dismissed.

On another arrest in 1957 for disorderly conduct he got a \$10 fine and 3 days in jail. He was arrested again in 1959 for disorderly conduct again, which charge was dismissed.

The CHAIRMAN. Very well. Let me ask you, if you regard these records, the parties whose records have been placed in the record here about which you have testified—would you regard those as indicating or as being those of what you might term habitual criminals?

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. They are all repeaters?

Sergeant SALERNO. They have all been arrested a number of times, as I have read into the record.

The CHAIRMAN. Very well, is there any question on these now before I move to something else?

Senator BREWSTER. Mr. Chairman, I have just one question. On the case of Johnny Dio, I noted there was a 15-year term in 1956, and yet a further arrest in 1960. Does the record show why or how he was released after receiving a 15-year term?

Sergeant SALERNO. I believe there may have been a reversal. I will see if the record indicates that.

It isn't clearly reflected here, but it was reversed on appeal.

Senator BREWSTER. Thank you.

The CHAIRMAN. Now I wish to present to you another record, criminal record, and I ask you to examine it and identify whose it is.

Sergeant SALERNO. This is the criminal record of Joseph Valachi, also known as Joseph Cargo, he used the names Charles Charbano, Anthony Sorge, and he has used the name Joseph Siano. B-58968, FBI No. 544.

The CHAIRMAN. Let that be published in the record.

134 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

(The criminal record of Joseph Valachi follows:)

CRIMINAL RECORD OF JOSEPH VALACHI ALIAS CARGO, CHARLES CHARBANO,
ANTHONY SORGE*No. 58468, FBI 544*

3-10-21: Joseph Valachi, Bronx, Burglary, Rodell, 46th Pct., 3-12-21 Discharged Mag McGee.

9-20-21: Joseph Valachi, Manhattan, Petit Larceny, Downing, 39 Pct., 1-6-22, DOR, Spec. Sess. Ct.

11-10-21: Anthony Sorge, Jersey City, N.J., Revolver, O Caputo, On 10-19-22, Probation. Judge Blair.

6-19-22: Joseph Valachi, NYC, Robbery, Caputo, 39 DD, 6-24-22 Dismissed. Mag Atting. 5th Pct.

4-24-23: Joseph Valachi, NYC, Burglary, (Loft), Somers. 39 Pct. 4-30-23 Discharged. Mag Ohringer. 5th Ct.

8-8-23: Charles Charbano, NYC, Grand Larc. (Auto), Geyer 43 Pct. 8-8-23 10 days Wkhse. Mag. Siberman. 5th Ct.

8-17-23: Joseph Valachi, Bronx, Att. Burg. (Store), Stetter 49 Pct. 10-23-23, 1 yr and 3 months to 2½ yrs. Sing Sing. Judge Culkin. Gen. Sess. Ct.

11-21-24: Joseph Valachi, NYC, Burglary, (Factory), Wenenat, 22 Pct., 4-7-29, 3 yrs. Sing Sing. Judge Culkin, Gen. Sess. Ct.

3-28-25: Joseph Valachi, NYC, Robbery, McCauley 13 Pct. 4-29-25 Dismissed. Grand Jury.

3-14-29: Joseph Valachi, NYC, Assault & Robbery, Courtney, 15 Sqd., 3-15-29 Dismissed. Judge Goodman.

9-29-29: Joseph Valachi, NYC, Attempted Extortion, Duane, 23rd Sqd. 10-7-29 Discharged. Mag Vitale. 5th Ct.

6-8-34: Joseph Valachi, Manhattan, Extortion, Tracy, 23 Sqd. 6-12-34 Discharged. Mag Kross. 5th Ct.

1-13-36: Joseph Valachi, Bronx, Robbery, Stewart, 62 Sqd. 1-20-36 Discharged, Mag. Capshaw.

1-13-36: Joseph Siano, Manhattan, Policy, 8-12-36 Sent. Susp. Spec. Sess. Ct.

11-1-44: Joseph Valachi, NYC, Narcotics, Roder, Fed. Agt. 1-20-46 Dismissed. Fed. Ct.

3-23-48: Joseph Valachi, Baltimore, Md., Investigation Narcotics, Lt. Schmidt.

5-20-55: Joseph Valachi, NYC, Conspiracy to violate Narcotic Laws, U.S. Nar. Bur.

FBI number 544

PD, Jersey City, N.J.: Anthony Sorge, No. B-25, 11-10-21, C.W. (loaded revolver) \$100 fine and costs-prob.

8-17-23: Jos. Valachi, Bronx, N.Y., att. burglary; 10-23-23, sentenced to Sing Sing and received 10-26-23, as Jos. Valachi, No. B-75260, 1 year and 3 months to 2½ years, conf. att. burglary, 3rd degree-paroled 8-20-24, 4-9-25, returned on new sentence, delinquent 4-30-25, re-paroled 5-28-26 to begin serving new sentence, discharged by expiration 10-8-26.

Sing Sing Pr. Ossining, New York: Joseph Valachi, No. 77100, 4-9-25, burg. 3rd deg., 3 yrs. Par. 6-15-28.

PD, New York, N.Y.: Joseph Valachi, No. B-58468, 3-14-29, A. and R., 3-15-29 dis.

PD, New York, City, N.Y.: Joseph Valachi, No. 58468, 9-29-29, att. ext., 10-7-29, dis. Returned to Dept. of Correction, Albany, NY, 7-6-34.

PD, New York, N.Y.: Joseph Valachi, No. B-58468, 1-13-36, rob.

USM, Brooklyn, NY: Joseph Valachi, No. 7896, 11-1-44, Narcotics, 11-20-45, dismiss by Judge.

Fed. Bur. of Narcotics Wash., D.C.: Joseph Valachi, No. SE-191, Fed. Bur. of Narcotics, N.Y., N.Y., 11-1-44, IRC Narcotics, 11-20-45, dismiss by Judge.

PD, Balto, Md.: Joseph Michael Valachi, No. 70-356, 3-23-48, Investigation Narcotics, 3-23-48 inv & rel on chg of inv.

Bu of Narc Wash DC: Joseph Michael Valachi, No. SE-238, 5-20-55, conspiracy to violate Fed. Narc laws, 4-23-56 sent 5 yrs fine \$10,000.

USM NY NY, Joseph Valachi: 5-20-55, Narc vio conspiracy.

Fed. Det. Hdqtrs NY NY: Joseph Valachi, No. H 6302, 3-21-56, consp viol Fed. Narc Laws.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 135

USP Atlanta Ga.: Joseph Valachi, No. 77320, 5-18-56, conspy to sell narc., 5 yrs. (see supplement).

Narc Bu Wash D.C.: Joseph Michael Valachi, No. SE-238, 7-3-57, unl sale of heroin & conspiracy to violate Fed. Narc. Laws, 3-19-57 See No. SE-238 5-20-55 (sent reversed by appeals Crt acquitted).

PD Hartford Conn: Joseph Valachi, No. 32099-H 65, 11-19-59, vio Fed. Narc. Law.

Fed. Det. Hdqtrs NY NY: Joseph Valachi, No. H-13210-NY, 11-19-59, E-NY vio of Fed. Narc Laws Consp.

USM Brooklyn NY: Joseph Valachi, No. 22211, 11-20-59, sale of narc. sent 15 yrs fine \$10,000, 6-3-60.

Bu of Narc Wash DC: Joseph Valachi, No. NY:E 1219, 11-19-59, Fed Narc Laws (conspiracy) 15 yrs. 6-3-60.

USM New Haven Conn.: Joseph Valachi, No. 4453, 11-18-59, 18 USC 371.

USP, Atlanta Ga.: Joseph Valachi, No. 82811, 6-17-60, vio Narc Laws (rec, concl & sale-T 21, S.174; T.18, S.2 USC), 15 yrs.

1918: Catholic Protectory (as appearing on record sheet received from P.D., New York, N.Y.).

Mag-Ct., 1918: Susp.; dis. (as appearing on print No. 77100, Sing Sing Pr., Ossining, N.Y.).

3-10-21: Joseph Valachi, Bronx, N.Y., burg.; 3-12-21. dis.

9-20-21: Joseph Valachi, Manhattan, N.Y., P.L.; 1-6-22, discharged.

6-19-22: Joseph Valachi, New York, N.Y., robb.; 6-24-22, dis.

Mag. Ct., 1923: Burg.; dis. (as appearing on print No. 77100, Sing Sing Pr., Ossining, N.Y.).

Mag. Ct., 1923: Burg.; dis. (as appearing on print No. 77100, Sing Sing Pr., Ossining, N.Y.).

4-24-23: Joseph Valachi, New York, N.Y., burg. (loft); 4-30-23, dis.

8-8-23: Charles Charbano, New York, N.Y., G.L.-final charge D.C.; 8-8-23, 10 days Workhouse.

3-8-25: as Joseph Valachi, Manhattan, robbery, 4-29-25, dismissed Grand Jury. (as appearing on record sheet from PD, NYC, NY.)

No. 77320; 5-23-56: Rel on bond pending appeal on chg of Consp to Viol Narc Laws.

WANTED: Joseph Valachi for Viol. Narc. Laws (NY-E-1219) Notify Bu of Narc. Treas. Dept. Wash D.C. per inf rec. 6-8-59 in custody per print No. 22211 USM Brooklyn NY.

NO LONGER WANTED: per inf rec Bu of Narc. Treas Dept., Wash DC 12-1-59.

WANTED: Joseph Valachi for viol of Narc Laws. Notify Bu of Narc., Treas Dept., Wash DC per inf rec 2-23-60. (Refer to Case No. NY-E-1219.)

NO LONGER WANTED: Per inf rec Bureau of Narc Treas Dept Wash DC 6-23-60. (3-28-60 arrested in NYC).

The CHAIRMAN. Are there any questions on it?

Are there any other questions of this witness?

Mr. Hundley, will you take the stand, please?

Do you solemnly swear the evidence you shall give before this Senate subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HUNDLEY. I do.

TESTIMONY OF WILLIAM GEORGE HUNDLEY

The CHAIRMAN. Mr. Hundley, will you state your name and your particular position?

Mr. HUNDLEY. My name is William George Hundley. I am presently the head of the Organized Crime Section in the Department of Justice.

The CHAIRMAN. In that position, then, you do have official duty and responsibility in connection with Mr. Valachi?

Mr. HUNDLEY. Yes, Senator.

The CHAIRMAN. You have been working with the committee, also with your Department, in this case?

136 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. HUNDLEY. We have been working together on the hearings, Senator.

The CHAIRMAN. Very well.

I present to you two photographs. I ask you to examine them and identify the one of Beck, I believe that is his name, first. Identify that one first.

Mr. HUNDLEY. The picture of the gentleman with the glasses on is Joe Beck.

The CHAIRMAN. The one with the glasses on is Joe Beck?

Mr. HUNDLEY. Yes.

The CHAIRMAN. Let that picture be received in evidence and made exhibit No. 7.

(The photograph referred to was marked "Exhibit No. 7" and may be found in the files of the subcommittee.)

Mr. HUNDLEY. And the picture of the other gentleman without the glasses is Joseph Saupp.

The CHAIRMAN. That is the victim of Valachi's attack?

Mr. HUNDLEY. That is right, Senator.

The CHAIRMAN. Am I right now, Mr. Valachi, the one that he presented first, of Beck, is the one you thought you were striking?

Mr. VALACHI. Yes.

The CHAIRMAN. It turns out that this other man, Saupp, is the one you actually struck.

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Now I would like for that picture to be made exhibit 7-A so that we can keep them together. We cannot print those pictures in this record but I want them filed as an exhibit so that it can readily be seen how easy it was to make a mistake in identity.

(The photograph referred to was marked "Exhibit 7-A" and may be found in the files of the subcommittee.)

The CHAIRMAN. All right, Counsel, you may proceed.

TESTIMONY OF JOSEPH VALACHI—Resumed

Mr. ADLERMAN. Mr. Valachi, when did you start your career in burglary, at what age?

Mr. VALACHI. About 18 years old.

Mr. ADLERMAN. By 1921 had you associated yourself with a group of boys or men from your neighborhood?

Mr. VALACHI. Yes; I did.

Mr. ADLERMAN. What street was that?

Mr. VALACHI. 108th Street.

Mr. ADLERMAN. 108th or 107th Street?

Mr. VALACHI. 211 108th Street.

Mr. ADLERMAN. Is that where you lived?

Mr. VALACHI. I lived on 109th Street.

Mr. ADLERMAN. The gang you associated with was called the 107th Street Gang?

Mr. VALACHI. I met them in 1922.

Mr. ADLERMAN. Can you name some of the associates of your gang at that time?

Mr. VALACHI. "Big Dick" Amato.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 137

Mr. ADLERMAN. Was he later murdered in 1931?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Was he brought into the organization, Cosa Nostra, by *Ciro Terranova*?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Who was the next associate?

Mr. VALACHI. *Al Brown*. I forget his second name.

Mr. ADLERMAN. Do you know his real name?

Mr. VALACHI. If I hear it.

Mr. ADLERMAN. Do you know the name of *Giovanni Schillaci*, S-c-h-i-l-l-a-c-i?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Is he in the United States today?

Mr. VALACHI. He was deported.

Mr. ADLERMAN. Is he back in the country?

Mr. VALACHI. He was back a few months after he was deported. He sneaked back.

Mr. ADLERMAN. Is he back now?

Mr. VALACHI. Up to the time I was in the street, he was back.

Mr. ADLERMAN. Was he in the country legally or illegally?

Mr. VALACHI. He sneaked back.

Mr. ADLERMAN. Do you know where he is located now?

Mr. VALACHI. At the time when I was in the street, Mr. Adlerman, he was supposed to be around Brooklyn. I don't know where he is at now.

Mr. ADLERMAN. Is he using any other name now?

Mr. VALACHI. *Al Brown*.

Mr. ADLERMAN. Do you know "*Pip the Blind*"; is that another one of your earlier associates?

Mr. VALACHI. That is *Joseph Gagliano*, yes.

Mr. ADLERMAN. Was he a member of the *Ciro Terranova Cosa Nostra* family?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Is that right?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. He is not alive today, is he?

Mr. VALACHI. That is the one I spoke about this morning, the one who was supposed to have hanged himself in the Bronx jail.

Mr. ADLERMAN. Do you think he hanged himself?

Mr. VALACHI. That is the way the rumor was. He was talking to the district attorney or somebody and he hung himself around that time while he was talking.

Mr. ADLERMAN. Do you believe that?

Mr. VALACHI. You know, I don't know if they hung him.

Mr. ADLERMAN. What is your opinion?

Mr. VALACHI. My opinion was that they hung him.

Mr. ADLERMAN. He did not hang himself?

Mr. VALACHI. I don't know who.

Mr. ADLERMAN. Do you think he hung himself or they hanged him?

Mr. VALACHI. I and several of the boys felt that they hung him.

Mr. ADLERMAN. Was there another associate of yours called *Chick* 99?

Mr. VALACHI. Yes.

138 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. What was his real name?

Mr. VALACHI. I have to hear his name, too.

Mr. ADLERMAN. Do you know him also by the name of Frank Cal-lace, C-a-l-l-a-c-e?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Is he a member of Cosa Nostra?

Mr. VALACHI. Yes.

Mr. ADLERMAN. What family is he with?

Mr. VALACHI. The Lucchese family.

Mr. ADLERMAN. With status of a soldier?

Mr. VALACHI. Yes.

Mr. ADLERMAN. How about Charley Bullets; do you know him?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Charles Albero is his real name?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. What family does he belong to?

Mr. VALACHI. Theodore Genovese today but Mike Coppola is his lieutenant.

Mr. ADLERMAN. He is under the regime of Mike Coppola?

Mr. VALACHI. Yes.

Mr. ADLERMAN. But he is in the Genovese family?

Mr. VALACHI. Yes.

Mr. ADLERMAN. How about Joe Hardy?

Mr. VALACHI. Joe Hardy was never a member.

Mr. ADLERMAN. His name was Joseph Pellegrino.

Mr. VALACHI. Right. He was deported.

Mr. ADLERMAN. What type of burglary did you engage in at that time?

Mr. VALACHI. Yes. We were crashing windows, jewelry windows or fur windows, taking expensive furs and suits, silk and that line.

Mr. ADLERMAN. What area were you crashing?

Mr. VALACHI. You mean what particular area?

Mr. ADLERMAN. Yes.

Mr. VALACHI. Any part of the city.

Mr. ADLERMAN. Did you specialize in any area like Madison Avenue or Lexington Avenue?

Mr. VALACHI. If you want to get good coats you had to go to Fifth Avenue or Sixth Avenue or Madison Avenue.

Mr. ADLERMAN. What would be the nature of the operation? How would you engage in the operation?

Mr. VALACHI. We threw a milk can in one of them. We started that way. We grabbed the coats and run, get into the car and go.

Mr. ADLERMAN. Did you use the car to do that?

Mr. VALACHI. Yes. We developed a name, the police called us Minutemen.

Mr. ADLERMAN. Why did they call you the Minutemen?

Mr. VALACHI. Because we got away from the burglary either in a minute's time or less. Because these stores, most of them have what we call Holmes protection. They take about 5 to 7 minutes.

Mr. ADLERMAN. Did you ever time them before you made a real attempt?

Mr. VALACHI. Yes.

Mr. ADLERMAN. How would you do that?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 139

Mr. VALACHI. I threw a brick in the window on 125th Street once because the patrol office was 125th Street West. I had something in mind 125th Street East. So I threw a brick in to see how long it would take them to come.

Mr. ADLERMAN. Did you time them?

Mr. VALACHI. About 5 minutes.

Mr. ADLERMAN. By then you felt safe if you could do it in less than that time?

Mr. VALACHI. If we got away from there in less than a minute or a minute.

Mr. ADLERMAN. How many of these types of robberies would you do in a week at that time?

Mr. VALACHI. A couple a week.

Mr. ADLERMAN. Two?

Mr. VALACHI. Two, three.

Mr. ADLERMAN. Any more than three?

Mr. VALACHI. Well, according to how the weather is.

Mr. ADLERMAN. What was your function?

Mr. VALACHI. I used to drive all the time.

Mr. ADLERMAN. You had a reputation as a driver of the getaway car?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Did you have your car especially equipped in any way?

Mr. VALACHI. I had a special pinion gear for second speed, just second speed.

Mr. ADLERMAN. You used to have a second gear especially?

Mr. VALACHI. At that time, the mechanic used to call it a special pinion gear. Instead of this big, it would be this big [indicating].

Mr. ADLERMAN. This would bear up the second gear a little higher so that you could get away faster?

Mr. VALACHI. Pick up faster.

Mr. ADLERMAN. You could go how fast with that?

Mr. VALACHI. At that time, 60 miles an hour in second was a lot of speed.

Mr. ADLERMAN. That was a hot car?

Mr. VALACHI. That was a lot of speed at that time.

Mr. ADLERMAN. What did you do with the coats and jewelry? How did you dispose of it?

Mr. VALACHI. Well, one burglary had a Jewish fence which I don't remember. The jewelry was disposed through the boys on 107th Street, the ones like Al Brown and Big Dick and one Vincent Rao.

Mr. ADLERMAN. Vincent Rao was one of the boys who was a fence for jewelry for you?

Mr. VALACHI. He was considered a big man at that time to us.

Mr. ADLERMAN. He was considered a big man at the time as a fence?

Mr. VALACHI. To us, you know.

Mr. ADLERMAN. To the gang which operated?

Mr. VALACHI. To us.

The CHAIRMAN. How many were in your gang, would you say?

Mr. VALACHI. At that time, that is the year 1922, about six or seven or eight.

140 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. How many?

Mr. VALACHI. Six or seven or eight.

The CHAIRMAN. Just a small gang of you boys?

Mr. VALACHI. Yes.

The CHAIRMAN. Young fellows? They were all young people like you?

Mr. VALACHI. Yes; 1 year apart in age, maybe 2 years.

Mr. ADLERMAN. What rank does Vincent Rao hold today in the Cosa Nostra?

Mr. VALACHI. He is consiglieri.

Mr. ADLERMAN. In what family?

Mr. VALACHI. Tommy Brown.

Mr. ADLERMAN. That is the Lucchese family?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Tommy Brown is the alias for Lucchese?

Mr. VALACHI. Yes.

Mr. ADLERMAN. He is a consiglieri?

Mr. VALACHI. Yes.

Mr. ADLERMAN. That is a high position; is it not?

Mr. VALACHI. Yes. He was a lieutenant before that.

Mr. ADLERMAN. Now he is one of the counsel?

Mr. VALACHI. Yes.

Mr. ADLERMAN. An adviser to the gang, is that it?

Mr. VALACHI. As I explained to you—

Mr. ADLERMAN. I understood.

In the robberies you had, as I understand in one case you had a burglary of jewelry, diamonds. What was the value of those diamonds?

Mr. VALACHI. \$30,000 to \$35,000.

Mr. ADLERMAN. What did you get for it?

Mr. VALACHI. We got \$4,000.

Mr. ADLERMAN. Would that be about the average of your return in value, if you sold \$5,000 you would get maybe \$1,000?

Mr. VALACHI. No, they could have got more for that. They should have got more.

Mr. ADLERMAN. But is that usually the proportion you get back?

Mr. VALACHI. It should have been at least \$7,500. But at that time they got \$4,000.

Mr. ADLERMAN. You should get about 20 percent of the value?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Now, in 1925, you were convicted on a burglary charge, the Tremont Avenue burglary charge?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Was this in about August of 1923 that this robbery was committed or was it earlier than that?

Mr. VALACHI. I think I remember the date. The burglary was committed on July 12, 1925. I remember that.

Mr. ADLERMAN. While you were attempting to get away—you were driving the car—were you shot?

Mr. VALACHI. Yes, I was shot in the arm.

Mr. ADLERMAN. Shot in the arm? And you were later picked up for the robbery?

Mr. VALACHI. I was identified by police. He was so close to me—do you want me to describe that?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 141

Mr. ADLERMAN. Go ahead in your own way.

Mr. VALACHI. They sneaked up on us. The policeman put a gun to my head. He told me to get out of the car. I made him believe I was getting out of the car, I always had it in speed. I felt underneath the dashboard, I fed the gas with my hand. I gave it all she had blindly.

When I came up, I was hit in the arm. They fired about 72 shots at us. There were 12 men firing.

I found myself in the middle of the street. I was going about 80 miles an hour at that time, in high speed. We landed on the concourse. I didn't know the Bronx too good then. All the way down from the concourse, all the way up, all the way down to Harlem there was police booths on the concourse at that time. Every time we came to one, he emptied his gun at us.

Mr. ADLERMAN. How many shots were fired altogether?

Mr. VALACHI. On Tremont, about 72 shots.

Mr. ADLERMAN. You were caught and you were tried for that case?

Mr. VALACHI. I was picked up about 2 months later.

Mr. ADLERMAN. What were you sentenced to?

Mr. VALACHI. One year three months to two years and six months.

Mr. ADLERMAN. How long did you serve?

Mr. VALACHI. Eleven months and twenty days.

The CHAIRMAN. May I ask you, was anyone else in your gang, that participated in your burglary with you, apprehended at that time?

Mr. VALACHI. No, only one. They identified me because I was at the wheel.

The CHAIRMAN. I beg your pardon?

Mr. VALACHI. He identified me because I was at the wheel. The other ones all had their heads down, "Step on it, step on it"; you know.

The CHAIRMAN. They did not get the others?

Mr. VALACHI. No. I went away alone.

The CHAIRMAN. You did not tell on them?

Mr. VALACHI. No.

Mr. ADLERMAN. As the driver of the car in your particular outfit, were you the brains of this group?

Mr. VALACHI. Well, the chauffeur is the most important thing.

Mr. ADLERMAN. In this particular type of burglary?

Mr. VALACHI. Yes.

Mr. ADLERMAN. You are the one who makes the final decision whether to go or not to go on these robberies or these burglaries?

Mr. VALACHI. That is right.

Mr. ADLERMAN. You would plan it and you would look over the place to determine whether or not it was worthwhile going into and whether or not you had a proper getaway area?

Mr. VALACHI. Certain locations, certain times. You know, some locations you could not do anything at 4 o'clock, you had to go back at 5, or some 6 o'clock in the morning, you know, according to where the location was.

Mr. ADLERMAN. Now, you were released from Sing Sing about July 1924 and you were left out on parole, is that right?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. Did you continue in your career of burglary at that time?

142 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Yes.

Mr. ADLERMAN. When you came out had you found that the gang had moved to another street at that time, another hangout?

Mr. VALACHI. Yes. I found that the gang increased.

Mr. ADLERMAN. Did you still continue in this career until you were caught again the second time?

Mr. VALACHI. Yes.

Mr. ADLERMAN. In between the time you were caught the second time and the time that you left jail on your first offense, did you acquire any new members of the gang?

Mr. VALACHI. Yes. This is 1924; right?

Mr. ADLERMAN. That is right.

Mr. VALACHI. I met Joe Rao, some other fellows that they called the "Irish Mob." Do you want me to name them?

Mr. ADLERMAN. Well, you can name them, yes.

Mr. VALACHI. Steve Foley, Pete Hessler, Frank Capone, Al Chovi, Nick Caputo. Did I mention Dutch Hogey?

Mr. ADLERMAN. Dutch Hogey?

Mr. VALACHI. Dutch Hogey.

Mr. ADLERMAN. Did you have a fellow named Connif in your gang?

Mr. VALACHI. "Killer" Connif.

Mr. ADLERMAN. C-o-n-n-i-f.

Mr. VALACHI. And Ice Cart Wagon.

Mr. ADLERMAN. Do you know his real name?

Mr. VALACHI. No. "Bum" Rogers.

Mr. ADLERMAN. Now, you became affiliated with that gang, is that right?

Mr. VALACHI. Well, everybody was together. Everybody was friendly.

Mr. ADLERMAN. While you were still on a job with your original 106th Street gang, were you shot during the time of a burglary of a silk warehouse, silk store, or something?

Mr. VALACHI. 174th Street and Nichols Avenue, one of the fellows had a brother who was a policeman. I understood that this policeman was in on this burglary. I didn't like the idea. But they talked me into it. Anyway, we went up there.

At this time now, we are not crashing windows any more. They get in through the front doors. They discovered some kind of tools. We jimmied, we used an expression "jimmied" the doors.

One of the tools broke and they came over and asked me, "Do we have time to go back to Harlem?"

I said, "Sure. Get in the car."

As we were riding I only heard one shot and I was shot in the head.

Mr. ADLERMAN. You were shot in the back of the head?

Mr. VALACHI. In the back of the head.

Mr. ADLERMAN. Do you know what the gang did with you at that time?

Mr. VALACHI. Yes. Naturally, I found out after, I was told that Charley Bullets took the wheel. They put me in the back of the car and Charley Bullets took the wheel. They placed me in the street at 114th Street and Pleasant Avenue. They fired about five or six shots in the air.

Mr. ADLERMAN. What was the purpose of firing these shots?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 143

Mr. VALACHI. This way when they picked me up the authorities would feel that I was shot at 114th Street.

Mr. ADLERMAN. In other words, they pretended to shoot, they shot six shots in the air and then they felt the authorities would feel that somebody tried to rob you or kill you there, is that the idea?

Mr. VALACHI. Yes. In this way, it would take the crush away from 174th Street and Nichols Avenue.

Mr. ADLERMAN. What happened as a result of that?

Mr. VALACHI. They came back about an hour later. I was still in the street. Nobody came.

Mr. ADLERMAN. Nobody paid any attention?

Mr. VALACHI. Nobody.

Mr. ADLERMAN. Nobody called the police or anything?

Mr. VALACHI. No.

Mr. ADLERMAN. What did they do with you then?

Mr. VALACHI. They put me in a baby carriage in the hallway and they went looking for a doctor. Finally they brought me to a doctor. They gave me a whole bottle of Scotch for anesthetic and the doctor took the bullet out.

Mr. ADLERMAN. They used Scotch as an anesthetic while they took the bullet out of the back of your head?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Was that done by the doctor?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Do you know who the doctor was?

Mr. VALACHI. I don't remember his name.

Mr. ADLERMAN. What did they do with you after that?

Mr. VALACHI. Then they smuggled me into a hospital on 86th Street. While I was in the hospital, I was numb and giving different stories and calling names. Once I would say I was shot by a hunter. Another time I would say I was shot while walking.

They moved me out of the hospital—

Mr. ADLERMAN. Was that because they felt you were talking too much?

Mr. VALACHI. Yes.

They brought me to 100th Street and Manhattan Avenue, a hospital called the Community Hospital. I stayed there until I got released. I was there about 3 months, semiconscious.

Mr. ADLERMAN. They treated you in this hospital?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Do you know whether that was ever reported to the police?

Mr. VALACHI. No, that was never reported.

Mr. ADLERMAN. Do you know how much they paid the doctor for this?

Mr. VALACHI. They told me they gave the doctor \$2,500.

The CHAIRMAN. That was back about 1924?

Mr. VALACHI. Yes, Senator.

The CHAIRMAN. They paid him \$2,500 just for taking the bullet out of your head?

Mr. VALACHI. No, for the whole 3 months.

The CHAIRMAN. And treatment, too? That is for all your treatment and the doctor?

144 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Yes.

Mr. ADLERMAN. Was it the one doctor all the way through?

Mr. VALACHI. No, this was the doctor only.

Mr. ADLERMAN. The last one?

Mr. VALACHI. The one in Community Hospital.

Mr. ADLERMAN. Do you know his first name?

Mr. VALACHI. No, I don't.

Mr. ADLERMAN. Following your release from the hospital, you say you then became associated at the time with what you describe as the Irish gang and that was really not an Irish gang, it was a gang of different nationalities, is that correct?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. The Chair is advised that the witness is growing a little tired and weary and would like to discontinue for today.

Would you wait a minute or two, though, and let us see if there are any questions the Senators wish to ask at this time?

He has a problem. I told him we would try to accommodate him when he gets tired.

Do you feel, Joe, you are tired?

Mr. VALACHI. Yes.

The CHAIRMAN. The lights are troubling you?

Mr. VALACHI. I would appreciate it, Senator.

The CHAIRMAN. Very well. You will be prepared, you will be ready to come back when the committee reconvenes next Tuesday?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. And you will resume your testimony?

Mr. VALACHI. I will be here.

The CHAIRMAN. You will be here.

Very well. The committee will stand in recess until 10:30 next Tuesday morning.

(Members present at time of recess: Senators McClellan, Muskie, and McIntyre.)

(Whereupon, at 4:30 p.m., the subcommittee recessed, to reconvene at 10:30 a.m., Tuesday, October 1, 1963.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

TUESDAY, OCTOBER 1, 1963

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:35 a.m. in the caucus room, Old Senate Office Building, pursuant to Senate Resolution 17, agreed to March 14, 1963, Senator John L. McClellan (chairman of the subcommittee) presiding.

Present: Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; Senator Edmund S. Muskie, Democrat, Maine; Senator Thomas J. McIntyre, Democrat, New Hampshire; Senator Daniel B. Brewster, Democrat, Maryland; Senator Karl E. Mundt, Republican, South Dakota; Senator Carl T. Curtis, Republican, Nebraska; and Senator Jacob K. Javits, Republican, New York.

Also present: Jerome S. Adlerman, general counsel; Donald F. O'Donnell, chief counsel; Philip W. Morgan, chief counsel to the minority; LaVern J. Duffy, assistant counsel; Paul E. Kamerick, assistant counsel; Harold Ranstad, assistant counsel; Arthur G. Kaplan, assistant counsel; Alphonse Calabrese, investigator; Eugene J. Marshall, Bureau of Narcotics; Martin Pera, Bureau of Narcotics; and Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will be in order.

(Members of the subcommittee present at time of convening: Senators McClellan, McIntyre, and Mundt.)

The CHAIRMAN. We will resume hearings this morning with further testimony from the witness Valachi.

TESTIMONY OF JOSEPH VALACHI—Resumed

The CHAIRMAN. At the time we closed last Friday afternoon, you had just disclosed where you had gotten out of the hospital after you had been there for some time, from a bullet wound in your neck or head.

I believe that you had joined, after you had gotten out, what is called the Irish gang. Is that correct?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Now, the Irish gang, does that mean necessarily that all of them were Irishmen, or was that just a name given to the group?

Mr. VALACHI. No, there were only about two Irish.

146 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. I beg your pardon?

Mr. VALACHI. There were only about two Irishmen. There were other Italians.

The CHAIRMAN. It was a mixed group so far as nationality is concerned, but it was known as the Irish gang?

Mr. VALACHI. That is right.

The CHAIRMAN. What developed as between that gang and another gang known as the Italian gang?

Mr. VALACHI. Well, the Irish mob shot up the 116th Street gang; that is an Italian mob.

The CHAIRMAN. They shot up the Italian mob?

Mr. VALACHI. Yes; the 116th Street and First Avenue; 116th Street and First Avenue that was.

The CHAIRMAN. On 116th Street?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Were there any casualties in that shooting?

Mr. VALACHI. Before the shooting, I wasn't around for a couple of days, but I heard about it afterwards.

The CHAIRMAN. You left town or you were not present?

Mr. VALACHI. I wasn't present. There were no casualties; there was nobody hurt.

The CHAIRMAN. Nobody was hurt?

Mr. VALACHI. No.

The CHAIRMAN. Later, did you meet or had you already known Vincent Rao?

Mr. VALACHI. Yes, sir; I was up in some friend's house, playing lotto, around Christmas time, and I know it is a game of lotto, you call numbers out, and I was away about 2 days and I came around looking for some of the boys and I didn't know what happened on 116th Street. So when I went to Seventh Street, everybody jumped at me. They were coming out of all kinds of hallways, you know.

The CHAIRMAN. Everybody looked at you?

Mr. VALACHI. Jumped at me. Everybody was looking to shoot me. Vince Rao had come in and he held everybody back, and I said, "What is the matter?"

He said, "Don't you know what happened on 116th Street?" and I said, "I don't know nothing."

He said, "Didn't you drive the car?" and I said, "No; I wasn't around and I don't know anything."

And he said, "Don't worry about anything. I will straighten you out."

The CHAIRMAN. In other words, they thought you were with the Irish gang at the time of the shooting. Did they know that you had been affiliated with it?

Mr. VALACHI. They thought I was.

The CHAIRMAN. They thought you were, and so when you came back to town, they immediately indicated they wanted to get you?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. What did Rao do?

Mr. VALACHI. With that, Rao told me, and he said, after he quieted them down, he told me that he wanted I should set these guys up, you see. So I told them I would let him know.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 147

Senator MUNDT. Let us have the witness pull the microphone a little closer to him. It is not coming through.

Can you talk a little louder?

Mr. VALACHI. You see, Senator, I have a little sore throat.

Senator MUNDT. You are not used to talking this much, are you?

The CHAIRMAN. Now, Rao told you to take it easy, or what?

Mr. VALACHI. He told me that I could set these guys up. I was friendly with them. Well, naturally, I told him I would let him know.

The CHAIRMAN. That is, he wanted you to set up these guys, and which guys?

Mr. VALACHI. The Irish guys; in other words, get in with them, and then call them up, and make a setup.

The CHAIRMAN. He wanted you to set them up for a killing; is that correct?

Mr. VALACHI. That is right.

The CHAIRMAN. All right.

Mr. VALACHI. I told him I would let him know. Well, the next day I got in touch with the Irish guys and they were amazed. They also thought I was with the 107th Street or 116th. It was all one, 107th and 116th. I explained to them what happened. I told them that I wanted to join them.

The CHAIRMAN. They thought you were with the Italian boys?

Mr. VALACHI. That is right.

The CHAIRMAN. And the Italian boys thought you were with the Irish gang?

Mr. VALACHI. That is right.

The CHAIRMAN. So the next day when they thought you were with the Italian folks, when you talked to them, what happened?

Mr. VALACHI. Well, there was a fellow named Mike, and he died a long time ago, and, in other words, he stood up for me, and he took responsibilities for me. After all, the Irish guys, I knew them a short time, and Mike vouched with his life that I wouldn't do anything wrong.

The CHAIRMAN. Very well.

Mr. VALACHI. That night I called Vince Rao up at the Pompeii Restaurant on 125th Street and 7th Avenue, and I told him, "Hereafter when you people meet me, shoot me, because I am going out to shoot you guys."

He said, "What is the matter?"

"Well," I said, "First, without any reason, everybody is looking to shoot me, and now you give me a contract that only a dog would get. What are you picking on me for, to pick on these guys?" I said, "That is the way I feel."

The CHAIRMAN. A contract was an order to go out and kill, was it?

Mr. VALACHI. An order to doublecross these Irish fellows, and, in other words, I wasn't even sticking up for the Irish guys; I was sticking to my own principles. Why should I set these people up?

So he said, "Well, jeez, I want to talk," and I said, "You can't talk to me."

I said, "From now on, all of you, I am going to look for you." So I hung up on him.

Can you hear me?

148 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

So with that, this lasted a couple of months, looking for one another, but nothing happened. Then they called peace about 3 months later.

Mr. ADLERMAN. At this time you were still out on bail?

Mr. VALACHI. I was out on bail, yes, for 174th Street.

The CHAIRMAN. Did you at that time—you actually renounced the Italian gang, and decided to go with the Irish people?

Mr. VALACHI. That is right.

The CHAIRMAN. Or the Irish gang, as it was called?

Mr. VALACHI. Yes, sir; I was with the Irish gang.

The CHAIRMAN. What were you engaged in with the Irish gang?

Mr. VALACHI. Well, we met, sometimes I went by myself, and I would meet them and we would go looking for them and they were looking for us, and nothing happened. Nobody found anybody, and then the next thing I hear there was going to be a truce or a peace.

The CHAIRMAN. What did you do while you were with the Irish gang? What kind of business did you engage in, or activities?

Mr. VALACHI. They were doing a little stickup here and there, stick-up jobs here and there. It didn't amount to anything, but it was dangerous, and I sort of didn't like that, you know.

The CHAIRMAN. You didn't like the way they were operating?

Mr. VALACHI. No, I didn't like that; no. I had no choice but to do it.

The CHAIRMAN. Why didn't you like the way they operated?

Mr. VALACHI. Well, they were sticking up subway stations, and bank messengers, and things like that. And they weren't making any money.

The CHAIRMAN. They were not making any money?

Mr. VALACHI. No.

The CHAIRMAN. Living too dangerously besides?

Mr. VALACHI. That is right. Then I tried to get them, or tried to break them into cracking store windows, like I was doing. And I went with them one night and, well, I had somebody else at the wheel, because I was experienced, and I opened the front door with the tools. I am loading the car up and I see they had people standing outside on the sidewalks. I didn't know what they were doing. Afterwards, we loaded the car up and I took the wheel.

I said, "What are you doing with those people?" and they said, "We aren't going to let those people pass by," and I said, "Jesus, this is not a play any more. This is a stickup. They are sticking up passers-by," and we never done that.

The CHAIRMAN. While you were in there burglarizing, the rest of the gang was out sticking up the folks that were passing by?

Mr. VALACHI. Yes, and I called one guy, and he said, "Come here," and they would line them up. And I told them, "What are you doing? This ain't a burglary any more. It is a stickup, you know."

The CHAIRMAN. You thought that was too risky, did you?

Mr. VALACHI. Well, I figured burglary, you didn't get much time, and I never cared to have anything to do with stickups. They didn't like it, either, and we never went on that kind of work any more.

The CHAIRMAN. Well, you said something about peace between the two gangs a while ago. What happened about that?

Mr. VALACHI. Well, one day there was a meeting and Dutchie told me that Nick is talking about making some peace. So I said, "I hope

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 149

you know what you are doing," and he said, "Well, Nick wants it."

The CHAIRMAN. Who is Nick?

Mr. VALACHI. Nick Coppola, known as Nick the Thief.

Anyway, we went on this meeting, on 125th Street, up in the Pompeii Restaurant, and there was pretty cold shoulders, and all we did was shook hands with one another, and we had pistols on us, and there was a whole mob of them up there, and Big Dick Amato was calling me names, and I am calling him names back again, and it went on that way, and within 10 or 15 minutes it was all over.

The CHAIRMAN. Well, was peace pretty much effected and did it work out?

Mr. VALACHI. At this time we thought it would, although I suspected it wouldn't.

The CHAIRMAN. You had a little suspicion about it?

Mr. VALACHI. I suspected a little phony peace.

The CHAIRMAN. Who was the leader at that time?

Mr. VALACHI. Nick the Thief. And he was a relative of William Moretti, and William Moretti did all of the talking at this Pompeii Restaurant.

The CHAIRMAN. He did the talking at the peace meeting?

Mr. VALACHI. At the peace meeting; yes, sir. Will Moretti was known as a big guy in those days to us.

The CHAIRMAN. He was known as a big guy?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Was he the leader of one of the gangs?

Mr. VALACHI. Well, he had a lot to say, you see. Naturally, I found out through the years, later on, he was one of the Cosa Nostra members, but at that time we didn't know.

The CHAIRMAN. You didn't know?

Mr. VALACHI. No.

The CHAIRMAN. That was before you became a member of Cosa Nostra?

Mr. VALACHI. We didn't know nothing at that time.

The CHAIRMAN. You didn't know anything about Cosa Nostra?

Mr. VALACHI. No; this was 1924.

The CHAIRMAN. What happened after that? Did you continue burglarizing and so forth?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Were you out on bail at that time?

Mr. VALACHI. I was out on bail.

The CHAIRMAN. Were you ever tried for that offense, the one you were out on bail for?

Mr. VALACHI. Yes. Could I talk about the factory on 174th Street?

I was out on bail for a burglary in a factory in 174th Street and Park Avenue. I had got a tip that there was a silk factory.

Mr. ADLERMAN. I think you already told us about that.

The CHAIRMAN. You had told us about that, but we have been by that now.

Mr. VALACHI. Then I was called for trial.

The CHAIRMAN. You are out on bail and you were called for trial.

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Were you convicted?

150 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. I pleaded guilty.

The CHAIRMAN. That was in 1925?

Mr. VALACHI. Around 1925; yes, sir.

The CHAIRMAN. And you went on back to prison?

Mr. VALACHI. I went to Sing Sing.

The CHAIRMAN. How long were you in Sing Sing?

Mr. VALACHI. Forty-four months. I owed some time.

The CHAIRMAN. You owed some time and you were out on parole on another offense?

Mr. VALACHI. That is right.

The CHAIRMAN. And you had to pay up that time, and you had to serve that time?

Mr. VALACHI. Yes, sir; and after I paid up for the first sentence, I started my 3 years after that.

The CHAIRMAN. You had to pay up for your first offense; in other words, serve the unexpired time of the first offense, your first conviction first, and then the 3-year sentence began?

Mr. VALACHI. All told, I did 44 months.

The CHAIRMAN. Altogether you served 44 months.

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Who did you meet while you were in prison at that time?

Mr. VALACHI. While I was in prison, I had read about Frank La Puma being shot at 125th Street and First and Second Avenue.

The CHAIRMAN. You had read about it?

Mr. VALACHI. But I didn't know about it.

The CHAIRMAN. Did you know him before you went there?

Mr. VALACHI. Frank La Puma is one of the Irish mob.

The CHAIRMAN. That you were with?

Mr. VALACHI. Yes, sir; and I said they were all mixed. Frank La Puma was Italian. Well, I read about it, he was shot sitting on a stoop at 121st Street, First and Second Avenue, and that is all I could do, was just read about it.

Now, Dutch Hogey came up here, and he is the German I told you about. That is what we called him.

The CHAIRMAN. All right.

Mr. VALACHI. They called him both ways, Hogey and Hogan. He came up there with 30 years, from his own doings, you know, from a stickup. And he told me, and he said, "Joe, that peace was a sell-out."

The CHAIRMAN. It was a sellout?

Mr. VALACHI. "It was a sellout; they sold you and Frank Coppola out." And I said, "I read about Frank, and do you know who did it?" and he said, "The Bum."

The CHAIRMAN. Had Frank been killed by that time?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Frank had been killed.

Mr. VALACHI. Dutch Hogey told me who did it.

The CHAIRMAN. Who did it?

Mr. VALACHI. Yes, sir; and he said the Bum did it.

The CHAIRMAN. That is Bum Rogers of the Irish gang?

Mr. VALACHI. That is another one.

The CHAIRMAN. Did he say what he was paid for it?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 151

Mr. VALACHI. He said, "Can you imagine that bum getting \$100 off
Ciro?" and I said, "No kidding."

The CHAIRMAN. Who is *Ciro*?

Mr. VALACHI. *Ciro Terranova*.

The CHAIRMAN. Was he the one who was paid to kill *La Puma*?

Mr. VALACHI. Yes; he gave him \$100.

The CHAIRMAN. All right. What was he to do about you, and what
information did you get about yourself at that time?

Mr. VALACHI. Well, he told me, and he said, "Be careful when you
get out," he said, "as I am telling you."

"Nick was in on this?" and he said, "Yes, but he must have been in
on it."

The CHAIRMAN. That is Nick the Thief must have been in on it and,
in other words, he knew about it?

Mr. VALACHI. Yes, sir; and he was a relative of *Louis Morello*.
So, naturally, what could I do but finish out my time, and so when I
came out, I was out a few days, and I found out that a friend of mine
was driving *Ciro Morello* around. I went there.

The CHAIRMAN. Did you understand that you were to be killed, too?

Mr. VALACHI. Well, *Dutch Hogey* told me.

The CHAIRMAN. They told you that while you were in prison?

Mr. VALACHI. Yes, and he said *Frank* and I were sold out.

The CHAIRMAN. They had already killed *Frank*.

Mr. VALACHI. They had already killed *Frank*.

The CHAIRMAN. And you got out of prison under that situation?

Mr. VALACHI. That is right.

The CHAIRMAN. What did you do then to protect yourself?

Mr. VALACHI. Well, when I heard about this fellow, *Frank Livorsi*,
Frank Livorsi at the time, when I was with the Irish guys, he was very
friendly with the Irish guys into 1924, and so I went to see him, and
I told him what I heard in *Sing Sing*. And so I said, "After all, I
just come out, and see if you can find out what is what for me," and
he said, "Give me a couple of days."

I went to 107th Street, and he was a chauffeur of *Ciro Terranova* at
this time, and bodyguard of *Ciro Terranova*. So I went around a few
days later and he told me, "You mind your business and everybody
else will mind theirs," meaning everything is all right.

The CHAIRMAN. Meaning everything is all right?

Mr. VALACHI. Time heals everything.

The CHAIRMAN. They were not going to kill you then?

Mr. VALACHI. No, sir.

The CHAIRMAN. Did you feel a little better about it?

Mr. VALACHI. Well, naturally; yes.

The CHAIRMAN. Go ahead. What kind of business did you get into
then?

Mr. VALACHI. Well, I got together a couple of boys that I knew
from my own neighborhood, which we will say that nobody even knew,
but I knew them from my own neighborhood and I made up a new mob
of burglary.

The CHAIRMAN. You started your burglary business again?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. You organized a new group?

Mr. VALACHI. Yes, sir.

152 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Some boys you knew from your own neighborhood?

Mr. VALACHI. That is right.

The CHAIRMAN. Would you recall their names? Was one of them named Nick Jones?

Mr. VALACHI. Buck Jones, and Johnny Gavellas, and Nick Padowana.

The CHAIRMAN. Who is this fellow "the Monk"?

Mr. VALACHI. The Monk, yes.

The CHAIRMAN. He was in on it?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. And Johnny Dee?

Mr. VALACHI. Johnny DeBellis, and Peter Muggins.

The CHAIRMAN. What other name do you have?

Mr. VALACHI. I think that is Peter Leone. Who was the other one? Sally Shields.

The CHAIRMAN. Is his name Salvatore Shillitani, and is that correct?

Mr. VALACHI. That is correct.

The CHAIRMAN. Now, you folks, these that you have named here, were grouped together as a burglary gang?

Mr. VALACHI. Yes.

The CHAIRMAN. Were you back in the burglary business?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. What about the old Italian gang, and what was it doing?

Mr. VALACHI. Well, the old Italian gang, the way I saw and heard, that they were racketeers, and we will put it that way.

The CHAIRMAN. They were racketeers, and they were not in the burglary?

Mr. VALACHI. They were no longer stealing, and naturally, I didn't know just what it means, but they were mobbed up with Ciro.

The CHAIRMAN. You knew burglary pretty well and so you wanted to kind of stick to that, didn't you?

Mr. VALACHI. Well, I am not with them any more.

The CHAIRMAN. You have to hustle for yourself?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. So you set up your own little gang?

Mr. VALACHI. Yes, sir. And we went out burglarizing and I wasn't doing it too often.

The CHAIRMAN. You weren't burglarizing often?

Mr. VALACHI. No, I just figured, sooner or later something would happen, you know. I mean, to get somewhere.

The CHAIRMAN. You had already been in prison twice and you were a little tired of that.

Mr. VALACHI. I wasn't taking any chances. For instance, we went out like once every 3 weeks.

The CHAIRMAN. Once every 3 weeks?

Mr. VALACHI. And stretched it out, you know.

The CHAIRMAN. What is that?

Mr. VALACHI. Stretched the money.

The CHAIRMAN. To make it last a little longer.

Mr. VALACHI. Yes, sir.

(At this point Senators Jackson and Javits entered the hearing room.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 153

Senator MUNDT. You were the boss of that gang, were you not? You were a kind of little Cosa Nostra boss of your own?

Mr. VALACHI. I wouldn't put it as a boss. I just happened to know what it was all about.

Senator MUNDT. I would like to know something about your functions, as the head man. Was it your job to case a joint and figure out where you are going to have the next burglary?

Mr. VALACHI. Well, no; we ride around in the afternoon.

Senator MUNDT. What is that?

Mr. VALACHI. We ride around in the afternoon, looking for them in the afternoon.

Senator MUNDT. You go around together looking for them?

Mr. VALACHI. One or two or maybe some more, and spot something.

Senator MUNDT. I am trying to determine for myself, there is a difference between being the boss and being one of the members of the gang.

Mr. VALACHI. That is what I am trying to tell you, Senator. There is nothing to be boss about. I am taking chances and so are they. We are going out and stealing, and what is there to the boss? We are all jeopardizing our freedom and our lives and whatever it may be, but that is just that I knew how to do it.

Senator MUNDT. You had the experience.

Mr. VALACHI. I had the experience.

Senator MUNDT. And you sort of trained them and cautioned them, "Don't do this," and "Don't do that," and you divide up the loot evenly among the people.

Mr. VALACHI. Oh, yes. The idea is that it was daring and I had to break them in slowly, because lots of people are not used to that, and they would rather go sneaking and robbing a factory through the backyards or a store, but this was daring, right from the front, and not from the rear.

Senator MUNDT. Through a broken window?

Mr. VALACHI. Either a broken window or a door.

Senator MUNDT. What would be the average take in dollars?

Mr. VALACHI. Well, I would say about \$1,500 to \$2,000.

Senator MUNDT. \$1,500 to \$2,000?

Mr. VALACHI. Yes, sir.

Senator MUNDT. Split up between four or five of you, it didn't amount to much.

Mr. VALACHI. No; \$300 or \$400 apiece. Sometimes we went \$400, and sometimes we went \$300.

Senator MUNDT. It was nothing big.

Mr. VALACHI. Well, no; it was just to try to exist. That is all it was. We didn't depend on getting rich on it, Senator.

Senator MUNDT. Would there be any shooting involved in these?

Mr. VALACHI. Well, the police would shoot after us. We got lots of shots fired at us, while in the proceeding or act of burglary, but we got away from them, and we would see them coming, and we always got away, and we never got caught. There were lots and lots of chases.

The CHAIRMAN. Does any other member of the committee want to interrogate?

154 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator JAVITS. I want to ask one question which interests us a lot in New York. How did you dispose of the stolen merchandise?

Mr. VALACHI. At this time, I had a fence, on 23d Street. I was giving him everything, and his name was Fats West, at this time.

Senator JAVITS. He disposed of everything for you?

Mr. VALACHI. Yes, sir. I got a price, and for instance if I gave him dresses, a couple of hundred dresses, it was \$3 straight, and he would probably get \$15 or \$10, you know. He had to sell loose, and he took a lot of chances, where I would get it off my hands, and I would be satisfied.

Senator JAVITS. Was he in any regular line of business?

Mr. VALACHI. Well, he was sort of a hustler, a dice hustler, you know, with crap games and things of that kind.

Senator JAVITS. He had no store business establishment?

Mr. VALACHI. Not that I know of.

Senator JAVITS. Is he still around?

Mr. VALACHI. I heard he died, under an operation, or something.

Senator JAVITS. Did he ever tell you whether he had any in with the police or other authorities?

Mr. VALACHI. No; he never said anything.

Senator JAVITS. What about you people, did you have any in?

Mr. VALACHI. No; I didn't have any in with the police.

The CHAIRMAN. Senator McIntyre.

Senator MCINTYRE. Joe, back here a little while ago you testified that while you were in Sing Sing you learned that "Bum" Rogers had knocked off your friend, Frank LaPuma.

Mr. VALACHI. Yes, sir.

Senator MCINTYRE. He was paid \$100 for it?

Mr. VALACHI. Yes.

Senator MCINTYRE. Back in the 1920's, was this the going price for a contract?

Mr. VALACHI. I tell you, Senator, this is the first time I heard anything like that.

I expressed to you just the way Dutch Hogey told me.

He said the "Bum" got a hundred dollars. That is what I was told. The way I was told is the way I am telling you.

Senator MCINTYRE. Is this the first time you ever heard of anybody being paid to knock off another gangster?

Mr. VALACHI. Yes; that was the first. He also told me they will get the "Bum."

Senator MCINTYRE. They will get the what?

Mr. VALACHI. The "Bum."

Senator MCINTYRE. During these days here of the 1920's when you were just sort of running with the Irish gang—

Mr. VALACHI. Yes.

Senator MCINTYRE (continuing). Or with your Italian gang, did you at any time have a feeling you had any cooperation with any of the police force that operated in your area?

Mr. VALACHI. No; not at this time.

Senator MCINTYRE. Did you later when you were a member of the Cosa Nostra?

Mr. VALACHI. No; I never did, being you are talking about these burglaries—I thought you meant in with the police with the bur-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 155

glaries—no; we never did. Just that once about what happened on 174th Street, Nichols Avenue.

You saw what happened when we were doing business with the policemen, we were set up. Do you remember that?

Senator McINTYRE. I know about that. That was the case where you felt one member of your group, a brother or something, was a policeman?

Mr. VALACHI. Yes.

Senator McINTYRE. My question was answered, that is, during the 1920's, at least when you were operating as a part of your own gang, the Minute Men, or the Irish gang, you never had any feeling of cooperation with the police?

Mr. VALACHI. Never had.

The CHAIRMAN. Senator Jackson.

Senator JACKSON. I will pass at this time.

The CHAIRMAN. You were back in the burglary business.

I will ask you if, during that period of time, that you met the "Gap?"

Mr. VALACHI. Well, I knew the "Gap."

The CHAIRMAN. You already knew the "Gap?" What was his name?

Mr. VALACHI. Dominick Petrelli.

The CHAIRMAN. His name was what?

Mr. VALACHI. Dominick Petrelli, P-e-t-r-e-l-l-i.

The CHAIRMAN. Very well. You already knew him?

Mr. VALACHI. Yes.

The CHAIRMAN. Now, to get the record straight, who is this fellow, Terranova?

Mr. VALACHI. Terranova——

The CHAIRMAN. What was he known as?

Mr. VALACHI. He was known as Ciro Terranova and Ciro Morello.

The CHAIRMAN. Was he also known as the Artichoke King?

Mr. VALACHI. Yes; the Artichoke King.

The CHAIRMAN. What gave him that designation?

Mr. VALACHI. The way I understand it, he had the artichokes tied up. He would buy all the artichokes that came into New York. I didn't know where they came from, but I understand he was buying them all out. Being artichokes, they hold, they can keep.

Then he would make his own price. In other words, an artichoke is something that Italians must have as a dessert. For instance, if he bought them for \$5, then he would make his own price, say like \$15 a case. You could not get an artichoke nowhere else.

The CHAIRMAN. He was the king?

Mr. VALACHI. He was the king.

The CHAIRMAN. He controlled the market?

Mr. VALACHI. That is how he got the name, I understand.

I was young at the time. I did not pay attention, but that is the way it was.

The CHAIRMAN. What happened with the Gap and Bobby Doyle, what is his name? Bobby Doyle was Santuccio, was he?

Mr. VALACHI. Yes, Bobby Santuccio. The first name I don't remember. The first name is a hard name.

The CHAIRMAN. How long was it after that before you joined another gang?

156 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. I would say about the early 1930's or the end of 1929, somewhere around there. I don't remember. I think it was the 1930's.

The CHAIRMAN. What gang did you join?

Mr. VALACHI. I was approached by this, what I am talking about right now, this Cosa Nostra. The Gap asked me to get in. At first I refused.

The CHAIRMAN. To get into what?

Mr. VALACHI. In another mob.

The CHAIRMAN. What mob was it, he was the head of it?

Mr. VALACHI. Tom Gagliano.

The CHAIRMAN. Go ahead.

Mr. VALACHI. I told the Gap, I said, "I don't want to have nothing to do with these guys. Alexander told me plenty, we didn't have a chance. You are crazy." "Things aren't like they used to be. We got something in mind, we are going to fight some big shots and things like that."

That night I met him up in the Rainbow Gardens with Bobby Doyle. Bobby Doyle convinced me.

The CHAIRMAN. Convinced you that you had to do what?

Mr. VALACHI. Join the gang.

The CHAIRMAN. What gang?

Mr. VALACHI. The Cosa Nostra. But at the time I didn't know it.

The CHAIRMAN. But he convinced you you ought to join that gang?

Mr. VALACHI. He went on to tell me the feelings between Sicilians and the Neapolitans was all passed; that Al Capone is a Neapolitan.

He went on to say things are different today, not like they used to be in the days of Alexander.

I said, "In that case, OK. What happens if we win?"

He said, "Well, I tell you, the odds are a million to one we will never come back."

I said, "If we come back what happens?"

He says, "We will be all right."

I said, "Who are we going to fight?"

He named Ciro. He named Willie Moretti, Dutch Schultz. He gave me names I would recognize, that I thought was big at the time.

The CHAIRMAN. Counsel has a question.

Mr. ADLERMAN. Mr. Valachi, while you were in Sing Sing, you met Alexander Vanero?

Mr. VALACHI. Yes.

Mr. ADLERMAN. At that time in your conversations with him, did he warn you that the Sicilians and the Neapolitans did not mix because they did not trust each other?

Mr. VALACHI. Alexander is the one who educated me on that.

Mr. ADLERMAN. That is right.

Now, when you came out of jail and you were approached by Santucci or Bobby Doyle to join up now with a new mob——

Mr. VALACHI. I had that in mind, but Alexander told me.

Mr. ADLERMAN. You were hesitant to do that but they explained to you that that was no longer the case. The old rule had gone and they had a mixed group?

Mr. VALACHI. Alexander told me, he expressed it this way. He said, "If you hang out with a Sicilian 20 years and you have some trouble with another Sicilian, this Sicilian that you hang out with 20 years will turn on you. You can't trust him."

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 157

In other words, I could understand later on what Alexander meant but he himself didn't know.

Alexander knew things like I am explaining to you but they themselves in their time do not know nothing about these Sicilians being organized. So, he took that attitude.

When I got in, myself, I realized why Alexander didn't understand, why he felt if you hang out with one 20 years then he will turn on you. They were organized and Alexander didn't know it.

Mr. ADLERMAN. You had this in mind when you were approached to join with Tom Gagliano's mob, is that right?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Now, at the time you were asked to join Gagliano's mob, this was the start of a war between two or three elements of a gang, is that right?

Mr. VALACHI. Yes. They had to kill Tom Gagliano's boss. They felt that his boss or the boys' boss, Bobby's boss, or Tommy's boss was killed without justice and they wanted to avenge his death.

The CHAIRMAN. Are we getting to the beginning of the war between two gangs of Masseria and Maranzano?

Mr. VALACHI. We are getting to what we call the Castellamarese war.

The CHAIRMAN. That is the same war I am speaking of.

Mr. VALACHI. When we started, we didn't know who they were at this time. When they spoke to me the first time, I don't know anything about Castellamarese.

The CHAIRMAN. At that time, did you become a member of the Cosa Nostra?

Mr. VALACHI. I was only proposed.

The CHAIRMAN. You were then in a state where you had been proposed?

Mr. VALACHI. Right.

The CHAIRMAN. You were under surveillance a bit, I guess, to find out what kind of member you would make.

Mr. VALACHI. Proposed means that I am in line to be a member.

The CHAIRMAN. So you are now operating while you are in line, after you had been proposed?

Mr. VALACHI. Right.

The CHAIRMAN. Senator Mundt?

Senator MUNDT. What inducement did Bobby Doyle give you to get yourself involved with a group which you knew was at war?

Mr. VALACHI. You are stealing; you are bound to get killed. This way it would be settled.

That is why I asked him, "What happens if we bet these odds of a million to one?"

He said, "Well, then, you will be made." He meant to say you will earn money and you are not to steal any more. In other words, well, stealing was getting tough at this time. They were talking about radios in New York. The lights used to go out at 3 o'clock in the morning.

Now they were talking about leaving them on all night.

So, all that was against me in burglarizing. After all, if I am burglarizing and lights are on all night and if I am getting a chase from one car I will draw attention and I will have a hundred cars come after me passing lights.

158 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

All that was taken into consideration.

Especially the radio they were talking about.

At this time they only had radio cars up in Westchester County.

The CHAIRMAN. You are talking about traffic lights, now?

Mr. VALACHI. First I was talking about traffic lights.

I was telling the Senator what I was taking into consideration.

The CHAIRMAN. In other words, it was more difficult to get away from a burglary?

Mr. VALACHI. Right.

The CHAIRMAN. The risk was greater?

Mr. VALACHI. Right.

They were talking about radio cars. Naturally, that is going to be more tough. With that I had in mind and the proposition I got, I accepted.

Senator MUNDT. In other words, you felt going alone you were not going to get very far, you had to join up with a top outfit, a powerful outfit.

Mr. VALACHI. I felt sooner or later, with these lights on all night and radio cars coming in existence, sure, it was going to be tough.

Senator MUNDT. You said something about Alexander telling you that you didn't have much of a chance because you were not a Sicilian and sooner or later the Sicilians would turn on you.

You said later you found out about it.

What did you find out about it?

Mr. VALACHI. Alexander was right in his way. Then when I found out what it was really about, then I realized that Alexander was never a member.

Can you understand me, Senator?

Senator MUNDT. I see.

Mr. VALACHI. I realized that, myself. Naturally, I thought about Alexander.

Senator MUNDT. What was your experience? Did you find the Sicilians were as trustworthy as the rest of the mob, or what?

Mr. VALACHI. It wasn't like the Alexander days.

In other words, now they were all mixed. So, actually, in their hearts they carried that but they didn't show it outright. In other words, they favored one another but it wasn't broad like in the days of Alexander.

Senator MUNDT. It was a modified version of what Alexander told you?

Mr. VALACHI. Yes.

Senator MUNDT. How about Vito Genovese? Was he Sicilian or Italian?

Mr. VALACHI. He is Naples.

Senator MUNDT. A Neapolitan?

Mr. VALACHI. Neapolitan.

Senator MUNDT. Are you a Neapolitan?

Mr. VALACHI. Yes; I am.

Senator MUNDT. So there was not any reason that he would be against you?

Mr. VALACHI. I wasn't with Vito Genovese at this time.

Senator MUNDT. You had trouble with him later?

Mr. VALACHI. Yes; that comes later.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 159

Senator MUNDT. I was wondering whether he was Sicilian or Neapolitan?

Mr. VALACHI. Most of the people downtown were Neapolitan.

The CHAIRMAN. Are there any other questions at this point?

Senator JAVITS. In going over testimony, there is no question about the fact that some questions will occur to us as occurred to me in going over the testimony the other day.

Would the Chair prefer that we do that immediately at the next session of the committee and clear up anything we have to ask about in the record or would the Chair prefer that we wait until we get to that point, in what I see now is the witness' chronological recital, and then bring up the point?

The CHAIRMAN. I will leave that largely to the discretion of the Senators. I do not know exactly what he has in mind.

The purpose of this is to try to get a chronological story, presented in that way.

I want each Senator to feel free at any time to address the Chair and I will yield to let him ask questions at some point where he wishes to ask them.

I would suggest before we go into the chart which I intend to present here and which will aid us, I think, in following the testimony from now on, I would like the Senator now, if he cares to, to go back and bring himself up to date.

Senator JAVITS. I thank my colleague. I have only two questions that came out of the record. If I could have the witness' attention.

The CHAIRMAN. Let us have order.

Senator JAVITS. I found an answer to a question in the record in your previous testimony in which you said:

Vito Genovese has lots of interests in gambling like Las Vegas and Havana, Cuba, when it was there, and he has legitimate business. He has his hands in lots of enterprises.

As far as you know, is Vito Genovese still in Las Vegas gambling?

Mr. VALACHI. Yes.

Senator JAVITS. What is his outfit there, do you know?

Mr. VALACHI. Anywhere where Meyer Lansky is, Vito Genovese is.

Senator JAVITS. Do you know what his hotel or establishment is out there?

Mr. VALACHI. I knew in Havana but since they went out of Havana, I know they have places in Las Vegas, but I don't know them. But I knew the ones in Havana.

Senator JAVITS. They are associated, Lansky and Vito Genovese?

Mr. VALACHI. Yes; they do everything together.

Senator JAVITS. And it persists to this day?

Mr. VALACHI. Yes.

Senator JAVITS. As far as you know?

Mr. VALACHI. As far as I know.

Senator JAVITS. The other question I want to ask is this: Do you know any tie-ins with Las Vegas by Costa Nostra?

Mr. VALACHI. I didn't know too much about Las Vegas.

As I say, I knew about Havana.

Senator JAVITS. At the appropriate point, I will wish to question you about the connection of the rackets with entertainment, gambling, in Las Vegas, juke boxes, and so forth, but I will pick the time when it is convenient to the Chair and it fits in with the testimony.

160 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

I have one other question on the record.

The CHAIRMAN. I will say this will fit in at the proper place. We have not quite gotten to it yet. But anything you wish to do to get in before will be all right.

Senator JAVITS. Now, as to the Abe Relles murder: You testified as follows; that is about the witnesses against Genovese in respect to murdering:

There was another one, Abe Relles, he was also supposed to testify. He fell out of the window.

Senator BREWSTER. How did he fall out of the window, do you know?

Mr. VALACHI. They threw him out.

End of quote.

Who threw him out?

Mr. VALACHI. That was the rumor that they threw him out.

Senator JAVITS. Who is "they"? You used the word.

Mr. VALACHI. Let us put it this way, whoever was in charge.

Senator JAVITS. That is on the gang side; is that right? What was the rumor as you knew it?

Mr. VALACHI. That the police threw him out.

Senator JAVITS. That was the rumor as you knew it?

Mr. VALACHI. Yes.

Senator JAVITS. Do you know any more about it?

Mr. VALACHI. No; that is all.

Senator JAVITS. Did you hear that confirmed in prison or in any way?

Mr. VALACHI. The boys talked about it, that is good enough for me.

Senator JAVITS. The boys in prison?

Mr. VALACHI. No; the boys outside.

Senator JAVITS. The boys in your gang, is that right?

Mr. VALACHI. Yes.

Senator JAVITS. Any particular boy?

Mr. VALACHI. Well, now, I would say in general conversation here and there. When you have a conversation, it is pretty solid.

Senator JAVITS. You believed it?

Mr. VALACHI. Yes, anything I hear.

Senator JAVITS. Thank you, Mr. Chairman.

The CHAIRMAN. Very well. Are there any other questions at this point?

Senator McINTYRE. Mr. Chairman, I would like to say that I agree with Senator Javits that in order not to disrupt the continuity of your story, it would be nice or appropriate if at some given time we have a chance to raise questions that occur to us upon reading the record. I am going to reserve that because I know you want to go along with this chart.

The CHAIRMAN. All the Chair wishes is that at some time when we have a break like this, it is perfectly all right. When you are in the middle of developing a point, it makes it a little difficult.

Do you have anything now? While we are in this break, you may proceed with it.

Senator McINTYRE. There is one question that runs along with the testimony here.

I did not hear you, Joe, when did you first learn that there was an Italian secret organization? Did you learn this only when the Gap

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 161

approached you about joining it or had you known of its existence beforehand?

Mr. VALACHI. Senator, you will have to put me as an outsider, too, see.

I heard organization, I heard this, I heard that, but I really didn't know what it was all about up to the time that I will come to and I will explain it to you when I get there.

Senator McINTYRE. All right.

The CHAIRMAN. Very well.

I wish to, at this time, introduce some charts that have been prepared by the staff after consulting with some witnesses, including the witness who is now testifying.

I would like to have Mr. Duffy, a member of the staff, to be sworn to make this presentation.

You do solemnly swear that the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DUFFY. I do.

TESTIMONY OF LaVERN J. DUFFY

The CHAIRMAN. Mr. Duffy, you are a member of the staff of this subcommittee?

Mr. DUFFY. Yes, sir.

The CHAIRMAN. You have been a member of the staff of this committee for how many years?

Mr. DUFFY. Since 1953, sir.

The CHAIRMAN. Have you actively participated in the investigation and preparation for the investigation of these hearings that are now underway?

Mr. DUFFY. Yes, sir; I have.

The CHAIRMAN. In the course of that preparation, have you had frequent discussions with the witness, Valachi?

Mr. DUFFY. I have had a number of discussions with him.

The CHAIRMAN. And with others?

Mr. DUFFY. And with others.

The CHAIRMAN. From that discussion, and from other information you have gained, have you prepared certain charts depicting the organization as we speak of it, the different organizations, showing those in power, those in authority, and so forth, with respect to these organizations that we have been talking about?

Mr. DUFFY. With respect to the New York organization only at this time, sir.

The CHAIRMAN. Well, with respect to the New York organization. Very well.

You have a chart before you now; do you?

Mr. DUFFY. I have, Senator.

The CHAIRMAN. What is the title you have placed on it for the purpose of identification?

Mr. DUFFY. The title of this chart is the "Masseria-Maranzano War and Evolution of Gang Control, 1930 to Present."

The CHAIRMAN. The witness has just testified up to incidents and things that occurred prior thereto, his operation prior to the time that this war began?

162 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. DUFFY. That is correct, Senator.

The CHAIRMAN. He called it the war?

Mr. DUFFY. The Castellemerese war. That is another name for the war that took place during 1930, 1931.

The CHAIRMAN. By either name, then, we will know we are talking about the same war?

Mr. DUFFY. The same ganglands war.

The CHAIRMAN. Now you may proceed to describe the chart. I will make this chart—I think it can go in the record all right but I will make it exhibit No. 8 and direct that it be printed in the record if that can be done.

(The chart referred to was marked "Exhibit No. 8" and faces this page.)

(146)

Mr. DUFFY. I will direct your attention, first, to the bottom of the chart. Reading from left to right we have five bosses listed: Vito Genovese, Carlo Gambino, Giuseppe Magliocco, Joseph Bonanno, and Gaetano Lucchese.

The CHAIRMAN. Are they the bosses of the five families operating in the New York area?

Mr. DUFFY. They are.

The CHAIRMAN. Those are all living and the present bosses of those families, is that correct?

Mr. DUFFY. That is correct.

The CHAIRMAN. May I ask you, Mr. Valachi, if you agree that that is correct, according to your knowledge?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. According to your knowledge, that is correct?

Mr. VALACHI. Yes, Senator.

Senator MUNDT. Is Vito Genovese the only one of the five now in the penitentiary?

Mr. DUFFY. That is correct. As indicated by the chart, the gang is now being run by the three men as indicated on the lower left-hand corner, Thomas Eboli, acting boss; Jerry Catena, underboss; Consigliere Michele Miranda.

The CHAIRMAN. Is that correct, according to your information?

Mr. VALACHI. Yes.

The CHAIRMAN. You know much of this from your conversation with Genovese while you were in prison with him?

Mr. VALACHI. I know it from conversation; I knew it myself.

The CHAIRMAN. You knew it before you went in there?

Mr. VALACHI. Yes, sir.

Mr. DUFFY. I would like to direct your attention upward on the chart tracing the history of these five families.

You can see it evolved directly from a gangland war that took place during the years 1930 and 1931. Now there were two main gangs fighting this war, the Joseph Masseria group made up of a number of gangs. We do not have them all listed here, but there was Ciro Terranova, Dutch Schultz, a number of others, such as Vito Genovese, Al Capone. They are all on the side of Joseph Masseria during the gangland war.

On the Salvatore Maranzano side, we had Salvatore Maranzano, head of the gang; Tom Gagliano, boss of this gang subsequent to Tom Reina being killed.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 163

Now there were two significant dates, Mr. Chairman, on this chart when this war began.

The CHAIRMAN. The war began about what year?

Mr. DUFFY. 1930, Senator. The first significant date on the chart is the death of Tom Reina. He was the boss of this gang. He was murdered on February 26, 1960.

He was murdered, Senator, by a member of the Masseria group over here.

Now, Tom Gagliano wanted revenge for this murder, Senator.

The CHAIRMAN. I did not understand you.

Mr. DUFFY. Tom Gagliano, the underboss of this family, wanted to avenge the death of Reina, who was unjustly murdered.

Mr. Valachi, at this point, was proposed in the organization as a member of this gang.

The CHAIRMAN. Is that correct?

Mr. VALACHI. Yes.

The CHAIRMAN. You knew that a war was on at the time you joined it? They had explained it to you?

Mr. VALACHI. They gave me top names like I said before, but I didn't know everything at the time.

The CHAIRMAN. They gave you the top names of the bosses?

Mr. VALACHI. Right.

The CHAIRMAN. Go ahead. Now I will ask you to do this. You follow Mr. Duffy as he testifies. If he makes any error or anything is wrong, I wish you would speak up because we want this testimony correct as you know it to be.

Mr. VALACHI. Yes; I want to explain it, the top man I didn't know at the time.

Mr. DUFFY. He is referring to Mr. Reina.

The CHAIRMAN. You did not know him at that time?

Mr. VALACHI. Just that they told me they killed their boss, that is all. I learned the name but I didn't know him personally.

The CHAIRMAN. You just learned of the name, you did not know him?

Mr. VALACHI. Right.

The CHAIRMAN. Proceed.

Mr. DUFFY. Following the murder of Mr. Reina, Mr. Valachi became a proposed member. This is an undeclared war.

Will you explain, Mr. Valachi, why this was an undeclared war at this time?

Mr. VALACHI. Senator, they were what they call sneaking.

The CHAIRMAN. What?

Mr. VALACHI. In other words, they did not declare any war outright. They were trying to get all they could get before they found out. That was the idea of getting new members. The idea was, they figured the opposite mob wouldn't know us. They wouldn't know us. That is why they thought getting new members was good; besides, there were only about 15 at this time. Therefore, you know, Gagliano has 200, 250 at that time. It wasn't as much as it is today. They couldn't trust everybody.

There was about 15 of them that trust one another.

They felt that if they go further they may find somebody who would betray them. Actually, these 15 went out to get new ones rather than

164 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

approach more soldiers, as we put it, as we know now. They didn't want to gamble. They only trusted, among themselves, these particular groups.

Mr. DUFFY. What Mr. Valachi is saying at this time, Mr. Gagliano wanted to recruit new individuals in this gang unknown to Joseph Masseria. This way they would be able to avenge the death without being able to trace the actions to this family.

If they traced the actions to this family, then open war would be declared between these two groups. Mr. Gagliano didn't want that to happen. He recruited Mr. Valachi and a number of others.

Mr. Valachi mentioned the ones he brought in at that time to avenge this murder.

Who were the others you brought in?

Mr. VALACHI. Nick Paduana and Salvatore Shillitani.

The CHAIRMAN. He is known as Sally Shields?

Mr. VALACHI. Sally Shields.

Now I also had about five or six more that I did not bring in the same way I brought Nick and Sally Shields.

The CHAIRMAN. You brought two in with you?

Mr. VALACHI. Two in. The other five I used as I will explain later. That is what we call spotters.

The CHAIRMAN. You used them as spotters?

Mr. VALACHI. Right.

Mr. DUFFY. In other words, they were to carry out a surveillance and keep Mr. Valachi advised of what was going on. These are what you call sneaky-type murders.

On the first killing they sneaked in was the murder of Joseph Pinzolo. Joseph Masseria replaced Mr. Reina with Mr. Pinzolo.

The CHAIRMAN. How did he have—

Mr. VALACHI. Wasn't Peter Morello the first one?

Mr. DUFFY. No.

Mr. VALACHI. That is right. They, the Masseria group—Senator, take notice when I say Masseria group, in other words, the opposite mob, is a permanent boss for another Pinzolo.

The CHAIRMAN. In other words, Masseria took enough power to go over in another family and they did not like that?

Mr. VALACHI. No. They answered him back by killing Joe Pinzolo.

The CHAIRMAN. They turned around and killed the boss, Masseria appointed?

Mr. VALACHI. Right. They didn't appoint another boss.

The CHAIRMAN. Who then became boss?

Mr. VALACHI. At this time, I will explain that. At this time no one became boss because now, after Pinzolo was killed, they called a meeting.

Mr. DUFFY. Senator, if we could stop here a moment and have Mr. Valachi explain what he knows about this murder.

What do you know about the Pinzolo murder?

Mr. VALACHI. At this time, I was told by Bobby Doyle himself that he got the break of his life. He went down to Pinzolo's office and he found him all alone and he killed him.

Mr. DUFFY. Did you meet Mr. Pinzolo, yourself? Did he come into the bar?

Mr. VALACHI. I met him before that.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 165

Mr. DUFFY. Tell us about that.

Mr. VALACHI. Sometime before he died, I went with the Gap around Seventh Avenue bar downtown. I don't remember the name of the bar. There were a few boys there which I couldn't recall at this time but for sure I know the Gap was there.

There were several more boys. Actually, I don't remember just who was there. They introduced me to Joe Pinzolo.

Now, at the same time, they introduced me he told me to call up the Rainbow Gardens where we were hanging out to get a couple of girls.

When I was with Joe Pinzolo, he had a mustache about this big [indicating], a greasy-looking one.

The CHAIRMAN. What we call a handlebar mustache?

Mr. VALACHI. Right.

I read his record when he died. He threw a lot of bombs. I didn't know the man.

Anyway, I went in the phone booth. I might have called Rainbow. I might have asked somebody but I didn't call any girls. The Gap told me, "Are you getting the girls?"

"You are out of your mind. Are you crazy? I have respect for these girls."

"What is the matter with you. Go away and cut it out."

"If the girls come here and see a guy like you, they'll faint."

So he said, "Jesus Christ, they want to look good."

"Are these the kind of people we are going to deal with? I am going to stop."

He says, "Shut up. This guy is going to die."

I said, "Oh." I still ain't going to call nobody.

So we have a few drinks. That night they asked me to drive Pinzolo. I drove him to some hotel, I don't remember where. I don't think we spoke four words.

The CHAIRMAN. Did you know at that time he was marked for death?

Mr. VALACHI. I just explained to you the Gap said to me, "Shut up, this guy is going to die."

The CHAIRMAN. You had been told that much up to that time?

Mr. VALACHI. Up to that time.

The CHAIRMAN. That indicated to you he was marked for death by your crowd?

Mr. VALACHI. Right.

The CHAIRMAN. Proceed.

Mr. VALACHI. I didn't figure things out; I would not try to figure things out.

The CHAIRMAN. You drove him home. You drove him where he wanted to go.

Mr. DUFFY. The next sequence here following this murder, Mr. Valachi was assigned the duty to keep under surveillance the apartment of Steve Ferrigno. He knew Mr. Ferrigno as Mr. Fennuci, Mr. Alfred Mineo listed here as Manfredi. His duty was to keep this apartment under surveillance.

He will relate to you what occurred during this particular surveillance over a 2-month period.

He learned the details of this war at that time from Joseph Profaci, who often came into the apartment at that time, and he told the details of that war.

166 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Will you tell us what he told about that war?

Mr. VALACHI. Let me understand it again. I didn't understand your question.

Mr. DUFFY. Will you tell us now what you learned from Mr. Profaci as to the details of this gangland war, that the Maranzano force had joined up with Reina and the reason for that?

Mr. VALACHI. At the time that the Gagliano group had intentions of going into war, not knowing there was someone else who had the same intentions.

The CHAIRMAN. So that other gang had the same intention that your gang did about going to war with Masseria?

Mr. VALACHI. Right.

The reason why Joseph Profaci explained to me when I did meet him. All the Castellammarese were sentenced to death.

Mr. ADLERMAN. Will you explain what the Castellammarese are?

Mr. VALACHI. I can explain in Italian.

Mr. ADLERMAN. Is it a hamlet or a little town in Sicily?

Mr. VALACHI. In Sicily.

Mr. ADLERMAN. Did Masseria declare or condemn anybody who came from that area, no matter where they were in the United States, to death?

Mr. VALACHI. All Castellammarese. That is the way I was told. I never found out the reason. I never asked for the reason. All I understand is that all the Castellammarese were sentenced to death.

Mr. ADLERMAN. Can you name some of the Castellammarese in New York?

Mr. VALACHI. That I knew. Joseph Profaci, Joe Bonanno.

Mr. ADLERMAN. Bonanno is the boss of one of the families now?

Mr. VALACHI. Right.

Mr. ADLERMAN. Joe Profaci was formerly boss of the Gagliano family?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Who else?

Mr. VALACHI. Buster.

Mr. ADLERMAN. How about Joe Aiello?

Mr. VALACHI. I never met Joe Aiello. I was told about Joe Aiello.

Mr. ADLERMAN. Any others?

Mr. VALACHI. Nick Capuzzi.

Mr. ADLERMAN. Are there a large group of these in the United States?

Mr. VALACHI. Not too many.

Mr. ADLERMAN. How many would you say?

Mr. VALACHI. I could not even give you an estimate.

Mr. ADLERMAN. All of them were condemned to death whether they lived in New York, Buffalo?

Mr. VALACHI. No matter where they were. One might be in Chicago. A half dozen might be in Buffalo. A couple might be in Brooklyn.

Mr. ADLERMAN. Was Gagliano one of the Castellammarese?

Mr. VALACHI. No; he was not.

Which one do you mean? Tom Gagliano?

Mr. ADLERMAN. That is right.

Mr. VALACHI. No; he was not.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 167

Mr. ADLERMAN. But he was taking the side of those people?

Mr. VALACHI. This was something; they had their own reasons, their own troubles.

Mr. ADLERMAN. Let me get straight now on the sequence of what happened.

The first one that was killed was Tommy Reina, is that right?

Mr. VALACHI. Right.

Mr. ADLERMAN. He was boss of one of the families?

Mr. VALACHI. The way I understood, yes.

Mr. ADLERMAN. Following him Peter Morello was killed, I think, August 15, 1930, but he was not killed by the Gagliano group?

Mr. VALACHI. He was killed by the Castellemarese group, put it this way, by the Maranzano group.

Mr. ADLERMAN. Was Maranzano a Castellemarese?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Who did the killing of Peter Morello?

Mr. VALACHI. Buster.

Mr. ADLERMAN. Did the Gagliano group know at that time that Maranzano was also trying to fight Masseria?

Mr. VALACHI. The way they explained it to me was that somebody got killed. The Gagliano group knew that they didn't do it. In this case they sent somebody else going out for those guys. In other words, somebody else is in trouble with these guys. So I understand that Steve Rinelli, which was one of the groups of Gagliano's, found out that it was Salvatore Maranzano. The other one that was going out warring against Masseria.

Mr. ADLERMAN. At that point, when they found out that Maranzano had killed Morello and I think shortly after that Pinzolo was killed by Gagliano's men, the two of them joined forces against Masseria?

Mr. VALACHI. Yes. I understand that they had given one another a contract. In other words, in order to trust one another and to feel secure with the new friendship, they gave one name, I wouldn't know the name, one gave one name, the other one gave another name.

When these two names are taken care of, then we join together.

Mr. ADLERMAN. Which two names did they pick?

Mr. VALACHI. I don't know. I never did know.

Mr. ADLERMAN. Did they finally join forces?

Mr. VALACHI. They joined forces.

Mr. ADLERMAN. In the Peter Morello killing, who did that?

Mr. VALACHI. Buster.

Mr. ADLERMAN. Buster of Chicago?

Mr. VALACHI. Buster of Chicago. He originally came from Chicago.

Mr. ADLERMAN. Do you know who he was or where he came from?

Mr. VALACHI. Buster was, the way I understand, he was in trouble in Chicago, himself, fighting a mob like an organization like Cosa Nostra, but Buster didn't know what he was fighting. I understood, I wasn't clear on it, but I tried, I knew who killed his father, something like that.

Mr. ADLERMAN. Was he on the outs with Capone?

Mr. VALACHI. He was fighting him.

Mr. ADLERMAN. He had to leave Chicago because he was fighting him?

168 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. No, after Maranzano, when he was, like after the Castellammarese was sentenced, Maranzano somehow got Buster to join in.

Mr. ADLERMAN. Could you describe Buster to us, what type of man he was?

Mr. VALACHI. Buster looked like a college boy, a little over 6 feet, light complexion, weighed about 200 pounds. He also would carry a violin case.

Mr. ADLERMAN. What did he carry in the violin case?

Mr. VALACHI. A machinegun.

Mr. ADLERMAN. He was quite different from the fellow you were working with at that time?

Mr. VALACHI. Yes. He looked collegiatelike.

The CHAIRMAN. He did not look like a hood?

Mr. VALACHI. No.

The CHAIRMAN. All right.

Mr. VALACHI. He was only about 23 years old.

Mr. ADLERMAN. Coming now to the Pinzolo case, who was the killer there?

Mr. VALACHI. Bobby Doyle. That was the Gagliano group.

Mr. ADLERMAN. That killing took place according to the police records on September 9, 1930. Would that be about right, according to your memory?

Mr. VALACHI. Dates I didn't know but that sounds about right.

Mr. ADLERMAN. Mr. Duffy, do you want to take it up from there?

Mr. DUFFY. As I was saying, they came over here to keep this apartment under surveillance. At this time he learned of this secret pact between Maranzano and Gagliano. They were going to join together after two bosses of the Masseria were killed.

Now, Masseria had condemned to death all the Castellammarese Sicilians. All the Castellammarese in the United States wanted to join up with him to save their lives.

This became a nationwide war after these two men were killed.

Mr. Valachi will tell us what happened concerning these two killings.

He participated in these killings of Alfred Mineo and Ferrigno.

Will you tell us what you know about that killing?

Mr. VALACHI. Yes. I was told to go to move into this apartment and at this time Buster, the Doc, Nick Capuzzi and Joe Profaci, moved in this apartment with me. Naturally, I would not know who Fennuci was.

The CHAIRMAN. Who were you out to kill then?

Mr. VALACHI. This fellow Fennuci.

The CHAIRMAN. That is one of the bosses there under Masseria?

Mr. ADLERMAN. He is also known as Ferrigno.

Mr. VALACHI. I never knew his right name.

The CHAIRMAN. You were out to get him. Tell us about it.

Mr. VALACHI. It was supposed to be that when they get a chance to shoot him from an automobile.

The CHAIRMAN. Who was to drive the automobile?

Mr. VALACHI. They counted on me driving the automobile.

The CHAIRMAN. They counted on you?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 169

Mr. VALACHI. Right. But at this time I met the doorman as I lived there going in and out of the apartment. I could afford to go in and out of the apartment. Nobody knew me.

So, one day, I was upstairs and they come and got me and they want that I should drive the car. I told them—they were around the block with the car.

The CHAIRMAN. Who were the two who got you?

Mr. VALACHI. Joe Palisades and Sally Shields, I think it was. Anyway, Sally Shields was there, and Joe Palisades was there and Buster and I.

So, Fennuci was sitting in front of the apartment. There were benches there, I don't know what you call that, but off the roadway there is a sort of a little bit of a grass here and there with benches, like on a Sunday afternoon people relax. I don't know what you call that.

The CHAIRMAN. Kind of a park bench?

Mr. VALACHI. Right.

The CHAIRMAN. All right. Go ahead.

Mr. VALACHI. I went around the block and I told him, I said, "Look, as soon as I pass here, I got to pass in front of the apartment and the doorman is always waving at me. He always sees me."

It was so close. I tried to get one of them to drive the car. Nobody wanted to drive the car, they wouldn't trust themselves.

I said, "OK, I'll drive the car."

Buster, who was always a sharpshooter, he had the shotgun. I told Buster, "Buster, if you see a doorman wave at me," I said, "take your gun down. If you don't I will jerk the car. I will never let you do this. I ain't going to go to jail for this thing."

What, am I going out of my mind?

"I don't care what happens. That is the way I feel."

The CHAIRMAN. In other words, if you passed there and the doorman waved at you, they were not to shoot?

Mr. VALACHI. I told him not to. If he tried to, I will jerk the car.

The CHAIRMAN. If they didn't obey your orders, if they tried to shoot you would jerk the car?

Mr. VALACHI. I would knock his aim off. As soon as I got near the apartment, the doorman waved at me.

The CHAIRMAN. What happened then?

Mr. VALACHI. Buster was a nice boy and put the gun down.

The CHAIRMAN. You drove off?

Mr. VALACHI. I drove off.

The CHAIRMAN. That was the first plan. It failed because the doorman waved at you?

Mr. VALACHI. It failed. I said, "I don't care how you feel about it; that is my attitude." Buster later told me that the old man felt that I had done a wise move. "Why did they need him to drive the car?" Buster said they couldn't drive. He agreed with my move. I yet didn't meet Maranzano. But he agreed with the move, with somebody that he had met, himself.

The CHAIRMAN. He agreed with your judgment, what you did at that time, that you had done the right thing?

Mr. VALACHI. Right.

The CHAIRMAN. Not to risk getting caught?

170 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Right.

The CHAIRMAN. Now, you had another plan after that?

Mr. VALACHI. It was not long after that before they even got to arranging another plan; it was a few days later that I was out with Buster somewhere and he left me off on the corner of Pelham Parkway in front of this apartment. Buster left and another car pulled up in front of me. Now we had gotten pictures of Masseria.

The CHAIRMAN. You had gotten what?

Mr. VALACHI. Pictures, photographs, because we didn't know who he was.

The CHAIRMAN. You had gotten pictures of the man you were to kill?

Mr. VALACHI. And to recognize him in case we see him. In other words, as the boss we were fighting; that is right.

The CHAIRMAN. All right.

Mr. VALACHI. So, to my amazement, I saw Masseria get out of the car. I recognized him fast. They gave me a description of him. He was 5 feet 2, and Fennuci and Masseria got out of the car together.

The CHAIRMAN. Did you recognize him?

Mr. VALACHI. Yes.

The CHAIRMAN. All right.

Mr. VALACHI. In this apartment there was a court, two entrances on the right and two entrances on the left. In other words, I got to the right. They were across the way. They had to go to the left. To my amazement, they followed me in my entrance. So I got in the elevator. They got in there with me. So I asked them where they wanted to go. They said, "Punch yours."

The CHAIRMAN. They said what?

Mr. VALACHI. "Punch yours."

The CHAIRMAN. They told you to punch your number first?

Mr. VALACHI. Punch mine. I think I was on the second floor. So I pushed six. So when I got up to six—they were looking me over, see, and I was—we were facing one another. I had my back to the wall. They had their backs to the wall on the other side. I come out of the elevator, I came out slowly, walking like. As soon as I reached one floor, I flew down to the second floor to tell them in the apartment what I saw. They sounded like it was impossible, you know, that I saw something, I saw things.

With that, as we were talking, the one who was looking out the window sees Joe Masseria crossing from one side to the other. He comes rushing over, "He is right; he saw him. Masseria went up to Fennuci's apartment."

The CHAIRMAN. Then what did you do?

Mr. VALACHI. After that—that night I was almost sorry that I told them I saw Masseria. That night they all prepared machineguns ready to shoot him from my apartment. In my apartment I had like—

The CHAIRMAN. You did not like that much?

Mr. VALACHI. I had pictures laying around and I was begging Buster at this time I told Buster to pretend not to see him. I don't know what I was telling. He said, "It is so important, Joe, look—" Well, anyway, I was so worried that they gave me an assignment on the elevator. They told me to go outside and keep the elevator up—

ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS 171

stairs all the time. Well, I was hoping and praying he don't come out that night. Sure enough, he don't. So I was happy.

The next morning I was told that they got a new apartment across the way. Then I was happy, I felt good. So, I understand now——

Mr. ADLERMAN. Mr. Valachi, you had taken this apartment for 2 months to spy on and watch Fennuci, as you knew him, Fennuci or Ferrigno, who had an office in the building adjacent to yours or in the same building across the courtyard.

Mr. VALACHI. Who.

Mr. ADLERMAN. Fennuci.

Mr. VALACHI. Yes, across the way.

Mr. ADLERMAN. You had been using that apartment 2 months. You lived in it. You had spotters in there. You had pictures and photographs. You didn't want them to identify you with the killing if they shot from your apartment.

Mr. VALACHI. Really, the plan was to get him outside; not from the apartment.

Mr. ADLERMAN. The next night after you were relieved by the fact that he didn't come and they didn't shoot him from your apartment, did somebody get another apartment on the ground floor?

Mr. VALACHI. Yes. I figured I would tell you that later as I go on with the story.

The CHAIRMAN. Go ahead.

Mr. VALACHI. Anyway, that day, sometime in the afternoon, they caught up with two of them, Manfredi and Fennuci. But that day I left. Right after that I left for Dannemora to visit my brother. This way I will stay away from the apartment at least 10 days.

The CHAIRMAN. Go ahead and get on down to the second plan as soon as you can.

Mr. VALACHI. We are talking about the apartment now, right? What happened? New guys came in. In other words, most of them were waiting for a couple of months; nothing happened.

The CHAIRMAN. That was the second plan. You waited there a couple of months from your apartment but nothing happened.

Mr. VALACHI. Right.

The CHAIRMAN. You didn't get to kill him from there.

Mr. VALACHI. Right.

The CHAIRMAN. In fact, you didn't want him shot from your apartment.

Mr. VALACHI. Not from my apartment.

The CHAIRMAN. You were too well known; they would identify you; is that right?

Mr. VALACHI. Besides that, I had pictures laying around here and there in my apartment.

The CHAIRMAN. So that plan didn't work. Now you went to another plan, the third one.

Mr. VALACHI. They did. They got the apartment across the way. The next morning they got an apartment.

Senator MUNDT. Who do you mean by "they"?

Mr. VALACHI. I wanted to explain that later, see.

Senator MUNDT. You are getting me all confused. It is like a Chinese chess game.

Mr. VALACHI. I have something to tell you, then it fits in. I don't want to tell you ahead of time.

172 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Chick 99, his sister got the apartment the next morning. I wanted to explain to you how I found out after I went away and came back.

Senator MUNDT. I wanted to find out whether by "they" you meant their gang or the one——

Mr. VALACHI. When I say "they" I mean our gang. I went away about 10 days. They got Manfredi and Hampton. You remember, we are still sneaking up to this time. When I got back I was walking up and down 110th and Lexington Avenue where we used to be. I probably was there about 2 hours when Chick 99 blew the horn and was calling me. He was calling me to come into the car. He says, "Jump, we were made." I said, "No kidding." He said, "Yes, they caught up with the furniture." That is what I wanted to tell you, Senator. They caught up with the furniture. You see, my sister got the furniture at 106th and Third Avenue. We used to hang out there, too.

When I say they caught up, Masseria traced the furniture from the Pelham Parkway apartment to 106th and Third Avenue, which is our hangout. "I don't know how you made it on that corner. They caught up with us since you left."

I said, "Oh, my God. I was walking up and down." That is why I wanted to explain to you when the time comes.

The CHAIRMAN. Is there another name for this Chick 99?

Mr. VALACHI. He has a hard name, Senator, Frank——

The CHAIRMAN. Callace?

Mr. VALACHI. Yes.

The CHAIRMAN. That is Chick 99?

Mr. VALACHI. Chick 99.

Mr. DUFFY. What Mr. Valachi is saying, finally the Masseria group had learned that these two had joined forces. They traced the apartment to this group. Now they found out that this gang was working together in common war against Masseria. Now the war is nationwide; it is a declared, open war.

The CHAIRMAN. At what point was this?

Mr. DUFFY. This was right after the murder. Masseria's group traced the apartment after the murder.

The CHAIRMAN. They have not gotten to the murder of him yet.

Mr. ADLERMAN. Mr. Valachi, when you talked about the fact that they got Fennuci and Mineo, you meant Alfred Mineo and Steve Ferrigno. You meant they were killed by the group while you were away for a couple of weeks?

Mr. VALACHI. No, I went away after they were killed.

Mr. ADLERMAN. You went away after they were killed. Who did the killing of Mineo and Ferrigno?

Mr. VALACHI. Bobby Doyle, Buster and Nick Capuzzi.

Mr. ADLERMAN. Did you tell us about the killing before this?

Mr. VALACHI. Did I? I did, didn't I?

Senator MUNDT. You told us about two plans that failed.

Mr. DUFFY. He said he got them. He did not go into specifics as to how they were killed. He learned this from Bobby Doyle himself as to how they were killed.

Senator MUNDT. You told us about one plan, shooting at the park bench, that failed. You told us about a second plan to shoot him out of the apartment window, that failed.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 173

Mr. VALACHI. No, that didn't fail. From the new apartment that didn't fail. I said they got him the next day, but they got the apartment in the morning, the new apartment. That day, the way I understand, there were about 20 to 24 men that had a meeting. As they were coming out two by two from Fennuci's apartment, what I am talking about, the ones that were in the apartment waiting to shoot Joe Masseria, Joe, the boss, they were coming out two by two. They were making them pass by waiting for Joe. When these two appeared they didn't want to gamble any more.

He said, "Let us grab what we have. Maybe Joe got out during the night," and they shot these two, which were two bosses. They were just as important as Masseria was.

Do you understand that, Senator?

Senator MUNDT. Vaguely.

Mr. DUFFY. The following day, when Mr. Valachi was in the apartment waiting for them to come out that night, they did not come out of the apartment. The following morning they rented the apartment down the hall, the other group, without Mr. Valachi present. It was at that time when they killed these two men.

After the killing, Mr. Valachi was visiting his brother in Dannemora Prison. He comes back and then he learned about the killing which he is relating to you now.

Mr. VALACHI. Senator do you want to know whether I was around the apartment when the killing came off? No, I went away. I didn't go to Dannemora until I heard about the killing, but I was in another neighborhood. I went somewhere, knowing they had a new apartment, they didn't need me there any more. So new guys came, new guys like Bobby Doyle, which he considered it a break. The first time he comes he gets a break. In other words, he didn't have to waste no time. Where the other fellows were hanging around 2 months and nothing happened, he comes and he gets action. That is the way someone explained it. "I got a break. I didn't have to be around too long."

After the killing, which I knew, and was told that it had come off, later I learned that when Buster ran out of the apartment he ran right into a policeman and the policeman asked him "What is going on?" He said, "I don't know. There is shooting down the block." The policeman ran toward the apartment. All that Buster did was walk off.

I explained I went away. Then I will explain to you when I got back what happened when I didn't know they had made us.

The CHAIRMAN. You were not there that night or the morning of the shooting?

Mr. VALACHI. No.

The CHAIRMAN. You had been visiting somebody else that night?

Mr. VALACHI. I went after. In other words, I went to get away from the apartment and to have, like we say, an alibi. Later on I will explain to you what happened when I got back, Senator.

Mr. DUFFY. I can explain.

This was the Pelham Parkway apartments, is that right, Mr. Valachi, where this murder took place?

Mr. VALACHI. Yes; 750 Pelham Parkway, in the Bronx, in New York.

174 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. DUFFY. Also, when you had this apartment under surveillance it was at that time you met Buster for the first time?

Mr. VALACHI. Yes.

Mr. DUFFY. Then he told you about the fact he had murdered Peter Morello.

Mr. VALACHI. Yes.

Mr. DUFFY. He learned that for the first time when he was at the Pelham Parkway. After the murder of Mineo and Fennuci Mr. Valachi will go into the fact he became a member of Casa Nostra the first time. That was after this murder took place.

This was and is now, nationwide in scope. All the Castelmarese are going to the defense of Mr. Maranzano.

The CHAIRMAN. As I understand you then, after these two were killed, this last killing you have talked about, after they were killed and you came back you learned that there was definitely a nationwide war on between the groups.

Mr. VALACHI. Yes.

Mr. DUFFY. Before he goes into that, can we put Mr. Salerno on to give details of the murders from the police files?

The CHAIRMAN. These have all been confirmed?

Mr. DUFFY. They have, sir. We have Mr. Salerno.

The CHAIRMAN. You have been previously sworn. Further identify yourself again for the record.

TESTIMONY OF SGT. RALPH SALERNO—Resumed

Sergeant SALERNO. Sergeant Salerno from the New York Police Department.

The CHAIRMAN. You have heard the testimony given by Mr. Valachi, and also you have followed the testimony with respect to the chart before us, have you?

Sergeant SALERNO. Yes, sir; I have.

The CHAIRMAN. Now, can you give us any confirmation from police records with respect to these crimes?

Sergeant SALERNO. Yes, sir; I can.

The CHAIRMAN. Start with Reina.

Sergeant SALERNO. Our records indicate that on February 26—

The CHAIRMAN. Speak a little louder.

Sergeant SALERNO. On February 26, 1930, at 8:10 p.m., one night, Tom Reina, male, white, 40, of 3183 Rochembeau Avenue, Bronx, while leaving premise 1522 Sheridan Avenue, in company of a female, Marie Annise, a resident of that address, was shot and killed by unknown male who fired both barrels of a sawed-off shotgun into Reina's body, causing death.

The CHAIRMAN. Very well. What is the next one? This Morello. Do you have anything on him, Peter Morello? He is the boss.

Sergeant SALERNO. Peter Morello was killed at about 3:30 p.m. on August 15, 1930. He was 50 years of age. He resided at that time at 1115 Arcadian Way and Palisades, N.J. He was shot and killed in his office at 362 East 116th Street by persons unknown. The cause of death was multiple gunshot wounds; also killed at that time was a visitor to the office, one Giuseppe Piranio who also died of gunshot wounds.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 175

The CHAIRMAN. In other words, one man killed and two people in the office?

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. Now let me ask you, with respect to the Reina murder was anyone ever apprehended? Was that murder ever solved as to who committed the offense?

Sergeant SALERNO. These are both active cases.

The CHAIRMAN. These are still active cases?

Sergeant SALERNO. Right.

The CHAIRMAN. So if this testimony is true that you are hearing now from Valachi, then it does give you a lead as to who committed these crimes?

Sergeant SALERNO. That is right, Senator, the amount of confirmation that we can give you has been limited by the district attorney's offices of the counties concerned.

The CHAIRMAN. I understand. You have much more information than what you are giving?

Sergeant SALERNO. Yes. They have asked for this because these cases are active and any new such information is being investigated now.

The CHAIRMAN. I am not asking you to put in any detail at all but you do have now confirmation as to what Valachi is testifying here as to how these killings occurred?

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. May I ask you, are those who are suspected of the killing, dead or alive?

Sergeant SALERNO. I really don't know individually. You mean the persons that Mr. Valachi has named?

The CHAIRMAN. Yes.

Sergeant SALERNO. Some of them are alive, some are now deceased.

The CHAIRMAN. Some are still alive and some are deceased. Some of those he has named here today with respect to these killings?

Sergeant SALERNO. Let us go to the third one, Joseph Pinzola. That is the one over here that Masseria had put in as boss after Reina was killed. Yes, on September 9, 1930, at 9 p.m., the body of Joseph Pinzola, who was in the fruit business, was found on the floor of his office, which is in suite 1007 in the Brokaw Building at 1487 Broadway, New York City. The name of his firm was the California Dried Fruit Importers. The lessee of these premises was Thomas Lucchese. He was found dead from gunshot wounds of the left chest and the neck. On September 11, two days later, Thomas Lucchese was arraigned in homicide court.

The CHAIRMAN. Who?

Sergeant SALERNO. Tommy Lucchese.

The CHAIRMAN. Is that the one who is now the boss of one of the families?

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. In other words, he was charged with that murder?

Sergeant SALERNO. He was, sir.

The CHAIRMAN. What is his other name?

Sergeant SALERNO. Three-Finger Brown, Tommy Brown.

The CHAIRMAN. Lucchese was charged with the killing?

Sergeant SALERNO. Yes, sir.

176 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. What happened in that instance?

Sergeant SALERNO. He was arraigned in court. He was held without bail. The evidence was presented the grand jury which failed to return an indictment.

The CHAIRMAN. You didn't have enough evidence against him to return an indictment?

Sergeant SALERNO. Right.

The CHAIRMAN. I understand from Valachi you say it was Bobby Doyle who killed Pinzola.

Mr. VALACHI. Yes.

The CHAIRMAN. It was not Lucchese that killed him but it was Bobby Doyle.

Mr. VALACHI. Bobby Doyle. Santuccio, Bobby Doyle, not Lucchese.

The CHAIRMAN. Santuccio or Bobby Doyle is the one who actually did that killing.

Mr. VALACHI. Right.

The CHAIRMAN. Senator Mundt.

Senator MUNDT. Was the reason you arraigned Tommy Lucchese because he was the lessee of the office?

Sergeant SALERNO. There may have been other evidence other than just that, Senator.

Senator MUNDT. That was the only evidence you gave us?

Sergeant SALERNO. I have indicated that what I have been permitted to say by the district attorney is limited concerning this.

The CHAIRMAN. Senator McIntyre.

Senator MCINTYRE. Is Bobby Doyle still living today?

Mr. VALACHI. Yes.

Senator MCINTYRE. Do you know where?

Mr. VALACHI. Connecticut.

Senator MCINTYRE. What city?

Mr. VALACHI. Stamford, Conn.

The CHAIRMAN. Senator Javits?

Senator JAVITS. Is Tommy Lucchese still around?

Sergeant SALERNO. Yes.

Senator JAVITS. Is he supposed to be in the dress business?

Sergeant SALERNO. Yes.

Senator JAVITS. Supposed to be putting up a very respectable front as dress manufacturer.

Sergeant SALERNO. He is owner of record of several dress firms.

Senator JAVITS. He has been arraigned before, has he not been brought in on various occasions in the courts in New York?

Sergeant SALERNO. He has appeared very, very recently in the district attorney's office in Nassau County which is where he resides. He has also appeared before this committee.

Senator JAVITS. Don't I recall some arrests for vagrancy that came to nothing in an effort to tab him as a racketeer, and so forth?

Sergeant SALERNO. A recent one, no, sir.

Senator JAVITS. Isn't there one in the record?

Sergeant SALERNO. He does have a criminal record which I can get for you.

Senator JAVITS. He does have a criminal record?

Sergeant SALERNO. Yes, sir, he does.

Senator JAVITS. I think it might be useful, Mr. Chairman—

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 177

The CHAIRMAN. Let the criminal record be presented for the witness' identification and it can be made an exhibit.

Is Lucchese one of those who attended the Apalachin meeting?

Sergeant SALERNO. No, sir, he was not identified as being present.

The CHAIRMAN. He was not?

Sergeant SALERNO. No, sir.

The CHAIRMAN. I present you now a document here and I ask you to examine it and state if you identify it?

Sergeant SALERNO. This is the New York City Police Department Bureau of Criminal Identification record of Thomas Lucchese, also known as Thomas Ara and Three Finger Brown, No. B68834.

In 1921 he was arrested for grand larceny. In 1927 he was arrested as a receiver of stolen property.

The CHAIRMAN. Very well, let it be made exhibit No. 9 for reference.

(Document referred to marked "Exhibit No. 9" for reference and may be found in the files of the subcommittee.)

Senator JAVITS. May I see that record?

The CHAIRMAN. Yes.

Senator JAVITS. The Senator may proceed while I take a look at it.

Senator JACKSON. I have one question.

Mr. Valachi, what is Bobby Doyle doing now?

Mr. VALACHI. When I left the streets he had juke boxes, a restaurant, and horse booking. That is all I can tell you, Senator. That is when I left the streets in 1960.

Senator JACKSON. He was running the juke boxes?

Mr. VALACHI. Juke boxes, cigarette machines, a restaurant, and he was bookmaking. You know what bookmaking is?

Senator JACKSON. Yes. You have nothing further as to his activities since that time?

Mr. VALACHI. No, not since that time.

Senator MUNDT. Do you know the name of the restaurant that he owns?

Mr. VALACHI. No.

Senator MUNDT. In Connecticut?

Mr. VALACHI. It is in Connecticut.

(Senator Jackson presiding.)

Senator JACKSON. Senator Javits may resume the interrogation.

Senator JAVITS. I see the vagrancy arrest which in my mind came on November 18, 1935. That is 28 years ago.

Sergeant SALERNO. Yes, sir.

Senator JAVITS. According to this record. In the intervening period of 28 years Lucchese has not been arrested or arraigned so far as the police department records show?

Sergeant SALERNO. Arrested or arraigned, no, sir.

Senator JAVITS. He still operates in New York ostensibly as a respectable dress manufacturer, is that right.

Sergeant SALERNO. He does own several dress firms.

Senator JAVITS. This very day?

Sergeant SALERNO. Yes, sir.

Senator JAVITS. It seems to me that is one of the most important things that we have disclosed in this hearing. I thank the Chair.

Senator MUNDT. Mr. Chairman.

Senator JACKSON. Senator Mundt.

178 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator MUNDT. I would like to ask Sergeant Salerno has Bobby Doyle ever been arrested or arraigned in connection with the murder of Pinzola?

Sergeant SALERNO. Not to my knowledge.

Mr. VALACHI. Senator, not that I know of.

Senator MUNDT. You didn't get the fact that he was murdered from him?

Mr. VALACHI. He himself told me. He says he got a break when he caught him alone.

Senator JACKSON. You go ahead and proceed, Sergeant.

Mr. ADLERMAN. Will you put in the record about Mineo and Ferrigno, also known as Manfredi and Fennuci?

Sergeant SALERNO. On November 5, 1930, at 2:45 p.m., Stephen Ferrigno, also known as Samuel Ferraro and Funnuci and Manfredi Maineo, while leaving Ferrigno's apartment at 75 Pelham Parkway in Bronx County was fatally shot by shotgun fire by persons unknown who were occupying apartment C-1 at 760 Pelham Parkway South. Shots were fired from a ground floor apartment through closed windows. Three guns were recovered. The case is active.

Mr. ADLERMAN. Mr. Valachi, in the killing of Minio [Maineo] and Ferrigno as you know them, Manfredi and Funnuci, this occurred on November 5, 1930, according to the record?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. Who, according to your information, did the actual killing?

Mr. VALACHI. Bobby Doyle, Buster and Nick Capuzzi.

Mr. ADLERMAN. Nick Capuzzi is also "Nick the Thief." Is he alive?

Mr. VALACHI. No, that is not "the" Nick the Thief.

Mr. ADLERMAN. Is Nick Capuzzi still alive?

Mr. VALACHI. No, he died.

Mr. ADLERMAN. Buster was killed?

Mr. VALACHI. Buster was killed.

Mr. ADLERMAN. Bobby Doyle is still alive?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Was anybody else involved in that killing?

Mr. VALACHI. No, not that I know of.

Mr. ADLERMAN. How about the people who were spotting with you at the time?

Mr. VALACHI. As I say, they also looked for Buster because Buster was really a sharpshooter. As to what happened, why they were there, how they were there, I can't account for it. In fact I wasn't there, myself.

Mr. ADLERMAN. Even though the Masseria group traced the fact that you had furniture in there and they discovered you were involved in the killing they never told the police about this, did they? As far as you know you were never questioned about this by the police?

Mr. VALACHI. Not that I know of.

Mr. ADLERMAN. Even though Masseria may have known that you or Bobby Doyle or the rest were involved, they would never tell the police?

Mr. VALACHI. They would not tell the police.

Mr. ADLERMAN. No more than you would tell if you know other people were involved?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 179

Mr. VALACHI. That is right.

Mr. ADLERMAN. While it was known among the people who were involved in the killing, those who were victims of the killing or their friends, they would not go to the police in any of these cases?

Mr. VALACHI. That is right.

Mr. ADLERMAN. Now we come to the point where you came back from Dannemora.

Senator MUNDT. Before we get to another point I would like to ask the witness: Where is Buster now?

Mr. VALACHI. Buster died right after Maranzano died.

Senator MUNDT. He died a natural death?

Mr. VALACHI. No.

Senator MUNDT. What happened to him?

Mr. VALACHI. He was killed in an argument in a crap game.

Senator MUNDT. Not by the other gang?

Mr. VALACHI. No. It was peacetime when he was killed.

Senator MUNDT. Where does Buster's name appear on that chart?

Mr. DUFFY. It is not on this chart. He was killed after peace was declared. We tried to put only bosses on here. The only man who is not a boss on this chart is Joe Baker. All the others on here are bosses.

Senator MUNDT. He does not belong to the Maranzano group?

Mr. VALACHI. That is right.

Mr. ADLERMAN. Buster's name does appear there but only as a killer. We have not been able to identify him further than Buster of Chicago. We have not been able to find out the details of his name.

Mr. DUFFY. Mr. Valachi has given information pinpointing the area within three blocks of where Buster was killed, within 6 months of when he was killed. The police department is trying to identify him further. Mr. Valachi will now digress from the chart to go into when he became a full-fledged member after the ceremony. After that he will go back to the chart and discuss the murders of Catena which he participated in, Joe Masseria and Maranzano. He will not discuss what occurred after the Maranzano war at this time. We will go into that when we get into individual New York charts.

The CHAIRMAN. I think this is a good place to recess until 2:30.

(Members present at time of recess: Senators McClellan, McIntyre, and Mundt.)

(Whereupon, at 12:15 p.m. the committee recessed until 2:30 p.m. of the same day.)

AFTERNOON SESSION

(The subcommittee reconvened at 2:35 p.m., Senator John L. McClellan (chairman of the subcommittee) presiding.)

(Members of the subcommittee present at time of reconvening: Senators McClellan, Jackson, Muskie, McIntyre, Mundt, and Curtis.)

The CHAIRMAN. The hearing will come to order. We will proceed.

TESTIMONY OF JOSEPH VALACHI—Resumed

The CHAIRMAN. After you came back, you had made a trip out of town, I believe you said.

Mr. VALACHI. Yes, sir.

180 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. And you came back and you were walking the street and met whom?

Mr. VALACHI. Can you hear me, Senator? It was Frank Callace.

The CHAIRMAN. What conversation did you have with Chick 99?

Mr. VALACHI. Chick 99 called me into the car and told me, "How long are you here?"

The CHAIRMAN. Into the car?

Mr. VALACHI. Into the car, yes, sir; and he waved me in, and he opened the door and waved me in. I told him I was there a couple of hours. He said, "My God," he said, "you are lucky. They caught up with us," and he went to explain.

The CHAIRMAN. That was after those two men were killed?

Mr. VALACHI. Yes, and he went out and explained about the furniture that his sister had ordered for 106th and 3d Avenue, and being that we used to hang out in the daytime we would arrive there and be there in the evening and we used to go to 103d and 6th Avenue.

So Masseria knew the hangout, and I wouldn't say I am talking about myself, now. He knew the hangouts of the boys. In that way they got wise who was doing this stinking work.

The CHAIRMAN. That is when all-out war was declared by the other side?

Mr. VALACHI. That is, I would put it, national.

The CHAIRMAN. It was made national.

Mr. VALACHI. It was made in all cities, wherever the members were—in Chicago, and Cleveland, and California.

The CHAIRMAN. That is about the time that you were persuaded to join Cosa Nostra?

Mr. VALACHI. When, at this time; yes, sir.

The CHAIRMAN. Now, what happened that persuaded you to join, what did you do to join, and where did you go to become a member?

Mr. VALACHI. Well, the next day I met Chick 99 and they drove upstate about 90 miles, and we drove, as I, and Cheech, and Nick Padovana and Sally Shields.

The CHAIRMAN. Just three of you?

Mr. VALACHI. And Cheech.

The CHAIRMAN. That made four.

Mr. VALACHI. That is four. And we went to a sort of a private house, upstate, which I can never remember today where it was, but it is about 90 miles from New York.

The CHAIRMAN. You went to a private house?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Who lived there? Do you know?

Mr. VALACHI. I really didn't know who lived there.

The CHAIRMAN. They didn't tell you that?

Mr. VALACHI. They didn't tell me; no.

The CHAIRMAN. How many were there when you got there, or how many came?

Mr. VALACHI. There was about 30 to 35.

The CHAIRMAN. Thirty or thirty-five?

Mr. VALACHI. There could have been even 40, and I don't remember, but it was about that much.

The CHAIRMAN. About that many?

Mr. VALACHI. Yes, sir.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 181

The CHAIRMAN. What was the purpose of that meeting?

Mr. VALACHI. The purpose of that meeting was to "make us."

The CHAIRMAN. To "make us" means make you members?

Mr. VALACHI. To make new members and to meet all of them.

The CHAIRMAN. To meet the others that were in that family?

Mr. VALACHI. That is right, for the first time.

The CHAIRMAN. What family was that, then; and what was it known as, and what family?

Mr. VALACHI. The Gagliano-Maranzano family, we will put it that way. In other words, Maranzano was actually boss at that time.

The CHAIRMAN. He was boss of the family?

Mr. VALACHI. That is right.

The CHAIRMAN. Did you know that at the time?

Mr. VALACHI. Well, in the room, after I was there about 5 minutes, I learned that.

The CHAIRMAN. You learned that after you got there?

Mr. VALACHI. Yes, sir; and—do you want me to continue?

The CHAIRMAN. Yes.

Mr. VALACHI. He was going to continue now being boss throughout the whole trouble.

The CHAIRMAN. He was going to be the boss throughout the whole trouble?

Mr. VALACHI. That is right.

The CHAIRMAN. Very well. Then what happened?

Mr. VALACHI. Well, then——

The CHAIRMAN. Was he going to be boss for both families?

Mr. VALACHI. At this time; yes, sir.

The CHAIRMAN. Was he to take over the Profaci crowd?

Mr. VALACHI. Well, the Gagliano crowd and his crowd, and he was going to be the boss.

The CHAIRMAN. Of those two?

Mr. VALACHI. While the war lasted; yes, sir.

The CHAIRMAN. In other words, he was a general in chief to fight the war.

Mr. VALACHI. That is right.

The CHAIRMAN. Is that right?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Now, what happened after you got there and how many were there with you, to become members, to be "made"?

Mr. VALACHI. Well, they excluded three of us.

The CHAIRMAN. Just the three?

Mr. VALACHI. They excluded the three of us out of the room; I, Nick Padovana, and Sally Shields.

The CHAIRMAN. You were excluded out of the room?

Mr. VALACHI. All three of us.

The CHAIRMAN. Then what happened?

Mr. VALACHI. Then they called us in one at a time.

The CHAIRMAN. One at a time?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. All right; proceed.

Mr. VALACHI. When I came in, I don't remember if I was first, second, or third, but let me talk about the time I got into the room.

When I came in, I sat down and they were at the edge of the table, it was a long table, and there was a gun and a knife on the table.

182 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. How many were at the table?

Mr. VALACHI. About 35 or 40.

The CHAIRMAN. A long table.

Mr. VALACHI. It was a big table; it was a big, big room.

The CHAIRMAN. It was a big room.

Mr. VALACHI. Yes, sir.

The CHAIRMAN. And you have a round table or a long one?

Mr. VALACHI. Well, sort of like the table you have got there, but smaller, you know.

The CHAIRMAN. All right; go ahead.

Mr. VALACHI. It was all tight, and they sat me down and made me repeat in Italian.

The CHAIRMAN. They sat you down at the table or in a chair?

Mr. VALACHI. On the edge of the table, with Maranzano doing the talking.

The CHAIRMAN. Who was doing the talking—Maranzano?

Mr. VALACHI. That is right.

The CHAIRMAN. That is when you met him?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Is that the first time you met him?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. You met the chief, the boss of the two families.

Mr. VALACHI. Right.

The CHAIRMAN. The chief that was going to fight the war?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Now, you sat next to him, and then what happened?

Mr. VALACHI. Well, he had a knife and a gun on the table. I repeated some words they told me, but I couldn't explain what he meant. I could repeat the words, but they were in Italian.

The CHAIRMAN. They were in what?

Mr. VALACHI. Sicilian.

The CHAIRMAN. And you repeated them, but you didn't understand what they meant.

Mr. VALACHI. That is right; and then they explained it to me.

The CHAIRMAN. They explained? Who explained? Maranzano?

Mr. VALACHI. Well, he could talk pretty good English, and he talked 12 languages. He went on to explain that they lived by the gun and by the knife and you die by the gun and by the knife.

The CHAIRMAN. Did you have a full understanding of what that meant at the time?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. It meant that you were what?

Mr. VALACHI. Well, expected to die by the gun and by the knife.

The CHAIRMAN. In other words, when you took that oath, you expected some day to die either by the gun or by the knife?

Mr. VALACHI. That is right.

The CHAIRMAN. That is what you were dedicating yourself to?

Mr. VALACHI. That is right.

The CHAIRMAN. For what purpose?

Mr. VALACHI. Well, I guess the purpose, that is what the rules were, of Cosa Nostra.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 183

The CHAIRMAN. We will get to the rules in a minute. What kind of a ceremony did you go through in taking that oath?

Mr. VALACHI. Well, then he gave me a piece of paper, and I was to burn it.

The CHAIRMAN. Without burning the paper, just take a piece of paper there and show us how you did it. You don't have to set the paper afire, but give him a piece of paper. Demonstrate just what you did.

Mr. VALACHI. In other words, I took a piece of paper, and the piece of paper is burning, and it is lighted and then in your hand, you say—well, again, they give you words in Italian but I knew what it meant.

The CHAIRMAN. In other words, while you were repeating the words, you were burning the paper?

Mr. VALACHI. This is the way I burn if I expose this organization.

The CHAIRMAN. And that was symbolic of the fate that was to befall you if you betrayed the organization.

Mr. VALACHI. That is right; until the piece of paper burned.

The CHAIRMAN. You would be burned to ashes?

Mr. VALACHI. That is right.

The CHAIRMAN. What else did you do in that ceremony?

Mr. VALACHI. After that, they got around the table and they drew numbers.

The CHAIRMAN. What is that?

Mr. VALACHI. Numbers, between 1 to 5.

The CHAIRMAN. How do you mean?

Mr. VALACHI. Well, like this: 3 or 1 or 5, and let us say the way you have the table right there, everybody chose a number.

The CHAIRMAN. We would start down here at the table and someone would hold up a number, each one would hold up some fingers. They can hold up as many as they wanted to?

Mr. VALACHI. Up to five.

The CHAIRMAN. That is about all they can hold on one hand.

Mr. VALACHI. Suppose we start with you, Senator, and let us say it is 35 or 40.

The CHAIRMAN. Suppose I put up two and he puts up some.

Mr. VALACHI. You add it all up, and let us say we got a figure about 38, and we start from you, and let us say you go all around and it comes to the Senator next to you.

The CHAIRMAN. That is Senator Mundt.

Mr. VALACHI. He is what you call my godfather.

The CHAIRMAN. He becomes responsible for you?

Mr. VALACHI. That is right.

The CHAIRMAN. Now, who was, in that method? Who was chosen, or who became your godfather?

Mr. VALACHI. The one who the number came to. The Senator next to you; I forget his name.

The CHAIRMAN. When it got back around, and you counted to 38 or whatever the number was, who was the party?

Mr. VALACHI. At that time, you mean?

The CHAIRMAN. Yes, I mean there.

Mr. VALACHI. I am sorry.

Senator MUNDT. Keep it there.

184 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Joe Bananas.

The CHAIRMAN. Now, where is he on this chart that we have here?

Mr. VALACHI. I don't think Joe Bananas is on that.

He is down at the bottom; yes.

The CHAIRMAN. I didn't understand you.

Mr. VALACHI. He is on the bottom.

The CHAIRMAN. Is he at the head of one of the families now?

Mr. VALACHI. Yes; he still is.

The CHAIRMAN. He still is?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. He is still alive?

Mr. VALACHI. Yes, sir.

Senator CURTIS. May I ask a question there? Are you the godfather of any other member "made" since then?

Mr. VALACHI. Well, I never was in one of those tables. I never was.

Senator CURTIS. Very well.

Mr. VALACHI. Then he picks your finger, the godfather.

The CHAIRMAN. He picks your finger?

Mr. VALACHI. With a needle, and he makes a little blood come out, and in other words, that is the expression, the blood relationship. It is supposed to be like brothers.

The CHAIRMAN. That is is letting of blood?

Mr. VALACHI. That is right.

The CHAIRMAN. In other words, symbolic of the fact that you are willing to spill your blood to give your blood or give your life?

Mr. VALACHI. That is right.

The CHAIRMAN. Is that what it meant?

Mr. VALACHI. That is right.

The CHAIRMAN. Then what happened?

Mr. VALACHI. Then they all shake hands, everybody gets up and shakes hands, and say a few more words together, which I can't recall. They also said it in Sicilian.

The CHAIRMAN. Did you know what they meant?

Mr. VALACHI. Well, actually I never asked what it meant. I never did ask what it meant; it meant like sort of the style of an organization, but you don't bother, and I never did bother.

The CHAIRMAN. You never did what?

Mr. VALACHI. I never bothered with finding out what it meant. I had an idea.

The CHAIRMAN. What was your idea?

Mr. VALACHI. We are all tied up.

The CHAIRMAN. You are all together?

Mr. VALACHI. We are all together; that is right.

The CHAIRMAN. And you sink together, and hang together, and live together.

Mr. VALACHI. Yes, sir.

Senator MUNDT. Didn't you tell us in executive session—

Mr. VALACHI. Can I say something? As to what I am telling you now, I need go no further to say nothing else but this here, what I am telling you, what I am exposing to you and to the press and everybody. This is my doom. This is the promise I am breaking. Even if I talked, I should never talk about this, and I am doing so. That is my best way to explain it.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 185

Senator MUNDT. That is the highest oath you took. In other words, that was the most sacred in this organization.

Mr. VALACHI. That is right.

Senator MUNDT. That you would never tell this.

Mr. VALACHI. That is right.

Senator MUNDT. In executive session you said when you had your hands all clasped together and repeated some words in Italian or Sicilian, that what it meant was, "One for all and all for one."

Mr. VALACHI. Yes; that is the way I explained it.

Senator MUNDT. One for all and all for one.

Mr. VALACHI. That is right. But I didn't know the words, Senator. You remember, I didn't know the words.

Senator MUNDT. That is right, but you said that is the reaction you got.

Mr. VALACHI. That is correct.

The CHAIRMAN. All right, then you became there a full-fledged member.

Mr. VALACHI. Yes, sir.

The CHAIRMAN. All right. Now you have already described, I believe, their ranks, and they start with the soldier, and button man, and go on up.

Mr. VALACHI. Do you want me to describe it again?

The CHAIRMAN. We don't need to go over that again, but you became there a soldier or button man. I see. Were any of the rules explained to you there, or were they explained to you later?

Mr. VALACHI. Just two rules at this time.

The CHAIRMAN. Just two at that time?

Mr. VALACHI. At this time.

The CHAIRMAN. What were they?

Mr. VALACHI. One was the secret which I was just telling you about, and the other rule was, for instance, a wife, if you violate the law of another member's wife, or sister, or daughter, these two rules were told; in other words, you had no defense.

The CHAIRMAN. You have no defense?

Mr. VALACHI. These two main rules. If you give away the secret or you violate—at this time that is all of the rules I was told.

The CHAIRMAN. Those two.

Mr. VALACHI. At this time.

The CHAIRMAN. If you violated the family relationship of a husband and his wife, and if they were members of Cosa Nostra; is that all?

Mr. VALACHI. If they were members. If they were members of Cosa Nostra.

The CHAIRMAN. You were prohibited from violating the rules of family relationship.

Mr. VALACHI. That is right.

The CHAIRMAN. Those two at that time.

Mr. VALACHI. That is right.

The CHAIRMAN. What others did you learn later?

Mr. VALACHI. Later I learned, after the war, because this was a time of war—

The CHAIRMAN. This was a time of war.

186 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. And after the war I learned the rules. For instance, you can't hit another member with your fist. That is a serious charge, not that you die by it, but you have a chance for a trial, which I was involved in one of those.

The CHAIRMAN. You were involved in one charge of hitting another member?

Mr. VALACHI. That is right.

The CHAIRMAN. That was later?

Mr. VALACHI. Later; yes, sir. I am talking about later.

The CHAIRMAN. Had you learned about that rule before you committed the offense?

Mr. VALACHI. Yes, I knew it.

The CHAIRMAN. What is the defense to that?

Mr. VALACHI. Well, the defense was that we had a business together and he was stealing.

The CHAIRMAN. He was stealing?

Mr. VALACHI. He was stealing most of the profit.

The CHAIRMAN. Was that against your code, to steal from each other?

Mr. VALACHI. Well, yes; against my code it was.

The CHAIRMAN. You found your partner in business—what kind of business were you in?

Mr. VALACHI. A restaurant business.

The CHAIRMAN. And you found he was stealing from you?

Mr. VALACHI. He put the place behind about \$18,000.

The CHAIRMAN. He what?

Mr. VALACHI. He set the place behind about \$18,000.

The CHAIRMAN. And you violated the rule and what happened?

Mr. VALACHI. Well, I violated the rule, and went from right I got wrong.

The CHAIRMAN. What is that?

Mr. VALACHI. From right, I got wrong by hitting him. I was right if I don't hit him. I mean, if I don't hit him I was right, and by hitting him I got wrong.

The CHAIRMAN. Well, then, you did hit him.

Mr. VALACHI. Oh, yes.

The CHAIRMAN. What was his name?

Mr. VALACHI. Frank Luciano.

The CHAIRMAN. Is he still living?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. When did that occur?

Mr. VALACHI. This occurred about—this was in the late—around 1950 or something like that.

The CHAIRMAN. Around 1950 or something like that?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Now, as a result of your accusing him of stealing from the business, the partnership, and as a result of your having hit him or struck him, did your organization or your family government take any action?

Mr. VALACHI. Yes, sir; I was brought on the carpet.

The CHAIRMAN. What is that?

Mr. VALACHI. I was brought on the carpet.

The CHAIRMAN. On the carpet?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 187

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Tell us what occurred?

Mr. VALACHI. The carpet is a table, and he was represented by his lieutenant, and I was represented by my lieutenant.

The CHAIRMAN. Is that what you call a trial now, in your group?

Mr. VALACHI. This is a small trial.

The CHAIRMAN. A small trial?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Go ahead.

Mr. VALACHI. The first meeting we had was postponed, and then we had another meeting. At this time his caporegima was there, his lieutenant, and my lieutenant, which was Tony Bender—Tony Strollo at the time—and also Albert Anastasia was there, which was his boss.

The CHAIRMAN. He had become the boss at that time, had he?

Mr. VALACHI. He was Frank Luciano's boss. Now, I explained that naturally he was lacing it into me, and he said, "After all, a fellow like you, being in 20 years at that time"——

The CHAIRMAN. You had known him for 20 years?

Mr. VALACHI. He said to me, "After all, you have been in this life of ours 20 years."

The CHAIRMAN. You had been in the organization for 20 years?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. At that time?

Mr. VALACHI. Yes, and he said, "You should know better, and you know you could start a war with this kind of thing that you pulled."

The CHAIRMAN. That was Albert Anastasia saying that to you?

Mr. VALACHI. Yes, he was talking, and Tony is doing no talking. And neither did Charley Brush, the one who represented Frank. His lieutenant was Joe Riccobono, but Joe Riccobono didn't come, and so he sent one acting for him, which was Charley Brush.

So naturally, I didn't answer. And then it came about the business. He said, "Now, you two must split, and you can't be together."

So Frank claimed he had \$6,500 coming to him, and so I said I didn't want to pay him no \$6,500, considering the money he took out of the place. So Albert said, "I understand that." And he said, "That is why I am trying to tell you. From right you wind up wrong, but anyway," he said, "I am going to allow you, I want you to give him what is ask you to give him."

And I said, "What do you want to give him?" and he said, "Give him," and I don't remember whether it was \$3,000 or \$3,500, "and you wind up with the place because Frank cannot buy you out."

I have more money coming, you see. So he said, "From now on," he said to Frank, "you see that your son keeps that license up there, because the license was in his son's name, and see that that license stays up there until that place goes down to the ground, as long as Joe wants it."

The CHAIRMAN. As long as what?

Mr. VALACHI. As long as Joe wants it to stay there. In other words, the license was under Frank Luciano's son's name.

The CHAIRMAN. But you were to have the use of the license to operate the place.

Mr. VALACHI. As long as I wanted; yes, sir.

188 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. The reason you couldn't have the license in your name was what?

Mr. VALACHI. Because I have a record.

The CHAIRMAN. You already had a record, and you couldn't get the license in your name?

Mr. VALACHI. That is right.

The CHAIRMAN. So you were able to operate the business, though, by keeping the license in the name of Anthony Luciano?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. All right.

Mr. VALACHI. Then, I gave him the money, and now I was in the place about 6 more years after that.

The CHAIRMAN. You kept the place 6 years after that?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. What was your first contract, and you can tell again if you want to what "contract" means, after you became a member of Cosa Nostra?

Mr. VALACHI. Joe Baker.

The CHAIRMAN. You had a contract to kill Joe Baker?

Mr. VALACHI. That is right.

The CHAIRMAN. What was his other name?

Mr. VALACHI. Catania.

The CHAIRMAN. Was it Cotani?

Mr. VALACHI. Catania.

The CHAIRMAN. But they called him Joe Baker?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. How did you happen to become the possessor of that contract?

Mr. VALACHI. Well, we were assigned to an apartment, but before we got assigned to the apartment, we were looking for him in the neighborhood, you see, where he hung out.

The CHAIRMAN. Why was he condemned, and why was he to be killed?

Mr. VALACHI. The way I understand, that when Maranzano had a personal grudge against Joe Baker.

The CHAIRMAN. That is your boss?

Mr. VALACHI. Maranzano had a personal grudge against him. Yes, sir.

The CHAIRMAN. And wanted him killed?

Mr. VALACHI. And wanted him killed. I learned, and I don't know when it was, but the time before mine, that Joe Baker was highjacking trucks on Maranzano. In other words, alcohol trucks, or in that line, you see. And he carried a personal grudge, and the remark that he would never make peace unless he gets Joe Baker. Joe Baker was a nephew——

The CHAIRMAN. Was that a condition to getting peace between the groups?

Mr. VALACHI. Well, you see, they were navigating about peace, they were navigating about getting Joe Catania, and that is why there was talk about peace. And as soon as they got Joe Catania, everybody figured the war would have been over, and trouble would have been over, but he said. "If I don't get Joe Baker. I will never make peace."

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 189

The CHAIRMAN. In other words, Baker had to be killed, and that was a prerequisite to entering into a peaceful settlement.

Mr. VALACHI. That is right. So now one day, Steven Rinell and I were riding through Flatbush Avenue in the neighborhood where Joe Baker hung out, near the office, and on our way over he spots another man, and he tells me to swing around. I said, "Who is that?" And he said, "He is a big boss." And I said, "Yes?" So I swung the car around and I went up and pulled up to the other car, which was, I think, a Lincoln. Let us say it was a Lincoln. So when I pulled up to him and I put him right alongside of the car, and Steve Rinell fired one shot at him and I saw this man go with the shot, and I didn't know him at the time, which I later found out his name was Paolo Gambino.

The CHAIRMAN. Was he killed at that time?

Mr. VALACHI. No; he was not. Half his ear was shot off.

The CHAIRMAN. So he had a narrow escape, you would say?

Mr. VALACHI. Yes; and he went with the shot. So I tried to tell Steve, but he got panicky after the first shot, and he started yelling, "Step on it," and "Step on it," and so I pulled away, and as I pulled away, I felt I was pulling something, and my bumper got stuck or my rear bumper got stuck with his front bumper, and so I was pulling and pulling, and about half a block and I broke loose. I let him off around Southern Boulevard some place and I went to Yonkers at this time, where Maranzano was.

So Maranzano was waiting for me in front of the door, and he said to me, as soon as I came, he seemed to know already what happened, and he said, to me, "What did he tell you, who this guy was?" and I said, "He told me he was a big boss," and he started cursing. He said the guy is not even a member. Well, I said, "Look, I don't want to work with him no more."

The CHAIRMAN. You didn't want to work with him any more?

Mr. VALACHI. I didn't want to work with Steve any more. That is Steve Rinell. And so he said, "Well, I will tell you, then, as long as you feel that he wasn't supposed to be touched, don't worry about it, because I don't think that he got hit."

With that, as I am talking, the phone rang, and he said, "Gee, you are right. I just got a telephone call." He said, "He got off the car and he walked away." And I said, "You see," so Steve Rinell was put on the farm about a month or so. He was put on a farm, put out of action, and out of circulation.

The CHAIRMAN. He was suspended?

Mr. VALACHI. Yes, sir; but then this thing turned out for the better.

The CHAIRMAN. How did it turn out for the best?

Mr. VALACHI. Because Frank Scalise, at the time I think he was underboss or boss, he was also with Carlo Gambino. Carlo Gambino is Paul Gambino's brother, and Carlo Gambino was a member, and Maranzano explained that that brought this new group in with us, and that is why he said it turned out for the best.

The CHAIRMAN. As a result of the shooting, Gambino came in with you folks?

Mr. VALACHI. Yes, sir.

Senator MUNDT. What happened to Baker?

190 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Shall I go on with the story of Baker?

The CHAIRMAN. Before you go on with the story of Baker, I would like to find out how these contracts are made. Did Maranzano himself give you the contract to kill Baker, or did he work through some underboss other than that?

Mr. VALACHI. Well, at this time, I was in Maranzano's headquarters.

The CHAIRMAN. What is that?

Mr. VALACHI. I was in Maranzano's headquarters.

The CHAIRMAN. You were in his headquarters?

Mr. VALACHI. And when I say "headquarters" I mean at the house where he was staying.

Senator MUNDT. And he himself told you to go out and get Baker?

Mr. VALACHI. Well, if he didn't tell me he would tell the one in charge. We also have one in charge. He didn't tell it to me but he told it to the one in charge. In other words, a fellow by the name of Nick Capuzzi, who was in charge at this time, what I am going to tell you about.

Senator MUNDT. In charge of what?

Mr. VALACHI. Of this operation.

Senator MUNDT. Maranzano told Nick, "I want you to get somebody to get Baker." Nick told you to do the job.

Mr. VALACHI. Well, no; Nick comes with me, see. In other words, there was an apartment rented at 183d Street. All I know is, they wake me up in the morning, say about 4 o'clock in the morning, and we sneak in this apartment. Nick has the orders. Maranzano need not talk to me. I get up, dress up, there was Nick, Buster and Sally Shields, and myself. They had an apartment. Now who got the apartment, how they got it I don't know. All I know is that we went in an empty apartment. This apartment happened to be on the top floor of this building. Baker was across the street almost a block down. In other words, we were about a block away.

The CHAIRMAN. In other words, you were a block away from his apartment but from your apartment you can see his apartment?

Mr. VALACHI. No, it was an office. He used to make an appearance every morning for about 5 minutes. I understand that he used to take money to the bank. He used to take money out of the office, whatever business they were in, at this time, and he would make an appearance for 5 or 10 minutes and go away every morning. They never seemed to be satisfied with this arrangement. Now we are going in and out. We go about 4 in the morning and we leave about 9 or 10 like in the evening. And we go to Yonkers where Maranzano was staying. We are going back and forth for about, I would say, at least 2 months. Nothing was happening. So one day we were sitting down, see. We were sitting down in the apartment and we were talking. So, I said to Nick, I said, "You people don't know the neighborhood, I know this neighborhood. One day they are going to bomb us out over here." He said, "What do you mean?" I said, "If we keep going in and out somebody will spot one of us. The first thing you know we will come in here, they will get us." He said, "Well, do you have any idea?" I said, "You know what I would do? This fellow comes here, he appears every day. Why don't we stake out in the apartment on the first floor? If he

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 191

doesn't show up and you miss him, you ain't losing anyway, you're not going to do anything from here anyway."

The CHAIRMAN. Couldn't you do anything?

Mr. VALACHI. The range is too far. At one time they figured the gun don't reach. Then another time they get a longer gun. Buster was handling all that. In other words, by the time they got aim, and he wanted to take good aim, he would make that little turn he was making, you know, he never was sure, himself. He didn't want to miss. That is the way it was going. Either one thing or another. There was always something. It was too far.

So that morning, that night, the last night that we were in Yonkers, about 3 in the morning Maranzano sent for me. What I mean by that, he sent for me from my room into his room.

The CHAIRMAN. Who?

Mr. VALACHI. Maranzano.

The CHAIRMAN. That is the boss?

Mr. VALACHI. Yes. He sent for me from my room into his room. Bobby Doyle was the one who come and got me. He said, "You know what you are doing?" I said, "What is the matter?" He said, "You are taking responsibility away. What are you doing?" I said, "Bobby, I am going away. Bobby, there is nothing to be done over here, it is too far. I am going there, not you. One of these days they are going to spot us and they will blow us right out of the building." I said, "Is that what he wants to see me about?" He said, "Yes." I said, "OK." I went in and talked to Maranzano. I explained to him the same thing. So, he told me, go ahead. So I told him, "Instead of tapping on the door," I said, "I would like to get some tools. I would like to crash into the apartment instead of walking in. Just like I know how to do it." He told me, "What do you need?" I told him, "I need a spring leaf, you know the spring leaf of a car."

The CHAIRMAN. Yes.

Mr. VALACHI. I said: "I need one short and one larger. I want the short one to be sharp." They got that all arranged for me. The next time we went, we timed it, we figured we would go about a half hour or three-quarters of an hour before his appearance. He seemed to appear right on time. So, to my amazement, I crashed the doorway, the apartment was empty and there were three painters in there.

The CHAIRMAN. Three painters?

Mr. VALACHI. Three painters.

The CHAIRMAN. There was an empty apartment. You crashed in there and you found three men painting the apartment?

Mr. VALACHI. Yes.

The CHAIRMAN. All right, go ahead.

Mr. VALACHI. These painters wanted to give us money. They thought we were sticking them up. We said: "We don't want any money, just keep painting."

The CHAIRMAN. All right, go ahead.

Mr. VALACHI. So, we were in about a half hour, Joe Baker makes an appearance. As soon as he made the appearance I left to get the car ready. In other words, to have the motor ready instead of going down there and running down and starting the car. I left about a

192 ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS

minute before and I had the motor ready. Within about a minute's time they were right behind me. I left them off——

The CHAIRMAN. Did you hear the shots?

Mr. VALACHI. I tell you, Senator, I don't remember if I heard the shots.

The CHAIRMAN. But they came right after you?

Mr. VALACHI. Yes. Because I had the car in the next block. I don't remember how I got there, but I had it in another block. I really don't remember. But the car was, let us say, for instance, this avenue——

The CHAIRMAN. Who were the two you left there to get Baker?

Mr. VALACHI. I left three there.

The CHAIRMAN. Who were they?

Mr. VALACHI. There was Sally, there was Buster.

The CHAIRMAN. Sally Shields?

Mr. VALACHI. Buster and Nick Capuzzi.

The CHAIRMAN. Those were the three you left there?

Mr. VALACHI. Right.

The CHAIRMAN. Is Shields still living?

Mr. VALACHI. Yes.

The CHAIRMAN. What year was this? Do you remember? Do we have a record of this?

Mr. VALACHI. About 1930, sir.

The CHAIRMAN. That is after you were a member?

Mr. VALACHI. Yes.

The CHAIRMAN. Do you remember where this was, what building?

Mr. VALACHI. 183d Street and Crescent Avenue, the Bronx.

The CHAIRMAN. I would like to ask the officer what your record shows regarding this killing.

Sergeant SALERNO. On February 3, 1931, at 11:45 p.m., 15 feet west of 647 Crescent Avenue in the Bronx, one Joseph Catania, alias Joe Baker of 2319 Belmont Avenue, Bronx, male, white, 29, while walking in front of that premise was shot six times in the head and body, causing his death in Fordham Hospital to which he was removed. Before he died, in spite of mortal wounds he could not or would not identify the perpetrators of the crime. The case is active.

The CHAIRMAN. Very well. I suppose you read about the killing the next day in the paper, didn't you?

Mr. VALACHI. I don't think I read about it.

The CHAIRMAN. What did you do, get away from there for awhile?

Mr. VALACHI. No; we didn't go out. It was dangerous to go out. We never went out.

The CHAIRMAN. You didn't go out, you stayed in?

Mr. VALACHI. Yes.

The CHAIRMAN. Is that the first contract you helped carry out?

Mr. VALACHI. Besides the Pelham apartment.

Senator MUSKIE. Will the chairman yield for a question?

The CHAIRMAN. Yes, I will be glad to yield.

Senator MUSKIE. You speak of this contract. Was there any quid pro quo? Did you get paid for these jobs?

Mr. VALACHI. I can't hear you.

Senator MUSKIE. You referred to these contracts. Did you get paid for performing these chores?

Mr. VALACHI. No.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 193

Senator MUSKIE. This was part of your obligations as a member of the organization?

Mr. VALACHI. Yes.

Senator MUSKIE. This was part of the oath you described earlier this afternoon?

Mr. VALACHI. Right.

Senator, if this organization finds out that any member gets paid for any killing, he is in trouble. I must tell you that.

Senator MUSKIE. He is in trouble for getting paid, not for the killing?

Mr. VALACHI. I am telling you the truth.

Senator MUSKIE. Let me ask you this. When you were chosen for this job, did you have any choice? Is this something you had to do when you were asked to do it?

Mr. VALACHI. We are in war, Senator. We feel the sooner we get through with it the sooner we will be back in circulation.

Senator MUSKIE. Were you obeying orders as a soldier?

Mr. VALACHI. Yes; we were working as a team, just like any army would, you know.

Senator MUSKIE. This is something you wanted to do, but if you didn't want to do it could they have forced you to do it?

Mr. VALACHI. A thought like that never even entered our mind as to whether you wanted to do it or not. You are there for that purpose, Senator.

Senator MUSKIE. So that doing these things came as naturally as breathing?

Mr. VALACHI. What was that, Senator?

Senator MUSKIE. Doing these things came as naturally as breathing?

Mr. VALACHI. That is right; yes.

Senator MUSKIE. That is all, Mr. Chairman.

Senator JACKSON. May I ask one question?

The CHAIRMAN. Senator Jackson?

Senator JACKSON. Following up Senator Muskie's question, would the organization advance money to you if you needed it?

Mr. VALACHI. At this time we were getting along on very little.

Senator JACKSON. You were getting along all right?

Mr. VALACHI. On very little.

Senator JACKSON. On very little?

Mr. VALACHI. Yes.

Senator JACKSON. But did the organization—Maranzano—have money available to help any member?

Mr. VALACHI. Yes; there was money coming in, Senator, for instance, after I found out that Tom Gagliano invested \$140,000 out of his pocket—are you talking about financing this war?

Senator JACKSON. Yes.

Mr. VALACHI. There was \$5,000 a week coming in from Buffalo which was Steve Magaddino.

Senator JACKSON. \$5,000 a week?

Mr. VALACHI. Yes; and there was \$5,000 a week coming from Chicago, Joe Aiello. I learned this from being in the house with Maranzano.

Senator JACKSON. Was there a time when the money stopped coming from Chicago?

194 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Yes; when Joe Aiello in Chicago—he was killed in almost the same style as the Pelham apartment—going in what you call a court from the apartment.

Senator JACKSON. So that source of revenue was lost?

Mr. VALACHI. That was cut off.

Senator JACKSON. But after that you still had \$5,000 a week coming in?

Mr. VALACHI. And Gagliano's \$140,000. Not Gagliano, but throughout the whole trouble it cost him \$140,000.

Senator JACKSON. How was that money apportioned?

Mr. VALACHI. For instance—

Senator JACKSON. How was it paid out?

Mr. VALACHI. It was expense, Senator. For instance, in cars. They don't use stolen cars. They buy cars, assumed names, in apartments. Their families were being taken care of.

Senator JACKSON. But they did allocate money?

Mr. VALACHI. Yes.

Senator JACKSON. Was this on the basis of rank in the organization?

Mr. VALACHI. It is on the basis—for instance, it needs financing, it needs guns, it needs machineguns. So, Maranzano was in charge of that.

Senator JACKSON. But he decided how much each one would get, would he?

Mr. VALACHI. Yes. We were getting \$25 a week.

Senator JACKSON. \$25 a week?

Mr. VALACHI. Yes; between four of us. In fact, Senator, I went on a couple of burglaries.

Senator JACKSON. A couple of what?

Mr. VALACHI. A couple of burglaries, doing this so we could have some money in our pocket. I went by myself, with the other fellows that I knew, like Buck, Monk.

Senator JACKSON. You were doing a little moonlighting?

Mr. VALACHI. I felt \$25 a week was kind of rough.

Senator JACKSON. What was the most you got out of the organization?

Mr. VALACHI. I never got anything.

Senator JACKSON. You never got anything?

Mr. VALACHI. No.

Senator JACKSON. The most you got, you say, was \$25 a week?

Mr. VALACHI. Oh, you are talking about the troubles?

Senator JACKSON. Yes.

Mr. VALACHI. During the troubles. Naturally you corroborate because you know it is rough. There ain't nobody making any money, you are hiding, so you can't make money.

Senator MUSKIE. In other words, you were simply paid during the war to take care of your living expenses while you were a fighting soldier?

Mr. VALACHI. That is right.

The CHAIRMAN. We have here a record of this man you say was killed in Chicago. Let us place that in the record.

Mr. Duffy, do you identify the document? I present to you the document.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 195

TESTIMONY OF LaVERN J. DUFFY—Resumed

Mr. DUFFY. It is a photostatic copy of a police entry on the books to show the murder of Aiello on October 23, 1930.

The CHAIRMAN. October 23, 1930?

Mr. DUFFY. Would you like me to read the entry?

The CHAIRMAN. No; it can be printed in the record and made exhibit No. 10.

(The document referred to was marked "Exhibit No. 10" and is as follows:)

EXHIBIT No. 10

October 23, 1930. Aiello, Joseph: Age 39, Italy, married, gang leader and partner of "Bugs Moran" was riddled with machinegun bullets in front of 205 N. Kolmar Ave., when he left the home of Pasquale Prestigiocomo, alias Presto to enter a cab. The fire was opened up on him from a "machinegun nest" in a flat across the street, 202 Kolmar Ave., and when he attempted to escape to the rear of the Presto home was felled from fire from a second nest from a window at 4518 West End Ave. Presto, who was his business partner and in whose home he had been rooming (it is believed in hiding) was booked 10-28-30 as accessory, but on 1-29-31 the case was nolle prossed by Padden before the inquest closed.

Mr. DUFFY. It does indicate that they used a machinegun as Mr. Valachi said.

The CHAIRMAN. Did they use machineguns on this man in Chicago?

Mr. VALACHI. Yes.

Senator JACKSON. What was the source of the \$5,000 a week? What was the racket in Chicago?

Mr. VALACHI. I don't know, Senator.

Senator JACKSON. That is a lot of money.

Mr. VALACHI. How they were making this \$5,000 a week?

Senator JACKSON. Yes.

Mr. VALACHI. I don't know. I didn't even know Joe Aiello.

Senator JACKSON. You don't know how he was getting \$5,000 a week?

Mr. VALACHI. No.

Senator JACKSON. But it was out of a racket in Chicago?

Mr. VALACHI. I think so.

Senator MUNDT. You told Senator Muskie that you never even considered not obeying the order to kill this man. It was just as natural as breathing that you do it?

Mr. VALACHI. Senator, I am being fair. I am telling you how I thought at that time.

Senator MUNDT. This is because you thought it would be a penalty to you if you violated an order of the boss?

Mr. VALACHI. As I say, Senator, I never even thought of that, to be frank with you. We were young, we thought we were doing a duty for these new people. How can I explain to you?

Senator MUNDT. This boss had complete control over your life, didn't he?

Mr. VALACHI. At this time, sure.

Senator MUNDT. Did he take a lieutenant and demote him down to being a common soldier?

Mr. VALACHI. Senator, at this time, during the trouble, there is nothing like lieutenant or anything like that. That comes after when you make peace. I go on and explain that to you later on.

196 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator MUNDT. Then you say in peacetime he could demote a lieutenant?

Mr. VALACHI. Yes.

Senator MUNDT. Promote some other lieutenant?

Mr. VALACHI. In peacetime, yes.

Senator MUNDT. Do you know of any case where that was done?

Mr. VALACHI. Yes. It was done I understand in Buffalo after the Apalachin meeting. Do you care to hear that now?

Senator MUNDT. That is Montana?

Mr. VALACHI. Yes.

Senator MUNDT. Is this the same Montana who was made "Man of the Year" in the city of Buffalo?

Mr. VALACHI. The one who was supposed to run for mayor or something. The one who was at Apalachin.

Senator MUNDT. In the Apalachin hearings, we had a Montana who was made "Man of the Year" by the city of Buffalo.

Mr. VALACHI. That is the one.

Senator MUNDT. The same one you are talking about?

Mr. VALACHI. Yes.

Senator MUNDT. He was a lieutenant under your boss?

Mr. VALACHI. Not under my boss. Under Magadin.

Senator MUNDT. Some other Cosa Nostra?

Mr. VALACHI. Yes, in Buffalo.

Senator MUNDT. He was demoted because of what?

Mr. VALACHI. He was demoted because he felt—you see, this gets around to us. He felt he did not want the boys to contact him any more. He didn't want to be mixing with them because he was arrested in Apalachin.

He was told by the boss, naturally, that he need not worry about it no more. "From now, you will be a plain soldier," and he was replaced by another lieutenant. I don't know who he was.

Senator MUNDT. The boss had enough authority even over a big shot like Montana to demote him?

Mr. VALACHI. Yes; he did.

Senator MUNDT. He took the demotion?

Mr. VALACHI. Yes.

Senator MUNDT. Do you know Montana personally?

Mr. VALACHI. I met him some long time ago. I identified his picture.

Senator MUNDT. Did you meet him as a member of the Cosa Nostra?

Mr. VALACHI. Yes. But I haven't been in contact with him for a long, long time. Some I recognize from Buffalo. I was in Buffalo, Senator.

Senator MUNDT. Did you meet him before or after he got the award of the city as the Man of the Year?

Mr. VALACHI. Before.

Senator MUNDT. He was a member of Cosa Nostra at the time he was given this salutation by his fellow citizens?

Mr. VALACHI. Later on I will explain that to you, Senator, when I get to that.

Senator MUNDT. All right.

Senator CURTIS. Now, Mr. Chairman, I want to be clear on something.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 197

This making him Man of the Year, was that by the Cosa Nostra government or by the city of Buffalo?

Mr. VALACHI. Not Cosa Nostra. That was, how do you put it—newspapers.

Senator CURTIS. A civic honor?

Mr. VALACHI. Cosa Nostra had nothing to do with what they make him.

Senator CURTIS. This man, Montana, was Man of the Year?

Mr. VALACHI. By the newspapers, put it that way, whatever you want to say, but not Cosa Nostra.

Senator CURTIS. Do you know how that happened?

Mr. VALACHI. No; I don't.

Senator CURTIS. Did any of the members of Cosa Nostra go into politics?

Mr. VALACHI. I'm trying to think now if there is one I can think of. I can't think of one.

Senator CURTIS. Did they contribute to political campaigns?

Mr. VALACHI. Yes; that they did.

Senator CURTIS. For what offices?

Mr. VALACHI. I am not acquainted with that, Senator. You know what I mean. But I know they helped. But how it goes, I never was interested in political affairs.

Senator CURTIS. In what offices were they interested, in judges, prosecutors, or Governors, or was the emphasis generally in national activities in their political contributions?

Mr. VALACHI. I would say national, like President, that was their interest.

Senator CURTIS. You know that they did make contributions?

Mr. VALACHI. Yes.

Senator CURTIS. To whom did they make contributions?

Mr. VALACHI. That I don't know, Senator. That is not my line.

Senator CURTIS. How do you know, does the word go out?

Mr. VALACHI. Yes; among us.

Senator CURTIS. The word goes out that they want a certain amount of cash?

Mr. VALACHI. I don't know what they go for but we know.

Senator CURTIS. Were you ever asked for money?

Mr. VALACHI. No.

Senator CURTIS. But you do know that some in the organization raise the money?

Mr. VALACHI. Yes. They probably laid it out of their own pockets. They got enough money. They don't need me.

Do you understand, Senator?

I don't know just how it works but I know when they do donate they donate, you have to be pretty close to hear it.

Senator CURTIS. Pretty close to what?

Mr. VALACHI. You know, one of the guys that gets in on the know, on anything that goes out.

Senator CURTIS. That is a member that is living off some respectable situation?

Mr. VALACHI. Well, it is a member, like a trusted member, put it that way.

198 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

There is a lot of members that are not active at all, you understand. Being you are around, say, and you get active you hear it. You hear this and you hear that. You hear it by reliable sources.

Senator CURTIS. That is all.

The CHAIRMAN. Is Sally Shields still alive? You mentioned him a while ago.

Mr. VALACHI. Yes.

The CHAIRMAN. He was just recently paroled, was he not?

Mr. VALACHI. Yes.

The CHAIRMAN. He is out on parole now?

Mr. VALACHI. I don't know if he is out on parole now. I wouldn't know.

The CHAIRMAN. Let us get down now after this killing in Chicago and after Baker's killing, was there an effort to make peace at that time?

Mr. VALACHI. No.

The CHAIRMAN. When did Masseria try to get peace?

Mr. VALACHI. Now you had to wait until they get Joe Masseria.

The CHAIRMAN. Another one killed?

Mr. VALACHI. You see, we got it that there was an understanding that his own guys are going to set him up.

The CHAIRMAN. I understand, but did he try to make peace?

Mr. VALACHI. Yes.

The CHAIRMAN. Masseria tried to make peace after these two killings?

Mr. VALACHI. I am sorry, I misunderstood the question.

Yes, he offered himself to be a plain soldier. He will give up anything he had if they leave him alone. Maranzano refused.

The CHAIRMAN. What had the situation developed into at that time? How many people did Masseria have that were fighting for him and how many had come over and were fighting for Maranzano?

Mr. VALACHI. I think Maranzano by this time had about 600, Senator. They were coming over.

The CHAIRMAN. That is because they had all joined forces, what was the name of them—they had come into that group?

Mr. VALACHI. Castelmarese?

The CHAIRMAN. Yes.

Mr. VALACHI. They were coming in, more and more.

The CHAIRMAN. How many did Masseria have left that were fighting for him or apparently loyal to him?

Mr. VALACHI. How many did Masseria have?

The CHAIRMAN. Yes.

Mr. VALACHI. Masseria, in the beginning, had his old brigade in the beginning, his whole family.

The CHAIRMAN. I am talking about this time when he is asking for peace.

Mr. VALACHI. He didn't have much then. He didn't have much then.

The CHAIRMAN. He had lost a lot of his following?

Mr. VALACHI. That's right, yes.

The CHAIRMAN. How many? You made some estimate a day or two ago. Do you remember what you gave us?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 199

Mr. VALACHI. Are you referring to how many friends did he have?

The CHAIRMAN. Yes.

Mr. VALACHI. Well, he had Charley, he had Vito, he had not too many. He had about five or six, Senator.

The CHAIRMAN. That were real close to him?

Mr. VALACHI. Right.

The CHAIRMAN. That was Genovese?

Mr. VALACHI. Genovese.

The CHAIRMAN. Who is now your family boss?

Mr. VALACHI. Right.

The CHAIRMAN. Lucky Luciano?

Mr. VALACHI. Right. Joe Strasse or Joe Stretch.

The CHAIRMAN. Joe Stretch, we will call him that.

Mr. VALACHI. Ciro Terranova.

The CHAIRMAN. Very well. Then what happened?

Mr. VALACHI. They finally, after Joe Baker, sometime after Joe Baker, finally got him to come out at Coney Island, in a restaurant.

The CHAIRMAN. I know. But who did it? Did they arrange with Masseria's own men to set him up?

Mr. VALACHI. Yes.

The CHAIRMAN. Who of his own men set him up for the killing?

Mr. VALACHI. Charley, Lucky, and Vito.

The CHAIRMAN. Vito Genovese and Lucky Luciano?

Mr. VALACHI. Yes.

The CHAIRMAN. Those are the two that set up Masseria for his death meal, is that right?

Mr. VALACHI. Right, with the pretense that they were going to get Maranzano.

The CHAIRMAN. They doublecrossed their own boss?

Mr. VALACHI. Right.

The CHAIRMAN. And set him up to be killed?

Mr. VALACHI. The only way they got him out, they pretended that they had Maranzano. In other words, they sent word to him that they were going to get Maranzano, they were going to sit down and talk about it.

(Discussion off the record.)

The CHAIRMAN. The committee will have to stand in recess until 10:30 in the morning.

(Members of the subcommittee present at the time of the recess were Senators McClellan, Muskie, and Curtis.)

(Whereupon, at 3:30 p.m., the subcommittee recessed, to reconvene at 10:30 a.m., Wednesday, October 2, 1963.)

PAGINA BIANCA

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

WEDNESDAY, OCTOBER 2, 1963

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:35 a.m. in the caucus room, Old Senate Office Building, pursuant to Senate Resolution 17, agreed to March 14, 1963, Senator John L. McClellan (chairman of the subcommittee) presiding.

Present: Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; Senator Edmund S. Muskie, Democrat, Maine; Senator Thomas J. McIntyre, Democrat, New Hampshire; Senator Daniel B. Brewster, Democrat, Maryland; Senator Karl E. Mundt, Republican, South Dakota; Senator Carl T. Curtis, Republican, Nebraska.

Also present: Jerome S. Adlerman, general counsel; Donald F. O'Donnell, chief counsel; Philip W. Morgan, chief counsel to the minority; LaVern J. Duffy, assistant counsel; Paul E. Kamerick, assistant counsel; Harold Ranstad, assistant counsel; Arthur G. Kaplan, assistant counsel; Alphonse Calabrese, investigator; Eugene J. Marshall, Bureau of Narcotics; Martin Pera, Bureau of Narcotics; Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will be in order.

(Members of the subcommittee present at time of convening; Senators McClellan, McIntyre, Muskie, Brewster, Mundt, and Curtis.)

The CHAIRMAN. We will proceed.

We have with us this morning Senator Ribicoff, who is a member of the full Committee on Government Operations, who wishes to make a statement to the committee, and we will now ask Senator Ribicoff to proceed, following which we will interrogate the witness further with respect to the matter.

Senator RIBICOFF. Thank you very much, Mr. Chairman.

Yesterday when Mr. Valachi testified, he identified a man by the name of Bobby Doyle, Stamford, Conn. I received a call last night from a Robert Doyle of Stamford. Just by coincidence, there is only one Robert Doyle in Stamford. Robert Doyle of Stamford is 45 years of age. In 1930 he was 12 years old, and he is 6 feet 6 inches tall and he is of Irish extraction, and his father's name was Doyle, also of Irish extraction. He is married, with four children, and he has six brothers and sisters, with an aged mother and father.

Well, once the statement was made that this was Robert Doyle of Stamford, all of the Doyles have been deluged with telephone calls

202 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

and they have been placed in a very embarrassing position. The mother and father, who are aged, have been caused great concern.

Now, I have checked with the former mayor and the commissioner of State Police in the State of Connecticut, and I am convinced myself that the Robert Doyle of Stamford in no way could be the man referred to as Bobby Doyle of Stamford by the witness.

I think in all fairness to an innocent man in Stamford, the record should be clear so that his friends and neighbors and employers will have no doubt that the Robert Doyle of Stamford, the only Robert Doyle in Stamford, is not the man identified by the witness yesterday before this committee.

The CHAIRMAN. Thank you, Senator, and we will undertake to clear it up. I regret, of course, and we all do, that any innocent person's name was confused with one about whom the witness was testifying.

I would like to present to the witness at this time a photograph which I understand to be that of the Bobby Doyle he is talking about. Let the witness examine the photograph and see if he identifies it.

(The photograph was handed to the witness.)

TESTIMONY OF JOSEPH VALACHI—Resumed

Mr. VALACHI. Senator, I thought I said Hartford, Conn.

The CHAIRMAN. You thought you said what?

Mr. VALACHI. Hartford, Conn., yesterday. If I said Stamford, I am sure that I said it unconsciously. I meant Hartford, Conn.

The CHAIRMAN. You knew the particular Bobby Doyle you were talking about. Do you know any Bobby Doyle that lives in Stamford?

Mr. VALACHI. No, I don't know anybody.

The CHAIRMAN. You don't know any Bobby Doyle in Stamford?

Mr. VALACHI. No.

The CHAIRMAN. So you are talking about the Bobby Doyle in Hartford?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. And this is a picture of the Bobby Doyle that you referred to?

Mr. VALACHI. Bobby Doyle is shorter than I am.

The CHAIRMAN. The Bobby Doyle that you are talking about is shorter than you are?

Mr. VALACHI. That is right.

The CHAIRMAN. And this is the man? What is the age of this man whose picture I have just shown you?

Mr. VALACHI. Bobby is about, I would say, about 65 at this time.

The CHAIRMAN. About 65 years old at this time?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. I want to interrupt the testimony of this witness to hear from Lieutenant Roach. Lieutenant, will you stand up?

You do solemnly swear that the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Lieutenant ROACH. I do.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 203

TESTIMONY OF LT. JOHN ROACH

The CHAIRMAN. Let this picture that I have just shown the witness Valachi be made exhibit No. 11.

(Photograph referred to marked exhibit No. 11 for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. Lieutenant, will you identify yourself for the record, please?

Lieutenant ROACH. Lt. John Roach, in charge of the Vice Division of Hartford Police, Hartford, Conn.

The CHAIRMAN. How long have you been on the force in Hartford, Conn.?

Lieutenant ROACH. Seventeen years.

The CHAIRMAN. Do you know a Bobby Doyle in Hartford, Conn.?

Lieutenant ROACH. Yes, sir.

The CHAIRMAN. Do you know about his reputation as a law-abiding citizen?

Lieutenant ROACH. I know he hangs around the streets of Hartford and he has no visible means of support, and I have known him for about 10 years.

The CHAIRMAN. I don't know whether you did, but did you undertake to contact him after this testimony yesterday, or was it someone else?

Lieutenant ROACH. I did contact him after this testimony.

The CHAIRMAN. I understood someone undertook to contact him yesterday and asked him if he was the Bobby Doyle that was referred to here, and he slammed the door in their face and told them to ask Valachi.

Lieutenant ROACH. I talked to him about 6 days ago.

The CHAIRMAN. About 6 days ago?

Lieutenant ROACH. Yes, sir.

The CHAIRMAN. I hand you a photograph here that has just been made exhibit No. 11, and I ask you to examine it and state if you can identify it.

(The photograph was handed to Lieutenant Roach.)

Lieutenant ROACH. This is Robert Doyle, alias James Santuccio, and he lives at 800 New Britain Avenue, Hartford, Conn.

The CHAIRMAN. So that the error here has occurred in the name of the town?

Lieutenant ROACH. That is correct.

The CHAIRMAN. That is what caused the confusion?

Lieutenant ROACH. Yes, sir.

The CHAIRMAN. So you know this to be the man that is generally referred to as being involved in some of these activities?

Lieutenant ROACH. Yes, sir, Senator.

The CHAIRMAN. You know that because he is in your town and you have known him how long?

Lieutenant ROACH. Possibly 10 years.

The CHAIRMAN. Possibly 10 years?

Lieutenant ROACH. Yes, sir.

The CHAIRMAN. Do you have his police record?

Lieutenant ROACH. No, I don't.

The CHAIRMAN. Who can identify it?

204 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. Detective Salerno.

The CHAIRMAN. We are very sorry that any mistake occurred. I didn't catch whether the witness said Stamford or Hartford, and I didn't catch it, but evidently he said Stamford, because many understood it that way, and I am awfully sorry that that occurred, and any unpleasantness was caused to the Bobby Doyle and his family of Stamford.

It is just unfortunate when those things happen, and it couldn't be helped, and we will now make it very clear that we are talking about the Bobby Doyle whose photograph here has been identified and he is the Bobby Doyle who has been referred to at all times in this testimony up to now, and he is the one and not anybody at Stamford. We trust this will carry to those who have manifested some interest in it, and had knowledge of it, and had taken some interest in the matter, so that they will now know that the witness, if he said Stamford, made an error, and he meant to say Hartford, and, therefore, the record of Bobby Doyle, of Hartford, will now be placed in the record and I present his record to you.

The CHAIRMAN. Will you examine this and state if you identify it?

Mr. VALACHI. He was an ex-fighter. He used to be a boxer years back, when he was young.

The CHAIRMAN. He used to be a boxer?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. You are talking about Bobby Doyle of Hartford, now?

Mr. VALACHI. Yes, that was his fighting name.

Sergeant SALERNO. This is the criminal record of James Santuccio, who was also known as Bobby Doyle, and it is B-59749. There are four arrests for felonious assault, one with a gun, two for 1897, which is a gun carrying charge in New York State, and two arrests, one as a material witness in a homicide, and the second one is for the charge of homicide with a gun.

The CHAIRMAN. Very well. That will be made exhibit No. 12.

(Document was marked "Exhibit No. 12" and will be found in the files of the subcommittee.)

Senator RIBICOFF. I thank you, and the Stamford Doyles thank you.

The CHAIRMAN. We extend you the courtesy here and we will be glad to have you ask any questions.

Senator RIBICOFF. It is cleared up and I am sure that all of the Stamford Doyles are most appreciative.

The CHAIRMAN. We are most regretful that anything like this can happen, but, of course, where there is similarity of names, the same name throughout the country, sometimes I guess it is unavoidable that some confusion might be caused, but we are most happy to clear it up in the record. The record now, I trust, is emphatic, and there can no longer be any misunderstanding or confusion about it.

Senator MUNDT. There is probably one other question that should be asked the officer from Hartford.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 205

How old, approximately, is the Bobby Doyle you talked with 5 or 6 days ago, in Hartford?

Lieutenant ROACH. I would say about 64 or 65 years old, and he is about 5 feet 3 inches.

Senator MUNDT. That corroborates the testimony of the witness and I thought we should have it in the record.

Lieutenant ROACH. That is good.

Mr. VALACHI. I am 5 feet 5½ inches.

The CHAIRMAN. I didn't understand you.

Mr. VALACHI. I am 5 feet 5½ inches.

The CHAIRMAN. Very well.

Senator CURTIS. I would like to ask you, Mr. Valachi, over the years since you were associated with this group, have you worked and traveled in any State other than New York and the surrounding States there?

Mr. VALACHI. Well, I visited Buffalo, and I visited Utica, N.Y.

Senator CURTIS. You haven't gone to the Middle West?

Mr. VALACHI. I went to Arkansas years back.

The CHAIRMAN. I didn't understand what you said.

Mr. VALACHI. I was trying to tell him I went to the baths in Arkansas.

The CHAIRMAN. Did you get cleaned up down there?

Mr. VALACHI. You know, the 21-day baths.

Senator CURTIS. Have you ever been in Chicago and made any contracts with the Cosa Nostra?

Mr. VALACHI. No; I stopped in Chicago on the way to Arkansas.

Senator CURTIS. Did you make any contacts with any of the criminal elements there?

Mr. VALACHI. In Utica; yes.

Senator CURTIS. I mean in Chicago.

Mr. VALACHI. No, no contacts.

Senator CURTIS. Have you ever been in Kansas City?

Mr. VALACHI. No, not that I recall; no.

Senator CURTIS. Have you ever been in Omaha?

Mr. VALACHI. No, sir.

Senator CURTIS. That is in Nebraska.

Mr. VALACHI. No, sir.

Senator CURTIS. Do you know whether or not there are members of the Cosa Nostra operating in Omaha?

Mr. VALACHI. Senator, I never heard of Omaha, and I never heard anything about Omaha.

Senator CURTIS. Here is what I want to know: Are there assigned areas, or do you have regional offices? For instance, does the family or families in Chicago, do they have certain States under this jurisdiction?

Mr. VALACHI. All I know, Senator, is in Chicago there was one family. Now, where they extend, I wouldn't know.

Senator CURTIS. You do not know how the territory was handled outside of New York State?

Mr. VALACHI. That is right.

Senator CURTIS. And the States adjacent to it?

Mr. VALACHI. I just know that there is one family there.

206 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator CURTIS. And you have never heard anyone discuss Omaha in connection with the numbers racket, or horse betting?

Mr. VALACHI. Not among us. I never heard anything about Omaha.

Senator CURTIS. Well, now, does the Cosa Nostra deal with people who are not members? In other words, do they put someone in the numbers racket and cooperate with them even though they are not members and haven't been taken in as members?

Mr. VALACHI. They do.

Senator CURTIS. In fact, they use a great many people.

Mr. VALACHI. They do.

Senator CURTIS. And the same would be true on the horse betting?

Mr. VALACHI. Yes, sir.

Senator CURTIS. And even though you know of no Cosa Nostra members in the Omaha area, do you know of any contracts either in the numbers racket or in the horse betting in Omaha, or heard of them in your discussions?

Mr. VALACHI. I never even remember talking about Omaha.

Senator CURTIS. And how about Kansas City?

Mr. VALACHI. Kansas City the same.

Senator CURTIS. Do you know of any of the contracts of the families or family in Kansas City?

Mr. VALACHI. I don't.

Senator CURTIS. How about Des Moines?

Mr. VALACHI. Where is that, Senator?

Senator CURTIS. That is in Iowa.

Mr. VALACHI. I never even heard of that.

Senator CURTIS. Now, do you know of anyone in the family or families that worked with or through any Teamster Union officials?

Mr. VALACHI. Now, I would like for you to explain that to me.

Senator CURTIS. I am not talking about the rank and file of union members, but this committee in previous hearings has had testimony where a few union leaders have cooperated with organized crime. Do you know of any of those people?

Mr. VALACHI. Senator, I can answer you in private on that subject.

Senator CURTIS. All right. Very well, Mr. Chairman.

The CHAIRMAN. May I clear up one other thing? Yesterday the witness was testifying about John Montana or something was in the record about him having been presented an award, a citizens' award, the Man of the Year Award by Buffalo, or somebody in the city of Buffalo, is that correct?

You said something yesterday about the newspapers presenting him an award. You meant you saw something in the newspapers about him getting an award?

Mr. VALACHI. Yes, but yesterday I was trying to tell you that the Cosa Nostra had nothing to do with that, Senator.

The CHAIRMAN. I understand they didn't, but you didn't know who actually presented the award.

Mr. VALACHI. No.

The CHAIRMAN. That is, who gave the award.

Mr. VALACHI. Yes, sir.

The CHAIRMAN. What you meant was, you saw in the newspapers an account of it?

Mr. VALACHI. A little of that, and a little somebody talks about it.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 207

The CHAIRMAN. Somebody talking about it?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Anyway, when you referred to the newspapers, you didn't mean to imply, I assume you didn't mean to imply that the newspapers of Buffalo presented him with the award.

Mr. VALACHI. No, Senator. If there is something in the newspapers, for instance, we talk about it, and if we give it any credit as to what the newspapers are saying, sometimes we will say, "Jesus, they got that right." And most of the time we say—you know, we talk among ourselves. Now, if somebody among ourselves burglarizes, then I pay attention, but not that I believe the newspapers. It is not that I mean to say the newspapers are doing anything wrong. I feel they have been misled, that is all.

The CHAIRMAN. You feel they have been misled. Well, my purpose in asking you this, my understanding is that it was the Fraternal Organization of the Buffalo Police Department that actually presented the award to Montana, and not the newspapers. That is the Erie Club.

Mr. VALACHI. I didn't know who presented it at all, Senator.

The CHAIRMAN. You didn't mean to say the newspapers presented it.

Mr. VALACHI. That is right.

The CHAIRMAN. I just wanted to get the record straight.

All right. Are there any questions?

Senator MUNDT. I have a few questions based on the testimony of yesterday dealing with the phase of the gang war that we have been discussing, which is down to that gray line, which goes across the chart.

Mr. VALACHI. Down or up?

Senator MUNDT. I will be talking about something that is up above that line. I understand from the chairman that we are going to go below that line. I wanted to find out where you talked about the declared and undeclared war, and in reviewing your testimony, I am not quite clear how long the undeclared part of the war lasted, and how long the declared part of the war lasted. Do you recall?

Mr. VALACHI. The undeclared war, I say, lasted a couple of months.

Senator MUNDT. How long?

Mr. VALACHI. Four or five months; a few months, anyway.

Senator MUNDT. A couple of months?

Mr. VALACHI. A couple of months.

Senator MUNDT. And how long did the declared war last?

Mr. VALACHI. Well, I would say——

Senator MUNDT. Was it longer or shorter?

Mr. VALACHI. The declared war, you mean?

Senator MUNDT. Yes.

Mr. VALACHI. Longer. I would say about 8 months, 8 or 9 months.

Senator MUNDT. And what is the difference? I just don't understand how you declare a war between two mobs—and you don't meet together and throw the gauntlet down and say, "You have been challenged." So how do you do it?

Mr. VALACHI. Well, the idea is, from what I understood at the time, and I didn't understand—the idea was you get the jump on the other one, to get a jump, and let us talk about Masseria.

208 ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS

You see, the idea was to try and get a couple of their bosses before they even catch up with them, and they would be that much ahead.

Senator MUNDT. I can understand; that is an undeclared war. Now, what constitutes a declaration of war?

Mr. VALACHI. Well, when they catch up with them, and like when he found out where they come from, that is automatically a declared war.

Senator MUNDT. When they find out that one of their men has been killed by the other gang?

Mr. VALACHI. And when they find out where it comes from, naturally, they are in war with wherever it comes from.

Senator MUNDT. That comprises a declared war?

Mr. VALACHI. Yes, sir.

Senator MUNDT. All right.

Mr. VALACHI. You understand what I just said?

Senator MUNDT. And that is when they got these two fellows, Mineo and Ferrigno.

Mr. VALACHI. That is when they found out after that.

Senator MUNDT. They found out that your side had killed two fellows from their side and that was a declaration of war?

Mr. VALACHI. We will put it that way. That is when Masseria found out, as I said yesterday, through the furniture, they way you know about that, and that is when they found out where actually it was coming from.

Senator MUNDT. Now, in your testimony yesterday, and I am talking now just about the part above the gray line, you listed three or four bosses who had been killed, the top people in this gang war. Now, in most of the wars you read about, other people get killed besides generals. How about the soldiers? Were there any soldiers killed in this war, and any of the people in your category—any of the drivers or the spotters or the fingermen, or did you just kill bosses?

Mr. VALACHI. Well, actually, we will come to that when I get to that point.

Senator MUNDT. I am talking about the part that you have come to and gone past, and I am talking about this upper part. We are down to the succession of gang control. I am talking about the part where you killed Morello, and you killed Catania, and you killed these top bosses, and at that stage did any soldiers get killed?

Mr. VALACHI. There is one soldier up there, Senator. I am looking over the names now, to see if I find any more. The only soldier I see up there is Joe Baker. I can't pronounce his name. Joe Baker, and Catania, and that is the only soldier I see up there at this time.

Senator MUNDT. Up to the point we have come to now, regarding the killings that you have discussed, you have mentioned bosses and only one soldier has been killed that far along in the gang war.

Mr. VALACHI. At this point, yes.

Senator MUNDT. That is what I am trying to find out.

Mr. VALACHI. Yes, sir.

Senator MUNDT. How long a period of time has elapsed in the part of the fighting that your testimony has covered so far?

Mr. VALACHI. What is that, Senator?

Senator MUNDT. In point of months, how long in years or months, how long a period did you describe?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 209

Mr. VALACHI. Well, Senator, I say 14 months, and I got it——

Senator MUNDT. Fourteen months?

Mr. VALACHI. Senator, I want to explain this: When it was over, they would talk about it that they were away 14 months. Now, I never checked myself whether it was 14 months or 10 months. I just got it and took it for granted and I used the expression myself, the 14 months, but naturally, I was single, and it didn't bother me if I was away 10 months or 14 months or 20 months, and naturally they would be talking about it.

Senator MUNDT. It lasted in the neighborhood of a year?

Mr. VALACHI. Yes, sir, and I got in the habit of saying 14 months myself, and naturally, I never stopped to think whether it was 14 months, but I was away, I would say, about 8 months, up to the time of the Merritt Parkway.

I figured I was away about 8 months. As I talk about it, and if I am talking to some member or talking about that, I would say the thing lasted 14 months, because originally when they were sneaking, they would take out from that time, and that is how I mentioned 14 months.

Senator MUNDT. You called it undeclared and declared war. I have one other question out of yesterday's testimony.

You mentioned, I think it was yesterday, that at the time that you left Sing Sing, you were propositioned to join up with Al Capone.

Mr. VALACHI. Alexander wanted to recommend me to Al Capone, because Alexander heard of the trouble I had in 1924, and so I told him, "I will think about it," but I never tried.

Senator MUNDT. Now, I am trying to ask you the question, what was the conclusion of your thinking? You didn't join up with Al Capone?

Mr. VALACHI. No.

Senator MUNDT. Why didn't you? He was a big shot.

Mr. VALACHI. I don't know. Not for any reason; I just didn't bother.

Senator MUNDT. Had you ever met him?

Mr. VALACHI. I didn't meet Al Capone.

Senator MUNDT. Did you know any members of his gang?

Mr. VALACHI. Well, I knew one or two; I met a few.

Senator MUNDT. I am trying to find out from you, here you are coming out of prison and you are in bad shape financially, and you had to start in the burglary business to make some money, and you had ultimately to join up with a gang because you weren't getting anywhere, and so you joined up with the Gagliano-Maranzano group. I am wondering why you turned down the proposition to join Capone, if you had any reason.

Mr. VALACHI. There is no reason why I turned it down. I guess I wanted to stay in New York, Senator. When you asked me if I had ever met any members, I was trying to think whether you meant then or later on.

Senator MUNDT. Up to that point.

Mr. VALACHI. I didn't meet anybody.

Senator MUNDT. You hadn't met anybody?

Mr. VALACHI. Yes, sir.

Senator MUNDT. This was a strange town and a strange man, and you would stick to surroundings that you knew?

210 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. In fact, when I got out on the streets, I actually forgot about it.

Senator MUNDT. That is all, Mr. Chairman.

The CHAIRMAN. Are there any other questions?

Senator McINTYRE. Joe, have you been to Boston?

Mr. VALACHI. In Boston? Yes.

Senator McINTYRE. Have you ever heard of a man named Patriarca?

Mr. VALACHI. Yes.

Senator McINTYRE. There are just a few questions in my mind. Yesterday when you were discussing contracts, when you get a contract—

Mr. VALACHI. Yes.

Senator McINTYRE. Is this something that is assigned to you by one of the bosses or lieutenants? Is it given to an individual of the family or is it given to a group of individuals?

Mr. VALACHI. Ninety-nine times out of a hundred it is given to you by a lieutenant, to one who is in charge of that particular contract. It could be I; it could be anybody. But that one particular soldier will get the contract and then he takes, himself, who he wants to take along with him. Is that what you mean?

Senator McINTYRE. And this man who gets the contract is the one who does the actual planning of the operation?

Mr. VALACHI. That is right; he is in charge.

Senator McINTYRE. Did you ever propose anyone for the Cosa Nostra?

Mr. VALACHI. Yes, I did.

Senator McINTYRE. Were you ever present at any other initiation other than your own?

Mr. VALACHI. Right now I never remember being present, Senator, in any tables.

Senator McINTYRE. So that you have told us all that you know about the actual initiation ceremonies of the Cosa Nostra?

Mr. VALACHI. Senator, that is right. Let me explain it this way.

You are only made once; that is all. If you live a hundred years, it will be just that once.

Senator McINTYRE. I know, but you were never invited to participate at any other initiation ceremony where someone you may have proposed was admitted to the group?

Mr. VALACHI. Right now I never recall being present in any table.

Senator McINTYRE. So that all you know about the ceremony is what you have already previously described?

Mr. VALACHI. That is the same ceremony today, what I described in 1930.

Senator McINTYRE. Thank you, Mr. Chairman.

The CHAIRMAN. Are there any other questions at this time?

Let us proceed now. Yesterday we were approaching, at least leading up to the killing of Masseria. We had just gotten to the point where he had been taken to a restaurant somewhere, is that correct?

Mr. VALACHI. Yes, Senator; Coney Island.

The CHAIRMAN. Now, who got him over there to the restaurant?

Mr. VALACHI. His friends, Charley Luciano and Vito Genovese and Ciro Terranova.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 211

The CHAIRMAN. Those three persuaded him?

Mr. VALACHI. These were the important ones.

The CHAIRMAN. I did not understand you.

Mr. VALACHI. They were the important ones.

The CHAIRMAN. They were the important ones that got him to go over there to dinner. Prior to that time, had he been staying in pretty closely and not going out much?

Mr. VALACHI. Senator, I was told that he had three or four dogs before his own brother could get to him.

The CHAIRMAN. He had what?

Mr. VALACHI. Three or four dogs before his own brother could get to him.

The CHAIRMAN. What I was trying to determine is that you had been trying actually, your side, the Maranzano group, had been trying to get to him to kill him for a good while, had they not?

Mr. VALACHI. Yes.

The CHAIRMAN. For some months.

Mr. VALACHI. Yes, Senator.

The CHAIRMAN. When you were unable to do it as I understand it, you finally got Genovese and these others to set him up for you.

Mr. VALACHI. They set him up for Maranzano. They came to terms. They came to terms that they will take care—in other words, they didn't want Maranzano's men should have anything to do with it. They wanted to do it.

The CHAIRMAN. They wanted to do it?

Mr. VALACHI. Themselves.

The CHAIRMAN. His own people around him wanted to do it?

Mr. VALACHI. That is right.

The CHAIRMAN. They got him over to this Coney Island restaurant.

Mr. VALACHI. Yes. I understand it took them 5 or 6 months to get him there.

The CHAIRMAN. That is when it happened?

Mr. VALACHI. That is when it happened.

The CHAIRMAN. The Maranzano crowd did not do that killing?

Mr. VALACHI. No; they did not.

The CHAIRMAN. It was Masseria's own people who killed him at that restaurant?

Mr. VALACHI. Right.

The CHAIRMAN. Were there very many present? You were not present at that time?

Mr. VALACHI. I wasn't there, but I was told *Ciro* was there, *Vito* was there, *Charley* was there, a fellow named *Cheech* was there, and *Joe Stretch* was there.

Somebody described, I don't remember who, how *Ciro* was so shaky in putting the key in the ignition that they threw him off the wheel. I am talking about *Ciro Terranova*. They threw him off the wheel. Ever since then *Ciro Terranova* was getting what was call buckwheats, you know, like he was being stripped, you know, a little at a time he was being taken, his power was being taken away from him. After a while he took it so hard that he died from a broken heart. I am talking about *Ciro Terranova*.

The CHAIRMAN. He kind of lost face.

Mr. VALACHI. Yes. They replaced him at that time with *Mike Coppola*.

212 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. In other words, they felt he didn't have enough nerve?

Mr. VALACHI. Yes. Sort of put it this way: He disgraced himself.

The CHAIRMAN. Disgraced himself by showing his nervousness?

Mr. VALACHI. Yes; he was shaking. I got that from the soldiers as we were going along in life.

The CHAIRMAN. Mr. Salerno, will you come around, please?

Senator MUNDT. Mr. Valachi, you started to tell us of the details of the killing of Masseria as it was told to you.

Mr. VALACHI. What is that, Senator?

Senator MUNDT. You started to tell us the details of the killing in the Coney Island restaurant. You were not there. He was killed by his own lieutenants. You said you were told what took place.

Mr. VALACHI. Yes, sir.

Senator MUNDT. Will you relate to us what was told to you?

Mr. VALACHI. I was told—naturally, about 5 days after that there was peace. We closed this war. Now, the first story I heard was about Ciro, as I explained to you, about him shaking in putting the key in the ignition. I don't think he lasted any more than about a year—

Senator MUNDT. No, I am trying to find out, was he shot, bombed?

Mr. VALACHI. You are talking about Joe Masseria?

Senator MUNDT. That is correct.

Mr. VALACHI. Yes, he was shot.

Senator MUNDT. In the restaurant?

Mr. VALACHI. In the restaurant.

Senator MUNDT. Walking in by surprise?

Mr. VALACHI. No, they were sitting down. They talked a while. In the course of, you know, of having conversation in between maybe a half hour or an hour, I don't know how long it lasted, they shot him in this time.

Senator MUNDT. Were any of them ever caught?

Mr. VALACHI. Not that I know of. No one was caught.

Senator MUNDT. It is an unsolved crime so far as you know?

Mr. VALACHI. As far as I know.

Senator MUNDT. Do you know the name of the restaurant?

Mr. VALACHI. I know it if I hear it, but I have forgotten it, Senator.

TESTIMONY OF SGT. RALPH SALERNO—Resumed

The CHAIRMAN. Sergeant Salerno, do you have the record of Joseph Masseria's murder?

Sergeant SALERNO. Yes; I do.

The CHAIRMAN. What does the record of the New York police force show?

Sergeant SALERNO. It shows at 3:30 p.m. on April 15, 1931, Giuseppe Massaria, alias Joe the Boss, last known residence at 65 2d Avenue, New York City, while sitting in a restaurant at 2715 West 15th Street in the Coney Island section of Brooklyn, was shot in the back and head by unknown persons who escaped. Cause of death was six gunshot wounds of the head and body. The case is active.

The CHAIRMAN. He was shot in the back?

Sergeant SALERNO. In the back and in the head.

The CHAIRMAN. In the back and in the head. Obviously he had his back to his assailant.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 213

Sergeant SALERNO. It would appear so.

The CHAIRMAN. It was in a restaurant.

Sergeant SALERNO. In the Coney Island section of Brooklyn.

The CHAIRMAN. Were the police ever able to get any lead on who committed the crime?

Sergeant SALERNO. Not to the point where there was evidence that could be presented to a grand jury.

The CHAIRMAN. You didn't get sufficient evidence to present it to a grand jury? Very well.

Is there any question by any Senator on this point?

Senator CURTIS. Were the operators of the restaurant cooperative?

Sergeant SALERNO. I don't know, Senator. I don't have the full case file before me.

The CHAIRMAN. Very well. Senator Mundt?

Senator MUNDT. You were here yesterday when Mr. Valachi talked about the shooting of Baker, I believe, the fellow you shot while three painters were working. You were here when he described that murder.

Sergeant SALERNO. Yes.

Senator MUNDT. He said there were three painters in an apartment.

Sergeant SALERNO. Yes, sir.

Senator MUNDT. I was wondering whether or not you had been able to contact those painters.

Sergeant SALERNO. At this time, sir?

Senator MUNDT. Yes.

Sergeant SALERNO. No.

Senator MUNDT. Because it seems this is a pretty hot lead. Painters go on an assignment. You could find out from the painting company who they were. They would be able to have some kind of identification of the people described by Mr. Valachi.

The painters saw the murder, did they not, Mr. Witness?

Mr. VALACHI. Yes.

Senator MUNDT. That would be pretty fast work, no doubt.

Sergeant SALERNO. As I explained, these are all active cases. In view of the new leads which have been recently made available these cases are under active investigation now and because of that, the district attorneys in the counties concerned, there are five counties in New York City, they have indicated they would like us to cooperate with the committee to the extent of identifying the homicides which are spoken of, but they prefer that we do not go into any detail concerning the active investigation at this time because it might possibly prejudice the case.

Senator CURTIS. Mr. Chairman, I would like to ask Mr. Valachi, why weren't these three painters who were eyewitnesses to the murder—why weren't they killed?

TESTIMONY OF JOSEPH VALACHI—Resumed

Mr. VALACHI. We never even dreamed about them, Senator.

Senator CURTIS. In other words, the concentration was on the marked man and nothing else.

Mr. VALACHI. That is right. On Joe Baker.

The CHAIRMAN. What is the rule about that in the Cosa Nostra where you take a contract to kill somebody? What obligation do you have not to kill others who may be with him at the time?

214 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. As far as I could talk for Maranzano, he was always afraid of hurting innocent people. These painters, we didn't figure they would talk. I must explain to you.

Do you know who rented this empty apartment? I was trying to get that in the other day—I don't remember whether it was yesterday; it must have been yesterday—Joe Baker and his friends rented this apartment. This apartment was rented so that this way the empty apartment wouldn't remain empty. They wanted to occupy the apartment because they were very familiar with these doings at that time. They didn't bother with the top floor apartment, as I explained. That was too far away. In fact, one of the painters was trying to tell me. He said "You know, I am a friend of Joe Baker's."

I said, "All right, just keep painting."

You see, Senator, what I am trying to tell you. They rented that apartment for safekeeping. This way they feel secure. This was one of those coincidences that the people had moved out maybe a day before or 2 days, we don't know. I, thinking about it, it is just one of those things. As I said, I was shocked when I saw the painters in there. I never knew the apartment was empty.

Then after, when troubles like this are over, you find out these things, that they, themselves, Joe Baker and them, rented the apartment, so that, as I explained, they would not be in danger because this was the method they were using at that time, renting apartments.

For instance, I am hanging out, they are hanging out. They know there is an apartment across the way. They figure they will occupy it themselves. This way it won't be empty.

The CHAIRMAN. Senator Mundt, I believe, asked you about the soldiers getting killed.

Mr. VALACHI. Yes.

The CHAIRMAN. How many were killed during this 14-month period of undeclared war and what you termed "declared war"? Do you know how many people were killed altogether during that time on either side or both sides?

Mr. VALACHI. Senator, I got the score. The score was, we lost 1 and they lost from 40 to 60.

The CHAIRMAN. From 40 to 60?

Mr. VALACHI. Yes.

The CHAIRMAN. From 40 to 60 people killed as a result of this undeclared war and the declared war that followed after the 2 men were killed who identified your group as the killers? Is that correct?

Mr. VALACHI. That is correct.

The CHAIRMAN. These would be in the other group, the Masseria group?

Mr. VALACHI. Well, you always have to call it the Masseria group.

The CHAIRMAN. That is the way you pronounce it? Do you know the name of the one of your group who was killed?

Mr. VALACHI. We lost one in Chicago, Joe Aiello.

The CHAIRMAN. He was the one from Chicago.

Mr. VALACHI. Yes. They told me Al Capone got him. I only can tell you what they told me at the time.

The CHAIRMAN. You don't know that. That is what they told you. Now, what happened after Masseria's death with respect to peace? You said you had peace after that.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 215

Mr. VALACHI. Yes; we had peace after that, Senator.

The CHAIRMAN. Who became the boss?

Mr. VALACHI. I will explain it to you.

I went on a meeting. I just remember it was around Washington Avenue in the Bronx. I just was notified, I don't remember how, but I was notified. I got to this address and it was a hall, a big hall, on Washington Avenue. There was about 400 to 500 people in this hall.

After I was there a while, Maranzano was standing on the platform when he got up to speak. He didn't speak just as soon as I got in there. Naturally, he was hanging around the hall until he was ready to speak. Members were coming. When he did get to speak, then he got up there and he started to explain about Masseria and his groups, that they were killing people without just. He mentioned some names, names that I didn't know or never even heard of. He mentioned they had killed Don Antonio without just. They killed another name he mentioned which is on the top on the right, Senator, Reina. I didn't know any of these men.

Then he was explaining how the Masseria group was doing these things. "Now, it is going to be different," he said. "We are going to have—first we have the boss of all bosses, which is myself."

The CHAIRMAN. That is Maranzano, now?

Mr. VALACHI. Maranzano is talking. Then we have the boss and then we have an underboss under the boss. Then we have the caporegima. He was explaining all this. Now, if a soldier wants to talk to a boss, he should not take the privilege for him to try to go direct to the boss. He must speak first to the caporegima, and the caporegima, if it is required and it is important enough, the caporegima will make an appointment for the soldier. He went out and explained the rules. This is what I called second government.

The CHAIRMAN. He was telling you how it was going to operate from now on.

Mr. VALACHI. He was describing how it was going to operate. When it was all over, they was, the boys from Gagliano's group was there, I was there. Then there was the boys from the Castellemarese. He spoke to us and he said, "It is going to be a split. Some of the group will go back to Gagliano and some will remain with me. Now, if there is anybody who wants to remain with me, whether he was with me before or whether he was not, as long as he was with me during this war he is entitled if he wants to, he can come with me now. Anybody who wants to come with me or remain where they originally was and the ones who want to come with me just raise your hands."

So I unconsciously raised my hand. When I raised my hand I didn't know if anybody else was going to raise their hands. I looked around and saw two more hands besides myself. I saw Bobby Doyle and Steve Rinell.

The CHAIRMAN. You had not been with him before?

Mr. VALACHI. That is right.

The CHAIRMAN. But this was indicating you wanted to go with him?

Mr. VALACHI. I wanted to go with Maranzano, that is right. So when I looked around, there was three of us.

Now, I remained with Maranzano, no longer in the Gagliano group. Already I traveled two families.

216 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. You had been in two families?

Mr. VALACHI. Right.

The CHAIRMAN. You had moved out of the other family, the Gagliano group, you had moved from that family now to Maranzano?

Mr. VALACHI. That is right.

Now after that, naturally, he got an office on 46th Street. We used to go up in the office, say, in a couple of months' time I would go probably one day, another day I don't go. Sometimes I go down.

Now, at the time when I went down there, I had no money. So I would be ashamed to go down there, every time we had coffee or something to be paying for it. So I was making myself scarce.

One day I confided to Buster down there. I said, "Jeez, I don't like to be coming down here because I never got any money." I said, "I think I am going to start burglarizing again."

The CHAIRMAN. Let me ask you about this meeting that you talked about where you raised your hand indicating you wanted to go with Maranzano. Was that a banquet?

Mr. VALACHI. No; that was not a banquet. That was just a meeting.

The CHAIRMAN. Was it designated there at that meeting who the other bosses would be?

Mr. VALACHI. Yes.

The CHAIRMAN. Who were the other bosses of the other families? You mentioned Gagliano.

Mr. VALACHI. Gagliano, Tommy Brown.

The CHAIRMAN. How many families were designated there? Who were the leaders, if that was done?

Mr. VALACHI. Let me finish.

I forgot to mention he told us who the underboss was, Angelo Caruso was the underboss.

The CHAIRMAN. Is his name on the chart, the underboss?

Mr. VALACHI. I see it right underneath Maranzano's name.

The CHAIRMAN. Very well. He was to be the underboss?

Mr. VALACHI. He was to be the underboss.

Charley Lucky was boss, and Vito Genovese underboss. Tom Gagliano, boss, and Tommy Brown underboss.

Vince Mangano—I am trying to think of the underboss there. I think it was Frank Scalise.

The CHAIRMAN. Frank Scalise was the underboss?

Mr. VALACHI. Now, there was a boss at that time in Newark which he told us about. His name was Joe Bonanno, but not the Joe Bonanno in Brooklyn. The name sounds the same but this is a different Bonanno. I don't know how to spell it. I don't want to mix up the names, Senator. Joe Profaci at this time was with us at this time.

The CHAIRMAN. Does that make five families now?

Mr. VALACHI. Did I count five, Senator?

The CHAIRMAN. I believe that is correct.

Mr. VALACHI. OK.

The CHAIRMAN. Were there five?

Mr. VALACHI. Five.

The CHAIRMAN. I think that is correct. Now, there was occasion for a banquet. When was the banquet held along about this time?

Mr. VALACHI. The banquet came, say, about maybe a month after peace.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 217

The CHAIRMAN. About a month after the peace?

Mr. VALACHI. About a month after the peace.

The CHAIRMAN. Which came first; this meeting, or the banquet?

Mr. VALACHI. This meeting came first.

The CHAIRMAN. The meeting came first?

Mr. VALACHI. Yes. This meeting came, the first meeting came about a week or two after the peace and the banquet followed right after this meeting.

The CHAIRMAN. How long did the banquet meeting last?

Mr. VALACHI. The banquet lasted—it was a 5-day banquet, Senator. In other words, I don't mean that it ran continuously for 5 days. For instance, you come in early in the evening and close at 3 or 4 or 5 in the morning. Then reopen again the next day.

The CHAIRMAN. For 5 nights you had a banquet?

Mr. VALACHI. Right.

The CHAIRMAN. What occurred with respect to that banquet? What was the purpose of it primarily?

Mr. VALACHI. Well, the purpose was, the money was supposed to be meant for the original soldiers and for himself. The originals, I mean, which was about 15, there were 12. Now, there was 3 of us there, it makes the 15.

It was supposed to be to give these boys a chance, being they were away, now they are broke, and for himself. This was the purpose. And so he would be recognized as the boss and, naturally, they went to a lot of expense. They understand. That was the reason for the banquet.

The CHAIRMAN. So it was a banquet to raise money and also to acknowledge Maranzano as the boss of bosses?

Mr. VALACHI. Right.

The CHAIRMAN. They all were paying tribute to him and honoring him?

Mr. VALACHI. Right.

The CHAIRMAN. Recognizing him as the boss of bosses?

Mr. VALACHI. Right.

The CHAIRMAN. This was to demonstrate, is that right?

Mr. VALACHI. What is that, Senator?

The CHAIRMAN. This was to demonstrate.

Mr. VALACHI. That is right.

The CHAIRMAN. To let everybody know that he was recognized as the boss of bosses?

Mr. VALACHI. Right.

The CHAIRMAN. You said it was also to raise money.

Mr. VALACHI. Yes.

The CHAIRMAN. Was money raised during that time and, if so, how and from whom?

Mr. VALACHI. I understood it was \$115,000. He sent out, for instance, a thousand tickets to Al Capone, and Al Capone sent \$6,000. He sent a thousand tickets to Buffalo, and they also sent \$6,000.

Charley Lucky, himself, sent \$6,000.

Them were the big amounts I know. The rest, as they came in, the guests. Frank Scalise would be at the head of a small table. For instance, like this table I am on now, twice this size.

218 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

As he would greet the guests as they came in, "Have a drink"—you know, in Italian. He would go for his pocket, he would throw money on the table. They would follow suit. That was his duty.

I went every night, seeing I was one of Maranzano's—

The CHAIRMAN. One of the original soldiers, you went every night?

Mr. VALACHI. I used to see piles of money on the table every night. Maranzano used to get it at night.

The CHAIRMAN. After the previous meeting where Maranzano told you how things were going to be hereafter, at the previous meeting where he gave instructions and designated the five families and the five family bosses, where that was discussed, were all of those in attendance at that meeting members of Cosa Nostra?

Mr. VALACHI. Yes. There was members there I never saw. I only knew the ones that I affiliated with during the war. Now there were so many people, I saw so many faces I didn't know where they came from.

The CHAIRMAN. But they all presumably were members of the Cosa Nostra?

Mr. VALACHI. Yes; they had to be.

The CHAIRMAN. They had to be?

Mr. VALACHI. Yes.

The CHAIRMAN. What about at the banquet?

Mr. VALACHI. At the banquet, as I explained, Frank Scalise was at the head of the table. When it was all over we got the score among the boys what they took in. Charley Buffalo was very close to Maranzano. He told me that they took in \$115,000. I never got a nickel out of that, Senator.

I used to go down, after that I used to go down to the office, I felt that, you know, some day I might be handed something, but I never did.

So I started agitating like with Buster and I told Buster I was going to start burglarizing again.

Buster said, "Do you want to know the truth? I'll come with you."

I said, "Look, Buster, if you come with me you will put me in trouble."

The CHAIRMAN. Buster is who?

Mr. VALACHI. Buster is the one I was talking about the other day. I don't know his last name.

I said, "If you come with me and he finds out, I'll get in trouble."

He said, "Don't worry. He won't find out." Because I felt he was always Maranzano's close soldier and naturally we just got together.

He said, "Don't worry about it. He won't find out."

Finally, we got into a burglary, Buster, I, and and I took Johnny Dee with me. I don't know who I took with me but we went in a burglary, the next day Bobby Doyle—

The CHAIRMAN. Is that the Bobby Doyle we talked about here this morning?

Mr. VALACHI. Right.

The CHAIRMAN. The one who lived in Hartford?

Mr. VALACHI. Right.

The CHAIRMAN. Proceed.

Mr. VALACHI. I am sitting in the same hangout, as I told you once before, 110th Street and Lexington Avenue, in the restaurant. Bobby Doyle came over and said, "What did you do last night?"

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 219

I said, "What did I do?"

"Did you go out with Buster?"

"Yes."

"The old man wants to see you."

I said, "You know what I would do, Bobby. You know what you do. Don't say you saw me. I will take a ride. Let us see, I will go and see Steve in Buffalo."

Senator MUNDT. Go where?

Mr. VALACHI. I will go see Steve. I meant Steve Magaddino, in Buffalo.

He says, "Yes; you had better."

"Now don't you go tell him."

He said, "Don't worry about it." So I went with another guy. I don't remember who the other fellow was but he was not a member. I just took somebody along for a ride and I went to Buffalo—

Naturally, after I collected a few hundred dollars.

So when I went to Buffalo I was entertained by Steve Magaddino about 7 or 8 days. He had to go to South America somewhere. Before he left, I asked him to lend me \$500, which he did. I stayed another day or two. I came home. I stayed away maybe a little over a week.

When I got back and I went up to the office, Mr. Maranzano was talking with Charley Lucky and Vito Genovese. As I walked in, they were in the middle of the floor talking. He dropped them and he walked right over to me and he kissed me. At that time they used to kiss, Senator.

The CHAIRMAN. Were those suspicious or friendly kisses?

Mr. VALACHI. Oh, no; that was friendly.

He said, "You know, I sent the check to Buffalo to Steve."

I said, "You already know?"

He said, "That is all right, don't worry about it."

I say, "OK. Thanks."

With that, he went back. I sat down and he went back talking to Vito and Charley. I guess that was all about me being up in the office. He talked nothing about the burglary. Naturally, I went home. It was not long after that—

The CHAIRMAN. Who actually loaned you the money?

Mr. VALACHI. Steve Magaddino. I haven't paid the money back.

The CHAIRMAN. He was the boss in Buffalo?

Mr. VALACHI. At this time.

Senator MUSKIE. You said you never paid the money back?

What was the check that Maranzano sent him?

Mr. VALACHI. Well, he paid it for me.

Senator MUSKIE. Maranzano paid the \$500 for you?

Mr. VALACHI. Right.

Senator MUSKIE. How did he know that Steve loaned it to you?

Mr. VALACHI. That is what I was wondering, myself, how fast he found out. That is what I was wondering, but he had already sent the check. So, Steve must have called him.

Senator MUSKIE. Must have called him the same day he loaned it to you?

Mr. VALACHI. Who knows?

Senator MUSKIE. He paid the \$500 for you?

220 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. He said he had sent the check for \$500.

Senator MUSKIE. Is that the only money you ever got out of the family?

Mr. VALACHI. That is about the only money I can recall.

Senator MUSKIE. You never paid Maranzano back?

Mr. VALACHI. I never paid Maranzano back.

Senator MUNDT. Mr. Chairman.

The CHAIRMAN. Senator Mundt.

Senator MUNDT. Before we get too far away from this \$115,000 banquet, you told us this was ostensibly to be held, it was announced it was to be held to raise some money for Maranzano and for the soldiers.

Mr. VALACHI. Yes.

Senator MUNDT. Who had been out of business for about 14 months and were broke?

Mr. VALACHI. Yes.

Senator MUNDT. And there were 15 soldiers including the 3 new recruits who joined the day Maranzano took over?

Mr. VALACHI. Yes.

Senator MUNDT. You never got any of that except this \$500 which you got indirectly?

Mr. VALACHI. Yes, Senator.

Senator MUNDT. Did you ever approach anybody and say, "How come, where is my share of the \$115,000?"

Mr. VALACHI. Senator, you like to do that but you don't do it.

Senator MUNDT. Why don't you do it?

Mr. VALACHI. You figure they may go tell him.

Senator MUNDT. You mean that you were actually in such fear of Maranzano you could not go to him and say, "Look, I never got some of my \$115,000. You forgot something; how about my share?"

Mr. VALACHI. Senator, the way you put it that is the way it has to be. But it ain't actually fear.

Senator MUNDT. All right, what is it?

Mr. VALACHI. Well, you figure maybe he has something in mind, maybe next week, you always think that way. You hate to make yourself believe that he is not going to give you anything.

As I tell you the story, you will see that there wasn't much more time after that even to do more thinking about this.

I will explain about this.

Senator MUNDT. But you kept hoping he was going to give it to you?

Mr. VALACHI. Yes.

Senator MUNDT. Looking back at it now, do you think he stole the money, he kept it to himself?

Mr. VALACHI. As I am telling the story, we talked about this money at his house. When I get to that part I will tell you about it.

The CHAIRMAN. Very well.

Mr. VALACHI. It wasn't long after that, Senator, after all, it was so many years ago, Senator—I don't remember how long, when I was down at the office. He told me that I should be at his house at Avenue J. I don't remember whether it was that night or the night after, I don't remember. I was at his house about 9 o'clock either that day or the day after.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 221

When I got to his house, he was bandaging his son's foot, I remember. I walked in. He greeted me. I waited until he got through with his son.

He said to me, "You know"—now, Senator, I'm telling you.

"You know why I didn't give you any money? You must have been wondering."

I said, "Yes."

He was referring to the banquet.

"I didn't want to lose you. I didn't want you to get loose. But don't worry about the money." He said, "We have to go to the mattress again."

The "mattress" means we have to go back to war, that is what it means.

Senator MUSKIE. Was he trying to suggest that he would need the money for the new war?

Mr. VALACHI. I'll talk about it, Senator. It was in that line, too.

Naturally, I wasn't too happy to hear that. So he told me that we can't get along. He meant he can't get along with Charley Lucky, Vito. He gave me a list. "We have to get rid of these people."

The CHAIRMAN. You have to get rid of them?

Mr. VALACHI. Got to get rid of them. On the list was, I will try to remember as I go along: Al Capone, Frank Costello, Charley Lucky, Vito Genovese, Vincent Mangano, Joe Adonis, Dutch Schultz. These are all important names at the time.

The CHAIRMAN. Some 10 or 12 altogether?

Mr. VALACHI. Ten or twelve.

Now, he tells me—I forgot to tell you, Senator, there was a rumor passed up in the office a little while before, say a week, a few days before—as I am talking now I remember that—not to come up in the office with any guns, nobody come up there with any guns because they expect the police up there.

I got to talking with some of the members and I said I didn't like that order. So he said, this other fellow, whoever it may have been, said, "What do you mean?"

I said, "I don't know. I'm afraid that they are trying to prepare us to be without any guns. I just don't like it." That is the way I talked.

We let it go that way.

Now, when he told me about the mattress, and he told me that he was going to have the last meeting at 2 o'clock in the office tomorrow—

The CHAIRMAN. Now by "mattress," did that mean that you were going to hole up in a house and just sleep on mattresses somewhere? Give us a description of what you mean.

Mr. VALACHI. Yes. You see, we were using mattresses, for instance, when they move from one house to another.

Now, the purpose of that is, you never know when you are going to go in a minute's notice. So they used to use mattresses. Naturally, you always had the bedroom. That was when I was at his headquarters. That is the meaning of mattress. That is what I understood.

Did I give it to you clear?

The CHAIRMAN. I think so.

222 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Go ahead.

Mr. VALACHI. So I said, "Can I talk to you?"

He was the kind of man you could talk to. He was the kind of man he thought was a gentleman, you can say anything to him.

I said, "Can I talk to you? Look. After all, if I lose you I am out in the street. I got all reasons to worry."

I said, "Must you go on this appointment? Can't you let Angelo Caruso go? If this is your last meeting——"

He said, "No, I got to go."

I am trying to tell him this is your last meeting, why should you go when the other ones, they usually send the underboss. In other words, I am trying to tell him, if you have something in mind why jeopardize yourself, for the last time?

The CHAIRMAN. Who was he to meet with?

Mr. VALACHI. Vito Genovese and Charley Lucky at the office on 46th Street.

The CHAIRMAN. Whose office?

Mr. VALACHI. Maranzano's office.

The CHAIRMAN. He was going to his office to meet them?

Mr. VALACHI. The next day.

The CHAIRMAN. At 2 o'clock?

Mr. VALACHI. At 2 o'clock.

The CHAIRMAN. All right, go ahead.

Mr. VALACHI. He was telling me about what we are going to do, how big we are going to be. I wasn't interested, Senator, at this time. I feel, as I say, I was away, now to back again. I wasn't too happy. I went along. He told me I should call the office at a quarter to 2.

The CHAIRMAN. Were you to be there, to meet him there at 2?

Mr. VALACHI. No, he told me to call the office at quarter to 2. That afternoon I called the office at quarter to 2 and Charley Buffalo answered the phone. He said that everything was all right. He said I need not go down.

So that day, "the Gap" came around and he decided we would go to Brooklyn. We knew a couple of girls in Brooklyn.

I said, "That is a good idea; we have nothing to do." We took a ride to Brooklyn. We were away all that day and we got back in New York about 12:30 or 1 o'clock in the morning. We landed in Charley Jones' restaurant on 14th Street and 3d Avenue. We had the girls with us. When we went in the restaurant, I noticed there was, like some guy walked in and looked us over and walked out again. Then I noticed another guy walking in and looked us over.

I looked at "the Gap" and he looked at me. I said, "I don't know."

So, Charley Jones, which is a sort of a businessman like he ran crap games and he owned dancehalls, he was in that line of business, so he moved over to me. He told me, "Go home."

The CHAIRMAN. As I understand it, you had brought the girls there and this was about what time in the morning?

Mr. VALACHI. About 12:30.

The CHAIRMAN. About 12:30 in the morning, you had brought the girls to this restaurant?

Mr. VALACHI. Yes, we came from Brooklyn.

The CHAIRMAN. You noticed people looking at you?

Mr. VALACHI. Yes, they were going in and out.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 223

The CHAIRMAN. People going in and out and looking at you?

Mr. VALACHI. Yes.

The CHAIRMAN. Did that arouse your suspicions?

Mr. VALACHI. Yes, it did.

The CHAIRMAN. Charley Jones came over?

Mr. VALACHI. And told me to go home.

The CHAIRMAN. What did you do?

Mr. VALACHI. I walked outside. I looked at "the Gap." I said, "Well, what do you think?"

He said, "I don't know." He says, "We'll break it up."

I said, "All right, we'll give the girls some money," and I told them to go home, back to Brooklyn.

I went home alone and I left "the Gap" down there. I rode to Lexington Avenue very slowly. When I reached in Harlem, the same place where we used to hang out, I notice there were about six or seven boys on the avenue. As I passed by, they whistled at me but I didn't stop. I kept going.

So, I went home. I lived about two or three blocks away from there.

About 10 or 15 minutes later, three of the boys, that I proposed and put in, were all shot up, they were not hit, they only had powder marks.

The CHAIRMAN. Powder marks?

Mr. VALACHI. Powder marks all over.

The CHAIRMAN. They did not have bullet marks?

Mr. VALACHI. Just powder marks. It is amazing, all three were missed. I said, "Were you on the corner when you whistled?"

The CHAIRMAN. What are their names?

Mr. VALACHI. Buck Jones.

The CHAIRMAN. That was not Charley Jones, the one at the restaurant?

Mr. VALACHI. No; Buck Jones. Petey Muggins and Johnny Dee.

The CHAIRMAN. Johnny who?

Mr. VALACHI. Johnny De Bellis.

The CHAIRMAN. All right, go ahead.

Mr. VALACHI. I had the newspaper under my arm. I still can't figure it out. All of a sudden—you see, when I went in the house I was laying on the couch trying to figure out these moves. I didn't open up the newspaper.

When they came in, all of a sudden I happened to look. I see a headline, "Park Avenue Murder." I jump at it. I knew we had the office on Park Avenue. That is the first time I read about Maranzano being killed in his office that afternoon.

The CHAIRMAN. That was about what time in the morning?

Mr. VALACHI. When I found out?

The CHAIRMAN. Yes.

Mr. VALACHI. I would say it was about, by this time, it must have been 2 or better.

The CHAIRMAN. About 2 o'clock in the morning?

Mr. VALACHI. Yes.

The CHAIRMAN. Now, you had not gone to his office at 2 o'clock that afternoon before?

Mr. VALACHI. No.

The CHAIRMAN. Because you called there as you were instructed to do and Buffalo—who was it?

Mr. VALACHI. Charley Buffalo.

224 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Charley Buffalo told you everything was all right and not to come.

Mr. VALACHI. Not to come.

The CHAIRMAN. So you went off with your friend and got the girls and spent that day that way. Until you got to the restaurant, you didn't even know there was anything to be suspicious about?

Mr. VALACHI. That is right.

The CHAIRMAN. You had not heard about the killings?

Mr. VALACHI. Actually I had forgotten about the appointment after that.

The CHAIRMAN. Why had you forgotten? The day before you were trying to get him not to go.

Mr. VALACHI. Being he told me not to come down, what I mean is that I was enjoying myself, I didn't think about it any more.

The CHAIRMAN. You thought everything was all right, they had told you not to come.

Mr. VALACHI. That is right.

The CHAIRMAN. Then what occurred?

Mr. VALACHI. Then I opened up the newspaper and I read about Maranzano being killed at his office. I don't remember the time but I remember reading about it.

Now I knew what all the moves was. I didn't go out of the house for a couple of days.

Senator MUNDT. Do you remember what date this was?

Mr. VALACHI. Senator, I never remember those dates. They looked up the records but I don't remember the dates.

I know it was around 1931, that is all.

The CHAIRMAN. Off the record a moment.

(Discussion off the record.)

The CHAIRMAN. Are there any questions before we recess?

Very well.

The committee will stand in recess until 2 o'clock.

(Members of the subcommittee present at the time of recess were Senators McClellan, Muskie, McIntyre, and Mundt.)

(Whereupon, at 11:50 a.m., the subcommittee recessed until 2 p.m., this same day.)

AFTERNOON SESSION

(The subcommittee reconvened at 2:05 p.m., Senator John L. McClellan, chairman of the subcommittee, presiding.)

The CHAIRMAN. The subcommittee will be in order.

(Members of the subcommittee present at time of reconvening: Senators McClellan and McIntyre.)

TESTIMONY OF JOSEPH VALACHI—Resumed

The CHAIRMAN. When we recessed at noon, you were testifying about the fact you had just returned to your apartment that night, or wherever you were living, and found these other people there who had powder marks on their clothes.

Take up there now and tell us what happened and what conversation you had with them. Who was it that you met there, and who were you talking to?

Mr. VALACHI. I am talking to Buck Jones.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 225

The CHAIRMAN. Buck Jones?

Mr. VALACHI. Yes, sir; and Petey Muggins, and John DeBellis. That is Johnny Dee.

The CHAIRMAN. Those were the three. Did all of them have powder marks on them?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. What had occurred? Did they tell you?

Mr. VALACHI. Yes. I said, "That whistle, who whistled for me?"

The CHAIRMAN. Had they been on the street as you drove up, do you think?

Mr. VALACHI. Yes, they were on the street.

The CHAIRMAN. And they came on up to your place.

Mr. VALACHI. On the corner of Lexington Street and 110th Street.

The CHAIRMAN. In fact, you were all rooming together?

Mr. VALACHI. No, that was my own house. I was living with my mother and father at that time.

The CHAIRMAN. So they came to your apartment where you were living.

Mr. VALACHI. After I passed Lexington Avenue.

The CHAIRMAN. After you had passed them on the street?

Mr. VALACHI. After I passed.

The CHAIRMAN. After they had whistled at you?

Mr. VALACHI. That is what I am asking them. "Were you on the corner when they whistled for me?" and they said, "Yes," and I saw Pete, but I didn't recognize him, and I didn't stop. I said, "How come?" In the meantime, I had read about this.

The CHAIRMAN. You had read about it?

Mr. VALACHI. I said, "How come you guys don't know anything?" And they said, "We didn't even know."

The CHAIRMAN. They claimed they didn't know anything?

Mr. VALACHI. They didn't know anything either. I said, "At least I was in Brooklyn. My God, you guys are in New York and you mean to tell me you don't know anything?" They said they didn't know anything, and I said "How long were you waiting for me?" and all day they had been waiting for me, asking all afternoon, "When is Joe coming around?" And "When is Joe coming around?" and I said, "Who is with you?"

They said Eddie Coco, and Joe Sweet, some fellow named Yap, and that is about all I remember at this time.

The CHAIRMAN. Was anything said about the powder burns on their clothing?

Mr. VALACHI. Yes, I questioned them now. I said, "When did they start shooting at you? Who did they shoot at?" They said each man that was there walked them individually, and, in other words, one man walked with another man, and one walked with another one, and one walked with another one.

Now I said, "Did Eddy Coco do anything?" and they said no, and I said, "Who did the shooting?" and they told me Joe Sweet and Yap.

The CHAIRMAN. Who is that?

Mr. VALACHI. A fellow named Yap, Y-a-p, and I can't remember the third one, Senator.

The CHAIRMAN. There were three of them apparently who had done the shooting.

226 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Yes.

The CHAIRMAN. How did that explain the powder marks on their clothing?

Mr. VALACHI. Because they had the shot close to them for their neck, all three of them, and I said, "You mean to tell me the three of them missed?" and they said, "We are here."

"Unbelievable," I said. "Well," I said, "anyway"——

The CHAIRMAN. Were they there with Maranzano?

Mr. VALACHI. Yes.

The CHAIRMAN. They were with his crowd?

Mr. VALACHI. They were with me, and I failed to mention to you, Senator, that Bobby Doyle, you remember, when he said I had spotters, when I was talking about the war?

The CHAIRMAN. You had what?

Mr. VALACHI. Spotters, and now after the war I failed to remember that Bobby Doyle one day took them all to Maranzano and made them. I used that expression, and you understand what I mean by "made them".

The CHAIRMAN. Carried them up and had them made members.

Mr. VALACHI. Made them members of Cosa Nostra. Monk refused. Out of all of the boys I had, the spotters informed me Monk refused.

The CHAIRMAN. The Monk refused?

Mr. VALACHI. Yes, sir; so naturally, I still don't find anything else other than what happened to these three boys. Now, when I went uptown, I remember I went to Nick Padovana's house, and I remember Nick remained with Gagliano.

After I went with Maranzano, Nick remained with Tom Gagliano.

The CHAIRMAN. All right.

Mr. VALACHI. I was waiting about a day, and he found out that Tom Gagliano wanted to talk to me, and there was an appointment made for me up around 225th Street. Then he asked me if I wanted to go and I said, "Sure, I will go," and when I got there, I found Tommy Brown there, and there was quite a few members.

The CHAIRMAN. Is that Lucchese?

Mr. VALACHI. Yes, and there were quite a few there, about 15, but they were the old type, you known, in those days they were older. They were like the Italian types and not the Americanized, and just Tommy was there. So he sat me down, and he said he wanted to ask me for some questioning, and he wanted to ask me some questions.

He said they are interested in me. He asked me if ever I knew about Maranzano hijacking alcohol trucks on Charley Luciano, and he asked me if I knew if Maranzano hijacked trucks of piece goods. So I put up my right hand, and I said, "Tommy, I don't know nothing, so help me God."

So he said, "Did you ever see them split money up at the office?" and I said that I did. I said I remember Buster put \$50 in my pocket, but I never asked any questions.

He said, "Good." He said, "I know you are telling the truth," and I said, "Why should I lie?" He said, "Well, he had been doing a lot of bad the way I understand it, and I am questioning you to see if you are in the clear, and if this is the way you tell me, you are in the clear." "Now, Tom wants you to come back with us," and he said—

The CHAIRMAN. Come back with the other family?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 227

Mr. VALACHI. Back again where I originally was. He said, "But they do not want Bobby Doyle, and they do not want Buck Jones and them. They are only interested in you."

I said, "I will let you know." It was providing I was telling the truth. I knew I was telling the truth. Now, I am waiting for Bobby Doyle. Bobby Doyle got arrested up in the office on 46th Street. He was slow getting out of the buildings and so he was arrested when they killed Maranzano. So naturally I am waiting for Bobby Doyle to come out on bail. I don't know how long it took for Bobby to get out. It might have taken 4 days, and I don't remember.

The CHAIRMAN. As I understand you now, Bobby Doyle was arrested when they left the place, their office where they killed Maranzano?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. And he was coming out last, or late?

Mr. VALACHI. The way I found out, after he threw himself on the body, Bobby Doyle did, and the way he told me, he wanted to see if he had a chance. But in the hesitation made, he got himself arrested. So now I am waiting for him, and he comes out. Now, I tell him, "What are we going to do, we're going to fight?" And he said no. He said, "All guns are pointed at us," meaning everybody is against us, and he said, "I will check; I am a good friend of Vito's and give me a few days' time, and I will let you know." I said, "What is on your mind?" And he said, "We may turn and go to Vito." I took that as sort of a shock. So, "OK," I said, "What do you want me to do?" And he said, "Call me up in a couple of days" and I said "OK."

In the meantime, I went looking for "the Gap." Remember "the Gap" was a close friend of mine. When I got in touch with "the Gap," I took a ride and I said, "Look, what will I do?" I understand Maranzano had been doing a lot of dirty work, and well anyway it looks like it is going to be no comeback.

Now, Tom Gagliano wants me to go back with him, and now Bobby tells me we may go with Vito. What should I do? I don't know what to do, and you give me advice. And he said, "Go with Vito." I said, "Is that what you advise?" and he said, "Yes." Well, naturally, I waited a few days and I called up Bobby Doyle.

The CHAIRMAN. All right, proceed.

Mr. VALACHI. So I waited a few days and I gave him a few days' time and I called Bobby, and he said that he has made an appointment to meet Vito Genovese. He said, "You know where to get the other guys?" Well, I said, "They give me a number, and you call them. Well, anyway when is the appointment for?" And he said, "Do you want me to make it for tomorrow, and I can call up." And I said, "OK, make it for tomorrow." So he made an appointment and I met Johnny Dee, I don't know how, but I got in touch with him, and we went at a certain time to 25th Street in the Cornish Arms Hotel. Well, when I got there, I was the last one to go, Johnny and I and the other two were already there and so was Bobby; we met Vito Genovese. Well, after we got there, he was speaking to us, and he said, "I want to take you boys along with me because I want to see the respect due you come to you." In other words, we worked so hard, and now all of a sudden we lost our boss, and there would be no

228 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

more respect. In other words, we have to provide our way through, and he said "that is the reason why most of all I want to take you," and he went on to say the things that Maranzano had done, about the trucking, and about the alcohol. I should have told you, Senator, and I just come to a story that I remember, and I should have said something which I forgot, which I can tell you now and piece it together.

It would be all right?

The CHAIRMAN. All right.

Mr. VALACHI. When Maranzano told me about the mattress, did I say he told me not to tell Bobby Doyle anything?

The CHAIRMAN. No.

Mr. VALACHI. Well then I failed to say it. He had warned me not to tell Bobby Doyle anything. And in fact, he told me that night that I belonged to him all of the time, and that Bobby Doyle was acting lieutenant, "but don't feel that he is your lieutenant. You are personally under me. But when you speak with him, let him believe that. But if you tell Bobby Doyle what I told you tonight, you understand." And I said, "Don't worry about it, I never told Bobby Doyle anything." But after Maranzano died, I told Bobby Doyle that, but not before. He said, "Why didn't you tell me that?" And I said, "Why should I tell you and have you go back to him, and I am dead. What are you, kidding, and you are that way." So he wanted to resign as lieutenant and ship the little time that he was lieutenant, and he wanted to turn it over to me. I refused, and I said, "What am I going to do, with nothing in my pocket? Are you kidding?" And he said, "I can tell the old man" and I said, "You tell the old man I will turn it down."

That never came up, and I refused, but then Maranzano gave me a different story which I failed to remember. Now I go back to Vito Genovese. Now when I told Bobby Doyle the story about the mattress and this and that, which I wasn't supposed to tell before, and from the way Vito talked, it looked as though that Bobby already told him, because he was speaking, he goes on to explain. Well, another thing I have to tell you before that, and I am running away with it, Senator. Bobby Doyle explained to me and I said what happened on 46th Street, and he went out to explain to me that there were four Jews went up there, and they posed as policemen and he found out, and how he found out I don't know, but he is telling me the story and they posed as policemen, and I said, "Remember the time they passed someone up there?" And he said, "Yes, and remember I was suspicious," and he said, "Yes." Well, they brought Maranzano in the other room, while the other two stood with the crowd, and there was quite a crowd, and there was quite a crowd up there. They talked business, and in other words, they posed as policemen and showed them a badge and they wanted to talk business with him, and so he agreed. But when they got in the other room, Maranzano seemed to have gotten wise, and then they were only to kill him and not to shoot him, and Maranzano went for a pistol, and he had a pistol, and they were forced to use a shot on him before they cut his throat. So I was running away with it, and now I corrected it.

The CHAIRMAN. Now, you said some Jews killed him, is that right?

Mr. VALACHI. The Jews, yes.

The CHAIRMAN. Who were dressed as policemen?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 229

Mr. VALACHI. They had dressed as policemen, and they posed as policemen.

The CHAIRMAN. Were they members of Cosa Nostra?

Mr. VALACHI. No.

The CHAIRMAN. How did they get into the picture?

Mr. VALACHI. Well, they were very close with Charley and Vito at that time, and that is an allegiance group. Vito and Charley "Lucky," they were close to them.

The CHAIRMAN. Did you get any information they were employed to commit this murder?

Mr. VALACHI. Well, Senator, they seem to work together at times. You see they had trouble of their own later on, which I will explain, and Vito and Charley helped them when they had trouble among themselves. You see I am talking about Meyer Lansky.

The CHAIRMAN. Kind of like swapping work. They would do something for one crowd and the other crowd then would help them out.

Mr. VALACHI. I go into that later.

The CHAIRMAN. Was it those people who were posing as policemen, that actually did the killing?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. That is your information?

Mr. VALACHI. That is right.

The CHAIRMAN. Did Doyle tell you that?

Mr. VALACHI. Yes, sir; one told me, but about 6 years later, Senator.

The CHAIRMAN. Who was that?

Mr. VALACHI. One of them told me about 6 years later, and not at this time.

The CHAIRMAN. Someone told you at that time?

Mr. VALACHI. That it was just—but I didn't know who was the triggerman.

The CHAIRMAN. You didn't know who they were?

Mr. VALACHI. I did not know who the people were.

The CHAIRMAN. Now 6 years later?

Mr. VALACHI. I found out only one guy.

The CHAIRMAN. Who was he?

Mr. VALACHI. Red Lavine. He told me that himself.

The CHAIRMAN. He told you that himself?

Mr. VALACHI. Well, I got close to Red on the racetrack, you see.

The CHAIRMAN. When did Red tell you that?

Mr. VALACHI. About 6 years after that.

The CHAIRMAN. Six years afterward Red Lavine?

Mr. VALACHI. Not that he just told me that, I was talking with him and I got close with him, and talking about it and I had heard a little bit, but in my own sense I am wondering if he is one of them, and so I said to him, you know we got a little close and I said to him, "Hey, Red, I am only curious," I said, "I don't know if you were one of the guys who was up there in the office that time, with Maranzano." And I said, "I would like to know if there was any order for anybody else." And he said "No, just for him."

The CHAIRMAN. In other words, they only had orders to kill one?

Mr. VALACHI. That is right.

The CHAIRMAN. That was Maranzano?

230 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. In other words, I was always trying to wonder who put him on the spot, in my own mind, and I was always trying to figure the thing out. So I said, "No other order for anybody else," and he said, "No, just him." I said, "I heard you were there" and he said, "Yes, I was up there," and he said, "He is a tough Gee." That is what he said. He said "We had to shoot him."

The CHAIRMAN. Did you know before the name of any of those who had participated in the actual killing?

Mr. VALACHI. No; I just knew that they were just—and as I went along, as time went by, I just heard the name Red Lavine come up, that is all.

The CHAIRMAN. Do you know whether they were in civilian clothes?

Mr. VALACHI. Yes, sir; civilian clothes.

The CHAIRMAN. They pretended or they posed as detectives?

Mr. VALACHI. As detectives; yes, sir. Now I go back to Vito Genovese and I can understand what he is talking about, and he is telling us—

The CHAIRMAN. Now you are in a meeting with Genovese, in which he is asking you to come back into his organization.

Mr. VALACHI. That is right. And he is telling us why he is taking us with him, because due to respect he wants to see us, that we get which he felt now that we lost because we lost Maranzano. In other words, he figured, "By you being with us, you have prestige, and just the same."

The CHAIRMAN. This killing actually you mean that Lucchese and Genovese were taking over? Did they take over after that?

Mr. VALACHI. Charley "Lucky," and Genovese.

The CHAIRMAN. They took over, Luciano?

Mr. VALACHI. Yes, sir. Now, he said, as he is speaking, he said, "We made it by minutes."

The CHAIRMAN. "We made it by minutes." What did that mean?

Mr. VALACHI. Well, that is another thing Bobby told me. You remember I told you Maranzano had an appointment and he never told me what the appointment was about. He had Vincent Coll ready to shoot Charley "Lucky" and Vito Genovese.

The CHAIRMAN. At that meeting?

Mr. VALACHI. At that meeting.

The CHAIRMAN. That is that same 2 o'clock meeting that you didn't attend?

Mr. VALACHI. That is the 2 o'clock meeting.

The CHAIRMAN. And the 2 o'clock meeting—

Mr. VALACHI. I was away.

The CHAIRMAN. At the 2 o'clock meeting where Maranzano was killed?

Mr. VALACHI. Well, that is the day he was killed.

The CHAIRMAN. The same day?

Mr. VALACHI. I don't know if it was 2 o'clock, but that was the day.

The CHAIRMAN. It was at the same meeting?

Mr. VALACHI. The meeting that had been set up.

The CHAIRMAN. The meeting that had been set up?

Mr. VALACHI. Yes, sir; in the office on 46th Street.

The CHAIRMAN. Who was it told you about the 5 minutes?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 231

Mr. VALACHI. Well, Bobby already had told me that, and he had found out, and now Vito was talking about it.

The CHAIRMAN. Vito is now talking about it?

Mr. VALACHI. Vito is talking about it and as he is talking to the boys, he said, "Joe knows, we made it by minutes," indicating that Bobby Doyle already had told him everything, you see what I mean, and I understood now. So I shook my head. So I said, "If you people felt that he was doing so much wrong, why didn't you approach me?" He said, "We couldn't approach you, you were too 100 percent." And I said, "Well, I would rather be that way than any way else. You are right." In other words, if he would approach me, he feared that I may go and tell Maranzano, which I would have. I would tell the truth. So from then on, they brought us downtown, and they introduced us to Tony Bender and they told us that Tony Bender is the new lieutenant we have.

The CHAIRMAN. Had you ever known Tony Bender before that?

Mr. VALACHI. I never knew him before that.

Now we are with Tony Bender. Where do I go from here? I forget.

(Senator Jackson entered the room.)

The CHAIRMAN. When they came out of the building after having killed Maranzano, who met Coll or where was Coll at that time?

Mr. VALACHI. Bobby told me that they met him going out. They were coming out and the other ones were coming in and they waved them away.

Mr. ADLERMAN. You mean Bobby Doyle or Red Levine going out?

Mr. VALACHI. No, Bobby told me, himself. Then Red Levine told me 6 years later.

Mr. ADLERMAN. What did Red Levine tell you about the killing?

Mr. VALACHI. He also said they met the other guys.

Mr. ADLERMAN. Met who?

Mr. VALACHI. Vincent Coll, and they waved them away.

Mr. ADLERMAN. As I understand it, then, Red Levine and two or three others, Jewish gangsters, had gone in there to kill Maranzano. They killed him.

As they were leaving the scene of the killing they met Vincent Coll coming in?

Mr. VALACHI. Coming in as they were going out and they waved them away.

Mr. ADLERMAN. What did they say to Vincent Coll?

Mr. VALACHI. Just like that, "Beat it."

Mr. ADLERMAN. Did they tell them the cops were on the way?

Mr. VALACHI. Yes. "Beat it, the cops are on the way."

The CHAIRMAN. What was Coll doing there?

Mr. VALACHI. It came out that Maranzano had hired or got Vincent Coll—I never knew he was contacting Coll—the purpose was that they were going to kill Vito and Charley, which Vito and Charley never showed up.

The CHAIRMAN. Instead of Vito and Charley showing up, the Jews came?

Mr. VALACHI. Now you have it, that is right.

The CHAIRMAN. When they went out they met Coll coming in?

232 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Yes. They were going out and they met Coll coming in, whoever was with Coll they met and they waved them away, "Beat it, the cops are coming."

The CHAIRMAN. I understand you now.

Do you know whether there were any other murders on that same day, any other people killed?

Mr. VALACHI. When I met Nick, he told me that Jim Marino got hit and a couple more in Jersey.

Mr. ADLERMAN. Is that the same as Jimmy LePore, Jimmy Marino?

Mr. VALACHI. That sounds like his right name. I am not sure of his right name. Jimmy Marino in the barber shop and a couple were killed in New Jersey.

The CHAIRMAN. How many were killed altogether that day?

Mr. VALACHI. Four or five, Senator.

The CHAIRMAN. Four or five were killed?

Mr. VALACHI. Yes. The other three attempts—

The CHAIRMAN. Three or four others besides Marino?

Mr. VALACHI. The one they found in Passaic, his name was Sam Monica. I knew he was an underboss. That is something I remembered when I was laying on the couch.

There was also a family at that time—I remember when I was laying on the couch this afternoon—when Maranzano made a speech in the hall, I remember another family in Newark, a man by the name of Don Steven was the boss and Sam Monica was the underboss.

The CHAIRMAN. You said Don Steven?

Mr. VALACHI. Don Steven.

The CHAIRMAN. S-t-e-v-e-n? You call it Steven.

Mr. VALACHI. Steve or Steven. Steven would be Italian. I am almost close to his name. It almost sounds like—

The CHAIRMAN. Like Monica?

Mr. VALACHI. No, Monica is another one. Sam—Bonannon, I can pronounce it in Italian.

Mr. ADLERMAN. Is it Bandami?

Mr. VALACHI. No, Bonnanon.

The CHAIRMAN. You suspend a moment and let me ask Sergeant Salerno, do you have the police record on the Maranzano killing?

TESTIMONY OF SGT. RALPH SALERNO—Resumed

Sergeant SALERNO. Yes, I do. It indicates at 3:50 p.m.—

The CHAIRMAN. On what date?

Sergeant SALERNO. September 10, 1931, Salvatore Maranzano of 2706 Avenue J, Brooklyn, was shot and stabbed to death in the office of the Eagle Building Corp., in a suite of rooms including 925 and 926, at 230 Park Avenue, which is at 46th Street, New York City. Perpetrators were four unknown men posing as police officers.

There were four gunshot wounds and six stab wounds, a knife and two pistols were recovered.

The CHAIRMAN. Were those back wounds or was he shot in the front?

Sergeant SALERNO. It is not clearly indicated.

The four stab wounds were in the abdomen of the body.

The CHAIRMAN. Apparently from the front.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 233

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. Was any arrest ever made in that case? Has that murder ever been cleared up?

Sergeant SALERNO. No, it is not. But this is the one where Bobby Doyle was taken into custody as a material witness.

The CHAIRMAN. Was he taken into custody and held for a few days?

Sergeant SALERNO. As a material witness.

The CHAIRMAN. As Mr. Valachi has testified?

Sergeant SALERNO. Yes; he was apprehended by the transit officer who caught him coming out of the building.

The CHAIRMAN. Your records show that Maranzano was killed by four people posing as policemen?

Sergeant SALERNO. Yes, there were a number of witnesses. The room outside of which Maranzano was killed held a number of people, they were waiting to see him on business.

The CHAIRMAN. In your investigation, did they contend they did not know any of the four people?

Sergeant SALERNO. I think they got the description from these witnesses. They did not give any identity.

The CHAIRMAN. What about the other witnesses?

He testified here that there were some other murders that day.

Sergeant SALERNO. On the same day, at 5:45 p.m., James Le Pore, also known as Jimmy Marino, male, white person, who resided at 1518 St. Peter's Avenue in the Bronx, while standing in the doorway of a barbershop at 2400 Arthur Avenue in the Bronx was shot six times in the head and body, causing his death. The case is active.

The CHAIRMAN. This other killing of Maranzano, was that at the address that Valachi has testified to, the same address?

Sergeant SALERNO. It is 230 Park Avenue, which is at 46th Street, as he so indicated.

The CHAIRMAN. Do you have any others?

Sergeant SALERNO. No, sir.

The CHAIRMAN. Do you have any record of any other killings that day?

Sergeant SALERNO. No, sir; I have not.

The CHAIRMAN. Was this last one ever cleared up, Jimmy Marino or James Le Pore?

Sergeant SALERNO. That is an active case. It has never been solved.

The CHAIRMAN. Neither have you ever found or had any one indicted for the murder of Maranzano?

Sergeant SALERNO. No, sir.

The CHAIRMAN. Let me ask, do you know whether Red Levine is still living?

TESTIMONY OF JOSEPH VALACHI—Resumed

Mr. VALACHI. Yes; he is.

The CHAIRMAN. He told you, himself, he participated in the killing?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Do you know what family or gang he belongs to now?

Mr. VALACHI. Meyer Lansky.

234 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Who?

Mr. VALACHI. Meyer Lansky.

The CHAIRMAN. Is he on the chart?

Mr. VALACHI. No; they don't come on the chart.

The CHAIRMAN. He is not a part of the Cosa Nostra?

Mr. VALACHI. That is right.

The CHAIRMAN. I see. That is a different group.

Senator McINTYRE. Will the Chairman yield at this point?

The CHAIRMAN. Yes; Senator McIntyre.

Senator McINTYRE. As I get the picture, Mr. Valachi, at this time you decided to go with Vito Genovese and Luciano?

Mr. VALACHI. Yes.

Senator McINTYRE. These people were with the Masseria group?

Mr. VALACHI. Yes.

Senator McINTYRE. You had previous to that been with the Maranzano group?

Mr. VALACHI. Correct.

Senator McINTYRE. You were switching from the Maranzano group to the Masseria group?

Mr. VALACHI. In a couple of months I was with three families.

Senator McINTYRE. This is not unusual?

Mr. VALACHI. Well, in this particular case you could say it was odd, you know, within a few months.

Senator McINTYRE. Caused somewhat by the warring faction, the trouble in gangdom at that time?

Mr. VALACHI. In such short time, less than 4 months, I traveled three families. I was with the family I am today, I am with them 30 years.

Senator McINTYRE. Joe, this morning I mentioned in asking you if you knew in Boston a man named Patriarca.

Mr. VALACHI. You will find him on the chart.

Senator McINTYRE. Do you remember his first name?

Mr. VALACHI. Raymond.

Senator McINTYRE. Have you met him personally?

Mr. VALACHI. I met him personally. That is all I know. I used to race in Boston.

Senator McINTYRE. You what?

Mr. VALACHI. I used to race in Boston. I had horses. That is how I met a lot of the boys in Boston. I raced quite a number of years in Boston. Not particularly in Boston but in the New England States. Suffolk Downs is Boston. I would be there, going back and forth. Then we would go to Narragansett and Rhode Island, from Rhode Island to New Hampshire, back and forth at the New England tracks.

Senator McINTYRE. So it was possibly at the tracks you saw this Raymond Patriarca?

Mr. VALACHI. Right.

Senator McINTYRE. Do you know what his business was?

Mr. VALACHI. I was introduced to him. All I know is that they had a crap game. That is all I know. All the boys had a crap game going.

Senator McINTYRE. He did a lot of betting, himself?

Mr. VALACHI. Yes.

Senator McINTYRE. Was he part of the syndicate in Boston?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 235

Mr. VALACHI. Yes.

Senator McINTYRE. Was he a member of the Cosa Nostra?

Mr. VALACHI. I will go into that when I get there.

Senator McINTYRE. Thank you, Mr. Chairman.

(At this point Senator Jackson entered the hearing room.)

Mr. ADLERMAN. Was Raymond Patriarca introduced to you as a member of the Cosa Nostra?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. How long ago was that?

Mr. VALACHI. Three years. I would say, since I am going to Boston, let us put it in between the late 1938 and on from there, up to 1947.

Mr. ADLERMAN. There is no doubt in your mind that he is a member of the Cosa Nostra?

Mr. VALACHI. Yes, 100 percent.

The CHAIRMAN. Is there anything further, Senator?

Senator McINTYRE. No; thank you.

The CHAIRMAN. Senator Jackson, do you have anything at this point?

Senator JACKSON. No, sir.

The CHAIRMAN. Let me ask you one or two questions.

Did you agree to join the Genovese family?

Mr. VALACHI. Yes, Senator.

The CHAIRMAN. When did you agree to do that, at the time you were introduced to Tony Bender?

Mr. VALACHI. Right when the meeting ended.

The CHAIRMAN. When you had that meeting you agreed to join?

Mr. VALACHI. Yes.

The CHAIRMAN. To go into this family?

Mr. VALACHI. Yes.

The CHAIRMAN. With him as boss?

Mr. VALACHI. Yes.

The CHAIRMAN. Tony Bender was underboss?

Mr. VALACHI. No, he was lieutenant. Vito was the underboss at this time.

The CHAIRMAN. Who was the boss?

Mr. VALACHI. Charley Lucky.

The CHAIRMAN. Charley Luciano?

Mr. VALACHI. Yes.

The CHAIRMAN. Mr. Adlerman.

Mr. ADLERMAN. Sergeant Salerno, do you have the record showing—

Sergeant SALERNO. We have what we call a background sheet on a man known as Steve Padami.

Mr. ADLERMAN. P-a-d-a-m-i?

Sergeant SALERNO. Yes; he is also known as Don Steven or Don Estaban or Don Stephano.

Mr. ADLERMAN. Is that the same man you referred to as the boss of the Jersey family?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. You mentioned before that one of the men who was an underboss was killed. What was his name?

236 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Sam Monica.

Mr. ADLERMAN. Do you have any records?

Sergeant SALERNO. We show that Don Steven's closest associates were Joseph and Sam Acardi and Sam Monica.

Mr. ADLERMAN. Do you have any record showing the killing of Sam Monica?

Sergeant SALERNO. No; we don't.

Mr. ADLERMAN. Was Sam Monica killed in New York?

Mr. VALACHI. No; in New Jersey. They found him in the Passaic River. That is in Jersey.

Mr. ADLERMAN. We will try to get the record clear. We do not have it at present.

The CHAIRMAN. But you think they were all killed the same day?

Mr. VALACHI. I know, Senator.

The CHAIRMAN. You know? Very good.

Proceed.

Mr. ADLERMAN. Following this situation where you joined the Genovese family, did Luciano take over as boss?

Mr. VALACHI. Yes, he did.

Mr. ADLERMAN. Did he abolish the boss of bosses system?

Mr. VALACHI. That was abolished. He also put in, you know, a new consiglieri to protect the soldiers.

Mr. ADLERMAN. You mean a group of men?

Mr. VALACHI. Yes, a group of six.

Mr. ADLERMAN. What was their function?

Mr. VALACHI. For instance, a lieutenant wants to have a soldier killed or something like that in that line, he cannot do it no more. If he has anything he wants to do, anything like that, he must come up and talk to these six and state what he has got, what is his reasons before he is able to carry out, which they never did that before.

That is why the soldiers felt that they have a longer life now than ever, which they did.

Mr. ADLERMAN. Was this the result of the fact that there were a great many grudges and feuds going on because of the various killings?

Mr. VALACHI. Actually, it was the result of the way Joe Masseria was working.

Now them things I can't tell you, only what I learned from Joe Profaci, like the meeting of Charley Lucky with Joe Masseria. They knew what they were doing at the time. I don't know. But I learned what it was all about. In other words, they were protecting and trying to say for the other soldiers what was happening to them when they were in the Masseria administration.

Mr. ADLERMAN. Did each of the families have a consiglieri?

Mr. VALACHI. Yes, at that time.

Mr. ADLERMAN. How many consiglieri?

Mr. VALACHI. They had six. If they need a decision, then a boss makes seven. It could be any boss to make it seven because six is even. It might be three and three. So there would be no decision. So a boss would sit down.

Mr. ADLERMAN. There were six families, five in New York and one in New Jersey?

Mr. VALACHI. Yes.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 237

Mr. ADLERMAN. Each of those had one consiglieri?

Mr. VALACHI. Yes.

Mr. ADLERMAN. If for any reason a lieutenant, boss or somebody, wished to kill some soldier, they first had to go to the court or the council?

Mr. VALACHI. That is it.

Mr. ADLERMAN. And prefer a charge which the council or consiglieri would hear and make a determination whether the boss or lieutenant was justified in killing the soldier?

Mr. VALACHI. Can I describe something to you?

Mr. ADLERMAN. Would you, please?

(At this point, Senators Curtis and Mundt entered the hearing room.)

Mr. VALACHI. For instance, you take the time when I was in New Jersey when Albert Anastasia sat down. You know what I had in mind. If that had not been settled there that would have gone up to the consiglieri. That was the purpose why Albert was there.

Mr. ADLERMAN. This is the situation you told me about that occurred in 1951 which we have not discussed yet?

Mr. VALACHI. We did discuss it.

Mr. ADLERMAN. We did?

Mr. VALACHI. Sure.

Mr. ADLERMAN. This is the incident where you had the fight with your partner. You had struck your partner physically which was against the rules. You were brought into the council in New Jersey, is that right?

Mr. VALACHI. If he had saw fit and went to the council, we would have gone to the council, but it ended there, it never got up there.

Mr. ADLERMAN. It did not go up to the appeals court?

Mr. VALACHI. I was waiting for that. I don't think they would have saw me any more.

Mr. ADLERMAN. Now, the consiglieri is different from the commission, is that right?

Mr. VALACHI. That is all together.

Mr. ADLERMAN. The commission is the council of the bosses themselves over the whole United States or wherever the families are in the United States?

Mr. VALACHI. Right.

Mr. ADLERMAN. So the council you are discussing now, the consiglieri of six, only affects the New York families and the New Jersey family?

Mr. VALACHI. Right.

Mr. ADLERMAN. Now, after you joined the Genovese family, were you asked to go to Chicago?

Mr. VALACHI. Yes, I was asked to go to Chicago.

Mr. ADLERMAN. Who asked you to go, and will you explain what happened?

Mr. VALACHI. Bobby told me that I was going to go to Chicago. I said, "Bobby, I don't want to go."

He said, "Well, jeez," —

Mr. ADLERMAN. What was the purpose?

Mr. VALACHI. I will explain. I said, "I don't want to go, Bobby."

He said, "Vito told me."

238 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

"If I have a chance I will ask Vito to try to spare me."

The purpose was, you remember I told Bobby about the mattress. In other words, the purpose was, I will go at this meeting, I will tell the commission what Maranzano told me which makes it like legal——

Mr. ADLERMAN. Who were you supposed to tell this to?

Mr. VALACHI. To the bosses in Chicago at the meeting in Chicago. In other words, I would be justifying or corroborating with Charley Lucky and Vito to show that Maranzano was doing wrong and that he told me about that he intended to kill Charley and the names I mentioned before. In other words, I would be testifying against him.

Mr. ADLERMAN. Do I understand it this way: That Lucky Luciano and Vito Genovese had to justify before the rest of the bosses the reason why they killed Maranzano and show that they had a bona fide or just reason for killing him?

Mr. VALACHI. Right. And I would have fit good into the picture by testifying, because Maranzano had told me.

Now I met Vito. I didn't go looking for him. I met him like we go downtown.

I said, "If you can spare me that trip to Chicago, I don't care to go, but if I have to go I will go but if you can spare me."

He said, "I'll see what I can do."

Then Bobby told me he was going, that it was all right for me not to go.

I said, "Good." I never went. But Bobby went.

Mr. ADLERMAN. Bobby Doyle went.

Now tell me, who can become a member of this organization if they are selected and elected? What are the qualifications? Who must they be?

Mr. VALACHI. For instance, I am a soldier. I introduce this man Petroni. In other words, I propose him.

He would be in line as to when the books open. In other words, every one I brought, none of them was turned down.

Mr. ADLERMAN. Must you be born in Italy, for example?

Mr. VALACHI. No, you don't have to be born in Italy. You have to be a full Italian.

Mr. ADLERMAN. What do you mean by that?

Mr. VALACHI. By that I mean you can't be half Italian or half something else.

Mr. ADLERMAN. You have to be Italian on both sides of your family?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Do they still require the rule that you have to be born in Sicily?

Mr. VALACHI. No.

Mr. ADLERMAN. That is no longer the rule?

Mr. VALACHI. That is no longer the rule.

Mr. ADLERMAN. This has not been the rule for as long as you remember?

Mr. VALACHI. It was not in my time. Whatever rules they had before that, I don't know, but not in my time. Maybe years before that, I don't know, I can't say.

Mr. ADLERMAN. You mentioned something about opening the books and closing the books. Can you explain what you mean by opening the books and closing the books?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 239

Mr. VALACHI. For instance, the books were closed in about 1931. They were reopened around 1954.

Mr. ADLERMAN. Are these books for admission of membership?

Mr. VALACHI. They use the expression "books open" and "books closed." Actually, they mean that no member can get in as long as the books are closed.

When I say they reopen them, that means you could have brought members in, like Frank Scalise, and Albert Anastasia, they brought in a couple of hundred, which some of them they commercialized. Some of them paid up to \$40,000 to get in.

The CHAIRMAN. Some of them paid?

Mr. VALACHI. Some of them paid.

The CHAIRMAN. When were these made?

Mr. VALACHI. After 1954.

The CHAIRMAN. About 1954?

Mr. VALACHI. Yes.

The CHAIRMAN. Some of them who came in then paid large sums to become members?

Mr. VALACHI. Yes. That is one of the charges that Frank Scalise and Albert Anastasia had against them. They closed the books again—in other words, 1954 to around 1958, about 1958 when the books were closed again.

The CHAIRMAN. They kept them open 3 or 4 years?

Mr. VALACHI. Yes.

The CHAIRMAN. During that time Anastasia became a member?

Mr. VALACHI. No; Anastasia was boss right along.

The CHAIRMAN. He was already a boss?

Mr. VALACHI. Yes.

The CHAIRMAN. Who was it that paid the big money to get in? Name some of them.

Mr. VALACHI. From what I got it was one of these kids there who was with Frank Luciano. You have the name. Jojo.

The CHAIRMAN. I understand you will cover all of this later on, the staff tells me.

Mr. VALACHI. Yes.

The CHAIRMAN. Very well. We will get to that later.

Senator JACKSON. I have one question to follow up on yesterday's question.

The CHAIRMAN. Very well, Senator.

Senator JACKSON. Mr. Valachi, yesterday I inquired regarding the compensation to the members of the family. I want to ask you, what was the arrangement when one of the members got in trouble or difficulty, sent to prison, and he had a family to support? How was that handled or was it handled?

Mr. VALACHI. Senator, if you ask me the question that way I will answer you. It happened that I never got in trouble.

Senator JACKSON. You say you did not get into trouble.

Mr. VALACHI. Well, I didn't get into any kind of trouble—

Senator JACKSON. Where you needed support.

Mr. VALACHI. That I needed support. In other words, that the family was responsible for.

240 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

In that case, they helped you all the way and they support your family while you are away. You get that if it is something that they ordered you to do. The money comes from dues.

Senator JACKSON. In other words, if you carried out an order and in the course of that carrying out of that order you should be arrested and serve time or something else happened to you, then under the code of conduct they had an obligation to support your family?

Mr. VALACHI. They help you; yes.

Senator JACKSON. And to assist you?

Mr. VALACHI. Yes.

Senator JACKSON. Did they provide legal counsel?

Mr. VALACHI. Yes; they would get the lawyers for you.

Senator JACKSON. They would give funds for that purpose?

Mr. VALACHI. Yes. I want to tell you where the funds came from, Senator.

Senator JACKSON. That is what I want to get to next.

Mr. VALACHI. The funds come from—there was dues being paid of \$25 a month.

Senator JACKSON. \$25 a month?

Mr. VALACHI. Yes.

Senator JACKSON. From each soldier?

Mr. VALACHI. From each soldier; yes.

Senator JACKSON. How many members, for example, in the Genovese family?

Mr. VALACHI. As I said, from 450 to 500.

Senator JACKSON. So they would pay \$25 a month?

Mr. VALACHI. Years ago it was a little cheaper.

Senator JACKSON. What is the current going rate of dues?

Mr. VALACHI. Just dues.

Senator JACKSON. I say, what is the current fee? How much?

Mr. VALACHI. \$25.

Senator JACKSON. Is that what it is now?

Mr. VALACHI. Yes, but I want to explain to you—

Senator JACKSON. \$25 a month?

Mr. VALACHI. Right.

Senator JACKSON. All right.

Mr. VALACHI. I want to explain to you, like the Vito Genovese family stopped paying those dues around 1959, the early part of 1959. I happened to go down. I wanted to pay my dues. I used to pay, say \$100 for 4 months. When I went there, they told me "no more dues."

I said, "What happened?" They said, "There was a beef." That is all I was told. In other words, somebody complained about it. In other words, they were not doing what they were supposed to do.

Senator JACKSON. What about the rest of them; did they keep paying?

Mr. VALACHI. The rest of them are still paying up to today.

Senator JACKSON. The rest of the family?

Mr. VALACHI. The rest of the families.

Senator JACKSON. But the Genovese family stopped paying?

Mr. VALACHI. Yes.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 241

Senator JACKSON. How did they manage to get away with it? By reason of their power and their position?

Mr. VALACHI. If you put it that way, that is right. I asked a couple of members from the other families—we had all kinds of families in Atlanta—I asked and I said, “Are you guys still paying?” They said “yes.” I would say no more.

Senator JACKSON. They were paying while they were in Atlanta?

Mr. VALACHI. In other words, I am telling you in 1960 when I left the street what I find out in Atlanta, I asked those questions.

Senator JACKSON. You left Atlanta how long ago?

Mr. VALACHI. I left Atlanta about 1962.

Senator JACKSON. Up until that time they were still paying dues even though they were incarcerated in prison; is that correct?

Mr. VALACHI. Right.

Senator JACKSON. Now each family was assessed this amount of money, that is \$25; I mean each soldier, \$25 a month.

Mr. VALACHI. Yes.

Senator JACKSON. Out of their earnings, wherever they would get it?

Mr. VALACHI. Senator, later on I will go into details where I will tell you where they were being shaken down, the soldiers, but I am not ready for it yet, not at this time.

Senator JACKSON. One other question I want to ask you with reference to the code of conduct.

If you were ordered to carry out a certain assignment, supposing it was just a plain robbery, and it did not involve any of the rival families, did you have any instructions regarding shoot to kill in the course of that robbery or did you try to avoid it if they were nonrivals?

Mr. VALACHI. Senator, you would not get any help if you got arrested for robbery. You were on your own. In fact, they didn't allow that.

Senator JACKSON. I mean, were you instructed to avoid killing other than your own, that is what I am getting at.

Mr. VALACHI. Senator, if they don't allow it—do I have the question right?

Senator JACKSON. Yes.

Mr. VALACHI. If they don't allow it, how can they instruct you?

Senator JACKSON. What I want to know is whether you understood that if you were to carry out a certain criminal act and it involved getting money or something else that you needed and did not involve the rival family—

Mr. VALACHI. Senator, give it to me clear as to what you mean. Let me see if I got you right. You mean if I went to steal?

Senator JACKSON. Yes; you are not stealing from the rival groups or families.

Mr. VALACHI. Stealing from anybody, no family; right?

Senator JACKSON. No.

Mr. VALACHI. I ain't supposed to steal.

Senator JACKSON. You were not supposed to steal?

Mr. VALACHI. That is right.

Senator JACKSON. Would you be ousted from the family?

242 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. No; I would not be ousted but they would not be responsible. In other words, if I go steal, I am on my own.

Senator JACKSON. You are on your own?

Mr. VALACHI. That is right.

Senator JACKSON. Did they instruct you to avoid killing any one outside of their own group or their own rival group?

Mr. VALACHI. Are you talking about the peace now or are you still talking about robbery? I want to get it straight.

Senator JACKSON. Suppose they knew or had reason to believe that you would be engaged from time to time in burglary or robbery. Were you advised to avoid, in other words getting caught, so that you would sooner or later drag the family into, well, the situation they are in right now.

Mr. VALACHI. Senator, you remember when I told you I went and brought Buster out on a burglary and the old man wanted to see me and I took off. Do you remember my telling you that?

Senator JACKSON. I missed that.

Mr. VALACHI. You missed that. I didn't know.

In other words, it could even involve gambling.

Senator JACKSON. Certainly. Rackets, everything.

Mr. VALACHI. I didn't understand you, Senator. They don't tell you to kill unless they have an order.

Senator JACKSON. Did they give you any instructions to do everything to avoid killing outside of your group?

Mr. VALACHI. Do you mean if you have to beat somebody up?

Senator JACKSON. Yes.

Mr. VALACHI. Yes; that is right.

Senator JACKSON. Beat them up gently?

Mr. VALACHI. Yes; don't kill them; that is right.

Senator JACKSON. That is all.

Senator CURTIS. Mr. Chairman.

The CHAIRMAN. Senator Curtis.

Senator CURTIS. In regard to the wives and children of members of the Cosa Nostra, were the facts of how the soldier made his living and what he engaged in generally withheld from his wife and from his children?

Mr. VALACHI. Withheld by whom, Senator?

Senator CURTIS. Beg pardon?

Mr. VALACHI. Withheld by whom, by the wife, you mean?

Senator CURTIS. No. Did the soldier let his wife and children know how he made a living—was that disclosed?

Mr. VALACHI. Well, Senator, you ain't supposed to.

Now, I can't account for someone telling his wife this or that. You are not supposed to tell them anything. I can't say that they don't.

The CHAIRMAN. Senator Mundt.

Senator MUNDT. If I understood the witness in response to the question of Senator Jackson, what you were saying is that a soldier is supposed to carry out an execution of death which has been made by the boss, but they discourage any sort of freewheeling killing on your own part except that which you took out under contract; is that right?

Mr. VALACHI. I still want to get that more clear, Senator. Let me get it straight.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 243

Senator MUNDT. Your job as a soldier was to carry out death sentences made by your bosses?

Mr. VALACHI. Right.

Senator MUNDT. They discouraged you from going into any promiscuous fighting or killing on your own?

Mr. VALACHI. Yes; the way you word it, that is right.

Senator MUNDT. Because it would get them in trouble?

Mr. VALACHI. That is right.

The CHAIRMAN. Very well.

The committee will stand in recess until 10:30, Tuesday morning.
(Whereupon, at 3:05 p.m., the subcommittee recessed to reconvene at 10:30 a.m., Tuesday, October 8, 1963.)

PAGINA BIANCA

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

TUESDAY, OCTOBER 8, 1963

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:30 a.m. in the caucus room, Old Senate Office Building, pursuant to Senate Resolution 17, agreed to March 14, 1963, Senator John L. McClellan (chairman of the subcommittee) presiding.

Present: Senators John L. McClellan, Democrat, Arkansas; Henry M. Jackson, Democrat, Washington; Edmund S. Muskie, Democrat, Maine; Thomas J. McIntyre, Democrat, New Hampshire; Daniel B. Brewster, Democrat, Maryland; Karl E. Mundt, Republican, South Dakota; Jacob K. Javits, Republican, New York.

Also present: Jerome S. Adlerman, general counsel; Donald F. O'Donnell, chief counsel; Philip W. Morgan, chief counsel to the minority; Lavern J. Duffy, assistant counsel; Paul E. Kamberick, assistant counsel; Harold Ranstad, assistant counsel; Arthur G. Kaplan, assistant counsel; Alphonse Calabrese, investigator; Eugene J. Marshall, Bureau of Narcotics; Martin Pera, Bureau of Narcotics; Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will be in order.

(Members of the subcommittee present at time of convening: Senators McClellan, Muskie, McIntyre, Brewster, and Mundt.)

The CHAIRMAN. Mr. Counsel, you may proceed.

TESTIMONY OF JOSEPH VALACHI—Resumed

Mr. ADLERMAN. Mr. Valachi, I think that we left off the other day where we were discussing some of the rules of Cosa Nostra. Now, you have been a member of the organization for some 30-odd years; is that correct?

Mr. VALACHI. Since 1930.

Mr. ADLERMAN. What is that?

Mr. VALACHI. Since 1930.

Mr. ADLERMAN. How many families are there in the New York area?

Mr. VALACHI. In the New York area there are five, but Newark is six.

Mr. ADLERMAN. With Newark it is six?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. In New York City alone?

246 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. It is like New York.

Mr. ADLERMAN. Could you name what they are?

Mr. VALACHI. In New York—

The CHAIRMAN. What he means is give the name of the head of the family.

Mr. VALACHI. The bosses. In Brooklyn, Joe Profaci, when I left the streets in 1960.

Mr. ADLERMAN. Joe Profaci is no longer the boss. He died.

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. He was succeeded by who?

Mr. VALACHI. I wouldn't go into that, because I wasn't in the street at that time.

Mr. ADLERMAN. As far as you know—

Mr. VALACHI. As far as I heard, his brother-in-law.

Mr. ADLERMAN. Is that Magliocco?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Go right ahead and I want to get all of these in the record.

Mr. VALACHI. In the other part of Brooklyn, it is Joe Bonanno.

The CHAIRMAN. How about Manhattan?

Mr. VALACHI. Manhattan, you got—we will start with Vito Genovese, with Jerry Catena, that is my family, and then you have got Carlo Gambino, with Joe Bandy, I call him, and you got Tom Lucchese, Steve LaSalle.

Mr. ADLERMAN. What was the last one?

Mr. VALACHI. Steve LaSalle.

Mr. ADLERMAN. Tom Lucchese is the boss; is that right?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. And his underboss is Steve LaSalle?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Let me get the underbosses. Who is the underboss under Genovese?

Mr. VALACHI. Jerry Catena.

The CHAIRMAN. Under Gambino?

Mr. VALACHI. Joe Bandy.

The CHAIRMAN. And Steve LaSalle under Lucchese?

Mr. VALACHI. That is right.

The CHAIRMAN. And Bonanno; who is under him?

Mr. VALACHI. Well, Bonanno, I was never sure.

The CHAIRMAN. You are not sure about that?

Mr. VALACHI. I am not sure about that one.

The CHAIRMAN. And Magliocco is Joe who?

Mr. VALACHI. Profaci, his brother-in-law.

The CHAIRMAN. What is his name?

Mr. VALACHI. Joe Minneoco, and I can't pronounce it too good—Minneoco.

The CHAIRMAN. All right, Mr. Counsel, proceed.

Mr. ADLERMAN. I would like to call now Deputy Inspector Shanley of the Central Intelligence Branch of the New York Police Department.

The CHAIRMAN. Have you been sworn?

Mr. SHANLEY. I have, sir.

The CHAIRMAN. You may proceed under your oath.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 247

TESTIMONY OF JOHN F. SHANLEY—Resumed

Mr. ADLERMAN. We still have to have some of those charts.

The CHAIRMAN. For the record, identify yourself again at this point. What is your position in New York, Mr. Shanley?

Mr. SHANLEY. I am Deputy Chief Inspector in the Central Investigations Bureau, which is the intelligence unit concerned with organized crime in the New York City Police Department.

The CHAIRMAN. In that capacity, then, you do have a great responsibility in connection with the character of crime, organized or syndicated crime, about which the committee is now concerned?

Mr. SHANLEY. I do, sir.

The CHAIRMAN. In connection with this investigation?

Mr. SHANLEY. I do, sir.

The CHAIRMAN. Have you gone over the information that the committee has obtained and conferred with the staff regarding it, and also with this witness, Joe Valachi?

Mr. SHANLEY. I haven't conferred with the witness.

The CHAIRMAN. You never conferred with the witness?

Mr. SHANLEY. No, sir.

The CHAIRMAN. So what you are going to testify to here is not a result of any conference you have had with Valachi?

Mr. SHANLEY. No, sir.

The CHAIRMAN. Very well, you may proceed.

Mr. ADLERMAN. Could you, in your discussions, please limit yourself—are you in agreement that there are five families in New York?

Mr. SHANLEY. We are.

Mr. ADLERMAN. Are you in agreement that the five families are the Vito Genovese family, the Tommy Lucchese family, the Carlo Gambino family, the Giuseppe Magliocco family, and the Joe Bonanno family?

Mr. SHANLEY. We are; yes, sir.

Mr. ADLERMAN. Will you explain how these charts were prepared, or were these charts prepared under your direction?

The CHAIRMAN. You have prepared some charts showing these different families that have been testified to here by the witness, have you?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Have you prepared charts showing known members in each of these families?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Then the charts that you are about to present here and testify to are charts showing the families that have been testified to here by the witness, and a number of the members of that family that are known to you in your official position in New York?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Very well.

Mr. ADLERMAN. I would like to introduce first the Vito Genovese chart.

The CHAIRMAN. Mr. Shanley, have the charts that are now before you that have been enlarged, that are hanging on the wall to your right, are these the charts that you have helped to prepare and that you identify?

248 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Beginning with the one on the left, will you identify it, the one on the left, and state what you know about it?

Mr. SHANLEY. Well, we have it in a different order.

The CHAIRMAN. You have them in a different order? All right, begin on the right, then, the one on the right.

Mr. SHANLEY. This is the Vito Genovese family. To begin with, these charts were prepared on the basis of information that we obtained from the committee, and information that we had in our own files, and information that we got from the Federal Bureau of Narcotics.

The CHAIRMAN. I am going to let these charts be identified as charts A, B, C, D, and E, as you present them.

Miss Clerk, in that order, the Vito Genovese chart will be made chart A, and then letter them thereafter as presented in order, and I will also direct that the charts be printed in the record. Now, the photographs, of course, cannot be printed in the official record, but the charts, as such, insofar as you are able to do so, print the charts in the record exactly as they appear presented to the committee.

(The charts referred to were marked A, B, C, D, and E.)

(Chart A:)

(147)

Mr. SHANLEY. These charts have a key to activity code. Under each individual name here, figures have been placed, 1A, 2, 3, 5, and 6, in cases of the boss, Vito Genovese, and in the upper left-hand corner there is a code indicating the meaning of these numbers.

For instance, 1A indicates that the subject is currently in jail for narcotics, and 1B, awaiting trial for narcotics, and so on, down to 9 and the asterisk.

Of the total number on this particular chart, which is in excess of 150, there have been 1,064 arrests effected of these individual members. This indicates that there has been an average of seven arrests per man per each person on this chart.

The CHAIRMAN. How many persons are named on the chart?

Mr. SHANLEY. There are 142 on this particular chart. This indicates that there is, in the homicide area, 1 out of every 4 persons on an average on this chart has been arrested for murder in the first degree. And dangerous weapons, on an average there has been 1 arrest for each man on the chart. In narcotics, on an average there has been 1 out of every 2 men arrested. In gambling, on an average there has been 1 out of every 2 men arrested. And assaults, there has been 1 out of every 2 men arrested.

Now, these assaults are not the ordinary type of assaults. Many of these assaults are vicious assaults, with chains, strangulations—assaults which brought the victim to the point of death.

Now, the top man—

The CHAIRMAN. They were in the nature of assaults with intent to kill or to do great bodily harm?

Mr. SHANLEY. Yes, sir.

The top man named here is Vito Genovese, alias Don Vitone. Genovese, as you can see from the chart, is currently in jail for narcotics. He has been in gambling and he has been in shylocking, and in vending machines, and he has been in extortion and strong

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 249

arm and murder. He was born in 1897 in Italy, and first came to this country in 1913. Yet his first arrest was in 1917 when he was arrested for a gun charge. He was naturalized in 1936, denaturalized in 1953, and deportation proceedings were instituted against him. He first came to——

The CHAIRMAN. In 1953, you say the deportation proceedings were instituted?

Mr. SHANLEY. Subsequent to the denaturalization in 1953, deportation proceedings were instituted.

The CHAIRMAN. I wonder if you know what happened to those proceedings?

Mr. SHANLEY. I do not know.

The CHAIRMAN. In other words, they apparently haven't been successful.

Mr. SHANLEY. They have not been successful.

The CHAIRMAN. Very well.

Mr. SHANLEY. In 1935 an informant by the name of Ernie "The Hawk" LaPollo told of a homicide involving Vito Genovese, and at that time he went into detail as to the top men in the organized crime outfits. He named Vito as one of the top men. As a consequence of this, there were a number of indictments. Genovese was one of those indicted, and he fled to Italy, where he became very close to the Italian Government at the time, and he was decorated by Mussolini for his efforts. Allegedly, he ordered the killing of an anti-Fascist editor, Carlo Treshka, in New York, and this was a contract that he was supposed to have given to Mike Miranda, who is also named on the chart.

He came back, and he didn't stand trial, and the case was discharged. In 1949, at a dinner given by Frank Costello in the Copacabana, the manner in which Vito Genovese was treated when he came to the dinner gave every indication that he had emerged firmly as the top man in organized crime throughout the country.

The CHAIRMAN. What date was that?

Mr. SHANLEY. In 1949. This was a dinner that was given by Frank Costello for a very charitable organization, and it was very conspicuous. Vito was met at the door by Costello and he was ushered in and he sat at the best place, and this spread through the city in no time, that Vito had emerged. Subsequent to that, the State also took the same position, that Vito now was the top man.

During the divorce actions which went into great detail as to the sources of his income, she enumerated kickbacks he had through labor connections at a naval base in New York.

The CHAIRMAN. What is that?

Mr. SHANLEY. She also told of his interest in the Italian lottery, which she stated was good for \$30,000 to \$40,000 a year. He took the position that he was a manager for the Colonial Trading, which was a scrap paper outfit in the lower part of New York.

Now, when we had this under observation, there was never any indication of any activity in the Colonial Trading whatsoever, and on occasion, most times the store would be empty or a few people would be sitting around in there, and occasionally they would rent it out for other purposes during income tax time, and some few accountants would take it over to do income taxes, and so on. There was never any indication that he ever did any work for the Colonial Trading.

250 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

He moved to the Atlantic Highlands shortly around 1954 or 1955, and he went into a venture in an attempt to have a steamboat service from the Atlantic Highlands to New York City, to take people from the city to the racetrack. He was alleged to have lost \$175,000 on this venture.

He has been named before a Senate committee previously as a king of the rackets, and he was investigated by the New York State Crime Commission under the same circumstances. His income tax returns have been investigated and he is currently in jail.

The CHAIRMAN. Very well.

Mr. ADLERMAN. Inspector Shanley—

Senator MUNDT. For how long? I couldn't hear you.

Mr. SHANLEY. I beg your pardon?

Senator MUNDT. For how long was he sent to jail?

Mr. SHANLEY. Fifteen years.

Senator MUNDT. Because of the confusion in the room, I can't pick up everything you say.

Mr. SHANLEY. Fifteen years.

Senator MUNDT. How much is left of his term?

Mr. SHANLEY. He went in—he has got about 13 to do, 12 or 13 to do.

Mr. ADLERMAN. Inspector Shanley, you mentioned the fact that it was noted in 1949 that the amount of respect paid to him indicated to the police department that he had now assumed leadership in the Genovese family.

Mr. SHANLEY. That is true. It was very conspicuous.

Mr. ADLERMAN. Before that, who was the leader?

Mr. SHANLEY. There is every indication that Charley "Lucky" was the leader.

Mr. ADLERMAN. Charley "Lucky" was deported from the United States after he was convicted in 1936.

Mr. SHANLEY. He was deported from jail.

Mr. ADLERMAN. And he was deported from jail to Italy right after the war; is that right?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. While he was away, was there any indication that Costello, Frank Costello, had assumed the leadership of the family?

Mr. SHANLEY. He may have an interim period. There was talk that he was the topman, but still Vito seemed to be strong, too.

Mr. ADLERMAN. Now, there was an attempt to kill Costello in 1948, was there not?

Mr. SHANLEY. It was 1957.

Mr. ADLERMAN. 1957. That is right. At that time was there any question of the fact that Genovese had then assumed leadership of the family?

Mr. SHANLEY. There was no question.

Mr. ADLERMAN. How many names were there mentioned on the charts in the Genovese family?

Mr. SHANLEY. One hundred forty-two were on these charts.

Mr. ADLERMAN. One hundred forty-two?

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. Now, under Genovese, who was the second in command, as far as you were concerned?

Mr. SHANLEY. Well, the acting boss apparently is Tommy Eboli.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 251

Mr. ADLERMAN. Tommy Eboli?

Mr. SHANLEY. Yes, sir; and he shares authority with Jerry Catena.

Mr. ADLERMAN. Is he also known as Tommy Ryan?

Mr. SHANLEY. That is right. He is known as Tommy Ryan and he lives in Teaneck, N.J.

Mr. ADLERMAN. Who did he succeed?

Mr. SHANLEY. He succeeded Tony Bender.

Mr. ADLERMAN. Tony Bender, also known as Anthony Strollo?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. The underboss, you say, is Jerry Catena?

Mr. SHANLEY. Jerry Catena; that is correct.

Mr. ADLERMAN. Now, where does Mike Miranda stand in the organization?

Mr. SHANLEY. Mike Miranda is moving more and more into the position of an elder statesman, and he definitely is consulted on most moves, and, in fact, he may make certain helping decisions for these younger men.

(At this point Senator Jackson entered the hearing room.)

Mr. ADLERMAN. Do you consider him to be the counsel now?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. Of the organization?

Mr. SHANLEY. That is right; on big decisions he is consulted.

Mr. ADLERMAN. Now, could you tell us any information that you may have on Frank Costello or perhaps we would go to Lucky Luciano first.

Mr. SHANLEY. Well, in relation to Luciano, what would become apparent in these charts is the number of pilgrimages that were made by these various well-situated people to Luciano. Joe Adonis went to see him, and "Patchie" Evelin went to see him, and Tommy Eboli went to see him, and he apparently—even while he was in Europe—he received this great deal of respect. There is no question that his power was so great that even in Europe he could exercise it.

Mr. ADLERMAN. So while he was alive, and living in Europe, as a deportee from the United States, he still exercised a great deal of control over this organization?

Mr. SHANLEY. There is no question of it.

Mr. ADLERMAN. Now, Costello, could you tell us what was his place in the organization?

Mr. SHANLEY. Costello—for a time—there was a question whether Costello was a topman. At least he was second in command at one time. Subsequently he has also withdrawn from the picture, and our observations indicate that he still has contact, but it isn't great, and he is not consulted on these things, and, for instance, to the extent that Miranda is consulted.

Mr. ADLERMAN. Does it look as though he still is considered a statesman even after he was shot?

Mr. SHANLEY. That is true.

Mr. ADLERMAN. Now, Tony Bender, or Anthony Strollo, was he important in this organization?

Mr. SHANLEY. Yes, Strollo was very important, and he was quite operational, and he came in contact with a lot of people who we felt were definitely in the operations; subsequently it turned out to be the case. He was very close, for instance, to a man named Napoli,

252 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Jimmy Nap, who operated a large policy bank. He was close to Vito Maro, and Frankie Baccarosso, who were apprehended in narcotics. He was close to a Jerry Moore who had a great deal to do with the operation of nightclubs in the village behind fronts.

Mr. ADLERMAN. While he was alive, he was a matter of considerable attention. Did he receive considerable attention from the police department?

Mr. SHANLEY. He did.

Mr. ADLERMAN. And was he considered one of the top ranking members of the Genovese family?

Mr. SHANLEY. Yes, sir, he was. He was a target of the police.

Mr. ADLERMAN. Do you know anything about his criminal activities?

Mr. SHANLEY. Well, as I said, he had connections to policy, strong connections to bigtime gambling, and he had strong connections to narcotics in the form of Benny Maro and Frankie Caruso, and he operated in questionable nightclubs in New York City, behind fronts, and he was supposed to have a piece of the Savannah Club, and which is now out of business, and these were the operations in which we found he was involved.

Mr. ADLERMAN. Was he also generally in gambling and in shylocking?

Mr. SHANLEY. He was in shylocking himself, and he was in gambling, as I have said.

Mr. ADLERMAN. And you say—I think you said he was in narcotics.

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. Now, what sort of a record does Eboli have?

Mr. SHANLEY. Tommy Eboli, he has six arrests and two convictions, one for an assault on a fight promoter in Madison Square Garden. He was an associate of Tony Bender and Vito Genovese, and Vincent Gigante, and Rocco Perretti, and he is in the Tyron cigarette business, or was, also in Burger Village, a restaurant in Greenwich Village in New York, and he stated at one time he was a florist, and he is suspected of being in narcotics, gambling, and the operation of nightclubs. In 1961 he went to Italy, also, and spent some time over there, and during an interrogation he admitted that he had spent 3 or 4 days with Lucky at his hotel, in the same hotel room.

Recent observations indicate that he is close to Tony "The Sheik" Corello, and Miranda, and Joe Yacavelli, and Nick Forlono, Sal Silebrano, Pete Fayo, and Domalongo.

He later may have driven the car used in the Costello shooting. In connection with the shooting of Costello, it might be well to mention that Rocco Parroto is a close associate of Tommy Eboli. He is a salesman for the Cross Suclair & Sons, a wholesaler of printing and fine paper.

Now, when it became necessary to get Vincent Gigante out of jail he was held in \$100,000 bail.

Mr. ADLERMAN. Gigante was involved in the shooting of Costello.

Mr. SHANLEY. Gigante was accused of the shooting of Costello. He was held in \$100,000 bail and in order to secure collateral, the Cross Suclair Co. put up \$76,000.

Mr. ADLERMAN. Gigante was acquitted of that?

Mr. SHANLEY. He was.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 253

Mr. ADLERMAN. You say the printing company, you believe, is owned and operated by this organization?

Mr. SHANLEY. No, I couldn't say that. I will say that Rocco Peretti is associated with the printing company, and the printing company put up the bail, and Eboli and Perretti are considered to be very close.

Mr. ADLERMAN. You have no knowledge of whether or not it is a front organization or whether or not they have an ownership in it?

Mr. SHANLEY. I do not know, and I do know that they put up bail in the *Genovese* case also.

Mr. ADLERMAN. Now, are there any other enterprises that Eboli is involved in that you know of?

(At this point Senator Javits entered the hearing room.)

Mr. SHANLEY. Village Toffee, that is a luncheonette, and Eboli was interrogated in the Abanachi murder, and I believe that Eboli has a man at operational level called Tony Mousto, Tony Priest, who was a large-scale bookmaker, recently arrested with a play in excess of \$20,000 or \$30,000 a day.

Mr. ADLERMAN. I didn't quite get the last part.

Mr. SHANLEY. I believe that Eboli's bookmaking operator is a man named "Tony the Priest" Mousto, and Mousto was recently arrested for bookmaking, and a review of the record indicated that he was doing an excessively large business, \$10,000 or \$20,000 a day.

The CHAIRMAN. He is on the chart?

Mr. SHANLEY. I don't think that he is. He is at the street level, Senator.

Mr. ADLERMAN. He is one of the associates not on the chart.

Mr. SHANLEY. He is operational, and most of these people are not.

Mr. ADLERMAN. Now, while Bender was alive, do you know whether he had any legitimate enterprises, or any covers for any enterprises?

Mr. SHANLEY. Bender had a real estate license for years, but we never knew that he sold any real estate. He actually—his story as to how he made his living was that he was very lucky at the racetrack.

Mr. ADLERMAN. Do you know what fronts Jerry Catena uses, if any?

Mr. SHANLEY. He states he is a truckman, and he has a number of businesses. He has been in Peoples Express, Public Service Tobacco, which has a relationship to Longy Zwillman, the deceased Longy Zwillman, and Cool Vent Metals, and he has a piece of that.

Mr. ADLERMAN. What was that?

Mr. SHANLEY. Cool Vent Metals. This is an awning company, and he was in Marcel Manufacturing, and this is a napkin company, and CPA Truck Rentals, a truck rental company, and we feel or we suspect that he is in the restaurant called the Arch Restaurant, and Runyan Sales in Newark, which has pinball machines and games of that sort.

Mr. ADLERMAN. Do you know what the legitimate fronts are or what the fronts are for Mike Miranda?

Mr. SHANLEY. Mike Miranda is a partner in Local Vending in Queens. This is a jukebox operation.

Mr. ADLERMAN. Now, coming to the Caporegime on the Vito Genovese chart, do you have any information concerning Vincent Alo, also known as Jimmy Blue Eyes?

Mr. SHANLEY. Vincent Alo is considered to be the representative of this group in policymaking and bookmaking. He has great influence in the Bronx, and he spends a great deal of time out of the city. He

254 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

is an associate of Mike Coppola, Fat Tony Salerno, and he is definitely a top man, but he is not at an operational level.

Mr. ADLERMAN. He is more on the policy side?

Mr. SHANLEY. That is right.

Senator MUNDT. Inspector Shanley, when you say that Vincent Alo has great influence in the Bronx, that conjures up different types of influence which you might have had in mind. Are you talking about him being a community leader and political influence, or a power in the underworld, or will you make specific what you have in mind?

Mr. SHANLEY. I am referring to his influence with the people on this chart.

Senator MUNDT. With the gang mob he has influence?

Mr. SHANLEY. That is right.

Senator MUNDT. He is not an influential citizen of the Bronx.

Mr. SHANLEY. He doesn't appear too much in the Bronx, actually.

Senator MUNDT. What is that?

Mr. SHANLEY. He is very seldom in the Bronx.

Senator MUNDT. When you say to a Member of the Senate that a man has great influence, that conjures up a little different picture of what you have in mind.

Mr. SHANLEY. I didn't mean that. His influence is with this group here, and he has remote control which is quite an accomplishment.

Mr. ADLERMAN. Could you tell us anything about Joe Adonis, his predecessor, also known as Joe Doto?

Mr. SHANLEY. Joe Adonis is right in the very burden of this whole situation. Joe Adonis was friendly with Lucky Luciano, Vito Genovese. He was also close to others in this group, close to Bo Weinburg, people who were around at the time of Fink Scott, Meyer Lansky, Dutch Schultz. He was friendly with many.

He was engaged first in bootlegging, then in gambling. He ran a gambling operation in another State for about 10 years. He also had a large auto transport business with a major automobile manufacturer.

He eventually was deported. He accepted voluntary deportation.

Mr. ADLERMAN. He was considered a rather important criminal character in the New York area?

Mr. SHANLEY. Definitely. Definitely. He was the prototype. This man used to go horseback riding in full regalia on Shore Road in the Bayshore section of Brookhaven.

Mr. ADLERMAN. Coming along that same time, we have Mike Coppola, also known as Trigger Mike. Can you tell us what information the police department has on him?

Mr. SHANLEY. Trigger Mike lives in Florida for the most part. He comes out of East Harlem. His street representative is a fellow named Jack Sharkey. His name is Cappola, also, although it is a different spelling.

Just below him, below Mike and above Sharkey, is Fat Tony Salerno.

They did have enormous policy operations in East Harlem section of New York City.

Mr. ADLERMAN. Fat Tony Salerno is one of the soldiers underneath Coppola, is that right?

Mr. SHANLEY. That is true.

Mr. ADLERMAN. He is mentioned on this chart.

Mr. SHANLEY. He is mentioned on the chart. At one time the New York police effected a raid of what we thought was Sugar Mike's bank.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 255

Mr. ADLERMAN. By "bank," you mean——

Mr. SHANLEY. His numbers bank. Of course, he was not there. It was doing a business of \$35,000 a day.

Mr. ADLERMAN. Doing a business of how much?

Mr. SHANLEY. \$35,000 a day. He was also supposed to have a close connection with a man named Joe Rivers, who ran floating dice games. Rivers was also connected with Cuba when they had dice games going there. It is reported, although we can't verify it, that Rivers is still trying to get in operation in another State in dice.

Mr. ADLERMAN. Is Rivers mentioned on this chart?

Mr. SHANLEY. Yes, he is; Joe Silesi.

Mr. ADLERMAN. He is a soldier?

Mr. SHANLEY. Yes.

Mr. ADLERMAN. Now, was Trigger Mike Coppola ever arrested on a murder charge?

Mr. SHANLEY. Yes, sir. I will have to look that up.

Several times. It has been recorded. We put this in.

Mr. ADLERMAN. Now, have you any information concerning James Angelina, also known as Jimmy Angelina?

Mr. SHANLEY. Jimmy Angelina has an address in Rye, N.Y. He has 22 arrests. He only has one conviction. He is generally in gambling. He was associated with Little Augie. We feel he is closely associated with a man——

Mr. ADLERMAN. You mean Little Augie Pisano?

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. Also known as Carfano?

Mr. SHANLEY. Yes, sir. Angelo has interests in the upper Bronx and Westchester, gambling interests. He is close to a Mattie Brown.

Mr. ADLERMAN. Mattie Fortunato; who is he?

Mr. SHANLEY. He is another part of this group.

Mr. ADLERMAN. In what line of criminality is he engaged?

Mr. SHANLEY. He is shown as a soldier on this chart for Angelina.

Mr. ADLERMAN. Is he a gambler?

Mr. SHANLEY. He is a gambler; yes, sir.

Mr. ADLERMAN. Is he under the regime of Angelina as part of his group?

Mr. SHANLEY. That is correct.

Mr. ADLERMAN. Mattie Brown is well known in New York, is he not?

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. I mean to the police circles.

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. Now, we have Pasquale Eboli also listed as one of the caporegime, known as Patsy Ryan. Is he related to the Tommy Eboli?

Mr. SHANLEY. That is his brother.

Mr. ADLERMAN. Can you give us any information pertaining to him?

Mr. SHANLEY. Well, Patsy Ryan also made a pilgrimage to Italy to see Lucky. Allegedly, he went over there to try and sell kitchen table tops, which is an odd thing, and he didn't succeed in this but he did find time to go and see Lucky. As a matter of fact, he was in Lucky's presence about 2 or 3 hours before he died.

On the way back, Eboli was on the same plane with Caruso and the other defendant they were bringing back from Spain.

256 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. Vinnie Mauro?

Mr. SHANLEY. Vinnie Mauro.

Mr. ADLERMAN. He was picked up at the same time; is that right?

Mr. SHANLEY. No; he was not picked up. He was on the same plane. He was questioned when he came back but he was not picked up.

Mr. ADLERMAN. He was not connected with the Vinnie Mauro setup at all as far as narcotics——

Mr. SHANLEY. Not to our knowledge.

Mr. ADLERMAN. Now, *Ciro Terranova* was the predecessor of *Mike Coppola*; is that right?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. He was also known by the name of the *Artichoke King*?

Mr. SHANLEY. That is correct.

Mr. ADLERMAN. Can you tell us something about his activity before he died?

Mr. SHANLEY. Well, he had connections to unions. He also was strong in the market, produce market. This is where he succeeded in, this is where he got the name, the *Artichoke King*. He allegedly had cornered the market in such a manner that he could determine exactly what the price would be.

Mr. ADLERMAN. Now, artichokes, I think, are a particular diet among the East Harlem families there, they consider it an important part of their food supply?

Mr. SHANLEY. Well, yes. It is very popular around the holidays.

Mr. ADLERMAN. And he controlled the supply of that in the East Harlem area particularly?

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. Did he exact any payment from the peddlers or the dealers in these artichokes?

Mr. SHANLEY. He did.

Mr. ADLERMAN. Was he considered a very important criminal character in New York?

Mr. SHANLEY. He was at one time, yes.

(At this point, Senator Mundt withdrew from the hearing room.)

Mr. ADLERMAN. Now, he died a natural death?

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. Now, we have next in line *Tom Greco*, also known as *Tommy Palmer*. Do you have any information on him or his relative importance?

Mr. SHANLEY. *Greco* is alleged to have inherited certain of the rackets that *Albert Anastasia* had after he died. *Greco* spends a great deal of time out of town. When he is in town he frequents *Lancey's Restaurant* on First Avenue. He is alleged to have a piece of that. He has connections into unions and labor racketeering. He also has gambling connections. He is up in years, *Greco* is.

Mr. ADLERMAN. How about *Richard Boiardi*, also known as *Diamond Richie*?

Mr. SHANLEY. He is mostly a New Jersey figure. We don't see him much.

Mr. ADLERMAN. *Dominick DeQuatro*, or *Dom the Sailor*?

Mr. SHANLEY. He is another one we don't see too much of. He is a Jersey figure.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 257

Mr. ADLERMAN. Now, we have discussed some of the former capo-regime.

John Biello is also known as Foots. Do you have any information on him?

Mr. SHANLEY. He is presently in Florida.

Mr. ADLERMAN. He is out of the organization now?

Mr. SHANLEY. He has retired so far as we know. He does not appear much in recent times, Biello.

Mr. ADLERMAN. How about Tony Gobels, known as Ricci?

Mr. SHANLEY. He is retired a long time. He does not appear on the local scene.

Mr. ADLERMAN. Anthony Carfano, Little Augie Pisano, has been murdered?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. He was rather important.

Mr. SHANLEY. He was, indeed. He had 10 arrests. He had been arrested three times for guns; one, for murder. He was close to Frank Costello, Mike Miranda, Frank Ericson. He had strong connections in gambling.

Mr. ADLERMAN. Now, Dodo Del or Generoso del Luca, is he retired?

Mr. SHANLEY. He is dead.

(At this point Senator Mundt entered the hearing room.)

Mr. ADLERMAN. Was he considered an important character in New York?

Mr. SHANLEY. He had a high position judging from the respect received on a number of occasions where the police had interrogations underway; the demeanor of the men in his presence in the station house. He was an elderly man. He was well thought of.

The CHAIRMAN. Senator Mundt wanted to clear up something.

Senator MUNDT. You started out before we got the microphones, so that we could understand you clearly—you gave a little table of the kind of crimes that the members of the Genovese family were convicted of or were guilty of. One out of two was this or that. Will you read that again?

Mr. SHANLEY. Yes, sir. There have been a total of 1,064 arrests of the people in this group.

Senator MUNDT. This is all the charts?

Mr. SHANLEY. No, sir; the Genovese chart.

Senator MUNDT. 1,064 arrests? Then you have 142 people on the chart.

Mr. SHANLEY. That is right.

Senator MUNDT. A lot of them were repeaters?

Mr. SHANLEY. There might be a little discrepancy in the number of people on the chart. One or two have been withdrawn for various things. This showed that there would be an average of seven arrests per man.

Senator MUNDT. Seven arrests per man?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Of those on the chart?

Mr. SHANLEY. Of those on the chart.

Senator MUNDT. What type of arrests? They were pretty serious arrests?

Mr. SHANLEY. Yes, sir.

258 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator MUNDT. Will you give the kind of arrests that were involved?

Mr. SHANLEY. I can go on from there and give you the overall picture.

One out of four of them was arrested for homicide.

Senator MUNDT. One out of four?

Mr. SHANLEY. That is right. This is on an average, Senator.

Senator MUNDT. Do you have the record of how many were convicted?

Mr. SHANLEY. I do not.

Senator MUNDT. One out of four was arrested for murder?

Mr. SHANLEY. Yes, sir.

Senator MUNDT. One out of four individuals, you are talking about?

Mr. SHANLEY. That is right. This is what the average would come to.

For dangerous weapons, it would average one arrest per person.

Senator MUNDT. They all carried guns?

Mr. SHANLEY. Right. Narcotics would average one arrest for every two persons.

Senator MUNDT. Half of those people were engaged in the narcotics racket?

Mr. SHANLEY. That is right, on the basis of these arrests, not on an average. Gambling would be one out of two.

Senator MUNDT. The same percentage as narcotics?

Mr. SHANLEY. That is right. Assaults could be one out of two.

Senator MUNDT. You gave a definition of assaults.

Mr. SHANLEY. Yes, sir; these are assaults which fell short of murder. In many instances, the man was shot, didn't die or was beaten badly; chopped up; beaten with a chain; vicious assaults.

Senator MUNDT. Almost attempted murder, would that be?

Mr. SHANLEY. Well, it fell short of murder.

Senator MUNDT. They had murder in mind in many instances.

Mr. SHANLEY. In many instances, yes.

The CHAIRMAN. Do you have a table showing this?

Mr. SHANLEY. Yes, we do.

The CHAIRMAN. Let the table be inserted in the record at this point. (The table referred to follows:)

CENTRAL INVESTIGATION BUREAU

Summary of arrests in families named by Joseph Valachi—Crime category

Name of family	Total arrests	Homicides	Weapons	Narcotics	Gambling	Assaults	Miscellaneous
Genovese.....	1,064	44	177	85	84	85	589
Gambino.....	476	14	57	26	92	33	254
Lucchese.....	387	15	50	36	53	29	204
Profaci.....	319	11	39	12	48	23	186
Bonanno.....	119	6	11	8	3	12	79
Associates.....	1,185	13	74	155	312	42	589
Unknown.....	337	16	55	9	43	36	178

NOTE.—Total arrests of persons mentioned in the Valachi report, 3,887.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 259

Summary of arrests in families named by Joseph Valachi—Crime category

Name of family	Total arrests	Homicides	Dangerous weapons	Narcotics	Gambling	Assaults	Miscellaneous
Genovese, 166 men in group	1,064	44	177	85	84	85	589
Percent per man	6.8	0.27	1.12	0.50	0.49	0.50	3.9
Average per man (1 man has 40 arrests, 1 man has 1 arrest)	7	(¹)	1	(²)	(²)	(²)	4
Gambino, 80 men in group	476	14	57	26	92	22	254
Percent per man	6	.175	0.73	0.325	1.15	0.42	3.18
Average per man (1 man has 31 arrests, 1 man has 1 arrest)	6	(¹)	(¹)	(¹)	(¹)	(¹)	3
Lucchese, 62 men in group	387	15	50	36	53	29	204
Percent per man	6.25	0.24	0.81	0.58	0.86	0.47	3.3
Average per man (1 man has 36 arrests, 1 man has 1 arrest)	6	(¹)	(¹¹)	(¹⁰)	(¹¹)	(²)	3
Profaci, 86 men in group	319	11	39	12	48	23	186
Percent per man	8.86	0.31	1.08	0.333	1.34	0.64	5.17
Average per man (1 man has 29 arrests, 1 man has 1 arrest)	9	(²)	1	(²)	1	(⁷)	5
Bonanno, 22 men in group	119	6	11	8	3	12	79
Percent per man	5.4	0.28	0.50	0.36	0.13	0.54	3.59
Average per man (1 man has 13 arrests, 1 man has 1 arrest)	5	(¹)	(²)	(²)	(¹)	(²)	3
Total, 5 families, 366 men	2,305	90	334	167	280	182	1,312
Percent per man	6.64	0.25	0.94	0.47	0.79	0.51	3.69
Average per man	7	(¹)	1	(²)	(¹¹)	(¹)	4

1 1 out of 1.
 2 1 out of 2.
 3 1 out of 3.
 4 1 out of 4.
 5 1 out of 5.
 6 1 out of 6.
 7 2 out of 3.

8 2 out of 5.
 9 3 out of 4.
 10 3 out of 5.
 11 4 out of 5.

Note.—The balance of the arrests of persons mentioned in the Valachi report were made by associates of the above groups or unknowns.

260 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. SHANLEY. In this group one man had 40 arrests whereas another man had only 1 arrest. I am talking of averages here.

Senator MUNDT. Do you have any figures to show how many of these people have served time?

Mr. SHANLEY. No, I do not.

(At this point, Senator Jackson withdrew from the hearing room.)

Senator MUNDT. Could you make an educated guess?

Mr. SHANLEY. In the early days, in their beginning, I would say that most of them have done a little. Many of them have done a little, when they were young men, have been convicted at least.

Senator MUNDT. Of the 142, how many are presently incarcerated?

Mr. SHANLEY. Fifteen are in legal custody or awaiting trial.

Senator MUNDT. Or in jail?

Mr. SHANLEY. That is right.

Senator MUNDT. Awaiting trial or being held, or in the penitentiary?

Mr. SHANLEY. That is right. Two have been deported.

Senator MUNDT. You have had deportation proceedings against a great many more, I take it?

Mr. SHANLEY. Practically all of these people have had the interest of the Naturalization and Immigration aroused and proceedings were instituted.

Senator MUNDT. Practically all of them?

Mr. SHANLEY. Practically all of them.

Senator MUNDT. Is it very difficult to successfully prosecute a deportation proceeding?

Mr. SHANLEY. It would appear that way, yes, sir.

Senator MUNDT. Thank you.

The CHAIRMAN. Mr. Shanley, if I may, I would like to ask Mr. Valachi a question.

According to this chart that we are now testifying from, which has been identified by Mr. Shanley, according to my count, besides yourself there are only 10 persons listed on this chart whom you do not know as members of the family according to the indications you have given to the staff?

Mr. VALACHI. About that.

The CHAIRMAN. Is that right?

Mr. VALACHI. About that, yes.

The CHAIRMAN. Have you gone over this chart with the staff?

Mr. VALACHI. That chart there?

The CHAIRMAN. Yes.

Mr. VALACHI. The ones there is a star on is the ones I have——

The CHAIRMAN. You have gone over it and identified those who have asterisks, that identifies those whom you know and know to be members of the Genovese family?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. That means they are members of the Cosa Nostra?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. All of them as I counted, all but 10 on that chart, you personally know and know them to be members?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 261

Mr. VALACHI. Yes.

The CHAIRMAN. There are 141 on there, I believe, besides you, according to the count.

Mr. VALACHI. Right.

The CHAIRMAN. That would be 131 of them you know personally?

Mr. VALACHI. Right.

The CHAIRMAN. Very well.

Senator JAVITS?

Senator JAVITS. Inspector Shanley, I think it is very important to compare your information with that of the witness.

Will you bear out and give us the number of exceptions which you have as to those listed on the chart as being mobsters, with criminal records, under the general surveillance of the police? In other words, he says he knew everybody but 10. What do you say about this chart?

Mr. SHANLEY. I would say this chart is one of the most accurate we have been able to put together in years. The deeper you go into it the more apparent it becomes that the information is extremely accurate. Previously, we have had cases where the top people were named, the more notorious ones have been named in the various hearings for years. But this is the first time in our experience where a man has gone into the genesis of it, he has given the structure, he has given the succession. He has given the administration, he has given the procedure.

In addition to that, he has given it in depth.

There is something like 356 names mentioned in this overall picture. He has ranked these people with an apparent authenticity that is hard to doubt.

Now, in addition to the specific information that he gave, this will be pursued. But even if this specific information does not pan out, it would not necessarily detract from the effectiveness of the information, because the lapse of time, as you well know, goes for the defendant and what happens in 10, 20, 30 years is that the witness is not available, memories fade, locales change.

In New York, some of the things this man is talking about no longer exist as to locale. The buildings are torn down. Physical evidence has gone.

Senator JAVITS. Nevertheless, you think it is effective in police terms and you can tell us why you think it is effective in police terms?

Mr. SHANLEY. Because this is an intelligence asset that we never have had before. If we had the knowledge we would be able to realine targets, stress emphasis, bring these things to the attention of the public that what exists under these circumstances, to try to focus the attention of the public on situations where these people, in narcotics, for instance, are benefiting from local burglaries which are committed by addicts or are benefiting from the \$2 bet that is being made to the local bookmaker.

All of these things are very important to us in trying to get the police problem under control.

Senator JAVITS. Aside from the safeguards which I am sure you would wish, as we would, of just mentioning names in open session without checking back who they are in that connection, assuming that that precaution is taken, you consider public hearings to be desirable in a matter of this kind?

262 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. SHANLEY. I do, sir, yes, sir.

Senator JAVITS. One last question. How many of those on the Vito Genovese chart are alive and how many are dead?

Mr. SHANLEY. Twenty-three are dead on this chart.

Senator JAVITS. How many are alive?

Mr. SHANLEY. The remainder would be alive. Actually, we base this on a little higher figure but there were some changes later on. This would be 23 out of the 143 which would make it 119.

Senator JAVITS. Are alive?

Mr. SHANLEY. That is right.

Senator JAVITS. How many of those are in New York, so far as you know?

Mr. SHANLEY. I would have to go over that generally. Footso is in Florida. Tony Gobels is in Florida.

Senator JAVITS. I would not expect you to do that orally now. Compute it during recess and let us know how many are in New York if you can. I am interested in your appraisal of the effectiveness of these hearings. I think it is very important in view of the comment and ideas which have been advanced publicly. I am very pleased to note that you have made that statement.

Mr. SHANLEY. Thank you, sir.

The CHAIRMAN. May I ask you to do this. You have been testifying so far only about the Genovese family. Are your answers that you have given to Senator Javits here the same with respect to the other charts? I mean, are you talking about all of the charts, all of the information that Valachi has given here that you have checked out or are you confining your answers solely to the Genovese family?

Mr. SHANLEY. No. His strength is in the Genovese chart, his greatest strength, but still it is extraordinary in the others, too.

The CHAIRMAN. Of course, I assume he is better acquainted with the Genovese family because he is a member of it.

Mr. SHANLEY. There is no question of it.

The CHAIRMAN. You have also made these checks as against his testimony and those he has identified in the other families, the charts of which will be discussed as we go along; is that right?

Mr. SHANLEY. That is correct.

The CHAIRMAN. Senator Muskie, you have a question?

Senator MUSKIE. You testified earlier, Inspector Shanley, that you had not personally talked to Mr. Valachi.

Mr. SHANLEY. That is right.

Senator MUSKIE. Yet these charts are based heavily on his information, am I correct?

Mr. SHANLEY. That is correct.

Senator MUSKIE. What was the source of your access to his information?

Mr. SHANLEY. The committee?

Senator MUSKIE. These hearings?

Mr. SHANLEY. Yes, sir. We received the information prior to the hearings.

Senator MUSKIE. Would it have been possible for you to reconstruct these charts without his testimony?

Mr. SHANLEY. No, sir.

Senator MUNDT. Mr. Chairman.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 263

The CHAIRMAN. Senator Mundt.

Senator MUNDT. While we are talking about the value of the charts, you have been in the hearing room, I think, Inspector, since the very beginning of the Valachi testimony. Is that right?

Mr. SHANLEY. Yes, sir.

Senator MUNDT. Do you recall the Masseria-Maranzano gang war charts we had here a few days ago?

Mr. SHANLEY. Yes, sir.

Senator MUNDT. Will you comment upon the value of them from the standpoint of police proceedings and intelligence?

Mr. SHANLEY. These are very important. This shows the whole creation of this situation. Without this, you don't get the proper perspective. This has to be put into its proper frame. The appearance that organized crime gives is very deceptive. It is like an iceberg. Much of it is below the surface. In dealing with people who are in organized crime, they frequently have a very beguiling manner. They give the impression of not being as quick as they might be. They are ingratiating frequently in their manner. They are obliging. They go to all efforts to make themselves liked.

It is very difficult to realize what these people are.

Now, when you see where they stem from and how they came up, you have a much better picture of what you are dealing with because most of these people have come above that violence, they are not in it.

Senator MUNDT. Would it be accurate to say that these charts, and including the Masseria and Maranzano gang war chart which shows the interconnection of the five families and the warfare that existed between them, reflect that this is the first time it has been reviewed in chart form so that you could see the evolving situation?

Mr. SHANLEY. Yes, sir, that is the first time we have seen that.

Senator MUNDT. That is useful to police intelligence?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Senator McIntyre.

Senator MCINTYRE. Mr. Shanley, do these charts represent the heart or the core of the criminal element in New York or are there other elements?

Mr. SHANLEY. There are other elements in New York that are in organized crime. There are elements that are strong in the bookmaking field. There are elements that are strong on piers; waterfront, for instance.

This is one specific aspect of organized crime in New York. This is the aspect that he, the witness, is most familiar with. But there are other sections of it.

Senator MCINTYRE. Would it be fair to say that it is a substantial part of the criminal element?

Mr. SHANLEY. It is a substantial part but it is not the criminal element exclusively by any means.

Senator MCINTYRE. Do you feel it has certain areas of operation which are this policy numbers racket? Is this their principal forte?

Mr. SHANLEY. I would say the two principal sources at the moment are gambling and shylocking.

Senator MCINTYRE. Thank you.

The CHAIRMAN. If I understand, you are not saying that Cosa Nostra or these five families constitute all the criminal element of organized crime that is in New York; you are not saying that?

264 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. SHANLEY. Positively not.

The CHAIRMAN. There are others outside of Cosa Nostra, outside of these families?

Mr. SHANLEY. That is right.

The CHAIRMAN. You say these five families, as described and identified by the witness, Valachi, do constitute a substantial part of that organized crime element in New York?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Would you say whether this group or this Cosa Nostra group, these families, constitute the hard core or the major part of it?

Mr. SHANLEY. I would say that they are the major part of it; yes.

The CHAIRMAN. You would think they are the major part?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. You are not discounting the significance of the others at all?

Mr. SHANLEY. No, sir.

The CHAIRMAN. They are there and they are significant?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. They are not members of this particular syndicate; is that correct?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Senator Brewster, do you have a question?

Senator BREWSTER. One question, Mr. Chairman.

Inspector, you used the term "policy" in describing criminal activity. What type of activity is this? What is the "policy"?

Mr. SHANLEY. The policy game essentially is a form of betting wherein the person puts up a small amount of money.

There is no limit on what you can put up, in the reverse direction, let us put it that way.

I don't think people would accept \$10 or \$15 on bets as a rule. But you can put up a quarter or a half dollar and you pick a number. Let us say you pick 196. If this number comes out, you are paid on the odds of 600 to 1 in some cases and 550 to 1 in other cases; the odds being 1,000 to 1 against you. This is played, it does not require much to play it. It has a tremendous value to New York. It is very difficult because of the public interest.

Senator BREWSTER. Policy interest and numbers are the same thing?

Mr. SHANLEY. That is true. Different in terms.

Senator BREWSTER. Who picks the number?

Mr. SHANLEY. The number picked in New York is what they call "the New York number," which is picked by taking the total of the third race in the track that is going in New York, the first three races, take the total, and the first digit to the left of the decimal is the first number. Then you take the next two races, which would be fourth and the fifth, and the first digit to the left of the decimal is the second number. Then you take the seventh race and you do the same thing. This gives you your three numbers, 246 as the case may be.

The Brooklyn number is done by taking the total mutuel racehorse handled for the day, the last race and taking the last numbers, three digits to the left of the decimal.

In some places it is done, in the course of investigations it is determined that in other localities where we have been called to give expert testimony, it has been done by spinning a dial of some sort.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 265

There are different ways of doing it.

Senator BREWSTER. Thank you, Inspector.

The CHAIRMAN. Senator Mundt.

Senator MUNDT. This shylocking racket, which is an interest-hiking gimmick, is this something that the families practiced only on their own members, or did they go out and try to induce people who are innocent of any crime but who are in bad circumstances financially, to pay these fantastic interest rates?

Mr. SHANLEY. At this level we don't find that, Senator. These people who deal in large sums of money, the funds are solicited for the most part. They take precautions to make certain that they won't lose their money. They are willing to settle for an 80-percent effectiveness.

Now, it is quite possible at a lower level, more operational, that this does occur where you have smaller amounts involved. But none of these people would be engaged in any kind of shylocking that would be less than the thousands.

Senator MUNDT. My question is whether they loaned this thousand dollars for which they charged these fantastic rates to people outside their own racket, outside their own family, or do they prey on each other?

Mr. SHANLEY. No; this is outside the family.

Senator MUNDT. They get somebody who needs money fast?

Mr. SHANLEY. Yes, sir.

Senator MUNDT. Who does not have a good credit rating?

Mr. SHANLEY. Yes, sir.

Senator MUNDT. A fellow who is innocent of crime altogether, but they would charge him a rate that would put him into bankruptcy.

Mr. SHANLEY. That is right. In many instances this is how they got into business, because the person is hard pressed for money and cannot get a loan from the bank because their credit rating is not the best. They then loan him the money under the table. When the payments cannot be made, they eventually go into business to protect their investment.

Senator MUNDT. This is one of the ways in which some of these racketeers get into what we call legitimate business?

Mr. SHANLEY. Yes, sir; that is a very frequent way. This is one thing that will explain partially why they go into so many businesses without any apparent qualification whatsoever.

Senator MUNDT. Is there any evidence that once they get into a legitimate business they use illegitimate means against their competitors?

Mr. SHANLEY. They would if they could but frequently they don't make out in the legitimate business. They have had as many failures as the average.

Senator MUNDT. Not very smart businessmen.

Mr. SHANLEY. That is right.

The CHAIRMAN. Mr. Counsel.

Mr. ADLERMAN. Could you name some of the particular types of business that they loan money in; usually it is a sort of fringe business of some kind?

Mr. SHANLEY. There is a great deal of lending money in the garment area.

266 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. I mean where people are operating on, shall we say, with store fronts or something of that sort.

Mr. SHANLEY. The nature of the industry would have an effect on it. In the garment area, the least substantial people can be very fortunate and have one style, one type of dress that is a big hit and they can make a lot of money. Then the next season, they come up with a style that does not go over and they are hard pressed for cash. They go in to these people and then these people work into the business, they have some connections into unions, they can alleviate the demands of certain truckers, and so on. This is one business in which they get into.

Mr. ADLERMAN. Into the type of business where you have a lot of gamble?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. They have sometimes a one-shot affair to raise \$2,000 with the hope that they will make it go well and do well?

Mr. SHANLEY. That is right. These are people who are on the fringe. I am not talking about the substantial part of the industry, which is as solid as rock.

Mr. ADLERMAN. Is it also true that some of their best business customers in this shylocking are bookmakers, numbers banks, and so on?

Mr. SHANLEY. That is true. That is how they get into that frequently, too. It takes a good deal of skill to be a good bookmaker, to make odds, and all this. It is not the easiest thing.

(At this point, Senator Jackson entered the hearing room.)

Mr. ADLERMAN. Sometimes when a bank is hit and needs a lot of money for a payout, they need a lot of money quickly.

Mr. SHANLEY. They do.

Mr. ADLERMAN. So, they manage to, by shylocking, sometimes become a partner of a bank; is that right?

Mr. SHANLEY. That may have happened a long time ago but these people have been in the banks a long time and they have the cash. Small banks that come up and find themselves in this difficulty will go to them for cash and then they have a part of it as a result.

Mr. ADLERMAN. Has it also been true that they have been lending money to people, say, in cafes or nightclubs, and so forth?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. That is another large source of business for them?

Mr. SHANLEY. They have frequently been in concessions, hat checking, the like of that. Frequently they will put up a certain amount of money, \$10,000 or thereabouts for the concession before the premise even opens.

A fly-by-night operator will open the premises on the basis of the \$10,000 he got from the hat-checking concession.

He hopes he will go over.

These people have an interest in this. If the thing starts to fade, they will step in and try to run it in order to get their return on the concessions.

Mr. ADLERMAN. Are there any other particular businesses where they seem to be able to find a source for their money? How about jukeboxes?

Mr. SHANLEY. Jukeboxes, they are in jukeboxes. This is another situation very similar to concessions. In many instances these people

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 267

can afford to lay out money to put up to the saloonkeeper which will permit him to open on the grounds that their jukeboxes are going to be in there or their vending machines.

Senator MUNDT. Mr. Chairman, I would like to ask one question.

The CHAIRMAN. Senator Mundt.

Senator MUNDT. We have had a very helpful description from the inspector of shylocking, on how it operates. I would like to turn to witness Valachi and get a word or two from him on shylocking from the other side.

Have you been in the shylocking business?

TESTIMONY OF JOSEPH VALACHI—Resumed

Mr. VALACHI. Yes, sir.

Senator MUNDT. As a lender or borrower?

Mr. VALACHI. A lender.

Senator MUNDT. Will you tell us how these people contact you, because we have been told by the inspector, these are not underground or underworld people who are borrowing the money. How do they find out you are a "banker"?

Mr. VALACHI. It gets around the neighborhood, Senator. So many people come for money. If you gave to everybody who needed money, you would need the Bank of Rome. Naturally, you give to the ones you feel are more solid. It gets around the neighborhood. I am known in the Bronx, I am known in Harlem. I dealt in the Bronx and I dealt in Harlem. I have loaned money to saloonkeepers, I have loaned money to every field, Senator.

Senator MUNDT. Big money?

Mr. VALACHI. Well, I wasn't too big. The most I loaned was about \$2,000 or \$2,400. I practically was in it about 14 years. I actually was making a living out of it.

Senator MUNDT. What rate of interest did you charge?

Mr. VALACHI. Twenty percent. Sometimes I was stuck, I didn't have money, I went to a shylock and I borrowed for 10 percent. I worked on the extra 10 percent.

Senator MUNDT. You borrowed from another shylock?

Mr. VALACHI. I borrowed from another shylock; yes.

Senator MUNDT. You double the bite.

Mr. VALACHI. He charges me 10 percent. I charge the other guy 20 percent. Now he gives it to me for 10 percent because that is a sold loan when he gives me money.

Senator MUNDT. How long would these loans run at 20 percent?

Mr. VALACHI. I tell you, the biggest profit in it is when they make a reloan. For instance, you give a loan, \$500. He has paid you maybe \$250 or \$300. He comes back. He wants a reloan. All you do is give him the balance and charge him the same interest. For instance, I got a customer and he paid me \$250. He owes the balance of \$350 because the original \$500 is \$600. So I would give him \$350 and charge him a hundred dollars as though he just borrowed the money. I will have to deduct what he owes. They are the ones that make the more profit for you.

Senator MUNDT. You got your shylock rate on the unpaid balance?

Mr. VALACHI. Yes. Most of them get into that habit of reborrowing before they pay up. That is the way the business goes. As you

268 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

go along, like I say, I was in it 14 years. Actually, those are the sweet loans, as we call it, when somebody wants a reloan. Instead of somebody getting \$500 you give him the balance of what he owes.

Senator MUNDT. What kind of collection technique do you have? Do you use muscle?

Mr. VALACHI. Truthfully, I did not use any muscle. I wanted to stay in business. I didn't care how the other ones operated. I operated my own business. I was known as the best shylocker all around. I was smart. Instead of getting \$20 a week for a \$100 loan and \$200 loan, I would take \$5. What is the difference? The other money is circulating so why should I worry about this particular person that has gotten in trouble, maybe he got hit, or any kind of trouble. So I figured the wisest thing to do was to work and make it for his convenience. That is the way I operated.

Senator MUNDT. Your collection ratio was about 80 percent?

Mr. VALACHI. I tell you, I didn't lose any money, Senator. I collected every loan.

The CHAIRMAN. You may proceed.

Mr. ADLERMAN. When you talk about 20 percent, you mean 20 percent a week or 20 percent a month?

Mr. VALACHI. Twenty percent—for instance, if I gave you \$1,000, you have to pay me \$1,200, for 12 weeks \$100 a week.

Mr. ADLERMAN. For how long?

Mr. VALACHI. Twelve weeks. If you pay me \$700 and you want a reloan on that, all I have to do is give you back the balance of that \$1,000 and I charge you another \$200.

Mr. ADLERMAN. This would be a loan extending over a 12-week period?

Mr. VALACHI. Yes, it would always be 12 weeks.

Mr. ADLERMAN. But the money you would be paid back on this loan, would you get a weekly installment?

Mr. VALACHI. You deduct that as he pays you as the original loan.

Mr. ADLERMAN. That money you would get back, say you got back \$200 a week, you would reloan that money?

Mr. VALACHI. Naturally, I would give it to somebody else. It circulates. By the time it circulates around, I could never figure out how much the percentage is. It would be impossible for me. You would need an accountant to figure that out.

Mr. ADLERMAN. What would you say your capital was that was involved in the loans?

Mr. VALACHI. Most of it?

Mr. ADLERMAN. Yes.

Mr. VALACHI. Most of it I had in the hands of bookmakers and saloons, in that line.

Senator, there are all kinds of bookmakers.

Mr. ADLERMAN. How much money did you have revolving at any one time?

Mr. VALACHI. I was partners with Johnny Roberts. We had 40-some-odd thousand dollars in the street. Johnny financed me. I was partners with Johnny Roberts at one time way back. He put up all the money. I worked and got customers. Actually, you don't want to lend any money to any friends. You want to stay away from them.

Mr. ADLERMAN. You say your principal customers were bookmakers?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 269

Mr. VALACHI. Money, yes.

Mr. ADLERMAN. Did you also loan money to other people in gambling like football operators?

Mr. VALACHI. Every type of person, even lawyers borrowed from me.

Mr. ADLERMAN. How big is football getting in this business now?

Mr. VALACHI. I don't know much about football. You are talking about football?

Mr. ADLERMAN. Football, baseball.

Mr. VALACHI. I know about baseball more than I know about football. Baseball, that is the most—I can't even rate the action. There are some people who bet \$25,000 on one game.

Mr. ADLERMAN. Baseball is a big heavy item?

Mr. VALACHI. That is the biggest, baseball.

Mr. ADLERMAN. How about basketball?

Mr. VALACHI. Basketball they have cards which I don't understand. You pick so many teams on the card to win so much and so many to win so much. If you get the whole card, then you get the limit, whatever the limit is. I don't understand that, I can't describe that because I didn't know about that.

Senator JAVITS. Mr. Chairman.

The CHAIRMAN. Senator Javits.

Senator JAVITS. I believe the testimony that we are getting as to the character of rackets about which the witness just testified to a rate of interest which is 80 percent a year at least is very important publicly. I wonder if the inspector could not undertake to describe for us in respect of jukeboxes, for example, and in respect of the other rackets which are carried on as he did the numbers racket, the precise details of how they operate.

I think this element of public disclosure could be very helpful.

Counsel can develop that in due course, but I hope the inspector will be thinking in giving us in the case of each racket precisely how, in the experience of the police department, it works and how the public gets taken, because I think that is a very important part of this record.

Senator JACKSON. I have one question.

The CHAIRMAN. Senator Jackson.

Senator JACKSON. I understood at one time that the mob was engaged in the pinball and the slot machine business. Is that right?

Mr. SHANLEY. Yes, sir.

Senator JACKSON. Would you say that the Federal legislation that we have passed, making it unlawful to ship pinball machines and slot machines in interstate commerce, or parts thereof, has had an effect on this business?

Mr. SHANLEY. Yes, sir.

Senator JACKSON. So this is an example, then, where the Congress has passed legislation that has helped at least to a substantial extent to get this phase of gambling outside or away from the mob?

Mr. SHANLEY. Definitely.

Senator JACKSON. No question about that?

Mr. SHANLEY. No question about it.

Senator JACKSON. It is true that a lot of these people who are in the pinball machine and the slot machine business were involved in the mob?

270 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. All right, proceed, Mr. Counsel.

Mr. ADLERMAN. Inspector Shanley, I notice that the chart shows there are seven regimes.

We have the Caporegima people, and they list the number of soldiers under each one of them.

Were you somewhat surprised to find the ranking of the soldiers as compared to the ranking of some of these lieutenants from the testimony of Valachi?

Mr. SHANLEY. Yes, we were surprised.

Mr. ADLERMAN. Could you give us some examples of some of the people you thought were much more important than they were actually or some that you considered less important and now consider more important?

Mr. SHANLEY. Anthony Salerno; I always thought he was much more important.

Mr. ADLERMAN. What family is he in?

Mr. SHANLEY. In Mike Coppola's regime.

Mr. ADLERMAN. Fat Tony?

Mr. SHANLEY. Fat Tony, because he has a great deal of insulation. He has been removed from this picture for quite some time. He still has a great deal of influence in the gambling picture. Money flows to him, we believe. I am surprised to see the other man who is with him, Albert Cappola placed so high, that is Sharkey. This one was not particularly identified.

The CHAIRMAN. Michael Coppola?

Mr. SHANLEY. Michael Coppola; I did consider him to be at least a level above what he shows here.

The CHAIRMAN. You thought he was higher than he is?

Mr. SHANLEY. We thought he was higher than he is.

The CHAIRMAN. I see.

Mr. SHANLEY. Also, we were surprised at Eboli's position. We didn't think he was that high.

The CHAIRMAN. You did not think he was acting boss in Genovese's absence?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. How about Angelina?

Mr. SHANLEY. Well, we have a pretty good idea of Angelina.

Mr. ADLERMAN. How about Joe Stretch?

Mr. SHANLEY. Joe Stretch is one we thought was much higher than here. He has influence in other areas and great deal of insulation.

Mr. ADLERMAN. That shows that even though they are soldiers they are high up in the ranks of criminality.

Mr. SHANLEY. Yes, sir, this should not be construed to indicate that this is the extent of this operation because all of these people he designates as soldiers, which are actually group leaders, they have people working for them at an operational level. Some of them have a great many, some would only have a few, but they definitely have somebody beneath them.

Mr. ADLERMAN. Mr. Valachi, along those lines, how many active members do you feel there are in the New York area that belong to the various families?

The CHAIRMAN. You mean all of the five families?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 271

Mr. ADLERMAN. All of the five families.

Mr. VALACHI. About 2,000.

Mr. ADLERMAN. Those whom you have been able to identify in the five families, you have marked with stars on these charts?

Mr. VALACHI. Yes.

Mr. ADLERMAN. But they do not represent all of the members of the families?

Mr. VALACHI. One family, you mean?

Mr. ADLERMAN. I mean in any family you don't know all of the members of the family?

Mr. VALACHI. Well, I tell you, I am off the streets for about 4 years. I am sure I know more than what I have got up there.

Mr. ADLERMAN. These charts portray something over 400 names.

Mr. VALACHI. Something like that.

Mr. ADLERMAN. You say there are 2,000 members. So there are quite a number of members whom you do not know.

Mr. VALACHI. Yes, there is quite a number, yes.

Mr. ADLERMAN. How many inactive members are there?

Mr. VALACHI. I would say about 2,500 or 3,000.

Mr. ADLERMAN. You are just talking about New York City alone?

Mr. VALACHI. I am talking about New York, including Newark.

Mr. ADLERMAN. Inspector Shanley, could you just pick out some of those you consider rather important in the line of soldiers? I don't think we want to go through all the list. If you could just pick out a selected few and show how important they are in the ranks of criminality.

Mr. SHANLEY. I think Joe Stretch that we mentioned before was a very important man. As I said, he has a great deal of insulation, has a great deal of connections. He is in labor, he is in gambling, he is very strong.

(At this point, Senator Jackson withdrew from the hearing room.)

Mr. SHANLEY. Matty Brown is another one, a very important man who has been in the rackets for quite some time.

Mr. ADLERMAN. How about "Socks" Lanza?

Mr. SHANLEY. Socks Lanza is another man who has contact with Frank Costello, was long in control of large portions of the waterfront in New York prior to, at the time of the hearings, public hearings on waterfront conditions. He still has a great deal of influence.

Mr. ADLERMAN. Are there any others of any particular merit—when I say merit, I mean particular importance from the criminal point of view or police point of view.

Mr. SHANLEY. We have one here, Anthony Corillo, Tony the Sheik. He is a buffer in a sense for Mike Miranda. You observe Tony the Sheik. You are going to see Mike Miranda during the course of the day, he usually is in his company. He will visit at Local Vending. Take him to work in the morning, then he leaves, then goes over to downtown Manhattan where various people shown on this chart would show up and have a brief conversation with him.

We feel that they are discussing business, that they are getting advice. At the end of the day Tony the Sheik will go back and pick up Miranda and then they have a conversation in the car on the way home.

We feel this is the way business is discussed.

272 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. Miranda will not speak to the soldiers down the line. They have to go, according to your observations, through Corillo?

Mr. SHANLEY. For the most part. In some cases, there is very close personal relationship with these people. They have known each other for years.

Mr. ADLERMAN. As a matter of insulation, the average soldier can't do business directly with Miranda?

Mr. SHANLEY. That is right. That is what we see.

Mr. ADLERMAN. Do you find, for example, Vito Genovese or Jerry Catina or Mike Miranda, any of the top-ranking underbosses or acting bosses of the consiglieri, do they deal directly with the soldiers as a usual thing when discussing business?

Mr. SHANLEY. No; they do not.

Mr. ADLERMAN. They have to have means of communication. They have people that they deal with who, in turn, deal with the capo-regime, perhaps, or the soldiers themselves?

Mr. SHANLEY. That is right. These people here have a great deal of insulation themselves. Very few of these people are in operations. They are insulated against themselves.

Mr. ADLERMAN. In other words, you take a fellow like Joe Stretch, he may not be involved, himself, but he will have a group of men who work for him?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. He keeps out of it, they work for him, he gets the profit?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. The same is true with many of the others like Corillo, and so on?

Mr. SHANLEY. That is right. Like Larry Black. He is in gambling. He is also in shylocking, but you will never see him close to the operation that they will be able to arrest him. Viscotese, he is deceased, but he ran a large crap game for years. He never showed up. There is a question of whether he knew how to play dice.

Mr. ADLERMAN. Are any of them in the bonding business or have any association with bondsmen?

Mr. SHANLEY. Carillo was associated with bondsmen.

Mr. ADLERMAN. Tony the Sheik?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. Anthony Carillo?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. Does he seem to be a silent partner of some of the bondsmen?

Mr. SHANLEY. It is quite possible. There was a story we weren't able to verify that the bail which was lost in the Mauro case initially might have been his.

Mr. ADLERMAN. How much was that bail?

Mr. SHANLEY. \$50,000 apiece.

Mr. ADLERMAN. Does it seem that most of the bail bondsmen, most of the times when these people are arrested, they use the same bondsmen?

Mr. SHANLEY. Well, they use the same bondsmen frequently; yes, sir.

Mr. ADLERMAN. They have a monopoly on any particular one or two or three bondsmen—they have a monopoly on this business?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 273

Mr. SHANLEY. Well, I couldn't say that offhand.

The CHAIRMAN. Let me ask a question here of Valachi.

To get these charts straight now, these are not all of the people you know? You know other people in the organization besides those on the chart?

Mr. VALACHI. Yes.

The CHAIRMAN. Some of them you know by aliases?

Mr. VALACHI. Most of them by aliases.

The CHAIRMAN. The others who are not on the chart, you know them by aliases and you did not know their other name?

Mr. VALACHI. Right.

The CHAIRMAN. Therefore, you did not undertake to name them except you could get their real name along with their alias?

Mr. VALACHI. That is right.

The CHAIRMAN. Do you know how many? There is one known as the "Yap."

Mr. VALACHI. I don't know his real name.

The CHAIRMAN. You know him but you do not know his real name?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Another name, Emanuel.

Mr. VALACHI. That is another one.

The CHAIRMAN. That is an alias, you do not know his real name?

Mr. VALACHI. No; I don't.

The CHAIRMAN. And Buster of Chicago, did you ever know his real name?

Mr. VALACHI. No.

The CHAIRMAN. They are not on the chart.

Mr. VALACHI. Right.

The CHAIRMAN. There are quite a number like that whom you know, whom you could identify if you saw them but you would not know their real name?

Mr. VALACHI. That is right.

The CHAIRMAN. Very well. Go ahead. I wanted to clear that chart up. It does not represent all of them that you know?

Mr. VALACHI. That is right.

The CHAIRMAN. That is right.

Mr. ADLERMAN. I wonder if we can go to one of the other charts?

The CHAIRMAN. Go to the next chart. We can get the next chart in and talk about it.

Senator JAVITS. Mr. Chairman, could the inspector supply the information about those who are living and how many are in New York with respect to this chart?

The CHAIRMAN. Yes. The information that Senator Javits required a moment ago with respect to the Genovese family—how many are dead and so forth—we would like you to provide that for each of the families at your convenience. If you do not get it today at noon during the recess, you may supply it by memorandum. We will then place it in the record in the proper place.

Mr. ADLERMAN. Do you have copies of the criminal records on all the soldiers and also the others on the chart?

Mr. SHANLEY. I do.

Mr. ADLERMAN. Can I ask that they be placed in evidence?

274 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. We will receive them in bulk and make them exhibit No. 13. They will be made exhibits for reference; if any of them become important we can have them printed in the record.

(The documents referred to were marked exhibit No. 13A and may be found in the files of the subcommittee.)

Mr. ADLERMAN. Inspector, before we leave the Genovese family, in the charts are there any people named on the charts who do not have either an FBI number or police department number?

Mr. SHANLEY. No, sir.

Mr. ADLERMAN. Can we go now to the Lucchese family?

Inspector Shanley, this chart on the Lucchese family was prepared in the same manner as the chart prepared on the Genovese family?

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. Can you supply who the boss is and the underboss is and the caporegime and so forth?

Mr. SHANLEY. We broke figures down on this chart also. It shows that in this group the average arrests were six per man; one out of four arrested for homicide; four out of five, on an average, had arrests for dangerous weapons; three out of five for narcotics; four out of five for gambling; one out of two arrests for assaults.

On this group, the range ran from 1 man with 36 arrests to 1 man with 1 arrest.

The CHAIRMAN. On this chart (chart B) there are 53 names. Is that correct?

(148)

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Of the 53, Valachi has identified 52 of them; am I correct?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Is that correct, Mr. Valachi?

Mr. VALACHI. Yes, sir.

Mr. SHANLEY. He left off one name, a young man, Migliori, 26 or 27 years old. He is the youngest man mentioned in the whole group.

Senator JAVITS. That is an interesting point, if I may say so, Inspector. Do you make any connection between the age of these people and their eligibility and your previous statement that these were pretty high up criminals and that they had a lot of people working for them? In other words, do you see a period of maturity before anybody really rates being named even in this family?

Mr. SHANLEY. I would say there has to be some period when they are proving themselves. There may be some more significance to these age ranges actually.

We haven't been able to go into it in detail to make such determination. But the fact is that the average age of these leaders runs 62. The average age of the lieutenants runs around 56 years old.

It is peculiar that most of these people had to achieve a certain degree of prominence in this field in their early twenties and thirties. Some of them were up there when they were 29 or 30. They were at second levels, and so on.

It offers the possibility that this thing might be nondynastic in character and it might be a question of strong personalities.

This is something we will have to control a little deeper on. There is definitely a question of age as you brought out.

Senator MUSKIE. In other words, seniority is important in this family?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 275

Mr. SHANLEY. That is right.

The CHAIRMAN. Very well. Proceed.

Mr. ADLERMAN. I think you said the total number of arrests was 387 and the average arrests in this family totaled one out of six?

Mr. SHANLEY. No; six per man.

Mr. ADLERMAN. Thirty-six arrests were for narcotics?

Mr. SHANLEY. Yes. Thirty-six arrests for narcotics which makes an average of three out of every five. Three men out of every five had been arrested.

Mr. ADLERMAN. Out of the 54 mentioned, there were 15 arrests for homicide?

Mr. SHANLEY. There are 15 arrests, 1 out of every 4 on an average.

Mr. ADLERMAN. How many arrests for gambling?

Mr. SHANLEY. Gambling shows 53, which gives 4 out of 5 on an average.

Mr. ADLERMAN. And then dangerous weapons?

Mr. SHANLEY. Fifty, with four out of five on an average.

Mr. ADLERMAN. Aggravated assault, there were how many?

Mr. SHANLEY. Twenty-nine, one out of every two.

Senator MUNDT. Which one of these characters had 36 arrests? You said one of them was arrested 36 times.

Mr. SHANLEY. I will have to go through that, Senator.

Senator MUNDT. Is he still on the loose or is he in the penitentiary?

Mr. SHANLEY. You will have to go through each one of them individually. Do you want me to do that?

Senator MUNDT. No, I was curious about whether the fellow who had been arrested 36 times, was he put away for keeps or is he still on the loose?

Mr. SHANLEY. This I can't say offhand.

Mr. ADLERMAN. Now, who is the boss of this family?

Mr. SHANLEY. This is Gaetano Lucchese, also known as Tommy Lucchese, born in 1899, in Italy. Lives in Lido Beach, Nassau, came to the United States in 1911, naturalized in 1943, in Newark, got the right to vote in 1949 with a certificate of good conduct issued by the New York City police, removing a conviction, 1921. Denaturalization proceedings were instituted. Twenty-one arrests for grand larceny. Four other arrests, two for homicide, all dismissed.

He was arrested in the case of Joe Pisuolo, the case the witness mentioned, California Dried Fruit Co. He was questioned in the Marsano killing. He has a host of additional arrests, grand larceny, of automobile, receiving stolen goods in 1923.

In 1931, he was arrested in Cleveland while attending a championship prize fight out there and he was in the company at that time of Charley Lucky and Joe Bianco.

He was supposed to have acquired Jimmy Valentori's interest in the Fort Hurst Co. around early 1940.

He was alleged to have gambling interests in Saratoga. He took Frank Costello's place at the time Costello went to jail for contempt of Congress.

He has long been considered a power in crime from that time forward. He had an income tax levied against him of \$162,000 by the U.S. Government for unpaid taxes in 1947, 1948, 1949, 1950, 1951. He has been investigated by the State Crime Commission, Waterfront Commission.

276 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Our information is that he offered a prominent entertainer \$150,000 for 10 percent of him when the entertainer was in financial straits.

In 1952, the Federal Narcotics got an informer who had a pretty accurate picture. He mentioned that Lucchese was supposed to be a supervisor in the organized crime. He named people who were also in there at that time as Steve LaSalle, who is mentioned in here.

He was investigated by a Federal grand jury in the Southern District. He was before the Senate Committee in 1958.

He is in the following firms:

Turbo Co., Gaucho LaForta Dresses; he either has one-third interest here or interest which we feel are fronts, in Amy DeFashion, Laurie Sportswear, Bewood Contracting, Debbie Petites, Budget Dress, Sherwood Fashions.

He also has holdings in Scranton, Pa.

Senator JAVITS. Mr. Chairman, may I ask the witness a question about Lucchese? It is of considerable interest to us in New York. He is in the dress business. Do you know whether his shops are unionized?

Mr. SHANLEY. They had a prolonged strike, the ones in Pennsylvania. The ones in New York are not.

Senator JAVITS. Nonunion?

Mr. SHANLEY. Nonunion.

Senator JAVITS. Do you know of any connections he might have with unions if that is part of his record?

Mr. SHANLEY. His position is that this occurs because he is a generous employer.

Senator JAVITS. That is what he says?

Mr. SHANLEY. That is what he says. Now, in the strike in Pennsylvania, the people who were employed there, didn't seem to think that. They struck. It is quite possible that there are other reasons. He is very close to Patsy Crapasano, trustee in the Local Council No. 271, the IBT. He was at his wedding. They had a wedding in the family.

Senator JAVITS. IBT meaning what?

Mr. ADLERMAN. What was that?

Mr. SHANLEY. 271 Local.

Mr. ADLERMAN. What union?

Mr. SHANLEY. Teamsters, IBT.

Senator JAVITS. The ILGWU pursues a very aggressive organizing policy, does it not?

Mr. SHANLEY. Yes, sir.

Senator JAVITS. But it has been unable to organize Lucchese's plants?

Mr. SHANLEY. That appears to be the case.

Senator JAVITS. I notice he lives in Lido Beach, Nassau. I am indebted to the District Attorney of Nassau County, William Kahn, for information that 40 or 50 of those named by the committee as Costa Nostra members or racketeers are living in Nassau.

Would you have any idea why this migration, and with the Chair's permission, I would like to ask the same question of the principal witness.

Mr. SHANLEY. To begin with, we feel that there actually was a change some 10 or 15 years ago in the policies. There was a time when most of these people did live in the areas where they had a great

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 277

deal of influence. Now this has been changed. Most of these people are moving out largely because for the same reason that everybody else moves, their position has improved, they go into a better neighborhood. They keep their children severed from their own operations. They send them to fine schools. It is all in keeping with the background of respectability which they strive so hard to achieve.

I don't see anything sinister in it. It makes the police problem a little more difficult.

I believe it is a pretty natural development.

Senator JAVITS. The District Attorney in Suffolk tells me he has information that there are 50 in Suffolk as well which means a rather large proportion of those named.

With the Chair's permission, may we ask the principal witness if he has any explanation for the move to Nassau and Suffolk, New York suburbs, by these leading racketeers?

Mr. VALACHI. Senator, if I don't hear the names, I can't say anything.

Senator JAVITS. People like Lucchese, for example, and others of the same character.

Mr. VALACHI. What do you want to know, Senator?

Senator JAVITS. I want to know if there is any reason for their moving to Nassau and Suffolk out of New York City, if you know?

Mr. VALACHI. The only way I can answer is this way. I lived in Yonkers. I had no reason to go to Yonkers other than to be in a nice neighborhood. I was in what you call a community.

Senator JAVITS. You believe, as the inspector stated, that they moved for personal reasons and without any relation to what they were engaged in?

Mr. VALACHI. Senator, I am in no position to believe or not believe. I can only say what I know, Senator.

Senator JAVITS. Now, about Lucchese, while you are testifying, do you wish to add anything to the answers given by Inspector Shanley about the nonunion character of Lucchese's dress shop operations in New York?

Mr. VALACHI. Senator, I had a dress shop, a negligee and dress contract, on Prospect Avenue. I never belonged in any union. If I got in trouble, any union organizer came around, all I had to do was call up John Dio or Tommy Dio and all my troubles were straightened out.

Senator JAVITS. You actually did that in your business?

Mr. VALACHI. Yes.

Senator JAVITS. You actually did that?

Mr. VALACHI. I had been in the dress business for quite many years. He was a legitimate man. I never butted in and got work for him. I made him do everything. I think we lasted 11 or 12 years.

I was a member of the local 25 committee. They tried to pull what you call the switch. In other words, that is how they shut you down. I ran them out of the place. Then he went down and complained about me.

By the time he got there, I had already called, and nothing came out of it.

Senator JAVITS. Whom did you call in that case?

278 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. I call the Dios.

Senator JAVITS. Johnny Dio?

Mr. VALACHI. Yes.

Senator JAVITS. That was the end of it?

Mr. VALACHI. That is right.

Mr. ADLERMAN. I think the record will show that previous hearings we have had with this committee and with the select committee showed that Johnny Dio was very heavily involved in the labor rackets, and we had a considerable amount of hearings about that.

The CHAIRMAN. The Chair wishes to make an announcement.

I am going to request all spectators present to remain where you are for the moment until the witness, Valachi, can be taken from the room.

The committee will resume this afternoon at 2 o'clock instead of 2:30.

The committee stands in recess until 2 o'clock.

(Members of the committee present at the time of recess were Senators McClellan, Javits, and Muskie.)

(Whereupon, at 12:20 p.m., the subcommittee recessed until 2 p.m., this same day.)

AFTERNOON SESSION

(The subcommittee reconvened at 2:10 p.m., Senator John L. McClellan, chairman of the subcommittee, presiding.)

The CHAIRMAN. The subcommittee will be in order.

(Members of the subcommittee present at time of reconvening: Senators McClellan, Muskie, and McIntyre.)

The CHAIRMAN. Will you go ahead, Mr. Counsel?

There is a matter that I want to interrogate the witness about, but I want to check on it first.

TESTIMONY OF JOHN F. SHANLEY—Resumed

Mr. ADLERMAN. Inspector Shanley, I think that we left off just about where we were beginning to discuss the Lucchese family, and you were describing some of the operations of Gaetano Lucchese, or Tommy Lucchese. Is he also known as Three Finger Brown?

Mr. SHANLEY. Yes, he is known as Three Finger Brown.

Mr. ADLERMAN. And Tommy Brown?

Mr. SHANLEY. Yes, sir; Tommy Brown.

Mr. ADLERMAN. Have you finished your discussion of Tommy Brown?

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. Did you discuss Stefano LaSalle, and how well do you know him?

Mr. SHANLEY. Here is a good example of the value of the testimony of this witness. Steve LaSalle was not too well known to us. We had observed him on infrequent occasions with groups. We had a prolonged investigation into this group, and LaSalle showed up on only one occasion, but the manner in which he was treated and the authority with which he appeared to be speaking led us to believe that he was a man of some consequence. Sergeant Salerno took that position.

We contacted other agencies, and nobody could see him at this level. He is an elderly man, and he lives in a very modest home, and

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 279

he doesn't have an automobile, somebody picks him up in the morning and takes him to where his place of business is and then he comes back. He is only in one business that we know of, and nonetheless, with the witness' information, plus these other observations, we go along with this rating of LaSalle as an underboss, although we have very little information on him.

Mr. ADLERMAN. He would be considered something of a "sleeper"?

Mr. SHANLEY. He definitely is a sleeper, and we have referred to him as a sleeper in this chart here.

Mr. ADLERMAN. And both of the other Government agencies that you have had to deal with failed to recognize his importance in this organization?

Mr. SHANLEY. That is true, and within our own organization we questioned it, and Sergeant Salerno believes that LaSalle has this position, and when Valachi came along he substantiated him.

Mr. ADLERMAN. You were conducting an investigation of this organization, of the Lucchese family, for how many years?

Mr. SHANLEY. Well, this particular one was 2 years.

Mr. ADLERMAN. And during the 2 years that you had them under constant observation, you did notice that LaSalle—or rather, Sergeant Salerno noticed LaSalle was given a definite amount of respect?

Mr. SHANLEY. That is true. He didn't show up in the groups very frequently, but when he did, he was the top man.

Mr. ADLERMAN. Now, you have confirmation from Valachi's testimony.

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. Valachi, of course, had no way of knowing what your appraisal was on LaSalle.

Mr. SHANLEY. Oh, no.

Mr. ADLERMAN. Now, how about Vincent John Rao?

Incidentally, could you tell us—I notice that LaSalle according to your activity code, has been in gambling and in shylocking.

Mr. SHANLEY. That is right. LaSalle has three arrests and one conviction, and he was arrested once for murder and he was born in 1889, and he is an associate of Willy Moretti, and he has garment area influence.

Mr. ADLERMAN. He has influence in the garment area?

Mr. SHANLEY. That is true.

Mr. ADLERMAN. How about Vincent John Rao?

Mr. SHANLEY. Vincent Rao was born in 1898. He has real estate holdings in East Harlem, and he currently lives in Yonkers. He is in Vincent Paints; Real Estate, Ltd.; Court Manor, Inc.; and he was the owner of the Five Borough Hoisting Co., which is now out of business, and interested in Rao's Garage, and interested in a parking lot, and he was interested in and he is the owner or has an interest in the Parkway Motel at Elmsford, N.Y.

He testified before the New York State Crime Commission in 1952 by deposition, and he was sick at the time. He has five arrests and has never been convicted, and he has one arrest for homicide. He is an associate of Mike Coppola, Joey Rao, who is not a relative, Charley Attenis, John Armento, and he was very close to Willy Moretti when he was alive, Willy Moore, and his wife holds the mortgage on a house owned by the children of the Luccheses.

280 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

His manner of operation is that he leaves the house around late afternoon, 4 p.m. generally, and doesn't come home until the early hours of the morning. He has wide connections in every direction. He was in the bowling alleys, and he is very close to the Arra family. Nunzio Arra is an underling of his, and Arra has handled gambling operations for him, and he recently has been arrested in a large policy bank in the Bronx, which comes out of East Harlem.

He is close to Jimmy "The Sniff" Vintalora, and Vintalora has a history of narcotics, and he has been arrested a number of times for narcotics and suspected of being deep in them.

At the time of the SIC hearings in New York, we spent a year trying to catch up to Rao, and he was not available for subpoena, and when they did locate him he maintained that he didn't know that they were looking for him.

He took the fifth any number of times in the investigations relative to his attendance at the Apalachin meeting, in which he stated, when he did make statements, that he went to visit a sick friend, and as to the other people that were there, he was of a shy nature, and couldn't bring it upon himself to talk to these strangers, so he couldn't identify anybody.

He has been investigated by the Internal Revenue, and he once was in partnership in a dancehall in the East Harlem area with Jack Arra, and the license was revoked, and he lost out there. Nunzio Arra, who is close to him, at one time was the business agent of the Lath Hoisters Union. He was in Ace Lathing, and there was a large investigation into the position of Ace Lathing in relation to certain profits that were made in the Yonkers Raceway, and that is about the size of them.

Mr. ADLERMAN. Now, would you rate the Lucchese family rather important from the criminal point of view?

Mr. SHANLEY. Very definitely.

Mr. ADLERMAN. I noticed in the Caporegime they have nine members of the Caporegime, although the number of buttons appears to be rather small that have been identified. Do you feel that this is a potent or it is much larger than it is shown?

Mr. SHANLEY. We feel it is a much larger family here.

Mr. ADLERMAN. Could you give me an appraisal of the importance of, say, the Caporegime members when you consider, for example, Johnny Dio is only a soldier?

Mr. SHANLEY. That is true. Dio has long held a relatively high position in this type of crime, in our opinion, and in view of these ratings here, we must consider how much higher the position of Johnny Laratro and Joe Lucchese and John Amento and James Doyle—these people must be at least a level above Dio, and as a consequence, it must be pretty important. There is no question that if we ever put this together in a longer study we would be able to do a great deal with it.

Mr. ADLERMAN. From the placement in the organization of people like Dio, it is apparent that the Caporegime members must be of a pretty high level, much higher level than Johnny Dio, and at the same time it gives a relative sense of importance, and how important this group is in the area of criminality.

Mr. SHANLEY. This ranks in the order of their importance, essentially, and, of course, Dio would be below the other men.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 281

Mr. ADLERMAN. I notice that you have people like Carmine Tramunti as members of the Caporegime right over on the right-hand side, and is he considered an important character in the field of criminality?

Mr. SHANLEY. Definitely. Tramunti has 15 arrests and he has been convicted 6 times, and the type of arrests, robbery and gun, and he is very friendly with Joe Strasse, and Jimmy Doyle, and he has been in trucking and he has been in gambling, and he had strong connections to the paper unions.

"Gribs" as he is called runs floating dice games, and he has a piece of a numbers operation, and he is widespread in union racketeering and gambling.

Mr. ADLERMAN. Do you know who he uses as his underling, to insulate him from the crimes? Is there any indication who his insulation is?

Mr. SHANLEY. His position is such that it is hard to say just who is insulating him. He does have one operation which is relatively low level, the Block brothers, that have engaged in gambling at an operational level and they are fairly well insulated and we believe that they eventually go to Gribs.

Mr. ADLERMAN. How about Joe Palisades, or Joe Rosato?

Mr. SHANLEY. Joe Rosato—

Mr. ADLERMAN. Would you rather I start off on the lefthand side?

Mr. SHANLEY. That is all right.

Joe Rosato is related to Lucchese and he is in S. & R. Trucking, and related to Lucchese by marriage, and he is in gambling and he is in labor, and he goes under the name of Joe Palisades. He was born in 1904, and he has one arrest for a gun. Our information is that in the garment area Joe Rosato is the power in the sense that he will talk to the people who are having difficulties, and they come to him with their problems and he has a small place where he usually can be found on a daily basis. He talks the problems over and straightens out whatever has to be straightened out.

Mr. ADLERMAN. Now, how about Big John Ormento?

Mr. SHANLEY. Big John Ormento is currently in jail.

Mr. ADLERMAN. What is he charged with?

Mr. SHANLEY. He is in the narcotics conspiracy. He was born in 1912, and he got 40 years on the last one.

Mr. ADLERMAN. What is that, a Federal narcotics violation?

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. A good part of these narcotics violations or convictions that show up on these charts, they are Federal narcotics violations?

Mr. SHANLEY. That is right; especially in the later years, nearly all of these are Federal conspiracy violations or Federal narcotics violations.

Mr. ADLERMAN. And those particularly in the upper area groups; is that right?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. Could you go along?

Mr. SHANLEY. John Ormento, he is an associate of Carmine Galente, Tony Mirro, and he is in shylocking, and gambling, drugs, and he was at Apalachin, and he made a number of telephone calls, or they were made from there to people outside of the State, and he went into Joe

282 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Salardina in Canyon City, Colo., and Joe Civillo, in Dallas, Tex., and Mike Polizzi in Detroit, and he is related to Frank Livorsi by marriage.

He had a very unusual arrest concerning some guns where he was apprehended by the police in an automobile, and when the automobile was searched, if you turned on the heater first, and then you turned on the ignition, a compartment in the back would drop down in the back seat, and in there he had two or three guns stashed. This was a very clever device to prevent apprehension while he was carrying these weapons.

Mr. ADLERMAN. In other words, you had a sequence of which knobs to turn before the compartment would open.

Mr. SHANLEY. You had to turn the heater on first, and after you turned the heater on, you turned the ignition, and this compartment would drop.

Mr. ADLERMAN. Now, do you know what he has been in besides narcotics here, and the gambling? Has he been in extortion rackets?

Mr. SHANLEY. He has been in extortion, and he has been in black market, and he was very close to La Cheech Livorsi, where they took over a firm and secured an allotment of 14 million pounds of sugar during the war shortly after the war when sugar was very scarce. Ormento was put in there typically without any qualifications as an officer. Apparently he was to protect the interests of these people, but his attitude and his actions within the firm were such that they had to ask him to leave, but he continued on the payroll at \$100 a week.

Mr. ADLERMAN. Has he also been in the field of receiving stolen goods?

Mr. SHANLEY. He has.

Mr. ADLERMAN. How about Joe Larratro?

Mr. SHANLEY. That is Joey Narrow. Joey Narrow was considered to be overseer of gambling operations for Tommy "Three Finger Brown" in Queens. He handled bookmaking, and policy operations, and large telephone setups, and he also has a place called the Forest Gardening. I am wrong on that. It is Lo Bosco Metals.

Mr. ADLERMAN. What is that?

Mr. SHANLEY. He is Lo Bosco Metals, in Queens.

Mr. ADLERMAN. What is that?

Mr. SHANLEY. It is a scrap metal firm.

Mr. ADLERMAN. What is it?

Mr. SHANLEY. A scrap metal firm.

Mr. ADLERMAN. Now, I noticed, has he been in the extortion rackets, too?

Mr. SHANLEY. He is reported to be in that, yes.

Mr. ADLERMAN. How about Eddie Coco?

Mr. SHANLEY. Coco was a representative of this outfit in the fight game, and he currently is in prison serving a life term for a shooting.

Mr. ADLERMAN. I see according to the code he has been in gambling and also in extortion, strong arm?

Mr. SHANLEY. He is suspected of being in narcotics, also.

Mr. ADLERMAN. How about Tony Ducks, or Anthony Corrolo, who we have had before the committee on a previous occasion?

Mr. SHANLEY. Well, of course, he is suspected of being active in narcotics. He is in gambling, labor racketeering, extortion, strong

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 283

arm, and murder. He was a subject of a prolonged investigation in which we had an electronic device which was very revealing. Some of the information couldn't be related, but there is no question that this man had strong connections to high labor figures.

Mr. ADLERMAN. Labor officials?

Mr. SHANLEY. I beg your pardon?

Mr. ADLERMAN. High labor officials?

Mr. SHANLEY. Yes.

Mr. ADLERMAN. And which union was that?

Mr. SHANLEY. Hoffa's union.

Mr. ADLERMAN. That is in the Teamsters Union?

Mr. SHANLEY. That is right.

The CHAIRMAN. Would you be prepared to name those officials?

Mr. SHANLEY. I couldn't name them offhand.

The CHAIRMAN. I beg your pardon?

Mr. SHANLEY. I couldn't name them offhand.

The CHAIRMAN. Could you name them in an executive session?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Very well.

Mr. ADLERMAN. Now, he has been involved in gambling, and labor racketeering and extortion; is that right?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. Do you know of any of his fronts that he is using now?

Mr. SHANLEY. He is in jail at the moment. He was in an Oldsmobile outfit in Queens, but I don't know what his connection is now. He is in jail at the moment.

Mr. ADLERMAN. He had an automobile agency?

Mr. SHANLEY. Paragon Oldsmobile, yes.

Mr. ADLERMAN. Do you know whether he still retains his interest in that organization or agency?

Mr. SHANLEY. No, he does not.

Mr. ADLERMAN. Now, Joe Brown—

The CHAIRMAN. We will have to suspend. That is a vote, and I wanted to ask this witness a question or two before we go, hurriedly.

Do you know Raymond Patriarca?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Is that the way you pronounce it?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. How long have you known him?

Mr. VALACHI. Since the days away back, and I met him around 1939 or 1940.

The CHAIRMAN. Is he on any of these charts?

Mr. VALACHI. I don't see him on the charts.

The CHAIRMAN. I understand he is on another one we have.

Mr. VALACHI. He is in Boston.

The CHAIRMAN. Where is he?

Mr. VALACHI. In Boston, and Rhode Island.

The CHAIRMAN. And Rhode Island?

Mr. VALACHI. But actually in Boston, and I believe he lives in Rhode Island. I don't know where he lives but he is in Boston.

The CHAIRMAN. Is he a member of Cosa Nostra?

Mr. VALACHI. Yes, sir; he is.

284 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Is he known as a king of the New England underworld? What is his status, or the boss of Providence, or what is his status?

Mr. VALACHI. Well, when I left the streets he was not boss, but since I have been away, I learned he was made boss.

The CHAIRMAN. Since you left?

Mr. VALACHI. Since I left, through members coming in and out.

The CHAIRMAN. But he does operate there as a member of Cosa Nostra?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. And you know him to be a member?

Mr. VALACHI. Yes, sir; I was introduced to him.

The CHAIRMAN. You what?

Mr. VALACHI. I was introduced to him.

The CHAIRMAN. Introduced to him as a member?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Did he acknowledge being one; is that correct? I mean you had the conversations with him that made you know?

Mr. VALACHI. Oh, yes.

The CHAIRMAN. You would not be mistaken about that?

Mr. VALACHI. I was introduced to him as a member.

The CHAIRMAN. You would not be mistaken about it?

Mr. VALACHI. Oh, no.

The CHAIRMAN. How long have you known him?

Mr. VALACHI. Going up and down Boston, and I owned horses, Senator, I have been raising in the New England States. I started about 1938 and I earned——

The CHAIRMAN. How long have you known him?

Mr. VALACHI. Since around 1938.

The CHAIRMAN. Since 1938?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. The committee will stand in recess for a few moments, and we have to go and vote and then we will return. Everybody at ease.

(Brief recess.)

The CHAIRMAN. You may proceed, Mr. Counsel.

Mr. ADLERMAN. Mr. Shanley, I believe that we left off at the point where we were discussing Joe Brown or Joe Lucchese?

Mr. SHANLEY. Yes.

Mr. ADLERMAN. He is the brother of——

Mr. SHANLEY. Joe is the brother of Tom. Joe is in gambling. He represents Tom in gambling. He is also suspected of being in shylocking, labor racketeering, and extortion strong arm.

The CHAIRMAN. Is Tom in another family?

Mr. SHANLEY. No, Tom is in the same family.

Mr. ADLERMAN. How about James Plumeri?

Mr. SHANLEY. "Jimmy Doyle." He is also a strong figure in the garment area. He can be frequently seen in various trucking places in that locality. He is in gambling. In addition to that he is in shylocking, labor racketeering, and extortion.

The CHAIRMAN. Is this a different Doyle than the Bobby Doyle?

Mr. SHANLEY. This fellow's name is Plumeri, the other's name is Santuccio.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 285

The CHAIRMAN. Both have aliases of Doyle?

Mr. SHANLEY. They both have the same sir name; yes, sir. Doyle's partner incidentally was a homicide victim.

Mr. ADLERMAN. What was his name?

Mr. SHANLEY. Nat Nelson.

Mr. ADLERMAN. Has Plumeri been heavily engaged in the garment area in the trucking field?

Mr. SHANLEY. He has.

Mr. ADLERMAN. Does he own any companies in that area that you know of?

Mr. SHANLEY. No, not right now.

Mr. ADLERMAN. Is he related in any way to Johnny Dioguardi?

Mr. SHANLEY. Yes, they are his nephews. He is their uncle.

Mr. ADLERMAN. Johnny and Tommy Dioguardi are nephews of Jimmy Doyle?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. Is he considered a power in this area, in the area of criminal organization?

Mr. SHANLEY. He definitely is.

Mr. ADLERMAN. How about Salvatore Santoro, also known as Tom Mix?

Mr. SHANLEY. He has an east Harlem background. He is currently in jail on a narcotics charge.

Mr. ADLERMAN. Is that a Federal narcotics charge?

Mr. SHANLEY. Federal narcotics. He was suspected of being in strong arm and extortion. He had seven arrests, five convictions. He was in drugs right along. He has a gun conviction. He was very close to Vito Genovese and Rocca Massie. He was a defendant with Genovese.

Mr. ADLERMAN. How about Natale Evola?

Mr. SHANLEY. "Joe Diamond" he is known as.

Mr. ADLERMAN. Yes.

Mr. SHANLEY. He is also in jail on a similar charge. He was strong in trucking in the garment area. He went to jail on February 10, 1961, Federal narcotics. He was associated with Carmen Lombosi, Ervin Sherman, and Doyle. He has two arrests, one gun.

The CHAIRMAN. Can you tell us how many of these 53 on this chart, I believe it is 53, are now in jail?

Mr. SHANLEY. Nine are in custody, seven are dead, one is awaiting trial.

Mr. ADLERMAN. Mr. Valachi, could you tell us anything about this family, what business is "Three Finger Brown" in, what sort of racket is he in?

Mr. VALACHI. Three Finger Brown has been in the garment center as we use the expression.

Mr. ADLERMAN. Mostly union activity?

Mr. VALACHI. Yes. That includes everything.

Mr. ADLERMAN. How about Vincent Rao?

Mr. VALACHI. Vincent Rao has his hands in everything.

Mr. ADLERMAN. I cannot hear you.

Mr. VALACHI. He has his hand in numbers, a partner with Big John, Tom Mix, all sorts of shylocking through the years, everything. He has had his hand in anything.

286 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. Has he owned any dine or dance clubs?

Mr. VALACHI. He used to own the Rainbow Gardens, Broadway Gardens, and one on 14th Street, I have forgot the name. He had about three at one time, owned together.

Mr. ADLERMAN. Were these hangouts of the mob, too?

Mr. VALACHI. Well, we hung out in the Rainbow Gardens at that time. Today, through the years after that we did not go to dance-halls any more. So I don't know who has been going up there. I only can talk of the time when we used to hang out at the Rainbow.

Mr. ADLERMAN. Do you know John Ormento?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Salvatore Santora?

Mr. VALACHI. That is Tom Mix.

Mr. ADLERMAN. What activity were they engaged in?

Mr. VALACHI. They were engaged—they are fourth offenders in narcotics.

Mr. ADLERMAN. When you are talking about offenders in narcotics—

Mr. VALACHI. All convictions.

Mr. ADLERMAN (continuing). You are talking about Federal offense?

Mr. VALACHI. Yes.

Mr. ADLERMAN. That is on a large scale?

Mr. VALACHI. Yes.

Mr. ADLERMAN. You are not talking about just selling to people on the street?

Mr. VALACHI. No.

Mr. ADLERMAN. They are wholesalers?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Is he in any other business?

Mr. VALACHI. I knew they had some trucking business but I don't know their name.

Mr. ADLERMAN. Is that also located in the garment center?

Mr. VALACHI. That is in the garment center. They have about \$8,000-a-day business, \$8,000- to \$10,000-a-day business.

Mr. ADLERMAN. Were they in any of the gambling enterprises?

Mr. VALACHI. Yes, the number business.

Mr. ADLERMAN. Who were they with at that time?

Mr. VALACHI. Their bank got pinched maybe a year ago, 10 months ago, I heard in the papers.

Mr. ADLERMAN. What is that?

Mr. VALACHI. About 10 months ago or a year ago, somewhere around there, their bank was arrested.

Mr. ADLERMAN. Who was with them?

Mr. VALACHI. They did not get arrested but the people in the office. Vince Rao's nephew was arrested; Nunzie Rao.

Mr. ADLERMAN. What was the handle in that?

Mr. VALACHI. They had a big bank at one time. Then I understand business went down. The last I heard they had about \$10,000 a day. It could have been more, but that is what I heard.

Mr. ADLERMAN. \$100,000 a day?

Mr. VALACHI. When I was on the street.

Mr. ADLERMAN. Were they engaged in this for a long time?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 287

Mr. VALACHI. Yes.

Mr. ADLERMAN. Was their handle ever bigger than \$10,000 a day?

Mr. VALACHI. One time, yes.

Mr. ADLERMAN. How much was it?

Mr. VALACHI. About \$30,000 a day.

Mr. ADLERMAN. Would that be a 7-day week handle or 6-day week handle?

Mr. VALACHI. That is 6 days a week.

Mr. ADLERMAN. How about Eddie Coco?

Mr. VALACHI. Eddie Coco has been shylocking and in the number business, horse business, everything in the line of gambling so far as I knew about Eddie Coco up to the time he went away.

Mr. ADLERMAN. Eddie is a lieutenant, one of the caporegime.

Mr. VALACHI. One of the caporegime; yes, he was. He did not get life on that sentence. Twenty-five years he got.

Mr. ADLERMAN. For what?

Mr. VALACHI. On that killing in Florida.

Mr. ADLERMAN. Killing in Florida?

Mr. VALACHI. Yes.

Mr. ADLERMAN. What was that about?

Mr. VALACHI. Well, a colored fellow. He killed a colored fellow, a carwasher.

Mr. ADLERMAN. A what?

Mr. VALACHI. A carwasher.

The CHAIRMAN. That had nothing to do with the syndicate, any operations of the syndicate?

Mr. VALACHI. No, Senator. It was an argument.

The CHAIRMAN. It was something personal?

Mr. VALACHI. Personal; yes.

Mr. ADLERMAN. How about another lieutenant, Joe Palisades, Joe Rosato?

Mr. VALACHI. Joe Palisades has been in the garment center, partners with Gribbs, "Big Sam." He also is very active in every field.

Mr. ADLERMAN. What is that?

Mr. VALACHI. He also is very active.

Mr. ADLERMAN. Is he in the trucking business, too?

Mr. VALACHI. He is in the trucking business.

Mr. ADLERMAN. Where?

Mr. VALACHI. I don't know the companies. I just know they are in the trucking business.

Mr. ADLERMAN. You don't know whether it is under his name or anybody else's name?

Mr. VALACHI. I don't know.

Mr. ADLERMAN. Does he control any crap games?

Mr. VALACHI. He always has his hands on, he had something to do with the crap game on—

Mr. ADLERMAN. How big are these crap games?

Mr. VALACHI. Very big games.

Mr. ADLERMAN. How many people would attend these games?

Mr. VALACHI. You can get 60 people in there.

Mr. ADLERMAN. How much money was passed over in a night?

Mr. VALACHI. Sometimes quite a bit. It is according to who is the money people who come in. You get slow nights and you get big

288 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

nights. Maybe one night you go through \$20,000, the following night you might go through \$150,000. You can't just say what it will be.

Mr. ADLERMAN. Would these be floating crap games or crap games in one location?

Mr. VALACHI. Well, I would say they would be in one location—

Mr. ADLERMAN. Who did he use as his street partner?

Mr. VALACHI. What?

Mr. ADLERMAN. Who did Palisades use as his street partner?

Mr. VALACHI. "Big Sam."

Mr. ADLERMAN. That is "Big Sam" Cavalieri?

Mr. VALACHI. I don't know their name.

Mr. ADLERMAN. Cavalieri?

Mr. VALACHI. I just know him as "Big Sam," but I identified him.

Mr. ADLERMAN. Now, then, anybody else?

Mr. VALACHI. Gribbs.

Mr. ADLERMAN. That is Carmine Tramunti?

Mr. VALACHI. Yes; is that the name?

Mr. ADLERMAN. Yes, Carmine Tramunti, Mr. Gribbs?

Mr. VALACHI. Yes.

Mr. ADLERMAN. How about Jimmie Doyle?

Mr. VALACHI. Jimmie Doyle from downtown?

Mr. ADLERMAN. James Plumeri.

Mr. VALACHI. That is Thomas' uncle.

Mr. ADLERMAN. Yes.

Mr. VALACHI. All through the years I have known about him and his garment center.

Mr. ADLERMAN. How about Johnny Dio, his nephew?

Mr. VALACHI. He is an organizer, strong arm organizer.

Senator JAVITS. Would counsel yield at this point?

Are these the Dios, Thomas Dioguardi, whom you referred to this morning?

Mr. VALACHI. Yes.

Senator JAVITS. When you said they would fix up all your labor problems?

Mr. VALACHI. Yes.

Senator JAVITS. Those are the fellows you called when you had a labor problem?

Mr. VALACHI. Yes.

Senator JAVITS. Do you know anything about how they operated?

Mr. VALACHI. I am not familiar with that operation, Senator.

Mr. ADLERMAN. How about Joe Brown, Joe Lucchese, he is a lieutenant? What racket was he running?

Mr. VALACHI. Joe Brown has been having horses for years. He had fellows like Whitie working for him, Demsey working for him. They all moved out to Long Island. I lost track of them since.

Mr. ADLERMAN. What was he in mostly?

Mr. VALACHI. Horses.

Mr. ADLERMAN. Bookmaking?

Mr. VALACHI. Bookmaking.

Mr. ADLERMAN. Or did you mean that he raced horses?

Mr. VALACHI. Well, he had some racehorses too at one time. But I meant bookmaking.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 289

Mr. ADLERMAN. You yourself were in the horseracing business, weren't you?

Mr. VALACHI. Yes, I was.

Mr. ADLERMAN. You were in there for how many years?

Mr. VALACHI. I was in there since 1938.

Mr. ADLERMAN. 1938?

Mr. VALACHI. Yes.

Mr. ADLERMAN. During that time you say you met Raymond Patriarca through your horseracing?

Mr. VALACHI. Going back and forth in Boston; yes.

Mr. ADLERMAN. Were you racing your horses up in Massachusetts at that time?

Mr. VALACHI. Yes; I raced in Lincoln Downs. I raced in Narragansett, Suffolk Downs, and New Hampshire at Rockingham Park.

Mr. ADLERMAN. What were the principal horses that you had at that time?

Mr. VALACHI. The good ones I have was Knight's Duchess and Son of Tarra.

Mr. ADLERMAN. That was your best horse?

Mr. VALACHI. That was one good horse.

Mr. ADLERMAN. Did you make money with him?

Mr. VALACHI. Yes; I lost him during the war when they banned racing. Lots of poor stables, they could not stand being idle, in other words, it would break them. So they went to Mexico. When they resumed racing they brought back a disease, what we called, what was it, swamp fever, and it killed about 500 horses in the New England States. If you were stuck, for instance, in Narragansett, you could not ship from Narragansett to Rockingham, you had to stay in Narragansett and you were stuck for the whole duration of racing. During that time my horse caught this swamp fever and I lost him at 4 years old. I refused \$23,000 for him.

Mr. ADLERMAN. It was through your horseracing really that you became interested in the Boston area?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Why did you meet Patriarca?

Mr. VALACHI. There used to be a boss in Boston around that time, his name was Joe Bruno. I was recommended to him through my lieutenant, Tony Bender, when I first went up there. In fact, he gave me the first ride up. Ten, twelve or fifteen years Joe Bruno died. Then he was replaced by another fellow which I know as Phil Bubona. Since then, since I have been away I have heard that Phil Bubona retired. I also heard about Raymond being the new boss in Boston. I heard that in prison.

Mr. ADLERMAN. When you were racing your horses up around Massachusetts or in the New England area did you have to touch base with the people up there in Boston, like Patriarca or Bruno or anybody else?

Mr. VALACHI. Well, no; they did not interfere in any way with my racing. Like, for instance, I went over to the whole crowd in this particular race. My horse was opened up at 30 to 1. I told them I did not want money. If they bet on the horse, the more they bet on the horse the more his price goes down. In other words, I wanted to let them know that the horse was going to win, not that I should

290 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

worry about money, instead of getting a mutual of \$30, I get a mutual of \$10. I wanted them to understand that did not bother me. I went to the whole crowd. I told them that this horse was going to win. They thought the horse did not have a chance. But the horse won and paid about \$38. I remember I talked to the whole group there. When I catch them like that we usually introduce one another. For instance, I am in a spot where I met some more.

The CHAIRMAN. You mean more members of Cosa Nostra?

Mr. VALACHI. Yes. I would go back and forth. They had a crap game going there for years.

Mr. ADLERMAN. Was there a time when you tried to meet him, you were not able to keep the appointment? He was disappointed?

Mr. VALACHI. You are talking about Johnny Williams.

Mr. ADLERMAN. Yes.

Mr. VALACHI. I was very close to Johnny Williams. He always told me when you come, when I come to Boston I should call him. Well, I called him at this time. But I was running, they were running in New Hampshire at this time. I only stopped in Boston. But he took a long time to show up and I was getting late for the race. So, I left before I met him. Then when I met him in the Gold Key Club he kept reminding me that I kept him waiting. One word led to another. I told him, "I am trying to explain to you that it was getting late for the race." He kept insisting and I got pretty sore with him. I said, "If you don't care to accept an explanation," I said, "good night" and walked out of the Gold Key Club on him.

Mr. ADLERMAN. Had you had any fixed races when you raced horses?

Mr. VALACHI. In New England?

Mr. ADLERMAN. Yes.

Mr. VALACHI. I never was on any fixed race.

Mr. ADLERMAN. Do you know of any fixed races?

Mr. VALACHI. I have heard of stories years back. In fact, Sammy Bartman had nine horses under his name.

The CHAIRMAN. Who?

Mr. VALACHI. Freddy Bartman, an oldtimer. In other words, what I am trying to tell you—there is no such thing as a sure race. He, Freddy Bartman, himself, told me the story. He had nine horses under different names. For instance, if you know, you see, you have a book, the entries of the week. In other words, you pick a race 4 or 5 days in advance. So he called up these owners which he had and which were fictitious names, enter on Friday in the sixth race. They all entered on Friday in the sixth race. Maybe there are 13 or 14 horses entered that day.

Well, he would buy them all out to make them scratch out so that he would have only his nine horses going. Now, he told me, himself, everybody in my time, years ago, knew all about this. It was rumored but I happened to meet him personally and I asked him. "Tell me all about what happened to you when you bet a couple hundred thousand on your horse." He explained to me. He bet \$200,000, these nine horses, one of them—I don't remember the name, I don't remember what it was, but the one he bet on and about 30 feet from the wire he saw his horse leading by himself. I mean he had a big lead. He trips and breaks his leg. Well, I told him. I said, why didn't you pick

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 291

another horse for a saver and be sure you have \$30,000 on him or \$25,000. He said, "I never thought of that."

It is one of those things. That is the reason why in those days, like there would be a conversation about betting on horses and somebody would come up and say, "Did you see what happened to Freddie Bartman?" It circulated around pretty good. This was about the 1920's.

When I met Freddie Bartman, I asked him to tell me the whole story.

Mr. ADLERMAN. Getting back to the charts here on the Lucchese case family, you say Joe Brown did run a horse operation, he did race horses?

Mr. VALACHI. Yes, I remember they had some horses. I forget their names. But they didn't do so good.

Mr. ADLERMAN. Most of his operations were in bookmaking?

Mr. VALACHI. Bookmaking.

Mr. ADLERMAN. Then in the numbers game, what counties was he working in?

Mr. VALACHI. I know they were in Long Island. They had a restaurant some years ago called Tasser's. I didn't really keep up with them. I didn't know what they were doing.

I knew they were all in Long Island. There was quite a bit of them out in Long Island. What part of Long Island, I didn't know. Long Island is all the same.

Mr. ADLERMAN. Do you know some of the other operations of some of the soldiers, like, for example, Joe Rivers?

Mr. VALACHI. Joe Rivers was strictly dice games.

Mr. ADLERMAN. Dice games?

Mr. VALACHI. Dice games, here and there, upstate New York. He would go anywhere. As long as I know Joe Rivers, that is all I know what he ever did.

Mr. ADLERMAN. How about Anthony Grio?

Mr. VALACHI. Grio is——

Mr. ADLERMAN. Vidalia.

Mr. VALACHI. That is Tommy's uncle?

Mr. ADLERMAN. Yes.

Mr. VALACHI. He used to print, the last I know he had an office printing lottery numbers. Italian lottery, winning numbers.

Mr. ADLERMAN. This was run by the oldtimers?

Mr. VALACHI. Yes. That used to be the biggest thing years ago. It has sort of died out but it is still going.

Mr. ADLERMAN. Coming to the Genovese family, Tommy Ryan or Tommy Eboli, what did he have a piece of?

Mr. VALACHI. Tommy Eboli——

Mr. ADLERMAN. What was he in mostly?

Mr. VALACHI. You mean after or before Genovese went to jail?

Mr. ADLERMAN. After.

Mr. VALACHI. Well, Tommy Eboli has won everything from Vito Genovese. Everything that Vito Genovese would have Tommy Eboli or Tommy Ryan is in today.

Mr. ADLERMAN. What would that be?

Mr. VALACHI. That covers up horses, that covers up machines, cigarette machines, jukeboxes. For instance—I don't know—Vito hasn't got the Savannah Club any more. I don't know about the

292 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Moroccan Village, the 181 Club, 82 Club. These always belonged to Vito Genovese. Besides that, lottery, whatever Vito has or interests in Las Vegas, you can rest assured that Tommy Ryan is there.

Senator JAVITS. Could we ask something about Las Vegas? What interest does Genovese have in Las Vegas so far as you know?

Mr. VALACHI. I know he has an interest but I don't know the name of the places.

Senator JAVITS. Like a hotel?

Mr. VALACHI. Gambling casinos.

Senator JAVITS. Is that all he has now?

Mr. VALACHI. I don't know what Vito has. Vito has so many things I can't keep up with Vito. He has legitimate factories. I wouldn't know how to explain it to you, Senator. Lots of business, I know he has, but I can't describe them to you, Senator.

Senator JAVITS. You said one of his businesses was the jukeboxes, is that right?

Mr. VALACHI. Yes, he is partner with Tommy Ryan.

Senator JAVITS. In the jukebox business, does the operator like Genovese or Ryan pick the records that go into the jukeboxes, does he do that, too?

Mr. VALACHI. Senator, I tell you, I don't know about him but I heard something about it. Anything I can't tell you about I wouldn't even start. I heard about it but I don't know—

Senator JAVITS. You did not actually operate in that field?

Mr. VALACHI. No, not with records. I bought my records. I had jukeboxes, myself. I bought the records.

Senator JAVITS. You bought the records and supplied them?

Mr. VALACHI. For instance, I bought them from, say like Charley Richmond or any record, like there was another fellow I used to buy from, all along 10th Avenue I bought my records, Senator.

Senator JAVITS. Did any member of your group or your family tell you whom to buy records from or what records to buy?

Mr. VALACHI. No, sir.

Senator JAVITS. In other words, you had to use your own discretion?

Mr. VALACHI. There was no question about it. You just buy. You don't think who owns them, you take care of your business. You don't buy many records. I didn't have many machines. I would buy maybe 15 records 1 week, maybe another week. You put the average of two or three changes, that is all, maybe one, maybe some places are slow, you change every 2 weeks. Actually, I had a small business.

Senator JAVITS. There is no connection between the record purchases or the records you would pick and the operations of these rackets so far as you know?

Mr. VALACHI. As far as I know, I can't say.

Senator JAVITS. Are there any record companies which are fronts for these operations?

Mr. VALACHI. It could be, but I can't say.

Senator JAVITS. Not of your knowledge?

Mr. VALACHI. Right.

Senator JAVITS. Do any of these racketeers have any interest in any entertainers?

Mr. VALACHI. You mean racket fellows?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 293

Senator JAVITS. Do they have interest in any of the entertainers, like they do in prizefighting?

Mr. VALACHI. I know one fellow has an entertainer. I know some kid named Frank in the Bronx. He is on the Gambino chart there. He has a girl that sings, but I don't know who she is, but I have heard about it.

Senator JAVITS. It is not a racket enterprise that you are acquainted with?

Mr. VALACHI. I am not acquainted with that.

Senator JAVITS. Thank you.

The CHAIRMAN. Very well.

Mr. ADLERMAN. Inspector Shanley, I wonder if we could proceed now to the introduction of the Gambino family chart?

(At this point Senator Mundt entered the hearing room.)

The CHAIRMAN. Are you ready to proceed?

Mr. ADLERMAN. May I ask one question of Mr. Valachi before we go to that?

Mr. Valachi, you testified earlier that you were the cellmate of Vito Genovese?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Now, in the Genovese family, you will notice on the chart that his brother is listed as a messenger. What is his brother's name?

Mr. VALACHI. Mike Genovese.

Mr. ADLERMAN. Does Vito Genovese still control the Genovese family?

Mr. VALACHI. Yes.

Mr. ADLERMAN. How does he do that while he is in jail?

Mr. VALACHI. He gets the messages out to his brother; and his brother goes see Tom, then they go see Mike. It has been running that way.

Mr. ADLERMAN. In other words, in your conversations with Genovese, did he tell you he was still running the family?

Mr. VALACHI. Naturally, for instance, I had to find out something—

Mr. ADLERMAN. Who was his principal lieutenant that he gives his orders to in the family?

Mr. VALACHI. You mean Mike, or Vito?

Mr. ADLERMAN. Vito.

Mr. VALACHI. He sends them to Tommy Ryan.

Mr. ADLERMAN. In other words, he is using Tommy Ryan?

Mr. VALACHI. Tommy Ryan represents Vito Genovese.

Mr. ADLERMAN. But Miranda is the counsel?

Mr. VALACHI. Miranda is counsel. I don't know what it would be, Mr. Adlerman, if Vito Genovese should remain in jail. I don't know what to tell you.

Mr. ADLERMAN. Which one do you think will take over?

Mr. VALACHI. I don't know.

Mr. ADLERMAN. Will it be between Tommy Ryan and—

Mr. VALACHI. I think that Mike will be there.

Mr. ADLERMAN. How about Jerry Catena?

Mr. VALACHI. I don't know. I think Mike Miranda.

Mr. ADLERMAN. You think Mike Miranda will be the power guy?

294 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. I think so, in my opinion.

Mr. ADLERMAN. Thank you.

Can we proceed now—

Senator JAVITS. Can we ask the question before he leaves the jail and Genovese—I do not think you ever told us how you got into Genovese's cell.

How did you get to be his cellmate? What did you do and what did he do?

Mr. VALACHI. Senator, can we leave that off—I made the request and I went to the routine channel and I got into his cell.

The CHAIRMAN. All right.

Mr. ADLERMAN. Inspector Shanley, could you proceed now with the Gambino chart? Was that drawn up in the same manner that the other charts were drawn up, based on the same type of information?

Mr. SHANLEY. It was.

Mr. ADLERMAN. Can you describe what the chart is, who is the head of it?

Mr. SHANLEY. This chart (chart C). We made a breakdown in connection with the number of arrests and this chart shows that there are six arrests for each man mentioned. There is one arrest out of every five men for homicide on an average. Three out of every four have been arrested at least once for dangerous weapons. One out of every three has been arrested at least once on an average for narcotics. One out of one has been arrested for gambling. Two out of five have been arrested for felonious assault.

(149)

The total number of arrests, 476. One man has 31 arrests. Carlo Gambino is considered to be the boss. He is suspected of being active in narcotics. He is in gambling, shylocking, labor racketeering, vending machines, extortion, criminally receiving, and alcohol tax violations. He has been arrested 16 times. He has six convictions. He is related to Tom Lucchese through marriage.

The CHAIRMAN. This is Gambino?

Mr. SHANLEY. Carlo Gambino.

He was born in 1902. He entered the country sometime around 1921 as a stowaway at Norfolk, Va. He has conviction for income tax in the 1940's. He was delegate to the Apalachin meeting.

He was given a deportation warrant, posted bond for \$10,000. He had a heart attack at the time of the hearing. He was suspected at one time of being involved in smuggling immigrants. He has been associated with Max Block, the Butchers' Union, Paul Catellano and John Montana in Buffalo.

The CHAIRMAN. I notice on that chart you have how many names, how many in the Gambino family?

Mr. SHANLEY. There are 80.

The CHAIRMAN. I have 82 here. Which is correct?

Mr. SHANLEY. There are two that have been knocked out there.

The CHAIRMAN. Two have been taken out?

Mr. SHANLEY. Yes.

The CHAIRMAN. Two have been blocked out, is that what you mean?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. There are 80 left?

Mr. SHANLEY. Yes, sir.

(149) Fra le pagine 294-295 del documento originale è inserita una carta che — contrassegnata con la lettera G — è pubblicata, insieme alle altre carte, nella Parte Terza del presente tomo. (N.d.r.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 295

The CHAIRMAN. Of those, how many did Valachi identify. I have it here 64. But that might be 62.

Mr. SHANLEY. It is in excess of 60.

The CHAIRMAN. Do you know Mr. Valachi, how many of those on the Gambino chart that you identified?

TESTIMONY OF JOSEPH VALACHI—Resumed

Mr. VALACHI. I didn't count them, Senator.

The CHAIRMAN. Have you examined the chart?

Mr. VALACHI. Yes; I examined the chart, but I didn't count them. Do you want me to count them?

The CHAIRMAN. No.

Are there any on the chart that you indicated, that were identified that are in error?

Mr. VALACHI. It is up there.

The CHAIRMAN. Those that have the asterisks by them, you did identify all of them?

Mr. VALACHI. Yes.

The CHAIRMAN. This shows that there are about 16 or 18 that you did not identify?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. Now, this was in another family?

Mr. VALACHI. That is right.

The CHAIRMAN. You wouldn't know necessarily as many in that family proportionately as you would in your own family?

Mr. VALACHI. That is right.

Mr. SHANLEY. Of this group, 6 are in jail, 11 dead, 4 are awaiting legal action, 1 has been deported, 1 is a fugitive. Of the 11 dead, 4 were murdered and 4 were believed murdered. The underboss is mentioned as Joe Biondo.

Mr. ADLERMAN. Before we go to Joe Biondo, the predecessors of Carlo Gambino and his family were Philip and Vincent Mangano?

Mr. SHANLEY. That is correct.

Mr. ADLERMAN. Were they both murdered?

Mr. SHANLEY. Vincent Mangano has been missing since 1951. He was declared dead in 1961. He is believed to have been murdered. Philip was found dead with gunshot wounds in a swamp in Brooklyn.

Mr. ADLERMAN. And Albert Anastasia was the last predecessor to Gambino?

Mr. SHANLEY. That is correct. He was shot to death in a barber shop in 1957 in New York.

Mr. ADLERMAN. Following his death, Gambino took over the reins?

Mr. SHANLEY. That is correct.

Mr. ADLERMAN. Now, the underboss is named Joseph Biando?

Mr. SHANLEY. Joseph Biando.

Mr. ADLERMAN. What is his alias?

Mr. SHANLEY. Joe Banti.

Mr. ADLERMAN. Does he have another one there?

Mr. SHANLEY. He has one there, yes. They don't call him that much.

Mr. ADLERMAN. It becomes important perhaps in another case.

Mr. SHANLEY. Cunnigieddu.

296 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. What is that, do you know?

Mr. SHANLEY. Little Rabbit.

Mr. ADLERMAN. Could you tell us something about his activity?

Mr. SHANLEY. He was born in 1897. In 1918, a partner of his, Albert Vanlenti, who was supposed to be in alcohol with him was killed.

In 1930, he was arrested in Cleveland in the same arrest that Tom Lucchese was attending a prize fight out there, on suspicion. He was suspected of supplying narcotics to Steve Armoni.

In 1935, an investigation in Syracuse where the police were making an effort to locate members of the Dutch Schultz mob, he became a large suspect who was found in a hotel up there.

In 1936 through 1942, he was a prime mover in a taxicab racket in New York City. They had a very violent strike around 1934, 1935, during which there was a great deal of damage to property and personal injury.

The following year they approached the fleets and succeeded in having them pay a certain amount for each cab on a weekly basis. They started with 30 cents and then eventually went to 50 cents. They were to supply inspection of the cabs and supervision of the drivers. This ran into millions of dollars.

Eventually there was an extensive investigation. The matter was put before the grand jury. Many of them were convicted but this subject was not. He frequented the Duke restaurant in New Jersey in the early—in the late 1940's when it was a hangout for Joe Adonis and Willie Moore, Moretti. He also was seen in the Public Service Tobacco Co., which was a part of the business owned by Loggie Swillin and in a notebook which was seized from Lucky Luciano during the 1950's, his name appeared in it along with Moretti, Cap-polo, Profaci, and Anthony "The Chief" Bonzera.

In accounting for his income in the 1950's, he gave as a source the Select Coke Co. When an interview was made there, it is quite evident that the manager was forced to put him on the payroll for one reason or another.

In 1951 or 1952, he secured a visa to go to Italy and he gave as the reason that he was going to represent a number of companies.

When the people in the companies were interviewed, for the most part nobody knew the man at all and, in the one instance where they did know him, they stated that he had volunteered to represent them to secure some metal and said that he would pay his own expenses. But when he got there, he also made the pilgrimage to Lucky Luciano.

He was before the Kefauver examination, his occupation at various times has been given as real estate. The investigation into the activity, the real estate activity that was supposed to have taken place in his office indicated that in an 18-month period, he had received possibly four calls that pertained to real estate.

The CHAIRMAN. In 18 months, he had received four calls regarding real estate?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Had he received many other calls?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Go ahead.

Mr. ADLERMAN. He was the successor to Frank Scalice, is that right?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 297

Mr. SHANLEY. That is right.

Mr. ADLERMAN. Also known as Cheech?

Mr. SHANLEY. Don Cheech.

Mr. ADLERMAN. Cheech was murdered, was he not?

Mr. SHANLEY. He was a homicide victim in the Bronx; yes.

Mr. ADLERMAN. Is there evidence to show who killed him?

Mr. SHANLEY. No; there is not. He was suspected of being in narcotics. He was close to Rocco Mazzie and Ventori, Squillanti.

Mr. ADLERMAN. Mr. Valachi, can you tell us something about Frank Scalice? Was he underboss of the Gambino family?

Mr. VALACHI. Yes.

Mr. ADLERMAN. What part did he play in bringing members into the Cosa Nostra?

Mr. VALACHI. Frank Scalice was accused, which was true, of commercializing this Cosa Nostra. It was rumored amongst us boys that he received about 40,000 boys from Frank Luciano due to Jojo.

For instance, like Jimmy Ward and Danny Lee, they had about \$50,000 business, individual, and Frank Scalice went partners with them and that was the end of the business then, Danny Lee and Jimmy Ward.

Mr. ADLERMAN. The books have been opened up in 1953 or 1954; is that right?

Mr. VALACHI. Around 1954.

Mr. ADLERMAN. To bring in members?

Mr. VALACHI. To bring in members.

Mr. ADLERMAN. Scalice was instrumental in bringing in lots of members?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Can you name these members?

Mr. VALACHI. Yes, I can name, we start in with Jimmy Squillante.

Mr. ADLERMAN. Jimmy Jerome?

Mr. VALACHI. I want to take one neighborhood, then I go to another, Jimmy Jerome. Jerry Mancuso. Another kid I know just by Wahoo. His name was identified for him.

Mr. ADLERMAN. That is Aniello Mancuso "Wahoo"?

Mr. VALACHI. That is right. "Chink" Leo.

Then I will take Harlem, then I will go up to the Bronx.

Well, I may have left a name or two out now but I will go to the Bronx. Frank Rocci, Tony the Geep, Mike the Geep.

Mr. ADLERMAN. What were their names again?

Mr. VALACHI. Tony the Geep, Mike the Geep, brothers.

Mr. ADLERMAN. Tony and Mike?

Mr. VALACHI. The Geep. They are brothers. Sedotto is the last name. Blanka brothers. Carmine Camarado, Lutoni. Jimmy Ward.

Mr. ADLERMAN. Do you know Peter Baratta?

Mr. VALACHI. I don't know his last name.

Mr. ADLERMAN. "Bull."

Mr. VALACHI. "Bull," that is right.

Mr. ADLERMAN. Bonfrisco.

Mr. VALACHI. Salvatore Bonfrisco. Jojo and Dudu, which I have already told you.

Mr. ADLERMAN. How much did some of these fellows pay to get into the organization?

298 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. About \$40,000.

Mr. ADLERMAN. How much did Manfredi pay Jojo?

Mr. VALACHI. Them's are the ones I am talking about.

Mr. ADLERMAN. Did he pay \$40,000?

Mr. VALACHI. Between them \$40,000.

Mr. ADLERMAN. How much did James Mazzie pay?

Mr. VALACHI. That is Jimmy Ward?

Mr. ADLERMAN. Yes.

Mr. VALACHI. They paid with their business.

Mr. ADLERMAN. They gave him a share of the business?

Mr. VALACHI. That is all. They never saw the business again.

Mr. ADLERMAN. Was Scalice murdered?

Mr. VALACHI. Yes; he was.

Mr. ADLERMAN. Do you know who murdered him?

Mr. VALACHI. Well, one of these names bears on some other case.

Mr. ADLERMAN. We won't ask you about that. They did pay to get into the organization?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Why would they pay money to come in an organization and become soldiers in an organization?

Mr. VALACHI. Well, I am going to tell you. We were stunned. I really can't answer that.

Mr. ADLERMAN. You don't know?

Mr. VALACHI. I really can't. Just that they wanted to be recognized. That is the only way I can describe it.

Mr. ADLERMAN. Were they getting protection?

Mr. VALACHI. Well, once they feel, you know, the word "button men," got around so loose especially in the Bronx and Harlem, well, "They are filthy button men," those are the only descriptions I can give you. They felt they were equal to the tough guys. How else would you explain it?

The CHAIRMAN. They were equal to a tough guy?

Mr. VALACHI. Once they get in, that is the way they feel.

The CHAIRMAN. In other words, if they are mobsters they would like to be in the organization?

Mr. VALACHI. That is right.

Mr. ADLERMAN. Inspector Shanley—

Senator JAVITS. Mr. Chairman, I never want to interrupt the counsel if he is moving into something in which he feels he does not wish to be interrupted. Just tell me any time and I will wait.

As you were leaving the top names of the Gambino family, I would like to ask the inspector a question.

Inspector, you said something about an association between Gambino and a man named Montana. This ties in with something which this witness testified to; that is, Valachi, with respect to the fact that in New York he did travel to Buffalo, Utica, we do not know about Rochester, Buffalo and Utica certainly. Now, from your records, what is the relationship that you have between the Gambino family and Montana?

Then we will turn to this witness to see what we can find out about that.

Mr. SHANLEY. It is just confined to observations, Senator, where they have been seen together.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 299

Senator JAVITS. That is a fact, they were seen together?

Mr. SHANLEY. Yes, sir.

Senator JAVITS. May we ask you, sir, about this matter? What do you know about any connection between Montana and one of these families?

Mr. VALACHI. Montana?

Senator JAVITS. John C. Montana.

Mr. VALACHI. And the family?

Senator JAVITS. Yes.

Mr. VALACHI. Senator, he has been in this family as far back as I can remember, through the years.

Senator JAVITS. Did you perform any of your operations in Buffalo, yourself?

Mr. VALACHI. No, Senator. I am very close with Magaddino in Buffalo. You remember they were, Steve fought with me side by side in the 1930's.

Senator JAVITS. Is Magaddino still in Buffalo?

Mr. VALACHI. He still is in Buffalo.

Senator JAVITS. Is he the boss of Buffalo?

Mr. VALACHI. He still is.

Senator JAVITS. What is his connection with Montana?

Mr. VALACHI. He is the boss. Montana originally was a lieutenant under him.

Senator JAVITS. What do you know about the situation in Utica?

Mr. VALACHI. I met Salvatore Valconi. I went there to straighten out a dispute way back in 1930. I went along with Bobby Doyle. Two of the boys, one is dead and one is with us today, Mike Maione, had some game somewhere near Utica, I don't remember the towns. They had chased them out of the town. When they brought the complaint to us, I and Bobby Doyle went out to Utica and Bobby Doyle knew Vacone. We met a fellow there, the other fellow that there was the dispute about, all I remember his name is Dumiwan. I understand Dumiwan is still out in Utica. You hear that here and there.

Everything was straightened out. They spent 2 weeks entertaining us. They brought us to cabarets. They took care of our cars, they would not let us spend a nickel. They gave us the best of attention.

Senator JAVITS. What kind of racket was being run there that was straightened out?

Mr. VALACHI. It was a crap game.

Senator JAVITS. You did straighten it out?

Mr. VALACHI. We straightened it out, they allowed these kids to have a certain percentage of the game.

Senator JAVITS. Did they take the rest of the percentage?

Mr. VALACHI. Yes, they were partners.

Senator JAVITS. No strong-arm stuff was necessary?

Mr. VALACHI. No, these are all friends.

Senator JAVITS. What about Rochester? Did you have any business in Rochester?

Mr. VALACHI. I had nothing in Rochester.

Senator JAVITS. You told us also you were in Binghamton. Did you have any business in Binghamton?

300 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. I was not in Binghamton, Senator. Mike Maione was in Binghamton.

Senator JAVITS. You know nothing about the Binghamton situation?

Mr. VALACHI. No.

Senator JAVITS. There are a number of killings in Binghamton running back to 1942. James Defillo, Grecola, Lampo, Tony Gants. Anything ring a bell?

Mr. VALACHI. No, sir.

Senator JAVITS. One last question. Would you put Montana in any one of these families?

Mr. VALACHI. The Buffalo family.

Senator JAVITS. Mike Leno?

Mr. VALACHI. Yes.

Senator JAVITS. We have no chart for that.

Mr. VALACHI. No.

The CHAIRMAN. We will have a chart later on.

Senator JAVITS. Is there anything that the witness has stated that you wish to comment on?

Can you confirm any of these facts?

Mr. SHANLEY. In what respect?

Senator JAVITS. The facts he just testified to, with respect to Utica and Buffalo.

Mr. SHANLEY. We have no information on that.

Senator JAVITS. Thank you very much.

The CHAIRMAN. Senator Mundt.

Senator MUNDT. I have a call and have to go to the floor so I would like to ask one question deriving from the fact that when you were taken into the family, Cosa Nostra, you paid nothing to get in and you got nothing out of it much except protection. Is that right?

Mr. VALACHI. Senator, in private I will speak to you and tell you how much they took from me.

Senator MUNDT. All right. I would like to get that.

Mr. VALACHI. I will give you that.

Senator MUNDT. The difference being some of these other fellows paid \$40,000 to get in?

Mr. VALACHI. Yes; in the thirties it was a different story, Senator, not this kind of stuff in the thirties.

Senator MUNDT. What is that?

Mr. VALACHI. None of this kind of stuff was ever pulled in the thirties.

Senator MUNDT. I see. in the 1930's. I did not get the word "thirties." Now, this is more up to date.

Mr. VALACHI. As I say, Frank Scalice started commercializing it. He really was the one and everybody in the Cosa Nostra knew that he really started this kind of business.

Senator MUNDT. In other words, the day you are talking about now, this had become a more profitable racket?

Mr. VALACHI. You see, we used the expression "they commercialized it." That is the way we used our expression.

Senator MUNDT. What does that mean?

Mr. VALACHI. That means that they are making a money deal out of it, rather than the way it used to be. Like in the old days, a man

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 301

had to prove himself to get in. But today if half of them guys have to do something they are liable to drop dead, too. Believe me when I tell you that.

Senator MUNDT. Now, these names of these big families you mentioned here.

Mr. VALACHI. Yes, sir.

Senator MUNDT. These fellows at the top made a lot of money? Are they pretty wealthy, are they up in the hundreds of thousands, the millionaire class? Take the Genovese family.

Mr. VALACHI. There is lots of wealthy ones there. I would say, I was looking it over. There is about 40 to 50 wealthy ones.

Senator MUNDT. Forty or fifty?

Mr. VALACHI. Yes.

Senator MUNDT. When you use the word "wealthy," how many dollars are you talking about?

Mr. VALACHI. Close to the million dollar or past the million dollar or half the million dollars.

Senator MUNDT. Close to 40 or 50 of them are close to millionaires?

Mr. VALACHI. Right.

Mr. ADLERMAN. On all five families?

Mr. VALACHI. Did you say the whole five families?

Senator MUNDT. I am talking of the Genovese family.

Mr. VALACHI. Well, the other ones—no, I didn't look them over. I was looking at the Genovese.

Senator MUNDT. How many in the Genovese family are up in this millionaire class?

Mr. VALACHI. You have about 40 to 50 wealthy ones.

Senator MUNDT. Made it out of racketeering?

Mr. VALACHI. Yes.

Senator MUNDT. How about the lieutenants? Do they make big money, too?

Mr. VALACHI. Well, lieutenants automatically make money, you know, through different soldiers give them different propositions they have all the chance of making money. They have a hundred percent edge over the soldier. The soldier has to do it, himself, whereas the lieutenant, they bring it to him.

Senator MUNDT. From lieutenant on up, this was a pretty plush business, making a lot of money.

Mr. VALACHI. Yes.

Senator MUNDT. Soldiers not so good.

Mr. VALACHI. No; a soldier has to build himself up and then if he builds himself up, no matter how big he is, he is still a soldier, but he could be wealthy because they don't change caporegimes every month or every 5 years. No matter how much money he makes, he is still a soldier, but he has the weight. We have an expression, you have money, you have weight. Weight works men's strength.

Senator MUNDT. I thought you were saying "work." It is that Brooklyn accent.

Mr. VALACHI. It is this throat of mine.

Senator MUNDT. Plenty of soldiers were in the chips?

Mr. VALACHI. Yes, plenty of soldiers.

Senator MUNDT. You would not know the degree of wealth that came to these other families so much because you were not in them?

302 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. I would know, I could come up with them as I looked them over. You know, look over the charts.

Senator MUNDT. Then I can begin to understand why a man would pay \$40,000 to get on in the racket if he has a chance to become a millionaire maybe.

Mr. VALACHI. Well, in this particular case, these two boys I was talking about, they could never make, I mean on their ability, Senator.

My opinion was that Frank made a lot of money with these kids. Frank was thinking maybe these kids will get arrested and they may talk. Frank is a pretty smart fellow, figuring if these fellows know the right and wrong, his chances are better for him that they would not talk. That is my opinion.

Knowing Frank Luciano, you remember I was partners with him. That is why I am telling you now as I am telling you, Senator.

Senator MUNDT. Very well.

The CHAIRMAN. All right, proceed.

Mr. ADLERMAN. I think we were talking about Joe Riccobono. Can you tell us what status he had?

Mr. SHANLEY. Joe Riccobono is called "Staten Island Joe." He has three arrests, one conviction. He was born in 1894 in Italy. He has one weapon arrest. He is very close to Carlo Gambino, Carmine Lombardozi, Joe Profaci, John Oddo. He is in the garment area and he is in narcotics. He recently attempted suicide. He is a person who was treated with great deference by some of these soldiers. He is a kind of sleeper. The fact that he was treated with such respect is what drew our attention to him on this particular occasion. But at the moment, he is sort of retired. He is still in a position of an elderly statesman. He gives advice but we don't see him too much.

Mr. ADLERMAN. In the caporegime of this Gambino family, I notice there are 12 members who are in the caporegime. Do all of them have police records? Are all of them well known to the police?

Mr. SHANLEY. Paul Castellano has two arrests, one conviction, one for robbery. He is in the meat business. He has a meat market. He is related to Carlo Gambino. He is also in the fat rendering business. He was in alcohol. He was a shylock. He is associated with Carmine Valenti. His brother, Peter, is presently arrested for a rather complicated bankruptcy fraud.

Paul Gambino recently was arrested by officers who had him under observation. He attempted to flee from them on the grounds that he thought the officers were assailants who were going to kill him.

Carmine Lombardozi, known as the Doctor, he recently was returned for violation of parole in connection with an assault on an FBI agent. At a gathering, an agent was assaulted by members of the Lombardozi family and father Lombardozi was interrogated in connection therewith.

At the conclusion of the investigation, he was returned for violation of parole.

Art Leo, known as Al Rocco, has 11 arrests and 7 convictions. He is in the drug business. He is 250 on the national narcotic violators list. He is an associate of Mancuso.

Rocco Mazzi, it indicates that he is currently in jail for narcotics. He also was in gambling. He has nine arrests with five convictions.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 303

He has one for gun, one for robbery. He got 12 years in 1959. He is also an associate of John Ormento, "Big John."

Anthony Sedotto, known as "The Geep," he is in gambling, shylocking, and extortion. He has three arrests, one conviction, one of his is for robbery. He was born in 1913 in Italy. Gives his occupation as salesman. He is very strong in bookmaking.

Joe Colazzo, "Gus," he has five arrests, one conviction. One of the arrests was for murder. He is in gambling, labor racketeering, extortion.

The CHAIRMAN. When you speak of labor racketeering, what do you mean by that? What are we to understand?

Mr. SHANLEY. These are situations where either they have sweetheart contracts given out, unions are created—

The CHAIRMAN. In other words, they have contact with labor unions where they enter into agreements with them or with their leaders and get accommodations from them with respect to contracts, working conditions, and so forth?

Mr. SHANLEY. That is right, or with respect to nonunion labor.

The CHAIRMAN. I beg your pardon?

Mr. SHANLEY. Or with respect to nonunion labor where they won't have any union.

The CHAIRMAN. Or to prevent a shop from being unionized?

Mr. SHANLEY. Right.

The CHAIRMAN. Is that one racket where they have a shop maybe with protection from unionism, pay some of these folks to prevent the shop from becoming unionized?

Mr. SHANLEY. That is correct.

The CHAIRMAN. So that is a racket?

Mr. SHANLEY. That is correct.

The CHAIRMAN. When you say in labor racketeering, they could be engaged in that kind of service?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Would that also apply to strikes, where a strike is threatened?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. They might get paid off in order to prevent the strike?

Mr. SHANLEY. That is right, or else they will approach the man and tell him if he does not pay off there will be a strike.

The CHAIRMAN. In other words, it is a racket of extortion, if they do not pay off there will be a strike. If the strike is on and if you pay off enough, they will stop it?

Mr. SHANLEY. That is right.

Carlo Gambino is in a firm which is supposed to be in the labor consulting business. This is his occupation. I don't know what his qualifications are but he is supposed to be able to advise you on your labor problems.

The CHAIRMAN. At least he gets pretty good results.

Mr. SHANLEY. Apparently.

Mr. ADLERMAN. Is that the STS Co.?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. Is that a labor relations outfit?

Mr. SHANLEY. That is a labor relations outfit.

304 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. They are retained by management to iron out labor disputes?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. Is it true that some of these operations may be legitimate but some of them you feel may not be legitimate?

Mr. SHANLEY. That is true.

Mr. ADLERMAN. Johnny Dio, incidentally, was also in the same business, was he not, a labor relations expert?

Mr. SHANLEY. Yes.

Mr. ADLERMAN. Hired by management sometimes to straighten out difficulties with the union?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. So, Gambino is doing the same thing, in effect, that Johnny Dio was doing?

Mr. SHANLEY. That is right, he is in the same business.

Mr. ADLERMAN. I don't know whether you completed the caporegime. I think you got as far as Joe Colazzo.

Senator JAVITS. Mr. Adlerman, could we ask Valachi whether he paid anything to the Dios for helping him out of the labor situation he testified to?

Mr. VALACHI. No, I didn't.

Senator JAVITS. Just as a favor. Did you return the favor to them?

Mr. VALACHI. No, sir, it was just a matter of doing something to help me.

Senator JAVITS. In other words, you felt you had a right to call on him because you were members of the same family?

Mr. VALACHI. He had told me to call him in case I had difficulties.

Mr. ADLERMAN. Mr. Valachi, isn't that one of the benefits you got out of being in this organization?

Mr. VALACHI. That is the only thing.

Mr. ADLERMAN. Well, and a few other things.

Could you proceed, now?

Mr. SHANLEY. Aniello Dellacroce, he is known as O'Neil. He is in gambling, shylocking, and extortion, and strong arm. He has 10 arrests, 5 convictions. He has one arrest for weapons. He was born in New York City, an associate of Meyer Lansky, and Joe Silesi. He has been involved in floating dice games, gambling, shylocking. He was involved with Al Anastasia in Cuba in gambling and dice.

I would like to point out in these floating dice games that numerous arrests are made in connection with them and the conditions that existed maybe 4 or 5 years ago where money people were found in them is not true today.

Frequently in these arrests years ago, you would find manufacturers and airplane pilots and doctors and like that. But today, as a result of constant activity, thousands of these people have been arrested in games and today there is scruff in them, low-level hoodlums. The large bulk of them is what we classify as common gamblers.

The CHAIRMAN. Sort of professional gamblers?

Mr. SHANLEY. These are professional gamblers.

The CHAIRMAN. As differentiated from money people who would occasionally go in and gamble?

Mr. SHANLEY. That is right.

Mr. ADLERMAN. How about Charles Dongarro, "Rosario"?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 305

Mr. SHANLEY. He has cataracts on his eyes. He is in Windham, N.Y., at the moment. We don't see him much.

Mr. ADLERMAN. How about "Petey Pumps," Peter Ferrara?

Mr. SHANLEY. Peter Ferrara is awaiting trial. He is in gambling.

Mr. ADLERMAN. If he is awaiting trial, perhaps we had better not—

Mr. SHANLEY. It is a different case. It would indicate the nature of his activity, he was arrested for gambling. As the officer approached him, he threw some money to the ground, \$10,000. He is in policy in Brooklyn. He is also in shylocking, labor racketeering. He had some interest in vending machines.

Mr. ADLERMAN. The last one I think we haven't mentioned is Zappi, Ettore Zappi.

Mr. SHANLEY. Zappi is in shylocking and labor racketeering. He is a neighbor and close associate of Carlo. They handle the unions of the Castro Convertible Co. He has influence in these unions.

Mr. ADLERMAN. I notice among the former caporegime there are people like Jimmy Derone, Vincent Squillante, John Rivolotti or Johnny Roberts, and Armand Raba.

Were these three murdered?

Mr. SHANLEY. Well, James Squillante is missing. John Roberts was shot and killed in Brooklyn. Raba is also missing, believed murdered.

Mr. ADLERMAN. Mr. Valachi, could you tell us something about the Gambino family? In Europe, what is the principal means of the acquisition of wealth by Carlo Gambino?

Mr. VALACHI. He has enough wealth in that family.

Mr. ADLERMAN. How did he make his money?

Mr. VALACHI. Carlo?

Mr. ADLERMAN. Yes.

Mr. VALACHI. Carlo originally, he used to tie up the alcohol years back, every still that operated he would buy off, see, and stack it all up in the warehouse and then make his own price. For instance, say we bought \$15 a tin, a tin consists of 5 gallons. By the time he gets through with it and ties it up so, he dries it up, he can sell it for \$50 a tin when he is ready to release it.

Mr. ADLERMAN. Was he also in the World War II with the OPA ration stamps?

Mr. VALACHI. From there, when the ration stamps became a money making proposition, he was one of the wealthiest and they made, between him, Sam Accardi, Sam Stefman from Newark, and his brother Paul, on one deal alone Sam, himself, told me that they made over a million dollars, on one deal alone.

Mr. ADLERMAN. Sam Accardi was in the Genovese family?

Mr. VALACHI. Well, Sam Accardi, the last I knew Sam Accardi was in the Newark family. All of a sudden changes like that were made, too.

The CHAIRMAN. You told us you made some money out of ration stamps.

Mr. VALACHI. Yes, I made some money. I made about \$150,000, myself.

The CHAIRMAN. You said they were genuine stamps.

Mr. VALACHI. That is right.

306 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. They were not counterfeits?

Mr. VALACHI. Right.

The CHAIRMAN. How were you able to get genuine stamps?

Mr. VALACHI. You see, Senator, they had a lamp, like, for instance, the gasoline stations or the garages, the fake ones—in the real ones there was an eagle in the paper, a certain lamp will bring out the eagle. In other words, just like the money.

The CHAIRMAN. I understand. You had a way of identifying them to know they were genuine?

Mr. VALACHI. Yes.

The CHAIRMAN. I am not asking that. I am asking how were you able to get them, how did you procure them?

Mr. VALACHI. Really, they came out of the OPA offices. In the beginning, they were robbing safes, the burglars.

The CHAIRMAN. They robbed them and got them by burglarizing?

Mr. VALACHI. In the beginning, yes.

When they caught up with that, they stuck with them in the bank overnight, the OPA offices. Then the OPA members, themselves, was sneaking them out and selling them to individuals.

The CHAIRMAN. Some OPA members were selling them?

Mr. VALACHI. Yes.

The CHAIRMAN. Maybe we will ask you more about that in an executive session, but you do know and can testify of your own knowledge, can you, that OPA members did themselves sell them?

Mr. VALACHI. Definitely.

The CHAIRMAN. Very well. We will talk about that later. Proceed.

Mr. ADLERMAN. Was Gambino in any other businesses?

Mr. VALACHI. Gambino has been in every kind of business, butcher business, lottery, Italian lottery, shylocking business.

Mr. ADLERMAN. Has he been in any legitimate business?

Mr. VALACHI. Legitimate business, I don't know much about.

Mr. ADLERMAN. Was he ever in the wholesale meat business?

Mr. VALACHI. I said the butcher's.

Mr. ADLERMAN. Do you know what his operations were in that field?

Mr. VALACHI. All I know is that they were wholesale in meat business. Actually, I don't understand it.

Mr. ADLERMAN. Do you have any information about his operations in the wholesale and retail?

Mr. SHANLEY. Through the Castellanos. They are related to him and they are in the wholesale meat business in a number of cases. They were in fried meat, they were in the Murray Meat. That is the one, I believe, the bankruptcy fraud was perpetrated on.

Mr. ADLERMAN. Can you give us some details of the operation? Did they commit any frauds in connection with wholesale meat operations?

Mr. SHANLEY. Paul's brother has been arrested for it, among others. The fraud consisted of buying, getting into a firm that supplied meats.

Mr. ADLERMAN. Which had a good reputation?

Mr. SHANLEY. Had a good reputation.

Mr. ADLERMAN. Is there a question on it?

Mr. SHANLEY. Yes.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 307

The CHAIRMAN. Very well. We will take that up in executive session.

Proceed.

Mr. ADLERMAN. Mr. Valachi, do you know anything of the activities of Riccobono?

Mr. VALACHI. Joe Riccobono?

Mr. ADLERMAN. Yes.

Mr. VALACHI. I know that Joe Riccobono is in the garment center, too. Actually, I don't know too much about Joe Riccobono. He is from downtown. He was a lieutenant. Why I say "he was," I understand he is sick now.

Mr. ADLERMAN. How about Arthur Leo, what was his business interest?

Mr. VALACHI. Is that "Chink" Leo?

Mr. ADLERMAN. Yes.

Mr. VALACHI. He had some kind of card game, it is sort of a Spanish game. I forget the name.

Mr. ADLERMAN. What is that?

Mr. VALACHI. A Spanish game. I forget the name. In other words, they cut, they don't gamble.

Mr. ADLERMAN. Is that Barbutz?

Mr. VALACHI. It sounds like that. I was not too familiar with it.

Mr. ADLERMAN. Where is that run, in Harlem?

Mr. VALACHI. They were running that in Harlem, Yorkville, wherever they could get a place. They moved it around.

Mr. ADLERMAN. Is there a lot of money made in that game?

Mr. VALACHI. There is lots and lots of money. Cutting, without any chances, you know. They take a certain percentage out of the jackpot. I don't even know how it operates.

I have been up there watching play but I never did understand the game.

Mr. ADLERMAN. How about Rocco Mazzi?

Mr. VALACHI. Rocco Mazzi?

Mr. ADLERMAN. He is a lieutenant.

Mr. VALACHI. A lieutenant, yes. He was fooling around with junk in narcotics. Junk. I don't know of any business.

Mr. ADLERMAN. His field was mostly narcotics?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Did some of these soldiers make a lot of money?

Mr. VALACHI. Yes.

Mr. ADLERMAN. How about Anthony Plate?

Mr. VALACHI. Anthony Plate has a different numbers business that is altogether different from the regular number business. You see, he has what you call, or he builds them up. He puts up a store on the West Side. You see, the West Side now is a colored neighborhood. He puts them in business and he has maybe about eight or nine of these stores. When they go to playing in these stores, the banker collects dollar for dollar. In other words, if it is a hundred dollar play, they get all of the hundred dollars. They have no runners they give 20 percent or 30 percent. That is the strength.

He would put on a salary, you see. And he said, himself, he was making \$5,000 a week.

308 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. I wonder if we could go to the next chart, the Magliocco chart—chart D?

(150)

Mr. ADLERMAN. Inspector Shanley, on the Magliocco chart, this was known originally as the Profaci family; is that correct?

Mr. SHANLEY. That is correct.

Mr. ADLERMAN. Was this prepared in the same manner, in the same form as the other charts were prepared, based on very much the same information?

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. Now, Mr. Profaci, Giuseppe Profaci died a natural death?

Mr. SHANLEY. That is true.

Mr. ADLERMAN. Is there any indication to you who the successor has been?

Mr. SHANLEY. It appears to be Joseph Magliocco.

The CHAIRMAN. How long since Profaci died?

Mr. SHANLEY. In 1959, I believe—1962.

The CHAIRMAN. A year or two ago?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. All right.

Mr. ADLERMAN. Could you tell us something about the background or the activities of Giuseppe Magliocco, "Joe Malyak"?

Mr. SHANLEY. The overall group shows 319 arrests overall. They have an average arrest here of nine per man; one out of three have been arrested for homicide; one out of one have been arrested for dangerous weapons; one out of three have been arrested for narcotics; one out of one arrested for gambling; two out of three arrested for felonious assault.

The high man has 29 arrests. The low man has one arrest.

Joseph Magliocco attended the meeting in Cleveland. There was a meeting in Cleveland which had great significance in organized crime about 1928 or 1929.

Mr. ADLERMAN. Similar to the Apalachin meeting?

Mr. SHANLEY. Yes. Some 23 people were apprehended there with guns, arrested on suspicion. I believe they were convicted and fined. Joe Magliocco was there and Joe Profaci.

Magliocco was born in Italy in 1898. Entered the United States in 1914. He was naturalized in 1926. He has three arrests and two convictions. He lives in East Islip. He has a residence also in Brooklyn. He was associated years ago in the bootlegging business. He has arrests for bootlegging. He since then has gone into the liquor business. He was in Sunland Beverages. As a consequence of the Apalachin meeting, he lost his license in the alcohol beverage business.

He is a stockholder in Ward Trading, which is a rather large complex holding company. It has a number of very worthwhile wholesale liquor companies.

We believe that Magliocco still maintains an interest in these companies, Alpine Wine, Peelers. These are some of the biggest companies in the State in regard to the liquor distribution and numerous investigations have been conducted with vigor by the State authorities but it is very difficult to prove this with the complex holdings that they have set up.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 309

The CHAIRMAN. In this family, I believe there are 37 on the chart; is that correct?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Eighteen of the 37 are identified by Valachi and 19 of them are not identified by him. Is that correct?

Mr. SHANLEY. That is correct.

The CHAIRMAN. Very well.

Senator JAVITS. Could we ask a question about this family? Witness Valachi has testified to the effect that this seems to be a separate empire, Brooklyn and Long Island. What does the New York Police Department say about that so far as this particular situation of family?

He testified, as I recall it, that they were left alone, to operate for themselves.

Is this the family who, according to your record, are the people who run the rackets in Brooklyn and Long Island?

Mr. SHANLEY. We feel that basically there are some indications that by reason of geography, they would have control of certain areas, but we would not go so far as to say this is absolute. We feel they operate more in areas. I believe that the witness substantiated our feeling along these lines when he stated they would not interfere with each other particularly.

I don't think there is any absolute control, that the Maglioccos have Brooklyn or some other family has New York or Queens or like that.

It is operation more in areas, that these people appear to be very strong in the beverage business more so than anybody else, whereas other groups seem to be quite strong in the garment business, or businesses that come from clothing or trucking.

These, of course, will touch all five boroughs and the metropolitan area generally. I don't think it is done strictly on a territorial jurisdiction proposition, it is more a question of area.

Senator JAVITS. Are there any particular major companies that this is tied up with or not? I do not want you to give any names because that would not be fair at all.

Mr. SHANLEY. These people are in the major companies in New York State. It is a well known situation, it has been investigated any number of times.

Senator JAVITS. May we ask the witness, Valachi, Mr. Chairman, about that?

Will you relate, Mr. Valachi, your testimony which you have been giving here as to Magliocco? Is that the one you referred to as being let alone in Brooklyn and Long Island?

Mr. VALACHI. What I said let alone, I am talking about the Gallos.

Senator JAVITS. You gave testimony on this point.

Mr. VALACHI. In plain English, they had a war between themselves. Being Profaci, himself, was deadly wrong, in the wrong by shaking down soldiers, is what caused this trouble to develop. In that case, the commission is not backing them up. It is letting them handle their own affairs.

For instance, Profaci did not practice what he preached as he preached to me in the thirties.

In the Pelham Parkway apartment, he used to tell me about the master crowd, how they used to shake down the soldiers. I find out to my amazement at West Street, I mean the house of detention, that

310 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

he was shaking these soldiers down up to \$1,800, even if they went out to commit a burglary he shook them down. That is what caused all this.

Senator JAVITS. The Profaci you are talking about is the same group?

Mr. VALACHI. The same. He only died less than a year ago. I don't know that it is a year. I know he died while I was——

Senator JAVITS. What was the date that you were in the house of detention, the one you are just testifying to?

Mr. VALACHI. Around 1961 is when I met the boys there.

Senator JAVITS. 1961?

Mr. VALACHI. 1961.

Senator JAVITS. Is that the latest date of your information on this particular family, 1961?

Mr. VALACHI. At the time, what I am referring to, there were 125 of them pulled away, since Frank Costello got talking to Junior, I forget his name all the time, I know him as Junior—I don't know if this is 1961 or 1962, I don't remember, but I think most likely it was 1961, since I saw them together I predicted that Frank is going to talk Junior into pulling away from the Gallo boys. Sure enough, when Junior got out on bail the first time he was away from Profaci together with the Gallo boys.

The second time he goes out on bail and he comes back in jail again, he didn't tell me but other members told me, he had pulled away from the Gallos.

Is that what you are referring to, Senator?

Senator JAVITS. I do not know all the details.

Mr. VALACHI. I will come to that pretty soon, not now. Maybe by tomorrow I will be in that subject, sir.

Senator JAVITS. I wanted you to identify your testimony here to have the beginning with the family which is now being testified to by Inspector Shanley. You have done that. I would just like to ask Inspector Shanley if there is anything he wishes to add in view of this explanation.

Mr. SHANLEY. No, sir.

The CHAIRMAN. Is there anything further?

Mr. ADLERMAN. In the caporegime of the Magliocco family and the underbosses, could you quickly cover who they are and briefly state their record?

The CHAIRMAN. Quickly if you can.

Mr. SHANLEY. Salvator Mussachio, known as "Sally the Shiek," he has 22 arrests and 1 conviction. He is related by marriage to the Maglioccos. He was in the fish business—claimed to be in the fish business. He also claimed to be a barber. He uses an automobile that is registered to a bakery. We have never been able to ascertain what his duties are in the bakery. He has arrests as a bookmaker at the track. He was a suspect in the slaying of two people in 1938. He has been in the company of Frank "Cheech" Livorsi and Chantz Segal. He had two tables at the Tacco-Profaci wedding.

His initial history would indicate he was in bootlegging. It does appear while under observation at the Magliocco's home and the Profaci house, he was arrested on May 6, 1963, for a gun. This

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 311

occurred when there was information that there might be some sort of a shooting in the area. The police had the place under observation. They observed that car which is registered to a bakery. They knew that Mussachio was using it. They went over there. They could see there was a gun on the floor of the car. They waited until he came back. He was arrested and he is awaiting trial on the gun.

Sebastiano Aloï, "Buster," he has 12 arrests and 3 convictions. He was arrested for guns and for murder. He is in gambling. He is the owner of, at least he is an owner of record, I believe, of the Duke Demolition, a firm that deals in tearing down buildings. He is the operator of a large policy bank. This is an interesting bank. He was recently arrested by the police. It is actually an office, the witness refers to it as an office.

We made a chart to find out how far the lower echelon would be away from a man like Aloï. We figured in order to reach Aloï, you would have to penetrate 13 levels to get to Aloï.

To get to the man who would talk to Aloï about his account in this policy operation, you would have to go through 12 levels. This is the difficulty in it.

When I speak of these men being in gambling, they are well removed from it and insulated in this instance by 13 or 14 levels.

Simone Andolino, he has three arrests, one conviction. He appears to be in policy also, gambling.

Salvatore Badalamenti, he has four arrests and three convictions. He was a partner in a trucking company in the garment area. He was also in a music company. He is close to Tony Bender and Vince Mauro now in jail. He is suspected of gambling and the garment area rackets.

Senator JAVITS. Before you leave that name, Inspector, what do you mean he was in a music company? This is something I have asked about before.

Mr. SHANLEY. He showed as a partner in the Caruso Music. They were record distributors.

Senator JAVITS. Do you know anything about that, Valachi?

Mr. VALACHI. No; I don't, Senator.

Senator JAVITS. Thank you.

The CHAIRMAN. Allright.

Mr. SHANLEY. Leo Carlino. He was born in 1897 in Italy. He has two arrests, one for gun. He is in the dress business, also in produce. He is a close associate of Joe Profaci, John Oddo, Anthony Carafola. He also is in shylocking.

Joe Colombo, also known as Joseph Lefore, he is a close associate of John Frances and Johnny Oddo. He has three arrests. He operates floating dice games.

John Franzese, he has used the name "John Collalo." He has 12 arrests, 2 convictions. He is suspected of being in gambling, shylocking, being strong arm, counterfeiting, extortion. This man is considered a very strong comer in this particular family, very aggressive. He has a crew around him which includes Freddie Nonnos, Deluca, Johnny Irish Matera, they are not mentioned on these charts but they are part of the group below the level of a soldier.

Nicholas Forlano is known as "Jiggs." He is also a very important personage in this particular operation. He is a notorious shylock.

312 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

He has been in gambling. He has eight arrests, three convictions. He did time for drugs. He is supposed to have holdings in Florida. He was associated with Carmine Forseco and Domishacks and Monreno in an assault 6 months later in the Copacabana. He is estimated to have almost a million dollars out in shylocking. The brains behind him, although he does not let them know, is considered to be a fellow named Ruby Stein. He is also associated with Billy Masca, William Shepherd, Mickey Weeka. These people are in gambling.

Johnny Oddo, "Johnny Bath Beach," he has 20 arrests, 7 convictions. Arrested twice for murder. He has a business of records, the Valloflocks in Brooklyn. He is in gambling and shylocking. He is currently under deportation order. He is closely associated with Joe Levote and Bonzera.

"The Chief," who is mentioned here, has 29 arrests, 3 convictions. He was born in 1897 in Italy. He is a close associate of Carmine Laclose, Joe Oddo. He is in bookmaking, loan sharking. In 1933 he was involved in a murder interrogation. He was questioned in the death of James Bianco in 1958.

Mr. ADLERMAN. Inspector, I don't want to get into the Gallo fight, the Gallo-Profaci fight at this time, we will probably cover that tomorrow. I just want to make note that in this chart the soldiers in there include "Kid Blast", Albert Gallo, Jr., "Crazy Joey," Joe Gallo and Lawrence "Larry" Gallo.

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. You are familiar with their rackets, are you not?

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. Forlano is also involved in this Gallo war, is that right?

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. The others, of course, all are?

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. We can probably get into that tomorrow. I would like now to go into the Bonanno family.

Senator JAVITS. Before we go into that, can we clear up something about Utica with the witness Valachi?

He mentioned two names. I would like to be sure that they are correct because it is most important that identities be very clear.

According to my assistant here, you mentioned the names of Salvatore Falcone, is that right? Will you give us the other name you mentioned?

Mr. VALACHI. Senator, all I know is Damiani.

Senator JAVITS. Can you spell that for us?

Mr. VALACHI. No, I can't.

Senator JAVITS. D-a-m-i-a-n-i?

Mr. VALACHI. That sounds right. Damiani. That is the way it is expressed in Italian.

Senator JAVITS. What does it mean in Italian?

Mr. VALACHI. That is his name in Italian.

Senator JAVITS. But no other name?

Mr. VALACHI. That is the way I met him.

Senator JAVITS. Falcone and Damiani?

Mr. VALACHI. Right.

Senator JAVITS. You are sure about Falcone?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 313

Mr. VALACHI. Yes.

Senator JAVITS. And you are sure about Damiani?

Mr. VALACHI. They called him Tontera. That means Salvatore in Italian.

The CHAIRMAN. Is there anything further on this family?

We have one more family to cover. Let us see if we can cover it rather expeditiously.

Mr. ADLERMAN. This family chart, was prepared in the same manner, the same form on the basis of the same manner in which the other charts were prepared?

Mr. SHANLEY. Yes, sir.

Mr. ADLERMAN. Will you proceed, then to describe the activity of Joe Bonanno nad the lieutenants of the family? (Chart E.)

(151)

Mr. SHANLEY. The overall arrests in this group amounts to 11. This comes out to an average of five per man. One out of every four has been arrested for homicide, one out of every two for dangerous weapons, one out of three for narcotics, one out of seven for gambling, one out of two for assault.

The top man has 13 arrests. The low man has one arrest.

The CHAIRMAN. I believe there are 21 on the chart, is that right?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Twenty-one names?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Of those Valachi has identified 17 and 4 he has failed to identify, is that correct?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Proceed.

Mr. SHANLEY. Joe Bonanno was born in Italy in 1905. He currently has an address in Tucson, Ariz. He was vice president of the Hilltop Hotel in Fort Lee. He is alleged to own a parking lot in Tucson. He started out in the early years in 1933-34. He was part owner of an undertaking shop.

In 1934, he was the vice president of the Brunswick Laundry. In 1937, he was a partner in the Morgan Coke Co.

The other partner, Philip Rapper, was DOA in the gutter in Brooklyn with a scalp wound.

In 1940-42, he was in the B. & D. Coke Co.

In 1952 and 1953 he went into Colorado Cheese in Arizona.

He was a suspect in the Carol Fresco homicide with Frank Galante and Larry Folme.

He entered the country illegally in Florida from Cuba in 1924. He left the country in 1938 to legalize his entry.

In 1935, he made petition for citizenship. He has been described as a member of the hierarchy of the underworld.

In 1924, he resided with Pietre Bonventre. Bonventre was described as a member of the underworld at that time.

In 1952, he was questioned about the Mangano murder and disappearance of the other man, Gano.

In 1950, we had an arrest of a man named Adomo in California. They found on the person of this man an address book containing the names of Joe Bananas, Tony Accardi, Murphy Humphries, Charles Shavelle, Profaci, and others.

(151) Fra le pagine 312-313 del documento originale è inserita una carta che — contrassegnata con la lettera I — è pubblicata, insieme alle altre carte, nella Parte Terza del presente tomo. (N.d.r.)

314 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. Those people are located in Tampa and in Chicago, is that right?

Mr. SHANLEY. I believe Blackwell Tucco is in Detroit.

The Colorado Cheese Co. was investigated for fraud against the Government in 1953.

Mr. ADLERMAN. Could you take the under bosses and the consiglieri?

Mr. SHANLEY. Carmine Galante was born in the United States in 1912. He has eight arrests, two for homicide.

He was very strong in the gambling syndicate in Canada. They had an American operation up there.

Galante was supposed to make policy there. He was connected in this particular operation with the Reed Cortner combine. He was proprietor of the Bonfine Restaurants in Montreal at that time. They had jukebox interests. He also was in vending.

He was arrested—at the age of 20 he was arrested as a result of a gunfight following a stickup in which a patrolman was killed.

Four months later, police interrupted another stickup under the same circumstances, and this time another gunfight ensued. One of the officers was shot but Galante was apprehended. He got 12 years for that.

He was a fugitive after the indictment of Vito Genovese and 35 others. He was found hiding out in Barnegat Bay. He is currently in jail for violation of the narcotics laws.

Joseph Notaro, "Little Joe," has two arrests, one for transporting stolen property. He is an associate of Carmine Galante, Mike Angelina. He is in gambling, criminally receiving, and alcohol. Mike Angelina is deceased. He was considered to run a message center in a jewelry shop he had.

James Colletti, alias "Black Jim," is in criminal receiving and alcohol tax. He is a Colorado representative.

Mike Consolo, "Michael Bruno," is suspected of being active in narcotics. He was suspected, also, of being a courier to Canada in connection with narcotics.

Nicholas Marangello, also known as "Eye Glasses"—he frequently drove Joe Bonanno. Michael Sabella, he is suspected of being in narcotics. We have two from Rochester here, the two Valentes, Frank and Costenze.

Senator JAVITS. I would like to ask him a question about those last two, if I may, Mr. Chairman, at the proper time.

The CHAIRMAN. You might ask him now.

Senator JAVITS. Can I have Valachi's attention?

You identified Costenze and Frank Valenti. They are both in Rochester. You said you had not been to Rochester. Will you tell us how you made that identification?

Mr. VALACHI. I don't know the difference between Rochester and Buffalo. I call Rochester "Buffalo." To me it is the same. I know that Rochester is right next to Buffalo.

Senator JAVITS. Do you know these two Valentes?

Mr. VALACHI. Tom Valente?

Senator JAVITS. Frank Valente and Costenze Valente. You identified them both as being members of the Bonanno family.

Mr. VALACHI. I met them one time or another. This is some of these are identified. If you know anything about them, I would not

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 315

know anything like I met the under boss when I was in Canada in 1960.

Senator JAVITS. Who was the under boss?

Mr. VALACHI. He has a big name. He is a short fellow. I would have to see the name to remember.

Senator JAVITS. The one underboss there is named Galente.

Mr. ADLERMAN. Carmine Galente.

Mr. VALACHI. Are you talking about Buffalo or New York?

Senator JAVITS. I am talking about the Bonanno family. Do you know whom you met the two Valentines with in Rochester?

Mr. VALACHI. I am pretty sure it was through Albert Agueci.

Senator JAVITS. That is all you know, you met them and they were a member of this family?

Mr. VALACHI. That is right.

Senator JAVITS. Tell us one other thing. Do you know anything about Bonanno's relationship to the Carlo Tresca killing?

Mr. VALACHI. I don't, Senator.

Senator JAVITS. Do you know anything about that killing at all?

Mr. VALACHI. I don't.

Senator JAVITS. I note that there is considerable talk about narcotics here. One out of three, for example, the inspector said, was charged with narcotics violations. As far as you know among these, the narcotics end of this racket, was that as dealers or users or in what capacity were these people involved in narcotics?

Mr. VALACHI. Senator, it would always be as dealer, never as user.

Senator JAVITS. Always a dealer?

Mr. VALACHI. Yes.

Senator JAVITS. Always at a top level with other people?

Mr. VALACHI. A man in between but never a user.

Senator JAVITS. You used the expression a while ago, when you were "on the streets," do you remember using that expression?

Mr. VALACHI. When I was on the streets?

Senator JAVITS. You used that expression?

Mr. VALACHI. Yes, sir.

Senator JAVITS. To what extent did you use the telephone in your business?

Mr. VALACHI. What kind of business, Senator?

Senator JAVITS. In the particular enterprise you were engaged in, shylocking, various other enterprises you were engaged in, gambling, et cetera.

Mr. VALACHI. Quite often, Senator, abbreviated all the time the best way we can.

Senator JAVITS. In other words, there was some code with the other partner?

Mr. VALACHI. Yes.

Senator JAVITS. You used the telephone often?

Mr. VALACHI. Quite often.

Senator JAVITS. Were you worried about the wires being tapped?

Mr. VALACHI. We had a way of checking.

Senator JAVITS. What way did you have to check?

Mr. VALACHI. We had somebody that knows somebody check. I give my number to somebody and somebody would have a check. I would

316 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

not even know he was getting it checked by. He would tell me, "Your phone is OK," or "You had a tap for 40 days," or in that way.

Senator JAVITS. So that you would be very aware of taps?

Mr. VALACHI. As I say, we would talk in abbreviation. You can never make out what we were talking about.

Senator JAVITS. You would also be very much aware that the wire could be tapped at times?

Mr. VALACHI. Sometimes yes, and sometimes no.

Senator JAVITS. Well, do you know of any times—

Mr. VALACHI. Most of the time there was no tap.

Senator JAVITS. But you took precautions against tapping?

Mr. VALACHI. Always did.

Senator JAVITS. Both in what you said and in trying to find out whether the wires were tapped?

Mr. VALACHI. Right.

Senator JAVITS. Thank you very much.

The CHAIRMAN. Anything further on this man?

Mr. ADLERMAN. No. I would like to have Inspector Shanley offer into the record the police records on, I think the Genovese chart.

The CHAIRMAN. You put them in on the Genovese family, I believe. We have none on the others.

Will you submit the police records of the other families?

Mr. SHANLEY. Yes, sir.

The CHAIRMAN. Mrs. Clerk, let them be identified as exhibit Nos. 13 A, B, C, D, so as to identify them with the particular family.

They will be received and so marked for identification for reference only.

(Documents were marked "Exhibit Nos. 13 A, B, C, D, and E" for reference and may be found in the files of the subcommittee.)

Mr. ADLERMAN. I would like to offer the FBI records through Mr. Donald O'Donnell.

The CHAIRMAN. You do solemnly swear that the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. O'DONNELL. I do.

The CHAIRMAN. State your name and identify yourself with respect to this committee.

TESTIMONY OF DONALD F. O'DONNELL

Mr. O'DONNELL. Donald F. O'Donnell, chief counsel, for this subcommittee.

The CHAIRMAN. Have you the FBI records of those who have been identified as members of these different families?

Mr. O'DONNELL. Senator, I have most of the FBI records that have been furnished to the subcommittee upon specific request by us.

The CHAIRMAN. By the FBI?

Mr. O'DONNELL. That is correct.

The CHAIRMAN. You have those records here?

Mr. O'DONNELL. I do.

The CHAIRMAN. Do you have them separated as to families?

Mr. O'DONNELL. I have them separated as to families as has been testified to and on the Genovese family we have 124 FBI records of the 143 on the chart.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 317

Of the Lucchese family, we have 43 records of the 47 who are on the chart.

Of the Gambino family, we have 69 records of the 80 who are on the chart.

Of the Magliocco family, we have 32 of the 37 on the chart.

Of the Bonanno family, we have 16 of the 21 who are on the chart.

The CHAIRMAN. Let these be received and be made exhibit No. 14 for reference, and identified as 14A, 14B, 14C, 14D, and so on, so that they will relate to the charts.

(Documents referred to were marked "Exhibit Nos. 14A, 14B, 14C, 14D, 14E" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. Is there anything further? If not, that will conclude our testimony for today but Senator Mundt wishes to make a statement.

Senator MUNDT. First, I have a question, then I will make a statement.

The percentages of the members of this family, all five families, who have been involved in the narcotics racket, because primarily and basically the main thrust of these hearings is in the field of narcotics—one out of two of the Genovese family have been in the narcotics business, one out of three in the Gambino family, and these are the people who have been arrested, there probably have been more. Three out of five of the Lucchese family have been arrested for narcotics. One out of three of the Profaci family, and one out of three of the Bonanno family.

Now, you have told us that the big bosses are always a little bit reluctant about having these families get into the narcotics business because they had some kind of dread or fear that they might be picked up, get a pretty severe sentence. It would indicate that the fact so many did—there was quite an army of narcotics racketeers—the fact that so many did go in must indicate that it was in this field that they could make the biggest profit if they got by with it. Is that correct?

Mr. VALACHI. That is right.

Senator MUNDT. The appeal was there?

Mr. VALACHI. Yes, sir.

Senator MUNDT. Now, Mr. Chairman, as to the statement, I have a telegram here from the president of the United Italian-American League of New York.

The CHAIRMAN. Very well, the telegram will be read and received as a statement, not as evidence.

Senator MUNDT. This grew out of some complaints in some areas that the hearings were casting reflections upon Americans of Italian ancestry. This telegram is signed by the New York County assistant district attorney, formerly New York County assistant district attorney, and president of the New York City Tax Division, Paul P. Rao, Jr.

DEAR SENATOR: I thought that you and the other Senators on the subcommittee should be informed of our league's statement prior to its release to the press. A copy of this statement is being sent by mail to you.

New York City Tax Commissioner Paul P. Rao, Jr., former New York County assistant district attorney, issued a statement following special meeting of the executive committee of the United Italian-American League, Inc., of which he is the national president. Commissioner Rao stated, "We regret that there have

318 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

been some who have irresponsibly accused the Justice Department and the U.S. Senate subcommittee of maintaining a political smear against Italo-Americans." "This attitude," he said, "presumptuously questions the intention and integrity of the Senators of the committee, both Democrats and Republicans alike, as well as recklessly shows distrust of our legislative system."

Commissioner Rao asserted, "They who consider an exposé of racketeers dealing in narcotics, illegal, gambling, prostitution, and murder, as being ethnically prejudicial, are either arguing illogically or are selfishly being motivated by their desire for personal publicity." He added, "We should not peremptorily dismiss the functions of the committee with diversionary cries of persecution and thereby mislead the millions of decent Americans of Italian origin who sincerely feel a personal obligation over the recent revelations, because of the coincidence of racial identification."

Commissioner Rao referred to the "enormous cultural contribution of Italy, from ancient Rome to the giants of the Renaissance, as well as the individual accomplishments of countless Italo-Americans in all fields of endeavor." "We welcome," he observed, "the efforts of the committee to eliminate gangsterism, especially when involving individuals of Italian extraction." He noted, "The public, however, fully realizes that other notorious names in the annals of the underworld clearly indicate that no ethnic group has a monopoly on crime."

Commissioner Rao asked, "How can we eliminate criminal elements from our society if we are unenlightened as to their evil activities?" He remarked, "As a prosecutor I learned that full disclosure deprives the underworld of two of their greatest assets, individual anonymity and collective secrecy." Rao emphasizes, "that the intent and effect of these hearings are obviously to be distinguished from the TV programs and movies which create stereotypes of Italo-Americans as criminals."

Commissioner Rao concluded, "These hearings are rendering the valuable public service of demonstrating the need for new legislation to facilitate Federal and local prosecution."

Respectfully, Commissioner Paul P. Rao, Jr., Oxford 52285, 33 West 42d Street, New York City.

As a member of the committee, I wanted to commend the Commissioner for his constructive and patriotic statement.

The CHAIRMAN. Very good.

Any further statement? If not, the committee will stand in recess until 10:30 in the morning.

(Members of the subcommittee present at the time of the recess were Senators McClellan and Mundt.)

(Whereupon, at 4:40 p.m., the subcommittee recessed to reconvene at 10:30 a.m., Wednesday, October 9, 1963.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

WEDNESDAY, OCTOBER 9, 1963

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:35 a.m., in the caucus room, Old Senate Office Building, pursuant to Senate Resolution 17, agreed to March 14, 1963, Senator John L. McClellan (chairman of the subcommittee) presiding.

Present: Senator John L. McClellan, Democrat, of Arkansas; Senator Henry M. Jackson, Democrat, of Washington; Senator Edmund S. Muskie, Democrat, of Maine; Senator Thomas J. McIntyre, Democrat, of New Hampshire; Senator Karl E. Mundt, Republican, of South Dakota; Senator Carl T. Curtis, Republican, of Nebraska; Senator Jacob K. Javits, Republican, of New York.

Also present: Jerome S. Adlerman, general counsel; Donald F. O'Donnell, chief counsel; Philip W. Morgan, chief counsel to the minority; LaVern J. Duffy, assistant counsel; Paul E. Kamerick, assistant counsel; Harold Ranstad, assistant counsel; Arthur G. Kaplan, assistant counsel; Alphonse Calabrese, investigator; Eugene J. Marshall, Bureau of Narcotics; Martin Pera, Bureau of Narcotics; Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will come to order.

(Members of the subcommittee present at time of convening: Senators McClellan, Muskie, and Javits.)

The CHAIRMAN. Mr. Counsel, you may proceed.

TESTIMONY OF JOSEPH VALACHI—Resumed

Mr. ADLERMAN. Mr. Valachi, there had been considerable dealing in narcotics among the members of the five families, or the Cosa Nostra?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. And it reached a point where the heat of the narcotics prosecutions, and the investigations and the publicity, caused a rule to be laid down by Frank Costello while he was boss of one of the families?

Mr. VALACHI. Yes, sir; in 1948.

Mr. ADLERMAN. What was the rule that he laid down?

Mr. VALACHI. No narcotics. You are in serious trouble if you were arrested for narcotics. You had to prove to them—you have another trial after having a trial with the Government.

Mr. ADLERMAN. You would have a trial by the Cosa Nostra or the

320 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

family. Now, this related to Frank Costello's rule, and that was what is now the Genovese family at that time, the Luciano or Costello family.

Mr. VALACHI. In 1948; yes, sir.

Mr. ADLERMAN. Now, did this apply to the other families at that time?

Mr. VALACHI. No, it did not.

Mr. ADLERMAN. Now, did there come a time when the other families laid down the rule?

Mr. VALACHI. After Anastasia died in 1957, all families were notified—no narcotics.

Mr. ADLERMAN. Who laid down that rule?

Mr. VALACHI. That was a rule that was discussed by the bosses themselves.

Mr. ADLERMAN. Was that the consigliere and the bosses themselves made that rule?

Mr. VALACHI. That is right; that covered all families.

Mr. ADLERMAN. Was the narcotics one of the principal money-makers for the members of the Cosa Nostra?

Mr. VALACHI. Yes, it was.

Mr. ADLERMAN. And was this rule disregarded to a large extent?

Mr. VALACHI. You mean there were lots of people in business?

Mr. ADLERMAN. That is right.

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. Did even some of the bosses violate the rule?

Mr. VALACHI. Well certainly, especially Albert Anastasia.

Mr. ADLERMAN. And how about some of the bosses? Did they get the profits of the narcotic trade even though they, themselves, may not have been involved directly?

Mr. VALACHI. Well, they were involved with their soldiers.

Mr. ADLERMAN. In other words, they entered into an arrangement, the soldiers would handle the narcotics, and make the purchases, and have the deal, and they would get the profits?

Mr. VALACHI. That is right.

Mr. ADLERMAN. Who were some of the bosses that were involved in that?

Mr. VALACHI. Vito Genovese and Albert Anastasia, as far as I know.

Mr. ADLERMAN. What was the reason why the members, the soldiers and so forth, and even some of the bosses, disregarded the rule?

Mr. VALACHI. Because of the moneymaking, the profit in it.

Mr. ADLERMAN. There was big money?

Mr. VALACHI. They would chance their own lives.

Mr. ADLERMAN. And there was a conflict between the desire to make money and the desire to obey the rules; is that right?

Mr. VALACHI. Well, they just defied the rules.

Mr. ADLERMAN. They defied the rules?

Mr. VALACHI. That is the way I can explain it that way.

Mr. ADLERMAN. Now, do you know what happened in Chicago?

Mr. VALACHI. Yes, sir; I do.

Mr. ADLERMAN. What happened in Chicago?

Mr. VALACHI. They had made a rule around that same time, but they gave their soldiers \$200 a week to stop selling narcotics, and that is what the soldiers in New York were mumbling about. At least in Chicago they gave you \$200 a week; over here they wanted you

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 321

to stop. That is the attitude the soldiers in New York took at that time.

Mr. ADLERMAN. In other words, if they had subsidized the soldiers in New York, and given them \$200 a week, they would have stopped the traffic?

Mr. VALACHI. They would have accomplished something like Chicago did.

Mr. ADLERMAN. But in Chicago they do pay them \$200 a week to keep them out of the traffic?

Mr. VALACHI. While I was in jail I heard that they raised it to \$250.

Senator MUSKIE. May I ask a question there?

Now, as I understand your testimony yesterday or the day before, there were 2,000 to 2,500 members of Cosa Nostra in New York; is that right?

Mr. VALACHI. That is right.

Senator MUSKIE. Do you have any knowledge as to whether the membership in Chicago is similar in size?

Mr. VALACHI. No. I say in Chicago, I estimated to the best of my knowledge about 150.

Senator MUSKIE. About 150?

Mr. VALACHI. Yes, sir.

Senator MUSKIE. So the \$200 a week, then——

Mr. VALACHI. Senator, that wasn't for all of the soldiers, Senator. That was for the ones who were dealing in narcotics, and they knew who was dealing in narcotics. I didn't mean to say it was for all of the members. They knew who was dealing before they made the law. Among themselves they knew.

Senator MUSKIE. Well, how did they decide which members should get paid and which members should not?

Mr. VALACHI. Because the ones that were dealing in it were told to stop.

Senator MUSKIE. But if this were to be applied to New York, for example, as I understand it, the rule that was imposed by Mr. Costello in 1948 affected only the Vito Genovese family.

Mr. VALACHI. At that time; yes, sir.

Senator MUSKIE. How many members of that family were there at the time?

Mr. VALACHI. About 450.

Senator MUSKIE. So that before that time, had all soldiers been involved in the narcotics traffic?

Mr. VALACHI. Oh, no; I didn't say all of the soldiers.

Senator MUSKIE. How many of them were?

Mr. VALACHI. Well, I can't estimate, but I would say there were no more than about 75 tops, maybe 100.

Senator MUSKIE. And they felt that they ought to get reimbursed as the Chicago soldiers were?

Mr. VALACHI. Well, naturally, once they heard Chicago was doing it that way, how was a soldier going to feel? It was a natural reaction. After all, they do collect about \$11,000 a month from the dues.

Senator MUSKIE. If the soldiers who had previously dealt in narcotics had been paid, how would the other soldiers have felt about it?

322 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Well——

Senator MUSKIE. Wouldn't they have been tempted to get in the narcotics racket?

Mr. VALACHI. I don't think Chicago had any trouble at all. I don't think that they tried any phoney business. They are pretty honorable. You know, you can't lie to these people, Senator. You can't go over there and declare yourself you are doing something that they know you are not doing. As I say, they knew who was operating, and they knew who was not.

Senator MUSKIE. Now, let us get back to New York. The other four families did not adopt the rule at the same time?

Mr. VALACHI. No, they did not.

Senator MUSKIE. How long before they adopted the rule?

Mr. VALACHI. In 1957, Albert Anastasia—nobody could talk to him.

Senator MUSKIE. How did the soldiers in the Genovese family feel about the fact that the other families could deal in narcotics?

Mr. VALACHI. We felt like they were making all of the money. Yes, sir; I am giving you the reaction as we took it from the street.

Senator MUSKIE. And you didn't like that?

Mr. VALACHI. Well, naturally we didn't like it.

Senator MUSKIE. If the Chicago practice had been adopted in New York, what would have been the source of money to pay the soldiers as much as \$200 a week?

Mr. VALACHI. If I am on the right question that you asked me, I was told, and this is from reliable sources, that Chicago was taxing some certain businesses that they have in Chicago, and I wouldn't know just which businesses, and that helped to pay these members to keep them out of the narcotics. Now, if they were caught after getting that kind of payment, there was no chance at all for them. They would pay with their lives.

Now, up to the time when I left the street, I heard a couple were caught, and taken care of, Senator. I could tell you what I know from my experience.

Senator MUSKIE. When you say "a couple were caught," you mean in Chicago?

Mr. VALACHI. Yes, even after that \$250 or \$200 was issued, a few were caught, and they paid with their lives. Now, I could tell you what circulated between us, Senator. That is all I can tell you.

Senator MUSKIE. In the Genovese family, what was the penalty for breaking the rule?

Mr. VALACHI. Well, the Genovese family was the same penalty. If you were caught and they had the evidence on you, you were dead. For instance, like Joe DeMaca, that was the main reason why he was eliminated.

The CHAIRMAN. Who?

Mr. VALACHI. Joe DeMaca.

Senator MUSKIE. He paid the penalty for violating the narcotics rule?

Mr. VALACHI. As far as I know, that is the only one I know of.

Senator MUSKIE. Do you know whether the rule is still in effect?

Mr. VALACHI. Up to the time I left Atlanta, yes, sir; it is still in effect.

Senator MUSKIE. Is it observed?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 323

Mr. VALACHI. Is it what?

Senator MUSKIE. Is it carried out?

Mr. VALACHI. Is it carried out? Well, it is supposed to be carried out, but there is always somebody sneaking.

Senator MUSKIE. But the penalty hasn't been imposed, or applied, to anybody else?

Mr. VALACHI. Most of them are in jail themselves, and I don't know really what is going on anymore now. There are so many indictments, everything is upside down nowadays.

Senator MUSKIE. You broke the rule, didn't you? That is why you went—this is why you brought all of this trouble down on your head?

Mr. VALACHI. That is right.

Senator MUSKIE. Others were breaking the rule at the same time?

Mr. VALACHI. That is right.

Senator MUSKIE. With respect to this one rule, the family wasn't very effective in imposing discipline, was it?

Mr. VALACHI. That is right. No.

Senator JAVITS. Would the Senator yield for one question arising out of his questions? I have others that I want to ask a little later in the morning, but you spoke, Mr. Valachi, of \$11,000 in dues. That is the first time I have heard that and perhaps you have testified to it before.

Mr. VALACHI. That applies to the \$25 a month.

Senator JAVITS. Which who pays?

Mr. VALACHI. The soldiers, and everybody else.

Senator JAVITS. In the Genovese family?

Mr. VALACHI. That is my family.

Senator JAVITS. And you pay \$25 a month, too?

Mr. VALACHI. Up to 1959.

Senator JAVITS. Who was it paid to?

Mr. VALACHI. My lieutenant.

Senator JAVITS. What was that?

Mr. VALACHI. Tony Bender.

Senator JAVITS. As far as you know, everybody paid \$25 a month as dues?

Mr. VALACHI. I know positively.

(At this point Senator Mundt entered the hearing room.)

Senator JAVITS. Thank you very much.

The CHAIRMAN. Proceed.

Mr. ADLERMAN. When Genovese came back in 1946, he came back to stand trial; is that right?

Mr. VALACHI. Yes, he stood trial for that murder.

Mr. ADLERMAN. He was released. I think we went over that testimony before, and he was arrested after the witness La Tempa died; is that right?

Mr. VALACHI. You mean Peter La Tempa. I don't remember just how long it was, but I don't remember any trial, Mr. Adlerman. I don't remember any trial at all. It was just dismissed.

Mr. ADLERMAN. Well, now, when he came back, he had been underboss, hadn't he?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. Before that?

Mr. VALACHI. Yes, sir.

324 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. Costello was then boss of the family?

Mr. VALACHI. Yes, the boss.

Mr. ADLERMAN. And did he find when he came back that the men that he had been associated with on the lower level were not doing well financially, and that the big bosses were doing well?

Mr. VALACHI. Well, when he came back, he was mumbling and grumbling and he was giving hell to Tony Bender, as "You allow these people to sew up everything and tie up everything," but Tony told him, well, he told him to take the worst of things, so that is what I have been doing. Well, he said, "I didn't tell you to get chased out of Duke's." In other words, they hang out at that time in Palisades, across the way from Palisades Park, a restaurant called Duke's, and that is where Willie Moretti hung out and where they all used to hang out. The only time I went there was when I was put on the carpet.

I would meet up to 100 members and there was a restaurant downstairs and there was a room upstairs, and another room upstairs.

Mr. ADLERMAN. At that point, did Genovese feel that Moretti was blocking his rise to power?

Mr. VALACHI. Yes, he felt that Moretti, Albert, and Frank—and I don't remember whether Joe Adonis was included in this, but he felt that they had everything sewed up.

Mr. ADLERMAN. Did he advocate or did he have anything to do to agitate the murder of Moretti?

Mr. VALACHI. Yes, I would say around about 1949, in around that time, we, us, you see us boys in the village actually belonged with Vito Genovese. In other words, what I want to explain to you, if Vito Genovese had any trouble, he depended on Tony Bender and his crew, which is us. Second, Mike Miranda, and third, Richy Nowak. That was his stronghold. Willie Moretti had lots of men, about 40 or 50 men in Jersey, throughout Jersey. Some of them were members and some of them were not, but they still were with Willie Moretti. He was like independent, and he had his own little army, and we expressed it that way, the way we thought.

Rumors started getting around between us that Vito is sore, and there is no money, and the agitating about Willie losing his mind, with syphilitic, but remember that he also lost his mind some years before that, and it even came out on the Kefauver committee. Costello was asked about it, and Costello explained how they took care of Willie Moretti, at the time before. But now they are talking about hitting him. That is about 2 years before the talk like that was getting around, only in our regime, our group.

Mr. ADLERMAN. If I understand you correctly, he became talkative?

Mr. VALACHI. Only to Tony Bender, and his close ones. In other words, it was between us. One time he was known to say, "What are we, men or mouse?" and in that line, you see, and well, it finally happened around 1951 that Willie Moretti was killed and they expressed it that he was a stick man, and once Vito even told us, and he said, "Lord have mercy on his soul," and he said he has lost his mind, and that is the way that life is. "If tomorrow I go wrong, I want you to hit me in the head, too," he said. You know, like he was making us understand that he was hit because he was not well. But naturally I formed by own conclusions.

Mr. ADLERMAN. Who do you think ordered the killing?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 325

Mr. VALACHI. Well, in that case, with Willie Moretti, as long as they made it official that he was sick, that you could say was by "commissione." It means they all agreed.

Mr. ADLERMAN. In other words, this was a rule that came from above?

Mr. VALACHI. That is right.

Mr. ADLERMAN. And they all agreed that he should be killed?

Mr. VALACHI. Yes, sir; for instance, the funeral itself came from it. He had lots and lots of automobiles, with flowers, and usually when a boss like Anastasia or even Moranzano, they were deserted, but Willie was not deserted, because it was sort of, as we put it, he was supposed to be a mercy killing because he was sick, and he was supposed to be talking, and he was going to go to radio, and all of that kind of talk got around.

Mr. ADLERMAN. Now who was assigned to do his killing, do you know?

Mr. VALACHI. Well, the way I understand, the way I understand it was like, it wasn't a special anybody assigned, whoever by coincidence, for instance, like the meeting that they had that morning, and not in Duke's Restaurant, about seven stories away from Duke's Restaurant, and I don't remember the name of the restaurant.

For instance, it was an honest appointment that they had with him, and not planned, and whoever would have a chance would have to speak to Willie one time or another. Of course, you know, they take their time, and they are not going to worry about this week or next week.

It happened to be, now Johnny Roberts and some other people which I don't know, happened to have an appointment with Willie early in the morning, in and around 1951, and I don't remember the date. And I would tell you how I knew this: I was in my place in the Lido at the time, on this particular day, and I got this news from the radio, and when I got the news through the radio, I was in some apartment. And I quickly went downstairs and called up Tony, my lieutenant, and he told me, "Go about your business." In other words, I wanted to find out if there was any trouble.

So now, that night I wasn't in my restaurant, and when I got to my restaurant that particular night, I was told that Johnny Roberts was there and he waited a couple of hours for me, and then he was there to celebrate. I understood what that meant, and he left word by the waiter.

Well, the next time I saw Johnny would be maybe a few months later, and by this time Johnny was arrested. There was a couple of hats left in the restaurant, and naturally I ain't going to talk to Johnny in plain English, or in plain talk, and I got to curb a little. I didn't want to put him on the spot and he ain't supposed to tell me nothing. So I asked him how did he stand with the hats, because I read they were talking about the hat fits this one and the hat fits that one, and he said, "Don't worry about it, it ain't my hat, and it belonged to the other guys."

I said, "I am sorry I missed you up at the restaurant," and he said, "Yes," he came up there to celebrate because he knew that Willie and I never got along.

326 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. Did you understand from the nature of your conversation with Roberts or Robilotto that he was the one that did the killing?

Mr. VALACHI. He was one of them.

Mr. ADLERMAN. One of them that did it?

Mr. VALACHI. Yes.

Mr. ADLERMAN. You were a partner of Robilotto for a while?

Mr. VALACHI. I was partners with Johnny Roberts a few years before that. I don't remember the year. And we were shylocking together, which I mentioned here yesterday, and one time Johnny gave me a hint, and he said Tony was asking him questions, meaning my lieutenant, and Johnny Roberts at this time was not a member, and so it must have been quite a few years before that. And then I told Johnny, "Well, look, if Tony is asking you questions, and you are thinking of giving him some part of interest of this business, you talk for yourself, because I don't want to give anybody any part of this business." I mean I am talking about the shylocking business.

The next thing I know is that Tony Bender sent for me in Duke's Restaurant and told me to collect all of the money, that the partnership was going to be broken up. So I did. And I broke up that. I would rather break it up than give him any money, in plain English.

Mr. ADLERMAN. Let me ask you this. You referred to the fact that Moretti had a group of men over him in New York, some who were members and some not members.

Mr. VALACHI. Yes, all through the years.

Mr. ADLERMAN. Do you know some of the principal names? Was Frank Majuri one of them?

Mr. VALACHI. You see, lots of these people I know by looking at them. But, actually, calling the names off that way, I would have to look at their pictures. Like Peter LaPlaca, himself, I was not too sure when I met him in Atlanta how often I met him in Atlanta, how often I met him. He told me sometimes I met him. I only used to shake hands with him.

Mr. ADLERMAN. Did you know Nick Delmore?

Mr. VALACHI. I remember the name. I can't say seriously.

Mr. ADLERMAN. Do you know any of the members in the New Jersey family?

Mr. VALACHI. Yes; the members I knew weren't affiliated with Willie Moretti. Like the Richie group, that kind of boys. All the years it has been known about.

Do you know what they used to call Willie Moretti in the 1920's? They used to call him "Chick" Meyers. He is also the one who straightened out the Irish trouble.

Mr. ADLERMAN. Let me ask you this: This Diamond Richie you are talking about, that is Richard Boiardi?

Mr. VALACHI. Yes, he has a son named Sonny Boy, Richard Boiardi.

Mr. ADLERMAN. Did he take over most of the members of the Moretti group?

Mr. VALACHI. Yes, most of them went that way.

Mr. ADLERMAN. They are in what you call the Boiardi group now?

Mr. VALACHI. Yes.

Mr. ADLERMAN. A little earlier, a couple of days ago, you testified about two killings that happened over in New Jersey, one was Monaco.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 327

Mr. VALACHI. Yes, that was during the war of the thirties.

Mr. ADLERMAN. Yes. The other one was Don Steven.

Mr. VALACHI. No, Don Steven was not killed in the thirties. He was only killed about—in fact, I don't know where I was, West Street or Atlanta, I don't know where I was when I read about him. He was killed at the age of 71 years old in back of a candy store, that is all I know. He was stabbed to death.

Mr. ADLERMAN. I would like to call the assistant attorney general of New Jersey. Mr. Bergin, please.

The CHAIRMAN. Will you gentlemen be sworn, please?

Do each of you solemnly swear the evidence you will give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth?

Mr. BERGIN. I do.

Mr. FITZSIMMONS. I do.

TESTIMONY OF JOHN J. BERGIN, JOHN A. FITZSIMMONS AND
JOSEPH VALACHI—Resumed

The CHAIRMAN. Will you identify yourself for the record?

Mr. BERGIN. My name is John J. Bergin, assistant attorney general, director of criminal investigations, New Jersey.

The CHAIRMAN. The other gentleman, will you identify yourself?

Mr. FITZSIMMONS. John A. Fitzsimmons, captain, New Jersey State Police, Trenton, N.J.

The CHAIRMAN. Proceed.

Mr. ADLERMAN. I would like to direct my questions to Mr. Bergin and, in the event you need some help, maybe Captain Fitzsimmons can help you.

You were a prosecutor in Bergen County?

Mr. BERGIN. Passaic County.

Mr. ADLERMAN. You are now assistant attorney general in the State of New Jersey?

Mr. BERGIN. That is correct, sir.

Mr. ADLERMAN. You have some familiarity with the people that we have been discussing, the Cosa Nostra?

Mr. BERGIN. Yes, sir.

Mr. ADLERMAN. As it affects New Jersey?

Mr. BERGIN. I do.

Mr. ADLERMAN. Could you describe in general what the situation is in Jersey as it is affected by the organized crime groups?

Mr. BERGIN. New Jersey is sort of a corridor State between Philadelphia and New York City. As a consequence, not only members of the groups listed on the chart here but business executives from New York and Philadelphia make New Jersey a bedroom State. As a consequence, I think there are some 37 members who are listed on your charts here, including Vito Genovese, Gerardo Catena, some of the higher echelon, have been at one time or another residents or connected with the State of New Jersey.

Many of them do no business in the State of New Jersey. They live there. They live what appears to be an exemplary life. They live in these small communities. Many of these names, some 15 of them, are people whom we are familiar with as actually operating in the State of New Jersey.

328 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. May I ask you, Mr. Bergin, many of the names that appear on these charts and that have been referred to here in testimony, in your official capacity are you acquainted with them as known hoodlums or law violators?

Mr. BERGIN. That is correct, sir.

The CHAIRMAN. Very well. Proceed.

Mr. ADLERMAN. Can you identify those which are members of the Cosa Nostra or can you just identify them generally as members of an organized crime group?

Mr. BERGIN. Well, I can identify these people who have been associated with New Jersey and from our information have been identified with an organized crime group.

Mr. ADLERMAN. Could you name them?

Mr. BERGIN. Yes, sir. Vito Genovese, Monmouth County, N.J.

Thomas Eboli, Bergen County; Anthony Catena, Essex County; Joseph Doto, also known as Joe Adonis, Bergen County; Richard Boiardi, Essex County; the late Willie Moretti, Bergen County; John DeNoia, Bergen County; Settimo Accardi, Essex County; Francesco Eucola, also known as Frank Casino, Ocean County; Anthony Boiardi, also known as Tony Boyd, Essex County; Paul Bonadio, Bergen County; Thomas Campisi, Essex County; Anthony Caponigio, also known as Toney Bananas, Essex County; Charley Teren, Monmouth and Hudson; Peter LaPlaca, Bergen; Ernest Lassara, Passaic, Essex, and Middlesex; Andrew Lombardino, Hudson; Anthony Riello, Essex; Salvatore Chiri, Bergen; and Michael Spinella, Bergen.

In the Lucchese family, Salvatore Santora, Bergen County. Paul John Carbo was in Camden County, and was arrested at one time. Whether he was a resident or not, we are not sure.

Carmine Gallenta has been associated with Hudson and Ocean County in New Jersey. Michael Consalo, also known as Michael Bruno, was arrested in Hudson County.

In the Magliocco family, Joseph Profaci had a lodge in either Monmouth or Mercer County, a hunting lodge. Salvatore Badamente in Bergen County.

In the Gambino family, we had Albert Anastasia, John Robilotto, Sebastian Belanga, those three were Bergen.

Michael Scondefia, Union. James Stassi, and Joseph Stassi, formerly of Union.

Mr. ADLERMAN. Many of those names, many of those people you mentioned, are already named as part of the families in New York.

Mr. BERGIN. Yes, sir.

Mr. ADLERMAN. Many of them reside in the State of New Jersey?

Mr. BERGIN. That is correct.

Mr. ADLERMAN. Do they operate in the State of New Jersey as well?

Mr. BERGIN. Some do. Many of them operate or most of them operate in New York City or in Philadelphia.

Mr. ADLERMAN. Do you have any particular ones that you can single out as operating in the State of New Jersey?

Mr. BERGIN. Yes; Gerado Catena, Sam Accardi. I have a list here. Richard Boiardi, Anthony Boiardi, Paul Bonadio has no criminal record but he was president of the Automotive Conveying, and then was associated with Joseph Doto, alias Joe Adonis; Thomas Campisi, Anthony Caponigio, also known as Tony Bananas, Ernest Lassara,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 329

Andrew Lombardino, Paul Lombardino, Anthony Marchetti, and Anthony Riello.

Mr. ADLERMAN. Do you know whether all of these are in the Genovese family in any way?

Mr. BERGIN. They appear to be; yes, sir.

Mr. ADLERMAN. Are any of them that you mentioned outside of the charts which we have placed in evidence.

Mr. BERGIN. Well, there are others in what is known as the Philadelphia-Camden area which is—allegedly the head man there is an Angelo or also known as Micheal Bruno. Dominick Elvito is his lieutenant, he was delegate at Apalachin.

Joseph Ida is also in that area. He is presently in Italy, I believe. He returned to Italy after the Apalachin convention. He was delegate also.

Mr. ADLERMAN. Can you name the delegates that attended the Apalachin convention that came from the State of New Jersey?

Mr. BERGIN. Yes, sir; Gerado Catena, Louis Larasso, Charles or Salvatore Chiri, Frank Majure, Dominick Olvetto, Anthony Riella, Vito Genovese, and Joseph Ida.

Mr. ADLERMAN. Following World War II, did you have a group known as the Big Five in New Jersey?

Mr. BERGIN. Yes, sir. Following World War II and up to approximately 1950, the so-called Big Five had extensive gambling operations in the northern part of New Jersey, centered mainly in Bergen County. These people were Salvatore "Sally" Moretti, a brother of Willie Moretti; James Lynch, also known as Piggy Lynch; Arthur Langano, Anthony Reno, also known as Tony Groan; Joseph Adonis, whose right name was John Dodo. These five—and also Frank Ericson—were operating gambling operations principally in Bergen County at that time. They all were subsequently indicted and all simultaneously went to jail in 1950 for violation of the gambling laws of New Jersey.

Mr. ADLERMAN. This left Willie Moretti in charge?

Mr. BERGIN. Reputedly; yes, sir.

Mr. ADLERMAN. You heard the testimony of Mr. Valachi concerning Moretti. Could you corroborate or verify any part of that testimony?

Mr. BERGIN. I heard Mr. Valachi testify to the fact that Duke's Restaurant was the hangout. That we can corroborate because at that time Duke's Restaurant was owned by John DeNoia. It was on Palisades Avenue in Cliffside Park and I think almost everyone mentioned here at one time or another either telephoned Duke's Restaurant or was seen at Duke's Restaurant in the 1940's. After this combine was smashed, Duke's Restaurant went into bankruptcy, and about seven doors away a restaurant and bar known as Joe's Elbow Room and Joe's Restaurant became a hangout for these people on Palisades Avenue in Cliffside Park, N.J.

Mr. ADLERMAN. Was Moretti talking freely at that time?

Mr. BERGIN. Yes, sir; from all reports he had become extremely garrulous with newspapermen, before the Bergen County grand jury. He was giving interviews right and left. He was giving, he was entertaining—

The CHAIRMAN. Was that shortly before he was murdered?

Mr. BERGIN. It started a couple of years before, Senator, and kept up to the date of his murder.

330 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. What information did you have that he was regarded as off his rocker or sick mentally at that time, if anything?

Mr. BERGIN. Observations of the man, I knew the man personally, Senator. I had seen him around because I lived in that particular area, and also information received that some time in the 1940's he had been taken west at the direction of Frank Costello, a male nurse accompanied him all through the western part of the United States, and allegedly was almost raving at that time.

The CHAIRMAN. In other words, your general information, then, pretty much corroborates Valachi's testimony which he has given here because he knew him intimately?

Mr. BERGIN. That is correct.

The CHAIRMAN. So your general information at the time would corroborate what he has said?

Mr. BERGIN. Yes, sir.

The CHAIRMAN. Very well. Proceed.

Mr. ADLERMAN. Could you give us the details as far as you know from the police records or the history of the police records concerning the Moretti killing?

Mr. BERGIN. Yes, sir.

At approximately 11 a.m., October 4, 1951, in Joe's Elbow Room, or rather the restaurant next door, there were three male patrons. One was seated at the counter and two were at a nearby table. The only other persons in the premises at that time were Mrs. Crevatta, the wife of the owner of the establishment, and Mrs. Novack, who was a waitress. The male at the counter left the premises, went outside and immediately came back in with Willie Moretti, whereupon he introduced Moretti to the two men seated at the table.

They engaged in some sort of pleasantries.

At that time Mrs. Crevatta and Mrs. Novack retired to the kitchen. They had just opened that morning and they were preparing for the day's business. While they were in there, they heard gunfire. Immediately upon coming outside there, all the males had fled with the exception of Willie Moretti who was laying dead on the floor, shot twice in the head.

Subsequently, an investigation was started and pictures of all members of the crime cartel, or whatever you wish to call it at that time, were shown to the waitresses, and there was a hesitant, tentative identification of John Robilotto, also known as Johnny Roberts, as being the male seated at the counter.

Additionally, there were two male or men's felt hats left at the premises, one bore a cleaning mark. This cleaning mark was traced to a hat-cleaning place on the Avenue of the Americas. However, this unfortunately was prematurely released to the press and by the time the investigators got to this hat-cleaning place, the slip or bill was missing.

Incidentally, this hat-cleaning place was directly across the street from No. 10 Downing Street in New York City, and where resided Robilotto's brother.

Subsequently, after an extensive investigation, Robilotto was charged but had to be released because of insufficient evidence.

The CHAIRMAN. You have said the waitress, I believe, and the proprietor of the restaurant tentatively identified?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 331

Mr. BERGIN. It was one of these "It looks like the man," "I can't be sure," that type.

The CHAIRMAN. In other words, it lends some credence to the story that he is the one that did the killing but they were not able or willing to positively identify him. They just said, "This looks like the man."

Mr. BERGIN. That is right, sir.

The CHAIRMAN. Therefore, you could not, of course, get a conviction on that character of proof?

Mr. BERGIN. That is correct.

The CHAIRMAN. Although he was arrested for it?

Mr. BERGIN. He was charged.

The CHAIRMAN. Was he indicted?

Mr. BERGIN. I believe he was indicted but a judgment of dismissal was entered before trial.

The CHAIRMAN. After indictment, because you could not get proof that would establish the defendant as the offender beyond a reasonable doubt?

Mr. BERGIN. That is correct, Senator.

There was one more factor I forgot. He was picked up in Brooklyn, that is John Robilotto, and asked about his whereabouts on that particular morning. He first said he was in Duke's Restaurant at that time. He even stated he had cantaloup and coffee which the owner and waitress said this male had but immediately recanted and said he would deny ever saying such a thing and asked for an attorney.

The CHAIRMAN. Immediately after saying it, he recanted and asked for an attorney and said he would deny ever having said it?

Mr. BERGIN. That is right.

Mr. ADLERMAN. Could you tell us what part Anastasia played in this, Albert Anastasia?

Mr. BERGIN. We received information that on the day before Willie Moretti was murdered, that was October 3, Albert Anastasia contacted a man named Harry Shepherd, who had been a chauffeur for Moretti and asked him to drive him to St. Mary's Hospital which is in Passaic, N.J., some possibly 15 miles distant from the Cliffside Park Restaurant.

At the hospital, he created quite a disturbance because the X-ray technician was not present. He wanted X-rays because Anastasia alleged that his back was giving him some trouble. No appointment, he just walked into the hospital.

The CHAIRMAN. That was Anastasia?

Mr. BERGIN. Albert Anastasia, yes, sir. He then, as we gather it, made a phone call out to the hospital to somebody in a public booth and then proceeded to leave.

The next day, or that evening, we are informed that a mild argument ensued between Moretti and Anastasia over use of Shepherd, because Moretti, I believe, wanted Shepherd to drive him to the track or something like that.

The next day, Albert Anastasia again asked Harry Shepherd to drive him to St. Mary's Hospital in Passaic, whereupon his back was X-rayed at the time that Moretti was killed. Thus, an alibi.

(A short recess was taken at 11:20 a.m., with the following members of the subcommittee present: Senators McClellan, Jackson, Muskie, Mundt, and Javits.)

332 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. In other words, he took care to establish an alibi?

Mr. BERGIN. Yes, sir.

Mr. ADLERMAN. There is no question about that in your mind?

Mr. BERGIN. I would say no, sir.

Mr. ADLERMAN. What part did Mr. Valachi play in this? Was he questioned?

Mr. BERGIN. Yes, sir; he was questioned—was interviewed on October 14, 1952, by then Detective Edwin Wallace of the New Jersey State Police. He was contacted in the Bronx. He was called down to the precinct by Detective Stewart, of the New York Police Department, and—do you wish me to go into the results of the interview?

Mr. ADLERMAN. Would you, please?

The CHAIRMAN. Just the highlights of it. I don't want the details. Just anything that, as an attorney, you would have some idea about as to what might be significant.

Mr. BERGIN. Right, sir. At that time, Detective Wallace showed Mr. Valachi pictures of John Robilotto and Joseph LiCalsi. LiCalsi was named as a suspect by a spurned girl friend. It didn't pan out one way or another subsequently. At that time, Mr. Valachi denied ever seeing either John Robilotto or Joseph LiCalsi. He was asked to come to New Jersey, and he said he wished to consult his attorney first before he would. He was never brought over to New Jersey.

The CHAIRMAN. Mr. Valachi, let me ask you, at that time when you told them you didn't know Johnny Roberts, were you telling the truth then?

Mr. VALACHI. I was not.

The CHAIRMAN. You were not?

Mr. VALACHI. No, sir.

The CHAIRMAN. Very well.

Mr. ADLERMAN. Mr. Bergin, Mr. Valachi has testified as to two other killings which took place in New Jersey. One was Don Steven and the other one was Monaco. Would you give us the details concerning those?

Mr. BERGIN. Yes, sir. I understood that Mr. Valachi testified to a Sam Monaco being killed in New Jersey by being thrown into the Passaic River. A search of the records discloses that a Samuel Monaco and a Louis Russo were found in that area at that time. A missing person on Samuel Monaco was sent out by the East Orange Police Department on September 10, 1931. On September 13, 1931, two bodies were floating in what is Newark Bay. Both the Passaic and the Hackensack River empty into Newark Bay. One body washed ashore or was pulled ashore to Bayonne, N.J., and was identified as Samuel Monaco. The other body, Louis Russo, wound up in Kearney, N.J. The cause of death was identical in both, both had their heads crushed, their throats cut. They were wrapped in sashcord and weighted down with sash weights. Ultimately, Sam Monaco's car was discovered on 46th Street in New York. He had been missing since the 10th of September.

Mr. ADLERMAN. Have you got the details concerning Don Steven?

Mr. BERGIN. Yes, sir.

On March 31, 1955, at Vito's restaurant in Newark, N.J., Stefano Badami—

Mr. ADLERMAN. What was the date?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 333

Mr. BERGIN. March 31, 1955.

Mr. ADLERMAN. What was the date of the finding of the bodies in the river?

Mr. BERGIN. In the river, of Monaco——

Mr. ADLERMAN. Yes.

Mr. BERGIN. September 13, 1931.

Mr. ADLERMAN. That was around about the time that Maranzano was killed?

Mr. BERGIN. They were found 2 days later or 3 days later.

Mr. ADLERMAN. Would you proceed?

Mr. BERGIN. Yes, sir.

Stefano Badami, also known as Don Steven, was arrested in Essex County, N.J., generally in the dress business. On March 31, 1955, he proceeded to Vito's restaurant or clam bar on 15th Avenue in Newark, N.J. This was owned by Vito Oddi, who was a friend of Badami's. While in the restaurant in the morning, two males came in and forced Oddi into the kitchen and locked him in there. Badami was then murdered by being stabbed 40 times with a stiletto.

Subsequently, a Frank Monaco was held as a material witness in this killing, and he identified himself as a brother of Samuel Monaco, and volunteered the information that his brother, Samuel Monaco, had been in business with Don Badami prior to his death in 1931. He was released as a material witness and charged with carrying a switch-blade knife.

Mr. ADLERMAN. Could you tell us generally some of the problems that confront law enforcement in New Jersey and whether you have any recommendations or any suggestions that might help the committee in formulating any legislation?

Mr. BERGIN. Our principal problem in New Jersey is that we do not have an immunity statute, a witness immunity statute, except in certain restricted areas. It has always been a problem, even in those restricted areas, when you offer a witness immunity from State prosecution, he alleges that he needs immunity or he cannot get immunity from Federal prosecution in the areas of income tax and so forth. If a corollary Federal statute could be worked out to include both State and Federal in this area, it would be very helpful.

Mr. ADLERMAN. Would one that would provide that the consent of the U.S. Attorney General for immunity on the Federal violation be a necessary prerequisite, and would be valuable to the State?

Mr. BERGIN. It would be invaluable.

The CHAIRMAN. Let me ask you: Do you regard this as most vital to law enforcement?

Mr. BERGIN. Yes, sir.

The CHAIRMAN. That you have this authority to grant immunity to material witnesses, witnesses whose testimony is indispensable to a conviction?

Mr. BERGIN. Yes, sir; an unqualified offer of immunity is invaluable, sir.

The CHAIRMAN. That authority, if it was reposed in you, by whoever had the authority to grant the immunity, could very well be abused; could it not?

Mr. BERGIN. Yes, sir; it could be in certain conceivable situations.

334 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. But if used wisely and exercised with prudence, it can be made a most effective weapon?

Mr. BERGIN. Yes, sir. I might say this, anybody who would abuse it would only abuse it once, because the public reaction, I think, would be so great.

The CHAIRMAN. Of course, courts can abuse their discretion. You in your position can abuse your authority. All of us can abuse the power or authority if we have it. Although I want us to always retain as much control and checks and balances as possible and necessary, there are circumstances, there are cases, where the ends of justice can be better served if such authority is possessed by officials who have jurisdiction of the events.

Mr. BERGIN. That is true in my opinion, sir; yes, sir.

The CHAIRMAN. Do you think it would be very essential to you, your State being a border State to New York, or an in-between, as you have described, between New York and Philadelphia, the two great metropolitan cities, do you think it would be very useful to you there?

Mr. BERGIN. Yes, sir.

The CHAIRMAN. While we are talking about it, would you care to comment upon the value you think of wiretapping, if you had that authority under a court's order, direction, and supervision? While we are on the subject, would you care to comment about that?

Mr. BERGIN. My personal opinion on wiretapping is this, that whereas I have an instinctive feeling against it, I personally believe that we have reached the point and that these people that are depicted here present such a menace to our society and to our Government, that I feel, and this is my personal opinion—I work for an attorney general who feels the other way—that we must, with proper safeguards, have wiretapping because, as I understand it, a proper wiretap, with proper safeguards, 4 men can do the work of 400.

The CHAIRMAN. Four men what?

Mr. BERGIN. Can do the work of 400 men without wiretapping.

The CHAIRMAN. It isn't an easy decision to make as between clothing proper officials with that authority to place a wiretap, to make use of it, or to let the criminal who can make a wiretap—who today, as I understand it, can make a wiretap with immunity, with immunity for being punished for it unless he discloses; there is no way to establish the fact and disclose it—they can make a wiretap and use the information they get in furtherance of their endeavor to make crime and to conceal crime, and yet they have violated no law, as I understand it now. But if that authority was granted to courts under proper supervision, and to law enforcement officials, you think it would be an effective weapon against organized and syndicated crime, such as we are here investigating?

Mr. BERGIN. I do, sir.

Senator JAVITS. Mr. Chairman?

The CHAIRMAN. Senator Javits.

Senator JAVITS. I thank the Chair. I wanted to ask Mr. Bergin a question along that very line.

Mr. Bergin, were you here yesterday?

Mr. BERGIN. Yes, sir, a half day, sir.

Senator JAVITS. The afternoon?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 335

Mr. BERGIN. No, in the morning, sir.

Senator JAVITS. I am sorry. May I then tell you that Witness Valachi testified about the use of the telephone, at least to his knowledge, and he said that it was used. He used the expression when he was on the streets, and he uses it fairly frequently. So I asked him, "Did you use the telephone to do all your business?" He said they used the telephone, but they used it, he said, in a very garbled way. They spoke in riddles, insofar as they thought they were speaking in riddles, and also that they were very wary of wiretaps themselves. In other words, they took considerable precautions with respect to the use of telephones, checking first whether they were tapped.

In view of the fact that they are just as alert to that situation as would be the law enforcement officers, and would undoubtedly be even more alert to it if we had a Federal statute even with the safeguards, and I, myself, having been in your business, have had occasion to impose those safeguards on my own people, because I did have authority to give wiretapping orders when I was attorney general, I wonder whether you would then say that the balance might be weighted the other way? That is, the balances between privacy, civil liberties, abuse of information obtained, et cetera, and your rather strong testimony on its need for law enforcement.

I hope you understand, Mr. Bergin, that in this particular case, I really am inquiring. I really have had bitter experience myself on your side, and at the same time, as a Senator, am deeply concerned about the questions of privacy and civil liberties which, as a liberal, I feel very strongly about.

Mr. BERGIN. Senator, I am equally appreciative of your position. As I pointed out before, the attorney general of New Jersey, Arthur J. Sills, feels just as strongly the other way on the basis of invasion of privacy. But in answer to your question, I can give you an illustration with Mr. Willie Moretti. He had on his possession almost 400 telephone numbers, on his body, when he was dead. He was a continual talker on the telephone. No matter how guarded they may be, or how cryptic they may be, they must establish a pattern, and that pattern can be broken just as easily as any code can be broken.

I feel, and I feel as you do, that I have an innate repulsion to this. To me the need to break up this type of organization, I feel, must override, until the situation changes. I believe these coded messages, once you have established in your mind, established his modus operandi, can be broken and can be revealing.

Senator JAVITS. Of course, Willie Moretti, you have already testified, was something of a nut. But, nonetheless, you do feel that that is the case in point?

Mr. BERGIN. Yes, sir. There are other cases, too, because we find that not only the suspect himself talks, or a big man, or whatever you want to call him, but lesser lights will discuss his activities over the phone.

Senator JAVITS. And be less careful?

Mr. BERGIN. That is right, sir.

Senator JAVITS. Would you say, too, in all fairness, that this is a tool for law enforcement, that it wouldn't be a breaking up of these syndicates?

Mr. BERGIN. It is an investigative aid.

336 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator JAVITS. A tool?

Mr. BERGIN. A tool, yes, sir.

Senator JAVITS. But you feel personally, notwithstanding the witness' testimony and what you know to be the efforts of the underworld to avoid implications on the telephone, it is nonetheless a useful tool and its usefulness should, for us, outweigh the dangers if we can devise safeguards to the best of human ingenuity?

Mr. BERGIN. If we can eliminate this danger by the use of wiretapping, then I would say I am for it, as opposed to the danger of the invasion of privacy.

Senator JAVITS. But you do not claim it is the key tool in the elimination of this kind of crime?

Mr. BERGIN. I say one of them.

Senator JAVITS. Thank you.

The CHAIRMAN. Senator Mundt.

Senator MUNDT. Did I understand you to say a little earlier that the criminals could establish a wiretap without violating any law?

Mr. BERGIN. In New Jersey, we have a criminal statute on the subject of wiretapping but it requires both the tap; that is, a tap into the line, and disclosure.

Senator MUNDT. Let us take a hypothetical case. Suppose criminals established a wiretap in the sheriff's office to find out what his operations were and what he knew—what he was saying to his deputies. They, obviously, would never disclose that. That is for their information. They want to find out who is being suspected.

You must have some kind of law that would prohibit something like that?

Mr. BERGIN. You might have a conspiracy to obstruct justice or due administration of the laws, that sort of thing, by listening in on these conversations and using them to avoid prosecution. You might be able to make a criminal charge of that nature. But to merely tap without disclosure, under our State law, is not a crime.

Senator MUNDT. Let us change the scenery to a bank.

If a mob wants to do a job on a bank and they would kind of like to know what the movements of personnel are, their habits, when the president leaves, or someone else, they may have a wiretap in the bank. Would that be a crime? They obviously would not disclose it except to themselves.

Mr. BERGIN. Well, the disclosure under our particular statute does not have to be in a court of law or anything else like that.

Senator MUNDT. In other words, if I understand it, in New Jersey it is not a crime to invade private property to establish a wiretap as long as you do not disclose what you get.

Mr. BERGIN. That is the way our statute reads, that is the way it has been interpreted.

Senator MUNDT. I should think the first step in the wiretap business would be to protect the integrity of private property against wiretapping. It seems to me it is certainly a violation of law involved in that.

Mr. BERGIN. Yes.

Senator MUNDT. I appreciate your testimony on this other aspect of wiretapping because it is a tormenting question.

May I say to my good friend from New York that, as a conservative, I resent invasion of privacy and intrusion upon the civil rights

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 337

of individuals. I think I resent it even more than others because I do not want to see Government establish additional power to push people around.

Wiretapping is a way of pushing people around.

Still, I recognize that what you say is undoubtedly true. Four men can do the job of 400 and maybe could do a job 400 would not be able to do. So that, if it has the proper safeguards and full disclosure is made ultimately as to what was done, which I suppose would occur, I think public opinion would pretty well enforce a very limited use of that kind of wiretapping.

Would you agree or disagree?

Mr. BERGIN. I would agree on that. I would add this: We have had a wonderful rapport with Commissioner Murphy in the New York Police Department and Deputy Chief Inspector Shanley in the New York area. New York, of course, permits wiretapping. As I understand it, all investigations of wiretapping in New York by police authorities have not shown any abuse.

Senator MUNDT. In New York, can you use the evidence in court, too?

Mr. BERGIN. In the light of recent decisions in *Benante & Pugash v. Doloinger*, all States have been waiting for Federal legislation in this area giving the States the right.

Senator MUNDT. You have to use it just in State cases anyhow, it cannot be used in Federal cases.

Mr. BERGIN. There is a recent New York decision that holds generally that wiretapping does not involve a constitutional right. Therefore, while it might be a violation of section 605, it will be permitted in evidence.

Senator MUNDT. On the question of granting immunity, you said "unqualified immunity." Does that mean you are giving a criminal the right to establish immunity against all the crimes he may have committed if he testifies in conjunction with one or do you mean it is unqualified as far as that one particular crime is concerned?

Mr. BERGIN. His participation in that one particular crime.

Senator MUNDT. It would not be a blanket immunity?

Mr. BERGIN. No, sir.

Senator MUNDT. Just for this one crime?

Mr. BERGIN. Yes, sir. There might be two.

Senator MUNDT. Well, related crimes, put it that way.

Mr. BERGIN. Yes, sir.

Senator MUNDT. Who would have that right, the Attorney General or every prosecuting attorney or every law enforcement officer? At what level would you place that right?

Mr. BERGIN. I would limit it to the prosecutor, the county prosecutor himself, and the Attorney General himself.

I would not go any lower than that.

Senator MUNDT. I think you said it was a sort of consent—

Mr. BERGIN. Of course, with the consent of a superior court judge. That is for witness' immunity we have to have consent.

Senator MUNDT. Do you have some check?

Mr. BERGIN. Yes.

Senator MUNDT. You occasionally get a bad prosecuting attorney?

Mr. BERGIN. Yes, sir.

338 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator MUNDT. I think what you say is true. Whenever you have a fellow who has to get elected, this would kind of be a law that would enforce morality if exercised because they could not do evil by stealth. They would be done in a goldfish bowl.

Mr. BERGIN. That is right.

Senator MUNDT. You give an obvious crook immunity, but if you do it a second time or third time, you would say "something smells" so far as this prosecuting attorney is concerned.

Mr. BERGIN. Yes, sir, our prosecutors are not elected, they are appointed by the Governor with the advice and consent of the Senate.

Senator MUNDT. I think that is a little bit disturbing. I think when you have an elected official you have a rain check on him that you do not have on appointed officials.

If you have a judge, he is appointed for life. You have no control over him any more.

Mr. BERGIN. We have statutory areas where the attorney general can supersede a prosecutor at the request of the superior court assignment judge, the Governor, the board of what we call the Freeholders' County Commissioners can supersede where he is not performing his duties.

Senator MUNDT. He has a responsibility to supersede.

Mr. BERGIN. It is mandatory.

Senator MUNDT. This is a responsibility that the office carries with it?

Mr. BERGIN. Yes, sir.

Senator MUNDT. Thank you very much. Your testimony is very helpful in trying to find some area that we can move into as legislators to reduce this crime wave. We certainly need the counsel of experienced people like you.

Mr. BERGIN. Thank you.

Senator JAVITS. Could I ask a question of witness Valachi?

The CHAIRMAN. Certainly.

Senator JAVITS. Mr. Valachi, could you tell us whether an offer of immunity from prosecution would have meant anything to you in respect of the kind of testimony you are giving us now or the revelations with respect to the operations of these families?

Mr. VALACHI. Senator, what are you referring to, when I first got arrested?

Senator JAVITS. Give it to us both ways, when you first were arrested or not.

Mr. VALACHI. It would not have done any good.

Senator JAVITS. It would not have meant anything to you?

Mr. VALACHI. No.

Senator JAVITS. As far as the higher ups are concerned, is it not a fact that they feel they are insulated from prosecution? In other words, prosecution is not likely to get to them, they are unlikely to get arrested, and so on. I mean, Genovese and people at the top.

Mr. VALACHI. Let me understand, Senator, just what you mean.

Senator JAVITS. Surely. I am trying to ascertain the reasons for your statement that it would not have meant anything to you.

Can you state in your own words why you say it would not have meant anything to you?

Mr. VALACHI. Because—remember, I took an oath. I ain't going to talk for any kind of offer. I will take 100 years, 400 years. I

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 339

have my own reasons why I am here, Senator, you know, as I explained. But I must talk. I would not say it would mean anything to others. I am talking for myself.

Senator JAVITS. It would not have meant anything to you?

Mr. VALACHI. It would not have meant anything.

Senator MUNDT. You would not say it would mean anything to others? In other words, there may have been some weak characters in your outfit who would have talked?

Mr. VALACHI. Right. Yes. Like I know weak people, they exist in the Cosa Nostra but I also know what I am telling you, Senator, I am speaking for myself.

Senator MUNDT. That is right.

Mr. VALACHI. But I also know there is weak people that that would mean something. I can only talk for myself, Senator.

Senator MUNDT. I know. I wanted to find out. I think it is highly important that you do know weak people who would have talked in line with the testimony we have just had.

Mr. VALACHI. It is important.

Senator MUNDT. I am sure that everybody in Cosa Nostra is not a Spartan who is going to come home with his shield up. They have weak people who lack nerve just like in any other business.

Mr. VALACHI. I am in a position to know in my 30 years of experience, especially the new ones, I will not mention any names, but I know if some of these people were in a jam which they never get in a position to be in a jam because they don't ask nothing of them, but if they did get in a jam, they will talk and talk plenty. That is my opinion.

Senator MUNDT. It is your belief that if they followed the offer of immunity, it would help to close down Cosa Nostra?

Mr. VALACHI. I agree with him, Senator, but as I said, Senator Javits asked me, myself, personally. I had to answer for myself.

Senator MUNDT. You opened up something else I wanted to follow up.

Senator JAVITS. That is important, both aspects are important to us.

You are giving us your opinion about others, you are giving us your feeling about yourself.

Mr. VALACHI. Right.

Senator JAVITS. Everybody in Cosa Nostra, so far as you know, took the same oath you did?

Mr. VALACHI. As I say, Senator, they are pretty smart. The ones I have in mind, the weak ones, never do anything, are never asked to do anything. As I know, myself, can you imagine how they know? They don't ask them to do anything because they themselves know. You take Albert Anastasia, look how many he got rid of, himself. I don't mean himself personally. He had them done away. Why? Because he did not want no comeback. We use that expression "comeback." He didn't want any fellows in the doghouse twice, Senator. He was thinking about that all the time. He would eliminate them.

Senator JAVITS. You believe there are some, it is your opinion, there are some who could be influenced by an offer of immunity when they are in a jam?

Mr. VALACHI. A hundred percent.

The CHAIRMAN. You said you were talking about yourself as of then, back in those days you would not have talked in order to get im-

340 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

munity. You were asked as of then, and as of now. Would you now talk to get immunity?

Mr. VALACHI. Senator, I am talking now without any immunity right now.

The CHAIRMAN. I know you are. And you have given your reasons for it.

Mr. VALACHI. Yes.

The CHAIRMAN. He asked if you were talking about then or now. Looking back upon the situation over the years, and you have had 30 years of it, I expect you would make several changes if you could.

Mr. VALACHI. Yes, Senator. Take, for instance, I was called and questioned. I didn't know Johnny Roberts. Now I am telling you I was partners with him a couple of years. You see, what I told the detectives at that time, the investigators, I didn't know Johnny. I knew the other guy, too, Senator, Joe Lascasa, I knew him, too.

The CHAIRMAN. You knew both of them?

Mr. VALACHI. I knew both of them.

The CHAIRMAN. At that time you say you would not have talked even if you had gotten immunity?

Mr. VALACHI. I wouldn't talk.

The CHAIRMAN. There are those and you know them in the organization?

Mr. VALACHI. Yes, later on I will explain that to you, Senator. I am going into that when I reach the point of talking about Apalachin. I will come to that, too.

The CHAIRMAN. There are those whom you have known in the organization and whom you know that are weak, who would talk?

Mr. VALACHI. I am so sure that I feel confident, Senator.

The CHAIRMAN. You also know that as they find some of those they eliminate them, they liquidate them; is that correct?

Mr. VALACHI. Right. Right; yes, sir.

Senator MUNDT. Following through on what the chairman said, as I recall your executive testimony, while you would not have talked to get immunity for a long time, there was a time in your life when you were in Atlanta, shortly before you killed the wrong man by mistake, that if you felt you could have had some immunity or protection you were prepared at that time to talk and to say there was a plot being made against your life?

Mr. VALACHI. Senator, believe me, I never was thinking about immunity. I never was.

Senator MUNDT. You were thinking about security, personal security?

Mr. VALACHI. That is right.

Senator MUNDT. Living?

Mr. VALACHI. Right.

Senator MUNDT. And if you had been able to get to someplace to tell your story about Genovese and the plot to kill you, maybe you wouldn't be sitting here with a life sentence but you would only have a sentence up to 85 years of age; is that right?

Mr. VALACHI. Right.

Senator MUNDT. So that even for tough guys like you, as you have described yourself, conditions change and times change. There might be a time when even a tough guy like you would say, "What have I got to lose? I will talk"?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 341

Mr. VALACHI. Senator, the question was asked me if it would have taken any effect at the time. I answered that when I was asked.

Senator MUNDT. Now I am asking you whether, as you grew older and times changed and conditions changed there might not have come a time when you would say, "All right, for immunity I will talk"?

Mr. VALACHI. I gave my opinion, if it will help, and it will help a lot.

The CHAIRMAN. Very well. Are there any other questions by the Senators at this time? Senator Muskie?

Senator MUSKIE. I have a question I would like to ask Mr. Bergin.

The argument against wiretapping legislation is usually not that it would be a useful investigative aid, but that, first of all, there is the invasion of privacy problem and, secondly, the argument is made that in most cases it is possible to get convictions by the use of other types of efforts, other types of techniques; that it isn't necessary to resort to this one.

I am curious as to whether or not, out of your experience, you can give us any impression as to whether or not you feel that the right to wiretap or the authority to give immunity might have made the difference in cases with which you were personally involved?

Mr. BERGIN. I can answer you this way, Senator Muskie: There is no substitute or this is no panacea for a police officer doing hard leg work and investigative work, but there are certain types of crimes which, by their very nature, are conspiratorial. Let me give you an illustration.

Bookmaking today, and numbers today, is using almost exclusively what we call the sit-in operation. As a bookmaker, you must have some kind of recording to show that he is taking bets. What they are doing now is to have a person sit in the private home. They will memorize their bets. They will immediately go to a public phone and call them in, just taking enough that they can retain in their head.

This sheet writer is sitting there insulated, because all the phone calls are coming in from various places and he is just sitting there writing down the day's play. Thus, when you attempt to arrest or search with a warrant, the bookie or the numbers writer, or whatever the case may be, you find nothing on him but money, and money is not evidence unless it is marked or something like that, so there is a particular problem.

Senator MUSKIE. It has been your experience in that particular kind of case that you have been prevented or limited in your ability to get convictions because of the inability to get this kind of evidence in this way?

Mr. BERGIN. In this way; yes, sir.

Senator MUSKIE. Would your judgment be limited to this conspiratorial type of crime, or would it apply to others as well?

Mr. BERGIN. No. It would certainly apply to kidnaping, too, as has been testified here today, these conspiracies to commit murder. I would limit it to certain types of crimes. I wouldn't want this an overall thing for any type of crime or just to get evidence of crime, but in cases where the phone is generally part of the modus operandi of conspiracies and things of that nature, bookmaking, numbers, shylocking, narcotics, in that area and that area alone, I want this limited to that. I wouldn't want this to go into just burglary, which, on its face, would be ridiculous.

342 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator MUSKIE. In the Moretti case, which is an unsolved crime, do you have any reason to believe or did you have any reason to believe that either of these types of authority might have enabled you to solve that crime?

Mr. BERGIN. I don't think so. I would say probably not at this time. That would be a question of something else.

Senator MUSKIE. Would that be true also of the Monaco case?

Mr. BERGIN. Monaco, of course, happened when the phone companies were in rather crude form. Everybody was on a board and six-party lines. You would call central. I suppose you would just pick up your extension and hear that. But there was wiretapping in those days. Whether wiretapping could have solved that or could have prevented that, I cannot answer that. I do not know all the facts and circumstances. I was, I think, 11 years old when that happened.

Senator MUSKIE. Thank you, Mr. Bergin.

The CHAIRMAN. Witness Valachi wanted to make some comment.

Mr. VALACHI. I happened to hear the conversation just now. I understand that business.

The CHAIRMAN. All right, talk about it.

Mr. VALACHI. Taking the telephone away, I must tell you, will wipe out the business.

The CHAIRMAN. It will what?

Mr. VALACHI. It will wipe it out. I understand the business. We call it single action. We call it first, second, and third. Is that what you are talking about?

Mr. BERGIN. Yes, sir.

Mr. VALACHI. I forget your name.

Mr. BERGIN. Bergin.

Mr. VALACHI. I understand that business. They bet on the first number. The odds are 7 to 1. They bet, for instance, the first, second, and third race, making the first number. Then they bet maybe \$10, \$20, \$50, any amount. If they guess the winning number from zero to nine, you get your dollar back with—for instance, say it is \$10. You get back \$80. In other words, you win \$70.

Then the fourth and fifth race, that has about an hour between, between the numbers. That makes the second number. The sixth and seventh race makes the third number.

Now, for instance, the third number, there are small banks that are booking numbers. They have a habit of checking their play. When the first two, the lead comes out, for instance, four, three is leading, they may have one number or two numbers played very heavy in the lead of four, three. Then you run right through it. In other words, they look at the dollar bets. Say they have on four, three, their business at \$500, or even \$1,000, considered small. They turn around and bet the last number to try and protect their hit. For instance, say it is eight in the end, and they have it very heavily played. They might put a couple of hundred dollars on that eight to protect themselves.

Remember, they are only getting 7 to 1. Maybe they have to pay out maybe \$4,000 or maybe \$5,000, which is a little too much for the play they have, so they will protect themselves by betting on the last number.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 343

The CHAIRMAN. In other words, they get the information of the two numbers first and then they can anticipate what is about to happen and they can protect themselves.

Mr. VALACHI. Yes. You see how they stand. If they see themselves being crucified or being hit heavy on one number and they have nine other numbers in their favor, that particular day they wouldn't even care to win. They would be glad to break even. So they may put a couple of hundred dollars on the last one to protect their play.

(At this point Senator Javits withdrew from the hearing room.)

The CHAIRMAN. So you think—

Mr. VALACHI. Without the telephone, it is going to be mighty hard to get it off.

The CHAIRMAN. Very well. Is there anything further?

Mr. ADLERMAN. I would like to ask a couple more questions of Mr. Bergin.

Mr. Bergin, there has been some talk about the invasion of privacy in wiretaps. Can we not draw an analogy between wiretaps and a search warrant? If you have a wiretap which can only be placed by court order, where you make a proper presentation to the court that you have reasonable grounds to believe that a crime is being committed, and you get permission of the court and you satisfy the court there is no other way that you can obtain this evidence, isn't that analogous to the same type of information that you must supply a court to get a search warrant?

Mr. BERGIN. I agree with you entirely.

Mr. ADLERMAN. Isn't a search warrant, itself, an invasion of privacy?

Mr. BERGIN. In that sense it is; yes.

Mr. ADLERMAN. So there is a very close analogy to a very tried and true means or tool of law enforcement in the search warrant and the tool of a wiretap.

Mr. BERGIN. I can give you an analysis. For instance, our rules of court on search warrant go beyond the Federal rules, where we are permitted, after a showing of probable cause, and so forth, to secure evidence of a crime. If you use that in the light of the fifth amendment, by which you are not required to give evidence against yourself, I think that bears out your analogy that under proper safeguards, with showing a probable cause, that you receive a wiretap, it is analogous to a search and seizure.

Mr. ADLERMAN. There is another point I would like to raise and that is this: I think there has been a pretty wide misconception about the number of wiretaps, who can wiretap, whether or not private individuals can wiretap in public domain.

You have been able to observe the operations of the New York wiretap law, which was a constitutional amendment permitting the police departments to wiretap under a court order, under safeguards, and so forth.

Mr. BERGIN. Right.

Mr. ADLERMAN. Do you know of a single case where a wiretap was applied in the public domain other than on people who were involved in crime or where they satisfied the court that a crime was being committed?

344 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. BERGIN. No, I do not.

Mr. ADLERMAN. Isn't it also true that the placement of a wiretap is not something that is undertaken lightly by the police department, because it requires a great deal of manpower? It requires several teams of men. It requires them to have surveillances on the thing in order to have a wiretap that is going to be effective. They have to watch the place where the wire is going. When they hear some appointment being made, they have to have a team of men tail the man to the place where he is going to make an appointment, have people survey that place and find out who may come to that place. Sometimes they may have 16 or 20 men on a wiretap job.

Mr. BERGIN. That is correct.

Mr. ADLERMAN. That is a rather expensive thing?

Mr. BERGIN. Yes.

Mr. ADLERMAN. I think it should be made clear that the misconception of a law that would permit wiretapping under a court safeguard can't be placed lightly on the average individual who is not involved in a serious crime. It wouldn't even pay to put a wiretap in on a case which was not a serious crime.

Mr. BERGIN. That is right.

I just want to add one footnote. I have been informed by members of the New York Police Department that they can tell almost immediately whether they are wasting their time or not and immediately pull out of these things. You develop an ear for these things.

The CHAIRMAN. Talking about invading privacy, if you happen to be standing outside of the door, two people inside carrying on a conversation, and you happen to hear through the wall of the door, that is an invasion of privacy in a sense but you are permitted to give testimony as to what you heard, are you not?

Mr. BERGIN. That is correct, sir.

The CHAIRMAN. I ask you also, suppose you are in an adjoining room in a hotel, if you have an instrument that you can attach to the wall on your side of the wall that will hear through the wall, you can also use that testimony, can you not?

Mr. BERGIN. Yes, sir.

The CHAIRMAN. There is no law against that?

Mr. BERGIN. No. The U.S. Supreme Court has decided you can use it.

The CHAIRMAN. You can use it.

Mr. BERGIN. Yes, sir.

The CHAIRMAN. The point is, you talk about invading privacy, this is the only area now that is left where we cannot make use of this instrumentality to gather evidence against criminals.

Mr. BERGIN. That is right. They are using the instrumentality to commit crimes.

The CHAIRMAN. They are making use of it in pursuing their criminal enterprises.

Mr. BERGIN. That is correct, sir.

The CHAIRMAN. We talk about the rights of people. It is the public rights in this instance that likely, and I am saying "likely," I am using that and proceeding with some caution, that likely predominates. You have to weigh occasionally there might be a tap on someone who is innocent. You might hear some conversation that would

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 345

be private, it would be an invasion of privacy, but in the overwhelming instances you would be using it actually to catch a criminal or to more effectively enforce the law against crimes committed against individuals, against the innocent.

Mr. BERGIN. Yes, sir.

I might also say in the course of investigating crime you learn things about people's private sins that you just forget about anyway.

Senator MUNDT. Mr. Bergin, you use the word "wiretapping." Are you using it literally? I have always thought that when you talk about wiretapping, it is used figuratively as to any kind of clandestine tap. Do you use evidence in court that you can secure from a microphone that you plant in a man's office just so long as there is not a wire connected with it?

Mr. BERGIN. I believe that was the *Silverstein* case involving a spiked mike. As long as there is no physical intrusion into the premises of the person whose conversations are being intercepted, you can do it.

Senator MUNDT. I know from our studies of Communist espionage in another committee to which I belong, the Communists use electronic gimmicks whereby they can read the vibrations on a window pane a half mile away with no wire connected whatsoever.

Mr. BERGIN. Yes, sir; so-called sonic wave.

Senator MUNDT. Is this legal?

Mr. BERGIN. I believe any device that amplifies either vision or hearing is legal, such as use of binoculars, parabolic mike, or sonic wave, so long as there is no physical intrusion into the premises.

Senator MUNDT. That is true. If your budget is adequate, you have a whole host of electronic devices which can invade privacy and which can determine what is going on.

Mr. BERGIN. You have hit the nail on the head, the budget.

Senator MUNDT. Yes. I know this equipment is available. I know what they are using. I assume we do not use it ourselves. This is pretty sophisticated stuff. You may not have a telephone within a block of them but they can know what is going on all through the house.

Mr. BERGIN. As a matter of fact, today you don't have to physically cut into a line.

The CHAIRMAN. But it would be a tapping though you did not physically cut into it?

Mr. BERGIN. Yes, sir.

The CHAIRMAN. The courts would so hold, if you got your communication by reason of the line.

Mr. BERGIN. If you intercepted a communication.

The CHAIRMAN. Is there anything else before I recess?

Senator MUNDT. I have just two or three questions for the witness, Valachi, on what he knows about certain people.

Do you know anything whatsoever about the Scoteregio murder?

Mr. VALACHI. No; I don't.

Senator MUNDT. You did not know the man?

Mr. VALACHI. No; I did not.

Senator MUNDT. Only what you read in the paper?

Mr. VALACHI. It is my neighborhood, Senator.

Senator MUNDT. Does the word "Scabett" mean anything?

346 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. No.

Senator MUNDT. Do you know a lawyer by the name of Faconde?

Mr. VALACHI. Pronounce that again, Senator.

Senator MUNDT. It is "F-a-c-o-n-d-e." I may be pronouncing it wrong. It is a lady lawyer.

Mr. VALACHI. Is she a blond?

Senator MUNDT. I don't know. We will have our staff talk a little bit with you about it.

The CHAIRMAN. Will everyone please remain in the room until the witness has been taken out?

The committee will recess until 2 o'clock.

(Members of the subcommittee present at time of the recess were Senators McClellan and Mundt.)

(Whereupon, at 12:15 p.m., a recess was taken until 2 p.m., this same day.)

AFTERNOON SESSION

(The subcommittee reconvened at 2:05 p.m., Senator John L. McClellan, chairman of the subcommittee, presiding.)

The CHAIRMAN. The subcommittee will come to order.

(Members of the subcommittee present at time of reconvening: Senators McClellan and Curtis.)

The CHAIRMAN. Senator Curtis, did you have a question of the witness you wished to ask?

Senator CURTIS. Yes, Mr. Chairman.

(At this point Senator McIntyre entered the hearing room.)

TESTIMONY OF JOSEPH VALACHI—Resumed

Senator CURTIS. Mr. Witness, my last appearance here in the committee on October 2 was before I left for a trip back home. I asked you:

Now, do you know of anyone in the family or families, meaning Cosa Nostra—

that worked through or with any Teamster Union officials?

Mr. VALACHI. Now, I would like for you to explain that to me.

Senator CURTIS. I am not talking about the rank and file of union members, but this committee in previous hearings has had testimony where a few union leaders have cooperated with organized crime. Do you know any of these people?

Whereupon, you said that you could answer my question in private. I wish to pursue that further right now and ask you: Do you know of any Teamster Union officials who have worked with or through the Cosa Nostra?

Mr. VALACHI. What do you mean by "officials"?

Senator CURTIS. Agents, employees—

Mr. VALACHI. What would you call Johnny Dio or Jimmy Doyle?

Senator CURTIS. That is the type of individual I have in mind.

Mr. VALACHI. That is the kind of people I know.

Senator CURTIS. Who were they, again?

Mr. VALACHI. Jimmy Doyle or Johnny Dio.

Senator CURTIS. Are there any others?

Mr. VALACHI. I am trying to think.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 347

I don't know much—I don't think Mike Clemente comes in here. The docks have nothing to do with that; is that right? I don't understand too much, you know, Senator, about that.

Senator CURTIS. But you would name those two?

Mr. VALACHI. Those two, and I would probably have one or two more in mind. Right now I just can't think.

The CHAIRMAN. I might advise the Senator that the witness has testified that Johnny Dio and his brother—

Mr. VALACHI. Tommy.

The CHAIRMAN (continuing). Tommy were people he could go to when he was in business and, thus, they would protect him against the union when it tried to unionize his shop.

Mr. VALACHI. That is right.

The CHAIRMAN. He has already testified to that. I don't know whether you know that.

Senator CURTIS. The two Dios, and who is the other one—Doyle?

Mr. VALACHI. Jimmy Doyle. And I think his last name is Plumeri.

Mr. ADLERMAN. P-l-u-m-e-r-i.

Mr. VALACHI. I know Jimmy Doyle a long, long time.

Senator CURTIS. Now, are there any others?

Mr. VALACHI. There is about one or two more that I know of but I can't think back to them.

Senator CURTIS. Before I leave this, Mr. Chairman, I would like to ask the staff if the names that he has mentioned are clearly enough established to ascertain their identity without confusion with anybody else.

Mr. ADLERMAN. Johnny Dio, of course, and his brother, are well known to the committee.

Senator CURTIS. What is his brother's name?

Mr. ADLERMAN. Tommy Dio. Johnny Dio, of course, testified before the committee, or rather, he was brought before the committee, and there was considerable testimony. Jimmy Doyle is the uncle of Johnny Dio. I think there was testimony about him. I am not too sure whether or not he appeared before the committee. I would have to check it out.

Senator CURTIS. Who was the other?

Mr. ADLERMAN. Those are the three that he mentioned.

Senator CURTIS. He named another one.

Mr. VALACHI. I said there might be one or two more. I am not sure. I don't know whether they are really Teamsters. I don't understand that.

Mr. ADLERMAN. Who?

Mr. VALACHI. The docks, those who take care of the docks.

Senator CURTIS. The dockworkers? No, they are not in the Teamsters, in the purview of the question that I asked, but it may come to that.

Mr. ADLERMAN. Jimmy Doyle and Plumeri are the same person.

Senator CURTIS. I see. Were there any members of the Dockworkers Union who cooperated with or worked with or through, the Cosa Nostra, any officials or agents?

Mr. VALACHI. I am not too familiar with that line of work, so I am not going to say anything, because I am not familiar. I know they

348 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

are there, but who they are there for and how they are there, I don't know.

Mr. ADLERMAN. We do have a member on the Cosa Nostra chart, Tony Anastasia, who was a very powerful leader of the Longshoremen's Union in New York, who died recently of natural causes.

Senator CURTIS. I might say, Mr. Chairman, for clarity of the record, that the other day when I asked the questions, and it was suggested that it be revealed in executive session——

Mr. VALACHI. Senator, there was one name which I don't want to say now. Yes, you are right.

Senator CURTIS. The question was raised that this threw a cloud on perhaps a great many union officials, and that is the reason I decided to pursue it further, especially in light of the conversation which has gone on now.

That is all, Mr. Chairman.

The CHAIRMAN. Very well.

All right, Mr. Counsel, call your next witness.

Mr. ADLERMAN. I will proceed with Mr. Valachi.

The CHAIRMAN. Very well. Proceed.

Mr. ADLERMAN. Mr. Valachi, we were talking before about the murder of Moretti and the alibi that Anastasia had established, and so forth, and that Roberts was involved in the killing of Moretti.

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. Roberts was considered an Anastasia man, was he not?

Mr. VALACHI. He originally used to be with Tony Bender, and Tony Bender was never able to get Johnny Roberts in because Johnny Roberts has a brother, a policeman. In other words, Tony Bender didn't have work enough to get him in. But all of a sudden here he is with Albert Anastasia, and Albert Anastasia got him in.

You understand what I mean when I say "in." He got him into the organization, or Cosa Nostra.

And from then on, he was hanging out with Albert Anastasia and became a lieutenant of Albert Anastasia.

Mr. ADLERMAN. About 1957 was Anastasia murdered?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. Do you know any of the details of the crime, details of the murder?

Mr. VALACHI. Well, we had been notified to stay away from Albert's men about a year before that, from my boss. In other words, there has been talk between us that they weren't getting along.

At one time, Albert was trying to talk to Frank Costello and Vito Genovese told him to mind his own business, "We will take care of our family, you take care of yours."

Everybody told him it was a great thing, there was lots of talk about this.

Mr. ADLERMAN. At the time that Albert Anastasia was killed, who do you believe arranged for his murder?

Mr. VALACHI. I believe that Vito Genovese worked hand in hand with Gambino and Joe Bandi. In other words, they have the right to do something like this. If it appears that Vito Genovese had a hand in it, then it would be hard to explain. But being that Albert Anastasia was doing so much wrong and it was up to his own family to act, in

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 349

other words, what I am trying to tell you is that Gambino, Joe Bandi, and the rest, whoever they may have been on it, acted with the assurance of Vito Genovese backing them up.

Mr. ADLERMAN. Now, after Anastasia was killed—you don't know who did the killing, do you?

Mr. VALACHI. No. You mean the actual trigger men?

Mr. ADLERMAN. That is right.

Mr. VALACHI. No, I don't.

Mr. ADLERMAN. Do you believe that Genovese and Gambino and Bandi were behind it?

Mr. VALACHI. Yes.

Mr. ADLERMAN. But you have no proof of that?

Mr. VALACHI. No, sir.

Mr. ADLERMAN. After Anastasia was killed, were you in touch with Johnny Roberts or Johnny Robilotto?

Mr. VALACHI. After Anastasia was killed, I being a close friend of Johnny's, I didn't know how to get to Brooklyn and I didn't know how, even the place where he was hanging out. I knew they were in Brooklyn but I was talking one night with some kid named Rufus, and somehow this name come up, I said, "Do you know where to find him?"

He said, "Yes."

"Let us take a ride."

I remember it was along Grand Avenue some place. I got to Brooklyn. Naturally, I left the kid outside. I met—there were about 10 or 15 boys up in this club. I had a talk privately with Johnny Roberts in his office.

Mr. ADLERMAN. What was the nature of your talk?

Mr. VALACHI. I talked to him naturally, slowly, and curvally because I know now that he was very close with Albert and if he had anything in mind, I said, "You know, making a comeback something like that, you know, Johnny."

Mr. ADLERMAN. When you say "comeback," you mean he might want to get revenge for the killing of Anastasia?

Mr. VALACHI. He said, "No, don't worry about it. Tony and Vito already spoke to me."

I said, "Good."

That is the way it remained.

Then I talked about my own affairs, which didn't amount to anything.

Mr. ADLERMAN. Roberts was close to Anastasia?

Mr. VALACHI. Yes.

Mr. ADLERMAN. You thought he might want to avenge Anastasia's death?

Mr. VALACHI. Yes; I just told him Tony could never have gotten him through the years. He was partners with Tony Bender in different clubs, Hollywood Restaurant, the Village Inn. Whatever Johnny used to do—Tony was partners with him.

Now, as I say, all of a sudden he is with Albert Anastasia. Naturally, I never questioned that.

Mr. ADLERMAN. Let me ask you this: When you had your conversation with him at this club over in Grand Avenue in Brooklyn, he told you that he had already been cautioned?

350 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. By Tony and Vito.

Mr. ADLERMAN. Not to be foolish and not to try to take any revenge?

Mr. VALACHI. That is right.

Mr. ADLERMAN. Did he agree at that time that he would not take any steps to avenge him?

Mr. VALACHI. He assured them.

Mr. ADLERMAN. He himself was killed, was he not?

Mr. VALACHI. Well, he was killed not long after this.

Now, it got to me that Johnny had agreed to make a comeback and when these people, when he told these people that he wanted to be counted out of it, that they killed him because he was trying to declare himself out.

Mr. ADLERMAN. Did you find out with whom he had made his agreement to avenge Anastasia with?

Mr. VALACHI. It was the same crew up in the club. All I remember is Tommy Rava.

Mr. ADLERMAN. R-a-v-a?

Mr. VALACHI. R-a-v-a, yes. Now, after that Johnny Roberts was killed, Paul Gambino come up in the Bronx. I wouldn't know just how long after, and he wanted to have a talk with me. We walked up and down. He was curving me. He knew I liked Johnny. "In other words, what I am trying to get out of you, what should we do"? He says, "I have a lot of respect for your opinion regardless of how other people feel." This is Paolo Gambino now.

Do you know the Paul I mean?

Mr. ADLERMAN. Paul is the lieutenant of his brother, Carlo Gambino?

Mr. VALACHI. That is the one Steve Rinell shot in the 1930's. We were close friends.

I said, "Paul, there is no sense curving. Have you got an idea? Have you people any idea at all?"

He said, "Yes."

"Well, then, act, what are you waiting for?"

He said, "You advise that?"

"Go right ahead before they pounce on you."

It was about a week or two later, sometime that way, when they caught up with him in some club in Brooklyn. They fired about 18 shots. Some of them got away, some were caught, I don't remember just how it went, but some of them made it, they jumped out of the window.

I heard that they had gotten Tommy Rava.

Everything was peaceful then.

Mr. ADLERMAN. Who found out that Tommy Rava was the one that killed Roberts?

Mr. VALACHI. They must have found out themselves. They investigated his family.

Mr. ADLERMAN. Now coming to September of 1952, do you remember the circumstances that preceded the killing of Eugene Giannini?

Mr. VALACHI. Yes; I do.

Mr. ADLERMAN. Can you state the circumstances concerning the Giannini murder?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 351

Mr. VALACHI. Around that time Tony Bender sent for me. I met him in Thompson Street, in a restaurant called Rocco's. I sat on a table and he told me that word came from Charley Lucky that Giannini is an informer. So I said, "There goes my couple of thousand that he owes me."

Mr. ADLERMAN. Did Giannini owe you some money at that time?

Mr. VALACHI. Yes; a couple of thousand. So he said, "Anyway, it is none of our affairs. It is their affairs." Meaning the people he was associating with.

About a month later, Tony sent for me again. This time we went down to the Gold Key Club, I met him.

He said, "They can't seem to find him."

Mr. ADLERMAN. Can't seem to find Giannini?

Mr. VALACHI. Giannini. He said to me, "Gee, Joe, you are not thinking about the money?" I said, "They are going to start this business? Can't they find him? I will find him."

He said, "Well, I will have to talk to the old man about that," meaning Vito Genovese, of course.

So, the next night I met him and he told me that Vito Genovese liked the idea.

The CHAIRMAN. When you said you would find him, what did you mean by that?

Mr. VALACHI. I would get him. If they can't find him means they can't find him to shoot him. So I said I will find him.

The CHAIRMAN. What does that mean in your terms?

Does that mean you were agreeing yourself to kill him?

Mr. VALACHI. I volunteered because I figured now they are looking for excuses. Maybe somebody else will make a lead with him and blame me because he owes me money and accuse me for tipping him off. That is the reason why I answered that way. If they can't find him, I will find him.

The CHAIRMAN. What I am trying to determine, was that in effect, "I will take the contract, I will kill him"?

Mr. VALACHI. Yes, Senator.

The CHAIRMAN. You were taking the contract, yourself?

Mr. VALACHI. Right.

The CHAIRMAN. To kill him, find him and kill him?

Mr. VALACHI. Right; and I had to get the OK.

The CHAIRMAN. You had to get the OK from the old man and the old man was Genovese?

Mr. VALACHI. Right.

The CHAIRMAN. Very well.

Mr. ADLERMAN. How did you go about this?

Mr. VALACHI. When I got the contract, I called Giannini home one night. Jo Pagano was with me.

Mr. ADLERMAN. P-a-g-a-n-o?

Mr. VALACHI. Right. I didn't want him to come to my restaurant. I called him, I didn't give him no name. I just said—I knew he recognized my voice—I said, "Meet me on the corner," meaning on the corner of Casselbra and Westchester Avenue.

Mr. ADLERMAN. Who are you talking about now?

Mr. VALACHI. Gian. It was 8 or 9 o'clock at night, so, Gian said, "I'll be over in the next 20 minutes."

352 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

When he came over, there was a car behind him, which I gathered and I figured was agents.

So I met him in the Casbah on the corner. I told him, I said, "What, do you have agents following you?"

He said, "Jeez, they must be watching you."

I said, "Maybe they are," and I just passed it up.

Mr. ADLERMAN. In other words, you spotted that he had a tail on him?

Mr. VALACHI. He had a tail. So I passed it up and I went to a side door. I said, "I will give you a ring in a couple of days," and I walked out the side. A few days later I called him again at the same place, but this time I went off the corner in another bar called the Casbah. And again the car came. So this time I told him, I said, "Gee, every time I call you, you got somebody covering you." He said, "Gee, I am surprised." I said, "Ah, let's have a drink." So we had a drink, and while we were drinking, he said he had a creeping feeling that night, and also Joe Pagano was with me, and I said, "What do you mean?" And he said, "I don't know. I feel like I am going to be killed."

I said, "What are you talking about?" He said, "That is how I feel." I called the girl over that I knew, a girl that used to work with me in the Lido, and she was hanging on there in the Casbah, and she used to go out with the owner of the Casbah. So I said, "Have a drink," and I introduced him to the girl, which he knew already, because she worked in the Lido Restaurant. But he didn't know her to talk to her.

So I said, "Why don't you go out and have a good time?" He said, "I am broke." So I handed him \$40. So I hung around a little more and then I told Joe, "Let's go. Go ahead and enjoy yourself." And I left him in the Casbah with Jean.

On the way down, Joe he told me, or one of us said, "Joe, it must be true. The guy is an informer."

Mr. ADLERMAN. What?

Mr. VALACHI. That it must be true, that he is an informer. Twice we called him, and twice he has got a tail. So we left it off that way.

Mr. ADLERMAN. Did you later discover where he was operating from?

Mr. VALACHI. A few days later, and it must have been Joe, because I was hanging out in the Bronx at the time, told me he found out that Jean is working at a crap game at 112th Street, at the drop. "At the drop" means the crap shooters go to this place before they go to the game, and one of the fellows that is working there, maybe three or four or five or seven of them working, would direct the crap shooters where the game is. That is what we call a drop.

Mr. ADLERMAN. In other words, they go to the drop and there they are met by somebody who tells them the game is at such and such address, or such and such room in a hotel?

Mr. VALACHI. One of them will escort them usually to the game.

Well, I said, "I will go down and see Tony." I said that to myself. So I went down to see Tony, and I explained to Tony about the two calls I made from Westchester Avenue, and now I find out that he is working at the game at 112th Street. I said, "The game belongs to Paulie Hamm."

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 353

Mr. ADLERMAN. Paulie Hamm?

Mr. VALACHI. Paulie Hamm.

Mr. ADLERMAN. Is that H-a-m-m? What is his real name? Is it Correale?

Mr. VALACHI. It sounds like it. I don't know the real name, but that sounds like it. So I told Tony that the game belongs to Paulie Hamm, meaning that another family—that is another family.

Mr. ADLERMAN. What family was that?

Mr. VALACHI. Tony Lucchese.

Mr. ADLERMAN. In other words, that is a dice game run by Paul Hamm, and it is under the protection of the Lucchese family?

Mr. VALACHI. And Joe Palisades.

Mr. ADLERMAN. A lieutenant of the Lucchese family?

Mr. VALACHI. He said, "I will tell the old man about that." I said, "I will make sure." He said, "You don't have to come down. Call me up and I will have an answer for you." So I called him up at the Gold Key Club, and he told me that, "OK on him."

Mr. ADLERMAN. He said it was OK to kill him?

Mr. VALACHI. He said it was OK, that is all right, meaning go ahead. So, naturally, now, we are working on him in Harlem. So I got the boys.

Mr. ADLERMAN. Who did you recruit for this job?

(Senator Mundt entered the room.)

Mr. VALACHI. Pat Pagano.

Mr. ADLERMAN. Pasquale Pagano?

Mr. VALACHI. Yes. Joe Pagano, the same name, two brothers, and Siano. Well, I looked over the situation, and I told them to get an apartment from 112th Street that would lead into the 111th Street. In other words, they will go through 112th and come out on 111th Street.

Mr. ADLERMAN. In other words, examine a building where they can go from 112th Street and come out on 111th Street?

Mr. VALACHI. Right.

Mr. ADLERMAN. Where was this game located?

Mr. VALACHI. 112th Street between Second and Third Avenue. The drop was 112th Street, between 111th and 112th Street on Second Avenue, in other words a half block away. So, on this particular night, and this is going on for about a week, a few days, 4 or 5 days, a week, whatever it was, I was down there myself and I ask them this—this night Jean was sitting in front of the drop—I asked them if they had gone through the hall. They said they had not. I said, "Well, go home and sleep. You ain't doing anything unless you go go through that drop. You may find the door locked. You people are crazy." I wanted them to go through.

Mr. ADLERMAN. You wanted to check out the exit so they would have a clear getaway?

Mr. VALACHI. Right. Besides, Pat said, "I will make sure I go through and come out." I said, "Okay, if you don't go through that, I am responsible for this."

I come down the following night and they had gone through, but Jean didn't come that night. He wasn't there. Well, it was a few more days that passed when I got a telephone call. They explained to me whichever way it was that she was around.

354 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. That what?

Mr. VALACHI. That she was around, that that girl was around, she is over there, meaning Jean. I mean, that is the way they said it on the phone. "Well, go see her." Well, they took care of her.

Mr. ADLERMAN. Did they shoot her?

Mr. VALACHI. Yes, they shot her.

Mr. ADLERMAN. And they escaped on the escape route that you had planned out for them through the building from 112th Street to 111th Street?

Mr. VALACHI. Right.

Mr. ADLERMAN. Where did they leave the body?

Mr. VALACHI. Well, now, the body was moved.

Mr. ADLERMAN. Did they move the body?

Mr. VALACHI. Who is they?

Mr. ADLERMAN. Pagano or Siano?

Mr. VALACHI. No. There was a dispute about the body. The body was moved from 112th Street and dumped in 107th Street. I am coming to that. I didn't see Tony until a few days later, maybe 2 days, and he asked me about the guns, what happened to the guns, with the other gun.

Mr. ADLERMAN. Who was it you are talking about now?

Mr. VALACHI. Tony Bender.

Mr. ADLERMAN. Tony Strollo?

Mr. VALACHI. Tony Strollo. I said, "To tell you the truth, I didn't see those guys yet, but I know they went to Newark for a couple of days. But I will check." And Tony is telling me about how come they found the body on 107th, and I don't know. Well, a few more days go by and I get called again, this time in the office of Vito Genovese in the scrap company that he had.

Mr. ADLERMAN. Was that the Erb Scrapping Co.?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Where was that located?

Mr. VALACHI. On Thompson Street. Vito was telling me that them guys made a beef and they are pretty mad.

Mr. ADLERMAN. When you say "them guys," who do you mean by that?

Mr. VALACHI. People of the game.

Mr. ADLERMAN. Paul Hamm?

Mr. VALACHI. Pauly Hamm and the ones that was interested in the game. I didn't know all of them.

The CHAIRMAN. In other words, the people that were running the crap game made a squawk about it because the killing was committed so close to the game?

Mr. VALACHI. Right.

The CHAIRMAN. Thus attracting the attention of the cops to that area.

Mr. VALACHI. They said it cost them \$10,000.

The CHAIRMAN. It cost them \$10,000, and they didn't like to lose that kind of money. He wasn't concerned about the fellow who got killed particularly, but just didn't want the crap game interfered with; is that it?

Mr. VALACHI. That is what I told them; isn't it worth \$10,000 to get rid of something like that?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 355

The CHAIRMAN. You told them it was worth \$10,000 to get rid of something like that?

Mr. VALACHI. Certainly, and then I told Tony, "I told you people." In other words, I didn't do it on my own.

The CHAIRMAN. You thought it had been arranged to handle it just that way before you arranged to have him killed?

Mr. VALACHI. Yes. They ok'd it.

The CHAIRMAN. Where were you when the killing actually took place?

Mr. VALACHI. I was in the Lido restaurant.

The CHAIRMAN. In the restaurant?

Mr. VALACHI. Yes.

The CHAIRMAN. Did you know it was going to take place at that time?

Mr. VALACHI. When I told them I got the call and they told me that she was there, meaning that he was there. Now I am giving you an idea of how we talk.

The CHAIRMAN. When they said she was there, you knew it meant that Giannini was there, and, therefore, it would be taken care of.

Mr. VALACHI. That is right. Then they gave me another call I forgot to tell you about, and they were going to take a trip to Newark, meaning that it was taken care of.

The CHAIRMAN. They gave you another call and talked to you in language that they were going to take a trip.

Mr. VALACHI. And which they did take a trip.

The CHAIRMAN. It indicated to you that they had taken care of it and that they were going on as they planned?

Mr. VALACHI. Yes. They wouldn't be around for a couple of days.

The CHAIRMAN. They will be away for a few days.

Senator CURTIS. Mr. Chairman?

The CHAIRMAN. Senator Curtis.

Senator CURTIS. You were not present when he was killed?

Mr. VALACHI. No.

Senator CURTIS. You did take the contract for it?

Mr. VALACHI. Senator, sometimes I was there and sometimes I wasn't. If I am there, I will be there just the same. It don't make—

Senator CURTIS. I am coming to that. But you took the contract for the killing?

Mr. VALACHI. I had the contract and the responsibility.

Senator CURTIS. And in carrying out that contract, you introduced him to this girl Jean?

Mr. VALACHI. Jean had nothing to do with it.

Senator CURTIS. No, I mean in the first instance you introduced him?

Mr. VALACHI. Do you mean when I wanted him to go out and enjoy himself?

Senator CURTIS. Yes.

Mr. VALACHI. Yes.

Senator CURTIS. And you gave him some money?

Mr. VALACHI. I gave him \$40.

Senator CURTIS. Did you recruit the men who did the killing?

Mr. VALACHI. I don't understand what this means.

356 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator CURTIS. Did you arrange for them, did you pick them out?

Mr. VALACHI. Yes.

Senator CURTIS. What did they get?

Mr. VALACHI. Money?

Senator CURTIS. Yes.

Mr. VALACHI. No, they were proposed.

Senator CURTIS. I see. They were members——

Mr. VALACHI. Not members. Proposed.

Senator CURTIS. Proposed members?

Mr. VALACHI. Yes.

Senator CURTIS. So they had to do it to prove themselves; is that right?

Mr. VALACHI. Well, we always worked the same way, and we are still working the same way. We don't care what anybody else does.

Senator CURTIS. Now, in every murder that you have described, you have always been absent at the time the gun was fired, or at least you didn't fire it.

Mr. VALACHI. Senator——

Senator CURTIS. Is that because you have a convenient memory, or are you withholding something from the committee that might incriminate you, or is there some other reason?

Mr. VALACHI. Senator, I am glad you brought that out. At this time we are talking about, around 1952, I am experienced, and these boys are not. You see the way they wanted to go ahead and do this without going through the yards? We talk about myself now, like I have been telling you I have been driving the car.

Senator, I want to tell you something, driving the automobile is more important and more dangerous. For instance, I want to recall to you, Senator, the Joe Baker affair. You will remember I told you there was four of us up there, like Sally Shields, myself, Buster and Nick Caputo, is that right?

Senator CURTIS. That is right.

Mr. VALACHI. Sometimes we were five, Senator. Remember, Senator, we were going into the headquarters of the opposite mob. In other words, Sally Shields was a stiff there. He wasn't needed nohow. But to watch their backs or be prepared in case we do meet the opposite mob. Now, I am a chauffeur, for which I have been known through the years, that I was a good driver. In fact, other mobs used to try and borrow me, which I never wanted to go. I am a professional at the wheel. Buster is a sharp shooter. So I take the wheel and Buster does the shooting, and for instance, Nick could not fire unless Buster fired first. I didn't think I had to explain that. But, Senator, being you asked me that, that is the way we worked. Everybody today is professional.

Senator CURTIS. Do you regard the individual who uses the gun or the knife more guilty than you or the others?

Mr. VALACHI. Senator, if I go and do something—what difference does it make who uses the gun and who drives the car? We are both guilty. How can you get out of that?

Senator CURTIS. I don't want you to. But I want to know what you thought about it.

Mr. VALACHI. Senator, I know the law, but this is war. Now, look at the time we wasted on Joe Baker, 2 months up in the other place.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 357

Can you imagine if we had a miss there how we would feel? So why take a chance with an amateur when you got a sharpshooter around?

Senator CURTIS. In other words, you are explaining that you divided up among experts a particular function?

Mr. VALACHI. Right.

Senator CURTIS. And you are not putting this in the light that there would be more guilt on somebody else?

Mr. VALACHI. No, Senator, by no means.

Senator CURTIS. You regard everyone that participates equally guilty with the individual who pulls the gun?

Mr. VALACHI. Senator—

Senator CURTIS. Now do you?

Mr. VALACHI. Yes. I want to tell you how much I am aware of the law. You are guilty as an accessory before the fact, after the fact, I know all that, Senator. I am very familiar with that. I don't mean that by no means when I speak that way. I just tell you what happened. In 1930, that is the reason why Maranzano liked me a lot. Everybody that had to go somewhere asked, "Can I take Joe," because they depended on the driver. I went three places one day. Nothing was done but I went three places. Everybody would ask for me because of the driving. You remember in the early days when I got shot in the head and arms, the 72 shots that were fired. Do you want me to explain the 72 shots?

Senator CURTIS. If it won't take too long.

Mr. VALACHI. I got it in the court, where the detective made the statement in court. That is how I knew 72 shots were fired. "Twelve men fired 72 shots at this boy." I thought I—

Senator CURTIS. What is involved in being a good driver when there is somebody to be murdered, is it speed or is it knowledge of the streets or how to take the lights or what is it?

Mr. VALACHI. In case you are put in a position that you are stopped and you can't stop and in case you have to be prepared for that—in case some policeman wants to stop you, maybe we can't afford to stop, maybe we didn't get rid of the guns yet and we have to get away. It always pays to have a level-headed driver.

Senator CURTIS. Who is in command in the car? You are in the getaway, you haven't got rid of the guns yet and a decision has to be made whether to abandon the car or fire at a policeman or what. Who is in command? Who is to say they are not to fire on a policeman?

Mr. VALACHI. Senator, the only thing I can say, we didn't come across anything like that. Everything went smooth.

Senator CURTIS. If something had happened would you have been in command?

Mr. VALACHI. The guy at the wheel. He is responsible for everything. After that it is all up to him whether he takes you home or whether he crashes and gets you pinched. He is the most important after that.

Senator CURTIS. If he would run into a situation and told the men not to shoot, they should not do it, is that right?

Mr. VALACHI. Well, we always try to avoid shooting. After all we are experienced. We always try that. I went into details of the Tremont Avenue job and I never told what police told me. They give me credit for two things. One, that we didn't fire back. Another

358 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

was that I didn't hit anybody going at 80 miles an hour. I tell you something that happened but I didn't think I should go into details. For instance, I got arrested and I went to jail. But now I see it pays for me to explain to you, Senator. Do you understand what I mean?

Senator CURTIS. I do.

Mr. VALACHI. I was wondering why no one asked me about the 72 shots. How did I know 72 shots? Before I made the statement I knew where I got it from. Nobody asked me and I didn't say anything. If you had asked me I would have told you I got it when the arresting officer made the statement in court.

Senator CURTIS. One time the police praised you for the fact that you did not shoot back at them?

Mr. VALACHI. Yes, they said they gave us credit for two things.

Senator CURTIS. Also you could drive 80 miles an hour without hitting anybody?

Mr. VALACHI. Yes. "We don't know if you had any guns but if you did, instead of being here for burglary today you might be here for murder."

They explained it.

Senator CURTIS. Instead of the low man in command being the car driver he is the man in the car that really runs it.

Mr. VALACHI. That is the most dangerous job. Twice there was somebody that got hit and I was the one twice. Once in the arm and once in the head.

Senator CURTIS. That is all.

The CHAIRMAN. In driving you have to try to see where you are going, don't you?

Mr. VALACHI. In driving it is to keep a level head, Senator. Being a good driver won't help if you are going to get excited and go into a building, no matter how good a driver you are, it is sustaining under the pressure, they are shooting at you, is to hold your head. Don't be dashing around a corner a hundred miles an hour and turn upside down. It is keep cool. That is the experience of driving, it is to stay cool. Senator, I would be ashamed to tell you how many chases we got.

The CHAIRMAN. What?

Mr. VALACHI. I would be ashamed to tell you how many chases we got, it would sound like an exaggeration.

The CHAIRMAN. How many times they chased you?

Mr. VALACHI. Yes.

The CHAIRMAN. You are talking about in your career of burglary in the 30 years?

Mr. VALACHI. Yes. The old-time policemen they know. The policemen of that day they know. I don't want to praise myself.

The CHAIRMAN. A minute ago you told us, you don't regard yourself less guilty because of the fact that you drove the car and the other fellow did the shooting.

Mr. VALACHI. By no means, Senator. I say we all the time, like we went to the——

The CHAIRMAN. In other words, we did the killing. That is what you are saying.

Mr. VALACHI. Right.

The CHAIRMAN. You are not saying they killed him?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 359

Mr. VALACHI. The opposite mob ain't going to leave me alone because I drove the car, neither is the law going to leave me alone. I didn't think I had to explain that. I took it for granted.

The CHAIRMAN. Proceed.

Mr. ADLERMAN. Mr. Valachi, you explained that this dice game was under the jurisdiction of the Lucchese family and the game was run by Paulie Hamm and that his lieutenant was Joe Palisades.

Mr. VALACHI. Yes.

Mr. ADLERMAN. Did they make a complaint against you for having a murder committed on their doorstep?

Mr. VALACHI. Let me go on with the conversation I had with Vito Genovese.

Mr. ADLERMAN. Yes.

Mr. VALACHI. He told me what did I get him on. I said, "What did they say?" "They said they took out of the neighborhood to throw the heat off the game." I said, "They are lying." "What do you mean," he says. I said, "The boys that were loose, that were working in the game, which are not members, they thought he had a chance. They were rushing him to the hospital. You don't know the neighborhood, I do." I am telling this to Vito. I said, "You don't know the neighborhood, I do. They are on their way to the Fifth Avenue Hospital. Going on their way to the Fifth Avenue Hospital," I said, "they realized that he was dead and they dumped him off. Now they want to play heroes. Now they want you to understand they took a dead body, taking a chance of being caught just because they wanted to take it away from the crap game." I said, "I won't go for it." He said, "That is what they say." I said, "I am telling you what I say. You can count on it." He said, "I agree with it." That is what he told me. Now what was the question you asked?

Mr. ADLERMAN. I asked you whether or not Joe Palisades had made any complaints because you drew heat to the game by killing him right at the doorstep there?

Mr. VALACHI. A week later I got a telephone call from Tommy Ryan that Tony wanted to see me.

Mr. ADLERMAN. That is Tommy Eboli, Tommy Ryan.

Mr. VALACHI. Right. I had an address to go to Hialeah Park, Highlands, whatever it is in New Jersey, I got an address to go alone. I went. I found my way. I got into the place. It was owned by Vito Genovese's son-in-law.

Mr. ADLERMAN. Was this Atlantic Highlands?

Mr. VALACHI. I saw Vito there. I saw another room, there were quite a few boys in there. I don't know if I saw Tommy or Joe Palisades but I saw one of them, I wasn't sure, the door was closed. I was drinking at the bar. I was pretty sore. I had an idea why they called me. Nobody is telling me anything but as I say, the other door was closed, you know, was closed and then where I was at the bar there was tables naturally in the room and in the other room. After my drinking about maybe 10 or 15 minutes by myself I decided to go to the bathroom. Now when I went into the bathroom, alongside of me came Tock O'Dell which I knew for a long time and he got next to me as I was in the bathroom. He said, "I am your friend." I said, "For what?" He said, "I am your friend." I said, "Tock, can I ask you some questions?" He said, "Nope." "Can I come and see you in

360 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Brooklyn?" He said, "Nope." "Have I done something wrong?" He said, "I am your friend." I said, "What am I supposed to do, go home?" "Yes." Then I come out. I don't even know if I said so long and walked out and I went home. In other words, I was on the carpet. Tock was trying to make me understand. I want to know why I am on the carpet. In other words, I am trying to say, they told me to do it, now what?

Mr. ADLERMAN. Anyhow, they resolved it without calling you in, is that right? Then they told you to go home?

Mr. VALACHI. They straightened it out.

Mr. ADLERMAN. When you discussed this with Vito Genovese after the murder and you explained to him how it happened did he say anything to you?

Mr. VALACHI. When he learned that I accepted the proposition, that he was had.

Mr. ADLERMAN. He wanted to get the first punch?

Yes?

Mr. VALACHI. Well, I forgot to tell you that.

Mr. ADLERMAN. In other words, he had given approval to do the job where it was done even though it was on the doorstep of the—

Mr. VALACHI. Right. Now when it comes to these other guys making a beef, I don't know what they said. Why are they calling me in Highlands?

Mr. ADLERMAN. Have you ever talked to Lucchese himself personally?

Mr. VALACHI. Well, somebody died, well, that was maybe a couple of months after, 2 months, somebody died, and I knew Tommy Lucchese would be at his wake. I waited 2 days, in other words, to talk to Tommy. When I did meet Tommy there was some of the boys there like Big Sam, Joe Palisades himself was there. They were acting cold. Anyway what I explained to Tommy is, "I wanted to know how you feel, I don't care about them, how they feel." I said, "Do you think I went crazy? Do you think I would go there by myself?" In other words, I am trying to tell him, do you think I took it on my own?

Mr. ADLERMAN. When you took it on your own, you mean killing him on the doorstep?

Mr. VALACHI. Because of the crap game. He said, "Forget about it. Everything is fine."

Mr. ADLERMAN. In other words Lucchese was pleased because Giannini was killed because he was an informer?

Mr. VALACHI. Right.

Mr. ADLERMAN. I wonder if we can call Sergeant Salerno so that we can put the record on this.

TESTIMONY OF SGT. RALPH SALERNO—Resumed

Mr. ADLERMAN. Sergeant, you have already been sworn and you have heard the testimony, of Mr. Valachi, concerning the killing of Eugene Giannini?

Sergeant SALERNO. Yes, sir, I have.

Mr. ADLERMAN. Can you tell us what the record shows on that?

Sergeant SALERNO. The record shows that at 6 a.m. on September 20, 1952, the body of Eugene Giannini, age 42, who lived at 282 West

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 361

234th Street, New York City, was found in front of 221 East 107th Street. The cause of death was shotgun wounds in the head. The deceased had a narcotics arrest both for violation of State laws and Federal laws and, through confidential sources, it was learned that he had, in fact, been an informant for the Federal Bureau of Narcotics.

(At this point Senator McClellan withdraw from the hearing room.)

MR. ADLERMAN. Do you know whether or not Fiore Siano mentioned by Mr. Valachi is still alive?

Sergeant SALERNO. Yes, sir, he is.

MR. ADLERMAN. Do you know whether or not Joe Pagano is still alive?

Sergeant SALERNO. Yes, sir, he is.

MR. ADLERMAN. Do you know whether Pasquale Pagano is still alive?

Sergeant SALERNO. Yes, sir; all three of them are.

MR. ADLERMAN. Are any of them in prison at the present time?

Sergeant SALERNO. No, they are all out of prison right now. I believe that Joseph Pagano is in jail at the present time.

MR. ADLERMAN. Is what?

Sergeant SALERNO. Joseph Pagano is in jail at the present time.

MR. ADLERMAN. Joe Pagano?

Sergeant SALERNO. Yes, sir.

MR. ADLERMAN. Mr. Valachi testified to the killing of Rava and Roberts. I wonder if you can put in the police record showing what it reflects?

Sergeant SALERNO. In the case of Armand Rava, there is no official record of a homicide or even of him being a missing person.

In the case of John Robilotto, who is known as Johnny Roberts, on September 7, 1958, at 3:35 p.m., John Robilotto, also known as Johnny Roberts, of 782 St. Marks Avenue, Brooklyn, age 54, was found shot and killed at 150 feet south of the southwest corner of Utica Avenue and Kings Highway in Brooklyn, the cause of death being multiple gunshot wounds of the face and head.

MR. ADLERMAN. Has the police department made any investigation concerning Armand Rava?

Sergeant SALERNO. We don't truly have an official complaint, either that he is missing, by any member of his family who do reside in our city, nor do we have any complaints or homicide, nor is there a body, Mr. Adlerman.

MR. ADLERMAN. Mr. Valachi, do you know the whereabouts of Rava's body, or what the circumstances are or how he was killed?

MR. VALACHI. Who?

MR. ADLERMAN. Rava.

MR. VALACHI. I understand they buried him.

MR. ADLERMAN. They buried him?

MR. VALACHI. Yes.

MR. ADLERMAN. And you say his family has never reported him missing?

Sergeant SALERNO. No, sir.

MR. ADLERMAN. Has he been seen around?

Sergeant SALERNO. Well, there was a great deal of interest in him immediately following the Apalachin meeting because he was one

362 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

of those men in attendance. His close association to Albert Anastasia is a thing that was known, of course.

So many agencies, local, State, and Federal, had an interest in Armand Rava.

The last traces of his whereabouts were in the State of Florida in 1959.

Mr. ADLERMAN. In the opinion of the police department, do they suspect that he has been killed?

Sergeant SALERNO. Yes. We presume that he is dead.

Mr. ADLERMAN. Do you have a lot of other instances of a similar nature, like Vincent Gigante and some of those others that have been missing?

Sergeant SALERNO. Yes, sir.

Mr. ADLERMAN. And this is not an uncommon occurrence for bodies never to be found, a corpus delicti to be available?

Sergeant SALERNO. We have given some really very serious consideration that this is a new technique employed by organized crime for the purpose of having no official report or, at best a missing person's report, rather than have a body in the street where there is quite a thorough investigation of the circumstances of a homicide.

Mr. ADLERMAN. And the proof of the homicide would depend upon the finding of the corpus delicti?

Sergeant SALERNO. Yes, or at least a complaint that someone is missing might lead to an inquiry.

Mr. ADLERMAN. This has become rather a current mode of operation?

Sergeant SALERNO. I can think of at least a half dozen in the last several years in our area of interest, if not actually within our city at least, of people whom we would be interested in, for example, Tony Bender actually disappeared from his home in New Jersey but he is a person that we would be interested in and we would give it some analysis in our thinking.

Mr. ADLERMAN. Thank you.

Senator McINTYRE. Mr. Chairman?

Senator JACKSON (presiding). Senator.

Senator McINTYRE. May I inquire of the sergeant on a couple of questions?

Sergeant, I am intrigued by Valachi's testimony about the game belongs—speaking about a dice game—that the game belongs to so and so. What does that mean?

Sergeant SALERNO. A dice game actually has an operator.

In addition to the playerrs, there are the persons who must arrange for the premises, itself. There is an operator. The game can be cut, where a certain amount is taken from the pot for the expenses involved. The persons who are in charge of this, arranging—he has described, for example, that you just don't walk up and ring a doorbell and walk into a game. There is a drop where you are picked up and delivered to the game. We have found that some of the methods which have been arranged for delivery are quite elaborate.

He speaks of the drop in this particular case being a block or a block and a half away. We have found that a person may actually start, let's say, seven blocks from the ultimate location that he will be delivered to.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 363

However, the man who delivers him puts him into a vehicle and they may travel 20 and 25 miles up and down parkways to be sure that they are not being tailed before that man is actually delivered into the game.

So the people who have to arrange for all of this are the people who have the game and operate the game.

Senator McINTYRE. They take a big cut out of this?

Sergeant SALERNO. They get enough out of it to make it worth their while, Senator, or they wouldn't engage in this type of thing.

Senator McINTYRE. I think Valachi referred to the fact that it cost somebody \$10,000 on this particular night.

Sergeant SALERNO. The profits from having to perhaps relocate their game, to get in touch with their players and let them know where the new location would be, this would be an economic loss to them; yes, sir.

Senator McINTYRE. Who are the players? Are they fellows in New York, looking for thrills, or something?

Who are the players who participate in this?

Sergeant SALERNO. Well, in a real good game, you find that the players are quite usually, these days, members of the smart money crowd who are in organized crime. There might have been a time when legitimate businessmen, looking for the thrill of a big action game, would have attended, but there is a certain amount of embarrassment in being arrested in this game, even if you are only a player and not directly concerned with the operation of the game, and we find that legitimate people have started to shun the effects of being arrested in a game of this type.

Senator McINTYRE. The players, then, would normally, in this type of game that Valachi is talking about, would be part of these hoods, and so on?

Sergeant SALERNO. These days, I would say this is what you would find at the game, smart money people.

Senator McINTYRE. Does shylocking enter into the dice game at all?

Sergeant SALERNO. Yes, it does. In a good game, I suppose, the principle behind it is that the man who is losing expects that his luck is going to change at any moment. So even though he goes through all of the cash that he may have walked into the game with, he will then seek to borrow money from a shylock who is at the game, so that he can continue and perhaps change his luck.

Senator McINTYRE. Thank you very much.

Senator JACKSON. Mr. Valachi, did you want to comment?

TESTIMONY OF JOSEPH VALACHI—Resumed

Mr. VALACHI. I would like to explain about the shylocking, too, in the game. I know about it.

Senator McINTYRE. Shylocking at the dice game?

Mr. VALACHI. Yes.

Senator JACKSON. You do not mean you introduce high rates of interest into the dice game?

Mr. VALACHI. No; they have a man there and he stays there just for that. They charge 5 percent for overnight borrowing. In other words, if you borrow \$5,000, you have to pay 5 percent on it. But they are not giving this \$5,000 to anybody. They know who they are giving it to.

364 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator JACKSON. Was this a pretty good area of business in lending money?

Mr. VALACHI. I have known boys who got rich in the Sammy Shields game downtown through the years.

Senator JACKSON. Did you have some who specialized in loaning money for dice games?

Mr. VALACHI. Yes.

Senator JACKSON. And I suppose the participants are captives so that if it is a 24-hour loan, at least the body would be there all that time?

Mr. VALACHI. Well, I don't know how they think, Senator, but if you borrow \$100, the next day you have to bring \$105; if you borrow \$500, you have to bring \$525. It is according to what you borrow. But they charge 5 percent.

Senator JACKSON. Five percent for 24 hours?

Mr. VALACHI. Yes.

Senator JACKSON. That is about the highest rate submitted so far.

Mr. VALACHI. Well, that is the way it goes, Senator.

Senator MCINTYRE. That is the overnight rate, Mr. Chairman.

Senator JACKSON. I have heard of by the month, but this is the first time I understood they had an overnight rate.

Mr. VALACHI. So they can be a day late, but it is 5 percent.

Senator JACKSON. Thank you, Sergeant.

Mr. ADLERMAN. Mr. Valachi, do you recall the occurrence of the shooting of Costello?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Costello had taken over what is now known as the Genovese family and previously had been known as the Luciano family, and he had taken it over after Lucky Luciano had gone to Europe and it was determined he was not coming back.

Mr. VALACHI. He originally had been there after Che Gusae. There was a Che Gusae there for 1 year after Charley went away. He died. Frank was put there as acting boss.

But through the years, and you are talking up to the time he got shot, he must have been there about maybe—I don't know how many years, but quite a bit of years. He automatically became boss.

Mr. ADLERMAN. Were you approached by anybody to shoot or kill Costello?

Mr. VALACHI. I have to be very cautious in telling this.

Senator JACKSON. Refer to it as Mr. C. or your "friend."

Mr. VALACHI. That wouldn't help Mr. Adlerman.

Can we leave this until private? I want to protect this person. It is very hard.

Mr. ADLERMAN. Were you asked to participate in it?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Without mentioning the name of the man, did you agree to participate?

Mr. VALACHI. Mr. Adlerman, I am not thinking of the question.

Mr. ADLERMAN. What is that?

Mr. VALACHI. I am not thinking of the question you just asked me. That would also be incriminating.

Let's put all of the question for private. I will answer you. I will give you all of the details.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 365

Mr. ADLERMAN. Would you rather tell it in your own way?

Mr. VALACHI. No; I would rather talk it in private.

Senator JACKSON. You want to talk in a private room or in what we call an executive session?

Mr. VALACHI. Yes.

Mr. ADLERMAN. All right; then, we will abandon this for the moment.

Mr. VALACHI. Please.

Mr. ADLERMAN. Yesterday, we were discussing about some of the businesses that Genovese had been in. I would just like to get this straight.

Was he partner in any clubs in New York City?

Mr. VALACHI. He had the Savannah Club.

Mr. ADLERMAN. Where is that located?

Mr. VALACHI. Third Street on the west side. I always forget the other street. But it was Third Street.

Mr. ADLERMAN. Any other clubs?

Mr. VALACHI. The Grotton Village on Eighth Street.

Mr. ADLERMAN. What other clubs?

Mr. VALACHI. The 111 Club, on Second Avenue, when it was there.

Mr. ADLERMAN. Was that 111 or 181?

Mr. VALACHI. 181.

Mr. ADLERMAN. Any other clubs?

Mr. VALACHI. The 82 Club on Fourth Street. He had nothing to do with the Gold Key.

Mr. ADLERMAN. Who were his fronts on those, do you know?

Mr. VALACHI. A fellow by the name of Steve Francis and another fellow named Tony Petillo, which was his brother-in-law. That is about all.

Mr. ADLERMAN. Let me go to another matter now. While you were a cellmate of Genovese in Atlanta, did you have a discussion about the Copacabana Club?

Mr. VALACHI. Yes.

Mr. ADLERMAN. I would like you to relate the nature of your discussion with Genovese.

Mr. VALACHI. I was walking around with him. I was walking around with him one day and he told me that Joe Pagano had a piece of Copacabana.

So, innocently, I said, "Joe has a piece of the Copa?"

Well, he blew up. He said, "What do you mean?"

I said, "That's what I heard."

"Where did you hear it? With my permission, I want you to tell everybody, I am giving you permission," and he was yelling, "You go tell everybody that Frank Costello—I gave him back the Copacabana, that Frank Costello owns the club."

When he means "anybody," he didn't mean the inmates, he meant the boys in the prison, of which there was about 14 boys from different families, some from Buffalo, some from New York, some from Chicago. There was quite a bit, about 14 members.

Mr. ADLERMAN. This was after the attempted shooting?

Mr. VALACHI. This was after that. That was after he reinstated him in Atlanta Prison. In other words, they made up. I don't know if I explained that Frank Costello was stripped out of everything. Did I explain that before?

366 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. What is that?

Mr. VALACHI. That he was nothing.

Mr. ADLERMAN. After the shooting he had been downgraded and he had no rank or anything.

Mr. VALACHI. Yes. Have I explained that before?

Mr. ADLERMAN. No; we did not go into that.

Mr. VALACHI. Do you want me to go into that?

Mr. ADLERMAN. No; I think we had better avoid that. We will take that in executive session.

Mr. VALACHI. I will leave that for private, too. There is something I thought about that I can't say.

Mr. ADLERMAN. In your talk with Genovese he explained to you that he had reinstated Costello in favor with the organization.

Mr. VALACHI. Well, at this time, when I asked him that, I knew Frank was reinstated, but I did not know that he had gone back to the "Copa," only that I asked innocently that I had heard that Joe Pagano had a piece of the Copa. Innocently, when I asked him if that was true that is when he blew up and told me that Frank Costello has the club back and it belongs to Frank and nobody else but Frank.

Mr. ADLERMAN. When he says a piece, does that mean ownership of the club or does it mean the hat concession, or what?

Mr. VALACHI. It could have been anything, it could have been the hat concession, it could have been anything, it would have meant anything. That is what I wanted him to explain to me, what kind of piece he had. I walked into it innocently. I was sorry I asked him.

Mr. ADLERMAN. Did you have another conversation with him about Philip Lombardo or Benny Squint?

Mr. VALACHI. No.

Mr. ADLERMAN. Will you explain what that deal was?

Mr. VALACHI. When he was out, somebody else told me that in Atlanta.

Mr. ADLERMAN. Who told you that?

Mr. VALACHI. Not in Atlanta but West Street.

Mr. ADLERMAN. Who was that?

Mr. VALACHI. The same thing, that Benny Squint and Chink Leo, they had the concession of the hat checking. It cost \$25,000 to get the concession. Anyway, to make it short, after 1 year there was a \$30,000 profit. So, now when they went to tell Vito, I am talking about Benny Squint now, that there was \$30,000 profit, he turned around and said he had a case pending. He took the \$30,000 and put it in his pocket and they did not get 2 cents.

Mr. ADLERMAN. Did they ever complain about it?

Mr. VALACHI. They did not make no complaints but the interest was lost about having the hat checking.

Mr. ADLERMAN. What is that?

Mr. VALACHI. They lost their interest in having the hat check. They traveled.

Mr. ADLERMAN. The two people you are talking about is Philip Lombardo alias Benny Squint and Ben Turpin?

Mr. VALACHI. Yes. As long as I am talking about him he is the one who acts as lieutenant while Mike Copolla is in Florida.

Mr. ADLERMAN. What is that?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 367

Mr. VALACHI. He is the one who acts as lieutenant while Mike Copolla is in Florida.

Mr. ADLERMAN. Will you explain what you mean by acting for Mike Copolla while he is in Florida?

Mr. VALACHI. Being Mike Copolla is in Florida most of the time he acts as lieutenant in Mike Copolla's absence. Now, if something is very important and Mike has to come in then he comes in. Until then Benny Squint or Ben Turpin is what we call acting lieutenant.

Mr. ADLERMAN. Now, the other man that had an interest in this was Arthur Leo or Chink Leo?

Mr. VALACHI. Chink Leo.

Mr. ADLERMAN. Philip Lombardo and Arthur Leo were afraid to complain about taking away this money?

Mr. VALACHI. Naturally; who is going to complain?

Senator MUNDT. Do I understand that if you are out of your area of operations for a certain amount of time, under your Cosa Nostra rule you have to get a sort of letter of reference or introduction to get back in?

Mr. VALACHI. No, Senator; it is this way—maybe you have not put the question right.

Senator MUNDT. Tell us how it is.

Mr. VALACHI. May I explain it to you?

In other words, if a member wants to move, like, say, I want to go to Boston, I have to live in Boston 6 months. Then I can go in and get a letter if Boston wants me. That is what you mean, Senator.

Senator MUNDT. I see. You have to live in an area 6 months?

Mr. VALACHI. Six months. In other words, if you want to move, yes.

Senator MUNDT. Are there any open areas in which the mob operates where you don't have to do that?

Mr. VALACHI. Senator, then you belong in the same place. This is only if you want to make a move. You can go live anyplace you want but you are not making any move. You always have to report where you originally report and let them know you live there, that is all. This way they can call you. I explained, if you want to make a move and go from one family to another.

Senator MUNDT. Then you have to be there 6 months?

Mr. VALACHI. Yes.

Senator JACKSON. Mr. Valachi, is the \$30,000 take from a hat-check operation a net take?

Mr. VALACHI. That was the net profit.

Senator JACKSON. Do you know any other similar concessions in the New York area?

Mr. VALACHI. Yes, there is all kinds of concessions, Senator. Some places they lose money, too.

Senator JACKSON. I am talking about being run by the mob.

Mr. VALACHI. No; mostly they sell them.

Senator JACKSON. They buy and sell them?

Mr. VALACHI. No; like they rent it out. Like, say, the \$25,000 was like renting it out rather than having the trouble. They have to furnish the girls and work.

Senator JACKSON. I understand; but they, in effect, own the concession and then they rent it out?

368 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. Right, that \$25,000 a year.

Senator JACKSON. The average charge or rental or lease arrangement is \$25,000 a year you say?

Mr. VALACHI. Well, it would be leased, yes.

Senator JACKSON. I meant on the so-called better known clubs and so on.

Mr. VALACHI. Yes; they lease them that way, yes.

Senator MUNDT. Do you object to telling us in public testimony about what Genovese told you in Atlanta concerning the Federal agent that had been marked for extinction?

Mr. VALACHI. Yes; I would rather have that in private session.

Senator MUNDT. You would rather not tell that?

All right.

Senator JACKSON. Sergeant Salerno, counsel has a question.

Mr. ADLERMAN. Sergeant, have the police conducted any investigation as to any activities in the Copacabana Club?

Sergeant SALERNO. There are at the present time, Mr. Adlerman, two rather extensive investigations into the areas of the premises which are licensed by the State liquor authority. The State liquor authority itself is conducting an investigation. As a matter of fact, yesterday's paper spoke of several revocations of licenses for hidden interests. That investigation is being pursued by the State liquor authority, itself. The district attorney in New York County has a very active investigation in the same area.

With regard to the Copacabana, there is a case right now being appealed in superior court arising from an assault that took place in the Copacabana. Our department, when it had a jurisdiction of cab areas, did conduct a hearing with the licensee of the Copacabana, was brought in. All these matters are still pending so we feel we have to ask the indulgence of the committee in not discussing the matter while these investigations are current.

Mr. ADLERMAN. We won't pursue it any further.

Sergeant SALERNO. Thank you.

Mr. ADLERMAN. Now, Mr. Valachi, during the time that you were being tried on the conspiracy charges in New York City you were held at the Federal detention house on West Street?

Mr. VALACHI. Yes.

Mr. ADLERMAN. You call it "West Street" usually; is that your abbreviation for it?

Mr. VALACHI. For the detention house.

Mr. ADLERMAN. While you were at the detention house did you meet Carmine Persico, Jr.?

Mr. VALACHI. Yes, I did.

Mr. ADLERMAN. Did you have some conversations with him concerning the Profaci and Gallo feud?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Was Persico involved in that, himself?

Mr. VALACHI. Yes, he was involved in that. I was introduced—let me call him "Junior." I can't pronounce his name and I can't remember his name often. I was introduced to Junior by some members there. There were quite a few of them.

Mr. ADLERMAN. Is Persico a member of the Cosa Nostra?

Mr. VALACHI. Yes.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 369

Mr. ADLERMAN. You introduced him as a member?

Mr. VALACHI. Yes. I was very close to some of his friends. I was on the same case with him. He had heard about me outside. He was very close to some friends of mine, even Tony Bender. So, one day he was explaining to me about Joe Profaci, that they had been getting taxed very heavy, he said, "Even if we go hijack some trucks he taxes us. I paid up to \$1,800."

Mr. ADLERMAN. They were taxing individual members as high as \$1,800?

Mr. VALACHI. He is talking about himself. In other words, he is telling me how he was taxed and explaining to me how Profaci works. So, I was stunned and amazed. I told him that I used to be with Profaci years ago and he was preaching to me at that time about the Masseria group doing the same thing. Now I am hearing the same thing he is doing. Well, I told Junior that they were within their rights. I was explaining to him how right they were. It was not Junior that told me, it was Jiggs that started all this. It was another member I had met.

Mr. ADLERMAN. Jiggs is who, Jiggs Forlano?

Mr. VALACHI. Jiggs Forlano. I never thought I knew him until I saw his picture. Then it was explained to me that Jiggs started all this business. He made 125 men pull away on Profaci. In other words, that was half the group.

Mr. ADLERMAN. Was Jiggs Forlano a lieutenant or a caporegime of the Profaci family?

Mr. VALACHI. Yes; he was a lieutenant. I understood that they stuck up and kidnapped four or five of their bosses or main people. Who they kidnapped and what they had done, I didn't know who.

Mr. ADLERMAN. Let me go back a little bit with you. What is the ordinary tax paid by the members of the family?

Mr. VALACHI. \$25 a month.

Mr. ADLERMAN. At this time they jacked the taxes up as high as \$1,800, for example, in Persico's case?

Mr. VALACHI. Yes, in this particular highjacking he was involved in.

Mr. ADLERMAN. You had conversations in jail with Jiggs?

Mr. VALACHI. I didn't meet Jiggs in jail. No, somebody else told me that was in Junior's crowd. There was quite a bit in West Street that were with Junior's crowd. I even met Joe Gallo's father in West Street.

Mr. ADLERMAN. Who told you that Jiggs was a leader of this group?

Mr. VALACHI. One of them, which I don't remember his name, he had a big name. I was introduced to him too.

Mr. ADLERMAN. Who were the other members in Jigg Forlano's group?

Mr. VALACHI. All of them had some friends, Franzese—all I know is Franzese.

Mr. ADLERMAN. How many men did he recruit to fight Profaci?

Mr. VALACHI. About 125.

Mr. ADLERMAN. Included in the group that he recruited to fight against Profaci were the Gallo brothers?

Mr. VALLACHI. Yes; the Gallo brothers.

370 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. Had you met the Gallo brothers?

Mr. VALACHI. I knew Joe Gallo. I just met him once.

Mr. ADLERMAN. You knew the father of them.

Mr. VALACHI. I didn't know the father. I introduced myself to the father. I will explain that.

Mr. ADLERMAN. You met him in the jail there?

Mr. VALACHI. In the jail.

Mr. ADLERMAN. Now, will you explain the nature of your conversation with Gallo's father.

Mr. VALACHI. He was on the third floor. Talk was going around like he was a blabber mouth up on the third floor. "The old man said this, the old man said that," he was talking about his son Larry, how he just made it. You remember what happened in the Sahara Club, they had put a rope around his son. When I heard about it, when I got my chance to go to the third floor, that would be the only time I had a chance is when we went to the commissary, so I went over to the old man, I said, I introduced myself and I told him I was a friend of so and so and so and so and he should stop talking "because they are spreading it all over the building and you are going to make it hard for your sons." He said, "Thanks, I am glad you told me." I said, "Don't be talking to those people, especially one big Montesano that was spreading it all over." He was from Brooklyn. Well, he appreciated that.

About a month later some inmate came from the tombs—sometimes they hold Federal prisoners in the tombs when they do something like break the law.

Mr. ADLERMAN. Tombs is the city jail.

Mr. VALACHI. He was going to Leavenworth. Naturally he stopped overnight in West Street. So he sent me a message from Joe Gallo asking me anything I need, if I need any lawyer, whatever I need send a message to 51 Crescent Street. I never did. I did not want to involve myself. I never did send any message. I just forgot about it.

Mr. ADLERMAN. That was in gratitude for talking to the old man and advising him?

Mr. VALACHI. Yes.

Senator MUNDT. Pardon me a minute. The old man Gallo, the father of the two brothers, was he a boss? What was he?

Mr. VALACHI. Senator, he is a square.

Senator MUNDT. A square?

Mr. VALACHI. Yes. He don't know anything. I mean, he is not a member.

Senator MUNDT. He was in jail?

Mr. VALACHI. Yes; but I think it was something about—I don't know if it was about being an alien, something about being an alien. Some deportation proceeding.

Senator MUNDT. He wasn't in the same mob with his two sons?

Mr. VALACHI. No.

Senator MUNDT. He was just kind of bragging?

Mr. VALACHI. Yes. He was talking about his son Larry, you know, when he has a rope around his neck. I don't know whether you know about it, in the Sahara Club, and the police walked in in time to save him. It has been all over the newspapers, Senator. I thought maybe you knew.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 371

Senator MUNDT. Maybe you better tell us. I will get caught up on my reading matter.

Mr. VALACHI. I am telling you now. That is about all I know. I was in jail myself. The police happened to go around on a routine check and they had a rope around Larry Gallo. He was already blue in the face and when the policemen came there was a shooting match there between—I don't even know if the police fired any shots but I think one policeman got hit. Yes, that is right. That is what the old man Gallo was talking about, his son just made it by seconds that time.

Senator MUNDT. In other words, some rival gang or mob had tried to kill one of his sons?

Mr. VALACHI. That was his friends. This was a doublecross that those men pulled on the Gallos after he met Mike Costello. Then they pulled away from the Gallos and they went back and the Gallos remained, maybe about 15 or 20 of them, a handful, and the rest all went back.

Mr. ADLERMAN. Perhaps I can get this in sequence.

You mentioned a little while ago that in your conversations you found out that some kidnappings had taken place; is that right?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Can you tell us who was kidnaped and by whom they were kidnaped?

Mr. VALACHI. Well, like, for instance, Magliocco and whoever they were. I didn't know their names.

Mr. ADLERMAN. Were they five members of the Profaci family that were kidnaped?

Mr. VALACHI. Right.

Mr. ADLERMAN. They were kidnaped by whom?

Mr. VALACHI. By the Gallos, by Junior, you know.

Mr. ADLERMAN. By Persico, Jr.?

Mr. VALACHI. Yes.

Mr. ADLERMAN. And what happened then?

Mr. VALACHI. Well, what's his name, Jiggs, told them to leave them go, to leave them alone. I told Junior that was a mistake. In this part I was talking to Junior. "If you carried something on and you went that far," I remember that conversation "If you went that far, you were doomed anyway, so why didn't you go through?" and he said, "Oh, that Jiggs."

Mr. ADLERMAN. In other words, you had advised them that if they had been smart, they would have killed?

Mr. VALACHI. Well, they started something and "Now you are in trouble." Anyway, he managed to get back in.

Mr. ADLERMAN. Is it your understanding what they did was declare a truce after the kidnaping?

Mr. VALACHI. Well, yes; at the time; yes.

Mr. ADLERMAN. What happened after that?

Mr. VALACHI. Well, they were shooting the boys instead of straightening things out, you know, and that started it off, and up to now they are still in.

Mr. ADLERMAN. As a result of their releasing these men from being kidnaped, did they lose strength in their own ranks?

Mr. VALACHI. Sure. Do you mean the Gallos?

372 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. I mean the 125 men that Gallo and Jiggs had gathered to fight the Profaci, did they dwindle away?

Mr. VALACHI. Yes, they dwindled away and they left the Gallos in the hole.

Mr. ADLERMAN. And the Gallos had no support after that?

Mr. VALACHI. No support but maybe 15 guys.

Mr. ADLERMAN. Do you know whether or not a deal was made on some games or a business that the Gallos wanted?

Mr. VALACHI. Well, actually, the whole idea was they were—they didn't want to be shaken down any more. All they wanted to do was to be left alone. That was the real thing.

Mr. ADLERMAN. And what happened after that? You were telling us about the time that they tried to choke or strangle—

Mr. VALACHI. Well, now Frank Costello comes into it. Junior comes back to jail. You see, he went out on bail, he got tried, he got convicted, and he comes back to Westfield. Then he goes out again pending appeal. But he stood a few days before he got out, on the second time he come back. By this time, Frank Costello was in Westfield. So when I saw them in the huddles and walking around together, I knew then that Frank was going to use his influence. Being an oldtimer naturally I didn't want in on it. I tried to convince Junior to go back and all that sort of stuff and that is just what happened.

Mr. ADLERMAN. To go back?

Mr. VALACHI. With Profaci.

In the meantime, he went under what you call—I heard later on that he went under Tony Sheik temporarily until this thing is straightened out.

Mr. ADLERMAN. I would like to call Sergeant Salerno and Inspector Shanley back.

**TESTIMONY OF JOHN F. SHANLEY AND SGT. RALPH SALERNO—
Resumed**

Mr. ADLERMAN. Sergeant Salerno, I think you are equipped to testify on the particular Gallo incident, are you not?

Sergeant SALERNO. I have given these young men several of the best years of my life; yes.

Mr. ADLERMAN. Can you tell us from the police investigations what the facts were concerning the recent Gallo-Profaci gangland war?

Sergeant SALERNO. Yes, in the latter part of 1960—I might say this, that our particular command, the one that Chief Shanley has, has been familiar with the Gallo boys for quite some time. We picked them up actually back in 1956 and 1957 when they first became active in the jukebox business. They appeared before this committee in that connection, so we have known about them for a long time. In 1960, it became apparent to us that there was a great deal of dissatisfaction among the younger men in the Profaci family. The Profaci family, I might add, and I think the witness would concur, comes closest to being operated as an old-fashioned family. Joseph Profaci has probably stayed closer to the old tenets of the organization in 1930 than any other group today. Basically it was our feeling that the complaint of the younger men was not so much one of having to

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 373

pay their dues or having their dues raised as much as it was a fact that they felt there was a great deal of nepotism in the family. Anything that might have a lucrative look to it was being portioned out by Joe Profaci to some of his own contemporaries who would be much older in age than fellows like Junior Persico, or the Gallo boys themselves, or their partner, Joe Eboli. That was our analysis of the situation, that that seemed to be to us the big bone of contention. Other men, even within their own family, and certainly other families, for having performed the same type of services that we could suspect the Gallos might have performed, seemed to be coming up in the ranks, whereas the Gallo boys had started out small, they had been traveling with this group for a number of years now and it looked like they were still going to remain small.

This seemed to be their bone of contention. The thing that I would like to make clear is this, that the group of young men that seemed to be dominated by Nicholas Forlano were not just the one little group. The 125 that the witness speaks of is actually an amalgamation of several groups. The only thing they had in common was that they were dissatisfied young men. We found out from very reliable sources that the Gallo boys unilaterally, although they had discussed this matter and their dissatisfaction with other groups, that they, of and by themselves, had proposed two plans.

The first one might be of interest to you because the spearhead of the first plan was intended to be the Government of the United States.

Mr. ADLERMAN. Can I ask you a question?

Sergeant SALERNO. Yes.

Mr. ADLERMAN. Were the Gallo brothers and Joe Eboli in partners with Persico in the jukebox business?

Sergeant SALERNO. No, sir, they were not.

Mr. ADLERMAN. Were they all employed as gamblers with "Shots"?

Sergeant SALERNO. In 1952, both Carmine Persico, Jr., and Larry Gallo were arrested and convicted with Frankie "Shots" Abbatemarco in a gambling operation, yes.

Mr. ADLERMAN. Was Abbatemarco murdered later on?

Sergeant SALERNO. In 1959, in November.

Mr. ADLERMAN. Had Persico and Jelli and Gallo expected to take over Abbatemarco's business?

Sergeant SALERNO. I had the very strong feeling that they suspected that they should have been given a portion of that.

Mr. ADLERMAN. Not being successful in getting that business, you would then say that they made a two-pronged plan?

Sergeant SALERNO. The Gallo boys did, yes, sir.

Mr. ADLERMAN. Can you tell us what it was?

Sergeant SALERNO. The first one was this: It indicated that the period of time was 1960, and the Federal Government, following the Apalachin meeting, had appointed Mr. Milton Wessel, to head a special group, operating out of the southern district of New York, and they brought about a prosecution of more than 20 of the men who had attended the Apalachin meeting. He was successful in obtaining a conviction in the southern district. Included in these 20 men were the 2 top men in the Profaci family, Giuseppe Profaci, himself, and his under boss, his brother-in-law, Joseph Magliocco. The Gallo boys hoped that this conviction would be upheld on appeal. The plan was

374 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

that if the Government of the United States was successful in putting these two men in jail that a power vacuum would be created and they planned to walk into this power vacuum and declare themselves. They were realistic, of course, and realized that there was a possibility, a distinct one, that this conviction might be reversed, so they had an ultimate plan and the ultimate plan called for the use of force.

When the conviction, itself, was reversed, then they put the alternate plan into effect. We, of course, have no official complaint of a kidnapping. Many of these crimes are ones where you don't get an official complaint. But we believe very strongly, and we have had it confirmed since that time, that they did kidnap four or five men. They did not kidnap Joseph Profaci himself, but they did kidnap his brother-in-law, Joseph Magliocco, they kidnaped one of Mr. Profaci's brothers, they kidnaped John Scimone, who was very closely associated with Nicholas Forlano, and who had indicated to the Gallo boys that he was sympathetic to them in their dissatisfaction. The interesting point, again, here, for those members of the committee who might remember Joseph Gallo when he appeared before you, is this, that he was forced to disassociate himself physically from the holding of these kidnapers. Joe Gallo had a difference of opinion with those of his own group. He would have agreed with the witness here that to show the fullness of their intent, at least one of the hostages or more should have been killed.

He was overruled.

Mr. ADLERMAN. In other words, they feared that Joe Gallo would tend to take a more positive or more strenuous step than they, themselves, were willing to do, so they sent him out of town?

Sergeant SALERNO. They did. He was sent out of the city on a vacation.

Mr. ADLERMAN. He had a reputation of violence?

Sergeant SALERNO. Yes. The actual terms in which it was put to Joseph Gallo was that if he was in the picture, there could not be a negotiated peace. No one would trust him to return the kidnap victims unmolested; that if it could be said that he was not around at the time, he had nothing to do with the holding of the victims, that the other side would be convinced that they could be released unharmed.

Mr. ADLERMAN. Did they have a truce after that?

Sergeant SALERNO. That is the best description of the circumstances following the released of the kidnaped. There was an armed truce.

Senator MUNDT. Do you have any information how long they kept him captive?

Sergeant SALERNO. The best information we have is that they kept him several days with the exception of one John Scimone, who indicated he was sympathetic to their cause and who seemed to be acting as double agent.

Senator MUNDT. They negotiated this armed truce while these people were still kidnaped, still held as captives?

Sergeant SALERNO. We believe that while they still held the kidnaped victims that they received nothing tangible but a promise that their grievance would be heard and fairly acted upon.

Mr. ADLERMAN. Do you know from your information whether they had any counsel on this thing?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 375

Sergeant SALERNO. Well, the thing that we found to be of particular interest, even prior to this move, was this: that in the Gallo group Larry was the oldest of the brothers and he was the apparent leader of the Gallo bunch which was operating under Nicholas Collado at the time.

Joe was an odd sort of character. I don't mind admitting quite freely that working on him as a law enforcement officer that there were times you were forced to hang on to your equilibrium, you could almost like him. You might fall victim to the all-American principle of rooting for the underdog.

In this group there actually were, the Gallo gang, as we knew it, there were about 50 young men. Actually, the best information we have is that only four of them were button men and members of this organization. That was one of the things that was going against them.

They felt that they were asking for too much, that they were only button men, only four of them were button men. Those who were not members of the organization were completely overlooked.

Just to give you an idea of Joseph Gallo's thinking, there was a time when in discussing matters generally some one used the expression "Frank Costello has Louisiana." Joe Gallo's reaction, which is not typical of other members of this organization was, "Who gave Louisiana to Frank Costello?"

He said, "Any man who is strong enough to take something and hold it, he owns it. If he is not strong enough to take it and hold it against all comers, nobody can give him Louisiana or any place else."

This was the thinking of Joseph Gallo.

Mr. ADLERMAN. What happened to Joe Jelly?

Sergeant SALERNO. Joe Jelly—the truce, itself, lasted from February 1961 right through the summer of that year. Joe Jelly was last seen on the 17th of August in 1961.

Four days later, on the 21st of August, Larry Gallo was invited to come to the Sahara Restaurant to meet John Scimone. They went into the restaurant and they spoke to the owner, a man whom they knew. This was at 5 o'clock in the afternoon, which was 1 hour earlier than this premises ordinarily opened. The place was dimly lit. It was not open to the public actually at that time.

He spoke to the owner, John Scimone excused himself for a moment, and left Larry, and the next thing that Larry stated to the police that he remembers was that a rope had been placed around his neck and someone was tugging on the other end of it. While this was going on, a passing radio car with a sergeant and a chauffeur passed by and noticed the side door being opened at an hour other than which was usual to this particular premises.

So the sergeant got out of the car and he went to the side door. He stuck his head in the door and he saw the owner behind the bar and asked him, "Is everything all right, Charley?"—the owner of the premise, one Charles Clemenceau, who was an associate of all the people concerned—Profaci was not a stranger to any of them.

He made a remark which tried to indicate that everything was all right. The sergeant looked over to the side and could see the feet of Larry Gallo extending from the side of the bar.

This aroused his investigative instinct and he stepped into the

376 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

premises. As he did so, three men ran by him. As they left the premises, the chauffeur of the police vehicle saw three men running from the premises and he started to get out of the car, two of the men ran by the vehicle. The third man fired at him with a revolver and the bullet entered the right cheek and lodged itself under his nose. He was shot.

One of the three men who had left the premises was John Scimone. John Scimone was picked up by a radio car which responded to an alarm which had been broadcast. John Scimone was found in the street. He had evidently been thrown from the car. He did have bruises across the nose, cheek and eye, of his face.

He indicated that he had been forced to leave by the two men on the premises, they pushed him into a car which had a chauffeur waiting at the wheel, that some blocks from the premises he was struck across the face with a gun butt and thrown from the car.

Mr. ADLERMAN. Do you have prepared a chronology of the violence that occurred during the current Gallo-Profaci episode.

Sergeant SALERNO. Yes, I do. I have already indicated that on August 17, Joseph Giorelli, also known as Joe Jelly, who was a button man who was a close partner and associate of the Gallos just disappeared. He officially is the subject of a missing person report put in by his wife.

Mr. ADLERMAN. I wonder if you could just summarize the events that occurred between August 17, 1961, through August 9, 1963, and then put the whole thing into the record?

The CHAIRMAN. Let it be placed in the record at this point. Now you may summarize it. That is the gist of it prepared by you.

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. It is authentic?

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. Therefore, it may be put in the record at this point. You may summarize it.

(The document referred to follows:)

GALLO—PROFACI

In the latter part of 1960 there was widespread dissatisfaction among the young men of the Profaci family, arising from the fact that the old man, Giuseppe Profaci, was awarding any lucrative enterprise to his relatives and close associates among the older men of the group and repressing the ambitions of the young button men such as Joseph and Larry Gallo, Carmine Persico, Jr., and Joseph Giorelli (Joe Jelly).

The Gallo brothers and Joe Jelly had been partners for some time and together with Carmine Persico they had been employed by Frank "Shatz" Abbattemarco in his gambling operations as far back as 1950. It would appear that they had hoped that following the death of Abbattemarco (who was murdered in November 1959), they would "move up" and take over a part of his operation, and this had been denied them by Profaci.

The Gallos conceived a twofold plan to achieve that which they believed they were entitled to.

1. The first plan is most interesting, in that it was based upon the presumption that they could benefit from a power vacuum in organized crime which was going to be created for them by the Government of the United States. Both the boss and the underboss of their family, Joseph Profaci and his brother-in-law Joseph Magliocco had just been convicted of obstructing justice, and were at liberty on an appeal bond. Their plan was to wait until this conviction should be upheld and the two sent to jail, and then in the consternation which they expected to exist in the new administration, walk in and declare their position feeling that a new boss would accede to their demands rather than have difficulty in the early stages of his administration.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 377

2. The alternate plan which was to be used if this conviction were to be reversed called for the use of brute force.

When the appellate courts set aside the conviction of those persons who had attended the Apalachin convention and then been charged with obstructing justice, plan No. 2 was set in motion. The Gallos kidnaped five men who were related to, or closely associated with Joe Profaci. It is believed that among these five were Profaci's brother, Frank, and his brother-in-law, Joe Magliocco. These men were held and then released unharmed when Joe Profaci agreed to rectify the complaint of the Gallos. The Gallo group's plan called for just this, the release of unharmed hostages once they had promised their demands would be met, and in order to insure this, Joseph "Crazy Joe" Gallo had been sent out of town on a "vacation," and did not take part in this operation, because it was felt that if he had a hand in it the hostages would not have remained unharmed.

There existed for the next 6 months what could be described as an armed truce, while negotiations were conducted by intermediaries. The best information available indicates that the matter was heard by the Cosa Nostra Council where it was decided that the matter should remain an intrafamily dispute to be adjudicated within the Profaci family and that all the other groups should adopt a policy of noninterference.

Joe Profaci's final answer was made manifest in August 1961, when Joseph Giorelli (Joe Jelly), disappeared, and an attempt was made on the life of Larry Gallo. It is not insignificant that the instruments chosen for this purpose were Carmine Persico, Jr., and his cohort of angry young men who were dominated by Nicholas "Jiggs" Forlano and John Scimone. These latter two had been the ones who had previously encouraged the younger element of the Profaci family to rebel.

A proper analysis of this action would indicate that Joe Profaci was seeking to achieve two ends with the same act. He would save face by having revenged the rebellious act of the Gallos, and at the same time by using the dissatisfied young men of the Forlano-Persico faction for this purpose, he could later reward them for obeying the orders of the old man rather than have it appear that he was yielding to their original complaints.

Thus then began the Gallo-Profaci situation:

August 17, 1961: Joseph Giorelli, B-233046, missing since this date. Reported missing by his wife and carried as a missing persons case.

On August 20, 1961, in the premises known as the Sahara Lounge, at 1201 Utica Avenue, Brooklyn (67th precinct), there was an attempted strangulation of Larry Gallo, B-255659. Arrested were Carmine Persico, Jr., B-297269, Salvatore D'Ambrosio B-253747, Alphonse Cirillo, B-492063, and John Scimone, B-95138.

Approximately September 1961, an unreported assault (fists and feet) of Charles (Ruby) Stein in midtown Manhattan.

Approximately October 1961, an attempted assassination by gunfire of Nicholas "Jiggs" Forlano, B-131926, in the vicinity of his home in Astoria, Queens. Unreported to the police.

October 4, 1961, at the southwest corner of Union Street and Fourth Avenue, Brooklyn (78th precinct), Joseph Magnasco B-250886, killed by gunshot.

November 11, 1961: John Guariglio, B-157281, killed by gunshot inside the premises known as the Hi-Fi Lounge at 7202 13th Avenue, Brooklyn (64th precinct).

December 11, 1961: Larry Carna, B-443274, wounded in the left ankle by gunshot in front of 511 President Street, Brooklyn (78th precinct).

January 5, 1962: Sidney Slater, B-426660, assaulted fist and hook ring inside the Copacabana Restaurant, 10 East 60th Street, Manhattan. Nicholas Forlano, B-131926, Carmine Persico, Jr., B-297269, and Dominick Montemarano, B-503602, arrested and presently appealing sentence received.

October 15, 1962: Marco Morelli, B-79656 and Anthony DeCola, missing since this date. DeCola as reported missing by his wife and is carried as a missing persons case.

February 19, 1963: John Rayola, B-323358, killed by gunshot outside of 13 First Street, Brooklyn (78th precinct).

May 19, 1963: Carmine Persico, Jr., B-297268, and Alphonse D'Ambriso, B-233838, wounded by rifle fire on the southside of Bond at DeGraw Street, Brooklyn (76th precinct) 15 arrests for guns and silencers.

June 6, 1963: Emile Colontuono, killed by gunshot outside of 30 McCabe Place, Brooklyn (64th precinct).

378 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

June 19, 1963: Alfred Mondello, killed by gunshot outside of 541 Ninth Street, Brooklyn (72d precinct). Hugh McIntosh arrested and charged with homicide.

July 26, 1963: Ali Hassan Wafa, B-362669, killed by gunshot on the waterfront in Hoboken, N.J.

August 9, 1963: Joseph Cardello, B-207344, killed gunshot at Bayridge Parkway at 11th Avenue, Brooklyn (64th precinct).

August 9, 1963: Louis Mariani, B-323579, killed by gunshot, Anthony Getch wounded by gunshot in the village of South Setauket, Suffolk County, Long Island.

Sergeant SALERNO. Actually there were a series of acts of violence. There are three people missing. We presume they are dead. Nine persons have been killed.

The CHAIRMAN. Nine killed?

Sergeant SALERNO. Nine killed; yes, sir. There have been nine assaults.

The CHAIRMAN. You mean deadly assaults?

Sergeant SALERNO. Yes: garrotting, shooting, and so on.

The CHAIRMAN. Attempting killings?

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. Apparently attempted killings were nine?

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. And nine were killed?

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. And there are three missing?

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. Very well. Is there anything further?

Mr. ADLERMAN. I think that Inspector Shanley has something that he would like to put into the record; a statement that he would like to make.

Mr. SHANLEY. I have here a grand jury presentment in the matter of the investigation of the circumstances surrounding the death of Abe Reles on November 12, 1941. In the Half Moon Hotel, Coney Island, Brooklyn, N.Y.

The CHAIRMAN. Has that been testified to here by Valachi?

Mr. SHANLEY. That is true.

I would like to read some excerpt from it.

The CHAIRMAN. The document may be filed for reference and made exhibit No. 15. Therefore you may read from it and highlight it.

(Exhibit No. 15 was filed for reference and may be found in the files of the subcommittee.)

Mr. SHANLEY. This is to the Honorable Samuel S. Leibowitz from Donald A. Lawson, foreman, September 1951, grand jury, Kings County, and all the members thereof. Then it gives an introduction:

For a decade the circumstances surrounding the death of Abe Reles, on November 12, 1941, at the Half Moon Hotel in Coney Island, have been the subject of much speculation.

Recently, the Kefauver committee highlighted this occurrence. Limitation of time and other important phases of that committee's investigation left the Abe Reles death more of a riddle than ever. It was, therefore, most important and necessary that a real effort be made at long last to ascertain all available facts surrounding his death, to the end that the public might know whether Reles was murdered, and, if he was, that the perpetrators be brought to justice. It is not a healthy condition for a community to be left guessing, wondering and

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 379

confused about an event that concerns the people deeply. They have a right to know all the ascertainable facts. We are constrained to say that what we have now done should have been done at the time of the occurrence. Had it been, the fanciful speculation that has run rife, and the onerous task of this grand jury, would have been obviated.

The grand jury, in its inquiry, has exhaustively examined 86 witnesses and spent approximately 110 hours in its sessions; 127 exhibits were submitted to us for our consideration.

Our report is based on credible evidence. We cannot indulge in the speculation and fancy that has been rampant for the past 10 years. Sensationalism, induced by whatever cause, must be and has been avoided. Wishful thinking is another morsel a grand jury's diet does not permit.

District Attorney Miles F. McDonald is to be congratulated for instituting this inquiry. His chief assistant district attorney, Edward S. Silver, who conducted the investigation, and his aids, Assistant District Attorneys J. Kenneth McCabe and Lewis Joseph, carefully and ably performed a notable task.

The people of our county are fortunate in the fact that its prosecutor's office is staffed by forthright men of ability, integrity, and tireless energy. Again and again we were amazed by what these men could find 10 years after the event.

Abe Reles, then 37 years of age, fell to his death as a consequence of his attempt to escape from his room, No. 623, at the Half Moon Hotel, between 3 and 4 o'clock on the morning of November 12, 1941.

He fell to an extension roof five floors below his room. This roof, 19 feet one-fourth inch wide, ran along the entire east side of the hotel. His body was found 9 feet from the building with two sheets partly entwined about him. They were knotted together and a length of wire was tied to one end.

Just beneath the window of Reles' room was a steam radiator. On that morning there was found, fastened to the brass bushing connecting the top of the radiator with the steam valve, a length of wire which extended from the bushing to the edge of the window sill. This wire was the same type as that tied to the end of the bedsheets.

It is most important to note that the piece of wire attached to the end of the bedsheets was, for the purpose of our investigation, scientifically tested by the Federal Bureau of Investigation in its crime laboratory at the request of the present district attorney. The findings of the FBI showed that the free end of the wire attached to the sheets entwined with Abe Reles' body was unquestionably broken by a tensile stress sufficient to pull it apart. Abe Reles, who was an unusually strong and agile man, weighed between 160 and 170 pounds. The FBI ascertained that this wire would not support a weight of 160 pounds. Its limit of stress was 130 pounds.

It was also clearly ascertained that the end of this wire was not severed by any tool or broken by bending the wire up and down. It was therefore clear beyond doubt that the wire broke as the result of a weight hanging from it in excess of 130 pounds.

Reles died of a fractured dislocation of the fourth and fifth lumbar vertebrae, ruptured liver and spleen and hemoperitoneum (hemorrhage in the abdomen).

When he fell from the window, Reles was not under the influence of alcohol. On the contrary, chemical analysis of his brain showed the presence of only a faint trace of alcohol, insufficient to affect his actions in any way. Chemical analysis showed that there were no drugs or poisons of any kind in any of the vital organs. There were no bullet wounds, stab wounds, or any other marks of violence on his body. He had sustained no injuries in to his skull, brain, or to the coverings of the brain. Nor, at the time of his death, was Abe Reles suffering from the diseases of cancer, paresis, tuberculosis, or ulcers.

Much of the speculation that was indulged in concerning Reles' death centered about the theory that Abe Reles was the corroborating witness against one Albert Anastasia in the killing in Brooklyn of one Morris (Moish) Diamond, on May 25, 1939.

This is the murder which former District Attorney O'Dwyer characterized as "the perfect case" which "went out the window with Reles."

Our investigation has disclosed that Abe Reles was not a corroborating witness in that killing. On the contrary, as a matter of law, he was only one of

380 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

several accomplices. In view of the availability of the other accomplices, it follows that Reles was not even an essential witness. The prosecution of Anastasia required corroboration and Reles could not have supplied it.

Then it goes on in detail about the setting, how the hotel was set up. And of particular significance is the fact that there were scuffings on Reles' shoe:

Lying with the body, and partly entwined with it, were two bedsheets which had been knotted together, with an overall length of 8 feet and 11 inches. Tied to one end of the sheets was a 4-foot piece of insulated 14-gage, 7-strand, tinned copper wire.

The sole of the left shoe worn by Reles showed considerable scraping from the inner to the outer side. Such marking also appeared on the shoe on the right foot, but only at the toe.

Upon inspection of room 623, which Reles had long occupied as his private room, it was discovered that the window which overlooked the extension roof was wide open and that attached to the radiator immediately beneath this window was a length of wire of the type found attached to the sheets at the body of Reles. This length of wire extended from its point of attachment on the radiator to the end of the sill of the window in room 623.

* * * * *

"Investigation of the activities in the suite."

Well, it goes on to say that somebody called up during the evening to find out if the room below was unoccupied. They then investigated that and found that it was unoccupied at the time, that there were indications on the window sill in the room immediately below Reles' room of markings similar to those on his shoes.

The conclusion reached:

The grand jury has reached the following conclusions:

That Abe Reles met his death while trying to escape, by means of a knotted sheet which was attached to a wire, which wire was in turn attached to the radiator in his room. He fell to his death, while suspended from or supporting himself on this sheet, when the wire parted as a result of the strain of his weight on it.

We find that Reles did not meet with foul play and that he did not die by suicide.

It would be sheer speculation to attempt to discern his motive for wanting to escape.

Respectfully submitted, Grand Jury for the September 1951 Term, of the County Court of Kings County.

The CHAIRMAN. Very well. Is there anything further?

Mr. ADLERMAN. Inspector Shanley, you also would like to, I understand, make a statement concerning the views of some of the law enforcement agencies on matters of legislation and so forth?

Mr. SHANLEY. I have a statement from Commissioner Reisman, our legal adviser. He testified before the committee initially.

The CHAIRMAN. Who is he?

Mr. SHANLEY. He is the commissioner in charge of legal matters in the New York City Police Department. He appeared as a witness with Commissioner Murphy. He has written a statement here in connection with the——

The CHAIRMAN. We will suspend for just a moment.

Mr. ADLERMAN. Can the witness be excused for a moment?

The CHAIRMAN. Let everyone remain in the room for the present. All right, you may proceed.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 381

Mr. SHANLEY. Commissioner Reisman speaks of the decision in the U.S. court in *Mapp* against Ohio.

On June 19, 1961, law enforcement officials and agencies in the State of New York were rocked by the decision of the Supreme Court of the United States in *Mapp* against Ohio. Prior to this case and for many years, the Court had approved the doctrine that evidence, no matter how obtained, was admissible against a defendant in a criminal case. Thus, as Judge Cardozo said, even if the constable blundered, the defendant arrested in possession of a gun, narcotics, or other contraband would receive his just punishment. In the *Mapp* case, the Supreme Court reversing its prior decision, imposed the exclusionary rule on the States by holding that evidence obtained in violation of the defendant's constitutional rights was inadmissible against him. At the present time, for example, where large quantities of illicit narcotics are seized in the possession of the defendant, as a result of a search warrant which later is declared to be technically deficient, those drugs will be suppressed as evidence and the case will be lost.

The initial impact of this decision was startling. Narcotics arrests fell off sharply as did arrests in other areas such as gambling. In order to overcome the adverse effects of the *Mapp* decision, law enforcement agencies in the State of New York have sought release from the State legislature. The bases on which certain misdemeanor arrests may be made have been realistically revised. More is needed, however, and this year again efforts will be made to amend the statutory procedures for the execution of search warrants. This would permit police officers in certain carefully circumscribed cases to execute the warrants in such a manner as to prevent the destruction of the contraband by the suspect. Efforts will also be made to provide a procedure to temporarily detain suspicious persons for short periods of time while their explanations are verified. Finally, law enforcement will seek again the authority to frisk a suspicious person for dangerous weapons. It is hoped that such a measure will reduce the risk of death or bodily injury to police officers whose hands are tied by unrealistic and obsolete arrest statutes.

In connection with that, we have here a pamphlet which has been put together by the combined council of law enforcement officials in New York. This consists of John M. Braisted, Jr., president of the District Attorney's Association for the State of New York, and he is the district attorney of the county of Richland. There are some other officials. It also includes Jacob Grumet, chairman of the State Commission of Investigation in New York State; Frank S. Hogan, district attorney, New York County; Michael J. Murphy, police commissioner, New York City; Edward S. Silver, past president, National District Attorneys Association, and present Kings County district attorney.

The CHAIRMAN. Let that be received and filed as exhibit No. 16 for reference.

(Exhibit No. 16 was filed for reference and may be found in the files of the subcommittee.)

382 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. SHANLEY. This is the type of difficulty that is attempted to be overcome. They state why we need your support and indicate a case in the nighttime, a case in the daytime, and on holidays, and so on. The case in the nighttime is *People against Brown*, and it shows as follows:

About 11 o'clock one night an alert police officer observed a man dragging a heavy suitcase some distance, stop at a public bench, place the suitcase behind it, and sit down. The officer approached him and inquired where he had obtained the valise. "What valise?" was the answer the officer received. He thereupon told the defendant of his observation and when he refused to answer any further questions, the officer took him to the police station. Subsequent investigation disclosed that the suitcase contained the proceeds of a burglary. The court held that since the officer did not know that the burglary had been committed when he approached, questioned, and detained the defendant, the arrest was unlawful and the evidence of the burglary was illegally seized. The case against the defendant was dismissed.

They cite a number of other examples and then they cite Oliver Wendell Holmes, Jr., in a case 1904:

At the present time in this country there is more danger that criminals will escape justice than that they will be subjected to tyranny.

Learned Hand in 1923:

Our dangers do not lie in too little tenderness to the accused. Our procedure has always been haunted by the ghost of the innocent man convicted. It is an unreal dream. What we need to fear is the archaic formalism and the watery sentiment that obstructs, delays, and defeats the prosecution of crime.

The CHAIRMAN. Very well.

Inspector, have you made a recapitulation of these charts since you testified yesterday with respect to the number of people in each family, those identified by Valachi and those not identified by Valachi, so we can make the record accurate? Which one of you examined them?

Sergeant SALERNO. I did.

The CHAIRMAN. Very well. I hand you this breakdown of individuals identified by Valachi on the five charts of organized families in the New York City area. I ask you to examine it and state if you helped prepare it?

Sergeant SALERNO. Yes, sir; I did, Senator.

The CHAIRMAN. It is now correct with respect to the number of people on each chart, with respect to those who are bosses, those who are lieutenants, those who are soldiers or button men; is that correct?

Sergeant SALERNO. Yes, sir.

The CHAIRMAN. And also with respect to the number of each identified by Valachi and the number that were not identified by him; is that correct?

Sergeant SALERNO. It is, Senator.

The CHAIRMAN. Showing the totals to be on the chart a total of 338 persons, and the number identified by Valachi as 289 persons, and those not identified were 49. Is that correct?

Sergeant SALERNO. That is correct.

The CHAIRMAN. This may be printed in the record at this point.

(The breakdown follows:)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 383

Breakdown of individuals identified by Joseph Valachi on the 5 charts of organized crime families in New York City area

	Total on chart	Identified by Valachi	Not identified by Valachi
Genovese family:			
Bosses.....	7	7	0
Lieutenants.....	17	17	0
Soldiers, buttons.....	119	109	10
Subtotal.....	143	133	10
Lucchese family:			
Bosses.....	3	3	0
Lieutenants.....	10	10	0
Soldiers, buttons.....	44	43	1
Subtotal.....	57	56	1
Gambino family:			
Bosses.....	7	7	0
Lieutenants.....	19	16	3
Soldiers, buttons.....	54	41	13
Subtotal.....	80	64	16
Magliocco family:			
Bosses.....	3	3	0
Lieutenants.....	10	6	4
Soldiers, buttons.....	24	10	14
Subtotal.....	37	19	18
Bonanno family:			
Bosses.....	5	3	2
Lieutenants.....	0	0	0
Soldiers, buttons.....	16	14	2
Subtotal.....	21	17	4
Totals.....	338	289	49

The CHAIRMAN. Is there anything else, Mr. Counsel?

Senator JAVITS. Mr. Chairman, on the analysis, have the analysis of those who are still around, in jail, out of jail, alive, et cetera?

The CHAIRMAN. Was there another list? Have you prepared another table, also?

Mr. SHANLEY. On the individual charts.

In the Genovese family, 42 are out of the city, 15 in legal custody or awaiting legal action, 23 dead, 2 deported.

The CHAIRMAN. What was the first item you gave?

Mr. SHANLEY. Forty-two are now out of the city.

The CHAIRMAN. Are now out of the city?

Mr. SHANLEY. They no longer reside in New York City.

The CHAIRMAN. How many of them are in prison?

Mr. SHANLEY. There are 15 in custody or awaiting legal action.

The CHAIRMAN. In custody. Does that mean they may have already been convicted and are serving their sentence?

Mr. SHANLEY. That is right; yes, sir.

Senator JAVITS. Twenty-three dead. And where are the rest of them?

Mr. SHANLEY. Two have been deported.

Senator JAVITS. And the rest of them are in New York?

Mr. SHANLEY. The rest are in New York.

Senator JAVITS. How many is that, 61? Is that right? Is the figure of 61 the correct figure?

384 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. SHANLEY. Yes, sir.

Senator JAVITS. Sixty-one.

Mr. SHANLEY. Yes, sir.

Senator JAVITS. Will you submit the same facts as to the others? I don't want to take the time of the committee to do it now, because this is adequately illustrative for my purposes. What happens to these 61? Are they under police surveillance?

Mr. SHANLEY. Yes, sir.

Senator JAVITS. Today?

Mr. SHANLEY. Well, we can't—

Senator JAVITS. So far as you know—I didn't mean to interrupt you. Did you answer my question?

Mr. SHANLEY. We can't put each and every one under surveillance continuously. They are under intermittent surveillance and observation and investigation through the year.

Senator JAVITS. No one knows better than I the difficulties of the police and the great heroic efforts of the New York Police Department. I hope nothing I say will in the least depreciate my conviction on that score.

Mr. SHANLEY. Thank you, sir.

Senator JAVITS. The men are absolutely without parallel in the risks they take in law enforcement. The few rotten apples in the barrel that we find from time to time should dissuade no one or convert no one from the understanding of the sacrifice and danger to which they are subjected.

Mr. SHANLEY. Thank you, sir.

Senator JAVITS. As to these 61, can you tell us one other thing? So far as you know, they remain pretty much in the same status that they have been described on these charts, congenital criminals?

Mr. SHANLEY. Yes, sir.

Senator JAVITS. So that in that respect, we are, as it were, as you testified yesterday, updating in the mass an important element of the criminal problem in the city of New York?

Mr. SHANLEY. Yes, sir.

Senator JAVITS. Are we to assume, too, that these that have left town represent an area of liaison between our police department in New York and other departments, wherever they have gone?

Mr. SHANLEY. Yes, sir.

Senator JAVITS. The departments are in close touch?

Mr. SHANLEY. Yes, sir.

Senator JAVITS. As well as with the FBI?

Mr. SHANLEY. Yes, sir.

Senator JAVITS. Thank you very much.

Now, would you submit for the record the breakdown on the other charts? This is illustrative enough for my purposes.

Mr. SHANLEY. We will do that, sir.

Senator JAVITS. Thank you.

The CHAIRMAN. Submit the same thing for the other families as you have enumerated here for the Genovese family.

Mr. SHANLEY. We will do that, sir.

Senator JAVITS. And will you do one other thing?

I think it would be helpful if you did divide these figures among the echelons of commands as they are on the charts so that one could relate them correctly back to the charts.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 385

Mr. SHANLEY. Yes, sir, we will do that.
(The information follows:)

MAGLIOCCO FAMILY

	Total	Deported, jail or awaiting trial	Deceased	Out of New York City
Boss—Underboss Consiglieri.....	3	1	1	1
Caporegima.....	10	2	0	3
Soldiers.....	24	4	4	2
Total.....	37	7	5	6

BONNANO FAMILY

	Total	Deported, jail or awaiting trial	Deceased	Out of New York City
Boss—Underboss Consiglieri.....	4	2	0	3
Caporegima.....	1	0	0	0
Soldiers.....	16	0	1	5
Total.....	21	2	1	8

LUCCHESE FAMILY

	Total	Deported, jail or awaiting trial	Deceased	Out of New York City
Boss—Underboss Consiglieri.....	3	0	0	2
Caporegima.....	10	5	0	3
Soldiers.....	40	3	7	6
Total.....	53	8	7	11

GAMBINO FAMILY

	Total	Deported, jail or awaiting trial	Deceased	Out of New York City
Boss—Underboss Consiglieri.....	7	0	4	2
Caporegima.....	19	4	6	2
Soldiers.....	54	8	1	4
Total.....	80	12	11	8

The CHAIRMAN. I want to also say something in a moment, but you may proceed, Senator.

Senator MUNDT. This is a followup question.

Do you know or have any information as to whether or not some of these family criminals who have been described by Mr. Valachi and by you as presently living in Florida, whether or not they are still operating in New York while living in Florida?

Mr. SHANLEY. Yes, sir. They exercise remote control from Florida.

Senator MUNDT. You have established that fact?

Mr. SHANLEY. Yes, sir.

Senator MUNDT. And as a consequence, your surveillance, with the cooperation of the Florida police, I presume, goes to the place where they are presently living?

Mr. SHANLEY. That is right. We have constant communication with the Florida police.

The CHAIRMAN. We are going to close pretty quickly. At this point, since Senator Javits has mentioned the heroic service that the New York police force renders and the work that it does, and I certainly defer to him as being better acquainted with it than I am, I did want to add this for the record at this point.

The police authorities in the city of New York, Inspector Shanley, Salerno, and others, have cooperated with this committee 100 percent

386 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

plus, in every way they could, in helping us prepare this presentation here and worked with the staff. It is not an easy thing, I think, to develop these charts so that you can present this in a light that is understandable and that carries with it the significance of a crime organization and how it operates and functions.

I know that every member of this committee is grateful to you. I think the Congress is—and the country as a whole. I know that you feel that in doing this in your work with us and the way you have cooperated with the committee, that it is not a waste of time so far as advancing the cause of law enforcement and strengthening your hand in the work that you have to do. I hope you feel that way.

Mr. SHANLEY. I certainly do, sir.

The CHAIRMAN. We have Commissioner Murphy, Cy Jordan, Tom O'Brien, and Joe Corrigan, whom we should mention also. I meant this to apply to everyone we have contacted, everyone we have called on for any service at all. Any help has been given enthusiastically and cooperatively. In working that way there is the prospect, if we carry through with proper legislation, legislation that is justified and warranted, the prospect that some lasting good can come of our labors here together.

Mr. SHANLEY. Thank you, sir.

The CHAIRMAN. Are there any other questions at this point?

The counsel wishes to question Valachi on two or three matters. Any other thing before we go into that?

Very well. You may proceed, Counsel.

TESTIMONY OF JOSEPH VALACHI—Resumed

Mr. ADLERMAN. Mr. Valachi, we have covered New York rather extensively. Now are there any other members, any other families outside of the area of New York?

Mr. VALACHI. You mean like Chicago, Boston?

Mr. ADLERMAN. Yes.

Could you mention the cities where other families exist of the Cosa Nostra, and if you know, the numbers of the members as you know them, could you mention them?

Mr. VALACHI. I will start with Philadelphia. In Philadelphia I would say about a hundred. Boston, when I left the streets, was about 20, 18 or 20. Chicago, about 150. Cleveland, about 40 or 50. Los Angeles, about 40. Tampa, about 10. Newark, about a hundred. Detroit, I am not familiar at all with Detroit.

Senator JACKSON. Can you talk a little louder?

Mr. VALACHI. Detroit, I am not familiar at all.

The CHAIRMAN. You are not familiar with Detroit, is that right?

Mr. VALACHI. Detroit.

Mr. ADLERMAN. How about Buffalo?

Mr. VALACHI. Buffalo, about 100 to 125.

Mr. ADLERMAN. Utica, N.Y.?

Mr. VALACHI. Utica, about 80 to 100.

Mr. ADLERMAN. I think you covered New Orleans, did you?

Mr. VALACHI. No, I didn't cover New Orleans. Very few in New Orleans.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 387

Mr. ADLERMAN. Now you mentioned you don't know any in Detroit. Do you know if any families exist there?

Mr. VALACHI. Yes, they exist.

Mr. ADLERMAN. But do you know the number they have there?

Mr. VALACHI. I have no idea of Detroit.

Mr. ADLERMAN. Did you mention Tampa?

Mr. VALACHI. Tampa, I did, yes, about 10. When I left the streets.

Mr. ADLERMAN. In other words, the 10 cities are Boston, Chicago, Los Angeles, San Francisco, New Orleans, Tampa, Buffalo, Utica, Philadelphia, Cleveland, and Detroit?

Mr. VALACHI. Right.

Mr. ADLERMAN. Are there any other cities where they have families existing?

Mr. VALACHI. Right now if you call me some cities—I remember what I possibly can remember now.

Mr. ADLERMAN. What is that?

Mr. VALACHI. I remembered all I could remember just now. Now if you have any other cities in mind?

Mr. ADLERMAN. How about Miami and Las Vegas?

Mr. VALACHI. None in Miami, only that they go there and live there.

Mr. ADLERMAN. Is that what they call an open area?

Mr. VALACHI. Well, put it an open area, yes.

Mr. ADLERMAN. What do you mean by an open area?

Mr. VALACHI. No one is there.

Mr. ADLERMAN. Any member of the family can settle there and operate there?

Mr. VALACHI. Yes.

Mr. ADLERMAN. But they don't exist as a family group?

Mr. VALACHI. That is right. They have gone there from all families.

Mr. ADLERMAN. In other words, they may have 10 different families operating in an open area?

Mr. VALACHI. Well, if they are operating in an open area, I wouldn't know about it. That is for individuals, whoever they are. But the ones where the family—all through the years I knew there was a few in Tampa, but in jail I have been hearing now they raised it, but I don't want to say what I heard when I was in jail.

Mr. ADLERMAN. In any other cities outside of New York is there more than one family in any city?

Mr. VALACHI. One family is all I know of.

Mr. ADLERMAN. In any city?

Mr. VALACHI. One family.

Mr. ADLERMAN. With the exception of New York?

Mr. VALACHI. With the exception of New York.

Senator JAVITS. I don't think the counsel pursued the Las Vegas thing.

Mr. ADLERMAN. No, he said that was an open area.

Senator JAVITS. He said Miami.

Mr. ADLERMAN. Is Las Vegas an open area?

Mr. VALACHI. The same as Miami.

388 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. He does not have to have permission to operate there?

VALACHI. That is right; as long as he has an interest in something, he may go there, but he will notify his boss that he is there.

Mr. ADLERMAN. He will have to notify his boss?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Suppose they have a conflict in jurisdiction between any of the various families in the various cities, how is that settled?

Mr. VALACHI. It is always straightened out between those it may concern. For instance, if it is somebody from Philadelphia and another one from New York, so they get Boston and New York and the one from Philadelphia, and they stake it out. If it is too serious, the lieutenants will straighten it out. They will always come to agreement.

Mr. ADLERMAN. In other words, before they start fighting with each other, they have to go to their lieutenant?

Mr. VALACHI. Right.

Mr. ADLERMAN. Then if he can straighten it out, he can do that.

Mr. VALACHI. Right. Each one of them will complain to their own lieutenant, and then the lieutenant takes action. Action I mean by making appointments and talking about it.

Mr. ADLERMAN. Thank you.

Senator MUNDT. Mr. Chairman.

This may be your last appearance in public session, at least for some time. I would like to ask you to explain in your own words what you know about the meeting at Apalachin, because I think you have some information we should have in connection with that meeting. You tell that story in your own words.

Mr. VALACHI. You mean why they had the meeting?

Senator MUNDT. Why they had the meeting, the purpose of it, some idea of who was there.

Mr. VALACHI. Yes, sir.

After the shooting of Frank——

Senator MUNDT. Costello.

Mr. VALACHI. After the shooting of Albert Anastasia there was a meeting. This meeting was held for two main reasons that I know of. One was to talk about the justifying of the shooting of Albert Anastasia. The other one was that they were going to talk about eliminating some couple of hundred new members. I spoke about this. Whom I talked to I don't remember but it was an important one. How they are going to do it? He said that they were going to ask the lieutenants for the list of names of all of soldiers they have under them and to put a cross on everyone that never done anything. But they never reached to have this meeting and they never had a chance to tell it because they got arrested.

Senator MUNDT. You mean the raid took place before they got to that point?

Mr. VALACHI. They got arrested before they got to talk about it.

Senator MUNDT. When you say they were going to eliminate button men, do you mean they were going to dismiss them or knock them off?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 389

Mr. VALACHI. I said, how are you going to do that? I was explained that they would be told that this organization don't exist any more. In other words, they being in charge, maybe one here, one there, this couple of hundred would involve all around, and some soldiers would be in charge of these members, we would call them now former members. If any of these soldiers made them understand that this Cosa Nostra still exists they would pay with their lives. I remember I even remarked I would not want to have anybody under me, that is, where I would have no responsibilities. They were going to be told that the organization, Cosa Nostra, whichever way, that it was going to be broken up. In other words, they were going to throw them out.

Senator MUNDT. If I understand what you have said, they were to tell the soldiers that Cosa Nostra was going out of business.

Mr. VALACHI. Right.

Senator MUNDT. It was not going to be here any more?

Mr. VALACHI. Right.

Senator MUNDT. If they did not believe it but sneaked around to find out it was still active in operation, then they were going to bump them off.

Mr. VALACHI. The one who would be responsible. For instance, if they gave me one name, right, that was thrown out, if I let him know that Cosa Nostra still exists I would pay with my life.

Senator MUNDT. You would pay with your life?

Mr. VALACHI. Right.

Senator MUNDT. Who called the meeting at Apalachin?

Mr. VALACHI. Vito Genovese.

Senator MUNDT. Did he select the site?

Mr. VALACHI. No, Vito wanted to go to Chicago. Stephen Magaddino talked him into going to Apalachin. Vito never stopped beefing about that. Vito Genovese never stopped beefing about it. He said if it was not for him we would have gone to Chicago.

Senator MUNDT. He thinks if they had gone to Chicago they would not have had a raid.

Mr. VALACHI. They would not have had a raid because the town was small. Anyway, at this time it looked pretty raw to try to get away with something like that. Especially Barbara had a cop that was after him through the years and that is how they got suspicious because he ordered so many steaks and so many rooms, he was renting, he was making appropriations for and that is how they got to be observed.

Senator MUNDT. One of the other purposes of the meeting at Apalachin was to sort of establish the fact that Genovese was the boss now of the whole country.

Mr. VALACHI. Yes; just like they had the meeting in 1930 in Chicago, as I explained about Mansano, exactly the same thing.

Senator MUNDT. To get him the recognition that he was king of the bosses.

Mr. VALACHI. And they gave him, in other words, he would be justified when they came up with all the complaints. Let me tell you about Jimmy Jerome, Jimmy Squillante. The talk got around too. Jimmy Squillante requested, "If you want me to say some more, more

390 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

things that he has done, call on me." In other words, Albert made Squillante. He made him even a godson. In other words, Squillante was getting all the recognition for being with Albert. Now that he was dead he was kicking that he was willing to testify against him. They told him, "All right, if we need you we will call you." Lots of remarks were passed about it. In other words, the punk, now he is looking to hang him.

Mr. ADLERMAN. I have just one more question.

Mr. VALACHI, you went over some of the charts with me and the small pictures of some of these out-of-town charts, and I would just like to run over with you if you can identify or were you able to identify some of the people that I showed you on these charts?

Mr. VALACHI. Yes.

Mr. ADLERMAN. In Buffalo?

Mr. VALACHI. In Buffalo?

Mr. ADLERMAN. Were you able to identify Stefano Magaddino?

Mr. VALACHI. Stefano Magaddino and John Montana.

Mr. ADLERMAN. And Randaccio?

Mr. VALACHI. Is that the big name that I talked to you about?

Mr. ADLERMAN. Yes.

Mr. VALACHI. Yes.

Mr. ADLERMAN. And Salvatore Pierri?

Mr. VALACHI. Sam Pierri.

Mr. ADLERMAN. Sam Pierri, yes, and John C. Montana.

Mr. VALACHI. Yes.

Mr. ADLERMAN. In Boston and Rhode Island, did you know Phillip Bruccola?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Raymond Patriarca?

Mr. VALACHI. Raymond, Joe Lombardi, Henry.

Mr. ADLERMAN. Johnny Williams?

Mr. VALACHI. Johnny Williams.

Mr. ADLERMAN. Henry Noyes? Henry Selvitelli?

Mr. VALACHI. Well, one Henry. I only know Henry. I would have to see the picture.

Mr. ADLERMAN. How about Henry Tamello?

Mr. VALACHI. I don't know the second name.

Mr. ADLERMAN. You don't know which one? All right.

Now, in Chicago, did you identify Tony Accardo?

Mr. VALACHI. Well, the Tony Accardo, there seems to be a question. I met a Tony Accardo in Atlanta.

Mr. ADLERMAN. You are not certain it is the same fellow?

Mr. VALACHI. Well, the picture I saw and me meeting Tony Accardo in Atlanta, it is so different between prison clothes and when they showed me his picture he had a full dress suit on.

Mr. ADLERMAN. You don't think it is the same person?

Mr. VALACHI. Not by the picture.

Mr. ADLERMAN. Had you met any of the Fischetti brothers?

Mr. VALACHI. Two Fischetti brothers.

Mr. ADLERMAN. Those that you have identified, were those members of the Cosa Nostra?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 391

Mr. VALACHI. Yes.

Mr. ADLERMAN. Those we just named that you have identified?

Mr. VALACHI. Yes.

Mr. ADLERMAN. Thank you.

The CHAIRMAN. Senator Javits.

Senator JAVITS. Do you know anything about the source of the narcotics which was dealt with in these circles that you just referred to? Where did they get the narcotics?

Mr. VALACHI. Senator——

The CHAIRMAN. We are going into this later, Senator. There are certain reasons why they prefer, the Justice Department prefers, that we do it in executive session.

Senator JAVITS. I will defer that, then. Thank you.

You spoke about Las Vegas. Was that a large area of operation of the groups with which you were associated and do they do much business in Las Vegas?

Mr. VALACHI. Senator, they do a lot of business in Las Vegas. For instance, so and so has a piece, and so and so has 10 percent, so and so has 3 percent, and so and so. You hear that through the general talk between us. But actually, what they have, how it is run, I wasn't interested.

Senator JAVITS. You don't know?

Mr. VALACHI. That is right.

Senator JAVITS. And you were not told enough to give us any detail?

Mr. VALACHI. That is correct.

Senator JAVITS. Now, I am trying to find out how these things operate. What is important to us is who is alive, where they are, and what they are doing.

Mr. VALACHI. The best I can given you, Senator, is that they sell 100 points at \$5,000 a point. Some of us got the belief they may sell 200 points. In other words, the big ones involved probably get in there under cover. I mean even that talk got around. But you are so glad to get a point you don't mind what they do because those points bring in money.

Senator JAVITS. A point of what?

Mr. VALACHI. They call it a point. That is 1 percent.

Senator JAVITS. A participation?

Mr. VALACHI. Yes.

Senator JAVITS. In what? Gambling?

Mr. VALACHI. Let's say you buy 1 percent. You can buy a half percent from \$2,500 maybe from another member who has a piece.

Senator JAVITS. Is that in a gambling operation?

Mr. VALACHI. Aren't you talking about gambling?

Senator JAVITS. I am talking about anything that goes in Las Vegas.

Mr. VALACHI. That is all I know.

Senator JAVITS. So that a gambling operation at a particular hotel or club——

Mr. VALACHI. I know the hotels like in Havana but not in Las Vegas.

392 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator JAVITS. What would they sell points in, a hotel gambling operation?

Mr. VALACHI. In the gambling casino.

Senator JAVITS. In the gambling casino of the hotel?

Mr. VALACHI. Not in the hotel. You are using it as an expression in the gambling casino.

Senator JAVITS. A gambling casino, not in a hotel?

Mr. VALACHI. Naturally you know it is the hotel, but you know what you are buying into. Is that what you mean, Senator?

Senator JAVITS. That is right. Now, did you buy any points?

Mr. VALACHI. Well, I had a half point with a friend.

Senator JAVITS. In what particular enterprise?

Mr. VALACHI. Capri.

Senator JAVITS. The gambling casino at the Capri?

Mr. VALACHI. The Capri, just about when Castro started making trouble.

Senator JAVITS. Did it make any payments for you?

Mr. VALACHI. I got three payments for a half payment, 275, 300, and 275.

Senator JAVITS. Was that Havana or Las Vegas?

Mr. VALACHI. At the Capri.

Senator JAVITS. Havana?

Mr. VALACHI. I can tell you what happened when Castro took over. They were paying \$25,000 a year rent. The deal was that what Castro wanted to give them was he raised it to \$50,000 and 50 percent of the business. They told him to take a walk and they all went out of Havana.

Senator JAVITS. So you lost money on that deal?

Mr. VALACHI. I didn't lose. I had sold out.

Senator JAVITS. On offtrack betting, is that a big item of operation for the groups with which you were associated?

Mr. VALACHI. Do you mean booking?

Senator JAVITS. Bookmaking.

Mr. VALACHI. Very good, yes.

Senator JAVITS. Did you participate in that business?

Mr. VALACHI. Sometimes.

Senator JAVITS. How? As a shylock or some other way?

Mr. VALACHI. No. I booked myself some years ago.

Senator JAVITS. You booked yourself?

Mr. VALACHI. Do you mean Harry Gross?

Senator JAVITS. Yes.

Mr. VALACHI. Do you remember the one who made trouble after him, the Joe Shanks or something?

Senator JAVITS. The name doesn't ring a bell. I remember Gross.

Mr. VALACHI. Well, I remember. He puts me out of business.

Senator JAVITS. But you were in business for a time?

Mr. VALACHI. Yes, taking bets over a phone in an office.

Senator JAVITS. Did you work under anybody like Gross, or anybody else?

Mr. VALACHI. No. Gross was in Brooklyn. I was in New York. I didn't have nothing to do with Gross.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 393

Senator JAVITS. But did you report to your boss that you were operating under?

Mr. VALACHI. All they know is that I am booking. That is about all you tell them.

Senator JAVITS. Do you know of any political tie-ins with political people or judges or police in this operation?

Mr. VALACHI. Senator, I didn't have any myself so I am not going to say anything, because if I wasn't in it myself I am not going to talk about it.

Senator JAVITS. So when you ran a book you didn't pay anybody off?

Mr. VALACHI. I don't know if they were paying. I never asked.

Senator JAVITS. They being who, the people you worked with?

Mr. VALACHI. The people who worked for me.

Senator JAVITS. People who worked for you?

Mr. VALACHI. Yes.

Senator JAVITS. In other words, you ran a book and people worked for you?

Mr. VALACHI. Yes.

Senator JAVITS. And they divided the pockets with you?

Mr. VALACHI. The winnings, yes.

Senator JAVITS. And whatever they paid anybody, you don't know?

Mr. VALACHI. No.

Senator JAVITS. You didn't pay anything yourself?

Mr. VALACHI. No.

Senator JAVITS. Finally, there is some rumor around New York which I would like to get your judgments on, or any facts you have, about highway contractors, that highway contractors are shaken down for some fees or percentages or cuts or something else.

Do you know anything about that whatever?

Mr. VALACHI. Senator, I would like to get that more clear.

Senator JAVITS. I will give it to you. There are people who make contracts to build roads and to build streets, et cetera, repair streets, and so on. There are always rumors about the fact that they are shaken down in some fashion. Do you know anything about it?

Mr. VALACHI. I don't, sir.

Senator JAVITS. You were never in this?

Mr. VALACHI. No.

Senator JAVITS. You never heard of it?

Mr. VALACHI. No.

Senator JAVITS. Thank you, Mr. Chairman.

Senator MUNDT. Mr. Chairman, I have a followup question.

This is on the same type of question, Mr. Valachi, you mentioned in connection with your own ownership of a dress shop that you settled a strike by calling up Johnny Dio.

Mr. VALACHI. Yes, sir.

Senator MUNDT. Did you have any other experiences with labor racketeers?

Mr. VALACHI. Senator, that was the only one.

Senator MUNDT. That was the only one?

Mr. VALACHI. Yes.

The CHAIRMAN. Senator McIntyre.

394 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator McINTYRE. Mr. Valachi, these names you mentioned up around Boston, did you have any understanding of who was the boss or who was the big guy?

Mr. VALACHI. I met the boss, Phil Buccola, at the time I was there.

Senator McINTYRE. What was the name?

Mr. VALACHI. Phil Buccola. That is the way I know.

Senator McINTYRE. Buccola?

Mr. VALACHI. He has a funny name.

Senator McINTYRE. Did you have any understanding that there was a family in Boston or in the New England area?

Mr. VALACHI. Yes.

Senator McINTYRE. You don't know the name of that family?

Mr. VALACHI. Well, all you call is Boss, or you say the Buccola family. Whoever is the boss, they call it that name. You know, like you use the expression the Phil Buccola family, or whoever it may be. Now they say there is Raymond there, so you say the Raymond family in Boston or Rhode Island, whichever it is.

Senator McINTYRE. Do you know where their principal areas of activity were in New England?

Mr. VALACHI. I knew they had a crap game going for years and years, Senator, and that is all I know. In fact, I was up there once.

Senator McINTYRE. Just the once?

Mr. VALACHI. Yes.

Senator McINTYRE. I thought you said you raced horses.

Mr. VALACHI. That has nothing to do with the crap games. I was at the game once.

Senator McINTYRE. You were at the game once?

Mr. VALACHI. Yes.

Senator McINTYRE. That was in Boston?

Mr. VALACHI. In Boston.

Senator McINTYRE. Were you ever at Providence?

Mr. VALACHI. Only when they raced at Narragansett.

Senator McINTYRE. You don't have any understanding or do you have any knowledge of who the underboss was at the time that you were up there, if Buccola was the boss?

Mr. VALACHI. Well, I will tell you, I thought Joe Lombardi was, but I am not sure, so I can't say. I never asked.

Senator McINTYRE. What about this man Patriarca?

Mr. VALACHI. That is after my time. I met him as a soldier when I met him.

Senator McINTYRE. It is your understanding that Patriarca is the boss now?

Mr. VALACHI. Now. That is what I heard.

Senator McINTYRE. What is your understanding of his operations? What type of operation is it?

Do you know this?

Mr. VALACHI. Well, I couldn't say, sir.

Senator McINTYRE. You said once he had a dice game.

Mr. VALACHI. Yes, they all were in on it. There weren't many so they could all have it.

Senator McINTYRE. Were they all involved in booking?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 395

Mr. VALACHI. Yes.

Senator McINTYRE. And off-track betting?

Mr. VALACHI. Even on the track. They book on the track, too.

Senator McINTYRE. Do you know anything about vending machine operations up there?

Mr. VALACHI. Well, if the machines were running, they would have them. But I don't know if the machines were running at the time I was there. Sometimes they run and sometimes they don't. I wouldn't recall if the machines were running. Are you talking about the pinballs?

Senator McINTYRE. One last question. I have been somewhat intrigued about these disappearances. You know there has been talk here of people being killed. How do they accomplish these disappearances? You said on one occasion they bury the man.

Mr. VALACHI. Yes.

Senator McINTYRE. Do they drop him in the river or how else do they cause these men to disappear?

Mr. VALACHI. When they throw them in the river, they don't use the expression of "burying them" because 99 out of 100 will always come up in the river. When I use the expression "buried," I mean they buried them in some area upstate, somewhere, anywhere. It could be anyplace.

Senator McINTYRE. Is this the way that they cause these people to disappear so that the police or nobody found them?

Mr. VALACHI. Right.

Senator McINTYRE. This is the only way, they take them upstate and bury them in the ground?

Mr. VALACHI. I used the expression of "upstate" because we were in New York City. Naturally, upstate is where they really aimed for.

Senator McINTYRE. You are a chauffeur, yourself, you said that that was your specialty?

Mr. VALACHI. Yes.

Senator McINTYRE. What did they do with the vehicles? How did they disappear, the automobiles? How do they get rid of them?

Mr. VALACHI. When I was a chauffeur, we used to rent the cars, Senator. At first they were my own cars, but in around 1929 I was renting the cars. I was using almost legitimate cars. I was bending the plates while we were burglarizing.

The CHAIRMAN. You were doing what?

Mr. VALACHI. Bending the plates. You know, lifting the plates up and then they couldn't take the number.

Senator McINTYRE. Can you give us any idea, Mr. Valachi, how they dispose of the car of the victim, of the man who is bumped off? How do they take care of his automobile or his car so it disappears along with him?

Mr. VALACHI. I never was involved in anything like that so I can't say.

Senator McINTYRE. You don't know?

Mr. VALACHI. I don't know.

Senator McINTYRE. Thank you.

Thank you, Mr. Chairman.

396 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. The Chair will announce that this concludes temporarily the public hearing with respect to the testimony of Valachi who probably will be recalled before the hearings are concluded to give further testimony in public hearing. But we cannot indicate at the present, at the moment, just when that may occur. He will, however, in the meantime, be interrogated by the committee in an executive session.

There are some three or four murders that are under active investigation at this time that we want to interrogate him about that we do not wish to make his testimony public on but want the information to serve as a guide to the committee in future deliberations.

(At this point Senator Javits withdrew from the hearing room.)

The CHAIRMAN. There are also other matters that have not been mentioned in the public hearing that we will want to talk to him about, and some others, as you have observed during the course of this testimony, that he has indicated he would prefer to discuss with us in an executive session. So we will have possibly quite a lengthy executive session with him, maybe for a day or 2 days.

I don't know how long it will take. In the meantime, we will resume hearings tomorrow, and they will be public hearings. We will probably go into some of these families that Valachi has talked about in other cities, and we will work on that for the next day or two.

In the meantime, I wish you would please observe and remain seated until the witness has been taken from the room.

When the committee reconvenes, it will reconvene in the morning at 10:30.

(Members present at time of recess: Senator McClellan, McIntyre, and Mundt.)

(At 4:35 p.m., the committee recessed, to reconvene at 10:30 a.m., Thursday, October 10, 1963.)



PART 2

(October 10, 11, 15, and 16, 1963)

PAGINA BIANCA

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

HEARINGS BEFORE THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE EIGHTY-EIGHTH CONGRESS FIRST SESSION PURSUANT TO SENATE RESOLUTION 17, 88TH CONGRESS

PART 2

OCTOBER 10, 11, 15, AND 16, 1963

Printed for the use of the Committee on Government Operations



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1963

24-366

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402 - Price \$1.75

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CONTENTS

	Page
Appendix.....	621
Testimony of—	
Amico, Michael.....	578
Branch, William.....	528
Brown, Neil G.....	519, 531
DeLaLlana, Jack.....	519
DePugh, William J.....	451
Duffy, William J.....	485
Edwards, George C.....	397, 427, 457, 472
Giambrone, Samuel.....	578
Howland, John T.....	564
Kaplan, Arthur G.....	484, 542
McCauley, Joseph J.....	549
McNamara, Edmund L.....	564
Miller, Earl C.....	441, 472
Mullen, James W.....	549
O'Neill, John J.....	465
Piersante, Vincent W.....	397, 427, 457, 472
Russ, James M.....	542
Sage, Arthur.....	461
Schneider, William H.....	578
Stone, Walter E.....	549
Wilson, O. W.....	485

EXHIBITS

	Intro- duced on page	Appears on page
17. An address by the Honorable George Edwards, police commissioner, Detroit, Mich., "Organized Crime in the United States", May 29, 1963, before the council of judges in New York.....	407	(*)
18. Chart—The Mafia organization in the Detroit area.....	410	(†)
19. 1962 and 1963 Green Sheet—Almanac and dream book.....	416	(*)
20. Green Sheet—Sports Review.....	417	(*)
21. Telegram to Hon. Jacob Javits from Joseph S. Mattina assistant district attorney, Erie County, Buffalo, N. Y.....	420	(*)
22. Criminal record of Pete Licavoli.....	424	(*)
23. Summary of murders, shootings and missing persons attributed to gangland warfare.....	430	(*)
24. Chart—Gangland slayings, shootings, and missing persons.....	430	(†)
25A. Prison report on Papa John Priziola.....	433	(*)
25B. Summarized history of Giuseppe Zerilli.....	433	(*)
25C. Summarized history of "Black Bill" Tocco.....	433	(*)
25D. Summarized history of Angelo Meli.....	433	(*)
26. Criminal reports on 10 of the "big men" members of the ruling council.....	434	(*)
27. Chart—Detroit area Mafia—Narcotic court cases.....	445	446
28. Chart—Prostitution.....	451	452
29. Ten summaries of chiefs.....	458	(*)
30. Eleven summaries of lieutenants.....	458	(*)
31. Eighteen summaries of the associates.....	458	(*)
32. Chart—Vito Giagalone gambling house conspiracy, barbudi.....	459	460
33. Chart—Basic operational structures of the Detroit area mutual combines.....	461	(†)
34. Chart—Cosentino-Koskos handbook conspiracy.....	465	466
35. Chart—Family relationship study.....	471	(†)

*May be found in files of subcommittee.

†Paste in.

IV

CONTENTS

	Intro- duced on page	Appears on page
36. Chart—Some legitimate businesses owned, infiltrated, or influenced by the Mafia.....	472	(†)
37. Summary history of Hazel Park Racing Association, Inc....	476	(*)
38. FBI records of men named on the Mafia organization chart for Detroit.....	484	(*)
39. Chart—Chicago-Italian organization.....	508	(†)
40. Chart—Nonmember associates of Chicago-Italian organization.....	509	(†)
41. Photographs of a car showing secret compartments.....	514	(*)
42. Background, criminal arrests, and police records of individuals on the Chicago chart, prepared by the Chicago Police Department Intelligence Division.....	515	(*)
43. FBI records of members of the Chicago Syndicate.....	515	(*)
44. Certified copy of report of the grand jury dated March 30, 1956.....	522	(*)
45. Chart—The Mafia organization in the Tampa, Fla., area....	523	(†)
46. FBI records of Louis Coticchia.....	525	(*)
47. FBI records of Carden, Riffe, Harrell, White and Ciphon, Florida gambling bankers.....	529	(*)
48. Arrest records of the 19 individuals of the Santo Trafficante, Jr., group.....	535	(*)
49. Tampa Police Department commentary on 19 ranking mafiosi in the Santo Trafficante, Jr., group.....	535	(*)
50. Comments on the gangland slayings in the Tampa, Fla., area 1928 through 1962.....	537	(*)
51. Current FBI records of men named on the Mafia organization chart of Tampa, Fla.....	542	(*)
52A. Bolita tickets.....	547	(*)
52B. Tally sheet (handwritten).....	547	(*)
52C. Printed tally sheet.....	547	(*)
52D. Photographs of a 1961 lottery raid on a checkup house in suburban Orlando, Fla.....	547	(*)
53. Chart—Rhode Island and Boston, Mass., organization.....	551	(†)
54. Letter from Paul Caliche to Raymond Patriarca.....	559	(*)
54A. Letter from Paul Caliche to Henry Tamello.....	559	(*)
55. Memorandum on Raymond Patriarca when he testified before the Select Committee on Improper Activities in the Labor or Management Field.....	559	(*)
56. Booklet which is a record of the impeachment of Daniel H. Coakley, former counselor in the State of Massachusetts..	560	(*)
57. Photograph of equipment used in past posting.....	563	(*)
58. Records supplied by the Providence Police Department which relate to individuals named on the chart.....	563	(*)
59. FBI records pertaining to the individuals on the Rhode Island chart.....	563	(*)
60. Chart showing association between various members that appear on the Boston chart.....	569	(*)
61. Police records of individuals shown on the Boston chart....	570	(*)
62A. Photograph showing Raymond Patriarca with a group of men taken September 10, 1959, in front of the New England Center Hospital.....	570	(*)
62B. Photograph taken September 10, 1959, showing persons listed on the chart.....	570	(*)
62C. Photograph taken November 18, 1958, in front of the New England Center Hospital showing persons listed on the chart.....	570	(*)
62D. Photograph taken December 9, 1959, in front of East Cambridge Court showing group that have been convicted of crime.....	570	(*)
63. FBI records of individuals on the Boston chart.....	571	(*)
64. Chart—Buffalo, N. Y., organization.....	580	(†)
65. Chart—Magaddino empire of organized crime.....	586	587
66. Narcotics distribution chart—Buffalo area.....	608	609
67. Report on Agueci homicide.....	612	(*)

*May be found in files of subcommittee.

†Paste in.

CONTENTS

V

	Intro- duced on page	Appears on page
68. Buffalo Police Department arrest records of those mentioned on Buffalo chart.....	614	(*)
69. FBI criminal records of those mentioned on Buffalo chart....	615	(*)
Proceedings of—		
October 10, 1963.....		397
October 11, 1963.....		457
October 15, 1963.....		519
October 16, 1963.....		577

*May be found in files of subcommittee.

PAGINA BIANCA

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

THURSDAY, OCTOBER 10, 1963

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:30 a.m., in the caucus room, Old Senate Office Building, pursuant to Senate Resolution 17, agreed to March 14, 1963, Senator John L. McClellan (chairman of the subcommittee) presiding.

Present: Senator John L. McClellan, Democrat, of Arkansas; Senator Edmund S. Muskie, Democrat, of Maine; Senator Thomas J. McIntyre, Democrat, of New Hampshire; Senator Karl E. Mundt, Republican, of South Dakota; Senator Carl T. Curtis, Republican, of Nebraska; Senator Jacob K. Javits, Republican, of New York.

Also present: Jerome S. Adlerman, general counsel; Donald F. O'Donnell, chief counsel; Philip W. Morgan, chief counsel to the minority; Paul E. Kamerick, assistant counsel; Harold Ranstad, assistant counsel; Eugene J. Marshall, Bureau of Narcotics; Martin Pera, Bureau of Narcotics; and Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will be in order.

(Members of the subcommittee present at the convening of the session: Senators McClellan and Muskie.)

The CHAIRMAN. Mr. Counsel, call your next witness.

Mr. ADLERMAN. Police Commissioner George Edwards.

The CHAIRMAN. Mr. Edwards, will you stand and be sworn, please?

Mr. EDWARDS. I would like to have our deputy also sworn, our district inspector, Vincent Piersante, sworn with me.

The CHAIRMAN. Do you and each of you solemnly swear that the testimony you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EDWARDS. I do.

Mr. PIERSANTE. I do.

TESTIMONY OF GEORGE C. EDWARDS AND VINCENT W. PIERSANTE

The CHAIRMAN. Will each of you identify yourself for the record, please?

Mr. EDWARDS. I am George C. Edwards, police commissioner of the city of Detroit.

The CHAIRMAN. How long have you been in that position?

Mr. EDWARDS. Since January of 1962.

398 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Will you give us a brief résumé of your past official positions, please?

Mr. EDWARDS. Yes, sir. I came into public office in 1939 as director of the Housing Commission of the City of Detroit. I then served four terms in the Common Council of the City of Detroit, two of them as council president and acting mayor.

Subsequent thereto, I was appointed and elected to the probate bench, where, for 4 years, I presided over the juvenile court of Wayne County, which is the county in which Detroit is located.

Subsequent to that, I was appointed and elected to the circuit court of Wayne County, which is the court of general trial jurisdiction, including criminal jurisdiction, in Wayne County, which includes Detroit.

Subsequent thereto, I was appointed and twice elected to the Supreme Court of Michigan, which is the highest court in our State. I served on that court until January of 1962, at which point, at the request of major of the city of Detroit, I resigned to take the post which I currently hold, in view of certain problems which my city was facing at that time, which involved very directly the problems of the police department.

The CHAIRMAN. Thank you very much. I might add, as I recall, you have also received Presidential nomination to serve as a U.S. district judge in your State, have you not?

Mr. EDWARDS. Senator, it is the Sixth Circuit Court of Appeals, which does cover the State of Michigan.

The CHAIRMAN. To serve on the Court of Appeals, Sixth Circuit?

Mr. EDWARDS. Yes, sir.

The CHAIRMAN. I thought the record should show that. We have three or four nominations pending before the Judiciary Committee, of which I am a member, and I have been so occupied with this lately, I didn't draw the distinction between Circuit Court of Appeals and the district courts.

Very well. We welcome you and we appreciate your appearance, and I know your testimony will be very helpful to us.

Will the other gentleman now please identify himself for the record?

Mr. PIERSANTE. I am Vincent Piersante. I am a district detective inspector, with supervision over the Criminal Intelligence Bureau of the Detroit Police Department.

The CHAIRMAN. How long have you held your position?

Mr. PIERSANTE. I have been a police officer for 22 years.

The CHAIRMAN. In Detroit, in the city of Detroit?

Mr. PIERSANTE. Yes, sir.

The CHAIRMAN. Very well.

Judge Edwards, I believe that you have a prepared statement, have you?

Mr. EDWARDS. Yes, Senator, and if it were permissible from the point of view of the rules of the committee, I would appreciate having the prepared statement printed in the record and thus give me a little leeway in relation to adlibbing a bit as I go through and refer to that text.

The CHAIRMAN. Very well. Without objection, that may be done, and you might read it if you like, or we will just print it in the record as you requested.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 399

Mr. EDWARDS. A certain portion of it I would like to read, Senator, and I hope to not bore you with reading right straight through it.

The CHAIRMAN. You may read excerpts as you proceed with your testimony.

Senator MUSKIE. That is fine.

The CHAIRMAN. Very well, the statement will be printed in the record in full at this point, and Mr. Counsel you may proceed.

(Mr. Edwards' prepared statement is as follows:)

My name is George Edwards. I reside at 19925 Briarcliff, Detroit. I am commissioner of police of the city of Detroit. I am testifying here at the invitation of the subcommittee.

I am glad to accept this invitation to appear before you so that my department can make some contribution to your work in making known to the American public the threat posed to its welfare by organized crime and racketeering in America, a threat about which I and many of my associates in law enforcement have been long concerned.

I am and have been a member of the Michigan bar since 1944. From that time onward, as a lawyer, judge, and now as Detroit's police commissioner, my work has made me increasingly aware of the existence, growth, and danger of organized crime.

I have been intimately connected with government in the city of Detroit for many years. I first entered public office in 1939 as a member of the reform administration of Mayor Edward J. Jeffries, Jr. I served 2 years as administrator of a city department, the Detroit Housing Commission. I then served 8 years as an elected member of the Detroit Common Council—the last 4 years as its president and frequently as acting mayor. Detroit as I have known it, has been a very clean city. At the moment, some knowledge (plus an admitted love for my city) leads me to suggest that it is the cleanest and least racket-ridden big city in the country. But this does not for a moment blind me to the major influences which have sought and now seek to operate in the fields of organized crime, both within and without its boundaries.

Much of what your staff people have asked me talk about today will come as a shock to many lifetime and knowledgeable Detroiters. Most respectable and law-abiding citizens in our area see little evidence of gambling, narcotics, or prostitution. And in their daily lives they have never been threatened by, or pushed around by the element which dominates these activities. Many of these citizens may even know some of the names we will discuss and may know them favorably—as businessmen who deliver a sound and lawful product, or persons who are generous when contacted on a charity drive.

But the fact is that we have some Jekyll and Hyde characters and that the most powerful group of them constitutes a continuing menace to law enforcement. Our information as to them has not been gained from Joseph Valachi—in fact, to date we have not had the opportunity to interview him.

Indeed, in 1961, long before I ever heard of Mr. Valachi, I made a speech to the Crime Prevention Conference convened by the attorney general of Michigan and stated that I was convinced there was an organization operating throughout the Nation which dominated the major rackets in most of America's metropolitan areas, a "conspiracy nationally and internationally organized primarily to promote the illegal importation and sale of narcotics and the development and protection of illegal gambling."

In May of this year, I spoke before the Advisory Council of Judges of the National Council on Crime and Delinquency. As a result of what I believe to be incontrovertible evidence brought before me in the 2 years between my 1961 speech and my address to that distinguished panel of judges in New York this spring, I felt warranted in stating that the organization dominating the national crime picture was properly called the Mafia. I am submitting here a copy of that recent speech which summarized my views about this menace.

Our research into the leadership of organized crime in Detroit leads again and again to a small group of families of Sicilian extraction, closely interrelated by marriage and by strong ties in legal and illegal enterprises. The frustrations of our police in law enforcement center around a code of absolute silence and a positive refusal of all forms of cooperation with legal authority on the part of these families.

400 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

There is a strong evidence that in the Detroit area as in other of our large cities, too, these illegal enterprises are backed by the threat of planned, carefully executed, and highly professional murder. Such facts demanded a more descriptively accurate name than "the syndicate."

From my conversations and interchanges with my colleagues in this field, I know that most of the high-level law enforcement officials in this country believe, whether or not they will say so, that the Apalachin meeting was a conclave of the top members of the nationally organized crime syndicate more properly referred to as the Mafia. This organization has its top command figures active in almost every large city in the country, including Detroit, and has been and continues to be the dominant factor in organized crime in America. The organization to which we in Detroit apply the name "Mafia" appears to be very similar to and directly connected with the criminal group in New York characterized by Valachi as Cosa Nostra.

We will present a chart showing 66 Mafia members arranged in what we believe to represent the organizational structure of this conspiracy. Practically all of these persons are of Sicilian birth or ancestry. We will present family charts to show Sicilian origin of the major families and the blood and marriage interrelationships among the top figures. Associated with these 66, we will name 18 associates who are not Sicilian. These, in our opinion, are not taken fully into membership, but none the less have had a continuing association with the Mafia over the years in illegal enterprises.

We believe that this conspiracy grosses an absolute minimum of \$150 million a year in a variety of illegal enterprises in the Detroit area. We believe that these persons dominate gambling and narcotic traffic in the Detroit area.

Mafia figures have also infiltrated legitimate businesses worth a minimum of another \$50 million. These businesses it uses for investment, for employment "cover" for its hoodlums and for valuable income tax protection. We will present a chart showing 98 businesses as to which we can show significant Mafia infiltration, ownership, and influence.

As to the top 66, we will show their criminal arrests, their criminal convictions, their criminal associations, their family associations, and their business associations. We have available for the committee a police report on each individual as complete as present information allows.

We will present synopses of the 69 gangland murders committed in the Detroit area from 1927 to 1962; we will demonstrate their decreasing frequency (for the last decade approximately one a year); and we will discuss in some detail two such murders (one in Chicago and one in the Detroit area) with which the Detroit Police Department has had considerable contact.

We will offer histories of gambling, prostitution, and narcotics cases from past years involving many of the 66 Mafia members and the 18 associates.

We will then discuss enforcement activities during 1962 and 1963 which have uncovered major Mafia activities in the city of Detroit and show the relationships of various named Mafia leaders to these current operations.

The Detroit area Mafia of the 1960's is big business. On the legal side it is involved in selling everything from horseraces to fruit juice; on the illegal, everything from dope to football bets; however, the Mafia's principal product is fear.

The Mafia front men are characterized by the smile, the glad hand, the tuxedo and the ticket to the charity ball. But the basic Mafia tools are still money, murder, and corruption.

Less violent than in earlier years, the Mafia still uses as trademarks the lime, the garrote, and the dead pig. It is the only outfit existant which deliberately advertises its murders. Its slogan could still be "Bodies by Mafia."

We must emphasize that we are by no means charging that every one of the 84 persons whom we will name today as Mafia members or associates is privy to all of the Mafia activities or crimes. We are confident on the contrary that knowledge of top-level activities and crimes is held to an absolute minimum number of essential personnel. We do assert that no person whom we name could be innocent of knowledge of the general criminal nature of the Mafia's activities.

In the 1930's our police department organized a "Black Hand Squad" more effectively to combat the then already apparent threat of the Mafia. Since that time the Mafia has grown in strength, cunning, sophistication, and power, from its beginning as a group of gangsters extorting money by direct assaults upon their fellow Sicilians. Today many of these very same criminals who were gunmen

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 401

and hoodlums in the twenties are now executives in well-tailored suits, residing in expensive homes, and directing racketeering enterprises of national and international scope.

I would like at this point to emphasize that the organization which I describe is not a city of Detroit outfit. Actually, its most influential members live in the wealthy suburbs of our metropolitan area in homes which run upward of \$50,000 in value. Among this top 16 we will name, 10 live in Grosse Pointe Shores, and 2 actually reside in Florida.

Increasingly, too, its operations, hampered in the city of Detroit, tend to seek easier soil to till in suburban areas with smaller units of law enforcement. This is, of course, one of our major problems. Local police forces are greatly hamstrung when they seek to follow law violators outside of their own local jurisdiction.

During the past several years, our criminal intelligence bureau has devoted an increasing amount of its attention to Detroit operations of the Mafia. From evidence now in its files, the CIB believes that we can show the chain of command and name many persons presently filling positions in the hierarchy. We have charted this structure for the committee, and I present this to you as our exhibit 2.

The Detroit area Mafia, organized as depicted on the chart, has these organizational attributes:

1. THE RULING COUNCIL

The Detroit area Mafia is controlled by a five-man group known as "the Council." These men are commonly referred to as "Dons," and it is their function to delegate authority to lesser members, to give racket franchises in the area, to settle member disputes, to discipline errant members, and to determine penalties for violations of the Mafia code. It represents the area in regional or national Mafia affairs and, above all, seeks to protect the organization's interests and enterprises.

2. "THE BIG MEN" OR ADMINISTRATORS AND "HEIRS APPARENT"

These are Mafia members of prominence who are most likely to ascend to a position on the ruling council. They have gained this position through proficient and successful criminal activity, through birth, or through both. They operate the more lucrative and plush Mafia enterprises, legal or illegal, and act as front men for the distribution and investment of Mafia funds. They are allowed considerable discretion in their operation and may be called on to represent the ruling council in national Mafia affairs. They are responsible for maintaining contacts, keeping order in the lower ranks, and protecting the image of Mafia invincibility.

3. CHIEFS OF OPERATING UNITS

These are members of prominence who are put forward by the Mafia as the headmen in the area to deceive the local officials and citizenry. This deception is perpetrated to remove attention from the council members and "heirs apparent." They organize and supervise specialized units of the Detroit rackets, such as handbooks, numbers, shylocking, prostitution, and narcotics. They have as assistants lieutenants who act in an executive position and are gaining knowledge and skills to move up in the organization. They have under their immediate control the various section leaders who operate the rackets on the public level.

4. LIEUTENANTS

These act as executive assistants to the chiefs of operating units. This position is used for training.

5. SECTION LEADERS

Section leaders operate the special segments or sections that make up the larger units of control. These are the Sicilians who are working their way up in the organization, or those of non-Sicilian extraction who can go no higher or cannot be officially accepted into the Mafia because of ancestry. These are the persons who have the direct contact with the bettors or other victims of the various rackets and are the ones most likely to be caught in gambling or vice raids.

402 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

6. FIELDMEN

These are the lower criminal element who act as runners, errand boys, and hooligans for hire. They can be of any nationality or profession and are not yet part of the Mafia other than being accepted for use in certain assignments with no strings attached. They are seldom in the know and accept the fact that this is the apprentice system for making the bigtime in crime.

The personal history of each of the Dons of Detroit gives an excellent history of our branch of the Mafia.

Research by our intelligence staff confirms the strong familial relationship among the Detroit Mafiosi that the Kefauver committee showed in 1951 and your select committee demonstrated in 1958 to exist nationally. The blood relationships among the top five Detroit Dons I have just described is an excellent example of one of the strongest ties cementing together this criminal conspiracy. District Inspector Piersante will explain our chart depicting this relationship.

As you will note, there are certain persons on our organizational chart who, to our knowledge, do not have criminal records, but who, we believe, must be characterized as integral parts of the organization because of their working, social, familial and business participations with the criminals named on it. These are:

Our criminal intelligence bureau has determined what we believe are the significant characteristics of the Detroit Mafia:

1. The ranking members are of Sicilian birth or descent.
2. The organization will associate in its criminal activities with non-Sicilians, but these persons never become members of the ruling group. Many of these persons are known to the Detroit Police Department.
3. The Mafia enforces by fear and murder its code of silence, organization discipline, and noncooperation with lawful authority. Since 1918 the Detroit Police Department has maintained records of crimes it has categorized, because of the circumstances, modus operandi, and other facts surrounding them, as gangland murders.

Between 1927 and 1962 there were at least 69 such occurrences. The details of these crimes I have summarized, and submit to you for the record.

An analysis of these crimes shows their consistent decrease through the years. Actually we believe only 1 murder of this nature has been committed in the last 2 years of 1962-63, while 17 such murders are listed for the single year of 1930. However, while we believe that such crimes tend to decrease in direct proportion to vigorous law enforcement directed against their perpetrators, we realize that the need to commit these crimes has lessened because of the now well-entrenched fear of the Mafia among underworld elements and the more sophisticated pressures its influence and affluence allow it to exert against its opponents. Over the past decade, through the inquiries of congressional committees, and particularly the groups chaired since 1956 by you, Senator McClellan, and your former colleague, Senator Kefauver, the American public has learned of the economic and political pressures entrenched racketeers can bring to bear upon their adversaries.

Nonetheless, we believe that murder continues to be a potent weapon in the Mafia arsenal. Let me tell you of two recent murders, one of which was committed in Chicago and was solved by the Detroit Police Department, one of which was committed in the Detroit area and remains unsolved.

Just as dangerous to the continuance of the lawful and orderly society to which this Nation is committed is the Mafia intimidation of witnesses necessary to successful prosecutions of their crimes. Inspector Piersante will explain a recent example of how a Mafia member, Santo Perrone, avoided conviction in our considered opinion, solely because of fear of Mafia reprisal.

In Detroit, the Mafia has been engaged in particular kinds of racketeering, and we have been successful in convicting lower ranking Mafiosi participating in those operations. These investigations and prosecutions have given us further evidence of the place each of these persons occupies in the Detroit Mafia hierarchy. Among the rackets we know to be Mafia-controlled are gambling (including the bookmaking and numbers rackets), narcotics trafficking, prostitution, shylocking, labor racketeering, and extortion. We have prepared charts showing examples of our investigations of several of these operations, each of which has resulted in convictions of most of the persons involved:

1. Inspector Piersante will explain a chart of one of our narcotics investigations.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 403

2. Mafia operations reflect a relationship with prostitution. Sergeant DePugh will explain a chart of one of our investigations of a prostitution operation controlled by a Mafia member.

3. During the past several years, this subcommittee has indicated its awareness of the dangers of organized gambling and its role in furnishing the lifeblood to organized crime. Our investigations show that the Mafia dominates gambling in the Detroit area. This consists mainly of bookmaking, barbudi games, and the numbers racket. District Inspector Sage will explain a chart of one of our numbers investigations.

4. Another well defined area of Mafia operation in the Detroit gambling picture is their handbook operation. Inspector John O'Neill will explain a chart of a handbook investigation.

The tremendously lucrative gambling racket has long been a Mafia mainstay, in which Mafiosi have not only participated at all levels of operations, but have, also, made frequent use of non-Sicilian associates. Within the past year we have successfully attacked both methods of Mafia racket domination:

1. In the Lesod Club, which involved the running of an illegal barbudi game, a type of gambling using dice, we encountered several problems.

This particular club operated under a State charter, defining it as a "social-fellowship" organization, while in fact it was a convenient setting for the Glacalone brothers to run their barbudi games, oftentimes grossing as much as \$30,000 each night. The security against police and/or persons not properly identified to the game operators or members was extremely cautious, and many devious and ingenious devices were employed to thwart investigating officers. These security measures were developed over the several years the club functioned as Lesod, and formerly under the name "Lebanese-American Republican Club."

Vice bureau officers had little difficulty in determining the nature of the gambling, the operators, the membership, or its illegal income, as these facts were attested to by persons who actually gambled there. However, the real difficulty was in obtaining court testimony by such persons, so necessary for convictions.

Ultimately by constant surveillance and similar efforts by the police department to abate this nuisance, and with the assistance of the courts, the club was forced to leave its then location.

2. A numbers operation run by associates but affiliated, we believe, with the Mafia was uncovered by us at the Gotham Hotel. The operation depended upon the Mafia for the daily winning number combinations, for the green sheets which are used by numbers players as a guide to their bets, the K books in which bets are recorded, and other paraphernalia necessary to the operation of this activity, as well as for whatever protections against law enforcement the group may have believed they had, prior to our raid. The raid is of particular interest because it showed, from the records we seized and the money we found, the incredibly large amount of money bet with the underworld.

One evening last November we made a successful raid on the Gotham Hotel, known for years as the fortress of the numbers racket in Detroit.

The hotel consisted of a lobby, a cafe, a drugstore on the first floor, eight floors of 174 residence rooms and a penthouse. The switchboard operator and sentries were used to alert the occupants of incoming police officers. A closed television circuit was used in the lobby to scan visitors; and if officers were detected, an alarm system rang on every floor and in the penthouse of the hotel. John White, the owner, would meet officers and order them off hotel property. In the fall of 1962, the Gotham ceased to operate as a public hotel, but the numbers activity continued.

Coordinated efforts of the Detroit police, the Federal Internal Revenue Service, and the Michigan State Police led to evidence which resulted in the raid of the Gotham Hotel at 5 p.m., November 9, 1962. A search warrant issued by Federal Judge Kaess after he was presented with affidavits describing the activities and prior arrests of numbers operators connected with the hotel.

The raid was conducted by 112 officers. Among the better known numbers operators arrested were John White, Earl Cuzzens and James Cummings. The search took 24 hours to complete. Seized were 160,000 bet slips, \$60,000 in cash and 33 adding machines, 11 of which had been stolen, miscellaneous equipment, marked cards and loaded dice.

Arrested were 41 persons who have since either been convicted or charged with gambling activities before State or Federal courts.

The raiders found that there was a numbers office on each floor, generally located in the corner suites, with the largest room containing felt covered tables,

404 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

used in processing the business, along with adding and calculating machines. All of the windows were blanketed to keep out prying eyes. The linen closets were full of boxes of coin wrappers.

Computations based on tapes and account books of the houses operating in the Gotham indicated a gross business of over \$21 million a year.

John White had become owner of the Gotham Hotel in 1943 and within a short time it was common knowledge that numbers operators congregated there and runners carrying the business were frequently arrested in the vicinity.

John White's personal telephone directory contained the unlisted telephone numbers of Anthony Giacalone, Mafia gambling boss in the Detroit area, and Pete Licavoli, one of the top figures of the Mafia.

One further incident which I wish to bring to the attention of the subcommittee demonstrates the continual brazen effort of the Mafia to secure their immunity from law enforcement by direct bribes of police officials. This case concerns Anthony Giacalone, who on August 9, 1954, was arrested by vice bureau officers in Detroit, Mich., and charged with bribery of a public officer (warrant No. A-77583). A patrolman assigned to the racket squad of the Detroit Police Department was approached by Giacalone, who said that he was a fieldman for the Murphy House which had four units and that he [Giacalone] wanted the officer on his payroll at \$200 a month. The officer's only obligation in return for this money was to keep Giacalone apprised of any gambling raids by the police department. Giacalone was convicted on this bribery case and was sentenced to 8 months in the Detroit House of Correction and a fine of \$500.

On June 20 of this year, Giacalone was again arrested by the Detroit Police for conspiring to bribe a public officer (Warrant N. A-116337). This arrest was the result of a 5-month surveillance and investigation which began when a Detroit police sergeant was approached by known gamblers who offered \$50 a month to insure protection for their gambling operation. The operators were Claude Edward Williams (DPD No. 183472) and Harrison "Chink" Brown (DPD No. 146074), who were attempting to operate a mutual house within the sergeant's immediate jurisdiction. The examination and trial are still pending.

One of the most significant and insidious threats from the Mafia is its increasing infiltration of legitimate business and its associations with legitimate businessmen. Our Criminal Intelligence Bureau has studied and has made up a chart depicting this problem. This will be explained by Inspector Miller.

A classic example of Mafia infiltration of legitimate enterprise is the Hazel Park Racing Association, Inc. This State-licensed monopoly operation makes approximately \$1 million a year. Much of this is available to further Mafia power in the Detroit area.

Recommendations for legislation: As a result of my experience and my knowledge of the difficulties of prosecuting this Mafia conspiracy, I recommend that this committee give consideration to the following remedial legislation:

1. Statutes that will allow for improved and more effective coordination of local and Federal law enforcement activities.
2. A statute that would give the U.S. Government jurisdiction over gangland murders, particularly those involving travel across State lines by any party to the murder conspiracy.
3. Federal legislation allowing law enforcement agencies to secure judicial warrants for interception of telephone communications on the same showing of probable cause required for search warrants.
4. Statutory provisions for the grant of immunity to witnesses in important felony prosecutions.
5. Legislation providing for the sentencing of racketeers as dangerous offenders in accordance with the recommendations of the Model Sentencing Act of the Advisory Council of Judges of the National Council on Crime and Delinquency.

Mr. ADLERMAN. Commissioner Edwards, would you like to read your statement now, or part of it?

Mr. EDWARDS. Senator, we are exceedingly glad to accept this invitation to appear before this committee so that our police department can make some contribution to your work in making known to the American public the threat posed to its welfare by organized crime and racketeering in America, a threat about which I and many of my associates in law enforcement have been long concerned.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 405

I am and I have been a member of the Michigan Bar from 1944 on, and then as lawyer and judge and now as Detroit police commissioner my work has made me increasingly aware of the existence, the growth, and the danger of organized crime.

I first became intimately associated with government in the city of Detroit a considerable number of years ago. In 1949 I entered office as a member of the reform administration of Mayor Edward Jeffries, Jr.

Perhaps I should interpolate at that point, Senator, that that reform administration offered a ringside view of the exposure of the possibilities of criminal conspiracies because in the subsequent 2 years, as a result of the actions of several grand juries, including that conducted by the late Senator Homer Ferguson, the lid was lifted on the impact of gambling on a city, and during that period of time we saw the former mayor of the city of Detroit, the former prosecuting attorney, the former sheriff, the former superintendent of police, and roughly 250 police officers all go to jail for the acceptance of graft in order to let gambling operate in the city of Detroit.

The CHAIRMAN. What year was that? I recall something about it.

Mr. EDWARDS. It was 1939.

The CHAIRMAN. That was a real cleanup, was it not?

Mr. EDWARDS. Yes; and I think by and large it served its purpose very well. But at the outset of my public career, I had a good opportunity to know something about the money and the power that are available to the people who are purveyors of the wares of organized crime.

The CHAIRMAN. Would you wish to comment at this point, or at any time, and it just occurred to me, to ask you to give us your observations. You speak of the power of organized crime. I am speaking of their power and their influence with constituted authority, and law enforcement officials, and how they get that power with them and that influence with them, because it is certainly more difficult for organized crime to thrive, or any crime to thrive, where there is a dedicated law enforcement establishment than it is where the law enforcement establishment is lukewarm to their activities or maybe influenced somehow by the organization or the individual criminals themselves.

Is there any comment you care to make at this point about that?

Mr. EDWARDS. I think the conspiracy to which we will refer today exists in large measure because of four things: Public complacency is probably the most important, and that is one of the reasons why I personally welcome the service which this committee is performing for the Nation.

The second is murder, just plain fear. Most people in these United States aren't in fear of the Mafia or the syndicate or Cosa Nostra or whatever you want to call it, but the people who operate in the nether-world of crime are afraid of it, and they know why they should be afraid of it, and they know the purpose of the fear. The purpose of the fear is to keep them from ever offering testimony against any of the higher-ups in these organizations.

The CHAIRMAN. That is what we speak of as an insulation. The higher-ups, or the bosses, are insulated to a great degree.

Mr. EDWARDS. I hadn't thought of using that word, but I guess that is a pretty good one.

406 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. I didn't invent it. It has been used here in the hearing.

Mr. EDWARDS. I guess it is a pretty good one. I hadn't heard it before, but I think I would accept it without any question.

The third thing that I think is used is political influence. This is a very difficult thing to talk about, and not one which it is easy to spell out. I think that these people are very sophisticated in their approach to this problem. They don't buy public officials in general any more. I think that they did, but I think that they found that that got them into a great amount of trouble. I think what they do now is to find front people who will get campaign contributions of a very respectable nature into the hands of influential figures, and subsequent thereto the net result is that there is somebody close to the seat of power who at least can put in a good word—not control, but just put in a good word, and a good word at the seat of power at various and sundry times can be a very, very potent thing.

The CHAIRMAN. In other words, the man who actually passes the money as a campaign contribution is the man who may later come around and say, "Let us see, now, if we can't do this," or "if we can't handle it this way."

Mr. EDWARDS. "This is a pretty good old fellow, and he did get into some trouble back in the prohibition days, but after all, why shouldn't he get that license?" or whatever it is.

The CHAIRMAN. They become the go-betweens.

Mr. EDWARDS. They become a means by which the racket gains a somewhat legitimate looking, and maybe even an actually legitimate area of influence.

And the fourth tool is outright corruption, which I think perhaps is less used by them now than formerly, but I think as a matter of fact we know that they are currently consistently seeking to do this. I spent 4 or 5 months this past spring listening to one of the top hoods in Detroit seeking to bribe—not only seeking to bribe, but he was bribing one of my police officers and telling him what he should do in the police department and giving him directions as to what he should do.

You tend to get a little concerned about that kind of thing when you actually have that sort.

The CHAIRMAN. This is where it was known to you, I assume.

Mr. EDWARDS. This was a thoroughly honest and very brave police officer.

The CHAIRMAN. The police officer was working with you?

Mr. EDWARDS. On the first contact he reported immediately to his superior and his superior reported to us, and we arranged so that the telephone conversations which he had with this man were overheard by our people, and a complete record made of the whole transaction. This man is now under indictment and I don't know that I want to go much further in relation to it on that.

The CHAIRMAN. You be the judge about that, and we are not asking you to do anything to jeopardize the criminal proceedings that are now pending.

Mr. EDWARDS. I would like to continue, Senator, if I may, by saying that Detroit, as I have known it, and I am speaking in the years since 1939, has been and is a very clean city. At the moment some knowl-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 407

edge plus an admitted love for my city leads me to suggest to you that it is the cleanest and least racket-ridden big city in the country, but this does not for a moment blind me to the major influences which have sought and now seek to operate in the fields of organized crime both within and without the boundaries of Detroit.

Much of what your staff people have asked me to talk about today will come as a shock to many lifetime and knowledgeable Detroiters. Most respectable and law-abiding citizens in our area see little evidence of gambling, narcotics, or prostitution, and in their daily lives they have never been threatened by or pushed around by the element which dominates these activities. Many of these citizens may even know some of the names we discuss, and may know them favorably as businessmen who deliver a sound and lawful product or persons who are generous when they are contacted on a charity drive, but the fact is that we have some Jekyll and Hyde characters in our society and the most powerful group of them constitute a continuing menace to law enforcement.

Our information as to them has not been gained from Joseph Valachi. In fact, to date our department has not had the opportunity to interview him, and I was here yesterday when he said that he knew nothing about Detroit, which I must say is somewhat disappointing to us because we would love nothing better than to have someone who was on the inside of this organization talking about it as Valachi did in relation to New York City.

Indeed, in 1961, before I ever heard of Mr. Valachi, I made a speech at the crime prevention conference convened by the attorney general of Michigan and stated I was convinced that there was an organization operating throughout the Nation which dominated the major rackets in most American metropolitan areas, a conspiracy nationally and internationally organized primarily to promote the illegal importation and sale of narcotics and the development and protection of illegal gambling.

In May of this year, I spoke before the Advisory Council of Judges of the National Council on Crime and Delinquency. As a result of what I believe to be incontrovertible evidence brought before me in the 2 years between my 1961 speech and my address to that distinguished panel of judges in New York this spring, I felt warranted in stating that the organization dominating the national crime picture was properly called the Mafia. I am submitting here a copy of that recent speech which summarized my views about this menace, and if it is permissible, I would like to request the committee that this be received as our exhibit 1 in this proceeding.

The CHAIRMAN. It may be received and marked "Exhibit No. 17" for reference.

(Document referred to marked "Exhibit No. 17" for reference and may be found in the files of the subcommittee.)

Mr. EDWARDS. Our research into the leadership of organized crime in Detroit leads again and again to a small group of families of Sicilian extraction closely interrelated by marriage, by strong ties in legal and illegal enterprises.

The frustrations of our police in law enforcement center around a code of absolute silence and a positive refusal of all forms of cooperation with legal authority on the part of these families. There is

408 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

strong evidence, too, in the Detroit area, as in other of our large cities, these illegal enterprises are backed by the threat of planned, carefully executed and highly professional murder.

Such facts, in my opinion, demand a more descriptively accurate name than the "syndicate." There are various names by which this outfit is known. The last thing I am interested in doing is debating nomenclature. It is called the syndicate a great deal. It is called the Mafia a great deal. The most obscene name for it that I have heard is one which is used very frequently in the underworld, I gather. They talk about it as "the people."

The CHAIRMAN. The people?

Mr. EDWARDS. One of the people whom we will talk about, our report shows, was referred to as having been killed because he was robbing "the people."

The CHAIRMAN. Robbing the people, meaning that group or that organization?

Mr. EDWARDS. Yes, sir.

The CHAIRMAN. He was cheating on them?

Mr. EDWARDS. Yes, sir. That is an interesting use of a wonderful word, isn't it?

The CHAIRMAN. Cheating on the family.

Mr. EDWARDS. It is an interesting use of a wonderful word. By conversations and interchanges with my colleagues in this field I know that most of the high-level law enforcement officials in this country believe whether they will say it or not that the Apalachin meeting was a conclave of the top members of the nationally organized crime syndicate more properly referred to as the "Mafia." This organization has its top command figures active in every large city in the country, including Detroit, and has been and continues to be the dominant factor in organized crime in America.

The organization to which we in Detroit apply the name "Mafia" appears to be very similar to and directly connected with the group in New York characterized by Valachi as "Cosa Nostra." We will present a chart showing 63 Mafia members arranged in what we believe to represent the organizational structure of this conspiracy. Practically all these persons are of Sicilian birth or ancestry.

I pause just a moment to talk about that for a brief second. On our chart there will be exactly one person whom we can identify as not having been born in Sicily or having parents who were born in Sicily. While I don't for a second suggest that there aren't thousands upon thousands of wonderful Sicilian citizens in this country, I do suggest that the derivation of the term "Mafia" from the history of the Mafia in Sicily right down to date has some significance because the same code of silence, of fear, of refusal to cooperate with law enforcement which existed in the Mafia in Sicily has been in my view carried over into the operation of modern organized crime.

We will present family charts to show the Sicilian origin of the major families associated with these 63, we will name 18 associates who are not Sicilian. These, in our opinion, are not taken fully into the membership, but nonetheless have a continuing association with the Mafia over the years in illegal enterprises.

We believe that this conspiracy grosses an absolute minimum of \$150 million a year in a variety of illegal enterprises in the Detroit

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 409

area. We believe that these persons dominate gambling and narcotic traffic in the Detroit area.

If anyone were to suggest to me that that figure was very conservative, I would agree with them, but I would also say that we had sought to be, throughout our presentation of this problem, conservative on every single count.

Mafia figures have also infiltrated legitimate businesses worth, we believe, a minimum of another \$50 million. These businesses it uses for investment, for employment "cover" for its hoodlums, and for valuable income tax protection.

We will present a chart showing 98 businesses as to which we can show significant Mafia infiltration, ownership, or influence.

As to the top 63, we will show their criminal arrests, their criminal convictions, their criminal associations, their family associations, and their business associations. We have available for the committee, if it wishes, a police report on each individual as complete as present information allows. We will present synopses of the 69 gangland murders committed in the Detroit area from 1927 to 1962. We will demonstrate their decreasing frequency—for the last decade approximately one a year—and we will discuss in some detail at least two such murders, one in Chicago and one in the Detroit area, with which the Detroit Police Department has had considerable contact.

We will offer histories of gambling, prostitution, and narcotics cases from past years involving many of the 63 Mafia members and the 18 associates, and we will then discuss enforcement activities during 1962 and 1963 which have uncovered major Mafia activities in the city of Detroit and show the relationships of various named Mafia leaders to these current operations.

The Detroit area Mafia of the 1960's is big business. On the legal side it is involved in selling everything from horseraces to fruit juice. On the illegal, everything from dope to football bets. However, the Mafia's principal product is fear.

The Mafia frontmen are characterized by the smile, the glad hand, the tuxedo, and the ticket to the charity ball. But the basic Mafia tools are still money, murder, and corruption.

Less violent than in its earlier years, the Mafia still uses as trademarks the lime, the garrote, and the dead pig. It is the only outfit extant which deliberately advertises its murders. Its slogan could still be "Bodies by Mafia."

We must emphasize that we are by no means charging that every one of the 84 persons whom we will name today as Mafia members or associates is privy to all of the Mafia activities or crimes. We are confident on the contrary that knowledge of top-level activities and crimes is held to an absolute minimum of essential personnel. We do assert that no person whom we name could be innocent of knowledge of the general criminal nature of the Mafia's activities.

In the 1930's our police department organized a "black hand squad" more effectively to combat the then already apparent threat of the Mafia. Since that time the Mafia has grown in strength, cunning, sophistication, and power from its beginning as a group of gangsters extorting money by direct assaults upon their fellow Sicilians. Today many of these very same criminals who were gunmen and hoodlums in the twenties are now executives in well-tailored suits residing in

410 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

expensive homes and directing racketeering enterprises of national and international scope.

I would like at this point to emphasize that the organization which I describe is not a city of Detroit outfit. Actually, its most influential members live in the wealthy suburbs of our metropolitan area in homes which run upward of \$50,000 in value. Among the top 16 we will name, 10 live in Grosse Point Park, another 3 live in Grosse Point Woods, 1 lives in Grosse Point Shores, and 2 actually reside in Florida.

Increasingly, too, its operations hampered in the city of Detroit tend to seek easier soil to till in suburban areas with smaller units of law enforcement. This is, of course, one of our major problems. Local police forces are greatly hamstrung when they seek to follow law violators outside of their own local jurisdiction. During the past several years our criminal intelligence bureau has devoted an increasing amount of attention to the Detroit operations of the Mafia. From evidence now in its files, the CIB believes that we can show the chain of command and name many persons presently filling positions in that hierarchy. We have charted this structure for the committee and I present this to you as our exhibit 2.

If at this point we could have the chart presented, we will go on and talk a little about it. May it be presented as an exhibit, Senator?

The CHAIRMAN. The chart will be printed in the record insofar as it can be and will also be made exhibit No. 18. Insofar as it can be reproduced in the record, let it be reproduced.

(Document referred to marked "Exhibit No. 18" for reference and faces this page:)

(152)

Mr. EDWARDS. Might I refer to the chart for a brief moment, Senator?

The CHAIRMAN. Yes, indeed, you may.

Mr. EDWARDS. The significance of what I am going to point out will become clear as our testimony develops. At the outset I would like to call your attention to the fact that two of the five people whom our CIB regards as forming the ruling council of the Mafia in the Detroit area, Joseph Zerilli and William "Black Bill" Tocco, were born in the same year in a little town of Terrasina.

The third of that ruling council, Peter Licavoli, was born in St. Louis, but his parents were born in Terrasina.

One step down, Joseph Bommarito, "Scarface Joe" was born in this country, but his parents were born in Terrasina, Sicily. The carryover of important associations from the earliest days right down to the present time is something which characterizes every step of the development of the power of the Mafia.

The CHAIRMAN. I note you have five designated on your chart as ruling council.

Mr. EDWARDS. Yes, sir.

The CHAIRMAN. Will you explain that a bit?

Mr. EDWARDS. We believe that this five-man group represents the top authority in the Mafia in the Detroit area.

The CHAIRMAN. Which one would you call the boss, if there is one really at the top?

Mr. EDWARDS. This is a pretty difficult thing for us to determine, Senator. At this point I want to say something to you about the comparison of our testimony with that which you have been hearing

(152) Fra le pagine 410-411 del documento originale è inserita una carta che — contrassegnata con la lettera L — è pubblicata, insieme alle altre carte, nella Parte Terza del presente tomo. (N.d.r.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 411

for the last few days. You must realize that yesterday from time to time you were questioning the New York Police Department about persons who had been identified by somebody from within the mob as members of the mob and you were asking them to confirm whether or not, indeed, the police department was interested in these people. We have no such asset available to us in terms of information. Our information is gained from exhaustive surveillance, exhaustive efforts to detect criminal activities, from prosecutions when we are able to arrest for illegal activities, and from such information as we can gain through intelligence sources of our department, but while we are not in a position to tell you with certainty exactly who the top dog would be in this situation, it is our general belief that Joseph Zerilli through the years has exercised the greatest continuing influence.

It is our belief that he tends to represent the Detroit operations in national meetings and tends to be looked to as probably the highest of authorities.

Senator MUSKIE. Judge Edwards, may I ask a question? You have labeled these various levels of the hierarchy by various titles. The top one is the ruling council. Is this a description that comes from members of the organization, itself? Is this how they refer to these five men at the top?

Do they call it the ruling council or the dons?

Mr. EDWARDS. The dons is certainly a term which is used in relation to each one of these persons whom we have thus described. I believe the ruling council is also a term which we have gained from our information in relation to the Mafia.

Senator MUSKIE. Is that also true of the other labels, the big men for the next level, and chiefs?

Mr. EDWARDS. Yes. This is a phrase that is used in the Detroit area, the big men. The administrators and heirs apparent, this is our own description.

Senator MUSKIE. And the others, chiefs, lieutenants, and section leaders, do they refer to the lower level as section leaders?

Mr. EDWARDS. I would doubt that that term was used. I think this is more a descriptive term as to what we think they play as roles.

Senator MUSKIE. This would seem to be comparable to the soldiers that Valachi has testified to.

Mr. EDWARDS. It would seem as if they corresponded a good deal to the people whom Valachi talked about as soldiers or button men. Some of these men may take serious offense at being downgraded by that term. I am not too sure as to whether they would accept that lower ranking in some instances on what we have called section leaders, but I think it is about right.

Senator MUSKIE. The aliases aren't all as colorful as those that Valachi has used?

Mr. EDWARDS. Well, we may not know all of the most colorful of the aliases; I just heard about his this morning.

The CHAIRMAN. Which one is that you heard about this morning?

Mr. EDWARDS. About Valachi's alias.

Senator MUSKIE. That is all, Judge.

The CHAIRMAN. Go ahead.

Mr. EDWARDS. We believe that the function of the dons or the ruling council is to delegate authority to lesser members, to give racket

412 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

franchises in the area, to settle member disputes, to discipline errant members and to determine penalties for violations of the Mafia code.

Senator MUSKIE. May I ask a question at that point? The recent testimony of Valachi suggests two things about the Cosa Nostra that I would like to have you comment on relative to the Detroit situation. No. 1, that each member tends to operate his own illegal activities independent of the organization and undisciplined by the organization; No. 2, that—well, I guess the second point is the question of discipline. That is, the extent to which the member is part of an operating racket organization.

Mr. EDWARDS. It is our belief that many of the people who are on this chart do exercise considerable autonomy in relation to the operation of specific things which have been more or less assigned to them or which they have picked up and gained agreement from the balance of the organization as to their development and keeping for themselves. On the other hand, there is no real doubt in our mind but that there is a cement that binds this outfit together. In part, it is group loyalty and group self interest, but there is another even harder element in that cement, and that is just plain fear, because if somebody steps out of line, the chances are pretty good that he will disappear or he will be found garroted or shot. We are going to illustrate this with some specific instances. Maybe it is just as well to do it right now, if you care for it.

(At this point Senator Mundt entered the hearing room.)

Senator MUSKIE. Let me make this point. I think it would have been my impression prior to Mr. Valachi's testimony that when an organization of this kind takes over a city, that it immediately stakes out all of the illegal enterprises which are to be conducted in the city and assigns people in the organization to particular responsibilities with respect to those enterprises. In other words, something like a corporate structure, people at the top spell out the nature of the business to be operated and then assign people to do it.

This is not my impression of how the Cosa Nostra operates according to Mr. Valachi's testimony. It is much looser in that respect than was my previous impression it would be.

Mr. EDWARDS. Senator, it is my belief that there is a considerable autonomy in operation, and that they have no planning and research department which says, "We will now go in and develop numbers in such and such a place." But if somebody is there and gets started on it, they see to it that that becomes a part of their operations.

Senator MUSKIE. And the operator has to give a percentage of the take to the organization, does he?

Mr. EDWARDS. Well, we are going to spell that out a good deal. Let's do it right now because I think it is better to answer questions as they are in the committee's mind than later.

We raided the biggest single gambling operation in the city of Detroit last November 9, in 1962. It was housed in a hotel, a 9-story hotel, with 174 rooms. I knew that this was the headquarters of the numbers racket when I became police commissioner. I don't think there was a knowledgeable citizen in Detroit who didn't know that it was the headquarters of the numbers racket. But they had maintained a very real discipline and security which was difficult for vigorous law-enforcement officers to pierce, and in my own judgment

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 413

about the matter the efforts had not been as vigorous as they should have been.

We started in January trying to get this operation because it was a cancer in the minds of our city in terms of law enforcement. The basic reason I took the job of police commissioner had nothing to do with organized crime. It had to do with the race problem in our great city of Detroit which was very serious in terms of the relationships between our Negro population and the police department. As I was going from place to place in the core area of the city, asking for people to support law enforcement, when I got all through at the meetings people came up to me and said, "How can I teach my children to support law enforcement when the Gotham stands there?"

The CHAIRMAN. When it what?

Mr. EDWARDS. When the Gotham stands there, when this hotel is known. I didn't have very good answers to this except, "Yes, I know. We are working on it."

Well, it took a good deal of doing and a good deal of planning and a great deal of security, a great deal of security, to make a successful raid on the Gotham Hotel. We ultimately did it under a Federal search warrant issued by Federal Judge Case on affidavits supplied by picked crews from the Michigan State Police, the Federal Internal Revenue intelligence unit, and the Detroit Police Department.

I don't think more than eight people knew when we were going to hit this place when we actually did hit it, in all three of those units. But we had 112 officers so mobilized that they came together and were put on buses and were given their raid instructions after the buses' doors had been closed. We pulled those buses up in front of the bus stop in front of the Gotham Hotel at 5 o'clock on November 9, and our people took off up the stairs with assigned targets in every one of those rooms.

We found a numbers factory in full operation. I went through the hotel the next morning. The intelligence unit of Internal Revenue had just cracked open one of the safes and was counting out \$38,000 in cash on the floor. We got 160,000 bet slips. We got \$60,000 in cash. We found evidence of the setup for at least the seven major numbers houses in various suites in the hotels, all set, all organized, all ready to go. There were interesting developments from that.

Senator MUSKIE. How many people were involved?

Mr. EDWARDS. Forty-two people were arrested and are currently under charges of various kinds.

Senator MUSKIE. How many are on this chart?

Mr. EDWARDS. None. Not one is on the chart there. This is the point I was going to get to. This was a Negro numbers operation. There wasn't a single white person in the hotel, so far as I recall, when our raiders hit it. We have done quite a lot of work in relation to this since then. We have tried to ascertain just what relationship there was between the thing we call organized crime in Detroit and this which was its largest obvious manifestation. And we found the following: That they took the number from the Mafia; that they took the dream books which they sold to their customers from the Mafia; that they took the pads, the numbers pads—they could only be purchased from one supplier and that was supplied by the Mafia.

414 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

And we found in Johnny White's private phone directory Pete Licavoli's private telephone number and Tony Giacalone's private telephone number. And then we began to find after the raid that there was consternation because subsequent to the raid we told the people of Detroit that not only had we found evidence that this thing was illegal and big, but in addition to that, we found evidence that it was completely crooked.

We hit a dice game in the penthouse of this operation. There was \$3,500 on the table and the shooter had the dice in his hands when our people broke in. The dice that were in the shooters' hand were crooked. There were 18 pairs of monogrammed dice that were seized in that dice game. Fifteen of the 18 were crooked. We found decks of cards manufactured in our sister city of Chicago, incidentally, very interesting cards. They looked just like any other deck, originally manufactured by a very reputable playing card manufacturer. But if you put on glasses with polaroid lenses, you could read the backs of those cards. In one of the gamblers' rooms we found a set of contact lenses of polaroid variety. We demonstrated this to the people of the city of Detroit. Johnny White in response said: "Who cares if we are cheating ourselves?" Well, we went on to demonstrate that the number was being changed, too, and that not only did the operator of the numbers game have a 2-to-1 margin against the bettor to start out with, but in addition to that, if they got a lot of hits on that number, the number which was supposed to be set by reading various of the race forms, they would just change it. And they didn't do it with any fancy device, as has been demonstrated in other instances. They just plain did it. They just changed it. And they enforced their changed number. The net result of the raid and this publicity was that the operators in the Gotham who subsequently kept right on trying to operate, and don't for a second, Senator, leads me to tend to suggest, that I am indicating we have completely driven these people out of business, we have hampered them, we have harassed them and driven a lot of them out of Detroit. But this is a tough weed we are trying to kill, and it takes root real fast in a new neighborhood.

Senator MUSKIE. What was your estimate as to the annual take?

Mr. EDWARDS. \$21 million in the total operations in the Gotham.

The CHAIRMAN. Is that just from this hotel, the operations that were in this hotel?

Mr. EDWARDS. Just operations in this particular hotel; yes, sir.

Now we have reason to believe that subsequent to that time complaints were made to Licavoli and Giacalone by the heads of the Negro numbers operations about the changing of the number and that there was indeed a meeting between the heads of these two groups at which it was decided that the number would no longer be changed, and indeed the number has no longer been changed.

The Mafia number has gotten honest under duress, if anything illegal can be so described.

The CHAIRMAN. Who is the other man you mentioned besides Peter Licavoli?

Mr. EDWARDS. Anthony Giacalone.

The CHAIRMAN. Where is he on the chart? I see now.

Mr. EDWARDS. So you see, there is some give-and-take on these things.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 415

Senator MUSKIE. Did Mafia get a piece of this \$21 million?

Mr. EDWARDS. Sure they got a piece. They were supplying the service which was the number. They were supplying the dreambooks. Years ago we raided Licavoli's house under a search warrant and found—how many dreambooks—approximately 10,000 of these dreambooks were seized in one of these old raids on Pete Licavoli's house. The department lost the case on the ground that the search warrant had not properly described the purpose or some such reason, and no conviction resulted from it but it was fascinating to know that that is where the dreambooks were stored at that particular point.

On still another occasion we got "Long Joe" Bommarito with a truck while he was bringing them up from the printer down into Lido. We have correlated the dreambooks which the Mafia people use and store with the dreambooks which are put out in other areas by Polish operators, Negro operators, or some other than the Mafia people, and we have also correlated the bet slips so that we know that the same identical product is being distributed in both areas.

(At this point Senator McClellan withdrew from the hearing room.)

Senator MUSKIE. It is obvious that the chart, even the lower level of the chart, is just the top of the activity. How many other people do you estimate are associated in the way that this Gotham Hotel operation was associated with this organization in Detroit?

Mr. EDWARDS. Senator, we are going to be conservative, we are going to try to be conservative and careful in everything we say. We would think there were at least 250 people other than those who are on the chart, who are actively employed in this general illegal conspiracy.

Senator MUSKIE. The bulk of those are not necessarily Sicilians, they are Negroes—

Mr. EDWARDS. Or whoever, just whoever happened to come along. Some portion of those are people who are Sicilian and who are not on the chart and this is not because we have any great inclination toward doing them any favors. We have a great many more people than are on this chart under observation and at least intermittent surveillance.

But we have tried to limit the names which we brought into public gaze to those where we were sure, where we were sure, and I want to emphasize that because actually there are some very important people who are not on there and we know they are important but we are not able to develop the evidence which we think your committee would like to have before it if we were going to bring a name out in the public gaze.

Senator MUSKIE. Let me ask you this: Are the people who ran this Gotham Hotel operation a part of the organization or were they simply holders of a franchise, so to speak from the organization?

Mr. EDWARDS. I don't think it works quite that way, Senator. I think somebody gets in the business or wants to get in the business and the interest dovetails. They have about the same relationship to this outfit that a Standard Oil gas station owner has to the Standard Oil Corp. He owns his business, as I understand it, he owns the building or the lease and the fixtures and everything about it, but he takes all his gas and oil from the Standard Oil Co. and he gets the advertising and they get just a little bit more, they get a little discipline.

Senator MUSKIE. I was going to ask you about that. I suspect that there is a difference in the way they are disciplined.

416 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. EDWARDS. Yes, the discipline is quite different.

Senator MUSKIE. I wonder if you would explain the greenbook. Do I understand you also refer to it as "dreambook?"

Mr. EDWARDS. Green sheets and dreambook. This is an advertising device for the numbers. You start reading through here and you will find various and sundry fanciful reasons as to why such-and-such a number would be very attractive on such-and-such a day. People buy these by the thousands and play numbers by the thousands.

Senator MUSKIE. This is sold to the general public?

Mr. EDWARDS. This is sold, priced \$2, and is sold through the racket trade, but I have also been told that from time to time we have tried to get a court holding to the effect that this was in, and of itself, a gambling device and have failed to do so.

Senator MUSKIE. Is it readily available on the streets of Detroit?

Mr. EDWARDS. No, no, it is not readily available. This is sold through the numbers people, through the numbers houses, but a \$2 price on this could be very—

Senator MUSKIE. Is it clear on its face what it is?

Mr. EDWARDS. No, it is not clear on its face what it is, I don't think, if you never heard of the numbers game. As a matter of fact, if you never heard of the numbers game you would just wonder forever what in the world this was, I believe.

This is called "Green Sheet Almanac and Dreambook." It purports to have to do with astrology. It discusses baseball and ring champions by years and all sorts of devices to bring into print various and sundry numbers.

Senator MUSKIE. Where is it printed? Who prints it? Does the printer know what it is?

Mr. EDWARDS. I am told by our vice squad people, Senator, that sometimes the printer is actually identified on these since these have been judged not to be contraband per se. But the bet slips, of course we get no knowledge as to where they are printed unless we are in a position to make a raid and to seize them as gambling paraphernalia.

Senator MUSKIE. I think it would be useful if we had one of the dreambooks as an exhibit. Do you have one available for that purpose?

Mr. EDWARDS. Yes, we certainly do.

Senator MUSKIE. Without objection, it will be received.

Mr. EDWARDS. We will give you the newest editions, the 1962 and 1963.

Senator MUSKIE. It is an annual publication?

Mr. EDWARDS. Yes.

Senator MUSKIE (presiding). That will be exhibit No. 19.

(Documents referred to marked "Exhibit No. 19" for reference, and may be found in the files of the subcommittee.)

Mr. EDWARDS. This is the green sheet and it is entitled "A Sports Review." At the top of it you will find "numerology" and on various and sundry dates you will find numbers beside them.

This has, I presume, various types of material printed to get it passed the characteristic of being obviously a gambling device and just barely that.

Senator MUSKIE. That will be received as exhibit 20.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 417

(Document referred to marked "Exhibit No. 20" for reference and may be found in the files of the subcommittee.)

Mr. EDWARDS. It also, incidentally, gives you the winning numbers for past days and weeks.

Senator MUSKIE. It wouldn't do us any good this week.

Mr. EDWARDS. I don't know that there is very good success to be had from making use of these, Senator. I am not real sure on that score.

(Senator McClellan entered the room.)

Mr. EDWARDS. This is the sort of relationship, then, that I think exists in a great many of these areas. Some of these people have operations just directly under their thumb. For example, in 1962, we had a barbudi game which was running in the city of Detroit.

Senator MUSKIE. What kind of a game is that?

Mr. EDWARDS. Barbudi. It is called barbudi or barbuti, and it is played with a pair of dice. That is the only equipment that is necessary for it. This was called the Lesod Club. It operated at 106 West Columbia.

They had a very interesting device. I had a Supreme Court Justice out in Detroit one night and I took him—a Supreme Court Justice of the U.S. Supreme Court—and I took him around to see this operation at 1 o'clock in the morning. They had an upstairs where the operation took place, a locked door at the top of the stairs and a peephole, a locked door at the bottom of the stairs, buzzers and buzzer controls on the locks.

Outside they had a man, a guard, a watcher. His function was to screen the people who entered. They called this a social club. It was called the Lesod Club which, I understand, originally meant lower east side of Detroit. But this was no longer on the lower east side of Detroit. It got chased out of there and moved over slightly to the west side of Detroit.

For quite a time, Billy Giacalone, Tony's brother who operated this thing, and Otis Tincer, his henchman, who was on the scene all the time, would let our police officers up fairly freely to take a look. But every time they went to go in, the man at the bottom said, "Hey, police are coming," and there would be some scurrying around upstairs, and when our people got up there there would be people gathered around checkerboards and around billiard tables.

One occasion, literally, our people gained access to the club in this fashion at 6 a.m., and the off had been given in this fashion and they went up. There were 28 people seated studiously studying checker games. Such devotion to checkers, Senator, I have never heard of at 6 a.m. in the morning before. There was also a group gathered around the billiard table and the most prominent actor in that group was addressing a billiard ball with the butt end of the billiard cue. He wasn't being stupid. He was showing contempt. He knew which end of a billiard cue you hit the ball with. He was just showing contempt.

Well, you know, contempt breeds a little determination, and we exercised a little determination in relation to the Lesod Club. We exercised a lot of our constitutional rights, rights to talk to people if they were willing to be talked to. Nobody went into that club who wasn't talked to by a police officer, nobody. And quite a number of times we photographed quite a few of them.

418 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

In a little bit, they decided they were in a situation where they ought to seek legal relief and they went into a court of law and asked for an injunction against the police harassment.

What is that word, Senator, "Hutzpah"? Talk about gall? Talk about gall. We went into the same court and we filed a petition for abatement of a nuisance and we then subpoenaed every person who went into that club for the following nights, and after 20 of them had gotten on the witness stand and had taken the fifth amendment, it was pretty obvious that a court of equity was not going to intervene on the side of the Lesod Club. Then, by that, we figured we had enough evidence and we went for a search warrant. We got the search warrant issued.

The same afternoon the search warrant was issued, the Lesod Club closed in Detroit without our ever serving the search warrant. And it never has opened again in the city of Detroit. But it is operating outside of the city of Detroit in the intervening period of time.

Senator MUSKIE. On that point, do any of the people listed on the chart operate outside of the city of Detroit or throughout the country?

Mr. EDWARDS. I beg your pardon?

Senator MUSKIE. Do any of these people operate outside of Detroit?

Mr. EDWARDS. Certainly. As a matter of fact, by now, I think the bulk of their operation is outside of the city of Detroit.

Senator MUSKIE. Within the area?

Mr. EDWARDS. Yes, sir.

We are talking about an organization which has generally the southeastern Michigan area, and it also slopes over a little bit into Windsor and has some connections down in Toledo, Ohio. But there are many interrelationships between this organization and other similar organizations in other parts of the country. But I am talking about the area over which it has, and exercises, its jurisdiction.

Senator MUSKIE. I am afraid I have diverted you from your planned testimony.

Senator JAVITS. Would the Senator yield for two questions?

We in New York are interested in a gentleman named Joseph Barbara, who was the host at Apalachin. I know that there is a Barbara on the chart. Is there a relationship?

Mr. EDWARDS. Yes, sir. It is the son.

Would you like to hear a little about him, how he is doing?

Senator JAVITS. From what you say, Commissioner, he is doing badly as far as we are concerned and well as far as he is concerned.

Mr. EDWARDS. He is doing well. I would be delighted to tell you about him. I was planning to do it a little later, but I would be delighted to do it now.

Senator JAVITS. I wouldn't want to take it out of turn, sir, because the Chair has been very indulgent with us on questions, so why don't you do it in its turn and I will wait.

But I did have one question to ask you that is rather important to a great many people.

Of course, the community in the United States, and this includes Detroit, of people of Italian extraction on the whole approve thoroughly of what we are doing, but, at the same time, are disquiet about some impression that the principal criminal activity in the United States of this organized character is attributable to those of Italian extraction.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 419

Mr. EDWARDS. This is a leading question, but I think it is an important one.

Senator JAVITS. I have a wire this morning, for example, from an assistant district attorney in Buffalo, Erie County, applauding the work of the committee. I would like to submit that, if I may, for the record, Mr. Chairman. And it is calling attention to this fact, of urging our committee to make it clear that, as is true of every other group in America, Jewish, Irish, any other group, we have bad people in it who are lawbreakers, and so forth.

Would you care to say anything about that as far as the Italian community of Detroit is concerned?

Mr. EDWARDS. Yes, Senator Javits, I would. Personally, I never use the term "Italian" in relation to this conspiracy. As we have known it in Detroit, it is Sicilian in origin.

I recognize that there is a national jurisdiction over Sicily, but it has not always been thus. Nor does the term "Italian" accurately pinpoint where our trouble comes from, at least as far as the Detroit area is concerned.

This gentleman is an Italian. He is one of the finest police officers.

The CHAIRMAN. When you say "this gentleman," you will have to identify him so that the record will know whom you are talking about.

Mr. EDWARDS. I am putting my good right arm on District Detective Vincent W. Piersante.

The CHAIRMAN. Who is sitting by you and has already been sworn as a witness?

Mr. EDWARDS. Yes. For 22 years he has been engaged in seeking to uphold law enforcement in the city of Detroit. He and the people who sit behind him here in our department are dedicated to trying to keep our town clean and to root out this evil thing.

He is not the only vigorous, able, devoted, dedicated Italian police officer in our department.

We have another detective inspector who I promoted who is of Italian extraction.

I think that this can't be said too often.

I don't even think that it is fair, really, to use the term "Sicilian." That is why I choose to use the term "Mafia" because the Mafia did exist at a given place and time in Sicily, it did have an influence, its code has been passed on from generation to generation.

Years ago, when I was a juvenile court judge, if you will forgive me I won't mention names in relation to this because I thought that should not have been done in that court—we had a young man who was a product of this outfit, in terms of familial relationships brought into it.

At 15, we found in talking with him that he had had so instilled in him by his father and his grandmother the absolute refusal to cooperate with law in any form, that dedication to a criminal career, that he was the toughest single case in terms of rehabilitation that I ever recall in that court. We didn't get anywhere with him.

That is how young some of this discipline starts and how effective it can be.

Senator JAVITS. Commissioner, would you say a word about the Italo-American community of Detroit; that is, the community of Detroit which is like those in New York, those of Italian extraction,

420 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

as to any characterization which might be deduced from this organized Mafia?

Mr. EDWARDS. I don't think that they have any part of the Mafia and I don't think they want any part of the Mafia, and I think they are just as hostile to it and as interested in seeing it rooted out as anybody else in our city is.

Senator JAVITS. By and large, the same great proportion, overwhelming proportion, are desirable, helpful, law-abiding citizens?

Mr. EDWARDS. Yes, sir; as a matter of fact, among the finest of our citizens. Our community is a fascinating cosmopolitan community of our industrial America, Senator. We have people from every nationality in the world and they fuse and gather in a very fascinating example of both the diversity and unity that this great land of ours can produce.

Senator JAVITS. Thank you very much.

May I offer, if the Chair will allow me, this telegram for the record?

The CHAIRMAN. It may be received as an exhibit for reference since it is not sworn testimony.

It may be made exhibit No. 21.

(The document referred to was marked exhibit No. 21 and may be found in the files of the subcommittee.)

Senator JAVITS. I am all through because I think the witness would prefer to develop the Barbara testimony in its proper place.

The CHAIRMAN. Senator Mundt.

Senator MUNDT. Mr. Edwards, how many names are on that chart?

Mr. EDWARDS. Sixty-three, I believe, Senator.

Senator MUNDT. How many of them are immigrants, born outside the United States?

Mr. EDWARDS. I don't think that I can give you that figure quickly out of my head, Senator.

Senator MUNDT. Are any of the top "Dons" foreign born?

Mr. EDWARDS. Yes, sir.

Mr. PIERSANTE. Four of the top Dons are foreign born. One was born in this country.

Senator MUNDT. That is good for the purpose of my question.

I am just wondering whether, in your very commendable and fairly successful efforts to clean up Detroit and break up the Mafia, you have tried the devices of denaturalization and deportation and, if so, would you describe what success you have had?

Mr. EDWARDS. We have followed one process which was not in vogue before I became police commissioner, Senator Mundt. We have sought to hold periodic joint conferences with the intelligence units of the Federal agencies, including Immigration, Narcotics, Intelligence Unit of the Internal Revenue, and the FBI, and to review with them the problems which we found and to the degree that they were prepared to do so and able to do so, have them review the same thing with us. Thus they are fully informed as to the nature of our understanding and information concerning the people who are being described here.

Now, of my own knowledge, I know of one unsuccessful effort to denaturalize or to send back, out of the country, one of the top dons. This pertained to Joseph Zerilli, as I recall it, and occurred in 1957.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 421

A Federal judge did not find sufficient evidence had been developed to issue such an order.

I am told by District Inspector Piersante that the same thing was true in relation to Angelo Meli. There was an effort made and it was unsuccessful.

Senator MUNDT. I would like to pursue that a little bit more, especially with one who is headed for a judgeship. I think this is good for the country to have people of your background, knowledge, and demeanor. For you to reach such a high judicial position is gratifying.

To me, this is the real place where we break down in our law enforcement. American citizenship always has been and is increasingly a prize possession. Even the crooks cling to it. No matter how much contempt they show for our society they fight with everything they have to keep from being deported.

It seems to me that, in the area of denaturalization and deportation, we have a great club as a decent society in this country to send back where they came from, wherever it is, people who come here and engage in a life of crime and assault upon decent society and are able through lawyers to thumb their noses at the United States and say, "You can't deport me." We have the laws, Congress has enacted the statutes to do that, we can pass some more if we have to, but some place along the procedure seems to break down.

We are working on a character down in New Orleans that is just preposterous. We spend a hundred billion dollars fighting a Communist menace over there. Here is one guy who gets by challenging the country. There is something wrong if we cannot defend ourselves against that.

These people are fighting us in our country just like an enemy is. Somehow or other we have to find a way.

I would like to probe your experienced mind as to what suggestions you can make as to where we could have successes where we have had failures in this area.

Mr. EDWARDS. Senator, I believe in what you are doing today. I am not just saying this to cotton up to a Senate committee.

There have been Senate committees that I have been none too fond of in relation to their procedures and practices. But in a period when at least one Senator was in my opinion going pretty wild, I defended then the process of Senate investigations because it is a mechanism by which hidden problems can be brought out on top of the table.

This, Senator, is still a hidden problem.

Now, somebody is going to tell you before we get all through with this hearing that we have said nothing here today that has not been common knowledge in the city of Detroit.

Well, I beg to differ with that. We probably have not named on that chart anybody who had not previously been named as a police character in some fashion or another. That probably is true. But the conviction that there is an illegal conspiracy of some strength and cohesiveness and continuity existing in the southeastern Michigan area and tied in with other similar organizations throughout the country, that conviction does not exist among our people in the city of Detroit.

Senator, as I know the judiciary, it does not exist amongst the judges. This is one of the reasons why last May, long before I ever

422 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

heard of Valachi or ever thought of the possibility of this hearing or many other things that have happened, I made a talk on this same topic to the Advisory Council of Judges of the National Council on Crime and Delinquency. Judges came up to me afterward after I said the same thing essentially that I have said this morning, perhaps not in quite as much detail to them as I have to you, and asked: "Do you really believe the Mafia exists?" There were judges who were sitting on trial courts of criminal jurisdiction and dealing with these people at the present stage of the game.

I am confident this is just plain lack of information and I think information is a part of the great gain that we will get from this committee as the Nation got some of it from the functioning of the Kefauver committee in past years.

Senator, might I respond a little more to the question asked earlier?

Senator MUNDT. You are on target now because a week from Saturday we open the world's greatest pheasant hunting spectacular in South Dakota. We have to get our target eyes clear. The target here is denaturalization and deportation. Why are we failing in that?

Mr. EDWARDS. Might I respond to your question in relation to facts by answering that District Inspector Piersante has made a quick computation and out of the top 26 on our chart, 12 were born in the United States. That is out of the top 26.

Senator MUNDT. But the 12 are pretty high up in the echelon?

Mr. EDWARDS. Only 12 were born in the United States. The balance were born outside.

Senator MUNDT. Only 12 in the United States?

Mr. EDWARDS. Yes, sir. The majority, in short; the majority of 14.

Senator MUNDT. We tend to emphasize this: that on this investigating committee, year after year—we have had these crime hearings before—we get up to what seems to me to be a complete exercise in futility. We know that those people are here. We know that they are here in violation of the law. They should be deported. We have these characters down in New Orleans, and everybody seems to be trying, but they are getting nowhere.

I just would like to get from you some counsel as to what we can do. I think you did give us some counsel. We were on target for a while when you said that the judges themselves are going to have to assume part of the responsibility for somehow failing to recognize this situation.

In talking about the thing that Senator Javits was discussing, I can't think of anything that would help to take away from the public any feeling against any race or any group or any islands of criminal elements that would work any more effectively than the fact that we were deporting these folks back, when they come here—that they are rejected, that we spew them out, that we don't want them here. Citizenship is the one thing they don't want to lose. It is the greatest penalty we can inflict.

We have the laws, the detectives, and officers of the law. I think the law enforcement people in this country are very good. They keep pulling these fellows in time after time, but they are back at the grindstone or at their old jobs pretty fast.

Mr. EDWARDS. Some of the cases involving deportation proceedings which have been either delayed or unsuccessful are very hard to account for.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 423

How long were we engaged in trying to deport "Cockeyed Joe" Catalanotte? This is a man who, right in his house back in the early 1930's, they found 60 guns, and among them they found the murder weapons in 4 murders. Later he was convicted on a narcotics charge. This ultimately was overruled on appeal, Senator.

Still later, ultimately, he was indeed deported, but he had had a long and infamous career in the city of Detroit before that finally transpired.

Senator MUNDT. Let me ask you a question related to this. Let's assume a utopian situation so far as the denaturalization and deportation proceedings are concerned. Let us assume that when you get a fellow breaking the law and the terms under which he came to this country and that it were pretty easy, pretty expeditious to get him convicted and deported, what do you think that would do? Wouldn't that have a great impact in breaking down this whole thing?

Mr. EDWARDS. It would have a whale of an impact on our outfit; there is no doubt about that.

Senator MUNDT. If it were Valachi—

Mr. EDWARDS. If you take the top 14 out of the top 26 out of our hair, it would be quite a gain.

Senator MUNDT. It seems to me that this is a penalty that they don't want. There is still something pretty good about this country that they despise so much; they attack all its laws and citizens, but if they faced certain deportation, I think you would clean this racket up faster than any one single thing that we can do.

Mr. EDWARDS. We have some suggestions which we make in general on Federal remedies. Among them is the suggestion in relation to sentencing of racketeers as dangerous offenders. It is my belief that a fine for a racketeer is just a license charge.

Senator MUNDT. It is a license to steal; that is all.

Mr. EDWARDS. And that probation for a person in this business makes absolutely no sense at all.

No, Senator, I want to tell you something. I am thoroughly in favor of probation and rehabilitation of criminals. I believe in this. I think this is possible. But I sure don't believe it in relation to the Mafia. I just think this is utter and complete foolishness to think of any shorttime rehabilitative device having anything to do with changing the course of conduct of these people.

I am about to tell you about one whose life history would illustrate this, if we have time for it.

Senator MUNDT. Out in the short-grass country of my State where I come from, we have a saying among the old cowboys that you can't reform a rattlesnake, and I think that is true of these people, too.

Mr. EDWARDS. Yes, sir.

The CHAIRMAN. Let me ask you a question in this regard: "How would you establish the fact that they are racketeers except that you establish the fact—well, one way you could if you were able to do it—that they are members of an organization dedicated to crime, or habitual offenders, repetitious offenders?"

Mr. EDWARDS. I was a member of a group of judges that wrestled with this problem for about 5 years, Senator. We didn't find all the answers that we wanted, but we found some that we thought might at least be worth printing. We put out a model sentencing act, which

424 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

I am calling your attention to in this last recommendation, and one of the provisions is that a judge may take into account, in sentencing, a presentence report which indicates that a man has a substantial sum of financial means available to him with no known legal source by which he can account for it.

I think this would be quite a thing, because it would differentiate a great many of these people from the beginner or the unorganized criminal who flows through the courts in far greater number than these people do, and who properly, I think, should be treated on a very different basis.

The CHAIRMAN. You would have to establish some way. You would have to have some formula, some criteria to establish the fact that they were professional racketeers.

Mr. EDWARDS. Multiple conviction, Senator—the times of crimes—because these folks deal in specific types of racketeering; income which cannot legally be accounted for. These are at least three areas in which presentence reports could bring before the judge a considerable amount of information upon which he could base the finding that this was a racketeer whom he was sentencing.

The CHAIRMAN. Very well.

Is there anything further?

If not, you may proceed with your statement.

Mr. EDWARDS. Senator, I have, in many ways, given you the detail under the next paragraphs on page 4, which is in the record, and I am not going to read that. I think I will turn, if I may, to telling you about one of our top dons. This is Pete Licavoli. In many ways the modern racket situation in Detroit begins with Pete Licavoli's arrival in Detroit.

Pete Licavoli came to Detroit about 1927. He came from St. Louis, Mo. I will remind you that he was one of the persons whom I identified as having been born in the United States, but whose parents were born in this little town of Terrasina, Sicily.

Pete's relationships are interesting and perhaps they ought to be pointed out in the first instance. He lives in one of our wealthy suburbs, Grosse Pointe Park. I am not suggesting that there is anything wrong with that, but I think one really ought to earn the wherewithal to purchase that type of housing by legal means. It doesn't seem that that is an astonishing statement in America, but I am reasonably confident this is not the means by which he has gotten there.

The CHAIRMAN. Will you pardon me for interrupting a moment? Do you have this Licavoli record, Mr. Inspector?

Mr. EDWARDS. Yes, sir; we do have.

The CHAIRMAN. If you have it, will you present it and let it be received by the committee and made exhibit No. 22 for reference?

Mr. EDWARDS. Yes, sir.

The CHAIRMAN. Now, we will have it before us as you describe the man for the record.

(Document referred to, marked "Exhibit No. 22" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. I thought this should go into the record as an exhibit, at least, as background for your statement.

Mr. EDWARDS. Let's start with the interfamily relationship because this is always interesting. Pete Licavoli's brother, Dominic, is mar-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 425

ried to Joe Zerilli's daughter Rosalie, so there is a family tie between Zerilli and Licavoli in that fashion.

Jack Lucido, son of Sam Lucido, married Pete's niece, Concetta, who is the daughter of Thomas Yonnie Licavoli. Yonnie Licavoli is Pete's brother, who is serving a life sentence for murder in Ohio, who was recently up for pardon or commutation before the Governor and whom I am glad to say did not receive it.

"Long Joe" Bommarito, who is on that chart at the second level, is a brother-in-law of Pete. Long Joe married Pete's sister Mamie and Pete married Long Joe's sister Grace, so that the Bommarito and the Licavoli combine, as well as the Zerilli combine, is pulled together pretty well by past origin in Terrasina, Sicily, on the part of the parents, and by these marriages.

Pete first came to Detroit in 1927, and quickly entered into the business of rumrunning. When his brother, Yonnie Thomas was in prison and his brother-in-law Frank Cammarata was in prison, Pete sort of took over a gang which became known as the River Gang. They joined interests with a hoodlum of that period named Joe Mocerì and ultimately gained control of the smuggling of liquor into Detroit's East Side from Canada.

There are interesting newspaper clips from that period which report police arrests of Pete in the early days, actually out in the field with a pair of spyglasses looking at rumrunner boats from Belle Isle, and waiting to signal them when to land.

The West Side faction of this rumrunning operation was headed by Joe Tallman, and Tallman ultimately was suspected of having instigated the arrest and the conviction of Yonnie Licavoli and Frank Cammarata on a concealed weapons charge. The net result of that was that a gang war developed between the East Side and the West Side rumrunning mobs. This particularly broke out over the hijacking of 5,000 gallons of West Side liquor and the kidnaping of a fellow named Abe Rosenberg who was held for 10 days.

The West Side mob discovered where Rosenberg was and they kidnaped the kidnapers, and subsequently Rosenberg sought to implicate Pete Licavoli. A warrant was issued for him, but Rosenberg refused to prosecute and the case was subsequently dismissed.

Shortly after that, Tallman and two of his henchmen were killed.

Pete Licavoli was arrested for this crime but was subsequently discharged.

During Pete's rise to power in the prohibition era, many of the murders attributed to gangland slayings were linked to the Licavoli gang. The top killers were Thomas "Yonnie" Licavoli, presently serving a life sentence for murder in Ohio, Leo Noceri and Cammarata. This gang is believed to be responsible for a considerable number of gangland slayings in that early period, in Michigan, Ohio, and Pennsylvania.

Now, subsequent to this, we begin to see some developments in the gangland war in Detroit which paralleled in time the war which Valachi described here as occurring in New York.

The CHAIRMAN. Mr. Edwards, Senator Mundt has to go to the floor. He wants to ask you a question.

Senator MUNDT. You can put this question and your answer in a different position in the record so you will be in context.

426 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

I seem to remember reading when I was a boy something about a Purple Gang in Detroit. Is my memory right and, if it is right, is that what you mean by this same group or is it a different group?

Mr. EDWARDS. No, sir, this group eliminated the Purple Gang. That is a very interesting question, Senator. It is kind of illustrative of something important. The Purple Gang got a lot of copy but didn't have very much power and didn't last very long.

These people in all probability were the winners in the feud. As a matter of fact, the major war was not really between these people and the Purple Gang. They sort of handled them with their left hand, I believe, from a review of the history of that period.

The real war was between a Neapolitan gang and a Sicilian gang in the 1930's, and this again, as I understand it, parallels some nationwide development in that period as has been described to this committee before this.

Senator MUNDT. I do not ask for detail. I wondered if by chance this was the same gang by another name.

Mr. EDWARDS. The Purple Gang was a rum-running outfit which was largely Jewish in membership in the depression period. I think between law enforcement efforts and gangland killings, it died out probably by 1933 or 1934. Maybe it lasted a little longer than that but not much longer than that.

Quite a number ended up in the State penitentiary for a considerable period of time and quite a number ended up dead.

It would not be accurate to take that name and apply it to this group at all.

Senator MUNDT. I appreciate your testimony to my good memory.

Mr. EDWARDS. Thank you, sir.

The CHAIRMAN. As I recall, Valachi testified that along about that time there was a gangland war for power all the way across the country between—what was it?—between the Maranzano group and the Masseria group.

Has his testimony in that regard thrown any light upon unsolved crimes committed during that period of time in the Detroit area?

Mr. EDWARDS. No, sir, but what it has done has been to supply a little confirmation of the nature of the warfare that went on in Detroit about which we knew but we knew nothing about the historical national aspects of that war until your hearings started.

The CHAIRMAN. The war actually took place but you did not know the origin of it or the cause of it at that time?

Mr. EDWARDS. We knew about the battles on the Detroit front but we did not know about the front which extended nationally.

The CHAIRMAN. You did not know that?

Mr. EDWARDS. No, sir. To this degree, Valachi's testimony has elucidated a very interesting period of gangland history.

I might say, Senator, in commenting on Valachi that he looks to me like an authentic hood, exactly what he says he is, a hired killer, a professional criminal, and a completely immoral man. But I also think that he seems to have run out of alternatives and in most of the instances, in all of the instances where we can check him out in what we have heard, he seems to have told the truth.

The CHAIRMAN. In other words, you are able to confirm much of his testimony insofar as it relates to your area?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 427

Mr. EDWARDS. Yes, sir, and also in relation to methods and in relation to operations.

The descriptive relationships he gives of the amount of autonomy and the relationship between the top dons—I don't know what he calls them but what we call the top dons—and the operators in the field is about what we have seen in our surveillances and observations of this operation.

Our District Inspector Piersante has been here all through Valachi's testimony at my instruction and he has reported back to me a good number of instances where there were things developed here which either confirmed or shed light on things which we had been previously aware of or previously interested in.

The CHAIRMAN. I believe this would be a good place in your testimony now for us to recess for the lunch hour.

We will come back at 2:15 today in order to expedite this and, if we can, conclude with the Detroit issue today.

The committee will stand in recess until 2:15.

(Members of the subcommittee present at the time of recess were Senators McClellan and Muskie.)

(Whereupon, at 12:20 p.m., the subcommittee recessed until 2:15 p.m. this same day.)

AFTERNOON SESSION

(The subcommittee reconvened at 2:30 p.m., Senator John L. McClellan, chairman of the subcommittee, presiding.)

The CHAIRMAN. The subcommittee will come to order.

(Members of the subcommittee present at time of reconvening: Senators McClellan and McIntyre.)

The CHAIRMAN. All right, Judge Edwards, you may proceed.

TESTIMONY OF GEORGE C. EDWARDS AND VINCENT W.

PIERSANTE—Resumed

Mr. EDWARDS. Thank you, Senator.

I was in process, Senator, of describing briefly the war—I think that is probably the correct terminology for it—which elevated the current group which we regard as the leaders of the Mafia in Detroit to power, and this actually took place in the period following 1927. We picked the date because that was the date when two particular ones of these hoods arrived in Detroit, Licavoli and "Scarface Joe" Bommarito.

From the time of their arrival, things apparently heated up a good deal more quickly. By 1938, Meli Tocco and Cellura had allied themselves with the East Side Gang. Cellura is now in the penitentiary.

We have not put on our chart people who we hope are filed away permanently from activity, Senator. Cellura would fit in here except for the fact that he is in Marquette Penitentiary and we trust will be there for quite a time.

I will take that back. He got out about a year ago, but apparently has not gone back into the activity which we have defined to him.

Incidentally, Senator, before continuing, might I make one correction which I think is a matter of some moment? Senator Mundt asked me which of these top dons had been the subject of deportation proceedings.

428 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Yes.

Mr. EDWARDS. I named two of them. I was in error. Only one of those was the subject of deportation.

The CHAIRMAN. Which of the two?

Mr. EDWARDS. Angelo Meli was the subject of deportation proceedings which were unsuccessful. I mentioned Joseph Zerilli as the subject of deportation proceedings and I am unable to confirm that that is the fact. I don't think it is. I am sorry to have misspoken myself on that topic.

The West Side group was headed by a man by the name of Chester LeMar, and in May of 1930 Chester LeMar got the idea of apparently taking over. He called for a meeting with Angelo Meli, Tocco, and Cellura, ostensibly to settle their differences amiably.

The scene was a fish market at 2739 Verner Highway on the near East Side. The fish market had been a rendezvous for gang leaders on previous occasions. Meli and the others were a little more clever than apparently LeMar had anticipated and they sent representatives there. One Sam Parino and Gaspere Sibilia, a man who is known in the East Side as the peacemaker. He apparently failed in relation to his title on this occasion, because both Parino and Sibilia were gunned down at the fish market, according to all the records of the time by Joe Amico, Joe Locano, and Benenati Sebastiano, known gunmen of LeMar's gang.

These men, however, were subsequently arrested, were tried, and in that period they were found not guilty. I am not too sure as to whether or not the Texas defense was the essential thing involved in this, Senator, or not. The Texas defense, as I knew it in my boyhood in Texas, was the scoundrel who died should have ought to be killed. I am not competent as to whether or not that was the thing that resulted in that acquittal, but in any event they were acquitted.

The East Side overlords then started in screaming for LeMar's death, and LeMar took off from Detroit and took refuge in New York City and stayed there for some time. After a time, LeMar attempted to come back to Detroit, and he did come back to Detroit after a number of other murders had occurred which had deprived him of much of his strength. Eventually, Chester LeMar, who was the last potent figure in the underworld to really pose a powerful threat against the domination of the underworld by this group, was killed, apparently by his own bodyguards who made a deal, according to the underworld stories of the time, for their own lives with the East Side gang of the Zerillis, Toccas, and the Melis. Amico and Elmer Macklin, the two most trusted gunmen of LeMar, were subsequently arrested and they were tried.

The CHAIRMAN. I noticed in your prepared statement you have some exhibits that probably we haven't put in the record yet. Would you care to go over your prepared statement and select those exhibits that you referred to which have not yet been put into the record? I think we might do that.

Mr. EDWARDS. Yes, sir. Let me just add that I believe both of them were also acquitted.

During this period, one of the most famous of the murders in the history of the city of Detroit occurred. This was the murder of Gerald Buckley. He was a crusading radio news commentator who

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 429

had threatened to reveal the identity of the gangland's overlords and their connections with city government. He was shot to death in the lobby of his hotel on July 23, 1930. Those indicted for this crime were Theodore Pizzino, "Scarface Joe" Bommarito, Angelo Levecchi, and Pete Licavoli. Licavoli fled the State and did not return until the other three had been tried and acquitted.

In each one of these murders which I have referred to, where there were indictments, there were trials and there were acquittals, the prosecution apparently completely disappeared, or lost all of their ability to remember. Interestingly enough, in July of that year "Cockeyed Joe" Catalanotte's home was raided by police officers. They found 54 firearms in that home and among them they identified the murder weapon used in the killing of Gerald Buckley and the murder weapon used in the killing of three other persons who are on our gangland slaying chart.

The CHAIRMAN. How were they identified—by ballistic tests?

Mr. EDWARDS. By ballistic comparison with the bullets which were taken out of the bodies of the deceased victims.

The CHAIRMAN. They were able to establish definitely that these were the murder weapons?

Mr. EDWARDS. That those were the murder weapons.

(At this point Senator Curtis entered the hearing room.)

Mr. EDWARDS. This "Cockeyed Joe" Catalanotte is now on our chart. There is an interesting progression in relation to him. He was ultimately the subject of deportation. Subsequently, he wended his way back to Canada and he is perched in Windsor on the other side of the river from us right now. That deportation didn't help us very much because getting across that river is one of the more simple things in life.

The CHAIRMAN. Has he ever crossed the river and come back into this country that you know of?

Mr. EDWARDS. We were just talking about that at noon today, and from one of our good Federal agents we were receiving information that he thought that he was back in our city from time to time. We will be looking for him.

The CHAIRMAN. Set a steel trap for him.

Mr. EDWARDS. We will be looking for him.

Mr. ADLERMAN. Commissioner, you mentioned that you had a gangland chart, gangland slaying chart.

The CHAIRMAN. I wanted to get these exhibits into the record.

Mr. EDWARDS. This is the chart of gangland slayings since 1927, Senator.

Mr. ADLERMAN. Is that the chart on the easel here?

Mr. EDWARDS. The chart on the easel also, I believe, which shows the progression—

The CHAIRMAN. Do we have copies of this chart?

I want to keep the record straight.

Mr. EDWARDS. May we offer this in evidence, Senator? This is the writeup of the gangland slayings which have occurred in Detroit between 1927 and to date.

The CHAIRMAN. Do you have several pages?

Mr. PIERSANTE. Yes, sir; 31 pages.

The CHAIRMAN. Let it be made exhibit No. 23 for reference.

430 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

(Document was marked "Exhibit No. 23" and may be found in the files of the subcommittee.)

The CHAIRMAN. This chart, if it can be, will be printed in the record; make it exhibit No. 24 and print it in the record if you can.

(The chart referred to was marked "Exhibit No. 24" and faces this page.) (153)

The CHAIRMAN. Very well. Proceed.

Mr. EDWARDS. Still referring in some degree to Pete Licavoli's progress, Pete Licavoli also was indicted for a murder back in the 1930's in the Milford Jones murder and again was arrested and again prosecution failed in relation to him.

The CHAIRMAN. I believe his criminal record has already been made an exhibit.

Mr. EDWARDS. It has not been, Senator, so far as I know.

The CHAIRMAN. Do you have it there?

Mr. EDWARDS. I have it here. I will be glad to offer Pete Licavoli's record for an exhibit.

The CHAIRMAN. Off the record a moment.

(Discussion off the record.)

Mr. EDWARDS. Senator, if I might, I want to talk about another affair which intimately affects Mr. Licavoli's history in Detroit.

The CHAIRMAN. Very well.

Mr. EDWARDS. Mr. Licavoli is, to our belief and knowledge, very much interested in gambling affairs and acts in some sense as director or overlord over the ones who actually operate on the street.

In this process, Licavoli has working for him a fellow by the name of Maxie Stern.

There were also, in earlier days, two people employed in the gambling rackets in Detroit named Peter Lucido and Sam Scroy.

There were some arguments about the handling of gambling in the Detroit area which resulted in a meeting which we subsequently were told about by Chris Scroy.

At that meeting, designed to settle the problems in relation to gambling involving Lucido and Sam Scroy, there were present Pete Licavoli, Joe "Scarface" Bommarito, Max Stern, Frank Caputo, Sam Lucido, Chris Scroy, and Sam Scroy.

Whatever deal was attempted to be made there apparently was not carried out to the satisfaction of all concerned because not too much later—this meeting incidentally was held in Detroit in December 1947—not too much later Pete Licavoli sent word he wanted to see Sam Scroy and Pete Lucido.

They didn't go see him.

On June 12, 1948, both Sam Scroy and Pete Lucido just plain disappeared.

The CHAIRMAN. Are they still among the missing?

Mr. EDWARDS. One of them is. The other one, some traces of him were found which are very interesting tracings.

Senator CURTIS. Could I ask a question here?

The CHAIRMAN. Very well.

Senator CURTIS. I was not able to be here this morning, because I had a committee conflict. I want to be straight on one thing. I notice your chart refers to the Mafia organization. Is that synonymous with

(153) Fra le pagine 430-431 del documento originale è inserito un grafico che — contrassegnato con la lettera M — è pubblicato, insieme alle altre carte, nella Parte Terza del presente tomo. (N.d.r.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 431

the Cosa Nostra that the committee has been hearing about or is that the name that is used in the Detroit area?

Mr. EDWARDS. Senator, I spoke briefly about this this morning and said that the last thing in the world that I wanted to get seriously involved in was an argument about nomenclature.

As far as I can understand from reading what has been printed, the testimony before your committee, the method, the nature, the operation of what has been referred to here as Cosa Nostra is identical with the method, the nature, the operation of what we term the "Mafia."

Senator CURTIS. And, generally, the requirements for admission and manner of initiation, and so on, are similar?

Mr. EDWARDS. Well, we have heard many things about the form of initiation but not in such form as direct as that which has been presented to this committee and I have tried not to report anything which we were not prepared to confirm.

We would not be, in the slightest, surprised at the form of initiation which was described here, but we, unfortunately, do not have in our possession someone who could testify directly.

Senator CURTIS. I won't further distract your line of testimony, but just one thing, and do not elaborate on it, just mention it briefly. Is it your belief and your understanding, based on the knowledge that you have, that there was rather close communication between the groups in New York called Cosa Nostra and the Detroit group?

Mr. EDWARDS. Yes, sir; there are many interrelationships of a family variety and many intercommunications, and at least some joint business enterprises.

For example, it is our understanding that the fellow they call Joe Bananas in New York and Pete Licavoli, the person I am talking about, have been for some time business associates in Tucson, Ariz. That is to say, they don't live in Tucson, Ariz., but they have business relationships there.

One of our Detroit top people is related through marriage to the Profacis. I think that there is a marital relationship, which we are going to lay on the record, between the Profacis and the Toccas and Zerillis.

Senator CURTIS. Are all of the same national origin?

Mr. EDWARDS. All of our people on that chart—I will take that "our" out because I really don't want any part of them—but all of them on that chart with the exception of one are either persons who were born in Sicily or persons whose parents or at least one parent was born in Sicily, according to the best of our knowledge.

Senator CURTIS. Thank you, Mr. Chairman. I won't take any more time at this moment.

The CHAIRMAN. All right. Proceed with your testimony.

Mr. EDWARDS. Thank you, Senator.

I was dealing with the disappearance of Sam Scroy and Pete Lucido. Thereafter, Chris Scroy got kind of mad about the fact that his brother had vanished and, after making a number of statements about the matter, Chris Scroy took a gun and undertook to kill Maxie Stern—Maxie Stern being one of Licavoli's henchmen.

He was unsuccessful in that. He hit him a number of times, but he did not kill him. As a matter of fact, Maxie Stern is one of the

432 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

associates of our organization which we propose to name later on in the hearing, and Chris Scroy was arrested for that and he served—he was sentenced to 7½ to 20 years in the State prison of southern Michigan.

On July 14, 1955, he was paroled. On April 10, 1959, he disappeared.

Now, interestingly enough, at the time he disappeared Peter Licavoli really was in about the best position that a man could be who might conceivably have a motive for doing away with somebody. He was in the Federal penitentiary for income tax evasion. He stayed there for some little time. He was sentenced for income tax evasion for 30 months and served the proper amount of time on that and then was released in the fall of 1960.

There had been a good deal of conversation around and about the Detroit underworld to the effect that Licavoli was all done, that he was going to come back, he was going to be retired from the battle and he was going to live as a pensioner.

Apparently this did not sit very well with Licavoli, because, in the immediate aftermath of his departure from prison, two things happened.

One was a very “highfaluting” wedding which had 2,000 guests at it on September 30, 1960. Pete came out of prison, and the wedding of his daughter and one Anthony Abate occurred. Many people attended this and it was reported prominently in the press and it was well attended by people in Detroit.

It is our judgment that this wedding was designed to say, “Pete still has the money.”

Then another very interesting thing happened, because Chris Scroy turned up. He was found in seven pieces.

The CHAIRMAN. How many?

Mr. EDWARDS. Seven, I believe.

Senator CURTIS. He did not turn up of his own accord?

Mr. EDWARDS. No, sir. He had been killed a substantial period of time before and buried and then, according to the coroner's reports, within 3 weeks of the time that he was found he had been dug up.

We served, in a sense, the police department of the city of Detroit, as agent for the message which, in our opinion, was sought to be conveyed because, although the body had been thoroughly covered with lime, fingerprints were very readily available and so was his belt buckle, for that matter, as I understand it, and we identified the fingerprints as those of Chris Scroy.

As we heard the message circulating in the Detroit underworld, it was not only that “Pete is back with the money but he is also back with the power.” He has been there ever since and he is there right now.

He was one of the participants in the meeting designed to get the numbers business back on an even keel after the Gotham raid.

As a matter of fact, we found a notation that showed that Pete and Tony were the hosts of the affair where Johnny White and his associates met with the top numbers operators of the Mafia to work out the numbers problems and plans for the future and this on December 28 of 1962.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 433

So, if anyone seeks to sell you that the top dons are old prohibition hoodlums who have faded away, allow me to suggest on the record that this simply is not so.

(At this point Senator Mundt entered the hearing room.)

Mr. ADLERMAN. Incidentally, for the record, how do you spell Scroy's name?

Mr. EDWARDS. S-c-r-o-y. Chris, C-h-r-i-s, Chris Scroy.

Now, Mr. Chairman, if I may, I would like to introduce into the record at this point the police information available on the other four top dons.

The CHAIRMAN. Is it all in one package?

Mr. EDWARDS. No, sir, they are each individual reports.

The CHAIRMAN. Identify one as you hand it to the clerk.

The committee will receive them and mark them.

Mr. EDWARDS. This is a prison report on "Papa John" Priziola.

The CHAIRMAN. Let it be received and marked "Exhibit No. 25-A."

(Document referred to marked "Exhibit No. 25-A" for reference and may be found in the files of the subcommittee.)

Mr. EDWARDS. This is a summarized history of Giuseppe Zerilli, Joe Zerilli.

The CHAIRMAN. It may be received and marked "Exhibit No. 25-B."

(The document referred to marked "Exhibit No. 25-B" for reference and may be found in the files of the subcommittee.)

Mr. EDWARDS. This is the summarized history of "Black Bill" Tocco.

The CHAIRMAN. It may be received and marked "Exhibit No. 25-C."

(The document referred to marked "Exhibit No. 25-C" for reference and may be found in the files of the subcommittee.)

Mr. EDWARDS. This is the summarized history and record of Angelo Meli.

The CHAIRMAN. It may be made exhibit No. 25-D.

(The document referred to marked "Exhibit No. 25-D" for reference and may be found in the files of the subcommittee.)

Mr. EDWARDS. As to all four of these persons, some generalities can be offered.

They were active enough in criminal affairs in the old days to be the subject of numerous arrests. They were rarely convicted.

Incidentally, in one way or another they made an effort to have their arrest records stricken from the record of the Detroit Police Department.

At the request of the committee staff, we have sought to make the arrest records in relation to these as well as all the other persons on the chart complete, although in a good number of instances we had to go to FBI arrest records and newspaper files to complete that record.

The record which we have presented to you is compiled at the committee staff's request in this fashion and not from records which have been kept by the Detroit Police Department after court order had been given to remove them in some cases.

Mr. ADLERMAN. In other words, in order to complete the record for the committee at our request you had to seek them outside the police department through the FBI records or even the newspapers

434 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

in order to complete the record because some of these records had been suppressed by the courts?

Mr. EDWARDS. That is correct.

Mr. ADLERMAN. I wonder, Commissioner, you have introduced the charts, I don't think we have explained the chart or the legend attached to it. Perhaps we might do that.

Mr. EDWARDS. I think that we did make some comment on the top Dons and the ruling council. They are, in fact, the people, in our mind, who are the rulers of this organization. They give racket franchises, they settle member disputes, they have the power to mete out discipline and to determine penalties for violation of the Mafia code.

The big men, this is a phrase which we hear used and we determined them administrators or heirs apparent, I think this would be about the executive vice president level in a corporate structure—these are Mafia members of prominence who are most likely to ascend to a position on the ruling council.

They have gained this position through proficient and successful criminal activities through birth or through both. They operate the more lucrative and the more plush Mafia enterprises, legal or illegal, and they act as frontmen for the distribution and investment of Mafia funds.

We are going to give illustrations of this later.

Mr. ADLERMAN. I wonder if we could mention for the record just the names of those who are on the ruling council, according to the chart.

I notice Joseph Zerilli, Peter Licavoli, William Tocco, Angelo Meli, and John Priziola.

Those are the members of the ruling council.

Mr. EDWARDS. Those are members of the ruling council. The people whom we have designated as "the Big Men" are: Michael Rubino, "The Enforcer"; Joseph Massei; Joseph "Scarface Joe" Bommarito; Raffaele Quasarano "Jimmy Q"; Salvatore Lucido, "Sam" Lucido; Santo Perrone, "Cockeye Sam"; Anthony Giacalone, "Tony Jocks"; Dominic P. Corrado, "Fats" Corrado; Michael Polizzi, "Big Mike" and Vincent A. Meli, "Little Vince."

While we are on this perhaps it would be just as well for us to seek to introduce into the record the reports which we have available for your committee on each one of these persons.

The CHAIRMAN. Very well, let them be received.

I will receive those in bulk. Make them exhibit No. 26.

(Documents referred to marked "Exhibit No. 26" for reference and may be found in the files of the subcommittee.)

Mr. EDWARDS. Would it be appropriate at this point to comment on a couple of these people?

The CHAIRMAN. You may.

Mr. EDWARDS. We will get just a little out of order here.

May I go back, Senator, and pick up one item which I think has some importance?

I wanted to call on District Inspector Piersante, who has headed our criminal intelligence bureau, to establish the blood relationship charts among the top five dons.

The CHAIRMAN. Have we received that chart yet?

Mr. EDWARDS. You have not yet, sir, I don't believe.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 435

The CHAIRMAN. Will you exhibit the chart?

Mr. EDWARDS. Before you take that chart down, may I point out something I meant to point out and forgot about?

You will note back in 1930 there was a top of 17 or 18 gangland killings.

The CHAIRMAN. Are you talking about exhibit No. 24?

Mr. EDWARDS. Exhibit No. 24; yes, sir.

You will see a decrease, in relation to gangland slayings or murders which we understand to be gangland type right down to recent years where they have averaged lately, actually, we know of one in the space of the last 2 years that we could properly ascribe to this category.

But, Senator, one of the interesting things is that these people merchandise their murders better now.

You see, that Scroy murder was a dandy. It did business twice. He disappeared and all the impact of this was felt, and then he reappeared, and all the impact of this was felt.

I am going to illustrate this principle further in relation to the one murder which we had in 1962, because, again, it was merchandised in a way to have the maximum amount of impact. That was what I was talking about.

The CHAIRMAN. That was the one last year?

Mr. EDWARDS. Yes, sir; last year.

The CHAIRMAN. Go right ahead and describe it.

Mr. EDWARDS. Should I do that now?

The CHAIRMAN. Yes.

Mr. EDWARDS. All right.

Well, last year a young man who was in the rackets, by the name of Ubal Calabresse, had gotten into a certain amount of difficulty. He had been arrested a couple of times and found guilty at least once and, in addition to that, in ways which were quite apparent to the top people in the Mafia, he had made it apparent that he had more money than they thought he should be getting at the level of his operation as assigned to him.

On St. Valentine's Day of 1962, he disappeared. He disappeared after having received a phone call at home and having said in answer to that phone call something to the effect of "You are not going to do what they did over in Chicago."

Then he disappeared, after having told his mother that he was going out to meet one of Capone's men.

The actual quote was "I hope you don't have in mind what happened in Chicago on Saint Valentine's Day, Frank."

This is from his mother's statement to us in the subsequent police investigation.

"I have an appointment with one of Capone's boys."

Prior to this, he had had a bitter argument over employment with one of the Corrados. Anthony Corrado is one of the sons of Pietro Corrado, now deceased, well known in older days as the enforcer.

Pietro Corrado left behind as his two heirs, Anthony, who is not on our chart, and Fats Corrado, Dominic, who is on our chart.

The CHAIRMAN. I regret we will have to recess for a few moments. That signal was for a rollcall vote.

We will be back as soon as we can discharge that duty.

436 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

(Members of the subcommittee present at time of recess were Senators McClellan, McIntyre, Mundt, and Curtis, at 3:05 p.m.)

(Members of the subcommittee present at time of reconvening after the recess were: Senators McClellan, Curtis, McIntyre, at 3:50 p.m.)

The CHAIRMAN. The committee will come to order.

You may proceed, Judge Edwards, from where you concluded a while ago when you were interrupted.

Mr. EDWARDS. Thank you very much, Senator.

As you recall, I was talking about the murder of Ubal Calabrese.

On St. Valentine's Day, he disappeared under the circumstances which I have indicated. He was not found for several days thereafter, and on February 19, the St. Clair Shores Police Department—that is a suburb of Detroit beyond Grosse Pointe—announced that they had found a car parked in a Kroger parking lot. This car was Roy Calabrese's car, and Roy Calabrese was found lying on his back in the trunk of the car with the arms of a coat wrapped around his neck. He had been garrotted to death. Death had occurred approximately 2 hours after he ate dinner at the home of his mother on Valentine's night, February 14.

Some days thereafter there was another episode in this murder of some significance, we feel.

At 2 a.m. on February 21, 1962, Gerlando, owner of Frankie G's bar, discovered a dead pig placed against the rear door of his bar. The pig's front and hind legs were bound with rope and its death had been caused by asphyxiation.

In questioning witnesses, which we have done quite extensively, we have found that the message of the dead pig missed none of the associates of Roy Calabrese, who happened to patronize that particular bar which had been Roy's favorite hangout.

Senator CURTIS. What did the message mean?

Mr. EDWARDS. Squealers die.

The CHAIRMAN. That is pretty emphatic.

May I ask you, how many of those that you show on the chart there—what is the total number you show on the chart?

Mr. EDWARDS. Sixty-three, Senator.

The CHAIRMAN. What percentage of those have been arrested for murder, charged with murder?

Mr. EDWARDS. I will ask Inspector Piersante to give you that figure, Senator, if I may.

The CHAIRMAN. Very well.

Mr. PIERSANTE. Of the 63 persons on the chart, they have been arrested a total of 785 times with 211 convictions. For the crime of murder, 1 out of every 3 on that chart has been arrested.

The CHAIRMAN. One out of every three have been arrested for murder? What are those figures, again, with respect to the number of arrests?

Mr. PIERSANTE. A total of 785 arrests.

The CHAIRMAN. That is nearly an average of nine each, is it not?

Mr. PIERSANTE. Yes, sir.

The CHAIRMAN. It averages nine arrests for each one and one out of each three have been arrested for murder?

Mr. PIERSANTE. Yes, sir.

The CHAIRMAN. And how many convictions altogether?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 437

Mr. PIERSANTE. 211 convictions.

Senator CURTIS. Convictions of murder?

Mr. PIERSANTE. No, sir, these are the total number of convictions on all charges.

Senator CURTIS. Of those that were arrested, how many were indicted or otherwise brought to trial through information?

Mr. PIERSANTE. 211 were convicted. Those persons were definitely brought to trial and convicted. I don't have the figures on the remaining numbers.

Senator CURTIS. The number of arrests would mean all those that were picked up.

Mr. PIERSANTE. Yes, sir.

Senator CURTIS. That would constitute an arrest for the purpose of your statistics.

Mr. PIERSANTE. Yes, sir.

Senator CURTIS. You do not have the figure of how many of them were ever charged?

Mr. EDWARDS. Senator, it could be quickly computed but we don't have it at the moment.

Senator CURTIS. How do they raise their big money? Where does it come from?

Mr. EDWARDS. Gambling.

Senator CURTIS. Gambling?

Mr. EDWARDS. Yes, sir.

Senator CURTIS. What form of gambling?

Mr. EDWARDS. Numbers, I would say, and horse bets.

Senator CURTIS. That is off the track?

Mr. EDWARDS. These I would think would be the two big productive sources of money. I would not know and I would not throw any stones at the sort of money they pick up from legitimate business by now, either, which we plan to talk about with you a little later.

Senator CURTIS. That is after they have accumulated capital?

Mr. EDWARDS. Yes, sir.

Senator CURTIS. By horse bets, do you mean bookmaking, not betting at the track?

Mr. EDWARDS. Yes, sir; bookies of one sort or another. This is mostly telephone work these days.

Senator CURTIS. I am not praising or defending it, but I want to make it clear in the record that you are not talking about going to the racetrack and engaging in licensed parimutuel.

Mr. EDWARDS. We are talking about off-track betting in this instance, yes, sir. Off-track betting in Michigan is totally illegal.

We do have tracks where there is parimutuel betting.

Senator CURTIS. Without going into detail, does their business domain for gambling of all sorts extend beyond Detroit or is it primarily the Detroit area?

Mr. EDWARDS. Yes; it extends beyond Detroit. One of our problems is they pay no attention to boundaries and we have to. It is totally inconsequential to them.

Senator CURTIS. In other words, the numbers racket and the bookie racket in far away places might bring profits into Detroit, you think?

Mr. EDWARDS. Are you thinking, Senator, in terms of in completely different cities, 100 miles away?

438 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator CURTIS. I am talking about the moneymaking of the Mafia in Detroit. Do they make all their money locally or are they spread out?

Mr. EDWARDS. It is our information that their illegal enterprise authority, as far as the mob is concerned, is confined to the general southeastern Michigan area, the area, let's say, of Metropolitan Detroit, not the city of Detroit. But they do have some jurisdiction in relation to operations in Windsor, Canada, as we have indicated on our chart.

Senator CURTIS. That is all, Mr. Chairman.

The CHAIRMAN. Very well. You may proceed.

Mr. EDWARDS. Senator, I would like to have Inspector Piersante go ahead with explanations of the chart and then read and introduce our summaries on the other three classifications on the chart which have not been introduced up to date.

The CHAIRMAN. Very well, you may proceed, Inspector.

Mr. EDWARDS. Senator, while he is putting that on, could I say this: We have as fine a group of dedicated police officers in our criminal intelligence bureau as I think exists any place in the United States. This is their work product. It couldn't possibly be mine, as you must know. It is the work product of dedicated lifetime police officers who have been following these people for years and years and years, and Inspector Piersante is the head of that division.

The CHAIRMAN. Very well, Inspector.

Mr. PIERSANTE. I would like to explain the legend in the upper right-hand corner of the chart.

We have every person on this chart keyed four different ways.

The A's on the chart indicate interfamily relationships. If you will notice there is an A alongside each name.

The B indicates criminal activity relationship which indicates which of these men have operated in a criminal conspiracy together.

C is commercial and financial relationship and D finally is the criminal activities.

You will notice that the red number alongside each name is different and this is the key number for each person.

As an example, Angelo Meli, one of the dons, under A, which is for family relationship, has the number 106. Number 106 is Santo Perrone or "Cockeye Sam." This shows that there is a family relationship between Meli and Perrone, which, in this case, is the marriage between Meli's son and Cockeye Sam's daughter.

Under B and C—B, for instance, under Papa John Priziola, there is a number 69—69, I believe, is Joseph Lobaido. This is a criminal activity relationship which, in this case, was involved in a mutuels numbers conspiracy where these men were in the same conspiracy.

And C is the commercial or financial relationship which gives keys to the different numbers of the different individuals showing that they have interest in the same business.

Under D, the key goes back to the legend, which indicates a type of criminal activity that these persons as individuals participated in.

Papa John Priziola, for instance, is keyed to 1D, and 1D is a suspect in narcotics.

The other numbers go from narcotics suspects, gambling, shylocking, labor racketeering, extortion, down to arson.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 439

I would like at this time, if I could, to introduce the summaries that we have completed that have not been admitted in the record so far for the chiefs and the lieutenants and the section leaders.

Mr. EDWARDS. Senator, would it be appropriate if District Inspector Piersante named each one of the persons for the record or is this necessary?

The CHAIRMAN. With the chart, I think we can identify them.

Very well, if he wants to name them again.

Mr. EDWARDS. Quickly, Vince, do the chiefs and lieutenants and just indicate the sort of level of operation which you would find at those particular levels.

The CHAIRMAN. All right, begin with the chiefs.

Mr. PIERSANTE. With the chiefs who are the persons that you can most likely find in the near frontlines of any operation, some of them are legitimate operations and, of course, most of them are illegal operations.

Dominic Corrado, "Sparky," who is mainly in the gambling field. Tony Teramine, alias "Black Tony," a convicted narcotics peddler and currently in gambling.

Peter Vitale, who is in the gambling and legitimate businesses; Joseph Barbara, Jr., who is the son of the host of the Apalachin meeting, who is in legitimate business in our area.

Joseph Mocerl, "Misery," an old bootlegger, gambler, also in legitimate business today.

Joseph Triglia, "The Whip," who has been a narcotics suspect and is in gambling today.

Anthony Cimini, alias "Tony Long," who is a gambling man.

Vito Giacalone, alias "Billy Jack," in gambling, barbudi, handbooks, and brother of Tony Giacalone, who is one of the "big men."

Paul Vitale, brother of Peter Vitale, also in gambling and legitimate businesses, and Joseph Bommarito, alias "Long Joe," brother-in-law of Peter Licavoli, one of the dons who is also in gambling.

At the lieutenant level, we have Frank Meli, brother of Angelo Meli, who is in labor racketeering and other allied rackets.

Benedict Bommarito, alias "Benny," a gambler.

Sam Finazzo, alias "Mr. Jacobs," who has been in gambling, very interested in booking and a close associate of Raffaele Quasarano, one of our "big men."

Dominic Cavataio, who has been in various illegal areas, including counterfeiting, who is now a legitimate businessman and owns a string of cleaning establishments, drycleaning establishments.

Julian Cavataio, his brother, who has been in for burglary and is also allied with Dominic in the cleaning business.

Peter Cavataio, the son of Dominic, who has been in for gambling and assault who is very active in legitimate businesses in the bread industry especially in the lower priced loafs which he imports from Canada.

Salvatore Serra, alias "Sam," another gambling figure well known around the Detroit area.

Sam Caruso, a convicted narcotics peddler who is active in many legitimate businesses in our area.

Eddie Guarella, alias "Brokey," who is a gambler and I don't know of any other thing that he is involved in legitimately.

440 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

At the lieutenant level but in Windsor, Canada, Windsor, Ontario, Canada, we have Onofrio Minaudo, alias "Nono," a noted Detroit resident convicted of labor racketeering, is a murder suspect both in the United States and Italy, and is now a resident of Windsor, Ontario, Canada.

"Cock-Eyed Joe" Catalanotte, a convicted narcotics peddler, probably one of the most vicious characters on this chart, suspected of numerous murders, tried on several occasions for murder in the 1930's, and he has been deported from the United States and is now known to be residing somewhere in Canada.

The CHAIRMAN. May I ask, you have referred to "Cock-Eyed" somebody at different times in your testimony today. Is that the same "Cock-Eyed Joe?"

Mr. EDWARDS. That is the same "Cock-Eyed" Joe. You will find he has made several hundred pages in the appellate volumes of the legal tomes of the United States.

The CHAIRMAN. I remembered the nickname was referred to several times. I did not see any other listed on here. So this is the "Cock-Eyed Joe" you have been talking about?

Mr. EDWARDS. Yes, sir.

Mr. PIERSANTE. That is all for the lieutenants.

The section leaders include actually the men who are most likely to arrest. These are the people who have a small number of men working for them in illegal enterprises and they are the ones we are most likely to catch in some type of gambling or criminal activity.

Under this particular section we have what we refer to as the crewmen. These are the men who work for the section leaders. Many of them—excuse me. Associates. We have a breakdown of the section leader classification that we call associates. These are the non-Sicilian associates of these people who run many of their businesses and some of them are quite influential and have a great deal of influence.

Underneath the associates we have the field men. These are the hooligans for hire, the runners, the errand boys who are trying to make a name for themselves in crime so that maybe they can come up in the hierarchy.

The CHAIRMAN. They are the ones who really carry out the orders?

Mr. PIERSANTE. Yes, sir.

The CHAIRMAN. That is, they actually do the chores.

Mr. PIERSANTE. Yes, sir.

The CHAIRMAN. They are right on the front line operating.

Mr. PIERSANTE. These are the men that get in most of the trouble with law enforcement.

The CHAIRMAN. That is the lowest and they kind of come up from there to rise to the higher positions?

Mr. PIERSANTE. Yes, sir. The field men are without any insulation.

The CHAIRMAN. They are exposed.

Mr. PIERSANTE. Yes, sir.

The CHAIRMAN. Is there anything further on this score?

Mr. EDWARDS. If we may consider, Senator—

The CHAIRMAN. I guess you should point out if any of those you show on the chart were at Apalachin, the conference up there. Do you recall?

Mr. EDWARDS. Do you want to answer that?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 441

Mr. PIERSANTE. Yes, sir. Our information from confidential sources indicate that Joseph Zerilli was within 6 miles of Apalachin at the time it was raided. He was on his way to the meeting but, of course, was a little late and when he found out that there was a little trouble, he just turned around and went back.

The CHAIRMAN. He didn't quite make it?

Mr. PIERSANTE. He didn't quite make it.

Senator CURTIS. This morning my colleague, Senator Javits, asked about Joseph Barbara, Jr.

Mr. EDWARDS. Yes, Senator.

Senator CURTIS. That was in connection with Apalachin, or some similar connection, and it was indicated that the information would come out at a subsequent place. Is this the proper place?

Mr. EDWARDS. I would be glad if we could at this point call on Inspector Miller. I have demoted him several times here today. Maybe I better get them back in the right order. This is District Inspector Piersante. He has general supervision of our CIB, but this is Inspector Miller, who has charge of our CIB. Inspector Miller has a writeup on Joseph Barbara, Jr., current business activity which he would be glad to present.

The CHAIRMAN. Do you solemnly swear the evidence you are about to give before this Senate Subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MILLER. I do.

TESTIMONY OF EARL C. MILLER

The CHAIRMAN. Identify yourself and proceed.

Mr. MILLER. My name is Earl C. Miller. I am an inspector in charge of the Criminal Intelligence Bureau at this time.

The CHAIRMAN. Of Detroit?

Mr. MILLER. Yes, sir.

Senator CURTIS. I believe the original question, too, related to Barbara's father. So if you have anything on both of them, we would appreciate it.

The CHAIRMAN. His father is dead now.

Mr. EDWARDS. What we are prepared to show you, Senator, is how they take care of the sons of the deceased chieftains after the deceased chieftains are deceased. That is what this story will illustrate.

The CHAIRMAN. This will illustrate it, how they have taken care of this one in Chicago, the boy of the one who was the host of the meeting in Apalachin?

Mr. MILLER. Actually, this is an excerpt of the explanation of the legitimate business chart. It has to do with Joseph Barbara, Jr.

We describe the effect of a super sales force in a business in Detroit which involves Joseph Barbara, Jr. And we say that on a much larger scale, the history of the Tri-County Sanitation Co. illustrates the effectiveness of a super sales force, Tri-County Sanitation, a subsidiary of the Tri-County Sanitation Co., Inc., in New York City, in March of 1960.

Secretary and treasurer of that corporation, and the resident agent of the company in Detroit is Joseph Barbara, Jr. He is No. 25 in our organizational chart. Joseph Barbara, Jr., is the son of the host of

442 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

the Apalachin meeting. Young Barbara married the daughter of Detroit Peter Vitale, No. 23 on our chart. Barbara, his father-in-law Peter Vitale, and Peter's brother Paul, No. 24 on the chart, in February of 1962 incorporated the Tri-County Leasing Co. to do business leasing motorized equipment to the Tri-County Sanitation.

Senator CURTIS. Where did all of this take place? What city?

Mr. MILLER. In Detroit, Mich.

The new corporation purchased the most modern rubbish-collecting equipment available and the Tri-County Sanitation Co. launched itself into the highly competitive commercial refuse-hauling business in the city of Detroit. Its competitors were companies of long standing who could not match them in the area of equipment. These units are reported to cost upward of \$20,000 each and, because of hydraulic packing facilities, will haul at least twice as much as the average truck owned by its competitors.

The use of such equipment also reduces the number of laborers required. It is reasonable to believe that for any new company to equip itself with highly expensive mobile units and enter into a well established, highly competitive industry, it must have had some assurance of success.

Association of the people involved in this company with other high-ranking Mafiosa in the Detroit business and union field could have afforded them some of the needed assurance. Almost immediately Tri-County Sanitation became big business. It was noticed that Tri-County took over several of the most lucrative contracts of its largest competitor. One of the company's truckdrivers was interviewed by members of the criminal intelligence bureau in Detroit and stated that, although he worked a considerably greater number of hours, his paycheck amounted to approximately \$40 a week less than a driver for a competitor. The reason for this was that Tri-County Sanitation drivers had not been organized by the Teamsters Union.

The CHAIRMAN. How long ago was that?

Mr. MILLER. Just about a year, Senator.

The CHAIRMAN. About a year ago they hadn't been organized?

Mr. MILLER. That is right, sir.

As recently as Monday, September 25, 1963, Tri-County still had no contract with the Teamsters Union for its 40 employees.

The CHAIRMAN. Do you mean right there at the home of the Teamster president, the international president, this company is operating prosperously?

Mr. MILLER. Yes, sir.

The CHAIRMAN. And they have this connection with this gang of hoodlums you show here on the chart?

Mr. MILLER. I think I will divulge that connection that we believe exists there, Senator.

Senator CURTIS. Is it an indictment of somebody if they do not join the Teamsters Union?

Mr. MILLER. I beg your pardon?

Senator CURTIS. Is it an indictment of an employee that he does not join the Teamsters Union or any other union?

Mr. MILLER. No, sir; it is not.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 443

Senator CURTIS. Is it an indictment of the employer if he chooses to employ people who are not union members?

Mr. MILLER. I do not consider it so.

The CHAIRMAN. What I was trying to understand was how this thing could thrive out there without some effort to organize it. There must be some insulation there. That is what I am trying to find out. You are talking about insulation. Go ahead.

Mr. MILLER. This is the point, I think, Senator: Fundamentally, the basis for bidding on rubbish collection——

The CHAIRMAN. It is there under the jurisdiction of Hoffa's own local, it is not?

Mr. MILLER. That is correct, sir.

The CHAIRMAN. Proceed.

Mr. MILLER. The basis for bidding on rubbish collection contracts would be the labor cost and the transportation and disposal of the refuse. Private dumps are distant and therefore expensive in terms of gasoline and time. Municipally operated dumps inside our community are a decided advantage. Inadvertently and regrettably in a sense, investigative work of members of my own unit of the Detroit Police Department resulted in increased business for Tri-County Sanitation. This came when, in July of 1962, 29 employees of the department of public works and 8 rubbish-hauling companies were indicted for defrauding the city of legal dumping fees at city incinerators. This was effected by the rubbish companies paying the department of public works employees bribes to cheat on the weight and volume of the rubbish dumped.

Senator CURTIS. Who were those companies?

Mr. MILLER. I can name them for you with just a little research, Senator.

Senator CURTIS. I think you should.

Mr. EDWARDS. There were probably a dozen or better.

Mr. MILLER. The Reitzloff Co. was one.

The CHAIRMAN. Name some that you remember and then supply a list for the record at this point.

Mr. MILLER. Yes, sir.

Senator CURTIS. It would place rather a cloud on everybody who is in the garbage business in your area unless they are named.

Mr. EDWARDS. They have been named, Senator, and they have been tried.

Senator CURTIS. But they have not been named here.

Mr. EDWARDS. Yes, sir; that is true. We will be glad to get the information.

The CHAIRMAN. Supply them for the record. Name any you can at the moment that you recall.

Mr. MILLER. One that comes quickly to my mind is Reitzloff Co., Tri-County's largest competitor. There were a total of eight, I believe, altogether. I will submit the names.

(The list of names was subsequently received and is as follows:)

444 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS**LIST OF NONCITY EMPLOYEES AND TRUCKING COMPANIES CONVICTED OF BRIBING EMPLOYEES OF CITY OF DETROIT**

ALL DEFENDANTS PLED GUILTY APRIL 4, 1963

Sydney T. Eder (W/47), of 444 Bryn Mawr Road, Birmingham, Mich. Owner of Variety Trucking Co., 18450 Livernois, Detroit. Pled guilty to third count—bribing employees of the city of Detroit.

Marvin B. Hyman (W/37), 20500 Strathmoor, Detroit, Michigan. Owner of Michigan Business Hauling, 20500 Strathmoor, Detroit. Pled guilty to third count—bribing employees of city of Detroit.

Lester Kull, Jr. (W/31), 24981 Ward, Taylor, Mich. Owner of Les's Trucking, 2635 Wabash. Pled guilty to third count—bribery of employees of city of Detroit.

Arnold Reitzloff, Jr. (W/38), of 20038 Dean, St. Clair Shores, Mich.; and

Richard Reitzloff (W/38), of 19813 Avalon, St. Clair Shores, Mich.

Coowners of A. N. Reitzloff Corp., 12001 Mack, Detroit. Pled guilty to third count—bribery of employees of city of Detroit.

Fred J. Roulo (W/61), of 2649 Roulo, Dearborn, Mich. Owner of Roulo Trucking Co., 2649 Roulo, Dearborn, Mich. Pled guilty to third count—bribery of employees of city of Detroit.

The CHAIRMAN. Very well.

Mr. MILLER. Tri-County Sanitation trucks were observed by surveilling officers engaging in this same operation, that is, paying the bribe, or apparently paying the bribes. However, they were new enough in the business that they had dealt with only a few of the department of public works employees, none of whom were willing to testify against Tri-County Sanitation.

When the city ordered the private rubbish haulers barred from city incinerators pending the outcome of the court case, their business was hampered to such an extent that Tri-County, for whom a warrant could not be issued, and therefore having the advantage of in-city disposal, thrived on their competitors' misfortune.

Legitimate industry, fearful of adverse publicity, marked the contracts they held with the offending rubbish companies for cancellation. Tri-County was further benefited by being able to use the facilities of the municipal incinerator of a nearby suburb, where a Licavoli henchman had and has the unique position of being able to grant or refuse use of this incinerator to private haulers.

It seems to us that Barbara and the Vitales are either tremendously astute businessmen or their family relationships and associations with supersalesmen, such as Licavoli, Zerillis, Corrados, the Melis, William Buffalino, and others, helped them in areas in which competitors could not rate so highly.

That is my report.

Mr. EDWARDS. This is the report which we indicated would be made on the business relationship of Joseph Barbara, Jr., as we know it.

The CHAIRMAN. It indicates the boy is doing pretty well.

Mr. EDWARDS. At the present writing, Senator, I think that is a fair statement.

The CHAIRMAN. Very well.

Senator CURTIS. Did this concern have anything to do with the charges brought against their competitors?

Mr. EDWARDS. No, sir. Do you mean did they originate them?

Senator CURTIS. Yes.

Mr. EDWARDS. No, sir. As a matter of fact, they were under very rigorous investigation. We just didn't get enough to indict them.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 445

The CHAIRMAN. Senator McIntyre?

Senator McINTYRE. That was the question I was going to ask. I wondered if by any astuteness of the Tri-County they had led you into discovering the malfeasance that was going on.

Mr. EDWARDS. They had just gotten started, really, and had not built enough of a record for us to dig back and prove it without any question of a doubt. They hadn't dealt with enough people there and those they had dealt with were scared of them. The net result was that we didn't get anything.

The CHAIRMAN. When was this company organized?

Mr. EDWARDS. Not very much before that.

The CHAIRMAN. What was the year that they started in business?

Mr. MILLER. In February of 1962.

The CHAIRMAN. Just a little more than a year ago.

Mr. MILLER. Yes, sir.

Mr. EDWARDS. Senator, there is a lesson involved in this that perhaps should be stated. Vigorous police enforcement ends up convicting the least effective criminals first. This is inevitable. The net result is that many of those who are not among the most effective tend to make common cause with the most effective criminal elements, which is this thing we have been talking about here. This is a part of the total, overall problem of law enforcement.

Now, might we introduce at this time the charts which help to indicate the operations of these men?

Mr. ADLERMAN. Before that, could I just ask one question?

You mention that the Tri-County was not organized by the Teamsters Union.

Mr. MILLER. Yes, sir.

Mr. ADLERMAN. Did they generally organize the garbage collectors in Detroit?

Mr. MILLER. Yes, sir.

Mr. ADLERMAN. Are the other companies, their competitors, organized?

Mr. MILLER. They are.

Mr. ADLERMAN. So they are the exception to the rule. In other words, they are not organized, their competitors are organized?

Mr. MILLER. That is correct, sir.

Senator CURTIS. Why is that?

Mr. MILLER. Senator, I can only speculate as to why they are not.

Senator CURTIS. I just thought maybe you knew.

Mr. EDWARDS. No, sir, I don't think we can say we know.

The CHAIRMAN. Very well. Proceed with the next.

Mr. EDWARDS. If it is permissible, Senator, I would like to call on District Inspector Piersante to explain the chart on the narcotics operation.

The CHAIRMAN. All right. We have a chart on that.

Will you now present a chart on narcotics operation?

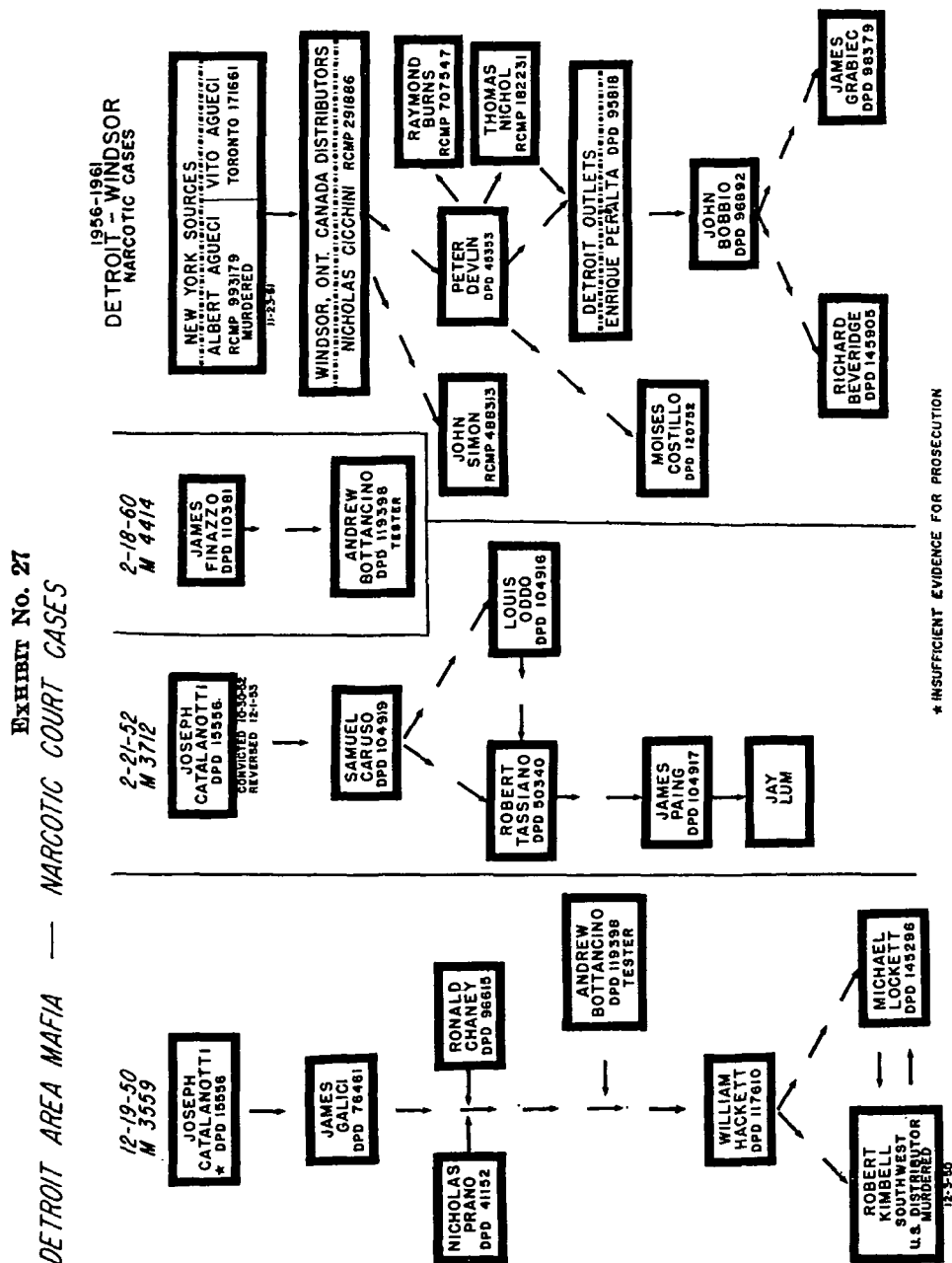
Is that what you are presenting to the committee?

Mr. EDWARDS. Yes, sir.

The CHAIRMAN. Let it be received and made exhibit No. 27 and also be printed in the record.

(The chart referred to was marked "Exhibit No. 27" for reference and follows:)

446 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS



ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 447

The CHAIRMAN. All right. You may proceed, Inspector.

Mr. PERSANTE. Narcotic enforcement in the Detroit area as depicted in this chart of cases successfully prosecuted against Mafia suspects is the direct result of an excellent enforcement environment created by the best possible cooperation and liaison between the Detroit Police Department, the Federal Bureau of Narcotics, and the Royal Canadian Mounted Police.

Over the years, under the leadership of Detective Inspectors Russell McCarty and Joseph Brown of the Detroit Police Department and District Supervisors Joseph Bell, Irwin Grenfell, and Ross Ellis of the Federal Bureau of Narcotics, Detroit has been a tough town for the major narcotics violators.

In 1948, information was developed by the Federal Bureau of Narcotics and the Detroit police that Mafia suspects in the Detroit area were engaged in a large-scale international narcotics ring.

The first crack in the armor was effected in 1950 as shown in the first part of the chart at the left when information elicited from a convicted burglar dope peddler revealed that certain Mafia suspects were distributing heroin to major violators in the other cities. One of them was alleged to be "Texas Bob" from San Antonio, Tex. He was transporting marihuana in 125-pound lots to Detroit and sold narcotics to Michael Lockett, at the bottom of the chart, who in turn made arrangements for him to purchase high-grade heroin from James Galici, who is near the top of the chart, there.

The investigation showed that James Galici, Vito Prano, alias "Nick," of Detroit, Ronald Chaney of Chicago, Ill., were among the main figures in the organization and they were dealing in kilogram lots of heroin supplied by a mysterious figure alleged to be a top Mafia known only as "The Old Man."

In October 1950, the office of the Federal Bureau of Narcotics in San Antonio, Tex., made a heroin sale case on one Robert Kimbell, who is near the bottom of the chart, who was identified as "Texas Bob."

Kimbell agreed to cooperate with the Federal Bureau of Narcotics and Narcotics Agent George Bell, now District Supervisor Bell in charge of the New York office, accompanied Kimbell to Detroit, Mich., New York City, and Chicago, Ill., where they were able to purchase illicit narcotic drugs from Mafia suspects in all three cities.

In Detroit, Bell made a sample purchase of heroin from Raymond Carmillo, and was successful in making large purchases from Prano and Galici.

On the occasion of the larger purchases, a portion of each delivery was taken to the residence of Michael Lockett, where it was tested by a known addict, Andrew Bottancino, to determine the purity of the drug.

This was the usual procedure as Bottancino was trusted by both the seller and the buyer.

Subsequent attempts were made to make purchases of heroin in kilogram lots. However, it developed that there was a serious shortage of high grade heroin in the Detroit area and efforts of conspirators to obtain a delivery from New York City were unsuccessful.

In order to keep their customers happy, the conspirators made arrangements for a purchase of heroin from William Hackett, alias "Jeep" of Detroit, a known narcotics violator who was occasionally in possession of large quantities of heroin.

448 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The efforts to obtain large lots of heroin continued but without success.

However, the investigation did identify "The Old Man" as Joseph "Cockeyed Joe" Catalanotte, a ranking Mafia with a reputation for viciousness.

He is on our chart in the Windsor, Ontario, segment.

On December 3, 1950, at 1:30 a.m., Robert Kimbell, alias "Texas Bob," was shot to death in front of the Town Club, a liquor and gambling establishment in San Antonio, Tex.

Kimbell was killed by Jack Hanratty, who was his partner in the ownership of the club.

Hanratty was never charged with the murder. The grand jury investigating the case returned a verdict of "no bill."

Senator CURTIS. Where did that happen?

Mr. PIERSANTE. San Antonio, Tex.

Senator MCINTYRE. How can you say they murdered him if they did not return any bill? There was not sufficient legal evidence. You just indicated he was killed by his partner.

Mr. PIERSANTE. He was killed by his partner in an argument over the split of the proceeds, actually.

Senator MCINTYRE. You mean there was a good defense to the charge?

Mr. PIERSANTE. Yes, sir.

Senator MCINTYRE. I see.

Mr. PIERSANTE. On December 19, 1950, Galici, Prano, Bottancino, Hackett, and Lockett were arrested for conspiracy in the sale and possession of heroin. They were charged in Federal court and were subsequently found guilty.

The next opportunity to make a case on these particular suspects was developed in 1951 by Federal Bureau of Narcotics Supervisor Irwin Grenfell, who made undercover purchases of high grade heroin from James Paing in Detroit's Chinatown after gaining an entry through Jay Lum of Lansing, Mich., who believed that Supervisor Grenfell was an out-of-town peddler looking for a good source of supply.

Six undercover purchases of heroin were made between December 4, 1951, and February 21, 1952, from Paing.

The accompanying surveillance and investigation under the leadership of Narcotics Agent Philip Smith, who is now a district supervisor in Baltimore, Md., showed that Paing usually called Sam Caruso, in the upper part of our chart and was also on our organization chart, upon receiving an order for heroin.

Caruso, in turn, would contact Louis Oddo, who maintained a cache of illicit drugs, and made arrangements for delivery to be made to Robert Tassiano, a Detroit gas station owner, who completed the transaction by turning the heroin over to Paing.

Immediately upon the consummation of the sale, Caruso would appear in Tassiano's gas station to collect the money he had received from Paing.

Caruso's meetings with Catalanotti were not so obvious and sometimes did not take place until several days after the transaction.

On February 21, 1952, all of the conspirators were arrested and charged in Federal court for violating the U.S. narcotics laws. They were all found guilty and subsequently sentenced.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 449

Catalanotti's sentence was reversed some time later.

After his release, he was taken into custody by Immigration and Naturalization agents and ordered deported on August 11, 1953. He was released on bond and was not actually deported until September 6, 1957, when he voluntarily left the United States 5 days ahead of the official deportation date.

Catalanotti later turned up in Cuba during the tail end of the Battista regime along with Frank Cammarata and "Nono" Minaudo.

On November 10, 1958, he made an attempt to reenter the United States, was caught in New York and sent back to Mexico.

On May 15, 1958—

Senator CURTIS. Was there any connection between this character and Battista?

Mr. PIERSANTE. No, sir; we were never able to establish a connection between Battista or any one in the Battista regime.

Senator CURTIS. What was the reference to Battista?

Mr. PIERSANTE. The reference to Catalanotti being in Cuba, Senator?

Senator CURTIS. Yes.

Mr. PIERSANTE. Well, Catalanotti, Nono Minaudo and Frank Cammarata were all deported as Mafia suspects from the Detroit and Ohio area.

It appears at that time that Cuba was a haven for these deported criminals.

On May 15, 1958, Catalanotti was legally admitted into Canada on a temporary visa where he resided with his daughter and his wife in Windsor, Ontario, just across the river from Detroit.

At the present time, Catalanotti is wanted on open warrant in Canada because his visa has expired and he is considered an undesirable alien. His exact whereabouts are unknown at this time.

The third conspiracy on the chart again involves Andrew Bottancino, who was arrested and convicted in the first case depicted on the chart.

In May of 1959, information was developed that Bottancino was looking for someone to purchase 2 kilograms of pure heroin for \$3,600 each. Arrangements were made by the officers and agents to have an undercover narcotics agent making sample purchase of the illicit drug from Bottancino.

On May 28, 1959, Bottancino delivered a sample of heroin to the agent.

The accompanying surveillance revealed that he had been driven to the scene of the meeting by Vincent James Finazzo, son of Sam Finazzo, both of whom are on our organization chart.

The sample purchase was analyzed by U.S. chemists and determined to be 815 percent heroin hydrochloride, which is almost the top purity for the drug.

Attempts to complete the transaction for the 2 kilograms of heroin failed and Bottancino was arrested on June 9, 1959.

Information developed after his arrest revealed the following facts:

First. The asking price for the heroin should have been \$7,200 per kilogram instead of \$3,600. This was a mistake that Bottancino had made.

Second. James Finazzo was aware of the fact that the heroin had a high degree of purity.

450 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Third. He was extremely careful of bungling the transaction.

Fourth. He had decided not to complete it when the arrangements went awry.

Efforts were continued in an attempt to purchase the 2 kilograms without any success and on February 18, 1960, Finazzo was arrested and charged with the unlawful transportation of heroin.

He was convicted on May 4, 1960, and sentenced to serve 5 years in prison but, because of several appeals, he did not start to serve his prison sentence until January 8, 1962.

He is currently in prison.

The remaining part of the chart shows three different cases, all leading into the same source of supply, Nicholas Cicchini of Windsor, Ontario, Canada.

Cicchini was a bakery manager from 1953 to 1959 for the late Pietro Corrado, an associate of "Nono" Dominick and Anthony Corrado and Pete Cavataio.

In March of 1956, Moises Costillo was arrested in Detroit, Mich., in possession of heroin at the exit of the Detroit-Windsor Tunnel.

The subsequent investigation led to a purchase of the drug from Peter Devlin, alias "Pat," in Windsor by an undercover officer.

After Devlin's arrest, the Royal Canadian Mounted Police investigated a cache of 20 ounces of pure heroin. Devlin was sent to prison for a period of 4 years on this charge.

Continuing this same investigation, in July of 1960, heroin purchases were successfully completed from a John Bobbio, Richard Beveridge, and James Grabiec in Detroit, Mich.

The investigation also showed that Enrique Peralta was a supplier with a source in Windsor, Ontario.

Investigation continued until November of 1960 developing cases against Raymond Barnes and Thomas Nichol in Windsor.

Peter Devlin was out of prison at this time and was engineering transactions but insufficient evidence was gathered to charge him on this occasion.

Bobbio, Grabiec, and Beveridge were arrested and charged in State court in Detroit, subsequently found guilty and sentenced to prison. Burns was charged in Canada and sent to the penitentiary in Kingston after conviction.

The investigation continued and, in April 1961, an undercover agent was able to make a purchase of heroin from John Simons in Windsor.

This agent was eventually introduced to Nicolas Cicchini for one-half of a kilogram purchase of heroin.

During the negotiations, for additional purchase of kilo lots of heroin, Cicchini offered to sell the undercover agent \$100,000 worth of counterfeit U.S. \$50 bills and he even supplied two sample counterfeit bills to prove that he could provide it.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 451

All negotiations ceased, however, when Cicchini informed the agent that his source of supply had been arrested in New York City. This source was identified as Albert Invito Agueci, Toronto, Ontario, and New York, N.Y.

The CHAIRMAN. I think we have had his name before.

Mr. PIERSANTE. Yes, sir; he is the one Valachi testified he met in prison and caused his trouble. Cicchini and Simon were arrested and charged in Canada, found guilty, and are currently in prison.

Albert Agueci, who was the source of supply for Cicchini, was also arrested in a case that had been made out of New York and Toronto. He disappeared on October 8, 1961, when he ostensibly was on his way to New York for the trial. He was not heard of again until his body, crushed and burned, was found in McComb County, Rochester, N.Y., on November 23, 1961.

Mr. EDWARDS. Thank you, Senator.

At this time I would like to call on another one of our officers who deals with the offense in Michigan law cases of prostitution. Sgt. William DePugh, of our vice squad, will present a chart that has to do with this.

The CHAIRMAN. Do you solemnly swear the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Sergeant DePUGH. I do.

TESTIMONY OF SGT. WILLIAM J. DePUGH

The CHAIRMAN. Identify yourself for the record, please.

Sergeant DePUGH. I am William J. DePugh.

The CHAIRMAN. What is your present position?

Sergeant DePUGH. Sergeant, Detroit Police Department.

The CHAIRMAN. Very well. Proceed.

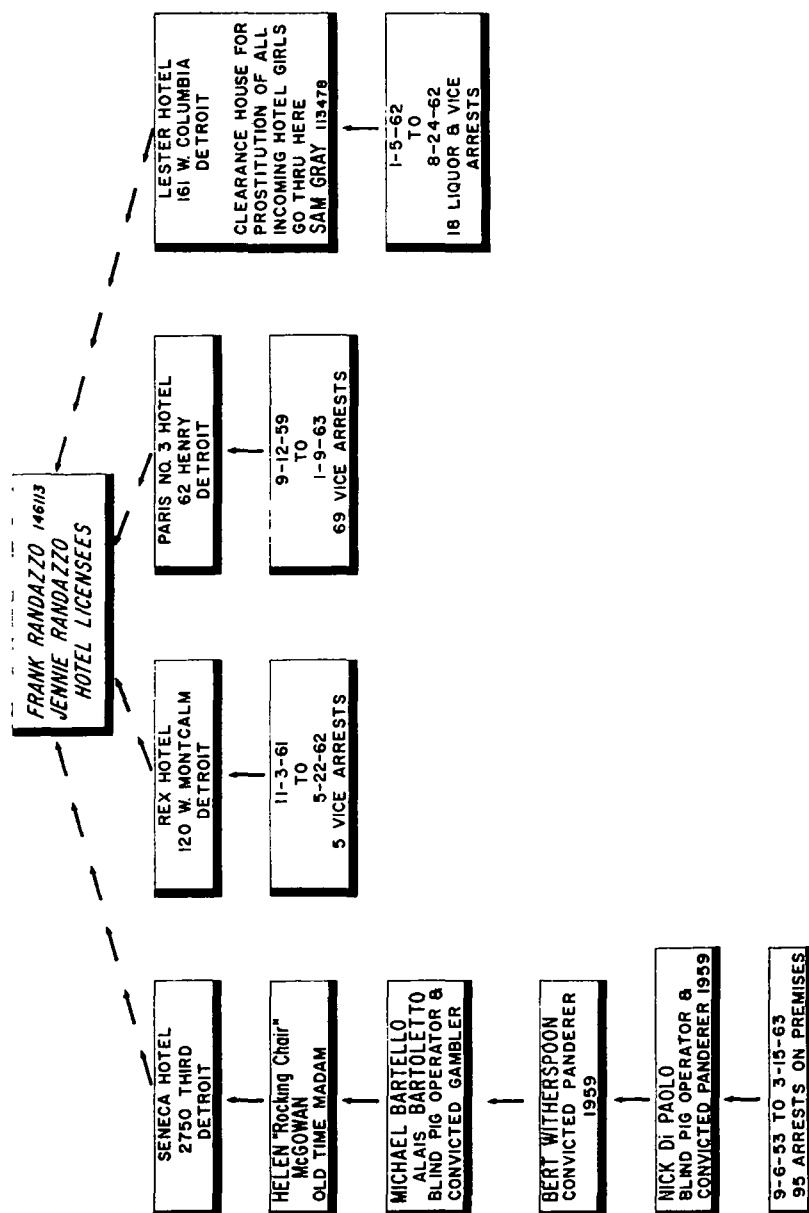
Sergeant DePUGH. The four hotels shown on this chart, the Lester, Paris No. 3—

The CHAIRMAN. Let this chart be made exhibit No. 28 and printed in the record, if it can be printed.

(Document referred to was marked "Exhibit No. 28" for reference and is as follows:)

452 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

EXHIBIT No. 28
PROSTITUTION



ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 453

The CHAIRMAN. Proceed.

Sergeant DEPUGH. The four hotels shown on this chart, the Lester, Paris No. 3, Rex, and Seneca, are licensed and operated by Frank Randazzo. These hotels are known to be centers of large-scale—

Mr. EDWARDS. Might I interpolate? He is one of the persons on our chart, Frank Randazzo.

Sergeant DEPUGH. These hotels are known to be centers of large-scale prostitution and vice activities in the Detroit area. This knowledge is substantiated by several sources. One source is the arrest and padlock records kept by the Detroit Police Department Vice Bureau. The vice arrests shown for each hotel are as follows:

The Lester Hotel, from January 5, 1962, to August 24, 1962, had 18 arrests; the Paris No. 3 Hotel—

Senator CURTIS. What is the first one you mentioned?

Sergeant DEPUGH. The Lester Hotel in Detroit, Mich.

Paris No. 3 Hotel, from September 12, 1959, to January 9, 1963, there were 69 vice arrests.

The Rex Hotel, November 3, 1961, through May 22, 1962, there were five arrests.

The Seneca Hotel, September 6, 1952, to March 15, 1963, there were 95 arrests.

Another source is the observations and investigations made in these areas by experienced officers. Even though these investigations do not always lead to criminal prosecution, they do add to the officers overall knowledge of that which is peculiar to this type of operation.

Through this type of investigation, it was learned that the Seneca Hotel is the focal point and headquarters for the vice activities controlled by Frank Randazzo. It is this location where he can usually be found. It is also significant that this is the most active in his hotels regarding vice activities. It is from this hotel that such personages as Helen "Rocking Chair" McGowan, one of the most notorious madams in the Detroit area, Michael Bartello, blind-pig operator and convicted gambler—

Senator CURTIS. What is a "blind pig" operator?

Sergeant DEPUGH. Illegal whisky sales. Bert Witherspoon, convicted panderer, and Nick DiPaolo, blind-pig operator and convicted panderer, have been arrested.

Another source of information that has been an integral part of the investigation in the overall picture is the confidential informant. These are the bellhops and prostitutes who will frequently disclose the identity and methods of the operators.

It is from these confidential sources that the following was learned in regard to this hotel. For the privilege of bellhopping at one of these hotels, Frank Randazzo is paid \$500.

The CHAIRMAN. Is what?

Sergeant DEPUGH. He is paid \$500.

The CHAIRMAN. You have to buy you a job there, is that right; is that what you are saying?

Sergeant DEPUGH. Yes, sir. There is a long waiting list.

Senator CURTIS. Do they pay it directly to him?

Sergeant DEPUGH. That is what we have learned from our informants, sir.

Senator CURTIS. I mean, does he physically receive the money or is it handled through some sort of channels?

454 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Sergeant DEPUGH. It is my best experience and recollection, sir, that it is given directly to him in cash. That is the information I have received.

The bellhops are paid \$25 a week from hotel accounts which is returned in cash to Frank Randazzo. The bellhops' actual income is derived from extra services, such as selling illegal liquor and supplying prostitutes.

The usual division of profits between the bellhops and the prostitutes is 60 percent for the girl and 40 percent for the bellhop.

In addition to the vice arrests previously stated, several other legal actions have been taken against Frank Randazzo. On February 11, 1958, Frank Randazzo was arrested for attempting to bribe a police officer. This bribery was attempted by Randazzo in connection with the arrest of prostitute Annetta Paula, at the Seneca Hotel. A plea of guilty was accepted by the court in this matter, but at a later date, the plea was withdrawn and a new trial was granted by the court.

He was subsequently found not guilty.

On February 28, 1957, the Seneca Hotel was referred to the Wayne County prosecutor's office for padlock proceedings. This was done by the vice bureau because of the large number of vice arrests at this hotel.

This case was heard on May 10, 1957, by Wayne County Circuit Judge Joseph Moynihan, and a consent decree provided for a permanent injunction and \$40 court costs.

On June 7, 1957, when vice arrests continued at this hotel, the Seneca Hotel was again referred to the Wayne County prosecutor's office for padlock proceedings. On October 25, 1957, because of five more arrests, additional information was filed for padlock proceedings.

On February 11, 1958, because of four more arrests, more additional information was filed for padlock proceedings against the Seneca Hotel.

On April 30, 1959, after more arrests, the padlock case was heard by Circuit Court Judge O'Hara. A consent decree provided for a permanent injunction and \$40 court costs.

On May 16, 1960, after eight more vice arrests, the Seneca Hotel was again referred to the Wayne County prosecutor's office for padlock proceedings. This case has not been heard as of this date.

The CHAIRMAN. How many times has it been padlocked?

Sergeant DEPUGH. They have had two permanent injunctions against them, sir.

The CHAIRMAN. That is a padlock, I guess.

Mr. EDWARDS. Senator, I think the injunction was simply against violating the law. It did not padlock the hotel.

The CHAIRMAN. It did not padlock the hotel? I thought you were talking about padlocks.

Mr. EDWARDS. We asked for padlock proceedings but we didn't get them. We got an injunction against the operator of the hotel for allowing prostitution on the premises.

Senator CURTIS. What kind of a writ did the prosecutor bring? What did he ask for?

Mr. EDWARDS. Petition to abate a nuisance, I believe, would be the terminology in our circuit court, Senator Curtis.

Senator CURTIS. I mean who reduced it from a padlock proceeding to an injunction, the prosecutor or the trial judge?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 455

Mr. EDWARDS. This would show that this was done by consent of the parties before the trial judge, which would involve the prosecutor in the consent.

Senator CURTIS. The prosecutor and whom?

Mr. EDWARDS. This record indicates that this was done by consent decree, which would mean that the prosecutor agreed to the injunction in that form, as I understand it.

Senator CURTIS. But my question is: Did the judge have before him a request for a padlock proceeding?

Sergeant DePUGH. Yes, sir.

Senator CURTIS. He did?

Sergeant DePUGH. That is the standard form that is made out and presented to the Wayne County prosecutor's office.

Senator CURTIS. Then upon whom is the responsibility of not padlocking, the prosecutor or the judge? If a prosecutor comes in and charges somebody with a misdemeanor, the judge cannot find him guilty of a felony. But if he charges someone with a felony and the court reduces the charge, the court in many instances may have reason to, but at least the court is responsible for its acts.

Now, what happened?

Mr. EDWARDS. Senator, I am not sure that we can answer this question with fairness, and I don't want to answer it if we can't answer it with fairness. We know this from the police point of view and the police records. We have not researched the court records or ascertained the answer to the question which you are posing. We simply know that when we get all through, this is the answer that we got back from the effort which was failed by the police department in the first instance.

Senator CURTIS. Do you know whether or not they proceeded as far as they could with the admissible evidence that they could present, or is it your intention to convey to this committee that there was a lack of proper handling of the matter?

Mr. EDWARDS. Well, if we were to make a complaint at the present rate, I guess it would be that we have not yet managed to get the last of these proceedings actually before the court. While filed and awaiting trial there, it has not been heard. This is due to considerable delay in the circuit court docket in Wayne County.

The CHAIRMAN. If I may ask, how many times have you undertaken to proceed against this hotel?

Sergeant DePUGH. Three times.

The CHAIRMAN. Only three times?

Sergeant DePUGH. Since Frank Randazzo has had it.

The CHAIRMAN. How many times before that? You were reading off awhile ago and it seemed to me it was several times, that you have tried to get some action.

Sergeant DePUGH. Yes, sir; this was February 28, 1957; June 7, 1957; October 25, 1957, additional information was filed.

The CHAIRMAN. Those are three different times in 1957?

Sergeant DePUGH. Yes, sir.

The CHAIRMAN. And how many times since then?

Sergeant DePUGH. February 11, 1958, additional information was filed; April 30, 1959, the case was heard, and another permanent injunction and \$40 court costs. Then on May 16—

456 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. \$40 court costs is not much penalty for an operation of this kind.

Mr. EDWARDS. We couldn't agree with you more, Senator.

The CHAIRMAN. Maybe you ought to ask an order to burn it down. That will abate the nuisance.

Sergeant DePUGH. Yes, sir.

Mr. EDWARDS. I think there is an unfortunate attitude in relation to this particular type of offense, Senator. I don't think people ordinarily recognize that behind this there is something important and something pretty bad, that the offense is pretty bad, itself, to start out with.

The CHAIRMAN. Behind this is the dope racket, the illegal sale of liquor, gambling—about every kind of a racket that you can think of, is there not?

Sergeant DePUGH. Yes, sir.

The CHAIRMAN. It reaches on back and covers a great multitude of racketeering, does it not?

Sergeant DePUGH. Yes, sir.

Senator CURTIS. Mr. Chairman, I have no desire to defend any procedure or condemn any procedure, but I am still not clear whether these cases failed because of the lack of admissible evidence or a lack of vigorous prosecution or laxness on the part of the court.

Mr. EDWARDS. It may have been just the deception on the part of the operator of the hotel, Senator, that he came in and said, "We are not going to do this anymore. We want to run a decent place. We will sign a consent decree that says we sure won't do that anymore," and everybody agreed to it.

Senator CURTIS. Was there any change of management in the hotel during this period?

Sergeant DePUGH. No, sir; in this period Frank Randazzo was the licensee.

Senator CURTIS. He was the defendant?

Sergeant DePUGH. He was the licensee; yes, sir.

Senator CURTIS. Was he the defendant in all the actions or did they make his resident manager a defendant?

Sergeant DePUGH. They make the owner of record the defendant, although he appears and represents him.

The CHAIRMAN. Maybe you can give a further answer to that in the morning, if you have any additional information you would like to get up.

Mr. EDWARDS. We will check a little further into it.

The CHAIRMAN. Check a little further into it and you may supply some information in the morning.

Is there anything further this evening?

If not, the committee will stand in recess until 10 o'clock in the morning.

(Members present at time of recess: Senators McClellan, McIntyre, Curtis.)

(At 4:55 p.m. the committee recessed, to reconvene at 10 a.m. the following morning, Friday, October 11, 1963.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

FRIDAY, OCTOBER 11, 1963

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:40 a.m. in the Caucus Room, Old Senate Office Building, pursuant to Senate Resolution 17, agreed to March 14, 1963, Senator John L. McClellan (chairman of the subcommittee) presiding.

Present: Senator John L. McClellan, Democrat, of Arkansas; Senator Henry M. Jackson, Democrat, of Washington; Senator Thomas J. McIntyre, Democrat, of New Hampshire; Senator Daniel B. Brewster, Democrat, of Maryland; Senator Jacob K. Javits, Republican, of New York.

Also present: Jerome S. Adlerman, general counsel; Donald F. O'Donnell, chief counsel; Philip W. Morgan, chief counsel to the minority; Paul E. Kamerick, assistant counsel; Harold Ranstad, assistant counsel; Arthur G. Kaplan, assistant counsel; Eugene J. Marshall, Bureau of Narcotics; Martin Pera, Bureau of Narcotics; Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will come to order.

(Members of the subcommittee present at time of convening: Senators McClellan and McIntyre.)

The CHAIRMAN. Very well, Mr. Commissioner, you may proceed. I think you have mentioned, and I would like to try to expedite this matter and at the same time make the record as complete as practical, in the course of your testimony thus far, 10 summaries of the chiefs, 11 summaries of the lieutenants, and 18 summaries of the associates.

I wonder if you have those summaries available so that we can make them exhibits?

TESTIMONY OF GEORGE C. EDWARDS AND VINCENT W. PIERSANTE—Resumed

Mr. EDWARDS. Yes, Senator; they are available and they are right here. I would now like to tender them to the committee as exhibits in this proceeding.

The CHAIRMAN. Let the 10 summaries of chiefs be made exhibit No. 29 in bulk, the 11 summaries of the lieutenants be made exhibit No. 30 in bulk, and the 18 summaries of the associates be made exhibit No. 31 in bulk.

458 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

(Documents referred to marked "Exhibit Nos. 29, 30, and 31," for reference, and may be found in the files of the subcommittee.)

The CHAIRMAN. You had some testimony with respect to the summaries of the associates, Mr. Commissioner. Would you proceed with that now, please?

Mr. EDWARDS. Thank you, Senator. We have not presented a chart on the associates. These are non-Sicilian operators who have, throughout the years, maintained a continuing relationship with the Mafia as we know it so that we feel justified in naming them as continuing associates of this conspiracy which we have been describing to you.

I have not presented a chart on this. If it is permissible, Senator, I would like to read the names of the 18 and simply indicate the area of criminal activity in which we know they function.

The CHAIRMAN. Are they all convicted criminals?

Mr. EDWARDS. I believe that all of them are. Every one has been convicted.

The CHAIRMAN. Very well.

Mr. EDWARDS. Art Caplan is the first one. I might say, Senator, that that is spelled with a "C" and not with a "K".

The CHAIRMAN. Who?

Mr. EDWARDS. Art Caplan. It is not your committee investigator, Senator. He spells his name with a "K".

Might I pause simply to record from our department our appreciation for Mr. Kaplan's diligence and assistance to us. This is totally unsolicited, but it is very sincere on our part.

The CHAIRMAN. Thank you very much. Proceed.

Mr. EDWARDS. The Art Caplan who is an associate in the Mafia in Detroit is——

The CHAIRMAN. Give a brief summary of each one.

Mr. EDWARDS (continuing). Is in the numbers racket.

Curtis Chandler, bookmaking.

Dave Feldman, bookmaking.

Edward Holly, numbers.

John Jabour, numbers.

Moses Joseph, numbers.

Louis Koury, numbers.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 459

Richard Lambert—his function is that of the pilot fish for an old-time muscleman by the name of Santo Perrone. He is the fellow who appears on the scene before the offense occurs and any time you see him you know the shark is coming.

Moses Massu, numbers.

Larry McHugh, numbers.

Charles Monazyn, holdupman and bookie.

Phil Peters, numbers.

Charles "Chickie" Sherman, bookmaking.

Cass Stec, numbers.

Max Stern, muscle.

Anthony Thomas, muscle.

Martin Thomas, numbers.

Odus Tincher, barbuti.

The CHAIRMAN. Yesterday Senator Curtis requested that you submit the names of those garbage companies. You couldn't recall all of them at the time. Are you prepared to give us those now?

Mr. EDWARDS. Yes, Senator. The rubbish hauling companies indicted for defrauding the city of Detroit last year were A. N. Reitzloff & Co.; Variety Trucking; Lester Trucking; Roulo Trucking; Michigan Business Hauling. I have a list of these if you would like to have it received for the record.

The CHAIRMAN. Very well. It may be received. (See p. 444.)

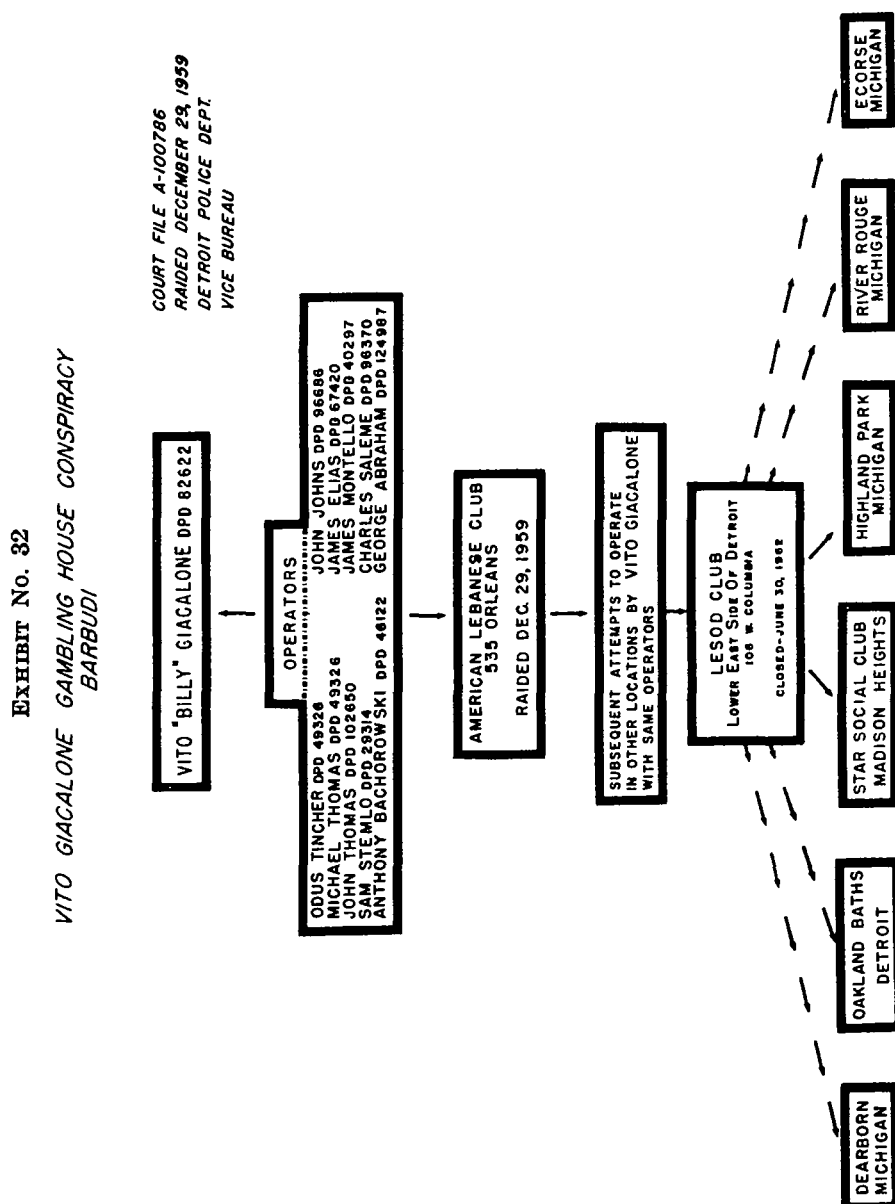
Mr. EDWARDS. Senator, yesterday we described in some degree the operation at the Lesod Club and how we chased it out of the city of Detroit.

On the easel there is a chart which describes this operation. If we could have it received as an exhibit, it would be available to the committee.

The CHAIRMAN. It will be received as exhibit No. 32 and will be printed in the record if that can be done.

(Document referred to marked "Exhibit No. 32" for reference and is as follows:)

460 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS



ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 461

Mr. EDWARDS. Senator, we have sought to be meticulous in the identification of any name as being a part of this conspiracy, and as a result, we have sought to document the relationship of each one of these persons to the conspiracy in a particular form.

For that purpose, we have presented charts of conspiracy cases made against these people, arrests made against them, convictions which they have had. I would like now to call on Inspector O'Neill of our vice squad—just a moment. I am sorry. Inspector Sage, District Inspector Sage, who is in charge of our liquor, gambling, and vice operation, to talk briefly about the numbers operation, how it functions, what we do about it, and to present a chart which describes a typical numbers conspiracy.

The CHAIRMAN. All right, Inspector Sage, come around, please.

You do solemnly swear the evidence you give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SAGE. I do.

TESTIMONY OF ARTHUR SAGE

The CHAIRMAN. Identify yourself for the record and state your present position and how long you have held the position.

Mr. SAGE. Arthur Sage, district inspector, Detroit Police Department, supervisor of vice, liquor, and gambling in the city of Detroit.

The CHAIRMAN. How long have you been in police work there?

Mr. SAGE. Twenty-six years.

The CHAIRMAN. You have a chart you wish to present?

Mr. SAGE. This chart can be taken as an example of the basic operational structures of the Detroit area mutual combines.

The CHAIRMAN. Very well. Did you prepare the chart or was it prepared under your supervision?

Mr. SAGE. It was.

The CHAIRMAN. You can verify the accuracy of it?

Mr. SAGE. I can.

The CHAIRMAN. Very well. The chart will be received as exhibit No. 33. It will be printed in the record, also.

(Document referred to marked "Exhibit No. 33" for reference and faces this page:)

(154)

Mr. SAGE. It portrays the following of the betting slips and money from the street pickup men to the head of the operation. It also graphically shows how responsibility is assumed as the bet slips collect and gradually come together at the main tabulating office.

Starting with the people at the extreme bottom of the chart, we see that these people go from house to house, or have customers come to them for the purpose of mutual betting. As the bets in the day are collected from the people on the street, they are carried to the central collecting point known as the substation. After the bet slips are collected at the substation, one of the more trusted employees takes them out and delivers them to the main office for tabulating.

This raid on the organization portrayed on this chart came about when on April 17, 1963, officers of the Special Racket Squad of the Detroit Police Department began investigation of a numbers combine which operated throughout the city of Detroit and the cities of Hamtramck, Pontiac, and New Haven, Mich.

462 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

This investigation was continued until November 20. During this period, members of the combine were followed continuously to determine their connection with this group. The investigation revealed that the headman of this numbers house was Joseph Lobaido, No. 69 on our chart.

Mr. ADLERMAN. Do I understand that the whole mutual operation is run by one of the members that are shown on your chart as one of the Mafia organization?

Mr. SAGE. That is right, sir.

Mr. ADLERMAN. Underneath him, he has this whole operation?

Mr. SAGE. That is right, sir.

Mr. ADLERMAN. Were you able to get a conviction against him?

Mr. SAGE. We were.

Mr. ADLERMAN. Was it difficult or easy or how did you manage to do that?

Mr. SAGE. Well, the 40 persons arrested on this chart, 38 of them were charged with conspiracy and eventually they were all found guilty.

Mr. ADLERMAN. Have those men on the lowest level ever met or dealt with Lobaido?

Mr. SAGE. They have.

Mr. ADLERMAN. They did?

Mr. SAGE. Yes, sir.

Mr. ADLERMAN. On the lowest level?

Mr. SAGE. These more trusted employees went on through and eventually were found to be conspiring with the main man, Joseph Lobaido.

Mr. ADLERMAN. I mean have they dealt with him personally?

Mr. SAGE. Personally?

Mr. ADLERMAN. Yes.

Mr. SAGE. Not down through these here [indicating].

The CHAIRMAN. When you say "down through these here," it doesn't carry for the record. Identify them.

Mr. SAGE. There would be very few of those, Senator, on the lower level.

Mr. EDWARDS. I don't think that Inspector Sage grasped the nature of your question because Lobaido is not the top man in relation to numbers in the city of Detroit. He is the top man in this particular group in conspiracy.

Mr. ADLERMAN. I want to know how much relationship there was between Lobaido and the people who operated.

The CHAIRMAN. What are those at the bottom? You have a number of people named at the bottom.

Mr. SAGE. These are the pickup people.

The CHAIRMAN. These are the people who deal directly with the patrons?

Mr. SAGE. That is right, sir.

The CHAIRMAN. What is the next row, the next line from the bottom, beginning with what you call "substations"?

Mr. SAGE. These are the substations.

The CHAIRMAN. Then you go from the substations to where?

Mr. SAGE. They go through to the various substations and gradually end up in the main office, which is the tabulating office of the combine.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 463

Mr. ADLERMAN. Let us count how many intervening agencies there are in this operation between the lowest level and the top level there.

Mr. SAGE. You have 1, 2 on this line—1, 2—you have 13.

The CHAIRMAN. What we want to do is to start with the fellow down here who bets this money and trace that dollar up to the man who gets the last cut. Try to do that on your chart.

Mr. SAGE. There are the pickup men starting with this point here.

The CHAIRMAN. They are the men who contact the individual bettor and get his money?

Mr. SAGE. That is right.

The CHAIRMAN. They are the runners, so to speak; is that right?

Mr. SAGE. That is right.

The CHAIRMAN. What do they do with the money after they get it?

Mr. SAGE. These are turned into this substation here.

The CHAIRMAN. They go to a substation?

Mr. SAGE. That is right.

The CHAIRMAN. Is there somebody in charge of that substation?

Mr. SAGE. Lovey Benson is the person in charge of the substation. They pick it up through here, continue on through up into the main office.

The CHAIRMAN. Now, when it gets to the main office, where does it go?

Mr. SAGE. From the main office, it is tabulated there. They tabulate it for the hits—how much money. They make out two tabulating slips, one for the pickup man and one for the main combine, the book-keeper.

The proceeds from there, for that particular day it goes up to Joseph Lobaido.

The CHAIRMAN. The commissioner just pointed out he is not actually the headman of the operation but only in charge of this branch of the operation.

Mr. SAGE. That is right, he is the section leader.

The CHAIRMAN. Where does it go from there?

Mr. EDWARDS. At that point, Senator, I might suggest you start looking at the bottom of the Mafia chart. This is an accurate description of the insulation which you were talking about.

We talked about that word last night and decided that is a real good description.

From the public, the member of the public who places a bet, you have four levels of insulation before you get to the lowest level of the Mafia organization, which we have shown over there on the chart.

In between the section leader, you have lieutenants, chiefs, big men, before you ever get up to the don.

The CHAIRMAN. That is what I want to show. The dollar that is bet down here on the numbers goes through all of these hands before the top bosses get their cut.

Mr. EDWARDS. Yes, sir.

The CHAIRMAN. And all the way up it is cut a bit.

Mr. EDWARDS. That is correct, as we understand it.

The CHAIRMAN. The fellow who does the betting winds up with nothing.

464 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. EDWARDS. If he bets twice, his percentage is nothing.

The CHAIRMAN. Very well. All right, is there anything further on this?

Thank you very much, Inspector.

Is there anything further you wish to say?

Mr. SAGE. Joseph Lobaido was found guilty and given 3 to 5 years in Jackson Prison.

The CHAIRMAN. How long ago was this conviction?

Mr. SAGE. This was in 1953.

The CHAIRMAN. Are they still operating?

Mr. SAGE. Not Lobaido.

The CHAIRMAN. Is someone taking his place? Is the operation still going on in Detroit?

Mr. SAGE. Yes, sir.

Mr. EDWARDS. Senator, let me talk about that for a minute.

We are seeking to portray how this thing operates. We make no bones about the fact that these people are still trying to operate in our city. But, Senator, they are running scared in the city of Detroit. As a matter of fact, most of their operation has moved out of the city of Detroit and we intend to keep on seeing to it that they run scared in our communities.

The CHAIRMAN. Mr. Commissioner, I was not questioning that. I am pointing out, I am trying to emphasize the strength of this menace. How difficult it is even where law enforcement officers are diligent, alert and active and persistent, how difficult it is to reach them and to abate this menace. It is a terrific job.

I trust the public might get some impression about this problem.

You are to be commended in places where you are vigilant, where they are doing everything they can.

I think if the public knew more about the seriousness of the problem and the difficulty that is involved in trying to prosecute these folks, to detect their offense and bring them into court and mete out justice to them under the law, if the public knew that maybe you who are faithful in doing your duty would get more cooperation from the public generally.

I am hopeful that that result is a byproduct at least of some of these hearings.

Mr. EDWARDS. We are too, sir.

The CHAIRMAN. Is there anything further?

Mr. SAGE. Senator, since 1940, when the special racket squad and the vice bureau were originated, we have developed and prosecuted 138 cases similar to this with the resulting 2,276 felony arrests, 973 misdemeanor arrests, 1,683 were charged with conspiracy. Of that group, 1,673 were convicted and sentenced.

The CHAIRMAN. What is the total number of arrests, Inspector?

Mr. SAGE. Felony arrests were 2,276.

The CHAIRMAN. How many of those were convicted?

Mr. SAGE. 1,673 were convicted of felony.

The CHAIRMAN. How many misdemeanors?

Mr. SAGE. 973.

The CHAIRMAN. How many of those were convicted?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 465

Mr. SAGE. That was in the same total. There was 1,683 charged with conspiracy and they were sentenced; 1,673 of those were convicted. As to the 973 misdemeanor warrants, the vast majority of those were convicted.

The CHAIRMAN. You do not have the exact number?

Mr. SAGE. No, sir.

The CHAIRMAN. Very well.

Certainly that is indicative of the fact that there is a serious effort being made on the part of law enforcement officials in the city of Detroit to deal with this crime problem, this organized syndicated crime problem.

I think you are to be highly commended for the results you have achieved.

Mr. SAGE. Senator, one other thing. Of these 1,673 who were sentenced, 292 of them went to prison.

The CHAIRMAN. Very good.

Mr. Commissioner, is there anything further you wish to say?

Mr. EDWARDS. Not on this topic, Senator.

The CHAIRMAN. Very well.

Senator McIntyre, do you have any questions?

Senator McINTYRE. No question.

Mr. EDWARDS. Our next chart will deal with a typical handbook operation. It will be presented by Inspector O'Neill, who is in direct charge of our vice squad.

The CHAIRMAN. Inspector O'Neill, will you come around, please?

Do you solemnly swear the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. O'NEILL. I do, sir.

TESTIMONY OF JOHN J. O'NEILL

The CHAIRMAN. Be seated. Identify yourself for the record.

Mr. O'NEILL. My name is John J. O'Neill, inspector, Detroit Police Department, in charge of the vice bureau.

Senator, if I may briefly explain the handbook operation in Detroit and then I will go into the chart and explain that briefly, too.

The CHAIRMAN. All right. You do have a chart?

Mr. O'NEILL. Yes, sir.

The CHAIRMAN. This chart was made under your supervision, prepared under your supervision?

Mr. O'NEILL. It was, Senator.

The CHAIRMAN. Do you verify it as to accuracy?

Mr. O'NEILL. I do, sir.

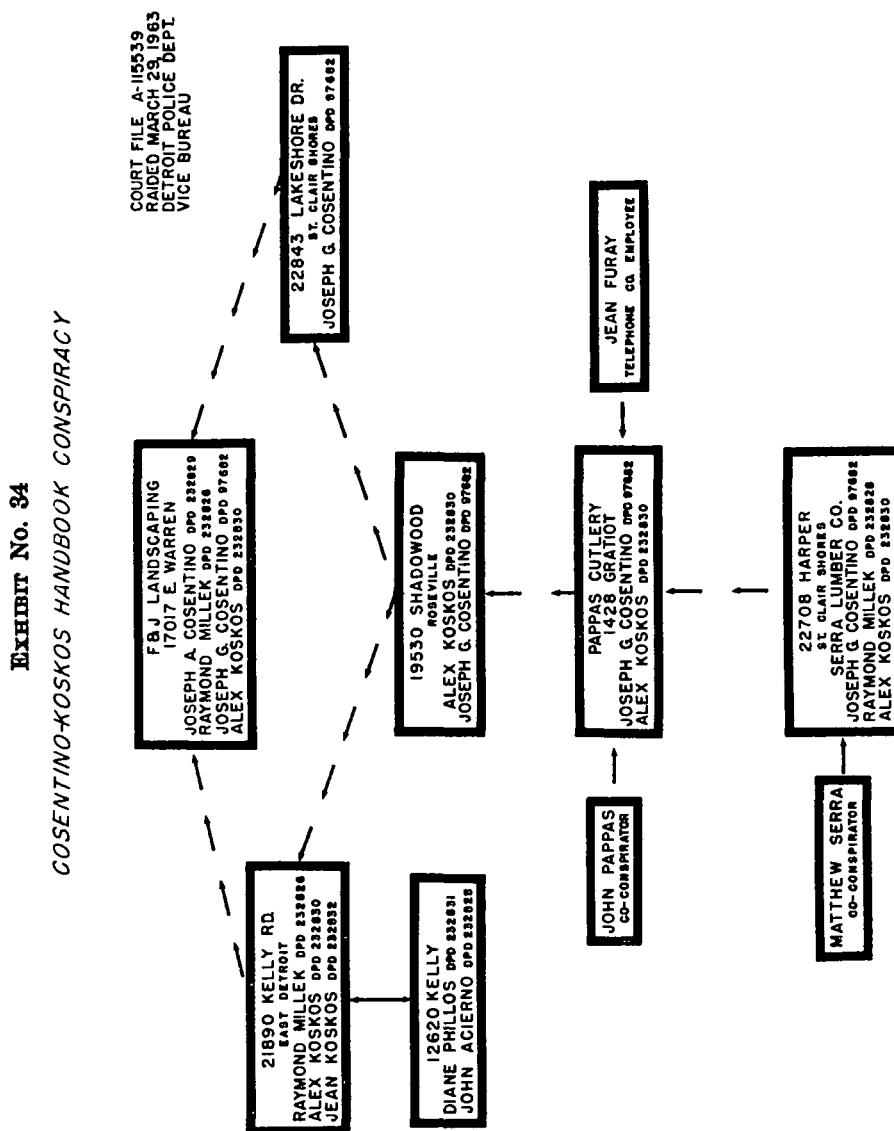
The CHAIRMAN. You may proceed.

Mr. O'NEILL. In the Detroit area, we have two types of handbook operations.

The CHAIRMAN. Let this chart be made exhibit No. 34 and printed in the record.

(The chart referred to marked "Exhibit No. 34" for reference is as follows:)

466 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS



ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 467

The CHAIRMAN. Proceed.

Mr. O'NEILL. As I said, we have two types of handbook operations. We have what we describe as the curbstone bookie.

This party is known by the fact he carries around a pocketful of dimes and race sheets. He accepts his bets verbally from his customers at various locations, like barbershops, poolhalls, grocery stores, bars, et cetera.

Then he goes to a local point and phones these bets in.

The CHAIRMAN. How small a bet do they take on a number?

Mr. O'NEILL. Actually, curbstone booking, off track booking, he can take bets as low as 50 cents.

The CHAIRMAN. You are talking about horseraces?

Mr. O'NEILL. Yes, horseraces. Now, these men work on a commission basis, commission or percentage basis. They perform their collections in the evening or latter part of the week.

Our second type of bookie is one that barricades himself in a dwelling, it is heavily barricaded. He uses flash papers to record his bets and with just the mere touching of a lighted cigarette to the paper the paper will actually destroy itself. This, of course, is an advantage.

When we raid these premises oftentimes the evidence is actually not there.

Now, he is equipped with telephones and these phones are usually toned down to eliminate noise so that outsiders who might be in the hallway of the apartment building can't hear the constant ring of the telephone. These phones are installed legally by the Bell Telephone System in the Detroit area but to make it advantageous to the actual operators they want additional phones, they might install them at another location within the same building and then at a later hour or later date, the Bell Telephone Co. employees or those who have an actual knowledge of installing phones will reinstall them at the convenience of the handbook operator.

Now, in the Detroit area, we no longer—

Mr. ADLERMAN. Do I understand you correctly that the telephone company, itself, does not become a party to giving a bookie a number of telephones, in other words, if the bookmaker wants 10 telephones or 6 telephones, the telephone company, when it becomes suspicious of that, will not install 6 telephones but he may order 6 telephones in different rooms in the hotel, later on with the connivance of an employee of the company he will move them all in 1 room; is that the idea?

Mr. O'NEILL. That is correct, sir. Actually, the Bell Telephone Co. cooperates 100 percent with the local law enforcement.

Mr. ADLERMAN. So there is some corruption of employees to get the telephones into one room?

Mr. O'NEILL. Yes.

In this present case, I am going to explain on the chart those that are arrested are presently under indictment and we arrested a Bell Telephone employee.

Mr. ADLERMAN. Do you know whether or not they use any device, such as has been described in our hearing previous to this, where they put attachments on a telephone and they get the calls from remote places into one particular—

Mr. O'NEILL. They have what is described as a "cheesebox."

Mr. ADLERMAN. You mean the cheesebox?

468 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. O'NEILL. I am not too familiar with this operation.

Actually, I have not seen one.

In the course of our investigations and arrests during confiscations, we have not confiscated this type of device.

Mr. ADLERMAN. You don't have the cheesebox operating in Detroit?

Mr. O'NEILL. Not to my knowledge, but we do know that it is being installed at locations, but we haven't actually found one in the Detroit area as of yet.

About 3 years ago we formed what is called the handbook squad within the Vice Bureau, itself, and we work primarily on conspiracies, with the idea of making arrests and charging them with a felony rather than a misdemeanor. Our enforcement has been vigorous. We have made considerable numbers of arrests. Prosecution has been good, and we have caused many of our local handbook operators to leave Detroit, itself, and practice in the suburbs.

Another thing, we do not have wire service in the Detroit area. We have what is called a service provided by Station CKLW of Windsor. They transmit the race results of major tracks throughout the country every half hour.

Mr. ADLERMAN. In other words, as I understand it, the wire service is not necessary in Detroit. They can get the results of the race broadcast from Canada?

Mr. O'NEILL. That is true.

Mr. ADLERMAN. Is there any restriction in Canadian law against broadcasting race results?

Mr. O'NEILL. None whatsoever.

Mr. ADLERMAN. So they receive the benefit of the race results broadcast from across the boundary line and, therefore, they do not require a wire service?

Mr. O'NEILL. That is correct.

Mr. ADLERMAN. One more question. You say you have been successful in obtaining convictions.

Mr. O'NEILL. Yes, sir.

Mr. ADLERMAN. The law, of course, as presently interpreted, prohibits you from wiretapping; is that right?

Mr. O'NEILL. That is correct.

Mr. ADLERMAN. And where they use the instrumentality of the telephone to accept the bets and they barricade themselves in the room and then they use special, easy burning paper that they buy from special sources that ignites immediately and then destroys itself completely, how do you get convictions?

Mr. O'NEILL. We handle it in this manner, Senator——

Mr. ADLERMAN. I am not a Senator. I am counsel.

Mr. O'NEILL. Yes, sir. We conduct surveillance over a period of time upon those that we know are actually engaged in a particular outfit. We follow them. We take them to the locations. We know the actual operating time of a handbook, the normal time that they would enter, the normal time that they would leave in the evening. They ordinarily enter with scratch sheets or thumb sheets, as they are described. That is their equipment to operate.

Many of them are known to us as handbook operators. The fact that they enter and leave the premises daily, six days a week, excluding

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 469

Sunday—of course, there is no horse racing on Sunday—it no longer becomes coincidence. With this information gathered over a long period of time, we are successful in obtaining search warrants. We raid the premises.

I will correct myself on one thing. In not all cases do they use flash paper. By the time we do enter the premises, oftentimes we are successful in gathering much of the gambling paraphernalia before it is destroyed.

Mr. ADLERMAN. In those cases where they use flash paper, they destroy the evidence before you get inside?

Mr. O'NEILL. That is true, sir.

Mr. ADLERMAN. If you had wiretap ability, would you be able to eliminate the off-track betting that is made through telephone wires?

Mr. O'NEILL. I think that the information which would be received by us through the ability to tap wires would help us considerably in eliminating this problem.

The CHAIRMAN. Do you have any comment on that?

Mr. EDWARDS. I just want to say one thing, Mr. Adlerman.

We are helped, as all law enforcement officials are, from time to time, by the fact that these fellows make mistakes. And when we chase them hard enough, they make more mistakes. If they followed a perfect pattern 100 percent of the time, we would have much greater difficulty than we do. But they do make mistakes, and we are there to take advantage of them from time to time.

Mr. O'NEILL. I also wanted to add that with this dissemination of news by CKLW, the race results, themselves, this has caused considerable consternation to the syndicate because many people that formerly were not actively engaged in this illegal enterprise eventually set up the handbook business themselves. All they require is a radio that gives results and a clock to accept the bets, to time the bets, so that they are not postdated. They actually set up an operation for themselves.

But seven or eight good bettors will do it. Of course, the syndicate is out then. It has no knowledge of these independent handbook operators.

The CHAIRMAN. Is there anything further?

Do you want to explain your chart? Are you ready to do that?

Mr. O'NEILL. Yes, Senator.

On January 4th of this year we had received information that an address at 1428 Gratiot in the city of Detroit was being used as a handbook operation. Sergeant Bernard Mullins of our handbook squad, the gentleman with the pointer, conducted this investigation and a daily surveillance was begun on these individuals. They are Alex Koskos, who lives at 21890 Kelly Road, East Detroit, and Joseph Gabriel Cosentino, white, 45, 22843 Lake Shore Drive, St. Clair Shores.

Incidentally, Joseph Cosentino is a nephew of Joseph Massei who is named on our chart as one of the big men. Joseph Massei now resides in Florida, and among his legitimate enterprises are a meat provision company which supplies hotels in the Miami district with meat, and he also has a barber supply equipment company.

This particular handbook group, through their own efforts and to avoid detection, made several moves during the course of our investigation.

470 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Did what?

Mr. O'NEILL. Made several moves. They moved to different locations.

The CHAIRMAN. Moved to different locations?

Mr. O'NEILL. Yes, sir.

The CHAIRMAN. Very well.

Mr. O'NEILL. After remaining at 1428 Gratiot they then moved to——

The CHAIRMAN. That is all right. They made several moves, That is enough.

Mr. O'NEILL. They made several moves during the course of the investigation. They were arrested and they are presently being tried, presently under indictment in Detroit. We made these raids with search warrants. During the course of the investigations we observed Dominic "Sparky" Corrado visit the main location. Dominic is listed on our chart as one of the lieutenants.

Mr. ADLERMAN. What number is he on the chart?

Mr. EDWARDS. He is listed as a chief on our chart.

Mr. O'NEILL. Correction. Thank you.

He is listed as one of the chiefs on the chart. We also observed Sam Misaracca, who had a previous arrest as a handbook operator, and is equipped with a gambling stamp, go into this location. Sam Leon, another convicted handbook operator, has also visited this location.

We also had an unidentified man leave this location and go to the home of Tony Teramine, "Black Tony," also listed on our large chart. Tony was previously convicted as a handbook operator in 1945. His present occupation is unknown.

Mr. ADLERMAN. What is the typical amount that they cover in an operation of this sort? What is their take on it?

Mr. O'NEILL. Approximately 25 percent.

Mr. ADLERMAN. No, I meant by dollar volume.

Mr. O'NEILL. Well, actually it would be difficult to give an intelligent answer to a handbook operator's receipts because it is all done by telephone, and, actually, in this case here, being presently under indictment, I wouldn't think it would be wise for me to make any suggestion.

Mr. ADLERMAN. Have you any idea of the size of the handle of bookmaking operations in Detroit?

Mr. O'NEILL. That, again, would be difficult to say. I know it is considerable, that it runs into several millions of dollars.

Mr. ADLERMAN. Commissioner, could you tell us whether or not in your opinion the handbook operations are under the control of the people mentioned in your Mafia organization chart?

Mr. EDWARDS. We believe this is the largest continuing criminal conspiracy in our area as we think it is nationally. And that they do have a major part of the operation of any handbooks that successfully do operate in the Detroit area.

Mr. ADLERMAN. Have you found difficulty in tying in the handbook at this level to the extent of getting enough evidence to convict the higher-ups?

Mr. EDWARDS. We have found it impossible up to this point. The insulation comes into this problem just as it does into the numbers problem.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 471

The person who calls on the telephone and places the bet may never even have contact with the fellow who is sitting at that telephone.

From that point forward, he may have contact with Tony Teramine and the section leader level and Dominic Corrado at the chief level.

You have five or six or seven different areas of insulation or wrappers of insulation before you get anywhere close to the top.

The CHAIRMAN. Judge Edwards, we have a purpose in these hearings of trying after we get these facts, get the information and evidence as to how these things operate, we have the purpose of trying to study it and determine what legislation, what further laws would be helpful to strengthen the arm of law enforcement, what laws can the Congress pass, what can we do to try to reach these conditions where they are difficult if not impossible, to bring to justice.

Do you have any comment about that?

Mr. EDWARDS. Yes, sir. Senator, we were planning on concluding our presentation with a number of suggestions.

The CHAIRMAN. Very well, you will offer some suggestions along that line?

Mr. EDWARDS. Yes, sir: that is our basic purpose in being here.

The CHAIRMAN. At this point, it seemed appropriate to make the record clear that what we are trying to do when we speak of the difficulty of reaching these top people, who are insulated, using that word again, how can we break through and reach the real source of the trouble? We need help in that regard. I think law enforcement agencies everywhere recognize that they do have a very difficult problem and certainly if further legislation will be helpful, we want to find out what it is and try to recommend its passage.

Mr. ADLERMAN. Do you have anything further to say, Inspector?

Mr. O'NEILL. Nothing further.

Mr. ADLERMAN. Thank you.

The CHAIRMAN. Is there anything further?

Mr. EDWARDS. Yes, sir. We were requested by your committee to make a presentation of a family relationship chart among the top leaders of the Mafia in our area. There is such a chart here and available. Explanations are available but I think it speaks for itself, Senator. It simply illustrates the variety of interrelationships, intermarriages that bind these top families together. We would present it as an exhibit if that is agreeable to the committee.

The CHAIRMAN. Let that be made exhibit No. 35 and printed in the record also if it can be done.

(The chart referred to, marked "Exhibit No. 35" for reference, faces this page:)

(155)

The CHAIRMAN. You find a great deal of intermarriage among these families, do you not?

Mr. EDWARDS. Yes, sir. We not only find intermarriage amongst the top families of the Mafia in Detroit but we find intermarriage between the top families of the Mafia in Detroit and top families of Mafia organizations in other major cities in the country.

The CHAIRMAN. Very well. The chart is pretty much self-explanatory.

Mr. ADLERMAN. We had some considerable testimony about Pro-faci in New York. He is tied into the Zerilli family by marriage, is he not?

472 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. EDWARDS. One of Joseph Zerilli's sons, Tony Zerilli, is married to a daughter, a Profaci daughter.

Mr. ADLERMAN. This is one of the illustrations of the connections in different cities through the same type of family?

Mr. EDWARDS. Yes, sir.

Perhaps I ought to document that one step further.

The son of "Black Bill" Tocco, Tony Tocco, is married to another of the Profaci daughters.

The CHAIRMAN. Do you have any further exhibits?

Mr. EDWARDS. Yes, sir. If that has been received in evidence, Senator——

The CHAIRMAN. It has.

Mr. EDWARDS (continuing). We would like at this point to respond to the inquiry from the committee which dealt with the infiltration and influence on otherwise legitimate business of the people who are in this racket organization.

We are prepared to do that by the presentation of a chart which shows the businesses, either owned by or infiltrated by or, in our judgment, influenced in some major fashion by top figures in the Mafia organization.

This chart is now on the easel. I would ask that it be accepted in evidence.

The CHAIRMAN. It may be accepted as exhibit No. 36 and printed in the record.

(The chart referred to marked "Exhibit No. 36" for reference faces this page:)

(156)

Mr. EDWARDS. We think it might be appropriate, Senator, for you to hear a couple of the situations which illustrate this.

The CHAIRMAN. Can you give us one example of what this chart illustrates by reference to it? Give us an explanation.

Mr. EDWARDS. Inspector Miller is prepared to do that. He has been sworn, Senator.

The CHAIRMAN. All right, Inspector, you have been previously sworn.

**TESTIMONY OF EARL C. MILLER, GEORGE C. EDWARDS, AND
VINCENT W. PIERSANTE—Resumed**

Mr. MILLER. I have, sir.

The CHAIRMAN. All right. You may proceed, Inspector.

Mr. MILLER. As you well know, our business chart is titled "Some Legitimate Businesses Owned, Infiltrated, or Influenced by the Mafia."

Many of the businesses are profitable ones, having a high-quality product in good demand.

The CHAIRMAN. You are talking about these on your first chart that you introduced, the Mafia organization in the Detroit area chart?

Mr. MILLER. That is right.

The CHAIRMAN. People who are high up in the organization are also in these legitimate businesses?

Mr. MILLER. That is correct.

The CHAIRMAN. Proceed.

Mr. MILLER. It has been said many times, however, at least in private, that members of the Mafia associate themselves with legal businesses to front or cover up income derived from their illegal activity.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 473

We fully realize that the businesses itemized here represent only a small part of the total number with which the Mafia is connected.

The CHAIRMAN. In other words, this chart just gives enough to illustrate?

Mr. MILLER. That is correct.

The CHAIRMAN. It does not undertake to give a complete presentation of all of the legitimate businesses in which they are engaged?

Mr. MILLER. By no means, sir.

The CHAIRMAN. Very well.

Mr. MILLER. Because public records help us document these businesses that appear while others do not. The connecting lines are self-explanatory. They indicate the joint business ventures of the individuals.

The black dots in the legend indicate businesses no longer owned or controlled by Mafia members. They have either gone out of business or have been sold. One such business was the Hart Center, Inc., incorporated on February 6, 1957.

Reference to the Michigan Corporation & Securities Commission indicates a woman known to be a secretary working for Pete Licavoli at Apache Realty was designated as president of the corporation. There were three directors, this lady, Anthony Cimini, who is No. 21 on our organizational chart, known to be a very close associate of Scarface Joe Bommarito. The third person was a man known to work for Mike Rubino, who is No. 6 on our organizational chart, as an accountant or bookkeeper.

The records later revealed that the accountant became the president and Anthony Cimini was named as secretary.

The stated purpose at the time of the incorporation was to "buy, sell, lease, improve, and otherwise deal in real estate." The property was that which formerly housed the Bohn Aluminum Co., located at 3516 Hart Street in the city of Detroit. It consisted of several buildings, all of which were rented or leased to various businesses.

The logical belief that Hart Center, Inc., was in fact a three-way partnership between Licavoli, Scarface Joe Bommarito and Matthew "Mike" Rubino, was confirmed when the property was sold on March 26 of this year to a New York City investor.

Wayne County records indicate a sale price of \$620,000; after indebtedness of about \$125,000 was satisfied leaving proceeds of \$495,000, the president of the corporation purchased a total of 36 cashiers' checks made payable to Licavoli, Bommarito, and Rubino.

Mr. ADLERMAN. The last three you mentioned are on your chart?

Mr. MILLER. Yes, sir.

Mr. EDWARDS. Yes, and these are very high-up figures.

Mr. Chairman, it might be desirable at this point for me to point out that Peter Licavoli, who has run through this whole presentation, is at this point in debt to the people of the United States by official court decree to the tune of \$411,000 for income tax not paid and penalties for failing to pay income tax.

The CHAIRMAN. I wonder why these checks could not be impounded and money collected?

Mr. EDWARDS. We have a unit of the Intelligence Division of the Department of Internal Revenue for whom we have a great respect. I am sure if they knew that those checks were going to be issued at a given time, they would have been there.

474 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

I also am reasonably sure they feel they have already levied liens which will protect the people in relation to the collection of that \$411,000.

It is just interesting to note that here is a fellow who has been operating this way for all these years, he owes \$411,000 on income taxes up to 1951, Senator. I don't have any idea what he owes from that point forward.

The CHAIRMAN. You mean that was prior to 1951 that he owes that much?

Mr. EDWARDS. Yes, sir, this indebtedness concerning income tax evasion prior to 1951.

Mr. MILLER. The cashiers' checks rendering each of the principals \$165,000 for a total of \$495,000.

The CHAIRMAN. I assume there is no lien placed on that building. Maybe the Revenue Department did not know it. They were able to conceal that ownership.

Mr. EDWARDS. The record ownership was indeed concealed until actually after the transaction was over.

The CHAIRMAN. As I point out, it is not always the fault of the officials.

These folks are cunning. They are very resourceful in evading not only the law but in evading taxes.

Mr. MILLER. Another business which appears on our chart, the Home Juice Co., is a further example of the attempt of some of the racket people to hide their ownership. The business is said to have changed hands as a result of a barbudi game. Although public records did not until very recently show the names of either Vito or Angelo Giacalone, Nos. 22 and 20 on the organizational chart, Vito is now shown on the record as being vice president.

Our surveillances and the statements of the Giacalones themselves that "The Home Juice is ours" precludes any possibility that the non-Sicilian, noncriminal president of record is much more than a figure-head. Recently when Anthony Giacalone was arrested on the premises of the Home Juice Co., our detectives observed two very plush offices. The glass door of one bore the name of Vito Giacalone. Anthony Giacalone was found in the other office trying to hide in a private wash and dressing room. Articles of clothing and toilet articles belonging to Anthony Giacalone were in evidence and he is intimately familiar with the contents of all the drawers of the executive desk.

The one thing connecting the president to the office was his name on the door. In the case of Home Juice Co., normal conduct of daily business involves 65 delivery trucks traveling throughout the city, calling upon retail stores and delivering and selling a legitimate product. It is known that some of the truckdrivers had criminal records. This sort of delivery service would have many obvious advantages for the Giacalones.

Although there have been no formal complaints which have come to the attention of the criminal intelligence bureau, some legitimate businessmen will, off the record, tell of the methods used by some of the companies controlled by the Mafia. For example, Joseph "Long Joe" Bommarito, No. 26 on our organization chart, was a brother-in-law of Pete Licavoli, operates as a salesman for the Gold Cup Coffee Co. This company is, according to available records, owned by Mitch-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 475

ell Rahhal known to the police department as a relatively small-time gambler in the employ of Pete Licavoli.

Bommarito in his sales approach calls upon many Italian owned and operated restaurants where his reputation is not only known but is very meaningful. When he presents his calling card and requests the coffee business of his prospective customer, the chances of his obtaining the business are very good.

Recently a confidence game investigation conducted by members of the CIB resulted in the arrest of a man who had in his possession a mutuel bet pad, several of Bommarito's Gold Cup Coffee Co. business cards, and a list of some 56 business addresses, mostly restaurants representing some of Bommarito's customers. This person was an employee of a doughnut manufacturer at the time of the arrest and was driving a delivery truck belonging to that business.

When questioned about his possession of the list of businesses and Bommarito's cards, he stated that "Long Joe" had given him the list of cards, suggesting that he solicit doughnut business at these addresses. He was quoted as saying "Use my name. I think you will get the business."

This inference or implied duress applies not only to the example just given, but extends to the other products and services provided by the many business interests of the Mafia. Because no words of threat are voiced, and no weapon displayed, enforcement is faced with that frustrating condition of insufficient evidence.

The CHAIRMAN. Very well. Is there anything further, Commissioner?

Mr. EDWARDS. Yes, Senator. We name on this chart another substantial business of a wholly legitimate nature which we believe is subject to major influence by these people, the Mafia. It is the Hazel Park Racetrack. This is a State-licensed monopoly operation operating outside of the city of Detroit in one of the suburbs. On August 26, 1963, the officers and directors were listed with these names, tied closely by family association to the Mafia: Anthony J. Zerilli, executive vice president. Anthony Zerilli is the son of Joseph Zerilli, whom we believe to be the most important figure in the ruling council of the dons.

Jack W. Tocco, son of "Black Bill" Tocco, one of the two probably most influential figures in the ruling council of the dons.

Anthony J. Tocco, another son of "Black Bill" Tocco.

And Dominic Corrado, who is now on our chart as a big man.

The racing commissioner in the State of Michigan began in the 1950's, a very intelligent and vigorous gentleman by the name of James Inglis, set out to try to get rid of some of these people, and it resulted in exposing the fact that substantial funds from several of the important Mafia people had been invested at the origin of this track and those funds were now still held through stock ownership with a great accretion in value in the names of children of these same people.

For example, there is a deposition in the Wayne County circuit court which establishes that Anthony J. Zerilli, at the age of 21, made an investment of \$50,000 in the Hazel Park Racetrack. He stated under oath that this was a loan from his father, Joseph Zerilli. A similar relationship existed between Augustino Orlando, son-in-law of the notorious Santo Perrone, who is listed on our chart as one of

476 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

the big men. And, of course, the relationship with "Black Bill" Tocco, although not spelled out in sworn testimony, might well be inferred from the age of his sons at the time they made their investments in stock in the Hazel Park Racetrack.

We think there is a major influence on the voting trust which controls the Hazel Park Racetrack from the top echelon of the Mafia, and that some of the proceeds of this million-dollar-a-year operation undoubtedly are available for Mafia purposes, in our opinion.

Now, Senator, we have a summarized history of the Hazel Park Racing Association which we would like to submit as an exhibit in this proceeding.

The CHAIRMAN. It may be received as exhibit No. 37.

(Document referred to marked "Exhibit No. 37" for reference and may be found in the files of the subcommittee.)

Mr. EDWARDS. Senator, we are coming to the close of our testimony, which will deal primarily with recommendations pertaining to legislation. Preparatory to that, we would like to talk about two episodes involving criminal affairs, in one of which some success in prosecution was obtained and in the other frustration resulted.

I think it would be helpful to have these two before the committee because I think they illustrate some of the problems that we have in dealing with this type of organization. At this point, I would like to call on District Inspector Piersante to tell about the Victor Oil bombing prosecution of Santo Perrone.

Mr. PIERSANTE. In August of 1961 our Criminal Intelligence Bureau developed information indicating that Santo Perrone was responsible for a series of five bombing extortion plots which had occurred in the Detroit area during the preceding year. These bombings were a reverse twist of the old black hand technique wherein an extortion victim would be approached for protection money first and then if he refused to pay he would be bombed.

The current operation had a bombing take place first, utilizing a small, high explosive device calculated to do only a little damage in the home or business of the intended victim. Subsequently, the victim would receive a phone call demanding protection money. Perrone is one of the big men on our Mafia chart.

The CHAIRMAN. What is his number on the chart?

Mr. PIERSANTE. He is on the second row of the big men at the extreme right. It is No. 106 on the chart.

Our investigation and surveillances revealed that Richard Lambert, who has been named as an associate, and his summary was presented earlier by Commissioner Edwards, an old and trusted friend of Perrone, was working for him at the AAA Auto Wash. Our surveillances also revealed that Perrone was a frequent visitor to the Village Super Market in St. Clair Shores, Mich., a suburb of Detroit, and that this market was owned and operated by Peter Wastello, who has a criminal record dating back to 1938, including arrests for robbery, armed burglary, OPA violations, and cigarette violations.

Our investigation also identified a Paul Tendiglia as a close associate of Perrone. Tendiglia has a police record dating back to 1932 showing 12 arrests, including charges of burglary, liquor law violations, gambling, extortion, tax stamp violations, and bombing. He has been convicted twice on burglary charges and once on a gambling charge.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 477

The investigating officers observed a meeting of all four of these men on September 13, 1961, at the Village Supermarket. After the meeting, the officers observed Perrone going to a gunshop where we established that he purchased a 1-pound can of gunpowder and then returned to his auto wash.

On September 30, 1961, the officers observed Perrone and Lambert spending a considerable amount of time casing the vicinity of Warren and St. Jean Streets in the city of Detroit.

Mr. EDWARDS. Lambert is the fellow who I previously identified as the pilot fish, Senator.

Mr. PIERSANTE. They looked thoroughly over the property of the Victor Oil Co. At 7:45 p.m., on October 17, 1961, the Victor Oil Co. was bombed with a high explosive device which had been placed near a rear overhead truck door.

The CHAIRMAN. What was the reason for the bombing?

Mr. PIERSANTE. This follows the modus operandi that I described earlier, and I will explain it.

The CHAIRMAN. They demanded protection money, did they?

Mr. PIERSANTE. Yes, after the bombing. Early the next morning, the owner of the Victor Oil Co., Eugene Epstein, received a threatening phone call. The caller did not identify himself nor did Epstein recognize his voice.

According to Epstein, the caller said, "The next bomb will blow your place out of business and you into your graveyard." That afternoon, October 18, 1961, a private citizen, John Harness, reported to the fifth precinct detective bureau that he had observed the perpetrators of the Victor Oil bombing. He declared that sometime during the evening of October 17 he had parked his car in the Chrysler employees parking lot directly behind the Victor Oil Co. and that he observed another vehicle drive into the parking lot and park behind it, but farther into the lot.

Two men exited from this vehicle and proceeded to the Victor Oil Co. property. A short time later, Harness observed the same two men walking away from the oil company and to the street alongside of the parking lot. Some minutes later, both men walked back to the parking lot, one ahead of the other, and entered the vehicle. The second man, who had fallen behind, was overheard and quoted by Harness as saying, "You don't have to move the car because the fuse is long enough to give us plenty of time to get away."

However, the first man moved the vehicle to the far end of the parking lot directly behind the Victor Oil Co. He exited from the vehicle carrying a brown paper bag. Harness observed both men walk to the rear of the oil company property and a short time later saw both men running from the property to their vehicle and leave the parking lot at a high rate of speed. Harness immediately started up his vehicle and drove rapidly out of the parking lot. When he stopped for a traffic signal about a half a block from the lot, he heard an explosion from the direction of the Victor Oil property.

Harness stated that he volunteered this information because of his sense of outrage at this violent action which he believed had placed his life in jeopardy. As a result of the correlation of the above information received from Harness with our criminal intelligence bureau observations and with the description of the perpetrators supplied by

478 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Harness, Santo Perrone, Richard Lambert, Peter Guastello, and Paul Tendiglia were arrested.

Three separate showups of men with the same approximate height were held for Harness and he positively identified Lambert and Tendiglia as the perpetrators of the bombing. The scientific laboratory of the Detroit Police Department conducted nitrate tests on the hands of the suspects and obtained a positive reaction on Perrone, Lambert, and Tendiglia—

The CHAIRMAN. Were they convicted?

Mr. PIERSANTE. No, sir. We obtained a warrant—and there was a negative reaction on Guastello. At this point, Harness first appeared to realize the significance of the identity of the defendants. In order to allay his fears of reprisal against him, our department took maximum security measures to insure the safety of him and his family, and an around-the-clock police guard was placed on his home. He was escorted to and from his place of employment. His wife was escorted on all trips away from home, and his children were watched to and from school and at play.

A warrant was obtained against all four men charging (1) placing explosives with intent to destroy; and (2) conspiracy to place explosives.

On October 26, 27, and 30, 1961, the preliminary examination required by Michigan statutes was held in recorders court, city of Detroit. Attorney Joseph Louisell represented the defendants. At this examination, Harness testified under oath, repeated the facts given to us, and identified Lambert and Tendiglia as the actual perpetrators of the bombing. At the conclusion of the examination, Perrone, Lambert, and Tendiglia were bound over for trial.

The case against Guastello was dismissed. After a few months, Harness told us that he felt his police guard and escort were no longer necessary and that it was seriously restricting his normal life. We disagreed, but arrived at a compromise. The 24-hour-a-day guard at his home would remain, but his escort away from home would cease.

After a number of delays, the trial was set for September 27, 1962. A month earlier, our criminal intelligence bureau learned that Harness had visited the offices of the defendants' attorney, Joseph Louisell. Harness confirmed this and said that indeed he had visited Louisell's office. He declared that he had gone there on his own volition and had there signed an affidavit that he had been at the scene of the bombing in the company of a girl friend and although he had observed the two men he had previously described, he could not possibly see them well enough to recognize or identify them.

Our department had not been aware of this additional witness up to this time. We interviewed her, but although she admitted being at the scene of the bombing, she could not or would not describe or identify anyone. Our further investigation disclosed that Harness had been ridiculed by friends and acquaintances, including his union steward, for getting involved as a witness against a man with Perrone's reputation for violence.

The trial started on September 27 in recorders court and continued through October 1, 1962. The prosecution's testimony developed the corpus delicti and the circumstantial evidence connecting Perrone with the bombing. At this point, the key witness, John Harness, was

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 479

put on the stand. He recanted completely the testimony he had given previously under oath at the pretrial examination and stated that Lambert and Tendiglia were not the subjects he had observed running from the scene of the Victor Oil bombing on the night of October 17, 1961.

As a direct result of this witness' refusal to identify the perpetrators at the trial, the defendants were acquitted and once more effective police efforts to bring to justice a major Mafiosa and his cohorts were nullified by Mafia intimidation of witnesses against them.

The CHAIRMAN. Is there anything further?

Mr. EDWARDS. Senator, I wanted to talk a bit about a gangland murder which we solved. These are not too frequent. I think I will seek to brief this in view of the time schedule. I know you desire us to conclude our testimony prior to the noon break. This, however, pertains to the murder, in my good friend O. W. Wilson's city of Chicago, of John H. Kilpatrick, the president of the United Industrial Workers of America.

It is apparent that Mr. Kilpatrick had earned the enmity of someone who I understand to be rather famous in Chicago circles as a labor racketeer, Angelo Inciso, I believe is the pronunciation, whom he ousted from leadership of Local 286 of the UIWA, and subsequently apparently Mr. Kilpatrick was active in initiating prosecution of Mr. Inciso, which ultimately resulted in his conviction under the Taft-Hartley Act for unfair labor practices and his subsequent sentence to the penitentiary.

At the trial, the report from the Chicago Crime Commission for 1961 indicates as follows:

About 10 a.m. on April 28, 1961, John A. Kilpatrick was standing outside of superior court room on the eighth floor of the County Building in Chicago and Inciso approached him and snarled, "I am going to kill you." When Kilpatrick was taken aback at the threat, Inciso said, "I am not going to do it personally but I'll have it done."

Three days later Kilpatrick and Grana, vice president of the International Union, reported the threat to the Chicago police. Actually, Kilpatrick was killed that same year on October 20 and Inciso, when questioned by the police, presented an alibi and was not prosecuted as a result of that murder.

It is our understanding that Mr. Inciso is an associate of Anthony Accardo, whom I do not know much about, myself, but gather has some fame in the Mafia organization in Chicago.

Our connection with this came as follows:

We picked up a man on armed robbery charge by the name of William G. Triplett. One of our police lieutenants in the detective division, Dudley Arnold, in questioning him and in questioning his associates and through information supplied to him in the neighborhood, learned that Triplett had been in Chicago on October 20 and then he picked up a rumor to the effect that Triplett had come into a considerable amount of money as a result of some sort of action which he had taken in Chicago.

With this, Lieutenant Arnold contacted the FBI and two agents from the FBI and Lieutenant Arnold questioned Triplett and Triplett confessed to the three men that he had been employed by his uncle, Dana H. Nash, told by Nash that the job which they were going on

480 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

was for one Ralph Pope, who was an associate of Angelo Inciso and known as his right-hand man, and that the job they were going to Chicago on was to give someone a good beating.

They went to Chicago on the 20th. Triplett with a gun kidnaped, in effect, Kilpatrick, brought him back to a car where Nash was. Nash took the gun and shot Kilpatrick in the head and killed him.

The two of them then sought with some considerable effort to cover up the traces of this by getting rid of bloody clothing, the gun, the bullets, and then went back to the city of Detroit.

They were both arrested, both tried, and both convicted of this murder.

It is my understanding that Triplett received a 25-year sentence for his part and that Dana Nash received a 99-year sentence for his part.

Mr. Nash did not confirm, as I understand it, any conversations between him and the right-hand man of Mr. Inciso, Mr. Pope. So, again, the insulation at some point worked.

The reason that I point this out, Senator, is because frequently we believe that major criminal activities of this variety are carried on across State lines. The difficulty of the Chicago police in finding the actual perpetrators of this crime has been almost absolute, just as perhaps our difficulties in finding the perpetrators of some of our own crimes, if they have been imported from across State lines or across international boundaries, are also almost absolute.

The CHAIRMAN. What about the recent statutes enacted by Congress in that field making it a crime to cross State lines to commit a crime?

Mr. EDWARDS. This I think will undoubtedly be of major assistance to us if we can end up particularly with a great national effort to deal with this problem, Senator.

The CHAIRMAN. The Congress cannot legislate the great national effort.

Mr. EDWARDS. I understand that.

The CHAIRMAN. That has to come from the will of the people, from them and the law enforcement officials who have the responsibility in making that effort.

In making the best effort law enforcement officials can make, the question arises do they need any more laws to help them or tools with which to work?

Mr. EDWARDS. May we now turn to that topic? I would like to suggest such measures as seems to us would be useful in this regard.

The first item on my list is statutes which will allow for improved and more effective coordination of local and Federal law enforcement activities. We initiated in our area, Senator, periodic meetings between our department and the Federal law enforcement officials in the Detroit area. These had been going on for many years with the Narcotics Bureau which I might say has been most helpful to us through the years not only while I have been commissioner but long prior to that and I might say that the same thing has been true in relation to the FBI and the Intelligence Division of the Department of Internal Revenue and Immigration.

But the fact of the matter is that each feels restricted to its own carefully and legalistically defined jurisdiction and that each is very concerned about how much interchange of information can possibly be justified.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 481

We have many occasions to want to know things which we know the Internal Revenue knows and we don't find them out. Maybe that is wise in the overall operation of the Government of the United States but it is kind of frustrating.

The CHAIRMAN. You have to have a discretion somewhere because while you would be in good faith in seeking the information, you and your force, maybe, others who are under the control and influence of the Mafia or some other criminal syndicate might seek similar information and not being in good faith the release of it by the Internal Revenue Department or the FBI or somebody would result in a service to the very ones that it is your duty to apprehend and convict.

Mr. EDWARDS. Senator, that is a tremendous problem.

The CHAIRMAN. In other words, it has to be a discretion somewhere.

Mr. EDWARDS. Let me toss on the table a suggestion which has been going over in my head since this past summer when I was a member of an American team which went to Great Britain to make a comparative study of the British and American criminal procedures.

There, one of the things which I presume I knew but which I never really absorbed the significance of, came more clearly to my attention than it had ever before.

You see, they have local law enforcement in some sense as we do but if there is an important crime committed in a local jurisdiction in England, it is the custom for the local unit of government, the local police department, to request assistance from the national detective agency which is operated directly by the Central Government in Scotland Yard. If this were an available and permissible technique in the United States of America, it might bankrupt the manpower situation of the Federal Bureau of Investigation but I have no doubt that their services would be called on without their being asked to work under local law enforcement at all, but asked to work in pursuance of the efforts of local law enforcement under their own authority.

The CHAIRMAN. I agree with you a thousand percent, there should be a whole lot better cooperation and working together between Federal law enforcement officials and local, State and municipal officials.

Mr. EDWARDS. Senator, this thing is not a city affair. This is a national conspiracy. If we chase them over the city line of the city of Detroit and they just wait a little while until there is a more favorable climate, or they hope there will be one, they will be there ready to move back. In the meantime they will have still been operating.

We need a great deal more cooperation and coordination of law enforcement efforts.

Now, I am not certain as to whether or not this second point has indeed been taken care of by the legislation which you described. Perhaps it has. But we list a statute which would give the U.S. Government jurisdiction over gangland murders, particularly those involving travel across State lines by any party to the murder conspiracy.

And, third, we advocate Federal legislation allowing law enforcement agencies to secure jurisdiction warrants for interception of telephone communications on the identical showing of probable cause which is required for a search warrant.

482 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator, I yield to nobody in my concern about the basic rights and freedoms of the American people. I want all of the privacy of the individual, all of the magnificent opportunity for diversity in this land preserved. I want our Bill of Rights preserved.

But I fail to really see the difference between a situation where, on showing of probable cause to believe that a felony is being committed, a judge may issue a search warrant for a man's private desk and one which allows the same thing in relation to a telephone.

I do know this from the experience of these years in the police department: that a great amount of crime is committed exclusively by telephone and that this is a major part of our total problem.

I would want proper safeguards in relation to any such legislation, particularly directed at seeing to it that a proper showing of probable cause was indeed made and that there was judicial control of the warrants and the execution of those warrants.

Fourth, we would like to see statutory provision for the grant of immunity to witnesses in important felony prosecutions. This both at the State level and the national level.

And then, finally, we would like to see legislation providing for the sentencing of racketeers as dangerous offenders in accordance with the recommendations of the model sentencing act of the Advisory Council of Judges of the National Council on Crime and Delinquency.

We talked a little but about this on the first day.

The CHAIRMAN. I think that is worthy of serious study if there is some way to do it. These repeating offenders are the ones who finally perpetrate the most serious crimes. Where it is demonstrated that one is a habitual criminal and that is his livelihood, the pursuit of criminal activities, I think that in these convictions, sentences, the judge should take those into account and be required to take them into account by law, and thus mete out sentences not designed to correct the criminals or bring him to a state of correction so much when you know you can't correct him, but insulate him from committing any further crime. Take him out of circulation in society. Thus, you would protect society.

Mr. EDWARDS. I couldn't agree with you more.

The CHAIRMAN. I think these criminals who are repeating these crimes habitually—like this fellow Valachi who has gone on for years and years and years, and many others that you have on these charts—when they convict them after they have a record of continuous lives of crime, it seems to me that they ought to be put away for a while instead of just for a minimum sentence and then out again and back in at the same old activity.

Mr. EDWARDS. We believe very strongly that racketeer-organized criminals ought to be treated in the court under proper legislation as dangerous offenders and not subject to the ameliorative and rehabilitative measures of the law in relation to a youthful offender or a person in unorganized crime.

The CHAIRMAN. That is different, such as a first offender or someone who is young, and so forth, who may be on the wrong track; maybe there is hope for them. But these old, confirmed scoundrels that have lived a life of crime and who are still committing them in their middle age and old age, I think they ought to be removed from circulation in decent society.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 483

Mr. EDWARDS. We would like, Senator, to see the outcome of this hearing be that the American public in its majesty rose up and smashed this infamous national conspiracy.

The CHAIRMAN. I am one who believes it is going to take some kind of inspiration or something from the American people to demand that it be done. Otherwise, we are going to be fighting a hard and difficult and often a losing battle in this area unless the Americans do become aroused and insist that their law enforcement officers be vigilant, diligent, and that the citizens themselves when they have the opportunity give that cooperation and assistance to their officers that is absolutely essential if they are to succeed in their labor.

Is there anything further?

Mr. EDWARDS. Senator, I have only one other thing to say. We have come here because we deeply believe in the purpose the committee is presenting. I came here with the approval of our mayor, our common council, and we came here to tell you what we know, which is a good deal, about this operation. I want to reiterate that I believe, and believe on the basis of not too little information, that our city is the cleanest and the least racket-ridden city in the United States of America. I trust that neither this committee nor the press will give an impression, because we both know and will talk about what exists, that this means that we have more of it than others. This is not our problem.

This is, in our view, our portion of a national problem and we have been delighted to illustrate it.

The CHAIRMAN. Thank you very kindly.

Senator McIntyre?

Senator MCINTYRE. Mr. Chairman, I would like to congratulate the commissioner and his staff for what I think has been an excellent portrayal. While many questions have occurred to me during the testimony here, I have delayed and put it off in view of our need to expedite the hearing, but I have been very much impressed by the detail, and I understand the wonderful cooperation they have given.

For one, from the small State of New Hampshire, who is not completely familiar, I have learned a great deal from your testimony, and I thank you.

The CHAIRMAN. I thought perhaps the Senator had a question.

I wanted to say to you that I think your presentation and that of your very able staff who are here with you has been most illuminating and most impressive. I only hope that from this, along with others who will appear here, there will be a reawakening throughout the whole country with respect to this problem, and that we, here in Congress, will give it diligent study with a view of enacting any legislation that we can enact within the framework of the Constitution that may be needed or that may further strengthen the hands of our law enforcement agencies.

You have been very helpful to us. We appreciate your presence. I hope with all of us working together some exceptional good will come from our efforts.

Mr. EDWARDS. Thank you for your courtesy.

The CHAIRMAN. Thank you very much.

The committee will stand in recess until 2 o'clock.

484 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

(Members of the subcommittee present at time of recess: Senators McClellan and McIntyre.)

(Whereupon, at 12:07 p.m. the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION

(The subcommittee reconvened at 2:15 p.m., Senator John L. McClellan (chairman of the subcommittee) presiding.)

The CHAIRMAN. The committee will come to order.

(Members of the subcommittee present at time of reconvening: Senators McClellan and Jackson.)

The CHAIRMAN. Come around, Mr. Kaplan.

Have you previously been sworn?

Mr. KAPLAN. No, sir.

The CHAIRMAN. You do solemnly swear that the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KAPLAN. I do.

TESTIMONY OF ARTHUR G. KAPLAN

The CHAIRMAN. Be seated. State your name, identify yourself and your relationship with this committee.

Mr. KAPLAN. My name is Arthur G. Kaplan. I reside in Washington, D.C. I am assistant counsel to this subcommittee.

The CHAIRMAN. Do you have some documents we wish to place in the record and will you identify the documents?

Mr. KAPLAN. Yes, sir. These are the current FBI records of all of the men named on the Mafia organization chart for Detroit.

The CHAIRMAN. Which chart?

Mr. KAPLAN. The Mafia organization chart.

The CHAIRMAN. Which has been made exhibit 18, is that correct?

Mr. KAPLAN. Yes, sir.

The CHAIRMAN. All right. They may be received in bulk and will be identified as exhibit No. 38 for reference.

(The documents referred to were marked "Exhibit No. 38" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. Is there anything further?

Mr. KAPLAN. No, sir.

The CHAIRMAN. Thank you very much.

Will you be sworn, please, sir?

Do you and each of you solemnly swear the evidence you shall give before this Senate subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WILSON. I do.

Mr. DUFFY. I do.

The CHAIRMAN. Be seated.

Mr. Wilson, will you identify yourself for the record, please, sir?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 485

TESTIMONY OF O. W. WILSON AND WILLIAM J. DUFFY

Mr. WILSON. I am O. W. Wilson, superintendent of police, Chicago, Ill.

The CHAIRMAN. What is your present official position?

Mr. WILSON. Superintendent of police department in Chicago.

The CHAIRMAN. How long have you held that position?

Mr. WILSON. About 3½ years.

The CHAIRMAN. What was your previous position? Have you been in police work for many years?

Mr. WILSON. On and off, yes. I was dean of the School of Criminology, University of California, Berkeley, prior to my appointment in Chicago.

Prior to then I was chief of police of Wichita, Kans., for 11 years.

The CHAIRMAN. Will the gentleman with you identify himself for the record?

Mr. DUFFY. My name is William J. Duffy. I am the director of intelligence of the Chicago Police Department.

The CHAIRMAN. How long have you held your position, Mr. Duffy?

Mr. DUFFY. Approximately 3 years.

The CHAIRMAN. How long?

Mr. DUFFY. Three years.

The CHAIRMAN. What was your previous experience?

Mr. DUFFY. I have been a police officer for 17 years with the Chicago Police Department.

The CHAIRMAN. In Chicago?

Mr. DUFFY. Yes, sir.

The CHAIRMAN. Very well.

Mr. Wilson, I believe you have a prepared statement, have you?

Mr. WILSON. I do.

The CHAIRMAN. Would you like to read your statement?

Mr. WILSON. Yes, I would.

The CHAIRMAN. Very well, you may proceed.

Mr. WILSON. It is indeed a great honor and privilege to appear before this committee and to offer the assistance and support of the Chicago Police Department in the vitally important investigation this committee is conducting.

As superintendent of police for the city of Chicago, I am not directly involved in the detailed and painstaking collection and analysis of intelligence concerning the activities and personalities involved in organized crime.

Captain Duffy, who is seated at my right, the director of the intelligence division of the Chicago department, is available to give evidence before the committee. He is far better informed on this score than I.

I am responsible for directing the efforts of over 13,000 individuals in the task of safeguarding the lives and property of Chicago citizens.

During the course of an average day, the members of the Chicago Police Department respond to as many as 7,000 calls for police assistance.

While our principal objective is to prevent crime and apprehend criminals, our resources are dissipated among a large variety of functions, from enforcing traffic laws to handling dogbite complaints. We are called upon to deal with the petty offender, the destitute, and

486 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

the mentally ill. We inherit the problems of the indigent, the unemployed, and our wayward youth. The needs which compete for our attention are many and it is within this complex that we face the problem of organized crime.

We are intimately familiar with the genesis of organized crime and constantly alert to the rearing of its ugly head.

We characterize a crime syndicate as the combination of a number of persons who resort to criminal means in order to establish a monopoly in a financially profitable activity, whether such activity be legitimate or illegitimate. Killings, beatings, bombings, fires, and other terrorist acts are threatened and used to drive out competitors and to warn others who may desire to enter the lucrative field. Corruption of public officials is sought by these criminals in order to assure against the interruption of their profitable operations.

Organized crime stems from the various forms of vice operations, gambling, prostitution, and the illegal sale of narcotics and liquor which produce so large a source of illegal and continuing profits.

The illegal harvests are further enhanced by the common practice of extorting money from persons engaged in unlawful operations as well as those engaged in lawful business activities. Vice activities are now and always have been the seedbed of organized crime and they stand as an open invitation to the gangster to organize the criminal activity in order to assure continuing and greater profits.

While organized crime has its genesis in vice operations, individuals engaged in the upper levels of organized crime have graduated from the direct operations where they become skilled in terroristic tactics and grew rich and powerful.

Today they are far removed from the cesspools of vice activities. Many of these hoodlums play the role of respected citizens, their air of respectability being strengthened by residing in expensive homes in the most fashionable neighborhoods, placing their children in the best of schools, and donating generous gifts to the worthiest causes.

Their operations are equally sophisticated through the investment of their ill-gotten gains in legitimate business enterprises where they apply their terroristic tactics in the operations.

The approach to the problem of organized crime by the Chicago Police Department is threefold:

(1) We undertake to minimize the opportunity for unlawful profiteering by suppressing activities in the four fields of vice that I have mentioned.

(2) We undertake to gather the information on the activities of known hoodlums; and

(3) We try to develop evidence upon which higher-ups in organized crime might be prosecuted.

We have succeeded in substantially reducing vice activities. This has had the side effect of drying up the local seedbeds of organized crime and tightening competition among those engaged in it.

We have gathered considerable information on the activities of known hoodlums. This has been shared and coordinated with information gathered by Federal, State, and local law enforcement agencies.

The gathering of such information has the further benefit of impressing upon these mobsters the fact that their activities are under close surveillance and subject to public exposure.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 487

Their operations would otherwise have been bolder and more expansive and their position more powerful.

Our efforts, in other words, have had a neutralizing effect upon them.

We have not succeeded in our third objective, that of prosecuting those who reap the profits of organized criminal activity. This is so despite the fact that we have devoted a significant percentage of our total resources to ferreting out such evidence and have applied the talents of our most skilled personnel to this end.

A great deal of information has been accumulated, but with the uncomfortable realization that very little of it is sufficiently concrete to stand up as evidence in a court of law or before this committee.

Much of what we know confirms common impressions: that certain key racketeers have amassed great wealth, that they make income tax returns in which tremendous incomes are reported from undisclosed sources; that they continually associate with others of their kind who have no known legitimate sources of income or wealth; that when called before Senate and House investigating committees, they invariably plead the fifth amendment; that they are continually the subjects of comment in the public press and on the radio and television where they are labeled as gambling czars and vice lords, and that they never deny such accusations or bring suits for libel or slander against news media for making such accusations.

We know who they are and where they live. We are well informed about their comings and goings and we make all of this information available to Federal law enforcement agencies.

We strongly believe that they control vast gambling and other vice operations, that they divide up and secure monopolies of various territories and drive out all competition, and that they are responsible for gangland killings to further these ends.

We have not been able, however, to prove any of these beliefs.

The most nefarious action of those engaged in organized crime is their resort to murder in order to maintain discipline within their organization.

Since 1919, there have been 976 gangland-type slayings in the Chicago land area, an average of 23 per year. These killings were executions, executions of competitors, executions of those who would "muscle in" on profitable illicit enterprises, executions of those who "welched" on money due, executions of those who informed to law enforcement agencies or competitors, executions of those who stood in the way of ambitious labor racketeers.

These executions were usually committed by hired killers often imported from other cities for this specific purpose, as in the case of the Kilpatrick slaying described by Commissioner Edwards this morning.

Of the 976 gangland-type slayings in the Chicago area, only two have been cleared by the arrest and conviction of the killers: Jake Hinkle, and the killing described by Commissioner Edwards this morning.

The CHAIRMAN. Do you mean out of the 976 killings that you have testified to here as executions, only how many have been solved?

Mr. WILSON. Only two, Mr. Senator.

The CHAIRMAN. Only two of that number have been solved. The rest remain unsolved?

488 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. WILSON. That is correct.

The CHAIRMAN. You may think you know, but you don't have the proof to secure a conviction?

Mr. WILSON. That is correct.

Senator JACKSON. Isn't that something of a record in your long experience as a law enforcement officer and as an internationally known criminologist? Can you cite any other area of crime where it has been so difficult to apprehend the murderers?

Mr. WILSON. I am not informed on the situation in other large cities in detail. For example, I do not know the number of killings in New York City over a comparable period of time.

Senator JACKSON. But of the average run of homicides, you would have a higher percentage of apprehension and conviction, I would hope, than 2 out of 976.

Mr. WILSON. I will give you some odds on this. Gangland executioners seem to enjoy odds of 500 to 1 against being caught and convicted. In contrast, on the question you raised, 62 percent of the run-of-the-mill murders committed in cities countrywide resulted in apprehensions and convictions.

The CHAIRMAN. Were either of these two convicted? You said two were solved.

Mr. WILSON. Yes, convicted.

The CHAIRMAN. Those two were convicted?

Mr. WILSON. That is right.

The CHAIRMAN. Were many others tried and acquitted?

Mr. DUFFY. I can't give an exact statistic, but there were others tried and dismissed.

The CHAIRMAN. Some of the others were tried, but you didn't have sufficient evidence or, in other words, failed to get a conviction.

Mr. DUFFY. That is true.

Mr. WILSON. While the proportion, Senator, since I have been in Chicago in the last 3½ years is not quite as great as 23 per year, I think it is running about 13 per year, we have not, except for the 1 killing described by Commissioner Edwards this morning, we have not had a single conviction, nor have we brought to trial any of the killers.

The CHAIRMAN. This 976 does not include all homicides, but only those that you would put in the category of gangland executions?

Mr. WILSON. That is correct.

The CHAIRMAN. In the other field, those that you do not put in this category, you said you had a higher rate of conviction?

Mr. WILSON. Yes. I do not have these figures, but I think it would compare favorably with the 62 percent nationwide.

The CHAIRMAN. Just as it is in other cities?

Mr. WILSON. Right.

The CHAIRMAN. So it is this organized element where they are able to operate, in effect, a government of their own, applicable to their members and those whom they come in contact with in operating their illicit businesses, and sometimes legitimate businesses, they are under that domination, that power, the power of life and death than can be dispensed at the order of some gangland boss or some ruling authority of the underworld.

Mr. WILSON. You may be interested to know in Cook County during the same period of time we had 103 legal executions of criminals. In

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 489

other words, the gangsters seem to be 10 times more prolific in imposing executions on their members than organized society as a whole.

The CHAIRMAN. We would think, too, that generally organized crime represents a very small minority of the population of the community.

Mr. WILSON. Yes, this is true.

The CHAIRMAN. And that population, they had 976 executions—in other words, the death penalty was imposed and carried out whereas, for the greater population, in that element operating under laws of justice and jurisprudence, with presumed innocence until convicted by a jury of their peers, there were only 103 that were executed?

Mr. WILSON. That is correct.

The CHAIRMAN. So the judgment and execution of the government of the underworld is both more certain and swift.

Mr. WILSON. Correct, and more frequent.

The CHAIRMAN. And more frequent. Very well.

Mr. WILSON. The record that I have just recited hardly reflects well upon those local law enforcement agencies that are sincerely endeavoring to cope with the problem, but the record also serves to reflect several other factors that should be a source of equal embarrassment to the public. The continuous and unrelenting record of gangland killings has been with us for a long time. The number I mentioned was since 1919. The problems of which we speak are not new problems. The public attitude toward gangland killings has been one of complete apathy, writing them off as the deserved deaths of known hoodlums, and whereas the slaying of a child, or the murder of a prominent citizen, may bring about legislative reform and administrative reorganization, gang killings have come to be shruggingly accepted as one of the ingredients of life in a large city.

The CHAIRMAN. In other words, you feel that the public is not sufficiently interested, they are complacent about it, and say, "Well, one hoodlum killed another," and just pass it off, shrug it off that way?

Mr. WILSON. Not only completely complacent but unwilling to support efforts of the police to obtain, through legislation, the tools necessary to deal with these problems.

The CHAIRMAN. You do feel that additional legislation is needed?

Mr. WILSON. Yes, I do.

These slayings are but a reflection of the much larger problem—a reflection of a failure on the part of the public to provide the machinery within the total system for the administration of criminal justice to deal effectively with organized crime.

The members of the committee may ask: What accounts for the failure of municipal police agencies to cope more effectively with these problems? The answer, based upon our experience in Chicago, falls into six categories:

The first category is lack of jurisdiction, mentioned this morning by Commissioner Edwards. The authority of the Chicago Police Department is restricted to the boundaries of the city of Chicago. Most of our hoodlums reside outside the city and most of their meetings and their activities take place outside our jurisdiction. But the spread of their activities is much greater than even the Chicago metropolitan area.

The CHAIRMAN. May I ask a question there? Were these 976 executions all inside the city limits of Chicago?

490 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. WILSON. No; they were in the Chicago area.

The CHAIRMAN. In the general area. You did not have jurisdiction over all of them?

Mr. WILSON. Well, in the case of these slayings, it is frequently impossible to say where the killing took place. There have been times in the history of Chicago when the killings were committed in Chicago and the cadavers dumped outside the city in order to avoid embarrassment to the administration. In other times, they killed them outside and leave them on lower Wacker Drive in the trunk of a vehicle, I sometimes suspect to embarrass the administration. So you can't ever tell where the actual killing took place.

The CHAIRMAN. Would you mind, as a matter of interest, answering this question: Are you able to have good cooperation between the county or State officials and the municipal law enforcement officials?

Mr. WILSON. We are very fortunate in that respect, Senator, in Chicago during my term of office. We have excellent cooperation with the sheriff, with the State Police, and with all of the Federal law enforcement agencies.

The CHAIRMAN. That is very gratifying. I don't think that has always been true in the Chicago area, has it?

Mr. WILSON. It has been since I am there. I am not prepared to comment on what occurred before.

The CHAIRMAN. I am not sure. I don't want to cast any reflection, but I think I could cite a specific case, but I won't do that, based on information I have where one day they were just crossways, and whatever one did the other one apparently undertook to obstruct.

Mr. WILSON. The cooperation is excellent today.

The CHAIRMAN. That is most gratifying. Proceed.

Mr. WILSON. As is apparent from these hearings, the tentacles of organized criminal activity, like those of an octopus, reach out to encompass areas and people throughout our country without regard to the legal jurisdictions of local police agencies. Funds are exchanged, information transmitted, equipment shipped, killers transported, and meetings held. We feel, at times, much like a watchdog on a leash that can bark a great deal about what he sees, but is powerless to act.

The second category is the lack of resources. It is absurd and naive to assume that anything less than an all-out effort on the part of all echelons of government will produce results in the fight against organized crime. But the variety of demands upon local police agencies serve to curtail the percentage of resources that the chief administrator can devote to the problem.

Understandable demands by taxpayers for economy in local governmental operations require that each man be utilized in a capacity which will produce demonstrable results. The need for the investment of funds and resources in the investigation of organized criminal activity is not readily apparent to the local taxpayer and it is difficult for the police administrator to demonstrate the return on those dollars which he might invest. Much more is required in manpower and financial resources if we are to begin to do an effective job of ferreting out information.

The third category relates to the lack of talent. There is a gross misconception that the battle against organized crime can be successfully conducted by the average police officer who otherwise is called

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 491

upon to catch robbers, direct traffic, and respond to the variety of requests received from citizens for police assistance. Pitted against him are the highly skilled legal staff and other professionals who advise the higher ups in the organized criminal operations.

Those police officers who appear to possess an ability for the type of work required must be specially trained and given expert direction. We must, however, recognize that the average police department does not have on its staff nor is it given the resources to hire the caliber of skilled criminal attorney, accountant, and tax expert that is required to equal the skill and skulduggery engaged in by its opponents.

The fourth category relates to the inadequate means for discovery. To get at the higher-ups in organized crime, it is necessary to peel off several layers of protective covering surrounding the hard core of leadership.

The CHAIRMAN. That is what we have been referring to as their being insulated against apprehension.

Mr. WILSON. This can be done only by (a) persuading accomplices to testify against their coconspirators; (b) planting undercover operatives within the upper echelons of the crime syndicate; or (c) intensive surveillance over an extended period of time using wiretapping, electronic listening devices, and other sophisticated audio and visual techniques to obtain evidence of continual association and repeated acts in concert from which a conspiracy to commit crime may be inferred beyond a reasonable doubt.

The first two possibilities, that of persuading an accomplice to talk and planting undercover operatives within the crime syndicates, are rather remote for reasons only too obvious.

The third method is not possible under present Illinois law because the use of electronic eavesdropping equipment is forbidden.

The CHAIRMAN. Not only can you not tap telephones, you cannot even use electronic device to pick up the sound?

Mr. WILSON. That is correct.

The CHAIRMAN. If you do that, the evidence that you secure that way in Illinois is not competent proof?

Mr. WILSON. If this be done by a concealed microphone, yes.

The CHAIRMAN. It is not admissible?

Mr. WILSON. That is true. However, a person may be wired for sound and under the Illinois law he may record conversations he holds with a second person.

The CHAIRMAN. He may do that?

Mr. WILSON. He may.

The CHAIRMAN. That testimony is admissible without the person he holds the conversation with being knowledgeable of the apparatus that he is using?

Mr. WILSON. That is correct.

The CHAIRMAN. I do not know all these technical terms but I think I can say it so that you know what I mean.

Suppose you are in a hotel and you want to "bug" the room next door, try to listen in, can you put any instrument up to the wall that might bring the sound through?

Mr. WILSON. No, Senator, this would be illegal in Illinois.

The CHAIRMAN. It would be illegal in Illinois?

492 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. WILSON. Yes.

The CHAIRMAN. I don't think that is general throughout the country. In other words, you have a greater handicap than they have in other areas. You lack some of the weapons that they can use?

Mr. WILSON. In my judgment, the electronics eavesdropping law in Illinois is the most stringent such law to be found anywhere in this country.

The CHAIRMAN. Does it at any time serve any other purpose—I am not criticizing Illinois, they know what kind of laws they want and do not want, but the point I am making is that in the overall, it serves the interest and the protection of the criminal more so than it does the individual citizen.

Mr. WILSON. That is true.

The CHAIRMAN. The law-abiding citizen.

Mr. WILSON. I am informed by items that I have read in the press that there are substantial numbers of detective agencies in Chicago that employ electronic eavesdropping devices in gathering evidence for divorce and things of this sort.

The CHAIRMAN. For what?

Mr. WILSON. Gathering evidence for divorce and the activities of this sort.

The CHAIRMAN. Can they be used in civil proceedings as testimony?

Mr. WILSON. They get the evidence which can be used. No, the evidence gained directly cannot be used.

The CHAIRMAN. But from that they pursue, on the basis of the information they receive, they pursue that information in other ways and thus obtain or secure evidence that is available to them in court?

Mr. WILSON. That is correct.

Mr. ADLERMAN. Do you know whether or not there is any large-scale commercial espionage going on by wiretapping in the city of Chicago?

Mr. WILSON. Espionage?

Mr. ADLERMAN. I mean one company trying to find out the secrets of another company.

Mr. WILSON. I have heard rumors of this. I have no knowledge of it.

Mr. ADLERMAN. There is nothing in the law to prohibit that at the present time?

Mr. WILSON. Yes, the electronics eavesdropping law would make it illegal but this is extremely difficult to prove. That is, if the Chicago Police Department wished to ignore the law of the land, I am confident that we could use electronic eavesdropping devices and no one would be able to prove that we were doing this. But since we are a law enforcement agency, we have adopted the policy of not following this procedure. So long as the law of Illinois says it is illegal, we will abide by the law.

Mr. ADLERMAN. I am talking about, let us say, a company in the field of chemical research trying to ascertain the secrets of another company. Do you know whether much of that is going on in Chicago?

Mr. WILSON. I have no certain knowledge of it, Mr. Adlerman. I understand that this does go on.

The CHAIRMAN. Very well. You may proceed with your statement.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 493

Mr. WILSON. An effort was made by the Chicago Police Department in the last session of the Illinois Legislature to provide for wire-tapping under a court order based upon probable cause. The proposal was defeated by a strange alliance between those known to oppose anti-crime legislation and those committed to the support of civil liberties. The latter opposition developed despite what we believed to be entirely adequate safeguards to protect the right of privacy of the law-abiding citizen.

The fifth category involves inadequate substantive laws at the State level.

The police are often criticized for their failure to bring hoodlums to justice. Given additional manpower, skilled assistance, and the means for discovery, it remains unlikely that a greater degree of success would be achieved in prosecutions. Those individuals occupying top positions in organized criminal activity are not overtly in violation of existing laws. They are, however, reaping the profits from criminal activity engaged in by others—at their direction—whether it be gambling, prostitution, narcotics sale, arson, or murder.

On the local level, we occasionally manage to bring a hoodlum before a court for a traffic or other minor offense. If sufficient evidence were obtained to support a charge of conspiracy to commit an offense, the penalty provided under Illinois law is equal only to that for the substantive offense which in the case of vice activities, with the exception of narcotics, is a misdemeanor.

On a Federal level, prosecutions are more common but are based on an equally oblique attack through charges of tax evasion, transmission of information on, or receipts from, illegal activity, or failure to purchase gambling stamps.

The hard-to-realize fact is that we have not legislated it to be a crime to engage in that activity which we have come to refer to as “organized crime” and it follows that there are no meaningful punitive sanctions to be imposed.

And, Mr. Chairman, I was pleased to note in your introductory comments before this committee some weeks ago that one of the objectives you had in mind was legislation which might meet this purpose.

It was in recognition of this need that the Chicago Police Department had legislation introduced in the last session of the Illinois Legislature.

The present law against gambling in Illinois makes no distinction as to penalties between large-scale commercialized gambling and small-scale social gambling. Gambling, in either case, is a misdemeanor punishable only by a small fine for the first offense.

Under the circumstances, a long-drawn-out investigation, such as was described in Detroit this morning, to implicate higher-ups in a large-scale gambling enterprise would simply not be worth the effort. They would be convicted of a misdemeanor.

The CHAIRMAN. You mean even if they reached the top men who were engaged in a conspiracy to pursue gambling, a profitable enterprise and you could prove it on up to the top, the only penalty they would suffer would be a fine?

Mr. WILSON. That is correct.

The CHAIRMAN. Therefore, it is not worth the cost, the effort you would have to go to detect him and to prosecute?

494 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. WILSON. That is right. Gambling in Illinois is a misdemeanor. (At this point Senator Brewster entered the hearing room.)

The CHAIRMAN. That would be true even though they were running a gambling casino in violation of the law?

Mr. WILSON. That is correct.

The CHAIRMAN. Where they were probably making thousands of dollars a day out of it, taking in millions of dollars a year, it still would be a small fine?

Mr. WILSON. That is right.

The CHAIRMAN. What is the maximum fine?

Mr. WILSON. It is a fine or a jail sentence in the county jail, less than a year—up to a year. This is the maximum penalty. The average fines are \$200, in that neighborhood.

The bill which was proposed established the crime of syndicated gambling and made it a felony punishable by imprisonment in the penitentiary. The bill reached the calendar of the House of Representatives with unanimous committee approval. There it was permitted to languish and die in the closing days of the session without ever being called up for a vote. It was not ever discussed on the floor.

The sixth category is the failure to impose available sanctions.

In the design of our system for the administration of criminal justice, it was never contemplated that arrest, by itself, would constitute a punitive action without the imposition of sanctions by a court of law. But in a large number of our communities and especially in our large cities, we today engage in a daily treadmill operation in which petty offenders charged with gambling, prostitution, and narcotics violations are dismissed without punishment.

Such is the case despite the fact that evidence is legally obtained, admissible, and sufficient to establish guilt.

In most instances, failure to convict results from invoking trumped-up legal technicalities.

Light treatment by our courts reflects community attitudes toward such crimes—an attitude of tolerance which fails to recognize the relationship between a single violation and the need for suppressing all forms of vice.

The individual violation in any field of vice, when considered by itself, is not of great importance; when it is tolerated, it becomes increasingly difficult to deal with all other violations, and the opportunity for fertilizing and incubating organized crime is thereby created.

Those efforts which have been made by the police to enact legislation which would improve our ability to attack organized crime have drawn opposition from those concerned with the protection of our civil liberties. This opposition and other recent developments in the law of criminal procedure have had the unfortunate effect of creating the impression that the police are opposed to the guarantees of civil rights.

The fact remains that, under our form of government, the police have as their major responsibility the protection of the civil rights of all citizens. Recent police activities in Chicago, New York, and other cities in the protection of those engaged in peaceful picketing in behalf of the racial equality has served as a dramatic reminder of the delicate responsibilities of the police in this area. Protection is similarly afforded those whose appeal is for a more unpopular cause.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 495

The police are not opposed to protecting and guaranteeing the civil rights of the criminal offender. They are disturbed by the fact that rules of evidence designed to protect the weak, the oppressed, and the indigent are, at the level of the trial court, being perverted and exploited to the benefit of the gangsters, the hoodlums, and the murderers.

It is our observation that these rules of evidence have not been particularly helpful to the weak and the oppressed. His greatest need is a lawyer. They have, however, been enormously helpful to the higher-ups in organized crime by enabling them to escape detection and prosecution.

(Members of the subcommittee present at this point: Senators McClellan, Jackson, and Brewster.)

Mr. WILSON. Most of the procedures to which I have reference are technicalities that arise out of supreme and appellate court decisions with respect to arrest, search and seizure, wiretapping, the use of electronic devices to record conversations and the admissibility of confessions. Many of these technicalities can and should be corrected by legislation.

In the absence of legislation, our courts have been filling the vacuum. This is an undesirable state of affairs because the courts must decide these questions on the basis of the facts in the individual cases before them without an opportunity to consider the broader implications of the effect of their decisions as precedents on the system of administration of criminal justice as a whole. It is axiomatic that hard cases make bad law.

(At this point Senator Jackson withdrew from the hearing room.)

Mr. WILSON. The picture which I have painted is one filled with frustrations. It is a picture of a handicapped and somewhat feeble effort on the part of a well-intentioned municipal police agency to cope with a problem of gigantic and overwhelming proportions. It is frankly a picture of failure and impotence. I expect that there are others in the field of municipal law enforcement who would be prepared to share my blunt but honest appraisal of our efforts.

(At this point Senator Javits entered the hearing room.)

Mr. WILSON. Municipal police agencies cannot escape their responsibility for the suppression of organized crime. Prior studies have pointed to the fact that efforts initiated at the Federal level would be to no avail without the honest and efficient enforcement of good State laws at the local level. But it is readily apparent that local efforts are equally curtailed and perhaps equally dependent upon investigations having a broader basis.

In making this observation, I recognize the commonly expressed fears of greater participation of the Federal Government in the exercise of the police function. Having devoted a lifetime to the strengthening of local law enforcement agencies, I have strong feelings of my own in opposition to a greater centralization of policing authority. I acknowledge, however, that there are some areas in which Federal participation is essential. I have not only accepted, but welcomed the role of the Federal agencies in the investigation and suppression of bank robberies, narcotics traffic, auto theft across State lines, and kidnaping. Serious as these crimes are, no one of them is as ominous nor constitutes as widespread a danger as does organized criminal

496 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

activity. Federal participation in these areas has not undermined local law enforcement agencies; it has served to strengthen and support them.

As a municipal police administrator, I have often maintained that organized crime threatens the very existence of our society; that it is a far greater threat internally than is communism. I feel it is essential that we recognize, based on what I have said up to this point, that local police agencies are no better equipped to stage a successful fight against a nationwide network of organized crime than they are equipped to cope with the nationwide web of Communist infiltration.

There is need for recognizing and acknowledging organized crime to be a matter of Federal concern which will be of a continuing nature and which will require something more than improvised laws, token staffs, and occasional publicity. A frontal attack must be launched with laws, manpower, and resources adequate to the task. I offer the following recommendations:

1. Responsibility at the Federal level for the overall investigation and suppression of organized crime must be pinpointed by legislation and preferably placed in a single agency.

2. Manpower in sufficient numbers and of sufficiently high quality must be made available to fulfill this responsibility and to exploit the potential for achieving prosecutions under existing Federal law.

3. Full use must be made of existing Federal legislation as a basis for ferreting out organized criminal activity. Mindful of the limited powers of the Federal Government, there is need for further study of the possibility of enacting additional legislation based upon Federal powers in the fields of taxation and interstate commerce as a means of providing a more adequate basis for the prosecution of hoodlums.

4. A special effort should be made through Federal and State legislation to spell out the authority of the police in the area of arrest, search and seizure, and the admissibility of confessions so that vacuums in the law are not resolved in favor of criminals on the basis of individual cases without adequate concern for the overall workings of the entire system of criminal justice.

5. Legislation enabling Federal and State law enforcement agencies to engage in wiretapping under court order should be enacted with specific provisions for its use in the investigation of those crimes which are committed at the direction of higher-ups in organized crime. In enacting such legislation, however, we must be scrupulously careful to avoid introducing technicalities, such as the exclusionary rule, which would negate the objectives we are seeking to accomplish.

I do not wish to convey the impression that local police agencies should abdicate their responsibility in the field of organized crime. We, in the Chicago Police Department, will try again at the next session of the Illinois Legislature to obtain a more substantial basis for prosecution and additional means for discovery of evidence.

We will, in the meantime, continue to dry up the seedbeds of organized crime; continue to keep close tabs on the activities of the hoodlum element; and intensify our efforts to educate an apathetic public. The public must be made aware of the threat to society posed by organized crime and the tremendous cost in life and property, increased taxes and insurance rates, which is at stake. If this committee accomplishes nothing else, it will have been well worth the effort

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 497

to have brought the problem out in the open for public view and discussion.

Let us hope that we can develop a ground swell of public opinion demanding that this parasitical menace called Cosa Nostra, or by any other name, be eradicated just as in an earlier day we took decisive action to rid ourselves of the burden of tribute to the Barbary pirates.

That, Mr. Senator, is the end of my statement.

The CHAIRMAN. Thank you very much, Mr. Wilson. It is an excellent statement. I followed you with a great deal of interest. Much of your problem is, in your particular area, you are handicapped by lack of adequate State and municipal laws to do your job as effectively as you would like to. I don't know how much it could help under that handicap. It would help some, however, if we had the Federal arm in these areas where you have specifically referred to them and recommended.

Mr. WILSON. Anything that would strengthen the enforcement powers of the Federal Government in this area would be a great help to the municipal police agencies, and legislative action by the Congress in the area of wiretapping, for example, would probably simplify to some degree our efforts in obtaining similar legislation in our own legislature.

Senator JAVITS. Mr. Chairman, may I ask the witness one question?

The CHAIRMAN. Senator Javits.

Senator JAVITS. I will not go into the merits. I just have one question, sir. We have had testimony in other cities as to allegedly legitimate fronts employed by these organized gangs for carrying on their activities. For example, in New York we had some testimony about some kinds of favoritism to dress shops, dress manufacturing establishments. Is there any parallel in Chicago? Do they like any particular kind of allegedly legitimate businesses?

Mr. WILSON. This is an area in which the director who is with me today is better informed. Would you care to speak to this question?

Mr. DUFFY. Yes, sir. I am not prepared to particularize. I didn't bring records with me to be particular but they are in many legitimate businesses in our area.

Senator JAVITS. Is there any one particularly, or one or two, they favor?

Mr. DUFFY. I would say they favor those—mostly the amusement business—those businesses allied to amusement and they also are well established in the liquor industry.

Senator JAVITS. How are they established in the liquor industry?

Mr. DUFFY. Starting at the retail level to the level of the distilleries.

Senator JAVITS. Will you submit for the record, since you did not bring it with you, a memorandum on this question of legitimate business?

(Information may be found in appendix beginning on p. 621.)

Mr. DUFFY. I certainly will.

Senator JAVITS. Would you compare and expand on it here?

Mr. DUFFY. I would not care to expand on it without benefit of the records.

498 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator JAVITS. The two things that strike you at once are amusement and liquor that are favorite areas of alleged legitimate business?

Mr. DUFFY. Most recently in the past few years they are becoming very active in the finance industry, particularly in small loan companies, in banks.

Senator JAVITS. They ally themselves in any of these fields: liquor, amusement, banks with important companies?

Mr. DUFFY. Yes, sir; they do. There is usually an interchange of these people in these various industries. Men identified in one industry are identified in two others as well through legitimate frontmen.

Senator JAVITS. You will give us a memorandum on it for the record?

Mr. DUFFY. Yes, sir.

Senator JAVITS. Mr. Chairman, I ask unanimous consent that that be included.

The CHAIRMAN. It may be received and printed in the record. If it is not too lengthy it will be printed in full. If it is, it will be made an exhibit.

You said "amusements." Does that include pinball machines?

Mr. DUFFY. Yes, sir.

The CHAIRMAN. How about vending machines; would they be included?

Mr. DUFFY. Some vending machines would be.

Senator JAVITS. May I ask just one other question of the superintendent? Superintendent, I notice that your charts speak of Chicago Italian organizations. Now there is a marked sensitivity on the part of the Italian community in this matter. I have just had a telegram—I put one in the record the other day—I have one now from a very responsible source, from the surrogate of New York County, one of our most distinguished judges. S. Samuel DeFalco, whom I happen to know very well. He sends me a wire, as president of the Italian-American Anti-Defamation League. He says:

I feel that the hearings currently being held and televised before the subcommittee of which you are a member is giving to the public a false impression and image to millions of law-abiding citizens of Italian origin thereby causing great damage to them. We feel certain consequences are not intended to be wrought by the committee. It is our earnest desire to be as helpful as possible to the committee in attaining its objectives. We believe it can be accomplished without further prejudice to the great body of American citizens of Italian extraction. We therefore welcome an opportunity of presenting our views to the committee through former Supreme Court Justice Ferdinand Pecora as adviser to our league.

I know Pecora as a very distinguished American. I will ask the chairman to consider this petition as to whether the subcommittee could or could not honor it but I think perhaps the best evidence on this question is from people like yourself, at the police level. Does this in any way characterize the Italo-American community of Chicago?

Mr. WILSON. Senator, I would like to say this. You referred to these charts as "our charts."

Senator JAVITS. These, I mean.

Mr. WILSON. These charts were not prepared by the Chicago Police Department. The persons who did prepare the charts appar-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 499

ently were influenced by the predominance of Italian names. But we have in our police department and in our city many, many fine Italians. I count among some of my best friends Italians and I would be as unhappy as would you and the judge to have any statement made by me construed as damaging the Italians as a group.

Senator JAVITS. In other words, as a high police official, you see no greater incidence of crime in that group than you see in other groups whether of Irish extraction, German extraction, or Jewish extraction, whatever they may be?

Mr. WILSON. No, I did not say that, Senator. I can only refer you to the names of the men involved not only in the Chicago charts, the Detroit charts, and active in New York. These names are predominantly Italian. But this does not mean that every Italian is a member of this kind of organization. They are cliqued together. Why, I don't know. But we do find associated large numbers of persons with Italian ancestry.

Senator JAVITS. But you see nothing whatever from your experience, including the charts, and so forth, which should in any way reflect upon any American of Italian extraction or make him feel there is any intention of casting any reflection upon the people as a group?

Mr. WILSON. I would hope not.

Senator JAVITS. I thank you. I would not even raise it—I might tell you that I feel it is even unwise to raise the question—except that apparently it is a matter of concern to very distinguished Americans of Italian extraction. So the best we can do is to make it very clear that there is no such remote intention.

The CHAIRMAN. I heard Valachi mention something about the Irish gang he belonged to that made my blood boil. I decided there were good Irishmen as well as bad Irishmen.

Senator JACKSON. Are you talking about the Irish north of Ireland or south of Ireland?

The CHAIRMAN. Well, there may be both.

Mr. WILSON. Senator McClellan, if there are further questions I will be glad to answer them. If there are no further questions I would ask to be excused. I have a plane leaving in 35 minutes which I shall be able to make.

The CHAIRMAN. Is there any question by any other member of the committee?

We do want to thank you. I might ask you some more questions if you could stay but Captain Duffy is going to remain.

Mr. WILSON. Yes.

The CHAIRMAN. We surely want to thank you. We would like to talk a little more but you wish to catch a plane; you have been very helpful. I appreciate it, the committee appreciates it. I think the country appreciates what you folks are willing to do to come in here and give us this information and tell us what you need to help you protect law-abiding people of this Nation. We appreciate it very much. Thank you.

Mr. WILSON. Thank you, Senator.

(At this point Senator Javits withdrew from the hearing room and Senator Curtis entered.)

500 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. O'DONNELL. Mr. Chairman, Deputy Superintendent Joseph Morris of the Chicago Police Department has presented to us a statement which he intended to read. Unfortunately he could not be present today. The statement we have received from Mr. Morris is an affidavit with regard to this statement so that it can be introduced as a sworn document. The statement is an excellent history of organized crime from the period of 1919 down to the present day. This traces the Al Capone day, the Frank Nitti operations, and so forth. For our purposes, however, although it is excellent from a historical standpoint it does not appear to me that we need to go into all of the material at the present time but if we start on page 9 we begin with probably the more current insofar as organized crime in Chicago.

The CHAIRMAN. Now this is an affidavit that the committee has received. It is duly sworn to. The affiant intended to appear here in person.

Mr. O'DONNELL. That is right.

The CHAIRMAN. Therefore, without objection I am going to direct that the affidavit be printed in the record in full at this point.

Mr. O'DONNELL. I would like to suggest that Captain Duffy start reading from the top of page 9 on because I think the other is more historical insofar as we are concerned.

The CHAIRMAN. Let the affidavit then be printed in the record at this point down to page 9 or at the point where Captain Duffy begins reading and it will just continue then in its continuity.

Very well, Captain Duffy, you may proceed.

(The document referred to follows:)

AFFIDAVIT

STATE OF TEXAS,
County of Harris, ss:

Joseph F. Morris, being first duly sworn, deposes and says:

That he is deputy superintendent of the Chicago, Ill., Police Department and commands the bureau of inspectional services;

That he prepared the attached statement of testimony before the Permanent Subcommittee on Investigations, U.S. Senate, and is familiar with the content thereof; and

That the said statement of testimony is true and correct in all respects.

(S) JOSEPH F. MORRIS.

Subscribed and sworn to before me, this 9th day of October 1963.

(S) BARBARA M. CLEVELAND,

Notary Public in and for Harris County, Tex.

My commission expires June 1, 1965.

TESTIMONY OF JOSEPH F. MORRIS, DEPUTY SUPERINTENDENT OF POLICE, CITY OF CHICAGO

I consider it an honor to appear before this committee and to assist in the important task that you are performing. As deputy superintendent of the Chicago Police Department I am in charge of the bureau of inspectional services which is comparatively new in the Chicago Police Department, having been inaugurated in the 1960 reorganization. It is an arm of the department designed to keep the superintendent and his command group informed on conditions of police concern and on the suitability of police action in dealing with them.

This bureau is concerned primarily in two main areas of police activity—police conduct and organized crime. To keep a watchful eye on the conduct of the police department, to promote its efficiency and integrity, there are

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 501

two divisions in this bureau: The inspection division and the internal investigation division. The inspection division conducts overt inspection of units, operations, installations, equipment, and records; recommends remedial action to correct deficiencies; and receives, investigates, and reports upon grievances of individuals. The inspection division has proven to be a valuable administrative tool.

The other division concerned with police conduct is the internal investigation division. The function of this division is to promote the initiation of disciplinary action at the lowest level of supervision and command, recognizing that discipline is a function of command. This division initiates field surveys and investigations to insure a high level of conduct by members of the department.

It also maintains a complaint register and records of the investigations of alleged misconduct, and the action taken; and conducts or assists in such investigations as indicated by the nature of the case. It also reviews reports of such investigations, resolves differences, in recommendations and, if indicated, makes independent recommendations. This unit also prepares cases for the department disciplinary board and the police board.

The internal investigation division insures that complaints against police officers are investigated thoroughly and impartially and we feel that it not only promotes the integrity of the police department but it also insures individual members against any attempt to smear or frame them.

While vice offenses (gambling, prostitution, narcotics, and liquor law violations) are the responsibility of the patrolman on the beat and the individual district commanders, this bureau has two divisions which concern themselves mainly with vice and the organized criminals who profit by vice activities, the vice control division and intelligence division. The vice control division conducts investigations for the detection and elimination of vice; maintains a continuing estimate of the vice situation and the department's vice control efforts; performs all police functions relating to the approval of city licenses; and acts on behalf of the superintendent in approving their issuance. It prepares department cases for presentation to the local liquor commission.

The main function of this division is to see whether the efforts of the department are directed properly in eliminating vice and to report to the superintendent on its findings.

The other unit concerned with organized crime is the intelligence division. This division reports to the superintendent on matters of intelligence; conducts field operations to produce intelligence on crime syndicate and subversive activities; maintains records pertinent to the intelligence function in order to further the operations of the division and other units of the department; disseminates intelligence within the department and other agencies, both on a volunteer and on a request basis; conducts special investigations at the direction of the superintendent and the deputy superintendent for inspectional services.

In this very difficult field of police activity, in which I feel that we are denied the proper tools with which to work, we are slowly making progress against organized crime. In fact, the Chicago Police Department is better equipped now than ever before to combat the powerful crime syndicate. Not only are we better organized, we have a much better atmosphere in which to work.

When I speak of Chicago, where I was born and reared, and where I have been a police officer for the past 31 years, I like to boast that our city is one of the Nation's leading centers of business and culture.

The virtues of Chicago are evident for all to see; however, there is another side to this picture which I do not enjoy recounting but which must be faced. The Al Capone gang was spawned in Chicago and its successors are still with us.

Al Capone was brought to Chicago in 1919 by John Torrio who inherited the mantle as vice lord of the city from Big Jim Colosimo. Colosimo was murdered when he kept an appointment made for him by Torrio. Capone was a member of the Five Points gang in New York and a prime suspect in a number of murders there before coming to Chicago. He lined up gambling and prostitution for Torrio who became the undisputed vice czar of Chicago and some southern and western suburbs. By 1924, Torrio was one of the most powerful hoodlums in the Nation. He owned and operated three breweries and had an interest in others. Gambling and illegal beer operations brought him tremendous wealth.

502 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Torrio's downfall began in May 1924 when he and others were arrested in a raid on a brewery by Chicago police. The defendants were prosecuted by the Federal Government. John Torrio's immunity was over; he was sentenced to 9 months in jail. Early in January, before he began serving his sentence, an attempt was made on his life. He was wounded but recovered. His conviction, coupled with the attempted assassination was enough for Torrio. After serving his time he returned to the protection of Frank Costello and Lucky Luciano in New York. His abdication left Al Capone as head of the Chicago crime syndicate.

The value of the illicit empire inherited by Capone was established by records confiscated by police in a raid on the gang's headquarters in April 1925. Arrested at this time were Tony Arasso, John Patton, Joe Fusco and Frank Nitti. The records seized indicated that Capone and his henchmen were receiving millions of dollars from their illegal activities in beer, gambling, and prostitution. Also uncovered were customers' names and the names of Federal and local officials who were being paid off.

When Dever was elected mayor of Chicago in 1923 Capone moved his headquarters to Cicero and business continued to improve. He made strong political alliances in Chicago and the suburbs and with his imported killers ruled with an iron and bloody hand. During the first third of 1926 there were 29 gang killings in Chicago. The victims were, for the most part, rival gangsters or henchmen guilty of the doublecross. But the killing of William McSwiggin, an assistant State's attorney, and two companions, showed their utter contempt for established government.

With the reelection of "Big Bill" Thompson as mayor of Chicago in 1927, Capone, who had more or less confined his activities to the county outside of Chicago during Dever's administration, became more powerful than ever. Thompson had run on a "wide open town" pledge and when he became mayor all restraints were lifted. Capone's prestige was such that he was included among those in the greeting party to welcome Commander Francesco De Pinedo, "round the world flyers," representing Italy's Premier Mussolini. Officials explained that they believed Capone's presence would prevent possible anti-Fascist demonstrations, implying that Capone could maintain order where the responsible authorities could not. Legitimate enterprises were forced to pay gangsters for the privilege of staying in business. In less than 6 months in 1928, 62 bombings occurred in Chicago. Gambling was running wide open. The press alleged that policy racketeers were taking millions of dollars from poor people. When newspapermen asked the police official of the district where policy flourished to explain the presence of such wide-scale gambling he said in effect "Thompson was elected on a wide open platform. I am not going to interfere with policy unless I get orders from downtown. I am not going to be sent to the sticks." A few months later this police official became commissioner of police.

Other incidents occurred during the prohibition era which further reflects the attitude of the Capone syndicate toward government and law enforcement:

A newspaper reporter was murdered by gangsters.

A hoodlum leaving police headquarters in protective custody of a police lieutenant was attacked by gunmen. A bullet meant for the hoodlum killed the motorman of a passing streetcar.

The homes of Senator Deneen and John Swanton, a candidate for State's attorney, were bombed.

Armed thugs invaded polling places, kidnaped election officials and stole ballot boxes.

Seven men were lined up against the wall of a garage and men in police uniforms mowed them down with machineguns. This became known as the Saint Valentine Day's massacre.

In the fall of 1931 Al Capone was tried in Federal court for evasion of income taxes. He was convicted and sentenced to Alcatraz. Capone went to jail and never again returned to Chicago in an active capacity but his organization remained intact. Frank "The Enforcer" Nitti became the leader of the Capone forces.

The repeal of the 18th amendment left the syndicate with a much depleted income and it focused its attention on gambling; in 1933 there were 35 murders over the control of gambling in Chicago. But in spite of the attention that these murders attracted in the press, gambling continued to flourish. Kidnaping became another source of revenue for the mobsters.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 503

It was at this time that the Capone mob became affiliated with Frank Costello. Joe Adonis, one of Costello's lieutenants had an interest in a big Chicago brewery. Following prohibition, Capone gangsters continued to operate the brewery through a front. Chicago's syndicate, in union with New York underworld leaders, continued to branch out. They met in Chicago to develop plans to take over labor unions. At these meetings were Paul Ricca, Frank Nitti, and Louis Campagna.

Among the first to come under their influence was the International Alliance of Theatrical Stage Employees, and Motion Picture Operators. The head of the local motion picture operators, Tom Maloy, who opposed the hoodlums, was murdered. A few days later a Capone henchman took over Maloy's union. The mob extorted thousands of dollars from Chicago theater owners in 1935. Operators from coast to coast were victimized in this manner.

In 1935, despite all the other avenues of revenue, gambling remained the principal source of the outfit's wealth. The syndicate still had strong political alliances, the protection afforded mob bosses Nitti, Ricca, Jack Guzik, Campagna, Charles Fischetti, Dago Lawrence Mangano, and others, was total.

They operated with no interference. The syndicate dominated the policy racket which was primarily a Negro operation. Negro policy figures either went to work for the outfit, were frightened out, or murdered.

During this period there were indications of official collusion. The police morals squad which was supposed to control gambling was accused of protecting gamblers. Civil service charges were filed against the commander of the squad and three of his subordinates for neglect of duty.

They were cleared by the civil service board but there was such a public outcry that Mayor Kelly appointed a committee of outstanding citizens to review the case. This committee was very critical of the civil service hearings and stated that the four officers should have been discharged. While all this was going on, two of the officers were promoted.

Chicago, of course, felt the impact of the events happening in Europe in 1939. The depression was definitely over, there were more jobs than workers, money was plentiful. The racketeers were prospering as never before even though we were on the verge of war. Gambling arrests were made but strictly for the record in most cases. If the police did make a good case the courts threw it out on some trumped-up technicality. The mob killings continued.

One of the killings, that of Edward J. O'Hare, president of Sportsman's Park racetrack, was very embarrassing to a judge who was criticized severely by the press for throwing out gambling cases as fast as the police brought them in.

The investigation into O'Hare's murder revealed that the judge owned stock in one of O'Hare's dog tracks and that he was a partner in a business venture with O'Hare and a bookmaker.

The syndicate gambling bosses did not have to worry about local law enforcement. However, some of them—Guzik, Skidmore, and Johnson, to name a few—neglected to share their loot with the Government and went to jail for their carelessness.

Testimony in Skidmore's trial disclosed that when he wanted to put the heat on a gambler he arranged to meet him in the office of the chief of the Cook County Highway Police who was a Chicago police captain on leave of absence. The trials of Johnson and Skidmore involved other public officials.

Frank Nitti committed suicide in 1943 after he was indicted with other prominent Capone gangsters, including Frank Maritote (alias Frank Diamond), Paul deLucia (alias Paul the Waiter Ricca), Louis "Little New York" Campagna, Phil D'Andrea, Ralph Pierce, and Charles "Cherry Nose" Gioe, for extorting millions from the moving picture industry.

Ricca took over the leadership of the Chicago syndicate until he went to prison. Tony Accardo, alias Joe Batters, then assumed leadership. A grand jury investigation, which was started in September 1943, conducted a searching investigation into Cook County gambling.

Many syndicate figures were indicted along with police and public officials. As a result, most gambling in Chicago and Cook County closed down. Even though most of those indicted were discharged on legal technicalities, the grand jury investigation had far-reaching effects. Some law enforcement officials were removed, protection was withdrawn, and many gamblers moved elsewhere.

In 1944 a series of gang killings occurred, apparently over control of gambling, which had resumed. It was not long before the Capone syndicate estab-

504 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

lished itself again as the dominant factor in this field. The Capone gang went further.

They obtained control of the racing information service which is essential in the operation of illegal handbooks. When James M. Ragen, who controlled Continental Press, which had a monopoly over this business, refused to sell out to the syndicate they started a rival service and threatened gamblers who continued to use Ragen's service.

Two who did not heed their warnings were slain. Ragen, even though protected by bodyguards, was shot while riding in his car by killers riding in a truck. He died of his wounds 2 months later. Needless to say, the syndicate's wire service expanded throughout the Nation.

Under Mayor Kennelly, wide open gambling all but disappeared—gambling continued but on a "sneak basis." But the syndicate was not dead. In August 1947, Ricca, Gioe, Campagna, and D'Andrea were released on parole after serving but a bare minimum of their 10-year sentences.

A congressional committee inquiring into this unusual release heard testimony which revealed the tremendous power of the Capone syndicate nationally.

In the late summer of 1950, investigators for the Kefauver committee arrived in Chicago to lay the groundwork for hearings scheduled for a later date. As soon as the investigation began most of the syndicate members left town.

Testimony produced at the hearings disclosed that a vicious and powerful criminal syndicate had operated practically unmolested for more than a quarter of a century in the Chicago area. The arrogance of the Capone gang was evident when William Drury, a former police captain, was shotgunned to death while putting his car in his garage on the night before he was scheduled to give information to a committee investigator.

The committee did not concentrate its investigation on the Chicago Police Department, although two of Chicago's police captains were involved. One of them who was considered a shoo-in candidate for sheriff in the election just a few weeks away, astounded the committee members with his explanation of how he acquired his vast wealth.

Apparently his explanation of how he became the world's richest policeman did not convince the voters of Cook County because he lost the election decisively to an unknown opponent a few days after his testimony was published.

The other captain admitted being the recipient of a \$32,500 cash gift from a notorious gambler. To build a home, he also borrowed \$10,000 from William Skidmore, who was the man who arranged protection for syndicate gamblers.

Tony Accardo, who became the syndicate boss in 1943, came up through the ranks of the outfit. He was one of a group suspected in the St. Valentine Day murders. He was an intimate of such terrorists as Al Capone, "Machine Gun" Jack McGurn, Claude Maddox, Tough Tony Capezio, "Dago" Lawrence Mangano, "Cherry Nose" Gioe, Frank Liparoto (alias LaPorte), Mooney Giancana, Marshall Caifano, and others. He had the dubious distinction of being named on Chicago's public enemy list published by the Chicago Crime Commission. Virgil W. Peterson, the operating director of the Chicago Crime Commission, and the country's outstanding authority on organized crime and the Capone syndicate, describes these gangsters very aptly as "barbarians."

Accardo operated gambling joints that repaid him handsomely. He engineered the mob's efforts to take over the racing information service. He muscled his way into the policy racket in Chicago and into a lucrative gambling setup in Florida. His influence is also felt in the labor field. Until recently, he lived in a luxurious mansion in River Forest, a Chicago suburb.

His most serious brush with the law was his conviction for income tax evasion which was reversed by the U.S. circuit court of appeals in a 2-to-1 decision because of newspaper publicity during the trial. Accardo boasts that he has never spent a night in jail. He came close to it one night but was saved when a municipal court judge got out of bed and appeared at the police station and released him on his own personal recognizance.

Tony is supposed to have stepped aside and Gilormo Giangono, alias Momo Salvatore Giangono, alias Sam Mooney Giancana, replaced him. Giancana has the same general background as most of the syndicate hoods. He was a member of the infamous 42 gang which in the early 1950's were known as the young bloods. Moe can't boast of never having spent any nights behind bars, since he served a sentence in Joliet penitentiary for burglary.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 505

The young bloods, consisting of such characters as Sam Battaglia, Marshall Caifano, Phil Alderisio, Sam DeSteffano, Charles Nicoletti, Albert Frabotta, the English brothers, Jackie Cerone, and others were the "soldiers" used by Accardo to take over the South Side policy racket.

The disclosures by Valachi concerning what he refers to as Cosa Nostra come as no real surprise to those who have had any contact with the syndicate. There are indications that the Capone mob was in close contact with mobsters from all over the country. It is also apparent that there is some sort of glue such as the Mafia, the Commission, the Cosa Nostra, or whatever it is called, that held them together.

I have barely touched on the highlights of Chicago's crime syndicate history. While through the years there have been numerous civic improvements in Chicago, the destruction of the Capone mob is not one of them. With this background, it is no wonder that we find it difficult to deal with the crime syndicate. However, until recently, there has never been an all-out effort made to eradicate organized crime. It is true that sporadic attacks were made in the past, but the problem has never been attacked in Chicago and Cook County as it is now.

The Cook County sheriff's police have been reorganized and revitalized; the State's attorney of Cook County has declared all-out war on the syndicate; cooperation between all local law-enforcement agencies and those of the Federal Government is excellent. As I mentioned earlier, the Chicago Police Department is in better shape now than ever before to subdue organized crime. Along with a general reorganization of the department, we are now developing an efficient intelligence unit. More important is the support received from the present city administration.

I agree with the proposals made to this committee by Superintendent Wilson. Restrictions that cripple the police must be removed. We have the huge task of restoring public confidence in local law enforcement. It is only in the last few years that the department has begun to overcome the effects of a long-standing public attitude that encouraged syndicated crime. We must educate the public.

The basis of organized crime's success is the lack of public knowledge concerning it. The tolerant and indifferent attitude which shrugs off gangland murders, wide-open gambling, and other forms of vice and the corruption of public officials is the same attitude which deprives us of key legislation, keeps corrupt officials in office, and withholds from law enforcement the testimony and support it needs to combat organized crime.

No one can remain aloof from this task. The syndicate has become such a powerful force in our society that its tentacles are reaching into all facets of our life and economy. Each level of government must play the part for which it is best suited in eradicating this evil, cancerous growth. and, in my opinion, the Federal Government must assume the leadership in this all-out war on syndicated crime. We have done this to combat the internal threat of communism; we must make the same kind of a coordinated attack on organized crime.

Mr. DUFFY. This concludes the statement.

(At this point Senator McClellan entered hearing room.)

The CHAIRMAN. You have been reading from the affidavit of Mr. Morris. I didn't hear all of it, I am sorry, as I had to be out of the hearing room for a few moments, but I am very much interested in what he says above. You might have some comment about it. He says:

The basis of organized crime's success is the lack of public knowledge concerning it.

I think we might add to that in some instances also the lack of interest. There is a complacency in some areas where even they know about crime, is there not?

Mr. DUFFY. I would say so; yes, sir.

The CHAIRMAN. But particularly he seems to feel the lack of public knowledge concerning it. Something came out here today that is actually shocking. There are 976 murders that have been committed,

506 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

executions which Superintendent Wilson referred to, and only 2 have been convicted for those crimes, only 2 out of the 976, I believe. That is shocking. I didn't realize that.

I am pretty well informed in this area, but I didn't realize it could be happening on that scale, of that consequence. It is shocking.

He points out that there will come a consciousness on the part of the public that this thing is their problem, that it is not just the law-enforcement officials up there in Chicago, or in New York, or in some other metropolitan area. This thing is endangering society, endangering the peace and security of all of our people.

There is another thing that attracted my attention. He said:

The tolerant and indifferent attitude which shrugs off gangland murders, wide-open gambling, and other forms of vice, and the corruption of public officials, is the same attitude which deprives us of key legislation and keeps corrupt officials in office—

and so forth.

It has been said, and you might want to make some comment on this, frequently that organized crime or syndicated crime simply cannot survive, cannot thrive in a community except it is able to reach and corrupt law enforcement officials. I don't agree with that altogether. I think there are instances, maybe, where they are corrupted, and I don't doubt that, but at the same time, this testimony here has revealed how difficult it is to reach the men at the top, to reach those who are the brains of it, who plan it and who profit from it the most, who direct it.

It is a difficult job, even though officials are honest and doing everything they can. For that reason, I think we are learning here from these facts that are coming out that we ought to go all out. The Congress has a duty to pass all laws that can possibly be of assistance to law enforcement officials, all that can come within the framework of the Constitution, and at the same time protect the liberties and the individual rights of our citizens.

Are there any comments? Are there any questions?

If not, do you have a statement of your own that you wish to make?

Mr. DUFFY. Yes, sir, I do.

The CHAIRMAN. All right, Captain, you may proceed.

Mr. DUFFY. I would like to take this opportunity to express my sincere appreciation for the work this committee is doing in exposing the crime syndicate. I feel privileged to be called upon to assist the committee in this most important endeavor.

The mission of the intelligence division of the Chicago Police Department is to contribute to the operations of the department through the detection, prevention, and neutralization of subversive and crime syndicate activities.

When I use the term "crime syndicate" I am referring to a particular criminal organization known variously in the Chicago area as "the outfit," "the mob," the "Mafia," and, most recently, "Cosa Nostra." For the purpose of distinguishing this particular group of criminals from other criminal groups such as robbers, burglars, and so forth, the U.S. Attorney General's Division on

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 507

Organized Crime described it as having the following eight characteristics:

1. A substantial number of members.
2. The group is aggressively engaged in attempts to subvert the process of government by well-organized endeavors to capture or otherwise make ineffectual the three branches of our local and Federal Government by various forms of bribery and corruption.
3. The primary purpose of this group is to dominate those categories of crime which we refer to as organized crime. By "organized crime" I mean the following: Gambling, illegal distribution of narcotics, commercialized prostitution, labor and management racketeering, loan sharking, and the infiltration of the crime syndicate into legitimate enterprises.
4. The group anticipates a continuous, indefinite life span of operations.
5. Members habitually engage in similar criminal activity as a primary source of income.
6. Top leadership and management people primarily engage in crimes of conspiracy, and are usually divorced from operations by two or more levels. Oftentimes, the people involved at these various levels do not know the identity of each other.
7. The group is dedicated to commit murder and other acts of violence upon any member who informs on the group, or who, in any way, poses a threat to the group, and to commit similar violence on any outsider who seriously threatens the security of the group.
8. The last characteristic, and most significant to this committee, is that the group does not recognize any geographical boundaries of operations and is often associated in crime with similar groups in other cities, States, and, in some instances, in other countries.

These characteristics certainly apply to a group of criminals and their associates who have operated in and around Chicago for a great many years.

We estimate that there is a nucleus group of some 300 men in the Chicago area who devote their full-time efforts to the organization, direction, and control of a far greater number of people involved in gambling, narcotics distribution, pandering, loan sharking, labor racketeering, and acts of terrorism.

These men have been around Chicago for a long time. Some of them date back to the Capone era. They not only survived the gang wars of the late twenties and early thirties, but most of them have not been convicted of any crime for the past two decades or so. Some of them may have been rivals or enemies during the open gang war era, but this is not so today. They associate with each other socially; members of their family often intermarry, and, unlike less influential members of the syndicate, their lives are not expendable. They are identified interchangeably in the categories of organized crime. Most of them are men of considerable means, yet they are without a plausible explanation as to their source of wealth.

This group, unlike a burglary or robbery gang, which is satisfied to scatter after completion of a certain number of successful burglaries or robberies, anticipates a continuous, indefinite life span of operations. We have seen evidence of a system of training and promotion, wherein those who appear to be the bosses of today are grooming the

508 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

overlords of tomorrow. They have made themselves a permanent part of our community by investing in homes of some of our most fashionable suburbs, by raising families and cultivating respectable people as friends and otherwise assuming the posture of permanent residents. They, themselves, are rarely involved in the actual commission of crimes for which they are responsible.

Of the 300 or so full-time members, there are 26 who appear to be the most influential and whom we believe to be responsible for the cohesiveness of the entire group. As I name these 26 men, I will briefly summarize pertinent information regarding them. The 26 are as follows:

The CHAIRMAN. Do we have a chart showing them?

Mr. DUFFY. They are identified on the chart, sir; yes, sir.

The CHAIRMAN. That chart has not been placed into the record yet.

Mr. O'DONNELL. Are you familiar with both of these charts that are up here, Mr. Duffy?

Mr. DUFFY. Yes, sir.

Mr. O'DONNELL. You can identify these charts as the ones that have been prepared?

Mr. DUFFY. Yes, sir.

Mr. O'DONNELL. The committee staff actually, physically, prepared them, but they sent them out to Chicago and I think you went over them; is that correct?

Mr. DUFFY. Yes, sir.

The CHAIRMAN. You have two charts, one of them being "Overall Chicago Area, Bosses and Lieutenants," is that correct?

Mr. DUFFY. Yes, sir.

The CHAIRMAN. Did you help prepare that chart?

Mr. DUFFY. Yes, sir. We identified the people named on this chart as being most influential.

The CHAIRMAN. You have gone over that chart for accuracy?

Mr. DUFFY. Yes, sir.

The CHAIRMAN. And you can verify its accuracy to the best of your knowledge?

Mr. DUFFY. Yes, sir.

The CHAIRMAN. Very well. The chart may be received. It may be printed in the record and it may be made exhibit No. 39.

(Document referred to marked "Exhibit No. 39" for reference, and faces this page:)

(157)

The CHAIRMAN. We have another chart, a smaller chart that you presented of the "Nonmember Associates of the Chicago Organization, Overall Chicago Area," is that correct?

Mr. DUFFY. That is what it says on the chart; yes, sir.

The CHAIRMAN. I am trying to identify the chart, to distinguish between the two charts.

Mr. DUFFY. We in the Chicago area, in identifying the crime syndicate and being particularly interested in Valachi's testimony, have thought quite a while now that the syndicate, what we refer to as the crime syndicate, is comprised of two groups. One group we refer to as the Mafia-type group.

The CHAIRMAN. Which group is that?

Mr. DUFFY. This would be the group titled here as "The Chicago Italian Organization."

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 509

The CHAIRMAN. You have two of them. The large chart has just been marked "Exhibit No. 39." Now you have a smaller chart and I want you to identify that so that I can make it an exhibit and we can refer to it, the smaller chart.

Mr. DUFFY. The smaller chart would represent the people we identified to the committee as being those people who we believe did not belong to the Mafia-type group, but nevertheless did belong to the crime syndicate.

The CHAIRMAN. You can verify that chart for accuracy to the best of your knowledge?

Mr. DUFFY. Yes, sir.

The CHAIRMAN. That chart may be made exhibit No. 40, and printed in the record. Now, we can keep the two charts in mind and refer to them by exhibit number and thus properly identify them.

(Document referred to, marked "Exhibit No. 40," for reference, faces this page:)

(158)

Mr. O'DONNELL. May I interrupt for a moment? As I understand it, you are going to discuss the 26 at the top of both charts. You are not going into details insofar as discussing the activities of the other individuals, although you have that information with you, which you will submit as an exhibit?

Mr. DUFFY. Yes, sir.

Mr. O'DONNELL. Go ahead.

Mr. DUFFY. In referring to these names, I will briefly summarize the information I have.

The CHAIRMAN. Very well, you may proceed.

Mr. DUFFY. Salvatore Giancana, currently resides at 1147 South Wenonah Avenue, in Oak Park, Ill. He has aliases of "Sam Gincani," "Albert Masusco," "Sam Mooney," "Sam Flood," "Salvatore Giancana." He is an ex-convict. He was arrested and rearrested on three murder investigations before he was 20 years old. He has served time for larceny of auto, burglary, and illegal moonshining. Subject has been arrested over 60 times for various charges.

Sam Battaglia of 1114 North Ridgeland Avenue, Oak Park, Ill. He is also an ex-convict. He was first arrested at the age of 15 years. He has served time for attempted burglary and assault to commit murder. He has been arrested on numerous occasions for robbery, assault, and investigation of murder.

Anthony Accardo, address of record here is 915 Franklin Street—he since has vacated this premise—in River Forest, Ill. His aliases: "Joe Batters," "Tony," "Big Tuna."

Subject was first arrested for a motor vehicle violation 5 weeks before his 16th birthday. Arrested numerous times for investigation but has never been sentenced to prison.

Paul Ricca of 1515 Bonnie Brae, River Forest, Ill. True name: Paul DeLuca. "The Waiter," "The Porter," with aliases of "Paul Viela," "Paul Villa," "Paul Salue," "Paul Maglio," and "Paul Barstow."

Criminal record: He is an ex-convict. Arrest record on subject dates back to 1927. Served time for conspiracy and income tax evasion. Was arrested twice in his native Italy for investigation of murder.

(158) Fra le pagine 508-509 del documento originale è inserita una carta che — contrassegnata con la lettera R — è pubblicata, insieme alle altre carte, nella Parte Terza del presente tomo. (N.d.r.)

510 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Dominick Nuccio, 2731 North Neva Avenue, Chicago. Alias: "Libby," "Little Libby," "Joe Delane," "Mike Carol," and "Nino."

He is an ex-convict, has a lengthy police record. He has been charged numerous times with robbery, larceny, burglary, murder, and violation of the internal revenue laws.

He has served time in the Cook County house of correction for vagrancy.

Dominick DiBella with aliases of "Bello," "Bells," "DeBello," and "Frank Thomas."

He has been arrested over 30 times for investigation on charges of murder, larceny, carrying concealed weapons.

Dominick Brancata, alias "Gags." He is an ex-convict; subject arrested over 25 times for investigation of charges from vagrancy to investigation of murder.

Felix Alderisio with aliases of "Milwaukee Phil" and "Phil Gato." He has a long history of arrests for investigation of murders, auto theft, and violations of the internal revenue laws. Most recently he has been arrested by the FBI on an extortion case.

Rocco Fischetti, 9356 Forest View Road, Skokie, Ill., with aliases of "John Senna," "Charles Miller," and "Ralph Fisher."

In 1943, he was indicted on a charge of conspiracy but not convicted.

He was arrested on three other occasions for investigation of gambling activities.

Ross Prio of 1721 Sunset Ridge Road, Glenview, Ill., with aliases of "Rosario Priolo," "Rosario Fabricini."

His arrest record dates back to 1929. He has been arrested for investigation of an explosion, violation of the U.S. prohibition act, and interrogated on numerous occasions regarding gangland murders.

Murray Humphreys, residing at Marina City, East Tower, Chicago, with aliases of "The Camel," "John Humphrey," "Joseph Burns," arrest record of subject dates back to 1961.

He has been convicted and served sentence for tax evasion and carrying concealed weapons.

"Robert W. Symons." Subject's arrest record reflects he has been arrested in a number of murder investigations.

Ralph Pierce of 7743 South Merrill Avenue, Chicago, Ill. Alias, Robert W. Symons. Subject's arrest record reflects he has been charged with rape, larceny of auto, kidnaping, and assault.

He has been interrogated in several gangland murders.

Gus Alex of 1150 North Lake Shore Drive, Chicago; aliases "Slim," "Mr Ryan," "Paul Benson," and "Sam Taylor."

He has been arrested 13 times for murder investigations.

Frank Ferraro, of 320 West Oakdale Avenue, or 2601 South Wallace Street, Chicago, Ill. Aliases: "Strongy," "Anthony Pinelli," and "Sortino."

Arrest record of the subject and photograph of the subject were ordered destroyed February 19, 1945.

He was arrested in the murder investigation but never convicted.

John Michael Caifano of 939 Belleforte Avenue, Chicago. Aliases "John Marshall," "Shoes," and "Heels." Criminal record: He is an ex-convict. His arrest record dates back to 1929 with a conviction for larceny. He has been questioned several times relative to gangland-type murders.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 511

He is currently on bond pending trial in Nevada for an attempted extortion.

Frank Cerone of 4301 Judd Street, Schiller Park, Ill., alias "Skippy," and "Frank Rolling."

He is an ex-convict convicted and sentenced to the U.S. penitentiary in 1945 for aiding and abetting draft evasion.

Jack Cerone of 1712 North Normandy Avenue, Elmwood Park, Ill. Aliases: "Jackie the Lackey" and "Johnny Cironi." Arrest record dates back to 1933.

He has been arrested for robbery, bookmaking, and murder.

Joseph Glimco——

The CHAIRMAN. Is that the Glimco we know from past experience here?

Mr. DUFFY. Yes, sir.

The CHAIRMAN. I think he has been ousted.

Mr. DUFFY. No, sir; he is still active with local 777.

The CHAIRMAN. He is still active?

Mr. DUFFY. Yes.

The CHAIRMAN. What was the name of the man who defeated him in the election?

Mr. DUFFY. Dominick Abata, but Dominick Abata formed another union.

The CHAIRMAN. This fellow is still the head of the remnant that was left?

Mr. DUFFY. He is still associated with local 777; yes sir.

The CHAIRMAN. All right.

Mr. DUFFY. Joseph Glimco, of 629 Selbourne Drive, Riverside, Ill. Alias "Giuseppe Primavera" and "John Murray."

Subject has a total of 36 arrests varying from larceny, robbery, assault with intent to commit murder, auto theft, malicious mischief, and vagrancy.

He has served a total of 20 days in the Bridewell.

Rocco de Stevano, his criminal record was destroyed by Commissioner Allman on August 28, 1945.

He resides at 2912 North Commonwealth Avenue, Chicago, Ill.

Fiore Buccieri, of 3004 South Maple Avenue, Berwyn, Ill. Alias "Fifi."

Subject's arrest record dates back to 1925. He served 10 days in the house of correction for petty larceny.

Other arrests include receiving stolen property and investigation of murder.

Frank Caruso, alias "Skid," alias "Frank Spino." Subject's arrest record began in 1935.

He has been arrested for larceny, conspiracy, and gambling.

William Aloisio, alias "Smokes." Criminal record: He is an ex-convict. His arrest record dates back to 1928. He was sentenced to 5 years in Leavenworth, Kans., for aiding and abetting evasion of the draft of the armed services.

Fred Thomas Smith, alias "Juke Box" Smith. Subject was arrested for murder in 1925.

In 1935, he received 5 days in the house of correction for assault with a deadly weapon.

Leonard Patrick, of 2820 West Jarlath Avenue, Chicago. Alias "John Cohen," "Leonard Devine." He is an ex-convict.

512 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

His arrest record began in 1932. He was convicted and sentenced to 10 years for bank robbery. He has also been arrested in numerous murder investigations.

David Yaras, of 8042 Know Avenue, Skokie, Ill.

Criminal record dates back to 1930. He has been arrested for burglary, robbery, and murder.

Lester Kruse, of 5206 Oakton Avenue, Skokie, Ill. Aliases: "Killer Kane," "Kid," and "George Howley."

His arrest record was ordered destroyed by court order. He has been arrested twice for murder investigation.

His FBI number is 274989B.

The CHAIRMAN. Have you concluded?

Mr. DUFFY. No, sir. From the countless investigations and after long analysis—

The CHAIRMAN. Before you start that, you have concluded with the names. I see seven on this list that certainly do not have Italian names. So this clearly indicates that you have not selected just people with Italian names, but you have a number of people that don't have Italian names at all, at least seven on this list that you have just given.

Mr. DUFFY. Yes, sir; that is absolutely correct.

The CHAIRMAN. It just occurred to me that this should serve to demonstrate that there are others engaged in criminal activities besides Italians in this country, plenty of them.

You may proceed.

Mr. O'DONNELL. Those seven mentioned by the chairman are listed on the second chart which is the nonmember associates; is that correct?

Mr. DUFFY. Nonmember of the Mafia-type group; yes, sir.

The CHAIRMAN. All right.

Mr. DUFFY. From countless investigations, and after long analysis, we have concluded that the one single characteristic which is most responsible for the success and continuity of this crime syndicate is the ability of the group to commit murder and other acts of violence without compunction.

I cannot emphasize this point too strongly. Time and again we have been frustrated in our efforts because of the terror with which this group is regarded by not only their own people, but also by a considerable percentage of our legitimate citizens.

The CHAIRMAN. Could you give us some illustration of what you just stated about these folks being able to instill fear into people other than their own members, even the legitimate citizens of the community? What do you mean by that? Give us some illustration of it.

Mr. DUFFY. As I stated in the formal statement, we have been frustrated in investigations, when we have become aware of people, legitimate people, being victimized by these crime syndicate members, and when during the course of the investigation we would confront the legitimate citizen with the information we had, without having had a complaint from this legitimate citizen, and asking him to cooperate with us to the extent of appearing before a grand jury and testifying about his involvement with these people, wherein he would be threatened with bodily harm, people have

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 513

just refused to cooperate, stating that they were afraid for their lives.

The CHAIRMAN. That would be cases primarily, I assume, of extortion, where they required them to pay for protection?

Mr. DUFFY. Yes, sir; in most instances.

The CHAIRMAN. That is one instance, at least. And the people imposed upon in that way became the victims of this terrorism and extortion and are afraid to cooperate with the law enforcement officials because of threats that are made against them, threats of violence.

Mr. DUFFY. Yes, sir. They are terrorized.

The CHAIRMAN. Do you have many such instances, or are there relatively few instances like that?

Mr. DUFFY. No, I would say we have quite a few; enough to become very alarmed about it.

The CHAIRMAN. And that makes it difficult. In other words, they are simply paying tribute to these armed criminals.

Mr. DUFFY. Yes, sir.

The CHAIRMAN. Are there any other questions?

Mr. O'DONNELL. Yes, Mr. Chairman.

On page 11 of Deputy Superintendent Morris' statement (page 504 of the hearings) he says:

Tony Accardo, who became the syndicate boss in 1943, came up through the ranks of the outfit.

Is that the Tony Accardo on the chart you mentioned as No. 2, I believe?

Mr. DUFFY. Yes, sir.

Mr. O'DONNELL. And subsequently, at page 504, he stated:

Tony is supposed to have stepped aside and Gilormo Giangono, alias Momo Salvatore Giangomo, alias Sam "Mooney" Giancana, replaced him.

Is that the same individual on the chart that you discussed?

Mr. DUFFY. Yes, sir; it is.

Mr. O'DONNELL. Do you have in your possession and can you tell us anything concerning the so-called "hit car"?

Mr. DUFFY. Yes, sir, I do. If I might read an excerpt from one of our reports concerning this hit car—

Mr. O'DONNELL. Can you explain what you mean by a "hit car"?

Mr. DUFFY. It is the slang reference of the underworld to an automobile which is used to make a fast getaway from the scene of a killing in which they are involved, or, in some instances, to haul away the kidnaped victim to be murdered to another location.

Mr. O'DONNELL. Fine.

The CHAIRMAN. You may proceed.

Mr. DUFFY. On May 2, 1962, the Chicago police received a call that a suspicious automobile was parked in front of 1750 Superior Street, in Chicago. Upon investigation, police officers discovered a 1962 Ford sedan parked at the specified location. Crouched on the floor of the car to avoid detection were two notorious Capone syndicate hoodlums, Philip Alderisio, of 515 Longcommon Road, Riverside, Ill., and Charles Nicoletti, of 1638 North 19th Avenue, Melrose Park, Ill. Alderisio and Nicoletti informed the investigating officers that the car did not belong to them and they had no idea as to the identity of its owner.

514 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

They insisted that they were merely sitting on the floor of the automobile waiting for some unidentified person when the police arrived at 1 a.m. on May 2, 1962.

Alderisio and Nicoletti were taken into custody and subsequently released on a \$1,000 bond.

The automobile in which Alderisio and Nicoletti were riding at the time of their arrest was registered in the name of Walter Getz, of 9340 South New England Avenue in Oak Lawn, Ill. This address turned out to be a vacant lot, and the Walter Getz nonexistent.

Under the dashboard of this automobile were concealed three switches. Two of these switches enabled the operators of the car to disconnect the taillights. Without taillights, the police would have difficulty in following the car at night.

The third switch turned on an electric motor which opened a hidden compartment in the back rest of the front seat. This compartment was fitted with brackets to hold shotguns and rifles. And by demonstrating this particular opening in the back rest, we found that a machine gun could be secreted in the compartment also.

The CHAIRMAN. May I present to you at this point some four or five photographs which you may identify as photographs of the car to which you referred?

They may be received in bulk as exhibit No. 41.

(The photographs were handed to the witness.)

Mr. DUFFY. Yes, sir.

The CHAIRMAN. You do so identify them?

Mr. DUFFY. Yes, sir.

The CHAIRMAN. They will be received as indicated.

(The photographs referred to marked "Exhibit No. 41" for reference, may be found in the files of the subcommittee.)

Mr. O'DONNELL. Mr. Duffy, as I understand it, this hit car is an automobile that to all intents and purposes appears to be a regular car and you would not know that the guns were hidden in the back compartment unless a diligent search was made and the car taken apart?

Mr. DUFFY. A most diligent search. As a matter of fact, it escaped our detection on the first search.

Mr. O'DONNELL. And the two individuals that you mentioned are on the chart?

Mr. DUFFY. Yes, sir, they are.

Mr. O'DONNELL. Insofar as narcotics, and I am trying to speed this up so that you can go home tonight if possible, as I understand it, there are four individuals on that chart up there, and I am talking about the Chicago Italian organization chart, that have been arrested for narcotics. Am I correct?

Mr. DUFFY. Yes, sir.

Mr. O'DONNELL. These are Charles Nicoletti, Frank Teutonico, James Cordovano, and Joseph DiCarco; is that correct?

Mr. DUFFY. Yes, sir. They were convicted for narcotics violations.

Mr. O'DONNELL. Right. And I understand that there are approximately four on the chart also who are suspicious in dealing in narcotics because, although they have not been convicted, they have been arrested. Am I correct?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 515

Mr. DUFFY. Yes, sir. There are a total of five.

Mr. O'DONNELL. Thank you very much.

These would be Felix Alderisio, who is on the chart as are the others, Rocco DeGrazia, Samuel Cesario, Joseph LaBarbara, and Charles DiCarco. Is that correct?

Mr. DUFFY. Yes, that is correct.

Mr. O'DONNELL. Now, as I understand it, all of these arrests with regard to these last five who are suspected of dealing in narcotics, occurred prior to 1949. In other words, it would be 1948 or previously?

Mr. DUFFY. I think so. I am not positive about that.

Mr. O'DONNELL. What I am thinking of is Valachi testified to the effect that in 1948, the word went out to stop dealing in narcotics in Chicago, and each member of the organization would receive \$200 or \$250 a week.

I think this more or less indicates this to be the case because of the relative negative amount of activity in narcotics of those on the chart and the fact that there has been very little narcotic play in Chicago from the police standpoint since 1948.

Do you follow me?

Mr. DUFFY. Yes, sir.

Mr. O'DONNELL. I would like to present to you and have introduced as an exhibit, a little pamphlet that you have prepared for us which goes into all of the individuals on the chart, into their backgrounds, their criminal arrests, their history, their police department records and so forth.

Mr. Chairman, I would like to have this presented as an exhibit at the present time in bulk.

The CHAIRMAN. Did you prepare these for the committee?

Mr. DUFFY. Yes, sir.

The CHAIRMAN. Do you so recognize them?

Mr. DUFFY. I do.

The CHAIRMAN. They will be received, then, as exhibit No. 42.

(The documents referred to marked "Exhibit No. 42" for reference, may be found in the files of the subcommittee.)

Mr. O'DONNELL. Mr. Chairman, I have previously been sworn, and at my specific request all of the names on these two charts were presented to the FBI and they furnished us with the available records on all individuals.

I would like to have these put in as an exhibit at the present time.

The CHAIRMAN. They may be made exhibit No. 43.

(The documents referred to marked "Exhibit No. 43" for reference, may be found in the files of the subcommittee.)

The CHAIRMAN. Anything else?

Mr. O'DONNELL. I would like to state, Mr. Chairman, that a surprisingly large number of the individuals on the chart have previously appeared before the committee as our records will indicate.

I have in front of me a list showing that Anthony Accardo, Joseph Aiuppa, Sam Battaglia, Marshall—

The CHAIRMAN. Have you one there that appeared before the committee who did not take the fifth amendment?

Mr. O'DONNELL. I have no one before me that did not take the fifth amendment on the Italian Chicago organization chart. They all took the fifth.

516 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Of four who appeared who are on the associate chart, three took the fifth and one did not.

The CHAIRMAN. Hurrah for him.

Is there anything further?

Let those be filed and printed in the record.

Let the record show that Mr. O'Donnell is now testifying as he places these into the record.

(The documents referred to follow:)

Other items of interest to subcommittee: Activities of Chicago subjects

Name	Date	Appearance before Select Labor Committee	Times 5th taken	Appearance at AGVA hearing	Times 5th taken
Accardo, Anthony.....	July 11, 1958	Restaurant industry.....	144		
Aluppa, Joseph.....	June 15, 1962	Strip-joint operator.....	31	Strip-joint operator.....	25
Battaglia, Sam.....	July 11, 1958	Restaurant industry.....	60		
Caifano, Marshall.....	do.....	do.....	73		
Cerone, Jack.....	do.....	do.....	45		
De Lucia, Felice (Paul).....	Aug. 8, 1958	Sale of home to teamsters.....	47		
Di Varco, Placide.....	July 11, 1958	Restaurant industry.....	45		
English, Charles.....	Feb. 24, 1959	Jukebox investigation.....	56		
Gagliano, Joseph.....	Feb. 20, 1959	do.....	7		
Giancana, Sam.....	June 9, 1959	Jukebox and restaurant.....	35		
Glimco, Joseph.....	Apr. 24, 1958	Teamster Local 777, Chicago.....	152		
	Mar. 12, 1958				
	Mar. 18, 1958				
	July 6, 1959				
Lardino, John.....	July 16, 1958	Restaurant industry.....	60		
Messino, William.....	Feb. 20, 1959	Jukebox investigation.....	10		
Policheri, James (Allegretti).....	June 14, 1962	Syndicate, vice.....		Syndicate, vice.....	23
Prio, Ross.....	July 11, 1958	Restaurant industry.....	90		
Salvatore, Rocco.....	Feb. 20, 1959	Jukebox investigation.....	6		

SENATE APPEARANCES OF NONMEMBER ASSOCIATES OF CHICAGO-ITALIAN ORGANIZATION

ALEX, GUSSIE

Appeared before Select Labor Committee on July 31, 1958, in connection with investigation into the activities of the Hotel and Restaurant Employees and Bartenders Union (Chicago area). Took the fifth 39 times. Declined to testify as to occupation, union activities, association with old Capone mob, all activities, associations, family relationships by blood or marriage, source of income, etc.

SMITH, FRED THOMAS

Appeared before Select Labor Committee on February 25, 1959, in connection with investigation into the coin-operated amusement and vending machine industry. Answered three questions, as to name, lawyer, and waiver of counsel. Took fifth all other times (53). Declined to give information re business, associates, income, etc.

VOGEL, EDWARD

Appeared before Select Labor Committee on February 25, 1959, in connection with investigation into the coin-operated amusement and vending machine industry. Took the fifth 39 times—practically in response to every question. Declined to testify as to Capone connections, business, associates, etc.

ZAPPAS, GUS

Appeared before Select Labor Committee on August 15, 1958, in connection with the investigation into the activities of Hoffa and the Teamsters Union. He did not take the fifth at any time although questioned at some length. He answered readily enough, but appeared to be hedging at times with reference to his connection with State Cab, and his relations with certain individuals.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 517

Mr. O'DONNELL. On another occasion, and I think this should be reflected in the record, Deputy Superintendent Joseph Morris and William Duffy, who is here before us today, testified before the select committee on July 10, 1958, with regards to the Chicago syndicate's attempt to organize a new restaurant association and new tavern association.

The plan was to take over the wholesalers and distributors association and form a statewide association representing all levels of the industry.

Many of the individuals involved in that particular situation, such as Tony Accardo, Ross Piro, Jimmy Allegetti, Joseph Divarco, "Teets" Battaglia, "Smokes" Aloisio, and John Lardino are also on this chart.

(The document referred to follows:)

JOHN LARDINO, HOTEL AND RESTAURANT WORKERS' LOCAL No. 593

Deputy Superintendent (at that time Lt.) Joseph F. Morris and Director (at that time Patrolman) William J. Duffy testified before the select committee July 10, 1958, about the efforts of the Chicago syndicate to organize a new restaurant association and a new tavern association (the Metropolitan Restaurant Association and the Federated Liquor Dealers' Association) to act in collusion with Hotel and Restaurant Workers' Local No. 593 for the purpose of seizing control of the liquor industry.

The plan was to take over the wholesalers' and distributors' associations and to form a statewide association representing all levels of the industry.

They could then extort a certain percentage of every barrel and case of beer distributed in the State.

The cooperation of the union was necessary to the operation and cooperation was furnished by John Lardino, executive director of Local 593, Hotel and Restaurant Workers Union.

James Weinberg and Paul "Needlenose" Labriola were assigned by the syndicate to organize the two associations. Both have since been murdered.

Both associations failed because of internal dissension and police pressure.

Participating at various times for the syndicate were Tony Accardo, Ross Piro, Jimmy Allegetti, Joseph "Little Caesar" Divarco, Eddy Sturch, Tough Tony Capezio (since deceased), "Teets" Battaglia, "Smokes" Aloisio, Bruno Roti, (deceased), and Sam "Golf Bag" Hunt (deceased), who reportedly was the real boss of the new restaurant association.

James Weinberg was heard to say that Bruno Roti was "one of the 'mustach' boys" and a Mafia member.

Tony Accardo, Ross Piro, Jimmy Allegetti, Joseph Divarco, "Teets" Battaglia, and "Smokes" Aloisio are on the chart. So is John Lardino.

After taking the fifth 60 times before the select committee on July 16, 1958, Lardino was discharged from his union position.

Mr. O'DONNELL. We have nothing further, Mr. Chairman.

The CHAIRMAN. Mr. Duffy, we thank you very much for your appearance before the committee today.

The committee will stand in recess until 10:30 Tuesday morning next.

(Members of the subcommittee present at time of recess were Senators McClellan and Jackson.)

(Whereupon, at 4:15 p.m., the subcommittee recessed to reconvene at 10:30 a.m., Tuesday, October 15, 1963.)

PAGINA BIANCA

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

TUESDAY, OCTOBER 15, 1963

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:50 a.m., in the caucus room, Old Senate Office Building pursuant to Senate Resolution 17, agreed to March 14, 1963, Senator John L. McClellan (chairman of the subcommittee) presiding.

Present: Senator John L. McClellan, Democrat, Arkansas; Senator Edmund S. Muskie, Democrat, Maine; Senator Thomas J. McIntyre, Democrat, New Hampshire; Senator Jacob K. Javits, Republican, New York.

Also present: Jerome S. Adlerman, general counsel; Donald F. O'Donnell, chief counsel; Philip W. Morgan, chief counsel to the minority; Paul E. Kamerick, assistant counsel; Arthur G. Kaplan, assistant counsel; Eugene J. Marshall, Bureau of Narcotics; Martin Pera, Bureau of Narcotics; Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will be in order.

(Members of the subcommittee present at time of convening: Senators McClellan and Muskie.)

The CHAIRMAN. Counsel, call your witnesses.

Mr. O'DONNELL. Chief Brown and Sergeant de la Llana.

TESTIMONY OF NEIL G. BROWN AND JACK de la LLANA

The CHAIRMAN. Do you and each of you solemnly swear that the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BROWN. I do.

Mr. DE LA LLANA. I do.

The CHAIRMAN. Gentlemen, will you identify yourselves, beginning with you on my right, and identify yourself for the record, please?

Mr. BROWN. I am Neil Brown, chief of police, Tampa, Fla.

The CHAIRMAN. Mr. Brown, how long have you held the position you now hold?

Mr. BROWN. Four years.

The CHAIRMAN. What was your previous experience and occupation?

Mr. BROWN. I have been in the police department 16 years, and served as inspector of detectives just prior to my appointment as chief.

The CHAIRMAN. All of your police service has been in Tampa?

520 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. BROWN. Yes, sir.

The CHAIRMAN. Very well. And then Sergeant de la Llana, will you identify yourself, please, sir?

Mr. DE LA LLANA. Jack de la Llana, Tampa Police Department. I have been with the police department for 9 years, and attached to the homicide division for 4 years before starting the criminal intelligence unit of the Tampa Police Department.

The CHAIRMAN. Have you had previous police service?

Mr. DE LA LLANA. My first experience was 9 years ago, when I started first with the force.

The CHAIRMAN. Chief Brown, do you have a statement, a prepared statement?

Mr. BROWN. Yes, I do, Senator.

The CHAIRMAN. I have a copy of it before me, and I see it has several pages. Do you wish to read all of it?

Mr. BROWN. Yes, sir; I would like to read it to the committee.

The CHAIRMAN. Very well, then, you may proceed.

Mr. BROWN. Mr. Chairman and members of the subcommittee, I am Neil G. Brown, chief of the Police Department of the city of Tampa, Fla.

I have been a member of the Tampa Police Department for the past 16 years, and I have been chief of the department for the past 4 years. Prior to my appointment as chief, I served as inspector of detectives. I am a graduate of the National Police Academy of the Federal Bureau of Investigation, and a member of the Tampa Bay Area Chiefs of Police Association and of the International Association of Chiefs of Police.

With me here today is Sgt. Jack de la Llana who, at my direction, formed our department's first criminal intelligence unit in February of 1962, and has been its director since that time. Sergeant de la Llana also holds the important post of chairman of the Florida Intelligence Unit, a statewide agency which coordinates information amongst intelligence units in cities throughout the State of Florida.

In addition to Sergeant de la Llana, whose diligent work and knowledge of criminal operations has provided much of the foundation for my statement to you, I feel fortunate in being accompanied also by Sgt. William Branch of the intelligence division of the Orlando Police Department. Sergeant Branch is presently attending the National Academy of the Federal Bureau of Investigation. He has been a member of the Orlando Police Department since 1951, and a detective sergeant since 1956. He is particularly familiar with organized gambling operations in the central Florida area, and I believe his presentation of that situation will be of material value to this inquiry.

I feel privileged to be able to testify before you today. I believe that the facts I can present here about organized crime operations in Tampa will help you and the American public realize the seriousness of this problem, and our Nation's emergent need for further Federal legislation to combat an evil that has clearly expanded beyond the powers of municipal law enforcement to contain, suppress and eliminate it.

Tampa has a large and respected Italian population, who are considered in all respects to be an asset to our community. Unfortunately, a small percentage of this group of citizens have achieved

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 521

a notoriety greatly disproportionate to their numbers, because of their continuous activity in criminal and racketeering enterprises. The people of our city refer to this group as "the Sicilian underworld" or "the Mafia."

Our growing concern with this criminal group was crystallized in 1956 when a Hillsborough County grand jury was empaneled in Tampa to investigate and determine the truth of allegations that the Mafia was then operating in Tampa. The pertinent part of that grand jury's report stated:

* * * there are some individuals who believe that a Mafia or Black Hand exists and operates in this community, but they are in the minority. * * * The evidence presented, the volume of written material examined, and witnesses interviews point to the existence in this community of an organized crime element whose methods of operation are similar to the pattern of the Sicilian Mafia as we understand it. * * *

The CHAIRMAN. Chief, let me ask you, prior to this development before the grand jury, before the grand jury made this finding, were you the law enforcement officials or in the police department?

Mr. BROWN. No, sir.

The CHAIRMAN. Were you suspicious that such an organization existed in your city?

Mr. BROWN. Oh, yes; law enforcement has been aware that this has been there.

The CHAIRMAN. There was something, you felt confident, but you were unable to bring it out in concrete proof; is that correct?

Mr. BROWN. That is correct.

The CHAIRMAN. So you had been trying to combat it without being able to get it out in the open?

Mr. BROWN. That is exactly right.

The CHAIRMAN. All right. Proceed.

Mr. BROWN (reading):

* * * our records indicate that the vast majority of our unsolved crimes stem from underworld activity involving persons of Sicilian or Italian ancestry * * *

The CHAIRMAN. We had some startling information here the other day from the Chicago chief of police with respect to some 976 murders, gangland style, that had been committed over a period of years, and only 2 of them had been solved. That is, officially solved by court determination or court action.

Mr. BROWN. That is typical.

The CHAIRMAN. What is the ratio in your community, if you can give us some idea about it?

Mr. BROWN. I will bring that out in my statement, but it is just like Chicago.

The CHAIRMAN. Something along that line?

Mr. BROWN. Yes, sir.

The CHAIRMAN. That struck me as one of the most frightening developments of information that I have heard regarding crime. I just couldn't believe that 976 murders, and apparently just murder in the first-degree fashion, could be committed in an area like Metropolitan Chicago over a period of years, and only 2 of them could be solved. It thoroughly demonstrates to me the great menace and the danger of organized mobs committing crime.

You say: "Well, they probably killed each other pretty much." That may be true, but they kill each other because of the extortionate

522 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

operations that they are engaged in, to the detriment of the public at large, and to the detriment of innocent people who can't help themselves. It focuses and emphasizes how serious this menace is.

Very well, you may proceed.

Mr. BROWN. Notwithstanding these findings, the grand jury concluded that there was no national or local Mafia in Tampa. I would like to submit as exhibit 1 a certified copy of the report of the grand jury dated March 30, 1956.

The CHAIRMAN. Very well, this report of the grand jury will be received and it may be made exhibit No. 44, and exhibit 1 to this witness' testimony.

I may later direct it be printed, but as of now we will just let it be filed as an exhibit for reference.

(The document referred to was marked "Exhibit No. 44" for reference, and may be found in the files of the subcommittee.)

Mr. BROWN. It seems likely to me that the grand jury failed to acknowledge without qualification the presence of the Mafia in Tampa because it sought a pattern of Mafia operations similar to the historical Sicilian tradition of primitive and direct extortion, rather than the sophisticated and polished control of rackets that now characterize that organization.

The CHAIRMAN. I take it from that last statement that you feel that they have considerably improved their technique.

Mr. BROWN. Very much so.

The CHAIRMAN. Of crime operations.

Mr. BROWN. Very much.

Senator MUSKIE. May I ask a question, Chief, there?

As I understand what you have just testified relative to the grand jury's report, they acknowledged that there was some evidence of the existence of Sicilian Mafia in the community, but apparently felt that evidence was not conclusive; is that a correct summary?

Mr. BROWN. That is correct; yes, Senator. The Tampa Police Department, however, has long been aware that many criminals in our area have local reputations as Mafiosi. My staff and I have made a careful evaluation of those reputations, based upon personal knowledge, criminal records, surveillance reports, personal histories, familial relationships, statistical analyses, reports from confidential informants, information from Federal and local law-enforcement agencies, and other customary police intelligence sources.

It is our considered conclusion that the Mafia exists in Tampa, that it controls most illegal gambling in Tampa and central Florida, and that its members have interstate and international ties to other Mafia groups.

The organization of the Mafia in the Tampa area is best understood from a chart we have formulated which I submit to this subcommittee as our exhibit No. 2.

Senator MUSKIE. Before we get to that, Chief, may I ask another question? The grand jury to which you referred sat in 1956, am I correct?

Mr. BROWN. That is correct, sir.

Senator MUSKIE. That is 7 years ago. Do you think you have accumulated additional evidence as to the existence of the Mafia in Tampa which would justify a new reference to the grand jury?

Mr. BROWN. Yes; I believe so.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 523

Senator MUSKIE. Are you planning that?

Mr. BROWN. Yes, sir.

The CHAIRMAN. Very well. This chart may be received as exhibit No. 45 and we will direct it be printed in the record if it can be, as far as it can be. The title of it is "The Mafia Organization in the Tampa, Fla., Area."

(The document referred to was marked "Exhibit No. 45" for reference and faces this page.)

(159)

The CHAIRMAN. Would you say the operations of this organized group are not confined just to the city limits of Tampa, but they are in the area?

Mr. BROWN. By all means; the entire area.

The CHAIRMAN. All right. This chart is now a part of the record and, if you wish to comment about it, we will proceed with your statement.

Mr. BROWN. The chart is keyed to show only the criminal, business, and familial interrelationships and activities of the persons named, although other criteria figured in our categorization of these persons. Of course, this chart cannot be considered as a definitive "table of organization" of the Tampa Mafia, because it is but a simplified representation of an organization that is in a constant state of flux, and about which we know we still have many things to learn.

However, I believe it is completely accurate in showing that Santo Trafficante is the boss of this criminal group. Indeed, it is to Santo Trafficante that Tampa owes the dubious distinction of having been represented at the notorious crime convention at Apalachin, N.Y., in November 1957.

The CHAIRMAN. I notice you designate or refer to this group as the Mafia. Would you say that it is the same group that has been referred to by the famous witness, Joe Valachi?

Mr. BROWN. Yes, sir; it is.

The CHAIRMAN. Whether he calls it Cosa Nostra or the Mafia makes no difference. This is the organized crime group to which you referred?

Mr. BROWN. That is correct, Senator; this is the group.

Senator MUSKIE. May I ask a question there?

Under this group, there is another group which you describe as nonmember associates and employees. Is that intended to suggest that the people who are so described know nothing about the identity of their employers and the organization of which they are a part?

Mr. BROWN. Senator, that is a part of the insulation of the group. They have many employees, and as we go into the statement, to show how in this gambling operation the seller is non-Sicilian in most cases, and he reports to another member up the ladder, and so on up. Many of these people are nonmembers of the Mafia as it is.

Senator MUSKIE. Do they know they are engaged in criminal activities?

Mr. BROWN. Yes, sir.

Senator MUSKIE. They know they are a part of a criminal organization?

Mr. BROWN. Yes, sir.

Senator MUSKIE. But they are not members?

Mr. BROWN. That is correct.

524 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator MUSKIE. What do they need to do to become members in the Tampa area?

Mr. BROWN. Well, I think I can clarify that later on in the statement, Senator.

The CHAIRMAN. All right; you may proceed.

Mr. BROWN. Santo Trafficante, Jr., was born in Tampa on November 14, 1914. He was one of five brothers. He maintains residence today in Tampa and in Miami. He previously lived in Havana, Cuba, where he owned and operated gambling casinos under the Battista regime. When Fidel Castro took over, Trafficante's gambling operations were stopped. He was expelled from Cuba and returned to the United States. He inherited the control of the numbers racket in central Florida which his father, Santo Trafficante, Sr., who died in 1954, and he continues to head this operation.

Testimony in the 1958 hearings of the Senate Select Committee on Improper Activities in the Labor or Management Field identified Santo Trafficante, Jr., in the operation of the Sans Souci gambling casino in Havana. That testimony stated that Trafficante took over the Sans Souci from the Mannarino brothers in Pittsburgh, Pa. Gabriel Mannarino was a fellow delegate with Santo Trafficante, Jr., to the Apalachin crime convention in 1957.

Additional testimony named Trafficante, Jr., as the key figure in the Mafia in Tampa, stating, as the Tampa police had long known, that he succeeded his father as the major racketeer in the city.

Other information substantiated by our files reveals that Trafficante is an associate of such notorious criminals as Meyer Lansky, Joseph Bonanno, Sam Giancana, Aniello Dellacroce, Joseph Stassi, Sam Mannarino, Joseph Arcuri, and of Joseph Riccobono, also known as Staten Island Joe, who had been closely allied with the elder Trafficante, and was also discovered at the Apalachin meeting.

When Joseph Profaci's daughter Carmella married Anthony Tocco, son of Detroit mobster William "Black Bill" Tocco, in Brooklyn on June 4, 1955, one of the guests at the reception in the Hotel Commodore in New York was Santo Trafficante, Jr. Among those who also attended were 13 other persons who later attended the Apalachin conference, as well as other notorious Mafia figures, such as Frank Livorsi, Thomas and John Dioguardi, Tony and Albert Anastasia, and Thomas "Three Finger Brown" Lucchese.

There have been at least two known attempts on the life of Santo Trafficante: On January 2, 1953, he was shotgunned in a car on the streets of Tampa, receiving wounds in the arm. Later, in Cuba, four American mobsters who intended to kill Trafficante were told by Cuban police that they would have to do it on American soil.

Trafficante has been arrested in Tampa several times for investigation, because of our knowledge that he was deeply involved in gambling, even though we have not yet been able to obtain the quantum of proof necessary to a successful prosecution. He has also been picked up by the police for questioning about the gangland slayings of Rene Nunez, Angelo Giglio, and Joe Antinori.

Trafficante was a suspect in the Albert Anastasia murder on October 25, 1957, in New York because he had appeared in New York just before the murder. He was considered a likely suspect because there had been reports that Anastasia was then attempting to move

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 525

in on Trafficante's gambling operations in Cuba. Trafficante, using the alias "B. Hill," stayed with Anastasia in the latter's hotel suite, on the night of October 24, 1957, and moved out approximately 1 hour after Anastasia's murder in a nearby barber shop.

The Department's evaluation of Trafficante as the boss of the Mafia organization in Tampa was confirmed, of course, by the positive identification of the "Louis Santos of Havana, Cuba," apprehended at the Apalachin conference in November of 1957, as Santo Trafficante, Jr., of Tampa, Fla.

Furthermore, we have witnessed and documented many visits of out-of-town racketeers with Santo Trafficante and his fellow hoodlums of the Tampa area. These visitors give further indications that Trafficante is associated with Mafia members in other cities. For example, Louis Coticchia of Chicago, also known as Lou Brady, has been frequently seen visiting Trafficante and on one occasion they were seen boarding a plane together, heading for Miami.

Other known outside racketeers who have visited in Tampa with Trafficante gang members are John Joseph Vitale, Salvatore Lopiccolo, and Anthony Giardano, all known racketeers from St. Louis, Mo.

Mr. O'DONNELL. I think at the present time, in interest of continuity, so that the record will read properly, Sergeant de la Llana has a statement with regard to a courier operation within the Mafia. In the interest of time, I am not going to ask him to read it, but I would like to have it introduced in the record.

Do you have that?

Mr. DE LA LLANA. Yes, I do.

Mr. O'DONNELL. How many pages does it consist of?

Mr. DE LA LLANA. It is five pages.

The CHAIRMAN. Give a better description of it and tell us what it is.

Mr. DE LA LLANA. It is with reference to Louis Coticchia, alias Lou Brady, and his visits to Tampa on various occasions, which first came to our attention on April 13, 1962. This subject has a long criminal record. I have an FBI record which I will also submit into evidence.

The CHAIRMAN. Let the FBI record be received and made exhibit No. 46 for reference.

(Document referred to marked "Exhibit No. 46" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. Now, your statement, is that a summary statement that you have made and prepared for the record?

Mr. DE LA LLANA. Yes, sir.

The CHAIRMAN. Very well, it may be received and printed in the record, either at this point or immediately following the prepared statement of the witness now testifying.

(The statement referred to follows:)

STATEMENT OF SGT. JACK DE LA LLANA

One of the clear ties of the Trafficante organization with other criminal groups is reflected by the contacts with Trafficante made by a man who appears to act as a courier for the Mafia. Louis Coticchia, alias Lou Brady, FBI No. 1427493, first came to the attention of our Department on April 13, 1962, when we observed him, in Tampa, in the company of Augustine Primo Lazzara and Frank Diecidue, two of the men on our Mafia chart. Because of this and other contacts made by Coticchia, our intelligent unit developed the following information about him which I think is of interest to this committee in giving a profile

526 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

of a hoodlum who is entrusted by the Mafia to act as a courier for them between the various groups.

Coticchia was born on February 25, 1920, in Cincinnati, Ohio. When he was arrested a couple of years ago, he gave as his occupation "industrial financier." He is presently reported to be interested in the operation of a company offering wired music in the Chicago area known as Symphonaire Sound Systems, Inc.

His criminal record shows that he was first arrested in 1936 in Ohio for robbery. In 1937 he was arrested in Miami, Fla., for investigation of a "shake-down." He was held for 4 days and released without charges. He was arrested again in Hot Springs, Ark., in 1938 for investigation and released with the understanding that he would leave the city.

In 1938, in Cleveland, Coticchia was arrested and charged with assault with intent to commit rape. He was convicted and received 1 to 15 years, of which he served 4 years, being released in 1941. He was arrested in 1942 in Los Angeles, Calif., on a warrant issued in Baltimore for grand theft. He was tried in Baltimore for receiving stolen goods and received 5 years in prison.

Coticchia was again arrested in Dallas, Tex., in 1961, by the U.S. marshals for violation of and for conspiring to violate the Federal Securities and Exchange Act of 1933, which case is still pending in the Southern District Court of New York. His last arrest known to us was on January 4, 1963, when he was arrested in Tampa for investigation of grand larceny. He was released due to insufficient evidence.

Coticchia worked as a "pit boss" in gambling casinos in Las Vegas, Nev., and Havana, Cuba. He was involved in a scandal in 1960 in which mobsters attempted to take over a nationwide bail bond business.

Coticchia has been in and out of Tampa since our first observation of him and on every occasion he is in direct contact with Trafficante and Diecidue. On December 31, 1962, he purchased a new automobile in Tampa, paying the dealer \$3,625.95 in cash. He then registered the car under the name of Jane Campbell. He remained in Tampa several days and was in constant contact with Trafficante and Diecidue.

On January 4, 1963, Coticchia was arrested in Tampa on suspicion of grand larceny and at the time of his arrest he had \$1,775 in cash on his person. He had papers on him that showed he had resided previously at the Aloha Motel in Miami under the name Luiz Paulino Bailey from Rio de Janeiro, Brazil. He also had a paper with a list of gambling equipment and the name "Empress Lines, Ltd., Nassau—via *Wappen Von Hamburg*—German boat loading pier No. 3."

An investigation revealed this equipment had been shipped airfreight from Las Vegas to Nassau and placed in a German vessel, the *Wappen Von Hamburg*, which sails between Nassau and Miami. This equipment included 50 one-arm bandits, or slot machines, and was valued in excess of \$65,000. The information received was that this vessel was to travel between Miami and Nassau as a floating gambling casino.

After Coticchia's arrest in Tampa, the telephone calls were checked at the motel. It showed that he had made several calls to Trafficante, Diecidue, and other associates of Trafficante. He had also made a long-distance call to Sonny's Restaurant in Miami Beach, which is owned by Thomas Altamura, FBI No. 511563, a Mafia member and another associate of Santo Trafficante, Jr.

I would like to submit for the record Coticchia's FBI record, and a photograph of him taken by my department when he was arrested in Tampa on January 4, 1963.

Another example of the Trafficante group's connections with Mafia figures in other parts of the Nation is: John Joseph Vitale, FBI No. 793259, of St. Louis, Mo. Vitale is well known to the St. Louis Metropolitan Police Department, and is reputed to be the Mafia leader in that area. He has a record of 13 arrests and a conviction for violating the Harrison Narcotics Act for which he received a sentence of 7 years' imprisonment. He has been arrested as a fence and is believed to deal in anything in which there is a large percentage of profit.

Police authorities consider him among the most dangerous of Mafia principals in the St. Louis area, and he is known to have underworld connections throughout the country. He appeared twice before the Senate Rackets Committee (August 19, 1958, and February 11, 1959) and each time refused to answer any questions, invoking the fifth amendment.

On April 17, 1963, Vitale flew from St. Louis to Tampa, using the name "Jack Howard." He visited the Diecidues for 4 hours and then flew back to St. Louis

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 527

using the same alias. We alerted the St. Louis police and upon Vitale's arrival there, he was interviewed by detectives of that city. He declared that he had traveled to Tampa to settle a debt of the Lombardo Produce Co., of St. Louis, Mo., to the Diecidue Bros. of Tampa.

To me it does not seem probable that Vitale would go to the expense and trouble of flying to Tampa and returning the same day in order to settle a debt between two produce companies with which he has no known connections. More significantly, his use of an alias to run this errand, too, points out his own doubts that he was engaged in a legitimate errand.

These two examples, Coticchia's and Vitale's, indicate to us the interstate connections of the Trafficante organization, and point up the need for attacking the Mafia group on a national basis.

Mr. O'DONNELL. All right, we will continue.

Mr. BROWN. Some of Trafficante's men shown here on our chart gave sworn testimony before the Hillsborough County solicitor in 1953 concerning gambling in Tampa. They admitted that they had long been engaged in illegal gambling activities. They were forced to testify or face jail terms for contempt of court, because they had been granted immunity from prosecution for such crimes. Among those who testified were Frank Diecidue, Augustine Primo Lazzara, Nick Scaglione, Henry Trafficante, and James C. Longo.

Mr. O'DONNELL. Are any of these individuals on the chart that you have introduced as exhibit 2?

Mr. BROWN. Yes, they are all on the chart.

Mr. O'DONNELL. Thank you.

Mr. BROWN. Santo Trafficante has himself been caught up in a typical Mafia technique of seeking to preserve and protect its illegal enterprises by the corruption of law enforcement and other public officials. This incident substantiated our intelligence that Trafficante was deeply involved in gambling operations, and it showed that he had major interests in gambling outside the city of Tampa.

The case was initiated in 1954 by a veteran St. Petersburg police officer, Detective Sgt. Harry Dietrich, who had obtained evidence of the operation of the Trafficante bolita ring. Bolita is a numbers racket of considerable importance in Florida, involving weekly payoffs based upon information taken from radio reports of the weekly Cuban lottery.

An attempt was made to bribe Sergeant Dietrich to ignore the operation of the ring. He was given a new car, a television set, some suits of clothing, and cash. Sergeant Dietrich accepted the bribes with the full knowledge and orders of his superiors, to whom he had immediately reported the initial bribery attempt.

As a result of his work, Santo Trafficante and his brother Henry were arrested. Both were charged with bribery and were convicted.

The CHAIRMAN. When did this occur?

Mr. BROWN. This was in 1954.

The CHAIRMAN. This is the same man that is now operating, and he is the boss?

Mr. BROWN. Yes, sir.

Each received a prison sentence of 5 years. Santo Trafficante's conviction was later reversed in a higher court. His brother served his term and was recently released. Both brothers were subsequently indicted by the Federal Government for tax law violations.

We know of no legitimate businesses that are owned or controlled by Santo Trafficante. He owns no real estate, nor any other property,

528 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

real or personal. His house, automobile, and all his other possessions are held in the names of others. However, we do not believe him to be destitute, for his control of gambling in the central Florida area alone must net him huge amounts of money. His operations there show, also, a characteristic Mafia method of utilizing non-Sicilian associates where it serves its criminal objectives.

Sergeant Branch, who has for the past 7 years been investigating gambling and other organized criminal activities in the Orlando area, will describe the Mafia's control, through the Harlan Blackburn organization, of lottery operations in central Florida. We know of no legitimate businesses that are owned.

The CHAIRMAN. Sergeant Branch is here with you?

Mr. BROWN. Yes, sir.

On the lower right-hand side of our chart we have depicted that group of Trafficante associates.

Sergeant Branch will here testify about the Blackburn group.

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BRANCH. I do.

TESTIMONY OF WILLIAM BRANCH

The CHAIRMAN. Will you identify yourself for the record?

Mr. BRANCH. I am a sergeant with the Orlando Police Department attached to the intelligence division, and I have been with them since 1951. I have been working in this type of work since 1956, with the cooperation of the Federal and State agencies in our area.

The CHAIRMAN. Do you have a prepared statement?

Mr. BRANCH. Yes, sir, I do.

The CHAIRMAN. It appears to be four or five pages. Do you wish to read it?

Mr. BRANCH. Yes, sir.

In the central Florida area the main gambling activity is known as bolita or Cuba. Bolita is a numbers lottery where the winning number is drawn daily. Cuba is a numbers lottery where the winning number is drawn weekly. Bettors can place bets on any number from 1 to 100 and receive a 60-to-1 return if they win. The Cuba winning number is the last two digits from the Cuban national lottery number which is five digits and is broadcast over a Havana radio station each Saturday shortly after 2 p.m.

The public is contacted by "peddlers" or "sellers," who receive a commission of 15 percent of their sales. "Pickup" men, who take the bets from the sellers to the "checkup houses," receive 20 percent of what they collect. Employees such as checkup men, adding machine operators, and supervisors above this position usually receive salaries for their duties.

Lottery operations in central Florida prior to 1948 were dominated first by Charlie Wall of Tampa and then by Sam Warren, an Orlando native. In that year Harlan Blackburn, FBI No. 1026922, a convicted felon, came into Orlando and began taking over bolita and Cuba gambling.

This man is on the chart also.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 529

Blackburn was born in Sand Lake, Fla., on April 13, 1919. In 1935, he was convicted of forging a U.S. Government check, for which he served 4½ years in prison. In 1943, he was sentenced to 2 years in the Florida State prison for cattle theft. He was again arrested in March 1956 for operating a lottery in Polk County, Fla., and received a 5-year prison sentence, but was released in 1959.

Senator MUSKIE. Did you say Mr. Blackburn was on the chart?

Mr. BRANCH. Yes, sir. He is listed in the lower right-hand corner.

Senator MUSKIE. It is not on this chart?

Mr. BRANCH. No, sir; not on that one.

Senator MUSKIE. Blackburn is not a member of the Mafia, as such?

Mr. BRANCH. He is a subordinate that works under their direction; yes, sir.

The CHAIRMAN. Is he the same as Sam Warren?

Mr. BRANCH. No, sir; he is not. Sam Warren is dead.

He was then incarcerated for 60 days in Polk County for an earlier conviction of conspiracy to violate the lottery laws of Florida. He was most recently arrested on November 5, 1962, for failure to buy a Federal wagering tax stamp. He is presently out on bail awaiting trial.

Blackburn supervises the five lottery bankers who control central Florida gambling. These bankers are Rudy Mach, Joe Wheeler, Clyde F. Lee, Cecil Merritt, and Ralph Strawder. Mach has in his operation Don Mach, Dan Fussell, Buddy Parron, Glen Brechen, Tommy Berry, and Clifford Bell; Joe Wheeler has Max Reid, Mary Carden, and Phil Riffe; Clyde F. Lee has Jesse Joyner, Vasco Joyner, Mathew Smith, Macon Tribue, Julia Ciphon, Hoy Anderson, and Katherine Bradshaw; Cecil Merritt has Clayton Thomas, Sonny Brown, and George Solomon; and Ralph Strawder has Benny White, William Harrell, and Elvin Carroll.

With the exception of Carden, Riffe, Harrell, White, and Ciphon, all of these persons have criminal records and arrests for gambling and other crimes.

I have here copies of their FBI records and submit them for the subcommittee's record.

The CHAIRMAN. They may be received in bulk as exhibit No. 47 for reference only.

(The documents referred to were marked "Exhibit No. 47" for reference and may be found in the files of the subcommittee.)

Mr. BRANCH. These five exceptions have been connected with this operation for a number of years, however, and their names and amounts of gross and net collections appear in much of the evidence that we have secured from checkup houses. We have also sworn testimony from witnesses that these persons have been engaged in illegal gambling.

Senator MUSKIE. What is the size of their take?

Mr. BRANCH. I have that further along in my statement, sir.

The lottery operation of the Blackburn group extends from Orange County into all of central Florida and into the southern State of Georgia.

From 1948 until the latter part of 1953, our department established that Santo Trafficante, Jr., and his brother, Henry, personally were visiting Orlando and supervising the checkup houses that were conducting the lottery.

530 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

It has also been obvious to us that the Trafficante organization has controlled the Blackburn operation for at least the last 10 years. From our examination of seized records, and from the fact that in all raids on the checkup houses we have arrested persons having close family ties with the Trafficante organization who were acting as auditors for his interests. In addition, there has been heavy telephone toll traffic between the Trafficantes in Tampa and the Blackburn group in Orlando.

When Blackburn was arrested in 1953, a memorandum was found containing telephone numbers of Augustine Primo Lazzara, Salvatore J. Lorenzo, J. M. Cacciatore—uncle of Santo Trafficante, Jr.—and Santo Trafficante, Jr., and of the Nebraska and Flamingo Bars, both owned by the Trafficante family.

In 1957 a search of a gambling house in Orange County by a State officer, with the assistance of the Orlando Police, resulted in the arrest of several persons. One of these was Lorenzo and another person by the name of Leto, from Tampa. They both gave sworn statements at that time to the county solicitor that they were working for Santo Trafficante, Jr.

In November 1961, another raid was conducted by agents of the Internal Revenue Service in conjunction with the Orlando Police Department on a house in Orange County. There were six persons arrested, and among those were Armando Rios and Sam Cacciatore. These two were cousins of Santo Trafficante, Jr.

In July 1963, a raid on a gambling house in Sanford, Fla., by the IRS agents, with the assistance of the Orlando Police Department, established that it was another operation of Harlan Blackburn's, supervised by Clyde Lee. In the records seized there was the phone number of Trafficante's cousin, John Favata Cacciatore, and the phone number of the printing establishment employing Stefano Scaglione, who is also on the chart.

During the past 12 years that we know of at least three murders that have been due to fights for control of lottery operations in the Orlando area.

The fantastic amount of money taken in by these lottery operations has been repeatedly established by our raids of these gambling houses. For example, the raid in 1957 in Orange County, where Frank Ferreri and Sam Lorenzo were arrested, disclosed that the house was doing a gross business of \$100,000 per week.

Senator MUSKIE. What were they paying out?

Mr. BRANCH. The profit on this operation runs about 50 percent.

The November 1961 raid in Orange County where Armando Rios and Sam Cacciatore, cousins of Santo Trafficante, were arrested revealed that operation was doing a conservatively estimated gross of \$160,000 per week.

The CHAIRMAN. With the same ratio of half applying there?

Mr. BRANCH. Yes, sir.

Senator MUSKIE. When you say "net profit," this means after deductions of the commission which totaled 35 percent?

Mr. BRANCH. Yes, sir.

Senator MUSKIE. And the prizes.

Mr. BRANCH. Yes, sir.

The commission and also the prizes and what other operating expenses they may have such as automobiles, rent, telephone bills.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 531

The latest raid, in July of this year, indicated a gross revenue of \$250,000 per week.

From those figures——

The CHAIRMAN. Where was that raid?

Mr. BRANCH. That was in Sanford, Fla., just 17 miles north of Orlando. These figures are established by the Internal Revenue agents and auditors.

From these figures, it is easy to see why the Mafia has moved so heavily into lottery gambling in central Florida and why gambling revenues are universally acknowledged to be the "lifeblood" of organized crime.

Any additional legislation that this subcommittee can promote to further restrict and inhibit gambling will, in our opinion, be a substantial blow to organized crime.

Senator MUSKIE. Did they actually pay off on those lotteries or was it dishonest in that respect, too?

Mr. BRANCH. Usually they pay off.

They don't pay off when we pull a raid on them or arrest them. They stop at that. But they are in operation the next week.

The CHAIRMAN. You mean they do not pay off for that day?

Mr. BRANCH. No, sir; they don't.

The CHAIRMAN. It is unfortunate for the fellow that won, who cannot get his winnings.

Mr. BRANCH. Yes, sir.

Thank you, sir.

The CHAIRMAN. If the law enforcement is pretty vigilant, I would be afraid to place a bet under those circumstances.

All right, Chief, if you will, you may proceed.

Stand by, Sergeant, as we may want to ask you some questions.

Mr. BRANCH. Yes, sir.

TESTIMONY OF NEIL G. BROWN—Resumed

Mr. BROWN. To understand the crime network Trafficante operates it is necessary to examine the modern era of crime in Tampa, which dates from the early 1920's. Its most violent episodes were between 1937 and 1945, when the Sicilian underworld was attempting to move in on all illegal gambling in Tampa. This period in the history of our city was referred to as "the era of blood."

Senator MUSKIE. Who coined that phrase, the gang or the newspapers?

Mr. BROWN. I think it was the newspapers, Senator.

During the 1920's, before the Sicilian underworld moved into the rackets to any great extent, one of our most notorious residents, Charles M. Wall, started his rise to become the acknowledged boss of most of the illegal gambling in the Tampa and central area of the State of Florida. He styled himself "dean of the underworld," and in 1953 he admitted to a Hillsborough County solicitor that he had made his living from illegal gambling. During 1945, Wall forfeited his leadership by entering into a partnership with Santo Trafficante, Sr.

The elder Trafficante was born in Sicily in 1886. He came to Tampa in 1904 and became a naturalized citizen in 1925. In 1950, he was one of the missing witnesses in the Kefauver crime hearings held in Tampa. He died on August 11, 1954. Police records do not show any arrest for Santo Trafficante, Sr.

In 1952, Wall declared that he was retiring, although he did not

532 ORGANIZED CRIME AND ILLIGHT TRAFFIC IN NARCOTICS

state what he was retiring from. In April 1955, Wall's body was found in his home. He had been brutally beaten and his throat had been slashed. We have never discovered who the murderers were, nor have we determined their motive. Perhaps Wall was murdered because the killers learned he had admitted that he was Trafficante's partner in illegal gambling, and that he disclosed confidential facts about the Mafia.

In 1960, Sergeant de la Llana obtained—from a confidential source of known reliability—an astounding report about the Mafia and its operation in Tampa. The report had been obtained from Charles Wall in 1945, approximately 6 months after Trafficante, Senior, had made himself a partner in Walls' gambling enterprises.

Wall declared that from 1920 through 1945 he controlled gambling in Tampa and in the Florida counties of Hillsborough, Pinellas, Pasco, Hernando, Polk, and Orange. His rival for control of the gambling rackets was the local Mafia organization. This was headed, he said, by Santo Trafficante, Sr., the Diecidue brothers, James Lumia, Ignacio Antinori and Salvatore Italiano. Antinori was murdered on October 22, 1940; Lumia was murdered on June 5, 1950; and Italiano fled to Mexico in 1951.

Wall admitted that he had good reasons for going along with Trafficante, Senior, in 1945; previously the Mafia group had made three attempts on his life; the first was in 1937 as Wall was leaving a bank on the main street in Tampa; the second try occurred as Wall was leaving the garage behind his house; the third, in 1940, happened a few blocks from his house. In the third attempt, a truck passed the automobile in which Wall was riding and then stopped abruptly in front of the car. James DeSimone and Nicola Impostato, FBI No. 2716692, each armed with a shotgun, stepped from the truck and fired at Wall and his chauffeur. Both escaped with slight injuries. DeSimone and Impostato were known Mafia killers from Kansas City, Mo. They were staying with the Antinori family at the time.

The CHAIRMAN. Is Wall still living?

Mr. BROWN. No, sir; he was killed.

The CHAIRMAN. Later killed?

Mr. BROWN. Yes, sir.

The CHAIRMAN. These three attempts failed but later he was killed?

Mr. BROWN. Yes, sir.

Wall declared that the Mafia tried to make the public believe that the organization no longer existed in this country and that Mafia members pointed to the end of terrorism among Italian groups as evidence that the Mafia was gone from the underworld scene. Wall believed, however, that the organization had merely changed its type of operation. He said that other racketeers had once used the Mafia to monopolize rackets in major American cities. They had educated the Mafia so well in the process that the Sicilians had taken over the rackets themselves. Wall stated that the Mafia learned to consider extortion from Italian businessmen a "nickel-and-dime" business. They had discovered that public officials could be corrupted by bribery and that they could organize to take over the major rackets in the United States.

Wall declared that the Mafia was not dying out, but "was bigger and better than ever." He said that his partner, the elder Trafficante, had told him that there were some 10,000 active Mafia members in the United States. Wall stated that the Mafia leader in Tampa was

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 533

Santo Trafficante, Sr., and that he was well informed on the activities of the organization in the United States, in Sicily, and in other countries of the world. Trafficante had told him, Wall said, that the Mafia in the United States was directed by a local board in every city having a sizable Sicilian population. There was a national board, headed by Joseph Profaci in New York City, which was composed of the heads of the major local boards. Trafficante is reported to have said that Frank Costello, Vincent Mangano, and Joe Massie were influential members of the national board, and that Frank Nitti and Lucky Luciano were former members.

According to Wall's account, the Mafia was composed of two distinct groups, an "inner circle" and an "outer circle." The general rule was that only natives of Sicily were admitted to the "inner circle," while American-born Italians were recruited into the "outer circle." Wall was told it was possible for a member to be transferred from "outer" to "inner" status when he performed an act of special merit, even though he had been born in the United States. The restrictions were not due to lack of trust by native Italians toward those of American birth, but because the "inner circle" usually took the major part of the proceeds of the Mafia's illegal activities and, therefore, preferred to keep the membership of the "inner circle" as small as possible.

Senator MUSKIE. Would you say that this chart represents the inner circle, Chief?

Mr. BROWN. At the very top portion, Senator, would be the inner circle.

Below that——

Senator MUSKIE. By the "top portion," do you mean——

Mr. BROWN. I would include in that that the three top men would be in the inner circle and those below that would be in the outer circle.

The CHAIRMAN. Those would only be in the inner circle so far as the Tampa area is concerned?

Mr. BROWN. That is right.

The CHAIRMAN. Not in the inner circle overall?

Mr. BROWN. No, sir; this is just in the inner circle in the Tampa area.

The CHAIRMAN. But that gives an indication of how the overall organization is set up.

Mr. BROWN. That is correct.

The CHAIRMAN. You may have it in here, but I may have missed it, but who was Wall talking to when he gave all this information?

Mr. BROWN. That was a confidential informant.

The CHAIRMAN. I see. Very well.

(At this point Senator Javits entered the hearing room.)

Mr. BROWN. Wall believed the influential Mafia members in Tampa from 1930 through 1945 were: Santo Trafficante, Sr., Salvatore Italiano, James Lumia, and the Diecidue family—Alfonso, Antonio, Thomas, and Frank. The Diecidues and their in-laws opposed the leadership of Trafficante in the Tampa organization. Trafficante told Wall that Vincent Mangano, of the national board, supported the Diecidues but that he, Trafficante, was able to stay in power because he had Joseph Profaci's friendship.

Senator MUSKIE. May I ask a question here?

Mr. BROWN. Yes, sir.

Senator MUSKIE. You refer to the national board. I do not recall any point in this hearing where there was this kind of a direct refer-

534 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

ence to a national organization in the Mafia. Was it referred to as such?

Mr. BROWN. This is the information as Wall has reported that it consisted of a national board.

Senator MUSKIE. Do you know who he identified as members of the national board?

Mr. BROWN. Well, Joe Profaci and Vincent Mangano were two of the members of the national board.

The CHAIRMAN. They are shown to be leaders of families, both of them.

Senator MUSKIE. But those same people are leaders of families in New York as testified by Valachi.

Mr. BROWN. Yes, sir.

The CHAIRMAN. So it is your impression that the heads of the New York families made up a national board that had jurisdiction over Tampa, among other places?

Mr. BROWN. That is correct; yes, sir.

Wall declared that there were approximately 40 members of the Mafia living in the Tampa area and he believed that Trafficante's share of proceeds of their gambling operation was being divided with other members of the Mafia.

Information in our files from another confidential source confirms Wall's statement. In addition it reveals that Antonio Diecidue made annual trips to Miami for the purpose of renting a house for Vincent Mangano, who came down from New York every year to spend 2 or 3 months in Miami. This source stated that many important members of the Mafia visited Mangano in Florida, but that Trafficante never appeared.

Senator MUSKIE. May I ask another question on the national board? Was it your impression that the national board members shared in the proceeds of the criminal activities in Tampa?

Mr. BROWN. Yes, sir; they had a percentage.

Senator MUSKIE. Have you any idea what that percentage was?

Mr. BROWN. No, sir; I have no idea.

The gray shadings on our chart depict the influence of each of these men. To me, it appears to be no small coincidence that in Tampa the Diecidue family lost stature from at least the early 1950's when Vincent Mangano disappeared; nor that Trafficante, Jr., the Profaci man, was in the immediate vicinity, when Albert Anastasia was murdered in 1957.

Sergeant de la Llana's intelligence unit has prepared summaries of the men in Trafficante's organization, along with a commentary of relevant facts about each of them. So that our information may be available not only to the subcommittee, but to all police units to whom your reports are so valuable, I wish to submit these summaries and commentary for the record, as our exhibit 3a through t; and exhibit 4.

The CHAIRMAN. The summary to which you have referred may be received as exhibit 48—

Mr. O'DONNELL. Chief, as I understand it, these are summations, very brief summations, of the 19 individuals that are on the chart insofar as their criminal activity, their mode of business, their criminal history, et cetera; is that correct?

Mr. BROWN. That is correct.

The CHAIRMAN. It may be received as exhibit No. 48.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 535

(The documents referred to marked "Exhibit No. 48" for reference, and may be found in the files of the subcommittee.)

The CHAIRMAN. You make reference to another exhibit. What is it?

Mr. O'DONNELL. Will you explain the other exhibit? Go into a little detail as to the various murders that you have on your exhibit 4, which will be a different exhibit in our hearings.

The CHAIRMAN. Let the Chair get this straight first.

The summary that he referred to has been made exhibit 48.

That is what you referred to as "our exhibit 3a"?

Mr. BROWN. Yes, sir.

The CHAIRMAN. Then you say "through t; and exhibit 4." What is exhibit 4, your exhibit 4?

Mr. BROWN. Exhibit 4 is a brief summation on each of the subjects.

The CHAIRMAN. What is your exhibit 3?

Mr. BROWN. They are arrest records of each of the individuals.

The CHAIRMAN. Very well.

Exhibit 48 is the arrest records.

Mr. BROWN. Yes, sir.

The CHAIRMAN. Your exhibit 4 is a brief summary of each person on the chart?

Mr. BROWN. Yes, sir.

The CHAIRMAN. It is of his records and activities?

Mr. BROWN. Yes, sir.

The CHAIRMAN. It may be received as exhibit No. 49 for reference.

(The document referred to marked "Exhibit No. 49" for reference, and may be found in the files of the subcommittee.)

The CHAIRMAN. Now the record is straight.

You may proceed.

Mr. BROWN. Our department has always found it a most difficult task to obtain evidence sufficient for successful prosecution of Mafia members, because the witnesses who might offer such evidence have always been reluctant to do so. The paramount reason, of course, is their fear of Mafia reprisals, since it is common knowledge in Tampa that the Mafia does not hesitate to use murder for such reprisals and the relative infrequency with which such professional murders are successfully prosecuted.

We have categorized certain homicides in the Tampa area, from 1928 to the present, as "gangland slayings." An examination of the circumstances of some of these murders emphasizes how the Mafia uses murder to discipline its membership, to revenge itself against violators of its code and to otherwise eliminate opposition to its criminal activities and goals. Of the 23 homicides on the list, only 1 has been solved. A ratio of less than 5 percent of solution—and that particular murder was cleared up because it apparently resulted from an argument, although it is possible that the slayer deliberately provoked the argument. It was not, therefore, a typical gangland slaying, although the killer and the victim were both underworld figures.

In startling contrast to the number of unsolved gangland slayings, an examination of all other Tampa homicides from 1958 through 1962 shows that we have had 145 murders and that only 4 are presently unsolved, a solution ratio of better than 97 percent. From 1960 through 1962, all 83 homicides in our city were solved.

536 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. What period is covered by the 23 gangland slayings that you make reference to?

Mr. BROWN. From 1928 through the present day.

The CHAIRMAN. In a period of about 30 years.

Mr. BROWN. Yes, sir.

The CHAIRMAN. And you identify them as gangland slayings as distinguished from the usual homicide cases that you have?

Mr. BROWN. Yes, sir.

The CHAIRMAN. On those, according to your testimony, it has been impossible—or you have been unsuccessful, at least, in solving any of them except the one that appeared so obvious, and it would not possibly come within the category of “gangland slayings”?

Mr. BROWN. Yes, sir.

The CHAIRMAN. But you have included it as being the only one that was solved.

Mr. BROWN. That is correct.

Senator MUSKIE. What are the characteristics of the gangland slayings that makes it so difficult to solve them as contrasted with your excellent record in other homicides?

Mr. BROWN. Of course, primarily it is because of witnesses who are reluctant to give the law enforcement any information whatsoever. In some of our killings—I recall one where we had nine witnesses in the room and nobody actually saw the murder or knew anything was going on.

Senator MUSKIE. So this fact has a direct bearing upon the question of immunity statutes, for example.

Mr. BROWN. That is right. That is correct.

The CHAIRMAN. This, in other words, emphasizes the rigid discipline, the code of underworld law, that cannot be violated without suffering the penalty of death.

Mr. BROWN. That is correct.

The CHAIRMAN. In other words, the nine who were in the room when the murder was committed, possibly every one of them knew what happened.

Mr. BROWN. Yes, sir; I would think so.

The CHAIRMAN. I would doubt that somebody did not know it. But, anyway, they know that the penalty for them talking would be death.

Mr. BROWN. Yes, sir.

The CHAIRMAN. Even if they were inclined to, and I do not mean to say they were inclined to, even if one of them were inclined to talk, he knows what the penalty would be. And that makes it difficult. That is why you have the trouble in the gangland slayings, the silence, the threat, the intimidation of a death sentence, of their being executed by their underworld government if they talk.

Mr. BROWN. That is true.

Senator MUSKIE. Then, Chief, just to nail that point down, they seem to be more than concerned and clearly are more concerned for themselves and for their allies than they are about immunity against prosecution.

Mr. BROWN. Yes, sir; that is true. They are afraid for their lives.

The CHAIRMAN. Very well. You may proceed.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 537

Mr. BROWN. I have had these gangland slayings listed, with a few pertinent comments about each, and submit to the subcommittee this list as our exhibit 5.

The CHAIRMAN. It may be received and be made exhibit No. 50.

(The document referred to was marked "Exhibit No. 50" for reference and may be found in the files of the subcommittee.)

(At this point Senator Javits withdrew from the hearing room.)

The CHAIRMAN. You may proceed.

Mr. BROWN. With few exceptions, those murders well reflect Joseph Valachi's testimony that Mafia members do live by violence and die by violence.

At least two of the unsolved murders on our list—that of Gus Perez in 1936 and of Joe "Pelusa" Diaz in 1958—were, in my opinion, directly attributable to the Mafia's knowledge or belief that the victims had given to legal authorities evidence incriminating Mafia members. A third murder—of Carl Carramusa, in 1945—taking place in Chicago, involved some Tampa Mafiosi, and is of particular interest in illustrating the Mafia zeal for vengeance against a member who violates its rules. It is of further significance, too, in demonstrating the difficulty of protecting witnesses against the Mafia—and is underlining Attorney General Kennedy's request for additional funds for that purpose, which request I strongly endorse.

The Carramusa case developed in Kansas City, Mo., with certain aspects related to the Mafia organization in Tampa. The principal figure in the case was Carl Carramusa, known as a minor member of the Mafia and a front man for the Mafia's narcotics traffic operation in Kansas City.

Carramusa was indicted in 1942 for conspiring to violate the Federal narcotic laws. His codefendants were Joseph DeLuca, Nicola Impastato, Paul Antinori, Joe Antinori, Charles Gergimina, Louis Ventola, Patsy Ventola, Charles Tiabi, Samuel Pernice, and Fellipo Fernice. Tampa's Mafia organization was one of the sources of supply for the Kansas City group, and at that time the narcotics trade in Tampa was headed by Paul Antinori and Joseph Antinori, who had inherited the narcotics leadership from their father, Ignazio Antinori. The elder Antinori had been murdered a few years before in a narcotics deal. All of the defendants in the Kansas City case were prosecuted successfully, primarily because Carramusa violated the cardinal Mafia code of l'omerta, or silence, testifying openly against them at their trial. After the trial, Carramusa went into hiding in Chicago with his wife and family, changing his name and beginning a new life under new circumstances.

Three years later, in June of 1945, while he was seated in his automobile, Carramusa's head was blown off by a shotgun blast. James Lumia, an associate of the Antinoris, was a suspect in this killing, but was himself murdered at Tampa in June of 1950. A prime suspect was the same Nicola Impastato, who had some years before attempted to kill Charles Wall.

In Tampa we have suffered also the frustration I know that many of my police colleagues in other cities have experienced—the deliberate recanting at trial of the original statements of complaining or key witnesses, because of their fear of Mafia reprisal. A clear instance of this frustration of law enforcement effort involved three of the ranking members of the Tampa Mafia.

538 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

One day in 1953, one Joe Castellano went to the Italian Club in Tampa to play cards with a group of friends. During the course of the evening, he talked to Salvatore Scaglione privately. Scaglione asked Castellano if he wanted to make a profit on a "hot load" of whisky. Castellano said he was interested, and they agreed to meet later that night.

At the meeting, Scaglione was accompanied by Joe Mistretta and Angelo LoScalzo. Castellano got into the front seat of a car provided by the others, and the four men drove to a thickly wooded area outside of Tampa city limits. Castellano was then attacked with a hammer, being hit repeatedly on the head. He managed to get out of the car, although he was badly hurt. He broke loose from his elderly assailants and ran away. He stumbled into a nearby house and asked to be taken to the constable's house, where he gave a statement about the incident, naming the three as his assailants. He swore to the county solicitor that he had no idea why he was beaten. Scaglione, Mistretta, and LoScalzo were arrested and charged with assault with intent to murder.

Joe Castellano disappeared for a period of time. After he was found, the case went to trial. Castellano changed his story completely and testified that he had injured himself while hunting on the night of the attack. The predictable result, of course, was a verdict for the defendants of "not guilty."

RECOMMENDATIONS FOR FURTHER FEDERAL LEGISLATION TO FIGHT ORGANIZED CRIME

I believe firmly that it is almost impossible for the Police Department of the City of Tampa, or any other municipality, to cope effectively with the activities of a national or international crime syndicate such as these hearings show exists in the United States. One of the main problems is that the most dedicated, well-trained, and well-staffed police force is almost always limited legally and financially to the territorial boundaries of its municipality. For example, the Tampa Police Department is obviously interested in and informed about the activities of Santo Trafficante. However, in the past the department was unable to do anything about Trafficante's operations in pre-Castro Cuba; it has no jurisdiction or control of his illegal affairs in Miami and elsewhere in central Florida. The department could only record that he attended the Apalachin meeting in November of 1957, but it could do nothing about this obvious evidence that he was a high-ranking member of a national crime syndicate.

In the light of our experience with the Mafia in our own city's underworld, I submit for this subcommittee's consideration some suggestions for Federal legislation which I believe would certainly help local law enforcement agencies to fight organized crime more effectively.

1. More ample funds must be obtained by local agencies to recruit high caliber police personnel and to retain superior personnel having the experience and capabilities to understand, investigate, and prosecute organized criminal conspiracies. Because of the demonstrated interstate nature of organized crime, Federal legislation similar to

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 539

educational and welfare grants to State agencies, could provide such funds and training to local police agencies.

2. I endorse strongly the Attorney General's strong recommendation before this subcommittee that the Congress authorize the use of wiretapping in fighting organized crime.

3. I recommend legislation that would set up a national clearing-house for criminal intelligence, so that information about organized crime and racketeering would be readily available in a central depository, to all local, State, and Federal law enforcement groups. A good example of the value of such centralized information is the Florida Intelligence Unit, of which Sergeant de la Llana is chairman. Within the 3 short years it has been organized, it has proven invaluable in informing us of the extent of organized criminal operations in Florida and has given to us an ever-increasing knowledge of the criminals who are associated in these illegal activities.

For example, in March of this year, the Florida Intelligence Unit initiated a project which is termed "Gambling Operations in Florida." Each member group is preparing charts and information about individuals in gambling operations in their particular jurisdiction. When all of this information is disseminated it will establish a pattern of gambling operations in the State, who the top people are behind these operations and, therefore, how we can best combat and eliminate this menace.

I believe also that when this project is completed it will confirm our increasing suspicion that Santo Trafficante is the man controlling gambling operations throughout the State of Florida.

The Florida Intelligence Unit was started 3 years ago by several law enforcement officers who realized our need for a unit that would correlate the dissemination of information about criminals and organized crime in the State of Florida.

This unit today has a membership of 21 law enforcement agencies throughout Florida. Its main function is the development of intelligence data about organized crime. Information developed by each member is forwarded to the Intelligence Section of the Florida Sheriff's Bureau, which reproduces and distributes it to all members.

Only sheriffs' offices and police departments in the State of Florida can become members of this organization. Their applications for membership are investigated to determine the applying department's honesty and integrity. The findings are presented to all of the members and acceptance of the applying department is determined by unanimous vote.

Intelligence information on a national scale, similar to the state-wide operation of our Florida Intelligence Unit, would be that much more helpful in making those of us at local levels of enforcement aware of organized crime and racketeering operations within—but extending beyond—our borders. It would allow the interchange of information with those jurisdictions sharing our concern about some particular criminals or rackets—and bring municipal and State law enforcement directly into the national fight on organized crime—thus utilizing our best talents at all levels of enforcement in a common effort to eliminate this great threat to our national welfare.

The CHAIRMAN. Thank you, Chief Brown.

Is there any further statement you wish to make?

540 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. BROWN. I believe not, Senator. I think that concludes my statement.

The CHAIRMAN. There are two or three things here in connection with your recommendations for laws.

I believe, and I may be mistaken, this is the first suggestion the committee has had that the Federal Government make grants to State agencies to enable them to pay the cost of their operations to the end that they might get more capable officials and develop more effective law enforcement operations.

Do you have any thoughts about the conditions, the criteria that would be required before any such grants would be made?

You come along here with respect to this clearinghouse and you set it up on a kind of rigid rule that you just do not give out the information to anybody. You clear them. You investigate them and try to make certain of their integrity and their purpose for getting the information, and so forth. But if you just make these grants, how would we say, well, the sheriff's office or the sheriffs' association in one State will get it and the sheriffs' association in another State where there might be, using it as an illustration, where there might be a question about the kind of use they would make of it, that they would not get it. How would we determine that?

Mr. BROWN. Senator, I think if the local department or the local agency first does everything that they can to attract qualified personnel, and to purchase the equipment necessary in this fight against organized crime, then if they could get some assistance from the Federal Government on perhaps a 50-50 basis or something of that nature. I know that in many municipalities it is almost impossible to attract, salarywise, the qualified people into law enforcement professions. There is a need there, which I think has been depicted through these hearings and through our experience, of attracting qualified personnel within municipal law enforcement agencies.

The CHAIRMAN. I am not challenging the idea at all. It strikes me it would be very difficult without the question of unwarranted subsidies arising. It would be difficult.

Mr. BROWN. It would be difficult.

The CHAIRMAN. I am not trying to belabor the question, but I see some serious difficulty there.

You speak in your recommendation No. 3 of the central depository or intelligence agency where this information about the criminals is assembled, and then later made available for distribution to law enforcement units in other parts of the State. You would think that a Federal agency of that kind, comparable to the one you have in Florida now, the one you have recently created in Florida, would be of great service.

Mr. BROWN. I think it would be one of the greatest benefits to law enforcement.

The CHAIRMAN. There are two things about that. I have thought of this before. You set up a central clearinghouse in Washington, even granting that power to the FBI or set up a separate agency, whichever was found to be desirable. How, then, do you keep that information from getting into the hands of some crooked law enforcement official who might seek the information for the purpose of using it, not to enforce the law but to help law violators evade the law, or to evade detection or prosecution?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 541

Mr. BROWN. I think perhaps along the same lines as we have our own State agency, that they first have to prove themselves. They are placed on probation for a 6-month period of time. If they are worthy, then, of course, we furnish this information to them.

The CHAIRMAN. In theory it is wonderful. It is certainly needed. You can see what great good can come from it if you could have it administered at all levels by people of honor and integrity. But if you do have some corrupt official who is working with the underworld, often the information he might be able to get through that source would serve as a great benefit to the criminal rather than for the purposes intended, to help enforce the law. It has its problems.

(At this point Senator Javits entered the hearing room.)

Mr. BROWN. It has its disadvantages, too, that is true. But I think the advantages far outweigh the disadvantages.

The CHAIRMAN. There are some disadvantages in it. And all of these proposals need to be weighed.

I think there is a burden resting on the Congress now, and I think it is becoming more urgent all the time, for us to explore and examine all of these proposals and any others, with a view of giving to law enforcement agencies of this country all of the tools that we can possibly give them within the framework of the Constitution to wage this war against the organized crime.

I am glad to have these suggestions from you. But these are some of the problems.

Are there any questions, Senator Javits?

(At this point Senator Muskie withdrew from the hearing room.)

Senator JAVITS. Mr. Chairman, I had one question of the witness.

I have been kind of emphasizing here this question of not condemning the Italian community because of these gangs in particular places. I am so glad that you have dealt with that so very well yourself.

Mr. BROWN. Thank you, Senator.

Senator JAVITS. It is very nice when it comes spontaneously. The other thing is that on this problem of wiretapping, it has occurred to me that perhaps one of the things that has not had as much consideration as it should is the interdiction of the use of a communications network by these underworld, organized criminal syndicates as being far more, perhaps, important in the picture than we had supposed as contrasted with what you might find out by listening in on them. In short, the fact that they do use the phone a lot, but they are not afraid of anybody overhearing them, in the sense that they are using codes and watching for taps, et cetera, but if there is a general wiretap authority, then they probably would not have the selectivity that they have now and probably would have to avoid the use of the whole network.

Would you say that that ought to slow them up considerably?

Mr. BROWN. I think it would slow them up a great deal, Senator.

Senator JAVITS. So you do say that the interdiction of the use of a free communications network, which they could not possibly duplicate is, itself, one of the very important reasons for advocating a stronger wiretap stand?

Mr. BROWN. Yes, sir.

Senator JAVITS. Of course, I have said many times, and I will repeat again, that I think the civil liberties protections are possible, and we should all, of course, direct our attention to them.

542 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. BROWN. Thank you.

Senator JAVITS. Thank you very much for your very fine testimony, Chief Brown.

TESTIMONY OF ARTHUR G. KAPLAN—Resumed

The CHAIRMAN. Mr. Kaplan, you have been previously sworn. Do you have some documents to present to the committee?

Mr. KAPLAN. Yes, sir. I have the current FBI criminal records of each of the men named on the Mafia organization chart of Chief Brown.

The CHAIRMAN. Very well. Let them be received and marked "Exhibit No. 51" for reference.

(Documents referred to marked "Exhibit No. 51" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. Are there any other questions of Chief Brown?

Mr. O'DONNELL. No further questions.

The CHAIRMAN. Very well. The committee will stand in recess—

Senator JAVITS. Mr. Chairman, may I say one thing? I am told that the county solicitor of Orange County, Fla., came up especially to testify and was subsequently advised that he had better just submit a sworn statement. Perhaps, with the permission of the Chair, because I realize our time is very limited, if he is available he might just actually turn his statement in and if he had an observation or two to make perhaps he could make them.

The CHAIRMAN. I had no information about his presence.

Senator JAVITS. Is he here?

The CHAIRMAN. Is he here?

Mr. O'DONNELL. Yes.

The CHAIRMAN. Sometimes when we have so many, the staff will suggest that they submit a statement for the record. If there is no objection, he may appear.

Very well, sir, will you be sworn?

You do solemnly swear the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RUSS. I do.

TESTIMONY OF JAMES M. RUSS

The CHAIRMAN. Please identify yourself for the record.

Mr. RUSS. My name is James M. Russ. I am the county solicitor of Orange County, Fla., which encompasses Metropolitan Orlando. My responsibilities include the prosecution of State offenses which occur within this county.

The CHAIRMAN. Do you have a prepared statement?

Mr. RUSS. Yes, I do, Senator. I have a prepared statement, together with exhibits which have been placed in affidavit form. I have sworn to the content of the statement and exhibits. With the subcommittee's permission, I would like to offer them into the record.

The CHAIRMAN. Will it be satisfactory to you to receive your affidavit or statement and print it in full in the record at this point and let you highlight it, if you desire?

Mr. RUSS. Yes, it would, Senator.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 543

The CHAIRMAN. Senator Javits?

Senator JAVITS. I was going to make that suggestion. I think the Chair has been most gracious in allowing the witness to testify personally, and I hope the witness, in recognition of that, will make his comments brief.

(The affidavit referred to follows:)

AFFIDAVIT

CITY OF WASHINGTON,
District of Columbia, ss:

I, James M. Russ, county solicitor for the County of Orange, State of Florida, swear that the attached "Statement of James M. Russ, county solicitor, Orange County (Orlando), Fla." consisting of 11 pages and 5 exhibits, all of which are incorporated herein by reference and made a part hereof, is a true and accurate statement of facts based upon my information and beliefs and a true statement of my views recited therein.

JAMES M. RUSS.

Subscribed and sworn to before me this 12th day of October, 1963.

(S) WM. R. LEWIS, *Notary Public*.

My commission expires December 14, 1963.

STATEMENT OF JAMES M. RUSS, COUNTY SOLICITOR, ORANGE COUNTY (ORLANDO),
FLA.

My name is James M. Russ. I am the county solicitor of Orange County, Fla., which is Metropolitan Orlando. My responsibilities include the prosecution of State criminal offenses which occur within this county. I would like to take this opportunity to thank the members of this subcommittee for inviting me to appear and present testimony in this investigation concerning organized crime and racketeering.

In our area, central Florida, the most significant criminal activity is illegal gambling, particularly the lottery operation locally known as Bolita or Cuba. The organization and operation of this lottery has been previously outlined by Chief Brown of the Tampa Police Department and Sergeant Branch of the Orlando Police Department.

The great general problem facing a prosecutor in fighting organized crime is that of obtaining enough admissible evidence to support a conviction in a trial by jury. I was, therefore, very interested when the Attorney General appeared here several weeks ago and suggested Federal legislation which would provide two additional means for obtaining evidence. I think that our experiences in central Florida in prosecuting organized crime's gambling operation might help this subcommittee better understand the need for such legislation.

I. BROAD FEDERAL IMMUNITY STATUTE

In Florida we have an immunity statute which applies to such crimes as illegal gambling, liquor activities, and bribery. Chief Brown has indicated here today how the county solicitor in Tampa successfully used the immunity statute in his 1953 gambling investigation of the Trafficante group. My office uses it on a regular basis, particularly in regard to the activities of the 29 persons named in the lower right-hand corner of the Tampa chart. I consider it to be an indispensable weapon in the investigation and prosecution of organized crime.

Generally speaking, we have available two methods of prosecuting lottery cases in a jury trial. The first and more common method is by presenting testimony of law enforcement agents who state what they have seen and heard, and support their testimony by introducing contraband and other tangible evidence which they have seized.

This tangible evidence usually consists of pieces of paper containing handwritten numbers, money, and adding machine tapes when found on the persons of arrested lottery sellers and pickup men, who act as couriers between the sellers and the checkup house. A raid on a lottery checkup house will, in addition to these items, disclose adding machines, telephones, and possibly a shortwave radio

544 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

used to receive the winning number from Havana. These raids are usually conducted on Saturday afternoons by entry of law enforcement agents into the house with a search warrant. Usually the defendants are in the active process of checking up, and are surrounded by thousands of lottery tickets, tally sheets, and the equipment already mentioned. I have with me samples and photographs of this lottery paraphernalia as exhibits for the record, because I believe it is easier for the subcommittee to understand our problems of evidence by seeing examples of evidence seized in a raid.

I have several bolita tickets (Russ exhibit 1). The left-hand column represents the numbers selected by the bettor and the right-hand column represents the amount of money bet on each number. All of the numbers in the left-hand column are within the betting range of from 1 to 100 and the amounts bet are divisible by 5, a characteristic of bolita.

I have also two tally sheets, one a handwritten form and the other a printed form. (Russ exhibit No. 2.) These sheets are used in the checkup house to compute the amounts bet on each number, from the loose lottery tickets. The running totals are to the immediate right of the numbers.

I have also photographs of a 1961 lottery raid on a checkup house in suburban Orlando. This was a small operation competing with the Blackburn organization. It lasted for only several weeks. You will note the facade of respectability behind which this operation was conducted. The lottery tickets were found in small envelopes under a mattress, each envelope containing tickets from an individual seller (Russ exhibit No. 3). Both men arrested in this raid are presently serving prison sentences.

I have also photographs of two other lottery raids within the last 2 years where members of the Blackburn organization were arrested. (Russ exhibit No. 4.)

Admissions and confessions from lottery defendants are not common. Consequently, the jury, from this evidence, does not obtain a clear explanation of exactly what the defendants were doing when arrested.

In the second type of case, we present the testimony of witnesses who are actually involved in the lottery operation—accomplice testimony.

They testify what they and the defendants did in the course of their lottery activity, and further state why they did it. These witnesses explain to the jury-men how a lottery operates. Here the jury fully understands what was going on. The jurors then simply have to resolve the question of whether or not the witnesses are truthful. These accomplice witnesses are, of course, given immunity from State prosecution that could otherwise result from their testimony.

With reference to that portion of the Tampa chart outlining the central Florida lottery operation headed by Harlan Blackburn, since 1960, 12 of the 29 persons named in the lower right hand corner have either been convicted of lottery law violations or are presently under prosecution. One of the 29 was given immunity approximately 10 months ago in exchange for testimony. Our utilization of the Florida immunity statute has been an assisting factor in the investigation and jury trial of many lottery cases. We have used it to bring in peripheral figures as witnesses, whose testimony was used to corroborate and support the police testimony. In our efforts to reach the top men—the bankers—we have given immunity to witnesses from within the lottery organization. For example, in one case immunity was given to the operator of a checkup house in order to launch and later support a prosecution against a banker, who was the financial backer of the lottery, and two pickup men who each controlled a group of lottery sellers. One of the pickup men pled guilty to a conspiracy count, and then testified with the checkup house operator and several sellers and bettors in the trial of the banker and the second pickup man. This prosecution could not have been developed without the utilization of the immunity statute.

Under the immunity statute, the recalcitrant witness finds himself with a three-way choice: (1) refuse to testify and be held in contempt; (2) lie and be prosecuted for perjury; and/or (3) tell the truth and be immunized from prosecution for past related criminal acts. Where initially the prosecutor does not have a triable case without immunizing testimony, he is really giving up nothing by this grant of immunity.

As you undoubtedly know, the function of the immunity statute is to provide a substitute for the witness' constitutional privilege against self-incrimination. In order to be effective, the immunity provided must be as broad as the protection contained in the constitutional privilege. Witnesses in lottery investigations conducted by my office, although given immunity by Florida, have declined to testify on the basis that the Florida immunity statute was not broad enough to immunize them from Federal prosecution, and they had reason to believe that

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 545

their testimony would tend to incriminate them as violators of Federal laws. For example, this question came up during August of this year in a contempt action which we brought against the girl friend of Clyde Lee, one of the men on the chart. She had refused to give testimony during the course of our investigation into Lee's illegal gambling activities. When the contempt action was brought into court, the witness contended that she had reason to fear Federal prosecution since she had been called as a witness before the Federal grand jury which convened in Orlando earlier, and which was also investigating illegal gambling. The judge, in this case, rejected the witness' position and required her to answer the questions about Mr. Lee. I foresee, however, that with the increase of Federal activity against organized crime under the 1961 legislation, this claim will be more frequently raised in State prosecutions; and in time, a court decision will be handed down in a Florida contempt proceeding upholding the witness' position. When this occurs, the effectiveness of the Florida immunity statute as a prosecutor's weapon against organized crime will be seriously diminished.

Therefore, as a State prosecutor, I am vitally interested in the enactment of a broad Federal immunity statute which a U.S. district attorney could utilize in such instances, so that our State prosecutions can continue with their present effectiveness.

My experience with Federal law enforcement agents and Justice Department attorneys has been such that I believe the U.S. district attorney would make every effort to assist the State prosecution.

It has been questioned whether a broad Federal immunity statute is desirable, since it theoretically would allow the Federal prosecutor to give immunity to a person who was the possible subject of a State prosecution. First of all, based upon the care and caution with which Federal prosecution moves, it seems most unlikely to me as a practical matter that immunity would be unwisely granted. Secondly, I note that excellent coordination and liaison presently exists among Federal and local investigating agencies and prosecutors concentrating their efforts against organized crime. Lastly, the permanent eradication of organized crime from American society is in no way dependent upon whether the racketeers are charged under Federal or State statutes, prosecuted in Federal or State courts, or sentenced to Federal or State penal institutions.

I recognize the enactment of a broad Federal immunity statute will not provide direct assistance to a State prosecutor; however, it will protect his valuable weapon contained in the State immunity statute, and it will certainly assist in the successful prosecution of the same criminals at the Federal level.

II. PROPOSED WIRETAP LEGISLATION

It has been my experience that it is very difficult to obtain evidence from our present sources, which will support a successful prosecution against the important persons at the head of a lottery organization. These available sources of information include confidential informants, tangible evidence obtained through search and seizure, the testimony of accomplices, visual surveillance, and telephone company toll records.

When an effort is made to reduce the information obtained from these sources to matters of proof, we find that the information received from a confidential informant cannot be used in the courtroom, because the effective service of the informant ends with his public identification. We find that the tangible evidence commonly connected with a lottery, such as lottery tickets, tally sheets, and adding machines are not found in the possession of the key people. We find that accomplice testimony is subject to close scrutiny by a jury, particularly when uncorroborated. Visual surveillance and telephone toll records, while helpful as corroboration, are usually not sufficient standing alone to support a conviction.

As Sergeant Branch has stated, the ordinary lottery organization contains pickup men who physically transmit the lottery records between the sellers and the checkup house. However, we have a recent case where the lottery sellers retained in their possession the records of the bets and the money, and utilized telephones to transmit the betting information to the checkup house. The checkup house operator also relayed the information concerning the winning number back to the sellers by telephone.

This more sophisticated lottery operation avoids the physical transmittal of tangible lottery records between the sellers and the checkup house by pickup men. It is true that the sellers are vulnerable to arrest and conviction since

546 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

they deal with the betting public and retain the lottery records, but the sellers are so numerous and so easily replaced that their conviction is of minor consequence in meeting the problem. The checkup house operator remains insulated, since the gambling information he receives and transmits is by telephone. Here the police find it difficult to obtain sufficient evidence to support the issuance of a search warrant for the checkup house. Also, checkup houses are moved frequently to further frustrate police efforts to obtain and successfully serve a search warrant.

The communications from the checkup house operator at the top echelon of the lottery organization concerning net profit or loss are again conducted by telephone rather than by personal contact. In addition to the inaccessibility of these telephone conversations to the police, this type of communication permits the crossing of jurisdictional lines to place the checkup house and keyman in geographic locations beyond the authority of the investigating agency, and further insulate them from arrest and prosecution. The only tangible items that are physically transmitted through the lottery organization are adding machine tapes and cash money; standing alone, they are not particularly incriminating.

Furthermore, the operation of a lottery is on such a tight timetable as to the betting deadline, the computation of the total bets, the selection of the winning number, the recomputation of the winning bets, and the distribution of the winning information back to the bettors, that a fast and accurate communication system is a necessity. The telephone system is the gambler's lifeline.

We often find that one of the difficult legal problems contained in a lottery prosecution is proof that the lottery in question was conducted during the time period encompassed by the statute of limitations. The lottery operators are fully cognizant of this problem and, therefore, place no dates on lottery tickets or records. In central Florida, the winning number from the lottery of the previous week is placed in a circle on the current week's lottery ticket to date this lottery record. You will find these circled numbers on the sample lottery tickets placed in the record. As Sergeant Branch has indicated, then this winning number comes from the Cuban national lottery conducted in Havana every Saturday. Due to the present situation in Cuba, we are not able to present admissible evidence in a lottery trial which will prove the Cuban national lottery winning number for a given Saturday. Therefore, bare possession of undated lottery records, generally speaking, is not sufficient evidence to support a prosecution for anything more than a misdemeanor under Florida law. This entire statute-of-limitations problem would be readily resolved by the admissibility of overhead telephone conversation, such as we have in a pending prosecution called the party-line case.

My office presently has a lottery case pending against two key men based upon their conversations which were overheard on a party-line telephone. These conversations extended over a period of several weeks and outline the entire lottery organization from the sellers of lottery bets to the person who is financially backing the operation. This evidence obtained from a party line is legal and competent evidence under Florida law. If it had resulted from an illegal wiretap, it would not be admissible.

Although both defendants have been active in lottery for many years, more than 6 years have passed since they were last arrested on lottery charges which resulted in convictions. Therefore, this case is of particular significance.

In addition to supporting the main prosecution, these overheard conversations were utilized in obtaining a search warrant for a residence, and this search, in turn, yielded lottery equipment. These conversations also have helped to identify other persons of lesser importance who are involved in this lottery operation. Furthermore, the telephone company has disconnected a dozen telephones which were identified from these conversations as being used to violate the gambling laws.

These overheard party-line conversations between two known and convicted gamblers resulted in direct evidence, corroborating evidence, investigative leads, identification of other gamblers, and termination of vital telephone service.

I have with me a photograph of the lottery equipment seized during the raid in the party-line case (Russ exhibit No. 6).

Several of these adding machines were brand new and still in their packing boxes. The money in the photograph exceeds \$2,000. Once again this raid was conducted on a residence in one of the more fashionable suburbs of Orange

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 547

County. The man found in possession of this lottery equipment was previously arrested in a lottery checkup house in 1957 where an audit of the lottery records found in that house reflected weekly betting activity in the amount of \$100,000. Here are two photographs which show the inside of this checkup house and the lottery records seized in that raid (Russ exhibit No. 7).

Much has been written and said about the subject of wiretapping while considering the right of society to protect itself against crime and the right of the individual to privacy. During these recent weeks evidence has been presented to this subcommittee which shows the problem of organized crime to be substantial. It further supports earlier evidence on this same subject presented to other congressional investigating committees. By passage of antiorganized crime laws in 1961, Congress has already recognized that organized crime is a serious problem; that it is conducted on an interstate basis, and that the telephone is utilized to implement these criminal schemes. It seems to me to naturally follow that Congress should now provide the legal tools to the Federal agencies and departments responsible for the enforcement of the 1961 legislation. Legal wiretapping is one of these tools.

I note that wiretap bill proposed by the Attorney General (Senate bill 1308) contains many procedural safeguards to insure that this invasion of privacy is limited to persons engaged in specific criminal activities. This bill will clear up the present uncertainty resulting from inconsistent State and Federal wiretap laws, and promote prosecution of illegal wiretappers. It will provide Federal agents, and prosecutors with an important source of evidence for the enforcement of the Federal laws passed in 1961.

Since gambling has not been included among those crimes for which a State prosecutor could obtain wiretap authorization, this omission will limit its utilization in State prosecutions. Also, where a State statute does not legalize wiretapping, State prosecutors will not be able to obtain a wiretap order.

I feel this proposed wiretap bill will accomplish a desired twofold purpose: (1) It will strengthen the right of the law-abiding individual to privacy through the prosecution of illegal wiretappers; and (2) it will strengthen the right of society to protect itself against the ever-increasing threat of organized crime by authorizing audio surveillance of persons engaged in specific criminal activities.

The CHAIRMAN. We will be glad to have you make any comments.
Mr. RUSS. Thank you, Senator.

My statement deals with the problem of organized crime, particularly that of the illegal gambling as we know it in central Florida, which is encompassed by the lottery called Bolita of Cuba, which the police officers have referred to earlier this morning.

The CHAIRMAN. Let the Chair interrupt just a moment.

The affidavit you filed has attached to it a number of pictures and other documents possibly. Particularly the pictures cannot be printed in the record. Your statement will be printed in the record, your affidavit, and all of the material that you submit as exhibits that can be will be printed in the record, but the others will just have to be made exhibits for reference.

I will ask the clerk of the committee to give them appropriate numbers, starting with exhibit No. 52.

(Documents referred to marked "Exhibit Nos. 52-A, 52-B, 52-C, and 52-D" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. You may proceed.

Mr. RUSS. Senator, I find that as regards the prosecution of these gambling cases, the main problem that faces a prosecuting attorney is that of the obtaining of evidence of admissible character to support the prosecution and result in convictions. In my statement I speak in favor of the two proposals made by the Attorney General several weeks ago as regards, No. 1, the broad Federal immunity statute, and, No. 2, as regards legalized wiretapping.

548 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

As regards, first of all, the immunity statute, we have an immunity statute in Florida which my office has used quite extensively in conjunction with the law enforcement agents in investigating organized crime, particularly gambling. We have found it to be of significant value in both the investigation and the prosecution of gambling cases.

One problem that we do run into or that we foresee is that in view of the fact that the Federal Government is now in the area of anti-crime activity under the 1961 legislative package, that witnesses coming into a State investigation being granted State immunity are claiming that the immunity is not broad enough to replace their constitutional privilege against self-incrimination. Consequently, they are declining to testify on that basis. But I feel that a Federal immunity statute, which a U.S. district attorney could use in implementing the State investigation, would be of considerable assistance in protecting this valuable weapon that State prosecutors now have in the State immunity statutes.

The CHAIRMAN. In other words, you might offer them immunity there, but if they are also subject to prosecution by the Federal Government, your immunity doesn't extend far enough to give them protection. That is the point; is that correct?

Mr. RUSS. That is the point exactly. As things now stand, with the 1961 legislative package, I feel that State prosecutors stand in danger of losing this valuable weapon that they have in the State immunity statutes. Of course, there is a second very important reason why you should have a broad Federal immunity statute, to give to the Federal prosecutors and the Federal law enforcement agents who have the responsibility of enforcing these laws the tools that they need to carry out their work.

As regards the second proposed legislation, that of the wiretap bill, I understand and appreciate fully this balance that we are attempting to reach between the right of the individual to privacy and, of course, the right of society to protect itself against crime. As I analyzed the bill that the Attorney General referred to, I believe it was Senate bill 1038, I find that there are built into that bill significant procedural safeguards which will result not in an interdiction of a communications system, but the inquiry on a very select basis into the criminal activities, specific criminal activities, of identified persons wherein a judge and a prosecuting attorney are placed to give judgment as to whether or not the wiretap authorization shall ever be ordered to begin with.

I feel further that it will assist and further the goal of protecting the privacy of the individual in that it, of course, has a strong prohibition against illegal wiretapping, a prohibition which could be effectively enforced and stop this type of activity. So it would have the one purpose of protecting the individual in his privacy and, of course, the second purpose of assisting the law enforcement agents in obtaining additional information and evidence to enforce the 1961 Federal Anticrime Act.

The CHAIRMAN. Senator Javits, have you any questions?

Senator JAVITS. No questions, but I express appreciation to the Chair for allowing the witness, who made a long trip, to present his statement.

The CHAIRMAN. We are very glad to have you, Mr. Russ, and to have your testimony.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 549

We know that officers throughout the country occupying your position, having prosecution duties, are very anxious, most of them, at least, to have their hand strengthened wherever it can be.

Mr. RUSS. Yes, we are, Senator.

The CHAIRMAN. And at the same time protecting the rights and liberties of individuals. I am hopeful that out of this, while this isn't the committee to actually recommend the legislation to the Congress, it can recommend but the legislative committee will have to further sift any testimony along this line, and procure testimony along this line, I am hopeful that there will come out of this hearing a stimulated interest in this, and the Congress will be moved to try to meet its responsibility in this field, to give to law enforcement agencies throughout the land, as far as it can from the Federal standpoint, and within the framework of the Federal Constitution, every tool that we can give them which will help them to wage this war against crime.

Thank you very much.

Mr. RUSS. Thank you.

The CHAIRMAN. The committee will stand in recess until 2 o'clock.

(Members of the subcommittee present at time of recess: Senators McClellan and Javits.)

(Whereupon, at 12:08 p.m., the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION

(The subcommittee reconvened at 2:08 p.m., Senator John L. McClellan, chairman of the subcommittee, presiding.)

The CHAIRMAN. The committee will come to order.

(Members of the subcommittee present at time of reconvening: Senators McClellan and McIntyre.)

The CHAIRMAN. Will you gentlemen be sworn, please?

Do you and each of you solemnly swear the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STONE. I do.

Mr. McCAULEY. I do.

Mr. MULLEN. I do.

The CHAIRMAN. Beginning on my right and on your left, will you please identify yourself for the record, please?

**TESTIMONY OF COL. WALTER E. STONE, LT. JOSEPH J. McCAULEY,
AND CPL. JAMES W. MULLEN**

Mr. STONE. I am Col. Walter E. Stone, superintendent of the Rhode Island State Police.

Mr. McCAULEY. I am Lt. Joseph J. McCauley, of the Rhode Island State Police.

Mr. MULLEN. I am Cpl. James W. Mullen, of the Rhode Island State Police.

The CHAIRMAN. Very well, Colonel Stone, do you have a prepared statement?

Mr. STONE. Yes, I have, Mr. Chairman.

The CHAIRMAN. Do you wish to read it?

Mr. STONE. I do, sir.

550 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. If you will, before you proceed with your statement, give us a little more of your background.

Mr. STONE. I have been a police officer for 31 years. Twenty-seven of my years have been with the Providence Police Department. I retired as chief of police in 1962 to take over as superintendent of the Rhode Island State Police.

I formerly held the State police position from 1959 to 1961, when I returned to the Providence Police Department and was appointed chief of police.

The CHAIRMAN. All right, then, you may proceed to read your statement, if you would prefer to read it.

Mr. STONE. Mr. Chairman and members of this committee, like other witnesses appearing before this honorable committee today, I, too, am firmly convinced that a structure of organized crime does exist in America.

Several weeks ago the local and out-of-State newspapers named Raymond L. Patriarca as 1 of the 12 top heads of organized crime in the United States today.

I would now like to go into detail and give this committee the criminal background on this exconvict.

Raymond L. Patriarca, age 55, lives with his family in Providence, R.I. To the Rhode Island State Police and the Providence Police Department this man is the controlling force behind organized crime in Rhode Island and New England.

Raymond L. Patriarca was born on March 17, 1908, in Worcester, Mass. His criminal career began as a bodyguard for bootleggers in the early twenties when he quickly gained a reputation for being a strong-arm man.

That this man was without honor "even among his fellow thieves" was indicated early in his "career" by the fact that he was known to set up hijacking of the very shipments of alcohol he was hired to guard.

His police record began while in his teens in 1926 and includes arrest for hijacking, jail escape, violations of the gambling laws, violations of the Mann Act for which he served a Federal sentence, safecracking, armed robbery, adultery, motor vehicle code offenses, carrying of firearms, conspiracy, assault, auto theft, and accessory before the fact, murder—two counts.

The CHAIRMAN. You say those are arrests. How many times has he been convicted? Do you have his conviction record with you?

Mr. STONE. We have, Mr. Chairman.

The CHAIRMAN. You can supply it.

Mr. STONE. The FBI record, Mr. Chairman, shows five convictions.

The CHAIRMAN. Five convictions?

Mr. STONE. Yes, sir.

The CHAIRMAN. Very well. You may proceed.

Mr. STONE. He is a shrewd, scheming individual as well versed in the ways of crime today as he was in yesteryear. He is as ruthless in the sixties as he was in the thirties.

Behind the front of his business enterprises, Patriarca, through his lieutenants, is still involved in one of his old specialties, that of strong-arming. Now its being done for unions in the New England area instead of for his fellow gangsters during prohibition.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 551

The CHAIRMAN. Being done for unions? What do you mean by that?

Mr. STONE. By that I mean, Mr. Chairman, that if there is trouble in the union and they are looking for goons or strong-arm people to move in, that Patriarca would supply them.

The CHAIRMAN. He is not a union leader as such?

Mr. STONE. That is right, sir, he is not a union leader.

The CHAIRMAN. But he is called in. They make his services frequently available to unions?

Mr. STONE. He will supply strong-arm people to straighten out situations.

The CHAIRMAN. Very well.

Mr. STONE. He has the controlling interest in lotteries, bookmaking, dice games, and the provision of wire service in this area.

Moreover, he settles any disputes within the organization working this section, sometimes using force or intimidation to accomplish his designs. He is known to be connected with other racketeers operating not only in New England, particularly in Boston and Worcester, but also in Broward County, Fla.

The following is a partial list of his known criminal associates, all with previous arrests by local and Federal authorities, and individuals who comprise a tight-knit organization in New England and elsewhere.

There are many more of lesser note who also are allied with Patriarca in one way or another. His fold of friends presently, or in the past, includes the following from Rhode Island:

Dominic "Terry" Biafore, Americo "Pat the Barber" Bucci, John Candelmo, Alphonse "Fobey" Capalbo, Frank Forti, Albert "Key-stone" Lepore, Antonio "Tony Holmes" Lopreato, Frank "Butsey" Morelli, Francis "Joe" Patriarca (Raymond's brother), Santino "Sandy" Ruggerio, and his brother, Richard "Rex" Ruggerio, Giuseppe "Blondy" Simonelli, Louis "The Fox" Taglianetti, Henry Tamello, Alfredo "The Blind Pig" Rossi, Albert "Albo" Vitale.

From Boston, there are Frank Ferrara and Michael "Mickey the Wise Guy" Rocco.

From New York is Frank Costello.

Mr. O'DONNELL. We have a chart known as the Rhode Island and Boston organization.

Did you prepare that part of the chart—furnish the information to the committee, with regards to Rhode Island?

Mr. STONE. I did, sir; yes, sir.

Mr. O'DONNELL. Are all of the names that have been mentioned by you in the preceding paragraph on that chart?

Mr. STONE. They are, sir.

Mr. O'DONNELL. Continue, please.

The CHAIRMAN. Let that chart be made exhibit No. 53, and printed in the record insofar as it can be.

(Document referred to marked "Exhibit No. 53" for reference faces this page.)

Mr. STONE. Another associate of Raymond Patriarca was Frank Iacone of Worcester, now deceased.

Raymond Patriarca is no stranger to murder, having been indicted by a Rhode Island grand jury for his part in the 1930 Easter Saturday attempt to free two vicious criminals from a Rhode Island prison which

552 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

resulted in the death of four people. Patriarca was a part of the conspiracy involved in setting the stage for the attempted prison break.

One may ask how this man Patriarca came to attain control of the rackets with its goons and its far-reaching effects. He first came into power in the early forties when he took over the rackets in southern New England from Frank "Butsey" Morelli, then the No. 1 man, who was on the apparent downgrade at the time.

Mr. O'DONNELL. Was this in the southern New England area as distinct from the entire New England area?

Mr. STONE. This was in the southern New England area.

Mr. O'DONNELL. Thank you. Go ahead.

Mr. STONE. One of Patriarca's first acts after taking over the rackets was to take control of the wire service in southern New England. He raised the fees for its services. This pushed a lot of people out of the bookie business and left the gravy for Patriarca and his mobsters.

One of the men who dared challenge Patriarca was Carlton O'Brien, an ex-convict and strong-arm man in his own right. Carlton O'Brien ran several bookie places in and around Rhode Island and he refused to go along with paying the raised wire service ante. He set up his own wire service in an adjoining State where he bootlegged this service into his own bookie parlors, and also furnished other bookies service who refused to pay the heavy rate put on by Patriarca. This brought on trouble.

O'Brien's bookies were held up, bookie parlors wrecked, and telephone lines pulled out, bookmakers slugged and robbed.

In 1951, O'Brien, while walking into his home early one morning, which is located in a respectable neighborhood outside of Providence, was gunned down from ambush with a shotgun. This is one of the unsolved gangland murders. Police officials feel this slaying was a reprisal for his defiance of Patriarca.

There is little doubt that Raymond Patriarca, like his racketeers in organized crime today, is using profits gained from illegal enterprises to infiltrate legitimate businesses mostly on a "silent partner" basis.

In any analysis of the past criminal cases involving Raymond Patriarca one is certain to find indications that witnesses who have made damaging testimony against this man have through fear repudiated said testimony.

Rhode Island law enforcement officers feel that such withdrawal of testimony was motivated out of the fear witnesses had of reprisals. The threat of reprisal action is not only directed toward the law abiding who would make damaging testimony.

There is cause for peace officers to believe that reprisals in all forms, including murder itself, have been carried out against those criminals in all echelons of the organization.

In the year 1956 Raymond Patriarca, with his brother Joe, strong-armed their way into the cigarette vending machine business. Trucks were hijacked and equipment destroyed and, with the fear of reprisal, the owners of legitimate business that were affected kept their mouths shut.

Also during the year 1956 Raymond Patriarca stated: "I am going to put out 500 machines before I'm through and there is nothing that anyone can do about it."

Patriarca, through his goons, threatened the legitimate cafe and store owners into renting his cigarette machines and jukeboxes. Fail-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 553

ure to comply with these hoodlums' requests resulted in the wrecking of the store, fixtures, and bodily harm.

The CHAIRMAN. Let me ask you: Would none of them testify against him when he came and made those threats?

Mr. STONE. No, they wouldn't, Mr. Chairman.

The CHAIRMAN. Do you mean legitimate business people, law-abiding citizens in legitimate businesses, were thus coerced and intimidated?

Mr. STONE. I mean exactly that, sir.

The CHAIRMAN. And they will not testify?

Mr. STONE. No, sir; they would not.

The CHAIRMAN. What reason do they give you?

Mr. STONE. Through fear of this man or his henchmen.

The CHAIRMAN. Do they feel like the law enforcement agencies are presently unable to cope with that situation, and would you say they are unable to cope with it, and, thus, this man can operate in this fashion almost with impunity?

Mr. STONE. Certainly if we had the cooperation of the citizen, we could cope with the situation, but when you don't have it, certainly you can't.

The CHAIRMAN. But you do have a situation where if the citizen cooperates with you, he makes himself or exposes himself to great bodily injury and possibly death?

Mr. STONE. He does, sir; yes, he does.

The CHAIRMAN. That is one of the difficult problems. I don't know what law could be enacted that will solve that, but that is one of the very difficult, almost insurmountable, handicaps in law enforcement, where you are dealing with a gang that is dedicated to terror and violence and so forth in perpetrating that.

Mr. STONE. I would say, Mr. Chairman, it is the main obstacle as far as law enforcement is concerned, where you do not get the cooperation from the victims.

The CHAIRMAN. All right.

Mr. STONE. Raymond Patriarca is known to be linked very closely to gaming czar Frank Costello. This affiliation comes from their activities, which also include the late John F. (Big Jack) Letendre, of Woonsocket and Florida, in the operation of a gambling joint in Florida.

"Big Jack" Letendre later was murdered in the city of Woonsocket, R.I., and police theorized that this slaying was a result of a squabble within the underworld.

The CHAIRMAN. Is that another one of those unsolved gang murders?

Mr. STONE. That is right, Mr. Chairman.

Another one of the rackets that Patriarca worked was the so-called past posting. This is the placing of a wager on a horserace that has been run and a winner has been determined. These risky but profitable activities were carried on by the goons of Patriarca throughout the East.

Mr. O'DONNELL. As I understand it, Lieutenant McCauley can give a little further information on past posting; is that correct?

Mr. STONE. Yes, sir. He has the gadget used.

Mr. O'DONNELL. Thank you.

Mr. STONE. Very active in this operation of past posting was George "Tiger" Balletto and Michael "Mike" Mandella.

554 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

As a reward for their endeavors Balletto was shot to death in the Bella Napoli Cafe in the Federal Hill section of Providence in front of 22 witnesses, most of them with a criminal record.

The assassin of George "Tiger" Balletto was John "Jackie" Nazarian, one of the most vicious and feared gunman on the east coast. This "triggerman" was one of Patriarca's enforcers. Very reliable police information has that Nazarian had been used in gangland slayings outside of Rhode Island.

It is also a positive fact that this gunman was responsible for two of the gangland slayings in Rhode Island that have occurred in the past few years.

One of the 22 witnesses of the Balletto murder, Eddie Hannan, an ex-boxer, was strangled to death by Nazarian who left his body in a dump in the Federal Hill section of Providence with bailing wire around his neck. This indicated that he was going to be a damaging witness in the Balletto murder.

Patriarca had to have an "animal" like Nazarian in his fold for obvious reasons, although he lived in fear that he was not immune to being a victim of "Jackie," who was known as a mad dog. Just mentioning the name of Nazarian brought fear to the underworld as well as the average citizen.

Michael Mandella received the same fate as his cohort, Balletto, when his bullet-riddled body was discovered on the outskirts of Providence.

This gangland slaying is still unsolved. John "Jackie" Nazarian, who was Raymond Patriarca's chief torpedo man, was slain while walking the streets of Federal Hill last year, a short distance from Raymond Patriarca's hangout.

The CHAIRMAN. Have you solved that crime?

Mr. STONE. There were two indictments on it, Mr. Chairman. There was one trial. The man charged with the murder was acquitted.

In recent years, another racket has flourished, "Boosting." "Boosting" as it is known, is a professional operation by trained goons who are specialized in the fleecing of department stores of millions of dollars in merchandise annually.

They invade these department stores in teams, consisting of pitchman, blocker, bag man, and roller. With this combination they have been known to steal in excess of 100 suits a day.

To show you the extent of their operation, one team has been arrested in Connecticut, Massachusetts, New Jersey, Pennsylvania, and Rhode Island. The men engaged in this lucrative operation leave Rhode Island and travel throughout the greater part of the United States as far as California.

These groups of boosters out of Rhode Island are considered one of the best in the country. They no longer travel only by car, but use every mode of transportation.

They ship the merchandise directly to the fence by rail, air, boat, or any other conceivable way. Where does all of this stolen merchandise go? To the fence.

In Providence and Pawtucket, R.I., we have two of the biggest in the country. They are: Alfredo "The Blind Pig" Rossi and Albert "Albo" Vitale. They are known associates of Raymond Patriarca.

Mr. O'DONNELL. Mr. Stone, are these two individuals on the chart that has been introduced as exhibit 53?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 555

Mr. STONE. Yes, they are, sir.

Mr. O'DONNELL. Thank you.

Mr. STONE. It is a known fact that a good police officer has to have information. There was one time when we could depend upon an informer but today the informer is not around, he is a rare guy. They fear reprisal and also they are afraid of some of the courts' decisions, where you have to expose them.

What is the result? No informers. They want to give you something but they won't. The only way we get information now is by an anonymous letter or an anonymous telephone call. So it is almost a must that legislation be enacted to allow law enforcement officials to wiretap. We should do everything we can to put a crimp in the rackets.

I positively agree with the U.S. Attorney General, Robert F. Kennedy, on his views regarding organized crime and the necessity for legalized wiretapping.

Because of the antiquated search and seizure law in the State of Rhode Island the racketeer is almost encouraged to engage in book-making activities, within the confines of this State. The law practically gives the "bookie" a license to operate.

There have been held discussions with the U.S. attorney for the district of Rhode Island, Raymond J. Pattine, the Governor of Rhode Island, John H. Chafee, and myself about a Federal grand jury investigation of the gambling rackets and organized crime in our State.

We anticipate a cooperative effort involving the State police and the U.S. Attorney General's office and are hopeful that something along these lines can be worked out shortly.

Some time ago at a meeting of the New England State Police Administrators Conference (NESPAC), I proposed the establishment of a central criminal investigative and intelligence office for the coordination and evaluation of information about the movements of criminals and the activities of the organized racketeers.

It is a joint effort by the State police of the six New England States. My proposal was based on the fact that at the time there was no central location in New England where information of this kind could be evaluated and coordinated properly.

The entire operation will undoubtedly become the basis for an indispensable type of information needed to combat organized crime. There will be a master intelligence file which will permit interested State police agencies to become acquainted with and follow the entire careers and activities of lawbreakers.

I am very happy to announce at this time that these proposals to the parent group of NESPAC administrators have already started to become a reality.

My own personal feelings are that one of the reasons why organized crime is on the increase is because the underworld has taken advantage of the internal problems within police departments throughout the United States. These internal problems are low salaries, low morale, union consciousness, moonlighting, and lack of trained personnel.

If all police departments would set their standards on the high level as that of the Federal Bureau of Investigation, under the leadership of America's most outstanding police official, J. Edgar Hoover, and his dedicated agents, crime would be on the decrease.

556 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

This is shown by the remarkable record established throughout the years by this great organization.

I personally feel that if this honorable committee were to ask any of the 12 so-called Cosa Nostra leaders who they fear, and respect most, I am sure their answer would be J. Edgar Hoover and the Federal Bureau of Investigation.

At this time I wish to thank the members of this honorable committee for affording me the opportunity to come here to testify today.

I am sure that the knowledge gained at these hearings will deal a serious blow to organized crime throughout the country.

Thank you.

The CHAIRMAN. Thank you very much, Colonel Stone. I am quite interested in the last statement that you just made.

Would you amplify it or comment upon it? You say you think the knowledge gained at these hearings will deal a serious blow to organized crime. Tell us how you think it will be effective.

Mr. STONE. There isn't any question in my mind, Mr. Chairman, that it will, because if you go back to the 1951-52 hearings of the late Senator Kefauver, I, as a policeman, know for a positive fact that crime for 3 or 4 years was almost at a standstill.

I base my feelings on the former hearings.

The CHAIRMAN. In other words, you feel there will be a retardation in their progress?

Mr. STONE. I certainly do. I think this is the greatest thing that can happen to law enforcement, to have those like myself to come here and have a chance to talk, and not only the chance to talk but to realize that we have such Senators as yourself and other Senators behind us.

The CHAIRMAN. Do you feel this causes the confirmed criminal, those engaged in syndicated crime, do you feel that it puts a public spotlight on them that makes it more difficult for them to operate for a period of time?

Mr. STONE. I am sure it does. I am sure there will be many people who will walk out of these organizations since these hearings have taken place. Not only that, but I think we are getting a lot more support from the public than we ordinarily would have had these hearings not been held.

The CHAIRMAN. In other words, you think the hearings kind of stimulate an interest among the public, with the average citizen coming to a realization that these things are happening in his country and wants to try to do something to help, and he feels like he has an obligation to do something?

Mr. STONE. I am positive they do, Mr. Chairman, because everybody has been listening to the hearings. I know for a positive fact that it is going to help law enforcement. This is what law enforcement looks for, but very seldom gets. I think it is a tremendous thing. Nothing could happen any better for law enforcement than these hearings.

The CHAIRMAN. Thank you very much.

You have some of your assistants with you. Senator McIntyre?

Senator McINTYRE. This Raymond Patriarca, is he a man over 60 today?

Mr. STONE. He is 55, Senator.

Senator McINTYRE. What are his legitimate enterprises? Does he have a front of some kind?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 557

Mr. STONE. He is in the cigarette vending machine business, the jukebox business, and a sweater business. He has people on the road selling sweaters that go all over the country. Those are the ones we can—

Mr. O'DONNELL. Is he in the Sherwood Manufacturing Co.?

Mr. STONE. He is part owner of the Sherwood Manufacturing Co.

Senator McINTYRE. What is the object of that business?

Mr. STONE. They make sweaters, coat sweaters.

Senator McINTYRE. Is he a wealthy man by appearances, at least?

Mr. STONE. I wouldn't say not by his appearance, Mr. Senator; no. He doesn't show it, but there isn't any question that he is.

Senator McINTYRE. I believe in your testimony you indicated that one of his specialties was strong-arming in union affairs.

Mr. STONE. Yes, I did, Mr. Senator.

Senator McINTYRE. Do you have any knowledge of any particular union that he has done any work for or anything like that?

Mr. STONE. I have, sir; yes, sir. I will give you one case, Mr. Senator.

Senator McINTYRE. All right.

Mr. STONE. The name is Stephen Broccoli, alias "Peanuts the Dwarf."

Senator McINTYRE. Is this man on your chart?

Mr. STONE. No, he is not, sir. He works for local—is a shop steward for local 251 of Providence, the Laborers Union. He presently is employed by the Gilbain Building Co., one of the largest construction companies in the world. They work not only in this country, but outside of the country.

Our information, police information, is that he was put on this job by Raymond Patriarca, or this position was secured for him by Raymond Patriarca. This man's criminal record goes way back to 1936. He has done time for armed robbery in Rhode Island; he has done time for armed robbery in Massachusetts. Again, armed robbery in Rhode Island.

Senator McINTYRE. What is his function in this construction company? Is he a strong-arm organizer?

Mr. STONE. If there are union troubles within the union, anybody working on the Gilbain job, he goes to the people that run the job or who run the construction company, and straightens them out. In other words, he does business with the top echelon of the construction company. If they are having labor trouble there, he goes around and talks for the people who are working for the union. He is quite a guy to send to the top of a company like that to talk to them, with his background. (Letter from president of Gilbain Building Co. concerning testimony of Colonel Stone and an affidavit from Colonel Stone concerning this testimony may be found in the appendix on p. 622.)

Senator McINTYRE. Tell me, as far as Patriarca is concerned, you probably heard the term "insulation." You have heard that term in connection with these hearings?

Mr. STONE. Yes.

Senator McINTYRE. How would you describe Mr. Patriarca's insulation?

Mr. STONE. Well, he is in the background. He doesn't get into the actual commitment of the crime or running of the book joint. He

558 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

has somebody else do it for him. He is in the background. He doesn't have to get into the act.

Mr. O'DONNELL. This makes it extremely difficult to obtain evidence against him.

Mr. STONE. To get a conviction on the man; that is right, to tie him in.

Senator MCINTYRE. I take it you are in favor of some strengthening of the wiretapping laws of this country.

Mr. STONE. Positively, Mr. Senator.

Senator MCINTYRE. That is all, Mr. Chairman.

Mr. O'DONNELL. Colonel Stone, have you received from the State prison, or some correction institution, any correspondence directed to Ray Patriarca by anybody?

Mr. STONE. Yes, I have.

Mr. O'DONNELL. Could you explain what that is?

Mr. STONE. In 1950, I think it was, a fellow by the name of Pauley Caliche was sentenced to 15 years in the Massachusetts State Prison for armed robbery. He was involved in a robbery in Dartmouth, Mass., where there was \$250,000 in jewelry stolen from a family by the name of Coffin. While Caliche was doing time in Massachusetts a letter was intercepted by the officials down there that was sent out or intended to be sent out to Raymond Patriarca.

The CHAIRMAN. These are notes that were sent?

Mr. STONE. That is a letter, Mr. Chairman, that was written by Caliche and supposed to have been going to Raymond Patriarca.

The CHAIRMAN. You say "supposedly." Did you have proof of it?

Mr. STONE. The prison officials intercepted the letter on its way out, and they turned it over to me.

Mr. O'DONNELL. Do you have the original of this letter?

Mr. STONE. I have the original back at State police headquarters.

Mr. O'DONNELL. And we have a photostatic copy. The photostatic copy of the letter that I have which has not been introduced as an exhibit starts out. "Hello, Boss: Do you know how I respect you and call you boss? But, my dear, big boss, do you have to leave me in jail? I wrote to you and Henry but I didn't get any answer and I haven't heard from Billy Lepore or Carnera. Did they forget me like you and Henry?"

And it continues on in that vein. It is signed "Bye, Big Boss, Paul." This was by, as you say, Paul Caliche.

The CHAIRMAN. Is he still living?

Mr. STONE. Yes, sir.

The CHAIRMAN. Is he still in jail?

Mr. STONE. No, he isn't, sir. He is out.

The CHAIRMAN. How long has he been out?

Mr. STONE. About 4 years, Mr. Chairman.

The CHAIRMAN. When was this letter intercepted?

Mr. STONE. Shortly after he was sentenced to prison, around 1951, sir.

The CHAIRMAN. So it was in the last few years?

Mr. STONE. Within the last 10 or 11 years, Mr. Chairman.

The CHAIRMAN. So this one at least recognized somebody as the big boss.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 559

Mr. O'DONNELL. May this be introduced as an exhibit, Mr. Chairman?

The CHAIRMAN. It may be made exhibit No. 54.

(Document referred to marked "Exhibit No. 54" for reference and may be found in the files of the subcommittee.)

Mr. O'DONNELL. Do you have any other correspondence intercepted at the prison?

Mr. STONE. Yes, I have, by the same man, sent to a different man.

Mr. O'DONNELL. Sent to whom?

Mr. STONE. Henry Tamello, who is on the chart.

Mr. O'DONNELL. And this indicates what, in summary?

Mr. STONE. He said:

I didn't hear from you. I also wrote to Raymond, and I thought to write to you again. Maybe Billy Wink and Carnera forget me, too. Please write and let me know if you people want to help me or not.

Mr. O'DONNELL. In other words, this letter supplements the other letter and was sent out shortly thereafter?

Mr. STONE. That is right.

Mr. O'DONNELL. May this letter be made an exhibit, Mr. Chairman?

The CHAIRMAN. This may be made exhibit No. 54-A.

(Document referred to marked "Exhibit No. 54-A" for reference.)

Mr. STONE. Do you want me to finish?

Mr. O'DONNELL. Yes.

Mr. STONE. He is looking for help and he says:

Are you people going to help me or not? I know people who want to help me and get you people and put you people in. Curley came down to see me—

Curley is Curley Rossi—

and he left me \$20. If I didn't need it to buy cigarettes, I would have sent it back to him. Too bad they killed my friend Grande. Do you think I know who did it? My girl was telling me that when she was working for that drunk Butzzy Morelli, you, Raymond Patriarca, and the rest, were going to help me. How about Billy Wink, and Carnera? You people better wake up and do something for me. Get me a new lawyer and a new trial, and I expect to get out of here in 2 weeks. Ha. I am gaining weight and you are losing.

As ever,

PAUL.

P.S.—Tell Ralph Merola I am broke. Please send me some cigarettes.

Mr. O'DONNELL. Mr. Chairman, I have previously been sworn. I have prepared here a short memorandum which summarizes the testimony of Ray Patriarca, who appeared before the Senate Select Committee on Improper Activities in the Labor-Management Field on February 11, 1959. I would like to have it introduced as an exhibit for reference.

The CHAIRMAN. It may be made exhibit No. 55.

(Document referred to marked "Exhibit No. 55" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. That exhibit is a little summary for information. The records of the committee, which we have, would be, of course, the best evidence, but that might give some light on it if anyone is interested in reading it.

Senator MCINTYRE. Colonel, I realize that your jurisdiction is Rhode Island, but I notice in your statement that this Ray Patriarca has an associate, now deceased, named Frank Iacone.

560 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. STONE. Yes, sir.

Senator McINTYRE. He is from Worcester.

Mr. STONE. That is right, Mr. McIntyre.

Senator McINTYRE. Do you have any knowledge of Worcester racketeering, gangland operations in the city of Worcester?

Mr. STONE. I personally have no knowledge, Mr. Senator.

Senator McINTYRE. You don't know whether Patriarca's influence extends into Worcester or not?

Mr. STONE. On Patriarca?

Senator McINTYRE. Yes.

Mr. STONE. My information is that he does have.

Senator McINTYRE. How far does Patriarca's influence extend? Does it extend up into my State of New Hampshire?

Mr. STONE. I would say it extends from New England to Florida.

Senator McINTYRE. From New England to Florida?

Mr. STONE. Yes, sir.

Senator McINTYRE. Do you mean in those two areas or all the way down the east coast?

Mr. STONE. All the way down the coast.

Senator McINTYRE. I notice in your statement that you don't know of any Cosa Nostra as such.

Mr. STONE. I have never heard of such a name; no, sir.

Senator McINTYRE. But you would indicate that in your opinion that Patriarca would probably sit with the other families, leaders, in conferences concerning crime throughout the east coast?

Mr. STONE. I would say, Mr. Senator, that he has contacts with all the top hoods of his part of the country.

Senator McINTYRE. Which you consider the east coast?

Mr. STONE. Yes, I would, Mr. Senator.

The CHAIRMAN. Are there any other questions?

Mr. O'DONNELL. I have a few, Senator.

The staff of the subcommittee has in its possession a copy of a public document consisting of 141 pages which is a record of the impeachments of Daniel H. Coakley, former counselor in the State of Massachusetts. The impeachment proceedings were held in the Senate of Massachusetts from May 5, 1959, to October 2, 1959. Coakley was impeached. Among other things, he had endeavored to obtain a pardon for Raymond Patriarca in December 1938, at which time Patriarca was serving three concurrent sentences in State prison for the crimes of breaking and entering, armed robbery, and arson.

I would request that it be made an exhibit for reference at this time.

The CHAIRMAN. It can be made exhibit No. 56 for reference.

(Document referred to market "Exhibit No. 56" for reference and may be found in the files of the subcommittee.)

Mr. O'DONNELL. Colonel Stone, do you have any comments to make with regard to John "Jackie" Nazarian, who is now deceased, and whom you mentioned in your statement as being a murderer for Patriarca?

Mr. STONE. On April 15, 1958, the chief of the Providence Police Department, John A. Murphy, received a request from the chief of the New York City Police Department, a request to furnish to the department the photographs of the following subjects: Raymond Patriarca,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 561

John "Jackie" Nazarian, John "Tiger" Beletto, deceased, and John "Sonny" Franzese. [Reads:]

Information has been received that Patriarca might be involved in the killing of Albert Anastasia, who was shot and killed in this city on October 25, 1957.

Mr. O'DONNELL. Have you finished, Colonel Stone, with your statement and any remarks you care to make?

Mr. STONE. I have finished with my statement and also with remarks that I want to make. But most certainly I am available to answer any questions that the committee feels it would want to ask of me.

Mr. O'DONNELL. What we would like to discuss briefly at this time is past posting. Would you answer those questions or will Lieutenant McCauley?

Mr. STONE. Lieutenant McCauley.

The CHAIRMAN. You indicate in your testimony that organized crime is on the increase. Are you speaking particularly of your area, of your section?

Mr. STONE. No, I am not, Mr. Chairman. This is the national situation.

The CHAIRMAN. You have no doubt that what we speak of as syndicated crime is growing, increasing, rather than diminishing?

Mr. STONE. It has been, up to these hearings, I am positive.

The CHAIRMAN. It was in the ascendancy at the time the hearings began. This may have slowed them down some.

Mr. STONE. There is no question, Mr. Chairman.

The CHAIRMAN. But law enforcement has not been able to compete or to combat the strength of organized crime sufficiently to keep it from increasing?

Mr. STONE. Law enforcement on a State and local level I would say is not in any position to compete with them.

The CHAIRMAN. Do you feel like this ratio of increase is a danger or a menace to our country if something is not done about it?

Mr. STONE. There is no question, Mr. Chairman. Somebody better do something.

The CHAIRMAN. There is a tendency on the part of people over the country, especially in some areas where a condition like this may not exist, where they don't actually have organized crime, to say, "Oh, well, this is something we read about. It doesn't bother us." But I wonder about your views. You have been in the law enforcement work for a long time.

Is this thing becoming such a menace that it endangers law and order throughout the country?

Mr. STONE. Positively. There is no question.

The CHAIRMAN. Unless something is checked, unless we find something to abate it, then the whole country is in danger?

Mr. STONE. That is right, Mr. Chairman.

The CHAIRMAN. And that you don't feel is any exaggeration?

Mr. STONE. Not a bit, sir.

The CHAIRMAN. You are not trying to speak as an alarmist, but you are trying to deal with the realities of the situation as you see them and trying to deal with them as they exist?

Mr. STONE. Those are my observations from being a policeman for 31 years. I am on my 32d year.

The CHAIRMAN. Have you any questions, Senator?

562 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator McINTYRE. No, Mr. Chairman.

Mr. O'DONNELL. Lieutenant McCauley, I understand you have with you some instruments, although they are not fully complete, with regard to past posting. Can you explain how that operated?

I notice that Colonel Stone, in his statement on page 6, mentions that Patriarca worked the so-called past-posting racket.

Mr. McCauley. Mr. Chairman, honorable members of the committee, we have here a device which is used in past posting. We will bring it up and show it to the committee and explain how this particular item works.

This device consists of a small suitcase which has in it a transmitter. This transmitter has an aerial on it and is used in conjunction with a receiver. This receiver is on the person of a party who is in the past-posting operation.

The CHAIRMAN. They put that in their chest or pocket or something?

Mr. McCauley. No, Mr. Chairman. They have a girdle which they wear around their waist.

The CHAIRMAN. They have a what?

Mr. McCauley. A girdle.

The CHAIRMAN. They wear it around their waist?

Mr. McCauley. Right. And they have a pocket in it in which they insert this transmitter. This transmitter has two wires coming from it.

The CHAIRMAN. They have on a jacket especially made?

Mr. McCauley. They have a coat on over it. In other words, you wouldn't know it was there.

The CHAIRMAN. It is made especially for this purpose?

Mr. McCauley. That is correct. This receiver has two wires attached to it which have two electrodes made from dimes. These two dimes are attached to the thighs and adhere there with adhesive tape.

This transmitter gives off an impulse. I must mention right now that this past-posting team consists of four people. First, the party that is in the racetrack who gives a visual signal to a second party who picks it up a short location from the track by telescope or binoculars.

The CHAIRMAN. That is some physical signal?

Mr. McCauley. Some physical signal.

The CHAIRMAN. And somebody on the outside of the track picks it up?

Mr. McCauley. Right.

The CHAIRMAN. Is that a signal indicating which horse won?

Mr. McCauley. Which horse won the race. This is transmitted by phone to another phone a short distance from where the bookie parlor might be located. The third person picks the information up from the second party and relays it by this transmitter to the individual in the bookie parlor by a series of impulses and it gives him the winner of the race.

The CHAIRMAN. In other words, he can give a signal over that indicating the race, the number of the horse that won?

Mr. McCauley. They put a heavy enough wager on it to insure a monetary gain. There is a gadget on the outside which will be shown to you, and the only thing visible would be the antenna and the push

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 563

button. That was used very extensively through the New England area and elsewhere in the early 1950's.

Mr. O'DONNELL. If I may inject, the fourth man who has this receiver on him which gives him impulses is located right in the bookie room.

Mr. McCauley. He is in the bookie parlor and most likely has been there all day, from early morning.

Mr. O'DONNELL. At the time he receives the announcement as to who won the race, does he then bet with the track and beat the track because he has advance, inside information?

Mr. McCauley. Right.

The CHAIRMAN. How can he bet with the track? He bets with the bookie.

Mr. McCauley. He bets with the bookie.

The CHAIRMAN. He couldn't beat the track because the race was won.

Mr. McCauley. Many times the fourth man will lose a substantial amount to gain the confidence of the bookie.

The CHAIRMAN. He will lose something to begin with?

Mr. McCauley. And get a big monetary gain later on when this device would be used. It takes 55 seconds, we understand, to relay the information from the track to the bookie and get his winning bet in.

The CHAIRMAN. Is this a photograph of this equipment?

Mr. McCauley. That is correct.

The CHAIRMAN. Very well. It may be made exhibit No. 57.

(Document referred to marked "Exhibit No. 57" for reference and may be found in the files of the subcommittee.)

Mr. O'DONNELL. Colonel Stone, I have in front of me records which were supplied by the Providence police department which relate the activities of those individuals on the chart, namely, their names, address, birth places, localities, frequent criminal associates, criminal history, legitimate business, and criminal records.

I would like to have you look at this and have it introduced as an exhibit.

The CHAIRMAN. Are you familiar with these records that are being presented to you?

(The documents were handed to the witness, Stone.)

Mr. Stone. Yes, I am, Mr. Chairman.

The CHAIRMAN. They are correct?

Mr. Stone. Yes, sir, they are.

The CHAIRMAN. Very well, they may be received as exhibit No. 58.

(Documents referred to, marked "Exhibit No. 58" for reference, and may be found in the files of the subcommittee.)

The CHAIRMAN. They will be received for reference.

Mr. O'DONNELL. Senator, I previously have been sworn. The FBI has furnished us the records pertaining to the individuals on the chart in Providence, R.I., and I would like to have them introduced as an exhibit at the present time.

The CHAIRMAN. They may be made exhibit No. 59 for reference.

(Documents referred to marked "Exhibit No. 59" for reference, and may be found in the files of the subcommittee.)

The CHAIRMAN. Have you any other questions, Senator?

564 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator McINTYRE. No.

The CHAIRMAN. Gentlemen, do either of you have anything to state further to the committee?

Mr. STONE. No; I have not, sir.

The CHAIRMAN. Have you any further suggestion about legislation or what the Congress can do, what the Federal Government can do, to aid local law enforcement officials?

Mr. STONE. Well, most certainly if you can get us a wiretap law, it would be of tremendous help to us.

The CHAIRMAN. How do you think it will be so helpful, Colonel?

Mr. STONE. By getting in on the conversation, Mr. Chairman, which will probably lead us to solving a crime, or knocking off a large illegal establishment.

The CHAIRMAN. If you are in on a conversation, you can probably get there during the time it is committed or during the course of its commission, could you not?

Mr. STONE. I think if you had access to telephone conversation, you would know about it before they got started.

The CHAIRMAN. You would know what they were planning?

Mr. STONE. What they were planning, and you would probably save a policeman's life, or somebody else's life.

The CHAIRMAN. Is there anything further? If not, gentlemen, thank you very much. Your testimony has been very helpful.

Who are your next witnesses?

Mr. O'DONNELL. Commissioner McNamara and Deputy Superintendent Howland.

The CHAIRMAN. You and each of you do solemnly swear the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. McNAMARA. I do.

Mr. HOWLAND. I do.

TESTIMONY OF EDMUND L. McNAMARA AND JOHN T. HOWLAND

The CHAIRMAN. Commissioner, would you identify yourself for the record, please?

Mr. McNAMARA. My name is Edmund L. McNamara, police commissioner for the city of Boston.

The CHAIRMAN. How long have you served in that position?

Mr. McNAMARA. Since April 6, 1962.

The CHAIRMAN. And what was your prior experience in law enforcement?

Mr. McNAMARA. Sixteen years prior as a special agent of the Federal Bureau of Investigation.

The CHAIRMAN. Superintendent Howland, will you identify yourself, please, sir?

Mr. HOWLAND. John T. Howland, and I have been a member of the Boston Police Department for 24 years. I have served in many capacities in the department. I am a member of the FBI National Academy Associates, and the International Chiefs of Police. I served for 7 years as chief investigator for Suffolk County.

The CHAIRMAN. Mr. McNamara, I believe you have a brief statement.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 565

Mr. McNAMARA. Yes, Mr. Chairman.

The CHAIRMAN. Would you like to read it? If so, you may proceed.

Mr. McNAMARA. Mr. Chairman and members of the Senate Permanent Subcommittee on Investigations: I welcome this opportunity to appear before your committee to discuss present-day law enforcement from the standpoint of a large municipal police department. I have been informed that this hearing, basically speaking, is to concern itself with those problems commonly associated with that organization known as the Mafia, the Cosa Nostra, or as the Syndicate.

Police administrators across the country are seriously disturbed at the avalanche of crime now sweeping across all of our large cities. I believe that it is the most urgent domestic problem confronting our Nation today and that it has a direct effect on our personal safety and our internal security. Recent revelations concerning the vicious criminal syndicate—known as the Cosa Nostra—has attracted nationwide attention to the activities of this organization of professional criminals. Their legitimate and illegitimate operations, which apparently span the entire country, has brought them untold wealth, great influence, and power.

The Cosa Nostra is composed of a number of so-called families, each dominated by a boss. Their use of the term “family” indicates a fraternal rather than a blood relationship.

It is a loosely constructed organization, but includes certain definite levels of command. Rules of conduct are fixed for all members to protect the federation from external intervention and internal conflict; and these rules are rigidly enforced. Serious violations carry the penalty of death.

There is no doubt that the principal source of income for this criminal cartel is obtained from illegal gambling. The Criminal Division of the Department of Justice has conservatively estimated that the profit from all forms of illegal gambling in the United States totals \$7 billion annually. A large percentage of this huge sum filters into the treasury of the Cosa Nostra and finances all of their other enterprises, including loan-sharking, trafficking in narcotics, and extortion.

The existence of this criminal syndicate has been influenced and encouraged by the presence of legalized parimutuel gambling. For example, the steady increase in the availability of horse and dog racing in Massachusetts and adjacent States over the past 30 years has indoctrinated many persons in our community with the desire and compulsion to gamble. Their inability to visit these State-licensed gambling enterprises as often as their desires or finances permit has resulted in the flourishing of illegal gambling to satisfy their needs. Although the individual bets are small, the volume is great and, thereby, has created a crime problem as difficult to eradicate as was the illegal sale of liquor during the prohibition era.

Despite the relentless activity of Federal agencies with substantial budgets and the combined efforts of State, county, and municipal law enforcement organizations, we have not yet dented the framework of the illegal gambling operations in the United States.

Much has been accomplished through the new Federal legislation restricting the use of the telephone and the wire services for gambling purposes and cramping to some extent, the horserace bookmaker. In the meantime, however, betting on other sports—baseball, football,

566 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

and basketball—have increased widely; the steady flow of illegal gambling profits.

Federal legislation to permit restricted wiretapping has been advocated. Although it is a sensitive subject because of its obvious civil rights implications, the efficacy of the wiretap is quite clear. The amount of time, effort, and police man-hours now required to gain the evidence necessary to prosecute a single gambler could be reduced substantially through the use of the wiretap.

A word must be said concerning the position of the police toward the recent judicial interpretations which have placed a roadblock in the path of criminal justice. Legislative action is an absolute necessity in this area to provide the police with the necessary weapons to effectively combat crime. It is difficult for the average police officer who faces daily the harsh realities of police duty to understand the extreme emphasis presently being placed on the rights of the individual as against the rights of the general public at a time when the police task is almost overwhelming.

The Massachusetts Crime Commission has reported that the type of crime with which we are here concerned is a state of lawlessness of long standing and is indeed a continuance of the lawlessness of the prohibition era, with many of the same individuals as participants.

This report indicates, further, that this state of lawlessness has thrived on conditions of tolerance, hypocrisy, and corruption within our society and that the public at large has been indifferent, due in part to apathy and, in part, to lack of awareness as to the significance of this condition.

I am greatly impressed and concur wholeheartedly with the recent statements of Mr. J. Edgar Hoover relative to the part that the public must play in aiding and supporting their law enforcement agencies in smashing this criminal combine.

The news media—press, radio, and television—can be of tremendous assistance in arousing the general public to the seriousness of this situation and creating a better understanding of the problems of the police in coping with it.

In the final analysis, the people of every community must come to the realization that it is their small individual bet that finances this illegal empire and complete enforcement is not possible without the active support and assistance of all good citizens.

We are not cognizant of the fact that the personalities we intend to discuss are, in fact, members of the Mafia or the Cosa Nostra, but we do recognize the fact that these persons are apparently responsible and pay tribute to one individual who may be termed as the "Boss" in the New England area.

This information has been developed by the Criminal Intelligence Division of the Boston Police Department and is in the possession of Deputy Superintendent John T. Howland who is present with me today.

Thank you.

The CHAIRMAN. Thank you.

Would you like to proceed, Mr. Howland, with your statement?

Mr. HOWLAND. Yes, sir.

The CHAIRMAN. Very well, you may proceed.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 567

Mr. HOWLAND. I am chief of the Bureau of Inspectional Services of the Boston Police Department. This bureau consists of three divisions:

1. The intelligence division.
2. The internal affairs division.
3. The staff inspection division.

We are cognizant of the purpose of our appearance before the U.S. Senate Permanent Subcommittee on Investigations and we are interested in aiding the subcommittee in any manner possible.

We are also aware that the members of the subcommittee are most anxious to hear any information which will contribute to or substantiate statements given before the committee by other witnesses. The group under discussion has been given many titles; e.g., the Mafia, the Black Hand, the Syndicate, and the latest, the Cosa Nostra. This organization does not comprise the total criminal element in our city but it is without question a major element. In our description of the total subject we believe that the phrase "reputed to be" has a significant role in its discussion.

As in any secret society, the framework of its origin, its structure, its functions and patterns of behavior is an extremely closely guarded secret. In evaluating the organization known as the Cosa Nostra one must take into consideration the consequences one would suffer were he to break the oath of fealty.

Information developed by the intelligence division of the Boston Police Department confirms the statement made by Commissioner McNamara that the so-called boss of the rackets in the Greater Boston area is one, Raymond Patriarca, of Providence, R.I.

Mr. O'DONNELL. Are you talking about the chart that is exhibit 53 insofar as Boston is concerned?

Mr. HOWLAND. Yes, I am.

The CHAIRMAN. We have Rhode Island and Boston on one chart. I wonder if we can separate them.

Mr. McNAMARA. Excuse me, Mr. Chairman. I think that the man in question here——

The CHAIRMAN. I see. You have one boss over the two cities and that is the reason for it.

Mr. O'DONNELL. That is correct.

The CHAIRMAN. Very well. It will be distinguished as the chart shows.

Mr. HOWLAND. At the top of the chart is Raymond Patriarca. It is our conclusion that he is the dominating influence in all forms of gaming activity, loan sharking, and other illegal affairs within the city of Boston. At the present time we do not have any information that he is involved in any illegal drug traffic or in the labor rackets in our city.

Some of these listed on this chart who formerly exercised considerable influence now appear to be semiretired.

Among the older bosses, Philip Buccola now resides in Italy. We believe that he was headman prior to Patriarca in the organization. His present influence, if any, is unknown. He visits Boston periodically with his wife for medical treatment.

We have information that he visited Luciano in Italy until his death in 1962.

568 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

An attendant at the Apalachin meeting in New York, one Frank Cucchiara operates a cheese company in Boston. Our best description of this man is that he is old, sickly, and semiretired. Since the Apalachin meeting Cucchiara appears to have been relegated to a position of little importance. His present connection with the criminal element is that of financier and to some degree, adviser.

Another of the older bosses, Joseph Lombardo, is the operator of a large Italian restaurant in Boston; it is a popular eating establishment well known for its cuisine. He does not take any outward active part in the rackets although two of the corporate members of the restaurant are known bookmakers. He is shown unusual respect by persons connected with the syndicate and other members of the criminal element, many of whom frequent his restaurant.

Henry Selvitella (Henry Noyes) is a leading figure in the rackets in Boston and has been so for many years.

Mr. O'DONNELL. Is he on that chart?

Mr. HOWLAND. Yes, he is. He was closely associated with Cucchiara and Lombardo in the past. He recently sold a large cleaning establishment which he operated in the city for several years. He is old, sickly, and supposed to be retired. Although he is believed to have participated in crimes of violence years ago with Lombardo and Cucchiara he does not appear to demand the same degree of respect. There is little indication that he is consulted to any extent.

Michael Rocco: Although in his late sixties he is still active in the organization. He controls the gaming activity in one section of this city.

Anthony Sandrelli (Tony Canadian): His main source of income has been derived from the illegal sales of alcoholic beverages. He operated a well-known after-hours restaurant in the city. His establishments have been raided on a number of occasions by the police. The restaurant license was revoked recently for violation of the liquor laws.

Gennaro "Jerry" Angiulo: The oldest of six brothers who are all involved in controlling the largest single gaming operation within and without the city of Boston. Our information is that the business offices for the gaming activity of this group are outside the city of Boston. From information received we know that Jerry is in constant contact with Raymond Patriarca through Henry Tamello and when Patriarca visits Boston.

They are reputed to have invested considerable capital in loan-shark operations. They have recently ventured into the lucrative cigarette vending business. All the brothers are incorporated in a realty firm that controls a number of business establishments. They also operate a night club in the downtown section of the city.

Other members of the organization on the chart are involved in loan-shark operations and gaming but have no open or visible connections with illegal activities. They are insulated from it. Among those are Peter Limone, Paul Intiso, Nicola Giso, Ralph La Mattina, Alexander Rizzo, and Teddy Fucillo.

Another man of this group was arrested October 13 for participation in the floating dice game that has been operating around the communities near Boston.

Mr. O'DONNELL. Who was that?

Mr. HOWLAND. Peter Limone, the right-hand man of Jerry Angiulo.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 569

Mr. O'DONNELL. He is on the chart?

Mr. HOWLAND. Yes.

John Guglielmo (Johnny Williams) a very important man during the period that Buccola was the boss. From 1956 up to the time of the Castro revolution he was in Cuba where he was connected with the Tropicana, an establishment that boasted of the reputation of being the world's largest nightclub. He was a casino operator there. Upon his return to Boston he still retained prominence within the syndicate but not to the degree he formerly possessed. However, he demands considerable respect and is frequently consulted by lesser figures within the organization.

Samuel Granito: A convicted gunman. He is also on the chart. He holds a minor post in the syndicate. He is regarded as a sound soldier by the organization for his many talents.

Larry Zannino (Larry Baiona), also on the chart, is a favorite of Raymond Patriarca. He was formerly the right-hand man of Anthony Santaniello, now deceased (1960). At the present time Zannino is in State's prison serving a term for extortion. For income, he operated barbut games and had a nightclub for a front.

Leo Santaniello, also on the chart: He has been involved in the rackets for many years. He too is serving time for complicity in the same extortion as Larry Zannino. He is reported to have incurred the displeasure of Raymond Patriarca for his behavior during the extortion case.

It is believed he could have protected Zannino, by the members of the organization.

We have prepared another chart showing the association among those referred to.

I also have a folder on each individual listed, and several other photographs. If it is the desire of the committee, I am prepared to go into more detail as to the criminal records, associations, and other information relative to each person I have named.

Mr. O'DONNELL. The chart showing the associations which you have prepared I will request to be made an exhibit at the present time.

The CHAIRMAN. This chart may take some explanation to understand it.

It may be received as exhibit No. 60.

(The chart referred to marked "Exhibit No. 60" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. What do you undertake to do in this chart, in this chart No. 2?

Mr. HOWLAND. We started to prepare this chart, Senator, for our own information. During the development of it, we thought it might serve some purpose to bring it along with us and present it to the committee.

The CHAIRMAN. Does it show the connection between these people in different towns?

Mr. HOWLAND. No, this chart was just prepared to show association between the various members that appear on this chart. We have used a different type of line to indicate the ways that we associate them.

The broken line indicates that we have pictures showing these people connected by the broken line in the same picture to show that they are associates.

570 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The very heavy line indicates some of those that were arrested for the same offense.

The other line, as indicated in the legend, is by information that the intelligence unit has developed.

The CHAIRMAN. Very well. It may be received as exhibit 60.

Mr. HOWLAND. We had another chart.

The CHAIRMAN. It is identical with exhibit 53, giving the same information?

Mr. HOWLAND. Yes.

The CHAIRMAN. So it will not be necessary to reinsert it.

You said you had other material that you could supply as an exhibit?

Mr. HOWLAND. Yes. We have the criminal records, associations, business activities, legitimate businesses of all the people named, and we also have these photographs.

Mr. O'DONNELL. Let's take one thing at a time.

The CHAIRMAN. Let those descriptions of these individuals be received as exhibit No. 61 for reference.

(The documents referred to marked "Exhibit No. 61" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. You have also some photographs, have you?

Mr. HOWLAND. Yes, sir.

The CHAIRMAN. Let them be received in bulk as exhibit No. 62, and you may identify the photographs, stating what they are.

(The photographs referred to marked "Exhibit Nos. 62-A, 62-B, 62-C, and 62-D" for reference and may be found in the files of the subcommittee.)

Mr. HOWLAND. The first photograph that we have marked—

The CHAIRMAN. Mark the individual pictures exhibit Nos. 62-A, B, C, and so forth, as they are presented and testified to.

Mr. HOWLAND. The first picture is a picture taken by members of the Boston Police Department.

The CHAIRMAN. What is the date of it?

Mr. HOWLAND. September 10, 1959. The first picture shows Raymond Patriarca with a group of men, one of whom is Peter Limone, who is on the chart. This picture was taken in Boston, in the south end of Boston.

The CHAIRMAN. That is the picture that you have marked "No. 1." It may be made exhibit 62-A.

You may proceed.

Mr. HOWLAND. Picture No. 2 was taken on the same day, and this shows four of the persons who are listed on this chart all in the one picture, Leo Santaniello, Peter Limone, Larry Zannino, and Jerry Angiulo.

The CHAIRMAN. That was made September 10, 1959?

Mr. HOWLAND. Yes, sir.

The CHAIRMAN. That will be exhibit 62-B.

Mr. HOWLAND. Here is another picture made November 18, 1958.

The CHAIRMAN. What is the purpose of these pictures, to show their association?

Mr. HOWLAND. Just to show association between Raymond Patriarca and the others.

The CHAIRMAN. All of these are ex-convicts or have been convicted of crime, is that right?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 571

Mr. HOWLAND. All of them have been convicted of crimes.

Mr. McNAMARA. Senator, I think the purpose here is to show that Raymond Patriarca originates and operates in Providence, R.I., but comes into our city and associates with some of our citizens.

The CHAIRMAN. But generally these pictures show a group of ex-convicts or a group of people who have been convicted of crime.

Mr. McNAMARA. Yes, sir. And also under investigation by us currently and during that period of time as being involved in the gambling rackets in the city.

The CHAIRMAN. And your next picture?

Mr. HOWLAND. Picture No. 4—

Mr. O'DONNELL. I believe you skipped No. 3.

Mr. HOWLAND. Picture No. 3 shows Lawrence Zannino and Raymond Patriarca.

Mr. O'DONNELL. What is the significance of this picture?

Mr. HOWLAND. This picture was taken on November 18, 1958, at a time when we had information that they were worrying in the city of Boston as to who would succeed Tony Santaniello as one of the leaders in the gang in Boston, and that Raymond was coming up to talk to Tony. Tony, at the time, was in serious medical condition in the Pratt Diagnostic Hospital.

Mr. O'DONNELL. Isn't Santaniello the one that is serving time right now for extortion?

Mr. HOWLAND. He is.

The CHAIRMAN. And your picture No. 4 will be exhibit 62.

Mr. HOWLAND. This picture has in it only two members, although all criminals only two of them on this chart. It shows the association between Larry Zannino and Henry Selvitelli, who is Henry Noyes.

Mr. O'DONNELL. Mr. Chairman, I have previously been sworn. I would like to have introduced into the record the various FBI records that they have furnished to the subcommittee.

The CHAIRMAN. They may be received as exhibit No. 63.

(Documents referred to marked "Exhibit No. 63" for reference and may be found in the files of the subcommittee.)

Mr. O'DONNELL. I have no further questions.

The CHAIRMAN. Have you any questions, Senator McIntyre?

Senator McINTYRE. Yes, Mr. Chairman.

Mr. Chairman, in examining this chart of Boston I find about 15 individuals, and in contrast with some of the charts that we have previously seen from Detroit and New York it would seem as if there aren't as many of these individuals in the Boston area as there may be in other cities. Do you subscribe that these are the leaders or are these what Valachi referred to as soldiers?

Mr. McNAMARA. I subscribe that those are identified as leaders are leaders and those that are not identified as leaders are not leaders but are part of the organization. This chart that you are looking at, Senator McIntyre, was drawn up by members of your committee, the staff, with the cooperation and assistance of the Boston Police Department, and, I assume, other agencies. In trying to be responsive to your question, this is about the extent of what we have. We think we have a pretty good intelligence unit within our department. We have a very effective liaison with the FBI and the Internal Revenue Service and the State police. We are able to develop this information

572 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

and identify these individuals, and investigate them. Another partial answer to your question is that the city of Boston is only 47 square miles in area. Therefore, there is not much room for too many people to operate.

Senator McINTYRE. I take from your testimony that you both feel that Patriarca is the boss of the Boston-Providence area?

Mr. McNAMARA. That is correct.

Senator McINTYRE. That is, in this particular family group?

Mr. McNAMARA. In the New England area.

Senator McINTYRE. Do you have any idea of the group listed under Boston as to who is his chief hood or chief hoodlum in your city?

Mr. McNAMARA. We feel the committee and ourselves have identified on the chart as the underboss, Jerry Angiulo.

Senator McINTYRE. Does he live in the Boston area?

Mr. McNAMARA. He lives in Medford, Mass. Senator, I think you are familiar with the fact that Boston is surrounded by 38 cities and towns, and he lives in one of the suburbs. He has legitimate business enterprises within our city.

Senator McINTYRE. You think he is the leader in the Boston area?

Mr. McNAMARA. I think so, and I don't know of any law enforcement agency in the area that doesn't.

Senator McINTYRE. Outside of this recent arrest—is it Peter Limone? Can you tell me quickly, without having to go into your records what is the most recent arrest, other than Limone's, from this group of 15 or so listed on the chart?

Mr. McNAMARA. Zannino and Santaniello are serving time for extortion presently in the Massachusetts State Prison.

Senator McINTYRE. When was this arrest made, roughly?

Mr. McNAMARA. Within the last 2 or 3 years. This case, incidentally, was handled, the investigation and subsequent prosecution by Mr. Howland.

Mr. HOWLAND. Since December 1960, Senator.

Senator McINTYRE. Your principal criminal activity as I understand your testimony in the Boston area is organized gambling, illegal gambling?

Mr. McNAMARA. Illegal gambling.

Senator McINTYRE. I also take it from your testimony that you feel that the presence in the Boston area or the presence in any area that the presence of legalized parimutuel racetracks has tended to increase the environment from which this criminal activity gets going?

Mr. McNAMARA. I think that is understandable and historical. Prior to the advent of legalized gambling, historically in our area and in other areas of the country there was very little gambling—illegal gambling.

Senator McINTYRE. In your testimony, you indicate that this group shown on the chart represents a major part or a part of crime in your area. Is it a substantial part? Is it the most substantial part of crime, or just how does this particular Patriarca family fit into the overall crime picture in the Boston area?

Mr. McNAMARA. Substantial in the area of illegal gaming operations, sale of illegal alcohol, after hours and so forth. We do have from time to time, for instance, an organized group of bank robbers. Back a few years we had a famous Teddy Green, Theodore Green, a

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 573

group of bank robbers who operated in the Greater Boston-Rhode Island area. From time to time as one group goes away another group starts up. We do have from time to time what we refer to as tailgate thieves, an organized gang that steals from trucks. I think Colonel Stone pointed out something similar in the organized group of boosters. We do have the various organized types of criminal activities spring up from time to time, and it seems when they are sentenced, in a few years you will see them out again and starting at the same old trade. We try to keep a close tab on those that come out and start up again.

Senator McINTYRE. Of these members listed on the chart, about 15 or 17 are shown to be in association with Boston. Would you venture a guess as to how many people will actually constitute what I am going to refer to, because it seems to me to be the way of reference on it, the Patriarca family? How many do you think are part of this secret family in the Boston area?

Mr. McNAMARA. This is it, as far as I am concerned, in the Boston area; just what you see here on the chart.

Senator McINTYRE. Then the rough figure is 17 to 20, or about that?

Mr. McNAMARA. That is correct.

Senator McINTYRE. What about narcotics in Boston?

Mr. McNAMARA. We keep our narcotics problem to a low level. I have had recent discussions with the Federal Narcotics Bureau and they have indicated that it is not a troubled area in the narcotics field. In trying to arrive at the reason why, here, again, we have concluded that the fact that we are only 47 square miles in area makes it not too difficult for our vice and narcotics squad to keep track of the individuals who come into our area who are suspected of being involved in narcotics. We have recent arrests, within the last few weeks, on two or three occasions, of individuals getting off the plane, coming in from out of State, with a considerable amount of heroin on them, and it seems that we are able to control it because of the small square area that we have and the knowledge of our vice squad.

Senator McINTYRE. As the chief law enforcement officer in the Boston area, are you aware of a so-called or alleged meeting called a little or small Apalachin that took place in Worcester, Mass., in the latter part of 1959.

Mr. McNAMARA. In 1959 I was not police commissioner for the city of Boston. I was a special agent of the Federal Bureau of Investigation.

Senator McINTYRE. Do you know anything about that meeting, the one that allegedly took place at the Hotel Bancroft in Worcester, at the Picadilly Restaurant in that city, at which there were supposed to be about 150 of these hoodlums that met.

Mr. McNAMARA. I would have to say to you that I do have knowledge of it, but I am not free—

Mr. O'DONNELL. Are you in a position to testify concerning this activity, having acquired any information that you did acquire while you were in the FBI?

Mr. McNAMARA. That would be the only way I could testify to that particular meeting, and I understand I would still have to have permission of the U.S. attorney's office. I am governed by departmental rule 3229 in this matter. I am familiar that a meeting took place there.

574 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator McINTYRE. I heard a very interesting story from the Detroit police and I just wondered if anything has ever come to your attention like this: It seems that some of these gangsters here with a reputation for strongarm tactics and perhaps in their background murder trials or attempted convictions of murder have engaged in legitimate enterprises where they simply come into a place of business and drop their card and because of their known reputation for rough play they have a great deal of success in selling their product, which is usually a legitimate one. Has anything like that come to your attention in the Boston area?

Mr. McNAMARA. No, I can't say it has. The individuals on the chart that we are referring to now—I don't know of any that are engaged in the salesmanship type of operations.

Senator McINTYRE. They sell coin machines. Not coin machines, but they sell jukeboxes, in effect?

Mr. McNAMARA. You are talking then about Raymond Patriarca?

Senator McINTYRE. I wasn't thinking of Patriarca. I was curious to find out whether or not we had any operations in the Boston area that sounded so unapproachable as, I think his name was, Perone, or something, in Detroit, with Golden coffee.

Mr. ADLERMAN. I don't recall the exact name, but there were some operations in the Detroit area where the men would walk in, and because of their known reputation, would create an atmosphere of fear and they would be readily able to sell their product or put in their machines.

Mr. McNAMARA. I am not aware that that condition exists in the Boston area. In fact, the people in the cigarette-vending business or the music-vending business are of all different nationalities, et cetera.

Senator McINTYRE. Have you ever received any complaint—

Mr. McNAMARA. No.

Senator McINTYRE. That someone was muscling or strongarming insofar as putting in cigarette-vending machines or coin-o-matic, whatever it happened to be?

Mr. McNAMARA. Not since I have been police commissioner and I don't know of any prior to that.

Senator McINTYRE. No further questions.

The CHAIRMAN. I think Valachi identified four of those on the chart from Boston and Rhode Island as being members of Cosa Nostra. They were Phillip Bruccola, Raymond Patriarca, John Williams or John Gugliemo, and Joseph Lombardi.

Mr. McNAMARA. Yes.

The CHAIRMAN. Did you have information prior to his testimony as to their connection with the Cosa Nostra?

Mr. McNAMARA. Not by the name "Cosa Nostra," but we did recognize that these very individuals that were mentioned did operate.

The CHAIRMAN. In other words, has his testimony with respect to them pretty much confirmed what you already knew or strongly suspected about them with respect to a criminal organization?

Mr. McNAMARA. Yes.

The CHAIRMAN. So you were not wholly-surprised when he disclosed them as members of Cosa Nostra?

Mr. McNAMARA. These were the very same individuals we had under investigation as a group having control in the area.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 575

Mr. O'DONNELL. The information on the chart, Senator, was submitted to us prior to Valachi taking the stand.

The CHAIRMAN. I understand, and these were the men that you knew to be in control of things up there and engaged in these activities?

Mr. McNAMARA. Yes, Mr. Chairman.

The CHAIRMAN. But I wondered how Valachi could know it. He didn't know it from you, did he?

Mr. McNAMARA. No, not from me.

The CHAIRMAN. How could he know it except that he gets his information from another source which confirms what you had already suspected or believed to be true?

Mr. HOWLAND. We feel that the organization in Boston is an unusually old one for the type of group. The last so-called gang war that happened in the area of Greater Boston happened back in 1931, in December, when there was a gang fight in the city and some of the leaders of another group were killed. At that time, five of the members on this chart were all suspected of participating in that gang war, were arrested, and interrogated. There were indictments sought against some of them, but there was never any conviction. But five of those people were consorting together and were believed to be in an organization back in 1931.

The CHAIRMAN. They probably gained control of the organization at that time.

Mr. McNAMARA. That is right.

The CHAIRMAN. That has been indicated.

Mr. McNAMARA. Yes.

Senator McINTYRE. One last question.

Chief, you say there has been an absence of gangland wars, so-called, in Boston during the last 30 years. Have you had any gangland killings in Boston in the last, say, 10 years, which remain unsolved?

Mr. HOWLAND. There have been gang killings, believed to be the result of someone violating some rule of the gang rather than a struggle for power. There has been only one murder that could be called a real gang murder in Boston in the last few years, although there have been several murders or bodies found in the communities adjacent to Boston over the years. Although I don't know of a single murder in 10 years that the victim was a member of the so-called organization. But in disputes over loot among members of the criminal element but not members of the syndicate, there have been murders. There is no doubt about it.

Senator McINTYRE. How many of these have been solved?

Mr. HOWLAND. Very few of the gang-type murders are solved.

Senator McINTYRE. How many in the Boston area in the last 10 years, roughly?

Mr. HOWLAND. I would say probably four or five that could be called gang murders, and they haven't been solved, none of them.

The CHAIRMAN. Is there anything further?

Gentlemen, thank you very much. We appreciate your presence and the assistance you have given to the committee.

The Chair wishes to make an announcement. Tomorrow morning we will resume hearings at 10:30 and will hear witnesses from the Buffalo area. We will probably get through with them by noon.

576 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Then I wish to make this announcement of a necessary change in the schedule of this current series of hearings.

It was originally planned, and we intended immediately following this line of testimony after we had made this study of the Cosa Nostra criminal organizations, that we would go into a detailed inquiry into the field of crime in which this organization has functioned a great deal, and that is the illicit traffic in narcotics. That was to be our subject of further inquiry at the conclusion of this line of testimony. But we have been requested by the Treasury Department, which includes the Bureau of Narcotics, to defer these hearings in that field until a later date. The reason is a trial that is now pending in New York City in which there are 20 defendants charged with violation of the narcotics laws. It has been a longstanding policy of this subcommittee to avoid any action which might jeopardize the outcome of a court trial. Accordingly, that portion of these hearings which we had planned to devote to the study of illicit traffic in narcotics will be temporarily postponed until after this trial, and we do that in accordance with the request of the Treasury Department.

I may say that where a case of this importance is pending, is imminent, we would not want to proceed and cause a kind of publicity that might jeopardize the rights of the defendants or that might cause a court to have to dismiss the case or a higher court to reverse a case because of any action this committee might be taking at the time that would result in publicity. So we will have to rearrange our schedule after tomorrow.

I am not prepared to announce at this moment just what the further schedule will be.

The committee will stand in recess until 10:30 in the morning.

(Whereupon, at 3:55 p.m., the subcommittee recessed, to reconvene at 10:30 a.m. the following morning, Wednesday, October 16, 1963.)

(Members present at time of recess: Senators McClellan and McIntyre.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

WEDNESDAY, OCTOBER 16, 1963

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS,
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:30 a.m. in the caucus room, Senate Office Building, pursuant to Senate Resolution 17, agreed to March 14, 1963, Senator John L. McClellan (chairman of the subcommittee) presiding.

Present: Senator John L. McClellan, Democrat, Arkansas; Senator Daniel B. Brewster, Democrat, Maryland; and Senator Jacob K. Javits, Republican, New York.

Also present: Jerome S. Adlerman, general counsel; Donald F. O'Donnell, chief counsel; Philip W. Morgan, chief counsel to the minority; Paul E. Kamerick, assistant counsel; Harold Ranstad, assistant counsel; Eugene J. Marshall, Bureau of Narcotics, Martin Pera, Bureau of Narcotics; Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will be in order.

(Members of the subcommittee present at time of convening: Senators McClellan, Brewster, and Javits.)

The CHAIRMAN. Before we proceed with the witnesses who are scheduled to testify this morning, I will announce that I am in receipt of a letter from the Attorney General providing for the record certain information requested by Senator Javits. This is information pertaining to the granting of immunity to witnesses to compel testimony by them.

The Attorney General has sent to the chairman a rather exhaustive statement on the subject, together with a copy of two proposed bills, I believe, that he asked the committee to study. Without objection, I am going to direct that this letter and the bill be printed in the permanent record as a part of and immediately following the testimony given by the Attorney General when he appeared as a witness in person.

(See p. 35, part 1.)

Gentlemen, will you be sworn, please? All of you who are going to testify, please rise.

Do you and each of you solemnly swear that the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SCHNEIDER. I do.

Mr. AMICO. I do.

Mr. GIAMBRONE. I do.

578 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator JAVITS. Mr. Chairman, I just wish to introduce to the Committee the police officials from my home State, coming as they do from the Buffalo area.

I would make the suggestion, Mr. Chairman, respectfully, that as the statements of the witnesses are quite long, it might be well to have them actually put in the record, and then the witnesses and we could proceed rather freely on the basis of whatever is contained in them.

The CHAIRMAN. Very well.

Will the witness on my right identify himself for the record, please?

TESTIMONY OF WILLIAM H. SCHNEIDER, MICHAEL AMICO, AND SAMUEL GIAMBRONE

Mr. SCHNEIDER. My Name is William H. Schneider, S-c-h-n-e-i-d-e-r, and I am commissioner of police of Buffalo. I have been a policeman for 27 years, and I have held all of the ranks in the Buffalo police department, competitive civil service ranks, from patrolman to the rank of inspector, until my appointment as commissioner on October 1, 1963.

The CHAIRMAN. You were appointed to the last position just recently?

Mr. SCHNEIDER. Just 2 weeks ago, Senator.

Mr. CHAIRMAN. And what was your immediate position before that?

Mr. SCHNEIDER. I was inspector in the police department just prior to my appointment.

The CHAIRMAN. Will the witness on my left identify himself, please?

Mr. AMICO. My name is Michael A. Amico. I am assistant chief of detectives in charge of the Criminal Intelligence Bureau, Buffalo Police Department. I have been in the police department 16 years, at which time I have had experience with homicide investigations, special fraud investigations, narcotics, and I was appointed to take over the newly established criminal intelligence unit of the city of Buffalo on July of 1960 and I have been with it ever since.

The CHAIRMAN. Very well, Lieutenant Amico.

Sergeant Giambrone, will you identify yourself for the record, please?

Mr. GIAMBRONE. Detective Sergeant Samuel Giambrone, with the Buffalo Police Department for the past 10 years. I am in direct command of the intelligence unit under Lieutenant Amico's command as bureau head.

The CHAIRMAN. We have the name here also of Robert Casey, deputy corporation counsel for the city of Buffalo. Is Mr. Casey going to testify?

Mr. CASEY. No. I am merely here to assist the policemen.

The CHAIRMAN. We are glad to have the record reflect your presence and also your interest in the work of the committee.

Mr. CASEY. Thank you.

The CHAIRMAN. Commissioner Schneider, you have a prepared statement. Do you wish to read it or do you wish to have it inserted in the record?

Mr. SCHNEIDER. I wish to read it, Senator.

The CHAIRMAN. You prefer to read it?

Mr. SCHNEIDER. Yes, sir.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 579

The CHAIRMAN. Very well, then, you may do so.

Mr. SCHNEIDER. As commissioner of police in the city of Buffalo, may I, at the outset, express my sincerest thanks to this subcommittee for the privilege of appearing before your honorable body. On behalf of each of the 1,300 men and women of the Buffalo Police Department, I pledge to you our complete cooperation.

It is not my purpose today to render a long, elaborate statement, because most of what I desire to say has already been said by other police officials who appeared before this subcommittee.

I have been a member of the Buffalo Police Department for 27 years, having held the lowest civil service rank of patrolman and the highest competitive civil service rank of inspector prior to my appointment as commissioner of police on October 1, 1963. During World War II, I was assigned as a special agent, Criminal Investigation Division of the U.S. Army, and saw service in the continental United States and the Pacific theater of operations.

I want to make it clear that this so-called syndicate of organized crime is not responsible for all the crimes being committed in the Buffalo area. There are criminals of all ethnic groups operating in the Buffalo area. These criminals are responsible for many of the crimes being committed and they do not have any ties or connections with the so-called Cosa Nostra.

Organized crime, or "the syndicate," seems to be concerned primarily with the operations of gambling, vice, narcotics, labor, and extortion rackets. The violent acts perpetrated by these people are to assure continuation of their monopoly in these areas. Let me assure you that I consider this area of police work of vital importance.

The pyramidal structure of organized crime poses two serious problems to police enforcement on a local level:

1. Syndicated crime is organized on an international level which disregards city, county, State, or National boundaries. A conspiracy to commit a crime may take place many miles from its actual perpetration. Likewise, those who plan and design a criminal act may be many steps removed from those who actually execute the act itself.

Both elements, therefore, tend to insulate from criminal prosecution those at or near the top of the pyramid. We find, for example, that 15, 20, or 30 years ago individuals who are in this organization operated at a fairly low level and were arrested. As their stature became more important to the group, and as they moved up into higher echelons, the task of the police officials in gathering evidence concerning their operations becomes increasingly difficult, in many cases impossible, to obtain. For example, word conceivably can be put forth by a Cosa Nostra don to any one of his lieutenants who, in turn, passes the word to another individual. This individual, in turn, will then go out and secure others who will carry out the assignment so that it is virtually impossible to trace it back to the don.

2. A small crime committed on the local level is magnified many times when its evil fruits are funneled with those of similar crimes to the top of the pyramid. It is in this latter area that public awareness can supplant public apathy. In the area of gambling, for instance, the average citizen is generally unaware that the \$2 so-called innocent bet placed with a casual acquaintance is his contribution to a multibillion-dollar syndicate which depends on brutal assault and murder as its means of cold, dispassionate discipline.

580 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

There is no public outcry against suspended sentences or nominal fines in our courts for gambling or prostitution. There is no public demand placed on our legislators for laws calling for strict punishment of so-called lesser crimes of this type.

If, however, the integral relationship is shown of many misdemeanors to extortion, assault, and even murder, public interest and public protest can be an active force in cutting off the grasping hands of syndicated crime.

The Buffalo police have been on the alert through various investigative techniques to secure intelligence information indicating that the syndicate does exist and that certain people are, in fact, active members of it. We are attempting, without too much success, to secure evidence regarding various criminal activities concerning the top echelon.

In July of 1960, the Buffalo police organized an intelligence division. This unit, under the leadership of Assistant Chief of Detectives Michael Amico, has proved most effective and is the one responsible for the information being presented today.

Mr. Amico and Detective Sergeant Samuel Giambrone have prepared the charts which you see before you.

Mr. O'DONNELL. Chief, are you referring to the chart up on the wall which is classified "Buffalo, N.Y., Organization?"

Mr. SCHNEIDER. Yes, sir; that is the one I was referring to.

The CHAIRMAN. Let it be received as exhibit No. 64 and printed in the record if it can be, or as much of it as can be.

(Document referred to marked "Exhibit No. 64" for reference faces this page.)

(161)

The CHAIRMAN. We will proceed.

This chart was prepared and you have examined the chart and you testify as to its accuracy?

Mr. SCHNEIDER. Yes, sir; I have.

The CHAIRMAN. You may proceed.

Mr. SCHNEIDER. I believe that this type of intelligence work can be, and undoubtedly will be, greatly improved upon because many police departments throughout the United States have within recent years organized somewhat similar intelligence units and these units are now in the process of exchanging information. Much remains to be done in this area but the base is there and a beginning has been made.

Obviously, if you are to successfully combat this criminal syndicate, there are certain means that must be taken. A police department must acquire the best possible recruits and then give them thorough and effective training. This recruitment program cannot be carried out unless policemen are well paid, commensurate with the responsibilities that go with this job. They must be furnished with the most modern investigative equipment. Unfortunately, budgetary problems preclude this ideal situation in many municipalities. However, I believe that the police heads must make a continuing effort to bring to the public attention the necessity for providing their policemen with these tools.

Referring once again to the limited jurisdiction of local police departments, let me say that the cooperation of State and Federal agencies in the area of combating syndicated crime is a prime requisite to the accomplishment of our mutual goals. Within hours of my con-

(161) Fra le pagine 580-581 del documento originale è inserita una carta che — contrassegnata con la lettera U — è pubblicata, insieme alle altre carte, nella Parte Terza del presente tomo. (N.d.r.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 581

firmation as commissioner of police, I requested meetings with the FBI, New York State Police, Canadian Police, New York State Investigation Commission, and the Ontario Police Commission with a view of further coordinating our efforts in the area of combating organized crime in the Buffalo area.

One of the pillars of financial support to the syndicate is gambling. Ninety-five percent of their operations utilize the telephone in the making of various bets on sporting events. The telephone has largely replaced the old-time bookmaking parlor. It, therefore, becomes important to us, if we are going to make inroads in thwarting what the syndicate is doing, to obtain proper wiretapping legislation.

The State of New York makes it possible to utilize wiretapping on the basis of a court order. However, this is not truly effective because there is: (1) no Federal legislation permitting wiretapping; and (2) court decisions have created a cloud as to whether or not information secured at a local level is, in fact, admissible. As a result, prosecutors are extremely reluctant to proceed on any wiretap information and will undoubtedly continue to refrain from utilizing this type of information at the State level until Federal legislation is passed which can clarify the entire issue. I feel that Federal wiretapping legislation, with proper safeguards, as indicated by Robert F. Kennedy, is vital to investigating efforts of local police departments, particularly to the Buffalo, N.Y., Police Department.

Until such time as this legislation is passed, until such time as the atmosphere becomes clarified so that proper use of wiretapping can be engaged in by the local police departments, the thwarting of criminal activities is being hindered. The passage of Federal wiretapping provisions, as have been proposed by the Attorney General of the United States, would be of tremendous assistance to us at the local level.

I want to make it clear that I am very much concerned with the civil liberties of every individual. It is absolutely imperative that proper safeguards be provided and incorporated into wiretapping legislation. However, the existence of this syndicate makes it patently clear that the use of wiretapping is vital if we are going to handle investigations properly.

I feel very strongly that if it is possible, Federal legislation should be enacted to make it a crime for an individual to belong to any organized criminal activity which, in furtherance of its conspiracy, crosses State lines or crosses international boundaries.

We have problems involving this syndicate in the United States and a segment of this group which operates in Canada. I feel sure that other municipalities are faced with the same problem of international boundaries as we are in Buffalo. It appears to me that this particular type of legislation will be most important to us.

In conclusion, let me assure you of my keen interest in combating organized crime. Let me further commend you for bringing before the public an awareness of the insidious nature of organized crime. Let me reiterate to the public that the coin dropping into a gambling device or the innocent bet placed on a horserace may well be a contributing factor to a vicious crime of violence.

This completes my statement. I have with me today the Assistant Chief of Detectives Michael Amico, and Detective Sergeant Samuel

582 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Giambrone, who are prepared to furnish detailed information concerning members of this syndicate.

The CHAIRMAN. Thank you very much, Commissioner. Did you wish, before you conclude, to make any comment about the chart which you introduced, as exhibit 64? Is there anything about that that you wish to amplify or comment about before we interrogate you?

Mr. SCHNEIDER. I want to commend Assistant Chief Amico for the work involved in drawing up this chart. I have examined it and I have gone over it with him and examined the files on these people. The chart is accurate, and it represents our knowledge to the best of our ability of the setup of the syndicated crime in the Buffalo area.

The CHAIRMAN. Mr. Commissioner, do you regard this problem as one of increasing severity? It continues to get worse, or have you got it somewhat under control, or what is the situation?

Mr. SCHNEIDER. Well, from all of the evidence, Senator, it appears to me that it continues to get worse at the present time. I think that we must take steps to reverse this process.

The CHAIRMAN. In other words, there is definitely a menace in this country by reason of the existence of this organized crime activity and the fact that it is on the increase, that we haven't been able to successfully combat it in the past. You would say it makes it a national menace?

Mr. SCHNEIDER. I would say that it is a definite menace to law and order in the country at large.

The CHAIRMAN. If we don't have law and order, we can't long maintain civilized society, can we?

Mr. SCHNEIDER. That is right, Senator.

The CHAIRMAN. Very well, Senator Javits, I didn't mean to monopolize this. These gentlemen are from your State and I would like for you to interrogate them.

Senator JAVITS. Commissioner, probably I should have a number of other questions of you after Lieutenant Amico presents the actual chart and the names and so on, but I would like to ask you, if I may, one or two questions.

First, you say we are attempting, without too much success, to secure evidence regarding various criminal activities concerning the top echelon. Now, with reference to that chart, it would indicate that the very top echelon is Don Stefano Magaddino, who is apparently the kingpin of this empire in your area. Now, is Magaddino, who allegedly is a funeral director, under continuous surveillance by the police, or if you choose not to answer those questions, just tell us that you can't for security reasons answer them?

Mr. SCHNEIDER. Senator, I really can't answer that because there are many police agencies, Federal and State and local, who are watching Magaddino. I have no knowledge as to exactly what they are doing at this time.

Mr. O'DONNELL. Senator, if I may, I believe that the chart reflects that Magaddino, Steve, is boss not only of the Buffalo area, but the entire western New York area, and Ohio Valley, so it does spread out and what we have tried to do here is confine our remarks pretty well insofar as Buffalo is concerned.

Senator JAVITS. Would you wish to implement in any way what you mean when you say "We are attempting without too much success

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 583

to secure evidence regarding various criminal activities among the top echelon?"

Mr. SCHNEIDER. Well, we have very many files and instances of meetings and so forth of the top echelon, but we have not been able to secure evidence of a criminal conspiracy, for instance, or of any other crime that they are engaged in, exactly well enough to present it in court at this particular time.

Senator JAVITS. Also, I notice you say one of the pillars of financial support of the syndicate is gambling; 95 percent of their operations utilize the telephone in making of various bets on sporting events.

Now, if we pass Federal wiretapping legislation, don't you feel that they will stop using the telephone? They are not just going to walk into the net which is spread for them by the law enforcement officers, are they?

Mr. SCHNEIDER. Well, if they stop using the telephone, then their volume would drop 80 percent, I would say, because this would mean that they would have to put runners out, and runners certainly are more vulnerable and more apparent to the police than a telephone conversation.

Senator JAVITS. Now, isn't it possible that we may oblige them by instituting off-track betting, and thus giving them local betting shops in which to operate quite legitimately? At least have a legitimate front? Isn't that so?

Mr. SCHNEIDER. Well, this is a controversial subject in the State of New York, Senator, as you are aware. There has been a lot of discussion of the value of off-track betting. Naturally, if we had off-track betting, the volume now going to the syndicate, the greater part of it would be channeled into State coffers. It would help; yes, it would, I believe.

Senator JAVITS. But the syndicate would have an opportunity to go into the business of off-track betting through fronts of its own, which it seems to be able to manage pretty well.

Mr. SCHNEIDER. Well, this would be a matter for the legislature to set up safeguards so this couldn't happen. I certainly would want to keep them out of legitimate enterprises of that type.

Senator JAVITS. But one of the advantages of some kind of Federal wiretapping legislation is to interdict, to use a military term, the use of the telephone for these organized gambling syndicates; is that right?

Mr. SCHNEIDER. That is correct.

Senator JAVITS. That is even a more important benefit, is it not, than what you might find out from tapping, because, as I say, they have already testified and they are not going to use the phone; is that correct?

Mr. SCHNEIDER. Well, that is about right, actually. You can imagine that if they know that we can't use wiretap evidence, they have the free use of telephones and there is no compunction on their part or very little caution taken, actually.

Senator JAVITS. That isn't quite true, is it, because although you can't use the evidence, you certainly get plenty of leads and so on, so Valachi testified, for example, that they were very interested in taps, and tried to make sure that their phones were not tapped, even now. That is so, it is not?

Mr. SCHNEIDER. Yes, they have a lot of means of doing this.

584 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator JAVITS. Now, they have a pretty good intelligence service of their own.

Mr. SCHNEIDER. An excellent one.

Senator JAVITS. Now, the last question I would like to ask you, sir, and I would like, Mr. Chairman, to reserve the right to return to the police commissioner, when Lieutenant Amico has testified, is a statement here about the recruitment program relating to policemen. Now, do you feel that policemen are underpaid today?

Mr. SCHNEIDER. They certainly are in Buffalo. I am speaking for Buffalo only.

Senator JAVITS. What is the starting level of salaries, and the average salary in Buffalo?

Mr. SCHNEIDER. The starting level in Buffalo is \$4,700 per year for patrolmen, and he advances to \$5,300 after 5 years of service.

Senator JAVITS. And you don't feel that is adequate?

Mr. SCHNEIDER. I feel it is disgraceful.

Senator JAVITS. Mr. Commissioner, would you care to—and please don't answer if it would in any way cause problems for you—give us your idea of what would be adequate under present conditions; so we get an order of magnitude, because this is an important law enforcement problem, and nobody knows it better than I do.

Mr. SCHNEIDER. Well, I think we could use the new salary schedule paid to the New York State Police as sort of a criteria, and try to work out something close to it if the municipalities couldn't afford it all. I think that should be their ultimate goal, to pay that type of salary.

Senator JAVITS. What is the relative salary for the New York State Police.

Mr. SCHNEIDER. I can't answer that exactly, but the top salary is about \$7,800.

Senator JAVITS. But you feel that whatever that schedule is, it is more nearly adapted to getting the best men and keeping them and keeping them contented than the schedule, for example, which you have given us?

Mr. SCHNEIDER. That is my belief, Senator.

The CHAIRMAN. Now, Lieutenant Amico, do you have a prepared statement?

Mr. AMICO. Yes, sir, I do, but I would agree with Senator Javits.

The CHAIRMAN. It is quite lengthy.

Mr. AMICO. I would like to synopsise it.

The CHAIRMAN. We will insert it in the record in full at this point, and let it be printed in the record in full, and now you take those parts of it that you wish to emphasize and discuss it with us.

Mr. AMICO. Mr. Chairman, and members of this committee, I am most happy and honored to be present today to cooperate with this subcommittee and to explain some of the activities of the various members of the underworld, who are operating as part of the organized crime cartel in the Buffalo, N. Y., area.

At the outset I would like to say that the Buffalo Police Department formed the criminal intelligence bureau to combat racketeering on July 27, 1960.

This bureau was charged with the important responsibility of accumulating, evaluating, and recording criminal intelligence data and

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 585

to prepare complete files on the identities, residences, methods of operations, suspected criminal activities, associations, business activities, meeting places, family ties, and all other information available on organized crime.

I am the lieutenant commanding the criminal intelligence bureau, which is comprised of the intelligence squad headed by Detective Sgt. Samuel N. Giambrone, and the narcotics squad.

As a result of surveillances, investigations, interrogations, and information gathered with the cooperation of various Federal agencies and the district attorney's office of Erie County, a full picture relative to organized crime in the western New York area has been compiled.

A studied evaluation of all of the information compiled will lead to only one conclusion and that is that a criminal-type organization does exist in and around the city of Buffalo. Whether it be called the Cosa Nostra or by any other name it is manifestly apparent that it does exercise a certain degree of control over crimes such as gambling, vice, narcotics, labor racketeering, arson, and those of a similar vein.

As a result of the efforts by the intelligence unit with the cooperation of the district attorney's office and the Federal enforcement agencies, the following chart setting forth the names, photographs, and criminal data of individuals and their suspected place of prominence in the cartel of crime is respectfully submitted.

At this point I would like to say, Senator, that I will go into the Buffalo organizational setup and I will also just generally cover that part that goes beyond the Buffalo area as depicted by the chart.

I might also say that I agree in essence with Mr. Valachi, and I was here at the testimony, about the numbers he stated in our area, of approximately 100 to 125 members.

The CHAIRMAN. Was he substantially accurate about that, according to your knowledge?

Mr. AMICO. That is correct; and I would like to qualify that, however. By that I feel that it is not necessarily 100 to 125 in the city of Buffalo, I feel that we have some 75 to 80 and we have files to support this.

We feel that we have some 20 or better in Niagara Falls, and we have some 20 and better in nearby Canadian areas.

The CHAIRMAN. In a matter like this, where Valachi has testified, of course we recognize he has been in prison now and he has been out of circulation for some period of time, but testimony such as yours tends to confirm his estimate and also tends to indicate that he did have a pretty good knowledge of the situation, at least before he was taken out of circulation; obviously, he was on the inside enough to get this information and to pretty well know about the situation in these different areas.

Mr. AMICO. I certainly agree with that.

The CHAIRMAN. In other words, we want to know how to evaluate testimony. You just take his testimony standing alone, and none of

586 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

it corroborated and you might raise some question marks, but when you who are in these areas, the police officials in these areas, come in and substantially corroborate what he said, it lends more credence to his testimony as a whole—the man apparently knows what he is talking about.

Mr. AMICO. That is correct. As a matter of fact, Senator, I was the one, with the help of my unit, to set up this chart, and surprisingly the hierarchy that I named were those individuals that Valachi was especially familiar with, that he indicated were those people in top echelon of crime.

I had no outside help at this time, and I was surprised to have that support or confirmation in effect, that Valachi mentioned here publicly.

The CHAIRMAN. He mentioned four of them, I believe.

Mr. AMICO. That is correct.

The CHAIRMAN. Those are the four that appear at the top on exhibit 64.

Mr. AMICO. That is correct.

Mr. O'DONNELL. At the time, we already had the charts prepared based on information that we had secured from Buffalo, was that correct?

Mr. AMICO. That is absolutely correct.

The CHAIRMAN. In other words, the charts were prepared before Valachi was ever consulted about it?

Mr. AMICO. I have never had an opportunity to talk to Mr. Valachi, and I would like to know how much more he might make available to our unit and be of further help if at all possible, but certainly I have never talked to him and no one indicated to me what he was going to say or what he was thinking.

I felt again reassured when he came out with the names he did, that it conformed with our thinking.

I would like to take this time—or first, I might go uncover this Magaddino empire of organized crime.

The CHAIRMAN. You have another chart showing that.

Mr. O'DONNELL. He is still talking about the chart up there, I think.

Mr. AMICO. Perhaps I am jumping. I had reference to this general overall chart that the Senator is making remarks about.

The CHAIRMAN. This Magaddino empire of organized crime chart, that is the one that you are talking about now?

Mr. AMICO. That is correct.

The CHAIRMAN. Can you verify the information on that chart?

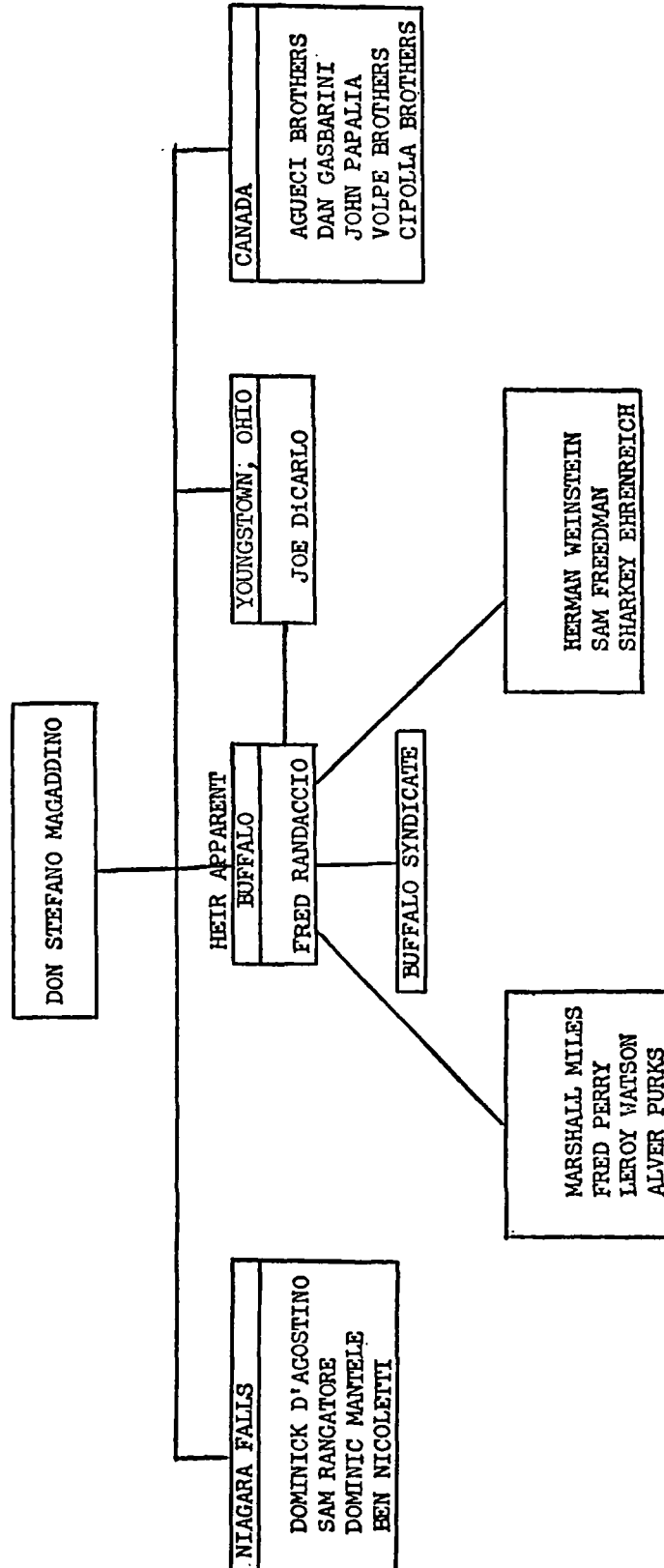
Mr. AMICO. Yes, sir; I, with the help of Sergeant Giambrone, made up this chart and we have it documented from our files.

The CHAIRMAN. Let it be made exhibit No. 65.

(Document referred to was marked "Exhibit No. 65" for reference and follows:)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 587

EXHIBIT No. 65

MAGADDINO EMPIRE OF ORGANIZED CRIME

BUFFALO POLICE DEPARTMENT, BUFFALO, NEW YORK

588 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. AMICO. I would say on this chart, as we have depicted, on Stefano Magaddino as the top man. He does control various areas. His primary area of influence, of course, is in Buffalo, N.Y.

With the heir apparent, Mr. Fred Randaccio, who we feel is so-called underboss and in charge of the Buffalo area. I will come back to that particular area.

In Niagara Falls, his hometown, he has as his immediate lieutenants, Mr. Dominick D'Agostino, record on narcotics, somewhat charged with the narcotic activity of the syndicate in the Niagara Falls area; and Sam Rangatore, vending machine operator, and somewhat of a bodyguard to Don Stefano, an enforcement-type individual.

Dominic Mantele, who has always been seen in the company, also, of Magaddino, who again is a trusted lieutenant and handles a lot of his general affairs.

Mr. Ben Nicoletti, who handles the Niagara Falls area, and close-by Canada gambling activities.

On the far end of the chart we have the Canadian areas that I am talking about, would be generally Toronto and Hamilton, in those areas. I will just cover them quickly. We have the Agueci brothers, Gasbarini, Papalia, Volpe brothers, and the Cipolla brothers.

This is mostly considered narcotic combines. Of course, the specialties are both narcotics, extortion, and gambling, but we know, especially in our investigation, in narcotics especially.

We also have in the chart Youngstown, Ohio; and I don't mean to depict that as a big threat, but presently in Youngstown we have Joe DiCarlo, very close associate of Magaddino, Montana, and others on our particular chart.

Joe DiCarlo was quite a menace to Buffalo's Police Department some 10 or 15 or 20 years ago. He was a big man then and he ruled in a violent manner, and since has left for other places, gone down to Florida. He returned to Buffalo a short time and he is presently in Youngstown, Ohio.

The CHAIRMAN. You still regard him as a big man in the syndicate, do you?

Mr. AMICO. In the syndicate; he still has influence in the syndicate and he still has a lot to say. Of course, I think, if you permit me to, I should at this time go back to the Buffalo organization.

The CHAIRMAN. Will you come back to this chart? I notice you show some other ties there.

Mr. AMICO. Yes, I will. I might at this time read a prepared statement that I have on Don Stefano Magaddino, because I believe that the man is in a position where it is worth going into somewhat more detail with him, and with your permission, Senator.

The CHAIRMAN. Very well.

Mr. AMICO. Stefano Magaddino, alias "The Boss," "The Old Man," and "Don Stefano," lives at 5118 Dana Drive, in an exclusive area of Lewiston, N.Y., with his wife. His luxurious home is located on a plot of land adjacent to a similarly luxurious home occupied by his daughter and son-in-law, James LaDuca, who was in attendance at the Apalachin convention.

Don Stefano is the irrefutable lord paramount and titular head of syndicated organized crime in the Buffalo-Niagara Falls and Toronto areas.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 589

Stefano is known to be the "don" and in absolute control of all illegal operations in the area as pertains to organized criminal activities. No crime by members of the organization is permitted without his permission and guidance.

Don Stefano was arrested on August 16, 1921, as a fugitive from justice, relative to a homicide at Avon, N.J., and turned over to Avon, N.J., Police Department.

Informed police authorities believe Stefano Magaddino was among visitors to the notorious Apalachin meeting, November 14, 1957. His clothes were found on the premises where the meeting was held.

It has been reasonably theorized that a meeting with such magnitude of important notorious Apalachin guests would not proceed without the presence of Don Stefano Magaddino, who has extensive criminal interests and influence in syndicate decisions.

Don Stefano, before the Apalachin disclosures, was known to wield a great deal of influence in Niagara Falls politics. In the late 1930's Magaddino was reported to be associated with John C. Montana in the Empire State Brewery in Olean, N.Y.

It was during this time that Montana was regarded as a trusted lieutenant of Magaddino, and second in command. This close association with the Stefano Magaddino dynasty of criminal activity in the western New York area has been more closely cemented by inter-marriage of the two families.

Also closely associated with Magaddino is Herman Weinstein, who is alleged to have profited handsomely from his illegitimate transactions with the mob in the way of bootlegging, black market gasoline operations during World War II, and many other illegitimate transactions. Weinstein is now regarded as a successful motel operator, owning the plush Peace Bridge Motel, which is considered a meeting place for prominent syndicate members.

I mention this association because our surveillance, I might add, takes us many, many times into this plush motel, where many of these syndicated individuals from in and outside of the Buffalo area tend to congregate.

Since Apalachin, Stefano Magaddino has relinquished immediate control over legitimate businesses such as Magaddino Memorial Chapel, the Power City Distributing Co. of Niagara Falls and Camellia Linen Supply Co. of Buffalo, N.Y.

Stefano Magaddino is ostensibly considered to be in retirement from legitimate business holdings, passing on his interests directly or indirectly to members of his immediate family.

Magaddino's present chief lieutenant in charge of Buffalo syndicate operations is Fred "Lupo" Randaccio. Randaccio indisputably controls all gambling, labor racketeering, and other illegitimate activities for the old man.

Associates of Stefano Magaddino include John C. Montana, Samuel Freedman, Herman Weinstein, Roy Carlisi, Fred Randaccio, Fred Mogavero, James Zerrilli (Detroit), Joseph Falcone (Utica), Anthony Perna, James LaDuca, Dominic D'Agostino, Samuel Rangatore, Dominic Mantele, and Benjamin Nicoletti, the last five from Niagara Falls and Samuel Pieri, of Buffalo.

I have given the names there of those associates.

590 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator JAVITS. May I ask a question about Magaddino? Lieutenant, first thank you very much for your testimony, which I think will prove to be very interesting and very important. I notice in your written statement you say Magaddino is ostensibly considered to be in retirement from legitimate business holdings, passing on his interests directly or indirectly, to members of his immediate family.

However, do you believe that he is actually in retirement or is he still running this empire?

Mr. AMICO. He is still running the empire. Our observations and our information funneled to our particular intelligence bureau confirms that he is still very much active in both legitimate businesses or enterprises.

Senator JAVITS. Now, as to Montana, who has represented such an interesting figure in all of these investigations, did he have any criminal record prior to his arrest at Apalachin?

Mr. AMICO. This is a very important point at this juncture. I might say that our research disclosed no arrest on either a local, State, Federal, or international level. At no time in any records has Mr. Montana received even a traffic violation. Of course this is prior to the Apalachin disclosure.

Senator JAVITS. Nonetheless you feel justified, based upon your intelligence activities and of course the confirmatory fact of Apalachin which after all is a fact and it stands, to link Montana in this chart kind of in a corollary way to Magaddino.

Mr. AMICO. That is correct, sir. Our observations show his associations throughout the years. Our conferences with many law enforcement agencies on a State and local level prove to us, or at least tend to show us strongly, that certainly Mr. Montana was associated with Magaddino empire.

Senator JAVITS. Now again warning you that you shouldn't answer if it in any way imperils security or your work would you say as to Montana that that continues to this day? Again, I beg of you don't answer if it in any way will interfere with what you are doing.

Mr. AMICO. I might answer it in a limited way and say our surveillance of Montana shows that at the present time, he is separated his activities or terminated his activities completely, so to speak, with the mob.

Senator JAVITS. Now, I know—I notice that you referred to a man named Weinstein and others to the chart under the heading "Jewish ties," and I would like to point out that the staff here has gone to great pains to eliminate a national or ethnic reference to the whole organization, and I think that is a splendid thing.

Wouldn't you recommend, Mr. Witness, that the same be done as to "Jewish ties"?

Mr. AMICO. I certainly would. I should have better titled them perhaps "other associates" or nonmember associates.

Senator JAVITS. In other words, it is just belaboring the obvious to repeat what we have said so many times, that in no way should we give any feeling that criminal activities are the sole property of any religious, ethnic, national, or other group in our country. It is tragic and sad enough without loading them with that. Do you agree with that?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 591

Mr. AMICO. I agree with that. I thought in one aspect, perhaps, it might tend to show that certainly no one has a monopoly insofar as ethnic groups are concerned with crime. I thought maybe anyone who was belaboring that point might see that there are others involved in crime other than people of Italian heritage.

Senator JAVITS. Unfortunately when you try to help one, you might not be helping another. So I think that we should eliminate all such references, and I am glad you agree.

Mr. AMICO. I certainly do, sir.

Senator JAVITS. Now, I notice that you speak of a fellow named Cannarozzo. This is the Magaddino and Montana empire. I wouldn't question you about it at this stage because you haven't mentioned them, as being an employee of D. Madison Cab Co. in Buffalo. That is a Montana enterprise.

Mr. AMICO. Yes, Montana has connections and associations and it is believed that he is the true owner of perhaps the Madison Cab Co.

Senator JAVITS. Is it generally considered in Buffalo that he controls the cab business?

Mr. AMICO. That is about right, sir. I believe insofar as Van Dyke, Madison, and he also has close ties with City Service, that comprises the taxicab business in the city of Buffalo.

Senator JAVITS. Is that all a matter of record, or is it just general knowledge?

Mr. AMICO. It is not a matter of record, perhaps not even a matter of general knowledge. It is a matter of knowledge to those who are interested enough to want to find that out.

Senator JAVITS. I have some other questions on others, but I will reserve those, Mr. Chairman, until the witness gets to that point.

The CHAIRMAN. Very well.

Mr. AMICO. I would like to continue by a résumé on John C. Montana.

John Charles Montana, residing at 340 Starin Avenue, Buffalo, N.Y., with his wife, was born June 30, 1893, in Montedore, Italy.

Montana's "rags to riches" fame started as a messenger boy in a candy shop while attending grade school. He later associated himself with a taxicab business which he started with one cab. Montana continued successfully with his taxi business, gaining control of the Yellow Cab Co., and the Van Dyke Taxi & Transfer Co., causing its merger in 1930 to form the largest taxi company in western New York State. Montana's virtual monopoly at preferred taxi locations such as the Buffalo Airport, New York Central Railroad Station, and area taxi stands located at the better hotels, caused political criticism in later years.

Concurrently with his rapid expansion in the taxicab enterprise, Montana engaged in city politics, and became active in business and civic groups. He was closely associated with influential political, business, and social leaders. Mr. Montana was elected councilman of the city of Buffalo in the years 1928 and 1930, and appointed to other important city posts in subsequent years.

In 1956 he was named "Man of the Year" because of his civic contributions, that is, his recognition as councilman, successful businessman, his many contributions to charities, chairman of the Buffalo Zoning Board, and his constant stand expounding good government.

592 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

He became a member, and in some instances, the president of a host of civic, fraternal, and political organizations too numerous to mention, such as chamber of commerce, Elks, Buffalo Athletic Club, and the Erie Downs golf course to mention but a few.

Montana appeared before the Senate Rackets Committee and testified that he had gone to Apalachin with Antonio Magaddino, an uncle of Montana's nephew through marriage. He claimed that he was unaware of Magaddino's extensive past criminal record, consisting of falsifying passports in Italy, extortion, rape, and violations of U.S. immigration law. Incidentally, Montana was one of the few, or perhaps the only one, that perhaps did not invoke the fifth amendment as a result of those hearings and trials.

Montana was convicted of conspiracy to obstruct justice in the U.S. Federal court, which was subsequently reversed on appeal.

To list Montana's legitimate associates would be to list the who's who of Buffalo and New York State's prominent personages.

His reputed underworld associates would be, of course, Joseph Barbara (deceased), Stefano Magaddino, Antonio Magaddino, Fred Randaccio, James LaDuca, Roy Carlisi, Sam Pieri, Samuel LaGattuta, Samuel Freedman, Herman Weinstein, Joseph Falcone (Utica), and James Zerrilli (Detroit).

At one time Montana was closely associated with Joe DiCarlo, former Buffalo public enemy No. 1. DiCarlo was associated with labor and union rackets and the distribution of lottery tickets in the Buffalo area.

Montana has been closely associated with Magaddino and regarded as a trusted lieutenant, and thus closely associated with Stefano Magaddino dynasty of criminal activity in the western New York area, with headquarters in Niagara Falls, N.Y. Since the Apalachin disclosure, however, Montana has seldom been seen in public with members of the criminal world.

Senator JAVITS. May I ask a question or two here? Lieutenant, Mr. Montana before 1959, before the Apalachin convention, I gather that these facts that you are now stating were not known at that time or were they known to you?

Mr. AMICO. The facts insofar as——

Senator JAVITS. As his association with these racketeers?

Mr. AMICO. Well, they were not known to the police department or general public. As you probably well know, intelligence units have not been in effect in police departments more than a couple of years and the units as intelligence and criminal gathering units that enable us to keep closer ties with these suspects and individuals we feel are associated with so-called organized crime. At that time, it wasn't certainly generally known and it was maybe not even known. But by a very few.

Senator JAVITS. So that you really feel the book was opened on Mr. Montana by Apalachin?

Mr. AMICO. Definitely, sir.

Senator JAVITS. I notice that you say Montana has virtual monopoly at preferred taxi locations, such as the Buffalo Airport, New York Central Railroad, and area taxi stands located at better hotels, caused political criticism in later years. Does that continue until this day, and does he still have the taxi monopoly in Buffalo?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 593

Mr. AMICO. No, sir. That has been more or less minimized at this particular time. One particular stand that seemed to be very preferred by the Hotel Statler-Hilton now is open to all independents. I know, I at one time drove a cab for some 6 months in that area, and whether it was because of his political connections at that time or whether it was because of his connections with the so-called mob, we knew enough not to get anywhere near that particular stand because we knew it belonged to John Montana. You just didn't go into that particular area. The same went for the airport and the same went for the railroad stations.

Senator JAVITS. Now, are they all open now?

Mr. AMICO. They certainly are, sir.

Senator JAVITS. They are open to individuals?

Mr. AMICO. They are. The reason why I put that in was subject to political criticism, there was a particular individual, Mr. Lim Conryn on the independent ticket for mayor at that time and he made quite an exposé at that time on Montana's preferred position of the cab enterprises.

Senator JAVITS. But none the less, his cab companies still dominate the Buffalo market, do they not?

Mr. AMICO. They certainly do and it is considered a very legitimate business; and, as a matter of fact, I have heard the remark time and time again he has perhaps the most courteous and trusted drivers of any of the cab companies.

Senator JAVITS. Now ostensibly, do normal businessmen run these companies? I don't want you to give me any names because it would be unfair to these people, but I just ask for a generic classification. Montana isn't the president of these companies, and he isn't their manager, is he?

Mr. AMICO. The companies you are referring to, taxicab companies, he is the president.

Senator JAVITS. And he actually operates them?

Mr. AMICO. As a matter of fact he was president up to a few months ago, and he has turned it over to his nephew, and some other individuals. It is just of recent months that he has turned the presidency and managerial capacity over. It is my understanding that there is a corporation; that he is chairman of the board. I know he is very actively engaged—not to disclose any police surveillance, but it is common knowledge that he daily and routinely goes to his place of business and that certainly he is—he has still a keen interest in his taxi enterprise.

Senator JAVITS. He runs a cab company?

Mr. AMICO. Yes, sir.

Senator JAVITS. And those are most of the cabs on the streets of Buffalo?

Mr. AMICO. Yes, sir; that is correct, sir.

Senator JAVITS. Now, do you have any comment on that in police terms, the idea that notwithstanding your disclosures, the Analachin disclosures, and the situation you lay before the Senate committee, this man is still operating a very lucrative and important business enterprise with complete acceptance of the local community and he is doing business there today, and from all we can see will be tomorrow, just as if this information had never existed. Do you have any comment on that, in terms of the enforcement of law?

594 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. AMICO. I believe I would compare this, that I would say is our great American way of life, that it is such a great nation that anyone regardless of who he may be is certainly given an opportunity to succeed and become successful in business. Now it is an apathetic, lethargic public that is enhancing Mr. Montana's position, and maybe a public hearing of this type might do much toward possibly minimizing his importance, and probably do much toward awakening the public to show that this type of organized crime does exist and some of these people perhaps, it is best not to patronize them and not to go along and not encourage this particular setup.

So it is the public themselves that either contribute or detract from such an endeavor.

Senator JAVITS. Lieutenant, I am delighted that you make that point, because I think it is so important to make. No law enforcement and no police plan and no district attorneys. and no committees and no government in our country, thank God, is absolute and complete in its authority. In the final analysis it is public opinion that really gives the final sanction, and so I couldn't agree with you more that at this point in the career of this particular man, it is the public and the public alone which has to count. I think it is also true that it is the genius of our society and of our justice that there is no such thing as a retainer for life. Even the worst people can redeem themselves after having paid their debt to society. I feel that we have to let it go at that, but I am very glad that you made that point and it is a very profound one in respect of American life. I thank the Chair for the opportunity.

The CHAIRMAN. Will you go right ahead?

Senator BREWSTER. Mr. Chairman, I would suggest as the chairman has suggested already, that rather than read these very lengthy biographies of everybody on this chart, that it would be more useful to include them in the record and let the committee question the witness.

Mr. O'DONNELL. I think I intend to read only the top echelon which is the top four, and then he can put it in and have it printed in the record, and not go any further.

Mr. AMICO. I might stop right here if the Senator wishes. I had in mind to cover one more individual that I thought was worthy of mention, but I might go along the same lines of thinking that you have put forth, if that is your desire.

Mr. O'DONNELL. Can you give us a quick recap of these other individuals?

(The balance of Mr. Amico's statement follows:)

FREDRICO G. RANDACCIO

Fredrico G. Randaccio, also known as "Fred Lupo," was born July 1, 1907, in Palermo, Italy. At the present time, he resides at 562 Richmond Avenue, Buffalo, N.Y.

Randaccio was first arrested in 1922, as "Fred Lupo," for juvenile delinquency. About 2 years later he was arrested for gambling. That same year he was arrested for bootlegging. In 1928, Randaccio was arrested for assault, third degree; again in 1930 for felonious assault, and in the latter part of that same year he received a 10-year sentence for assault, first degree. This charge was reduced from robbery, first degree, after holding up a garage proprietor.

Randaccio was paroled, but was returned to prison in 1938 for violating that parole.

In 1956, deportation proceedings were initiated against Fred Lupo Randaccio by the Immigration and Naturalization Service. These proceedings were dis-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 595

missed, since Randaccio's citizenship was obtained as a result of his 6 months' service in the U.S. Army, in 1945.

Randaccio's business fronts are varied. A corporation called the Frontier Lathers, Inc., was formed, with Randaccio as its president, John Cammillieri as vice president, and Pat Ntarelli as secretary-treasurer. This corporation lasted a short time.

Randaccio then entered into a partnership with Fred Mogavero in the cigarette-vending machine enterprise under the name of Delaware Vending Co. This company attempted to take over and monopolize the predominantly Italian west side of Buffalo, with the use of persuasive salesmen such as John Cammillieri, Pat Ntarelli, and Sam Miano.

Randaccio's next and present business venture is with a construction company known as Tur-Ran Builders, operating out of Amherst, N.Y., a suburb of Buffalo. This business was formed by Randaccio and Fred Turano.

Randaccio is considered Don Stefano Magaddino's "enforcer"; that is, the governing force in the Buffalo area for Magaddino's criminal empire.

To maintain his present position, Randaccio has surrounded himself with a corps of trusted and loyal associates, such as John Cammillieri, to handle labor and union racketeering; Pat Ntarelli and Joseph Fino and Daniel Sansanese to take care of organization bookmaking interests, and Steven Cannarozzo to handle the syndicate's policy business.

Although lacking formal education, Randaccio is regarded as a great organizer, with ample ability to hold the organization together in times of stress.

Other associates of Randaccio include Fred Mogavero, Herman Weinstein, Stefano and Antonio Magaddino, James LaDuca, Salvatore Bonito, Paul Briandl, John Montana, Roy Carlisi, of Buffalo, and Vito Aquece, Charles Cipolla, and Daniel Gasberini, all of the neighboring Canada area.

SALVATORE J. PIERI

Salvatore J. Pieri, alias "Sam" Pieri, and "Samuel Johns," was born January 29, 1911. He resides at 596 West Avenue, Buffalo, N.Y.

Salvatore Pieri was first arrested for grand larceny first degree and burglary third degree, on June 4, 1928. His next arrest came about 2 years later in October 1930, this time for petty larceny. About 3 months later he was picked up on an indictment warrant charging him with robbery first degree in Rochester, N.Y.

This indictment was later dismissed. In September 1931 Pieri received a 60-day sentence in Erie County Penitentiary for smuggling. In the early part of 1933 Pieri was again arrested for robbery first degree and grand larceny second degree.

About a month later, both these charges were dismissed. In March and May of 1935 Pieri was arrested and charged both times with consorting with known criminals. His next arrest came in January 1942, when he was charged with carrying a loaded concealed weapon, and concealing an escaped prisoner.

His last arrest came in May 1954, when he was arrested for violation of Federal narcotics laws. He received a 10-year sentence at Atlanta Federal Prison. Pieri served approximately 8 years and 4 months of his sentence, and arrived back in Buffalo on May 7, 1963.

At the present time Pieri is unemployed and living with his daughter at Buffalo, N.Y. Pieri has close ties with his brother John, also known as "John Rai," now serving a life sentence for murder in Ohio State Penitentiary where he has been for the past 25 years.

Pieri has a sister, Mrs. Elsie DiCarlo, who is the wife of Joe DiCarlo, formerly of Buffalo, N.Y., and who has been branded by a former Buffalo commissioner as Public Enemy No. 1.

Pieri was topman in the Buffalo area for the organization before his arrest in 1954. While in prison, Fred G. Randaccio has replaced him and is so solidly entrenched that his removal is difficult to achieve.

There is a possibility that there will be a struggle for power in an attempt by Pieri to regain his position as the head of the Buffalo organized criminal dynasty.

His associates and codefendants include Sylvester Polliatto, alias "Sam Polo," Nunzio Romano, Ben Yusolovich, Angelo Filicia, Anthony Desimone, Frank Consolo, Steven Simmons, Alfred Warren, Anthony Crishei, Anthony Nassilli, Harry Ricobene, Salvatore Lazzaro, Michael Erra, and Amato Bucci. He has close associations also with Salvatore Rizzo, Stefano Magaddino, Antonio Magaddino, James LaDuca, and John C. Montana.

596 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

JOHN CAMMILLIERI

John Cammillieri, born May 8, 1911, in Italy resides at 542 Richmond Avenue in Buffalo, N.Y. John Cammillieri came to this country from Campobello Di Licata Gigenti, Italy, on May 30, 1916, at the age of 4 years.

Cammillieri applied for his citizenship on August 10, 1942, as John Victor Cammillieri. He became a citizen on March 2, 1944.

John Cammillieri's criminal record started on August 17, 1930, with his arrest for grand larceny. Then on June 4, 1931, it was grand larceny second; on August 18, 1931, assault with intent to kill; on June 28, 1932, burglary third and on October 2, 1933, extortion and robbery first. On this last charge, he was sentenced to 20 years at Elmira State Prison.

In the past few years Cammillieri headed the Vinjames Construction Co. and is reputed to handle union affairs for the mob. He also handled the Niagara Falls locals for construction on the power project and has close tie-ins with the Hod Carriers Local No. 210. For a short time he was a third member of the Frontier Lathers, a flashing construction light company.

The other two members of this concern were listed as Fred G. Randaccio and Pasquale Ntarelli. After this company was dissolved Cammillieri showed interest in the cigarette-vending machine business. This business was formed by Fred Randaccio and Fred Mogavero.

The Delaware Vending Co. attempted to take over and monopolize the entire Buffalo West Side cigarette vending machine business. The business was short lived due primarily to pressure exerted by the Buffalo Police Department intelligence unit.

He is closely associated with Stefano Magaddino, Fred Randaccio, Daniel Sansanese, Fred Mogavero, Joseph Fino, Pasquale Ntarelli, and many others.

PASQUALE NATARELLI

Pasquale Ntarelli, alias Pat Titters, was born July 9, 1910. He is now living at 60 Manchester Place, Buffalo, N.Y. He is married, and has previously worked as a salesman, truckdriver, laborer, counterman, small businessman, and gambler.

Ntarelli is an associate of Joe DiCarlo of Youngstown, Ohio, and Buffalo, N.Y., Fred Randaccio, also known as Fred Lupo, Salvatore Bonito, Stefano and Antonio Magaddino of Niagara Falls, and Roy Carlisi of Buffalo.

He was picked up for at least 25 juvenile charges.

Besides these, Ntarelli has been arrested for robbery first degree, robbery second degree; burglary, larceny, violation of parole, possession of policy slips, and contriving a lottery.

Early in his career, Ntarelli worked for Joe DiCarlo. Later, he and Fred Randaccio were partners in the rackets and gambling including bookmaking, numbers racket, and crap games.

Ntarelli is still a close friend and associate of Fred Randaccio, alleged top man in the Buffalo area, protecting the interests of "the old man", Don Stefano Magaddino. Ntarelli could be classified as a first lieutenant to Randaccio, and also one of the muscle men, with responsibilities over some of the gambling interests as related to the mob.

Besides Randaccio, Ntarelli is a close friend, and in the past a business associate of John Cammillieri, and Steven Canuaro, three of the men who make up the nucleus of the underworld element in this city.

ROY CARLISI

Roy Carlisi was born April 10, 1909, at Chicago, Ill. His present address is 20 Anderson Place, Buffalo, N.Y., where he resides with his wife and children.

At the time of his attendance at the Apalachin convention, Carlisi was the owner of Club 97, a bar and restaurant located in Buffalo. Information received reveals that in earlier years, Carlisi owned and managed a wholesale-retail clam distribution business.

It is said that at the height of the Carlisi power, that dispensers of clams found it wise to conduct their clam business exclusively with the Carlisi enterprise and as such Carlisi enjoyed a competition-free atmosphere in business.

Carlisi was first arrested on December 30, 1937, in Chicago, on a charge of violation of the Internal Revenue Act (to wit, the operation of a still), which charge was later discharged. On January 4, 1943, he has a record showing SOS War Department No. 40 O.W.B. Trial, no disposition available.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 597

Carlisi's reputed associates are Stefano Magaddino, Anthony Magaddino, Fred Randaccio, Fred Mogavero, Paul Briandi, Joseph Fino, Daniel Sansanese, Salvatore Bonito, Steven Cannarozzo, and Benedetto Spano.

Carlisi is presently associated and in partnership with Glen R. Bender operating Buddy's Chicken & Fish Takeout Service in the City of Buffalo. Confirmed reports are that the said business which deals mainly in the sale of clams is flourishing successfully legitimately.

STEVEN CANNAROZZO

Steven Cannarozzo alias "Flat Top"; Siki "Cannarzio," age 42, is divorced and resides at 29 Danforth Place, Buffalo, N.Y. He has a series of arrests dating from 1939 to 1959, for such crimes as violation of Internal Revenue laws, assault, disorderly conduct, gambling, and possession of dangerous weapons.

In June 1959 he was wounded when a volley of shots was fired through a window at the Madison Cab Co. in Buffalo. He was rushed to the hospital in critical condition from multiple bullet wounds and survived. His assistant, James Delmont, fled the Buffalo area, but was found, less than a year later, in a field outside of San Bernardino, Calif., a victim of a gangland murder.

His head had been battered in with a blunt instrument.

Cannarozzo at the time of the shooting, declined to assist the Buffalo police in their investigation and would not tell the police who shot him, which is typical of the gangland code of silence.

Cannarozzo's last arrest was in 1959 for feloniously contriving a lottery. It is believed that Cannarozzo's criminal specialty in the past few years has been within the realm of gambling activities.

Our information is that Cannarozzo allegedly was elevated to lieutenant status in the underworld fraternity. Steve's rise and prominence in the underworld is attributed mainly to family ties.

Steven Cannarozzo is presently a dispatcher and an official of the Madison Cab Co. in Buffalo, N.Y.

His associates are Fred Randaccio, Pascal Natarelli, Samuel Frangimoro, Bartholomew Cannizzari, Roy Carlisi, Fred Mogavero, and Daniel Sansanese.

SAMUEL BROCATO

Samuel Brocato, formerly of 210 Maryland Street, Buffalo, N.Y., has a record of arrests dating back to 1935. He has done time for counterfeiting, and has been arrested for robbery, first degree; assault, third degree, and numerous petty offenses. Brocato has been closely associated with Anthony Perna of Buffalo. At one time these two men were believed to control the six-for-five moneylending racket for the crime syndicate in the Buffalo area.

Brocato has left the Buffalo area, and is believed to be operating in the Arizona area at this time.

JOSEPH FINO

Joseph Fino was born March 13, 1915. He resides at 236 Pellman Place, West Seneca, N.Y.

The police record of Joe Fino dates back to May 12, 1931, and includes at least 20 entries, including petit larceny, burglary, armed robbery, assault with intent to kill, felonious assault, simple assault, criminally receiving stolen property, and gambling.

Joe Fino is very close with Daniel Sansanese. These two men were and are considered with the "arm," or muscle for the local organization.

Fino's major source of income is currently being derived from bookmaking. He has grown in the organization from hoodlum status to upper echelon rank, a few steps from Fred Randaccio. His associates outside Sansanese are Fred Randaccio, Fred Mogavero, Salvatore Bonito, Paul Briandi, and Pat Politano.

SALVATORE S. BONITO

Salvatore Bonito, alias "George Raft," was born March 30, 1914, in Buffalo, N.Y. He is currently residing with his wife and family at 49 Antoinette Drive, Depew, N.Y.

Salvatore Bonito has a criminal history dating back to 1928. He has been constantly in trouble with the police. He was adjudicated a juvenile delinquent at 14 years of age. He is a third-felony offender who has been in New York State Industrial School, Elmira Reformatory, Clinton Prison, and Attica State Prison.

598 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Bonito is reputed to be a good safeman, and by some thought to be an expert with nitroglycerine. He has been involved in every type of crime, including burglary, counterfeiting, and robberies, but of late his main interest is organized gambling. It is believed that Bonito will revert to more serious crime along with his deep involvement with gambling.

His associates include Thomas Callea, Fred Randaccio, Fred Mogavero, Daniel Sansanese, Michael Tascarella, Paul Briandi, Anthony Domino, Joseph Fino, David Ninos, Benedetto Spano, Arthur Weiss, James LaDuca, Peter Paticelli, Salvatore Rizzo, and Steven Cannarozzo.

Bonito was first arrested on December 23, 1930, for petit larceny. The next arrest was on February 7, 1931, for burglary, third, and grand larceny, second. He was sentenced to Elmira Reformatory, sentence suspended. On March 3, 1931, he again was arrested for burglary, third degree. He was convicted, and sentence was suspended.

Six months later, on September 18, 1931, he was arrested for petit larceny, which was discharged. He again was arrested on May 17, 1934, for robbery, first, and assault, second. Both these indictments were dismissed.

On May 1, 1936, Bonito was arrested and turned over to Federal agents for counterfeiting U.S. currency, and about a month later, on June 12, 1936, he was arrested for burglary, third, and possession of burglar tools.

He was convicted and sentenced to 5 to 10 years at Attica State Prison, on November 17, 1937.

Bonito was released on parole, and on May 20, 1942, was arrested for vagrancy which was dismissed, but the following day his parole was violated, and he was returned to Attica for the remainder of his sentence.

He again was arrested on February 27, 1950, for attempted grand larceny, second. He was convicted, and sentenced to serve 2 to 3 years in Attica. After his release, he was arrested in December of 1960, and January of 1961, for accepting horse bets, and possession of bookmaking records.

Salvatore Bonito has, through the years, grown in stature with the members of the syndicate—from performing small jobs and associating with run-of-the-mill, penny-ante hoodlums. He is now closely associated with ranking members of the local crime syndicate and his duties are mainly in gambling supervision, such as the collecting for the organization of gambling proceeds.

This man is considered capable by members of the organization and the police to perform any and all criminal assignments for the syndicate to include serious and violent crimes.

DANIEL SANSANESE

Daniel G. Sansanese was born May 27, 1908, and resides at 208 Lexington Avenue, Buffalo, N.Y.

Sansanese was first arrested for robbery, first, and assault, first, on May 12, 1927. His accomplice, Dominic Naples, was killed by a police officer during the commission of this holdup.

Sansanese was sentenced to 7 to 15 years. He was paroled on November 26, 1932.

On November 19, 1935, Sansanese was arrested for armed robbery and possession of a dangerous weapon and was sentenced to 30 years as a second felony offender. He was paroled on December 23, 1944.

On June 19, 1950, he was arrested in Norwich, N.Y., for burglary, grand larceny, and possession of burglar tools. He pleaded guilty to grand larceny, second, and was sentenced to 2½ to 5 years and was released after maximum expiration on October 3, 1953.

While in prison, a close friendship was made with his cellmate, Joseph Fino. Through the years after their release, these two men became known as the "arm," or "muscle" for the organization. In their younger years, these men were feared by those both in and out of the organization.

Today the subject is still considered as the muscleman and has taken on added responsibilities in the organization's gambling operation as a trouble-shooter and overseer. He has no legitimate business or front, and is an inveterate gambler.

The associates of Daniel Sansanese include Joseph Fino, Pascal Politano, Fred Randaccio, John Cammillieri, Fred Mogavero, Roy Carlisi, Steven Cannarozzo, Paul Briandi, Salvatore Bonito, and Pascal Natarelli.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 599

PAUL A. BRIANDI

Paul A. Briandi resides at 37 Virgil Place, Buffalo, N.Y. He was born in Buffalo on April 9, 1907.

The criminal record of this man started in 1919, when he was charged with truancy at the age of 12 years. From this time on, his record shows at least one or more arrests for each succeeding year until 1925. These years account for truancy, juvenile delinquency, vagrancy, motor vehicle violations, fighting with dry agents, petit larceny, and attempted grand larceny.

On February 15, 1925, he was sentenced to Elmira Reformatory for 10 years on robbery, first, reduced to robbery, third. On March 4, 1926, he was transferred to Napanoch, where he was paroled on October 13, 1927.

In 1930 the record shows two traffic infractions and then again on May 6, 1931, he was arrested for assault, third, resulting in probation for 2 years.

On August 4, 1931, he was charged with assault, third, and fined \$10. On May 25, 1933, an assault, second, charge was discharged; on May 17, 1933, assault, third, was discharged, and on September 18, 1933, an assault, third, charge resulted in a suspended sentence.

On September 12, 1935, the charge was violation of probation, and the sentence was probation continued. Then on July 6, 1935, he was charged with 2460 P.L. and 1146 P.L. (These charges consisted of placing a girl in a disorderly house, and living off the proceeds of her work.) For this he received a \$5,000 fine, and 20 years suspended sentence.

On January 13, 1942, he was arrested and charged with 974 P.L. (policy slips). On June 3, 1947, he was arrested and charged with 1433 P.L. (malicious mischief). Dismissed.

The last entry shows that on November 9, 1952, he was charged with 970 P.L. (gambling).

This last arrest completes his arrest record up to this date. His present associates consist of Fred Randaccio, John Cammillieri, Joseph Fino, Steven Cannarozzo, Pascal Natarelli, Daniel Sansanese, Pascal Politano, and many hoodlums of lesser importance.

Briandi's function appears to be confined to gambling within the organization. He has been known to manage the syndicate's betting rooms, and to collect the proceeds for the organization's betting action.

ANTHONY PERNA

Anthony Perna, alias "Anthony Gentile," and "Lucky," was born April 11, 1903. He resides at 246 Massachusetts Street, Buffalo, N.Y.

Anthony Perna has a long police record of 33 arrests, including rape, sodomy, kidnapping, extortion, felonious assault, counterfeiting, pimping, and consorting with known criminals.

He is presently associated with the Perna Funeral Home in Buffalo, N.Y., which is operated by his son the licensed funeral director.

Perna has a close association with Stefano Magaddino, Roy Carlisi, and Sam Brocato, and Sam Lagattuta. Perna and Brocato have in the past been closely associated in the 6-for-5 racket of money lending at usurious rates of interest. This combination was broken up a short time ago because of Perna's gambling habits, and as a result Perna's prestige suffered within the organization.

At this time it is difficult to appraise his position in the syndicate even though he is still well thought of by Don Stefano Magaddino.

SALVATORE PETER RIZZO

Salvatore Peter Rizzo also known as San Rizzo was born on August 14, 1913, in Buffalo, N.Y., and resides at 412 Vermont Street in this city.

On October 10, 1942, he was arrested for gambling for which he received a suspended sentence. On January 8, 1944, he was arrested and charged with contriving a lottery and was fined \$25.

On July 14, 1945, he was arrested on a warrant charging him with robbery, first, and he was No Billed by a grand jury on this charge. On September 29, 1945, he was arrested for rape and sodomy and was discharged on both counts on October 16, 1945.

On August 25, 1948, he was arrested for contriving a lottery and bookmaking counts at 12 Brayton Street. The lottery charge was dismissed and he was held for probation and investigation on the bookmaking count. On October 14, 1948, he was fined \$50 on this charge.

600 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

On September 25, 1945, Rizzo was arrested with Salvatore Pieri, a close and trusted associate. They were charged with violation of the Federal narcotic laws, for which Rizzo received a suspended sentence.

This combination had been repeatedly described as the source of supply for narcotic dealers in Cleveland, Ohio.

At the time of their arrest Pieri and Rizzo with 16 other defendants were charged with operating a multimillion-dollar ring with outlets in Cleveland, Ohio.

His associates are Daniel Sansanese; Pascal Natarelli; Joseph Fino; Salvatore Pieri; Steven Cannarozzo, and Pascal Politano.

PASCAL F. POLITANO

Pascal F. Politano, alias "Baggy Pants," "Pantaloons," and "Lucky Pat," resides at 57 Days Park, Buffalo, N.Y. He was born December 21, 1922.

Politano is considered to have led a charmed life. He was arrested and charged with an attempted burglary of a bank in West Seneca, N.Y., a suburb of Buffalo. He was tried and found not guilty by a jury.

Again about 3 years later he was arrested for an attempted safe job—two of his associates were actually found cracking the safe. This time he was indicted by a grand jury but it was subsequently dismissed.

Again on June 13, 1961, he was arrested for attempted arson, third degree. On this occasion he was actually found in the building with the incendiary equipment ready to ignite—he was found not guilty by a jury.

To climax this charmed life story—he was shot five times at a range of about 3 feet—he went to the hospital and was released about 2 weeks later with no ill effects.

Lucky Pat was the manager of a tavern owned by his mother. This was a den of iniquity where suspected holdup men, burglars, pimps, and gamblers used to frequent.

He is considered a tipster—that is he cases and plans lucrative burglaries, for a commission. His modus operandi is to drive the burglars to the scene of the crime, and then circle the area and warn them if police are nearby.

Politano was closely associated with Fred and Frank Aquino, with Vincent Santangelo, and Anthony Palestine, all of whom were murdered. Pat Politano was shot by Vincent Santangelo's brother Pascal, now serving time in Attica State Prison for the shooting.

Politano's associates include Joe Fino, Danny Sansanese, Pat Natarelli, Fred Randaccio, Paul Briandi, Salvatore Bonito, and many hoodlums of lesser stature.

He appears to be in the lower echelon of the organization, but still falls under their protective cloak of silence.

SAMUEL LAGATTUTA

Samuel Lagattuta was born in Italy on April 7, 1899, and resides at 555 Lafayette Avenue, Buffalo, N.Y. Lagattuta has a police record showing 32 arrests for such crimes as carrying concealed weapons, arson, suspicion of murder, and gambling.

Lagattuta has been considered a hoodlum of low organization status until he was found at the home of Joseph Barbera at Apalachin, N.Y. This skyrocketed him to underworld fame, which he seemed to enjoy.

Lagattuta lists his occupation as a house painter, however our records reveal no basis for this claim. He was closely associated with the older hoodlum element such as Sam LoVullo, S. Lumentto and Angelo Perna.

LoVullo, deceased, was considered an enforcer for the organization. Lumentto and Perna, along with LoVullo and Lagattuta, were all arrested in 1937 for suspicion of murder when they were found with a .38 caliber revolver in the glove compartment of their car.

SALVATORE T. MIANO

Salvatore T. Miano, alias "Sam," was born December 26, 1918. He is now living at 1753 Hertel Avenue, Buffalo, N.Y.

Sam Miano's police record shows 13 entries for various crimes and infractions, such as burglary, robbery, first degree, threatening a complainant, violation of OPA gas rationing laws, unlawful transportation of tires, and many traffic violations.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 601

Miano is presently associated with a seemingly legitimate business known as the Metro Paving Contractors.

His numerous underworld associates include Fred Randaccio, John Cammillieri, Roy Carlisi, Salvatore Rizzo, Salvatore Bonito, and Paul Briandi, to mention a few.

He is reputed to be a muscle man within the organization, and we suspect he is destined for advancement within the organization. He is presently known to engage in assignments relative to strong-arm measures in the field of labor racketeering.

JAMES LA DUCA

James La Duca, of 5114 Dana Drive, Lewiston, N.Y., was born in Buffalo, N.Y., on October 19, 1912. He is married, and has two children, Joanne and John. His wife, the former Angeline Carmela Magaddino, is the daughter of Stefano Magaddino; reputed to be the No. 1 man in organized crime in the Buffalo-Niagara Falls area.

Prior to his arrest at Apalachin, on November 14, 1957, LaDuca had no criminal record, but associated with members of organized crime. In 1939 he drove a taxicab for the Van Dyke Taxi Co., owned by John C. Montana, another Apalachin delegate.

At one time he was secretary and treasurer of the Hotel and Restaurant Workers Union, Buffalo, N.Y.; secretary and treasurer of the Magaddino Memorial Chapel Inc., of Niagara Falls, and is alleged to have had a concealed interest in Charles Distributing Co., former holder of wholesale beer license, Niagara Falls, through his wife Angeline.

LaDuca is known to have associated with such people as Stefano Magaddino, his father-in-law, Willie More and Paul Palmeri, New Jersey hoodlums, Joe DiCarlo of Youngstown, Ohio and Buffalo, N.Y. (formerly Buffalo public enemy No. 1) and John C. Montana.

At the time of his arrest outside Apalachin, he was in a car with John Scalish of Cleveland, Ohio, and John DeMarco of Shaker Heights, Ohio. While in New York City, just before the Apalachin meeting, LaDuca placed numerous calls to Joseph Falcone, leader of the Utica, N.Y., underworld.

On May 21, 1959, Federal agents launched a nationwide manhunt for LaDuca, and Anthony Magaddino.

A sealed indictment charging conspiracy to obstruct Federal narcotics and labor-racketeering investigations, was returned by a Federal grand jury in New York City May 13, 1959.

The indictment accused all 27 delegates of giving "false fictitious and evasive testimony" about the Apalachin meeting.

On Tuesday, January 22, 1962, LaDuca and Issie Morgenstern of Rochester, N.Y., former president of the Richford Hotel, in Buffalo, N.Y., went on trial in Federal court on charges of violating the Taft-Hartley law.

LaDuca was accused of receiving and Morgenstern of paying \$10,833 over a period of November 1, 1955, to December 27, 1957, while LaDuca was an officer of a union that represented employees of the hotel. The indictment was returned in January 1959 while he was in hiding from Federal authorities.

The Taft-Hartley case before Federal Judge H. P. Burke, involved a charge that LaDuca received \$433.33 a month from Morgenstern during the 2 years he was financial secretary-treasurer of Local 66, Hotel and Restaurant Employees.

LaDuca was ultimately acquitted of the charge. On February 20, 1961, the indictment charging LaDuca with "conspiracy to obstruct justice" was dismissed in the U.S. district court, New York City.

MICHAEL C. TASCARELLA

Michael C. Tascarella, alias "Torch" and "Mike Torch," was born in Buffalo, N.Y., on February 7, 1921. He was first arrested in Buffalo on December 12, 1944, for accepting bets on horseraces (sec. 986 Public Law). He paid a \$25 fine, and returned to booking horses in a more cautious and lucrative manner. He was next arrested for burglary and grand larceny, second degree, on May 23, 1948. These charges were later dismissed. In Lockport, N.Y. (a city close to Buffalo), Tascarella was again arrested on December 18, 1949, for burglary, third degree. He was convicted of attempted grand larceny on February 27, 1950, and sentenced to 1 year 3 months to 2 years 6 months, in Attica State Prison, and investigation of this burglary disclosed that his accomplices were Salvatore Bonito, Arthur Weiss, David Nines, and Anthony Domino. A large arsenal was

602 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

confiscated, including a .45-caliber army automatic, three other revolvers, burglar tools and nitro glycerine.

While out on appeal for his conviction, he was again arrested on July 26, 1950, and charged under Federal law with conspiracy to counterfeit. He was convicted and sentenced to 5 years in the Allenwood, Pa., Federal Prison Camp.

After his release from Allenwood, Tascarella was next arrested on June 5, 1962, near Hamilton, Ontario, Canada, for possession of \$50,000 worth of heroin. He and Joseph Angello of Seventh Street, Buffalo, were arrested by Royal Canadian Mounted Police when they stopped their car on a West Flatborough (a suburb of Hamilton) farm road. He was sentenced to 14 years for this crime.

Before his present confinement, Tascarella was considered to be a major source of the distribution of large-scale narcotics between Canada and the western New York area, representing the typical syndicate narcotic operations.

Tascarella's rise in our local crime syndicate is not a stellar one. He was a lower echelon type, doing menial jobs for the syndicate, for either pay or favor.

ANTONIO MAGADDINO

Antonio Magaddino, alias "Nino," lives at 1528 Whitney Place, Niagara Falls, N.Y. He was born in Castellmare Del Golfo, Italy, on June 18, 1897. He entered the United States on November 1, 1923, and was naturalized in Niagara Falls, N.Y., on June 21, 1948.

Antonio had no criminal record in this country up until the time of the Apalachin convention, but he was arrested in Italy on numerous occasions for various crimes, such as on February 29, 1916, fingerprinted at Ventimiglia, Italy, charged with falsifying a passport under the name of Antonio Giovanni Maggardino (disposition unknown), again in Ventimiglia, Italy, on March 15, 1916, for clandestine activities (details unknown). He was released about a month later on April 16, 1916. His next arrest came at Castellamare, Italy, on August 14, 1916, for homicide. He was discharged on July 23, 1917, insufficient evidence to prosecute. On June 19, 1928, at Castellmare Del Golfo he was denounced for robbery, rape, and extortion committed in 1924. Particulars are not known. On January 29, 1929, he received amnesty for using false passport by the magistrate of Trapini and on March 1, 1930, he was released by the Trapini Tribunal Court of Appeals, for traveling without a passport.

The only criminal record in the United States came as a result of his attendance at the Apalachin convention when he was sought on a warrant charging him with obstruction of justice.

He surrendered to U.S. marshals after this case was reversed on appeal.

Antonio is vice president of the Magaddino Memorial Chapel located in Niagara Falls, N.Y. He is the brother of Stefano, and it is thought that on occasions he represents his brother at underworld meetings.

His associates include Dominic D'Aostine, Sam Rangatore, both of Niagara Falls, N.Y., Roy Carlisi, Fred Randaccio, John Cammillieri, Pat Natarelli, and John C. Montana of Buffalo, N.Y., and Willie Moore and Paul Palmeri of New Jersey.

Antonio Magaddino, prior to the Apalachin conclave was constantly in consort with major Buffalo gangland associates. He governed his brothers' Buffalo dynasty by his omnipresence at Buffalo night clubs where such major hoodlums would regularly congregate.

Mr. AMICO. I point now immediately to the chart and mention the name of Fred Randaccio. We have labeled him as the underboss. He is second in command only to Magaddino. Fred Randaccio is responsible for carrying out all of the policy and thinking in the organized criminal area for Don Stefano. He is the fellow in charge of the Buffalo operations. He is somewhat the enforcer of the group. I might say that Fred does deal with an iron hand, and he has tended to keep violence in the Buffalo area to a minimum insofar as any murders and aggravated assaults are concerned.

He is immediately surrounded with what we call four lieutenants, the lieutenants being John Cammillieri, Pascal Natarelli, Roy Carlisi, and Steven Cannarozzo.

Mr. O'DONNELL. Your chart reflects that Randaccio is the successor to Salvatore Pieri; can you explain how he became successor?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 603

Mr. AMICO. Yes, our information is that Salvatore Pieri was pretty close to Don Stefano, somewhat responsible for the criminal activities in the city of Buffalo.

In 1954, Sam Pieri was arrested by U.S. Federal Bureau of Narcotics. He, with some 17 other major narcotic violators, was arrested in a conspiracy; and in this instance Pieri was sentenced to 10 years in a Federal institution. Pieri has just recently as last May of this year been released from Federal prison.

We are wondering about Pieri, and we are wondering what he is thinking insofar as a return to power. We are hoping that, of course, no violence will pursue in this particular area, at this time.

Now, at the time Pieri was incarcerated, he was with Randaccio, and he ascended to power in the criminal underworld in the Buffalo area.

Mr. O'DONNELL. Will you go ahead?

Mr. AMICO. Cammillieri is immediate lieutenant that we feel and say because of our criminal intelligence, more or less has influence and authority to control over racketeering in the labor racketeering in the Buffalo area; and Pascal Natarelli. He is more or less an individual in charge of bookmaking in the form of gambling; and Roy Carlisi is a close associate and adviser of Randaccio. Roy Carlisi was in attendance at Apalachin. And Steven Cannarozzo is a newcomer. As the Senator indicated he was an official and employee of the Madison Cab Co. As a matter of fact, a point of interest on Cannarozzo is that he was fired at, I believe, some four or five times by Mr. Delmont, and at the time he knew his assailant, and he failed to cooperate with the police in the investigation, and had made some remark that was overheard by one of the police officers, to one of his associates, that "I know who he is and we will get him in his own way." It was less than a year later that Delmont was found out in the field in the State of California, a victim of gangland murder. Cannarozzo is an up-and-coming youngster and his specialty, we feel, as far as our criminal intelligence information reflects within the realm of gambling again insofar as policy, and so on, are concerned.

He is presently, I believe, he still has one or two cases pending within the gambling sphere. As a matter of fact, possibly without disclosing any police information, I feel that a man like Cannarozzo and some other 30 or 40 arrested in Buffalo not too long ago, as a result of a State crime commission investigation, would have possibly been in jail today had the State been able to use wiretap evidence.

That is the missing link or the insufficient evidence necessary to corroborate this gambling activity at that particular time.

Now, the entire chart depicts 21 individuals. Those I have covered more or less are the hierarchy. The remaining 15, and 2 below that referred to as relatives of the boss, are somewhat in the class of what we refer to as section leaders. They more or less have each one, say, some three or four or five close associates or followers, and they vary in the particular specialties anywhere from arson, gambling, narcotics, and enforcement groups.

Down below we have relatives of the boss, Antonio Magaddino and James LaDuca, who were in attendance at Apalachin and very close to Don Stefano by relation, and close to Randaccio in the crime syndicate in the city of Buffalo.

604 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

A question might be asked: Why do we have 21 and how do I support Mr. Valachi's statement? Again, I said we feel that we have some 75 to 80.

Now, I have mentioned again just the section leaders, and not what we refer to as members or associates, as Mr. Valachi referred to as perhaps soldiers and buttonmen.

Those we have managed to leave off the chart, and we felt it would be just too cumbersome at this time to go into detail in that area.

Mr. O'DONNELL. Are there any questions on this particular point?

Senator JAVITS. I would like to ask this of the witness: Now, this fellow Cannarozzo, when I asked you about Madison Cab, it was directed to him and according to your statement he still works for Madison Cab; is that correct?

Mr. AMICO. That is right.

Senator JAVITS. To this very day?

Mr. AMICO. That is correct.

Senator JAVITS. I have one other question, if I may.

Obviously, these criminals are not going to use telephones if we have more effective wiretapping laws?

Mr. AMICO. May I interject one point here? It is funny, that many times, as Mr. Valachi says, they might refer to it as code, but many times they slip. I know in many instances. I being of Italian heritage, have listened to them talk in Italian, thinking perhaps that this was code, and this itself was a big joke, so they do slip in many instances, and do because of the compelling situation at the time, go ahead and say some key remarks, perhaps, that are picked up and are very helpful in our investigations.

Senator JAVITS. As a matter of fact, they probably even would be more careful about that, if they knew that you had greater authority, but I was coming to the final question that I wanted to ask you, and that is: Do you think that the mere fact that they would be indicted from using the phone as freely as they do now, would put a very considerable crimp in their activity?

Mr. AMICO. I feel if we did have wiretap legislation, it would help us tremendously in the field of law enforcement.

Senator JAVITS. Now, can you tell us one of the main rackets operating in Buffalo now? You have testified to a good many, but let us get it updated. What is this syndicate engaged in now in the way of rackets, do you know?

Mr. AMICO. May I preface my remarks by saying that I feel Buffalo is one of the least crime-ridden cities in the country. My detailed characterization of the individuals does not necessarily mean to cause any alarm. I feel because we are on top of the problem and what has happened in the past, that I am able to talk as I have been.

Again, I might go further in answer to your question and say that at the present time I think so-called as we refer to six for five, shylocking or loan shark business, would be predominantly, perhaps, the most active type of illegitimate activity in the city of Buffalo.

We do have, of course, gambling insofar as horse gambling, that we know of. We make arrests periodically in the gambling area.

That, again, does constitute a major portion of crime in Buffalo insofar as organized crime, and we have some area of narcotics.

Senator JAVITS. Well, of course you are on the border there, which is always a problem.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 605

Mr. AMICO. That is right.

Senator JAVITS. What were the numbers or lottery racket?

Mr. AMICO. We do have some of that. However, it appears at this time, because of strict enforcement, it has been kept down to somewhat of a minimum.

Senator JAVITS. Now, I notice that under Cammillieri, who is one of those you describe, your statement speaks of the fact that he was very active in labor extortion and you say in the past few years Cammillieri headed the Vin James Construction Co., and is reputed to handle labor union affairs for the mob.

We also handled Niagara Falls locals for construction on the power project, which is the Niagara Falls Power, just completed by the power authority, and he has close tie-ins with Hod Carriers Local 210, for a short time he was a third member of the Frontier Lathers, Flashing Construction Co.

Does that still continue and is that one of the rackets pursued?

Mr. AMICO. Frontier Lathers is since extinct. It is a labor racket and it is minimized. He is very close to some of the mob who have direct control, relatives of the mob or business agents and so on.

An interesting thing, and this is of recent activity, is that in order to participate or work in the Hod Carriers Union, it was necessary some 15 years ago to partake of some of their gambling activities, that is those individuals who did some betting while on the job, would be those individuals that would remain on the job for longer periods of time.

In this fashion they were able to build up somewhat of an empire up until, of course, the last few years.

Senator JAVITS. In the last few years that is no longer so?

Mr. AMICO. It is at a very minimum pace.

Senator JAVITS. Now, taking it in total, do you believe that this syndicate still operates as a syndicate in the Buffalo area?

Mr. AMICO. The observations we have made, I would have to answer in the affirmative.

Senator JAVITS. Thank you, Mr. Chairman.

Senator BREWSTER. Lieutenant, I have noticed in your testimony, and also in the testimony of other law enforcement officers, you have used the phrases, "it is alleged," "we believe," and "it is understood."

Do you believe there is a possibility that reputation of an innocent party has been damaged by your testimony?

Mr. AMICO. I have gone over my preparation in detail and at this time I would have to say I believe that it has not been damaged.

Senator BREWSTER. Every one of the people on this chart has a criminal record?

Mr. AMICO. I would say their criminal records range anywhere from 1, starting with Magaddino and Montana, and Montana is only one as a result of the Apalachin disclosure, to 49 in the instance of 1 individual, 49 arrests. I believe 95 percent of them have what we call or refer to as FBI numbers, and records, generally constituting that they have been charged criminally somewhere throughout the country.

Mr. O'DONNELL. I think that this might assist the Senator and also the subcommittee: Do you have a rundown, generally speaking, of the number of arrests and the type of information?

Mr. AMICO. Yes; and with regard to the names that appear on the chart, which has been made an exhibit, I wish to submit the following

606 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

information: The total number of arrests for these individuals, and I am referring to 21, is 355, an average of 17 per person. The lowest number of arrests for any individual, as I said before, is 1, and the highest is 49.

In the case of arrests for assault, robbery, grand larceny, burglary, and gambling, the arrests average one per person. As to narcotics they average one arrest for every three persons, and homicide is one arrest for every two persons, and extortion one arrest for every four persons, and possession of burglary tools, one arrest for every four persons.

They have been able to amass a very shocking record, I would say.

Senator BREWSTER. I agree on that now.

Changing the subject, let me develop this for a moment. You referred to Cannarozzo as "this youngster." I notice that he is 42. I also checked the biographies, and I do not see a single person named in their twenties or thirties. What is the significance of this?

Mr. AMICO. That is a very good point. I have in my mind just today sort of a correlation I have worked out, if it is of any significance or of any benefit. I say the oldest individual on this particular chart happens to be Don Stefano Magaddino, at 73, and glancing over at the calculations and figures, I have prepared, I notice that there is some significance in the position they have commensurate with their particular age. However, I refer to Cannarozzo as "this youngster," or "young in age" because he has ascended to the position of lieutenant in the criminal underworld.

I feel again, and maybe I should hesitate to say this, this is not necessarily as more or less an accomplishment on his own. His family, I believe, through his family, they have had some strong ties and they normally take care of their own sons and grandsons and that is one other way. There is a reason for his ascendancy in the position of lieutenant at the comparatively younger age.

Senator BREWSTER. So you would have men in their twenties and thirties, in the other 50 or 60 members of the syndicate in Buffalo.

Mr. AMICO. That is correct, sir. These are men that haven't actually proven themselves to the point where they are worthy of a position on the chart.

Now, we prepared a chart of this nature, and we prepared this some 6 weeks ago, I believe, and I call your attention to Salvatore Rangatore. Our latest information now is that he has established permanent residence in Arizona. Our latest intelligence is that another fellow has moved up in his place, a fellow by the name of Belitiere. There are others that we have left out and some of them are on the verge. They almost earned themselves a position on this chart and maybe 6 months from now the chart insofar as the lower echelon is concerned might be considerably changed.

Senator JAVITS. Would the Senator yield for one other question, if I may?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 607

The importance of Valachi's testimony, of course, is the hierarchy. These names are known, and so on, but the importance is the hierarchy, and the relations of one to the other. Now, what can you tell us about why you place these people in a hierarchy, and why you claim that there is a relationship of one to the other, and that Don Magaddino stands at the top of the heap?

Mr. AMICO. Maybe I can by analogy. Whether this would be effective or not, if I were asked why I know these people have the particular positions, why they are members of this crime cartel, by analogy I might be asked how do you know today you are in the Senate Investigations Committee? How do you know the chairman is Senator McClellan, and how do you know the other Senators are Javits, and so on?

Now, I can tell by the relationship. You people are here, and I didn't see you sworn into office, but I know because of your demeanor, and your positions you hold on this particular table, just your reactions, and so on, and the press coverage is very important in some instances, and as a result of all of this, I feel now I could in my mind properly orient an organization, a particular group.

Any surveillance observation we have made, we see Mr. Magaddino walk around in such a way, with an air of importance. His immediate followers are these gentlemen that are depicted high on the chart. When Mr. Randaccio walks around, we see men like Cammilleri, and Natarelli and Sansanese, and when we observe them in places, probably night clubs and taverns and restaurants, we see the position that they hold on the particular table. That, in addition to information that has been funneled to us, that in addition to making a study of their past criminal records, generally would provide us with this information.

Senator JAVITS. Therefore, when you say that the value of the Valachi testimony is very heavy, it affirms these relationships and the structure of organized crime.

Mr. AMICO. Definitely. If he was accurate in other instances as he was with the Buffalo area, I feel definitely it supports and confirms what we have been discussing here.

Senator JAVITS. And it helps you in law enforcement.

Mr. AMICO. It certainly does, sir.

Senator JAVITS. Now, I have one other thing, and then I will be through. I notice in describing a fellow named Michael Tascarella in these biographies, if we can call them that, you point out that as recently as June 5, 1962, he was caught with \$50,000 worth of heroin. I am trying to get some idea of the order of magnitude of these rackets in the Buffalo area.

608 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. AMICO. I have a chart depicting that, Senator, if I could call your attention to that particular chart. Maybe we could properly cover that point at this time.

Mr. O'DONNELL. If we can dispense with that for just a moment we will come right to it. The chart that you have introduced, which is exhibit 65, although—

Senator JAVITS. Would you allow me, in exhibit 65—may we block out that word there?

Mr. O'DONNELL. We certainly will, the category as to ties. Certainly.

Now, on this chart, you have been discussing in detail up to the present time the people in Buffalo that you have on Exhibit No. 64, where their photographs are, and their names are.

Now, on Exhibit No. 65, you have gone into Canada, Youngstown, Ohio, and Niagara Falls. Can you give us any indication as to why you have embraced this larger area?

Mr. AMICO. As I believe I said before, Don Stefano's influence or sphere of influence in the criminal organization or organized crime extends its tentacles out to these various areas.

Because of information we have exchanged with law enforcement agencies in these areas, because of the observations we have made of these individuals in the city of Buffalo, we feel that they belong in the chart as depicted there.

Mr. O'DONNELL. In other words, what you have done is try to show that Stefano Magaddino's empire is much more embrasive than Buffalo, although you haven't gone into any particular detail as to the members that are in that organization.

Mr. AMICO. That is correct.

Mr. O'DONNELL. And I note on the chart itself, which is exhibit No. 64, Magaddino is classified as the boss of the entire western New York area, as well as Ohio Valley area; is that correct?

Mr. AMICO. That is correct.

Mr. O'DONNELL. Now, have you prepared another chart which has not been made an exhibit as yet, but is classified as the narcotics distribution chart, Buffalo area?

Mr. AMICO. Yes, I have.

Mr. O'DONNELL. Mr. Chairman, may that be introduced as an exhibit and we will discuss it?

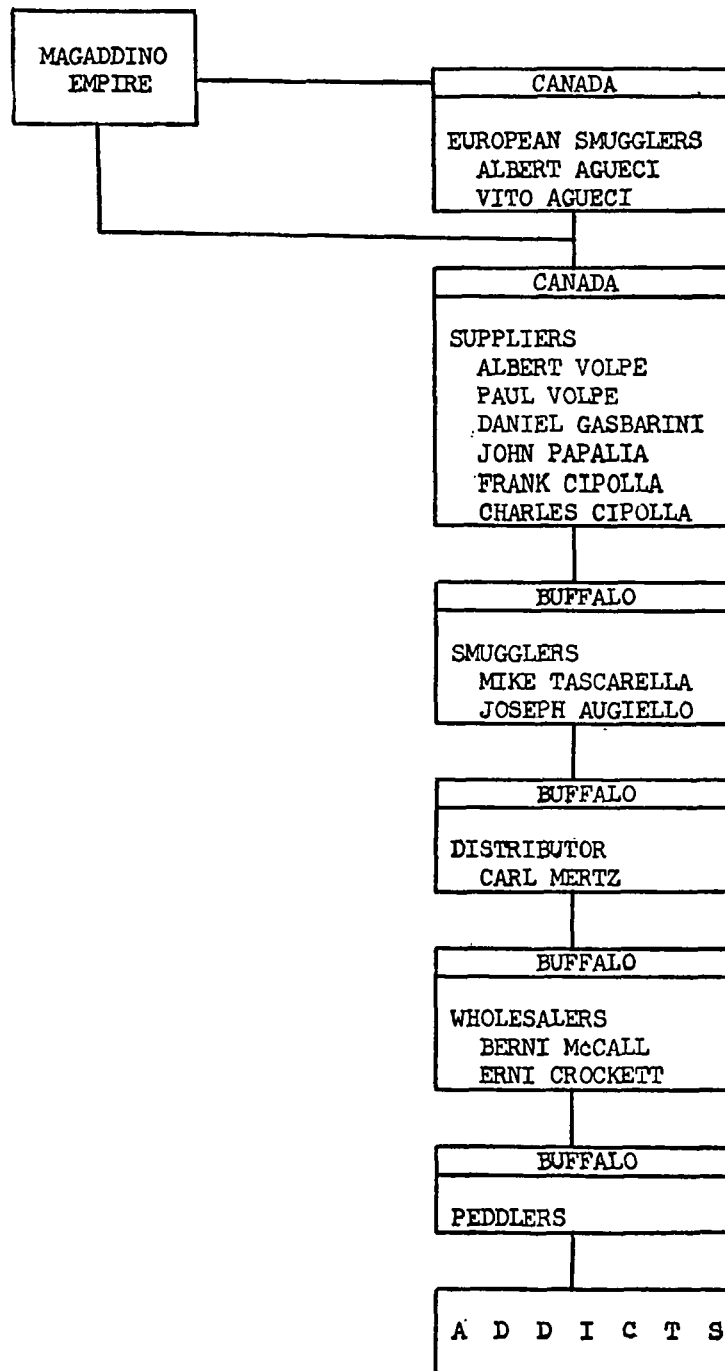
Senator BREWSTER. It will be marked as "Exhibit No. 66."

(Document referred to marked "Exhibit No. 66" for reference and follows:)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 609

EXHIBIT No. 66

NARCOTICS DISTRIBUTION CHART

BUFFALO AREA

BUFFALO POLICE DEPARTMENT, BUFFALO, NEW YORK

610 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. O'DONNELL. What are you attempting to do in this particular chart?

Mr. AMICO. In this particular chart I am attempting to depict one source of narcotics flow in the Buffalo area.

Mr. O'DONNELL. Could you explain how the flow of narcotics works insofar as you have depicted it on the chart?

Mr. AMICO. Yes, sir, I will attempt to explain the chart. I might preface my remarks by saying that all of the narcotics certainly doesn't come from Canada. Much of it comes from New York City, and from other devious means and routes. This particular one we managed with information at our disposal to set up this chart and break it down in the fashion that it is.

It is our information, and good information, that Magaddino's empire and Magaddino himself still has a lot to say with the narcotics flow in the city of Buffalo on a higher level. As a matter of fact, any activity in a higher level in narcotic area, without Magaddino's permission, and acquiescence or blessing, would meet up with sudden disaster, as will be explained.

Albert Agueci and Vito Agueci are some top men in the Canadian area. These two gentlemen attempted to come to the United States and were refused admittance in about 1950. They made their way into Canada and they are citizens at this particular time and set up, because of their experience and because of their connections with the European Continent, a supply of narcotics.

We referred to them as smugglers, smuggling in an international scale from the Continent. At this juncture point, their following connections would be a group, one of any of the following: Albert Volpe, Paul Volpe, brothers, Daniel Gasbarini, John Papalia, and Frank and Charles Cipolla, to mention a few.

Our experience and actual information is that Mike Tascarella, who is depicted on our chart, very well known to us, and Joseph Augiello, who has been in the United States some 8 or 10 years, were couriers or smugglers insofar as narcotics was concerned from Canada to the Buffalo area.

Mr. O'DONNELL. Where would they receive the particular items from, the narcotics?

Mr. AMICO. Their actual pickup of items as shown by an actual arrest would be in Canada. In this instance, it was somewhere near the area of the Gulf of Ontario.

Mr. O'DONNELL. Would this be from the suppliers you have named in Canada?

Mr. AMICO. That is correct. At this particular level, or, incidentally, these two gentlemen were arrested some years ago, and that particular combine was broken up. However, following the chart, after these individuals smuggled the narcotic contraband into the Buffalo area, they had one big distributor that they dealt with, a fellow by the name of Carl Mertz. He, in turn, distributed down to two so-called wholesalers, Berni McCall, now in jail from another investigation, and Ernie Crockett. He is now awaiting trial.

From this level is where the Buffalo police or other city jurisdiction lies. Much of our efforts in law enforcement to suppress narcotics would be in this lower level that I have labeled there as "peddlers" of narcotics in the lower range. We do make investiga-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 611

tions, and many times arrests, of a large number of peddlers and addicts.

Now, with the help of the Federal Bureau of Narcotics, we are able then to go up a step or two. But very seldom do we reach the top level of Agueci.

Now, an interesting point comes up with this Vito Agueci. I notice that is Albert Agueci, and I notice his name has been brought up before by Mr. Valachi, and this is of interest because we have some intelligence information in our file. It appeared that just prior to his death—

Mr. O'DONNELL. Excuse me, if we may just back it up a moment. Can you tell us what has happened to the Agueci brothers prior to the death of one of them?

Mr. AMICO. They were arrested as a result of some Federal Narcotics Bureau investigation. They were some of the 16, I believe, other defendants who were arrested on a charge of conspiracy, and as a matter of fact, Vito Genovese was in that, and so was Valachi, if my memory doesn't fail me.

Albert Agueci, or Vito Agueci, is still in jail, and Albert Agueci was killed as a result of gangland vengeance.

Mr. O'DONNELL. Do you want to tell us about that killing?

Mr. AMICO. Yes. The information developed by our unit in conferences with other law enforcement units shows that Agueci had obtained the permission of the Magaddino clan or Magaddino himself to engage in narcotics in the Buffalo area. Of course, an agreement of this sort is provided for and part of it would be that Magaddino himself and the empire shall be the recipients of a certain percentage of the so-called profits.

In return for these profits, the don, in this case Magaddino, his side of the agreement is that he will provide some kind of protection from interference from other mobsters, and some type of protection insofar as arrest is concerned to provide for the bail, and provide for possibly spending money, and provide for many other things.

In his instance, our information developed that Magaddino after Agueci was killed, had reneged on his part of the bargain to help Agueci, at least to be bailed from his incarceration. Agueci finally made bail through his wife, and one of the first things he did was to return to Buffalo to vie for vengeance against the old man. I believe the Senators are in possession now of a picture that depicts what a gangland murder looks like. In this instance they sent a message, a very horrifying and shocking message. My report, if I can read from it, shows the following—

Mr. O'DONNELL. That is part of the report that you have?

Mr. AMICO. That is part of the report that I have summarized. On November 23, 1961, the body of Albert G. Agueci, of 21 Armitage Drive, Scarsborough, Canada, was found in a field near Rochester, N.Y. His hands were bound behind his back, and ankles were tied with long cord, and he was strangled. His jaw was broken, half his teeth had been kicked or knocked out. Substantial portions of meaty tissue were removed from the calves of his legs. His body was doused with gasoline, and ignited. His body was mutilated beyond recognition. This was not only to cause his death, of course, but this was to send a message to anyone else who had the temerity or the gall to try to resort to vengeance against one of the dons in the empire.

612 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

I feel that it truly depicts a typical gangland murder.

Mr. O'DONNELL. Can you give us any idea or do you have any information concerning it or would it prejudice you, if you told us how the smuggling operations into Canada, into the hands of the Agueci brothers, was accomplished? How did the drug come into the possession of the Agueci brothers, prior to its being distributed?

Mr. AMICO. I believe at this time that I might probably hesitate to answer that. I feel that I would invade the province of the Federal Government who has, more or less, the information at hand.

Mr. O'DONNELL. All right. Mr. Chairman, I have a copy of the investigation and complaint report of the sheriff's office in Monroe County, which was furnished to me by Mr. Amico, and I would like to have it introduced as an exhibit after he has identified it.

The CHAIRMAN. Very well, it may be presented to the witness.

(The document was handed to the witness.)

The CHAIRMAN. Do you identify the document that is presented to you?

Mr. AMICO. Yes, sir; I do.

The CHAIRMAN. What is it?

Mr. AMICO. This is a report of the sheriff's office in reference to the Agueci homicide, and also the coroner's report showing the cause of the investigation the coroner made in Monroe County in the State of New York.

The CHAIRMAN. Let that be received as exhibit No. 67.

(Document referred to marked "Exhibit No. 67" for reference and may be found in the files of the subcommittee.)

Mr. O'DONNELL. Do you have any other exhibits you would like to make with regard to this chart at the present time?

Mr. AMICO. I believe I have substantially covered it unless there is some area that you have questions on.

Mr. O'DONNELL. Are there any questions? I have one other question, and that is all, Lieutenant. Can you give us a very brief synopsis or possibly Giambrone can do it, as to legitimate businesses that are operating up in the Buffalo area that are controlled or in which these individuals on the chart have an interest? Do you have any information?

Mr. AMICO. I might first generally say, of course, as one of the Senators brought out, that Mr. Magaddino is engaged in funeral undertaking business. We see no illegitimacy at this time, other than, of course, he enjoys a virtual monopoly of servicing those individuals that are deceased from the families of individuals from the criminal underworld.

Mr. O'DONNELL. Do you have any information which would indicate that certain bodies, I am talking about gangland victims now, are cremated or anything along that line?

Mr. AMICO. There has been talk concerning that area, but this is purely speculation.

Mr. O'DONNELL. All right, will you continue?

Mr. AMICO. Another area of legitimacy would be in cigarette vending and jukebox operations, that they have been engaged in and recently have terminated. Also, there is some linen supply operations that they have in the city of Buffalo, and also in that area of flashing units and that area whereby a certain Joseph Barbara, Jr., was engaged in at one time.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 613

At this time I might turn over to Sergeant Giambrone some preparation he has on that matter.

Mr. O'DONNELL. Would you come forward, Sergeant, and sit up closer to the microphone if you will?

Mr. GIAMBRONE. On July 4, 1960, we learned that Joseph Barbara, Jr., was in the city of Buffalo. Our information disclosed that his purpose was to set up an outlet for the Tri-State Pre-Hung Door Co. of Endicott, N.Y.

He arranged warehouse facilities in the downtown waterfront section of Buffalo. A small office for this operation was started with Frontier Lathers, Inc., then located on Buffalo's west side.

Frontier Lathers, Inc., was formed on or about January 14, 1960. Its three major stockholders were Fred G. Randaccio, John Cammillieri, and Pascal Natarelli.

Toward the end of 1960, Joseph Barbara left town. Barbara returned to Buffalo about a year and a half later on February 20, 1962. According to the information we received, the purpose of this visit was to invite Stefano Magaddino and Antonio Magaddino, James LeDuca and Charles A. Montana of Niagara Falls, N.Y., and Fred Randaccio, of Buffalo, to his wedding, which was to take place in Detroit. He married Josephine Vitale, daughter of Peter Vitale, in Detroit on March 3, 1962.

This was the last information that we received relevant to Barbara's activities in the Buffalo area. This attempt by Barbara did not succeed and he did not acquire this outlet for reasons unknown to us.

Mr. O'DONNELL. This is an indication of attempts made by them to infiltrate legitimate businesses, am I correct?

Mr. GIAMBRONE. Definitely.

Mr. O'DONNELL. Do you have any information to this: Mr. Amico referred to the linen service and does that have any connection with the barbershops up there?

Mr. AMICO. Not as of late, but investigation discloses, in the past year, that Camellia Linens located in Buffalo, was owned and operated by Magaddino and his immediate relatives. This is a type of business that catered to restaurants, supplying the linens for restaurants and barbershops, and what came to my attention, not in the form of an official complaint but undertones of perhaps extortion in this respect. Many times they would contact these barbers, perhaps some of the members of the gang would get a haircut and perhaps tip them a substantial amount, and then go in a few weeks later and indicate to them that they would like to have their business there, their linen supply business.

These individuals would indicate to them a tendency not to change because they certainly were happy with their linen supply at the particular time. Well, the mere presence of these individuals many times, dressed in the way they were, the demeanor that they showed, would tend to sort of discourage some of these individuals to resist them and to, in effect, acquiesce, and it is said it is better to get their linens than to fight them. Now, you might wonder what is so important, perhaps, with some linen supply. They might, at the outset, even come in and say, "We will supply your linens for maybe a penny or two per linen cheaper," but after the individual has once changed his services or supply, he is then stuck, and this outfit might, and it has been in cases in

614 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

the past, perhaps not only increase the prices to where they were, but even add to it. This wouldn't be all. In many instances, if there were, for example, 50 pieces of linen that were counted by the barbershop proprietor, and this individual would come in and say you had 100 pieces of linen this time, and he would say I only counted 50, and he would say we counted 100, and because of his presence and because of what he represented, perhaps, the fellow would acquiesce and say, "Well, I guess I had a hundred." This was the means, at that time, whereby I feel they gained moneys in an illegal way.

The same will go for cigarette vending machines and jukeboxes. I had an experience in one instance where they had made a movement; Randaccio and a fellow named Fred McGove really had gone into business in a cigarette-vending machine operation. They had attempted to monopolize the entire predominantly west side of Buffalo. In many instances they did this in a legitimate manner. However there were instances where some were recalcitrant individuals, felt that certainly after some other supplier had been loyal to them they didn't want to change individuals in the middle of the stream. They again came in there in their typical fashion and dressed up in this normal Hollywood style, that you might see in the movies or television, and with their persuasive tones or undertones would sell them the idea that they should change their cigarette-vending services to their own. In one instance, one fellow had the gall, or at least the ability and the guts to resist them, and he came to me, and had asked me what he could do. I said, "Well, you are aware perhaps that this does take guts, and there are going to be threats," and he said, "That is fine." He was willing to go along, and it was only because of insistent intervention by our unit that they gave up trying to change him and to take their machines.

They indicated very persuasively and strongly that he would not open his particular restaurant, that they would break the place down, and he might find his body out in the alley, but here was an individual with the real guts, and with the real temerity, and it wasn't easy. I will explain here it wasn't easy even for me to get out and harrass these individuals with the defense I had at my disposal, it wouldn't be enough for an arrest or conviction. The individual indicated to me, what do I have to do, be found dead before the police can do something?

So this is an indication perhaps of what might happen.

Mr. O'DONNELL. I have no further questions, Mr. Chairman.

The CHAIRMAN. Are there any other questions?

Mr. O'DONNELL. Mr. Chairman, I have presented to me by the Buffalo Police Department, which I would like to have them identify, and be introduced as exhibits, the criminal arrest records of the individuals on this chart. That is on exhibit No. 64.

(The document was handed to the witness.)

The CHAIRMAN. Can you identify that material?

Mr. AMICO. Yes, sir; they were prepared by me.

The CHAIRMAN. They were prepared by you?

Mr. AMICO. Yes, sir.

The CHAIRMAN. And state what it is?

Mr. AMICO. These are the criminal records of the various individuals that I have mentioned on the chart.

The CHAIRMAN. Very well; it may be received as exhibit No. 68.

(Document marked "Exhibit No. 68" for reference, and may be found in the files of the subcommittee.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 615

Mr. O'DONNELL. Senator, I have been previously sworn and I have received the FBI criminal records with regard to the individuals on chart 64, and I would like to have this introduced as an exhibit for reference.

The CHAIRMAN. It may be received as exhibit No. 69.

(Documents referred to marked "Exhibit No. 69" for reference, and may be found in the files of the subcommittee.)

The CHAIRMAN. Is there anything further?

The Chair then wishes to make a brief statement, and an announcement.

With the adjournment of this session today, the subcommittee concludes this portion of the series of hearings in which we are studying the operation of organized or syndicated crime. We are hindered in carrying out our original schedule due to a request by the Treasury Department not to proceed at the present with our planned study of the narcotics racket. To do so, we are advised, might jeopardize pending criminal prosecutions in cases that are now ready for trial in the State of New York, cases in which some 20 defendants are charged with conspiracy to violate the narcotics laws and possibly other offenses.

We will, therefore, defer the study of the illicit narcotics traffic until after that trial has been concluded.

These hearings, I think, have produced a more detailed insight into organized crime than has been presented or that was available to us heretofore. For the first time a member of the secret underworld government, Cosa Nostra, testified under oath describing the operations of that criminal organization, and the misguided and dedicated loyalty of its members.

By the strenuous efforts of law enforcement agencies, Joseph Valachi's testimony has been corroborated in many important details, even to the extent of identifying a large number of murderers and perpetrators of other crimes. The corroboration furnished by law enforcement officers makes Valachi's testimony more credible and important.

The shocking narratives that we have heard here during these days of testimony generates, I think, an immediate sense of urgency. The conditions depicted here cannot be shrugged off. These thousands of skilled and confirmed professional criminals drain the strength of this Nation, both morally and economically. These conditions are not improving; they are getting worse and will continue to get worse until adequate steps are taken to combat and contain this national menace.

A few years ago, in the U.S. District Court for the Southern District of New York, the Honorable Irving R. Kaufman, who is now a member of the Second Circuit Court of Appeals, imposed a sentence on some of the same criminals that we have been discussing during these hearings, persons who were present at the Apalachin meeting. At that time Judge Kaufman said, and I quote:

We are not dealing here with unsophisticated, unintelligent defendants who have drifted almost accidentally into criminal activity and are bewildered by the operation of the criminal law. For the most part, we are dealing with sophisticated, hardened, intelligent defendants who have knowingly refused to live by the rules of an ordered society for most of their lives.

616 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

He further said, and I quote:

These defendants have defied law and order for years. They have worn two faces. They have preyed on legitimate businesses and businessmen, and on other decent citizens as well as on labor unions. They have even sought to corrupt and infiltrate the political mainstream of our country.

They are devoid of conscience and pose a serious threat to this Nation's moral, social, and economic fibre.

These words of Judge Kaufman are as true today as they were when he said them.

This subcommittee must now study the record of this series of hearings to see what action it should recommend to the Congress. We should determine whether law enforcement needs new and additional weapons in its arsenal to combat this entrenched, professional, criminal army. We must decide what new laws are necessary to protect our free society from the parasites we have heard described in these hearings.

I wish to express the thanks of the subcommittee to all law enforcement officers who have appeared here as witnesses and who have given valuable assistance to the committee. A number of officers of different agencies, of law enforcement, both State and municipal, as well as Federal, have helped the committee and worked with the staff tirelessly and conscientiously and devotedly to the end that we might find some solution, at least a partial solution, to this very grave problem with which we are confronted.

We are also pleased that one Joe Valachi, a member of the mob, and a convicted criminal, has testified and made a valuable contribution to the investigation and study this committee is making. Whatever his past, and it is certainly black and forbidding, his appearance and the evidence he has given is definitely, in my judgment, a public service.

To thank individually everyone, however, who has contributed to these hearings would be impossible. There are some who have been extremely helpful, as I have indicated. In fact, there are many. I wish to name some of them for the record, and I hope in doing so that I am not omitting the names of too many who rightfully should be included. I do say it is impossible in the course of a long hearing and a complicated hearing sometimes, such as this is, when we are trying to find out the unknown and trying to have to dig and delve into every part we can to find out what the facts are—it is not possible for the Chair to always know all of the people who have cooperated and helped so much, but I will direct that the list of witnesses attached to this statement be inserted in the record at this point.

Hon. Robert F. Kennedy, Attorney General of the United States.
Police Commissioner Michael J. Murphy and Assistant Police Commissioner Leonard Relsman, New York, N.Y.

Sgt. Ralph Salerno, supervisor of detectives, central investigation bureau, intelligence unit, New York City Police Department.

William George Hundley, head of the organized crime section, Department of Justice.

Lt. John Roach, in charge of the vice division, Hartford police, Hartford, Conn.
Deputy Chief Inspector John F. Shanley, central investigation bureau, New York Police Department.

John J. Bergin, assistant attorney general, director of criminal investigations, New Jersey; and John A. Fitzsimmons, captain, New Jersey State police, Trenton, N.J.

Police Commissioner George C. Edwards, city of Detroit, and Vincent W. Pier-sante, district detective inspector, and chief of the criminal intelligence bureau of the Detroit Police Department.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 617

Arthur Sage, inspector, criminal investigation bureau, Detroit Police Department. Earl C. Miller, commander of criminal intelligence bureau, Detroit Police Department; and William J. DePugh, sergeant, Detroit Police Department. O. W. Wilson, superintendent of police, and Capt. William J. Duffy, director of intelligence division, Chicago Police Department, Chicago, Ill. Neil G. Brown, chief of police, city of Tampa, Fla.; and Jack de la Llane, director of the criminal intelligence unit. James M. Russ, county solicitor, county of Orange, State of Florida. Col. Walter E. Stone, superintendent of Rhode Island State Police, and Lt. Joseph J. McCauley, and Cpl. James Mullen. Edmund L. McNamara, police commissioner, city of Boston, Mass.; and John T. Howland, chief, bureau of inspectional services, Boston Police Department. William A. Schneider, commissioner of police, Buffalo, N.Y.; Lt. Michael A. Amico, assistant chief of detectives; Detective Sergeant Samuel N. Giambrone; and Robert Casey, deputy corporation counsel, city of Buffalo. Bureau of Narcotics: George H. Gaffney, assistant to the Commissioner; John R. Enright, Assistant Deputy Commissioner; Martin F. Pera, narcotics agent; Eugene Marshall, narcotics agent; and Armando J. Muglia, narcotics agent. General Accounting Office: Maurice Frame and Joseph Shevlin. Senate Permanent Subcommittee on Investigations: Jerome S. Adlerman, Alphonse F. Calabrese, LaVern J. Duffy, Paul E. Kamerick, Arthur G. Kaplan, Philip W. Morgan, Donald F. O'Donnell, and Harold Ranstad. Department of Justice: James McShane, Chief Marshal. New York Police Department: Joseph Corrigan, Cyril Jordan, and Thomas O'Brien.

I wish now to thank you gentlemen who have appeared here this morning, and I believe I can say to you that as a result of these hearings, I believe there is a consciousness now on the part of the Congress, more so, and on the part of the public, that something has to be done. I don't know whether the recommendations we have received so far with respect to legislation are the right answer or the whole answer, but I don't think Congress can rest, nor should the public be complacent about this thing until we have undertaken to give to the law enforcement agencies of this country of ours every weapon that we can properly give to them within the framework of the Constitution.

I hope that we will get down to business here in the Congress and try to come forth with new laws that are consistent with our principles and fundamentals of liberty and justice to the end that we may more effectively combat this menace in the future than we have been able to do in the past.

I yield to either of my colleagues.

Senator JAVITS. Mr. Chairman, I just wish to say very briefly that when we started the Valachi hearings, I had some reservations as to their value, and as to whether we ought to engage in them at all.

I will say to the Chair that I think that they have proved eminently worthwhile, that they have demonstrated what I think was perhaps splendidly summed up by Lieutenant Amico himself:

The relationship of these syndicates one to the other, these criminal syndicates, and of the individual mobsters, one to the other, showing a hierarchy of crime which should be a revelation to the American people, especially as it makes it choate and immediate, and apparent, and the fact that we have updated this situation today, the last crime hearings having been about 10 years ago.

It is extremely important, and, Mr. Chairman, I do think that we have had from Valachi important testimony which brings the information which the police organizations have together and confirms it for them, and they so testified, and also gives us new light and new indications of the path in which legislation is required.

618 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

So I think that the Chair has every reason to feel gratified that the hearings have been worthwhile, constructive, and will be very helpful, and that the public, also, will have been enlightened upon this subject so that it may give support to legislation and support to law-enforcement officials whose lot is a very, very trying one, dealing with these vicious characters.

Finally, Mr. Chairman, I believe, as a lawyer and as a practicing law enforcement officer myself, it is entirely possible to do what needs to be done and to protect the innocent or those who are charged with every protection which the Constitution proposes. I mean, without vitiating at the same time what we have to do to keep up with these criminal syndicates, it is very clear, as happens in any struggle, the criminals are fully alert to every opening presented by the enforcement officials, and take advantage of it. It is a constant struggle as to which one is ahead at any given moment, and, therefore, so critically important to be updated in this very dramatic and yet very effective way, the whole situation.

Speaking personally, Mr. Chairman, I wish to state that the Chair could not have been more gracious, and more cooperative, and more effective in the personal handling of these hearings, in giving every member a chance to have his say, and to question the witnesses, and at the same time keeping them within reasonable compass.

I think this is a signal achievement, quite typical of the Chair, whose reputation in the Senate is very high, and should be stated certainly by a member of the opposition. I thank the Chair for this opportunity.

The CHAIRMAN. I thank my distinguished colleague and member of the committee.

I may say that the Chair regards this investigative work not as a responsibility of the Democratic majority. It is the responsibility and duty that devolves upon all of us who happen to draw this assignment, and the Chair, to whatever extent in this hearing or any other that we have conducted has been successful, constructive, or well ordered and handled, it has been due primarily to the cooperation and the assistance that has been given to him by the fine and excellent members and colleagues who serve on the committee with him. The Chair can't do much in the committee if he doesn't have the cooperation of his colleagues. He can preside and do those things, but you get results and a committee operates effectively when there is cooperation and when we are all dedicated to a common purpose for our country.

I have been very fortunate, this Chair has, in having with him on committees of which I have chaired in this regard, people who have forgotten about their partisan interests and devoted themselves solely to serving their country and to getting results.

Senator JAVITS. May I say that Senator Curtis and Senator Mundt don't happen to be here today, and Senator Mundt for reasons of health, and Senator Curtis for urgent other business and I am sure from my conversations with them that they would feel just as I did about these hearings.

The CHAIRMAN. Senator Brewster, did you wish to make any comment?

Senator BREWSTER. Briefly, Mr. Chairman, these hearings have certainly developed the existence of a national crime syndicate far

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 619

more reaching than certainly I had realized. I believe now that both the Congress and the country can more effectively combat this type of criminal activity.

I would like to add my congratulations to those of the Senator from New York, to our chairman for realizing the need for hearings such as these, and for the intelligent and fair manner in which they have proceeded. I think it is also wise to comment that without the assistance of the Attorney General of the United States and the many agencies under his control, and also the great assistance of our State and city law enforcement agencies that have helped and assisted in many, many ways, it would have been impossible to ever conduct these hearings so successfully.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

I inadvertently failed to say—I think I submitted the members of the staff who have worked on this particular hearing, and they are in the list of names I submitted—but another indispensable factor to the successful work of a committee is a competent and efficient and dedicated staff. We have that, and I don't mention their names again, but that makes it also possible to bring to the attention of the Congress, of the committee, and of the country many things that we didn't know about, that we hadn't thought were of such importance until we got all of the details and the staff works out the details for us.

I might say this about these hearings: It was indicated by some Senators, as Senator Javits has indicated, and Senator Brewster, that there might have been some doubt in the beginning about the propriety or advisability of holding these hearings. I say to you frankly, the Chair shared some doubt about it. But that is pretty much like you have a crime which has been committed and you know somebody has committed it, and you have some evidence, and you go before the grand jury, and you can't always get an indictment, but you probably would be derelict in your duty if you didn't undertake to develop the facts and find out.

So it isn't every time a committee starts an investigation, or an inquiry into some aspect of its mandate, to inquire into, it isn't always that it is going to turn out to be a dramatic exposé, or revelation, but we do have to go into them and we try not to waste time. We try to be reasonably certain that there is something there and a duty for us to perform by conducting such hearings as we have here.

Well, again, my thanks to everyone, and the committee will stand in recess subject to call.

(Members of the subcommittee present at time of recess: Senators McClellan, Brewster, and Javits.)

(Whereupon, at 12:30 p.m., the subcommittee recessed, to reconvene at the call of the Chair.)

PAGINA BIANCA

APPENDIX

(Information requested on p. 497 is as follows:)

The names of the following companies submitted and the information contained as a synopsis on each is not necessarily of current status.

The records of each are taken from files, some of which are not current, so therefore information should be carefully evaluated.

A portion of the information developed is the result of surveillances conducted and information received from informants.

To the best of our knowledge the information is current.

I. FINANCE INDUSTRY

1. *Post Finance Co.*

State of Illinois license was acquired by Frank Buccieri, brother of Fiori Buccieri, a known hoodlum.

2. *Panama Finance Co.*

James Irving, president, is a big policy man. Loans money to jukebox interests. Harry Smith, policy operator, is a frequent here.

3. *B & B Finance Co., Inc.*

Frank Buccieri, known syndicate hoodlum, is listed as a vice president of the above firm.

II. SCAVENGER INDUSTRY

1. *A.A.A. Scavenger Service, Inc.*

Isadore Scramuzza and Vito Stella are partners in the above organization.

2. *North-West Disposal Co.*

James Carbone and Isadore Scramuzza have interests in the above organization.

III. FOOD INDUSTRY

1. *Grande Cheese Co.*

Ross Prio and Thomas Neglia, owners in 1953. Dominick Di Bello, John Di Bello, Joe Bonanno, and William Bonanno are all reputed to have interest in this company.

2. *C & B Meat Provision Co.*

James Allegretti and Joey DiVarco have interest in the above company. Rugendorf brothers do business with this company.

3. *Rugendorf Bros. Meat Co.*

Leo Rugendorf, moneylender for the hoods. Gerald Covelli visited the subject. Marshall Caifano states that he works for the same. Phil Alderisio visits this company frequently.

IV. BUILDING INDUSTRY

1. *Markle Construction & Development Corp.*

Arthur Markle, owner, is reputed active in gambling on Chicago's South West Side. He is a friend of Ralph Pierce, Sam Hunt, Ralph Pinto, and Bernard Posner.

2. *Nu-Way Plumbing-Construction*

Does construction work and plumbing for food service (beer coils). Has done work for Babe Tuffanelli. Lester Kruse is reputed to have an interest in this firm.

622 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

3. *Kool-Vent Awning Co.*

Owned by Bernard Glickman, who testified for Anthony Accardo. Has been observed visiting the Catura and Campagna wakes. Frank Fratto is reputed to be in the employ of the subject company.

4. *Season Master Co.*

Bernard Glickman and Frank Fratto are the operators of this company. Alleged to have borrowed money from Lenny Patrick to start the business. The subject company manufactures storm aluminum windows.

V. INSURANCE INDUSTRY

1. *Marlo Real Estate & Insurance*

Victor Musso, who has an extensive police record, is the licensed broker for this firm.

VI. LIQUOR INDUSTRY

1. *Fox Head Brewing Co.*

Anthony Accardo was reported as being a salesman for the subject company.

2. *Illinois Wholesale Liquor Dealers, Seaway Beverages*

Dominick Volpe is the president and treasurer of the subject establishment.

3. *Retail liquor dealers*

There are numerous taverns, clubs, and retail liquor establishments in the Chicago area that are suspected of hoodlum affiliation. This information is voluminous and would require extensive time to compile. Same may be viewed in our files.

4. *Jukeboxes*

(a) Lormar Distributing Corp.: Sam and Charles English, syndicate hoodlums, run this operation.

5. *Zenith Vending Co.*

(See miscellaneous services.)

6. *Miscellaneous services*

(a) Attendant Service Corp.: Joey DiVarco has an interest in this corporation. Officers of this firm are the same as the Zenith Vending Co. This firm deals in concessionaire.

(b) A-1 Industrial Uniforms, Inc.: David Yaras and George Bravos, syndicate hoodlums, operate this subject firm. Nick and Charles Bravos are employed by this company which handles linens and uniforms.

(Information requested on p. 537 is as follows:)

Over the last several days, I have had an opportunity to read the newspaper items as well as a copy of the official record covering certain testimony of Col. Walter E. Stone, superintendent of Rhode Island State Police, before the U.S. Senate Investigating Committee in Washington and his subsequent partial clarification thereof, as well as other newspaper statements made by others relative to Colonel Stone's testimony.

As president and treasurer of Gilbane Building Co., I deem it necessary to make a public reply to Colonel Stone and to correct the record of his testimony before the Senate subcommittee relative to our company's employment of a certain shop steward of the Laborers Union, Local 271 of Providence.

Gilbane Building Co. is and has been for many years constantly hiring laborers in the normal course of business at the jobsite for our numerous construction projects and making assignments where required. When and if labor problems develop it is customary for our company officials in charge of labor relations to discuss these various problems with the respective business agents of the several labor unions, most of whom we have international agreements with and consequently we confer with the international representatives. Local shop stewards are appointed by the respective unions to handle the ordinary day-to-day union activities. Gilbane Building Co. has no jurisdiction or authority over the appointment or designation of these shop stewards who are the spokesmen for labor at the particular building project. During the time the individual referred to by Colonel Stone was employed at one of our projects, there were no labor problems. I would also point out that this indi-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 623

vidual has also worked for other responsible construction companies in the area.

Our company officials have no detailed knowledge of the general reputation of the many laborers on our payroll. However, in this particular instance, I was visited at my office some time in midsummer of 1963 by State police representatives of Colonel Stone who informed me that they had information that illegal bookmaking activity was being conducted at one of our building projects. They further advised that a drive was being conducted throughout the State on illegal bookmaking activity and our company was being requested to cooperate in this effort. The State police representatives inspected our payroll records and identified the name of one of our project employees as a suspected bookmaker. I immediately offered to make a company investigation of this matter and if found true, would direct his immediate discharge, but was specifically requested by the State police representatives to let them handle the investigation with our company's cooperation. I was further requested not to reveal this proposed confidential investigation to any other officer or employee of our company. The State police conducted their investigation over a period of several weeks and nothing unusual was developed relative to the suspect or any other employee. On September 16, 1963, the suspected employee voluntarily terminated his employment with our company, approximately a month before Colonel Stone's statement. Knowing that our cooperation was solicited and willingly given, I was indeed disappointed that Colonel Stone did not make a full disclosure of the incident.

I had been informed by the State police that many large employers were being similarly contacted and that cooperation from all was being given in an effort to eliminate bookie activity in the State of Rhode Island, in which I wholeheartedly concur. Gilbane Building Co. joined in this effort but unfortunately its cooperation has not been recognized or confirmed by Colonel Stone in his public statements.

No one of the principal officers or owners of Gilbane Building Co. has ever met or had any contact, personal or indirect, with the men referred to by Colonel Stone until the former employee reapplied for work at this office on October 21, 1963, nor have they had any contact or experience with any other officials of the character Colonel Stone describes in the conduct of labor relations of the Gilbane Building Co., Colonel Stone's police information is entirely damaging in this respect.

Gilbane Building Co. has been in the building business for some 90 years and is a solely owned Gilbane family corporation. Over the years, we have enjoyed the benefit of the efforts of many hundreds of loyal and efficient employees. We have contracted with many of the Nation's finest companies, large and small, as well as performing major building projects for educational institutions, hospitals, U.S. Navy, U.S. Army, and U.S. Air Force. During World War II we were one of the very few contractors in the United States to receive the coveted Army and Navy "E." We presently have underway numerous multimillion-dollar projects throughout the country. Many other large projects are now under negotiation.

I would like to state that at no time, to my knowledge, during the long history of our company has any outside influence ever been brought to bear to secure labor harmony at any of our company projects. All our labor problems, discussions, and negotiations are conducted directly between the respective business agents of the union or the international representatives involved and our company officials in charge of labor relations.

Because of our widespread activity and because we value our business integrity and reputation, we are bringing this statement to the attention of our U.S. Senator, John O. Pastore, and Senator Thomas McIntyre of New Hampshire, with the request that they arrange to have this statement inserted in the record of the Senate Investigating Subcommittee to correct the incomplete and inaccurate testimony of Colonel Stone as it relates to the Gilbane Building Co. and criminal element interference or influence with normal company labor relations.

GILBANE BUILDING CO.,
THOMAS F. GILBANE, *President*.

Subscribed and sworn before me this 22d day of October 1963.

WILLIAM F. MEAGHER, *Notary Public*.

624 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

SUPPLEMENTARY AFFIDAVIT

STATE OF RHODE ISLAND,
County of Providence.

I, Thomas F. Gilbane, being duly sworn, depose and say that I am president and treasurer of Gilbane Building Co., a Rhode Island corporation; that in connection with my affidavit submitted with cover letter of October 22, 1963, to the U.S. Senate Permanent Subcommittee on Investigations the within supplementary affidavit is submitted by request; that a check of our company records indicates that Stephen Broccoli, a laborer, was employed by our company at the Providence automated post office project, Providence, R.I., for the period commencing March 16, 1959, to August 23, 1960, and at the Pawtucket, R.I. housing project commencing November 8, 1962, to September 16, 1963; that a search of our records indicates he did no work for our company in the years 1958 and 1961; that your affiant had no personal knowledge that employee, Broccoli, was a shop steward although the on-site company personnel had knowledge of this fact; that neither your affiant nor any other responsible company official had knowledge of any criminal record of employee, Broccoli; that the delay in submitting this affidavit was occasioned by the considerable research required in checking all company personnel records.

THOMAS F. GILBANE,

President and Treasurer, Gilbane Building Co.

Sworn to and subscribed before me this 3d day of December 1963.

WILLIAM F. MEAGHER, *Notary Public.*

My commission expires June 30, 1966.

AFFIDAVIT

I, Walter E. Stone, colonel and superintendent of the Rhode Island State Police, being sworn on solemn oath depose and say that my testimony before the Senate investigating subcommittee relating to the statement concerning the Gilbane Building Co., of Providence, R.I., which said testimony was given under oath and caused a statement to be issued by Mr. Thomas F. Gilbane, president of the Gilbane Building Co., is a fact and I stand on that said testimony.

My said testimony is based on the following facts hereby listed:

I would like to give a criminal summary of Stephen Broccoli, date of birth, July 26, 1914, who resides at 70 Yellowstone Avenue, Warwick, R.I., to the honorable committee.

Stephen Broccoli, a convicted gunman, has a record of criminal arrests that extend from Providence to California, for the crimes of violation of the gambling laws, armed robbery, unlawful flight to avoid prosecution, resisting arrest, and violation of a deferred sentence along with other detentions. These criminal arrests are recorded from 1931 to 1952. Stephen Broccoli's Federal Bureau of Investigation No. is 1268606. Stephen Broccoli's Rhode Island State Police Nos. are 2852, 3263, 3858, 6352, 8237, 8823, 9880, and 13542.

The criminal record of Stephen Broccoli is attached hereto and made a part hereof.

Stephen Broccoli had been employed by the Gilbane Building Co., assigned by the Laborers Union of America, Local No. 271, Providence, R.I. It is the understanding of the Rhode Island State Police that the duties of Stephen Broccoli, shop steward, working on a Gilbane Building Co. project, until his termination of employment, were to act as spokesman for labor at a particular building project, handling the complaints of fellow employees, and refer these complaints to his union.

The very presence of this man with his long criminal background would instill fear into any legitimate employee, with a reasonable complaint, the fear of bodily harm.

It is a fact that Broccoli did work for the Gilbane Building Co. and it is a fact that he is a convicted felon and it is a fact that Broccoli is associating with known criminals.

WALTER E. STONE.

Providence, Scituate:

Subscribed and sworn to in the town of Scituate, county of Providence, State of Rhode Island, on this 29th day of November A.D. 1963.

Before me,

JOSEPH J. McCAULEY, *Notary Public.*

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 625

RHODE ISLAND STATE POLICE HEADQUARTERS

North Scituate, R.I.

CRIMINAL RECORD OF STEPHEN BROCCOLI, ALIAS STEPHAN BROCOLLI, "PEANUTS,"
"THE DWARF"

Résumé

- March 1, 1931: Arrested by the Providence Police Department, Providence, R.I.
Charge: Carrying a concealed weapon, to wit, a .38 caliber revolver.
- January 23, 1935: Arrested by the Providence Police Department, Providence, R.I. Charge: Possession of lottery tickets. Fined \$25 and costs.
- March 29, 1936: Arrested by the Rhode Island State Police. Charge: Playing dice on Sunday. Fined \$5 and costs.
- March 5, 1937: Arrested by the Rhode Island State Police and turned over to the West Warwick Police Department, West Warwick, R.I. Charge: Armed robbery. Broccoli, with two other men, Charles Iaconnetti and Angelo Falcone, held up a social club in West Warwick, R.I., netting them \$700 to \$800. These holdup men threatened to shoot the victims if there was any interference. As a result of this crime Broccoli fled Rhode Island to California, where he was picked up on a charge of unlawful flight to avoid prosecution and returned to Rhode Island where he received a 5-year sentence for the West Warwick robberies.
- July 23, 1937: On this date Stephen Broccoli along with Zarian Thomas Tomasian and Angelo Falcone staged a payroll holdup, armed, which netted them \$7,000 in the city of Worcester, Mass. After this holdup and the one mentioned above Broccoli fled to California where he was returned to Rhode Island and after serving time in Rhode Island was turned over to the Worcester authorities, where he was sentenced to 3 to 4 years at the Massachusetts State Prison for this holdup. Date: May 16, 1941.
- September 1, 1946: Stephen Broccoli along with Umberto Sciarra held up a dice game in the town of Westerly, R.I. Broccoli and Sciarra took approximately \$5,000 from the dice players. A short time after this holdup these two men were apprehended by the Rhode Island State Police and turned over to Westerly Police Department. This was an armed holdup of 11 men. Broccoli and Sciarra were charged with robbery, which later was reduced to larceny from the person. Each received 3 years' sentence at the Rhode Island State Prison on each of 10 counts of larceny from the person, and a deferred sentence on the 11th charge of larceny from the person. The 10 counts to run concurrently.
- October 25, 1946: Broccoli while out on bail on the above dice game robbery was apprehended after a chase. With Broccoli were Matteo Quercio and Joseph Collardo, both of Worcester, Mass. They were apprehended in a stolen motor vehicle and during the chase discarded firearms. All three were charged with driving off auto and possession of firearms. Broccoli and his companions received sentences. Broccoli received two concurrent 3-year-and-9-month sentences and others deferred sentences.
- December 22, 1948: Stephen Broccoli paroled on June 11, 1950.
- March 20, 1952: Stephen Broccoli along with Matteo Quercio and Emelio Della Grotta were stopped in the town of Johnston, R.I., for a routine check. As trooper was bringing vehicle they were riding in to the barracks they put on a burst of speed and crossed over into Connecticut where they were apprehended and brought back to Rhode Island. They were charged with resisting arrest. All three subjects were on deferred sentences and as a result of this arrest Broccoli received 7 years in violation of deferred, at the Rhode Island State Prison. Quercio and Della Grotta received substantial sentences also.
- March 12, 1956: Stephen Broccoli paroled.
- October 2, 1957: Stephen Broccoli parole expires.

PAGINA BIANCA

PART 3

(October 29, 1963; July 28, 29, and 30, 1964)

PAGINA BIANCA

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

HEARINGS BEFORE THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE EIGHTY-EIGHTH CONGRESS FIRST AND SECOND SESSIONS PURSUANT TO SENATE RESOLUTION 278, 88TH CONGRESS

OCTOBER 29, 1963; JULY 28, 29, AND 30, 1964

PART 3

Printed for the use of the Committee on Government Operations



U.S. GOVERNMENT PRINTING OFFICE

24-366

WASHINGTON : 1964

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402 Price \$1.25

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CONTENTS

	Page
Appendix.....	759
Testimony of—	
Anslinger, Harry J.....	679, 685
Giordano, Henry L.....	642, 669
Marshall, Eugene.....	752
McCormack, Patrick J.....	732
Morris, Joseph F.....	247
O'Carroll, Patrick P.....	714, 727
Storer, John E.....	740
Valachi, Joseph.....	630

EXHIBITS

	Introduced on page	Appears on page
1. Comments of the Commissioner of Narcotics on the policy statement of the Advisory Council of Judges relating to narcotic drug violations.....	665	808

CHARTS PRINTED IN THE RECORD

	Page
Illegitimate rackets of Vito Genovese—Narcotics.....	639
Summary of narcotic penalties—Federal and State.....	647
Active narcotic addicts in the United States recorded by the Federal Bureau of Narcotics, December 31, 1963.....	652
The Vito Genovese family showing members convicted as result of U.S. Bureau of Narcotics investigations.....	652
The Carlo Gambino family showing members convicted as result of U.S. Bureau of Narcotics investigations.....	652
The Giuseppe Magliocco family showing members convicted as result of U.S. Bureau of Narcotics investigations.....	652
The Joseph Bonanno family showing members convicted as result of U.S. Bureau of Narcotics investigations.....	652
The Gaetano Lucchese family showing members convicted as result of U.S. Bureau of Narcotics investigations.....	652
FBI report—Narcotics drug law offenders.....	678
Foreign and domestic prices for opium and heroin.....	753
Active narcotic addicts reported in several selected States as of December 31, 1963.....	759
Active narcotic addicts as of December 31, 1963.....	760
Active narcotic addicts reported in the United States as of December 31, 1963.....	761
Age of active narcotic addicts as of December 31, 1963.....	762
Active narcotic addicts in the United States under 21 years of age as of December 31, 1963.....	763
Ten leading cities in active narcotic addicts reported in the United States as of December 31, 1963.....	764
New narcotic addicts reported to the Federal Bureau of Narcotics during calendar years 1953–1963.....	765
Average length of narcotic sentences in U.S. district courts, fiscal years 1948–1963.....	766
History of narcotic addiction in the United States.....	771
Heroin seizures by U.S. Bureau of Narcotics in the United States 1954–1963.....	805
Narcotic seizures by U.S. Bureau of Narcotics in foreign operations (heroin equivalency) 1954–1963.....	806, 807

Proceedings of—	
October 29, 1963.....	630
July 28, 1964.....	627, 640
July 29, 1964.....	685
July 30, 1964 (morning).....	727

PAGINA BIANCA

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

TUESDAY, JULY 28, 1964

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:40 a.m. in room 3302, New Senate Office Building, pursuant to Senate Resolution 278, agreed to February 10, 1964, Senator John L. McClellan (chairman of the subcommittee) presiding.

Members of the subcommittee present: Senator John L. McClellan, Democrat, Arkansas; Senator Daniel B. Brewster, Democrat, Maryland; Senator Karl E. Mundt, Republican, South Dakota; Senator Carl T. Curtis, Republican, Nebraska; Senator Jacob K. Javits, Republican, New York.

Also present: Jerome S. Adlerman, general counsel; Paul E. Kamerrick, assistant counsel; LaVern J. Duffy, assistant counsel; Philip W. Morgan, chief counsel to the minority; Eugene J. Marshall, Bureau of Narcotics; Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will come to order.

(Members of the subcommittee present at time of convening: Senators McClellan, Mundt, and Curtis.)

The CHAIRMAN. The Chair will make a brief opening statement.

This subcommittee now resumes hearings which were suspended in October 1963. As originally outlined, we expected first to have testimony describing major criminal organizations and then to hear testimony concerning a specific criminal field, that is, illicit traffic in narcotics, in which these organizations function.

In hearings last fall, we learned about criminal organizations from the testimony of law enforcement officials and, for the first time, from the testimony of a former member of the secret criminal society, the Mafia, or what some term the "Cosa Nostra." However, before we were able to examine the operations of this and other organizations in the field of illicit traffic in narcotics, we were informed by the Department of Justice, by the Bureau of Narcotics, and by a Federal judge that for us to proceed further at that time with the hearings we had scheduled relating to the narcotics traffic might prejudice the outcome of a trial that was then in process in New York City in which a number of defendants were charged with conspiracy to violate the narcotics laws. That trial has since been concluded. The substantial number of convictions obtained in that trial—I believe there were 11 convicted—would seem to underscore the wisdom of our having post-

628 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

poned further hearings until this time. We now think that we are ready to proceed.

Now, whether we can keep on schedule as it has been arranged, I am not sure. We are in the closing days, we think the closing days, of a session of Congress, and the work and pressure of other duties may very well make it necessary for us to rearrange the schedule as it is now presented.

The hearings conducted last fall provided a more detailed insight into the functioning of organized crime than has heretofore been available to the subcommittee. For the first time, a former member of the underworld government, Cosa Nostra, described the operation and scope of that criminal organization and the perverted loyalty of its members.

The testimony of Joseph Valachi does not stand alone, many important segments of his testimony have been corroborated by the meticulous efforts of law enforcement agencies. The force of logic compels the conclusion that the great body of his evidence is accurate. No one of maturity and vision can escape concern for the lawlessness, the murders, the degradation, and the threat to our society that was exposed in the testimony given by Valachi. The weakening of this Nation, both morally and economically, by this army of confirmed professional criminals, can hardly be calculated with accuracy but it undoubtedly constitutes a major threat to our economic stability and internal security.

Unless this organized lawlessness is dealt with effectively, it will surely become stronger and more firmly entrenched and thus the menace and danger to our society will be further augmented and increased. In certain areas it seems this may have already occurred.

The subcommittee will now examine into how the criminal elements function in the field of narcotics. The purpose in making this examination is to determine what action, if any, the subcommittee should recommend be taken by the Congress. We shall try to decide whether the conditions which now exist require that law enforcement agencies be provided with new weapons and instruments of enforcement. If our society is to remain free, we must decide what measures are appropriate to meet this menace and how this criminal army can be defeated without infringing on the legitimate rights and privileges of law-abiding citizens.

In making this study, we propose to start on the hillsides and remote areas of Asia and Asia Minor, where the poppies are grown. We will show the processes employed to change the opium poppies to heroin which is the form in which it is ultimately used by the addict. We will follow it through clandestine laboratories in Europe, through the smuggling processes, to the point where it is ultimately sold on the streets today at grossly inflated prices. We intend to examine each segment of the depraved hoodlum network by which narcotics are delivered to the unfortunate addict in our country.

Finally, having studied the criminal organizations in operation, we expect to hear testimony from persons knowledgeable in the field of narcotics concerning the treatment and rehabilitation of addicts. It is reported that there are 60,000 narcotic addicts in this country. It is clear that measures which have been taken up to this time have

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 629

not eliminated the problem. It is our intention to study the conditions existing at the present time, to assess the effectiveness of existing deterrents and to endeavor to learn whether recent experience dictates some change in the handling of the people who are involved in this illicit narcotics business.

During the course of our hearings last October into the operations of the underworld and particularly the so-called Cosa Nostra, certain testimony relating to the illicit traffic in narcotics was taken in executive session to avoid the possibility of prejudice in the outcome of prosecution pending at that time before the Federal court in the city of New York.

This testimony was given by Mr. Joseph Valachi and dealt with the subject of narcotics and particularly with the financing of the purchase of narcotic drugs by himself and other members of the Mafia.

The criminal cases pending at that time have since been concluded and 11 defendants were convicted. The subcommittee, therefore, is now able to make this testimony a part of the public record and the reporter is directed to insert the pertinent portion of the transcript into the record, at this point.

(The testimony referred to follows:)

(On October 29, 1963, Mr. Joseph Valachi testified in executive session before the Senate Permanent Subcommittee on Investigations on organized crime and illicit traffic in narcotics. A part of this testimony was made public by the members of the subcommittee on July 28, 1964, and follows below:)

TUESDAY, OCTOBER 29, 1963

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:20 a.m., in room 3302, Senate Office Building, pursuant to Senate Resolution 17, agreed to March 14, 1963, Senator John L. McClellan (chairman of the subcommittee) presiding.

Present: Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; Senator Thomas J. McIntyre, Democrat, New Hampshire; Senator Daniel B. Brewster, Democrat, Maryland; and Senator Jacob K. Javits, Republican, New York.

Also present: Jerome S. Adlerman, general counsel; Donald F. O'Donnell, chief counsel; Paul B. Kaminerick, assistant counsel; Lavern J. Duffy, assistant counsel; Ruth Y. Watt, chief clerk; James J. P. McShane, chief U.S. Marshal; Eugene J. Marshall, Bureau of Narcotics; and Ralph Salerno, New York City Police Department.

Mr. ADLERMAN. Coming to the last phase of your testimony, I would like to go now to this different phase, and that is the discussion of narcotics as far as Mr. Valachi can help us.

The CHAIRMAN. The Chair wishes to emphasize that this is important, because we need this information and we will go into the narcotics traffic as a full-fledged investigation at the conclusion of your testimony, and I hope you will be as helpful as you can, because that is one of the prime targets of our investigation of this series of hearings.

Mr. ADLERMAN. Mr. Valachi, you have been involved in the traffic in narcotics, among other rackets that you were in, like numbers games, and shylocking and so forth. One of the things you were in while you were a member of Cosa Nostra was narcotics; is that right?

TESTIMONY OF JOSEPH VALACHI—Resumed

Mr. VALACHI. Yes; I would say in my first case——

Mr. ADLERMAN. When did you first get into the narcotics field, approximately?

Mr. VALACHI. I had one deal in 1952, Mr. Adlerman.

Mr. ADLERMAN. That was 1952?

Mr. VALACHI. Yes, sir.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 631

Mr. ADLERMAN. And could you tell us a little bit about how you got into it, and how you got involved, and so on?

Mr. VALACHI. Well, Sally Shillitani came to me and asked me if I could get some loan. I think it amounted to about \$8,000 or \$9,000. He said I would make about \$5,000 profit in about a month.

I said "Sally, I ain't got the money, but I can get the money," and in other words, I could borrow the money. And I got the money for him in a couple of days, and I borrowed some from one guy, and some from another one, and I gave Sally Shields the money. Well, Sally Shields, it seemed that he wasn't paying me, and a month passed, and another month passed, and he was always telling me stories. Finally, I got into the details with him as to what he was doing, and I suspected that Sally wasn't telling me the truth. So finally I suggested that whenever he had to go to France or anything like that, I had a good man for him. Well, he thought it was a good idea, and I recommended Pat Pagano.

In the meantime, I told Pat Pagano that when you do go to France, and you meet these people, whoever they are, get along with them, you know. To make them like you, because I don't think that this guy is telling me the truth, and I had then introduced him to Sally Shields. Well, finally he did send Pat Pagano, and I don't remember who else went with Pat Pagano to France.

Mr. ADLERMAN. Where did they go in France?

Mr. VALACHI. Is there a Le Havre or something like that? When Pat came back he explained to me that he met a Dominick, a millionaire.

Mr. ADLERMAN. He met a Dominick?

Mr. VALACHI. That is the first name.

Mr. ADLERMAN. Do you know his last name?

Mr. VALACHI. The way I understand, he was known, he says he was, because he died, and he was known throughout that country or that town as Dominick and everybody knew him, and in fact he was the richest man in town. That is the way Pat explained it to me. He also met the wife, you see. Dominick had told him that his wife was expected in America in a few months and that she would be in touch with him.

Mr. ADLERMAN. Why was she coming to America?

Mr. VALACHI. She was coming to America because she was pregnant and they wanted the baby to be born in America.

Mr. ADLERMAN. They were, prior to that time, American citizens?

Mr. VALACHI. Yes, I understand that Dominick originally came from America, or something like that. And Sally explained to me that Sally Shields was far behind with this Dominick in money transactions, or whatever they were doing in the narcotics. A few months went by when Pat got in touch with me that he had gotten a telephone call from Dominick's wife, and he was going to meet her. He went to meet her at some hotel, and I don't know what hotel, it was downtown someplace, and when he finally came back to me, he told me she wanted \$8,000, which I think it remained that way, when Pat left, in case she needs some money to give it to her. That is what I was looking for. When Pat came over, and told me that she wants \$8,000. So I got that loan for salary at that time and I don't know where else to go, and I didn't want to go any deeper so I went to Tony Bender

632 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

and I went to his house in Jersey, even though there was a law in 1948, I figured I would take a chance and talk to Tony. So I went to see Tony.

Mr. ADLERMAN. You say even though there was a law—what law are you referring to?

Mr. VALACHI. Narcotics.

Mr. ADLERMAN. The Cosa Nostra rule of no involvement in narcotics?

Mr. VALACHI. Yes; this is 1952, and that law was in effect in 1948. That is why I mentioned it. So I spoke to Tony, and I explained to him that I had some proposition, and I was a little coy with him in testing him out, and he seemed to be interested. So he said that he would give me the \$8,000 and I said give me about \$1,000 for expenses, which Pat had borrowed, and I forgot to mention that, and when he went there the first time. So he gave me \$8,000 and I gave it to Pat, and—

Mr. ADLERMAN. Where did you get the \$8,000?

Mr. VALACHI. From Tony Bender, and I didn't get it that same day, and I got it about the next day. And I gave it to Pat, and Pat brought it to Dominick's wife.

Now, a few days went by when Pat came up to me and he said that he was seeing Dominick's wife practically every night, even though I forgot to mention this in the statement. I am just thinking about it as I am talking, and he said she seems to like me, Pat is telling me. And I said "Pat, do me a favor, don't fool around with the man's wife and do what you have got to do and stay to business." And he said "She is getting bold," and I said, "Avoid her."

I didn't mention that before. But as I was talking I just thought about it.

In the meantime, not long after that, there was a boat came in with 15 kilos, and I wouldn't remember how long it was, and it might have been 4 weeks.

Mr. ADLERMAN. You had made the arrangements to loan him the \$8,000 to give to Dominick's wife, and had you made any arrangement of how many kilos they were to bring in?

Mr. VALACHI. I didn't know.

Mr. ADLERMAN. You left it to Pagano?

Mr. VALACHI. I left it to whatever Dominick would do, would say 15 kilos to Dominick. It is a small shipment, Mr. Adlerman. The way I understand he was a big dealer. That would be a small shipment.

Mr. ADLERMAN. It would be considered a small shipment by Dominick?

Mr. VALACHI. Yes; and the way I understand, he shipped 50 or 100.

Mr. ADLERMAN. When you gave him the \$8,000, you knew you were going to get it back in narcotics?

Mr. VALACHI. Yes. I didn't know whether it was 15 or 10 or 35, and I didn't know what, but the way I said before, that Dominick was a millionaire. He seemed to have liked Pat.

When I spoke to Tony, the first time, I had told him that it would be a 50-percent basis, with Tony, and I told him that. Well, he nudged, you know.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 633

Mr. ADLERMAN. What boat did this come in on, do you know?

Mr. VALACHI. I never mentioned the boat, but I am going to tell you, I am pretty sure it was the *United States*, but don't hold me to it.

Mr. ADLERMAN. How did they get it off the boat?

Mr. VALACHI. I would want to explain it. By this time Sally Shields got himself arrested, at this time, and by the time the narcotics arrived.

Mr. ADLERMAN. What was he arrested for?

Mr. VALACHI. He was arrested for counterfeiting.

Mr. ADLERMAN. Counterfeiting?

Mr. VALACHI. Yes, and he got 15 years on that. What I want to explain to you is in the time we were waiting for this narcotics to come in, it might have been 4 weeks or 6 weeks, I don't remember, but Sally Shields was arrested with 25 others, and most of them Frenchmen. These were the ones that Sally, there was a LaFite, if you remember, and Joe Aseno, and there were about 25 of them.

Mr. ADLERMAN. You say Sally Shields was arrested with this group, most of whom were Frenchmen?

Mr. VALACHI. Yes, sir; and a couple of women.

Mr. ADLERMAN. Now, you say Sally Shields was arrested on a charge of counterfeiting, with the other group of French people. What happened after that?

Mr. VALACHI. I was glad that I had sent Pat there, especially now with Sally Shields arrested. The shipment came in, and Tony made Patty Moccio, they handled everything. They got it off the boat when it did come, and it cost \$1,000 a kilo to get it off the boat.

Mr. ADLERMAN. You say, Moccio, Pasquale Moccio—who was he?

Mr. VALACHI. He is one of us, one of the members.

Mr. ADLERMAN. Who put him into the deal?

Mr. VALACHI. I don't think he was a member at that time yet.

Mr. ADLERMAN. Who put him in the deal?

Mr. VALACHI. Tony Bender.

Mr. ADLERMAN. In other words, you passed the information on to Tony Bender, that you got from Dominick's wife, that the shipment was in?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. From there Tony Bender arranged with Pasquale Moccio to get it off the boat?

Mr. VALACHI. Yes, sir; and Pat Pagano helped him, and they got it off the boat, and I remember, because \$1,000 a kilo.

Mr. ADLERMAN. This is a kilo of heroin?

Mr. VALACHI. Yes, you know what a kilo is.

Mr. ADLERMAN. Two and a half pounds of heroin?

Mr. VALACHI. Yes, sir. Well, that cost \$15,000. The next thing, Pat Moccio was in charge of everything.

Mr. ADLERMAN. Where did they deliver it? Do you know?

Mr. VALACHI. I wouldn't know. Pat Moccio took over, and I don't know where Patty had his place.

Senator JACKSON. How did they get it off the boat?

Mr. VALACHI. Well, through the seamen. I wouldn't know much about it, but the seamen got it off the boat.

Senator JACKSON. More than one seaman?

634 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. In this particular case, I think it is one, and it could be more than one.

Senator JACKSON. He secreted it on his person?

Mr. VALACHI. This same seaman I am referring to testified against Pagano, and Pagano got 5 years.

Mr. ADLERMAN. In another case.

Mr. VALACHI. It was all mixed up, and in fact I got 5 years in the same case.

Mr. ADLERMAN. But not in this case?

Mr. VALACHI. Not in this case, no. It was all mixed up affair.

Mr. ADLERMAN. In this case, nobody had ever been arrested?

Mr. VALACHI. Nobody was ever arrested. I want to answer the Senator. The seaman, Senator, gets this \$1,000 a kilo. If he has anybody else that helps him, he will take care of that from his \$1,000 a kilo, which comes out of the \$15,000.

The CHAIRMAN. It is \$1,000 to get it off the boat, that is extra?

Mr. VALACHI. Yes, per kilo.

The CHAIRMAN. That is to get it off the boat?

Mr. VALACHI. Yes, sir.

The CHAIRMAN. What does it cost besides that?

Mr. VALACHI. In France, I think at that time in France it was \$2,500, Senator.

Mr. ADLERMAN. You don't know who they turned it over to?

Mr. VALACHI. No, he distributed it.

The CHAIRMAN. How were you paid off?

Mr. VALACHI. Well, now, Tony sent for me about a few weeks after, and he went on to tell me that how did I want it, or I will explain that. He went on to tell me about Vito Genovese, Sandino, and Vinnie Mauro and John the Bug, and he made all of these partners.

Mr. ADLERMAN. That is Tony Bender, you mean?

Mr. VALACHI. Tony Bender, yes, sir.

Mr. ADLERMAN. He had a discussion with you and told you that you had a number of partners that you didn't know about before, is that right?

Mr. VALACHI. Vito and Tony Bender, myself, Pasquale Pagano, Sandino, John Stoppelli, and Pasquale Moccio, and Vinnie Mauro, and one other I couldn't recall. In other words, I found nine partners.

Mr. ADLERMAN. And you expected at that time that Tony Bender would split it with you 50-50, and you would take care of Pasquale Pagano?

Mr. VALACHI. I would take care of my end and he would take care of his end, and then he also hit me with this: He said Vito Genovese owed Frank Costello \$20,000, and he said "You know, we make a good showing, and we take it off the top, and we will pay the debt for him."

Mr. ADLERMAN. In other words, he cut in Vito Genovese for \$20,000?

Mr. VALACHI. Besides his share he paid Frank Costello \$20,000 that Vito was supposed to have owed Frank Costello \$20,000.

Mr. ADLERMAN. This was taken off the top?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. Do you know what they charge on the narcotics per kilo in France?

Mr. VALACHI. \$2,500.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 635

Mr. ADLERMAN. Now, that 15 kilos, that came to \$37,500, is that right?

Mr. VALACHI. With the \$15,000. At that time the market in New York—

Mr. ADLERMAN. No, I am discussing how much it cost you in France. That would be \$37,500, is that right?

Mr. VALACHI. Yes, sir, \$37,500. And that is with the \$8,000.

Mr. ADLERMAN. And you advanced \$8,000 to Dominick's wife?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. So that came out to the amount that you owed Dominick of \$29,500. You gave here \$8,000, and you owed her \$37,500.

Mr. VALACHI. Let me look that up, please. \$29,500.

Mr. ADLERMAN. That is the balance you owed to Dominick?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. Did you ever pay that money to him?

Mr. VALACHI. No.

Mr. ADLERMAN. How was this split up now? How much was a kilo of heroin worth in New York?

Mr. VALACHI. It runs about \$165,000, all told.

Mr. ADLERMAN. That is \$11,000 a kilo.

Mr. VALACHI. For the 15 kilos.

Mr. ADLERMAN. \$165,000?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. For each kilo it would be worth \$11,000?

Mr. VALACHI. Well, that is what the market was, between \$1,000 and \$12,000.

Mr. ADLERMAN. Let us see what your expenses were. If you had paid fully on this deal, it would have cost you \$37,500. Is that correct?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. Then the transportation by boat was \$1,000 a kilo, and that came to \$15,000.

Mr. VALACHI. All told expenses was \$53,500. That includes \$1,000 general expense with \$15,000 taken off the boat and the \$37,000 and it came to \$53,500.

Mr. ADLERMAN. In other words, then, the total amount with all of the expenses came to \$111,500. Is that right?

Mr. VALACHI. The total expense, you mean?

Mr. ADLERMAN. No, the net, after you paid the expenses.

Mr. VALACHI. It came to \$111,500.

Mr. ADLERMAN. Then the amount that was taken, the \$20,000 that was taken off by Genovese to pay Costello?

Mr. VALACHI. And a balance of \$91,500.

Mr. ADLERMAN. And this balance of \$91,500 was to be split between you, Tony Bender, and the nine partners that you now found?

Mr. VALACHI. Yes, and then Moccio came to see me, and he said—

Mr. ADLERMAN. Did Moccio get paid?

Mr. VALACHI. I will come to that.

Mr. ADLERMAN. All right, tell us what happened.

Mr. VALACHI. Then Moccio came to me and he said to me I could have mine in goods. I had these two kids bothering me—

Mr. ADLERMAN. What was that again? You said Moccio came to you.

636 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. And asked me if I would take mine in goods, that is material.

Mr. ADLERMAN. Whether you would take it in heroin?

Mr. VALACHI. Yes, sir. So I had these two kids bothering me, Fiore Siano and Pagano, and they were in the small business. you see, so we got together, Pat and I, and we gave it to Fiore and Joe Pagano.

Mr. ADLERMAN. How much heroin did they give you for your share?

Mr. VALACHI. They gave us \$20,000 worth.

Mr. ADLERMAN. \$20,000 worth?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. That would be a little less than 2 kilos.

Mr. VALACHI. Well, they gave us 2 kilos.

Mr. ADLERMAN. And you figured that was worth about \$20,000?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. And you in turn gave it over to the two youngsters, Fiore Siano and Joe Pagano?

Mr. VALACHI. Yes, they paid about \$5,000, and they still owe, the exact amount of \$14,700, which we never got, Pat and I.

Mr. ADLERMAN. They gave you \$5,000 in cash, and they paid you back?

Mr. VALACHI. They didn't give it to us in cash, it was at \$1,000 at a time.

Mr. ADLERMAN. For the \$20,000 worth of heroin that you got, all you got back was \$5,000?

Mr. VALACHI. That is right.

Mr. ADLERMAN. And they kept the balance?

Mr. VALACHI. I forgot to mention one thing. I want to explain to you why I decided, why they decided, not to pay any, the Frenchmen. I had a talk with Pat, and I didn't like the proposition, and I don't care to fool around with it no more, and I said the best thing we can do is don't pay nobody, and we are stopped. I forgot to tell you that, and I had suggested that.

Mr. ADLERMAN. I don't quite follow that.

Mr. VALACHI. After I heard about the nine partners, I had no more interest. I didn't care to pay Dominick, and I didn't care to make any other deal, and I was dissatisfied, in plain English. I am answering that, Mr. Adlerman, to make you Senators understand what they give us. They are supposed to give us, and I might explain how they take from us, and from this deal here you can understand how they take from us, and not what we gave to them.

Senator McINTYRE. Did you actually lose \$3,000 on this deal? Did you not put up the \$8,000?

Mr. VALACHI. I lost about—No, that \$8,000 went back to Tony, Tony Bender.

Senator McINTYRE. You didn't owe it?

Mr. VALACHI. I paid part of it, up to this time I still owe money on that debt. Up to this time I must owe, I would say a few thousand dollars, and I have been paying out a little bit at a time, the original one that I borrowed from Sally Shields, I am talking about. I paid that off a little bit at a time, but not with this.

Senator McINTYRE. The only proceeds you got was \$5,000?

Mr. VALACHI. Well, we don't collect from the boys, from the kids, and we are trying to help them make some money, you understand,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 637

Senator. Had we got all of the money in, at least I could have paid the original amount that I borrowed. That is the reason why most of all I didn't care to bother with that any more, and don't pay the people over there, and this way I don't have anything to do with it, and that was the first and the last contract I brought downtown and they never saw me again.

Now, I was in West Street with Pat Moccio——

Senator McINTYRE. If you kept your original agreement, you would have made roughly over \$50,000 on your half share?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. Instead of that, you got \$20,000 in heroin and when you tried to dispose of it, you were cheated again and you were double-crossed again, and you only got \$5,000 out of it?

Mr. VALACHI. That is right. They still owe us the money, the kids, and we call them the kids at that time, and so I am using the same expression.

Mr. ADLERMAN. Is this the first deal that you ever got into in narcotics?

Mr. VALACHI. Yes, in that kind of a deal; yes.

Mr. ADLERMAN. Did you ever have any other contact with Dominick after that?

Mr. VALACHI. Oh, no.

Mr. ADLERMAN. Of course you never paid him?

Mr. VALACHI. Naturally, yes.

Mr. ADLERMAN. Now, did you yourself ever dispose of narcotics?

Mr. VALACHI. In my first case; yes.

Mr. ADLERMAN. Just that time?

Mr. VALACHI. Yes, sir.

Mr. ADLERMAN. How long were you in the field of narcotics after that?

Mr. VALACHI. You mean after 1952?

Mr. ADLERMAN. Yes.

Mr. VALACHI. I didn't fool around any more until 1956, and when I got out on bail, on the reversal, I had lost the restaurant and I was pretty much in bad shape and I started fooling around with narcotics, but on a small scale.

Mr. ADLERMAN. Before you leave the other case we were just discussing——

Mr. VALACHI. Let me finish with Moccio. In West Street actually is where I found out for the first time from Moccio himself, and I had spoken to John the Bug one time, and I said, "How did you make out?"

Mr. ADLERMAN. That is Johnny Stoppelli.

Mr. VALACHI. And Johnny said "what money"—and it wasn't long after, I am speaking to Johnny and I said, "You didn't get any money?" and I said, "You were down as a partner." And he said "I am what, what partner?" And when I realized he didn't know anything about it, I didn't want to go any further, I figured I would go down to Tony and Tony would say, "What are you doing, investigating me?" So I dropped the subject.

Mr. ADLERMAN. Johnny the Bug, and Moccio, and the others of the nine partners of yours, you discovered that they didn't know anything about it?

638 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. VALACHI. I stopped when I spoke to Johnny, and now I am close with Johnny Moccio, and this is about 1956, and being we were close in the cell, this subject came up. To my amazement, and I never figured that Pat Moccio never got anything, and I was talking to Pat. And so Patty Moccio, someday, somehow Pat said to me, "At least you got \$20,000." And I said, "I didn't get nothing," and I said, "Are you trying to tell me you didn't get no money," and he put up his right arm and said, "Oh, my God." I nearly died.

He disposed of everything, and he handled everything, and he didn't get anything, and he said, "They always used to use the oil, they need money, and they need money, and by the time I went to get my money there was none left." I said, "You mean to tell me you didn't get any money out of that?" And I said, "Are you kidding?" And he put up his arm again, and what did I call him? I said, "You slob." And he said nothing at all, nothing at all. And he said he was taking care of the Gold Key Club and he wasn't getting anything, at least he would go up in the wee hours of the morning, and go to the market, and there was never any pay for him.

Mr. ADLERMAN. Tony Bender had invested \$8,000 in the deal, and he got back \$165,000 less the \$20,000 that he gave to you in goods, and he made \$140,000 between himself and Vito Genovese?

Mr. VALACHI. A few months after that, Mr. Adlerman, he told me to be at a certain address in Yonkers, and I don't know whose house it was, and I didn't even know Dominick lived in Yonkers, and it might have been Tommy Ryan who called me, and I don't remember who called me, and I went up to the appointment and who do you think was there? It was Vito Genovese. And he went on to ask me, and he said, "Did you ever deal in junk?" I said "Yes." He said, "You know that you ain't supposed to fool around with junk." And I said "Yes," and he looked at me, and he said, "Well, don't do it again," and I said "OK."

Mr. ADLERMAN. This is a few months after he took the money?

Mr. VALACHI. Yes; and I saw Tony Bender, and I said, "Tony, Vito hauled me down to the Sailor's house, and in front of Dom the Sailor he asked me about a deal," and I told him what happened, and he said "Forget it."

Mr. ADLERMAN. Tony Bender told you to forget about it?

Mr. VALACHI. I said "OK," and I forgot about it.

Mr. ADLERMAN. Genovese made his own rules and broke his own rules?

Mr. VALACHI. Yes.

Mr. ADLERMAN. I just want to try to figure out how much money they made on this deal.

Mr. VALACHI. You have to figure at about \$111,000.

Mr. ADLERMAN. Well, transportation by the boat was \$15,000, and \$1,000 to miscellaneous expense, and plus the \$8,000 that they loaned, and that meant that they came back, they got a balance of \$121,000 on that investment.

Mr. VALACHI. That is taken over the \$20,000.

Mr. ADLERMAN. Of which they took off the \$20,000 for you, and they made \$111,000 on their investment.

Mr. VALACHI. And a bawling out.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 639

Mr. ADLERMAN. Yes, sir; and you got bawled out in the bargain, and they said you shouldn't be in the junk business.

The CHAIRMAN. I believe, Mr. Duffy, you have prepared a statement on this narcotics transaction as related by Mr. Valachi, have you not?

Mr. DUFFY. Yes, Senator.

The CHAIRMAN. I am going to let you refer to it and if you say it is accurate, I will let it be placed in the record, actually printed in the record.

Mr. DUFFY. We have a capitulation of the profit, and cost, of the 15 kilos, and we have a summary of that.

The CHAIRMAN. That document was prepared by Mr. Duffy, and you have examined it and you have a copy of it before you?

Mr. VALACHI. I have the same thing.

The CHAIRMAN. And it is correct according to your testimony.

Mr. VALACHI. Yes; the same thing, and that is why I brought it.

The CHAIRMAN. It will be printed in the record at this point.

(The document referred to follows:)

ILLEGITIMATE RACKETS OF VITO GENOVESE—NARCOTICS

Vito Genovese, along with Anthony Strollo, alias Tony Bender, profited through the years in narcotics. Around 1952, 15 kilos of heroin were smuggled into the United States from France through the efforts of the wife of Dominick (phonetic), who was located in Paris. Dominick was a longtime source of narcotics in the United States.

Around 1952, Sally Shields (real name Salvatore Shillitani) had contacts in Europe with a Frenchman named Dominick (phonetic) as his source for heroin. Valachi sent Pasquale "Pat" Pagano to Europe to make contact with Dominick. Not long after this, she came to the United States in order to have her baby in this country. While in the United States, she contacted Pat Pagano. Although her husband, Dominick, was a millionaire, she needed some money and she asked Pagano for \$8,000. Pagano contacted Valachi, who in turn obtained \$8,000 as a loan from Anthony Strollo. The money was then turned over to Dominick's wife. In the meantime, Pasquale Moccio and Pat Pagano had arranged with Dominick's wife that she would secure a supply of heroin and turn it over to them. The \$8,000 was partial payment for the heroin that was to be shipped in from France. The heroin did arrive which amounted to 15 kilos. The arrangement for taking it off the boat was made by Pasquale Moccio.

Dominick's profit on 15 kilos

Market value in France, per kilo, \$2,500 times 15 kilos.....	\$37, 500
Advancement to Dominick's wife.....	8, 000
Amount owed to Dominick (never paid).....	29, 500

Genovese family share on sale of 15 kilos

Market value in the United States (1952, approximately \$11,000 per kilo times 15 kilos).....	\$165, 000
Expenses:	
French market value times 15 kilos.....	37, 500
Transportation by boat.....	15, 000
Miscellaneous expenses.....	1, 000
Total expense.....	53, 500
Total.....	111, 500
Amount taken off the top allegedly given to Frank Costello by Genovese.....	20, 000
Remaining profit.....	91, 500

640 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The remaining amount of \$91,500 was to be split between nine partners, each to receive approximately \$10,000 for each share, Anthony Strollo gave Valachi and Pagano their share in heroin (value approximately \$20,000—each share approximately \$10,000). Heroin turned over to Fiore Siano and Joseph Pagano. Valachi expected to get back the \$20,000, but received only \$5,000. Strollo lied to Valachi that nine partners split the profits (approximately \$91,500). Strollo and Genovese pocketed the remainder (approximately \$71,500).

Valachi and Pagano both took their share in heroin (value \$20,000). He distributed the heroin to Fiore Siano and Joseph Pagano. They were supposed to pay to him the market value of the two shares, \$20,000, but they only paid him \$5,000 so he feels they still owe him around \$15,000. Strollo told Valachi how the profit from the 15 kilos was to be split up. Nine individuals were in on the deal and each received one share (value \$10,000). Participants were; Vito Genovese; Anthony Strollo, alias Tony Bender; Joseph Valachi; Pasquale Pagano, alias Pat Pagano; Sandino Pandolfo; John Stoppelli, alias Johnny the Bug; Pasquale Moccio; Vinny Mauro, and one other Valachi cannot recall.

Subsequently Valachi learned that Strollo had lied to him. Only Genovese, Strollo, and Valachi had received any of the proceeds. Moccio was new in the organization and he received nothing.

Moccio had done all the work but did not complain when he received nothing from the transaction. The rest of the profits were pocketed by Strollo and Genovese. Stroll told Valachi he had paid \$20,000 off the top because Genovese owed it to Frank Costello.

After Genovese took his profit from the narcotic transaction, he called Valachi in and criticized him for being involved in narcotics, which was violative of the rule that members of the Family stay away from narcotics. Genovese then told Valachi to stay away from narcotics in the future. Later when Valachi told Strollo about his conversation with Genovese, Strollo told him to forget what Genovese told him.

Not long after the transaction was completed, Genovese sent for Valachi who went to the home of Dom the Sailor (real name Dominick DeQuatro) who lived in Yonkers. During Valachi's conversation with Genovese, Dom the Sailor was present, Genovese criticized Valachi for being in narcotics and then proceeded to tell Valachi about the Family rule that all members were to stay away from narcotics. Genovese told him not to do it again. A short time later Valachi met with Strollo. Valachi told him about his conversation with Genovese. It was then that Strollo told him not to pay any attention to what Genovese said.

The CHAIRMAN. We will recess now.

(Whereupon, at 12:20 p.m. the committee was recessed.)

TUESDAY, JULY 28, 1964—Continued

The CHAIRMAN. Again, I am not sure that we can keep on schedule, but it is our purpose to pursue this inquiry as expeditiously as we can, consistent with our other duties, to the end that we may make a record here that will give some guidance to us and to the Congress with respect to what further action the Congress can take, how law enforcement officials may be strengthened in their responsibilities to enforce the narcotic law.

I now yield to any of my colleagues who wish to make any comments.

Senator MUNDT. Mr. Chairman, I think that you have covered the background very adequately and very effectively. I would simply like to add that following the conviction of these 11 narcotic bigwigs last fall, I had an exchange of letters with the Office of the Attorney General in which I inquired as to the degree of assistance that Joseph Valachi and this committee had been in those hearings in helping to provide leads and information of value to the Attorney General's Office in this work.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 641

I was pleased to receive back a reply pointing out that the work done by the committee had been of real contributory value in that direction. I mention that only because every once in a while somebody says, "Well, why do you have investigations? You don't get people put in jail, and you don't arrest anybody."

That isn't our job. Our job is to try to focus public opinion and attention on the problem, and to try, through testimony, to develop leads and suggestions which would help to alleviate the problem, either by legislation or by alerting law enforcement officials, the local or State or sometimes even at the Federal level. So I was happy to receive that reply.

Of course, we were all highly gratified at the recent developments whereby some of the most significant narcotics operators in this country have been arrested, and I note that some of those names had an old, familiar ring, Mr. Chairman. They were among those that we saw on the plethora of charts that surrounded our room as we were going into the Cosa Nostra and the Mafia hearings.

So I am happy to tell the chairman that the work which we have been doing has resulted in some practical results. I would hope to achieve at the end of this hearing some consideration of additional legislation in this field which will help protect the youth of America against the preying avarice of these narcotic dealers, because there is a very close relationship between juvenile delinquency and the narcotics trade.

I surmise that we are going to find, before we are through, that there is a very close relationship between the narcotics trade and the international Communist conspiracy, because from my own work in this field I know that the Communists utilize this type of activity to help break down the morale and the morals of a free country. If they can break down the morals of young Americans, they are on the road to helping destroy their patriotism and to lure them into the Communist camp.

I congratulate the staff and the chairman on the fact that we are going ahead full tilt on this job, although I agree with him that I doubt that we are going to be able to keep the daily afternoon schedule the way we would like to because of the pressure of events which we hope are leading to an adjournment before an important date in Atlantic City.

The CHAIRMAN. I am sure the Atlantic City meeting will take place irrespective of adjournment.

Senator MUNDT. But I hope we can adjourn before the event.

The CHAIRMAN. I am willing.

Senator CURTIS, do you have anything to add?

Senator CURTIS. I have no further statement.

The CHAIRMAN. While we are speaking of the work that the committee does in these investigative hearings, what the outcome may be sometimes, we might reflect upon what happened just yesterday or Sunday, I believe. I think as a result of these hearings, there was information developed that led to another trial that resulted in a conviction last Sunday. They were not hearings in this particular category, but hearings held by one of the investigating committees of the Senate on which some of us served.

642 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

So it is well, I think, if we can work in some of these areas at different times—I think it strengthens the hand of law-enforcement agencies and also it may serve as a deterrent in some instances, but certainly it keeps Congress informed of the current problem and indicates sometimes action that Congress can take to strengthen the position of law-enforcement officials and to actually serve the cause of law enforcement by enacting new legislation.

Another reason why we haven't been able to hold these hearings sooner, as I think the record might reflect, is because the Senate was engaged in an enterprise, a legislative enterprise, that consumed about 3 months' time during which committees were not permitted to meet except for about 1 hour a day, in some instances, and it was not practical to try to conduct investigative hearings meeting 1 hour a day, occasionally during the week, so we had to defer the beginning of these hearings, which could have begun earlier, insofar as the trial was concluded. It was concluded much earlier and these hearings could have started earlier, except for the condition that prevailed in the Senate.

Very well, we will call the first witness.

Commissioner Giordano, will you come around, please?

Will you be sworn?

Do you solemnly swear that the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GIORDANO. I do.

The CHAIRMAN. Will you state your name, your place of residence, and your present official position?

TESTIMONY OF COMMISSIONER HENRY L. GIORDANO

Mr. GIORDANO. My name is Henry L. Giordano. I live at 1609 New Hampshire Avenue, Silver Spring, Md. My present position is Commissioner of the U.S. Bureau of Narcotics.

The CHAIRMAN. How long have you held that position?

Mr. GIORDANO. I have held the position of Commissioner of Narcotics since August of 1962.

The CHAIRMAN. What position did you hold prior to that time?

Mr. GIORDANO. Prior to that time I was the Deputy Commissioner of Narcotics, under Commissioner Anslinger.

The CHAIRMAN. How long did you serve in that capacity?

Mr. GIORDANO. I served in that capacity for a period of 4 years.

The CHAIRMAN. How long have you been with the Narcotics Bureau?

Mr. GIORDANO. I have been with the Bureau a little over 23 years.

The CHAIRMAN. Do you have a prepared statement?

Mr. GIORDANO. Yes, I do, Mr. Chairman.

The CHAIRMAN. Without objection, then, you may proceed to read it.

Mr. GIORDANO. Mr. Chairman and distinguished members of the committee, I wish to thank the committee for the opportunity to report the activities of the Treasury Department's Bureau of Narcotics in the suppression of the narcotic drug problem.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 643

FEDERAL ENFORCEMENT

The primary force in the Government's fight against the illicit narcotic trafficker for the past 34 years has been the U.S. Bureau of Narcotics. The Bureau has the task of bringing to justice the cunning and ruthless individuals and groups engaging in the illicit narcotic drug and marihuana traffic. Although the Bureau of Narcotics is a law-enforcement agency, we also have the responsibility of regulating the legitimate supplies of narcotic drugs for medical and scientific purposes, the importation, exportation, and manufacture of narcotic drugs, and various controls of this trade to prevent diversion to illicit channels.

The responsibilities of the Bureau of Narcotics as established by Congress relate to opium, its alkaloids and derivatives; the coca leaf and its derivatives; marihuana; and specially defined synthetics known as opiates.

The Bureau of Narcotics is a relatively small agency, having only 433 employees, including 297 enforcement agents and supervisors located in 16 districts covering the United States, Europe, the Near, Middle, and Far East, and Central and South America. In the United States, our headquarters offices are located in the larger cities and our agents are assigned to these offices proportionate to the extent of illicit traffic. The majority of our agents are assigned in the cities of New York, Chicago, Los Angeles, and Detroit. In foreign areas we have a headquarters office in Rome, Italy, with branch offices at Paris and Marseilles, France; Beirut, Lebanon; and Istanbul, Turkey. We have a headquarters office at Mexico City, Mexico, with a branch office at Monterrey, Mexico. Also, we have established a headquarters office at Bangkok, Thailand, with branch offices in Hong Kong and Singapore.

BASIC VIEWS OF THE BUREAU OF NARCOTICS

Even before the creation of the Bureau of Narcotics in the Treasury Department in 1930, the Federal Government established a threefold program in attacking the narcotic addiction problem. We have continued to follow this program:

1. A strong, vigorous law-enforcement policy aimed at exacting stringent punishment for illicit traffickers in narcotics.
2. Proper treatment and effective rehabilitation of addicts with a view of curing addiction.
3. International and national cooperation with enforcement agencies to help eliminate the local violators and the foreign sources of supply.

FEDERAL LEGISLATION

Shortly after the turn of the century, America awoke to the fact that it was faced with a serious problem. It was estimated that 1 out of every 400 people of the United States was addicted to narcotic drugs.

Senator MUNDT. Mr. Commissioner, that sounds like a pretty high incidence of addiction. How does that compare with your present rate?

Mr. GIORDANO. That compares with the present rate of 1 in 4,000 at the present time.

644 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator MUNDT. You are making genuine progress; 1 out of every 400 in 1900, about?

Mr. GIORDANO. About 1900, prior to the enactment of the Harrison Act.

Senator MUNDT. And 60 years later 1 out of 4,000.

Mr. GIORDANO. Yes.

Senator MUNDT. Is the rate continuing to decrease?

Mr. GIORDANO. Yes, Senator.

Major Federal antinarcotic efforts began in 1909 with the Opium Exclusion Act, barring importation of opium except for medicinal purposes. This legislation was followed by the Harrison Act of 1914; the Import and Export Acts of 1914 and 1922; the act of June 7, 1924, barring importation of crude opium for the purpose of manufacturing heroin; the Marihuana Tax Act of 1937; the Opium Poppy Control Act of 1942; an act to control synthetic narcotic drugs in 1946; the Boggs Act of 1951; the Boggs-Daniel Narcotic Control Act of 1956; and the Narcotics Manufacturing Act of 1960.

BOGGS-DANIEL NARCOTIC CONTROL ACT OF 1956

The most significant legislation in more than 40 years to help check the spread of addiction was the Narcotic Control Act of 1956. Extensive hearings by congressional committees had determined that leniency in sentencing was the prevailing practice in narcotic cases. The important feature of the Boggs-Daniel Act is that all peddlers of narcotic drugs are on notice that they will not be dealt with lightly when convicted in Federal court of selling narcotic drugs. The law now affords certainty of imprisonment for convicted sellers. This was a unanimous act of Congress, providing mandatory minimum sentences with no possibility of probation or parole for convicted peddlers and smugglers. There is also a discretionary measure in the act which does not preclude probation and parole for utilization where the circumstances warrant leniency, and under certain conditions the offender may be sentenced under the Federal Youth Corrections Act.

We have found through our undercover activities that the large-scale traffickers are extremely fearful of these penalties. I submit that criminal sanctions against all narcotic sellers, be they addicts or non-addicts, including long terms of imprisonment, are essential to effective enforcement of the narcotic laws and the eradication of the illicit traffic. In those areas of the country where there are mandatory sentencing provisions under the laws of the States, accompanied by vigorous and continuous law enforcement, there has been a substantial reduction in the traffic, and in some cities addiction is at a virtual minimum.

ADDICT SURVEY AND EXTENT OF ADDICTION

The Bureau of Narcotics has continued to maintain a tabulation of narcotic drug addicts who have come to our attention through private, local, State, and Federal authorities. There have been 48,535 active addicts recorded in our central index as of December 31, 1963. This is a ratio of approximately 1 addict in 4,000 as compared with 1 in 400 in 1914. Several years ago, the narcotic addiction problem was widespread throughout the United States. At the present time, how-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 645

ever, the major concentration of narcotic addiction is in less than 10 cities of the United States.

Senator CURTIS. Mr. Chairman, I don't want to devote a long discussion to this before we go into other matters.

These statistics, however, tend to prove that the approach in the United States is the correct one, as contrasted to some foreign countries that do not outlaw narcotics, but permit doctors to dispense them. Do you have an opinion on that?

Mr. GIORDANO. We believe this is the proper approach. There has been some suggestion that in Great Britain they handle the problem differently than the United States. Their laws are generally the same as the United States. They do have a more lax attitude toward the administering of narcotic drugs than we do.

Senator CURTIS. But an addict can lawfully buy them?

Mr. GIORDANO. An addict in the United Kingdom can go to the doctor and even under their rules and regulations, the doctor is supposed to withdraw him if possible. The doctor writes the prescription. It is supposed to be a withdrawal program over there, just like here. However, there is evidence that certain doctors have been taking care of addicts there.

The fact is, a recent report in the paper on a Lady Frankau, who has written several articles, gave talks about her treatment of addicts, and the report indicated that she gave an addict a prescription just after he had been released from the hospital, having been withdrawn, and gave him this drug and he ended up in the morgue from taking the drug when he had already been withdrawn from the drug.

So they do have a more lenient attitude toward it there because they assume that they haven't got a problem. However, I have been over there on several occasions and they have a serious marihuana problem and a serious amphetamine problem and they are talking about doing it as the United States does—increasing penalties and with tighter controls.

Senator CURTIS. Do I understand that in 1914, 1 person out of 400 was an addict and now it is 1 out of 4,000?

Mr. GIORDANO. That is correct.

Senator CURTIS. Thank you very much.

Mr. GIORDANO. It was not uncommon when I first entered narcotic law enforcement to find an addict in possession of several cubes of chemically pure morphine or substantial quantities of high-grade smoking opium. I recall that during those years, confirmed addicts suffered extreme withdrawal symptoms when deprived of their usual dosage. Today, however, there is a very noticeable change. Heroin, an imported substance, is now the preferred drug in the illicit traffic, and smoking opium is almost a thing of the past.

Our agents have received underworld reports that because of the rigid enforcement of the narcotic laws and the penalties facing the smuggler and peddler, as provided in the Narcotic Control Act of 1956, some of the top echelon traffickers have announced that they are no longer willing to assume the risks involved in such activities. The subcommittee will recall that on October 9, 1963, in answer to a question as to whether the pressure of narcotics prosecutions, investigations, and publicity has caused a change in the policy of the Cosa Nostra,

646 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Joseph Valachi commented that “* * * all families were notified—no narcotics.”

Our intelligence indicates that it is becoming more difficult for the large narcotic traffickers to secure financial backing from the underworld moneylenders. Consequently, the illicit supply has decreased, the prices are exorbitant, and the narcotics reaching the consumer are adulterated to a small fraction of the original purity.

The CHAIRMAN. Has a lot of this come about because of the system we have here, by reason of our vigilance and strenuous efforts to combat this traffic?

Mr. GIORDANO. We believe that, Senator, very strongly.

The CHAIRMAN. It seems to me from your testimony there has been remarkable success from the efforts we have made. We have reduced the number from 1 addict out of every 400 people to 1 out of every 4,000. It is very commendable progress.

Obviously the system we have operating, particularly since we tightened up the laws in the last few years on the penalties, making punishment mandatory, has had a very salutary impact upon the criminal element.

Mr. GIORDANO. We believe that very strongly—that this has had quite an impact on the illicit traffickers—and, of course, the Federal approach is toward the major traffickers, the sources of supply, the interstate, the international traffickers—and these are the people who have been feeling the brunt of these new penalties—and as a result are getting out of the traffic.

Of course, we are not complacent at all, as long as we have any problem, any addicts, and we have to keep this momentum going.

The CHAIRMAN. Do you feel that the Boggs-Daniel Act passed a few years ago has produced very effective results, that it has been a great help to you and your agency in the enforcement of the law?

Mr. GIORDANO. I don't think there is any doubt about it, Mr. Chairman. The original Boggs Act of 1951 provided for mandatory penalties after a certain period of time, second and third offenders, and during the hearings held by Congressman Boggs and Senator Daniel, in 1955, it developed that the people were using so-called first offenders in the traffic in certain areas, and particularly in the New York area, and these people were getting probation and suspended sentences. As a result, they brought the 1956 Control Act to take care of the first offender—the peddler—in traffic.

The CHAIRMAN. The minute they were released and sentence suspended, they could go right back into business; is that true?

Mr. GIORDANO. Exactly.

(At this point Senator Curtis withdrew from the hearing room.)

The CHAIRMAN. Do you find that to be true?

Mr. GIORDANO. Exactly.

The CHAIRMAN. Since there is now a law that makes sentencing mandatory, that has tended to deter their action—their activity.

Mr. GIORDANO. I don't think there is any question but what this act is a deterrent to people engaging in the narcotic traffic. They are finding that there are other criminal activities they can become engaged in where they are not faced with this type of control.

The CHAIRMAN. There is more deterrent.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 647

Mr. GIORDANO. Yes, sir.

(At this point Senator Curtis entered the hearing room.)

Senator MUNDT. On that point, Mr. Commissioner—something that is pertinent to what the chairman just discussed—I notice this statement of yours:

In those areas of the country where there are mandatory sentencing provisions under the laws of the States, accompanied by vigorous and continuous law enforcement, there has been a substantial reduction in the traffic, and in some cities addiction is at a virtual minimum.

That would lead me to conclude that there was still work to be done on the part of some of the States which have failed to add to the provisions of the Boggs-Daniel Act even more severe penalties for certain traffic; is that correct?

Mr. GIORDANO. That is correct.

Senator MUNDT. Do you have a listing you can put into the record of the States which you feel have the optimum laws, or satisfactorily working laws, and then the States where work needs to be done, so that the good people of this country will know which legislators they should talk to and which Governors they should contact?

Mr. GIORDANO. I would be very happy to have that included in the record.

Senator MUNDT. May that be included at this point Mr. Chairman?

The CHAIRMAN. Yes; it may be inserted.

SUMMARY OF NARCOTIC PENALTIES

FEDERAL AND STATE

1. Federal

(a) *Sale offenses and acquiring unlawfully imported narcotics or marihuana.*—First offense: Not less than 5 years or more than 20 years imprisonment. Second and subsequent offenses: Not less than 10 years or more than 40 years imprisonment.

(b) *Sale of heroin by person over 18 years to person under 18 years of age.*—Any offense: Not less than 10 years imprisonment, and possible sentence of death at discretion of the jury.

(c) *So-called possession-type offenses (acquiring narcotics or marihuana in violation of Internal Revenue Act).*—First offense: Not less than 2 years or more than 10 years imprisonment. Second offense: Not less than 5 years or more than 20 years imprisonment. Third offense: Not less than 10 years or more than 40 years imprisonment.

Except for first conviction of so-called possession-type offense under (c) above, suspended sentence and probation shall not be given and parole under 18 U.S.C. 4202 is not available.

2. States having penalties considered more stringent than the Federal law

Illinois: Ten years to life imprisonment for first sale offense, and life imprisonment for second sale offense.

Louisiana: Not less than 10 years nor more than 50 years for all sales by person over 21 years of age.

Michigan: Not less than 20 years nor more than life—but suspension, probation, or parole are available for first offense.

Nevada: Not less than 20 or more than 40 years for first sale offense—life imprisonment if purchaser is under 21. Not less than 40 years, to life imprisonment for second sale offense.

Ohio: Any sale offense—not less than 20 nor more than 40 years—but suspended sentence, probation, and parole are available.

Rhode Island: Not less than 20 nor more than 40 years for any sale offense—but suspension, probation, and parole are available.

648 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

3. States having penalties very similar to the Federal law

Alabama	Iowa ¹	New Hampshire
Alaska	Mississippi	Pennsylvania
Colorado	Missouri	

4. States having penalties considered less stringent than the Federal law by allowing probation, suspended sentence, or parole for a first offense of sale

Arizona ²	Kentucky	Tennessee
Arkansas	Maine	Texas ⁴
California ³	Maryland	West Virginia
Florida	Massachusetts	Wisconsin
Georgia	New Mexico	Wyoming
Hawaii	North Carolina	
Indiana	Oklahoma	

5. States having penalties considered less stringent than the Federal law by allowing probation, suspended sentence, or parole for any offense (except as noted)

Connecticut	Montana	South Carolina
Delaware	Nebraska	South Dakota
District of Columbia	New Jersey	Utah
Idaho	New York ⁵	Vermont ⁶
Kansas	North Dakota	Virginia
Minnesota	Oregon	Washington

Mr. GIORDANO. I do have a chart which I believe the committee also has available.

Senator MUNDT. Fine.

Mr. GIORDANO. This chart indicates the areas where we have the problem. Over 10,000 is just the one State, New York State, and in the category of 5,000 to 9,999 we have California and Illinois. Then in the 1,000 to 4,999 category, Texas, Michigan, and New Jersey, and the District of Columbia.

Senator MUNDT. I notice from the chart here that South Dakota is indicated merely white. What does that mean?

Mr. GIORDANO. At one time I was supervisor for this area out of Minnesota, and this whole area, as you can see, even Minnesota, is an area where they have consistently, even without having the mandatory penalties, the courts have consistently applied the penalties with adequate severity, commensurate with the crime. As a result, this is what we have.

Senator MUNDT. In other words, there is a direct relationship between the severity of the penalty and the willingness of the judges and the courts to impose it to the incidence of the crime?

Mr. GIORDANO. That is true. And enforcement, of course. You have to have good enforcement.

Senator MUNDT. In these three States indicated in red—California, Illinois, and New York—where the incidence is most disturbing, are there weaknesses in their State laws, Mr. Commissioner, or is it because the lack of enforcement, or because of population pressure, or for some other reason?

¹ Except 2-year sentence for first sale and 5-year sentence for second sale is possible.

² No parole, probation, or suspension if sale is to minor.

³ Suspended sentence and probation available for any first offense, parole possible when approximately one-half of sentence is served.

⁴ Suspended sentence not available.

⁵ Suspended sentence, probation, or parole not available to third offender.

⁶ One-year sentence possible for all sale offenses.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 649

Mr. GIORDANO. I would point out that in New York there is a problem in New York State in the penalties. They have in their law a provision for making certain possession below one-eighth of an ounce a misdemeanor and above one-eighth of an ounce is a felony. As a result, I have been informed, and we checked, that over half of their cases are disposed of by reducing it, if it is a felony, to a misdemeanor; in other words, to unclog the calendar. As a result, they have 3- and 6-month sentences.

Senator MUNDT. In other words, in New York if they had a higher penalty for carrying less than one-eighth of an ounce of heroin, this would greatly diminish, in your opinion, the drug traffic in that State?

Mr. GIORDANO. I think in the State what is happening is that the traffickers are sort of in a revolving door. They are in and out again. This doesn't happen in the Federal court, but you can't just have the Federal courts. There are the State courts applying their State laws and they have to be able to take these people out of circulation. But as long as they are in circulation, they are just out again and maybe arrested two or three times within the year.

(At this point Senator Brewster entered the hearing room.)

Mr. GIORDANO. New York has moved ahead in the method of treatment. They have set up the Metcalf-Volker Act for providing treatment for addicts, which is helpful, except that they are only relying on the voluntary feature of this program instead of compelling them. Most of them have to be compelled to go in.

Illinois' problem is primarily in Chicago. There has been some improvement in Illinois because they have increased their penalties. They have set up a State narcotic commission. Illinois has improved.

In California they changed their penalties about 2 years ago and for a period of about 2 years there was a reduction in the traffic in California. I understand there has been a little upsurge again, but this could be only a temporary thing and move back down again.

So in those areas—well, I think the best example is Ohio. At one time Ohio was one of our worst States for the problem of drug addiction and drug traffic. As I recall, we had some 20 men in Ohio. The State of Ohio was one of the first to put in a penalty of 20 years. Ohio is now down in this category of between 350 to 500 addicts when they were in the category of Illinois and New York prior to that time.

We have closed the offices in Ohio. We now have 3 men in there, and before we had to have 20.

Senator MUNDT. In the main, how is the jurisdiction broken down between the Federal responsibility and the State responsibility, say, in the narcotics traffic in New York State?

Mr. GIORDANO. In New York State we continue to concentrate, as I say, on the major traffickers, the people who are bringing the drug in and the distributors, and the international traffic, of course.

The New York Police Department has an excellent force. They run between 150 and 200 men on the New York narcotic detail alone. They are doing a good job. Unfortunately—

Senator MUNDT. There is nothing wrong with the New York Police force. They are kind of working overtime in Harlem these days.

Mr. GIORDANO. Yes. But what they are doing is rearresting the same people two and three times a year.

650 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator CURTIS. The same people?

Mr. GIORDANO. That is right.

Senator CURTIS. Why is that necessary? Aren't they convicted?

Mr. GIORDANO. They are convicted, but they are given 3- or 6-month sentences and they are right out again.

Senator MUNDT. This is something in the State law.

Mr. GIORDANO. Yes. This law which provides the breakdown of less than one-eighth of an ounce a misdemeanor and over one-eighth of an ounce is a felony. Even if they have over one-eighth of an ounce, as I explained earlier, to process this case speedily they will let the individual plead to a misdemeanor, and as a result, he then gets a sentence of about 3 or 6 months.

Senator MUNDT. What does one-eighth of an ounce mean in terms of a dope addict? Is that very much?

Mr. GIORDANO. That is considerable. One-eighth of an ounce is 60 grains, and the addict, of course, will use all he can get. Normally they are using, I believe, 2 or 3 grains at a shot.

Senator MUNDT. How much would one-eighth of an ounce cost a narcotic addict? How much has he invested in that?

Mr. GIORDANO. It varies from place to place. In some areas it will be—one-eighth of an ounce could be as high as \$300, and in other places in the New York area it would be a lot cheaper than that.

Senator MUNDT. In other words, this would be more than he would take in any single day or any single treatment?

Mr. GIORDANO. Yes.

Senator MUNDT. It would last him a week or something like that?

Mr. GIORDANO. It would be more than for a single day.

Mr. ADLERMAN. Mr. Commissioner, just to clarify it, one-eighth of an ounce is really considered sort of the breaking point between an addict pusher and an organized crime pusher.

Mr. GIORDANO. The one-eighth ounce primarily was figured to be the breaking place.

Mr. ADLERMAN. In other words, to try to distinguish between those who are engaged in the pushing of addiction and selling on the retail level, on a commercial or criminal basis, and those addicted peddlers who might have a few grains.

Senator MUNDT. The one-eighth of an ounce would be found on a peddler and not a consumer?

Mr. GIORDANO. Over one-eighth would generally be on a trafficker. Under one-eighth they felt would be on an addict. But the unfortunate part is when you try to set a breaking point. You can have a situation where the trafficker will carry just less than one-eighth of an ounce—a grain—and then when you have the situation where they have this, so that they can clear the calendar, so to speak, it is unfortunate.

Mr. ADLERMAN. Isn't it true now that they carry the bags of heroin, they break it up into smaller quantities, so that they don't carry as much around with them as they formerly did, to come under the one-eighth of an ounce?

Mr. GIORDANO. This is what I understand has been happening in New York. I was getting to this; about the fraction of the purity. In New York, for example, where it was running 3 to 5 percent on

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 651

the street, now it is a little bit higher percentage but they are carrying less than this quantity that brings them into the felony category.

The CHAIRMAN. May I ask if you do not have a series of charts and tables giving statistics, and otherwise confirming your testimony, Mr. Commissioner?

Mr. GIORDANO. I have a series of charts available.

The CHAIRMAN. I have before me one headed "Federal Bureau of Narcotics, Active Narcotic Addicts Reported in Several Selected States as of December 31, 1963," which gives a breakdown of the 48,000-plus addicts that you have testified to.

Without objection, I will direct that this chart be inserted in the record, that it be inserted in full—the charts and tables contained in this document which you have in your hands.

Mr. GIORDANO. I would appreciate it, Mr. Chairman.

The CHAIRMAN. We will let it go into the record in full.

(The document referred to may be found in the appendix on p. 759.)

The CHAIRMAN. I have another one before me that says "History of Narcotic Addiction in the United States." Have you that before you?

Mr. GIORDANO. Yes.

The CHAIRMAN. We will let it be printed in the record at the same time.

(The chart referred to will be found in the appendix on p. 771.)

Senator MUNDT. In conjunction with that, Mr. Commissioner, will you indicate what happened in about 1946 or 1947 when all of a sudden the narcotic addiction rate shot skyward? I just wondered what happened?

Mr. GIORDANO. We had during this period of time the addiction rate gradually going down. Then we ran into the war period where there was almost a complete ban on the importation of heroin, because everything was military shipping, and the ships were not going to these places where the heroin was produced—the opium was produced—so there was a very decided drop during that period because the only things available during the war period were the drugs diverted from legal channels and a little bit from Mexico.

Senator MUNDT. How about the upsurge? There was an upsurge.

Mr. GIORDANO. Then shipping opened up and, at the same time, the racketeers—and here is where we move into the Mafia—took advantage of this over in Italy. We will have some reports on that. They moved in on this actually legitimate manufacturing company, but some of the officers were not quite so legitimate, and they began to divert from this plant all this heroin.

Actually, this particular case was where our Luciana was one of the ones making the arrangements. So we have this terrific upsurge. Of course, it was timed almost the same as after World War I when there was a little bit of an upsurge.

Senator MUNDT. Did you say, "Luciana?"

Mr. GIORDANO. Lucky Luciana. Because of this problem—and you will note this is when the Boggs Act went in—it started this decline and then with the Control Act it has continued to go down.

The CHAIRMAN. Have we placed this map that you have testified from a few moments ago into the record?

Mrs. WATT. Not yet.

652 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. We will let that map be placed into the record at this point.

(See fold-in A.)

(162)

Mr. ADLERMAN. We haven't gone into the areas where the narcotics come from, but the ordinary routes for coming into the United States would be from Italy and France, mainly; is that correct?

Mr. GIORDANO. That is correct.

Mr. ADLERMAN. And during wartime there was no marine traffic between Italy and France and the United States, and that cut the source of supply as far as the illicit traffic was concerned.

Mr. GIORDANO. That is correct.

I do have what I think would be very interesting at this point, which I would like to introduce in the record, certain further charts. These are actually charts from the committee's prior hearings.

The CHAIRMAN. Let the Chair make this observation, since one of my colleagues on the committee observed and emphasized that his State shows white on the chart, that I believe my State does, too.

Mr. GIORDANO. I am sure it does.

The CHAIRMAN. How about Senator Brewster's State?

Well, anyway, we have a few States that are white.

Very well, you may proceed.

Mr. GIORDANO. This, as you may recall, Mr. Chairman, is the chart produced by the committee as a result of the Valachi hearings.

The CHAIRMAN. Would you speak a little louder?

Mr. GIORDANO. This is the chart made by the committee as a result of the Valachi hearings, and these are the family charts.

Here on Vito Genovese we have marked off those individuals of the family that the U.S. Bureau of Narcotics was responsible for convicting. In this one family we eliminated 19 percent of that family.

The CHAIRMAN. In what period of time?

Mr. GIORDANO. This would be within the past 10 to 15 years.

The CHAIRMAN. We will let that chart be placed into the record at this point.

(See fold-in B.)

(163)

Mr. GIORDANO. Here is the Gaetano Lucchese family, and 40 percent of that family we eliminated.

The CHAIRMAN. When you use the word "family," what do you mean by that?

Mr. GIORDANO. I am using the designation on the chart.

The CHAIRMAN. You are using the Valachi testimony when he referred to them as families?

Mr. GIORDANO. That is correct.

The CHAIRMAN. In other words, it is a section, so to speak, in the organized group of the Mafia?

Mr. GIORDANO. Yes. And the Carlo Gambino family, 20 percent.

The CHAIRMAN. All of these charts will be placed into the record.

(See fold-ins C, D, E, F.)

(164)

Senator MUNDT. Mr. Commissioner, in these arrests in New York and Washington, D.C., within the last week or so, there was a so-called big shot in the narcotics racket whose name, as I recall, started with an "M."

Mr. GIORDANO. Romano was the one arrested here.

Senator MUNDT. Is he a member of any of these families?

(162) (163) (164) Fra le pagine 652-653 del documento originale sono inserite sei carte che — contrassegnate, rispettivamente, con le lettere V, Z, AA, BB, CC e DD — sono pubblicate, insieme alle altre carte, nella Parte Terza del presente tomo. (N.d.r.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 653

Mr. GIORDANO. I don't think he was a member of the family, but he was part of this whole organization. Actually, that particular case was an outgrowth of a case that we developed in 1960 which involved a diplomat, Mauricio Rosal, who was the courier.

Senator MUNDT. An Ambassador from where?

Mr. GIORDANO. He was an Ambassador from Guatemala to Belgium and the Netherlands. He was the courier. In that case, that particular case was one of the largest seizures that we made. It amounted to a little over 100 kilos, which is 200 and some odd pounds. These people that we arrested over the weekend——

The CHAIRMAN. What would the value of that be? Let's say on the wholesale market first.

Mr. GIORDANO. On a street level this would run around, I would say, about \$20 million, on the street level.

Senator MUNDT. How much would you say the peddlers or agents would have invested?

Mr. GIORDANO. Well, they would have had invested in there—it is running about \$3,000 over in France, \$3,000 a kilo. They had 100 kilos. That is \$300,000 approximately that it cost them.

Senator MUNDT. In other words, they would take the \$300,000 and pyramid it up to \$20 million?

Mr. GIORDANO. This goes through several layers. This would cost them so much a kilo. Maybe they would pay the courier so much a kilo for bringing it over, and then when they sell it here it is selling at the wholesale market rate now at around anywhere from \$18,000 to \$22,000 a kilo.

This is another indication: In 1958-59, in New York a kilo of heroin wholesale was between \$8,000 and \$12,000, and now it is up to between \$18,000 and \$22,000.

The CHAIRMAN. In 5 years' time it has doubled.

Mr. GIORDANO. Yes. This is because of the pressure.

The CHAIRMAN. You may proceed with your statement.

Mr. GIORDANO. As an example of the effectiveness of the continual pressure on the violators, during the past few years many hospitals with facilities for treatment of addicts have seldom encountered an addict with a severe degree of physical dependence to heroin.

DRUGS OF THE ILLICIT TRAFFIC

While heroin is the drug of primary concern because of its preference by users, we occasionally run across a case involving other drugs; namely, morphine, Dilaudid and methadone. I am pleased to say, however, that with the cooperative efforts of the drug industry and the professions, the problem of the diversion from legitimate channels is very minor.

I regret, however, that there has been a resurgence of cocaine traffic during the past few years due to the Cuban situation. Cuba has become a problem in this respect, and because of the smuggling of this drug by Cuban nationals, some of whom have been determined to be Castro sympathizers, we now find considerable quantities of cocaine in the United States, particularly in Miami and New York.

In 1962, in one case alone, there was seized more cocaine than had been seized in the entire United States in the previous year.

654 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. Can you tell us the source of the cocaine, from what area it comes?

Mr. GIORDANO. The cocaine starts out as coca leaf in Bolivia and Peru and is processed in that area to the cocaine paste, or the base, and then it moves up from there either through Mexico or through Cuba into the United States.

Now it appears that the prime method of moving is through Mexico, involving these Cuban nationals who are free to move back and forth. They bring it up from South America in through Mexico.

Senator MUNDT. There must be some alternative sources beyond Peru and Bolivia, are there not? If we shut it off there, would that stop it entirely?

Mr. GIORDANO. This is the prime source for cocaine and the prime area for coca leaf. This is a problem which I am sure Commissioner Anslinger will discuss, which has concerned the United Nations Commission, but they have this problem of the chewing of coca leaf in those countries by the Indians. This, of course, is a problem of changing or converting the Indians from chewing the coca leaf into a normal diet so that they can then eliminate this growth of coca leaf.

Senator MUNDT. Let me ask you what is probably a very simple question. Is this coca raised in Bolivia and Peru also alternatively used for some legitimate commercial purposes, like making cocoa that you drink, and things like that?

Mr. GIORDANO. It is used as a flavoring extract, and also a small amount of it is used in the United States and in the other countries for cocaine.

Senator MUNDT. A legitimate use.

Mr. GIORDANO. A medicinal use.

Senator MUNDT. This is not really a plant or a weed that is used for drugs alone.

Mr. GIORDANO. That is correct.

Senator CURTIS. Is there any connection between the increased cocaine traffic from Cuba and the shipment from this country of drugs as part of the ransom to Castro?

Mr. GIORDANO. None whatsoever.

Senator CURTIS. There wasn't any cocaine sent down there?

Mr. GIORDANO. No. In fact, the drugs that were sent to Cuba were in such a form that they would not normally be attractive on the illicit market. Most of them were drugs that would not be attractive to the addict. It was a combination.

The CHAIRMAN. Would the addict have to further process them?

Mr. GIORDANO. Most of the drugs were in a combination that would be taken by mouth, and the addict is not interested in that. He is interested in getting the pure substance. Most of these were the milder types, such as codeine. There was some morphine, but that was primarily in forms that would be rather cumbersome for the addict or the traffic to handle and there wouldn't be enough of a profit in it because what we sent down there wouldn't, certainly, last very long in the illicit traffic, if at all.

Senator MUNDT. Is there a high degree of addiction in Mexico and Cuba, or does the drug just go through there in the commercial enterprises?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 655

(At this point Senator Curtis withdrew from the hearing room.)

Mr. GIORDANO. In Cuba, there has always been a cocaine problem, although the Cuban Government says now they do not have any problem. But they had it before and there is no indication that the situation has changed.

Senator MUNDT. They have also said that they do not have any missiles. I do not believe either one.

Mr. ADLERMAN. Mr. Commissioner, just for the record, the coca leaf is a different plant from the ordinary cocoa we use for chocolate.

Mr. GIORDANO. Yes.

Mr. ADLERMAN. One is a bean and comes from an entirely different plant than the coca from which we make cocaine.

Mr. GIORDANO. Yes.

Mr. ADLERMAN. Cocoa does grow in many other areas of the world, but the coca that is used for cocaine——

Mr. GIORDANO. Coca is the coca leaf, and cocoa is cocoa.

Senator MUNDT. That is a different kind of coca altogether, a specialized kind of product which, in the main, is used for the narcotics traffic in Peru and Bolivia.

Mr. GIORDANO. Yes.

The CHAIRMAN. You may proceed.

NATIONAL ENFORCEMENT APPROACHES

Mr. GIORDANO. On the national level, agents of the U.S. Bureau of Narcotics direct their efforts against the highest echelon narcotic traffickers, particularly those who hold positions of trust and management in groups engaged in organized criminal pursuits. We feel that our principal technique, that of the undercover approach, has proven to be the most efficient and effective method of combating such violators. In addition to enabling us to amass considerable intelligence on many of the top members of organized crime, we have, since 1956, developed 20 major conspiracy cases resulting in the conviction of 206 important gangsters, including such notorious violators as Vito Genovese, Big John Ormento, Carmine Galante and Joseph Valachi.

The CHAIRMAN. Let me ask you what is the present status of Genovese? How long is he in prison for?

Mr. GIORDANO. I believe it is 20 years.

The CHAIRMAN. Was that a number of sentences running concurrently?

Mr. GIORDANO. I couldn't answer that.

The CHAIRMAN. He has only served some 2 or 3 years on this 20 years.

Mr. GIORDANO. It was a conspiracy count and I believe it was just one count within 20 years.

The CHAIRMAN. Thank you.

Mr. GIORDANO. Four Apalachin delegates are included among those who were convicted.

With the approval of the committee, we have here two lists of people—narcotic traffickers—who have been apprehended since 1951, up to July 1963. One is the international cases and the other is the national cases.

656 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Have convictions been procured in all those instances?

Mr. GIORDANO. Yes.

The CHAIRMAN. Very well. They may be received in evidence. They may be printed in the appendix of the hearings. They need not be printed as part of the body of the record, and will be found in the appendix on page 772.

Mr. GIORDANO. We have just three other charts that I thought would be of interest after my testimony. One chart shows the heroin seizures by the U.S. Bureau of Narcotics from 1954 to 1963. Then I think the most effective one shows what has happened as a result of our expanding our foreign operation and moving into the Far East.

On seizures you can see the sudden upturn of seizures where we work with foreign authorities. In other words, all that we are taking is being taken out of circulation before it even starts to the United States.

The CHAIRMAN. That is the reason for your having to set up offices in foreign countries; is that correct?

Mr. GIORDANO. That is correct.

The CHAIRMAN. And you work there with local law-enforcement agencies to stop it at its source, before it ever gets across over here.

Mr. GIORDANO. Exactly.

The CHAIRMAN. Those charts may be printed in the record.

(The charts referred to will be found in the appendix on p. 805.)

Mr. GIORDANO. I should like to emphasize that the Bureau of Narcotics does not direct its efforts toward the development of addict possession cases but, instead, we seek out evidence against major sources of supply, wholesale peddlers and interstate and international violators.

The CHAIRMAN. Do you leave the others primarily to State authorities?

Mr. GIORDANO. State and local enforcement officials.

The CHAIRMAN. You try to get the big fellow, to stop it before it reaches the peddlers?

Mr. GIORDANO. That is right, Mr. Chairman.

The CHAIRMAN. Very well.

Mr. GIORDANO. It may interest you to know that the vast majority of the cases developed by our agents involve the illegal sale of narcotics and a further evaluation reveals that 60 percent of the defendants arrested are nonaddicts.

The CHAIRMAN. They are simply exploiting the human frailty of those who are addicts.

Mr. GIORDANO. Exactly.

These facts are in sharp contrast to the view being expressed in some circles that the Bureau of Narcotics succeeds only in snaring the unfortunate addict in possession of small quantities of drugs for self use.

The CHAIRMAN. Your statistics pretty much sustain your contention that you are getting the big one. Obviously, if you have reduced the user from 1 in 400 addicts to 1 in 4,000, it would indicate that you are stopping it, I think, at its source.

Mr. GIORDANO. Our job is to make narcotics as unavailable as possible. That is our job.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 657

Let me make it clear that the Bureau of Narcotics has always favored treating addicts, who are not engaged in commercial selling or trafficking, as medical rehabilitation cases and not as criminals. In this connection, the Bureau has supported proposed legislation such as the bill introduced by Senators Kenneth B. Keating and Jacob K. Javits—S. 1694 of the 87th Congress—which provides that certain eligible addicts, under charges for violating a criminal statute, should be given an opportunity to submit to treatment for narcotic drug addiction rather than prosecution for the criminal offense.

The CHAIRMAN. That is just for the addict, where he is not trafficking but he is just the victim of the illicit traffic.

Mr. GIORDANO. That is right.

The CHAIRMAN. You do not propose any extenuating consideration like that for the fellow who is in the business of exploiting and profiteering from the human misery, do you?

Mr. GIORDANO. Absolutely not.

Senator MUNDT. The addicts must be broken down into different categories, because some addicts would just be purchasers of narcotics, just the victims. Don't you have addicts who also do a little pushing on the side to make money so that they can continue to be addicts?

Mr. GIORDANO. This 40 percent—the other 40 percent are addicts who are sellers, who are incidentally also addicts, but they are important traffickers at the same time.

(At this point Senator McClellan withdrew from the hearing room.)

Senator MUNDT. Sixty percent are nonaddicts, so you have forty percent to deal with.

Mr. GIORDANO. That is right.

Senator MUNDT. Of that 40 percent, are there not some who are just purchasers, just addicts?

Mr. GIORDANO. No.

Senator MUNDT. Do you not have a fellow who just buys the stuff and uses it without being a seller?

Mr. GIORDANO. Yes. But these figures that I am giving are cases that we in the Bureau are developing. I am not talking about what are being developed by the local authorities. This is the area where you would get the small addicts in possession.

Mr. ADLERMAN. These are felony cases that have been tried in Federal court.

Mr. GIORDANO. In Federal court, of people who are important traffickers and also addicts at the same time.

Mr. ADLERMAN. These cases are essentially directed at those who are trafficking in addiction rather than the addicts themselves.

Senator MUNDT. That is the 40 percent. Then what do you do with this 40 percent? Are you advocating that they just go to a hospital to be cured? They are all criminals.

Mr. GIORDANO. No, for these people we are advocating the features of the control act, and this is what is now being applied.

Senator MUNDT. Then, the so-called Keating-Javits proposal would not deal with either your 60 percent or your 40 percent?

Mr. GIORDANO. Exactly.

Senator MUNDT. I see.

658 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. GIORDANO. In other words, there are many cases, Federal cases, where an individual is an addict and may be a check thief or something like that, where the individual is an addict. He is not a peddler but he has violated a Federal law as such. This is where this would apply.

(At this point Senator McClellan entered the hearing room.)

Senator MUNDT. Let us call them noncommercial addicts. Do those consumer addicts come within cognizance of the Federal Bureau, too? Do you occasionally pick them up?

Mr. GIORDANO. There could be a rare occasion, and under those circumstances if it does develop there are always the features of the Harrison Act and the control act where, for possession, they can be charged under the possession part of it, purchasing, and that permits parole, probation, and suspended sentence.

Senator MUNDT. As I recall from reading Alex King's book, one of your objects of search and seizure at one time, you maintain a hospital, do you not, and you try to cure the addicts?

Mr. GIORDANO. At Lexington and Fort Worth Federal Hospitals.

Senator MUNDT. Are those cures very successful? What percentage of the cures are finalized and what percent become repeaters, like Alex King?

Mr. GIORDANO. As far as when an individual is released from a hospital, he is allegedly cured. But the problem is, and I am sure you will hear quite a bit about this from other witnesses, is the followup treatment after they get out, because now they are released from the hospital or from many of these State hospitals, and they are immediately, you might say, thrown back into the former environment and they become addicted again.

The degree of recidivism in drug addiction is very, very high. Unless they have some form of control, some supervision when they get out from the treatment process, the chances of their reverting to drug addiction again is very high, that they will revert, and in a very short period of time.

(At this point Senator Javits entered the hearing room.)

The CHAIRMAN. You may proceed.

Senator MUNDT. To summarize that, in other words you have not discovered what you would call a sure cure, a permanent cure.

Mr. GIORDANO. A permanent cure? No; I think there is no question but what this is the area that needs the most done, the health area. I think this is where there has been a lot of talk about followup rehabilitation. I can recall prior hearings which brought about the Boggs-Daniel Act. They talked about rehabilitation and followup as what was needed, but I haven't seen any results.

Senator MUNDT. I have heard reports, Mr. Commissioner, that there is a likelihood of the researchers bringing up very soon a so-called alcohol pill which tends to give a permanent cure to alcoholism because it does something to your system so that the consumption of alcohol becomes revolting.

I wondered if progress is being made in the direction, where they finally have found some chemical or some pill so that after a certain period of treatment a cured addict would take the pill, it would make him sick or something, and he would think, "Nuts to that, I don't want to use it."

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 659

Mr. GIORDANO. I know of no research in that area and I know of nothing that would indicate that is being pursued. What they are doing, primarily, is trying to develop synthetic drugs that are non-addicting, that still have the pain relieving qualities of morphine and so forth, but without the addicting qualities. They are making progress in that area.

The CHAIRMAN. Very well, you may proceed.

Mr. GIORDANO. In addition to working closely with the Bureau of Customs, which has primary responsibility for the prevention of smuggling, we have extensive liaison and cooperation with local and State enforcement officers in eliminating the intrastate retail peddlers. We maintain a narcotics training school which offers a 2-week intensive course in narcotic law enforcement procedures to local and State officers. Since the school was established in 1956, we have provided training to 1,418 students from law enforcement agencies in 48 States, the District of Columbia, Puerto Rico, and 27 foreign countries. As a result of our liaison and training program, there has been very gratifying response on the part of local and State authorities who have recognized their responsibilities and have made major contributions to the overall enforcement effort.

INTERNATIONAL MEASURES

On the international level, the worldwide controls of narcotic drugs rest upon several multilateral treaties concluded between 1912 and March 8, 1963, with the coming into force of the 1953 Opium Protocol. The operation of the international system is based upon national controls by individual countries within the limits of their jurisdiction. In compliance with the stipulations of the various narcotic treaties, individual countries are bound to adopt appropriate legislation, introduce necessary administrative and enforcement measures and cooperate with the international control organs as well as with other countries. The scheme of international controls has resulted from the realization of the necessity for close association of nations for the accomplishment of a purpose important to each of them. The Bureau of Narcotics has continually sought close cooperation with other nations in the fulfillment of our obligations under international treaties.

Also, on the international level, we have found that engaging the international violator firsthand at the source pays substantial dividends. Our most talented and highly trained agents are assigned to oversea areas to work in cooperation with specially designated law enforcement officers of other countries. The work has been extremely gratifying and has repeatedly led to the location and destruction of clandestine laboratories and seizures of tremendous quantities of narcotic drugs destined for the illicit traffic in the United States.

Prior to 1962, our foreign responsibilities had been limited to Europe and the Near East. On October 22, 1962, Assistant Secretary of the Treasury James A. Reed issued a directive which extended our responsibilities to include all foreign areas. Surveys are currently under consideration to determine the need for an increase in our oversea staff, particularly in South America and the Far East.

In our expanded operations in the Far East, we contemplate making much headway in stemming the flow of illicit traffic moving from

660 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

the Yunnan Province of Communist China and the Shan States of Burma.

The CHAIRMAN. Is Communist China a party to the treaty?

Mr. GIORDANO. No.

The CHAIRMAN. Then you would get no cooperation, of course, from that country.

Mr. GIORDANO. No cooperation.

In the short time our agents have been working with the Thailand Central Narcotic Bureau, more than 2½ tons of opium and nearly 60 kilograms of morphine base have been seized.

The Bureau's participation in this foreign program has been based on invitations extended by individual governments. As a result of our increased foreign enforcement activities, the efforts through the United Nations Commission on Narcotic Drugs, the continual cooperation with the International Criminal Police Organization (Interpol), and the awareness of the narcotic problem by officials of other countries, there is now a vigorous and effective enforcement program covering nearly all of the free world.

The CHAIRMAN. Are there countries in the free world that do not participate and are not parties to treaties?

Mr. GIORDANO. Some are parties to some treaties and some are not to certain treaties because of their national government, but I would say that generally when I am talking in this context, that all of them are doing something. Some are doing more than others. The problem is to encourage those that are not doing as much to do a little bit more.

The CHAIRMAN. But generally all the countries of the free world are interested in the program and are working either fully cooperatively or in part with respect to the stamping out of this traffic?

(At this point Senator Mundt withdrew from the hearing room.)

Mr. GIORDANO. Exactly. This is whether or not they are signatories to the various treaties.

As I recall, one treaty we did not sign because it did not provide a strong enough program for eliminating opium. But we still recognize all of the features of that treaty.

The CHAIRMAN. All right, you may proceed.

LEGISLATION DESIRED

Mr. GIORDANO. I would like to point out that our undercover narcotic agents are able to advance only to a certain point in penetrating the inner circles of organized crime, and it is always exceedingly difficult to corroborate the statements furnished by the occasional informant who is courageous enough to furnish testimony. We have a long way to go in the formulation of legalized weapons to rectify our investigative disadvantages. In my opinion, the most important legislation this committee should recommend is an appropriate wire-tapping measure. There is now before Congress, Chairman McClellan's proposed "Federal Wire Interception Act" (S. 1308, April 10, 1963) which would provide desirable facilities for utilization of this urgently needed investigative aid. As such audio surveillance would be carefully proscribed under strict limitations, and permitted only by Federal court order, the bill provides a proper balance between

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 661

the needs of law enforcement and the high regard we place upon human liberties. Chairman McClellan's bill provides excellent measures under which we could operate in coping with the secret communication facilities employed by organized narcotic traffickers who now conspire from all points in the United States by telephone with virtual immunity.

I would also like to call to your attention another matter which I believe deserves favorable consideration. There is at this time a serious defect in the laws of the United States relating to obstruction of justice. Under the present laws it is not a crime to threaten witnesses prior to the formal initiation of judicial proceedings. We frequently encountered situations where our potential witnesses have been menaced, including actual threats of murder. I, therefore, urge the adoption of appropriate legislation which would provide severe penalties for anyone who intimidates another person to prevent him from testifying or furnishing information, and anyone who otherwise obstructs a criminal investigation being conducted by an agency of the United States.

The CHAIRMAN. If I understand your testimony, it is not now a violation of the law to threaten anyone before he has become a witness. Is that correct? I mean legally before he is considered a witness in a pending case or on a pending charge.

Mr. GIORDANO. This is exactly the situation. In other words, if we have a witness in a narcotic case, and until such time as he is actually brought before the court as a witness, or the grand jury as a witness, if he is threatened before that time, before there is a process on it, it is not a violation of our law.

The CHAIRMAN. In other words, at the time, say, an illicit transaction is had, and someone happened to see it or know about it, or if one engaging in it would threaten the other, "If you ever tell this, the Mafia will get you or the Cosa Nostra will be sure to see that you are put under the ground," or anything like that, that now does not constitute a crime until the grand jury may start to investigate and start calling witnesses investigating that particular incident. Is that correct?

Mr. GIORDANO. That is correct.

The CHAIRMAN. So any threat made at the time the offense is committed and before the processes of law are brought into operation does not constitute a crime.

Mr. GIORDANO. That is correct.

The CHAIRMAN. Therefore, you are handicapped because many times witnesses are intimidated or prospective witnesses are intimidated or deterred from testifying before the law reaches the state of prohibiting the act.

Mr. GIORDANO. That is right, Mr. Chairman.

The CHAIRMAN. Very well, you may proceed.

CONCLUSION

Mr. GIORDANO. There has been substantial progress in the field of narcotic drug control. It is quite clear, however, that narcotic addiction in the United States is still a problem, and there is no room for complacency in our long-range approach to reaching our ultimate

662 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

goal. With the present laws now in force by the Federal Government and most States; with continued success in our foreign enforcement program; with an intensified program by the States for compulsory civil commitment of addicts for treatment; with increased assistance to States where necessary in the development and strengthening of their own treatment programs; and with further exploitation into the causes and cures of addiction, we will see an even greater improvement in the future.

If there is anything I can do to help with the work of the subcommittee, please let me know, because I am vitally concerned and I have a full appreciation of the importance of your functions.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Mr. Commissioner. You have given a very excellent presentation on this subject. I am sure that as we study your comments and the data you have presented we will understand the problem far better than we do now.

I would like to ask you just one question and then I will defer to other members of the committee. By reason of the Boggs-Daniel Act, legislation that was passed some years ago, do you feel that had a material benefit or impact?

In other words, that is become a very potent weapon for you in this battle?

Mr. GIORDANO. It was one of the most important weapons that we have, that has been given to us in many years.

The CHAIRMAN. It has enabled you, then, to bring about a reduction—you feel that one of the consequences of it is to further reduce the number of addicts in this country?

Mr. GIORDANO. We feel it has brought about a reduction in the availability of the drug and this will eventually help in reducing the problem of addiction.

The CHAIRMAN. It also made it possible for you to apprehend and convict and get proper punishment for those who were violating the law, who were engaged in the traffic?

Mr. GIORDANO. That is correct, and those important in organized crime.

The CHAIRMAN. I asked those questions to lead up to this: You have recommended, as I understand, two additional actions by Congress, one being the passing of the wiretapping bill and the other to deal with this problem of obstruction of justice, to tighten up the law in that regard. Based on your experience, Mr. Commissioner, what impact do you think the enactment of those two statutes would have? How beneficial would they be to you and how necessary are they, do you feel?

Mr. GIORDANO. I think taking the first one, the wiretap, I think this is essential, that we have something, some legislation along this line because, as I indicated, the trafficker—and this is not only the narcotic trafficker but anyone who is in organized crime—

The CHAIRMAN. Of course it would not be confined to just this particular area of criminal activity. That would apply to all. And so would the other.

Mr. GIORDANO. But they are carrying their business on by the use of the telephone and they have immunity at this time.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 663

The CHAIRMAN. There is opposition certainly to the first one, the one about legalizing or authorizing wiretapping, and there is some legitimate opposition. In other words, I agree that it is a serious matter when you go to authorizing the interception of telephone communications. I think it is very serious, and I think it has to be dealt with most carefully, under the highest and strongest restrictions, and controls must be placed on it by law so that it cannot be used promiscuously, or so we can try to make sure that it is only used in those areas, legitimate areas, where we are seeking to ferret out crime and procure evidence that would be necessary and legitimate in the prosecution of criminals.

I think it is something that has to be studied. I do not want to go overboard. I have introduced a bill and I think it needs study. I think it needs the careful consideration. Yet, I think I can appreciate that it would be a very potent weapon in combating crime, not only in the narcotics field but in other areas. And you think these two statutes would be very useful weapons.

Mr. GIORDANO. Absolutely. I certainly feel, particularly on the wiretapping, that this should be under all proper safeguards so it is not left to the enforcement officer himself to decide. I think both bills do provide that.

The CHAIRMAN. It would have to be an absolutely proper showing made before a court of competent jurisdiction, making sure that it is never used except in a legitimate search for people who are violating the law, or on the occasion of other criminal activity.

Senator Brewster, have you any questions?

Senator BREWSTER. Mr. Commissioner, does the Bureau of Narcotics now tap any wires at all?

Mr. GIORDANO. No, we do not.

Senator BREWSTER. Do you employ any private contractors of any type to tap any wires?

Mr. GIORDANO. No, we do not.

Senator BREWSTER. Do you in any way receive any information from the interception of telephonic communication?

Mr. GIORDANO. We do not, that I know of. I mean we receive information and I would have no way of knowing whether somebody gave us information that they got some other way. But as far as I know, no. I may go a little further to explain that the Treasury Department, not only the Bureau of Narcotics but the Treasury Department, has an order which has been long standing. As I recall, it has been in effect ever since I came in the Bureau. That is no wiretapping, period.

Senator BREWSTER. Do you use any type of electronic or mechanical device other than what is commonly called a wiretap to intercept any type of audiocommunication?

Mr. GIORDANO. I would say we do not use anything to intercept any type of an audiocommunication with the exception of agents who may be working undercover may have a transmitter on them so that other agents can be listening to what transpires between our agent and the person he is talking to in the undercover work. But other than that—

664 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator BREWSTER. Is this a successful operation, where some type of device is carried that will transmit the conversation that transpires?

Mr. GIORDANO. I think it is very helpful for cooperative purposes, when you are in court.

Senator BREWSTER. Is the evidence obtained that way admissible in court?

Mr. GIORDANO. Yes, it is.

Senator BREWSTER. Thank you very much.

The CHAIRMAN. Mr. Javits?

Senator JAVITS. Mr. Giordano, let me first thank you for defending the good name of New York. I gathered that in my absence there was some discussion about why there are so many addicts in the New York area. Of course, it is the greatest seaport in the country and thus is naturally a center of narcotic addiction. I gather Los Angeles also has an unusually high percentage; is that correct?

Mr. GIORDANO. And Chicago.

Senator JAVITS. May I ask you first about the testimony which we have just released, given by Joseph Valachi on October 29, 1963, and your reference to some of the Valachi testimony. Does your testimony take into account the testimony we have just released?

Mr. GIORDANO. No; I don't believe so. What I referred to was testimony—as I recall, that was public testimony at the time—where Valachi indicated, when the question was asked about narcotic traffickers and the involvement of these people in narcotics.

Senator JAVITS. When we had the Valachi hearings, there was some question about a statute which would perhaps expand the concept of consorting, as we have in some State statutes, with underworld characters. May I ask you, Mr. Giordano—as this testimony is now released, and as the committee would also, probably, with the chairman's usual beneficence, make available to you anything else you might need which has not been made public—whether you feel any other legislation should be recommended by your Bureau than the legislation you have already recommended, based upon what we now know about the operation of the so-called underworld families in the narcotics field?

Mr. GIORDANO. I would be very happy to furnish the committee with my views, the Bureau's views, after I have had an opportunity to study the testimony.

Senator JAVITS. As directed to that particular situation.

Mr. GIORDANO. As directed; correct.

Senator JAVITS. I also would like to ask you about the controversy which has been going on in the medical profession with respect to the Harrison Act. First, would you tell me if there is any attitude of the Department on some controlled experiment with the prescription of narcotics, according to the British plan, for narcotic addicts? Has your Bureau or has the Treasury Department developed any position on that?

Mr. GIORDANO. Our position on that is the position that has come out of the various groups: the American Medical Association; the National Research Council; the President's Ad Hoc Committee; the Presidential Commission; where they are all in opposition to maintaining addicts on narcotics. As far as research is concerned—re-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 665

search into methods of withdrawal and different ways to approach it—we support this research.

Senator JAVITS. I think those are two separate questions; but you have answered them both.

Under those circumstances, what is your comment on the argument which seems to be raging in the medical profession, in which some doctors claim that the Harrison Act does not prevent doctors from prescribing narcotic drugs if they wish, and some doctors claim that it does and that doctors have been placed in grave jeopardy by rulings of the Bureau and, hence, treated as if it were prohibited by law?

Mr. GIORDANO. I think first the report that you make reference to is the New York Academy report, and there are many inaccuracies in that report which I have called to their attention. They apparently do not wish to correct it.

The other is the Advisory Council of Judges to the National Crime and Delinquency. I have some material here where we feel that our regulations are not contrary to any of the Supreme Court decisions, including the *Linder* case.

Senator JAVITS. Mr. Chairman, I ask unanimous consent that I may offer for the record the two reports to which Mr. Giordano has just referred; that of the New York Academy of Medicine and that of the Judges—

Mr. ADLERMAN. We will have representatives of both of those organizations testify next week.

Senator JAVITS. If I may continue, I think it would be very useful, Mr. Chairman.

The CHAIRMAN. The reports can be received now and made an exhibit to his testimony and, thereafter if you wish and find it necessary, you may incorporate them into the record.

Senator JAVITS. Also, if Mr. Giordano would not object, before we have these witnesses, perhaps we could have his critique of these two reports.

Mr. GIORDANO. Absolutely.

Senator JAVITS. I think it would be extremely helpful to us, Mr. Chairman.

The CHAIRMAN. Can you supply them?

Mr. GIORDANO. We do have, and I think I have furnished to Mr. Adlerman, a document, where we comment on the statement of the Advisory Council of Judges, and the comments regarding the interpretation of the *Linder* decision, our regulations and what they mean and what they say. Attached to that is a letter from Judge Smith, who was one of the judges that was on this Commission, the Advisory Council, where he takes violent issue with the report even prior to its release.

He has authorized me to use this letter.

The CHAIRMAN. Let this be received and made exhibit No. 1.

(Documents referred to were marked "Exhibit No. 1" and will be found in the Appendix on p. 808.)

The CHAIRMAN. Senator, we will have to recess soon and, after that if you wish, you may interrogate the witness about it. This may cover what you had in mind. At least after reading it, you would know what it is more completely.

Senator JAVITS. Thank you.

666 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. Giordano, after looking over both of these reports, and bearing in mind that we will have these witnesses, would you consider giving us any additional critique that you feel would be justified so that we may more intelligently question you?

Mr. GIORDANO. I would be happy to.

(Comments of the Commissioner of Narcotics on the "Report on Drug Addiction" by the New York Academy of Medicine will be found in the appendix on p. 834.)

Senator JAVITS. There is one other point I would like to pursue. I am happy that you thought well of Senator Keating's legislation and mine with respect to rehabilitation of the narcotic addict who is not a seller or trafficker of narcotics. Would you say that that represents the largest number in percentage of the narcotic addicts—the ones who are not sellers of traffic in narcotics?

Mr. GIORDANO. Who would be the largest what?

Senator JAVITS. Percentage of addicts.

Mr. GIORDANO. No; I wouldn't say that would be the largest percentage.

Senator JAVITS. Could you give us any estimate of those who would fall in that category? That is, you list, say, 48,000 addicts. What percentage would you classify as addicts who are not engaged in commercial selling or traffic—as an order of magnitude, I realize you can't be specific?

Mr. GIORDANO. It would be strictly an estimate on my part as to how many, but I would say maybe 40 to 50 percent.

Senator JAVITS. About half in round figures?

Mr. GIORDANO. About half.

Senator JAVITS. So that our legislation for civil commitment in lieu of criminal prosecution would reach about half of the narcotics addicts?

Mr. GIORDANO. Not necessarily, because this relates to the Federal offenses. If you are asking, under the Federal law, the number that are brought in, I would say it would reach very few because our effort is directed toward the major trafficker. It would be helpful in other areas, for instance, other Federal violations, thefts of checks by an addict, and so on. But I think the area where the main approach should be made is at the State level on a civil commitment program to reach these people even before they become involved with the law.

Senator JAVITS. Generally speaking, do you approve of the approach of our State law in New York, which seeks to do exactly this?

Mr. GIORDANO. Yes; I approve of it, and not only that but we cooperated in preparing it. The unfortunate thing, I think, is that they are not using the compulsory feature of it. They are using only the voluntary feature or the court feature of it.

As I testified earlier, there is another sad situation, I think, and this I mentioned in New York earlier this year, that in New York City almost half of the cases that go in end up as a misdemeanor. They are felonies but to clear the calendar they make them a misdemeanor. What happens under those circumstances is that the addict, when he knows it is a felony, then he takes advantage of the treatment. But when it is reduced to a misdemeanor, he will take the 3 months in jail instead of the treatment.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 667

(At this point Senator McClellan withdrew from the hearing room.)

Senator JAVITS. That is the so-called one-eighth-of-an-ounce rule?

Mr. GIORDANO. That is right.

Senator JAVITS. And you would think this is defeating the purpose, to some extent, of the New York law?

Mr. GIORDANO. That is correct.

Senator JAVITS. I assure you I will take it up with our law enforcement people to see what answer they have to the point which you have raised.

Mr. GIORDANO. I also feel—in fact, I talked to Mr. Volker about this—there should be an expansion of this Metcalf-Volker Act, and that is to provide or permit other people to bring a person, we will say, before a committee magistrate, to present the documentation to bring him for commitment.

I think it has now been confined to a member of the family or a health officer. Many times the police officer runs into somebody else or some other individual who could bring this before the committee magistrate instead of standing there waiting until the man ends up committing some violation.

Senator JAVITS. I shall certainly take that up with them as well.

(At this point Senator McClellan entered the hearing room.)

Senator JAVITS. I would like to ask you specifically about the four bills that have been introduced by Senator Keating and myself. You have already commented on one of the bills which in this Congress is S. 864, in relation to civil commitment.

You also commented, and correct me if I am wrong, about my own bill, S. 862, of which Senator Keating is a sponsor, which would strengthen the on-going program of federally aided research under the National Institute of Mental Health into causes and cures, withdrawal techniques, and so forth.

I gather you fully approve of that?

Mr. GIORDANO. Yes.

Senator JAVITS. Is it not shocking that so little has been done on this dread scourge in the way of research as to how to deal with the subject, medically, and in other respects?

Mr. GIORDANO. I think a considerable amount of research has been done that apparently is not maybe publicized enough. There has been a lot of work in Lexington along this line. This does not say it should stop.

Senator JAVITS. Do you feel that transferring more of the effort to the National Institutes of Health would be a useful thing to try?

Mr. GIORDANO. I don't know just in what areas it should be, Senator, but I still support research in this area.

Senator JAVITS. My bill proposes to authorize, specifically, a program in the National Institute of Mental Health.

Mr. GIORDANO. As I recall, they are supposed to be, at this time, responsible in that area.

Senator JAVITS. Except that they have no money.

Are you acquainted with Senator Dodd's bill to endeavor to do more in the international control field? Do you care to make any comment on that?

668 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. GIORDANO. I believe that is in another area. That is in the amphetamine and barbiturate area. So I would rather not.

Senator JAVITS. The fourth bill in the series Senator Keating and I have sponsored, S. 861, would authorize aid to States and localities or nonprofit organizations to engage in both treatment and rehabilitation within the metropolitan environment. That is designed to get away from the "bluegrass" commitment idea, in which an addict who has been treated at Lexington or Fort Worth goes back to narcotics as soon as he returns to his metropolitan environment because there is no followup there.

We have begun to do something about that in my own construction, which has been adopted by the Senate-House conferees, of the Community Mental Health Centers Construction Act passed last year. That program is just about getting started, but wherever such centers are constructed, they may include facilities for treatment of narcotics addicts.

Would you have any comment on the need for any such program?

Mr. GIORDANO. As you know, I can't comment on a specific bill unless I have seen it, but I would say that our feeling in the Bureau is and always has been that the responsibility for the treatment of the addict first falls upon the State people, in areas where they have a large problem, where the Federal Government should support, then I feel the Government should give support. I think this is generally your bill.

Senator JAVITS. That is it exactly.

Mr. GIORDANO. We feel that that is necessary, yes, in those areas where they do need support. But I still feel that it is initially the States responsibility.

Senator JAVITS. Thank you very much, Mr. Chairman.

Thank you.

The CHAIRMAN. Any further questions?

There may be a few other questions after the noon recess, but I think we will recess now. It will be our purpose to come back at 2:30. I may observe, however, there is legislation on the floor of the Senate that is under consideration that there may be votes upon.

Again, we may not be able to keep our schedule. But we will try to come back at 2:30. Please return at that time.

The committee stands in recess until 2:30.

(Members present at time of recess: Senators McClellan, Brewster, and Javits.)

(Whereupon, at 12:30 p.m., the subcommittee recessed, to reconvene at 2:30 p.m. of the same day.)

AFTERNOON SESSION

(The subcommittee reconvened at 3:07 p.m., Senator John L. McClellan, chairman of the subcommittee, presiding.)

The CHAIRMAN. The committee will be in order.

(Members present at time of reconvening: Senators McClellan and Brewster.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 669

TESTIMONY OF HENRY L. GIORDANO—Resumed

The CHAIRMAN. We will proceed.

There is just one question that the Chair wishes to ask you before I yield to Senator Brewster or the counsel.

Your testimony this morning indicated that great progress has been made, particularly in the matter of reducing the number of addicts in this country during the past half century, I would say.

With that tremendous progress, would you say there is any urgent need for the continuation of the effort? In other words, would you say that we have the matter under such control now that the conditions are so generally satisfactory that we could begin to relax our efforts? Do you think that condition prevails?

Mr. GIORDANO. No, that condition does not prevail, Senator, because I think what we have to do is we have to prevent the formation of new addicts, and we have to do something about treating those addicts, curing them, at this time, and I think there is still a lot of work in this area of treatment and rehabilitation. Certainly we can't let down on the enforcement, because the moment we relax immediately there will be an upsurge, without a doubt, in the availability of drugs.

The CHAIRMAN. In other words, we can't be satisfied with conditions as they are now because although they are very gratifying and we have made the progress we have, the fact is if we did relax our effort this condition wouldn't prevail very long; is that the contention?

Mr. GIORDANO. Yes, sir.

The CHAIRMAN. In other words, constant vigilance and diligence is necessary in the enforcement field in order to maybe hopefully continue to reduce the consequences of this traffic, illicit traffic, and also with the idea of preventing the creation and development of new addicts, and an expanding market for the product.

Mr. GIORDANO. That is absolutely correct, Senator.

The CHAIRMAN. So to further carry on the program of prevention and law enforcement in this field, you think you need the two additional weapons that you spoke of this morning?

Mr. GIORDANO. Yes, we do.

The CHAIRMAN. Those are the legislative weapons.

Senator Brewster, have you any questions before I permit counsel to proceed?

Senator BREWSTER. Thank you, Mr. Chairman. I would like to ask one further question.

You have indicated, Mr. Commissioner, that a very substantial number of addicts take the misdemeanor charge and 90 days incarceration. My question is: In 90 days does the addict physically recover from the effects of the previous addiction? Does the body, itself, recover from the effects of the drug?

Mr. GIORDANO. Within 90 days the individual will be off drugs and the physical craving will have disappeared. However, the mental condition is still there and the moment they are released they go right back to the use of drugs again.

670 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator BREWSTER. So the fact that the addict does go back is not because of a physical craving; it is because of a mental weakness or a mental condition?

Mr. GIORDANO. This is as I understand it from talking to them and also from the medical authorities at the hospitals who have studied the situation.

Senator BREWSTER. In your opinion, the 90 days incarceration serves very little useful purpose so far as a cure of the addict is concerned?

Mr. GIORDANO. That is correct.

Senator BREWSTER. Thank you.

The CHAIRMAN. All right, Mr. Counsel.

Mr. ADLERMAN. Commissioner, could you give us the statistics as to the number of addicts in the United States?

Mr. GIORDANO. The number that we have recorded, that have been reported to us by various State and local law enforcement and health agencies, as of December 31, 1963, totals 48,535.

Mr. ADLERMAN. In addition to that, I believe you understand, or it is well known, that this does not account for all the addicts in the United States.

Mr. GIORDANO. No, this doesn't.

Mr. ADLERMAN. Those are the ones that have been reported to you.

Mr. GIORDANO. That is correct.

Mr. ADLERMAN. What is the estimate as to the number of actual addicts in the United States?

Mr. GIORDANO. I would estimate that it would not exceed 60,000.

Mr. ADLERMAN. About 60,000?

Mr. GIORDANO. Yes.

The CHAIRMAN. And about another 12,000 in addition to those reported.

Mr. GIORDANO. About.

The CHAIRMAN. In other words, you have about four-fifths of them reported to you.

Mr. GIORDANO. That we believe; yes, sir.

Mr. ADLERMAN. Could you give us a breakdown as to the main section of the country or areas where addiction is most prevalent?

Mr. GIORDANO. The main areas of the country are actually New York, California, and Illinois, with Michigan running a low fourth. In New York City, of the number that are reported to us, they account for 48.3 percent, almost half of the addicts reported to us being in New York City.

The CHAIRMAN. As Senator Javits suggested this morning, is that because these places are ports, like Los Angeles and New York?

Mr. GIORDANO. Well, that contributes to the problem, metropolitan areas that are ports.

The CHAIRMAN. And it also provides the opportunity to bring them in, does it not?

Mr. GIORDANO. Yes, sir; that is correct.

The CHAIRMAN. That is, where you have the most commerce, an area particularly on the seashore, these are places where it is most likely to come in, to be smuggled into the country; is that true?

Mr. GIORDANO. That is correct. However, there are many other factors involved, such as when you run into areas of leniency it is natural, then, for the addicts to end up in that area, and the traffickers.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 671

The CHAIRMAN. In other words, where there is a tendency to be lenient by the courts and the law enforcement officials, the risk is not so great because the cost of punishment is less, and, therefore, they are willing to take the risk more readily than they would in an area where the law is strictly enforced and where penalties are heavy.

Mr. GIORDANO. That is correct.

Illinois is second with 14.6 percent of the addicts. Those are mainly in Chicago. California is third, with 14 percent. The majority are in Los Angeles. Then in Michigan, it is 3.6 percent, and most of those are in Detroit. So in four States you have almost 80 percent of the problem.

The CHAIRMAN. In four States you have 80 percent of the problem, is that what you say?

Mr. GIORDANO. That is correct.

The CHAIRMAN. Would you tell us, Mr. Commissioner, what type of person it is? Are they low-income groups of people, or any particular race of people, the largest victims? I assume it is the low-income people generally; is it not?

Mr. GIORDANO. Generally people in low incomes, generally people who have some personality defect, or they are referred to by the medical authorities as addiction-prone. The economic area and environment both playing a part in it.

At the present time, the ratio is about 5 to 1, five men to one woman.

In the other area, the Negro addicts account for 53.9 percent of the total number. In the other areas, in these charts I have submitted it is broken down, the Mexican addicts—and this is primarily in the California and Texas areas—6.6 percent; in the Puerto Rican nationality it is 11.7. The remainder of the 26.9 are white addicts, the remainder are the white addicts. This is the general picture of the grouping.

The CHAIRMAN. In that respect, some statement has been made here indicating that the Communist apparatus undertakes to promote illicit drug traffic. What can you say about that and how can you relate it in any way to any of these areas, the general traffic here in this country?

Mr. GIORDANO. I can relate it primarily to the Far Eastern area, that a good, major portion of the opium flowing out the Far Eastern area comes out of Yunnan Province in China with no effort on the part of the Communist government to do anything about it.

The CHAIRMAN. You get no cooperation from the government there, the actual source of the ingredients of the product?

Mr. GIORDANO. That is right.

The CHAIRMAN. Without that cooperation, it makes it more difficult for you to stop it at its source.

Mr. GIORDANO. Exactly.

The CHAIRMAN. You have to stop it somewhere this side of where the poppy is grown.

Mr. GIORDANO. That is right. That is why, in our expanding operation, one of the key offices we opened was the office in Bangkok, Thailand, which is where this is flowing.

The CHAIRMAN. You think by opening that office there you have been able to be more effective?

Mr. GIORDANO. Yes, we have.

672 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. I notice you have opened a number of offices overseas in the last few years. You think that enables you to cut off the source?

Mr. GIORDANO. I am sure it has been helpful. The chart that the chairman permitted to be introduced earlier will show the upswing in the seizures since we established these offices, seizure of drugs in quantity. It shows the price ratio. All of those drugs were put out of circulation before they even started to head for the United States.

Mr. ADLERMAN. Mr. Commissioner, as to the areas, geographical areas where the addiction is most prevalent, in New York State it would be in New York City, primarily.

Mr. GIORDANO. Practically all in New York City.

Mr. ADLERMAN. With 22,886 reported addicts in New York City.

Mr. GIORDANO. I think there were only about 500 outside of New York.

Mr. ADLERMAN. Outside of New York City?

Mr. GIORDANO. That is right.

Mr. ADLERMAN. The same is true in Illinois. Chicago is the highly concentrated area for addiction.

Mr. GIORDANO. That is true.

Mr. ADLERMAN. With some 7,028 addicts; is that right?

Mr. GIORDANO. That is right.

Mr. ADLERMAN. Reported addicts.

Mr. GIORDANO. Practically all in Chicago or the immediate area of Chicago.

Mr. ADLERMAN. Los Angeles would be third, with 2,600 and some odd.

Mr. GIORDANO. Yes.

Mr. ADLERMAN. And Detroit with 1,700.

Mr. GIORDANO. Practically all in Detroit.

Mr. ADLERMAN. And the District of Columbia with a little over 1,000 reported addicts.

Mr. GIORDANO. Right.

Mr. ADLERMAN. That would be the fifth largest city.

Mr. GIORDANO. May I say that in California, while the majority are in Los Angeles, however, San Francisco, a seaport, does have a number, but most of them are in Los Angeles.

Mr. ADLERMAN. Now, the reported addicts may not be the actual number. There may be a larger percentage. There may be 25 per cent that are not reported.

Mr. GIORDANO. As I say, we estimate it should not exceed 60,000.

Mr. ADLERMAN. Now, I notice that these are the areas—New York, Chicago, and so forth—are the areas where organized crime has its strongholds; is that correct?

Mr. GIORDANO. That is absolutely correct.

Mr. ADLERMAN. In your experience as Commissioner, and prior to that time when you were in the Bureau of Narcotics for many years, have you found that the organized crime has spread to any large extent outside of the New York City and Chicago-Detroit areas?

Mr. GIORDANO. Well, I have found that they seem to confine themselves to the major cities. There are some outside in certain other cities where they are entrenched, but primarily New York, Chicago, Los Angeles.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 673

Mr. ADLERMAN. Do you find as a general rule that the heroin traffic, which is the biggest addiction drug in the United States, the heroin traffic is mostly in the hands—particularly on the wholesale, import level, distributing level—in the hands of organized crime?

Mr. GIORDANO. Well, I would say with the exception of the movement of drugs from Mexico.

Mr. ADLERMAN. That is the one exception in this whole picture of heroin addiction?

Mr. GIORDANO. That is right. But in the areas where the major shipments are involved, the large shipments, why, the members of organized crime are right in the middle of it.

Mr. ADLERMAN. Now, prior to the 1920's and maybe the 1930's and so forth, a little prior to that time, at the point where we had as many as 1 person out of 400 addicted, geographically where were these people located and what were the ethnic groups that were involved?

Mr. GIORDANO. At that time they were distributed pretty well across the country, not only in the larger cities, but even in smaller rural areas. The ratio at that time showed 5 women to 1 man, and primarily white origin.

Mr. ADLERMAN. So that prior to the 1920's the problem of addiction was widespread throughout the United States?

Mr. GIORDANO. Yes, it was.

Mr. ADLERMAN. In the rural areas as well as the cities.

Mr. GIORDANO. Yes, sir.

Mr. ADLERMAN. That was the day before the strict enforcement under the Harrison Act and under the Boggs Act and other acts in between.

Mr. GIORDANO. That is correct.

The CHAIRMAN. Is it not true at that time they could go to the local doctor and get treatment?

Mr. GIORDANO. That is right.

The CHAIRMAN. So the question arises, I think, that making drugs available to the addict by doctor's prescription is not the way to remedy this situation apparently.

Mr. GIORDANO. This would not remedy it. All we would have would be a resurgence of the problem that we had back in the 1920's.

The CHAIRMAN. I can remember times when you could go to a doctor and if a doctor gave you a prescription, it was all right. He was the judge of whether you needed it and, therefore, he could prescribe it and administer it. I don't think turning to that system would give us any relief at all.

Mr. GIORDANO. No, actually if you give an addict drugs you are not curing drug addiction. That does not solve the problem.

The CHAIRMAN. The only way to cure him is to take him off them.

Mr. GIORDANO. That is right.

The CHAIRMAN. Another thing, while we are on this particular subject, if a doctor has the right to prescribe it just as a matter of accommodating an addict, would not new addicts be created by reason of going to a doctor and perhaps pretending they needed it, claiming they needed it, or something? I don't know whether that is the way to get started. I don't know how they get started.

Mr. GIORDANO. Generally the addicts become addicted through association with other addicts. These people that are addicts have

674 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

sufficient drugs available to start someone to becoming an addict, that is, a person who is prone to be, addiction prone or susceptible because of their environment, they become an addict.

The CHAIRMAN. Do addicts encourage others to become addicts?

Mr. GIORDANO. Yes, indeed. There was a study made several years ago in Lexington and the doctors who made the study estimated that each addict created four new addicts provided he had the drugs available.

The CHAIRMAN. Provided the drugs were available to him, each addict will create four more?

Mr. GIORDANO. That is right.

The CHAIRMAN. I don't know that anyone is actively advocating now returning to that system of permitting doctors to prescribe it, but if so, it seems to me these facts would counsel against such action.

Mr. GIORDANO. We hear this program mentioned quite frequently.

The CHAIRMAN. There are those who still feel that is the way to handle the problem?

Mr. GIORDANO. That is right.

The CHAIRMAN. But from your experience, you would say that is the worst thing you could do?

Mr. GIORDANO. Absolutely.

Mr. ADLERMAN. Mr. Commissioner, a little while ago, in answer to Senator Brewster's question, you were asked about the dependency on drugs physically and psychologically, but an addict can be withdrawn from drugs usually in the course of maybe a week or 2 weeks in a hospital by gradual withdrawing of the drugs, and he loses his physical dependency on drugs in the course of only a couple of weeks; is that right?

Mr. GIORDANO. It varies. Sometimes it is 2 weeks and sometimes a little longer, depending upon the degree of addiction.

Mr. ADLERMAN. Let's say a month. However, the real problem is not the physical dependence on the drugs as it is a psychological need for a means to support the man's personality or woman's personality. They have a weakness in their nature and they need something to give them a boost or a kick, whatever it may be; is that correct?

Mr. GIORDANO. This is what I understand from the studies that have been made on this problem.

Mr. ADLERMAN. Throughout the country there are certain areas where the drugs are not available now, in rural areas. You don't have the criminal element there present with the drugs available. In those areas, would you have people who would be, say, prone to addiction if it were available, if it were accessible to them?

Mr. GIORDANO. I don't think there is any doubt that we would have people in those areas. We have large alcoholic problems. We have the problem now developing on amphetamines and barbiturates, developing in the outside areas.

Mr. ADLERMAN. Many people who tend toward alcoholism, if drugs were available, if opiates were available, they would go to opiates, wouldn't they?

Mr. GIORDANO. I don't think there is any question.

Mr. ADLERMAN. I think we should make clear that there are millions of people who have been treated for medical conditions, men badly wounded during wartime, who received narcotics of one sort or

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 675

another, who, if their personality is well adjusted, physically and mentally, while they have been receiving a course of drugs or sedatives, opiates of some kind, do not become addicted. They are not prone to addiction. They can throw it off. They don't come to rely upon the drugs; isn't that true?

Mr. GIORDANO. This is true.

Mr. ADLERMAN. This is true in the civilian population as well?

Mr. GIORDANO. That is true.

Mr. ADLERMAN. But there are some groups of people who have a weakness in their personality and they need something to support them other than the ordinary method of living; is that correct?

Mr. GIORDANO. That is correct.

The CHAIRMAN. Commissioner, as I understood you a while ago, you said there was a time when there were five women to one man addicted.

Mr. GIORDANO. That is correct; yes.

The CHAIRMAN. And that situation has about reversed?

Mr. GIORDANO. Just reversed.

The CHAIRMAN. What do you attribute that to?

Mr. GIORDANO. Well, of course, at that time we had these many home remedies that primarily had narcotics in them, sold over the counter or prescribed quite freely, in which the women would use it for a particular condition, and as a result they were brought in contact with the narcotic much more at that time than the male was.

Mr. ADLERMAN. Commissioner, you have had a number of addicts under observation at one time or another. You have had to deal with them for many years now; is that correct?

Mr. GIORDANO. Yes.

Mr. ADLERMAN. You have had considerable experience with them. Do you feel that the majority of them are capable of holding a job and leading a useful life while they are under addiction?

Mr. GIORDANO. I would say absolutely no. I have never seen any that have been able to efficiently operate while under drugs. This doesn't mean that they can't do some jobs. But the efficiency is impaired and generally they are unable to hold a job. In many cases they are unskilled and it makes it even more difficult.

Mr. ADLERMAN. Let's take the doctor or the nurse who becomes addicted because the drug is available to them, accessible to them, and they become addicted. There is a certain percentage of the doctors and nurses in the United States who are well known to be a problem because of the accessibility of drugs to them, and that certain of them do become addicts; is that correct?

Mr. GIORDANO. Yes.

Mr. ADLERMAN. Is it generally found that once they become addicts, a short time after that they are incapable of handling themselves as doctors should handle themselves, or as nurses should handle themselves?

Mr. GIORDANO. Every one that I have had dealings with in my 23 years—I have seen doctors who completely ruin their practice as a result of being on drugs. Drugs were available. There was no reason that they couldn't see the fact that it was ruining them. They had drugs available and their practice was ruined, their life was ruined, their family was ruined. As a perfect example, here is an individual

676 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

who is educated and it is very obvious that as long as they are on drugs they cannot function.

Senator BREWSTER. May I interject for a moment?

Commissioner, if you take a perfectly normal, healthy person, who is healthy physically and mentally and in every way whatsoever, and they would agree to take drugs over a period of several months, in spite of their health to start with, would they automatically become addicted?

Mr. GIORDANO. They would acquire a certain attachment to the drug, but they would be able to be taken off of it without any recurrence.

Senator BREWSTER. So you would generally say there has to be some built-in weakness in the person to become an addict?

Mr. GIORDANO. This isn't what I say. This is what the medical authorities say. This is what, from my experience, appears to be the case.

Mr. ADLERMAN. Following the point raised by Senator Brewster, I would like to clarify that. Would you say that that type of person, a person well adjusted mentally and physically, who is given a long course of drugs, develops not so much a psychological dependency on the drugs, but a physical dependency on the drugs, and when he is taken down and they are diminished to the point where he is not taking any at all, and you dry him out, he loses his physical dependency after a period of treatment, but mentally he has never been an addict; is that correct?

Mr. GIORDANO. That is correct.

Mr. ADLERMAN. I know there would have to be a rough estimate, but what do you estimate the average cost of addiction is per addict? Is there an average cost?

Mr. GIORDANO. We have estimated that it costs, based on the number of addicts reported, about \$350 million a year to support their habit.

The CHAIRMAN. What do you mean "to support them"? Do you mean the cost of the drugs?

Mr. GIORDANO. The cost of the drugs to support them; yes.

The CHAIRMAN. About \$350 million expended at the consumer level?

Mr. GIORDANO. At the consumer level.

Mr. ADLERMAN. Again we come to the proposition that if they become addicts, they don't lead a useful life, they can't hold a job, so they have to get the money in one form or another. What are the common ways that they acquire the money to support their habit of addiction?

Mr. GIORDANO. One of the most common is theft of property and, of course, prostitution, gambling. In fact, they move in all the criminal areas. They are not confined to any one. Some more than others.

Mr. ADLERMAN. Generally the women will go into either prostitution or shoplifting—they call it "boosting," or something of that sort; is that correct?

Mr. GIORDANO. Yes.

Mr. ADLERMAN. The men will generally go into some form of thievery, check kiting, check raising, forgery, or something of that sort,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 677

mostly crimes not against the person so much as it is crime against property.

Mr. GIORDANO. It is primarily in this area.

Mr. ADLERMAN. Occasionally, of course, you get one that is violent. I think you pointed out one case today where a heroin addict shot and killed a person.

Mr. GIORDANO. A policeman in New York.

Mr. ADLERMAN. So that in order to support the habit of drug addiction, most of them have to resort to crime to get the money.

Mr. GIORDANO. There is no question about that.

Mr. ADLERMAN. And since the estimated cost of the illicit drugs runs to \$350 million, if they are stealing, engaged in this form of activity, a certain percentage of them engaged in theft, they would have to steal many times more than the amount of their habit, daily habit, of the cost of the drugs, because they have to dispose of this to fences and so forth, and they only get about 20 to 25 cents on the dollar of value of the thing that they stole; is that correct?

Mr. GIORDANO. If they were in that particular field. As I mentioned there are others, such as prostitution.

Mr. ADLERMAN. Well, if we take a percentage of 50, it would still be a very sizable amount. It would run almost \$1 billion in thefts a year to support a habit of \$150 or \$200 million.

Mr. GIORDANO. This is true. However, I think I pointed out that they are not confined just to this one area of property theft. I mean, they are getting money in other ways, illegal ways.

Mr. ADLERMAN. Such as prostitution and other ways.

Mr. GIORDANO. Yes.

Mr. ADLERMAN. I think the figure on \$350 million comes out roughly to about \$5,000 per year per addict. Is that about right? Someone handed me these figures and I assume they are correct.

Mr. GIORDANO. I assume they are.

Mr. ADLERMAN. So if half of them are engaged in thievery or theft, it would mean that half of them would be stealing at the rate of maybe \$25,000 to \$30,000 or \$40,000 a year.

Mr. GIORDANO. It is a considerable sum, Mr. Adlerman.

Mr. ADLERMAN. I think I covered most of the points I wanted to raise, Mr. Commissioner. Is there anything else you would like to add?

Mr. GIORDANO. I would like to add this in view of the fact that we got into the area of theft and criminal activity on the part of the addict.

I don't want to leave the impression with this committee or anybody else that as a result of their addiction they are in a criminal activity. California ran a study and there have been studies by other Federal probation groups. The most recent study is one, I think, that the committee will have available from the FBI.

In California, in studying the records out there, they have arrived at the conclusion that 77 percent of the addicts whom they had in custody or had records on had criminal records prior to their addiction. The report from the FBI, which will be available, says that it is 73 percent who were criminals before addiction.

678 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Which indicates, does it not, that there is an instability in the individual before he becomes an addict?

Mr. GIORDANO. That is correct. It also indicates, I think, if you talk in the area of giving them drugs, this is not going to cure their criminal activity.

Mr. ADLERMAN. Mr. Commissioner, we have been advised that the FBI is going to send us a copy of that report. Do you have a copy there that we could put in the record?

Mr. GIORDANO. I have it and I would like to introduce it.

The CHAIRMAN. Very well. It may be printed in the record.

(The report referred to follows:)

U.S. DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
Washington, D.C., July 27, 1964.

NARCOTICS DRUG LAW OFFENDERS

There are two sources of statistical information on narcotic offenders within the FBI; namely, the uniform crime reporting program and criminal fingerprint identification records. The uniform crime reporting program is a collection of police statistics on a monthly and annual basis made possible by the voluntary cooperation of local law enforcement agencies. Criminal fingerprint identification data is also the result of the cooperative exchange of information on persons arrested between the FBI, local, State, and Federal agencies.

"Uniform Crime Reports—1963," a copy of which is enclosed, reveals that nationally there were 23 arrests for narcotic drug law violations per 100,000 population. This rate ranged widely from 58 per 100,000 in large American cities with over 250,000 population, to 8 in the suburban area and 4 narcotic drug law arrests per 100,000 in the rural area. There were an estimated 35,400 arrests for narcotic drug violations during the calendar year 1963. The above publication contains additional pertinent data concerning the age, sex, and race of persons arrested for narcotic drug law violations, as well as a special tabulation on the types of drugs involved in narcotic arrests.

Your attention is invited to page 28 of "Uniform Crime Reports—1963," specifically the section captioned "Careers in Crime." The information discussed therein results from a new statistical program analyzing the criminal histories of known offenders based on criminal fingerprint identification records. The table on page 32 discloses certain characteristics of the chronic narcotic offender. It is based on a review of over 6,000 individual criminal records of persons who had been arrested at least twice and had at least one narcotic violation charge. Of possible interest to your inquiry is that 73 percent of these narcotic offenders were arrested on some other criminal charge prior to the first arrest for a narcotic drug law violation.

The following information was developed from a further examination of the above criminal records, but limited to 1,000 narcotic offenders who were identified by local authorities as "addicts" or users of narcotic drugs. Keep in mind that this is the record of the chronic offender who failed to respond to court or correctional treatment. The mean average age of these offenders was 34. Less than 1 percent were under 20 years of age, 53 percent were between 25 and 34 years of age, and slightly more than 6 percent were over 50 years of age. The average criminal career of these 1,000 offenders; that is, span of years from first to latest arrest, was almost 12½ years. During this period these offenders averaged 11 arrests for criminal acts; 19 percent had been arrested for a narcotic violation on one occasion, 22 percent twice, and 59 percent were arrested three or more times on a narcotic drug law violation.

These records indicate that 55 percent received either a suspended sentence, probation, parole, or conditional release on a narcotic charge during their criminal careers. After this leniency, they averaged five new arrests for criminal violations. Again, 73 percent of these narcotic offenders were arrested for some other criminal offense prior to their first arrest on a narcotic charge. Over half of these 1,000 narcotic offenders had been arrested during the course of their criminal careers for narcotic offenses by both Federal and local authorities.

ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS 679

The CHAIRMAN. Is there anything further?

Mr. ADLERMAN. No.

The CHAIRMAN. Mr. Commissioner, thank you very much.

If, in the course of the hearings, which will continue from time to time, and be recessed from time to time, you come into possession of other information that you think is pertinent to this inquiry or if you recall something that you haven't told us that we should know, we will welcome it and we will be glad to have you come back again to place the material in the record.

Since we are into this, I would like to make this a thorough and complete study of the problem. We have made progress that is gratifying and satisfying, and we would like to go on further and try to eliminate this evil from our midst. As we build this record, we will want to consider legislation that may be needed and helpful in pursuit of our objective. If you have any suggestions for legislation that come to your mind that the committee should weigh, we would like to have those, too.

We do appreciate your cooperation; that of your office and your agency. Thank you.

Mr. GIORDANO. Thank you very much, Mr. Chairman.

The CHAIRMAN. Mr. Anslinger, will you come around, please, sir?

You do solemnly swear that the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ANSLINGER. I do.

TESTIMONY OF HARRY J. ANSLINGER

The CHAIRMAN. Will you identify yourself for the record, please?

Mr. ANSLINGER. My name is Harry J. Anslinger. I reside at 612 Pine Street, Hollidaysburg, Pa. I am at present the U.S. representative on the Commission on Narcotic Drugs of the United Nations.

The CHAIRMAN. Formerly you served—

Mr. ANSLINGER. As Federal Commissioner of Narcotics.

The CHAIRMAN. For how many years?

Mr. ANSLINGER. Thirty-two years.

The CHAIRMAN. Prior to that, were you in the service?

Mr. ANSLINGER. I was in the Treasury Department service and also in the Diplomatic and Consular Service. Also an observer at the League of Nations for some 10 or 12 years at the opening of the Vichy Commission.

The CHAIRMAN. Then we can say for the record that there is no one in the United States who is possessed of greater experience in this field than you are.

Mr. ANSLINGER. You are being very generous.

The CHAIRMAN. We certainly welcome you. Do you have a prepared statement?

Mr. ANSLINGER. I have, sir.

The CHAIRMAN. Very well, we will be glad to hear it.

Mr. ANSLINGER. Mr. Chairman and honorable members of the committee, I am going to confine my remarks mostly to the international field.

The CHAIRMAN. Very well.

680 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ANSLINGER. There are nine treaties and protocols covering the control of narcotic drugs. There was the protocol of 1953 which limits the production of opium to medical and scientific needs of the world. The legitimate areas are Turkey, India, the U.S.S.R., and Yugoslavia.

The CHAIRMAN. What you attempt to do with this treaty you are referring to is to limit the amount of production to the medical needs.

Mr. ANSLINGER. To the medical and scientific needs after an estimate is submitted to an international body by all of the nations of the world, and there is the limitation of the manufacture of narcotic and synthetic narcotic drugs, and that limitation comes by reason of the fact that all of the nations of the world—all of them—must submit an estimate to a supervisory body in Geneva not later than the first of August of every year and that limitation applies even to parties and nonparties, and if a country refuses to submit an estimate, their sovereign power is taken over by this international body which makes the estimate for that country.

Then there is the control of the distribution, import and export system, set under the 1925 convention. The statistical reporting goes to a central board in Geneva which reviews the world traffic twice yearly.

Then there is a regulation of the trade under the 1912 convention where all those who handle narcotic drugs must be licensed—have a special license. Now, these controls cover opium and 25 opium derivatives, the coca leaf and its derivatives like cocaine. Now, there are 58 synthetic narcotic drugs, all of which are habit forming, and fortunately which are under such control. We have not seen any international illicit traffic in these drugs. And, of course, cannabis (marihuana).

In 1961 a conference was held to consolidate all of these previous agreements into a single convention. That is an excellent treaty except in two areas (a) it seeks to do away with the provisions of the 1953 protocol which limits the production of opium to a few countries. It permits production for export in the present producing countries and in any country which desires to produce up to 5 tons of opium. This would destroy the present system of limiting production and would create excessive production.

The CHAIRMAN. Is that a pending treaty which has not been executed—which constitutes a proposal?

Mr. ANSLINGER. It has 35 ratifications. It needs 40. Most of the ratifications have come from the small nations. The U.S.S.R. has ratified. I think that is the largest.

Senator CURTIS. Would it be binding on all?

Mr. ANSLINGER. No, sir.

Senator CURTIS. Only those who ratify?

Mr. ANSLINGER. Only those who ratify. We will still be parties to the 1953 protocol, and until that is changed, that protocol, so far as we are concerned, the parties must recognize the needs to abide by it.

Senator CURTIS. Does that apply only to the United States?

Mr. ANSLINGER. It is only for legitimate medical and scientific needs. This 5-ton thing is the most unfortunate thing that could have crept into the treaty. I do not see how any country could pos-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 681

sibly limit the production to 5 tons for export. Sooner or later it would roll out of control.

If they are supposed to put in an opium monopoly, there are very few opium monopolies which even the large producers of opium have put in which are quite effective. India and Russia have the two effective, very effective, monopolies which limit the production and distribution.

(b) There is a reservation clause in that treaty which would permit any party to avoid being bound by estimates of the drug requirements established by this Board, this international organization, for that party, for any other party, or for any nonparty.

Today, they are all locked up in this 1931 convention, and they are subject to the estimates made by those countries, or if they are not made by the country the Board makes them. Under these provisions, that would disappear, to some extent. Likewise, any party, by reservation, can prevent the examination of its statistics with a view to determining whether the requirements of the convention are being fulfilled.

Today they can be called before the Bar of Justice of the International Bar and they must make an explanation.

The CHAIRMAN. Was all of this designed to weaken our present control and enforcement of the drugs?

(At this point Senator Brewster withdrew from the hearing room.)

Mr. ANSLINGER. It was not designed to do it, but I am quite sure that it would do it.

The CHAIRMAN. On the face of it it indicates that it would.

Mr. ANSLINGER. It would. I am sure that is why the State Department has not sent that convention up here for ratification and does not intend to. It requires 40 ratifications or accessions. So far there have been, say, 35, mostly small nations, and I believe there are several pending, several ratifications pending, which will put that convention into operation this year. We do not intend to ratify it and I am quite sure the Senate would look with disfavor on this treaty.

The CHAIRMAN. Do you think there will be the 40 nations ratifying it by the end of this year?

Mr. ANSLINGER. Yes, sir; by the end of this year, I am quite sure.

The CHAIRMAN. Therefore, it then goes into effect.

Mr. ANSLINGER. It goes into effect but we are not bound by it.

The CHAIRMAN. Binding only on those who subscribed to it?

Mr. ANSLINGER. That is right. And everything else disappears.

Senator CURTIS. Will it make the problem of control and enforcement in this country more difficult?

Mr. ANSLINGER. Much more difficult.

Senator CURTIS. Did any country or group of countries lobby these small countries into ratifying it?

Mr. ANSLINGER. I wouldn't go so far as to call it lobbying, except that you hold out to these smaller nations the idea that they can produce up to 5 tons for export and, therefore, solve their economic needs. I think the smaller nations have been misled. We tried to point out that certainly no nation could solve its economic disabilities by production of 5 tons.

The CHAIRMAN. What is the value of 5 tons for export? What would be the market value?

682 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ANSLINGER. Very little. I think it would hardly pay for the manager of the plantation.

The U.S. Government does not intend to ratify, because of these two glaring defects. Outside of that, this is a very fine convention. But we hope this time, and we have some support, to get a revision of this convention after it has been in operation maybe for 1 or 2 years and they will see that it was a very unwise thing to do to take the work of 50 years and suddenly come up with a convention that could very likely be unworkable.

I hope I am wrong, however.

The CHAIRMAN. What has been done to counteract this inducement that has been held out to these countries to get them to ratify the treaty? Has there been no countereffort made to indicate to them what is involved here, and that they are actually, in effect, opening up somewhat of a floodgate for this to get out into the markets of the world to the consumers?

Mr. ANSLINGER. Sir, the State Department, through its embassies abroad, have contacted every government and pointed out these defects. I think the fact that this convention was signed in 1961, and this is 1964, indicates the State Department has been very effective in convincing all nations who hadn't ratified that this could be a backward step. It is quite possible that it might be a little difficult to get the five additional nations. But I think with all of these small nations—because most of these nations that have ratified today are the small nations—Canada and Cuba have ratified, and the U.S.S.R., but beyond that I don't think there is any nation. They are these very small African nations and some of them have an idea that they can come up with—

The CHAIRMAN. Can you tell us to what extent the illicit traffic in narcotics exists in Canada? You said Canada has ratified it.

Mr. ANSLINGER. They have ratified because they were in the leadership in bringing about many of the provisions of the convention. But, of course, they were quite wrong in the matter of the 5 tons and agreeing to the reservation. We don't have a reservation in the 1953 protocol which confines the production to about six or seven countries.

I think the Interdepartmental Committee has rejected the idea of ratifying, and also the President's Advisory Commission has likewise rejected the idea of ratifying and, of course, now we are fighting this rearguard action to prevent it from going into operation, but certainly it will, and from that point on we will have to watch this production situation throughout the world very carefully so that we can move in and see if we can't get a revision to comply more with the U.S. policy, which has always been a strict limitation of production, which we got in 1953 after about 50 years of efforts.

That protocol now disappears insofar as those countries that have ratified the convention, but certainly it wouldn't disappear so far as we are concerned.

LEGITIMATE MANUFACTURE

Prior to 1931, the illicit traffic, the illicit narcotic traffic, was supplied by licensed European and Far Eastern factories. At the present time, there is no known diversion from legitimate factories any place in the world, and that includes the synthetic drugs. The 1931 con-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 683

vention, under which the world operates today and under which everybody is bound, regardless, to limit the manufacture, has been the most effective instrument ever forged in the area of narcotic controls. That disappears with the single convention, except insofar as the United States and other nations.

For instance, I do not think France is going to ratify this treaty. All heroin which is used by the majority of addicts comes from clandestine laboratories.

The manufacture of heroin has been prohibited in all countries except three: the United Kingdom, France, and Belgium. The United Kingdom would manufacture about 90 percent. There are five other countries in addition to these three manufacturing countries which have reported consumption of small quantities of heroin. Even France does not permit the use of it. The use has been outlawed all over the world except in a very few small countries. But in England it is still used widely by the profession.

We can't complain about that manufacture because there has been no diversion.

Mr. ADLERMAN. Mr. Commissioner, did I understand the manufacture of heroin is prohibited generally throughout the world with the exception of these three countries?

Mr. ANSLINGER. It is prohibited throughout the world except those three countries, and its use.

Mr. ADLERMAN. It is not used as a pharmaceutical drug or a medication by most of the doctors in the world with the exception of a very few countries, England, France, and Belgium.

Mr. ANSLINGER. France and Belgium do not permit it. They manufacture a little bit.

Mr. ADLERMAN. They do not permit to to be prescribed?

Mr. ANSLINGER. No.

Mr. ADLERMAN. There are five other countries that do permit it?

Mr. ANSLINGER. They are very small, like Uruguay.

Mr. ADLERMAN. Most of the doctors do not wish to prescribe heroin because it is so highly addictive?

Mr. ANSLINGER. That is correct, and most of the doctors have followed the recommendation of the World Health Organization that the use, medical use, should be discontinued.

Let's take heroin. About five tons were manufactured in licensed factories and today this amount has been reduced to about 100 kilos. In those days, before the 1931 convention took effect, for instance in New York you could buy a kilo of heroin for \$360, as much as you wanted.

Mr. ADLERMAN. That was before the Harrison Act?

Mr. ANSLINGER. No, sir. That price went. Until the 1931 convention to limit manufacture, it was still about \$350 a kilo. But now it is about \$20,000. So this limitation on manufacture has been a magnificent thing. Fortunately, it is all-inclusive in the 1961 convention. They haven't touched that matter of limiting the manufacture. It is the production of opium that we take exception to.

The 1931 convention for instance, world manufacture was reduced 40 tons annually as a result of the necessity of all of these governments having to make their estimate, they had to conform to that estimate, not export any more, not import any more and there were sometimes sanctions or embargoes.

684 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Now we have in the 1953 protocol an embargo in any country that might become a center of illicit traffic by reason of having too much production. The embargo provision has disappeared under the 1961 convention.

Now the manufacture of synthetic drugs is gradually overtaking morphine all over the world. These drugs are under complete control. The manufacturing countries do a very excellent job of keeping manufacture within the limits of the estimates. There is no known diversion into the illicit traffic.

INTERNATIONAL ILLICIT TRAFFIC

Now as to the international illicit traffic, the traffic in opium and its derivatives is centered in several areas in the Far East and here we have, according to the map you will see the——

Mr. ADLERMAN. Do you wish to point out on the map the areas you are discussing now?

Mr. ANSLINGER. This may be the largest area of production here, right in through here. It is Laos, Burma, Thailand, and the mainland of China. That is our largest area.

Mr. ADLERMAN. You do have some opium produced in Yunnan Province in China?

Mr. ANSLINGER. Yes. There is some here. That is relatively unimportant. This is our biggest production right in this area.

Mr. ADLERMAN. Does that come down by way of Thailand through Bangkok, Singapore, into Hong Kong?

Mr. ANSLINGER. Yes, it does.

I might point out this, that there is a large production of opium in Burma. The United Nations just recently made a survey and I am unable to give that to the committee right now as to the amount involved because it is still a restricted document but it is substantial. The same thing in Thailand. Thailand was asked for a survey and that will be coming along next year. Laos, we do not know. Certainly in the Yunnan Province the tonnage right now could not be estimated.

The CHAIRMAN. I hate to interrupt you but it seems we have to go to the floor. Can you come back in the morning?

Mr. ANSLINGER. I can come back in the morning. I would like to leave before noon if I could.

The CHAIRMAN. I am sure we can get through with you in the morning. It is just one of these things.

Mr. ANSLINGER. What time, sir?

The CHAIRMAN. Let us come back at 10:30 in the morning. I am sorry we have to recess until in the morning. I hate to interrupt you right in the midst of your excellent presentation. We will have to recess until tomorrow morning at 10:30.

(Members present at time of recess: Senators McClellan and Curtis.)

(Whereupon, at 4:05 p.m. the subcommittee recessed, to reconvene at 10:30 a.m., Wednesday, July 29, 1964.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

WEDNESDAY, JULY 29, 1964

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:45 a.m. in room 3302, New Senate Office Building, pursuant to Senate Resolution 278, agreed to February 10, 1964, Senator John L. McClellan (chairman of the subcommittee) presiding.

Members of the subcommittee present: Senator John L. McClellan, Democrat, Arkansas; Senator Carl T. Curtis, Republican, Nebraska; Senator Jacob K. Javits, Republican, New York.

Also present: Jerome S. Adlerman, general counsel; Paul B. Kammerick, assistant counsel; La Vern J. Duffy, assistant counsel; Philip W. Morgan, chief counsel to the minority; Eugene J. Marshall, Bureau of Narcotics; Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will be in order.

(Members of the subcommittee present at time of convening: Senators McClellan, Curtis, and Javits.)

The CHAIRMAN. Mr. Anslinger, will you come around, please?

I am sorry that we had to interrupt our meeting yesterday afternoon because of work on the floor and that we were not able to finish with the witness at that time, especially as he was not able to complete his prepared statement. It was the best we could do under the circumstances yesterday, and we will resume this morning, Mr. Anslinger, if you can begin about where you left off, and we will resume with your statement.

TESTIMONY OF HARRY J. ANSLINGER—Resumed

Mr. ANSLINGER. Mr. Chairman and honorable members of the committee, I was talking about the single convention yesterday, and the provision there for a 5-ton production for export by any country.

I wanted to tell you that we tried, of course, to eliminate that entirely, but we did whittle it down from 100 tons to 5 tons.

The CHAIRMAN. You are talking about this convention now?

Mr. ANSLINGER. Yes; and I say we are not proud of that figure, but we did that. I started yesterday by telling you about traffic in opium and its derivatives centered in several areas of the Far East; that is, the Burma mainland, China, Laos, Thailand border areas.

Clandestine laboratory conversion of opium to morphine, morphine base, and heroin in and around Bangkok, Hong Kong, Singapore, and

686 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Macao supplies illicit traffickers in those areas, and sizable quantities of this illicit production are smuggled to Japan, the United States, and Canada.

A brick morphine of the "999" brand is widely produced in that area, and we have been after the authorities in that region to see if they can't trace the source of it. Of course, the factory might be moving from one place to another, but since we are out there now I am quite sure that we will be locating the source of this brick morphine.

The CHAIRMAN. You mean you don't know where it is produced?

Mr. ANSLINGER. We don't know whether it is Thailand or Burma.

The CHAIRMAN. Yet it has a brand on it?

Mr. ANSLINGER. It is "999."

The CHAIRMAN. That is all that identifies it?

Mr. ANSLINGER. Yes, sir; and it has been going on for about 5 years. We are going to make a special effort to locate that source. Of course, it will probably move around.

The CHAIRMAN. What would a brick of that weigh? What would be the weight of what you term a "brick," and also about what would be its value?

Mr. ANSLINGER. The value would be astronomical when you convert it into heroin. I don't have any idea.

The CHAIRMAN. When converted into heroin?

Mr. ANSLINGER. The brick is about this size, about the size of this pad of paper.

Now, a United Nations survey, at the request of the Government of Burma, was made of the socioeconomic aspects of opium-producing areas in Burma. That report is still classified, but the Food and Agricultural Organization of the United Nations came along to see what they could do about replacing opium.

The CHAIRMAN. Does Burma cooperate with us?

Mr. ANSLINGER. Very much so, sir. A similar survey is soon to be made by the United Nations in the northern hills of Thailand. Thailand has also asked for a survey, and I assume the Economic and Social Council will agree to that, and the survey will go on sometime this year. In Thailand the situation has been described as a threat to the security of the state and there have been executions for illicit trafficking.

The CHAIRMAN. You mean the Government inflicts a penalty, or the courts there?

Mr. ANSLINGER. The Government has executed several for illicit trafficking on the grounds it is a threat to the security of the state.

The CHAIRMAN. Do you think that is discouraging the production of it?

Mr. ANSLINGER. Well, it is not so much the production there, but it is the clandestine laboratories.

The CHAIRMAN. Well, the processing.

Mr. ANSLINGER. Yes, the processing.

The CHAIRMAN. In other words, that seems to be a pretty severe penalty, and it seems to me that would soon bring it under control if any law enforcement would.

Mr. ANSLINGER. They are stepping it up, Mr. Chairman. In fact, I think in one place the Prime Minister went out on a raid himself, because it was getting away from them. Now they have kindly al-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 687

lowed one of our agents to go in there, and he is working with them daily and we see signs of diminishing traffic.

But after this survey, I believe that if we are able to get a crop replacement there, and the traffic dies down a little bit from the northern borders, it might help.

Senator CURTIS. You referred to the executions in Thailand of dope offenders. Now, is my understanding correct that that is what has happened when it has been tied in with the security of the country and the dope traffic is believed to have been part of the Communist conspiracy apparatus?

Mr. ANSLINGER. Yes, sir.

Senator CURTIS. It is not in the light of that severe a punishment for ordinary offenders?

Mr. ANSLINGER. No.

Senator CURTIS. It is when it is tied in with the security of the country.

Mr. ANSLINGER. When it is tied in with the security of the state, a threat to the security, there were executions.

Senator JAVITS. May I ask a question there, because I have another committee that I would like to go to.

I notice at the very end of your statement, Mr. Anslinger, that you speak of the fact that even the Soviet bloc is cooperating in the effort to deal with the narcotic transport problem. What would you say about Communist China? We are all advised that Communist China is almost engaged in a conspiracy to feed narcotics out into the world and that ties into the question just asked you by Senator Curtis.

Mr. ANSLINGER. I didn't mean to include the mainland of China in the Soviet bloc, because in the Soviet bloc, Soviet Russia and Poland—and these are producing countries—Russia produces enough opium to take care of her needs, and those of some of the satellites. But Poland and Hungary and Yugoslavia have been cooperating with us all along the line and they have helped us on a lot of scientific projects we have, determining the origin of opium. Of course, I don't include the mainland of China.

Senator JAVITS. Do you know anything about the Communist Chinese situation?

Mr. ANSLINGER. Well, we have presented at the United Nations considerable evidence about the traffic out of Communist China. Naturally, the only reply we get is a slanderous statement. The Russians have asked, naturally, that if we make charges, we should make them with a representative present, which is quite impossible, because we have certainly kept the mainland of China off the Commission. The Nationalist Chinese are the only representatives of the Chinese people who are represented at the United Nations.

Senator JAVITS. Do we trace to Communist China any special influx of narcotics?

Mr. ANSLINGER. From Communist China, you mean?

Senator JAVITS. Yes.

Mr. ANSLINGER. Well, while you are here, Senator, I will read to you this: This is from the 17th session in 1962, and it is just a short review here. This is in the Commission on Narcotic Drugs, a report with reference to the traffic in opium from the Yunnan Province. That is the southernmost Province.

688 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The representative of China stated on several different occasions, up to as late as 1960, a witness who had been a schoolteacher in Burma, and had seen convoys of 30 to 70 mules coming from Yunnan down through Burma into Thailand. The witness also stated in recent years the traffic from Yunnan to Burma, Thailand, had come to consist more and more of morphine rather than opium, which indicates clandestine laboratories.

Now, there were three witnesses that appeared before the U.S. Treasury officials in Taipei during that year. These three witnesses, former inhabitants of the Yunnan Province of mainland China, who had fled to Formosa, made detailed statements on the cultivation of opium in Yunnan and its export to the Shan States in Burma.

One witness himself had been a cultivator in 1953 and 1956 and, with his mules, joined caravans transporting opium to the Shan frontier; that is, Burma, where the Burmese Government doesn't have too much administrative authority, and they are trying to get hold of that. It was transshipped by trucks to a trading company at Rangoon, Burma. This was confirmed by other mule skimmers, for instance, who ran caravans of 108 and 82 mules. They transported over 4 and 3 tons, respectively, two sealed tins of 20 kilograms being carried by each mule.

The cultivator—this was not the muleskinner—estimated that 6 tons of opium had been produced annually in the area where he lived, and that the total production of the region had been on the order of 1,000 tons, which is just one particular region. So there was direct evidence about the smuggling out of Yunnan into Burma, and into Thailand, which is converted into heroin and smuggled into Japan and the United States and Canada.

Senator JAVITS. Thank you very much.

(At this point Senator Javits withdrew from the hearing room.)

Mr. ADLERMAN. Commissioner Anslinger, isn't it true that the situation in the Far East has changed radically as far as the use of drugs is concerned, and where formerly it was almost wholly opium smoking, they have now had a sharp increase in the use of heroin, for example in Thailand and in Singapore and the other areas?

Mr. ANSLINGER. It has changed almost entirely to heroin use. That is also true in Iran, where nothing but opium smokers were there, and now the heroin has taken over.

Mr. ADLERMAN. This is considered by the Eastern authorities as a much more dangerous situation than opium smoking ever was.

Mr. ANSLINGER. Yes, sir; very much so.

Mr. ADLERMAN. One of the reasons why the late Premier of Thailand sat on a trial of this man in Thailand, where he was sentenced to death, was because this man was operating a heroin laboratory, converting opium into morphine and then into heroin.

Mr. ANSLINGER. That is correct.

Mr. ADLERMAN. This is the first laboratory, or one of the first laboratory operations in Thailand which was called to the attention of the Thailand Government.

Mr. ANSLINGER. That is correct, sir.

Mr. ADLERMAN. So they were taking sharp steps to prevent the manufacture of opium into heroin.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 689

Mr. ANSLINGER. Yes. That is the great problem there; and, of course, in Hong Kong that is almost exclusively heroin.

Mr. ADLERMAN. The heroin user there is different from the heroin user in the United States.

Mr. ANSLINGER. Well, they have in Hong Kong what they call "chasing the dragon," where they take a piece of tinfoil and put barbiton or barbitol, and mix it with heroin and light a match under it and then chase it around. That is called "chasing the dragon" with a little straw, and they set up a very terrific habit there.

Mr. ADLERMAN. They inhale the fumes, do they?

Mr. ANSLINGER. Yes, sir.

Mr. ADLERMAN. They also smoke it in the tip of a cigarette. They put a few crystals of heroin in it, a practice which is not followed in the United States.

Mr. ANSLINGER. They do that. The type of use is different than it is in this country.

Mr. ADLERMAN. But this is becoming a very much larger problem in the Far East than it was?

Mr. ANSLINGER. They didn't have this problem before.

Now, I want to point out here, when we come to the free drug areas, when all of the big powers—and this was at the close of the war—Great Britain had their opium shops in Hong Kong and Singapore. They were, of course, there, and the Portuguese had a monopoly in Macao, and it was mostly for revenue. The Dutch had their shops all through the Dutch East Indies, which is now Indonesia, and in Indochina they were all over the place.

But I think, or I am quite sure, the pressure from the United States forced them to close all of those free opium shops after the war. There was only one holdout, and that was Thailand, and after a while they capitulated.

Mr. ADLERMAN. Now the opium is converted into a morphine base, usually, and then into heroin?

Mr. ANSLINGER. Yes, sir.

Mr. ADLERMAN. The laboratories operating in the Far East have been concentrated where?

Mr. ANSLINGER. Well, they have been concentrated in Hong Kong, in Thailand, in Singapore, we believe, of course, up in Yunnan Province, and Macao.

Mr. ADLERMAN. Those are the areas where they have laboratories?

Mr. ANSLINGER. Yes, sir.

Mr. ADLERMAN. All right.

The CHAIRMAN. All right, you may proceed.

Mr. ANSLINGER. In the Near East there is diversion of opium in Turkey and clandestine morphine base and heroin laboratories in Syria, Lebanon, and Turkey. Much of the morphine base finds its way to Marseilles, France, where it is converted into heroin in clandestine laboratories and smuggled to the United States and to Canada, but the French are very helpful in this regard and they have helped us on a number of occasions.

There is a small illicit production of opium and heroin in the mountainous regions of Mexico which finds its way into California, and there the Mexican Government is bending every effort to try to eradicate the opium poppy.

690 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Now, there is considerable illicit manufacture of cocaine in Bolivia and Peru which is destined for the United States and Mexico.

Mr. ADLERMAN. On the production of cocaine, wasn't it about 1951 that the Bureau of Narcotics, together with our State Department, was able to obtain the assistance of the Peruvian Government in practically closing down all of the illicit trafficking in cocaine at that time?

Mr. ANSLINGER. Yes, sir.

Mr. ADLERMAN. And they had about 80 prosecutions, did they not, in Peru?

Mr. ANSLINGER. There were some 47 factories operating then.

Mr. ADLERMAN. They revoked the licenses to grow and store and process the coca leaf.

Mr. ANSLINGER. They closed them up for about 20 years. We didn't see a cocaine user from coast to coast here. In fact, the Lexington Hospital, checking back 2, 3, or 4 years ago, there was not one cocaine user among all of the patients in the Lexington Hospital. We just about eradicated the cocaine use. Now there is some.

Mr. ADLERMAN. What has happened in the last 2 or 3 years that we have a resurgence of the cocaine use?

Mr. ANSLINGER. Well, they have got ahead of us by establishing cocaine factories in out-of-the-way places in Bolivia and Peru. In October of this year there will be a meeting in La Paz, Bolivia, to see what can be done about shutting them down.

Mr. ADLERMAN. Where is this meeting taking place?

Mr. ANSLINGER. In La Paz, Bolivia, in October.

Mr. ADLERMAN. Bolivia.

Mr. ANSLINGER. And the Peruvians are trying to do a job, and it is rather difficult.

Mr. ADLERMAN. We had very successful cooperation with them in the past, I assume.

Mr. ANSLINGER. Excellent, especially with Peru.

Now I want to talk about the extent of addiction in manufactured drugs. We went into this situation.

The United States has about 48,535 addicts, and in Canada there is the same problem we have, but their records show 3,576.

In the Republic of Germany they have a problem of 4,383. They are all manufactured drugs and no smuggling of heroin there. There is a problem that needs to be attended to stop diversion because of too many doctors' prescriptions.

In Hong Kong we have a bad situation. A couple of years ago there was a white paper, and when a white paper comes out you can believe it. They had about 250,000, and now it is estimated at about 150,000, and that is about 3 times as many heroin users in 1 city, in 1 British city, as we have in the entire United States. There is where they have adopted the U.S. system of heavy penalties for traffickers and they are trying to cure the addict.

Now, that is probably the most terrific problem in the world today, in Hong Kong, with the British doing their best.

In Japan, this is something. Japan never had an addict. At the close of the war you never heard of any heroin addict in Japan. Their estimate today is 40,000 heroin users, and you can be sure that that heroin is coming from Hong Kong and Thailand. The Japanese have a problem that they never had, but they are trying to do the same as

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 691

we are doing, to punish the trafficker and make some attempts to cure the addict.

In the United Kingdom—we went through that—they have 532, but that does not include the opium smoker. They have considerable opium smoking in some of their larger cities and I have asked them for their figures and they say that they don't count them in their addiction figures.

The CHAIRMAN. Let me ask you something there. I understood that possibly Great Britain has a more serious problem than we have.

Mr. ANSLINGER. In relation to—

The CHAIRMAN. But I don't understand why they only have 532 addicts for about 60 million people.

Mr. ANSLINGER. Well, that is the number known to the authorities. I think that they only have about half a dozen inspectors.

The CHAIRMAN. We have three times the population they have and we have nearly 100 times as many addicts. I don't understand that.

Mr. ANSLINGER. I would go along with Dr. Livermore and Dr. Brill, who made the survey for New York State, to see whether that system could be applied to New York, and they said positively not. But they thought there was a lack of cultural susceptibility to the use of narcotics.

The CHAIRMAN. In other words, Britain has some kind of a system that has operated so successfully that she has only 532 addicts now, whereas, under our system, and making comparisons of population and so forth—isn't that the extent of addiction?

Mr. ANSLINGER. I want to point this out: that they do have a more liberal policy in relation to prescribing by doctors. However, they have about 50 Canadians who went over there to take advantage of the so-called British system. Most of these Canadians have been picked up for crimes in London, which shows even though you give it to them free, they will still commit crimes, and I will just read from a letter here dated in July.

Senator CURTIS. Now, this table at the top of page 5, what is that? Is that the number of persons?

Mr. ANSLINGER. That is the number of persons; yes, sir.

The CHAIRMAN. The point I am making here—I have no prejudice or feeling one way or the other about this—and we are trying to seek, in making this study, what is necessary and what may be needed further that we can do, to examine into our system of trying to control this illicit traffic.

If Britain has some system, and if these figures are accurate, whereby out of her population of some 60-odd million people there are only 532 addicts, and we have a population of nearly 200 million and we have 48,500 addicts, it seems to me that we ought to examine her system. She apparently is making some better progress than we have made.

Mr. ANSLINGER. Well, sir; here is the situation in Hong Kong: 150,000 in one British city; three times as many addicts in one British city as we have in the United States, so it doesn't apply there.

The CHAIRMAN. They have one city far removed, though, from the British Isles. I don't know what the conditions are over there. Maybe the system is not working in that area, but obviously it is working in the United Kingdom.

692 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ANSLINGER. Well, it certainly isn't working in the area of opium smoking, and we class that as addiction just as we do heroin.

The CHAIRMAN. I am not challenging it; I am trying to get the facts on the record. But I say if you look at these figures, you will wonder what kind of a system the United Kingdom has if they can hold the number of addicts down to such a small percentage compared to their population.

Mr. ANSLINGER. Well, I might say the British, the official magazine there for the United Kingdom, has expressed some concern and alarm over the situation. They have asked for a reexamination.

The CHAIRMAN. There is some question among themselves then with respect to whether their system is working.

Mr. ANSLINGER. That is right, sir.

The CHAIRMAN. It is not conceded, then, by all authorities that it is working?

Mr. ANSLINGER. I will read you something. This is a letter, dated July 23, from Ottawa, from my colleague in Ottawa. He said, and this is just the other day:

From the information now before us, it is quite evident that only a very small measure of success, if any, has been achieved in respect to the 50-odd Canadian addicts who proceeded to England for treatment. Many of them have been in trouble in that country, while they and others have returned to Canada and subsequently become immediately involved in illicit activities involving either narcotics or other offenses. So the 50 Canadians had absolutely no success.

The CHAIRMAN. We do have those, I understand, who are recommending that we try the British system. For that reason, I wanted to explore it here, to determine if it is successful or if it is unsuccessful, and whether there is any reason for us to give serious consideration to trying to follow the pattern she has set.

Mr. ANSLINGER. I would say that on a per capita basis, they have certainly more of a hashish problem than we have, so they don't do anything there. So their opium smoking is there. These are mostly heroin users who obtain prescriptions. Now, I am quite sure that the type of population there, there is a lack of susceptibility to the use of narcotics in the United Kingdom.

The CHAIRMAN. I take it that these figures here, if they are accurate, apply primarily to the use of heroin and morphine rather than opium; is that correct?

Mr. ANSLINGER. They apply to heroin almost exclusively.

The CHAIRMAN. And the number of opium users is undetermined?

Mr. ANSLINGER. It is undetermined, the opium smokers, and another thing that is, I think, very pertinent to the use of narcotics generally, in medical practice, and otherwise, is this: The people in the United Kingdom use exactly twice the amount of narcotic drugs that we do in the United States, and I would say that includes the illicit use here.

The CHAIRMAN. Is that per capita?

Mr. ANSLINGER. Yes, sir.

The CHAIRMAN. They use twice as much?

Mr. ANSLINGER. Twice as much under the National Health Service. There is a lot of mass addiction there that doesn't come to the surface.

The CHAIRMAN. Would you say, then, that these figures about the United Kingdom are hardly accurate?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 693

Mr. ANSLINGER. Well, I would say——

The CHAIRMAN. What would you say about their system of collecting the statistics? Is that reliable?

Mr. ANSLINGER. I think that they don't have the force to be able to collect the statistics such as we have.

The CHAIRMAN. You think that these figures here described for the United States and the number of addictions is far more accurate than are those that are supplied by the United Kingdom?

Mr. ANSLINGER. I would say so, sir.

The CHAIRMAN. I am trying to examine it, because on the face of it, it looks as if they have practically solved the problem over there.

Mr. ANSLINGER. Well, that is far from the truth.

The CHAIRMAN. I thought that it needed an explanation.

Mr. ANSLINGER. These very fine doctors, Livermore and Brill, they looked that system over to see whether it could apply to New York State, and they came back and they said certainly it shouldn't be tried because it wouldn't work here.

The CHAIRMAN. I understand some of these doctors are going to testify before us, but right on the face of it these figures look to me as if they need an explanation, at least.

Mr. ANSLINGER. Yes, and I think, for instance, even if you put in the opium smokers here, I am quite sure that this figure would double right here.

The CHAIRMAN. All right.

Mr. ANSLINGER. We talked about cocaine. Now as to opium, here is something that should be of interest to the committee: During the past 20 years, the Government of India has reduced the eating and smoking of opium from 500 to 3 tons annually. This is a remarkable record. They called the eating a quasi-medical use. Now, under the single convention, that use will disappear because the remaining addicts will disappear under a transitory reservation of the single convention, which is a good thing.

The same is true of Pakistan, although they haven't had this very dramatic reduction.

The CHAIRMAN. In another decade it will probably completely disappear.

Mr. ANSLINGER. I must say that, in my international work, I have always pointed to this enormous use of opium not for medical needs or quasi-medical needs. That has been finally reduced from 500 to 3 tons. That shows some of the most remarkable progress in the world here.

Now, in Burma, most of the smoking is up in the northern states, where the Burmese don't have the administrative control that they would like to have.

In Thailand they estimated 72,000, mostly confined to the hill tribes. That will be under survey.

Singapore is 12,000.

Now, I want to point out that in Iran, about 5 or 6 years ago, the Shah of Iran got tired of seeing so many opium smokers in the country. Probably there were 2 million, which was probably 1 in every 10. He ordered the complete destruction and complete prohibition of opium, even though they had a very large legitimate trade. We purchased for medical use in this country a large quantity of Iranian

694 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

opium. Here is where the AID program, which is under attack from so many angles, certainly helped us out, because we went to these people and asked for assistance to help the Government of Iran eradicate all of these opium fields, and also to substitute food crops. That has been tremendously successful in Iran. It is due to their willingness, and also to the aid from the United States.

We sent over our experts and they have really done a magnificent job here.

Now Canada, that is marihuana. Nearly all of the African states have a serious problem, which is rising. There is considerable use in the Union of South Africa, and Morocco and Egypt has considerable use.

The CHAIRMAN. We have no estimate in the United States of the use of marihuana?

Mr. ANSLINGER. No, sir; we have no estimate of the number. We can only give you the number of prosecutions, which is rather constant from year to year. I think it is some 3,000.

The CHAIRMAN. Would you say the use of it here is increasing or diminishing, or do we have it under pretty good control, or what would be your thought there?

Mr. ANSLINGER. I would not say it is diminishing, because it seems to be pretty constant. All of this is not grown here. It is smuggled in from Mexico.

The CHAIRMAN. I am talking about the use of it in this country.

Mr. ANSLINGER. I would like Commissioner Giordano to answer that, but he might confirm that there does not appear to be much diminution of the use of marihuana.

The CHAIRMAN. As compared to the other drugs, is the use of it as harmful or serious?

Mr. ANSLINGER. It is in time. It will lead to heroin addiction.

The CHAIRMAN. It leads to the use of the other drugs?

Mr. ANSLINGER. Yes, sir; and also the matter of road accidents here, these people who press the accelerator down and they do not know whether it is on the floor or up. Our distinguished Dr. Baird here will tell you about the danger involved in the use of marihuana, driving down the street and having no sense of time or distance.

The CHAIRMAN. In other words, it is still something that we need to continue our efforts on, or increase our efforts to combat.

Mr. ANSLINGER. Not only here, but all over the world, because it has grown very rapidly in many sections of the world. In fact, I heard a delegate from Liberia say he was afraid to cross the street because these drivers were charged up with hashish. Probably it was not as dangerous to cross the street there as maybe it is here in Washington, but it is not the drivers that are charged up.

The CHAIRMAN. Hashish is a synonym for marihuana?

Mr. ANSLINGER. Yes, it has a number of names. There is a generic term. The African delegates to the United Nations have asked for assistance because they connect massacres and murders and rapes to the use of hashish.

The CHAIRMAN. Where is this marihuana produced, and where is it grown? Is it anywhere? Can you grow it anywhere?

Mr. ANSLINGER. It will grow anywhere, in any country, but what is grown here is a small industry. There is not too much of it used here,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 695

but a lot of it is grown in Lebanon, which finds its way into Egypt.

The CHAIRMAN. Does it have any real medical value?

Mr. ANSLINGER. It has been deleted and taken out of the pharmacopeia throughout the world because it has no medical value and it is too unpredictable. There is the danger of the drug.

The CHAIRMAN. So it has no legitimate use?

Mr. ANSLINGER. Only in relation to hemp, the manufacture of hemp. That was in the Middle West, for instance, during the war, when we could not get hemp from the Philippines.

The CHAIRMAN. But as a drug it has no legitimate use?

Mr. ANSLINGER. Absolutely not.

The CHAIRMAN. Very well.

Mr. ANSLINGER. Now, I want to say this about the free drug areas: I did mention the monopolies that were operated by the great powers in the Far East. All of them have been discontinued as being absolutely of no possible help in solving the narcotics problem. When they were in operation, they brought in a lot of revenue, but they have all been closed now. All of the ambulatory treatment in the Far East has been discontinued.

This treatment—the British call it ambulatory, but it is the same thing—has been condemned by the United Nations Commission on Narcotic Drugs, the World Health Organization, the American Medical Association, the National Research Council Committee on Narcotics and Drug Addiction, the President's Interdepartmental Committee on Narcotics, and the President's Advisory Commission on Narcotic and Drug Abuse.

This system was tried by the United States. There were some 45 clinics operating. As a result of public opinion and after passage of a resolution by the American Medical Association, the New York State Legislature ordered them closed. There were no cures, just larger addiction and crime.

The CHAIRMAN. That system failed, then. That method completely failed?

Mr. ANSLINGER. It was a complete failure; yes, sir.

Senator CURTIS. What is the ambulatory treatment?

Mr. ANSLINGER. That is to give a minimal dose to the drug addict daily, and he gets his daily dosage at some clinic, but it is really a narcotic barroom.

The CHAIRMAN. They ration it out to him?

Mr. ANSLINGER. Yes, and, of course, they don't all go, and they don't all attend the clinic, and they buy from the people who misstate their cases.

The CHAIRMAN. For the record, the theory behind that is that if you give them free drugs they would soon tire of the habit and quit the practice.

Mr. ANSLINGER. It has never worked anyplace.

The CHAIRMAN. Is that the theory?

Mr. ANSLINGER. That is the theory—

The CHAIRMAN. It is a complete failure?

Mr. ANSLINGER (continuing). That they can continue on their occupation, whatever they have, but that certainly doesn't work. Through treaties and vigorous Federal law enforcement, the addiction has been reduced.

696 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Now, in the Bureau of Narcotics—he didn't bring this out, but I know you will agree—since heavy penalties for trafficking have gone into effect, beginning with the Boggs Act, the Bureau of Narcotics has closed 50 offices.

The CHAIRMAN. You think the heavy penalties have been a large, contributing factor to the success of the program—trying to combat this evil?

Mr. ANSLINGER. That is the greatest deterrent, Senator, the penalties for the traffickers. That is now the United Nations policy, so stated: that heavy penalties for traffickers will deter them.

The CHAIRMAN. You are talking about the fellow who is profiteering off human misery.

Mr. ANSLINGER. Yes, and I think you were the U.S. attorney in Little Rock when there was a problem there.

The CHAIRMAN. I wasn't U.S. attorney. I was State's attorney.

Mr. ANSLINGER. And you had a problem there, and we don't have an office there any more.

The CHAIRMAN. You don't have any problem there any more that I know of.

Mr. ANSLINGER. Obviously, now, a free drug system, you couldn't encompass the use of marihuana and cocaine, and that is unthinkable that the Federal Government or the States are going to hand out marihuana cigarettes and doses of cocaine for sniffing, both being strong incentives to the commission of criminal acts. We would go back more than 50 years on that.

It is well recognized by international experts that there is a great danger in the easy accessibility of narcotics.

The CHAIRMAN. I asked you, under the British system, or ambulatory system, if they gave the drug to children or juveniles the same as adults.

Mr. ANSLINGER. I am quite sure, because you have an addict coming up to your clinic, and you can't say, "Well, you are 18, and you can't have it." So I don't think the matter of age would make any difference there.

The British said calling this a "British system" isn't right, because this is just an invention by certain Americans who wish to explain their point of view. During the prewar period, we have the records of the former government on Taiwan. That was run by the Japanese, and they sold opium there, and there were supplies for 8 cents. Seventy percent of all crimes on Formosa were committed by opium smokers.

The CHAIRMAN. What period was that?

Mr. ANSLINGER. That was 1945.

The CHAIRMAN. Seventy percent of all crimes on Formosa were committed by opium smokers?

Mr. ANSLINGER. Yes, and they had this ambulatory treatment, and they got their opium for 8 cents a day.

The CHAIRMAN. What happened? Have they abandoned that system?

Mr. ANSLINGER. It has been abandoned all through the Far East. In no area in the world today do we have the ambulatory system.

The CHAIRMAN. It has proved a failure everywhere it was tried?

Mr. ANSLINGER. Yes, sir.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 697

The CHAIRMAN. And it has since been abandoned?

Mr. ANSLINGER. Yes, and now I am going to give you here something that happened.

The Israel Government in 1952 decided to allocate narcotic drugs to a large number of addicts. This is the Government of Israel. The authorities believed this arrangement would prevent drug addicts from being exploited by criminal suppliers.

In an article which I have here, and I would ask permission to put this into the record—this was written by Government authorities and published in the United Nations Bulletin April of 1962—I am just going to quote a paragraph here.

From 1953 onward, a steady stream of drug addicts from the underworld started applying to us, pretending they were anxious to be cured while well knowing that we did not dispose of sufficient hospital space. Their sole purpose was to receive from us an allocation of drugs. Not only did they exaggerate their own demands, but they also sent up drug peddlers who simulated addiction so as to obtain drugs for purposes of trade and sale.

That is what happened in the United States when we had that.

These people used every means at their disposal to achieve their ends and obtain as large a quantity of drugs as possible. They did not hesitate to raise a scandal, to threaten the employees of the health office with knives, etc. It became a dangerous job to work at the health offices, to the extent that it was hardly possible to carry out the work properly and a constant police guard was required. The number of drug addicts registered at the various health offices constantly grew * * *.

The ambulatory treatment was abandoned and compulsory commitment to a hospital was instituted.

So here you have a recent failure of this so-called ambulatory treatment.

Mr. Chairman, if you don't mind, I would like to insert that in the record.

The CHAIRMAN. That will be accepted and printed in the record.

(The article referred to will be found in the appendix on p. 840.)

Mr. ANSLINGER. There was the same agitation as there is in this country for this free drug system and they tried it and they are very sorry.

The CHAIRMAN. You think illicit traffickers in that field would like to see this system continued or tried again?

Mr. ANSLINGER. Of course. I am quite sure. There are many groups in this country that would like to see it.

The CHAIRMAN. They are promoting the idea, you think?

Mr. ANSLINGER. Yes, sir. And, mind you, in the early twenties, when they had this system working throughout the United States, what was then the Bureau of Narcotics seized some several tons of morphine and heroin which had been smuggled in from abroad, because naturally the tendency wasn't to go out and seize anything or enforce it, but it created such an atmosphere that the number of addicts increased.

For instance, in Shreveport, La., the chief of police said:

Well, this is all right with me because any time a crime is committed, overnight I go right down to the clinic where they are all standing in line to get their drugs to pick out a suspect.

698 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Now, Mr. Chairman, we work shoulder to shoulder with the authorities in Mexico, Canada, France, Turkey, Lebanon, Syria, Hong Kong, Singapore, Thailand, and Japan, that is shoulder to shoulder in the exchange of not only information, but working together with them. Also, the International Criminal Police Organization—Interpol—renders considerable assistance. They are to be congratulated for their splendid efforts to assist the United States and Canada in their problem.

I do hope the committee will take note of that.

Now, in conclusion, as former Secretary of State Cordell Hull said, "In no area of international activities is there greater cooperation than in the field of narcotic drugs."

Having been deeply involved in international narcotic work for over 30 years, I can attest that most nations, including the Soviet bloc, are bending every effort to bring the narcotic problem under strict controls. The giant strides which have been made are due in large part to the efforts of the United Nations.

The CHAIRMAN. Thank you very much, sir, and now I would like to ask you one question at this point:

Do you have any suggestions or recommendations with respect to any further action that should be taken by our Government, and particularly with respect to any legislation you think Congress should consider, that might tend to strengthen the hand of law enforcement agencies or otherwise contribute to the elimination of this traffic?

Mr. ANSLINGER. Sir, I would like to support the recommendation made by Commissioner Giordano, after having spent many years in enforcement.

I also hope in the very near future that the United States will be able to join with other nations in getting a revision of the 1961 convention. If we can get a revision to agree with our policies on limiting production of opium to the world, I think that is just about all I could recommend now.

The CHAIRMAN. I guess Congress can do very little about the treaty revision. I don't know just what affirmative action we can take to assist it in that matter. But if there is any further legislation, any statutes, needed, I think Congress would be interested. I don't presume to speak for the Congress, but I am sure that they would be interested in enacting any legislation that can be enacted to help in the further elimination of this illicit practice.

There are bills pending. There is one that I have introduced, with respect to wiretapping, which is a highly controversial bill. It doesn't apply to just this character of crime, crimes in the drug addiction category, drug traffic category, but it would apply generally to all crimes, unless there are some restrictions placed in the statute.

It is highly controversial. The recommendation for that statute as a weapon to use in the elimination of the drug traffic has had to be weighed along with what its impact would be in the enforcement on other crimes.

Mr. ANSLINGER. Sir, that provision was in the Boggs-Daniel Act of 1956, and it was the only thing that was stricken from the bill after some debate. But I can assure you that the enforcement officers throughout the country have their hands tied as a result of these in-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 699

ternational and national traffickers being insulated, being able to use the telephone.

The CHAIRMAN. In other words, if you had that weapon, do you think that a vigilant enforcement policy then would absolutely put them out of business?

Mr. ANSLINGER. It would go a long ways. I remember before the ban on wiretapping some of the biggest cases came through maybe just by listening in on a telephone. I am sure that insofar as Federal officers are concerned, it wouldn't be abused.

The CHAIRMAN. I think the Congress would look with favor upon the enactment of such a law, if they could ever feel assured that it could be and would be used only for legitimate law enforcement purposes.

I think there is apprehension that the use of it might in some way get out of control and not be used for legitimate law enforcement purposes.

I think that you premise the need for it just as you do on the use of a search warrant, to a great extent. It would have to be guarded and restricted, somewhat like the use of a search warrant.

Mr. ANSLINGER. I can assure you, sir, that when we were permitted to tap wires in the past, there was never any abuse, certainly insofar as the Bureau of Narcotics was concerned, and I believe I can speak for other Federal agencies.

The CHAIRMAN. Very well. I thank you very much.

Senator Curtis?

Senator CURTIS. Mr. Anslinger, I do not expect you to answer this or make comment on it, but it seems to me that this 1961 convention is so dangerous, would set us back so far, and is so much against the public interest, the public morals, that the United States would be justified in serving notice that there would be no more foreign economic assistance to any nation that signs or to any nation that has already signed and fails to nullify it.

I am referring to the ratification rather than the signing of it. Either this business is serious or it isn't.

Mr. ANSLINGER. I will not comment on that, Senator.

Senator CURTIS. No, I wouldn't ask you to.

I do have one question on another matter: Do you think that the efforts and programs of the Federal Government and of the States are sufficient with reference to marihuana?

Mr. ANSLINGER. Sir, I believe the question of marihuana is adequately covered in Federal and State legislation. But as Commissioner Giordano pointed out, it is the leniency on the part of the courts. Not the Federal courts, because we are only making marihuana cases in relation to traffic.

But the leniency on the part of the courts.

Senator CURTIS. Are all of the States equally guilty or are some doing a better job than others?

Mr. ANSLINGER. I would exclude Ohio, for instance. With the legislation they have no one would peddle marihuana around there.

Something has disturbed me very much. I just had a letter from a judge of the Superior Court of California, and he told me that the use of marihuana has spread to some of the campuses out there. That is not only true in this country but it is true over the world. I think

700 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

that is the last place we should find marihuana or hashish being used, in the campuses.

There have been recently these supersophisticated pleadings that it should be legalized.

Senator CURTIS. What is the situation in California? Is this one of the States with light sentences, moderate sentences, or heavy, on the marihuana?

Mr. ANSLINGER. The sentences are certainly not commensurate with the degree of the crime that is involved in most of the States. I am not speaking of the Federal courts. They have a floor. They don't like it, but they have it. For trafficking it is 5 years minimum, whether it is marihuana or heroin. In the South, it is pretty well under control.

The southern judges have been very severe. But in nearly all of the States the tendency is that the defense attorney will say, "This is a sick man. He didn't know what he was doing. He is not responsible." But until the States tighten up on this, we are not going to make too much headway because, after all, the Federal Government cannot go into this matter of possession of marihuana.

Senator CURTIS. You say we can't make headway. Are we making headway now or are we going backward on marihuana?

Mr. ANSLINGER. I wouldn't say we are making headway on it.

Senator CURTIS. Are we losing ground?

Mr. ANSLINGER. I would say we are losing ground all over the world.

Senator CURTIS. On marihuana?

Mr. ANSLINGER. Yes, sir.

Senator CURTIS. That is all, Mr. Chairman.

The CHAIRMAN. Have you any questions, Counsel?

Mr. ADLERMAN. On marihuana, we have a particularly difficult problem in that it is easily grown and grown in many areas of the world, is that true?

Mr. ANSLINGER. That is true; yes, sir.

Mr. ADLERMAN. So, it is readily accessible, readily available, easily smuggled, and easily produced, and that creates a large problem; whereas, in opium, it has been confined to a comparatively few countries.

Mr. ANSLINGER. Yes.

Mr. ADLERMAN. Under the new convention that is proposed now, allowing each country to produce 5 tons of opium for export, that would be equivalent to roughly 1,000 kilos per country, is that correct?

Mr. ANSLINGER. That would be 5 tons which would be 5,000 kilos. The country is supposed to notify the Board and ask its advice but they are not bound by it.

Mr. ADLERMAN. Actually, the value to the country for the export of this opium would be rather small, would it not?

Mr. ANSLINGER. This is for the export trade. They would get \$12, the market value, per kilo. And 5,000 kilos—what is that?

Mr. ADLERMAN. That is right. So it would be, roughly, \$200,000 or \$250,000 per country.

Mr. ANSLINGER. Per country. It wouldn't help them at all.

Mr. ADLERMAN. But it could represent untold damage.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 701

Mr. ANSLINGER. Untold damage. And I don't think there is a country in the world that could keep that down to 5 tons.

Mr. ADLERMAN. And the amount that the country would get, the profit they would get out of it, would be really small.

Mr. ANSLINGER. They would lose money. If they followed the convention and put in a monopoly, a state monopoly, to control production, gathering, and distribution, they would lose money.

Mr. ADLERMAN. Who pushes this convention? What makes it attractive to them?

Mr. ANSLINGER. It was just one of those things. They didn't want to create an international monopoly. Turkey, the U.S.S.R., Yugoslavia, Iran, India—they have been the producers, the traditional producers, and it will probably always be that way because I don't see a country that can come along and produce 5 tons and anybody buy it, because they couldn't sell it at the present world market price.

The CHAIRMAN. Thank you very much. You have been very helpful.

(Complete statement by Harry J. Anslinger is as follows:)

STATEMENT BY HARRY J. ANSLINGER, U.S. REPRESENTATIVE TO THE UNITED NATIONS COMMISSION ON NARCOTIC DRUGS, JULY 28, 1964

1. International narcotic controls

There are nine treaties and protocols covering the control of narcotic drugs. These include limitation of production of opium, limitation of the manufacture of narcotic and synthetic narcotic drugs, control of distribution through a system of import and export certificates, statistical reporting, and regulation of the trade by way of licensing all those who handle narcotic drugs. These cover opium and 25 opium derivatives, the coca leaf and its derivatives, 58 synthetic narcotic drugs, and cannabis (marihuana).

In 1961 a conference was held to consolidate all of these previous agreements into a single convention. It is an excellent treaty except in two areas:

(a) It seeks to do away with the provisions of the 1953 protocol which limit production of opium for export to seven countries. It permits production for export in the present producing countries and in any country which desires to produce up to 5 tons of opium. This would destroy the present system of limiting production and would create excessive production.

(b) The reservations clause contains provisions, among others, which would permit any party to avoid being bound by estimates of drug requirements established by the Board for that party, for any other party, or for any nonparty. Likewise, any party can, by reservation, prevent examination of its statistics with a view to determining whether the requirements of the convention are being fulfilled.

The 1961 single convention requires 40 ratifications or accessions. So far there have been 35 ratifications or accessions. Very likely the convention will go into operation this year. Nearly all of the ratifications have come from small nations and some of these will wish to take advantage of the 5-ton provision.

The U.S. Government does not intend to ratify because of these two glaring defects and hopes for a revision in due course which will be in keeping with its policy on limiting the production of opium to medical and scientific needs.

2. Legitimate manufacture

Prior to 1931 the illicit narcotic traffic was supplied by licensed European and Far Eastern factories. At the present time there is no known diversion from legitimate factories anywhere in the world. The 1931 convention to limit the manufacture of narcotic drugs has been the most effective instrument ever forged in the area of narcotic controls. All heroin which is used by the majority of addicts comes from clandestine laboratories.

The manufacture of heroin has been prohibited in all countries except three, the United Kingdom, France, and Belgium. Five other countries in addition to these three manufacturing countries have reported consumption of small

702 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

quantities of heroin. From the yearly manufacture of 5 tons in licensed factories, the amount has been reduced to less than 100 kilos.

Under the 1931 convention morphine manufacture has been reduced by 40 tons annually and cocaine manufacture is down from 5 tons to 1½ tons annually.

The manufacture of synthetic drugs is gradually overtaking morphine. These drugs are under complete control. There is no known diversion to the illicit traffic and no known clandestine manufacture has occurred so far.

3. *International illicit traffic*

The traffic in opium and its derivatives is centered in several areas in the Far East (the Burma-mainland China-Laos-Thailand border areas). Clandestine laboratory conversion of opium to morphine, morphine base, and heroin in and around Bangkok, Hong Kong, Singapore, and Macao supplies illicit traffickers in those areas; sizable quantities of this illicit production are smuggled to Japan, the United States, and Canada. A brick morphine of the "999" brand is widely produced in that area, the source of manufacture not having been discovered.

A United Nations survey was recently made of the socioeconomic aspects of the opium-producing areas in Burma. A similar survey is soon to be made by the United Nations in the northern hills of Thailand. In Thailand the situation has been described as a threat to the security of the state and there have been executions for illicit trafficking.

In the Near East there is diversion of opium in Turkey and clandestine morphine base and heroin laboratories in Syria, Lebanon, and Turkey. Much of the morphine base finds its way to Marseilles, France, where it is converted into heroin in clandestine laboratories and smuggled to the United States and to Canada.

There is a small illicit production of opium and heroin in the mountainous regions of Mexico which finds its way into California.

There is considerable illicit manufacture of cocaine in Bolivia and Peru which is destined for the United States and Mexico.

4. *Extent of addiction*(a) *Manufactured drugs (including heroin and morphine) :*

United States.....	48, 535
Canada.....	3, 576
Federal Republic of Germany.....	4, 383
Hong Kong—has been estimated as high as	150, 000
Japan (estimate).....	40, 000
United Kingdom.....	532

Thailand: Number unknown. Recent switch from opium to heroin.

Iran: Number unknown. Recent switch from opium to heroin.

(b) *Cocaine*: For 20 years the use of cocaine was down to an irreducible minimum. During the past 5 years there has been a recrudescence of cocaine use which is confined mostly to the South American continent.

(c) *Opium—India*: During the past 20 years the Government of India has reduced the eating and smoking of opium from 500 tons to 3 tons annually, a remarkable record. The remaining addicts will disappear under the transitory reservations of the single convention.

Pakistan: Considerable number of opium smokers and opium eaters remaining who will disappear under the transitory reservations of the single convention.

United Kingdom: Undetermined number of opium smokers.

Burma: Number unknown (mostly in Shan and Kachin States).

Thailand: 72,000 estimated in 1959, mostly confined to hill tribes.

Singapore: 12,000.

Iran: In 1955 there was a total prohibition of opium production which has reduced the number of opium smokers from 2 million to 50,000. This has been accomplished with U.S. assistance under the AID program.

(d) *Cannabis (marihuana) :*

Nearly all African States have a serious problem which is rising. There is considerable use in the Union of South Africa and Morocco.

Egypt: Considerable use.

United States: No estimate.

Mexico: Considerable use.

India: Fairly large.

United Kingdom: Serious hashish problem.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 703

There is no overall estimate of the number of narcotic addicts in the world. Most of the countries are sending in annual reports to the United Nations showing the extent of narcotic addiction in their states or territories.

5. Free drug areas

The ambulatory treatment of drug addiction has been condemned by the United Nations Commission on Narcotic Drugs, the World Health Organization, the American Medical Association, the National Research Council Committee on Narcotics and Drug Addiction, the President's Interdepartmental Committee on Narcotics, and the President's Advisory Commission on Narcotic and Drug Abuse. This system was tried in the United States by some 45 clinics operating in the early 1920's. As a result of public opinion and after passage of a resolution by the American Medical Association, the New York State Legislature closed the clinics in that State. All other clinics were also closed by Federal and State Governments. There were no cures but there was a large spread of addiction and crime.

Through treaties, Federal and State laws and vigorous enforcement, addiction in the United States has been reduced from 1 in 400 to 1 in 4,000. This does not include marihuana.

The Bureau of Narcotics has closed 50 offices where the traffic has dried up due to heavy penalties meted out to traffickers by the courts.

Obviously a free drug system could not encompass the use of marihuana and cocaine. It is unthinkable that the Federal Government or the States would hand out marihuana cigarettes and doses of cocaine for sniffing, both being strong incentives to the commission of criminal acts. It would set the problem back 50 years.

It is well recognized by international experts that there is great danger in the easy accessibility of narcotics through drug maintenance systems or outpatient clinics or by general treatment by doctors which would make these drugs more readily available.

Today addiction is almost completely confined to the large metropolitan areas, such as New York, Chicago, Detroit, and Los Angeles, where organized criminals have made it available. In the major part of the country tight law enforcement by Federal and State officers has made it difficult for organized criminals to extend their traffic in narcotics to the local area. Under the maintenance system, narcotic drugs would be available to all, including teenagers, in every village and hamlet in the South, Midwest, East, and Far West. There would be a tremendous spread of addiction under this system.

The British system has been recommended by many who are not familiar with the problem. The British authorities call this reference to the "British system" an invention by certain Americans who wish to express their point of view. In Hong Kong there is three times the rate of heroin addiction than in the United States and there the authorities follow the American system of severe penalties for traffickers and attempt to cure the addicts. In Hong Kong the accessibility of heroin is the prime factor in the spread of drug addiction. The British authorities find that the only way to eliminate drug addiction is to cut off the supply of narcotics.

Recently some 50 Canadian addicts went to England to take advantage of the doctors' more liberal prescription use of heroin. Many have been arrested in London for offenses against property, showing that freely prescribed drugs do not stop the addict from criminal acts.

During the prewar period, records of the former government on Taiwan indicate opium smokers obtained daily supplies for 8 cents, yet 70 percent of all crimes on Formosa were committed by opium smokers.

Coca leaf chewing at high altitudes in five South American States by the Inca Indians is being considerably reduced by better nutrition.

It has been reported that the ambulatory or free drug treatment has been a dismal failure in Israel. In 1952 the Israeli Government decided to allocate narcotic drugs to a large number of addicts. The authorities believed this arrangement would prevent drug addicts from being exploited by criminal suppliers.

In an article by Z. W. Jermulowicz, M.D., district psychiatrist, Tel Aviv district, and director of government hospital for mental patients, Bat-Yam, and Mag. A. Turnau, district pharmacist, Tel Aviv and central districts, Israeli Ministry of Health, published in the United Nations Bulletin on Narcotics (vol. XIV, No. 2, April-June 1962), it was stated:

704 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

"From 1953 onward, a steady stream of drug addicts from the underworld started applying to us, pretending they were anxious to be cured while well knowing that we did not dispose of sufficient hospital space. Their sole purpose was to receive from us an allocation of drugs. Not only did they exaggerate their own demands, but they also sent us drug peddlers who simulated addiction so as to obtain drugs for purposes of trade and sale. These people used every means at their disposal to achieve their ends and obtain as large a quantity of drugs as possible. They did not hesitate to raise a scandal, to threaten the employees of the health office with knives, etc. It became a dangerous job to work at the health offices, to the extent that it was hardly possible to carry out the work properly and a constant police guard was required. The number of drug addicts registered at the various health offices constantly grew * * *." The ambulatory treatment was abandoned and compulsory commitment to a hospital instituted.

The policy adopted by the United Nations, the Congress, and the several States is completely in favor of drug free areas.

6. *International cooperation*

We work shoulder to shoulder with the authorities in Mexico, Canada, France, Turkey, Lebanon, Syria, Hong Kong, Singapore, Thailand, and Japan. The International Criminal Police Organization (Interpol) renders considerable assistance. They are to be congratulated for their splendid efforts to assist the United States and Canada in their problem.

7. *Conclusion*

As former Secretary of State Cordell Hull said, "In no area of international activities is there greater cooperation than in the field of narcotic drugs."

Having been deeply involved in international narcotic work for over 30 years, I can attest that most nations, including the Soviet bloc, are bending every effort to bring the narcotic problem under strict controls. The giant strides which have been made are due in large part to the efforts of the United Nations.

HOLLIDAYSBURG, PA., September 28, 1964.

MR. JEROME S. ADLERMAN,
General Counsel, Permanent Subcommittee on Investigations,
Washington, D.C.

DEAR MR. ADLERMAN: On September 13, 1964, Pravda published an article dealing with the Chinese opium trade. I respectfully request that this article be included as an addition to my testimony before the Senate subcommittee.

I also request inclusion of the United Nations Commission on Narcotic Drugs report of the 18th session April 29 through May 17, 1963, supplement No. 9 pages 9-15, paragraphs 87 through 106 in relation to opium and opiates in the Far East.

Respectfully,

HARRY J. ANSLINGER.

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., October 2, 1964.

To Whom It May Concern:

The attached, in the English language, beginning with the words: "Pravda, September 13, 1964—Traders in Narcotics" and ending: "V. Ovchinnikov. Special correspondent of Pravda, Tokyo, September," is a translation of an article appearing in the Russian language in the newspaper Pravda, September 13, 1964, page 5, columns 1-5. The English text is a correct translation of the Russian original, a photocopy of which is attached.

ROBERT V. ALLEN,
Area Specialist (U.S.S.R.), Slavic and Central European Division.

PRAVDA, September 13, 1964.

TRADERS IN NARCOTICS

In propagandizing their views, the Chinese schismatics are squandering money lavishly. To any Japanese, whose address by some means becomes known to Peiping there is directed a stream of free printed matter—calendars, art publications, and of course, as a garnish, anti-Soviet brochures. Japan is not the

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 705

only object of such attention from Peiping. How many international adventurers are there who take away from the Chinese capital substantial dollar checks for the publication of their own works, promising, of course, that in them they will without fail abuse the Soviet Union? And [what] whole pages of bourgeois newspapers, bought up for the schismatics' articles?

How is this muddy stream of lies and slander financed? What provides the payment for the political rascals; speaking from notes provided by Peiping? The answer sounds like an aphorism. Stupefying of people (*odurmanlvaniye*), [i.e., by propaganda] is carried on in large measure by money received from the sale of drugs [stupefying agents]. About half a billion dollars every year comes into the hands of the present leaders of China from the illicit sale of narcotics. It has become one of the basic sources of convertible currency for the leadership of the Communist Party of China. The great sums derived from it are spent for anti-Soviet propaganda, and are used to pay for the services of puppets of the Peiping splitters. Apparently in Peiping they consider that any means are all right for the attainment of these goals.

Here in Japan, which has moved up into first place in the world in the use of opium, and where drug addiction has become a very acute social problem, they are better informed than anywhere about this role of Peiping. The most authoritative person in this field, Tsusai Suawara, chairman of the national commission to combat drug addiction, said:

"Any expert on this problem will tell you that China has become the principal world producer of the opium poppy, from which opium, morphine, and heroin are obtained. From Japan alone Peiping is extracting up to 60 billion yen (about \$170 million) from opium smuggling. But our share rarely exceeds one-third. Most of the narcotics go to the countries of southeast Asia—yes, and a considerable amount goes to the United States."

Conversations with Japanese specialists and study of the Asian press have shed new light on my observations, on what I had occasion at one time to see with my own eyes in China. In the spring of 1958 I had occasion to be one of the first—and the last—foreign correspondents to visit the remote mountain regions of Yunnan, adjacent to the junction of the borders of Burma, Laos, and Thailand. At that time I managed to get to the Lyangshan district, where the Kawa (Kava) tribes, hidden among wooded mountains, still preserve their tribal system.

The local party officials pointed out to me the rudiments of primitive agriculture: patches of sparse, stunted barley in places where the virgin forest had been burned out, and they said that within just 1 year they intended to teach the local inhabitants to make terraces for irrigated fields, erect dams, and lay out ditches. But what is engraved in my memory is not just such rainbow-hued posters, but also the flowery patches in the green cover of the mountains. I would least expect that the Kawa, among whom even the wild beast slain by the hunter belongs to the whole settlement, would be engaged in flower culture.

These were flowers, or rather, fields of flowers, remarkably like poppies, only not with red, but with violet-tinged white petals. At first it did not occur to me that there before me was the plant which contained the ill-famed poisonous drug. I never imagined that it could be grown thus so openly.

To my puzzled question the members of the district committee answered: "This is a very difficult problem. They have been planting the opium poppy in these regions since long ago. The local inhabitants themselves do not use opium, but they sell it to buyers, to smugglers. To prohibit it would mean to deprive the tribes, and particularly their leaders, of their accustomed income. And it is important to us to maintain a united front with them. And what good would prohibition do, when the border is actually open, and there on the Burma side still remain the Kuomintangists of Gen. Li Mi, who just subsist on the narcotics trade? We must put an end to opium smuggling only after providing the people with another, legal market. The Government has entrusted this to the Chung-kuo T'u-chan Kung-su [China Local Products Co.], company for the procurement of the products of local industry."

These arguments would have seemed convincing to me if on the return trip from the Lyangshan district to Kunming I had not again encountered the violet-tinged white flowers. The chauffeur turned off on some kind of a country road to fix the car, and suddenly beyond the crest of a hill we saw people with hoes.

706 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

I would not have been surprised at the sight of the prisoners, nor the guard, nor the barracks with guard towers in the distance. It was no rarity to find corrective labor camps in the outlying areas of China. What surprised me was the field of white flowers; not just a patch, but a whole extensive tract [massive] of opium poppies. What connection did these plantings, far from any settlements of primitive tribes, have with the "peculiarities of the nationalities problem"?

I did not know then that in the world literature on narcotics there had already been long established the term, "the Yunnan region," which designates the principal zone of growing the opium poppy, situated at the junction of the borders of China, Burma, Thailand, and Laos. I happened to be in the very center of this zone just at the time when the relative importance of Yunnan in the "Yunnan region" went up sharply.

When the extremely nationalistic, openly hegemonistic tendencies of the Peiping leaders became an overt policy, the question immediately arose—Where to get the currency to pay for such activity?

The answer was soon found. In Peiping they decided to expand the trade in opium to conform to the new demands. From the time of the ceaseless wars of the military cliques, the drug from the poppy has served in China as a customary weapon of politics. Every wandering general began with the introduction of the opium monopoly as a favorite means of replenishing his treasury. They had only to borrow this old, established procedure. And they borrowed it.

As early as December 1952, there was held in Peiping a secret meeting under the chairmanship of Po I-bo. The Ministers of Finance and of Foreign Trade, and also leading officials of southwest and south China listened to a report on how the proceeds from the secret sale of narcotics amounted to \$70 million in a year, and they came to the conclusion that such a channel of currency acquisition might be substantially enlarged.

It was necessary to return to this question 6 years later. If there was really anywhere "a great leap forward" after the adoption by Peiping of the new adventurist course, it was in the production of the opium poppy for the most widespread smuggling.

According to data in the well-informed Hong Kong weekly, Hsin-wen T'ien-ti, in the very first years after the proclamation of the "great leap forward," the production of opium in China rose to 8,000 tons against 2,000 tons in 1952. What "medical needs" could be brought up here, when the total world requirement for opium for medical purposes, according to official data of the U.N. amounts to 300 tons a year?

Also, the sown areas of opium poppies are being ceaselessly expanded. From 2 million mu they increased in a few years to 6 million, and now they have approached 10 million mu (1 mu is one-sixteenth of a hectare). About one-half of the sowings, according to the same weekly, are in southwest China (in the provinces of Yunnan, Szechwan, and Kweichow).

The undertaking assumed such proportions that the former methods of growing and procuring opium began to appear outmoded. Main reliance was placed on the so-called special regions. The corrective labor camps systems was switched over to the production of the raw material for narcotics. Thus the role of Kwangtung Province rose [in importance]; there, according to Sugawara's book, "Japan Is an Empire of Narcotics," the opium poppy already takes up about one-fifth of the sown area. Apparently there are many accessible mountain localities there, and along with this, the principal sales base, Hong Kong, is near.

The Administration for Procurement and Sale of Special Products of Local Industry exercises guidance from Peiping over the whole opium policy. In the southwest the business is carried on by the previously mentioned company, Chung-kuo T'u-chan Kung-su, with a widespread network. I saw its offices even along high mountain trails of Tibet and Tsinghai. The assimilation of outlying territories of minor nationalities also often has begun with the establishment of these trading stations. Now branches of the company have also appeared in countries neighboring China.

Yunnan opium is delivered in Burma through the country of the Shans. Morphine in briquets with the mark "999" moves to Thailand through Mae Sai. To produce a multitude of facts on this one needs only to leaf through the materials of the International Antiopium Conference which took place recently in Tokyo, and the records of the proceedings of the annual sessions of the U.N. Commission for the Struggle Against Narcotics.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 707

In the south, in the area of Hong Kong which has become the principal one, a similar role is played by the Hwa-nan Mao-i Kung-ssu [South China Trading Co.]. During recent years the system of its "commercial" activity has been substantially reorganized. Previously boxes of opium, with false documents, were sent across through customs in Macao. From there, under armed guard of local "bosses" [zapravily] connected with Peiping, they were delivered to Hong Kong for processing. Now an industrial base for morphine, which is 10 times stronger than opium, and heroin, which is a hundred times stronger, has been creased in China itself. Pharmaceutical and chemical plants in Dairen (Ta-lien), Tientsin, Cheng-tu, K'ang-ting, Kun-ming, Ta-li, Yu-an [? transliterated Russian: Yuy-an'] and other cities are engaged in this processing of raw opium. Therefore the narcotics now enter Hong Kong in the prepared form and the packaging acceptable to the international smuggling syndicates.

At one time the imperialists, with weapons in hand, gained the right to poison with the poison of the poppy the Chinese people, in order to impose on them the yoke of colonialism. Hong Kong, wrested from China by the First Opium War, became the result of this policy. It is not for this reason that the Peiping "destroyers of colonialism" are so tolerant of the colonial regime right under their noses, because Hong Kong now, too, is carrying out its original role—as formerly, it serves as a gateway for the traffic in narcotics, only now in the opposite direction.

To take over the methods of the imperialists, to enter into partnership with criminals—this is loathsome and hideous, but it is also logical for those who, for the sake of their own hegemonistic, nationalistic schemes, disregard the vital interests of their own people and try to poison their minds with a potion still more poisonous than the opium drugs.

V. OVCHINNIKOV,
Special Correspondent of Pravda.

TOKYO, September.

COMMISSION ON NARCOTIC DRUGS

REPORT OF THE 18TH SESSION (APRIL 29–MAY 17, 1963)

ECONOMIC AND SOCIAL COUNCIL OFFICIAL RECORDS: 36TH SESSION

Supplement No. 9, United Nations

CHAPTER III

ILLICIT TRAFFIC

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B. OPIUM AND THE OPIATES

(I) THE FAR EAST

87. The representative of the United Kingdom described the situation in Hong Kong, where problems of trafficking and addiction continued to be serious despite the sustained and energetic program of prevention and suppression which the authorities had been carrying out in the past years. The colony occupied a small area—391 square miles of land and 600 square miles of water in which lay some 200 islands. The population was 3½ million, of whom 98 percent were Chinese. Hong Kong did not produce opium, and the manufactured drugs or raw materials for local illicit use and manufacture came from outside. The fact that Hong Kong's existence depended largely on its free port facilities complicated the problem of dealing with the illicit import of narcotics. Hong Kong's land frontier of 26 miles raised no trafficking problem, but the port attracted shipping from all over the world and traffickers exploited the freedom of movement permitted to goods. Those various circumstances made the Government's work of prevention and detection more difficult than would otherwise be the case. In 1962, nearly 6,000 oceangoing vessels and over 14,000 other craft visited the port. Smuggling was accomplished by the concealment of drugs in legitimate cargo, on the persons of the crewmembers of vessels and in small craft which picked up supplies outside colony waters. The Special Narcotics Section of the Prevention Service was responsible in particular for the guarding and search-

708 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

ing of vessels and the examination of cargo. Six hundred and eighteen ships had been guarded in 1962; of 56 narcotics seizures made by this branch of the Service, 26 had been on board vessels. Six hundred and ten aircraft had also been inspected. The domestic side of the traffic was dealt with by the police force, one of whose functions was to maintain liaison, through its Narcotics Bureau, with enforcement services in other countries. There was regular communication with many of the 20 countries with which the Bureau had established relations since its establishment in 1955. The enforcement services were in constant operation throughout the year. Between 12,000 and 15,000 raids a year were made to detect narcotics and their illicit use; 1,300 cases were discovered and over 1,000 persons prosecuted every month, and at the present time (early 1963) an average of 40 seizures a day were being made. There had been 9,934 seizures in 1962, of which 7,343 were of heroin. Three hundred or four hundred heroin peddlers were apprehended every year.

Hong Kong's intensified campaign against the illicit traffic, launched in 1959, and described in the Government's white paper, had been reported to the Commission at previous sessions, and activities in connection with it, coordinated by the Narcotics Advisory Committee, were constantly being pursued. The direct Bangkok-Hong Kong route continued to be the one most favored by traffickers, but recently there had been a tendency to increase use of other southeast Asian ports (particularly North Borneo ports and Singapore) as points for transshipment. Earlier reports had now been confirmed that large quantities of drugs were being airdropped in the Gulf of Siam-South China Sea area and then brought by boat to Hong Kong. One consignment handled by a syndicate operating in Hong Kong, Thailand, and the Republic of Vietnam had comprised of over 900 kilograms of opium and morphine. Some aircraft used in those operations were reported to be piloted by French nationals resident in Laos. Most opium entering Hong Kong was in the raw state; seizures had amounted to over 372 kilograms in 1962, the number being 2,139. Illicit import of morphine, usually in compressed blocks, was also a feature of the traffic from Bangkok: over 90 kilograms had been seized in 1962. Some morphine was believed to move through Hong Kong to other destinations. Relatively little knowledge had yet been gained of the sources of the morphine base in which there was such a heavy traffic in southeast Asia, but it was generally accepted that production must take place close to many of the opium-growing areas. It was the "999" brand that was most commonly seized in Hong Kong, although at least eight different trademarks had been seen among various seizures. There was some evidence from wrappings and other features of the blocks that "999" morphine might come from more than one source; it was reported that as many as 20 different organizations had at one time or another produced blocks. As for heroin, which continued to be the main drug of addiction in Hong Kong, 8,456 offenses had been recorded in 1962. Fifty-seven kilograms had been seized. Clandestine laboratories continued to operate, seven having been detected and destroyed in the past year. Traffickers in Hong Kong, Macao, and Bangkok worked in close association. In the past 2 years there had been reports of illicit imports of heroin from Thailand, whereas local markets had previously been supplied within the colony or from Macao. In August 1962, the existence of a heroin manufacturing and trafficking syndicate with connections in Hong Kong, Bangkok, Singapore, and Malaya had been disclosed after the arrest in Hong Kong of an important heroin maker and trafficker. A clandestine factory had been set up near Penang, the first indication of illicit manufacture in Malaya. The syndicate was said to have direct connections with morphine supplies in the Laos-Thailand border area. It seemed clear from the evidence of manufacture in Malaya and from that of a recent seizure in Hong Kong of heroin direct from Bangkok that the pattern of trafficking in southeast Asia was widening.

88. The representative of the United States of America expressed appreciation of the informative report on Hong Kong and observed that the problem of the Triad organizations (Chinese groups involved in the illicit traffic in the Far East and Europe) appeared to be significant in recent trafficking developments. The representative of the United Kingdom stated that Triad organizations, of which there were many, were illegal in Hong Kong. They had a long historical background, and members of such societies had in the past had a great influence on criminal activity of all kinds, including the drug traffic. Many heroin traffickers apprehended and dealt with in the past had Triad backgrounds. The influence of the Triad organizations had been greatly reduced through sustained action by the authorities. Hong Kong had notified ICPO that two or three

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 709

Triad traffickers had made trips to Europe in recent years. The ICPO representative informed the Commission that those traffickers had been traced in the Federal Republic of Germany, Spain, and Switzerland; they had been attempting to organize an international trafficking network while posing as clothing manufacturers.

89. The representative of the Republic of Korea stated that his Government considered it a primary task to join with other countries in the work of suppressing the illicit traffic through close and effective international cooperation. Such humanitarian efforts were an appropriate part of the work being done by his Government in the social, economic, and political fields. He referred to information given in his country's annual report for 1962. The illicit traffic was mainly in raw opium, morphine, and heroin supplied by illicit cultivation and intended for the domestic market. There had been 4,221 prosecutions for narcotics offenses. Investigations to detect illicit poppy cultivation, which occurred in sparsely populated mountain areas, were made during the growing and harvesting periods by provincial and national agencies. Illicit import of drugs was also a problem. Smuggling was reported from the northern part of Korea and from Hong Kong. He believed that periodic regional meetings in the Far East and the continuous exchange of information on the traffic would assist materially in bringing trafficking under control.

90. The representative of China stated that the traffic in the Province of Taiwan was not supplied by any illicit cultivation or manufacture, and that all drugs were smuggled into the country, particularly from Hong Kong. Only small quantities of opium, morphine, and heroin had been seized, but enforcement measures were vigorously applied and much effective work was carried out in cooperation with the Hong Kong authorities. Four hundred and sixty-one cases of trafficking had been detected in 1962—about the same number as in 1961. Five-year term of imprisonment had been imposed in 401 cases, and in other cases there had been sentences of 10 years and even life imprisonment. With reference to the traffic in opium from Yunnan Province, he recalled his statements at earlier sessions of the Commission. In his opinion, the Yunnan area must be considered a source of illicit supplies, probably consisting of increasing amounts of morphine, rather than of opium alone. In a case of trafficking at Taipei in 1962, the offender had confessed to handling 2 kilograms of opium which had come from the Yunnan border area.

91. The representative of Japan said that, owing to strict enforcement measures carried out under the Narcotics Control Act, traffickers in his country had not attempted the clandestine manufacture of narcotics. Abuse of heroin was, however, a serious problem in Japan, and foreign traffickers were engaged in organized smuggling on a considerable scale, operating from Bangkok, Hong Kong, and Korea. The quantities of heroin seized in 1962 (8 kilograms) had been double the 1961 total. There had, however, been a considerable decrease in the number of narcotics offenses detected during the year, although 2,418 persons had been arrested. Of those, 1,797 had been involved in offenses concerning heroin. Every effort was being made by the Japanese Government to deal with narcotics problems; amendments to existing laws were before the Diet, which intended to raise the maximum penalties to life imprisonment and also provide facilities for the effective treatment of addicts. It seemed, however, that the problems of international smuggling could be dealt with only by international cooperation, and it was to be hoped that closer relationships between governments could be developed for the implementation of control measures. In that connection, valuable work seemed to have been done by the seminar on prevention of narcotics offenses in southeast Asia which had been held in Tokyo in 1962 under the "Colombo plan." In reply to a request from the representative of the United States for information, he told the Commission that some cases in which teenagers were involved had been reported in Kobe and Osaka and that educational campaigns were being undertaken to prevent young persons from being victimized by traffickers.

92. The ICPO representative said his organization had made a comprehensive study of the question of the extradition of narcotics offenders and that it was now engaged in further detailed study, at the request of the Government of Japan in particular. Unfortunately, there were lacunae in many extradition treaties, especially so far as concerned the illicit traffic and traffickers in drugs. He hoped the study would help governments to cope with that aspect of the problem of intraregional and international cooperation in dealing with traffickers. He wished to congratulate the Japanese Government for the contribution it had made

710 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

to the seminar on prevention of narcotics offenses, which his organization regretted not having been able to attend. He appealed for the help of all the governments concerned in developing to the fullest possible extent the regional radio communications network which his organization was setting up in connection with the Manila station. There could be no doubt that such a facility for the constant rapid exchange of information would be of great use to governments in the area.

93. The observer for Thailand referred to the annual report of his Government and stated that seizures of over 6 tons of opium in 1962, as compared with about 4 tons in each of the 2 preceding years, were evidence of the continued very heavy traffic. As the geographical center of southeast Asia, Thailand was easily accessible from all directions. There were 42 possible routes for smuggling from Burma and Laos, but Amphur Chiangsan, the Pang Kway district, and the Mae Sai district seemed to be the three-border areas of Thailand mostly used for trafficking toward Bangkok, or in some cases into the Huey Sai district of Laos for transshipment by air to ships off the coast. Two seizures of opium of over 1 ton each, and a case concerning reports of 14 tons awaiting shipment from beyond the border, were cited in particular. The bulk of the traffic was intended for Hong Kong or Singapore. In 1962 offenses against the Opium Act, consisting mainly of smoking or illicit possession, had been committed by 2,117 persons of whom 1,673 had been convicted. Terms of imprisonment of from 6 months to 5 years, and in some cases of 15 years, had been imposed. The control of chemicals and intensive enforcement measures against illicit manufacture had resulted in the removal of illicit laboratories from their former sites in Bangkok, and the replacement of drug production by packaging work. Only one clandestine manufacturing center had been destroyed in 1962, compared with three in 1961; three packaging plants had been discovered in Bangkok. There had been cases of heroin smuggling over the northern borders of Thailand, and information had been sent in regarding the situation of a factory in the mountains outside Thailand; heroin and manufacturing equipment had been discovered in a hill tribe village. The total quantity (138 kilograms) seized in 1962 had been more than twice that seized in 1961, and nine times the total for 1960. Most of the cases, involving 7,434 persons convicted under the Harmful Habit Forming Drugs Act, had been in connection with offenses concerning diacetylmorphine. From reports that had been received, it was reasonable to believe that there were at least two factories for converting opium into morphine situated near the frontier close to Mae Sai. There was strong evidence to suggest that the areas beyond the northern borders of Thailand were the place of origin of "999" morphine. When the Lampang police seized 88 blocks of "999," the smugglers admitted that the drug had come into Mae Sai from the north. Moreover, in May 1962, the provincial police of Chiangrai had found two "999" molds among morphine- and heroin-producing equipment, which had been brought into Thailand by Chinese hill tribesmen disguised as refugees from Laos, during the civil war in that country. The Thai hill tribes were responding increasingly to the Government's programs of resettlement and crop substitution. A development and aid center, partly consisting of traveling advisory units, had been established. No reasonable estimates could be made of the amount of opium produced by the hill tribes. Much additional study of the situation was required, and until that could be accomplished he felt it would be premature for the Commission to discuss the "Social and Economic Survey of the Hill Tribes in Northern Thailand" (E/CN. 7/450).

94. The representative of the United States of America said he wishes to commend the Government of Thailand for the progress it had made, in the face of a difficult and complex situation, in suppressing the illicit traffic. The co-operation extended to the U.S. Government was appreciated. With reference to the question of the origin of "999" morphine, he drew the Commission's attention to the importance of any assistance which governments might be able to give in collecting evidence. The observer for Burma stated that "999" blocks had been seized in his country, but that the source could only be presumed to be the Burma mainland China-Laos-Thailand border area. The representatives of Canada and France remarked that in view of the opinion expressed by the ICPO representative that manufacture of morphine did not require highly specialized laboratory equipment, there was some possibility that clandestine factories might be fairly mobile.

95. Commenting on the traffic in southeast Asia, the representative of the United States of America informed the Commission that in the late summer of

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 711

1962 reports had been received by his government to the effect that a huge quantity (40,000 pounds, or about 18 tons) of raw opium, in leaf wrappers, had been smuggled from the Yunnan region through the Shan State of Burma for sale in Laos and Thailand and for smuggling to the United States. That shipment was reported to have been handled by the Kokang opium syndicate of Burma. In addition, he cited a report dated May 23, 1962, which his government had received from the United Nations Laboratory concerning a sample of opium submitted on November 25, 1958. The U.S. Bureau of Narcotics had requested the Secretariat of the United Nations to determine the origin of a sample of raw opium removed from a seizure made by the Republic of Korea ("case FE(KCZ-21) 54-57, Reports Nos. C-5402, 5404, 5408"). The Korean authorities, through their delegation in Geneva, had associated themselves with the U.S. request for a determination of origin. The report of the examination carried out by the United Nations Laboratory stated that the findings "indicate that this seizure very probably originates from mainland China. It is, however, not possible to be more definite in view of the small number of authenticated samples from the Chinese mainland."

96. The representative of Hungary observed that clandestine manufacture, local consumption of white drugs, and illicit export all appeared to be constantly on the increase in the Far East. There was evidence also that increasingly effective enforcement measures were being brought into play. However, insinuations about the People's Republic of China were being made with growing frequency; and in the absence of a representative of the Republic, the suggestion that that great country was supplying the illicit traffic in order to finance activities abroad and to purchase strategic materials must be rejected. Furthermore, such a suggestion was refuted by the situation in the Far East, for it could not be logically maintained that the People's Republic of China would engage in the opium traffic when trafficking in morphine and heroin there would be so much more advantageous owing to the high price and small volume (about one-tenth that of opium) of those drugs. Moreover, the evidence went to show that, despite the undeniable risks, clandestine manufacture was widespread in various countries, and such manufacture would not be profitable if drugs were being supplied to illicit markets by the People's Republic of China. He protested against the procedure whereby cases of trafficking were called in evidence without there having been any communication on the matter between the governments concerned, evidently because concrete proof was lacking. It should be remembered that information had been communicated to the Commission at earlier sessions concerning radical measures taken by the People's Republic of China for dealing with narcotics problems that had existed for centuries. He also alluded to the practice of using terms indicative of nationality when naming offenders in reports on illicit traffic. "Nationality" should be used only in its true sense, and it was necessary to know whether offenders were, in fact, nationals of particular countries; otherwise, people would be classified by race and not by place of residence. He was of the opinion that trafficking and addiction were not problems of any one race as such, but rather the scourge of society in general.

97. Referring to the quantities of morphine and heroin seized in recent years, the representative of Poland drew the Commission's attention to the enormous amount of opium which appeared to be involved in the illicit traffic. He feared that such a volume of raw material might further aggravate the illicit traffic in and use of "white drugs." He also expressed the view that the term "Yunnan opium" used in some reports of governments on the illicit traffic and also in some summaries prepared by the Secretariat, was at best misleading and that its use, while convenient, was unnecessarily harmful because it publicized the name of a province of the People's Republic of China in connection with information on illicit traffic that was not well founded. In his opinion, therefore, the use of the term should be discontinued.

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101. The representative of China pointed out that it was on scientific grounds that mainland China had been considered to be the probable place of origin of the sample of opium seized in the Republic of Korea, to which the U.S. representative had referred. At previous sessions, he had repeatedly drawn the Commission's attention to the fact that opium was produced and morphine and heroin manufactured on the mainland of China, especially in the Province of Yunnan. Seizures of opium and heroin originating in mainland China had been mentioned in the annual reports of the United States of America and in the statements

712 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

made by the U.S. representative to the Commission and, according to the annual reports of a number of governments in the Far East, large quantities of opium and opiates presumed to have come from the Yunnan-Burma-Laos-Thailand area, and in some cases explicitly from Yunnan, had been seized. At the Commission's 17th session, reference had been made to an estimate which placed the total amount of opium alone produced in the region at approximately 1,000 tons per year. He mentioned reports by various governments to the effect that the illicit traffic had not abated in the Far East and that seizures represented only a very small fraction of the total actually involved. Yunnan could in his opinion be regarded as one of the possible sources of opium and opiates (morphine and heroin), and he again emphasized the importance to be attached to the scientific evidence of origin for the sample of opium from a seizure made by the Republic of Korea.

102. The representative of India presented a comprehensive statement. Licit production of opium had increased gradually without any appreciable increase in illicit traffic. In 1962, there had been 2,643 cases of trafficking; about 6½ tons of opium had been seized, but that was a negligible quantity compared with the total production of 969,419 kilograms (nearly 1,000 tons) from the 44,589 hectares used for cultivation. In that connection, he said it would be useful if other producing countries could supply similar details of the total areas under cultivation and the total produced. The issue of strict licenses to every individual cultivator and the measurement of all poppy fields by cadastral survey and ground measurement were basic features of the control of cultivation in India. Illicit traffic was for the most part internal, and such import and export traffic as there was seemed to be decreasing. In addition to general antismuggling measures, special steps had been taken to prevent illicit export. In suspected cases of smuggling, there was a prompt exchange of information with other countries which might be interested. In 1962, only 10 attempts had been made at illegal export; there had been 8 cases of illegal import. Very strict control measures by India and Pakistan had practically eliminated cases of traffic involving Pakistan. He referred to the accounts which had been given to the Commission in previous years of the elaborate and efficient apparatus for prevention and enforcement established in his country under the Central Narcotics Organization. The Government of India wished to record its appreciation of the cooperation extended by the control authorities in Burma, Ceylon, Malaya, Pakistan, and Singapore, and by ICPO.

103. The observer for Burma referred to the statement he had made regarding his country at the Commission's preceding session (E/CN.7/L.244). Without repeating the detailed information that had thus been made available, he would briefly refer to the question of opium cultivation. The presumed area of opium production was divided by the Salween River into areas west of the river where cultivation was prohibited and those to the east where, in the Shan State, cultivation was still permitted. Illicit production undoubtedly did occur in the Kachin State, but it was mostly for local consumption, particularly in quasi-medical use and in connection with the observance of customary rites in some forms of worship. It was estimated that there were some 45,000 addicts in the Kachin State among a population numbering 525,000. Enforcement problems were complicated by legal difficulties and the inaccessibility of much of the area. Surveys were being carried out in the Hukawng Valley area to promote a better understanding of the local problems and to facilitate the treatment of addicts. As to estimates of opium production in his country, no sufficiently accurate figures were at present available. His Government would appreciate receiving from the Government of the United States of America some further information concerning the report that the Kokang opium syndicate of Burma had handled a shipment of some 20,000 kilograms of opium smuggled from Yunnan through the Shan State in 1962.

104. The Commission heard with interest a statement by the representative of the United Kingdom reviewing the situation in southeast Asia. To the question where the opium involved in the traffic came from, and where conversion into morphine and heroin took place, the evidence accumulating before the Commission confirmed what had previously been suspected to be the answer—the Burma-mainland China-Laos-Thailand border area. Opium from that border area had been traditionally described as "Yunnan" opium, and there seemed to be no point in trying to find a substitute for an expression that was so well established and had been used for so long. Though the Commission was gradually achieving a better understanding of the illicit traffic, too little was yet known about

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 713

it, and much work remained to be done. Governments in the area were making vigorous attempts to deal with narcotics problems. The statements by the observers for Burma and Thailand were appreciated and every encouragement should be given to the efforts that were being made in their countries, despite the difficulties of forested mountain terrain, where there were few communications, and where ethnographic, cultural, and political differences among the inhabitants created complex problems so far as concerned the illicit manufacture of "white drugs," no part of the region could be regarded as beyond suspicion: evidence concerning Malaya, for example, had come to light in 1962. It seemed improbable, however, that factories were mobile, since in the areas in question it would be difficult or too troublesome to move the necessary apparatus, whereas the laboratory in the junks at Macau could be moved around quite easily. Some information was available as to the manner in which the drugs traveled, but the routes were frequently changed and the enforcement services had to be constantly alert in the designs and vagaries of highly organized traffickers. The final question that had to be asked was what action must be taken that was likely to be effective against the illicit traffic. More information was needed, and that need could be met through better reporting by governments and through special studies by individual countries. So far as the Kachin State was concerned, for example, technical assistance might help to solve the problem of traditional cultivation of opium by the hill tribes, who needed education and an alternative means of livelihood. A long-term effort was needed, but the volume and pace of the work should be increased. Many countries might also strengthen their ability to deal with control problems and fulfil their obligations under the treaties by adopting new legislation. Vigorous enforcement of laws had, of course, to follow. Then, too, steps could be taken to improve control of acetic anhydride since all possible approaches to the suppression of the traffickers' activities should be exploited. In general, closer cooperation amongst governments was essential. Conferences and joint work on special studies enabled useful knowledge to be shared and also made for closer and confident working relationships by providing valuable opportunities for experts from various parts of the world to meet each other. Finally, all possible measures should be taken by governments to provide treatment for addicts; any progress made in reducing and preventing addiction had far-reaching beneficial effects and was at the same time a means of attack on the underlying reasons for the existence of the illicit traffic in drugs.

105. The representative of Canada, who stressed the importance of free and frank discussions on the illicit traffic, commended the review of problems in the Far East as being carried out in this spirit. There could be no doubt that one of the Commission's main objectives and a primary need in the struggle against the illicit traffic was clear identification of the problems to be dealt with and of the areas of the world where those problems had to be met.

106. The representative of France congratulated the representative of the United Kingdom on his account of the situation in southeast Asia, with which he wished to express his full agreement. The most important requirement was obviously that governments should make a maximum effort in the areas of cultivation, not only so far as possible to prevent the production of raw materials, but also to deal with the illicit morphine base and heroin manufacture which each year was observed to take place in close proximity to the growing areas. An important point in connection with manufacture—and one which seemed to require more attention—was the question of how traffickers obtained adequate supplies of the chemicals required for the transformation of drugs. He expressed appreciation of the operational services which ICPO provided, and of which governments, in their efforts to strengthen their programs and means of enforcement, would do well to make greater use. There were, however, two sides to the question how progress was to be made through ever-closer collaboration among governments: on the one hand, difficulties might exist because of differences in approach and in needs; but on the other hand, the advantages to be derived from diversity were not to be overlooked. So far as the pattern of activities by the international organizations was concerned, for example, it was to be hoped the time was near when much more work in the field of narcotics control would be undertaken directly by FAO, WHO, and UNESCO within the framework of larger concerted programs than it had as yet been possible to organize against the basic causes of addiction and the illicit traffic.

714 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ANSLINGER. Thank you.

Mr. ADLERMAN. Mr. O'Carroll.

The CHAIRMAN. You do solemnly swear the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. O'CARROLL. I do, sir.

TESTIMONY OF PATRICK P. O'CARROLL

The CHAIRMAN. Will you identify yourself for the record?

Mr. O'CARROLL. My name is Patrick P. O'Carroll. I am the Director of the Federal Bureau of Narcotics Training School. I am employed by the Federal Bureau of Narcotics in the Treasury Department.

The CHAIRMAN. You are Director of the Bureau of Narcotics?

Mr. O'CARROLL. Director of the Bureau of Narcotics Training School.

The CHAIRMAN. The Training School?

Mr. O'CARROLL. Yes, sir.

The CHAIRMAN. How long have you been employed with the Treasury Department?

Mr. O'CARROLL. I have been employed since 1948.

The CHAIRMAN. And how long have you served in the capacity or position you now occupy?

Mr. O'CARROLL. Since 1956.

The CHAIRMAN. Do you have a prepared statement?

Mr. O'CARROLL. No, sir, I do not.

The CHAIRMAN. All right, Mr. Counsel, you may proceed.

Mr. ADLERMAN. Mr. O'Carroll, do you have equipment and various types of heroin and narcotics that you could show to the committee and demonstrate various facets of the use, importation, smuggling, and so forth, of narcotics?

Mr. O'CARROLL. Yes, sir, I can.

Mr. ADLERMAN. Can you go ahead in your own words and go through an illustration of how this thing operates?

Mr. O'CARROLL. Fine, sir.

The CHAIRMAN. Do you have someone to assist you?

Mr. O'CARROLL. Yes, sir; Mr. Nichol, a Federal narcotic agent.

The CHAIRMAN. Does he expect to testify? He does not. Very well.

Mr. ADLERMAN. Will you start with the opium pipe, please?

Mr. O'CARROLL. What I would like to do, Mr. Chairman, first, is to talk about the addictive drugs we have heard about from Commissioner Giordano and our former Commissioner, Commissioner Anslinger.

In talking about these addictive drugs, I would like to mention that these are the drugs that cause three things to happen when a person begins using them. No. 1, a person develops a habit, which is a repetitive action, generally on a daily basis if the drugs are available. A person builds up a tolerance to these drugs, meaning that he has to take more and more of these drugs to get the original effect of the drug.

And I might mention the effect of the drug, according to the addict, when he uses any addictive drug, is it causes him to get a

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 715

tremendous thrill, or, as he calls it, a kick or a bang, and he also mentions it is probably one of the most pleasant reactions he has ever received in life, one of the extreme pleasures of life.

Accompanying this is a very strong feeling of comfort, tranquillity. The doctors call that a euphoric effect.

The third characteristic of an addictive drug is the area of dependence. There is physical dependence in that if the person is withdrawn from the drug he goes into what they call withdrawal symptoms. There is an emotional dependence that you heard about, and you will be hearing about from the doctors that will testify subsequently, which is really one of the great problems in curing an addict, this emotional dependency being extremely strong.

The addictive drugs begin with the opium poppy. The opium poppy is grown in various parts of the world. We need the opium poppy because from it we get opium and from the opium we get very useful medications.

Mr. ADLERMAN. Is the opium poppy different from the ordinary poppy that we see in our flower fields?

Mr. O'CARROLL. Yes, sir, it is. It is a particular type of poppy, called the *papaver somniferum*, which is the generic term, which means "sleep-producing poppy."

There are many other varieties of poppies but they don't produce opium. This is grown in the Near East, in the Yunnan State of China, in Burma, and in northern Thailand. In the Near East, it is grown in Turkey. Close to us, in the Americas, it is grown in Mexico. These are the centers where the opium is grown that is used in the illicit traffic.

The opium poppy is an annual. I have two varieties of poppy here, both the same type of variety.

Mr. ADLERMAN. Are those the pods left over after the flower?

Mr. O'CARROLL. Yes, sir, after the flower falls off the native goes out in the field and he scarifies the opium poppy.

Mr. ADLERMAN. By that you mean he cuts it with a knife?

Mr. O'CARROLL. He cuts it with a knife, and has to be rather careful and rather skilled in this project because he can't cut it too deeply and he can't cut it too shallow.

As he cuts it, a white juice comes out, very slowly, and collects on the point where it was cut. Generally, the worker will walk down a field backward so he doesn't brush against the sap that is emanating from the ones that he did cut, and he will go through a rather extensive acreage before he returns to the original first poppy that he did cut.

By this time, the opium has collected outside the opium poppy. This is a milky white juice. This milky white juice, when it reaches the air, oxidizes and turns brown. The man collects generally with a utensil that looks something like a measuring cup that you would find in a kitchen.

Mr. ADLERMAN. Sort of a scraping cup?

Mr. O'CARROLL. Yes, sir. He scrapes this and eventually collects all of the opium from the poppies that he cut. This is eventually collected in a clearing point and the opium is then made into balls and dried out in the sun.

This is the crude opium. I have some crude opium to show the committee.

716 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. Would that be about a kilo that you have in your hand?

Mr. O'CARROLL. This would be approximately a kilo, yes, sir, 2.2 pounds.

Senator CURTIS. How much is it worth?

Mr. O'CARROLL. This kilo overseas, for a kilo of heroin, would be worth approximately \$35.

Mr. ADLERMAN. In the illicit market?

Mr. O'CARROLL. Yes.

Mr. ADLERMAN. The official price paid by the processor would be what?

Mr. O'CARROLL. I believe it is around \$6 to \$10.

Mr. ADLERMAN. Or about \$15 or \$16.

Senator CURTIS. What would it retail for? I am speaking of the illicit trade.

Mr. O'CARROLL. For 10 kilos of crude opium you could net a yield of 1 kilo of morphine, and in that particular area, in Turkey, it would cost about \$350.

From the crude opium, by a chemical process—not so much a chemical process, it is an evaporation process—you get your smoking opium, which is a drug of choice in many countries in the world.

I have with me some smoking opium. You might like to compare it with crude opium. The crude opium generally has twigs and various types of impurities in it. But the smoking opium is the finished product.

The CHAIRMAN. Is there any special pipe used for the smoking opium?

Mr. O'CARROLL. Yes, sir.

The CHAIRMAN. Is it in cigarette form?

Mr. O'CARROLL. I have a pipe with me that you might like to see. The pipe consists of a stem and a bowl. The bowl looks very much like a doorknob with a small hole in the center. The man that would be smoking opium would use what they call a yenhok in Chinese.

It looks very much like a woman's darning needle. He will dip this into the smoking opium and make a small ball on the tip of this particular needle. He will light a lamp, generally a peanut oil lamp, and he will hold the pill of opium over the lamp until it begins to sputter and smoke.

As it does sputter and smoke, he plunges it into the hole or aperture of the pipe. There is now a small hole through the pill of opium, and he holds it over the lamp and as it sputters and burns, he smokes it.

He generally takes about three of these pills before he gets into this euphoric state, this feeling of tranquility, being comfortable.

The CHAIRMAN. You have to have all of that particular equipment to smoke opium?

Mr. O'CARROLL. It is a very elaborate affair, Mr. Chairman.

The CHAIRMAN. They make a real project out of it. It is not like smoking a cigarette or a pipe.

Mr. O'CARROLL. Believe me, Mr. Chairman, it is a very elaborate project and when it was smoked here in the United States 15 or 20 years ago, and it is not being smoked today, they generally had—

The CHAIRMAN. That elaborate equipment is not needed for the smoking of marihuana.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 717

Mr. O'CARROLL. No, sir. This is in cigarette form.

The CHAIRMAN. They take that in cigarette form.

Mr. O'CARROLL. That is right, sir.

The CHAIRMAN. This, though, is a real ceremony or project.

Mr. O'CARROLL. This is quite an elaborate project. Generally, when people would smoke, they would hire what they call an opium chef and he would handle all of the trimming of the wicks, of the lamp, and making sure the pills were the right size, the right consistency. There was quite a bit of work involved in this.

The CHAIRMAN. My counsel suggests that some of these pipes are rather expensive. What do you know about that?

Mr. O'CARROLL. In China they have some truly elaborate pipes made out of silver. They are generally made out of bamboo, but filigreed with silver, some unusual ivory bowls, and some of these have been passed down from family to family, from the grandfather to the father.

The CHAIRMAN. They don't wear out?

Mr. O'CARROLL. They don't wear out, sir.

The CHAIRMAN. Some are collectors items, I understand.

Mr. O'CARROLL. Some, I understand, are truly collectors items. I don't know if you can put a price on them.

The CHAIRMAN. Very well.

What would be the value in this country of the amount of opium for one ceremony of smoking?

Mr. O'CARROLL. I would say approximately \$25 or \$30, Senator.

We have here what is called a 5 tael chin in Chinese. It is about 7½ ounces of American weight. This would cost approximately \$400 on the illicit market, when it is sold on the street.

The CHAIRMAN. About \$400?

Mr. O'CARROLL. Yes.

The CHAIRMAN. And how many smokes would they get out of that? I guess you would call them smoke sessions.

Mr. O'CARROLL. I think you could get quite a number of sessions out of it.

The CHAIRMAN. I was trying to get to what it would cost to the user purchasing his product illegitimately.

Mr. O'CARROLL. I would say it would cost approximately \$30 a day if a man had a regular opium habit and did it on a daily basis.

The CHAIRMAN. How many times would he have to smoke daily to keep the thrill, to keep the kick?

Mr. O'CARROLL. This is not as deadly as the heroin. Generally, it would be on a daily basis, once a day.

The CHAIRMAN. Only once a day?

Mr. O'CARROLL. This was general. But what they might do, in order to allay the pains of withdrawal, because they could go into withdrawal if they are heavy opium smokers, is scrape the ashes of the opium they had smoked from the bowl. They have a little scraper for this. They generally, then, with the ashes of opium mix this with wine or water.

During the day, when they would get these stomach pains because they weren't able to, as they say, lie down with the smoke, they would drink this solution. They called it yenshee.

The ashes would contain the morphine.

718 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. They would drink the ashes?

Mr. O'CARROLL. That is right, in a wine or water solution. This would keep them from becoming sick.

The CHAIRMAN. So, there is no waste. Even the ashes are used.

Mr. O'CARROLL. Even the ashes are used, yes, Mr. Chairman.

Mr. ADLERMAN. That can is a 5 tael can, is that correct?

Mr. O'CARROLL. That is correct.

Mr. ADLERMAN. That would give you what; about four or five smokes? How many smokes would you get out of that?

Mr. O'CARROLL. I am not too sure.

Mr. ADLERMAN. In other words, it would give you about 20 sessions?

Mr. O'CARROLL. I would say about 20.

Mr. ADLERMAN. That would be about \$30 or \$40 a session.

Mr. O'CARROLL. That is right.

From the crude opium, by a chemical process, you can make morphine base. This is what is happening in a number of countries in the world. You have heard of the term "morphine base." What generally happens, as an example in Turkey, when the farmer goes into Istanbul or Ankara, he will sell the crude opium that he harvested in his particular field.

The CHAIRMAN. Is that the crude opium—the package that you have in your hand?

Mr. O'CARROLL. This is the crude opium, Mr. Chairman.

What he will generally do is sell it on the illicit market. The people who buy it would buy it in rather large quantities. They, then, have the problem of transporting this to what might be termed a "victim" country, a country that has no opium and does want heroin. They don't like to transport it in this bulk because it is very large.

It is easily identified by enforcement officers along the borders of these countries. So, they would like to reduce this to a powder. They reduce this to the powder which is the morphine base.

I might mention Turkey is making great strides in this area, although they are one of the principal problems we have in the illicit traffic in that section of the world.

They are making great strides and they now have a law in Turkey that if any man converts crude opium into morphine base or heroin he will get the death penalty.

This is a recent law. It has just been enacted in Turkey. As a result of this, many of the smugglers have gone down to Syria, which is a neighboring country, and used Syria as the point where they would convert the opium into morphine base.

Mr. ADLERMAN. When you convert the opium into morphine base, it results in reduction from 10 pounds, we will say, of opium, to 1 pound of morphine base; is that correct?

Mr. O'CARROLL. That is correct.

The CHAIRMAN. What do you mean by "morphine base"? Do you then have to process that further?

Mr. O'CARROLL. Yes; to make morphine and then heroin.

Mr. ADLERMAN. As I gather, the opium is reduced to a morphine base by a laboratory process, and this is done now in Syria or Lebanon, and had formerly been done in Turkey, but because of the death penalty, it has been moved out of there. They have been doing it in Syria and Lebanon for some time; is that correct?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 719

Mr. O'CARROLL. That is correct, sir.

Mr. ADLERMAN. You may proceed.

The CHAIRMAN. Let me ask this one question: Suppose you had 10 pounds of that raw opium; how much heroin will that produce?

Mr. O'CARROLL. That will yield 1 pound of heroin.

The CHAIRMAN. One pound?

Mr. O'CARROLL. Yes, sir.

The CHAIRMAN. You spoke about 1 pound of morphine base awhile ago.

Mr. O'CARROLL. That is correct, sir. The transition from morphine base to heroin has no loss in the process.

Mr. ADLERMAN. As a matter of fact, there may be a slight increase.

Mr. O'CARROLL. There may be a slight increase.

Once they have the morphine base in Syria or in Lebanon, they ship it out generally by ship and sometimes by plane to Italy or to France. Generally, they go into Marseilles. In Marseilles, the organized groups that are conducting this traffic generally hire a villa on the shore of France and they will wait a month or two, until they are sure there is no police activity, because the French Surête, of course, are working very closely on these organized groups.

We also have a man in Marseilles, a Federal narcotic agent, and we also have an office in Paris.

They reduce the morphine base to heroin, ship it up to Paris and, from Orly Field in Paris, they will fly it into the United States, into Canada, or into Mexico.

Mr. ADLERMAN. Do you have any samples of the 999 heroin that we were discussing a little while ago?

Mr. O'CARROLL. Sir, I don't have any 999 at the moment, but I do have another series that is also known in the Far Eastern traffic. This happens to be AAA.

Mr. ADLERMAN. What is that?

Mr. O'CARROLL. This is a morphine base, sir, and this is simulated. This is a plastic cast of an actual block.

Mr. ADLERMAN. The 999 is sort of tan colored?

Mr. O'CARROLL. That is correct.

Mr. ADLERMAN. But similar in size, and taste, and so forth?

Mr. O'CARROLL. Almost identical.

Mr. ADLERMAN. These are the ones produced in the Far East?

Mr. O'CARROLL. That is correct.

Mr. ADLERMAN. Commissioner Anslinger discussed the 999 and I thought you might have it with you.

Mr. O'CARROLL. I might mention in talking about the Far East I have received a sample of crude opium. This opium was smuggled into Taiwan from Laos and China.

According to the confession of the criminal, the opium was produced in the Yunnan Province and transported to Laos for sale.

Mr. ADLERMAN. That is in Communist China?

Mr. O'CARROLL. Yunnan Province is in Communist China.

Mr. ADLERMAN. I think that sample shows that it was covered with a Chinese newspaper.

Mr. O'CARROLL. Yes; this is interesting because although this was repacked, the inner material of the package was a Chinese newspaper—a Chinese Communist newspaper. The opium sticks to the paper and

720 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

was difficult probably to tear off. It is easily identified as of Chinese Communist origin.

Mr. ADLERMAN. In other words, you can identify the source by the fact that it was wrapped in a Chinese Communist newspaper?

Mr. O'CARROLL. That plus the statement from the criminal that it was produced in Yunnan Province.

Mr. ADLERMAN. Do you have any of the paraphernalia showing the use of morphine, or the use of heroin?

Mr. O'CARROLL. Yes, sir; I have. I thought before I would show that, Mr. Adlerman, I might mention about the heroin coming into the United States in kilo quantities. Would you like me to discuss that?

Mr. ADLERMAN. All right.

Mr. O'CARROLL. I brought with me a partial amount of heroin that was seized by the Federal Bureau of Narcotics in New York, with the cooperation of the New York City Police Department. I think it shows in a way, some of the traffic into the United States and also the work of the enforcement agencies in this particular area. These packages, 45 kilos in all, were seized as a result of an investigation that began in November 1961, by a Federal narcotic agent.

Mr. ADLERMAN. Is that one of the packages there?

Mr. O'CARROLL. No, sir; it is not.

This happens to be one in my hand now.

Mr. ADLERMAN. Are they about 1 kilo packages?

Mr. O'CARROLL. These are half kilo packages, Mr. Adlerman.

Mr. ADLERMAN. How many kilos were involved?

Mr. O'CARROLL. The total amount of heroin seized in that particular case was 45 kilos of heroin.

Mr. ADLERMAN. Have you an outside estimate of what the total value would be on a retail base?

Mr. O'CARROLL. On a retail base, if this were adulterated as it is and went down to the street level, each kilo would be approximately \$225,000.

Mr. ADLERMAN. That brings up another subject. The heroin that is sold to the addict is cut many times in the process from the time it is brought into the United States. It is adulterated and cut many times. Would you say as high as 20 times?

Mr. O'CARROLL. I would say it goes down to a 5-percent base and this would be approximately 20 times.

Mr. ADLERMAN. In other words, the pure heroin is mixed with other substances. What other substances are generally mixed with it?

Mr. O'CARROLL. The heroin is generally mixed with what is called milk sugar, which you can buy in any pharmacy. This is a very popular way.

Mr. ADLERMAN. It looks like heroin.

Mr. O'CARROLL. It looks exactly like heroin. It is a fine, white powder. In New York City, and this is fairly recently, they have been using another item which you can also buy in a drugstore. It is called Mannite.

Mr. ADLERMAN. They use Mannite because it has a taste similar to heroin?

Mr. O'CARROLL. It has a bitter taste to it.

Mr. ADLERMAN. In other words, the addict would test it to see that he is getting heroin and would want to make sure he can taste it?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 721

Mr. O'CARROLL. That is right. An addict, when he buys from a person he may not know, and would like to test the product that he buys, he will generally taste-test it. He will put his finger into the powder and taste it on the tip of his tongue. If it has a bitter taste, this would be an indication to him that it is good heroin. The peddler, of course, knows this and mixes in with the sugar some quinine. That will also give him the taste.

Mr. ADLERMAN. That quinine will give a bitter taste.

Mr. O'CARROLL. Yes.

Mr. ADLERMAN. But generally speaking, the addict who buys from the street peddler or at the street level, actually is getting a very highly adulterated form of heroin?

Mr. O'CARROLL. It is so highly adulterated, Mr. Adlerman, that in the past few years, and this is current to the present day, they haven't seen any case of classic withdrawal in our hospitals that are treating these addicts.

Mr. ADLERMAN. Sometimes they actually do get some high rated heroin and when they injected it they don't have the built-in tolerance and are killed, are they not?

Mr. O'CARROLL. That is true.

Mr. ADLERMAN. In a case in Baltimore, there was a professional football player who was killed that way.

Mr. O'CARROLL. That is right, sir. Generally, what happens when you use one of these narcotic drugs the respiration rate lowers, and if you use a huge amount of it, the respiration just stops and the man dies. There have been some instances on record, and the medical examiner in New York has discussed some of these cases, and I happened to hear about it, that the homicide people in New York when called to a death of unnatural causes quite often will find the heroin needle still sticking in the man's arm.

Mr. ADLERMAN. Coming back to the sources of these supplies, the United Nations makes an attempt to identify the sources of supply of any opium, is that true?

Mr. O'CARROLL. That is correct.

Mr. ADLERMAN. By means of a very involved process, the so-called neutron process, they can practically identify the source of any opium grown anywhere in the world, almost naming the village or county or place where it is grown if they have samples of the original growths, official samples from that area. Is that correct?

Mr. O'CARROLL. That is correct. We have a chemist in the Alcohol and Tobacco Tax Unit in the Treasury Department. This is called neutron activation analysis. There has been a great deal of work done in Tennessee on this project.

As a result of it, if they have a true sample, putting it through this neutron activation process, they can pinpoint not only the country of origin but, as you mentioned, the actual county or almost the farmer where it came from.

Mr. ADLERMAN. And samples have been obtained from almost all over the world except Communist China?

Mr. O'CARROLL. That is correct.

Mr. ADLERMAN. They can trace back any seized opium, almost to the village or county or town from where it comes, except for that coming from the Communists.

722 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. O'CARROLL. Except for the Communists.

Mr. ADLERMAN. All right, thank you. You may proceed.

Mr. O'CARROLL. Once this heroin is flown into the United States in these kilo quantities, and this is generally the quantity it does come in, generally coming in by airplane or ship, it comes in generally to the ports of New York City, or it might come into the country of Mexico, Mexico City, or it may go into Montreal, Canada.

Once it is there, it then comes into the United States, across the border.

Of course, this is where Customs enters into the picture. They have had some real success in this particular area.

But these men are quite cunning and they use all kinds of devices and ingenious methods to smuggle the narcotics in. In this particular case, a French television star, whose name was Jacques Angelvin, smuggled the heroin in his Buick Electra that he transported from France to the United States.

Mr. ADLERMAN. What?

Mr. O'CARROLL. A Buick automobile. This particular automobile had a welded trap in the gasoline section of the automobile and it passed through customs. It came to our attention—and this is a little interesting, and I might mention this particular case quickly, Mr. Adlerman—when we had some Bureau of Narcotic personnel in New York looking for a fugitive. This man's name was Angelo Tuminaro. They learned that his nephew, a man by the name of Pasquale Fuca, was in communication with him, and they conducted a surveillance on this person, Fuca, from the beginning of November until late November.

At that time, and I believe it was around November 21, 1962, they saw this person, Fuca, in an automobile bearing a Canadian license plate. They checked this out through the Royal Canadian Mounted Police and learned that the automobile belonged to a man by the name of Martin, who was a well-known drug smuggler in Canada.

They then began an intensive surveillance with the help of the New York City Police Department and learned, after almost 3 months of around-the-clock surveillance, that this man was in communication with a man by the name of Jean Jehan, who is a well-known narcotic trafficker from France. They had a conversation in a hotel room in a midtown hotel in New York City, and after this conversation ended Jehan was then followed by our narcotics agents and members of the police department.

Jehan was followed to this man Jacques Angelvin, the French television star, and they began a surveillance of this particular personality, and found that he was in communication with Fuca. They saw a suitcase passed between Jacques Angelvin and Fuca and they arrested both of them with arrest warrants and search warrants. They searched Mr. Fuca's residence in Brooklyn and in the ceiling of the basement in his home they found 12 kilos of this particular heroin, also a machinegun, and also some pistols.

They continued working on the investigation and they then uncovered 33 more kilos in the brother's home, whose name was Anthony Fuca.

All of these people received prison terms in State court.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 723

Mr. ADLERMAN. There are many ingenious devices, as you can imagine, in trying to smuggle the heroin into the United States. Do you have any of the types of equipment that they use?

Mr. O'CARROLL. Yes, sir. I have a very interesting case here that you might like to look at.

Mr. ADLERMAN. What is that? Will you explain it?

Mr. O'CARROLL. This is an aluminum suitcase, rather lightweight, and it was made by a French smuggler who was operating out of Mexico City. It came to our attention when we were conducting a case in New York on this particular French smuggler.

He gave our agent this particular suitcase, our undercover agent who was negotiating for heroin. He asked the agent if he knew of any tinsmith in New York City who could repair the suitcase for him. He said, "This is my smuggling suitcase," and so this was eventually part of the case. The smuggling suitcase, which is rather ripped up now, as you can see, has the sides hollow. These were, of course, welded together, riveted together, and it was a very elaborate smuggling type of suitcase.

Mr. ADLERMAN. In other words, one box inside of another?

Mr. O'CARROLL. That is correct.

Mr. ADLERMAN. With hollow walls.

Mr. O'CARROLL. Hollow walls around the suitcase. This was used on many smuggling ventures until it came to our particular attention.

Mr. ADLERMAN. How much could he smuggle in that?

Mr. O'CARROLL. I think in this particular instance they smuggled 30 kilos of heroin into the United States.

The CHAIRMAN. What would that sell for when they got it here?

Mr. O'CARROLL. Down at the street level, at \$225,000 per kilo, Mr. Chairman.

The CHAIRMAN. \$225,000 per kilo. What did it sell for to the one who purchased it?

Mr. O'CARROLL. The man who purchased it would pay \$18,000 to \$21,000 for that particular kilo, per kilo.

The CHAIRMAN. He would pay \$18,000 to \$21,000 per kilo. How many did you say came in in that?

Mr. O'CARROLL. Approximately 30.

Senator CURTIS. What is the value of all of that you have spread out in front of you?

Mr. O'CARROLL. I think we would have to inventory it, Senator Curtis. I am sure it is worth millions of dollars.

The CHAIRMAN. Millions of dollars?

Mr. O'CARROLL. Millions.

Mr. ADLERMAN. The 45 kilos of that heroin, what would that come out to?

Mr. O'CARROLL. I am not much of a mathematician, Mr. Adlerman, but 45 times \$225,000.

Mr. ADLERMAN. About \$11 million.

Do you want to go further in your testimony?

Mr. O'CARROLL. Yes, sir.

I also have another hidden trap technique that these people in organized crime use. They have a number of different techniques to secrete the heroin in their apartments or hotels. This happens to be a hassock, which is rather interesting.

724 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. Would you describe what you are doing?

Mr. O'CARROLL. This is a normal hassock that you would find in, I presume, many apartments. In this particular hassock there were 12 kilos of heroin. This was seized from a man by the name of Anthony Valucchi.

Mr. ADLERMAN. How is that activated?

Mr. O'CARROLL. By a solenoid, with a battery. You have to find two buttons underneath this particular hassock. When you press the buttons, you need a second man to help you to lift it open.

Mr. ADLERMAN. Are they visible?

Mr. O'CARROLL. No, these buttons are covered by the cloth in the back.

Mr. ADLERMAN. They are not visible even if you turn it upside down?

Mr. O'CARROLL. No, sir.

Mr. ADLERMAN. Can you turn it bottomsides up? You put some red marks where the buttons are.

Mr. O'CARROLL. To assist me in finding the buttons.

Mr. ADLERMAN. They are hidden from view?

Mr. O'CARROLL. Yes, sir.

Mr. ADLERMAN. And you have to press both buttons to open it up?

Mr. O'CARROLL. That is right.

Mr. ADLERMAN. The only way you could tell would be to have an expert to find that, is that correct?

Mr. O'CARROLL. You would have to find a man who is an excellent searcher.

Mr. ADLERMAN. You have batteries inside and a solenoid switch?

Mr. O'CARROLL. Yes, sir; and a lock.

The CHAIRMAN. Was all that equipment in it when you confiscated it?

Mr. O'CARROLL. All of this equipment; yes, sir.

The CHAIRMAN. And the purpose of that is to open and close it?

Mr. O'CARROLL. That is correct. This is as it is closed, and by activating the buttons it would open. You have to press the buttons to open it. This is locked otherwise.

This is also an example of the elaborate traps that they have in automobiles that come across our borders from Mexico and Canada.

Mr. ADLERMAN. They have similar ways to open up the back seats and so forth.

The CHAIRMAN. You can't examine or inspect everyone who comes across the border. You have to use some judgment, don't you, or your agents, as to whether there are suspicious circumstances to indicate that there is a need for a search; is that correct?

Mr. O'CARROLL. That is correct, Mr. Chairman. Customs has a very difficult job because of the heavy traffic on the Mexican border and the Canadian border, and if they searched everyone coming across, the traffic, of course, would be piled up for miles and miles. Generally, they act on information. They act on what they call "lookouts," where they have people's photographs in their customs office that they continually look at. When they see these people crossing the border, they will give them a minute search, which might include putting the automobile up on a regular lift that you would find in a garage and looking

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 725

at it very closely, mainly for unusual wiring, because this is the common technique that they are using today.

Generally what they will do is wire the ignition switch so you must turn on the ignition switch, and sometimes you also have to pull a switch for the heater of the automobile and then, by pressing a hidden button, this trap in the back of the automobile will open up. It is usually hidden in the upholstery. It is very, very difficult.

Mr. ADLERMAN. Do you have any samples of marihuana and cocaine to show?

Mr. O'CARROLL. Yes, sir.

The CHAIRMAN. We will have to conclude within about 5 minutes.

Mr. O'CARROLL. Yes, sir.

I have with me what is called a brick of marihuana. Marihuana sells for approximately \$125 a pound, and quite often it is compressed into this brick shape so they can conceal it in trucks, in automobiles. Sometimes they take away the upholstery of the automobile and place these inside. Sometimes they take the side panels of the doors and place this inside and bring it across the border.

Mr. ADLERMAN. Do you have any samples of the original weed?

The CHAIRMAN. What does that brick weigh?

Mr. O'CARROLL. This is about 2 pounds, Senator. It would cost \$250.

The CHAIRMAN. To the purchaser here?

Mr. O'CARROLL. This is to the purchaser.

The CHAIRMAN. What will that finally retail for?

Mr. O'CARROLL. This would yield in the form of cigarettes about \$700. You would get about 700 cigarettes from these 2 pounds.

The CHAIRMAN. About \$1 a cigarette retail?

Mr. O'CARROLL. About \$1 a cigarette. I have some cigarettes with me. Generally they are sold in this quantity. It might be a quantity of 5, 10, or 15, and you have to pay that amount, \$1 per cigarette.

The CHAIRMAN. Are those a regular sized cigarette?

Mr. O'CARROLL. No; it is a rather unusual cigarette, Mr. Chairman. It is long and it is thin. It is extremely thin.

The CHAIRMAN. How long does it take to smoke one of those up; based on the ordinary cigarette, would it go up in a minute?

Mr. O'CARROLL. This goes up very quickly because it is quite dry and they puff on it quite vigorously.

The CHAIRMAN. Do they inhale it?

Mr. O'CARROLL. They inhale it in tremendous drafts of inhalation. They have to really suck hard and bring that smoke down into their stomach.

The CHAIRMAN. I was wondering how you were going to get 700 cigarettes out of that package. But they are this size?

Mr. O'CARROLL. That is the standard size, Mr. Chairman.

The CHAIRMAN. You say you have the original weed there?

Mr. O'CARROLL. Yes, sir. This is the original leaf which is enclosed in a plastic. This is what they crush to make the marihuana.

The CHAIRMAN. Where is this grown, principally?

Mr. O'CARROLL. It can be grown anywhere in the world and it is grown everywhere in the world. But the marihuana users in the United States use the Mexican variety, mostly from Mexico.

The CHAIRMAN. I see you have a male flower and a female flower. What is the difference? Which one is the most potent?

726 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. O'CARROLL. The most potent is the female, Mr. Chairman.

Mr. ADLERMAN. That can be grown in lots on the streets of Washington, New York, Philadelphia, or any place?

Mr. O'CARROLL. That is correct, sir.

Mr. ADLERMAN. As a matter of fact, they grow along the sides of the roads in some areas of the United States.

Mr. O'CARROLL. That is correct.

The CHAIRMAN. I am very sorry that we have to suspend at this time, and not only suspend, but I am compelled to recess over until in the morning. Some other matters have come up that have to take precedence over this hearing. I am not sure but what I could continue the hearing this afternoon if I knew I could get two members of the committee to attend and proceed with the hearings, but we are all under such a strain now in work on the floor trying to process legislation, appropriation bills, before adjournment. Each Senator has his problems and cannot be every place he needs to be.

I know of no other way to do it if we continue these hearings at this time except to come in in the morning and get as much done as we can and then determine each day whether it is possible for us to resume and proceed in the afternoon. That is the only way I know to do it. We are under a difficult situation and doing the best we can.

Of course, we are not through with your testimony and I will have to ask you to return.

We will recess over until 10:30 in the morning.

(Members of the subcommittee present at time of recess: Senators McClellan and Curtis.)

(Whereupon, at 12:30 p.m. the subcommittee recessed, to reconvene at 10:30 a.m., Thursday, July 30, 1964.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

THURSDAY, JULY 30, 1964

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:30 a.m. in room 3302, New Senate Office Building, pursuant to Senate Resolution 278, agreed to February 10, 1964, Senator John L. McClellan (chairman of the subcommittee) presiding.

Members of the subcommittee present: Senator John L. McClellan, Democrat, Arkansas; Senator Karl E. Mundt, Republican, South Dakota; Senator Carl T. Curtis, Republican, Nebraska; Senator Jacob K. Javits, Republican, New York.

Also present: Jerome S. Adlerman, general counsel; Paul B. Kame-
rick, assistant counsel; LaVern J. Duffy, assistant counsel; Philip W.
Morgan, chief counsel to minority; Eugene J. Marshall, Bureau of
Narcotics; Ruth Y. Watt, chief clerk.

The CHAIRMAN. We will come to order.

(Members of the subcommittee present at time of convening: Sena-
tors McClellan and Javits.)

The CHAIRMAN. We will resume with Mr. O'Carroll, who was tes-
tifying when we had the recess yesterday.

Very well, Mr. O'Carroll, if you will take up about where you left
off with your testimony yesterday, we will proceed.

TESTIMONY OF PATRICK P. O'CARROLL—Resumed

Mr. O'CARROLL. Yesterday I was talking about marihuana and men-
tioning the leads of marihuana made into marihuana cigarettes. I also
brought with me a substance which is also marihuana, but it is the re-
fined marihuana and it is a very strong type and it is called hashish.

This is principally used in the Near East and the Middle East. We
seldom see it in this country. It is a great problem in the United
Arab Republic. It is principally grown in Lebanon and shipped into
the United Arab Republic, as well as other countries of the Middle
East. This is called a slipper of hashish, and it is quite potent.

The CHAIRMAN. What would that sell for on the American market?

Mr. O'CARROLL. This would sell for approximately \$250 in the illicit
market, but we seldom see it, Mr. Chairman.

The CHAIRMAN. We have no particular problem with that?

Mr. O'CARROLL. Fortunately, not with this, because this is extremely
strong.

728 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. The source of that is Africa.

Mr. O'CARROLL. The source is the Middle East, generally the country of Lebanon.

I also brought with me some coca leaves that you may be interested in seeing. As you heard from the testimony of Commissioner Giordano and Commissioner Anslinger, these coca leaves are from the coca bush, which is grown in Peru and Bolivia, and in Colombia.

The CHAIRMAN. Are those bushes cultivated as we cultivate something over here, that we want to grow and use, or do they just grow wild?

Mr. O'CARROLL. No, they are actually cultivated.

The CHAIRMAN. And they are specifically grown for the purpose, is that right?

Mr. O'CARROLL. For the coca leaf, which is a custom in Peru and Bolivia and Colombia to chew this coca leaf, and this is the major use of the coca leaves. However, there is a cocaine alkaloid and by a chemical process you can come up with the drug called cocaine, and this is a white powder that looks very much like epsom salt that you have in your home.

It is highly crystalline and the addicts or users in the United States use this cocaine by sniffing it into their nose.

I have a number of boards here that you may be interested in seeing. These are exhibit boards. One is on opium and another is on heroin, and the third is mainly on marihuana. As I mentioned to you yesterday, the opium is smoked in the opium pipe and we have an opium pipe here.

We also have on the board an improvised pipe which you sometimes see. This improvised pipe is made of bamboo and the bowl is actually a bottle that is taped to the bamboo pole. This particular item up here is a very hard pillow made out of plastic. It is a head rest.

The CHAIRMAN. While they are smoking, they recline, is that right?

Mr. O'CARROLL. They recline while they are smoking and you can't stand up as you are smoking, and you must lie down, and as you lie down, you put your head on this rest so that you can elevate your head in order to facilitate your smoking.

There are other items on the board. This is a bamboo box with scales enclosed, and quite often you will see this in weighing the opium in an opium den.

The CHAIRMAN. I don't understand how they weigh opium with a paddle. That looks something like a paddle.

Mr. O'CARROLL. Evidently, it is a real old type of scale, that would balance out with an amount here. This is the scale box. You would take this scale which is now on the board and fold it up and put it in this scale box, and carry it. This could be carried.

Mr. ADLERMAN. The scale has two little pans on the side, is that right?

Mr. O'CARROLL. That is right.

Mr. ADLERMAN. And the pans fit into the case side of it.

Mr. O'CARROLL. That is right.

Mr. ADLERMAN. And the balance stick goes across between them.

Mr. O'CARROLL. That is correct.

The CHAIRMAN. Now, that board you have been testifying from, there is one with respect to marihuana, and opium, and the—

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 729

Mr. O'CARROLL. Smoking of opium, sir.

The CHAIRMAN. Now, the next board, what is that? What do you have there?

Mr. O'CARROLL. Now, the next board mainly consists of paraphernalia and also heroin. On the upper right is the raw opium as we mentioned yesterday, and you can make morphine base from it, and from the morphine base you make this white powder which is the heroin.

The heroin is packaged up in various types of containers, and in the street trade they may sell it in terms of 1 ounce or half an ounce. These days in some of our larger cities, they are selling it in small packages.

The CHAIRMAN. Those small packages at the bottom, what do they sell for?

Mr. O'CARROLL. This would sell for approximately \$5, sir.

The CHAIRMAN. How many shots or doses could you get from that?

Mr. O'CARROLL. You would get one shot, depending upon your addiction, sir. Some may adulterate this and make three shots out of it.

The CHAIRMAN. Depending on how long you have had the habit.

Mr. O'CARROLL. That is right, sir.

The CHAIRMAN. How much resistance you have built up.

Mr. O'CARROLL. Exactly, sir.

The CHAIRMAN. And the other larger ones, would they sell for \$10?

Mr. O'CARROLL. The larger ones would be correspondingly higher, \$10 or \$20 or \$30, going up to \$300 to \$500 for an ounce of heroin.

I have with me, Senator, and you might be interested in it, the paraphernalia used by the addict in using this heroin, and generally they carry it in a case, or sometimes in a handkerchief, and it consists usually of a spoon, and sometimes if they don't use a spoon, they will use a bottle cap, and they will improvise a spoon by putting a wire around it.

Now when you have a quantity of heroin that you would inject into your system, if you were an addict, you would take this bottlecap, which is the common type of paraphernalia that is used, and you would put water in it. You would add the heroin to the water, and you would put a match under the bottlecap and as this heats the heroin would dissolve into the water.

Generally, on this bottlecap they will have a small piece of cotton, because when they use the eyedropper to take this solution into the eyedropper, they don't want any impurities to go into the eyedropper.

The reason they don't want the impurities is that the hypodermic needle that they use is, of course, extremely small, and if they are injecting the needle into their arm and plunging the eyedropper so that solution would run in, if there are any impurities, it would clog the needle and therefore they would have to go through the whole process of going through the shot again.

Now, generally, what they do to make sure that there is a firm joint between the eyedropper and the needle, they would take generally a dollar bill, and they will tear a small corner from the dollar bill, and after, of course, they have the solution in the eyedropper, they will wrap the piece of currency tightly around the eyedropper, and attach the hypodermic needle to it.

The CHAIRMAN. You are not too experienced in that.

730 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. O'CARROLL. No, I am not. Once they have the solution in the eyedropper and the hypodermic needle attached with a very firm joint as a result of using this dollar bill on it, they would then inject it into their veins.

The CHAIRMAN. Why do they use a dollar bill? Is there any significance in that?

Mr. O'CARROLL. No, there isn't; it might be because it is handy. In all probability they use it because the texture of the paper is quite good and there won't be any leakage from it.

The CHAIRMAN. The reason you say dollar bill, is because it's likely they don't have more than dollar bills.

Mr. O'CARROLL. They don't have many \$5 or \$20 bills on them.

The CHAIRMAN. On those shots now, after they give themselves shots, how long will they last? Do they last a day or several hours?

Mr. O'CARROLL. Generally, and you have to speak in generalities, Mr. Chairman, because it depends on the weight of the individual and the amount of the drug taken and the purity of the drug, but generally, it would be every 4 hours if you are an addict, and the drug is available. He would be taking it approximately every 4 hours.

The CHAIRMAN. Would that include nighttime?

Mr. O'CARROLL. Generally, most of the addicts are late risers, and they might get up at 1 or 2 o'clock in the afternoon. They will immediately take a shot at that point if the drug is available in the house, and if it isn't, they will have to go out and find some.

I would say around 6 or 7 o'clock at night, they take another shot, and again at 12 o'clock, around midnight, and then before they go to bed at night, which might be 4 o'clock in the morning.

The CHAIRMAN. Very well, you may proceed.

Mr. ADLERMAN. Does that complete your statement?

Mr. O'CARROLL. This generally completes my statement.

The CHAIRMAN. What about the other board?

Mr. O'CARROLL. The other board has some marihuana cigarettes that you saw yesterday. In the upper right-hand corner are some marihuana pipes which you don't see too often, but in the Greenwich Village area of New York or out in Venice, Calif., or some places where the beatniks, if that is the word, gather, some of them may be more sophisticated and use the pipe, by inserting the cigarette through the hole in the pipe, and it is usually made out of a chicken bone.

But you don't see this too often. It is generally smoked in the form of cigarettes, which you see in the right-hand corner.

The heel is an indication of how narcotics could be smuggled perhaps into prisons and into hospitals, or sometimes into the country. It is a hollowed-out heel. On the book, there are sometimes sellers of narcotics that will hide the narcotics in cutout sections of books, and they will have a number of books around, and sometimes the inexperienced officer may not thumb through it and, of course, would not find the heroin.

The pictures show the abscessed scars which often accompany narcotic addiction. Most of the times on the arms, and sometimes it is on the legs. It depends upon where they are shooting the injection, but I would say the majority use the arms for this, and, as a result of dirty needles or impurities in the drug, some abscesses are formed, and they are rather ugly looking and mainly from the impurities.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 731

Sometimes—talking about the abscesses—if an addict has a social disease or a blood disease, and he lends what he calls his outfit, which would be the hypodermic needle and the eyedropper, to a fellow addict, after taking a shot of heroin, he can transmit this blood disease to the other addict, and, of course, this has happened on a number of occasions.

The CHAIRMAN. Very well. Is there anything further?

Mr. O'CARROLL. No, sir.

The CHAIRMAN. Are the law enforcement agencies, their personnel, able to keep up with—and I don't know whether this is a proper term—the scientific progress being made in this field, to the techniques of the trafficker and the victim and the means that they adopt. Are you able to keep current with it sufficiently and devise countermeasures to detect it?

Mr. O'CARROLL. Yes, sir. I would like to mention that as a director of the Federal Bureau of Narcotics Training School, we keep up to date on all of these methods and, since the school began in 1956, we have trained 1,418 local and State enforcement officers at the school.

Now, the instructors at the school, most of them are supervisors in the Bureau of Narcotics. We also have a doctor from Lexington, Ky., who is now an official here in Washington. He gives a course on the treatment of drug addiction.

We have the latest techniques in the laboratories, such as activation analysis, so the policemen of the country on a local and State level are certainly being educated in this matter. We certainly would like to educate a lot more and we are trying to do this. We have about eight classes a year.

The CHAIRMAN. The instruction you give to local and State officers, do you think that pays off and it equips them and develops in them a knowledge of the situation so that they are able to cooperate with you better and be helpful in that respect?

Mr. O'CARROLL. I think it gives them a great insight and understanding, those that are already trained in narcotic enforcement, on the things that we are doing, and it makes a much better cooperation between our agencies. Those who are inexperienced, and generally it is in those States that do not have a narcotic problem, are aware now of the problem and can take steps to prevent the problem from occurring in their community. I think it is extremely helpful, Mr. Chairman.

The CHAIRMAN. Very well, thank you, sir.

Senator Javits, do you have any questions?

Senator JAVITS. I have no questions, thank you, Mr. Chairman.

The CHAIRMAN. All right, we will call the next witness.

Mr. ADLERMAN. I would like to call Deputy Chief Inspector Patrick J. McCormack, Deputy Superintendent Joseph Morris, and California State Bureau of Narcotics Director John Storer.

The CHAIRMAN. Will each of you be sworn.

Do you, and each of you, solemnly swear that the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. McCORMACK. I do.

Mr. MORRIS. I do.

Mr. STORER. I do.

732 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

TESTIMONY OF PATRICK J. McCORMACK

The CHAIRMAN. Beginning on my left, will you identify yourself for the record, please?

Mr. McCORMACK. Deputy Chief Inspector Patrick J. McCormack, commanding officer, Narcotics Bureau, New York City Police Department.

The CHAIRMAN. Do you have a prepared statement?

Mr. McCORMACK. I do, Mr. Chairman.

The CHAIRMAN. I believe you have indicated a willingness to have it inserted in the record as your testimony.

Mr. McCORMACK. I have, Mr. Chairman.

The CHAIRMAN. Do you swear that the contents of this statement, which you submit for the record, are true to the best of your knowledge and belief?

Mr. McCORMACK. I do, Mr. Chairman.

The CHAIRMAN. Very well, the statement will be received and printed in the record at this point.

(The statement referred to is as follows:)

STATEMENT OF DEPUTY CHIEF INSPECTOR PATRICK J. McCORMACK, COMMANDING OFFICER, NARCOTICS BUREAU, NEW YORK CITY POLICE DEPARTMENT

Mr. Chairman, and distinguished members of the committee, I am happy to be here with you today to discuss the narcotics problem in New York City. The observations I make are based on the police department's experience in battling the evils of the narcotic traffic. They represent the crystallized thinking of 200 specially assigned detectives, who annually spend hundreds of thousands of man-hours in the field of narcotics law enforcement and who have gained a keen insight into their portions of the problem. We hope this experience will be of aid to the committee and the people of the United States.

We realize that the problem of control of narcotics addiction is a many-faceted one. It will take the closest cooperation among experts in medicine, law enforcement, social work, legislation, and other allied fields before any real progress can be made toward the goal of prevention and cure of narcotics addiction.

In order to evaluate the narcotics problem in the city of New York, let us examine the arrest figures of the police department for the years 1962 and 1963.

In this period, arrests for sale of narcotics or possession of narcotics as a felony rose from 2,080 in 1962 to 2,385 in 1963, an increase of 14.6 percent.

Arrests for the possession of narcotics as a misdemeanor rose from 5,834 in 1962 to 6,221 in 1963, an increase of 6.6 percent.

The number of persons arrested for any crime and found upon arrests to be drug users rose from 13,670 in 1962 to 14,345 in 1963, an increase of 4.9 percent.

These figures indicate that there has been an increase in arrests for violations of the narcotics laws and in the number of drug users arrested for violations of any law. We feel that our effectiveness has been stepped up but at the same time we also believe that there has been an enlargement of the narcotics problem. These statistics reflect both of these factors.

Of the drug users arrested 93.4 percent used heroin, while 4.3 percent used marihuana, and the remaining 2.3 percent used one of many types of drugs including cocaine, morphine, opium, barbiturates, and amphetamines.

A survey of all arrests effected by the police department during March 1964 was conducted to determine the number of arrests made of heroin users, the average amount of the drug used daily, and the average cost to the user. This survey indicated that of 16,751 arrests, 1,382 of the persons arrested admitted to being heroin users, comprising 8.25 percent of the total arrests.

The questioning of these 1,382 users indicated that they used 3,548 "bags" or "decks" of heroin per day. This amounts to an average use of 2.6 "bags" of heroin by one user per day. On March 22, 1964, 17 arrested users stated they

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 733

used an average of 3.4 "bags" per day; this represented the highest average amount used daily. Conversely, on March 28, 1964, 30 arrested users stated their average daily consumption was 2 "bags" per day. One user claimed a 20 "bags" per day habit, the highest during this period while one-half "bag" per day was the lowest usage.

The 1,382 admitted users declared that they expended an average of \$12.30 per day to support their heroin habit. On March 22, 17 users said their daily cost was \$16.59 per day. The lowest amount was stated to be \$9.66 per day by 35 addicts on March 14. In one instance a user claimed his habit cost him \$100 per day. The lowest expenditure per day was said to be \$2.50 for one-half a "bag".

The "bag" or "deck" usually purchased by addicts at street level is priced at either \$3 a "bag" weighing 1 grain with a 15- to 30-percent heroin content or \$5 a "bag" weighing 2 to 3 grains with a 15- to 30-percent heroin content.

Of the 1,382 admitted arrested users, 863 had been previously arrested for a narcotic violation. These 863 were apprehended a total of 2,841 times. This reflects an average number of arrests of narcotic recidivists to be 3.3 at the present time.

A total of 332 of the 1,382 addicts or 24 percent of those surveyed, offered the information that they had undergone some form of hospitalization for their heroin usage.

Males comprised 1,258 of the heroin users apprehended, or 91 percent and females 124 arrested, or 9 percent.

We believe that narcotics addiction poses two problems: that of illicit traffic in narcotic drugs and that of the addict and prevention of addiction. The police department is interested in both.

The answer to illicit traffic can only be intensified law enforcement and stiffer penalties for drug traffickers. The New York City Police Department maintains the largest narcotics unit of any local police department in the world. It is second only to the Federal Bureau of Narcotics in size and activity.

The superior officers assigned to our narcotics bureau are trained at the Federal Narcotics Bureau School in Washington, D.C. Initial and refresher courses in local problems are given at our police academy to all members of the department to enable them to be familiar with and cope with violations of the narcotic laws.

Our department works closely with other law enforcement agencies in a constant effort to stop the flow of narcotics into New York City, and to arrest those who deal in narcotics in New York City. We maintain constant contact with the Federal Bureau of Narcotics, as well as with local law enforcement forces in the areas surrounding and adjacent to our city. This cooperation has been mutually beneficial to all agencies concerned, and to the public.

We believe we would be assisted immeasurably in our law enforcement efforts if Congress would restore the right to utilize fully wiretapping procedures. It is our experience that the higher-ups in illicit narcotic traffic are careful never to dirty their hands with the physical possession of narcotics thereby making their arrest and conviction difficult. Legalized telephonic interception will give us an effective means to bring them to justice.

In 1961, our efforts in enforcement of the narcotic laws were hampered by the *Mapp v. Ohio* decision by the Supreme Court of the United States. We have had some progress in New York State in obtaining the means to overcome the serious effects of that decision. Search warrant procedures have been expanded to adjust to the problem encountered and two new statutes with major impact on police authority became effective on July 1, 1964. The first is known as the stop-and-frisk law and provides for the temporary questioning of persons in public places under indicated circumstances and allows for the search of such persons when a police officer reasonably suspects that he is in danger of life or limb. The second is known as the no-knock law and provides for the execution of a search warrant without notice of authority, under indicated circumstances, when the property sought may be easily and quickly destroyed or disposed of, or that danger to the life and limb of the officer or another may result, if such notice were to be given. In order to insure the constitutionality of these two new laws and their continued availability to us every precaution has been taken in instructing law enforcement officers in properly carrying out their provisions. We are endeavoring, with the proper execution of added police powers, to protect the community, while simultaneously protecting and treating fairly all persons in it.

734 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Now to the addict problem. In New York State narcotics addiction is not a crime and the addict is not liable to arrest solely because of his addiction. It is the consensus among experienced law enforcement officers that there are two basic and harsh facts of drug addiction which are not too well known. One is that addicts beget addicts; that pushers, alone, do not. The other is that generally speaking addicts do not want to be cured.

In the light of these two facts we believe that detoxification, convalescence, and aftercare rehabilitation under proper supervision are absolutely necessary in any program for the cure of addiction. This belief conforms to the provision of the new Metcalf-Volker Act now in effect in the State of New York providing procedures in narcotic drug addiction cases. This belief also conforms to the procedures adopted by the New York City Health Department through its narcotics coordinator.

Under the present State and city programs against narcotic drug addiction the various qualified agencies are engaged in the greatest effort yet made to determine the causes and provide for the cure and rehabilitation of the addict. It is the intent and desire of our department to cooperate and aid in every way we can to insure the success of these programs.

The CHAIRMAN. Would you wish to make any further comment with respect to any of the matters that you have covered in your prepared statement or make any further statement pertinent to the subject under inquiry?

Mr. McCORMACK. Yes, sir, Mr. Chairman. I would also like to insert as a part of the record the instructions issued to each and every member of the New York City Police Department, in connection with the new stop-and-frisk and no-knock laws, so that their provisions will be carried out with care.

The CHAIRMAN. Very well, is there anything further?

Mr. McCORMACK. Yes, sir.

Mr. ADLERMAN. Do you have a copy of that?

Mr. McCORMACK. Yes.

(The instructions referred to will be found in the appendix on p. 852.)

The CHAIRMAN. Do you have any questions?

Senator JAVITS. I just wanted to welcome you here, sir, and I didn't quite get the implication of the statement which you are submitting. It is the law, is it not, or the law just passed?

Mr. McCORMACK. You mean the statement that I said I would like to append to my statement.

Senator JAVITS. Yes.

Mr. McCORMACK. Those are the police department regulations with relation to the regulations and how they will be enforced and I am submitting them to show the care that is being taken not to violate anybody's constitutional rights.

Senator JAVITS. Is the witness making any statement here?

The CHAIRMAN. He is submitting a statement for the record.

Senator JAVITS. I would like to ask this witness one question, if I may.

In New York, with which we are both very well acquainted, I have heard varying estimates of the incidence of narcotics addiction among prisoners arraigned for felonies. I have heard this mainly from the judges of what was general sessions and now the supreme court, and I have heard estimates generally running around 30 percent. That is, 30 percent of the prisoners arraigned for felonies are narcotic addicts.

Mr. McCORMACK. No, Senator, it wouldn't be that high.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 735

Senator JAVITS. That is why I am asking you the question. Would you give us some concept of the incidence of narcotic addiction as it relates to the incidence of major crime, in either New York County or all of the counties?

Mr. McCORMACK. I will give it to you for the city as a whole.

Senator JAVITS. That will be fine.

Mr. McCORMACK. In 1963, there were a total of 206,248 arrests for all crimes, compared to 207,615 arrests in 1962. That is a decrease of 1,367 arrests.

Despite the decrease in total arrests, arrests of persons who are narcotic users increased to 14,345 in 1963, from 13,607 in 1962, an increase of 675 users.

In 1963, narcotic users made up 7 percent of the total persons arrested, while in 1962 narcotic users made up 6.6 percent of the total persons arrested.

Senator JAVITS. That is of persons arrested for all crimes or of those arrested for felonies?

Mr. McCORMACK. That is all crimes.

Senator JAVITS. What about felonies?

Mr. McCORMACK. Now, this is the table of narcotic and drug users compared to total arrests. That is for New York City and I gave you that.

Now, they have it split down into other categories. This is narcotic and drug users, compared to arrests for crimes against property. This is the selected felonies of robbery, burglary, and grand larceny, except motor vehicle, and grand larceny motor vehicle, and criminally receiving, frauds and cheats, and forgery and counterfeiting, arson, malicious mischief, extortion and blackmail, and then the totals.

Senator JAVITS. What is the percentage there?

Mr. McCORMACK. The percentage there is 11.7 percent.

Senator JAVITS. Is that the highest percentage of any? What about crimes against persons?

Mr. McCORMACK. That is much lower.

Senator JAVITS. So that 11 percent is the highest you have?

Mr. McCORMACK. 11.7.

Senator JAVITS. Now, Mr. Chairman, I ask unanimous consent that the charts may be submitted as part of the witness' testimony.

The CHAIRMAN. Very well, they may be received.

Senator JAVITS. These are confidential?

Mr. McCORMACK. I have already submitted them to the committee, Senator.

The CHAIRMAN. Were they submitted as a part of your statement?

Mr. McCORMACK. No; they weren't, Mr. Chairman. I had forwarded them at the request of Mr. Adlerman.

Senator JAVITS. May they be reproduced?

The CHAIRMAN. They will be.

(The charts referred to will be found in the appendix on p. 856.)

Senator JAVITS. I have one other line of questioning. How do you define a narcotic user for the purpose of those statistics?

Mr. McCORMACK. Well, when he is brought to the station house and he is arrested, he is questioned by the desk officer, Senator, and he gives the answer on whether or not he is addicted to drugs.

736 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator JAVITS. So there might be a higher estimate if you left it to the arresting officer or the arraigning judge to determine whether or not an accused person is a narcotic user? This is his self-confessed definition you are giving us?

Mr. McCORMACK. That is right.

Senator JAVITS. Do you have any estimate of what the figures would be if you gave us the actual narcotic users as against the admitted narcotics users?

Mr. McCORMACK. No; I do not have any estimate.

Senator JAVITS. You would not reject the figure given me by the judges, which is approximately 30 percent, as necessarily inaccurate?

Mr. McCORMACK. No; I could not.

Senator JAVITS. You couldn't do that.

Mr. McCORMACK. No.

Senator JAVITS. These are just self-confessed narcotics users?

Mr. McCORMACK. That is right.

Senator JAVITS. I would state to the Chair authoritatively, because it has been stated to me by judges of the court which handles all felonies in New York County, that they estimate that 30 percent of those arraigned for felonies are narcotics users, and that this is, in their judgment, the most critical problem in law enforcement in the City of New York, certainly in the county of New York.

Mr. McCORMACK. Certainly it is.

Senator JAVITS. You would agree with that?

Mr. McCORMACK. I would agree it is a terrific problem and a terrific law enforcement problem and their estimates could be correct.

Senator JAVITS. Would you agree with them, Mr. McCormack, because I think this is really the question, that the principal incitement of crime, the one single greatest incitement to major crime is narcotics addiction?

Mr. McCORMACK. I would, Senator, yes.

Senator JAVITS. In other words, there might be 11 percent and for this reason might be 7 or 8 or 6 percent for various other reasons, but this is the biggest single one.

Mr. McCORMACK. That is right, and it is a major problem in the city of New York.

Senator JAVITS. Would you say it is on the rise, or in decline or unchanging?

Mr. McCORMACK. Apparently it is on the increase.

(At this point Senator Curtis entered the hearing room.)

Senator JAVITS. Now, has the New York State Civil Commitment Act helped you at all?

Mr. McCORMACK. Yes, it has, Senator, regardless of the people that may not be satisfied with it, we believe it is the first substantial step taken and that it should prove successful and that it is the best law that we have had so far.

Senator JAVITS. And would you think, therefore, that our experience deserves to be projected on the national level?

Mr. McCORMACK. I would, Senator; yes.

Senator JAVITS. You don't see our New York City problem as particularly different from the problem of any big city with narcotics addiction in it?

Mr. McCORMACK. I do not, Senator.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 737

Senator JAVITS. So the idea of civil commitment, you feel, is the first really constructive step to deal with the problem in many years?

Mr. McCORMACK. I do, Senator.

Senator JAVITS. I thank the Chair for allowing me to question the witness. I would say, Mr. Chairman, deplorable as it is for us, that we probably have the prime experience with this problem of any major community in the country, and so I do hope that the members of our committee and of the Senate will pay very serious attention to what is developed from the testimony with respect to New York City.

The CHAIRMAN. Thank you, Senator. Do you feel, then, that the Senate committee in this instance, is not engaged in some pursuit, idle pursuit, of something that doesn't need attention?

Mr. McCORMACK. On the contrary, Mr. Chairman.

The CHAIRMAN. You feel this is an area where attention and effort and study and action, if we can determine what action should be taken, is not only desirable, but almost mandatory.

Mr. McCORMACK. I certainly agree with that statement, Mr. Chairman.

The CHAIRMAN. Do you have any suggestions as to legislation in—that is, Federal legislation, that the Congress should consider or that you think might be helpful in this field?

Mr. McCORMACK. Yes, I have incorporated in my statement a suggestion.

The CHAIRMAN. I haven't had the opportunity to read your statement, but you folks who are right next to this problem and have the experience and have the responsibility, I want certainly to invite your earnest suggestions and recommendations to what the Congress can do, if anything.

If you think of anything which you are considering doing, we would like to have your counsel on it. It is the primary purpose of this series of hearings to go into this field and try to determine if there is something more we can do here in the Congress to be helpful.

Mr. McCORMACK. Mr. Chairman, I have mentioned in my statement our request for Congress to give us the right of lawful telephonic interception.

The CHAIRMAN. You believe that is almost imperative, to cope with this situation.

Mr. McCORMACK. It is absolutely imperative, Mr. Chairman.

The CHAIRMAN. You know, we have a problem here. I have introduced legislation, and I am for it, but I do want us to use every precaution and take every proper restriction on it necessary to protect the rights of citizens. As long as we are really after a criminal or somebody violating the law and we are searching for that, that is fine, but I want to be sure that we place such safeguards on it that it is most unlikely that the authority will be abused in any way or misused.

Mr. McCORMACK. Yes, Mr. Chairman. That is why I was particularly interested in introducing into evidence before the committee the police department's instructions to its members in connection with the no-knock law, and the stop and frisk, to show how careful we are trying to be, in educating our officers not to violate the rights and the constitutional privileges of those who should be protected.

738 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. I may be mistaken, but I think the Congress would readily enact such legislation, if it could feel sure that there would be no such abuses of the authority granted. I may be mistaken, and it is just my judgment.

Mr. McCORMACK. Certainly, Mr. Chairman. We agree with that.

The CHAIRMAN. I would vote for it enthusiastically, if I could be assured that there would be no abuse of it. In other words, that it would only be applied in those cases where it would be properly used.

Senator JAVITS. Mr. Chairman, if I could sum up, because I have now run through the inspector's statement, I gather that the New York Police Department would recommend, first, having procedures adequate to meet constitutional and civil liberty safeguards.

Mr. McCORMACK. That is correct, Senator.

Senator JAVITS. That would be one branch of it.

Two, you like the new laws, the stop-and-frisk law, and the no-knock law, which you have described.

Mr. McCORMACK. That is correct.

Senator JAVITS. And three, what interests me especially, you like very much the idea of the Metcalf-Volker Act, which is detoxification, convalescence, aftercare and rehabilitation under proper supervision, with the mere addiction not a crime, but a cause for civil commitment, in an effort to bring about a cure.

Mr. McCORMACK. That is correct, Senator.

Senator JAVITS. Incidentally, Senator Keating and I have introduced legislation exactly for that purpose on the Federal level.

Mr. McCORMACK. Mr. Senator, I have read your legislation, and Senator Keating's legislation, and I have attended symposiums where you have appeared, and I know the strenuous effort that both you and Senator Keating have put forth in the narcotics addiction problem, and I think the people who are addicted and the people who are trying to care for the addicts should be grateful to you.

Senator JAVITS. You are very kind, Inspector. And, finally, the idea of research, because this is an area which has suffered very severely from lack of work.

Mr. McCORMACK. That is right.

Senator JAVITS. I think that summarizes it. I thank you very much.

Senator CURTIS. I have no questions at this point, except I might just have one question about this wiretapping proposal. Is it true that one of the things that makes this necessary is that the big-management boys in narcotics aren't the ones you can pick up out on the street?

Mr. McCORMACK. That is absolutely correct, Senator. They won't go near the narcotics or touch them at all.

Senator CURTIS. The big brains and the big profits and the top side of management in narcotics peddling is directed behind the security they set up, and the only avenue of tying them in is communications.

Mr. McCORMACK. That is correct, Senator.

Senator CURTIS. Well, it seems to me that Senator McClellan's bill has a number of safeguards in it. As I understand it, instead of allowing people just to wire tap indiscriminately, you apply for a writ before a judge just like prosecutors now apply for a search warrant.

Mr. McCORMACK. That is right, Senator.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 739

Senator CURTIS. Then, from the very practical standpoint, it seems to me that if a court is going to admit evidence where a witness is physically concealed in somebody's premises or in back of their automobile, and let him testify, there isn't much logical reason for saying he can't testify as to what he heard over the telephone.

Mr. McCORMACK. That is correct.

Senator CURTIS. Because so far as invading individuals privacy, they are one and the same, only one is mechanical and the other isn't.

Mr. McCORMACK. That is correct.

The CHAIRMAN. Thank you.

Mr. ADLERMAN. Captain McCormack, your testimony shows that the average cost of addiction per addict is about \$12½ a day.

Mr. McCORMACK. That is right.

Mr. ADLERMAN. You have, according to the statistics that we heard yesterday, a minimum of 22,000 addicts in the city of New York today.

Mr. McCORMACK. Yes.

Mr. ADLERMAN. That would lead to an annual cost for the purchase of narcotics of about \$5,000 per addict, is that right?

Mr. McCORMACK. Approximately; yes, Mr. Adlerman.

Mr. ADLERMAN. In your experience as head of the narcotics squad, do you find that the narcotic addict is able to support himself by honest labor?

Mr. McCORMACK. Very rarely.

Mr. ADLERMAN. So that most of them must obtain the money from some other source or another.

Mr. McCORMACK. A good many of them; yes, Mr. Adlerman.

Mr. ADLERMAN. Would you say that most of them obtain it through some illegal means?

Mr. McCORMACK. I would.

Mr. ADLERMAN. Now, some may obtain it through prostitution.

Mr. McCORMACK. That is correct.

Mr. ADLERMAN. The male may obtain it through theft or burglary or something of that sort.

Mr. McCORMACK. That is correct.

Mr. ADLERMAN. So that if we were to take even a figure of half, say 11,000, who support themselves by thievery or larceny of some kind, that would come to a figure of a quarter of a billion dollars a year in theft. If you figure the total amount of the theft it would have to be five times the amount the criminal will eventually get back from a fence.

Mr. McCORMACK. That would be correct.

Mr. ADLERMAN. Is that your estimate?

Mr. McCORMACK. It goes into the millions, there is no question about that.

Mr. ADLERMAN. In New York City, the lowest estimate that you could put on the amount of theft that is created by addiction would be a quarter of a billion dollars a year.

Mr. McCORMACK. Let us put it anywhere from \$5 million. When they get to these figures, they are astronomical to me.

Mr. ADLERMAN. Let us say \$5,000 per addict, and there are 22,000 addicts, and it will come out to \$110 million a year.

Now, if they had to fence their material, they usually get 25 percent or 20 percent on a dollar, is that right?

740 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. McCORMACK. That is right.

Mr. ADLERMAN. That would mean that they would have to fence a total of \$500 million, or a half billion dollars a year.

Mr. McCORMACK. That is right. Is that the calculation that you made?

Mr. ADLERMAN. Assuming only half of them steal, it would come to a quarter of a billion dollars a year.

Mr. McCORMACK. That is correct, Mr. Adlerman.

Mr. ADLERMAN. Now, apropos of that, you have received a letter from Mr. Hoover, Mr. Chairman, as to the pertinency of the statements made by Mr. Giordano, and I think the most pertinent part of it is the statement that 73 percent of the narcotic offenders were arrested for some other criminal offense prior to their first arrest on a narcotics charge.

This goes to the statement that Senator Javits made, that the big problem that we have with the addict as a criminal is important here.

The CHAIRMAN. Without objection, I am going to let this letter from Mr. Hoover, and the report, appear in the record for information, without classifying it as sworn testimony, but just for information.

(The letter referred to follows. The report referred to will be found on p. 678.)

DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
Washington, D.C., July 28, 1964.

Hon. JOHN L. McCLELLAN,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR: In response to your letter of July 16, 1964, there is enclosed a brief statement concerning crime statistics available within the FBI on narcotic offenders.

It is hoped that the enclosed material will be of some value to your subcommittee. If we can be of any further assistance, please write.

Sincerely yours,

J. EDGAR HOOVER.

The CHAIRMAN. Now, thank you, gentlemen.

The next is Mr. Storer. Will you identify yourself for the record, please.

TESTIMONY OF JOHN E. STORER

Mr. STORER. My name is John E. Storer. I am the chief of the California State Bureau of Narcotic Enforcement.

The CHAIRMAN. How long have you served in that capacity?

Mr. STORER. I have been chief of the bureau since 1958.

The CHAIRMAN. Have you a prepared statement?

Mr. STORER. I have, Mr. Chairman, and I have already submitted that to the committee.

The CHAIRMAN. Will you state under oath that the contents of the statement to the best of your knowledge and belief are correct?

Mr. STORER. I do.

The CHAIRMAN. The statement will be received and printed in the record.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 741

(The statement is as follows together with a letter from Attorney General Stanley Mosk.)

STATEMENT OF JOHN E. STOREY, CHIEF, BUREAU OF NARCOTIC ENFORCEMENT
DEPARTMENT OF JUSTICE, STATE OF CALIFORNIA

The Honorable Senator McClellan and members of the Senate Permanent Subcommittee on Investigations, it is a great personal pleasure and honor for me to appear before you to discuss the narcotic problem in the State of California.

The traffic in illicit narcotics and the great number of addicts and peddlers of these drugs in California's population places us each year, and at each count, among the two or three States which suffer the most from this disease in our society.

Wherever there is drug addiction, there is misery and crime.

Beginning in July 1959, our bureau of criminal statistics has made a compilation of statistically new addict-users as part of the State's arrest studies. This count contains only those persons whose criminal reports and arrest documents indicate that they are addicts or users of a narcotic, such as heroin. New addict-users continue to swell this list at the rate of more than 200 per month.

Now, exactly 5 years after this counting project started, more than 17,000 separate individual names are in the addict-user files.

Statistically, the addicts are about 41 percent whites, 36 percent whites of Mexican descent, 21 percent Negro and 2 percent other races. Eighty-five percent of the addicts are males; 15 percent, females; and two-thirds had their initial arrest for illegal use of narcotics in Los Angeles County. These detailed statistical analyses are given to the Federal Bureau of Narcotics and to all others who are interested in the subject.

Some of our other findings on California drug abuse may be summarized briefly:

During the past 5 years, arrests have ranged between 15,000 and 17,000 each year for all types of drug law violations.

Over 80 percent of all narcotic arrests occur in southern California with two-thirds of them taking place in Los Angeles County.

Last year, 1963, heroin offenses were up almost 12 percent over the previous year and marihuana offenses increased more than 42 percent in the same period.

Over 90 percent of addicts arrested will have had prior arrests for addiction and out of all drug offenders arrested, 97 percent were in trouble with the law and were antisocial before they became addicts.

Two-thirds of the narcotics offenders are 30 years of age or younger.

Year by year as we have seen this increase in the illicit traffic in narcotics, law enforcement has increased its efforts to combat it. The California State Bureau of Narcotics has doubled in size since 1958, with our personnel of 117 people distributed in 5 field offices in major cities from San Diego and Los Angeles in southern California to Fresno, Sacramento, and San Francisco in the north.

Our primary function under the law is to investigate and arrest major violators and to seek out the sources of supply. Our secondary objective is in the control and enforcement of laws regulating the legal supplies of narcotics as prescribed by physicians, administered in hospitals and dispensed by pharmacists.

We recognize the severity of the drug problem in southern California by having 2 of our largest offices with a total of 46 agents stationed in that area. Other law enforcement agencies throughout the State have expanded their narcotic details and work in full cooperation with us.

It is not through California's three major seaports facing the Orient or our 1,600 miles of coastline that all of these drugs are smuggled. Planes flying into our four international airports from around the world are not bringing this heroin to our addicts. Our trade and commerce with all of the States to the east of us and on the Atlantic seaboard does not contribute in any significant measure to the supplies of heroin or of marihuana which arrive in California.

Heroin and marihuana in our State originate in Mexico. It is brought across the 140 mile-long border between California and Mexico, mainly through the ports of entry at San Ysidro and Calexico or those at Tecate and Andrade.

742 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Each year the drugs come through these ports along with 8 million automobiles, 30 million passengers and pedestrians and thousands of trucks and common carriers loaded with millions of dollars in legitimate merchandise.

Prior to 1940, Mexico produced no opium and manufactured no heroin. In 1950, Mexican heroin in California was commonplace but drugs of Far Eastern and Middle Eastern origin were more prevalent. By 1960, veteran officers agreed that 75 percent, three-fourths of the heroin in California, came from Mexico. Today, 1964, there is more heroin, more potent heroin, and cheaper heroin available in Mexico than ever before.

Those California officers who talk to informants, defendants, and suspects constantly concerning their "connections" are now saying that "practically all" of the heroin as well as marihuana comes from Mexico. This opinion is confirmed by the chemists in the laboratories of all of the major police agencies in California who agree that the heroin now encountered is characteristically and consistently of Mexican origin. This heroin ranges in color from dark brown to light brown. Heroin of the color of milk chocolate is the usual type found. It is extremely unusual for us to encounter white-, gray-, or buff-colored heroin in California, such as is smuggled from the Near East. As I have previously stated, this was not always the case.

Other characteristics of Mexican heroin are: the darker it is, the stronger it usually smells of acetic acid; the darker brown it is, the higher is the heroin content. The light-colored heroin is always fine textured, whereas the darker heroin is granular. These variations are probably all attributable to the kind of adulterant and especially the amount of adulterant which is present in the sample. Lactose is still the most commonly used adulterant, although we have seen samples where instant coffee was used, apparently in an attempt to retain the dark color. Lactose is found in almost all samples.

Procaine is frequently present and amidone occasionally is found in heroin as it comes across the border and before it has been further adulterated by the peddler in California. Mexican heroin has been described as morphine base which has been subjected to fast, crude laboratory conversion, producing very potent but chemically impure heroin.

A week ago, our agents in Los Angeles arrested two young peddlers after making undercover purchases of a total of 8 ounces of heroin on three different occasions. The price, delivered in Los Angeles, was \$200 per ounce. The first purchase of 2 ounces tested 81.1 percent heroin, the second 2-ounce purchase was 72.4 percent, and the third 4-ounce package was 68.7 percent pure.

One of these deliveries was a black chunk, resembling dried smoking opium or black tar. It burns with a medicinal odor quite unlike the smell of opium. It contains no meconic acid and when ground or grated to a powder, assumes the darkish-brown color of typically good quality Mexican heroin. The other two samples purchased were the brown, very granular heroin. This, the peddlers tell us, was prepared by rubbing the black chunks through a screen or sieve. This heroin came from the Laguna Salada area, west and south of Mexicali. I have the name of the connection there. The peddlers tell us that it is morphine but our chemists say it reacts to all of the chemical tests for heroin.

Both quantitative and qualitative analyses are made, as a matter of routine, in all of our larger drug seizures. Samples of one-half ounce or more, will almost invariably test from a low of about 15 percent to the highest we have seen in recent years, a sample of 169 grams which tested 94 percent heroin. The average heroin content of the larger samples will exceed 30 percent purity.

A typical small seizure of 1-grain bindles or capsules will assay from 3 to 9 or 10 percent. The addict who is the ultimate consumer seldom has access to uncut heroin. His drugs have passed through several hands and in each instance, the drug has been diluted further to increase profits.

Marihuana is sometimes offered for sale in Tijuana, Mexico, for 25 pesos (U.S. \$2) per kilogram (2.2 pounds), but the usual price is \$20 or \$25 per kilogram. This same marihuana sells for \$40 per kilogram, or \$12 for a small tobacco can full, in California. Heroin, which sells for \$175 or less per ounce in Mexico is peddled in California for \$200 to \$250 per ounce, or \$20 per gram.

The opinion of officers enforcing the narcotic laws is that addicts in recent years have not had the severe narcotic habits that were the rule many years ago. In fact, in 1961 and 1962, it seemed that the adulterated drugs reaching the addict were so weak that involuntary "cures" were being effected and that addicts had mere psychological habits. Recently this trend is reversing and more and more it is necessary to hospitalize newly arrested addicts because of the intensity of their withdrawal symptoms.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 743

In the past week in Los Angeles there have been eight separate and unconnected deaths which have been attributed to narcotics. Most of these victims had records of narcotic addiction. This type of death has been increasing in California in recent months. It is possible that the more potent heroin now available is the cause of these deaths.

There is no syndicate with tentacles throughout California and extending into Mexico organized to supply our addicts and to enslave more and more recruits. There is no sinister "Mr. Big" controlling supply, demand, price, and quality from his mountain hideaway. Anybody with an automobile can be a narcotics peddler by driving to Mexico and purchasing any quantity he desires. There is no need for a complex organization. There is no need for the intricate planning, ingenuity, and know-how that is required to arrange for a shipment from the Middle East.

It takes no talent, no organizational ability, no brokers, and no middlemen to drive to Mexico to arrange for a purchase of drugs. With automobiles crossing the border bumper to bumper, day and night, it is no problem for the smuggler to escape detection. Here the law enforcement officer's only useful tools are his sources of information. Recent court decisions have all but destroyed the confidentiality, and thereby the usefulness, of this weapon against the narcotic traffic.

Thousands of California's addicts have relatives, friends, or business associates in Mexico who, like themselves, are always ready to violate a law to get U.S. currency, and if one has no friend in Mexico, he can find a readymade friend in any one or more of the major dope peddlers in Mexico who are citizens of the United States of America but who are bond jumpers, parole violators, and fugitives from prosecution now living near the border in readiness to supply the demands of our addicts. My bureau has a list of these persons which we will be happy to furnish to this committee.

The Federal Government can prevent narcotics from crossing our borders and from being smuggled through our ports of entry by drastically increasing the investigative force of the Bureau of Customs. With more thorough and frequent searches based on more accurate information, smuggling will be less profitable.

The Federal Government, through the President and the Department of State, can negotiate treaties by which this country and Mexico can work out a program to wipe out the poppy fields, the heroin factories, and the cultivation of marihuana.

The Federal Government can also work out a program with Mexico to return to us our fugitives who become bigger peddlers with readymade connections once they have fled across the border into Mexico's sanctuary.

Finally, as has been recommended by many observers of this problem, the United States should invite the Mexican Government to join in the establishment of a joint commission for consultation and development of methods to curb the production and flow of illicit drugs between the two countries.

It is apparent from what I have said that regardless of what new enforcement efforts are initiated locally or statewide, California cannot eliminate the narcotics menace alone. I repeat, marihuana and heroin have never been cheaper, more plentiful, more potent, and more readily available in Mexico and, if desired, in California, than they are today.

STATE OF CALIFORNIA,
OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF JUSTICE,
Los Angeles, July 27, 1964.

HON. JOHN L. McCLELLAN,
Chairman, U.S. Senate Permanent Subcommittee on Investigations,
Washington, D.C.

DEAR SENATOR McCLELLAN: I regret that previous commitments prevent me from joining John Storer, chief of the State bureau of narcotic enforcement, at your hearings on the traffic in illicit narcotics. I should like the committee to know, however, that Chief Storer appears before you with my authorization and full support.

While we in California recognize the extent and nature of the illicit drug traffic in most of our country and the world, we feel impelled to point out that the drug problems in the Nation's largest State evolves from one source of supply, Mexico, rather than a global network. And, we believe that our State's prob-

744 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

lems can never be solved until the Federal Government undertakes with the Republic of Mexico to strengthen enforcement against the illicit cultivation, processing, and trafficking of opium poppies and marihuana plants.

The committee should also know that the narcotics problem in California has been compounded in the last 3 or 4 years by heavy trafficking in the dangerous drugs—particularly the amphetamines and the barbiturates. Here, again, law enforcement finds the source of supply to be south of our international border. It should be noted, however, that few of these drugs are actually produced in Mexico. They are shipped into Mexican border towns and diverted into illicit traffic.

There have been before the U.S. Senate for many months a group of drug law bills which we in California believe would greatly improve enforcement against trafficking. Foremost is Joint Resolution 65, which calls for the establishment of the United States-Mexico Commission to work on a day-to-day basis on the problem, effecting greater cooperation, coordination, and effort. The concept of Joint Resolution 65 also is embodied in the recommendation of the President's Advisory Commission on Narcotic and Drug Abuse.

We also support S. 553, which is referred to as the barbiturate and stimulant drug control amendment, and S. 742, which would prescribe criminal penalties for bringing certain dangerous drugs into the United States for the purpose of illegal sale or use. I should also like the committee to know that I have endorsed the principle of wiretapping by court order as a narcotic enforcement measure.

The State of California, at a cost of many millions of dollars, has undertaken a massive rehabilitation program for the addict. In addition, every law-enforcement agency in the State has also, and at great expense to the local taxpayers, expanded enforcement against the drug traffic. We should like to look forward to the time when our efforts will be matched at the Federal and international level.

Sincerely yours,

STANLEY MOSK, *Attorney General.*

The CHAIRMAN. Do you care, Mr. Storer, to add anything to your statement?

Mr. STORER. Not other than to answer any questions the committee would have. I would consider my statement as being complete at this time.

The CHAIRMAN. Well, I haven't had the opportunity yet to read your statement. I would like to ask you, as I did Mr. McCormack, about legislation, if any, that you think that Congress should enact.

Mr. STORER. I have covered this subject in my statement, Mr. Chairman.

California's problem is almost entirely stemming from narcotics and marihuana which comes from Mexico. Our problem is not in commerce across the oceans or across the United States from the Far East. We have found that the prices of narcotics, and the quantities and the quality in California, make heroin and any other narcotic from the Middle East noncompetitive with that which is coming into California from Mexico.

The CHAIRMAN. You mean it comes in so much cheaper from Mexico?

Mr. STORER. Yes, sir. We, therefore, feel that any legislation which the Government should consider with respect to California should have to do with the traffic which is coming into California from that single source. The State alone, although we have an excellent narcotic law, cannot defeat this problem without Federal intervention in the matter. I have covered that subject in my statement.

The CHAIRMAN. Very well. In other words, you think that your laws in California are adequate to deal with the problem if you could just do something about the source of supply.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 745

Mr. STORER. Yes, sir.

The CHAIRMAN. That is your main problem?

Mr. STORER. Yes, sir.

The CHAIRMAN. Is the addiction or the number of victims increasing, do you think, in California?

Mr. STORER. It is. We began in our Bureau of Criminal Statistics—which is another bureau in the Department of Justice in California—we began an addict count because of public pressure in California, in July of 1959. They have just completed 5 years' count of addict users in California.

At the present moment there are more than 17,000 names in that file. This is a 5-year count. There will naturally be attrition from these in future years and at the present time the Bureau of Criminal Statistics will withdraw from the files those who have not appeared again in a 5-year period, so that this will be on a 5-year basis.

The CHAIRMAN. You have a system of checking that you think will be substantially adequate in that?

Mr. STORER. A very adequate system, sir.

The CHAIRMAN. Are there any questions, Senator Curtis?

Senator CURTIS. Just very briefly, Mr. Storer, I notice that your 5-year counting indicates about 17,000 individual names on your addict-user list.

Mr. STORER. Yes, sir.

Senator CURTIS. And that 41 percent of these are whites, 36 percent are whites of Mexican descent, and 21 percent Negro, and 2 percent of other races. Eighty-five percent of the addicts are males, and 15 percent females. Two-thirds had their initial arrest for the use of narcotics in Los Angeles County.

What I would like to know is this: Is the pattern of operations—wholesaling and retailing, and the resulting pattern of apprehension for marihuana—different than it is for the other drugs?

Mr. STORER. Not in California. The same people who peddle heroin in California will be peddling marihuana. The sources are the same. The connections in Mexico are the same. Marihuana, I might add, does not grow naturally and normally in California, because of the air and climate; except for a small flowerpot and back-garden culture, there is no marihuana grown in California naturally. It is all smuggled into the State from Mexico.

Senator CURTIS. But the same type of organization you might expect to be set up to distribute other drugs in a great city is followed in marihuana?

Mr. STORER. You use the term "organization," Senator. In California we don't have a syndicate operation in the narcotic traffic. The ingenuity and the organizational ability and the long lines of communications and the hard work that is necessary to bring narcotics from the Middle East do not apply in California. Anyone who has an automobile and ambition to be a narcotic peddler can drive to Mexico and pick up narcotics. These people who peddle in California are private entrepreneurs.

A syndicate operation would amount there to maybe two or three people—a peddler who gets narcotics from Mexico and delivers it to some of his friends, perhaps in Los Angeles, for delivery to some addicts. But this is not in the true sense a syndicate operation. We

746 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

do not have any "Mr. Big" living on a mountain, and surrounded by a moat in California, operating this situation. It is not a Mafia, Cosa Nostra-type operation in California.

Senator CURTIS. Well, now, the marihuana addicts; are they as individuals in as much trouble as the other dope addicts?

Mr. STORER. No, sir.

Senator CURTIS. But it can lead to a more severe situation; is that the point?

Mr. STORER. We feel, I believe, along with law officers from all of the States, that marihuana is a stepping stone to the use of heroin.

Senator CURTIS. What are the dangerous immediate effects of someone becoming a marihuana user? Reckless driving, no doubt.

Mr. STORER. Yes; that has all been covered. The reckless driving is one, and the loss of sense of space and time, the release of the inhibitions, the numerous things that any intoxicant like this can cause. But in addition to that, they are thrown in with the same type of trafficker who is dealing at the same time in heroin, with its greater profit and it is commonplace, "Why don't you stop this kid stuff, and don't be chicken, and try this other drug?" It is the stepping stone to further addiction.

Senator CURTIS. If the addict hasn't gone beyond marihuana, is he as apt to resort to crime to get money to continue it as with heroin?

Mr. STORER. I think not.

Senator CURTIS. How about his responsibility to do a job and to his family, and his general citizenship? Is it quite deteriorating of those qualities?

Mr. STORER. Not to the degree heroin is; not by any means. I am referring only to the person who has used marihuana, and not an opiate drug. I think the addiction which is caused by heroin and morphine or one of those drugs leads to a life of crime, because the person cannot be gainfully employed at the same time he acquires narcotics.

This would not be true in the case of the person who used only marihuana.

Senator CURTIS. Now, I have one more question: Have you developed any statistics on the number of marihuana addicts becoming addicts to other drugs?

Mr. STORER. I have no statistics at my fingertips which would indicate how many people do go. I believe that our Bureau of Criminal Statistics does have some figures of prior arrests for marihuana and the use of dangerous drugs.

Senator CURTIS. From your personal observation, it is one of the greatest dangers that they are apt to do that; is that right?

Mr. STORER. There is a great danger.

Senator CURTIS. That is your personal opinion or observation, from your experience: That there is a great danger that the marihuana addict will find other drugs?

Mr. STORER. Yes; and I know that this is true. I have no statistics as to the percentage figures of this, but it is well known, and well established, that the person begins with marihuana, and perhaps with the dangerous drugs, and gravitates to the use of heroin.

The CHAIRMAN. Very well; thank you.

Mr. ADLERMAN. Mr. Storer, can you tell me what makes you feel that the heroin is coming from Mexico and not from other sources?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 747

Mr. STORER. We know that it is not coming across the Pacific Ocean for this reason: Vancouver, British Columbia—this is one reason—has a large narcotics problem there. Within the past few months 10 or a dozen people, 4 just appeared in Federal court this past week in San Francisco, but 10 or a dozen people within the last few months have been arrested—Canadian nationals going to the Mexican border to pick up narcotics. They have braved the dangers of coming across the Mexican line through California, Oregon, and Washington, and smuggling it into their own country, and yet Vancouver, British Columbia, is on a direct steamship line to Hong Kong and all of the places in the Far East.

The U.S. Customs assures me, and my own agents in the Bureau assure me, that narcotics do not come across the Pacific Ocean.

Mr. ADLERMAN. I wasn't thinking of that so much as I was thinking of what the source of the heroin was. In other words, the stuff is coming in from Mexico, and could it be of French origin?

Mr. STORER. No, sir. There have been some seizures in Laredo, Tex., and in those areas where we know it was destined. The Customs made an arrest of 70-some ounces, and again 23 ounces, which came from France and was transshipped through Mexico, and destined for Canada.

But after the arrests were made, it was determined that this was not actually a Mexican peddling operation, but was designed from the very beginning to be transshipped through Mexico.

I think what you are getting at, though, sir, is the fact that the heroin which appears in California is entirely different in its complexion and content than that which comes from the Middle East. Heroin in California is a dark brown, the darker it is the more potent it is.

Mr. ADLERMAN. You don't get the white kind?

Mr. STORER. We don't get the white heroin at all in California.

Mr. ADLERMAN. Thank you.

The CHAIRMAN. Thank you very much.

Mr. Morris, will you identify yourself?

TESTIMONY OF JOSEPH F. MORRIS

Mr. MORRIS. Joseph F. Morris. I am deputy superintendent of the Chicago Police Department.

The CHAIRMAN. How long have you been connected with the police force in Chicago?

Mr. MORRIS. For 32 years.

The CHAIRMAN. How long have you held this particular position with the force?

Mr. MORRIS. Five years.

The CHAIRMAN. Now, you have submitted a prepared statement; have you?

Mr. MORRIS. I have, sir.

The CHAIRMAN. To which you testify that the facts stated therein are correct to the best of your knowledge and belief?

Mr. MORRIS. Yes, sir.

The CHAIRMAN. The statement will be received and printed in the record.

748 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

(The statement is as follows:)

STATEMENT OF DEPUTY SUPERINTENDENT JOSEPH F. MORRIS OF THE CHICAGO POLICE
DEPARTMENT REGARDING THE ILLEGAL NARCOTIC PROBLEM IN CHICAGO

I am honored to appear before this committee and pleased to cooperate in any way possible. Based on departmental arrest records there are approximately 6,200 drug addicts known to the police in this city. This figure includes the marihuana and dangerous drug users. The average Chicago drug addict is from a low socioeconomic status; 87 percent of this group are Negroes and the remaining 13 percent is made up of native whites, Puerto Ricans, and Mexicans. About 19 percent are females with the same ethnic background.

The use of heroin and marihuana is confined mainly to Negroes while the barbiturates and amphetamines are a problem of white teenagers for the most part. The most common drug used by this group is heroin.

Of this group about 92 percent are under 40 years of age with the highest percentage of users in the 26- to 30-year group; about 6 percent are between 17 and 20 years of age.

There is a slight decrease in the use of narcotic drugs with a corresponding increase in the use of nonnarcotic drugs. There are indications that some confirmed heroin users are turning to the dangerous drugs because of the poor quality of heroin available on the street. Tests made by the Chicago Police Department's Crime Laboratory on heroin seized by the Chicago Police Department last year indicated that the quality of the heroin is from 1- to 3-percent pure. The average addict who purchases heroin at the street level gets a product that has been cut many times.

Narcotic addiction is a serious social and economic problem. The addict tends to prey on and hurt the people closest to him and in order to support his addiction he must turn to crime. Male addicts turn to crime against property for the most part while the female addict turns to prostitution and petty crimes against property such as shoplifting. To sustain a \$20-a-day habit an addict must steal property worth four or five times that amount, thus the narcotic problem effects the entire community in losses through crimes committed by addicts and increased costs in law enforcement.

The average addict in Chicago purchases heroin for \$5 a "bag." A "bag" contains one-twentieth of a gram. The number of "bags" used per day depends upon the tolerance built up by the individual user. The next breakdown on heroin would be the 16th (16th of an ounce) which sells for around \$15. Any amount over a 16th is usually purchased by a person who intends to dilute it and resell it at a profit. The other prices for heroin are as follows:

A "spoon," roughly one fifth of an ounce, sells for from \$65 to \$125 depending upon the percentage of heroin; an ounce of heroin sells for from \$400 to \$800, again depending upon the quality of the heroin.

What we are doing to cope with the narcotic problem in Chicago: Our principal aim is to prevent further spread of narcotic abuse and reduce it to an irreducible minimum the city's narcotic drug problem. There is a central headquarters narcotic unit through which all persons arrested as narcotic violators or persons with narcotic histories and their associates are processed. The central narcotic unit is comprised of 50 men and women who also engage in enforcement activities. District vice officers are charged with narcotic enforcement also.

In 1963 there were 8,440 persons arrested and charged with narcotic violations (opiates). Of this number 1,063 were charged with felonies (sale, possession, and conspiracy to sell narcotics). The remaining 7,377 were for misdemeanors. Of our felony charges, 303 cases have been tried with 158 penitentiary convictions and 760 cases still are pending.

Besides the enforcement program we also engage in educational work, having trained speakers who address community groups, high school, and college students. There is very close cooperation and exchange of information with the Federal, State, and county enforcement officers engaged in the narcotic field.

The State's attorney prosecutes the narcotic cases vigorously and the courts, for the most part, have been uniform in handing out stiff punishment to the willful violators. There is a State rehabilitation program which provides for the probationary release of addicts requiring that they submit to periodic Nalline and urinalysis checks. This same program is utilized by parole officers and is administered by the State division of narcotics control in cooperation with the parole and probation authorities. These tests are conducted in the Chicago office of the State division of narcotic control.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 749

While we still have a narcotic problem we feel that we are making some progress in combating it. As I see it, the problem is the care of the narcotic abuser after he has been withdrawn from narcotics and is returned to society it seems he is left more or less on his own. There are no community groups that are active in the rehabilitation of these people.

A discussion of the problems in law enforcement in narcotics must necessarily include our State statutes dealing with illegal use of narcotics. We have an excellent sale law directed at the trafficker who deals in drugs for a monetary gain. The penalty is a minimum of 10 years to life with no probation or suspension of sentence. Our possession law is also a felony with penalties of 2 to 10 years for the first offense and any subsequent offense 5 years to life. We hope to have this latter law amended making the first offense a misdemeanor and increasing the penalty for the second and subsequent offenses. The reason for wanting this law amended is that police officers must necessarily charge any person found in possession of narcotics no matter how small the amount, with possession of narcotics, and under this present statute have no alternate charge to place against the user.

Along with our recommendations to amend the present possession law we are going to recommend to the next Illinois Legislature a possession for sale law with penalties of from 5 to 15 years for the first offense. This is patterned after legislation which is now in force in several other States including Arizona, California, Ohio, and New York and which has proved very effective in the control of illegal narcotics.

The CHAIRMAN. Would you like to add anything to the prepared statement which you have submitted?

Mr. MORRIS. Nothing other than to compliment this committee. I feel, as a veteran—this is my fourth appearance here—and I want to assure you that the work done here has aided law enforcement immensely in the Chicago area.

I also would like to take this opportunity——

The CHAIRMAN. I want to interrupt to thank you for that. We do a lot of this investigative work, and this is an investigative subcommittee. We do a lot of work that is never brought out here in the open in public hearings. We frequently get letters or inquiries saying "What good does it do? What good does it do to hold these hearings?"

I would like to say for the record that this is work—when you prepare for hearings of this nature, and hold hearings of this kind, interviewing of witnesses and the sifting of testimony and the arranging for these sessions, where it is placed on the record—it is work. Of course, if it is doing no good, that is another thing.

I don't get any comfort or pleasure out of doing the futile thing. It is a bit gratifying to hear and to have law enforcement officers over the country say that the work of the committee does do good and it helps them. Well, the primary purpose of these investigations is to ascertain whether legislation is needed, or how effective our laws are in a given area.

But if we accomplish some good, and if there is some byproduct from the work that we do in hearings and in investigations of this character, it is gratifying to know that that is true. You who are out in the field, as you are, and in daily contact with the problem, and working at it, are in the best position to know whether a series of hearings of this character is helpful to you, whether it gives you some support that you need and you know what consequences may follow and what results are achieved from the standpoint of the psychological effect.

I am very grateful to you for making reference to this, and what you think of the work of the committee. I am sorry to interrupt you.

750 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

We do get inquiries and letters saying, "What good does it do?" Well, it is difficult, perhaps, to see the results from a distance, but if I didn't think that some good came from this, I certainly would employ my time in some other way.

Mr. MORRIS. I am convinced that there has been very much good. We have had experience in Chicago. There has been a conviction recently which I know of as a result directly of information brought out by this committee, and in our organized crime problem where it touches on gambling and other forms of organized crime, it has made our job much easier by the revelations brought forward from the committee.

The CHAIRMAN. You mean revelations brought forth by the subcommittee's investigations have made your work easier?

Mr. MORRIS. Yes, sir.

The CHAIRMAN. And more fruitful, I hope?

Mr. MORRIS. Yes, sir.

The CHAIRMAN. All right. Thank you very much.

Now, have you said anything in your statement, and I haven't read all of it, with respect to any legislative recommendations that you would care to make?

Mr. MORRIS. Yes, but they do not apply in the Federal level. But I would like to repeat what I have heard here the last few days, the need for wiretap legislation. We are handcuffed. People in law enforcement are handcuffed without this particular weapon. These people dealing in illegal narcotics and other forms of organized crime could not operate without a telephone. Still, we are denied the use of telephone evidence to have against them.

The CHAIRMAN. Do you think if the power were granted, and if the law were enacted—say something comparable at least to the bill that I have introduced with the restrictions and safeguards that we have attempted to place in the bill—do you think it would be subjected to much abuse, if you had such a law?

Mr. MORRIS. No; I don't, Senator. I think in the past where wiretapping has been legal, I don't know of any case where law enforcement people were responsible for any abuse. There have been cases where private operators have abused this privilege.

The CHAIRMAN. Well, this would have the safeguard that it couldn't be done except by presenting your petition to a court of competent jurisdiction which hears testimony as to the need for it and the justification for granting such authority to a police officer.

With that requirement, the only way it could be abused would be for some police officer or someone petitioning the court to mislead the court deliberately as to whether there was a need for it. It would have to come right back to the integrity of law enforcement officials.

Mr. MORRIS. I am in favor of those safeguards, and we certainly need it, Senator.

The CHAIRMAN. I noticed another thing right in the beginning of your statement here. You point out that drug addicts in Chicago are of very low economic status. A large percentage, 87 percent of them, are Negroes, and 13 percent native whites and Puerto Ricans and Mexicans. That seems to be an unusually large percentage of one race being involved in your area.

How do you account for that?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 751

Mr. MORRIS. Well, I really have no way to account for it.

The CHAIRMAN. That is a very large percentage.

Mr. MORRIS. Other than the fact that the Negroes are not as advanced economically as the others, I mean in the economical status. They haven't reached the same plane as the average white.

The CHAIRMAN. One reason I mentioned this, it seemed to be a larger percentage in your particular community than in others, and I know nationwide the percentage is large, but yours seems to be the largest that comes to our attention.

Mr. MORRIS. I noticed that, in comparing that, but according to our records, that is the way the percentages break down.

The CHAIRMAN. That is the way it breaks down?

Mr. MORRIS. Yes.

The CHAIRMAN. Do you have any specific recommendations as to how we might reach that problem? I think the national average is 53 percent, but you have 87 percent there.

Mr. MORRIS. I think that we have a higher percentage of Negroes in the Chicago area, about 25 percent of the population.

The CHAIRMAN. Well, the statement was not singling out that race, other than the fact that wherever we can pinpoint a problem, the idea is to try to find a solution, and how to deal with it. It may very well be that the principal cause is simply because of the low economic status. That may be the real reason.

But as we examine these things, we need to inquire, if we can, and ascertain any pertinent facts that might be helpful in moving toward a solution.

Very well, is there anything further that you can think of?

Mr. MORRIS. I just wanted to take this opportunity to commend the Federal Bureau of Narcotics for the wonderful work they have been doing, particularly in the Chicago area. Here in the last 2 months they made two very fine cases. In a gun battle, a narcotic agent killed one of our leading peddlers, and just recently six of the high-level traffickers were convicted in Federal court due to the efforts of the Federal Bureau of Narcotics.

The CHAIRMAN. Do you think that will have some deterrent effect on others?

Mr. MORRIS. I know it does.

The CHAIRMAN. It makes it more difficult for them to operate, and they have to take more precautions and they get a little jittery about it, and they are not as bold in the trafficking as they were before.

Mr. MORRIS. That is right.

The CHAIRMAN. Counsel wishes to make a little observation.

Mr. ADLERMAN. I would just like to say that we have gone through many of the cities in the United States, and that we were very much impressed with the Bureau of Narcotics setup which was started in the city of Chicago in the last few years. We think that you have a very dedicated and very active group there doing a very good job. I think that they should be commended for that.

Mr. MORRIS. Thank you.

The CHAIRMAN. Senator Curtis, do you have any questions?

Senator CURTIS. I have none, Mr. Chairman.

The CHAIRMAN. Certainly we wish to thank you, Mr. Morris, for your appearance here, and the cooperation you have always given the

752 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

committee. We want to thank Mr. Storer, of California, and also Mr. McCormack of New York City.

Gentlemen, we all have a duty in this field, and we all try to meet it. Unless we are able to move successfully, and more successfully than in the past, we may be confronted with a definite menace to our internal security, so we need to pursue this thing with all diligence.

Thank you very kindly for your cooperation.

Who is the next witness?

Mr. ADLERMAN. We have Mr. Eugene Marshall.

The CHAIRMAN. Will you be sworn?

You do solemnly swear that the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MARSHALL. I do.

TESTIMONY OF EUGENE J. MARSHALL

The CHAIRMAN. Will you identify yourself for the record, please?

Mr. MARSHALL. Eugene J. Marshall, narcotic agent, stationed in Miami, Fla., and I have been assigned to the committee for the past year.

The CHAIRMAN. You have been working with the committee since this investigation began, and you have been assigned to this particular area of the committee's work?

Mr. MARSHALL. Yes, sir.

The CHAIRMAN. Very well, sir. You may proceed. Do you have a prepared statement?

Mr. MARSHALL. I do not.

The CHAIRMAN. How long have you been with the Bureau of Narcotics?

Mr. MARSHALL. Since 1948.

The CHAIRMAN. Are you presenting a chart to the committee at this time?

Mr. MARSHALL. Yes, sir; I am.

The CHAIRMAN. And the title of it is "Foreign and Domestic Prices for Opium and Heroin."

All right, let the chart be printed in the record at this point, if it can be printed in the record.

(The chart referred to appears on page 753.)

The CHAIRMAN. Now you may explain the chart.

Mr. MARSHALL. Commissioner Giordano and Mr. Anslinger testified about the growth of opium and the conversion to morphine base and heroin and the smuggling of these drugs into the United States. I will limit my testimony to tracing the cost of these drugs from the raw product to the ultimate customer, the addict in the United States.

The farmer in Turkey sells the opium to an underworld broker.

The CHAIRMAN. The farmer grows a plant, does he?

Mr. MARSHALL. Yes, sir.

The CHAIRMAN. Just as we do tobacco over here, as an illustration. Would that be a comparable illustration?

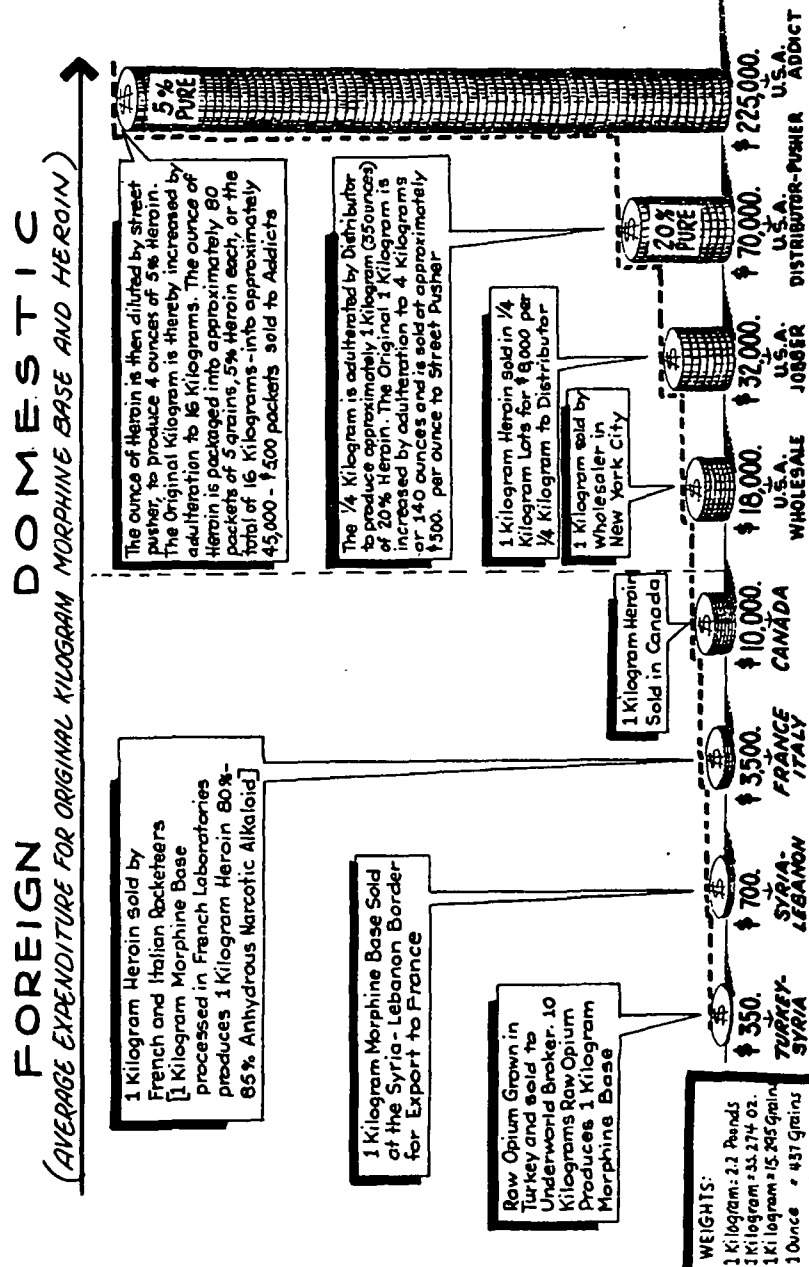
Mr. MARSHALL. Yes, sir.

The CHAIRMAN. He grows a plant from which opium is made.

Mr. MARSHALL. That is correct.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

753

FOREIGN AND DOMESTIC PRICES FOR OPIUM AND HEROIN

754 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Tell us about the farmer, first.

Mr. MARSHALL. He sells a kilogram of opium to an underworld broker for approximately \$35 per kilogram.

The CHAIRMAN. Opium is not the name of it. Is that the name of the plant?

Mr. MARSHALL. The plant is the opium poppy. The opium is the product of the plant.

The CHAIRMAN. Well, a poppy is what he grows, and how does he get opium to sell out of the poppy?

Mr. MARSHALL. As Mr. O'Carroll explained, the opium is gathered from the poppies, and made into balls weighing approximately 1 to 2 kilograms, which are sold.

The CHAIRMAN. That is raw opium.

Mr. MARSHALL. Yes, sir.

The CHAIRMAN. And he sells it and what does he usually get for it?

Mr. MARSHALL. An average of \$35 per kilogram.

The CHAIRMAN. Well, now, \$35 per kilogram. Relate a kilogram to a pound.

Mr. MARSHALL. 2.2 pounds.

The CHAIRMAN. So he gets about \$15 a pound for it, actually.

Mr. MARSHALL. Roughly, yes.

The CHAIRMAN. Now go ahead.

Mr. MARSHALL. It takes 10 kilograms of raw opium to produce 1 kilogram of morphine base.

The CHAIRMAN. Well, it takes about 22 pounds to produce 1 kilogram. That is about one-tenth of the raw opium; is that right?

Mr. MARSHALL. That is correct.

The underworld broker sells the raw opium, converts it to morphine base, which is sold, as subsequent testimony will indicate, on the Syrian and Lebanon border for approximately \$700 per kilogram of morphine base.

The CHAIRMAN. Well, now, he has taken how many kilograms?

Mr. MARSHALL. He starts out with 10 kilograms of raw opium, which produces 1 kilogram of morphine base.

The CHAIRMAN. That 10 kilograms, that cost him \$350.

Mr. MARSHALL. That is correct.

The CHAIRMAN. And he processes it to where he gets \$700 from it.

Mr. MARSHALL. Yes, sir.

The CHAIRMAN. He doubles his money.

Mr. MARSHALL. That is right. In France, this \$700 kilogram of morphine base is converted to heroin, which is then sold by the French and Italian racketeers for approximately \$3,500 per kilogram of heroin.

The CHAIRMAN. I would like to ask you, is there any substantial expense in these conversions?

Mr. MARSHALL. Not too much. The expense is nominal, with the exception of setting up the clandestine laboratories, and purchasing the equipment.

The CHAIRMAN. Once you have the equipment set up, the actual cost of conversion is not much, is it?

Mr. MARSHALL. No, sir; it is not.

The CHAIRMAN. It is not a difficult process?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 755

Mr. MARSHALL. No, a good chemist can do it.

The CHAIRMAN. So they make about a five-times profit.

Mr. MARSHALL. Well, after paying off the smuggler, the profit is not that high, because the courier must be paid off, and the smuggler himself must be paid out of that amount.

The CHAIRMAN. There is that much gross profit, but not net profit.

Mr. MARSHALL. That is correct. The minimum amount that he makes, is at least double his investment.

The CHAIRMAN. He at least doubles his money.

Mr. MARSHALL. That is correct.

The CHAIRMAN. Is it pretty well handled on that basis all of the way through?

Mr. MARSHALL. All of the way.

The CHAIRMAN. You double your money.

Mr. MARSHALL. That is right.

The CHAIRMAN. Very well.

Mr. MARSHALL. The kilogram, after being smuggled into Canada—later, testimony will indicate how this is being done—is sold for approximately \$10,000 per kilogram of heroin. From Canada it reaches the United States, where this same kilogram is priced at \$18,000.

The CHAIRMAN. In other words, getting a kilogram from Canada to the United States costs \$8,000. I don't mean there is that actual expense, but it is the profit that you pay to get it.

Mr. MARSHALL. That is right. The wholesaler then sells one quarter of a kilogram of this \$18,000 product for approximately \$8,000 per quarter kilogram, which now is priced at \$32,000 for the original kilogram.

This is a simplified chart. It is possible that the heroin could go through many more hands than are indicated here. We just have four subdivisions, on this chart, but it could go through as many as 10 to 15 hands before it reaches the last customer.

The CHAIRMAN. But those are prices at those indicated stages.

Mr. MARSHALL. That is correct. The distributor dilutes the heroin to approximately 20 percent purity. The original kilogram, therefore—

Mr. ADLERMAN. He cuts it five times?

Mr. MARSHALL. It is four times, because you start out with anywhere from 80 to 85 percent anhydrous alkaloid.

Mr. ADLERMAN. The so-called pure heroin is only 80 percent pure?

Mr. MARSHALL. That is correct. So by cutting it down to 20 percent, the original 1 kilogram is increased by adulteration, as Mr. O'Carroll testified—the addition of milk sugar, quinine, and manite—to 4 kilograms. That amount converts to 140 ounces, which is sold at \$500 per ounce. The total is now \$70,000 for the original kilogram.

It is then cut again to approximately 5 percent heroin, and the original kilogram is thus increased to 16 kilograms of the original weight. Each ounce is packaged into approximately 80 small packets, called \$5 decks, which Mr. O'Carroll showed, of 5-percent heroin each. The 16 kilograms are placed into approximately 45,000 packets, at \$5 per packet, which is roughly \$225,000 in ultimate expenditure for the original kilogram.

756 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Now, let us take this little package that Mr. O'Carroll showed us, which sold for \$5. That is probably enough to constitute one dose, or one shot. That would sell for \$5, and out of the original kilogram sold by the farmer, the original 10 kilograms sold by the farmer, it finally winds up on the retail market to the victim at about \$225,000?

Mr. MARSHALL. That is correct.

The CHAIRMAN. Now, you speak of this cutting. When you cut it, you simply take what is the original, that is, about 80 percent pure, and you dilute it down as you go through these processes?

Mr. MARSHALL. That is correct, and you add the adulterate.

The CHAIRMAN. By adding some other substance to it?

Mr. MARSHALL. Yes, sir.

The CHAIRMAN. So that you have got it eventually to 45,000 packets.

Mr. MARSHALL. Yes, at about 5 percent heroin.

The CHAIRMAN. Is that 5 percent in weight or 5 percent in bulk?

Mr. MARSHALL. It is 5 percent in purity.

The CHAIRMAN. It is 5 percent of the 80-percent purity. That is what you are saying?

Mr. MARSHALL. Yes, and out of the 5 grains of substance which are in this \$5 packet, only 5 percent of that is heroin.

The CHAIRMAN. Is there any particular powder or something that they use to increase it that way, or to cut it?

Mr. MARSHALL. Milk sugar, or mannite, and quinine.

The CHAIRMAN. Those are the standards. Is there anything further?

Mr. MARSHALL. No, sir.

The CHAIRMAN. It looks to me, if anyone could ever develop a monopoly on it from growing it to the distribution of it, he wouldn't need to be in business long until he could retire.

Mr. MARSHALL. That is correct, sir.

The CHAIRMAN. But it has to pass through a lot of hands.

Mr. MARSHALL. That is correct, and, in proportion, the street pusher or the addict seller makes the largest amount of profit.

The CHAIRMAN. What is his profit?

Mr. ADLERMAN. You mean the percentage of profit?

Mr. MARSHALL. We had a case recently in Miami where a dealer, one of the big dealers—

The CHAIRMAN. Which is the dealer?

Mr. MARSHALL. A street-level pusher, the individual who sells it directly to the addict.

The CHAIRMAN. Well, he is the pusher, is he?

Mr. MARSHALL. Yes, sir.

The CHAIRMAN. Who is the dealer?

Mr. MARSHALL. One step beyond him.

The CHAIRMAN. Where he gets his supply?

Mr. MARSHALL. That is right.

The CHAIRMAN. The dealer doesn't push it out on the street ordinarily?

Mr. MARSHALL. Ordinarily, no.

The CHAIRMAN. So the man who comes in contact with the victim is the pusher, and the source that the pusher gets his product from is the dealer?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 757

Mr. MARSHALL. That is correct.

The CHAIRMAN. Now go ahead.

Mr. MARSHALL. As I said, recently we concluded a case in Miami where an addict seller would purchase an ounce of heroin in New York for approximately \$150. It was greatly diluted. He, in turn, cut it or adulterated it three more times, and he sold it in little gelatin capsules of 1 grain each at \$5 per capsule. Deducting his \$150 original investment, plus his plane fare to New York, leaves him with something like \$5,000.

The CHAIRMAN. That is about \$150 plane fare; is that right?

Mr. MARSHALL. Roughly.

The CHAIRMAN. He would have about \$400 invested and he gets \$5,000.

Mr. MARSHALL. Roughly it is \$5,500.

The CHAIRMAN. That he gets, you mean?

Mr. MARSHALL. That he received for his original \$150 investment.

The CHAIRMAN. Well, out of a 10- or 15-percent investment, in other words, out of the \$5,000, he has an investment of 10 or 15 percent of capital.

Mr. MARSHALL. That is right, and he was an addict himself.

The CHAIRMAN. Maybe he got his free.

Mr. MARSHALL. He didn't take too much off.

The CHAIRMAN. Are there any questions?

Senator CURTIS. No questions other than that this chart is very informative, and it shows how this pyramids into so much money.

The CHAIRMAN. It is very good. Thank you very much.

Mr. ADLERMAN. What is the amount of heroin that they estimate comes in undetected each year?

Mr. MARSHALL. The Bureau estimates that approximately 1,000 kilograms per year come undetected.

Mr. ADLERMAN. Approximately 2,200 pounds, or about, roughly, 1 ton—

Mr. MARSHALL. That is correct.

Mr. ADLERMAN (continuing). Of heroin comes into the United States each year?

Mr. MARSHALL. That is correct.

Mr. ADLERMAN. What is the estimated value of that undetected heroin?

Mr. MARSHALL. At which level? At the street level?

Mr. ADLERMAN. At the street level.

Mr. MARSHALL. Well, anywhere from \$225 to \$350 million.

Mr. ADLERMAN. That is the street-level value of the undetected heroin that comes in?

Mr. MARSHALL. That is correct.

Mr. ADLERMAN. Now, about how many kilos of undetected heroin today are needed or are used to fulfill the narcotics' addiction habit?

Mr. MARSHALL. The Bureau of Narcotics studied this and estimated that it would take 3 kilograms of heroin per day to maintain the addict population of the United States.

Mr. ADLERMAN. Now, this is the 80-percent pure heroin.

Mr. MARSHALL. That is right.

Mr. ADLERMAN. All right. Thank you.

758 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Do you have any other witnesses now, or do you want to recess?

We are going to recess now, and try to resume at 2 o'clock this afternoon, instead of 2:30, as usual. We will come back at 2 o'clock in the hope that we can finish up what we had scheduled this week.

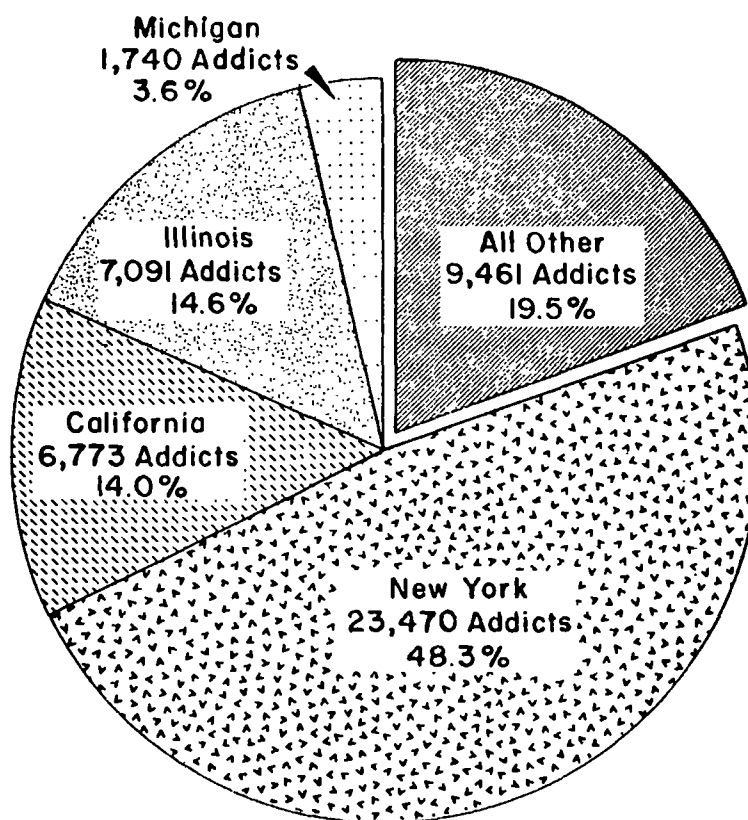
(Members of the subcommittee present at time of recess: Senators McClellan and Curtis.)

(Whereupon, at 12:10 p.m. the subcommittee recessed, to reconvene at 2 p.m. the same day.)

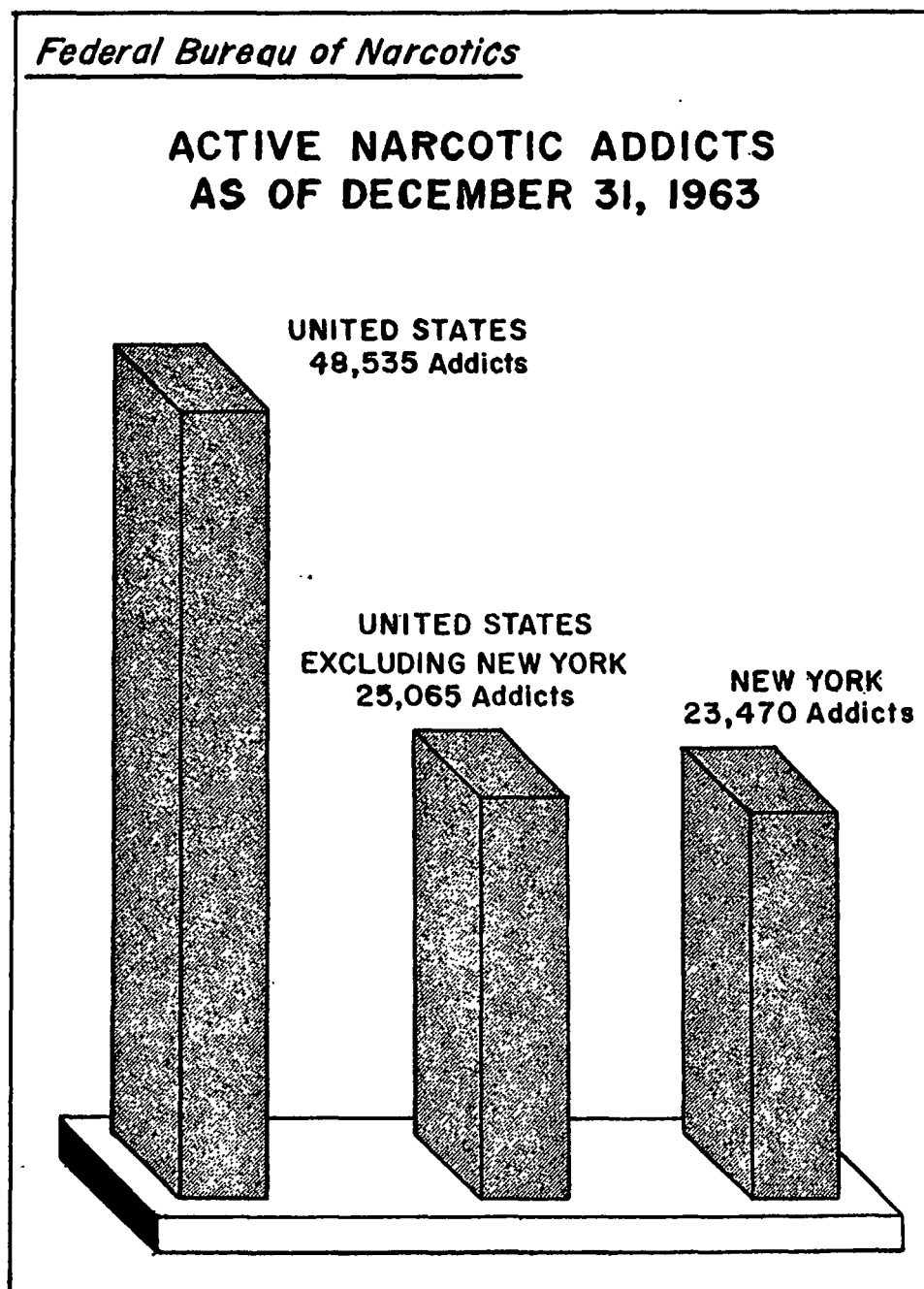
APPENDIX

Federal Bureau of Narcotics

**ACTIVE NARCOTIC ADDICTS
REPORTED IN
SEVERAL SELECTED STATES
AS OF DECEMBER 31, 1963**
Total Active Addicts 48,535

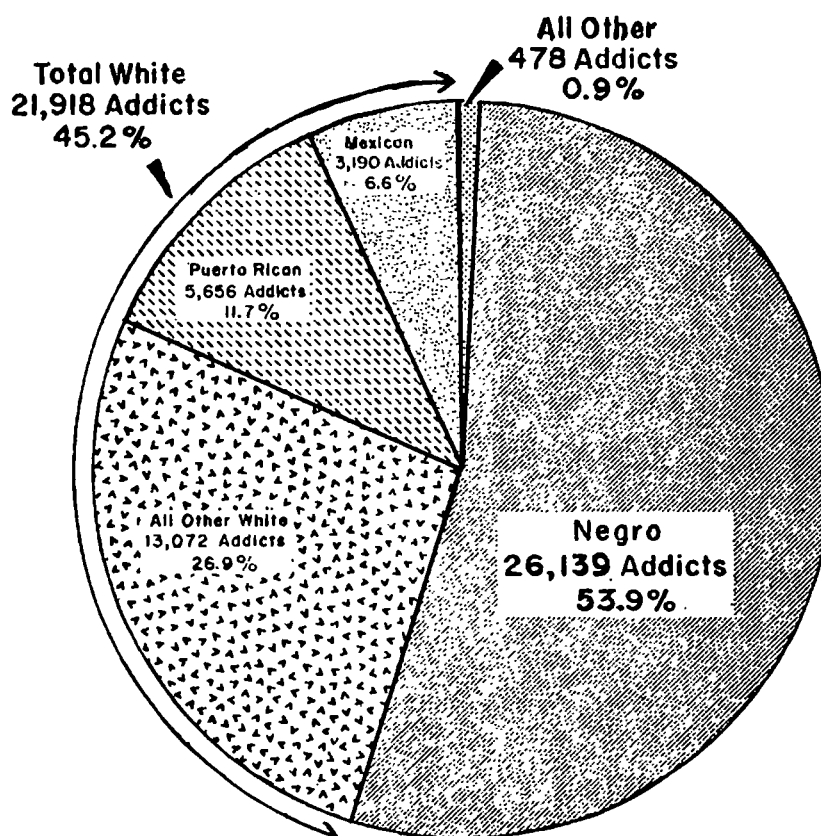


760 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

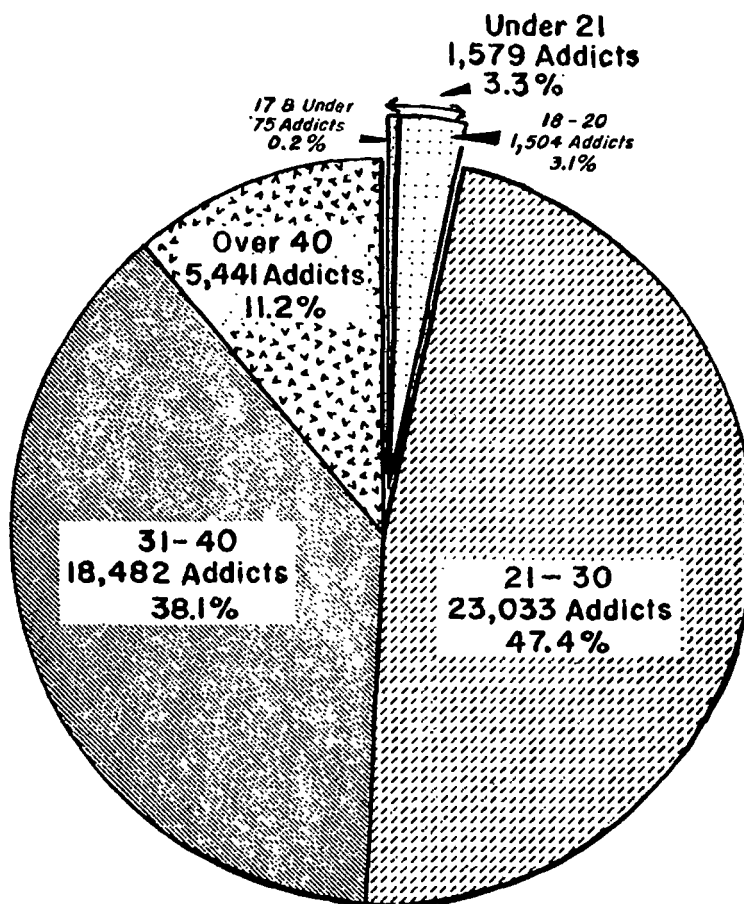


ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

761

*Federal Bureau of Narcotics***ACTIVE NARCOTIC ADDICTS REPORTED
IN THE UNITED STATES
AS OF DECEMBER 31, 1963**
Total Active Addicts 48,535

762 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

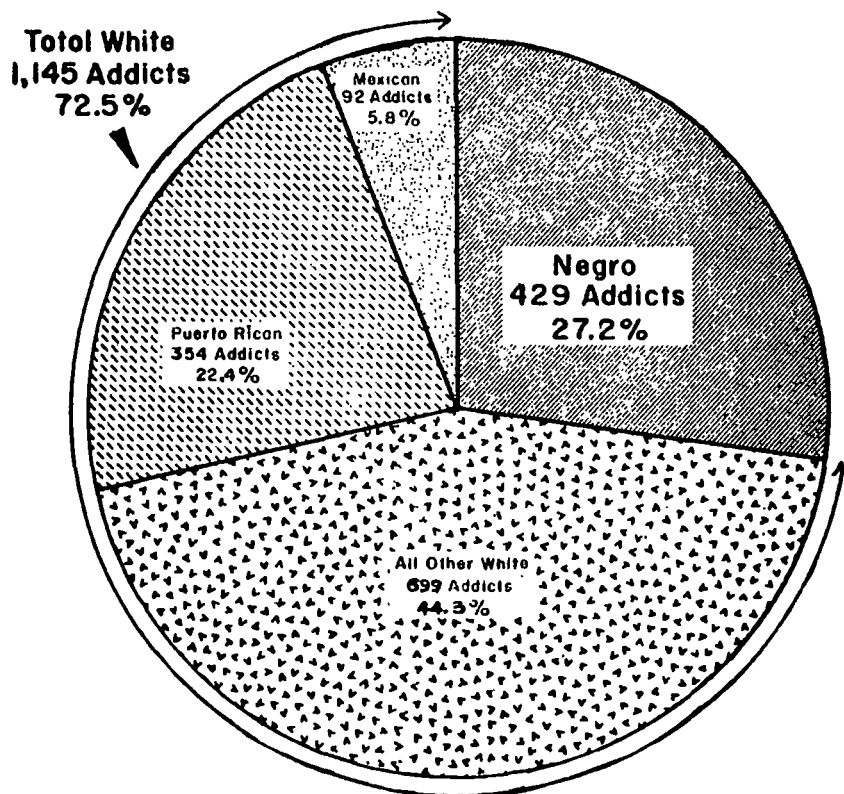
Federal Bureau of Narcotics**AGE OF ACTIVE NARCOTIC ADDICTS
AS OF DECEMBER 31, 1963
IN THE UNITED STATES**
Total Active Addicts 48,535

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

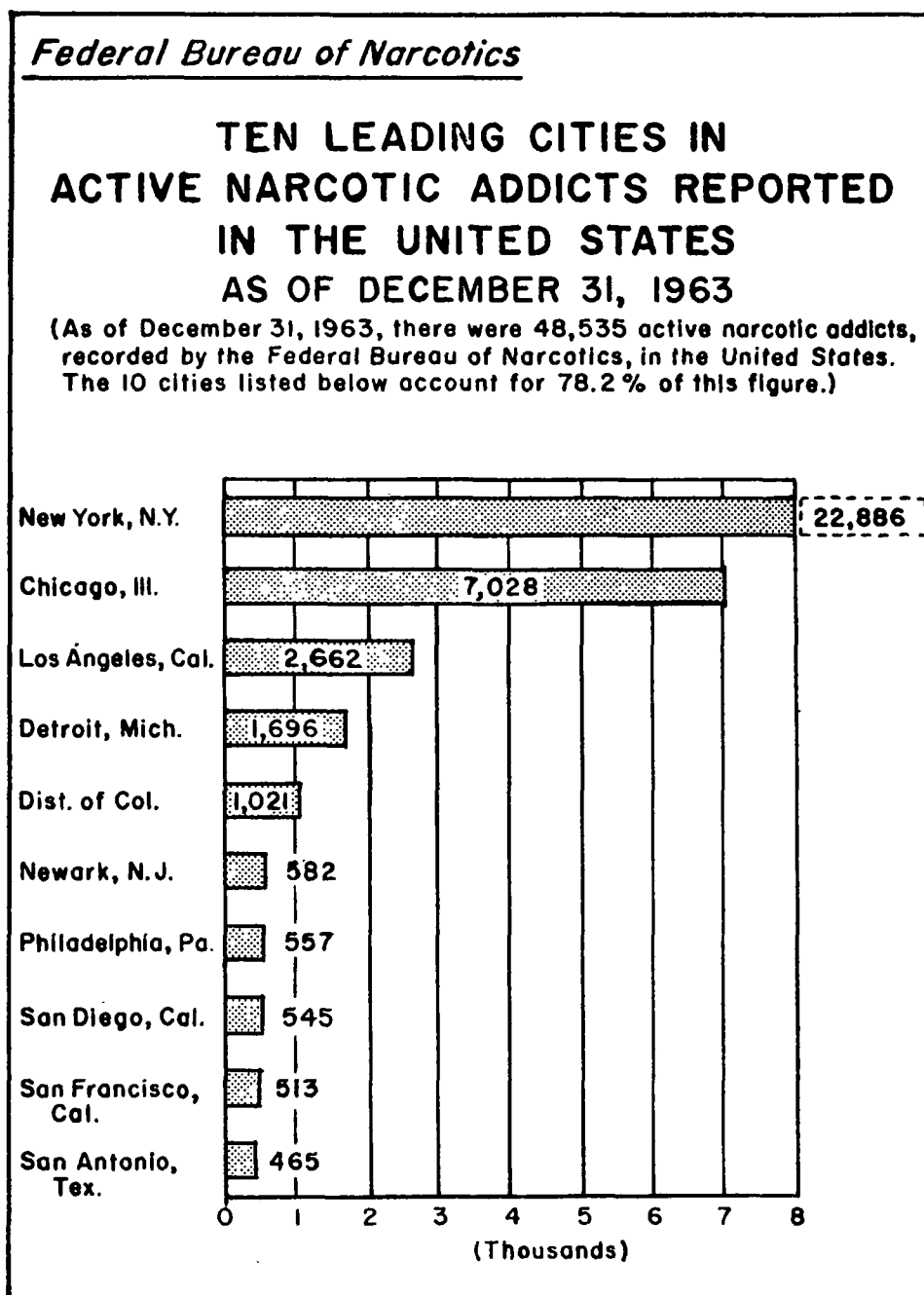
763

Federal Bureau of Narcotics

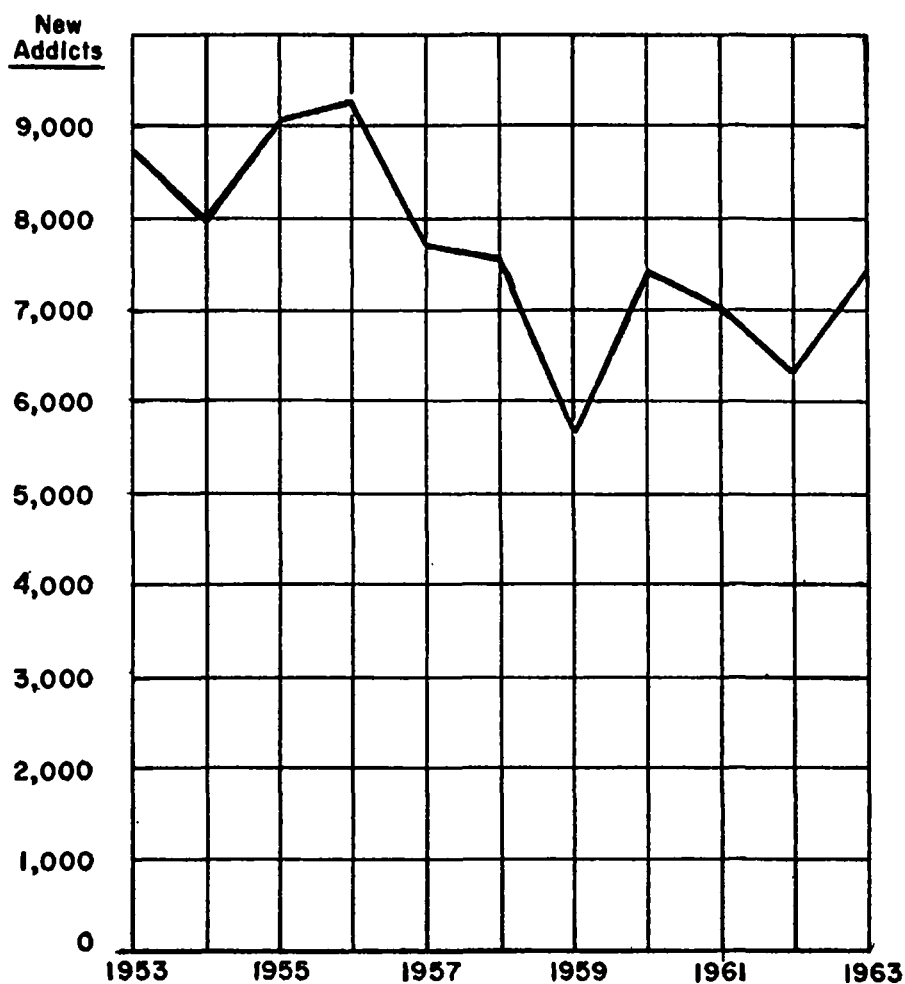
**ACTIVE NARCOTIC ADDICTS
IN THE UNITED STATES
UNDER 21 YEARS OF AGE
AS OF DECEMBER 31, 1963**
Total Active Addicts Under 21 — 1,579

**All Other Addicts - 5 (0.3%)**

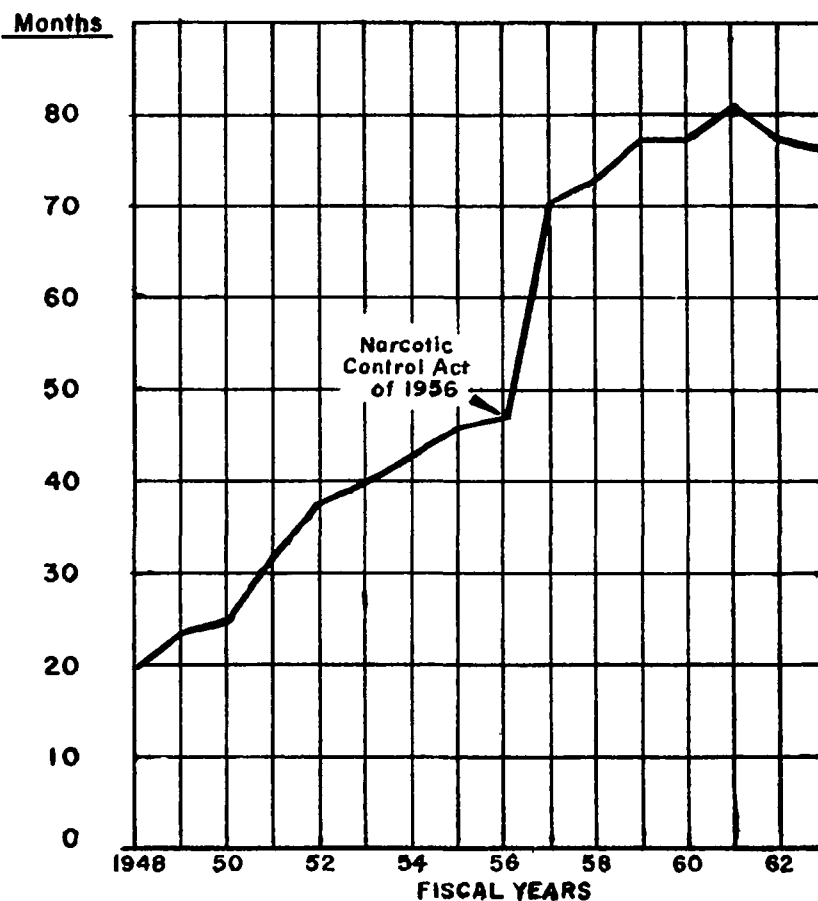
764 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS



ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 765

Federal Bureau of Narcotics**NEW NARCOTIC ADDICTS REPORTED
TO THE
FEDERAL BUREAU OF NARCOTICS
DURING THE CALENDAR YEARS 1953-1963**

766 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

U.S. District Courts**AVERAGE LENGTH
OF NARCOTIC SENTENCES
IN U.S. DISTRICT COURTS
FISCAL YEARS 1948-1963**

Note: 86 U.S. District Courts 1948-60. All U.S. District Courts, except District of Columbia, 1961-63.

Data Source: Administrative Office, U.S. Courts.

ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS 767

Statistical data of active narcotic addicts in the United States, as of Dec. 31, 1963, recorded by the Federal Bureau of Narcotics

Total addicts.....	48,535
Reporting agencies:	
Federal.....	6,536
Local.....	36,789
State.....	5,210
Race:	
Total white.....	21,918
Mexican.....	3,190
Puerto Rican.....	5,656
All other white.....	13,072
Negro.....	26,139
All other.....	478
Age of addict (as of Dec. 31, 1963):	
13.....	1
14.....	1
15.....	5
16.....	11
17.....	57
18.....	226
19.....	446
20.....	832
Total under 21.....	1,579
21 to 30.....	23,033
31 to 40.....	18,482
Over 40.....	5,441
Male.....	39,743
Female.....	8,792
Heroin.....	44,816
Morphine.....	1,053
Opium.....	116
Dilaudid.....	591
Demerol.....	624
Amidon (dolophine).....	99
Paregoric.....	622
Codeine.....	376
Eucodal (percordan).....	127
All other.....	111

NOTE.—15,178 of the addicts included in this table were originally reported during the years 1953-58, and have remained active during the subsequent 5-year period (1959-63).

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

768 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Statistical data on new narcotic addicts reported to the Federal Bureau of Narcotics from all States during the calendar years 1959-63

	1959	1960	1961	1962	1963
Total addicts.....	5,690	7,479	7,041	6,863	7,456
Reporting agencies:					
Federal.....	1,102	1,055	1,032	992	816
Local.....	3,695	5,887	5,677	4,749	5,116
State.....	893	537	332	622	1,525
Race:					
Mexican.....	406	672	580	486	290
Puerto Rican.....	672	745	848	760	993
All other white.....	1,765	2,165	2,116	2,077	2,564
Total white.....	2,843	3,582	3,544	3,323	3,847
Negro.....	2,780	3,808	3,433	3,002	3,538
All other.....	67	89	64	38	71
Age of addicts:					
13.....					1
14.....		2		1	1
15.....	3	6	3	1	5
16.....	14	24	18	10	12
17.....	60	85	58	51	57
18.....	130	169	148	113	162
19.....	204	251	252	242	268
20.....	428	553	662	542	531
Total under 21.....	839	1,090	1,141	960	1,037
21 to 30.....	3,156	4,149	3,906	3,425	4,139
31 to 40.....	1,206	1,675	1,496	1,443	1,712
Over 40.....	489	565	498	535	568
Male.....	4,512	6,067	5,848	5,206	5,946
Female.....	1,178	1,412	1,193	1,157	1,510
Heroin.....	5,153	6,944	6,417	5,548	6,562
Morphine.....	180	187	177	218	188
Opium.....	16	31	34	9	13
Dilaudid.....	78	78	106	127	128
Demerol.....	122	98	96	128	149
Amidon (dolphine).....	18	18	16	27	14
Paregoric.....	43	39	96	173	189
Codeine.....	52	56	67	75	110
Eucodal (percordan).....	4	5	9	24	77
All other.....	24	23	24	34	26

Active narcotic addicts recorded by the Federal Bureau of Narcotics

Alabama.....	161	Nebraska.....	21
Alaska.....	—	Nevada.....	19
Arizona.....	217	New Hampshire.....	4
Arkansas.....	18	New Jersey.....	1,153
California.....	6,773	New Mexico.....	260
Colorado.....	281	New York.....	23,740
Connecticut.....	306	North Carolina.....	75
Delaware.....	32	North Dakota.....	2
District of Columbia.....	1,021	Ohio.....	404
Florida.....	103	Oklahoma.....	101
Georgia.....	52	Oregon.....	119
Hawaii.....	57	Pennsylvania.....	896
Idaho.....	8	Rhode Island.....	58
Illinois.....	7,091	South Carolina.....	22
Indiana.....	405	South Dakota.....	4
Iowa.....	24	Tennessee.....	113
Kansas.....	33	Texas.....	1,154
Kentucky.....	78	Utah.....	2
Louisiana.....	230	Vermont.....	—
Maine.....	7	Virginia.....	165
Maryland.....	441	Washington.....	202
Massachusetts.....	433	West Virginia.....	9
Michigan.....	1,740	Wisconsin.....	120
Minnesota.....	90	Wyoming.....	8
Mississippi.....	60		
Missouri.....	470	Grand total.....	48,535
Montana.....	23		

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 769

New narcotic addicts reported to the Federal Bureau of Narcotics during the calendar years 1959-63, by State

State	1959	1960	1961	1962	1963
Alabama.....	33	29	30	44	21
Alaska.....					
Arizona.....	28	49	60	35	38
Arkansas.....	3	4	3	2	4
California.....	914	1,606	1,220	902	697
Colorado.....	46	35	66	76	52
Connecticut.....	21	19	30	143	54
Delaware.....	1	12	17	1	1
District of Columbia.....	125	159	130	127	133
Florida.....	18	19	28	20	13
Georgia.....	11	7	14	6	8
Hawaii.....	5	10	2	8	13
Idaho.....	1	3	3		1
Illinois.....	493	912	981	865	753
Indiana.....	54	95	86	69	60
Iowa.....	4	9	3	2	4
Kansas.....	1	8	19	2	2
Kentucky.....	21	15	17	7	13
Louisiana.....	73	23	43	33	25
Maine.....	2			1	4
Maryland.....	47	91	85	58	84
Massachusetts.....	57	53	48	95	92
Michigan.....	187	186	182	180	207
Minnesota.....	10	17	12	22	33
Mississippi.....	12	5	6	23	11
Missouri.....	88	84	119	43	29
Montana.....	1	1	9	9	2
Nebraska.....	4	2	6		9
Nevada.....	1	5	4	3	6
New Hampshire.....	2	1			1
New Jersey.....	113	141	205	210	225
New Mexico.....	36	12	5	75	105
New York.....	2,875	3,372	2,972	2,480	4,213
North Carolina.....	11	12	8	22	16
North Dakota.....				1	
Ohio.....	31	59	66	67	105
Oklahoma.....	23	16	14	26	19
Oregon.....	19	23	13	22	26
Pennsylvania.....	75	94	173	297	120
Rhode Island.....	5				53
South Carolina.....	3	1	9	6	1
South Dakota.....		1			1
Tennessee.....	16	9	19	45	16
Texas.....	170	160	214	274	107
Utah.....	1				2
Vermont.....					
Virginia.....	28	32	42	19	18
Washington.....	9	51	51	34	35
West Virginia.....	4			3	
Wisconsin.....	10	34	26	6	24
Wyoming.....		3	1		5
Grand total.....	5,690	7,479	7,041	6,363	7,456

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

770 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Active narcotic addicts in the United States as of Dec. 31, 1962, and Dec. 31, 1963, by State

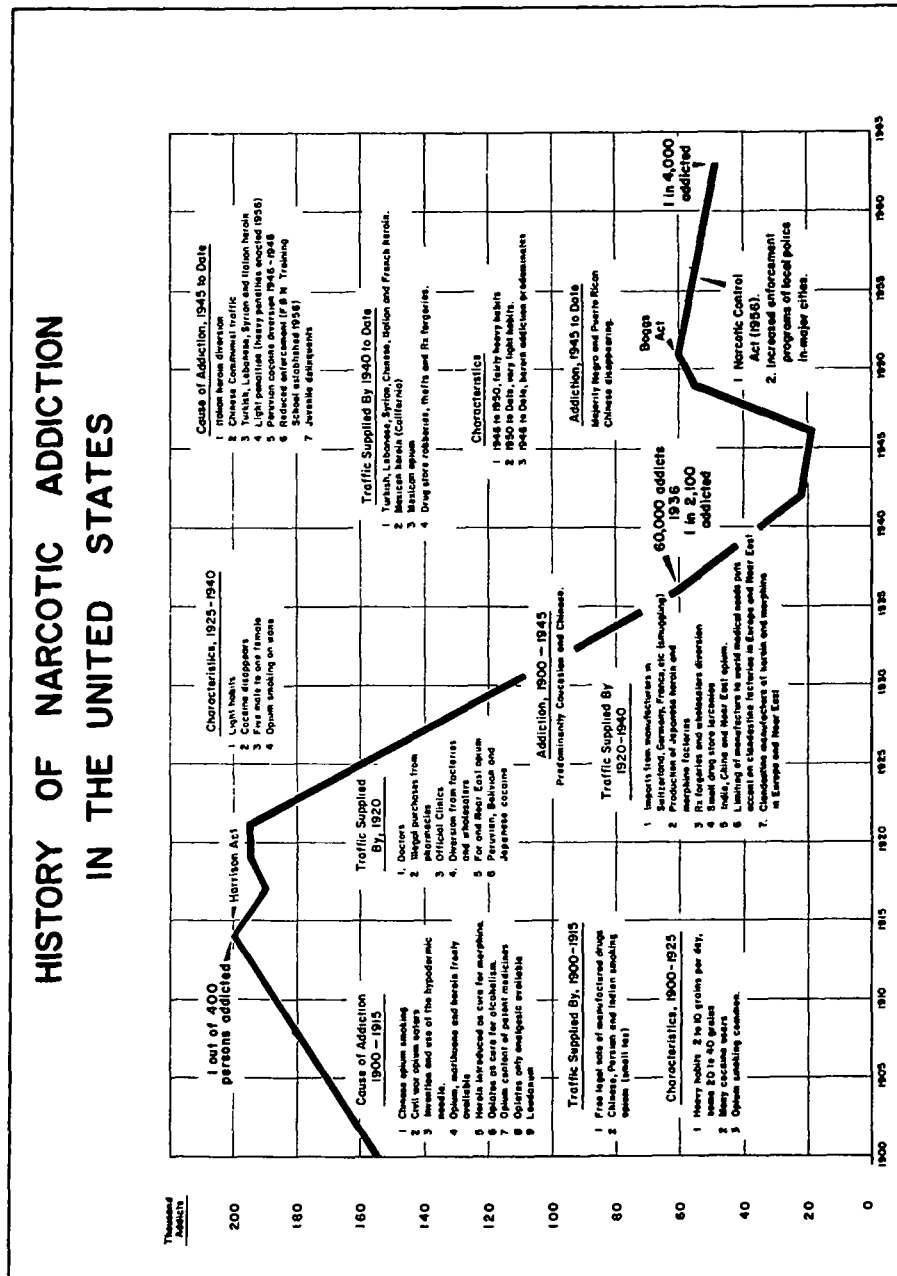
State	Active, Dec. 31, 1962	Active, Dec. 31, 1963	Increase	Decrease
Alabama.....	155	161	6	
Alaska.....				
Arizona.....	219	217		2
Arkansas.....	21	18		3
California.....	7,412	6,773		639
Colorado.....	239	281	42	
Connecticut.....	274	306	32	
Delaware.....	43	32		11
District of Columbia.....	918	1,021	103	
Florida.....	128	103		25
Georgia.....	54	52		2
Hawaii.....	48	57	9	
Idaho.....	7	8	1	
Illinois.....	7,034	7,091	57	
Indiana.....	372	405	33	
Iowa.....	22	24	2	
Kansas.....	35	33		2
Kentucky.....	70	78	8	
Louisiana.....	277	230		47
Maine.....	5	7	2	
Maryland.....	396	441	45	
Massachusetts.....	405	443	28	
Michigan.....	1,818	1,740		78
Minnesota.....	77	90	13	
Mississippi.....	50	60	10	
Missouri.....	629	470		159
Montana.....	21	23	2	
Nebraska.....	14	21	7	
Nevada.....	26	19		7
New Hampshire.....	3	4	1	
New Jersey.....	1,106	1,153	47	
New Mexico.....	179	260	81	
New York.....	22,031	23,470	1,439	
North Carolina.....	72	75	3	
North Dakota.....	1	2	1	
Ohio.....	327	404	77	
Oklahoma.....	103	101		2
Oregon.....	124	119		5
Pennsylvania.....	889	896	7	
Rhode Island.....	6	58	52	
South Carolina.....	35	22		13
South Dakota.....	4	4		
Tennessee.....	107	113	6	
Texas.....	1,204	1,154		50
Utah.....		2	2	
Vermont.....				
Virginia.....	176	165		11
Washington.....	183	202	19	
West Virginia.....	14	9		5
Wisconsin.....	152	120		32
Wyoming.....	4	8	4	
Grand total.....	47,489	48,535	1,046	

New narcotic addicts reported to the Federal Bureau of Narcotics by race, 1953-63

	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963
Total white.....	2,739	3,102	3,639	3,775	3,190	3,476	2,843	3,582	3,544	3,323	3,847
Mexican.....	202	303	408	652	502	601	406	672	580	486	290
Puerto Rican.....	155	519	634	729	753	799	672	745	848	760	993
All other white.....	2,382	2,280	2,597	2,394	1,935	2,076	1,765	2,165	2,116	2,077	2,564
Negro.....	5,806	4,710	5,199	5,395	4,378	4,021	2,780	3,808	3,433	3,002	3,538
All other.....	160	213	275	167	136	129	67	89	64	38	71
Percentages											
Total white.....	31.5	38.7	39.9	40.4	41.4	45.6	50.0	47.9	50.3	52.2	51.6
Mexican.....	2.3	3.8	4.5	7.0	6.5	7.9	7.2	9.0	8.2	7.6	3.9
Puerto Rican.....	1.8	6.5	6.9	7.8	9.8	10.5	11.8	10.0	12.0	11.9	13.3
All other white.....	27.4	28.4	28.5	25.6	25.1	27.2	31.0	28.9	30.1	32.7	34.4
Negro.....	66.7	58.7	57.1	57.8	56.8	52.7	48.9	50.9	48.8	47.2	47.4
All other.....	1.8	2.6	3.0	1.8	1.8	1.7	1.1	1.2	.9	.6	1.0

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

771



772 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

(Attached is a list of high echelon narcotic traffickers who have been apprehended since 1951 as a direct result of investigations conducted by agents of the Federal Bureau of Narcotics. A brief résumé of the criminal background and activity of each violator is included. It does not include a score of major traffickers apprehended in Europe, the Near East, and Asia.)

Accardo, Settimo, Bloomfield, N.J.; FBI No. 683907

Accardo, as a result of an undercover investigation initiated by agents of the Bureau of Narcotics, was arrested on August 3, 1955, at Newark, N.J., for violation of the Federal narcotic laws. He was arraigned at Federal court, New York, and subsequently jumped \$92,500 total bond and fled to Italy. Accardo controlled rackets in northern New Jersey and was a leader of organized crime in this area. He is familiar with every major racketeer throughout the United States and Canada. Following his flight to Italy, he established himself in the organized Italian criminal element and reorganized a smuggling ring which brought heroin from Italy to Canada. He traveled to Toronto for the purpose of supervising this operation. Upon the implication of his associates Vito and Albert Agueci and John Papalia in the narcotic investigations at Toronto, Accardo left for Italy where he has remained to date. Efforts are underway to effect his extradition to the United States. His criminal record dates from 1928.

Aeby, Aubrey, Dallas, Tex.; FBI No. 50226

Sentenced on September 18, 1952, to 20 years for violation of Federal narcotic laws. A major wholesaler of heroin, which he obtained in Chicago and distributed throughout the Southwest, Aeby was known to be a large-scale receiver of stolen goods. His criminal record dates back to 1925.

Agueci, Albert, Toronto, Canada; FBI No. 827538D; Agueci, Vito, Toronto, Canada; FBI No. 889944D

The Agueci brothers emigrated from Sicily to Canada during the early 1950's. They were part of the Sicilian underworld organization that set up outlets for heroin smuggled into Canada from Italy. In Toronto they operated a bakery as a front. Following their implication in the Federal narcotic conspiracy case at New York City during November 1961 Albert Agueci was found murdered at Rochester, N.Y. He had been strangled and burned with his hands tied behind his back. During February 1962 Vito Agueci stood trial and was convicted in the southern district of New York and sentenced to 15 years in prison.

Amato, Angelo, Cleveland, Ohio; FBI No. 1189758

Sentenced in 1952 for violation of Federal narcotic laws (5 years). One of the main outlets of heroin in Cleveland, Ohio. Member of the Italo-American underworld, he obtained large quantities of heroin for distribution in Ohio from his organization's sources in New York. Equally active in other aspects of organized crime in his area before his imprisonment. His criminal record dates back to 1936.

Angelet, Anthony, New York City, N.Y.; FBI No. 793133

Anthony Angelet with his brother William had a tight control over the criminal activities of Spanish-speaking Harlem of New York City. They obtained this criminal control through violence and intimidation. During April of 1956 Anthony Angelet was sentenced to 5 years by a Federal court in New York City for assaulting a Federal narcotics agent. Among his associates are numbered the most important sources of South American cocaine. His criminal record dates back to 1934.

Armone, Joseph, Brooklyn, N.Y.; FBI No. 798682

Armone is one of the right-hand men of Lower East Side underworld leader Joseph Biondo. Joseph Armone, his brother, the late Steve Armone, Joe Biondo and Salvatore Lucania (Charles "Lucky" Luciano), prior to the latter's deportation, were major sources of heroin supply in New York. Steve Armone has since died and Joseph assumed his position in the underworld. He became a fugitive in Federal narcotic case during 1956 and was apprehended by Federal narcotic agents at Newburgh, N.Y. He was tried and found guilty in Federal court in New York City and sentenced to 5 years. He has been an enforcer for the Biondo criminal organization, which is involved in a multitude of organized illicit activities. His criminal record dates back to 1933.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 773

Balistreri, Mario, Santa Clara, Calif.; FBI No. 93064

On September 4, 1953, was sentenced to 8 years in the Federal penitentiary for violation of the Federal narcotic laws and the terms of his parole. Balistreri has a total of three Federal narcotic convictions. He is an important member of the Italo-American underworld operating in both southern California and Kansas City, Mo., areas. He is known to major narcotic traffickers throughout the United States and is also an important counterfeiting suspect. He has a very lengthy criminal record.

Behrman, Nathan, New York City, N.Y.; FBI No. 1541128

Sentenced March 15, 1956, to 19 to 20 years by the State court of New York for violation of the narcotic laws. Behrman was part of a narcotic smuggling organization financed by Harry Stromberg with outlets in the major cities on the eastern seaboard and the Midwest. This organization was equally active in other activities including counterfeiting, gambling, and extortion. His criminal record dates back to 1938.

Bellanca, Sebastiano, New York City, N.Y.; FBI No. 797788

During 1939 was convicted of violation of the Federal narcotic laws at New York City. During the postwar years was a partner of Frank Scalici and Giacomo Scarpulla in control of the underworld activities in the Bronx. He was active in racket unions and claimed to be a business agent for the Teamsters Union in northern New Jersey. Bellanca was closely associated with the Accardo organization and had sources of supply in Italy. The criminal group he represented was equally involved in the traffic of counterfeit currency, bootleg alcohol, smuggled gold, stolen merchandise, and many other criminal ventures. In pursuance of these illegal enterprises, he traveled to Canada, Mexico, France, Italy, and Germany. Following his sale of heroin to an undercover narcotic agent during 1954, he was arrested for violation of the Federal narcotic laws at New York City and subsequently jumped a \$20,000 bond. He has since been a fugitive. Information from underworld sources has it that he has been murdered. His partner, Bronx underworld leader, Frank Scalice, was murdered by gunfire in the Bronx in 1957. His criminal record dates back prior to World War II, shortly after he emigrated to the United States.

Biase, Anthony, Omaha, Nebr.; FBI No. 1749112

Biase has been closely associated with notorious criminals throughout the Midwest in the distribution of illicit heroin to wholesalers in that area. Part of the organized underworld fraternity, he is known to have sources of heroin in New York City, Chicago, and Kansas City. Following the burglary of a wholesale drug firm at Council Bluffs, Iowa, during 1959, a Bureau of Narcotics undercover agent purchased a substantial quantity of the burglarized drugs from Biase. The agent was introduced to him by one Kenneth Sheetz of Kansas City, who later became a Government witness. During June of 1960, Sheetz, upon returning to his home in Kansas City, found Felix Ferina and Anthony Cardarella in his living room with drawn revolvers. He was shot and left for dead by his assailants. Sheetz, however, survived and in July of that year Ferina, Cardarella, Carleton A. Young and Anthony Biase were indicted by a Federal grand jury in Kansas City on charges growing out of the assault on Sheetz. Carleton A. Young is a labor union official in that city. Biase is one of four notorious brothers who operate a wide assortment of criminal ventures in Omaha, Nebr. During December of 1960 Anthony Biase was sentenced to 15 years imprisonment following his conviction on a Federal narcotic case. His criminal record indicates his involvement in burglary, theft, as well as numerous arrests for bookmaking.

Blaustein, Bernard, alias Bernie Barton, New York City, Los Angeles, Calif., and Miami, Fla.; FBI No. 1723416

Associated with top union racketeering figures and those controlling jukebox distribution. Among his intimate associates are Milton Holt and Charles Bernoff. He is equally involved in organized gambling activities. A leading figure among the Jewish underworld fraternity. During 1955 was convicted in Federal court in New York on a charge of violation of the Federal narcotic laws and sentenced to 3 years imprisonment. His criminal record dates back to 1938.

774 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Bruno, Joseph, Chicago, Ill., FBI No. 1828913

An important figure in the organized Italo-American fraternity of Chicago. In June 1958 he was convicted in Federal court in Chicago on a charge of violation of the Federal narcotic laws and sentenced to 8 years. For many years he had been involved in the distribution of bootleg alcohol and narcotics to large scale Negro peddlers in the South Side of Chicago. He has four prior convictions for violation of the Internal Revenue laws (alcohol).

Bucelli, John, Boston, Mass.; FBI No. 1454815

Bucelli, a member of an underworld organization involved in large scale distribution of narcotic drugs, is a leading Boston racketeer, who controlled the waterfront in that city through his influence in the longshore unions. He was implicated in the Brink's robbery and was convicted for possession of \$50,000 of the stolen money. During April 1958 he was sentenced to 5 years imprisonment for his part in the conspiracy case involving Harry Stromberg, Saul Gelb, et al. Prior to his serving the sentence, he was murdered by gunfire at Boston.

Buia, Angelo, New York City; FBI No. 1641962; Buia, Matildo, New York City; FBI No. 368359

The Buia brothers were members of the organization of Settimo Accardo specializing in large scale distribution of heroin. Both have had at least two prior convictions for violation of Federal narcotic laws. As part of the criminal organization controlled by Accardo, they were equally active in other criminal ventures this group engaged in.

Campisi, Charles, Newark, N.J., and Miami, Fla.; FBI No. 652456; Campisi, Thomas, Newark, N.J., and Miami, Fla.; FBI No. 148998

Both leading members of Settimo Accardo organization which controlled the underworld in northern New Jersey area. Both are known to have been active in organized gambling activities, distribution of bootleg alcohol and the enforcement of underworld agreements through violence and intimidation. During November 1956 Thomas Campisi was sentenced to 8 years at New York for violation of the Federal narcotic laws. Charles Campisi was sentenced in Brooklyn during April 1960 to 5 years after being a fugitive for several years.

Carmanati, Anthony, Bronx, N.Y.; FBI No. 1947698

An important member of the Bronx underworld organization, his earliest record dates back to 1931. He was involved in various organized criminal ventures of the Scalise organization. During February 1957 he was sentenced to 10 years in New York for violation of the Federal narcotic laws.

Caruso, Frank, alias "Frankie the Bug," New York City; FBI No. 187656

One of the ranking members of the underworld organization formerly headed by Anthony Strollo, alias Tony Bender. Caruso with Vincent Mauro and Salvatore Maneri was involved in the large scale distribution of heroin smuggled into the United States from his associates among the organized Sicilian underworld in Italy and Canada. Caruso was an equal partner with Maneri and Mauro. As leading members of the Strollo organization they were involved in the multiple illicit activities this criminal organization specialized in. As a result of an investigation conducted by the Federal Bureau of Narcotics, Caruso was implicated in the conspiracy case at the southern district of New York. Following his arrest he joined Maneri and Mauro in jumping bail, obtained a fraudulently executed Canadian passport, and used this document to escape to Spain. There Caruso was in contact with Salvatore Lucania as "Lucky" Luciano, through an emissary of the latter, who traveled between Spain and Italy. Following many months of investigation by the Bureau of Narcotics, Caruso, Mauro, and Maneri were located in Spain and through the cooperation of Interpol and the Spanish authorities they were apprehended. The three were extradited, faced trial and were convicted on March 11, 1963. Each was sentenced to 15 years imprisonment in the southern district court in New York for violation of the Federal narcotic laws and 5 years for bail jumping to run concurrent to the 15.

Casella, Peter, Philadelphia, Pa.; FBI No. 894604

Casella was one of the principal figures in controlling crime in the Philadelphia, Pa., and Camden, N.J., areas. Following the death of Marco Reginelli he assumed the leadership of the criminal organization headed by the latter. As a result of an undercover investigation conducted by agents of the Bureau of Narcotics,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 775

Casella was implicated in a case involving distribution of large quantities of heroin smuggled into the United States by his associates, Vincent Todaro and Joseph Lo Piccolo. For the part played as one of the principals in this case, Casella was sentenced during July 1958 by a Federal court at New York City to serve 40 years in prison. His criminal record dates back to 1927 and includes entries reflecting arrest for larceny, illegal lottery, and homicide.

Chalupowitz, Abraham, alias Abraham Chapman, San Francisco, Calif.; FBI No. 264265

Until his conviction on a charge of violating the Federal narcotic law in August 1951 at San Francisco, at which time he was sentenced to 15 years imprisonment as a result of an undercover investigation conducted by agents of the Bureau of Narcotics, Chalupowitz was an important figure in organized criminal activities of both the Jewish and Italo-American underworld organization throughout the United States. He had been sentenced in Chicago, New Orleans, Fort Worth, and San Francisco separately for violation of the Federal narcotic laws.

Christie, George, New York City, N.Y.; FBI No. 625887B

Christie has long been known by the FBI and the New York Police Department as one of the most important receivers of stolen furs and jewelry in that city. His legal interests included ownership of 12½ percent of the Jewelry Exchange of New York City. In spite of extensive efforts to implicate him in such crimes, Christie had never been arrested until an investigation by the Bureau of Narcotics resulted in implicating him as a man who conceived of and financed a scheme to illicitly manufacture and distribute Amidone, a synthetic narcotic drug. His partner in this venture was Morris Potnick and the two were equally involved in criminal activities related to organized prostitution, as well as criminal receiving and trafficking of narcotic drugs. During June 1958 he was sentenced in New York to 3 years in prison for violation of the Federal narcotic laws.

Cinquegrana, Benedetto, New York City; FBI No. 444281

An important member of the Italo-American underworld organization operating in lower east side area of New York City. During May 1956 he was sentenced to 2½ years in prison to be followed by 5 years probation, for violation of the Federal narcotic laws. He has been equally active in bookmaking activities and his arrest record reflects the latter as well as entries for robbery.

Condi, Joseph Dominic, Chicago, Ill.; FBI No. 464

An important member of both the Jewish and Italo-American underworld, he has been active in organized criminal activities in both New York City and Chicago, Ill. In January of 1955, he was sentenced to 10 years at Chicago, Ill., for violation of the Federal narcotic laws. His criminal record dates back to 1919 and reflects entries for burglary, robbery, and safe blowing.

Curcio, Charles, New York City; FBI No. 4226766

Curcio for many years has been active in organized underworld ventures in partnership with Frank Borelli. He and Borelli supplied traffickers in Chicago, Detroit, and Cleveland with large quantities of narcotic drugs. Borelli was arrested in 1948 for violation of the Federal narcotic laws but he succeeded in convincing the district court judge that he was addicted (although he was not an addict) and consequently received a 2-year probationary term with provision that he undertake a cure at the Public Health hospital located in Lexington, Ky. Borelli was admitted to Lexington during January of 1949 and released in July of the same year. During the period of 1950-52 Curcio, along with Borelli, Benjamin and Joseph Licchi, his two uncles, and Dr. John E. Jackson, an underworld chemist, assembled and operated a laboratory in northern New Jersey for the purpose of processing heroin and cocaine. Investigation by the Bureau of Narcotics resulted in the location of this laboratory and the obtaining of testimony from Dr. Jackson against Curcio and his associates. Curcio and the Licchi brothers were arrested and convicted in New Jersey State court, Bergen County, and received substantial prison terms. Borelli, however, fled to Chicago and through a series of legal maneuvers was able to avoid extradition until February 1959, at which time he was ordered to be returned to New Jersey. Shortly after Borelli's return to New Jersey, the essential State witness in the case against him, Dr. Jackson, age 72, was murdered at his home in the Bronx.

776 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Cotroni, Giuseppe, Montreal, Canada; FBI No. 16490D

With his brother Vincent, Giuseppe Cotroni has been for many years a leading figure in the organized underworld operating in Montreal, Canada. The criminal organization he and his brother head is responsible for the burglary of securities from several Canadian banks in amounts totaling approximately \$12 million. Operating in conjunction with the criminal organization headed by Carmine Galante and Joseph Bonanno, this group trafficked securities they obtained through the burglary of these banks. Their organization instituted labor racketeering in Montreal and controlled both organized prostitution and gambling in that city as well. In addition they have been equally active in the sale and promotion of worthless securities. Since the early 1950's the Cotroni group supplied a substantial portion of the heroin distributed in the United States, receiving the drug from their sources in France. As a result of an undercover investigation initiated by the Bureau of Narcotics, Giuseppe Cotroni was arrested during August 1959 at Montreal, Canada and subsequently stood trial and was sentenced to serve a 10-year term by a Canadian court.

Coudert, Roger, Paris, France; FBI No. 959779

Coudert was known to the French police as a member of the Paris underworld. In furtherance of various illegal enterprises, Coudert traveled to Mexico, Canada and the United States, under a fraudulently executed Canadian passport. During this period he was active in both the traffic of illegal narcotics and organized prostitution. As a result of an undercover investigation initiated by the Bureau of Narcotics, he was apprehended during 1953 and subsequently sentenced to 10 years imprisonment by a Federal court in New York City. Following the expiration of his sentence, he was deported to France.

Di Pietro, Carlo, New York City; FBI No. 315537A

An important member of the underworld organization operated by Carmine Galante at New York Di Pietro has been equally active in organized gambling activities and interstate theft. He has the reputation of enforcing underworld agreements through intimidation and violence. During May, 1960 he was arrested in New York City and subsequently stood trial on charge of conspiracy to violate the Federal narcotic laws. In July 1962 Di Pietro was sentenced to 20 years by a Federal court in New York. His criminal record dates back to 1936 and reflects entries for criminal entry and criminal receiving of stolen goods.

Di Palermo, Joseph, New York, N.Y.; FBI No. 1519166

A leading member of the Italo-American underworld organization of New York, he is closely associated with Carmine Galante and has acted as an underworld "enforcer." He has participated in the criminal activities of this organization throughout the eastern seaboard, Cuba, Canada, and in the past has made trips to Italy in furtherance of organized racketeering activities. When Carmine Galante was apprehended in Binghamton, N.Y., in the company of Joseph Barbara and Frank Garafolo and Joseph Bonanno, Galante attempted to conceal his identity by maintaining he was Joseph Di Palermo and used the latter's drivers license for that purpose. Di Palermo and Carmine Galante were jointly suspected of the 1943 murder in New York City of Carlo Tresca, an Italian language newspaper publisher. During April 1959 Di Palermo was sentenced to 15 years by a Federal court in New York City for violation of the Federal narcotic laws. His criminal record dates back to 1925 and reflects various entries for homicide, conviction for both the Federal liquor laws and counterfeiting violations. He is described by underworld sources as a murderer.

Evola, Natale, New York City; FBI No. 449926

Evola is highly placed in the organized Italo-American underworld. He attended the Apalachin meeting of 1957. Evola has long been known to enforcement authorities as an important figure in labor racketeering activities in the New York garment center. His criminal record dates back to 1930 and includes entries for coercion and illegal possession of firearms. As a result of an extensive investigation conducted by agents of the Bureau of Narcotics, Evola was implicated and charged in a case involving conspiracy to violate the Federal narcotic laws. Following his trial at the southern district of New York, he was sentenced during April 1959 to 10 years imprisonment.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 777

Galante, Carmine, New York, N.Y.; FBI No. 119495

He has long been known as one of the most ruthless underworld leaders in the United States. Prior to his expulsion by Canadian authorities in 1956, Galante organized the underworld activities in Montreal and was largely responsible for the powerful criminal organization which has remained to date. He is suspected of having committed the murder of Carlo Tresca in New York during 1943. During 1956, following the meeting he had with underworld leader Joseph Bonanno, Frank Garafolo and Joseph Barbara, Galante was arrested by the New York State police for a motor vehicle violation. He was sentenced to serve 1 month in prison and during this period there were numerous attempts on the part of various influential persons to intercede in his behalf. Immediately prior to the Apalachin meeting of 1957, Galante had appeared at Palermo, Sicily, with underworld leaders Joseph Bonanno and John Bonventre, and it is believed that the meeting set the pattern of topics to be discussed at the Apalachin meeting which followed immediately afterward. He was sought for questioning with regard to the Apalachin meeting of 1957. Following an investigation by agents of the Bureau of Narcotics, Galante was subsequently implicated and charged with conspiracy to violate the Federal narcotic laws. In spite of an intensive search by several law enforcement agencies, Galante remained a fugitive until June 1959, when he was apprehended by agents of the Bureau of Narcotics at a hideout in southern New Jersey. During July 1962 Galante was sentenced to 20 years for conspiracy to violate the Federal narcotic laws by a Federal court in New York City.

Gelb, Saul, New York City, N.Y.; FBI No. 35989

Gelb has long been known as one of the leaders of the Jewish underworld element of New York specializing in the smuggling and distribution of narcotic drugs as well as the large-scale theft and transfer of stolen securities. Prior to World War II, Gelb headed a syndicate which was engaged in the smuggling of narcotics between Europe, the Far East, Mexico, South America, and the United States on a large scale. This group distributed these drugs throughout the United States. His criminal record dates back to 1913 when he was charged at New York, N.Y. as a juvenile delinquent for shooting at a man. During May 1956 he was sentenced to 5 years by a Federal court at New York City for conspiracy to violate the Federal narcotic laws, as a result of an investigation conducted by the Federal Bureau of Narcotics.

Genovese, Vito, New York City and Atlantic Highlands, N.J.; FBI No. 861267

Well known as one of the most important leaders in the organized underworld in the United States, Genovese attended the Apalachin meeting of 1957. In recent years he succeeded in accumulating considerable wealth and influence as a result of his position in the underworld. While the organization he headed was active in many diverse criminal enterprises, Genovese operated relatively freely until, as a result of an investigation conducted by the Bureau of Narcotics, he was implicated in a conspiracy case in New York. In April of 1959 he was sentenced to 15 years by a Federal court at New York City following his trial in this case.

Gernie, Joseph, New York City; FBI No. 1851322

An "enforcer" for the criminal organization formerly headed by Anthony Strollo, alias Tony Bender. Gernie came into prominence during the early 1950's when Strollo's organization attempted to take control of the water front unions at the Claremont pier terminal, New Jersey. He, with Pasquale Pagano resorted to physical violence in order to bring the union members in line. He is known as a professional strong-arm man and murderer. As a result of an undercover investigation conducted by the Federal Bureau of Narcotics, Joseph Gernie during 1957 was sentenced to serve 10 years by a Federal court in New York City for violation of the Federal narcotic laws.

Giannini, Eugene, New York, N.Y.; FBI No. 154471

Eugene Giannini was long known as a highly placed member of the organized New York underworld specializing in the traffic of narcotics and counterfeit currency. As a result of an investigation conducted by the Bureau of Narcotics, Giannini and his group made the mistake of selecting an undercover narcotic agent to act as their courier to Italy and, in furtherance of large-scale narcotic transactions, Giannini and his associates furnished the undercover agent with sealed instructions and provided him with round-trip transportation. Shortly

778 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

after his arrest in this case Giannini was murdered at New York City while under proceedings in Federal court on this and other charges.

Gigante, Vincent, New York City, N.Y.; FBI No. 5020214

A strong-arm man and suspected killer for the Vito Genovese organization. During 1957 Gigante was the prime suspect in the attempted murder of Frank Costello at New York City. He is a former professional boxer. As a result of an investigation conducted by the Federal Bureau of Narcotics, Gigante was charged with conspiracy to violate the Federal narcotic laws at New York and during April 1959, following his trial, was sentenced to 7 years on this charge.

Giglio, Salvatore, New York City, N.Y.; FBI No. 1967931

A close criminal associate of Carmine Galante, Giglio represented the New York underworld's interests in Montreal following Galante's expulsion from Canada. During 1956 as a result of an investigation conducted by the Federal Bureau of Narcotics Giglio was indicted on the charge of conspiracy to violate the Federal narcotic laws along with Carmine Galante, John Ormento and others. Since that time Giglio has been sought but never found to date. Underworld sources indicate that he may have been murdered. His criminal record dates back to 1937 and includes a conviction for violation of the Federal narcotic laws.

Giordanello, Vito, Houston, Tex.; FBI No. 3254832

An important member of the Italo-American underworld organization operating throughout the Southwest, Giordanello was particularly active in New Orleans, La., Houston and Beaumont, Tex. He secured heroin from sources in Chicago and New York, and distributed the drug into the interstate traffic throughout the Southwest. As a result of an investigation conducted by agents of the Bureau of Narcotics Vito Giordanello was charged and convicted for violation of the Federal narcotic laws and sentenced to 10 years in prison during December 1956 by a Federal court in Dallas, Tex. His source of supply, Benjamin Indiviglio of New York, was sentenced to 4 years by the same court. Giordanello's criminal record dates back to 1941 and includes other convictions for violating the Federal narcotic laws. As a member of the organized underworld he has been equally active in other illicit ventures controlled by this group.

Impastato, Nicolo, deported to Italy; FBI No. 2716692

A high ranking member of the organized Italo-American underworld which controlled criminal activities in Kansas City, Impastato was known to maintain discipline within the Kansas City underworld through use of violence. He was actively engaged in the multiple illicit ventures operated by this organization. Following an investigation conducted by the Bureau of Narcotics, he was convicted on a charge of violation of the Federal Narcotic law and during 1955 deported to Mexico and from that country to Italy in the same year. His criminal record in Italy dates back to the 1920's and includes entries for homicide and attempted murder.

Isabella, Florio, New York, N.Y.; FBI No. 467320

An important member of the Italo-American underworld element operating on the Lower East Side of New York, he has been equally active in organized gambling and shylocking, interstate theft, criminal receiving of stolen goods, and counterfeiting violations. Following an investigation conducted by the Federal Bureau of Narcotics, Isabella in May 1957 was sentenced to 15 years for violation of the Federal narcotic laws. His criminal record dates back to 1932 and includes entries for highjacking, interstate theft, counterfeiting, and criminal receiving.

Landers, Clifford, Atlanta, Ga.; FBI No. 1071073

An important member of the organized criminal element operating out of Atlanta, Ga., he is equally active in organized prostitution and crimes arising out of interstate theft. Landers secured sources of supply from major traffickers operating out of the Lower East Side of New York. As a result of an investigation conducted by the Federal Bureau of Narcotics he was arrested, tried and found guilty in Federal court in Atlanta, and during January 1957 was sentenced to 2 years in prison for violation of the Federal narcotic laws. Landers criminal record dates back to 1928 and includes entries for highway robbery, assault and battery, violation of the Mann Act, and rape.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 779

Lasala, James Vincent, San Francisco, Calif.; FBI No. 690454

Member of the organized underworld at San Francisco, Lasala has been equally active in gambling activities and counterfeiting violations. Following an investigation conducted by the Federal Bureau of Narcotics, Lasala was tried, found guilty, and during July 1954 was sentenced by a Federal court in San Francisco to 4 years for violation of the Federal narcotic laws.

Lessa, Daniel, New York City, N.Y.; FBI No. 1018546

An important member of the Italo-American underworld operating out of East Harlem, New York, Lessa is suspected of engaging in labor union racketeering activities and the bringing about of labor agreements through violence and intimidation. Following investigation by the Federal Bureau of Narcotics, Lessa was implicated, stood trial and was sentenced to 5 years imprisonment during April 1958 for conspiracy to violate the Federal narcotic laws. His criminal record dates back to 1935. He is also well known to both the Los Angeles police department and the Los Angeles County sheriff's office.

Lewis, Wesley, Chicago, Ill.; FBI No. 518493

An important member of the organized criminal element operating in the South Side of Chicago. He has been equally active in the criminal receiving and interstate shipment of stolen merchandise and gambling violations. As a result of an investigation conducted by the Federal Bureau of Narcotics Lewis, during November 1957, was sentenced to 10 years in Chicago, Ill., for violation of the Federal narcotic laws. His criminal record dates back to 1931 and includes entries for burglary and interstate shipment of stolen merchandise.

Loiacano, Angelo, New York City, N.Y.; FBI No. 2748953

An important member of the Italo-American underworld organization operating in the Lower East Side and East Harlem areas of New York City Loiacano was equally active in the organized gambling activities. As a result of an investigation conducted by the Federal Bureau of Narcotics Loiacano was brought to trial on charges of conspiracy to violate the Federal narcotic laws in Federal court in New York. During June 1962 he was sentenced to 20 years imprisonment on these charges.

Lo Piccolo, Joseph, Chicago, Ill. and Miami, Fla.; FBI No. 790022C

A partner of Vincent Todaro, Lo Piccolo was one of the leading members of an organization that smuggled large quantities of heroin into the United States and distributed this drug through organized underworld channels. Lo Piccolo was active in various criminal ventures at Chicago, Ill.; Miami, Fla.; Philadelphia, Pa.; New York City and Havana, Cuba. Long a leading member of the underworld Lo Piccolo escaped detection until 1958 when an investigation conducted by the Federal Bureau of Narcotics implicated him as a major source of heroin. During August 1958 he was sentenced to 20 years in Federal court in New York on this charge.

Maneri, Salvatore, deported to Italy (addicted); FBI No. 495856

Maneri, prior to his deportation, was an important figure in the organized underworld element operating in the waterfront area of New York. His position as longshoreman helped him to further large scale thefts from foreign shipments. Following his deportation to Italy, he became associated with Salvatore Lucania and actively engaged in the procuring of large quantities of heroin which he smuggled into the United States. He became well known to the sources of supply in France and Italy and worked closely with the organized underworld's outlets of drugs in the United States. As a result of an investigation conducted by the Federal Bureau of Narcotics Maneri was implicated in the conspiracy case at New York City. Following his arrest, he jumped bail and fled prosecution with fugitives Frank Caruso and Vincent Mauro. The three took refuge in Spain, using fraudulently executed Canadian passports. Following many months of investigation, the Bureau of Narcotics located him and the other fugitives in that country and through the cooperation of Interpol succeeded in apprehending and successfully extraditing the three defendants. On March 11, 1963, Maneri was convicted and sentenced to 15 years by a Federal court in New York and 5 years for bail jumping to run concurrent to the 15. Maneri's criminal record dates back to 1929 and includes entries for burglary, grand larceny, illegal entry, violation of parole, possession of burglary tools, theft from interstate shipments, theft from foreign shipments, and multiple convictions for illegal entry.

780 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Marchese, Ignazio, Ansonia, Conn.; FBI No. 4612703

An important member of the Italo-American underworld operating out of Connecticut. He has been equally active in robbery and other crimes of violence. He is known to most of the major underworld figures in the East Harlem area of New York. Marchese is equally active in other organized criminal ventures such as gambling and interstate theft. During March 1958 agents of the Bureau of Narcotics made several undercover purchases of heroin from Marchese at his home in Connecticut. During September 1958 Marchese was sentenced to 7 years by a Federal court at New York for violation of the Federal narcotic laws. His criminal record dates back to 1930 and includes entries for carrying concealed weapons and robbery with violence.

Maresca, Raymond, New Haven, Conn. (addicted at the time of his arrest); FBI No. 26808

For many years a leader of the organized underworld in the New England area, Maresca was active in masterminding thefts from interstate shipments, gambling operations, arson, and other assorted racketeering activities in this area. He was also responsible for the theft of firearms from manufacturers in Connecticut and their subsequent sale to underworld figures. In the course of an undercover investigation conducted by agents of the Bureau of Narcotics several purchases of evidence were made from Maresca during 1952. On October 17, 1952, he was sentenced to 8 years by a Federal court at New Haven, Conn. for violation of the Federal narcotic laws. His criminal record dates back to 1933 and includes entries for burglary and carrying concealed weapons.

Martello, Nicholas, New York City, N.Y.; FBI No. 54716

A leading member of the organized Italo-American underworld operating out of the lower East Side of New York, Martello was equally active in the distribution of bootleg alcohol, gambling violations and extortion. Following an undercover investigation conducted by the agents of the Federal Bureau of Narcotics which implicated Martello, the latter was arrested on October 15, 1958, for conspiracy to violate the Federal narcotic laws. Since that time he has disappeared and it is suspected that he has been murdered. Martello's criminal record dates back to 1926 and includes entries for rape, assault, robbery, grand larceny, extortion, and violation of National Fire Arms Act and violation of liquor laws.

Mauro, Vincent, New York City, N.Y.; FBI No. 760950

A high ranking member of the criminal organization formerly controlled by Anthony Strollo (alias) Tony Bender. In pursuance of the activities this organization engaged in Mauro participated equally in operating their gambling and shylocking interests and in the operation of hoodlum controlled nightclubs. As a result of the investigation conducted by the Federal Bureau of Narcotics Mauro was implicated in a narcotic conspiracy case. Following his arrest during May 1961 Mauro with Caruso and Maneri jumped bail and fled to Spain using fraudulent Canadian passports. Intensive investigation conducted by the Federal Bureau of Narcotics resulted in the location of the three fugitives and, through the cooperation of Interpol and the Spanish police, these defendants were extradited to the United States where they subsequently stood trial. On March 11, 1963, they were convicted and sentenced to 15 years by a Federal court in New York and 5 years for bail jumping to run concurrent to the 15.

Mazzie, Rocco, New York City, N.Y.; FBI No. 836192

An important member of the organized Italo-American underworld operating out of east Harlem, Bronx, and Westchester, N.Y. He is known as an "enforcer" and has been used to control dissident underworld segments by means of violence and intimidation. For years he has been a major source of heroin for outlets in Cleveland, Ohio and Chicago, Ill. Following an investigation conducted by the Bureau of Narcotics Mazzie was implicated in a conspiracy case and, during April 1959, was sentenced to 12 years for his participation in the illegal traffic. His criminal record dates back to 1934 and reflects entries for robbery and assault and robbery.

Malizia, John, New York, N.Y.; FBI No. 735314

An important member of the organized underworld operating out of the eastern Harlem and Bronx areas of New York City, he, with his brother Joseph, are known as the "Pontiac" brothers. The two brothers have been equally involved in large scale bookmaking activities. Following an undercover investigation during which an agent of the Bureau of Narcotics pur-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 781

chased evidence from both, the brothers were arrested and during November 1957 John and Joseph Malizia were sentenced to 9- and 7-year prison terms, respectively.

Meltzer, Harold, Los Angeles, Calif.; Mexico City, Mexico and New York City; FBI No. 113017 (has legally changed his name to Harold Fried)

Meltzer now is reported to operate large bookmaking and prostitution syndicates in California. A major figure in the organized underworld in California and Mexico, he is known to all the important narcotic traffickers throughout the United States. He has also operated in Oklahoma, Texas, Baltimore, Miami, Las Vegas, Boston, and various areas in Canada, Cuba, Hong Kong, Japan, Hawaii, and the Philippines. Meltzer is also associated with the more important labor organizers and has been involved in union racketeering activities. As a result of a lengthy investigation conducted by the Federal Bureau of Narcotics, Meltzer was implicated in a conspiracy case at the southern district of New York and on June of 1951 was sentenced to 5 years, upon his plea of guilty, on this charge.

Mirra, Anthony, New York, N.Y.; FBI No. 3938450

An important member of the organized Italo-American underworld operating out of the lower East Side, Bronx, and Westchester areas of New York City, Mirra has been active in many aspects of organized criminal activities and has engaged in violence in pursuit of such crimes. As a result of a lengthy investigation conducted by the Bureau of Narcotics, Anthony Mirra was implicated and charged in a case involving conspiracy to violate the Federal narcotic laws. On September 4, 1957, Mirra was arrested and following his trial at the southern district of New York, during April 1958, he was sentenced to 3 years, 6 months, in this case. Continued investigation of another group of traffickers implicated Mirra in the second conspiracy case. In the course of the trial of this case, in the southern district of New York, Mirra was cited for contempt. During July of 1962 he was sentenced to 20 years for conspiracy to violate the Federal narcotic laws in the latter case and also received a 1-year sentence on the contempt charge, to run consecutively.

Nobile, George, New York, N.Y.; FBI No. 1379511

His criminal record dates from 1937 and reflects entries for policy and conspiracy to obstruct justice. George Nobile is a trusted member of the underworld syndicate in the lower East Side section of New York City from whom he has obtained large quantities of heroin for eventual distribution in interstate traffic. He has acted as an underworld chemist in the conversion of narcotic drugs for the illicit market. He is suspected of having been active in counterfeiting, gambling, and the trafficking of illicit alcohol. Most recently he was associated with Vincent Todaro who was a principal in a narcotic organization which obtained vast quantities of heroin from French-Corsican sources in France and from important members of the Sicilian underworld.

Following an intensive undercover investigation by the Bureau of Narcotics during 1957 and 1958, Nobile and several other important violators were arrested in possession of narcotics which originated from French-Corsican and Sicilian underworld sources. Following trial in this case, he was sentenced on May 20, 1958, to 10 years imprisonment in Virginia for violation of the Virginia State narcotic laws.

Orlando, Lorenzo, Elmont, Long Island, N.Y.; he is known to the Kansas City (Mo.) Police Department; FBI No. 511557

Orlando's criminal record dates to 1928 and includes entries for alcohol violations. In his early days Orlando was a member of the underworld in Kansas City, Mo., where he engaged in multiple illicit activities, principally trafficking in alcohol. In recent years he was part of the Vincent Todaro-Joseph Lo Piccolo organization which obtained large quantities of heroin from French-Corsican and Sicilian traffickers and smuggled same into the United States for eventual distribution in interstate traffic. At the time of his arrest in 1958 by the Bureau of Narcotics in the extensive *Todaro-Lo Piccolo Narcotic Conspiracy* case, Orlando's home contained a large cache of 9 kilos of heroin which had been smuggled into the United States by the Todaro-Lo Piccolo organization. Orlando himself maintained close ties with leading underworld figures in Sicily. In 1958 he was sentenced (re *Todaro-Lo Piccolo* case) to 17 years in Federal prison for violation of the Federal narcotic laws.

782 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Ormento, John, Lido Beach, Long Island, N.Y.; FBI No. 1321383

For many years John Ormento was one of the most influential members of the notorious East 107th Street mob of the East Harlem area of New York City. This criminal organization soon developed into one of the most powerful syndicates in New York City and engaged in various illegal enterprises, including trafficking in narcotics and illicit alcohol, gambling, jukebox racket, extortion, labor racketeering, and shylocking. Ormento has been a trusted lieutenant in this gang and, in addition to being active in gambling and allied illicit interests, specialized in distributing huge quantities of heroin in local and interstate commerce. He is acquainted with most of the leading racketeers in the United States. He attended the notorious Apalachin meeting on November 14, 1957. He was involved in recent years in the narcotic traffic with Vito Genovese and some of the latter's underlings and with members of the Joseph Cotroni organization of Montreal, Canada, which smuggled huge amounts of heroin into the United States. Ormento was a fugitive in the *Vito Genovese* case until he was apprehended by agents of the Bureau of Narcotics in 1959. During this time he was also being sought by other law enforcement agencies regarding his attendance at the Apalachin meeting. Ormento did not stand trial in the *Vito Genovese* case but subsequent to his apprehension he stood trial in the *Joseph Cotroni Conspiracy* case. Following this trial, he was sentenced in U.S. District Court, Southern District of New York, on July 10, 1962, to 40 years' imprisonment in Federal prison where he is currently incarcerated. His arrest record dates from 1937 and includes entries for bookmaking. His 1962 narcotic conviction, his latest, was his fourth narcotic conviction.

Pagano, Joseph, New York, N.Y.; FBI No. 4674260

His criminal record dates to 1946 and includes entries for robbery, and assault and robbery. Pagano has been associated for many years with the Anthony Strollo criminal combine of New York City. About 15 years ago he was involved in strong-arm tactics in taking over operations at the Claremont Pier Terminal, New Jersey, for the Anthony Strollo organization. He was associated with racketeer Joseph Gernie, of Harlem, New York City, in the local and interstate trafficking of narcotics. In 1955 he was sentenced to 7 years imprisonment for violation of the Federal narcotic laws. In the latter case he was involved with a group of individuals engaged in distributing narcotics in local and interstate traffic. In recent months he was indicted in U.S. District Court, Southern District of New York, for conspiring to violate the Federal bankruptcy laws in that he and several other individuals had fraudulently transferred \$1.3 million in assets of a wholesale meat and poultry corporation. He and his codefendants (New York City racketeers) are awaiting trial in this case.

Pagano, Pasquale, Bronx, N.Y.; he is known to the Jersey City (N.J.) Police Department; FBI No. 74687B

His criminal record dates to 1952 and includes entries for atrocious assault and battery, and attempt to bribe an internal revenue agent. Pasquale Pagano was active in the early 1950's in gambling and extortion activities. During this period he was involved in strong-arm tactics at the Claremont Pier Terminal, New Jersey, on behalf of the highly organized Anthony Strollo criminal group. Also, in the 1950's he was associated in international and interstate trafficking of narcotics with Joseph Valachi, Giacomo Reina, and the late Eugene Giannini. Pagano traveled to France for this group and made arrangements with French-Corsican narcotic traffickers for huge quantities of heroin to be smuggled into the United States. Investigation by the Bureau of Narcotics eventually broke up this narcotic ring. The principals received substantial prison sentences. Pasquale Pagano was sentenced relative to this case on April 23, 1956, to 5 years in Federal prison to run concurrently with a 3-year sentence received in U.S. District Court, Southern District of New York, for an attempt to bribe a Government officer.

Papalardo, Sylvester, Cleveland, Ohio; FBI No. 463957

His criminal record dates from 1932 and includes entries for burglary, robbery, and homicide. He derives the major portion of his income from gambling and trafficking in narcotics. He has been associated for the past several years with leading Cleveland, Ohio, racketeers involved in interstate narcotic traffic with important New York City narcotic distributors. On August 14, 1953, he was sentenced to 15 years in Federal prison for violation of the Federal narcotic laws.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 783

In this case he was involved with defendants Angelo P. Lavelle, Frank Ciccarello, and Raymond J. Lamarca whose operations were extensive and who supplied major narcotic dealers in the State of Michigan and Ohio.

Papalia, John, Toronto, Canada; FPS No. 568267RCMP, Ottawa, Canada; FBI No. 818021D

His criminal record dates back to 1942 when he was arrested in Hamilton, Ontario, Canada, for assault and robbery. His subsequent arrests include violation of the Canadian Liquor Control Act, violation of the Canadian National Selective Civil Service Registration Act, burglary and entry, assault (bodily harm), violation of the narcotic laws of Canada, and violation of the narcotic laws of the United States. Papalia was associated in the narcotic traffic in Toronto, Canada, with the Agueci brothers, Vito and Albert. These individuals furnished narcotic traffickers in the United States with vast quantities of heroin which was eventually distributed in interstate traffic. Papalia has engaged in multiple illicit activities in Canada including gambling, organized prostitution, and trafficking in illicit alcohol. On March 11, 1963, he was sentenced to 10 years imprisonment for violation of the Federal narcotic laws. This conviction resulted from his involvement in the *Salvatore Rinaldo Conspiracy* case which uncovered and broke up a vast conspiracy ring in the United States engaged in the smuggling of narcotics from Canada and Europe.

Paroutian, Antranik, Marseilles, France; FBI No. 520974D

Paroutian is a major underworld figure of Marseilles, France, and part of the highly organized and powerful Corsican criminal element. He is known to the French police as having maintained an organization that specialized in economic-type crimes and is suspected of the murder of one of his former business associates. Paroutian and his partner, Gabriel Graziani, during the period of 1956-58, traveled from France and set up operations in Montreal, Canada; Havana, Cuba, and New York City. Working closely with leading underworld elements in each of these countries, they set up channels of distribution of heroin which they had smuggled into North America from France by means of their organization. In addition to the traffic in heroin, this group specialized in the traffic in stolen securities and was one of the outlets for the securities burglarized from the Canadian banks by the Cotroni organization. As a fruit of their illicit operations, Paroutian and Graziani, during an 18-month period, were able to send to secret Swiss bank accounts a total of slightly more than \$500,000. An intensive investigation conducted by agents of the Bureau of Narcotics uncovered the activities of Paroutian. As a result, both he and Graziani were indicted at the southern district of New York during 1958. Continuing investigation by the Bureau of Narcotics resulted in the arrest in Beirut and subsequent extradition to the United States to stand trial on the narcotic charge. In the course of Paroutian's trial, one of the essential pieces of evidence was the complete record pertaining to the coded Swiss bank accounts maintained by Paroutian and his associates which the Bureau of Narcotics had succeeded in obtaining from the Swiss police. This was the only known instance wherein coded Swiss bank records have been made available to U.S. enforcement authorities, in spite of the continuous need and demand for this information. Following his retrial, Paroutian was convicted and in September 1962 was sentenced at the eastern district of New York to two counts of 20 years each, the sentences to run concurrently, on charges of violation of the Federal narcotic laws.

Pieri, Salvatore, Buffalo, N.Y.; FBI No. 182971

His criminal record, since he was a juvenile, includes entries for burglary, possession of firearms, and grand larceny. Pieri is an important interstate narcotic trafficker and a trusted member of the Stefano Magaddino, Buffalo, N.Y., crime syndicate which controls multiple illicit activities in upstate New York, including gambling, narcotics, illicit alcohol, shylocking, and extortion. Pieri has no known legal source of income and has maintained his livelihood through participation in narcotics, gambling, extortion, and other illegal pursuits. In the early 1950's he was involved in the distribution of large quantities of heroin and interstate traffic. Following an intensive investigation by the Bureau of Narcotics, Pieri was implicated in a narcotic case for which he received a 10-year prison sentence in 1954.

784 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Pisciotta, Anthony, Bronx, N.Y.; FBI No. 592746A

His criminal record consists of two arrests by the Bureau of Narcotics. Since the 1950's Pisciotta was engaged with important underworld racketeers at New York City in the wholesale narcotic traffic and supplied heroin dealers from all sections of the United States. One of his principal sources of heroin supply was notorious narcotic trafficker Frank Borelli who, through the years, has had access to pure-grade heroin imported from France. Pisciotta had an interest in the Skyway Bar near LaGuardia Airport, in New York City, which he used as a base of operations for many of his narcotic deals and other illicit activities, including gambling. On May 25, 1951, he was sentenced to 9 years' imprisonment followed by 5 years' probation for violation of the Federal narcotic laws. In 1960, he was sentenced to 10 years' imprisonment for violation of the Federal narcotic laws. In the latter venture he was associated with Thomas Garibaldi, of New York City in the distribution of vast quantities of heroin in interstate traffic.

Poliafico, Salvatore, Cleveland, Ohio; FBI No. 1482222

His arrest record dates to 1930, when he was acquitted for murder, and includes an entry for robbery. Poliafico has been employed as a nightclub manager and operator of a television repair service shop. The Cleveland, Ohio, underworld has employed Poliafico as an enforcer of its syndicate operations. In the 1950's he and his associates obtained from leading New York City racketeers large amounts of heroin which he and his associates caused to be distributed in the midwestern part of the United States. It is alleged that his other source of income, aside from trafficking in narcotics, is derived from his gambling interests which are an integral part of the vast operations of the criminal syndicate in Cleveland, Ohio, and its environs. Following an intensive investigation by the Bureau of Narcotics, Poliafico was involved in an important narcotic case and on April 23, 1957, he was sentenced to 15 years' imprisonment in Federal prison for violation of the Federal narcotic laws.

Polizzano, Ralph, New York, N.Y.; FBI No. 7365660

His criminal record commenced in 1957 with an arrest and conviction for interstate narcotic violations. Polizzano was the owner of the Squeez Inn Bar, 57 East Fourth Street, New York City. He used this bar as a base of operations for distributing heroin which he had received from members of the Vito Genovese criminal syndicate which controlled most of the illicit activities in this area. He was subsequently implicated in the vast *Vito Genovese* narcotic conspiracy case as one of the outlets for heroin for this group and on April 17, 1959, he was sentenced to 7 years imprisonment in Federal prison. This sentence was to run consecutive to a State sentence of 2½ to 4 years which started on October 25, 1957, in New York State Prison for violation of the State narcotic laws. Polizzano was active in gambling activities in the Lower East Side section of New York City.

Pullings, Jeremiah, Chicago, Ill.; FBI No. 274479A

His criminal record dates from 1940 and includes entries for violation of the liquor laws. During past years Pullings was an important member of the underworld in the South Side of Chicago where he controlled the distribution of narcotics from that area to other cities. Among his other illicit operations the sale of illicit alcohol and gambling activities played an important role. He was arrested in 1955 by agents of the Bureau of Narcotics for involvement in an important narcotic conspiracy case and on April 24, 1961, as a result of a conviction in this case, he was sentenced to 12 years in Federal prison.

Ragone, Joseph, Bronx, N.Y.; FBI No. 688161B

His criminal record dates to 1954 when he was arrested for violation of the Federal narcotic laws. This is his only arrest. Joseph Ragone has been active with his brother Gaspare Ragone in the vending machine business and has had interests in the Bluebird Bar, Bronx, N.Y. Through the years he has been associated with several important narcotic violators operating in the Bronx, N.Y. It is suspected that he has engaged in strong-arm tactics in the jukebox racket. He and his associates have been active in gambling operations controlled by the underworld element in the Bronx. In 1954 he was implicated in a narcotic case and was sentenced on November 27, 1954, to serve 3½ years in prison followed by 5 years of probation.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 785

Robert, Rene, Montreal, Canada; FBI No. 164789D

His criminal record dates back to August 25, 1942, when he was arrested in the Province of Quebec, Canada, for breaking into and theft. He was subsequently arrested for theft (5 years), attempted strangulation, theft from person with violence (sentenced to 7 years on October 5, 1950), and lottery. As a result of an undercover investigation conducted by agents of the Bureau of Narcotics, Robert stood trial at Montreal, Canada, for violation of the Canadian narcotic laws. Robert is now in St. De Paul Prison in Canada serving an 8-year sentence. Robert was an important member of the Joseph Cotroni narcotic smuggling organization in Montreal, Canada, and was instrumental in the smuggling of large quantities of heroin into the United States to leading members of the Carmine Galente criminal syndicate. Robert's other illicit activities included gambling, prostitution, and suspected counterfeiting.

Roberts, James Milton, Washington, D.C.; FBI No. 95554

His arrest record dates to 1926 and includes entries for larceny, disorderly conduct, and assault. Roberts was closely associated in the narcotic traffic with Italo-American racketeers from the East Harlem section of New York City who supplied him with sizable quantities of heroin which he distributed to Washington, D.C., and neighboring cities. Roberts was active in gambling activities in the Washington, D.C., area. On February 3, 1950, he was sentenced to 15 years imprisonment for violation of the Federal narcotic laws. It is believed that this individual will revert to his criminal activities upon release from prison.

Robino, Cristoforo, native of Italy; murdered in Brooklyn, N.Y., on July 18, 1958; FBI No. 492460

Robino was an important figure in the Sicilian organized underworld described by the Italian police as the Mafia. This criminal group maintains a tight control of all illicit and many of the more lucrative legitimate enterprises in Sicily. Its membership has established itself in the United States and they have cooperated closely with their counterpart in Sicily. During early 1950, there were attributed a series of murders committed throughout Italy as a result of Mafia efforts to control the fruit industry in that country. Robino became implicated in a double homicide described as a Mafia killing and was sought for by the Italian police in connection with the two murders. He fled to Canada and subsequently entered the United States. At Windsor, Ontario, he married, and the best man at his wedding was John Ormento, a high-ranking member of the organized New York underworld and notorious narcotic trafficker. After settling in Brooklyn, Robino entered the large-scale narcotic traffic, obtaining heroin from his Mafia associates in Sicily. As a result of an extensive undercover investigation initiated by agents of the Bureau of Narcotics, evidence was developed against Robino, who was indicted by a Federal grand jury at New York. Robino fled prosecution and became a fugitive. Following a prolonged investigation by the Bureau of Narcotics and, as a result of these efforts, Robino surrendered for trial during December 1957. Before his trial commenced he was shot to death at Brooklyn, N.Y., on July 18, 1958.

Santagata, Aniello, Kearney, N.J.; he is known to the New York City Police Department; FBI No. 1671607

His arrest record dates from 1909 and includes entries for pickpocketing, larceny, kidnaping, bastardy, fornication, assault and battery, disorderly conduct, and gambling. Santagata was born on January 13, 1888, in Caserta, Italy. He is an oldtime hoodlum highly regarded by his associates. For a number of years he has had sources of supplies of narcotics in Italy, Mexico, and Canada and has been responsible for smuggling and distributing large quantities of heroin throughout the United States. He lists himself as a retired barber but he has maintained his close ties with high-ranking underworld figures in the metropolitan area of New York City. As a result of an undercover investigation conducted by agents of the Bureau of Narcotics, Santagata was brought to trial at the eastern district of New York on charges of violation of the Federal narcotic law.

Upon completion of the trial, which took place during 1955, he was sentenced to 10 years in prison.

786 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Santora, Salvatore, Leonia, N.J.; FBI No. 838426

His arrest record dates from 1953 and includes entries for grand larceny, assault, possession of a gun, and convictions for violation of the Federal narcotic law. Santora is an important member of one of the leading criminal syndicates in New York City, concentrating its principal activities in the Harlem area of New York City and Westchester County, N.Y. He has been active in gambling, shylocking, and labor racketeering. Through his close association with Racketeer John Ormento, he has established himself in a key position in the underworld. He, John Ormento, Rocco Mazzie, Natale Evola, and gangland Chieftain Vito Genovese were implicated in a vast narcotic conspiracy case which resulted in their conviction in U.S. District Court, Southern District of New York, in 1959. He was sentenced relative to this conspiracy case in April 1959 to 20 years' imprisonment in Federal prison.

Schennault, Harry, Chicago, Ill.; FBI No. 62403

His criminal record dates from 1922 and includes entries for larceny, disorderly person, burglary, gambling, violation of liquor laws, and violation of State and Federal narcotic laws. As a result of an undercover investigation conducted by agents of the Bureau of Narcotics, evidence was acquired implicating him and he was subsequently arrested for violation of the Federal narcotic laws. During February 1952 he was sentenced to 5 years, followed by 7 years' probation on this charge.

Schiffman, Charles, Newark, N.J., and New York, N.Y.; FBI No. 313781

His criminal record dates to 1921 when he was arrested in Chicago, Ill., for burglary. This record also reflects entries for robbery, holdup kidnaping, and robbery, concealed weapon (loaded revolver), assault with intent to rob, highway robbery, and harboring. On March 30, 1934, he was sentenced to 4 years imprisonment for violation of the Harrison Narcotic Act. On July 18, 1940, he was sentenced to 10 years in the U.S. penitentiary for violation of the Federal narcotic laws and harboring. Following an investigation conducted by agents of the Bureau of Narcotics, Schiffman was implicated and charged in a case involving conspiracy to violate the Federal narcotic laws. During February 1962 he was sentenced to 25 years in Federal prison as a result of this case. Through the years Schiffman has been a persistent narcotic violator and has been engaged in various illicit activities including gambling, illicit alcohol, and suspected counterfeiting. Schiffman is acquainted with numerous racketeers throughout the United States and has been especially involved in numerous illicit activities with leading members of the Italian underworld element in the metropolitan area of New York City. Schiffman is one of several racketeers of Jewish extraction who share close confidence with high-ranking members of the Italian underworld in New York City. In his most recent brush with the law he was involved in obtaining large quantities of heroin from the Mauro-Caruso-Maneri narcotic organization and subsequently selling a greater portion of these drugs to out-of-town violators.

Serritella, Sam, Hazel Crest, Ill.; FBI No. 2677927

His arrest record dates from 1942 and includes entries for violation of liquor laws. He was sentenced on August 5, 1957, to 10 years imprisonment for violation of the Federal narcotic laws. Serritella has obtained large quantities of high-grade heroin from important racketeers in New York City and has distributed same in Chicago and in interstate traffic. He is associated with leading Chicago racketeers and is active in gambling, illicit alcohol, and other illegal activities.

Sherman, Harry, Los Angeles, Calif.; FBI No. 1754111

His criminal record dates from 1928 and includes entries for felonious assault, robbery, and homicide. He was sentenced on October 11, 1954, to 3- and 4-year consecutive sentences as a result of a case initiated and developed by the Bureau of Narcotics. Sherman is associated with racketeers Samuel Goldstein, Abe Elenevitch, and Charles O'Connor and is well known to all major racketeers in the Los Angeles underworld. He is engaged in several illegal enterprises among which is included gambling as well as interstate narcotic trafficking.

Siano, Fiore, New York, N.Y.; FBI No. 109492

He was first arrested in 1948, charged with burglary. His criminal record also includes entries for assault, and robbery with a gun. On November 27, 1954, he was sentenced to 8 years for violation of the Federal narcotic laws. Fiore Siano has been a main source of supply for Negro narcotic traffickers

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 787

operating in the Harlem area of New York City. He is a trusted associate of leading underworld figures operating and controlling the rackets in Harlem, New York City. Siano is reportedly a trigger man for the crime syndicate operating in the Harlem, New York City, area. He has participated in lucrative gambling activities and has employed strong-arm tactics in enforcing the syndicate's interests in labor racketeering and the jukebox racket.

Stromberg, Harry, New York, N.Y.; FBI No. 786309

His criminal record dates back to the early 1920's and includes entries for robbery, illegal lottery, burglary and possession of a gun and violation of liquor laws. In 1958, as a result of an extensive investigation conducted by agents of the Bureau of Narcotics, Stromberg was implicated in a case involving conspiracy to violate the Federal narcotic laws. He was convicted and sentenced to 5 years imprisonment in this case. Stromberg was reportedly a member of Murder, Inc. He is associated with leading Italian racketeers in the metropolitan New York City area in criminality of all types, including labor racketeering, gambling, extortion, and trafficking in narcotics. In the early 1950's he was the principal financier of a vast narcotic organization which smuggled large quantities of heroin into the United States from France. Investigation by the Bureau of Narcotics subsequently succeeded in breaking up the Stromberg organization. Many of his associates and customers received substantial prison sentences. Stromberg was released from prison on April 28, 1963, and will remain under Federal parole supervision until April 28, 1964. He will undoubtedly revert to his criminal activities and will remain a problem to law enforcement officers.

Thomas, Mack, Chicago, Ill.; FBI No. 186993

His criminal record dates from 1921 and includes entries for carrying a concealed weapon, burglary, and possession of a gun and violation of the State and Federal narcotic laws. On April 23, 1957, he was sentenced from 5 to 10 years imprisonment for violation of the Illinois State narcotic laws. Thomas has maintained an organization in the South Side of Chicago where he has distributed sizable quantities of heroin and has been active in gambling and in the sale of illicit alcohol.

Thompson, John Willard, Dallas, Tex.; FBI No. 1076157

His criminal record dates from 1932 and includes entries for burglary, auto theft, and theft of interstate shipment. As a result of an investigation conducted by agents of the Federal Bureau of Narcotics, Thompson was implicated and charged with violation of the Federal narcotics laws. On May 11, 1953, he was sentenced to 8 years imprisonment in this case. He has been active locally in Dallas, Tex., and in interstate traffic in the wholesale distribution of narcotics. He has also been active in hijacking interstate truck cargoes and in gambling enterprises.

Todaro, Vincent, Herndon, Va.; FBI No. 534748

His criminal record dates from 1932 and includes entries for robbery, concealed weapon, receiving stolen goods, and counterfeiting OPA stamps. On May 20, 1958, he was sentenced to 10 years in Fairfax County, Va., for violation of Virginia State narcotic laws. Todaro was the principal in a narcotic organization which obtained large quantities of heroin from French-Corsican traffickers in France and from underworld Sicilian sources and smuggled same into the United States for eventual distribution in New York City and other major cities in the United States. Todaro maintained close ties with French narcotic traffickers Edouard Giribone and Antoine Cordoleani who furnished Todaro with his major supplies of heroin. Todaro had in his organization important narcotic traffickers such as George Nobile, Joseph Lo Piccolo, Frank Moccardi and others. Todaro's narcotic conviction resulted from evidence developed through an undercover case initiated and exploited by the Bureau of Narcotics. As a leader of a major underworld organization, Todaro worked in close criminal association with highly placed racketeers throughout the United States in pursuit of multiple illicit ventures.

Tramaglino, Eugene, New York, N.Y.; FBI No. 588015

His criminal record dates from 1932 and includes numerous entries for grand larceny, counterfeiting, intimidation of witnesses and violation of the Federal liquor and narcotic laws. On June 26, 1951, he was sentenced to 10 years for

788 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

violation of the Federal narcotic laws. Tramaglino is a key member of the Arnold Romano gang which distributes wholesale quantities of heroin in New York and interstate traffic. This criminal group is also active in the trafficking of illicit alcohol, counterfeiting, gambling, and extortion.

Tuminaro, Angelo, New York, N.Y.; FBI No. 270010

His criminal record dates to 1929 and includes entries for grand larceny, assault and robbery, and violation of New York State and Federal narcotic laws. As a result of an investigation conducted by the Bureau of Narcotics, Tuminaro was implicated in a case involving conspiracy to violate the Federal narcotic laws. He was arrested during May 1960, on this charge and subsequently jumped \$35,000 bail. Following an intensive search for this fugitive by agents of the Bureau of Narcotics, he was located at Miami, Fla., and apprehended on November 5, 1962. He was extradited to New York and is currently under \$300,000 bond awaiting trial in New York relative to the Joseph Cotroni narcotic conspiracy case. Tuminaro was closely associated with his partner Anthony DiPasqua in the narcotics traffic. As part of the Galente organization, he was involved with the Joseph Cotroni mob of Montreal, Canada, which was responsible for flooding the New York City area with huge quantities of heroin obtained from sources in France. Tuminaro and DiPasqua dealt with local Jewish traffickers who are engaged in interstate narcotic trafficking. Tuminaro has been suspected of several unsolved homicides in New York City.

Turner, Randolph, Washington, D.C. He is known to the New York City Police Department. FBI No. 787265

His criminal record dates from 1933 and includes entries for disorderly conduct, violation of liquor laws, and violation of the State and Federal narcotic laws in New York City and Washington, D.C. On January 2, 1953, he was sentenced to 8 to 24 years for violation of the Federal narcotic laws. Prior to his prison sentence in 1953 he was one of the leading narcotic traffickers operating in Washington, D.C. His illicit activities extended to other huge lucrative areas, including gambling and trafficking of illicit alcohol. He had close ties with leading Italian racketeers operating in the Harlem area of New York City. The latter furnished Turner with large quantities of heroin which he distributed to Washington, D.C., and surrounding areas.

Valachi, Joseph, Bronx, N.Y.; FBI No. 544

His criminal record dates from 1921 and includes entries for concealed weapons, burglary, and robbery. For many years Joseph Valachi was a member of one of the large criminal syndicates in New York City, which specialized in narcotics, labor extortion, illicit alcohol, and various lucrative illegal operations. At times Valachi was employed as a strong-arm man in enforcing this syndicate's policies. Valachi was very active in the narcotic traffic and in the 1950's supplied heroin to notorious violator John Freeman, who has been one of the most active Negro interstate traffickers of heroin in the United States. In 1960, as a result of an investigation conducted by the Bureau of Narcotics, Valachi was sentenced at the Eastern District of New York to 15 years imprisonment for violation of the Federal narcotic laws. This sentence was in regard to his involvement in the narcotic traffic with John Freeman's son and other individuals. While in Federal prison, Valachi killed an inmate and subsequently was sentenced to life imprisonment.

Wexler, Irving, New York, N.Y.; FBI No. 668974

One of the most significant cases made in 1951 was that against Irving Wexler, alias Waxey Gordon. A fourth offender under the New York law he was sentenced on December 13, 1951, to 25 years to life in Federal prison. During the prohibition era he was the most important distributor of illicit beer in the eastern part of the United States, with income reputedly running into the millions. In 1930 he was designated as New York's public enemy No. 1. Trafficking in narcotics was one of his major illicit activities. At the time of his arrest in this case, he was associated with one of the largest nationwide illicit narcotic combines ever to operate in this country. Associated with Wexler in this narcotic conspiracy case and arrested at the same time were Samuel Kass, Benjamin Katz, and Arthur Repola. These violators were sentenced in December 1951, to substantial prison sentences.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 789

Rosal, Mauricio, et al.

During the summer months of 1960, our agents abroad received information from the French Sureté indicating Étienne Tarditi and his associates were supplying large amounts of heroin to traffickers in the United States. Agents of our New York office determined Tarditi was making frequent trips to the United States and meeting with Mauricio Rosal, Ambassador from Guatemala to Belgium.

In September 1960, information was developed indicating a shipment would take place. Agents of our New York office placed an alert at the airport in New York and watched their hotels for advance reservations. In the meantime, the French police determined Tarditi was about to leave for the United States. Tarditi arrived in New York on the evening of October 1, 1960, followed by Ambassador Rosal who arrived on the evening of October 2, 1960. These suspects were placed under continuous surveillance and on October 3, 1960, they were placed under arrest when they delivered 50 kilograms of heroin to Charles Bourbonnais and Nick Calamaras.

Immediately following this arrest, additional information was developed that led to a seizure of 52 kilograms of heroin in the residence of a friend of Charles Bourbonnais. This total of 102 kilograms of heroin seized is the largest seizure of heroin ever made by the Bureau of Narcotics.

All information and evidence obtained as a result of the above was immediately transmitted to the French Sureté Nationale at Paris. They commenced an intensive investigation and as a result arrested the suppliers of this heroin. Arrested in France were Robert LeCoat, Felix Barnier, and Gilbert Coscia.

In New York, a conspiracy investigation was started toward identifying and implicating the intended recipients of this large amount of heroin. On September 28, 1962, Boston criminal attorney Joseph Sax and his lieutenant, Joseph Massa were arrested. In addition, Robert Ager was arrested in Groton, Conn., and charged with receiving hundreds of kilograms of heroin since 1951 from this French organization.

Stadter, Victor, et al.

On June 7, 1962, Mustafa Abdullah, a member of the Black Muslim movement, introduced an undercover narcotic agent to James Joseph, who furnished the agent with an ounce of pure heroin. The following day, the undercover agent purchased one kilogram of heroin from Joseph for \$18,000. Surveillance implicated Joseph's source of supply, one Victor Stadter, who operated a Cessna aircraft. It was further ascertained, that Richard Gardiner and two airline pilots, Marvin Wright and Roy Ehlen were associated with Stadter in the narcotic traffic.

On June 14, 1962, James Joseph and Richard Gardiner were arrested as they were about to deliver 1½ kilograms of heroin to an undercover agent. Shortly afterward, Stadter, Wright, and Ehlen were arrested. An additional 80 grams of heroin was seized at Joseph's apartment. The investigation, which was developed with the Bureau of Customs, indicated the heroin was of French origin which had been smuggled into the United States via Panama and Mexico.

Angelvin Jacques, et al.

On January 18, 1962, in Brooklyn, N.Y., agents of our New York office working with New York City police, arrested Joseph Fuca, Anthony Fuca, Pasquale Fuca, Barbara Fuca, Francois Scaglia, and Nicholas Trovato and seized from them 11 kilograms, 91 grams of heroin. Anthony Fuca was released on bail to await trial. On February 24, 1962, Anthony Fuca was arrested in the Bronx, N.Y., in possession of 33 kilograms of heroin. During this investigation it was learned that the heroin, secreted in a trap specially built into an automobile belonging to Jacques Angelvin, a French citizen, had been transported from Le Havre, France, aboard the SS *United States* which had arrived in New York on January 10, 1962.

INTERNATIONAL ILLICIT NARCOTIC CASES 1951 TO JULY 1963 BY HENRY L. GIORDANO,
COMMISSIONER OF NARCOTICS

U.S. Treasury Department, Bureau of Narcotics, Washington, D.C.

The major narcotic law enforcement objectives of the U.S. Bureau of Narcotics have been the suppression of the interstate and international illicit narcotic traffic.

790 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The Bureau of Narcotics has successfully concluded numerous international illicit narcotic trafficking investigations through efforts in the United States and abroad. Since 1951, a concerted effort was made to apprehend abroad the sources of supply of illicit narcotics seized in the United States. Narcotic agents were sent abroad on special assignments to assist foreign police authorities in cutting off this flow of illicit narcotics to the United States. In 1951, a district headquarters office was created, attached to the American Embassy at Rome, Italy. Subsequently, branch offices were established in Beirut, Lebanon; Istanbul, Turkey; Paris and Marseilles, France.

In 1962, the Treasury Department extended the jurisdiction of the Bureau of Narcotics to other regions of the world. Accordingly, district headquarters offices have been established in Mexico City with a branch office at Monterrey, for the Central and South American region; and at Bangkok, Thailand, for the southeast Asia-Far East region. Before the Bureau's investigative interests were expanded to include these regions, narcotic agents had been sent on special assignments to countries in those sections of the world.

Bureau participation in this foreign program has been based on invitations extended by individual governments; U.S. membership in the International Criminal Police Organization (Interpol); provisions of international treaties and conventions recommending direct exchange of information among countries having common narcotic enforcement interests; resolutions adopted by the United Nations Commission on Narcotic Drugs, and other international bodies concerned with the narcotics problem; and other factors.

The great majority of the investigations conducted abroad are initiated and developed through the undercover investigative technique involving penetration of highly organized gangs, with attendant hazards and hardships to intrepid, courageous agents.

From the inception of this foreign enforcement program to July 1, 1963, a total of 510 defendants have been arrested, in 165 cases.

Drugs, intended for smuggling to the United States (in either intermediate or refined form) seized between 1951 and July 1, 1963

	Kilograms
Raw opium.....	9, 143. 900
Prepared opium.....	625. 900
Morphine base.....	440. 800
Heroin.....	201. 040
Cocaine.....	8. 740
Hashish.....	763. 400
Other.....	. 471
Clandestine laboratories.....	32. 000

Summaries of some of the more important cases :

FAR EAST

THAILAND

Kongsombat, Tong, et al.

On October 3, 1962, a U.S. narcotic agent, working undercover in cooperation with the Thailand Central Narcotic Bureau, met suspected opium trafficker Tong Kongsombat at Bangkok. Following a discussion regarding price and methods of delivery, Kongsombat agreed to sell 1 ton of opium. On October 9, 1962, Tong Kongsombat, Yai Kokeprang, and Narong Janisamut were arrested at Lampang, Thailand, as they delivered 1,057 kilograms, 700 grams of opium. Lampang is near the general border area of northern Thailand, Shan State of Burma, and Yunnan Province of Communist China. From information obtained during this investigation, Thai authorities on October 31, 1962, arrested Song Yu-Suparb at Lampang and seized an additional 1,094 kilograms of opium and 52.9 kilograms of "999" brand morphine. The Bureau agent assisted officers of the Thailand Central Narcotic Bureau in the supplemental investigation of a Chinese source for the well-known "999" brand of morphine base which has appeared in increasing quantities in the illicit narcotic traffic.

Tang, Toi Siang

After lengthy negotiations with our undercover agent, Toi Siang Tang was arrested in Bangkok on August 24, 1962, as he delivered 5 kilograms 807 grams of "999" brand morphine. On October 10, 1962, Tang was sentenced to 2½ years' imprisonment and fined \$10,000.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 791

Chun, Hao Lu

On September 12, 1962, a U.S. narcotic agent in Bangkok, Thailand, received information regarding a Chinese narcotic violator operating from the northern border village of Chiangmai. In cooperation with Thai authorities, the U.S. narcotic agent proceeded to Chiangmai. The narcotics agent, posing as a criminal buyer, met Hao Lu Chun, who gave assurances that he could supply unlimited quantities of opium. On September 24, Hao Lu Chun was arrested as he was delivering 306 kilograms of opium to the U.S. narcotic agent.

Semsan, Tongpond, et al.

On February 11, 1963, following negotiations with an undercover narcotic agent posing as an Air Force pilot engaged in the narcotic traffic, an officer of the Thailand Central Narcotic Bureau and assisted by Bangkok Metropolitan Police, arrested the suspect with two other defendants in possession of 510 kilograms, 800 grams of smoking opium.

Chua, Veng, et al.

A confidential informant reported to an agent of this district that a clandestine laboratory converting morphine base to heroin was being operated in the Bangkok area by a Chinese chemist. Surveillance indicated that the laboratory was operated only during the early morning hours. On February 22, 1963, at about 8 a.m., Central Narcotic Bureau officers arrested the chemist, Lee Yok Kun, and his assistant, Boonsri Kittisuwai. A completely equipped conversion laboratory was seized with approximately 14 kilograms of heroin. Prior to the seizure, surveillance by Central Narcotic Bureau officers had implicated Veng Chua, and this was subsequently corroborated when the chemist, Kun, identified Chua as the owner and financier of the laboratory. Chua was arrested on that same date at his residence in Bangkok. Kun also admitted that the heroin produced by the laboratory was being shipped to a customer in Hong Kong whom he would not identify.

Chareonsri, Theb, et al.

An American naval enlisted man was approached by a Vietnamese employed at the Navy Exchange, Saigon, Vietnam, offering approximately \$48 per kilogram to transport opium from Bangkok, Thailand, to Saigon. An undercover narcotic agent, posing as a Navy pilot, agreed to fly about 100 kilograms of opium from Bangkok to Saigon, and was furnished a letter from the trafficker to the source of supply in Bangkok. On March 14, 1962, following undercover negotiations between the undercover narcotic agent and the source of supply; officers of the Thailand Central Narcotic Bureau arrested Chareonsri with Vibul Thienpothong and Reuw Tan in possession of 11.78 kilograms of smoking opium. Two automobiles, a Mercedes 220 and a Fiat 1800 were seized. Further investigation, in which our agent assisted, led to the arrest at Saigon on March 17, 1963, of the two intended recipients of the opium, Trieu Ming Van, alias Ming-Wen Chao, and Chau Buu Co. The opium was intended for conversion to heroin at Saigon, for shipment to Hong Kong and then to the United States.

EUROPE AND THE MIDDLE EAST

Toprak, Mehmet, et al.—Turkey

On April 1, 1963, a Bureau agent at Istanbul assisted Turkish police in the arrest of Mehmet Toprak and Mustafa Aydogan at Kayseri, Turkey, and the seizure of 11 kilograms of morphine base.

Parlak, Hassan—Turkey

On April 6, 1963, an agent stationed at Istanbul developed a case jointly with the Turkish police which resulted in the seizure of 224 kilograms of opium, and the arrest of Hassan Parlak in Afyon, Turkey. During this seizure, the Turkish traffickers resisted arrest. During a gun battle with the police, one of the narcotic traffickers was slain, and another unidentified Turk escaped in the darkness.

Bistoni, Albert Ansan, et al.—France

On March 3, 1963, an undercover agent of our Marseilles office assisted French police authorities in a case which resulted in the seizure of 3½ kilograms of heroin and the arrests of Albert Bistoni, Jean Baptist Beysson, and Louis Alunnimenechini. The agent initiated this case in December 1962, when he

792 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

purchased 1 kilogram of heroin from Beysson at Nice, France. Subsequent undercover meetings and conversations implicated Bistoni and culminated with the arrest of Alunnimenechini when he delivered 3½ kilograms of heroin on March 3, 1963, to our undercover agent.

Sozer, Omar, et al.—Turkey

On March 31, 1963, on a road near the village of Goceri, Turkey, Omar Sozer, Mustafa Demir, and Moussa Murur delivered more than 1 metric ton of opium to an undercover narcotic agent. Although the defendants were heavily armed, they were taken into custody before they could open fire.

Cambon, Pierre—France

On January 27, 1963, an agent of our Marseilles office working in collaboration with the French authorities in Paris, commenced undercover negotiations with Pierre Cambon and his associate, Henri Riestl, both French seamen who had returned from a trip to the Far East. Cambon indicated he had 50 kilograms of opium to sell for consumption on the American market. French authorities arrested Cambon and Riestl as they delivered 6 kilograms of opium to the Bureau's undercover agent.

Osman, Ahmed, et al.—Lebanon

On December 23, 1962, an agent at Beirut working in an undercover capacity, assisted the authorities there in a case which involved the seizure of 5 kilograms of heroin, and the arrest of Ahmed Osman, Mohamed Bashir Jleilati, and Abdo Ali Sarraji. During subsequent interrogations, it was learned that the heroin had been manufactured at the home of Abdel Wahab Edlebi in Beirut. A search of his residence disclosed the chemicals and equipment that had been used to make the heroin. Edlebi and his wife, Taha Edlebi, were also arrested.

Soysal, Ahmet, et al.—Turkey

On October 29, 1962, the Belgian authorities made available to the Bureau the services of an informant who had been propositioned to smuggle approximately 50 kilograms of morphine base from Istanbul, Turkey, to Marseilles France, where it was to be converted to heroin for smuggling to the United States. The Bureau agent in Paris interviewed the informant and sent the informant to Istanbul where the matter was coordinated with the Bureau agent in that city and the Turkish authorities. The informant, working under the direction of the Bureau representative and the Turkish police, communicated with the traffickers, Ahmet Soysal, et al., who equipped the informant's automobile with a secret compartment capable of holding 40 kilograms of morphine base. They also gave him specific instructions regarding the mode of delivery and persons to whom the drugs were to be delivered in Marseilles. On November 22, the Turkish police, assisted by the Bureau representative in Istanbul, searched the informant's vehicle while it was in possession of one of the traffickers and seized 40 kilograms of pure morphine base. Turkish police arrested Ahmet Soysal, Ali Bezal, Saben Selmasi, Sefer Bezal, Mustafa Ozer, and Remzi Aslan.

Doueihi, Georges—France

On October 12, 1962, a Bureau agent at Paris, while working in an undercover capacity, assisted the French authorities in a case which resulted in the arrest of a Lebanese Maronite priest, Georges Doueihi, as he delivered 5 kilograms of high-grade morphine base to the undercover agent. French authorities searched his hotel room where they seized 15 kilograms of hashish.

Jamous, Michel Said, et al.—Lebanon

On October 18, 1962, following 2 weeks of negotiations, an undercover agent at Beirut assisted the Lebanese authorities in a case which resulted in the seizure of 4 kilograms of morphine base. Lebanese authorities arrested Michel Jamous, Joseph Nhalil Daher, and Jean and Boutrous Namroud. The morphine base was analyzed at 96.4 percent.

Erdem, Suleyman, et al.—Turkey

On October 22, 1962, Turkish police authorities arrested Suleyman Erdem and his partner, Mustafa Yasa, at Burdur, Turkey, and seized 180 kilograms of opium, as well as a loaded automatic pistol from Yasa. This case was developed and had its successful conclusion as a result of an informant, developed by the Bureau representative at Istanbul, who assisted in devising the strategy and provided the information to the Turkish authorities.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 793

Osluk, Mustafa, et al.—Turkey

On August 24, 1962, an agent of the Bureau office in Istanbul assisted the Turkish police authorities in a case which resulted in the seizure of 223 kilograms of opium and the arrests of Mustafa Osluk, Mustafa Kacar, and Ismail Beyshir, at a village in eastern Turkey. As the traffickers delivered the opium to the undercover agent working with a Turkish police colonel, they were placed under arrest. During a gun battle between the Turkish police and the traffickers, Beyshir escaped.

Dahir, Dahir Khuder, et al.—Syria

During early August 1962, a reliable informant working under the direction of the Bureau representative in Beirut, Lebanon, obtained information regarding a future delivery of opium. The information indicated that the drugs were to be delivered to the residence of Dahir in Aleppo, Syria. Accordingly, on August 25, 1962, the Syrian authorities placed the suspect residence under surveillance. In the early morning hours, Mamidi Darwish, Ali Hussays, Juwayyid, and Jasim Kazili approached the residence of Dahir, and were arrested as they were about to deliver 53 kilos of opium.

Cakir, Sezai, et al.—Turkey

On July 5, 1962, in the village of Usak, Turkey, the Turkish authorities arrested Sezai Cakir and Ismail Barlas as they were about to deliver 5 kilograms of morphine base and 3 kilograms of opium to two informants working under the direction of the Bureau representative stationed in Istanbul.

Zora, Remzi, et al.—Turkey

On July 6, 1962, an agent of the Bureau office in Istanbul assisted the Turkish police authorities in a case which resulted in the seizure of 120 kilograms of opium, and the arrest of Remzi Zora and Halit Keskin. This case had its inception 3 weeks earlier when two informants of the Bureau Istanbul representative commenced negotiations with these traffickers on a farm near Usak, Turkey.

Mavilioglu, Enver, et al.—Turkey

During June 1962, an informant of the Bureau office in Istanbul introduced a Turkish police officer to Mavilioglu and ordered 100 kilograms of opium for delivery at a later date. On July 8, 1962, near the village of Usak, Turkey, Mavilioglu's associate, Muzzafer Basaran, made arrangements for the delivery. Later, Elyas Erdemir and three unidentified persons appeared. Erdemir stated that he had brought 100 kilograms of opium. As the Turkish police officer, working undercover, gave the appropriate signal, the narcotic traffickers opened fire on the Turkish police and the Bureau agent. Basaran and Erdemir were arrested while the others escaped in the darkness. Fifty kilograms of opium were seized at the scene. On the following day, Mavilioglu was arrested for his participation in this case.

Erdin, Mehmet, et al.—Turkey

On July 12, 1962, near Izmir, Turkey, an informant of the Bureau Istanbul office negotiated with Mehmet Erdin for the delivery of 500 kilograms of opium. As the informant drove to the scene to accept delivery, under the surveillance of the Turkish police assisted by the Bureau representative, Kamal Erdin was seen to approach the informant. At this point, the Turkish police, assisted by the Bureau agent, closed in, placed Kamal and Mehmet Erdin under arrest, and seized 420 kilograms of opium. The defendants admitted recently selling 2,700 kilograms (2 metric tons) of opium for smuggling abroad.

Kirik, Davut, et al.—Turkey

On July 19, 1962, the Bureau agent at Istanbul assisted the Turkish police near Yenice, Turkey in the seizure of 120 kilograms of opium, and the arrest of Osman Kayar, Ali Ozcetin, and the latter's brother, Mehmet. Shortly thereafter, Ali Ozcetin, who had been handcuffed and arrested, leaped into a river and disappeared from sight. His body was not recovered.

Cay, Vahitting, et al.—Turkey

On July 9, 1962, an informant working under the direction of the agent in Beirut, Lebanon, and assisting the Turkish authorities, negotiated for the delivery of a large quantity of morphine base. On July 21, 1962, a sample was received, and on July 23, 1962, Cay, Habib Ruhl, and Mehmet Ali Tosyaliloglu

794 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

were arrested by the Turkish police as they delivered 10 kilograms of morphine base to the undercover agent working in cooperation with the Turkish authorities.

Erdimitriades, Isaias, et al.—Turkey

Erdimitriades delivered 5 kilograms of morphine base, on July 30, 1962, to an undercover agent at Istanbul, in cooperation with the Turkish police. A previous delivery of 1 kilogram was made to an informant on July 27, 1962. On July 30, after the agent had tested the 5 kilograms and obtained positive identification, he signaled the Turkish police, who arrested Erdimitriades and two less known traffickers, and seized the morphine base. Erdimitriades is recorded extensively in our files as a principal source of supply of morphine base for French heroin laboratory operators.

Albertini, Barthelémy—France

Prior undercover negotiations were brought to a successful conclusion on May 9, 1962, when French police arrested Barthelémy Albertini, Janvier Piccirillo, and Jean Donati as they were about to deliver 3 kilograms of pure heroin to the Bureau undercover agent at Marseilles. Donati had supplied Albertini with the heroin. The investigation revealed that the seized heroin was destined for consumption in the United States.

Ozkursun, Sain, et al.—Turkey

The Bureau representative at Istanbul learned from a confidential informant that Ozkursun was clandestinely manufacturing heroin in his local brass factory. On May 30, 1962, the Istanbul police gained entry and uncovered a heroin laboratory complete with a large supply of chemicals necessary for the conversion of opium to heroin. The suspects admitted they were awaiting a shipment of opium expected with the first harvest of the 1962 crop.

Bayramin, Bayram, et al.—Turkey

On April 23, 1962, predicated on information received from the Bureau agent at Beirut, Lebanon, the Turkish police stopped a caravan on a routine patrol. Eyup Bayramin, a member of the party, became frightened and fled after exchanging gunfire with the Turkish police. Bayram Bayramin sensed that something had gone wrong, tried to dispose of the opium by fleeing and hiding it in a village. Through a carefully executed plan, the Turkish police seized 370.5 kilograms of opium and arrested Bayram Bayramin and five others.

Davis, George William—France

In April 1962, the Bureau agent at Paris, working undercover, met Davis in a bistro. After several meetings the suspect, Davis, asked the undercover agent to become his partner in the smuggling of illicit drugs into the United States. He was having difficulties in collecting payments for narcotics sent to the United States previously. The case eventually led to the seizure of 3 kilograms of heroin from Davis by the French police, with whom the investigation had been jointly conducted. Under interrogation Davis admitted that he had smuggled narcotics into the United States and also that he had delivered narcotics personally to two known traffickers in New York City.

Valenti, Salvatore, et al.—Italy

During the month of October 1960, Bureau agents in New York City seized 10 kilograms of pure heroin which had been smuggled from Italy. An intensive investigation was started in Italy by agents stationed there, in cooperation with the Italian authorities. As a result, an extensive penal report was completed and sent to the instructional judge in Rome. This report sets forth many facts implicating 42 individuals in Italy who were sending heroin to the United States. This report reveals connections between various high level Mafiosi in Italy and the United States. These 42 defendants were indicted and are awaiting prosecution in Italy.

Mauro, Vincent, et al.—Spain

As a result of a large-scale narcotic conspiracy in New York City, notorious narcotic gangsters Vincent Mauro, Salvatore Maneri, and Frank Caruso were indicted in Federal court, and subsequently fled from the United States. These fugitives were traced to Spain by members of the Bureau office in New York, working in cooperation with the office in Rome, Italy. An agent from the Beirut office was sent to Spain to assist the Spanish authorities. During January 1962,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 795

all of the fugitives were arrested by Spanish authorities, and expelled to the United States. They were arraigned in New York City, and each held in \$300,000 bail. Subsequently, they pleaded guilty and each was sentenced to 15 years imprisonment.

Lucania, Salvatore, alias Lucky Luciano—Italy

During January 1962, Salvatore Lucania died of a heart attack in Naples, Italy. At the time of his death, Bureau agents in Rome, working in cooperation with Italian authorities, had established his close associations with Maneri, Caruso, and Mauro listed above. Considerable criminal intelligence was obtained concerning Lucania's connection with the highest ranking members of organized crime in both Italy and the United States. Even up to the time of his demise, Lucania had maintained his fearsome stature as one of the most important illicit narcotic traffickers of this generation.

Sava, Abdulvahap—Turkey

A confidential informant of the Bureau office in Beirut penetrated a Turkish narcotic smuggling organization. Working in cooperation with the Turkish authorities, a U.S. narcotic agent directed the efforts of the informant which resulted in the seizure of 404 kilograms of opium from defendant Abdulvahap Sava and Ali Atas on October 28, 1961, at Malatya, Turkey.

Konakci, Vahap and Husseyin—Turkey

During July 1961, a Bureau agent at Beirut proceeded to Turkey and was introduced to the above-named defendants in an undercover capacity. This investigation was coordinated with the Turkish authorities. Negotiations at the time did not materialize because the undercover agent was unable to produce the purchase price. This obstacle was eventually overcome and on September 20, 1961, the undercover agent met the defendant and ordered 250 kilograms of opium. The investigation was terminated prematurely when the defendants became apprehensive. Nevertheless, 12 kilograms of opium were seized.

Cetinkaya, Hasan—Turkey

In cooperation with the Turkish authorities, a Bureau agent at Istanbul assisted in the seizure of 105 kilograms of opium in the region of Dinar, Turkey, and the arrest of Cetinkaya, Tefik Tasbas, and Ali Celen.

Topuk, Turmus et al.—Turkey

On July 29, 1961, Turmus Topuk and codefendants Rustu Cetin and Sakir Orhan were arrested as they delivered 170 kilograms of opium to a Bureau agent in Istanbul, Turkey, while he was working undercover in collaboration with the Turkish police.

Ruberti, Madeleine et al.—France

In April 1961, a confidential informant at New York City introduced a Bureau undercover agent to two New York traffickers. These traffickers made arrangements for the agent to purchase 2 kilograms of opium in Marseilles and smuggle it back to New York City. These traffickers also paid most of the expenses for the European trip of the undercover agent, who proceeded to Paris, coordinated the matter with the French authorities, and then proceeded to Marseilles under the surveillance of the French police. In Marseilles the agent visited Madeleine Ruberti, who told the undercover agent to return later. On June 3, 1961, Ruberti met the undercover agent and delivered to him 1½ kilograms of opium which was concealed in a false-bottomed suitcase. The French police arrested Madeleine Ruberti, her son Roland Bethbeze, and Pascal Guidoni. Simultaneously, Antoine Buttafuco and Carmelo Sansone were arrested in New York City for having engaged the undercover agent for the smuggling mission.

Galiano, Antoine—France

On April 20, 1961, two agents of the Bureau assisted the French police in a case which resulted in the arrest of Antoine Galiano. An informant working under the supervision of the agents purchased a sample of heroin from Galiano, at which time he was arrested. One-quarter kilogram of heroin was seized in a subsequent search of Galiano's residence. For many years this defendant was engaged in placing large quantities of heroin aboard ships at French ports destined for the United States.

796 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS***Kiyar, Hagi Ibrahim—Turkey***

On February 24, 1961, an undercover agent at Istanbul, working in cooperation with the Turkish authorities, entered into negotiations for the purchase of 10 kilograms of morphine base. Kiyar subsequently sent his 14-year-old son who delivered the 10 kilograms of morphine base to the undercover agent. Kiyar and his son were arrested. In a followup investigation based on statements by Kiyar, the Bureau agent accompanied members of the Turkish police to the interior of Turkey. They immediately located Lufti Akaaca, placed him under arrest, and searched his home. The search was negative. He did, however, admit making the morphine base from 180 kilograms of opium which had been diverted from the previous year's harvest. Four other defendants, including the opium growers and laboratory operators, were subsequently arrested.

Rosal, Mauricio, et al.—France

During the summer of 1960 the agent at our Beirut office obtained information concerning the Beirut-Paris narcotic trafficking activities of one Etienne Tarditi. The matter was coordinated with the French authorities. Working in cooperation with the Bureau office in New York City, a pattern was uncovered which disclosed that Tarditi was also making frequent trips between Paris and New York. The New York office was able to identify a diplomat who had assisted Tarditi in his international narcotic smuggling ventures. This carefully coordinated investigation led to the arrest on October 3, 1960, in New York City of Mauricio Rosal, then Guatemalan Ambassador to Belgium and the Netherlands, Etienne Tarditi, and TWA Employee Charles Bourbonnais as they were delivering to Nicholas Calamaris 50 kilograms of heroin smuggled in by Ambassador Rosal. Calamaris represented the New York mobsters. The French police subsequently arrested three known French traffickers as a result of information obtained in New York City. Agents seized 52 kilograms of heroin at the home of Charles Bourbonnais in a followup investigation in New York City on October 5, 1960. At the time of the arrests approximately \$78,000 was seized from the group.

El Badawi, Mahmoud—Syria

Mahmoud El Badawi and three other traffickers had for years been selling morphine base to Lebanese traffickers for export to Europe, where it was processed in heroin for smuggling into the United States. In April 1960 this group of narcotic traffickers agreed to deliver a large quantity of morphine base to an undercover narcotic agent at a desert point near Homs, Syria. The delivery was made on the night of April 5, and the traffickers escaped into the desert amid gunfire and successfully broke through the roadblocks. On the morning of April 6, 25 kilograms of morphine base was found near the area by desert patrols and two of the defendants, including El Badawi, were later arrested. United Arab Republic Customs at Damascus refer to the Mahmoud El Badawi case as the biggest morphine case in their history.

Aranci, Marius—France

Through the services of an informant developed by agents of the Bureau's New York office, French police working with U.S. narcotic agents in France were able to seize 3 kilograms of pure heroin from Marius Aranci on October 1, 1960, at Marseilles. Sufficient evidence was obtained, also implicating his brother and a female defendant who acted as an interpreter and assistant to Marius Aranci.

Pici, Giuseppe, et al.—Italy

In an investigation carefully coordinated with the Italian authorities, an undercover agent of the Bureau office in Rome met and purchased a quantity of heroin from deportee Johnny Gioia, in Genoa, Italy, in September 1959. Gioia, it was established, was in the employ of Joe Pici, another deportee, and a top lieutenant of Lucky Luciano. Technical devices were immediately installed and Pici was implicated in the original purchase of evidence. Positive information was developed revealing that Pici was awaiting the delivery of a kilogram of cocaine. On September 24, 1959, while the undercover agent was negotiating with Gioia, additional information was received regarding the cocaine delivery. An additional quantity of heroin was purchased from Gioia, and he and his wife were arrested by the Italian authorities. At the same time, Lino Boscolo, a seaman, was implicated and arrested. Giuseppe Pici, Gian Franco Favero, and

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 797

Giuseppe Radin, the latter a Trans-Atlantic Airline pilot, were also arrested; 1 kilogram of cocaine was seized. Information proved the existence of an active narcotic smuggling group operating between the United States, Italy, and South America.

Giovanotti, Jack, et al.—Italy

On July 1, 1959, an informant working under the supervision of an agent of the Bureau's Rome office, and in cooperation with the Italian authorities, introduced an Italian police officer to Amerigo Pistacchi and Eugenio Pesce. These latter two introduced the police officer to Jack Giovanotti, the French source of supply who came from Nice, France, to Genoa, Italy, on July 3, 1959. Giovanotti was arrested on July 12, 1959, as he delivered 1 kilogram of heroin to the undercover police officer in Genoa, Italy. Pistacchi and Pesce, together with Osvaldo Audisio, also implicated in the case, were arrested.

Badalamenti, Vito, et al.—Italy

On June 4, 1958, the Italian police arrested Vito Badalamenti, Cesare Badalamenti, and Maria Badalamenti for their part in the sale of 1 kilogram of heroin to an undercover agent of the Bureau's Rome, Italy office, working with the Italian police. Subsequently, Calogero DiMaggio and Calcedonio Dipisa were arrested as defendants in this case. The Badalamenti trafficking organization was one of the most important smuggling groups in Sicily engaged in sending large quantities of heroin to the United States.

El-Serouji, Naje, et al.—Italy

On April 22, 1958, two undercover agents of the Bureau office in Rome, assisting the Italian police authorities, received 8 kilograms of morphine base from Mohammed Asghar, who admitted that he had been sent to sell it for El-Serouji. At the time of the delivery Asghar's associate, Mohammed Hassan Kazara, a Syrian national, was arrested and charged with actually smuggling the morphine base into Italy. This investigation began in February 1957, when an undercover agent working in Havana Cuba, received 1½ kilograms of cocaine from an associate of El-Serouji named Jose Flaifel Moubarak.

Karaata, Mehmet, et al.—Turkey

An undercover agent of the Bureau in Rome traveled to Istanbul, Turkey, in March 1958 and was introduced to Karaata by an informant of the Turkish police. One kilogram of morphine base was received on consignment. On March 8, 1958, Turkish police seized 6½ kilograms of morphine base in Istanbul. In a followup investigation the undercover agent accompanied the Turkish police to a mountain village home where they seized a complete heroin laboratory and arrested one Mehmet Hekimoglu, a licensed opium landowner who had for some time supplied opium illicitly to these traffickers.

Keifu, Hassan, et al.—Turkey

On November 6, 1957, Keifu and his brother were arrested at Iskenderun, Turkey, as they delivered 15 kilograms of morphine base to an informant working under the supervision of a Bureau agent in cooperation with the Turkish police.

Fiume, Armando, et al.—Italy

On August 21, 1957, two undercover agents of the Bureau's Rome office, working with the Italian police, assisted in a case which resulted in the arrest of Armando Fiume, Angelo Galeri, and Giovanni Barilla. At the time of their arrest, 1 kilogram of heroin was seized at San Remo, Italy. In addition, one vehicle was seized as well as a counterfeiting plant for the production of French money, and other counterfeiting paraphernalia, many burglary tools, and firearms. Four other persons of French and Italian citizenship were arrested.

El Etir, Youssef, et al.—Lebanon

On June 18, 1957, an 11-month intensive undercover investigation by two U.S. narcotic agents was successfully concluded by Lebanese authorities in Beirut with the seizure of 3 kilograms of heroin, 25 kilograms of morphine base, and a clandestine laboratory. Arrested were Youssef El Etir, who negotiated directly with the undercover agents, and his chemist, Omar Makkouk.

798 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Amoruso, Giuseppe, et al.—Italy

An undercover case initiated by an agent of the Bureau's Rome office working in cooperation with the Italian authorities resulted in the seizure of 2 kilograms of morphine base at Naples, Italy, on April 5, 1957. Five defendants were involved. A loaded pistol and an automobile were seized from the defendants.

Fuchs, Arnold Joseph, et al.—Lebanon

On March 19, 1957, following two months of investigative and undercover work by an agent of the Beirut office of the Bureau in cooperation with the Iranian and Lebanese police, Fuchs and three other defendants were arrested and a half kilogram of heroin was seized.

Gordon, Egbert Theodore—France

On August 10, 1956, an undercover agent of the Bureau office in Rome working in Le Havre, France, in cooperation with the French police received 1 kilogram of heroin from Gordon and his French source of supply, Madani Bessedik. The heroin was seized and Gordon and Bessedik were arrested. In an immediately followup investigation, the French police identified and arrested the two persons who had brought the heroin from Paris, France.

Al Harris, Mustafa—Lebanon

On August 18, 1956, Lebanese customs officers at Beirut seized 12 kilograms of heroin, a complete clandestine laboratory, and arrested Afif Mneymni, the owner of the laboratory, Mustafa Al Harris, and his associate, Mohammad Al Malki. The Beirut branch office of the Bureau collaborated with the Lebanese authorities on this investigation.

Halawi, Ali—Lebanon

Information supplied by an agent of the Beirut office enabled the Lebanese customs authorities to seize 23 kilograms of morphine base and 100 kilograms of opium on June 17, 1956, at Saida, an oil tanker seaport, from two seamen aboard the French vessel *SS Ronsard*. The Lebanese source of supply and two of his criminal associates were arrested.

Makkouk, Omar—Lebanon

On May 20, 1956, the Beirut office assisted the Lebanese authorities in the arrest of Makkouk and in the confiscation of his automobile, 6 kilograms of heroin, and a complete equipped clandestine laboratory.

Simoni, Pierre, et al.—Italy

On May 23, 1956, a joint investigation by U.S. narcotic agents and Italian authorities resulted in the seizure of 2 kilograms of heroin from Giuseppe Grinovero at Genoa, Italy. This heroin was part of an original quantity ordered by an undercover agent of the Bureau from a French trafficker, Pierre Simoni.

Kalogridi, Kalyopi—Iran

On March 15, 1956, agents of the Bureau office in Rome assisted the Iranian police at Teheran in the arrest of Kalogridi, a Greek national, and four Iranian nationals, and seized a complete clandestine laboratory, 1½ kilograms of heroin and one-half kilogram of morphine base. The heroin was destined for smuggling to the United States. This was the first heroin factory ever seized in Iran. The national police director of Iran was personally interested in this investigation, which had begun a year earlier in Istanbul, Turkey, when U.S. narcotic agents had assisted the Turkish authorities.

Kabani, Mahmoud—Lebanon

Pursuant to information supplied by the Rome office of the Bureau, Kabani was arrested on March 12, 1956, at Beirut, by the authorities of that country for possession of 3 kilograms of morphine base which was destined for a French clandestine heroin factory.

Bibkadmajian, Agop—Syria

As a result of cooperation with the Syrian authorities, Bibkadmajian was arrested on January 28, 1956, in possession of 60 kilograms of opium and 2 kilograms of morphine base. This case was developed by the Beirut office of the Bureau in cooperation with the Syrian and Lebanese authorities.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 799

Khoury, Joseph—Lebanon

Information furnished the Lebanese authorities by an agent of the Beirut branch office led to the arrest of Joseph Khoury, a Lebanese Army major, for possession of 300 kilograms of hashish.

Alpten, Nadir, et al.—Turkey

On December 23, 1955, at Kirikkale, Turkey, an undercover investigation, conducted by an agent of the Istanbul office, resulted in the arrest of a gang of five violators, and the seizure of 150 kilograms of opium. The defendants were heavily armed during the negotiations with the undercover agent; at the time of their arrest, six pistols, one sword, and five daggers were seized from them.

Demirel, Ali Riza, et al.—Turkey

On December 23, 1955, at Kirikkale, Turkey, a Bureau undercover agent, working in cooperation with the Turkish authorities, assisted them in the arrest of Demirel and one other violator and the seizure of 150 kilograms of opium from them.

Oz Yubik, Mohammed, et al.—Turkey

On November 22, 1955, the assistance of a Bureau narcotic agent working undercover with the Turkish authorities, resulted in the arrest of one defendant and the seizure of 31½ kilograms of morphine base. One defendant escaped and eight other persons armed with rifles and pistols fired many blasts of gunfire at our undercover agent, who escaped injury. The fugitive, arrested later, gave the Turkish police additional information which led to the seizure of a clandestine laboratory, 44 kilograms of morphine base in powder form, 20 kilograms of morphine base in preparation, and 680 kilograms of opium. A total of seven defendants were arrested. The Turkish police and the Bureau agent successfully concluded the second phase of this investigation after another gun battle in the laboratory. At the time, this was the largest postwar seizure of narcotics made in Turkey or in Europe.

Sainas, Raphael—Italy

This Corsican trafficker was arrested at Milano, Italy, by the Italian authorities on October 25, 1955, in possession of 4 kilograms of heroin. The drugs had been smuggled into Italy from France and were destined for the United States. This seizure was made on information furnished the Italian police by the Rome office of the Bureau.

Khalil, Tanios Salim Abou—Lebanon

On August 28, 1955, Khalil and Joussef El Etir were arrested at Beirut airport by the Lebanese customs authorities in possession of 10 kilograms of morphine base as they were about to deliver these drugs to an Air Force non-commissioned officer who was cooperating with the Bureau office. The Air Force officer had been instructed by the Lebanese traffickers to carry the drugs to Paris and thence to the United States.

Galleini, Salim, et al.—Lebanon

On April 23, 1955, Mounir Ghourayeb was arrested by the Lebanese custom authorities as he was about to deliver 1 kilogram of heroin to an undercover agent of the Beirut office. Ghourayeb was well known as a trafficker who caused drugs to be smuggled from Beirut to Detroit, Mich.

Basatni, Abou Sayia, et al.—Lebanon

Five months of undercover work by three undercover narcotic agents working in cooperation with the Lebanese and Turkish authorities resulted in simultaneous arrests at Beirut, Lebanon and Adana, Turkey, between November 17 and November 20, 1954. A total of 317½ kilograms of opium, 4 kilograms of hashish, and a 1953 pickup truck were seized. This investigation, resulting from the combined efforts of Bureau agents working in collaboration with the police of Greece, Turkey, Syria, and Lebanon, is an outstanding example of international police cooperation.

Harriss, Mustapha Al, et al.—Lebanon

On November 11, 1954, the Lebanese customs police arrested Al Harriss and five other defendants, raided a clandestine heroin laboratory, and seized 4 kilograms of heroin and a large quantity of base materials at Beirut. These results were achieved from information furnished the Lebanese authorities by a Bureau agent at Beirut.

800 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

El Sheika, Abdullah Attie, et al.—Lebanon

In November 1954, information provided by the Beirut office of the Bureau enabled the Lebanese customs authorities to seize 20 kilograms of morphine base and 86 kilograms of opium which were found concealed in an automobile. El Sheika was identified as a courier for Samil Khoury, whose organization was probably the largest gang furnishing morphine base to French clandestine laboratories.

Suleiman, Mahmoud Abou, et al.—Italy

On July 18, 1954, the Italian police arrested Samil Bey Kivrak, a chief steward aboard a Turkish vessel at Naples, for possession of 20 kilograms of crude opium and 3½ kilograms of morphine base. On July 31, four persons were arrested in Venice in connection with this case. An undercover agent of the Bureau initiated this investigation in collaboration with the Italian police.

Di Giovanni, Nicolo, et al.—France

In a joint investigation by the Bureau offices at New York City and Rome, Italy, during October 1953, two seamen were arrested in New York City aboard the French vessel, SS *Flandre* for possession of 5 kilograms of heroin. Simultaneously, the source of supply for these drugs, Nicolo di Giovanni and two of his underlings, were arrested in Marseilles, France. The agents had worked continuously with the French police for 5 months in an effort to eliminate this smuggling group.

Nercessian, Armet, et al.—France

This ex-diplomat of Iran was arrested in Paris, France during June 1953 with two codefendants. French police, assisted by a Bureau undercover agent, seized 4 kilograms of morphine base and a complete clandestine conversion laboratory. These drugs had been smuggled into France from Iran by unknown persons who, it was learned, had just started manufacturing heroin for eventual smuggling into the United States.

Ruspoli, Alessandro—France

Information from the Rome office actuated the French police to arrest Italian Prince Ruspoli at Nice, France, during May 1953 and seized from him 5 kilograms of opium and an Italian built sports car.

Schiapparelli, et al.—Italy

During January 1953, as a result of efforts by the Rome office, in cooperation with Italian police authorities, the Schiapparelli firm's license to manufacture opium alkaloids was suspended indefinitely. In addition, its medical narcotics stock was confiscated by the Italian Government. This action resulted from a large-scale investigation initiated by a Bureau agent in Rome which proved the diversion of 345 kilograms of heroin from the Schiapparelli firm. A supplemental investigation disclosed the theft of 50 kilograms of morphine base by Carlo Migliardi in 1951. During 1950-53, Migliardi illegally sold 345 kilograms of heroin to Egidio Calascibetta (already the subject of narcotic criminal proceedings for a traffic of more than 540 kilograms of heroin). Migliardi used the simple device of manufacturing heroin in this licensed factory and falsifying his records to make it appear that codeine was manufactured and sold from the raw material, crude opium, which the company imported on a license. Carlo Migliardi, the technical director of the firm, who was responsible for this huge diversion to gangster outlets, was convicted by the Italian court and received a sentence of 14 years in jail. The disclosures in this case precipitated a later governmental decree forbidding the future licensed manufacture and consumption of heroin.

Pellegrino, Giuseppe—Italy

During August 1952, Italian police at Salerno, Italy, arrested deportee Joe Pellegrino and his partner, Gennaro Rizzo, and seized 4 kilograms of heroin from them. Simultaneously agents of the New York office arrested Eugene Giannini, who had unwittingly sent an undercover agent of the New York office to Italy to purchase this heroin, with instruction to smuggle it into the United States.

Petras, Egidio, et al.—Italy

On July 31, 1952, representatives of the Rome office collaborated with the Italian police in the arrest at Milan, Italy, of Petras and three other defendants and the seizure of 5 kilograms of heroin. This undercover investigation de-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 801

veloped from an investigation previously initiated which resulted in the seizure of another 5½ kilograms of heroin from Albert Yahni. This illegally manufactured heroin originated in Turkey.

Ansaldi, Marius, et al.—France

On June 29, 1952, French police arrested Ansaldi and several of his notorious gang, including two chemists, and seized a clandestine laboratory containing 3 kilograms of heroin and complete conversion paraphernalia. The police succeeded in locating this laboratory through purchases of acetic anhydride. This gang had been in operation since the end of World War II and directly and indirectly smuggled upward to 50 kilograms of heroin per month to the United States. U.S. narcotic agents in Europe closely collaborated with the French police on this case, in which one of the agents had meetings and undercover conversations with Ansaldi and his gang.

Dobriezic, Jarlo, et al.—Italy

On June 20, 1952, a Bureau agent assisted the Trieste police in an investigation which resulted in the arrest of Dobriezic and Alfredo Boscolo, and the seizure of 10 kilograms of morphine hydrochloride. Dobriezic, a Yugoslav National, was the source of supply.

Brahim, Ait Labbi, et al.—France

On June 25, 1952, Brahim and Seblar Kaddour were arrested at Marseilles, France, and 2 kilograms of heroin were seized from them. An undercover agent of the European office of the Bureau assisted the French police in this investigation.

Van Kip, Madame Tran—France

On June 23, 1952, Madame Kip and four other defendants were arrested by Marseilles police for possession of 43 pounds of crude opium, following an undercover investigation conducted by an agent of the Rome office.

Wegsman, Samuel, et al.—Italy

On June 1, 1952, Samuel Wegsman and Albert Yahni (see related case above, Dobriezic) were arrested at Milan, Italy, following the undercover operation by a Bureau agent from Rome, in collaboration with Italian police, and 5½ kilograms of heroin were seized.

Rivola, Natale—Italy

On June 28, 1952, as a result of an undercover operation by two agents of the Rome office, Italian police at Genoa, Italy, arrested Rivola and Giorgia Gatti and charged them with possession of 1½ kilograms of heroin.

Coppola, Frank, et al.—Italy

On March 19, 1952, Serafino Mancuso was arrested for possession of 6 kilograms of heroin concealed inside a specially fabricated trunk, at Alcamo, Italy. Five others were immediately arrested, but the ringleader, Frank Coppola, escaped. In a followup investigation, 25 defendants were located, arrested and denounced by the Italian authorities. The Coppola organization was one of the principal mobs smuggling large amounts of heroin from Italy to New York, New Orleans, Detroit, Kansas City, and St. Louis. Although it was known that Charles "Lucky" Luciano was implicated, there was insufficient evidence to prosecute him. U.S. narcotic agents initiated and assisted the Italian police during the two-year investigation. Coppola, Mancuso and other defendants were important deportee gangsters from the United States.

Coret, Jean, et al.—France

During March 1952, Surete police at Paris arrested Jean Coret and three others for the possession of 1 kilogram of heroin. The Coret organization was a principal source of supply for a New York distributor well known to the Bureau of Narcotics named Neil Schau. An undercover agent of the European office assisted in the initiation and development of this case.

You, Chong Foo—Netherlands

On January 22, 1952, police authorities at Rotterdam arrested Chong Foo You and three other defendants as they were about to deliver 10 pounds of crude opium to an undercover agent of the Bureau working in collaboration with the local police. Members of this organization were suspected of supplying opium to traffickers in New York City.

802 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Buchler, Dr. Walter, et al.—Germany

As a result of the undercover assistance furnished the Hamburg police in February 1951, they arrested Dr. Walter Buchler and Gerhardt Oertel in connection with the illegal distribution of more than 300 kilograms of cocaine, which they had obtained from German Army stocks during World War II, and which Buchler later stored in his licensed narcotic manufacturing plant without including this cocaine in his records. Buchler had diverted the cocaine to Sicilian gangsters living in Germany, who then smuggled it to Italy for further smuggling to criminal associates in New York City.

NORTH AND SOUTH AMERICA

CANADA

Cotroni, Giuseppe, et al.

On June 2, 1959, a U.S. narcotic agent, using funds furnished by the Royal Canadian Mounted Police and the U.S. Bureau of Narcotics, purchased 2 kilograms of heroin from Cotroni and Rene Robert in Montreal, Canada. Again, on June 18, 1959, the undercover agent purchased 2 kilograms of heroin and received 2 kilograms from Cotroni on consignment. On the night of July 8, 1959, officers of the RCMP arrested Cotroni and Robert at a motel in Montreal. Cotroni's arrest was precipitated when he demanded payment of an additional \$40,000 before making further deliveries. He and Robert were apprehended in a Montreal motel.

Maliverno, Roberto Thomas Bianchi

On November 10, 1955, as a result of information furnished by the Bureau of Narcotics, Canadian authorities arrested French seaman Roberto Thomas Bianchi Maliverno for possession of 14 kilograms of heroin he had smuggled into that country on the French SS *St. Malo*. He was originally sentenced to 5 years in prison. In March 1956, the Canadian Government appealed the inadequacy of this sentence and his sentence was increased to 10 years.

Rosenblat, Jacob, et al.

In August 1955, the Canadian police arrested Jacob Rosenblat, Hannah Rosenblum and Jake Goldbar at Toronto, and seized 2 kilograms of heroin and ½ kilogram of opium they had smuggled from Europe. The Bureau office in Rome had provided the original information.

MEXICO

Rosas, Emelio Maldonado

On February 1, 1963, after coordinated arrangements had been made with the Mexican Federal Judicial Police, a Bureau of Narcotics undercover agent entered the residence of Rosas in Piedras Negras, Mexico; following a pre-arranged signal, the Mexican police entered the residence and placed Rosas under arrest and seized 85 grams of heroin.

Vasquez, Emelio Arreola

On March 25, 1963, at Guadalajara, Mexico, an undercover agent of the Bureau of Narcotics, working in cooperation with the Mexican authorities, negotiated with Vasquez. On March 26, 1963, Mexican police arrested Vasquez, Fernando Guzman-Guzman, and Emelio Perez as they were delivering 1 kilogram of opium to the undercover agent. All three defendants were armed at the time of their arrest.

Batista-Gomez, Arturo

On January 21, 1962, at Mexicali, Mexico, Federal Judicial Police officers arrested Arturo Batista-Gomez, Thomas Guerra Garcia, and Hipolito Soto-Valezquez and seized 31 grams of heroin. This seizure, the result of a joint investigation conducted with U.S. narcotic agents, eliminated an important source for heroin in the Los Angeles, Calif. area.

Beltran, Maria

An investigation of the narcotic activities of the notorious Maria Beltran of Tijuana, Mexico, was successfully concluded on February 5, 1962, when two of her lieutenants, Marino Ulloa Garcia and Fernando Castro Monroy, were arrested in Tijuana in possession of 82 grams of heroin. On March 17, 1962,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 803

Mexican Federal Judicial Police officers in Tijuana arrested Maria Beltran and two other associates, and seized 168 grams of heroin. U.S. narcotic agents assisted the Mexican authorities during the 3-month investigation.

Villalobus-Rodriguez, Mario, et al.

On March 15, 1961, authorities in Tijuana, Baja California, arrested Mario Villalobus-Rodriguez and Rodolfo Ochoa in possession of 850 grams of heroin. Villalobus and Ochoa had been selling heroin in wholesale quantities for smuggling to southern California. Agents of the Los Angeles office provided the original information as well as technical assistance.

Jimenez, Jose Luis Robles

On July 31, 1961, in a joint investigation with agents of the Los Angeles office, Jose Luis Jimenez Robles was arrested by Mexican Federal Judicial Police officers in Tijuana, Baja California, Mexico, in possession of 462 grams of heroin. Jimenez was a well-known trafficker supplying heroin to the United States.

Carrillo, Manuel Diaz

On July 30, 1960, in Culiacan, Mexico, Carrillo was arrested by Mexican authorities in possession of 600 grams of heroin. Carrillo had been supplying drugs to the United States from a well-equipped laboratory, which was seized. This case was developed with the assistance of agents from the Bureau of Narcotics.

Parra-Lopez, Telesforo

On August 20, 1960, Parra-Lopez was arrested by Mexican Federal Judicial Police in connection with a cooperative investigation with members of the Los Angeles office. Parra-Lopez was one of the principal sources of supply for heroin reaching Los Angeles from Mexico and also supplied substantial quantities to the illicit traffic in Chicago. The evidence against Parra-Lopez was obtained when a "marker" was placed in the procaine purchased in the United States as a diluent for heroin.

Soto, Baldemar

During 1960 Mexican authorities, with assistance from the U.S. Bureau of Narcotics, arrested the principal distributor of heroin manufacturers in the laboratory of Parra-Lopez. This trafficker, Baldemar Soto, was one of the chief sources of supply for heroin smuggled to the United States from Mexico.

Reyes, Bernardo Caballero

On April 27, 1960, Reyes and his associate, Alphonso Trevino Ramon, were arrested by Mexican officers in possession of 2 kilograms of heroin. Reyes, who had previously lived in New York City, was a close associate of major narcotic agents there as well as in Chicago. U.S. narcotic agents furnished assistance to Mexican police in this investigation.

Asaf, Jorge Bala, et al.

Information was received that Jorge Asaf Bala and Salvador Escabi were trafficking in heroin in multikilogram quantities to outlets in the United States. Jorge Asaf Bala, a member of an international narcotic trafficking organization since 1954, was known to Mexican police officials as the "Al Capone" of Mexico. On November 11, 1959, Mexican authorities arrested Asaf and Escabi and charged them with violation of the Mexican narcotic laws as they were about to deliver 3 kilograms of pure heroin to two U.S. undercover narcotic agents who had negotiated for the heroin.

Rosas, Emilio, et al.

Working with Mexican authorities, two U.S. narcotic agents negotiated with the notorious narcotic trafficker Emilio Rosas of Piedras Negras, Coahuila, Mexico. On December 1, 1959, when Rosas and his associate Adolfo Jimenez were about to deliver 50 grams of heroin to the undercover agents, Mexican police, under the direction of Jose Antonio Farias, chief of Coahuila judicial police, arrested the traffickers and seized the heroin. For several years Rosas had supplied large quantities of heroin from Mexico to narcotic traffickers in the United States, and was considered the chief supplier of heroin in San Antonio, Tex.

Barberena, Octavio, et al.

Mexican Federal judicial police and U.S. narcotic agents received information that Octavio Barberena, a nightclub owner in Nuevo Laredo, was furnishing heroin to numerous outlets in Houston, Tex. Undercover narcotic agents from

804 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

the United States arranged for a delivery of 30 grams of heroin from Barberena on the night of February 4, 1960. A narcotic trafficker known only as Gordo made the delivery for Barberena, and in resisting arrest, Gordo drew a gun on the purchasing agent. Mexican Officer Rafael Garcia Tello, who grappled with the trafficker and saved the life of the U.S. narcotic agent, was critically wounded.

D'Agostino, Antoine

Antoine D'Agostino (alias Michel Sisco), a French national, was arrested March 7, 1955, in Mexico City, Mexico, where he had been directing large-scale intercontinental smuggling of narcotics, chiefly to New York City and Montreal, Canada. His emissaries on this continent included Roger Coudert and John and George Mallock, all convicted of narcotic violations in 1954.

D'Agostino was expelled to the United States, where he was arrested at San Antonio, Tex., for removal to New York City for trial in Federal court on a 1951 narcotic indictment. He was sentenced to a 2-year term for conspiracy. Upon completion of sentence, on June 6, 1958, he was extradited to Canada, where he was wanted for additional narcotic violations. He was subsequently sentenced to a long prison term; upon his release on October 31, 1960, he was promptly deported to France.

BOLIVIA

De Sanchez, Blanca Ibanez

For more than a year, a narcotic agent posing as a New York dealer of narcotics conducted negotiations, by correspondence with De Sanchez, of La Paz, Bolivia. The agent and De Sanchez eventually agreed to a delivery of 10 kilograms of cocaine for \$40,000 in La Paz. At the request of the Bolivian Government two agents were dispatched to La Paz. On May 17, 1960, De Sanchez and her associate Ebar Franco, delivered 5 kilograms of cocaine to the agents. When Franco and four of his husky associates demanded that the agents hand over \$40,000, an altercation developed. During the struggle, the two agents were able to retain possession of four of the five plastic bags. The traffickers escaped; at a later date, however, the two principals were arrested.

COLOMBIA

Herran, Tomas, et al.

On February 20, 1957, agents of the Colombia Intelligence Service, assisted by a narcotic officer, discovered a clandestine heroin and cocaine factory on the estate of Tomas and Rafael Herran Olozaga in Medellin, Colombia. The defendants had been arrested in Havana by Cuban police on December 24, 1956, when Tomas Herran was found in possession of about 800 grams of heroin. Cuban national, Antonio Botano Sojo, was arrested at Havana in connection with this case.

ECUADOR

Davila, Carlos

In August 1957, an agent of the New York office of the Bureau of Narcotic initiated an investigation of the activities of Carlos Davila, of Guaranda, Ecuador, by negotiating for the purchase of 100 kilograms of raw opium. The investigation continued as undercover agents from New York City and Miami, Fla., traveled to Quito, Ecuador. On October 9, 1957, Ecuadoran authorities arrested Carlos Davila and Luis Estralla and seized about 15 kilograms of raw opium as Davila was about to deliver it to two agents.

Continued investigation by the Ecuadoran authorities resulted in arrests of several additional associates of Davila. Davila had supplied international traffickers Rafael and Tomas Herran Olozaga with the raw opium used in their clandestine laboratory at Medellin, Colombia (see above).

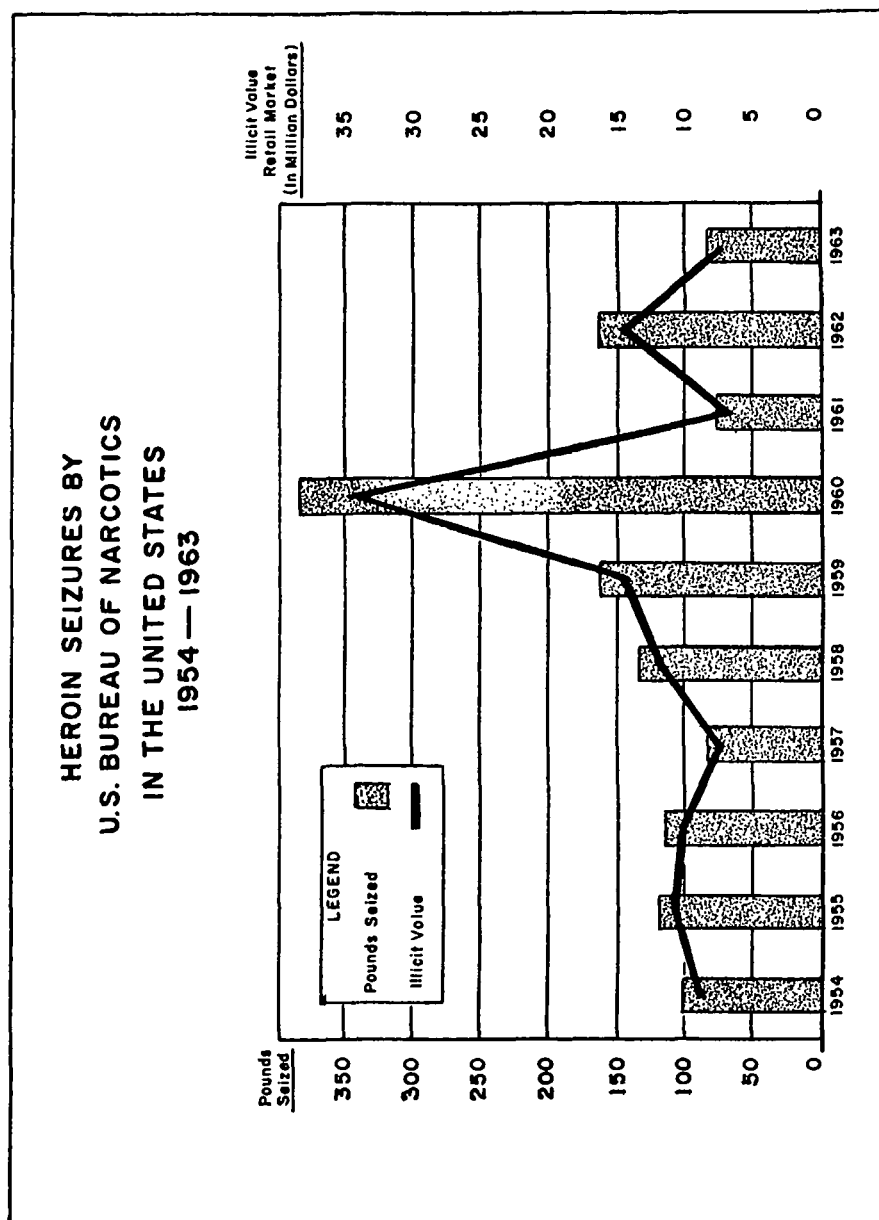
CUBA

Moubarak, Jose Flaisel, et al.

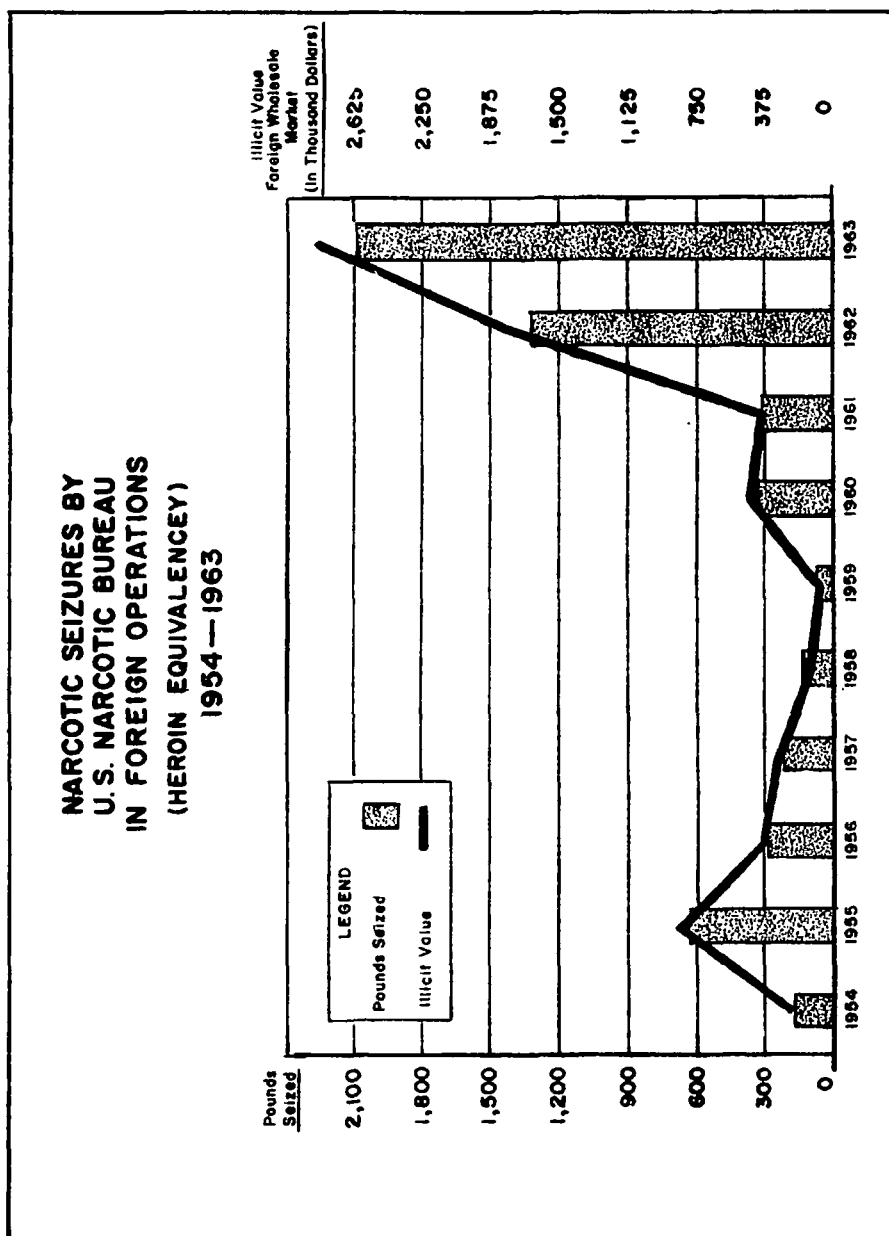
As a result of information obtained by an undercover agent of our office in Beirut, the agent went to Havana, Cuba, in December 1956. Working in cooperation with the Cuban police, the undercover agent introduced a second agent, who negotiated with Moubarak, for delivery of a large quantity of cocaine. This case was successfully concluded on February 4, 1957, when Moubarak delivered 1½ kilograms of cocaine to the undercover agent and two other defendants were arrested.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

805

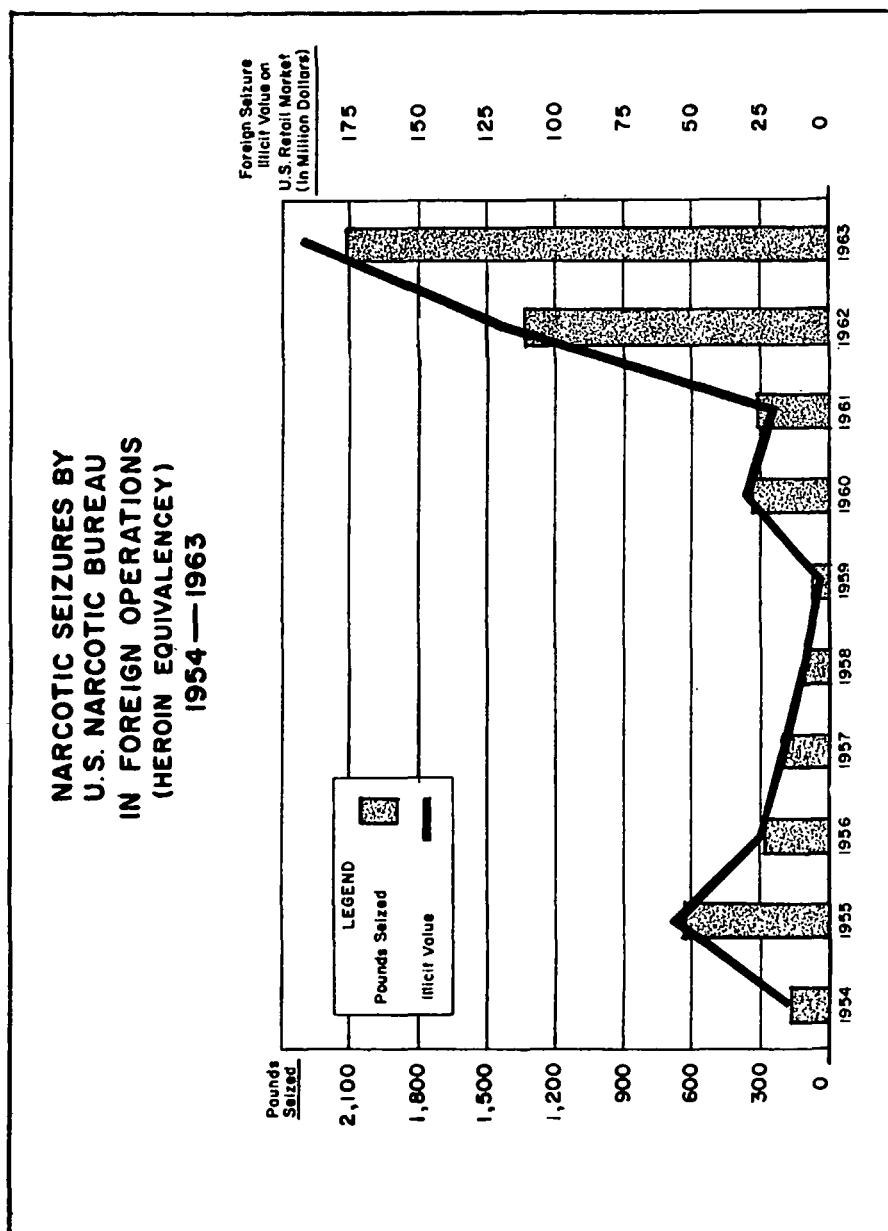


806 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS



ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

807



808 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

EXHIBIT No. 1

COMMENTS OF THE COMMISSIONER OF NARCOTICS ON THE POLICY STATEMENT OF THE ADVISORY COUNCIL OF JUDGES RELATING TO NARCOTIC DRUG VIOLATIONS

The policy statement concerning the narcotic law violations published by the Advisory Council of Judges of the National Council on Crime and Delinquency in May 1964, is substantially the same as the draft furnished the Bureau of Narcotics in September 1963. We reviewed the original draft, and on October 2, 1963, forwarded to Mr. Sol Rubin, counsel for the Advisory Council of Judges, a brief of the Bureau's position regarding the meaning of the term "professional practice," and our interpretation of the Supreme Court decision of *O. O. Linder v. United States*. A copy of a paper marked "A" entitled "Bureau of Narcotics Comments on Unpublished Statement of the Committee on Narcotics of the Advisory Council of Judges, National Council on Crime and Delinquency" is attached.

At least one judge on the Advisory Council expressed disagreement with the proposed policy statement, and on December 2, 1963, Judge William F. Smith, U.S. Court of Appeals, Newark, N.J., addressed a letter to Mr. Sol Rubin setting forth his objections to the proposed statement and indicated a desire to file a dissent. A copy of Judge Smith's letter to Mr. Rubin marked "B" is attached.

Comparison of the final report with the original draft reveals that the authors were not dissuaded by the comments of the Bureau or by the letter from Judge Smith. Several harsh and injudicious remarks were deleted, but the substance of the report remained unchanged.

The report hits sharply at the Bureau of Narcotics and concludes that we have carved away at the rights of physicians to handle narcotic addicts until physicians now believe they can no longer treat them as sick persons. According to the report, the Bureau of Narcotics has refused to follow the mandate handed down in the *Linder* case, and we have continued to threaten physicians with prosecution until the medical profession has relinquished treating the problem of addiction as a medical matter. Let me make it clear that I respect the right of the authors of the report to hold views contrary to the interpretations of the laws by the Bureau of Narcotics, provided, of course, that the statements do not contain erroneous accusations of bad faith on the part of Bureau officials. We have reviewed the decision in the *Linder* case many times and I am convinced that the court did not intend to hold and it did not so hold that furnishing narcotics to an addict without a good faith intent to cure the state of addiction would be countenanced. Since this is a basic and important issue, a comprehensive brief has been prepared by the Bureau's Legal Division covering the *Linder* decision and the regulation which has been declared by the report as one which " * * * clearly violates the rulings of the courts." A copy of the brief marked "C" is attached.

I submit that the interpretations of the Bureau of Narcotics are fully justified and deserving of appropriate consideration. The regulation opposed by the Advisory Council's report prohibits, in my opinion, only those prescriptions issued not in the course of professional practice and which are intended only to maintain addiction. This does not mean that a doctor in good faith, in the course of professional practice may not furnish narcotics to an addict being treated to cure addiction. This very type of treatment is being done today by doctors throughout the country with the approval of the Bureau of Narcotics and is in complete accord with statutory and case law and the regulations.

In carrying out the responsibilities of enforcing the laws, the Bureau of Narcotics has looked to the responsible medical groups for guidance concerning such terms as "bona fide treatment," "fair medical practices," and "good faith." In June 1963, the American Medical Association and the National Research Council issued a joint statement which not only reiterated previous pronouncements, but also presented a "code" to define legitimate narcotic drug practice. A copy of pamphlet No. 56 marked "D" entitled "Prescribing and Dispensing of Narcotics Under the Harrison Narcotic Law," is attached. This is a widely circulated pamphlet throughout the medical profession, which includes all of the pronouncements of the American Medical Association and the National Research Council.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 809

The report of the Advisory Council of Judges accuses the Bureau of Narcotics of launching a campaign against doctors who administered narcotics to addicts, thereby deterring physicians from performing their ethical duties. In response to this, it is appropriate to quote a portion of a letter addressed to President Lyndon B. Johnson from Dr. F. J. L. Blasingame, executive vice president of the American Medical Association, dated March 11, 1964:

"Lastly, but of no less significance, we wish to emphasize the important role that physicians must play in a program of eradicating the abuse in the use of narcotic drugs. This role has been recognized by the Bureau of Narcotics, which has also been cognizant of the significant and beneficial use of narcotic drugs in the practice of medicine. In recent years there have developed between the Bureau and the Nation's physicians a mutual trust and confidence which are manifest in the cooperation and rapport now existing in their relationship. This development should be fostered. It would be most unfortunate if an action were undertaken, the unknown consequences of which could result in a deterioration of this beneficial rapprochement."

A copy of Dr. Blasingame's letter marked "E" is attached.

In my opinion, Dr. Blasingame's letter does not sound like the Bureau of Narcotics has been tyrannizing the medical profession.

The report accepts a statement made by the New York Academy of Medicine which states: "From the year of the Harrison Act to 1938 it is estimated that * * * 3,000 (physicians) served penitentiary sentences on narcotic charges. About 20,000 were said to have made a financial settlement." I do not know how these estimates were computed. Certainly, the figures do not compare with ours. The statistics compiled by the Bureau of Narcotics indicate that there were only 915 physicians convicted in Federal court during the period from 1919 to 1938. So far as recent prosecutions are concerned, during the past 6 years, there have only been six physicians convicted for violations of the Federal narcotic laws. A list showing the number of physicians convicted each year since 1919, marked "F," is attached.

The suggestion in the report of the council concerning the so-called British approach, is extremely controversial. This issue has been considered extensively by several committees and conferences, and has not been accepted as sound. The implication of the report that the so-called British plan would be applicable in America, is highly questionable and not in keeping with the two reports of the Interdepartmental Committee on Narcotics, the report of the Senate subcommittee of the 84th Congress (S. Rept. No. 1850), the report from the House Subcommittee on Narcotics, dated May 10, 1956, the report of an Ad Hoc Panel on Drug Abuse submitted to the White House Conference on Narcotic and Drug Abuse in September 1962, and the joint statement of AMA-NRC published in the Journal of the American Medical Association September 21, 1963.

The first policy position of the Advisory Council of Judges, which states that the addict is a sick person and needs medical treatment, certainly is not contrary to any views of the officials of the Bureau of Narcotics. However, to advocate that the "vast majority" of addicts be handled on an outpatient basis without resorting to compulsory civil commitment provisions disregards all pronouncements and standards of competent medical opinion. The American Medical Association, the National Research Council, and other authorities on the subject of addiction are on record with the opinion that drug addiction can best be handled by institutional care in a drug-free environment, and they have generally discredited the ambulatory or clinic plan approach. To ignore these views would be sheer folly, which could lead to spread of addiction and retrogression.

The second position of the Advisory Council of Judges belittles the efforts of law enforcement agencies for not bringing to justice the high-echelon traffickers. I do not deem it necessary to comment at length on this; however, I will say that we are proud of our accomplishments in obtaining evidence in many cases involving individuals and groups on the highest level of the illicit narcotic traffic. From an examination of our cases, there is no disputing that we seek to prosecute the wholesale suppliers, the smugglers, and the national and international violators. In recognition of our accomplishments the Bureau of Narcotics has been commended on several occasions by Attorney General Robert F. Kennedy.

Obviously, the authors of the report are misinformed in their conclusion that " * * * the majority of [prisoners] are primarily users also, whose addiction leads them to sell drugs in order to continue their own supply." A review of our cases indicates that over 60 percent of all defendants prosecuted under the Federal narcotic laws in recent years were not addicted.

810 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The third position of the Council's report opposes mandatory sentencing statutes, stating the severe penalties have done no more than to fill the penal institutions without a deterrent effect on the traffic.

We should not forget that the mandatory penalty provisions of the Boggs-Daniel Narcotic Control Act of 1956 were enacted by a unanimous Congress after hearings had established that leniency in sentencing was the prevailing practice in dealing with narcotic drug offenders. No one has ever alleged that stringent penalties will completely eliminate the illicit traffic; however, we do not believe there must be a complete elimination to prove the penalties are a deterrent. I know that in many areas where there have been State mandatory penalty provisions accompanied by effective local enforcement, there is a very substantial reduction of the traffic. I submit that the incidence of drug addiction and violations of the narcotic laws would now be much greater had it not been for the present penalty provisions.

[Attachment A]

TREASURY DEPARTMENT,
BUREAU OF NARCOTICS,
Washington, D.C., October 2, 1963.

Mr. SOL RUBIN,
Counsel, National Council on Crime and Delinquency,
New York, N.Y.

DEAR MR. RUBIN: I have received from District Supervisor Samuel Levine a copy of your letter of September 23, 1963, with which you so kindly enclosed a confidential copy of the proposed statement of the Advisory Council of Judges, which is dated May 1961, with reference to the problem of narcotic drug addiction. I am also grateful to you for agreeing to withhold publication of this statement until receiving from me the Bureau's views and comments regarding it.

You will find attached a rather detailed critique of the proposed statement. I feel certain that the judges and the National Council on Crime and Delinquency would not wish to issue any statement on the narcotic problem based upon background statements of persons who have been avowedly opposed to the policies of the Federal Government in this field. This is all the more so when one considers that the arguments presented by Mr. Rufus King and others are subject to serious question on the point of accuracy.

After considering the comments which are attached to this letter, should you have any further questions, I shall be delighted to endeavor to answer them for you.

Sincerely yours,

HENRY L. GIORDANO,
Commissioner of Narcotics.

BUREAU OF NARCOTICS COMMENTS ON UNPUBLISHED STATEMENT OF THE COMMITTEE ON NARCOTICS OF THE ADVISORY COUNCIL OF JUDGES, NATIONAL COUNCIL ON CRIME AND DELINQUENCY

It is quite apparent that the report dated May 1961, of the Committee on Narcotics of the Advisory Council of Judges of the National Council on Crime and Delinquency was prepared to support a preconceived position of the Advisory Council of Judges. This view is substantiated when one checks the references upon which the statement is based. The author of the primary source of information is Rufus King, a Washington, D.C., lawyer who has strongly advocated the supplying of narcotics to addicts by doctors or a governmental agency without serious effort to cure the desire for narcotics. Another source of information is Alfred R. Lindesmith who has opposed the policies of the Bureau of Narcotics for more than 30 years. Donald J. Cantor is cited as another reference. His appearance on the scene as an authority in the field of narcotic addiction is as recent as 1961.

Of the 20 references cited in the statement (most of them are to King) not a single reference is given to an authority holding contrary views. For instance, there is not a reference to an Isbell, Cameron, Brill, Bloomquist, Raskin, etc.

The most distracting and disturbing thing about the statement is the fact that the judges completely and apparently without question have accepted King's statements and particularly his interpretations of court decisions as being absolutely correct.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 811

Obviously, if it can be shown that King is incorrect, then the statement also is greatly undermined. Therefore it is proposed to bring to light the errors in the references of King upon which the judges have based their case.

On page 4 of the statement, Mr. King's views of the *Behrman* case are quoted. Mr. King admits that the facts in the *Behrman* case disclose a flagrant abuse, but he asserts the indictment was drafted to omit an allegation of bad faith. That is correct, thus placing the burden on Dr. Behrman to prove that his prescribing of narcotics was in good faith and for bona fide medical purposes. King, then says the indictment charged in effect that this treatment was for the purpose of curing the addict "and thus its validity depended on a holding that prescribing drugs for an addict was a crime, regardless of the physician's intent in the matter."

There could be no greater distortion of the truth than the above quotation from King. The only purpose in drafting the indictment without negating the good faith of the physician was to obtain a court ruling that such a negative in the indictment was not required under the statute and that the question of the good faith of the physician was a matter for affirmative pleading and proof by the defendant.

On page 5 of the statement, King asserts that the Narcotics Division of the Prohibition Department launched a reign of terror, and doctors were bullied and threatened. Before accepting such a charge as correct, the Council of Judges should require more proof than Mr. King's word for it. Mr. King's statement that the Narcotics Division expanded its activities until it was swelling our prison population with thousands of (doctor) felony convictions a year is without substance in fact. At no time in the history of the Federal narcotic laws were doctors by the thousands convicted in any year. In fact, it is difficult to establish that doctors have been convicted by the thousands in the 50 years since the Harrison Act.

Further, in quoting King regarding the *Linder* case, both Mr. King and the committee of the Judges Advisory Council have been carried away by their emotions. Commenting on the *Linder* case, King says: "Several agents thereupon descended on his office, conducted a rowdy search, and dragged him off to jail." What proof does King have that a "rowdy" search was conducted? Before the Committee of Judges accepts such a gratuitous statement, it should be prepared to prove it.

Mr. King's further comment concerning the *Linder* decision contains language unbecoming a committee of judges. He says the Supreme Court in *Linder* dismissed the *Behrman* case "(and blasted at the Behrman indictment)" in a strong disclaimer. Actually, the Court in *Linder* merely says that Behrman cannot be accepted as authority for holding that a physician who acts bona fide and according to fair medical standards may never give an addict moderate amounts of narcotics in order to relieve conditions incident to addiction.

In the *Linder* case, the physician had been convicted of the unlawful sale to an addict of one tablet of morphine and three tablets of cocaine for self-administration, but the indictment did not specifically challenge the good faith of the physician or negative that the sale was in the course of professional practice only, as did the indictment in the previous *Jin Fuey Mou* case (254 U.S. 189). The same form of indictment was used in *Linder* as had been used in *Behrman*. In the course of the Supreme Court's decision, there was discussion that direct control of medical practice in the States is beyond the power of the Federal Government, but the Court had first significantly noted that the indictment "does not question the doctor's good faith nor the wisdom or propriety of his action according to medical standards" and that "it does not allege that he dispensed the drugs otherwise than to a patient in the course of his professional practice or for other than medical purposes." All that the *Linder* case holds, therefore, is that in the absence of an allegation in the indictment negating the good faith and professional practice, the Court cannot supply the omission by holding as a matter of law that the sale of four tablets of narcotics necessarily transcends the limits of professional practice.

In at least 10 cases, decided by 5 different U.S. courts of appeal throughout the years since *Linder*, the courts have affirmed judgments of convictions for making unlawful sales of narcotics where the indictments, unlike that used in *Linder*, duly negated "good faith" and "in the course of professional practice."

812 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

These cases are:

Bush v. U.S., 16 F. 2 709 (5th C.A.), January 3, 1927.

Boehm v. U.S., 21 F. 2 283 (8th C.A.), July 22, 1927.

Nelms v. U.S., 22 F. 2 79 (9th C.A.), October 10, 1927.

Freeman v. U.S., 86 F. 2 243 (5th C.A.), November 18, 1936.

Ratigan v. U.S., 88 F. 2 919 (9th C.A.), February 23, 1937.

Hawkins v. U.S., 90 F. 2 551 (5th C.A.), June 3, 1937.

U.S. v. Lindenfeld, 142 F. 2 829 (2d C.A.), June 1, 1944.

U.S. v. Abdallah, 149 F. 2 219 (2d C.A.), May 2, 1945.

U.S. v. Brandenburg, 155 F. 2 110 (3d C.A.), April 12, 1946.

McBride v. U.S., 225 F. 2 249 (5th C.A.), August 9, 1955.

If 5 U.S. courts of appeals in 10 cases decided subsequent to the *Linder* decision have upheld the principle of the *Webb* and *Goldbaum* and the *Jin Fuey Moy* cases condemning prescribing or dispensing of narcotics merely for gratification of addiction it is reasonable to assume that that principle has not been overruled by the *Linder* decision. Surely, if these intermediate appellate courts and the Bureau of Narcotics were misinterpreting the effect of the *Linder* decision, one of these later decisions of the courts of appeals would have reached the Supreme Court for a corrective pronouncement but, as of this date some 37 years after the *Linder* decision was rendered, the Supreme Court has not reviewed or sought to review the basic principle.

The medical profession even to this day (see statement of 1963 by AMA) does not consider it good medical practice to maintain an addict on narcotic drugs merely to keep him comfortable.

The success of the so-called British system of handling the addiction problem is extremely controversial. In 1962 the number of addicts in Great Britain increased by nearly 20 percent over the preceding year. Before accepting the opinion of King, Murtagh, or Bishop, the judges should consider the report of Doctors Brill and Larimore regarding the British system.

The committee's first recommendation that an addict is a sick person and needs medical treatment is not contrary to any view of the Bureau of Narcotics. As a matter of fact, the following quoted sentence is taken from a 1919 report of a special Committee appointed by the Secretary of the Treasury.

"In many cases it is no doubt partly due to the more or less general acceptance of the old theory that drug addiction is a vice, or depraved state, and not a disease, as held by modern investigators."

The Committee's statement referred to a lack of information and effort on the part of State, county, and municipal officials regarding the narcotic problem. The main point is that the Federal Government has recognized the medical aspects of drug addiction for many, many years. But to say that sick people need no civil process for medical care ignores all of the statutory provisions for confining the mentally ill.

The recommendation of the Committee that the policy of the *Linder* case be established by statute is completely unnecessary and evidence of utter unfamiliarity with the existing statutes. There is no disparity between *Linder* and existing statutes.

The second recommendation beginning on page 10 of the statement indicates a lack of awareness of the direction which the enforcement efforts of the Bureau of Narcotics takes. More than 150 topflight hoodlums engaged in the narcotic traffic have been convicted during the past few years. The Bureau of Narcotics has no objection to detection of the addict for treatment instead of criminal prosecution provided he is detected without evidence of the commission of a crime. The theory that furnishing narcotics to addicts will reduce crime and thus deprive organized crime of its customers has been disproved on numerous occasions and most recently (1956) in an experiment by Israel. (See U.N. Bulletin, vol. 14, No. 2, pp. 11-18, 1962—"Control and Treatment of Drug Addicts in Israel.")

It has been known for some time that many judges oppose minimum mandatory penalties. When casting criticism at the Federal Bureau of Narcotics because it advocates such penalties, it should be remembered that the present Federal narcotic penalties were adopted by a unanimous Congress. It should also be kept in mind that today the number of addicts in the United States is far less than it was in 1920. The most accurate statistics available to the Bureau disclose an addict population (mostly centered in a few large cities) of about 1 in 4,000 of the total population. Forty-five years ago a survey then made indicated 1 addict in 400 of the population. The policies of the Federal Gov-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 813

ernment as administered by the Bureau of Narcotics are largely responsible for this improvement.

The explanations following the three recommendations all indicate a belief on the part of the judges that the solution to the narcotic problem is to provide narcotic drugs for the addicts. This philosophy is not acceptable to the American Medical Association and is nowhere evident in the statement issued in 1963 by the American Medical Association and the National Research Council.

In conclusion, it would seem somewhat illogical to reduce the severity of punishment for serious offenses merely because the penitentiaries are overcrowded. It would be more logical to release more quickly offenders of less serious offenses.

[Attachment B]

U.S. COURT OF APPEALS FOR THE THIRD CIRCUIT,
December 2, 1963.

SOL RUBIN, Esq.,
National Council on Crime and Delinquency,
New York, N.Y.

DEAR MR. RUBIN: About 3 weeks ago you forwarded to me a copy of the proposed final draft of a report entitled "Narcotics Law Violations." The existence of this report first came to my attention on September 28, 1962, at the White House Conference on Narcotic and Drug Abuse. You will find, upon examination of the program, that I was a panelist on the afternoon seminar. My appearance was official as Chairman of the U.S. Judicial Conference Committee on the Administration of the Criminal Law. We have had under consideration and study for more than 5 years the narcotic laws, particularly with relation to addiction and its attendant consequences. The contents of your report surprises me.

This report is superficial and so deficient that as a member of the Advisory Council of Judges I am impelled to record my objection to its publication either in its present form or in anything that resembles it. It is my considered judgment that the report is so lacking in depth and objectivity that its publication in its present form would impair confidence in the National Council on Crime and Delinquency and reflect adversely on the Advisory Council of Judges. This opinion is based upon an experience of 27 years in the enforcement of the narcotic laws—7 years in the Office of the U.S. Attorney—and 20 years as a member of the district court in an area in which the enforcement of the narcotic laws has always presented a difficult problem.

Your characterization of the enforcement policy of the Bureau of Narcotics as a "reign of terror," supported as it is only by references of tenuous validity, is not warranted. We can agree that the field agent charged with the responsibility for investigation may have been guilty of mistakes of judgment, but these mistakes of judgment do not justify a blanket indictment of the enforcement policy.

The report stresses the case of *Linder v. United States* (268 U.S. 5), decided in 1925. This case may be an example of an ill-advised prosecution, but it must be remembered that the ultimate responsibility—the decision to undertake prosecution—was that of the U.S. Attorney. While chief assistant to the U.S. Attorney for the district of New Jersey, I authorized and undertook the prosecution of several physicians—not many—whose conduct, in my judgment, violated not only the narcotic laws but the honored oath of their profession. These prosecutions resulted in their conviction, and properly so.

My observation is not to be construed as a blanket endorsement of all of the views expressed by the responsible representatives of the Bureau of Narcotics. There have been times when they and I have disagreed, particularly with reference to the indiscriminate imposition of mandatory terms of imprisonment. My views, and those of many judges, are summarized in the paper delivered at the White House Conference. There is apparent disagreement in the efficacy of criminal sanctions but the areas of disagreement are specific. The responsible officials of the Bureau of Narcotics are just as sincere and conscientious as we are. Their views, based on years of experience in the enforcement of the laws, should be given respectful consideration and not be condemned without affording them a chance to be heard.

814 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Your report suggests that the great majority of physicians are reluctant to prescribe a course of treatment for a narcotic addict because of a fear of prosecution. This statement is supported by the reports of the New York Academy of Medicine, which has been criticized by many physicians, including several who are members of the academy. Your report fails to give any consideration to the views of the critics. The great majority of physicians would probably refuse to undertake the treatment of a narcotic addict even if authorized to do so, not because of fear but because of a well-founded medical opinion that the ambulatory treatment of the narcotic addict is not feasible. This view was expressed by the medical experts in the field who participated in the White House Conference.

At the present time the California plan is hailed as a progressive step in the right direction. The necessary limits of this letter will not permit a complete discussion of the plan, but it should be noted that under it there are two salient features: first, a period of institutionalization during which the addict will be given extensive medical and psychiatric treatment directed to the solution of the underlying causes of his addiction; and second, a period of strict supervision after release. This plan was discussed at the White House Conference and is under study by the President's Commission on Narcotic and Drug Abuse. This plan, notwithstanding the necessary preliminary study that went into its formulations, is not even referred to in the report.

It is difficult to determine from the report whether or not the Advisory Council of Judges intends to give blanket support to the "British System." This system cannot be evaluated without reference to the governmental control of the practice of medicine in England. The adaptability of the system to the solution of the narcotic problem which exists in this country was questioned also at the White House Conference.

It seems rather obvious to me that absent the rigid regulation, the dispensing of narcotics to the addict would afford him nothing more than another source of supply. There would be nothing to prevent his going to two or more physicians, each unaware that the addict was under treatment by another. This difficulty, incidentally, is one which has made the responsible physician reluctant to undertake the ambulatory treatment of the addict. You have characterized the British system as an apparent success. There are many medical experts in this country who would seriously question this characterization.

The late President of the United States organized a commission composed of responsible members. Thus far this commission has issued nothing more than a preliminary report which is at least more comprehensive and objective than ours. It is my recommendation that the report of the Council should be withheld until after the Commission has acted. However, if the Advisory Council of Judges thinks otherwise, then I reserve the right to file a dissenting report.

It is requested that copies of this letter be forwarded to the present members of the Advisory Council of Judges.

Very truly yours,

WILLIAM F. SMITH.

[Attachment C]

BRIEF OF COURT DECISIONS BEARING UPON THE MEANING OF THE TERM "PROFESSIONAL TREATMENT," USED IN SECTION 151.392, TITLE 26, CODE OF FEDERAL REGULATIONS

The regulation described by the statement of the Advisory Council of Judges of the National Council on Crime and Delinquency (hereinafter referred to as the Council, is section 151.392, title 26, Code of Federal Regulations, 1961 supp. 1963. This section reads as follows:

"A prescription, in order to be effective in legalizing the possession of unstamped narcotic drugs and eliminating the necessity for use of order forms, must be issued for legitimate medical purposes. The responsibility for the proper prescribing and dispensing of narcotic drugs is upon the practitioner, but a corresponding liability rests with the druggist who fills the prescription. An order purporting to be a prescription issued to an addict or habitual user of narcotics, not in the course of professional treatment but for the purpose of providing the user with narcotics sufficient to keep him comfortable by maintaining his customary use, is not a prescription within the meaning and intent of section 4705(c) (2), and the person filling such an order, as well as the person issuing

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 815

it, shall be subject to the penalties provided for violations of the provisions of law relating to narcotic drugs."

For a determination of the validity of this regulation, a full discussion of the court decisions is necessary.

Section 2 of the original Harrison Narcotic Act (the predecessor section of sec. 4705 of the Internal Revenue Code of 1954) was held constitutional by the Supreme Court, when challenged by a physician-defendant, as early as March 3, 1919 (*United States v. C. T. Doremus*, 249 U.S. 86). In another case, decided the same day, the Supreme Court was called upon to answer the following question:

"If a practicing and registered physician issues an order for morphine to an habitual user thereof, the order not being issued by him in the course of professional treatment in the attempted cure of the habit, but being issued for the purpose of providing the user with morphine sufficient to keep him comfortable by maintaining his customary use, is such order a physician's prescription under exception (b) of section 2 (of the Harrison Act)?"

To this question, the Supreme Court answered, "To call such an order for the use of morphine a physician's prescription would be so plain a perversion of meaning that no discussion of the subject is required. That question should be answered in the negative" (*Webb v. U.S.*, 249 U.S. 96).

In *U.S. v. Behrman*, 258 U.S. 280, decided March 27, 1922, the indictment charged that the defendant-physician unlawfully sold certain narcotics to Willie King, by means of three written orders to the said King in the form of prescriptions, i.e., 150 grains of heroin, 360 grains of morphine, and 210 grains of cocaine; it alleged that King was an addict to the said drugs, did not require the administration of the drugs by reason of any disease other than such addiction, etc., but the indictment omitted the allegation "not in the course of professional practice only." The Court held that the acts charged in the indictment constituted an offense within the terms and meaning of the act, and stated, in part:

"It may be admitted that to prescribe a single dose, or even a number of doses, may not bring a physician within the penalties of the act; but what is here charged is that the defendant physician, by means of prescriptions, has enabled one, known by him to be an addict, to obtain from a pharmacist the enormous number of doses contained in 150 grains of heroin, 360 grains of morphine, and 210 grains of cocaine. (Quoting dosages shown in Wood's *United States Dispensatory*); by these standards more than 3,000 ordinary doses were placed in the control of King. Undoubtedly doses may be varied to suit different cases, as determined by the judgment of a physician. But the quantities named in the indictment are charged to have been intrusted to a person known by the physician to be an addict, without restraint upon him in its administration or disposition by anything more than his own weakened and perverted will. Such so-called prescriptions could only result in the gratification of a diseased appetite for these pernicious drugs, or result in an unlawful parting with them to others, in violation of the act as heretofore interpreted in this court, within the principles laid down in the *Webb* and *Jin Fuey Moy* cases, *supra*."

In *C. O. Linder v. U.S.*, 268 U.S. 5, decided April 13, 1925, the indictment (count II) charged that defendant, a registered licensed physician, unlawfully sold, etc. to Ida Casey one tablet of morphine and three tablets of cocaine, not in pursuance of any written order of Ida Casey on a prescribed form, not in the treatment of any disease, with knowledge that Ida Casey was a person addicted to the habitual use of morphine and cocaine, etc. The indictment did not contain the usual negative averment "not in the course of professional practice only."

In its decision, the Court was careful to point out that "It (the indictment) does not question the doctor's good faith nor the wisdom or propriety of his action according to medical standards. It does not allege that he dispensed the drugs otherwise than to a patient in the course of his professional practice or for other than medical purposes." Then, after discussing its previous decisions in narcotic cases, it held " * * * We find no facts alleged in the indictment sufficient to show that petitioner had done anything falling within definite inhibitions or sufficient materially to imperil orderly collection of revenue from sales. * * * The unfortunate condition of the recipient certainly created no reasonable probability that she would sell or otherwise dispose of the few tablets entrusted to her; and we cannot say that by so dispensing them the doctor necessarily transcended the limits of that professional conduct with which Congress never intended to interfere."

It seems, therefore, that the substance of the holding was that, in the absence of an averment in the indictment that the sale was not in the course of profes-

816 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

sional practice only, the Court could not find as a matter of law that the sale of the tablets by Dr. Linder "necessarily transcended the limits of" professional practice.

In *Boehm v. U.S.*, 21 F. 2d 283 (8th Cir., 1927), Dr. John C. Boehm was convicted on five counts of an indictment charging unlawful sale of morphine not in pursuance of a written order, and that the drugs were not dispensed in the regular course of his professional practice as a physician, but for the purpose of satisfying the cravings of addicts. Defendant appealed, basing his argument that the indictment is insufficient (in part) upon the case of *Linder v. U.S.*, *supra*.

The court of appeals held that the *Linder* case was entirely different from the present case as to the allegations in the indictment, and are easily distinguishable. The court said in part:

"The real crux of this case is the good faith of the plaintiff in error as a physician. In the *Linder* case, *supra*, the court pointed out that 'what constitutes bona fide medical practice, consistent with the statute, depends upon the facts and circumstances of the case' (syllabus). This case is not one, as we read the record, where a physician in good faith and as a part of medical treatment and in the interest of humanity prescribes a drug to relieve the patient from pain and suffering incident to addiction. * * * The alleged prescriptions were such only in name. The method pursued by the plaintiff in error was a mere scheme to sell the drugs to unfortunate addicts. It was for the jury to say whether the sales in which he participated by issuing the prescriptions were in good faith. The court very clearly instructed the jury on this subject. The evidence was sufficient to warrant the jury in finding there was no good faith in this phase of defendant's alleged practice."

In *Nelms v. U.S.*, 22 F. 2d 79 (9th Cir., 1927); cert. denied, 276 U.S. 615, Dr. Milton A. Nelms was convicted under three counts of an indictment charging the unlawful sale of morphine not in pursuance of a written order and not in good faith and in the course of his professional practice only, the sale having been made by a prescription which was filled by a druggist. One count charged the sale of 12 quarter grains of morphine, or a total of 3 grains. The other counts differed only in dates, quantities, and aliases used by the purchaser.

On appeal, the defendant cited the *Linder* decision. The court of appeals held that the indictment was sufficient, and distinguished the *Linder* case thus:

"In *Linder v. United States*, 268 U.S. 5, cited by plaintiff in error, the indictment alleged that the person to whom the sale was made was addicted to the habitual use of cocaine, and known by defendant to be so addicted; but there was no allegation questioning the good faith of the doctor or the wisdom of his action according to medical standards, nor was there an allegation that the physician dispensed the drugs otherwise than to a patient in the course of his professional practice or for other medical purposes."

In *Freeman v. U.S.*, 86 F. 2d 243 (5th Cir., 1936); rehearing denied December 17, 1936; cert. denied 57 S. Ct. 323, Dr. Jephtha S. Freeman was convicted on 12 counts of an indictment charging unlawful sales of narcotics, with the usual negative averment "not in the course of his professional practice only." In this case, the contention was made on behalf of defendant that the quoted negative averment was a conclusion of the pleader since it did not negative the various circumstances necessary to constitute an administration in the course of his professional practice or allege the existence of conditions which rendered the use of the drug unprofessional and in bad faith. The court held that the allegation assailed was in the language of the statute, which is ordinarily sufficient. The allegation was held to charge an ultimate fact and not a mere conclusion.

Other assignments (of error) related to the refusal of the court to direct a verdict of acquittal on the ground that the evidence showed that the prescriptions were issued in the course of appellant's professional practice. Under these assignments it was insisted that the prescriptions themselves appeared to have been so issued, and therefore satisfied the Narcotic Act, as a revenue measure, and that to construe the act as authorizing judicial inquiry into the sufficiency and propriety of the reasons assigned for their issuance was to construe it as a police regulation, thereby rendering it unconstitutional and void. The appellant relied on the case of *Linder v. U.S.*, *supra*.

The court of appeals pointed out, however, that the Supreme Court had said in the *Linder* case: "Mere pretense of such practice, of course, cannot legalize forbidden sales, or otherwise nullify valid provisions of the statute." The court of appeals pointed out that the constitutionality of the act had been upheld in *United States v. Doremus*, 249 U.S. 86 and held "In order to be entitled to the

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 817

benefit of the exception, the practice of the profession must be real and genuine, and resort to it may not be held as a subterfuge to cover an otherwise unlawful dispensing of the taxable drug (citing *Jin Fuy Moy v. United States*, 254 U.S. 189, and *United States v. Behrman*, *supra*)."

The appellate court said the issue was squarely joined on the good faith of the appellant in issuing the prescriptions set out in the indictment. The question was fairly presented to the jury under the instructions of the court. On this issue there was sufficient evidence to sustain the indictment; and the charge contained in the indictment is within the prohibition of the statute. Therefore, the grounds assigned were not sufficient to warrant an instructed verdict to find the defendant not guilty or an order quashing the indictment. Having found no reversible error in the record, the judgment of the district court was affirmed.

In *Ratigan v. U.S.*, 88 F. 2d 919 (9th Cir., 1937), Dr. Thomas P. Ratigan, Jr., was charged in 12 counts with selling morphine by means of hypodermic administration, not in the course of professional practice or in good faith or for legitimate medical purposes, merely for the purpose of gratifying his (purchaser's) craving for the drug, and not in pursuance of a written order on the prescribed form. On appeal from conviction, he urged that no offense was stated in the 12 counts.

Court held: The allegation that the sales charged in the indictment were made "not in the course of the professional practice of (appellant), or in good faith, or for legitimate medical purposes, he, the (purchaser) being free from any disease in which morphine is indicated for legitimate medical purposes, and receiving same, as aforesaid, from (appellant) merely for the purpose of gratifying his craving for the drug," sufficiently negatives the exception contained in section 1044(c) (1) (now section 4705(c) (1)).

In *U.S. v. Lindenfeld*, 142 F. 2d 829 (2d Cir., 1944), Dr. William Lindenfeld was convicted on 15 counts of an indictment charging unlawful sales of morphine by issuance of prescriptions to addicts. On appeal, defendant argued, first, that his acts were merely those of a physician in the course of professional employment, and hence within the exception of section 2554(c) (1)—(now section 4705(c) (1))—of the statute. Court held: "But that was a question of fact as to defendant's good faith for the jury to decide, and it was properly presented to them in the court's charge. When a licensed physician abuses his professional function by selling or giving away prescriptions for drugs to known addicts, he automatically forfeits the privileges extended to him by section 2554(c) (1) (now section 4705(c) (1)) of the statute."

In *U.S. v. Abdallah*, 149 F. 2d 219 (2d Cir., 1945), Dr. Ibrahim J. Abdallah was convicted on three counts of an indictment charging unlawful sales of morphine by issuance of prescriptions to addicts. On appeal, defendant urged the court to reconsider its holding in the *Lindenfeld* case that the question as to whether the defendant comes within the exception (as to professional practice) was one of fact as to his good faith, for the jury to decide, and contended that there must be a consent or conspiracy between the physician and the druggist filling the prescription in order to render the physician's acts unlawful.

Court held: "But our holding was not at all novel, and we find no occasion for reconsidering it."

In *McBride v. U.S.*, 225 F. 2d 249 (5th Cir., 1955), Dr. Julius B. McBride was convicted on several counts of an indictment charging unlawful sale of narcotics (codeine) not in the course of professional practice, not for legitimate medical purposes, and not in good faith. On appeal, the defendant contended that the charge of the court as to standard medical practices and good faith injected elements of the offense which are not within the statute. This instruction of the court was:

"If dispensations were made in good faith and according to standard medical practices in the cure of disease or injury, and not merely to satisfy the craving of a person for such drug, then the dispensations may be said to have been made in the regular course of the defendant's professional practice only; but if the dispensations were not made in good faith, but were made to enable such person to obtain codeine sulphate to satisfy his appetite or craving for such drug only and not in the treatment of his patient, then the dispensation of such drug would not be in good faith nor in the regular course of the defendant's professional practice as a physician, nor for legitimate medical purposes, and such sale and dispensing would not be lawful."

Court held: "The foregoing portion of the court's charge is almost identical with a portion of an instruction approved in *DuVall v. United States*, 82 F. 2d 382,

818 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

9th Cir., cert. denied, 298 U.S. 667. The instruction above quoted accurately states the law of this aspect of the case as announced by the Supreme Court (citing *Linder v. U.S.*, *supra*; *Boyd v. U.S.*, 271 U.S. 104). The belief of appellant that the codeine dispensed was beneficial to Chief Morrison in 'making him good' and 'holding his job,' if such belief was sincerely held, does not establish good faith nor alter criteria of standard medical practices."

In *Bush v. U.S.*, 16 F. 2d 709 (5th Cir., 1927), Dr. A. R. Bush was convicted on five counts of an indictment charging him with unlawful sales of morphine to certain persons by issuing prescriptions not in the course of his professional practice only, not to his patients, and not in pursuance of a written order on the proper form.

Court held: "It has been repeatedly held that the provision exempting a physician does not protect him, if he dispenses the drug by writing a prescription for one who is not a bona fide patient, and it is not for the purpose of treating him in the course of his professional practice. In such case violation of the regulations imposed by the statute for the purpose of facilitating the collection of the tax is an offense, and it is not necessary to show that the United States was actually deprived of revenue (citing *U.S. v. Doremus*, *supra*; *Webb v. U.S.*, *supra*; *Jin Fuey Moy v. U.S.*, *supra*, and other cases). Defendant relies, however, on the recent case of *Linder v. U.S.*, 268 U.S. 5, and argues that under that authority a doctor may dispense as much morphine to a habitual user as he sees fit, merely to satisfy his craving for the drug, and without any intention to cure him of the habit. We think the *Linder* case in harmony with the cases above cited. What was decided in the *Linder* case, so far as it is here applicable, is well stated in the syllabus. Briefly it is that a physician may give an addict moderate amounts of drugs for self-administration, if he does so in good faith and according to fair medical standards; but what constitutes bona fide medical practice depends upon the facts and circumstances of each case."

In *Hawkins v. U.S.*, 90 F. 2d 551 (5th Cir. 1937), Dr. David B. Hawkins was convicted on eight counts of two indictments, charging unlawful sales of morphine not pursuant to a written order and not in the course of professional practice only. Defendant appealed, relying on the case of *Linder v. U.S.*, 268 U.S. 5.

Court held: "There is no doubt that case ruled that a physician may lawfully prescribe narcotics for an addict purely because of his addiction, provided the amount is not so large as to put it within the power of the addict to sell part of the drug in violation of the Harrison Act, which is to be strictly construed as a revenue measure. In that case the amount prescribed was one tablet of morphine and three tablets of cocaine. The number of grains of the drug in each tablet was not shown, but it may be assumed that a single tablet of morphine was not more than enough for one dose. Because of the small quantity prescribed it was held that the indictment did not charge a crime. We do not consider the *Linder* case controlling as applied to the prescriptions specified in the indictments in this case. Each prescription was for at least 15 grains. * * * However, the regulation and terms of the act do not grant immunity to a physician unless the prescription is issued in good faith, in the course of his professional practice, to a bona fide patient. We consider 15 grains of morphine was enough to present a question of fact as to the good faith of the doctor to be decided by the jury and the indictments were not demurrable on that point. The indictments in this case were sufficient in form to charge an offense under the statute. It was not error to overrule the demurrers."

In *U.S. v. Brandenburg*, 155 F. 2d (3d Cir., 1946), Dr. Leopold W. Brandenburg was convicted on 11 counts of an indictment charging unlawful sales of morphine by prescriptions, not pursuant to a written order form, not in good faith and in the course of professional practice only, and a number of other allegations.

The Court enunciated certain principles, thus:

"By judicial interpretation, the excepting language has been restricted to bona fide treatment of a patient's disease by a physician. Thus, under the guise of 'treating' a patient a physician may not by issuing prescriptions make it possible for drugs to be peddled or for known addicts merely to satisfy their craving (citing *U.S. v. Behrman*, *supra*). However, a prescription of a moderate amount of drugs issued even to a known addict is not criminal if the physician in good faith is attempting to 'treat' the disease of consequences of the addiction (citing *Linder v. U.S.*, *supra*)."

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 819

After summarizing the allegations in the indictment, the Court held:

"It will be seen, therefore, that the rather elaborately drawn count does not charge a sale of drugs to a known addict. In essence, the charge is that the drugs were sold to a purchaser for the purpose of satisfying the cravings of unspecified addicts. Under the principles already enunciated there can be no doubt that an indictable offense is thus charged. Obviously, a physician who prescribes drugs in bad faith, not in the course of his professional practice only, and for the purpose of satisfying the cravings of drug addicts is guilty of an indictable offense under the statute and the decisions cited above, interpreting it."

DISCUSSION

It is clear that the proposed plan of the authors of the report of "The Council" would ultimately result in a program of allowing physicians to supply narcotic dosage to ordinary addicts merely for the purpose of gratifying and maintaining addiction. Such a program would place great stress upon the decisions of the Supreme Court in *Linder v. United States*, as authority for the establishment of such a system, under the Federal Narcotic law. They quote the following *Behrman* comment by the Court in the *Linder* case with regard to the previous *Behrman* decision:

"The opinion cannot be accepted as authority for holding that a physician, who acts bona fide and according to fair medical standards, may never give an addict moderate amounts of drugs for self-administration in order to relieve conditions incident to addiction. Enforcement of the tax demands no such drastic rule, and if the act had such scope it would certainly encounter grave constitutional difficulties."

Again, it is desirable to point out that the Court, in the *Linder* decision, after summarizing the narcotic statutory provisions and the allegation in the indictment, was careful to observe that the indictment "does not question the doctor's good faith nor the wisdom or propriety of his action according to medical standards" and that "it does not allege that he dispensed the drugs otherwise than to a patient in the course of his professional practice or for other than medical purposes." The Court took occasion to review its previous decisions in narcotic cases, particularly *United States v. Doremus*, *supra*; *Webb v. United States*, *supra*; and *Jin Fuey Moy v. United States*, *supra*, and in all three of these cases the validity of the charge of an unlawful sale of narcotics by a doctor had been sustained. In all three of these cases (unlike the *Linder* case) the charge had questioned the wisdom or propriety of the doctor's action according to medical standards, i.e., that he had sold the drug not in the course of his professional practice only. In its *Linder* case review of the three preceding cases, *Doremus*, *Webb*, and *Jin Fuey Moy*, the Court did not overrule them. It did comment, with reference to the *Behrman* case (in which the indictment did not allege that the sale was not in the course of professional practice, but where the quantity of drugs involved was unusually large) that this decision could not be accepted as authority for holding that a physician, who acts bona fide and according to fair medical standards, may never give an addict moderate amounts of drugs for self-administration in order to relieve conditions incident to addiction. And in the final statement of the opinion the Court, still mindful of the absence of the negative averment concerning professional practice from the *Linder* indictment, stated "we cannot say that by so dispensing [the four tablets in the *Linder* case] the doctor necessarily transcended the limits of that professional conduct with which Congress never intended to interfere."

In reviewing the previously described decisions of U.S. courts of appeals of several circuits in 10 cases involving convictions of physicians for unlawful sales of narcotics, not in the course of professional practice (all of the said decisions having been rendered since the Supreme Court handed down its decision in the *Linder* case), we note that in each case the judgment of conviction was affirmed. In several of these cases, the appellant physician urged as ground for reversal of the *Linder* decision, but the courts of appeal generally distinguished that case from the case under consideration because of the allegation, in the latter case, that the sale was not in the course of professional practice and the jury had so found under proper instructions. For instance, in the *Nelms* case where at least one of the three counts on which defendant was convicted involved the unlawful sale of only 12 quarter grains of morphine, and the defendant urged in exculpation the *Linder* case, the court of appeals pointed out that the *Linder* indictment did not contain an allegation questioning the good

820 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

faith of the doctor, or that the drugs were dispensed not in the course of professional practice, and so affirmed the Nelms conviction where the indictment did contain such an allegation.

In the *Bush* and *Brandenburg* cases, the respective courts of appeals, in affirming the validity of the charge, did take occasion to mention that the *Linder* case decided "a physician may give an addict moderate amounts of drugs for self-administration," or "a physician may lawfully prescribe narcotics for an addict if the physician in good faith is attempting to 'treat' the disease or consequences of the addiction," but the court qualified the statement in each case by adding (in the *Bush* case) the phrase "* * * if he does so in good faith and according to fair medical standards," and (in the *Brandenburg* case) the statement "Obviously, a physician who prescribes drugs in bad faith, not in the course of his professional practice only and for the purpose of satisfying the cravings of drug addicts is guilty of an indictable offense under the statute and the decisions cited above, interpreting it." In the *Hawkins* case, the court of appeals affirmed the judgment of conviction, while expressing the unusual viewpoint that the *Linder* case ruled "a physician may lawfully prescribe narcotics for an addict purely because of his addiction, provided the amount is not so large as to put it within the power of the addict to sell part of the drug in violation of the Harrison Act." Although the Court indicated the application of a quantity standard, it did add: "However, the regulation and terms of the act do not grant immunity to a physician unless the prescription is issued in good faith, in the course of his professional practice, to a bona fide patient." If the *Bush* and *Hawkins* decisions (cited in the report of "The Council") rendered by the U.S. Circuit Court of Appeals for the Fifth Circuit in 1927 and 1937, respectively, could once have been considered some authority in that circuit for the principle of a physician prescribing or dispensing narcotics for mere gratification of drug addiction, such authority is now certainly doubtful in view of the later decision of the same court of appeals in the later (1955) *McBride* decision, *supra*. In the *McBride* decision, the court affirmed the judgment of conviction, approving an instruction to the jury which in substance stated that if the dispensations (of codeine) were not made in good faith but were made to enable such person to satisfy his appetite or craving for such drug only and not in the treatment of his patient, then the dispensation would not be in good faith nor in the regular course of defendant's professional practice as a physician, nor for legitimate medical purposes.

In the *Lindenfeld* case, the defendant-physician, who was convicted on 15 counts of an indictment, argued that his acts (issuance of narcotic prescriptions to addicts) were merely those of a physician in the course of professional employment and hence within the exception to the statute. The court held this was a question for the jury as to defendant's good faith; that when a licensed physician abuses his professional function by selling or giving away prescriptions for drugs to known addicts, he automatically forfeits the privileges extended to him by the exception. In the later case in the same circuit, the *Abdallah* case (decided May 2, 1945) where the doctor had been convicted on three counts of unlawful sales of morphine, the plea was made to the court to reconsider its holding in the *Lindenfeld* case, but the court stated its holding was not at all novel and found no occasion for reconsidering it, and affirmed the *Abdallah* judgment of conviction.

In summary, it is submitted that the principle of the *Webb* and *Jin Fuey Moy* decisions have not been overruled by the subsequent decisions of the Supreme Court in *Behrman* and *Linder*; that this position is sustained fully by the decisions of U.S. Courts of Appeals in 10 cases, heretofore discussed, which have been rendered since the *Linder* case; that not 1 of the 10 cases (or any other decision in a physician-narcotic case) has been reviewed by the Supreme Court; that certiorari was denied by the Supreme Court in the *Nelms* and *Freeman* cases; and that in the intervening period since the *Linder* decision, one of the circuit court of appeals cases would surely have been reviewed by the Supreme Court if considered inconsistent with the *Linder* case.

Accordingly, it is concluded that the authors of the report of the council are mistaken in the view that the Bureau of Narcotics' regulation is not in accord with the decisions of the Supreme Court, and therefore, there is no need to amend the regulation.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 821

[Attachment D]

Pamphlet No. 56, Revised September 1963

TREASURY DEPARTMENT,
BUREAU OF NARCOTICS,
Washington, D.C.

PRESCRIBING AND DISPENSING OF NARCOTICS UNDER HARRISON NARCOTIC LAW

The following outline of procedure to be observed in prescribing and dispensing narcotic drugs is issued for the guidance of registrants under the Harrison narcotic law, and others concerned. This pamphlet is intended to be advisory only and to anticipate and answer questions arising in the minds of practitioners concerning the law and regulations governing the prescribing and dispensing of narcotic drugs as interpreted by the courts.

The regulations governing this subject are contained in Section 151.392, Regulations No. 5, and read as follows:

"Sec. 151.392. *Purpose of issue.*—A prescription, in order to be effective in legalizing the possession of unstamped narcotic drugs and eliminating the necessity for use of order forms, must be issued for legitimate medical purposes. The responsibility for the proper prescribing and dispensing of narcotic drugs is upon the practitioner, but a corresponding liability rests with the druggist who fills the prescription. An order purporting to be a prescription issued to an addict or habitual user of narcotics, not in the course of professional treatment but for the purpose of providing the user with narcotics sufficient to keep him comfortable by maintaining his customary use, is not a prescription within the meaning and intent of the act; and the person filling such an order, as well as the person issuing it, may be charged with violation of the law."

GENERAL

It is impossible to state an inflexible rule which will cover all cases, and this outline must, therefore, be general in nature and subject to modification through further interpretation of the law by the courts. The Bureau is not charged with the duty of laying down any fixed rule as to the furnishing of drugs or the frequency of the prescriptions in any particular case.¹ The responsibility for the proper prescribing and dispensing of narcotic drugs, under the Harrison narcotic law, rests upon the physician in charge of any given case.² While the primary responsibility for the proper prescribing and dispensing of narcotic drugs rests upon the physician in each case, a corresponding responsibility rests upon the druggist who fills a prescription to determine, in good faith, that the prescription was issued in the course of professional practice, and not for the

¹ In a prosecution against a physician for violating the Harrison narcotic law by dispensing narcotics to habitual users of drugs, the exclusion of a letter from the Commissioner of Internal Revenue in response to a query by defendant physician as to dispensing of narcotics held proper. (*Thompson v. United States*, C.C.A., 8th, 258 Fed. 196.)

² (a) Indictment which charged that defendant, a practicing physician, did feloniously, etc., sell, exchange, barter, and give away a specified quantity of morphine sulphate, to a person named, not pursuant to an order on a form issued by the Commissioner of Internal Revenue, by issuing and dispensing a prescription to such person, not a patient of the physician, which morphine was dispensed and distributed by the physician not in the course of his professional practice only, was sufficient. (*Jin Fuey Moy v. United States*, 254 U.S. 189.)

(b) Question of good faith in opium sales, in which accused physician participated by issuing prescriptions, held for jury. (*Boehm v. United States*, C.C.A., 8th, 21 F. (2d) 283.)

(c) Physician prescribing narcotics for other than bona fide patient, and not in course of professional treatment, is not protected by statutory exemption. (*Bush v. United States*, C.C.A., 5th, 16 F. (2d) 709.)

(d) In order to be entitled to the benefit of the exception, the practice of the profession must be real and genuine, and resort to it may not be had as a subterfuge to cover an otherwise unlawful dispensing of the taxable drug. (*Freeman v. United States*, C.C.A., 5th 86 F. (2d) 243.)

(e) A sale is complete when the drug is delivered whether hypodermically into the human system by request of the buyer, or delivered elsewhere on his direction and does not need to be personally handled by the buyer. (*Ratigan v. United States*, C.C.A., 9th, 88 F. (2d) 919. Rehearing denied Mar. 29, 1937; Certiorari denied, 57 S. Ct. 938; Petition for rehearing on writ of certiorari denied.)

822 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

purpose of gratifying addiction.³ Caution should be exercised to avoid being imposed upon by unscrupulous persons. Prescriptions for narcotics should be scrutinized carefully in an effort to detect possible alterations or forgery.⁴

The good faith of the physician and the bona fides of his treatment in a given case will be established by the facts and circumstances of the case and the consensus of medical opinion with regard thereto, based on the experience of the medical profession in cases of similar nature.⁵ Physicians will be expected to exercise such care in every case where narcotic dosage is indicated, that the patient under treatment shall receive no quantity of narcotic drug greater than that sufficient for bona fide medical needs, in order that there may be no surplus available for possible diversion by the patient to illicit use.⁶

USE OF NARCOTICS IN THE TREATMENT OF DISEASE WITHOUT REFERENCE TO THE QUESTION OF ADDICTION

Without reference to the question of addiction, a physician acting in accordance with proper medical practice may prescribe or dispense narcotics for the relief of acute pain or for any acute condition, such as influenza, pneumonia, renal calculi, broken limbs, etc.

USE OF NARCOTICS IN THE TREATMENT OF INCURABLE DISEASE

A reputable physician directly in charge of bona fide patients suffering from diseases known to be incurable, such as cancer, advanced tuberculosis, and other diseases well recognized as coming within this class, may in the course of his professional practice, and strictly for legitimate medical purposes, dispense or prescribe narcotic drugs for such diseases, provided the patients are personally attended by the physician who regulates the dosage, and the physician prescribes

³ (a) The acts of the principal become the acts of the accessory or aider and he may be charged as having done the act himself, and be indicted and punished accordingly, under Penal Code, sec. 332, making the accessory a principal. (*Di Preta v. United States*, C.C.A., 2d, 270 Fed. 73.)

(b) A person dealing in drugs is required to ascertain at his peril whether that which he sells comes within the statute, so that an indictment for violation of that section need not allege that defendant knew the character of the drug sold. (*United States v. Balint*, 258 U.S. 250.)

(c) Notwithstanding Harrison Narcotic Act, sec. 2, exception (b), excepting sales of the prohibited drugs on the written prescription of a registered physician, a sale by a druggist, who knows that the prescription was issued to gratify the holder's appetite and not to cure disease or alleviate suffering, violates the law, and the physician issuing the prescription, knowing that it is to be filled by a druggist having such knowledge, aids and abets the violation. (*Doremus v. United States*, C.C.A., 5th, 262 Fed. 849.)

(d) It is apparent that when a physician issues a prescription to be filled and charged for by a druggist, he does not personally sell or dispense the drug. The theory upon which he may be convicted is that he aided and abetted the druggist. (*Hawkins v. United States*, C.C.A., 5th, 90 F. (2d) 551.)

⁴ The purpose of antinarcotic act is to confine the distribution of such (narcotic) drugs to the regular and lawful course of professional practice, and not every order therefor written by a duly registered physician in the form of a prescription is necessarily a prescription within the exception. (*United States v. Behrman*, 258 U.S. 280.)

⁵ (a) Expert testimony as to proper method of treating addicts admissible. (*Reeves v. United States*, C.C.A., 5th, 263 Fed. 690.)

(b) In a prosecution under Harrison Narcotic Act, sec. 2, against a physician who sold large quantities of narcotics to habitual users of the drug, medical testimony as to recognized methods among physicians for treating persons addicted to the use of narcotic drugs was admissible for the purpose of showing that the accused physician did not come within the exception as to physicians dispensing drugs in the course of their practice, for, while the act is in the guise of a revenue measure, it was intended to accomplish a moral purpose. (*Thompson v. United States*, C.C.A., 8th, 258 Fed. 196.)

(c) In prosecution of physician for issuing to addicts prescriptions for morphine sulphate, medical testimony concerning methods of treating drug addiction was properly admitted. The regulation and terms of the Harrison narcotic law do not grant immunity to a physician unless the prescription is issued in good faith, in the course of his professional practice, to a bona fide patient. (*Hawkins v. United States*, C.C.A., 5th, 90 F. (2d) 551.)

⁶ An order issued by a practicing and registered physician for morphine to a habitual user thereof, the order not being issued by him in the course of professional treatment in the attempted cure of the habit, but being issued for the purpose of providing the user with morphine sufficient to keep him comfortable by maintaining his customary use, is not a physician's prescription within exception (b) of sec. 2 of the Harrison Narcotic Act. (*Webb & Goldbaum v. United States*, 249 U.S. 96.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 823

no quantity greater than that ordinarily recognized by members of his profession to be sufficient for the proper treatment of the given case.⁷

As previously indicated, physicians should recognize the danger of supplying persons suffering from incurable diseases with excessive quantities of narcotics, because such persons may use the narcotic wrongfully, either by taking excessive quantities or by disposing of a portion of the drugs in their possession to other addicts or persons not lawfully entitled thereto.⁸

USE OF NARCOTICS IN THE TREATMENT OF ADDICTION ONLY

Mere addiction alone is not recognized as an incurable disease. It is well established that the ordinary case of addiction yields to proper treatment, and that addicts can remain permanently cured when drug taking is stopped and they are otherwise physically restored to health and strengthened in willpower.

An exception may be noted in the case of an aged and infirm person, with drug addiction of long standing, whose collapse and death might result from withdrawal of the drug. Here, again, there is the necessity of controlling dosage to prevent the patient from obtaining excessive quantities of the drug.

Medical authorities⁹ agree that the treatment of addiction, with a view to

⁷ (a) In prosecution of physicians for having violated and conspired to violate the Harrison Narcotic Act, the trial court in his general charge properly submitted an issue as to the good faith of defendants in issuing their prescriptions to supposed patients, since the defendants could only protect themselves if the prescriptions were issued legitimately in their practice. (*McLanson v. United States*, C.C.A., 5th 256 Fed. 783.)

(b) In a prosecution for violation of Harrison Narcotic Act, sec. 2, by selling narcotic drugs, not in pursuance of written orders on the prescribed forms, evidence that defendant, although a physician registered under the act, did not dispense the drugs in good faith in the course of his professional practice, which would bring him within exception (a) of the statute, but sold the same to gratify the appetite of the purchasers, was competent and relevant, and such issue was properly submitted to the jury. (*Oakshette v. United States*, C.C.A. 5th, 260 Fed. 830.)

(c) An indictment charging that defendant, a duly registered physician, by means of three prescriptions sold to one, whom he knew to be a drug addict, at one time heroin, morphine, and cocaine equivalent to more than 3,000 ordinary doses, without directions or restrictions, as to the use thereof by the addict, shows the sale was not within the exception to Antinarcotic Act of Dec. 17, 1914. (*United States v. Behrman*, 258 U.S. 280.)

⁸ (a) A careful review of the decisions as they exist at the present time makes clear the fact that when a physician is charged with unlawfully selling or prescribing drugs under the Harrison Act, the case turns largely upon his good faith in prescribing drugs to his regular patients for maladies requiring the administration of the drug or whether he prescribed for persons seeking his professional aid merely to procure the drug. In the latter case the physician might, perhaps, in a single instance afford, temporarily, relief for one whose condition demanded immediate treatment. To go further than this would enable every doctor to do just what the defendant did here—furnish drugs to addicts or afford opportunity to them to procure all the narcotics they desired—as, unrestrained, they would go from one physician to another, and thus quickly destroy the whole purpose of the act in question. (*Barbot v. United States*, C.C.A., 4th, 273 Fed. 919.)

(b) The provisions of sec. 2, to which we have referred, aim to confine sales to registered dealers and to those dispensing the drugs as physicians, and to those who come to dealers with legitimate prescriptions of physicians. Congress, with full power over the subject, short of arbitrary and unreasonable action which is not to be assumed, inserted these provisions in an act specifically providing for the raising of revenue. Considered of themselves, we think they tend to keep the traffic above board and subject to inspection by those authorized to collect the revenue. They tend to diminish the opportunity of unauthorized persons to obtain the drugs and sell them clandestinely without paying the tax imposed by the Federal law. This case well illustrates the possibility which may have induced Congress to insert the provisions limiting sales to registered dealers and requiring patients to obtain these drugs as a medicine from physicians or upon regular prescription. Ameris, being as the indictment charges an addict, may not have used this great number of doses himself. He might sell some to others without paying the tax, at least Congress may have deemed it wise to prevent such possible dealings because of their effect upon the collection of the revenue. (*United States v. Doremus*, 249 U.S. 86.)

⁹ (a) "Your committee desires to place on record its firm conviction that any method of treatment for narcotic drug addiction, whether private, institutional, official or governmental, which permits the addicted person to dose himself with the habit-forming narcotic drugs placed in his hands for self-administration, is an unsatisfactory treatment of addiction, begets deception, extends the abuse of habit-forming narcotic drugs, and causes an increase in crime. Therefore, your committee recommends that the American Medical Association urge both Federal and State Governments to exert their full powers and authority to put an end to all manner of such so-called ambulatory methods of treatment of narcotic drug addiction, whether practiced by the private physician or by the so-called narcotic clinic or dispensary.

"In the opinion of your committee, the only proper and scientific method of treating narcotic drug addiction is under such conditions of control of both the addict and the drug, that any administration of a habit-forming narcotic drug must be by, or under the direct personal authority of the physician, with no chance of any distribution of the drug of addiction to others, or opportunity for the same person to procure any of the drug

824 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

effecting a cure, which makes no provision for confinement while the drug is being withdrawn, is a failure, except in a relatively small number of cases where the addict is possessed of a much greater degree of willpower than that of the ordinary addict.

Recognizing the importance of general medical opinion on the individual practice of medicine and the ethical problems involved in treating narcotic addicts, the American Medical Association's Council on Mental Health and the National Academy of Sciences-National Research Council asked their respective committees dealing with problems of addiction to prepare "a review of current medical opinion to the end of developing a tentative 'code' defining proper ethical medical practice with respect to narcotics and narcotic addicts * * *."¹⁰ In June 1963, a statement on "The Use of Narcotic Drugs in Medical Practice and the Medical Management of Narcotic Addicts" was completed by the committees. That statement has been approved by the Board of Trustees and the House of Delegates of the American Medical Association and is quoted below and on the following pages ending on page 27.

NARCOTICS AND MEDICAL PRACTICE

THE USE OF NARCOTIC DRUGS IN MEDICAL PRACTICE AND THE MEDICAL MANAGEMENT OF NARCOTIC ADDICTS

(A report of the American Medical Association's Council on Mental Health and the National Academy of Sciences—National Research Council's Committee on Drug Addiction and Narcotics.)

One of the major points of the President's ad hoc panel[1] as presented to the 1962 White House Conference on Narcotics was that the statutory and regula-

from any source other than from the physician directly responsible for the addict's treatment." (Journal of the American Medical Association, June 14, 1924.)

(b) "Physicians may, by the exercise of more thought in practicing, do much to avoid censure in relation to narcotic addiction. They may substitute, whenever possible, non-habit-forming drugs in the place of morphine or other opium alkaloids. When narcotics are indispensable, however, as shown in this series of articles, no more should be administered than is necessary to achieve the desired end. Patients requiring daily administration should be seen often by the doctor and the amount of drugs ordered or supplied should not exceed that required by the patient until seen again. Independence of administration on the part of nurses should be strictly limited to prescription and any change in treatment should be in writing." (See "Introduction," by Dr. Morris Fishbein, to series of articles by various authors, published in the Journal of the American Medical Association, Mar. 14 to June 6, inclusive, 1931. This material—revised, rearranged, and shortened—was republished in the Journal of American Medical Association, May 23, 1942.)

(c) In affirmation of its earlier position, on May 14, 1962, the American Medical Association issued a joint statement with the National Research Council, which reads as follows:

"The American Medical Association and the National Research Council for many years have been concerned about and have studied the narcotic drug addiction problem. To assist in carrying out its studies, the American Medical Association collaborated with the American Bar Association in establishing a joint committee which made an interim report to the two organizations in 1958, and a final report in 1959.

"It is concluded that there is widespread public and professional misunderstanding about this subject, specifically (1) that the Federal Bureau of Narcotics believes drug addiction to be a crime—a belief that is contrary to the Federal law and its application by the Bureau; and (2) that the American Medical Association proposes the establishment of community ambulatory clinics for the withdrawal of narcotics from addicts or for the continuing maintenance of addicts on narcotics—a belief that is contrary to the official position of the American Medical Association.

"Historically, society has found it necessary to employ legal controls to prevent the spread of certain types of illness that constitute a hazard to the public health. Drug addiction is such a hazard.

"The successful and humane withdrawal of individuals addicted to narcotics in the United States necessitates constant control, under conditions affording a drug-free environment, and always requires close medical supervision.

"The successful treatment of narcotic addicts in the United States requires extensive postwithdrawal rehabilitation and other therapeutic services.

"The maintenance of stable dosage levels in individuals addicted to narcotics is generally inadequate and medically unsound and ambulatory clinic plans for the withdrawal of narcotics from addicts are likewise generally inadequate and medically unsound.

"As a result of these conclusions the American Medical Association and the National Research Council oppose on the basis of present knowledge such ambulatory treatment plans.

"These two organizations support (1) after complete withdrawal, followup treatment for addicts, including that available at rehabilitation centers; (2) measures designed to permit the compulsory civil commitment of drug addicts for treatment in a drug-free environment; (3) the advancement of methods and measures toward rehabilitation of the addict under continuing civil commitment; (4) the development of research designed to gain new knowledge about the prevention of drug addiction and the treatment of addicted persons; and (5) the dissemination of factual information on narcotic addiction."

¹⁰ Journal of the American Medical Association 185: 976-982, Sept. 21, 1963.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 825

tory measures for the control of narcotic drugs are not intended to interfere with administration of narcotic drugs in legitimate medical practice. Such administration is legally and medically sound and is approved by enforcement agencies.

The ad hoc report contains a sharp reminder that expressions of prevailing medical opinion have a profound impact not only on medical practice but on regulations,[2] laws, and courts, and that it is the duty of the medical profession to review its expressed opinions regularly in order to assure their current validity.

Our two committees are now charged with the task of preparing such a review of current medical opinion to the end of developing a tentative 'code' defining proper ethical medical practice with respect to narcotics and narcotic addicts which reflects the best of current opinion. It is the primary purpose of the committees to identify generally accepted broad principles, presenting specific details only where especially indicated, for example: (1) to correct certain mistaken but widely held impressions, (2) to emphasize relatively new developments, and (3) to establish a better balance between the emphasis on what can or should be done and what cannot or should not be done.

The opening pages of the present report are devoted to a brief historical review of previous documents in this field and an outline of some general data which seems necessary to give the statement an adequate degree of continuity. The main body of the text is presented next and is followed by a summary and appendixes composed of material from three of the important supporting documents.¹¹

HISTORICAL NOTE

In 1921 an AMA committee issued a statement which was, in effect, a definition and a code of medical practice,[3]. It was adopted in 1924 as a resolution by the AMA House of Delegates[4] and many Federal and State narcotic law-enforcement policies were built around it. It read in part:

"* * * The only proper and scientific method of treating narcotic drug addiction is under such conditions of control that any administration of any habit-forming narcotic drug must be by or under the direct personal authority of the physician with no chance of any distribution of the drug of addiction to others, or opportunity for the same person to procure any of the drug from any source other than from the physician directly responsible for the addict's treatment."

A number of statements have appeared since this original position paper. Among them are the following:

1. A 1952 report to the AMA Council of Pharmacy and Chemistry.[5] This statement, entitled "What To Do With a Drug Addict," was prepared by the Committee on Drug Addiction and Narcotics of the National Research Council (NRC) with the assistance of Dr. Harris Isbell, director of the Addiction Research Center at Lexington, Ky. The Council on Pharmacy and Chemistry of the AMA authorized its publication.

2. A 1957 report of the board of trustees to the House of Delegates of the American Medical Association,[6] outlined a series of steps which began in 1954 with a resolution by Dr. Eggston of New York and resulted in the appointment by the AMA Council on Mental Health of a committee on narcotic addiction.

3. A report prepared by the Council on Mental Health, the AMA staff and several physicians well informed on the subject of narcotic addiction.[7]

4. Certain items prepared in connection with the Karsten bill of 1959.[8]

5. A joint release[9] by the AMA and the NRC committees, approved by the Bureau of Narcotics, retained the essentials of the original 1924 position but indicated the need for development of research designed to provide new knowledge about the prevention of drug addiction and the treatment of addicted persons (apps. 1 and 2).

DEFINITION OF THE PROBLEM

For purposes of this document the World Health Organization (WHO) definition of addiction[10] is used, but our presentation is limited to the opiate class of drugs, natural and synthetic (app. 3).

Physicians have a fundamental responsibility to treat narcotic addiction because it is recognized as a medical syndrome based on an underlying emotional disorder. This syndrome tends to perpetuate itself and further aggravate the underlying disorder. Physical dependence without underlying emotional dis-

¹¹ The appendixes referred to are not quoted.

826 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

order is easily terminated and does not constitute an addiction problem. This is usually so if physical dependence develops in those receiving narcotics for relief of intractable pain.

EPIDEMIOLOGY

The opiate addiction problem can be described in terms of the interplay of three epidemiological factors:

The agent.—Heroin is the drug of choice of most addicts in the United States and accounts for the bulk of the problem.

The host.—At the present time young adult males of certain minority groups constitute the great preponderance of patients. Many other groups of addicts can be distinguished.

The environment.—Drug addiction is at present chiefly a problem of certain large cities, particularly in their low socioeconomic areas. It may, however, involve any part of the country or any socioeconomic class.

PSYCHIATRY

Disturbances of personality are usually easy to discover in persons who have become addicted and these disturbances are thought to precede and predispose to the occurrence of the disorder rather than being caused by the addiction. Expression of the personality disorder is aggravated by the use of drugs, but full-blown psychoses are rarely associated with the opiates except for toxic psychoses caused by intoxication with or withdrawal from nonopiate drugs.

Addicts as a group are lacking in frustration tolerance, are dependent and adept at manipulating those about them in relation to their addiction. They are very often amoral, hedonistic, unreliable, and difficult as patients, yet it is wrong to generalize too freely since much depends on the structure of individual psychopathology, the social and cultural background, and the patient's total physiological and psychological resources. An adequate evaluation is necessary in order to prepare a course of action with respect to any particular case, and one cannot rely on general statements which purport to relate uniformly to all addicts, since there are many variations and exceptions.

CLINICAL COURSE AND NATURE OF HISTORY

Addiction to heroin and to other opiates, once established, has the characteristics of a chronic relapsing disease. Withdrawal is the least complex part of treatment; indeed, it is periodically accomplished by certain addicts extramurally without medical assistance. Repeated relapse occurs frequently; success or failure should not be measured solely by the single criterion of relapse. There is good reason to believe that the total course, of this disorder is influenced by adequate treatment and, in any event, treatment of addicted persons remains a medical responsibility. Regardless of prognosis, the physician must use available knowledge in attempting to eliminate the syndrome of addiction and to cure the underlying personality disorder. Continued administration of drugs for the maintenance of addiction is not a bona fide attempt at cure, nor is it ethical treatment except in the few unusual circumstances mentioned later.

DIAGNOSIS

Diagnosis is based primarily on history, physical examination, and observation. Diagnosis of the fact of addiction is usually not difficult but assessment of the degree and the pattern of addiction are far more complex. Addicts regularly overestimate the amount of drugs they have been taking, especially now that most illicit drugs are diluted. It is particularly important to be aware of combinations with barbiturates because of convulsions and delirium which occur when the latter are suddenly withdrawn. Laboratory tests are available for finding opiates in the urine but they are not now in general use. The administration of opiate antagonists such as nalorphine to precipitate the withdrawal syndrome for the detection of drug use requires special skill and experience. Chief reliance should be placed on clinical techniques of diagnosis and evaluation. Not all physicians will have equal skill and experience in this field and, when indicated, suitable consultations should be obtained.

ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS 827

ADMINISTRATION OF NARCOTICS TO PERSONS WITH INTRACTABLE PAIN

There is general recognition of the belief that it is proper ethical practice to administer narcotics over a prolonged period in the treatment of patients with chronic incurable and painful conditions, when all reasonable alternate procedures have failed. This is especially true in cases of terminal disorders but, in certain unusual instances, may apply also to nonfatal diseases with intractable pain in which no relief or cure is possible or none has been found after reasonable efforts.

In such cases the physician should obtain consultation and is required to maintain adequate records of the drugs administered and the indications for such administration. He must also maintain adequate safeguards against diversion of drugs into illicit channels.

ADMINISTRATION OF NARCOTICS TO AGED AND DEBILITATED ADDICTED PERSONS

Occasional cases of addiction in aged and infirm or severely ill persons are found in which withdrawal of narcotics may be dangerous to life. As long as there is danger to life from withdrawal it is proper and necessary to maintain a supportive level of narcotic medication, provided the opinion is confirmed by adequate consultation, proper records are kept, adequate safeguards against diversion of narcotics are maintained, and the patient is closely supervised.

ADMINISTRATION OF NARCOTICS TO RELIEVE ACUTE WITHDRAWAL SYMPTOMS

There has never been any legal or medical question of the right and duty of a physician, in order to relieve acute withdrawal symptoms, to administer limited quantities of narcotics for a few days in a hospital or other secure setting which is reasonably certain to be drug-free. The drug of choice is methadone and various schedules of application are available. "Cold turkey" as routine "treatment" of addicted persons, including those in detention facilities, is contraindicated. In New York this has been specifically forbidden and the right of the addict to a humane withdrawal is established by a State law (Metcalf-Volker Act, 1962).

REQUIREMENTS FOR WITHDRAWAL

Institutional.—Withdrawal is most easily carried out in a drug-free environment in specialized wards or installations for narcotic addicts and such installations have been increasing in number within recent years as, for example, in New York State and California.

However, under the following conditions, withdrawal may be carried out in other settings: (1) few cases are involved, (2) the patient is well evaluated, (3) good control is maintained, and (4) the physician has acquired special skill and experience in this work.

Included among the factors to be evaluated and the circumstances to be considered are elements such as extent of delinquency record, degree of motivation, and nature of introduction to drug use.

The following settings may be acceptable: (1) psychiatric wards of general hospitals, (2) a properly selected ward (usually the sick bay) of a public or private mental hospital without specialized units, and (3) certain general hospital wards.

Ambulatory.—Withdrawal on an ambulatory basis is generally medically unsound and not recommended on the basis of present knowledge. Only under exceptional circumstances is it proper to attempt withdrawal on an ambulatory basis and then it must be done only by a physician with special skill and experience in the management of addicted patients. In such cases there should always be consultation with a psychiatrist, if one is available, or with another physician experienced in this field, or with another physician who will substantiate the fact that ambulatory withdrawal is, in fact, indicated.

Methadone is usually the drug of choice and the patient should in no case be given medication at any visit that will provide for his needs for more than 1 day nor should he receive more of the drug than is necessary to reduce abstinence distress to a mild level. Patients should be seen daily by the physician himself and only oral medication, preferably liquid, should be dispensed. Ambulatory treatment should be promptly terminated if the patient is found to be securing additional drug elsewhere or if he fails to maintain a prearranged schedule for withdrawal. Withdrawal should be completed within a 3-week

828 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

period. If there is a complicating physical illness which makes this a danger to life and withdrawal is to be undertaken, hospitalization is always required.

It is recommended that the patient should agree in writing to follow the advice of the physician and not to obtain drugs from other sources.

Adequate records are required in all cases and should include results of physical examination, history, and a record of the consultation as well as copies of agreements with the patient and the records of the visits and actual medication administered.

In cases of pregnancy, withdrawal should be carried out prior to delivery; otherwise, the child must also be carried through a withdrawal schedule.

INTERIM TREATMENT OF ADDICT ON WAITING LIST FOR ADMISSION TO NARCOTIC FACILITY

When the diagnosis of addiction has been established and the patient is awaiting admission to a treatment facility and the fact of his acceptance and the date of admission have been confirmed by the attending physician, oral dosages of methadone, preferably in liquid form, may be given on daily visits by the physician for not more than 10 days to 2 weeks. Needed dosage will be established by observation of response to medication. No more than 1 day's medication should be dispensed to the addict at one time.

AMBULATORY WITHDRAWAL CLINICS

The 1962 joint AMA-NRC statement [9] reads, " * * * Ambulatory clinic plans for the withdrawal of narcotics from addicts are * * * generally inadequate and medically unsound." This position is taken "on the basis of present knowledge" and is intended to cover current clinical practice; it is not intended to obstruct bona fide research.

AMBULATORY MAINTENANCE AND CONTINUED ADMINISTRATION

The joint statement covers this much-debated issue as follows:

"The maintenance of stable dosage levels is generally inadequate and medically unsound and ambulatory clinic plans for the withdrawal of narcotics from addicts are likewise generally inadequate and medically unsound.

"As a result of these conclusions the American Medical Association and the National Research Council oppose on the basis of present knowledge such ambulatory treatment plans."

In fact, as was pointed out earlier, ambulatory maintenance can be considered ethical medical practice only if there has been consultation and it is agreed by the physicians concerned that (a) withdrawal would be hazardous to life, or (b) continued drug administration is necessary for treatment of a chronic or terminal painful condition other than the drug addiction itself and for which no other mode of treatment is feasible.

DEFINITIVE TREATMENT

After withdrawal a therapeutic program of up to 6 months or even a year is often indicated and this is best carried out in specialized facilities. However, physicians with specialized experience in this field who have established a good working relationship with the patient can and do carry out treatment in other institutional settings and provide followup services with long-term aftercare in the community.

Information as to inpatient facilities is available on a local basis from the State or local agency having to do with health matters, or from local voluntary and professional groups such as local medical societies or mental health associations.

Physicians will often wish to refer patients to such facilities for definitive care. Certification to civil facilities is possible in a number of States and its broader application is recommended. It may supply the element of compulsion toward maintenance of treatment which most addicts require. Information on certification is also available from specialized institutions.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 829

AFTERCARE AND REHABILITATION

After a patient has had even the best available treatment in any special closed facility his subsequent course will depend to a significant degree on the type and adequacy of aftercare; the social, economic, and psychiatric rehabilitation program which can be provided; and the environment to which he returns. Physicians should play an important role in the mobilization of social resources for aftercare and in providing supervision and followup treatment.

Relapse requires retreatment and should not be taken as indication of failure but should be accepted as in any other relapsing disorder. There is suggestive evidence that, with the passage of time, patients tend to become more responsive to treatment and an increasing number "mature out" of addiction.

PREVENTION

Physicians should be fully informed in order that they: (1) may play their role in the program of public education on the dangers of narcotic drugs and (2) can discharge the basic responsibility for controlling their administration of narcotics in such a way as to avoid diversion to illicit use or the creation of addiction.

LEGAL AND REGULATORY ASPECTS

A physician must comply with local, State, and Federal narcotic laws and regulations. A copy of the Federal regulations [2, 11] can be obtained from the Bureau of Narcotics at the Department of the Treasury, Washington, D.C., or from the nearest district supervisor for the Federal Bureau of Narcotics. Information as to local and State regulations can be obtained from the physician's county or State medical society.

Any future recodification of laws or of regulations should be couched in language as simple and direct as possible with a balanced emphasis on the positive as well as negative aspects of treatment of addicts.

In order to promote a better coordination between law enforcement and medical treatment, responsible medical bodies should be developed in each State to collaborate with the Federal Bureau of Narcotics or appropriate State agencies in the investigation of physicians under question concerning their prescribing or dispensing of narcotics. The medical profession recognizes the need for the establishment of this sort of procedure and stands ready to cooperate with the Federal Bureau of Narcotics and appropriate State agencies in such an undertaking.

In addition, there appears to be a need for a medical body on a national level to maintain a current "code" of ethical medical practice with relation to narcotics and narcotic addiction and to act in an advisory capacity to the Commissioner of Narcotics. The AMA and the National Academy of Sciences stand ready to cooperate with the Commissioner in this regard.

It is recommended that the national body should meet not less than every 2 years and publish any new material within 3 months.

RESEARCH

It is apparent that research on the problems of addiction to narcotics is absolutely necessary. The joint statement of the AMA and the NRC committees [9] was very explicit in emphasizing that the judgment of these organizations about ambulatory withdrawal and ambulatory maintenance was based on "present knowledge" and it characterizes these methods as generally inadequate and unsound, but there was no intent or desire to prevent any further research efforts. [12]

There is urgent need for further investigations of many types, both at clinical and basic science levels, and future findings may make it necessary to further revise our current concepts of what constitutes ethical medical practice in relation to narcotics and narcotic addicts.

Many of the restrictions on the use of narcotics in general medical practice may properly be modified for the purpose of carrying out bona fide research activities, since research creates special requirements. Such activities must, however, be carried out within the limits of ethical medical practice as applied to research.

830 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

SUMMARY

Laws and regulations controlling narcotic drugs are not intended to interfere with their administration in legitimate medical practice. Such administration is legally and medically sound.

It is a responsibility of the medical community to provide on a current basis a "code" defining legitimate medical practice. The present report represents a review of such current opinion as will tend to meet this need.

The WHO definition of addiction is adopted for this document but consideration is limited to the opiates and the natural and synthetic drugs of this class.

Heroin is the principal drug of addiction in the United States and moves entirely through illicit channels. Other opiates have a proper and necessary place in medical practice but special limitations and precautions are required because of their addiction-producing capacities.

It is the duty of the physician to bear these dangers in mind in his administration of narcotics.

It is his duty to (1) maintain adequate records; (2) maintain adequate precautions to prevent diversion of drugs to illicit channels or creation of addiction; (3) know and obey relevant local, State, and Federal laws and regulations on prescribing and dispensing narcotics and on narcotic addiction.

Narcotics may properly be given over prolonged periods of time to patients with chronic painful diseases other than drug addiction itself if a reasonable use of alternative procedures fails to give relief in terminal states and chronic painful diseases for which no cure or other relief is known.

The physician should secure medical consultation.

The treatment of persons already addicted is a medical responsibility because addiction is recognized as a medical syndrome which is based on an underlying emotional disorder. This syndrome tends to perpetuate itself and to further aggravate the underlying disorder.

Within the field of medicine, addiction is a problem in psychiatry and in psychopharmacology.

Under adequate precautions (in or out of an institution) and after proper consultation, addicted persons may be supplied with maintenance drugs if withdrawal represents a hazard to life. Oral medication with methadone will usually suffice.

All addicted persons including those under confinement should be given humane medical withdrawal under medical supervision. There is no excuse for the so-called cold turkey treatment.

Successful narcotic withdrawal involves four interacting factors (1) the degree of control afforded by the environment, (2) the skill and experience of the physician, (3) the patient and his attitude, and (4) the type of drug and degree of addiction.

Optimally, withdrawal is carried out in a closed, specialized narcotic treatment unit since it requires a drug-free environment.

Patients can also be withdrawn under suitable conditions in psychiatric wards of general hospitals or in selected wards of public or private mental hospitals if the drug-free situation can be attained. When cases number more than a few, consideration must be given to the development of special narcotic treatment units. If all factors are favorable, withdrawal may be possible in a general hospital or a private institution.

Withdrawal on an ambulatory basis is generally medically unsound and not recommended on the basis of present knowledge. A possible exception has been described.

Oral administration of methadone may be carried out on a daily-dose basis to protect an addict from withdrawal symptoms for a period up to 10 days or 2 weeks if the attending physician has confirmed the patient's acceptance for a facility for the treatment of narcotic addiction.

Long-term followup involves the mobilization of community resources for vocational and social rehabilitation. The physician's supervision and supportive role to this end are important.[4]

Addiction has the characteristics of a chronic relapsing psychiatric disorder and must be viewed in this perspective when the results of treatment are evaluated.

To promote better coordination between law enforcement and medical treatment, each State should develop responsible medical bodies to collaborate in the investigation of physicians under question concerning alleged irregularities

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 831

of prescribing or dispensing narcotics. The medical profession recognizes this need and stands ready to cooperate with the Commissioner of the Bureau of Narcotics and appropriate State agencies.

A need exists for the development of a national body to keep current the standards of ethical medical practice with relation to narcotics and narcotic addicts and to act in an advisory capacity to the Commissioner. The AMA and the National Academy of Sciences-NRC stand ready to cooperate with the Bureau of Narcotics in this regard.

Many of the restrictions on the use of narcotics in general medical practice may be properly modified for the purpose of carrying out bona fide research activities, since research creates special requirements. Such activities must, however, be carried out within the limits of ethical medical practice as applied to research.

American Medical Association Council on Mental Health

Committee on Narcotic Addiction

Dale C. Cameron, M.D., Chairman, Superintendent, St. Elizabeths Hospital, Washington 20, D.C.

Edward R. Bloomquist, M.D., 759 Avon Glen Terrace, Glendale 6, Calif.

Henry Brill, M.D., deputy commissioner, New York State Department of Mental Hygiene, 240 State Street, Albany 1, N.Y.

Robert H. Felix, M.D., Director, National Institute of Mental Health, Bethesda 14, Md.

Herbert A. Raskin, M.D. 18510 Meyers Road, Detroit 35, Mich.

National Academy of Sciences-National Research Council

Committee on Drug Addiction and Narcotics

Dale C. Cameron, M.D., Chairman, Superintendent, St. Elizabeths Hospital, Washington, D.C.

Raymond N. Bieter, M.D., professor of pharmacology and director of special educational services, 126 Millard Hall, University of Minnesota Medical School, Minneapolis, Minn.

Henry Brill, M.D., deputy commissioner, New York State Department of Mental Hygiene, 240 State Street, Albany, N.Y.

Isidor Chein, Ph. D., Research Center for Human Relations, New York University, New York, N.Y.

Jonathon O. Cole, M.D., Chief, Psychopharmacology Service Center, National Institute of Mental Health, Bethesda, Md.

Nathan B. Eddy, M.D., executive secretary, Committee on Drug Addiction and Narcotics, National Research Council, Room 328-A, National Bank Building, Bethesda, Md.

Marshall Gates, Ph. D., professor of chemistry, University of Rochester, Rochester, N.Y.

Joseph M. Hayman, M.D., dean, Tufts University School of Medicine, 136 Harrison Avenue, Boston, Mass.

Everett L. May, Ph. D., Chief, Section on Medicinal Chemistry, National Institute of Arthritis and Metabolic Diseases, Bethesda, Md.

Maurice H. Seevers, M.D., professor and chairman, Department of Pharmacology, University of Michigan, 6322 Medical Science Building, Ann Arbor, Mich.

Ralph G. Smith, M.D., Acting Director, Bureau of Medicine, Food and Drug Administration, Washington, D.C.

Issac Starr, M.D., 854 Gates Memorial Pavilion, Hospital of the University of Pennsylvania, Philadelphia, Pa.

Francis N. Waldrop, M.D., Director of Professional Training, St. Elizabeths Hospital, Washington, D.C.

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832 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

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8. Recommendation of NRC Committee on Drug Addiction and Narcotics, News Report, National Academy of Sciences, National Research Council 9: 24 (March-April) 1959.

9. Joint Statement on Narcotic Addiction by AMA and NRC, New York Med 18: 561 (Aug. 20) 1962.

10. Expert Committee on Addiction-Producing Drugs, World Health Organization Technical Report, series No. 116, Geneva, 1957.

11. Regulations No. 5. Regulatory Taxes on Narcotic Drugs, Opium, Coca Leaves, Isonipicaine or Opiates, part 151 of title 26 (1954), Code of Federal Regulations, U.S. Treasury Department, joint regulations of Bureau of Narcotics and Internal Revenue Service, IRS publication No. 428 (6-59).

12. AMA Restates Position on Ambulatory Clinics for Addicts, JAMA 182: 30 (Oct. 13) 1962.

The foregoing statement discussing what the medical profession considers to be proper ethical medical practice with respect to narcotics and narcotic addicts is acceptable to the Federal Bureau of Narcotics.

HENRY L. GIORDANO,
Commissioner.

[Attachment E]

AMERICAN MEDICAL ASSOCIATION,
Chicago, Ill., March 11, 1964.

HON. LYNDON B. JOHNSON,
*President of the United States,
The White House,
Washington, D.C.*

DEAR MR. PRESIDENT: The American Medical Association is presently reviewing the final report of the President's Advisory Commission on Narcotic and Drug Abuse. We would like at this time to direct a few preliminary comments with respect to recommendations 7 and 9 contained in the report. We are concerned with these recommendations, which would transfer certain investigatory functions of the Department of the Treasury to the Department of Justice, and certain regulatory functions of the Department of the Treasury to the Department of Health, Education, and Welfare. Although our comments are directed only to recommendations 7 and 9, it is not our intention to single them out as being of greater importance than others.

The recommendations would accomplish a transfer of enforcement functions, with relation to illicit traffic of narcotic drugs and marihuana, from the Department of the Treasury to the Department of Justice. If the recommendations are effected, the regulation of legitimate importation, manufacture, distribution, etc., of narcotic drugs and marihuana would be transferred from the Treasury Department to the Department of Health, Education, and Welfare. There would thus result a division of responsibility with respect to narcotics and marihuana.

The combined responsibility with respect to both the legitimate and illicit traffic of narcotic drugs and marihuana is now concentrated in the Bureau of Narcotics. It would seem manifest that the retention in one department of all functions pertaining to narcotic drugs and marihuana would have a salutary benefit. It would not only avoid duplication of effort and discontinuity of program, but it would continue the effective cooperation and understanding now existing.

Certain other agencies with which the Bureau of Narcotics must join forces, in order to conduct an effective program of control, are also in the Department of the Treasury. To be effective, a program of domestic control must be coordinated with one of control of illicit importation and smuggling, the latter being under the jurisdiction of the Bureau of Customs. Narcotic control is also aided by cooperation with the Internal Revenue Service—also within the Department of the Treasury.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 833

Any inadequacy of the present program of investigation of illicit traffic in narcotics is recognized by the report as being attributable, at least in good measure, to understaffing and shortage of manpower within the Bureau of Narcotics. Recommendation No. 11 requests that when the transfer to the Department of Justice is effected, the number of Federal enforcement personnel be substantially increased. A fortiori, a similar addition to the personnel of the Bureau of Narcotics would result in greater achievement in a department having the experience and special training developed over a great number of years.

This association, being acutely aware of the abuse of narcotics, stands ready to further a cause which will ameliorate conditions out of which such abuse results. However, dismemberment of the Bureau of Narcotics would appear to be detrimental. The Bureau of Narcotics has established itself as an effective arm in the control of narcotic traffic. Over the years it has gained experience and insight into the problem, the benefit of which would be lost, or at least minimized, upon a transfer.

While the report of the Commission recommends the transfer of the investigatory function as logically being a police function and therefore more proper in the Department of Justice, the report does not question the competency of the Bureau. In fact it specifically states that the commission's recommendation is not to be viewed as a reflection upon the Bureau.

The competency of the Bureau has been established, and its rapport with local enforcement agencies recognized. This association does not believe that it would be in the best interests of this Nation to upset an established and well-organized arm of the enforcement agencies of our Government, and to thus lose the benefit of years of experience in combating the problem.

Lastly, but of no less significance, we wish to emphasize the important role that physicians must play in a program of eradicating the abuse in the use of narcotic drugs. This role has been recognized by the Bureau of Narcotics, which has also been cognizant of the significant and beneficial use of narcotic drugs in the practice of medicine. In recent years there have developed between the Bureau and the Nation's physicians a mutual trust and confidence which are manifest in the cooperation and rapport now existing in their relationship. This development should be fostered. It would be most unfortunate if an action were undertaken, the unknown consequences of which could result in a deterioration of this beneficial rapprochement.

Pending our review of all the recommendations, at this time we would respectfully urge, with respect to recommendations 7 and 9, that the present functions be retained in the Bureau of Narcotics within the Department of the Treasury.

Respectfully yours,

F. J. L. BLASINGAME, M.D.

[Attachment F]

Physicians convicted in the U.S. district courts since 1919

Year :	Number	Year—Con.	Number	Year—Con.	Number
1919.....	2	1935.....	117	1951.....	24
1920.....	6	1936.....	93	1952.....	26
1921.....	6	1937.....	67	1953.....	27
1922.....	11	1938.....	67	1954.....	12
1923.....	11	1939.....	63	1955.....	24
1924.....	13	1940.....	86	1956.....	10
1925.....	14	1941.....	49	1957.....	7
1926.....	15	1942.....	73	1958.....	2
1927.....	14	1943.....	60	1959.....	0
1928.....	16	1944.....	68	1960.....	1
1929.....	72	1945.....	60	1961.....	2
1930.....	89	1946.....	43	1962.....	1
1931.....	76	1947.....	26	1963.....	2
1932.....	48	1948.....	40		
1933.....	73	1949.....	25	Total.....	1, 668
1934.....	105	1950.....	22		

834 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

COMMENTS OF THE COMMISSIONER OF NARCOTICS ON THE "REPORT ON DRUG ADDICTION II" BY THE NEW YORK ACADEMY OF MEDICINE

The "Report on Drug Addiction II" by the New York Academy of Medicine is not an immoderate and impartial study of the problems of drug addiction and the management of drug addicts. It is a caustic condemnation of the U.S. Bureau of Narcotics, concentrating on the theme that the Bureau stands for defiance of the views of the entire medical profession and is blocking the way of scientific progress in the field of management of narcotic drug addicts.

The report contends, most ardently, that deterrence of addiction by police methods is an outmoded concept, and that individual physicians and clinics ought to be free to supply narcotic drugs to individuals in such quantities and for such periods of time as the physician may deem proper.

It is important to the well-being of this country that there should be an end to such extremism, and that there may evolve a better understanding of the Bureau's position. There has been a deplorable tendency on the part of a few articulate individuals on behalf of the academy to hurl brickbats at the Bureau of Narcotics despite repeated efforts by the Bureau to convince these persons that we do not advocate severe repressive measures against physicians who wish to treat addicts as sick persons. The purpose of this paper is to highlight some of the more serious charges and deviations from prevailing opinions and to give appropriate comment on each. We will not undertake to itemize and refute every vitriolic statement directed at the Bureau.

THE PROFIT FACTOR

One of the major points stressed in the report is that narcotic peddlers or pushers induce persons to use narcotics so that once addicted they will have a ready market for their product. The academy believes that profit is the main reason for the spread of addiction. On each of the thousands of addict forms which have been received by the Bureau, there is a space provided for setting forth the reason given by the addict during his interview as to the cause of his addiction. In virtually every case, the reason given is either "association with addict," "living with addict," "curiosity," "kicks," "association," "going along with gang," and so on. Seldom is there any claim by an addict that he was induced by a peddler intent upon exploiting him after causing him to become addicted. The U.S. Public Health Service recognized this fact more than 30 years ago, and in September 1962, the report of an ad hoc panel to the White House Conference on Narcotic and Drug Abuse stated the same fact; namely, that addiction is spread primarily by addicts.

HAS THERE BEEN A LACK OF RESULTS?

It is asserted that enforcement of the narcotic laws has fallen short of producing the expected results, since the punitive approach catches mostly the small fries and not the syndicate heads. This argument completely overlooks the fact that addiction in this country has been reduced from 1 in 400 in 1914, to 1 in 4,000 today. Moreover, the academy's statement indicates a lack of knowledge of the many conspiracy cases which have been developed for prosecution by agents of the Bureau of Narcotics, resulting in convictions of dozens of top echelon violators in one sweep. The report completely ignores the cases in which ringleaders have been convicted, including such notorious violators as Vito Genovese, Carmine Galante, John Ormento, Joseph Valachi, Vincent Mauro, Frank Caruso, Marcantonio Orlandino, and Salvatore Maneri. Since 1956, we have developed 20 major conspiracy cases resulting in the convictions of 206 important gangsters. We are rightfully proud of these accomplishments.

DOES THE BUREAU IGNORE COURT DECISIONS?

The report accuses the Bureau of Narcotics of ignoring decisions of the Supreme Court and arbitrarily dictating the manner in which physicians should prescribe narcotics and treat addicts. The academy accuses the Bureau of defying, with impunity, the decision of the Supreme Court in *C. O. Linder v. United States*, 268 U.S. 5 (1925), thereby forcing physicians to abdicate their lawful position in the handling of drug addicts. Throughout the years, we have

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 835

followed a course which is relatively flexible and adaptable and which is fully in line with several landmark decisions of the U.S. courts and the various policy statements of the American Medical Association and the National Research Council.

In these comments, we will not discuss the legal ramifications of the *Linder* decision. It is sufficient to say only that many lawyers have reviewed the cases on the point and have concluded that there is no basis for holding that the Supreme Court would countenance the indiscriminate furnishing of narcotic drugs to addicts not on good faith but for the purpose of maintaining the addict's appetite for such drugs. We have found numerous cases decided by the various U.S. circuit courts of appeals which have been rendered on the very same point, and not one case has interpreted the *Linder* decision in support of the position of the academy's report. In fact, the Supreme Court has denied writ of certiorari in two of the circuit court cases. Surely, the Supreme Court would have reviewed the circuit court decisions if they had been considered inconsistent with the *Linder* case.

Moreover, the argument of the academy concerning the Bureau's interpretation of the laws and its application to the medical profession set forth a misconception of the Bureau's judicial responsibilities. The Bureau of Narcotics is an enforcement agency. We do not dictate to the courts our preferences as to which decisions we shall follow. In order to prosecute a defendant, the facts or evidence uncovered by our investigations must be referred to the appropriate U.S. attorney who must agree that an offense has been committed before proceeding with the prosecution. When the case involves a physician who maintains that the alleged violation occurred during bona fide treatment of an addicted patient, the Government is normally required to refute the defense with competent evidence as to what constitutes good medical practice. There is an unbiased U.S. district judge presiding who interprets the law and instructs the jury on the legal points involved. Upon appeal of a conviction by a physician, the Government's brief is reviewed by the appellate section of the Department of Justice and the case is decided by three judges of the U.S. circuit court of appeals. Upon further appeal to the Supreme Court, the brief of the Government would be submitted to the Court with the concurrence of the Solicitor General. Thus, it is literally impossible for any agency such as the Bureau of Narcotics to have imposed for about 40 years an erroneous interpretation of a Supreme Court decision. Since the *Linder* decision in 1925, there have been more than 1,600 convictions of physicians in U.S. district courts for violations of the Federal narcotic laws. To assert that the Bureau is responsible for erroneously causing these doctors to be prosecuted is tantamount to saying that we have been capable of dictating policy and law to each of the individual agencies and legal bodies involved in the judicial processes. Such an achievement is utterly impossible under our system of due process.

COLD TURKEY WITHDRAWAL

The academy report asserts that the Bureau of Narcotics believes only in the abrupt withdrawal or "cold turkey" treatment of addicts. The academy's statement is preposterous—nothing could be further from the truth. Historically, the Bureau has supported the U.S. Public Health Service in its institutional treatment of drug addicts, which treatment very often includes the gradual reduction procedure. The Bureau's offices throughout the country continue daily to advise and counsel interested persons on the procedures necessary to gain admission to institutions, either Federal, State, or private, where proper facilities are available for treatment.

It is significant to point out that our views on this aspect are seemingly very well known by other eminent medical groups. In the joint statement of the American Medical Association and the National Research Council in June 1963, it was plainly stated "There has never been any legal or medical question of the right and duty of a physician to administer limited quantities of narcotics for a few days in a hospital or other secure setting which is reasonably certain to be drug free in order to relieve acute withdrawal symptoms * * *. All addicted persons, including those under confinement, should be given humane withdrawal under medical supervision. There is no excuse for the so-called cold turkey treatment." Moreover, the AMA-NRC statement provides that "When the diagnosis of addiction has been established and the patient is awaiting admission to a treatment facility and the fact of his acceptance and the date of admission have been confirmed by the attending physician, oral dosages of methadone, preferably in

836 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

liquid form, may be given on daily visits by the physician for not more than 10 days to 2 weeks. Needed dosage will be established by observation of response to medication. No more than 1 day's medication should be dispensed to the addict at one time." Since the Bureau of Narcotics has gone on record in approval of the AMA-NRC joint statement, this should leave no doubt about the Bureau's views as to abrupt withdrawal and the right of a physician to dispense narcotic drugs to an addict awaiting admission to a treatment installation.

ARE ADDICTS CRIMINALS?

The authors of the academy's report proclaim that the Bureau of Narcotics has created a sentiment that all addicts are criminals who should be jailed and should not be treated as sick persons. The Bureau of Narcotics has not advocated jail treatment of drug addicts, although we do believe that persons who commit crimes should not have immunity from prosecution simply because they happen to be addicts. We do advocate stringent penalties for the illicit trafficker whose illegal activities undermine our efforts to keep narcotic drugs away from persons with an addiction potentiality. We do not think that just because a person is addicted he thereby has a license to violate the law and be a peddler of narcotic drugs. We oppose any effort to bring about a change in the laws which would reduce the severity of punishment for a peddler or smuggler who is an addict.

On the other hand, the Bureau's officials have always favored treating addicts, who are not engaged in commercial selling or smuggling, as medical rehabilitation cases and not as criminals. We have supported proposed legislation which would provide that certain eligible addicts (not including sellers or smugglers) under charges of violating criminal statutes should be given an opportunity to submit to treatment and rehabilitation in lieu of prosecution for the criminal offenses. Of course, it would be more appropriate to administer a program calling for compulsory civil commitment of narcotic addicts for treatment and rehabilitation prior to the time they are apprehended for their criminal activities. This is a program the Bureau has urged upon States for many years.

As previously pointed out, the Bureau does not concentrate its efforts on making possession-type cases against narcotic addicts. The enforcement effort of the Bureau is directed against the international and the interstate traffickers. In fact, 85 to 90 percent of the defendants prosecuted in the U.S. district courts for narcotic violations involve the illegal sale or smuggling of narcotics. Of the remaining 10 to 15 percent of cases which involve possession of narcotics, the quantities indicate clearly that the defendant is a trafficker and not merely an addict in possession of his own supply. Moreover, approximately 60 percent of the defendants reported by the Bureau of Narcotics for prosecution are not addicted.

We completely repudiate the accusation in the report of the Academy of Medicine that the Bureau of Narcotics " * * * frowns upon all other modes of treatment," and we emphatically disclaim that our policies have " * * * held back progress in the conquest of addiction." We have not developed a stereotype policy which precludes medical judgment and flexibility. We have not dictated the proper practice of medicine and have not insisted on unsound treatment. We have endeavored to adjust our enforcement functions so as to avoid interference with, or harassment of any reputable physician who dispenses or prescribes narcotics: (1) To a person for the legitimate relief of acute pain; (2) To an aged or infirm person with addiction of long standing whose collapse and death might result from withdrawal of the narcotic; or (3) To a patient in the course of bona fide treatment for addiction.

In establishing the standards for such terms as "legitimate medical purposes," "course of professional treatment," and "good faith," we have been guided by the numerous pronouncements of such responsible medical groups as the American Medical Association and the National Research Council. It would appear that the New York Academy of Medicine is not in harmony with the joint statement of the AMA-NRC, but the academy apparently feels that the Bureau of Narcotics (which is in accord with the views of the AMA-NRC) is a more vulnerable target to attack.

As previously stated, we do support the position that addicts are proper subjects for medical treatment. However, the term "treatment" is accepted by the Bureau of Narcotics to mean, as generally interpreted, that which is designed to cure. Maintenance, such as that proposed by the authors of the academy's report could hardly be considered as a "cure." Such a plan of

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 837

rationing narcotics to addicts on a regular and continual basis does not solve the fundamental problems which caused the addiction; it will not do away with the social, medical, and economic factors underlying addiction; it will not solve the addict's personality difference; and we have no data supporting a view that by giving addicts adequate supplies of narcotics, they would then stop their antisocial behavior and become useful, law-abiding, and productive citizens. Such an approach constitutes recognition that drug addiction is to be tolerated and, consequently, inevitably increased, representing a surrender to an evil which is unacceptable and repugnant to the moral principles of our people.

The position of the Bureau of Narcotics has been supported by several intensive examinations by committees created for the purpose of reviewing and promoting this country's program of combating drug addiction. The two reports of the Interdepartmental Committee on Narcotics to the President of the United States, dated February 1956 and January 1961, concluded that addicts should be rehabilitated toward resuming a useful place in our society without dependence on narcotic drugs.

During 1955, a Senate Subcommittee on Improvement in the Federal Criminal Code pursuant to Senate Resolution 67 and Senate Resolution 166, the 84th Congress, invited the Nation's foremost authorities on drug addiction to attend a special hearing devoted exclusively to an intensive examination of the methods and facilities for treating and rehabilitating drug addicts. The 27 expert witnesses presented more than 2,000 pages of supporting material, and more than 1,000 pages of testimony. Following the hearing, the subcommittee reported that it was "unalterably opposed to * * * the 'clinic plan' proposed for supplying narcotic addicts with free or low-cost narcotic drugs.

This same conclusion was reached by the Subcommittee on Narcotics of the House Committee on Ways and Means in a report released May 10, 1956. The subcommittee reported " * * * treatment of drug addiction must be carried out in a drug-free environment, which makes institutional care essential." Additionally, the subcommittee reported " * * * that any attempt to treat drug addiction in any other manner, such as the currently suggested ambulatory means [clinic plan], is doomed to failure."

On September 27 and 28, 1962, a White House Conference on Narcotic and Drug Abuse was held in Washington, D.C. In a report of an Ad Hoc Panel on Drug Abuse submitted to the Conference, this panel agreed " * * * that ambulatory treatment for the addict population as a whole is unpromising and dangerous."

MAINTENANCE DOSAGE

The authors of the academy report would permit certain persons to receive narcotic drugs from physicians purely to sustain and gratify the person's appetite for the drugs. The idea of clinics to dispense narcotics to addicts is nothing new or novel in this country. From 1919 to 1925, clinics operated in 44 communities throughout the United States. However, they were finally abandoned on the advice of the most competent medical men of that era. They recognized one incontrovertible fact—addicts breed new addicts. Association of non-addicted persons with addicts is the primary triggering cause for drug addiction, regardless of the underlying sociological and psychological deficiencies.

It is our belief that drug addiction has many features of an infectious disease. It has been determined by competent authority that addicts have a desire to involve nonaddicts—a perverse inner need to turn their self-destructive drives against those around them. We are opposed to a program which would provide a segment of our population with a socially approved pharmacological crutch so they can continue to avoid personal responsibility, and to permit them to mingle with a population which includes a significant number of potential addicts looking for a similar method of escape from the pressures of reality. Moreover, we have found to be erroneous the idea that a man on continual injections of narcotics will try to function in a manner contributory to society. The addict, whether he is in the lowest depths of humanity or a person held in high esteem by his fellow men, lives only for one thing—his habit; when he is not experiencing his pharmacological oblivion to reality, he is looking forward to his next shot of narcotics. What possible position of trust or responsibility could be given to such a person whose objective is to do as he pleases? Also, in order to get the desired effect, the addict would need to have his dosage steadily increased because of the tolerance factor. The academy's report envisions that the majority of addicts take drugs primarily to prevent withdrawal symptoms and the majority of addicts would be content with the minimum quantity of drugs which would

838 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

achieve this effect. This is doubtful. The legal outlet would become the addict's sure source of supply for all of the addict's requirements sufficient for him to experience the elusive euphoria he desires. Unless adequate drugs are furnished, the illegal traffickers will still be in demand to furnish him the excess he wants, and at prices which would still involve the addict in crime to secure money for its purchase. Even the least informed person on the question of a proper solution to the addiction problem can grasp with ease the premise that: You cannot stop taking narcotic drugs as long as you are getting them from a ready source.

BRITISH SYSTEM

The so-called British system is cited by the authors of the academy report as an example of the successful approach to maintenance dosage levels. The academy attacks Dr. Granville W. Larimore and Dr. Henry Brill, the authors of a report to Governor Nelson Rockefeller on a study of the British narcotic system. The academy of medicine chose to belittle the report of two eminent experts who are physicians specializing in mental health, and instead accepted a paper prepared by E. M. Schur, an assistant professor of sociology at Tufts University, who earned his doctorate on his study of the so-called British plan. We cannot dismiss so lightly the persuasive report of Dr. Larimore and Dr. Brill.

It should be remembered, however, that England never had a narcotic problem such as that of the United States beginning at the turn of the century when it was estimated there were 200,000 addicts. In the United States, the majority of addicts are described as "street addicts," the individuals who, in about 75 percent of the cases, were involved in prior criminal activity and who became addicted while in search of "kicks." England, on the other hand, has reported the "medical addict"—the person who became addicted as a result of treatment for a chronic illness or one of long, painful duration. They are completely different subjects for study.

One point we question from our experience is the claim that addicts who are maintained on narcotics live a useful and productive life. Physicians who have made such studies have found very little evidence to support such a theory. A case in point is the celebrated report of Dr. Larimore and Dr. Brill, who maintain the situation in England is vastly different from our own, and who have concluded that the so-called British system would not work in the United States. The Larimore-Brill report concludes that the English have a definite abhorrence of narcotic drug use, which has become incorporated into their mores and culture; that, in the epidemiology of drug addiction, England does not have the same susceptible individuals.

Before coming to any hasty conclusion that the British system is a magic panacea, it should be remembered that the same laws which govern narcotics in England are also in effect in the British crown colony of Hong Kong, where a serious narcotic problem exists. According to estimates released by Hong Kong officials 5 years ago there were approximately as many addicts in Hong Kong as there were in the United States at the turn of the century.

HAS PROHIBITORY APPROACH FAILED?

The academy's report connotes that since there is still drug addiction in the United States, the existing program has failed. This is answered simply by looking at the general decrease in addiction since the inception of the prohibitory approach.

Since enactment of the Harrison Narcotic Act in 1914, the record clearly indicates the incidence of drug addiction has been reduced from 1 in 400 to 1 in 4,000 persons. If the pre-Harrison Act estimated rate had continued unabated to the present time, we would now have 425,000 narcotic addicts. Instead, we now have an estimated 60,000 addicts in the United States. This is conservatively estimated to represent at least a 60-percent reduction in the estimated rate of addiction since enactment of the prohibition approach. It should also be noted that this downward trend in addiction has continued during periods of social unrest, migration, and poverty, and during a time when there has been a fourfold increase in the Nation's general crime rate.

Also, since enactment of the Boggs-Daniel Control Act of 1956, there has been an almost steady decrease in the number of new addicts being reported each year. Even more significant, perhaps, is the fact that heroin found on the street has been greatly adulterated. Equally as encouraging is the report of the Pres-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 839

ident's ad hoc panel which stated that addicts being encountered in the institutions today do not undergo the classic withdrawal symptoms so prevalent a decade ago. There is no question about the fact that in many communities where a tremendous addiction problem existed, addiction has been reduced to an absolute minimum, and at the present time the major concentration of addicts is in less than 10 cities of the United States.

SUMMARY

The report of the New York Academy of Medicine contains no new solution or thinking in the field of handling drug addicts. The report is based primarily upon commonly known selected material written by individuals who have long advocated repudiation of the existing prohibitory approach. Other materials, vital to the study, have been deemed to be of no significance. By the very nature of the material, by its extremely acrimonious attack of the Bureau of Narcotics, and by the failure to recognize as valid any other materials expressing opposite views, it appears that the authors of the academy's report were predisposed to minimize the efforts of the narcotic enforcement program and to propose the distribution of narcotics to addicts under the guise of "legitimate medical practice."

The important question is whether the plans of the academy would achieve their objective. Would they eliminate or reduce addiction? Would they eliminate the crime associated with addiction? Would they actually eliminate the narcotic traffic, or would the plans only make things worse and spread addiction?

We are not impressed by the argument that addiction is spread chiefly by deliberate proselyting of new addicts by peddlers to expand the illicit traffic markets. Recent epidemiological studies indicate that addiction spreads from person to person, with drugs being supplied to the neophyte by an addict. Making drugs readily available from legitimate sources will enhance the spread of addiction.

The claim that the enforcement methods snare only the minor violators is completely refuted by the cases which have been presented by the Bureau of Narcotics for prosecution. The enforcement efforts of the Bureau of Narcotics have been the subject of commendations by high government authorities and by various police officials throughout the world. The best evidence reveals that there has been a reduction of the incidence of addiction in the United States since enactment of stringent narcotic control measures.

There is no basis in fact for the comments of the academy that the Bureau of Narcotics has defied court decisions and will not allow physicians to treat addicts. The Bureau of Narcotics states most emphatically that there is nothing in the Federal narcotic laws or regulations which prohibits a physician from treating an addict. The Supreme Court has ruled that dispensing of large amounts of narcotics to addicts without efforts to cure the addict is not proper professional practice. No decision has ever held otherwise. The American Medical Association and the National Research Council have, in a sense, defined "professional practice" in their joint statements condemning any system of treatment which places drugs in the hands of addicts for self-administration. These interpretations in no way prohibit efforts at treatment of addicts—they only limit the way in which treatment may be carried out. If a physician furnishes narcotic drugs to an addict "in the course of professional practice only," he is acting within the limits imposed by the law and regulation.

It is almost incredible that the authors of the academy report accuse the Bureau of Narcotics of advocating the so-called cold turkey method of withdrawal. This is simply not true and needs no further discussion.

Statements such as "addicts are not criminals but emotionally sick people" should not be completely accepted without qualification. We believe that many addicts are proper subjects for treatment and rehabilitative methods. Some of them may even be suitable persons to be extended leniency by prescribing a compulsory course of treatment rather than criminal sanctions. However, we cannot overlook the fact that gross psychotic disturbances are found among addicts. Many of them definitely are the aggressive, antisocial, and hedonistic individuals who could be characterized as having criminal traits. In fact it has been established quite conclusively that three out of four addicts had experienced criminal aberrations preceding their active entry on the illicit narcotic scene. Moreover, we do not see any reason for affording leniency to a person who causes another to become addicted or to a seller or smuggler of narcotics simply because he happens to be an addict.

840 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Supplying addicts with drugs on a maintenance dosage level will not reduce the traffic and certainly will not encourage those persons to strive for a more normal existence. Psychiatrists, who are experienced in managing addicts, doubt that there would be any great success in persuading addicts to undergo withdrawal and to engage in psychotherapy as long as drugs are available to them. In fact, a large majority of addicts are poorly motivated for treatment and any plan of furnishing maintenance dosage levels would encompass nearly all of the addict population. Moreover, the basically hostile and antisocial psychopaths would continue their criminal activities regardless of whether they are getting drugs from a physician or from an illicit trafficker. The American Medical Association and the National Research Council consider as inadequate and medically unsound the proposition that addicts be maintained on stable dosage levels.

The so-called British system could not operate effectively in the United States. Whether there are persons who could lead a useful and relatively normal life under the constant influence of narcotic drugs is certainly a matter for debate. There are several factors which the proponents of such a plan fail to take into account. There are substantial differences in England's racial composition, the migration, attitudes, cultures, social unrest, economy, mores, and social traditions which all play a very important part in the situation.

I am convinced beyond all doubt that the controls this country has placed over narcotics have greatly mitigated the problem. I abhor the thought of what the addiction problem might be in this country today if we had no legal control over narcotics. We must heed the lessons of history.

[Bulletin on Narcotics, v. 14, No. 2: Apr. 11-June 18, 1962]

CONTROL AND TREATMENT OF DRUG ADDICTS IN ISRAEL

(By Z. W. Jermulowicz, M.D., district psychiatrist, Tel Aviv district, and director of Government hospital for mental patients, Bat-Yam and Mag. A. Turnau, district pharmacist, Tel Aviv and central districts, Ministry of Health)

In the Western cultural sphere the problem of alcohol-containing beverages has constituted a major social factor for many hundreds of years. In view of the special effect of alcohol it is customarily served at social gatherings in order to raise the spirits of those assembled. This effect of removing psychological inhibitions and raising one's spirits entrains certain psychological problems in that weaker characters tend again and again to resort to alcohol and thus become alcoholics.

The main psychological factors leading to this state of affairs are:

- (a) The desire to overcome feelings of lack of security and inferiority;
- (b) The desire to suppress or mute feelings of guilt or neurotic anxieties;
- (c) The desire to forget personal worries and escape from the world of hard reality to a happier and more pleasant world of the imagination;
- (d) Sometimes also certain states of depression.

Accordingly, addiction to alcohol in all countries of Western culture is very widespread, while drug addiction is relatively less frequent, and is restricted mainly to people who became addicted as a result of physical illness or to certain bohemian circles in search of special stimulation as well as, to a certain extent, to members of the underworld, especially sexually perverted psychopaths (homosexuals, etc.).

Among the Muslim peoples, whose religion forbids the use of alcohol, the various intoxicating drugs constitute the same social factor as does alcohol among Western peoples. The psychological causes leading to habituation or addiction to drugs are similar to those mentioned with respect to alcohol. In the Far East the use of opium was until recently still very common. In the Middle Eastern countries the use of opium and hashish is almost as common, whereas in Egypt the most widely used drug is hashish, while opium is used to a lesser extent. It should be pointed out that the Jews living in these countries adapted themselves to the prevailing habits and customs (although the Jewish religion does not proscribe the use of alcohol). Many Jews acquired the habit of using drugs, especially hashish and opium, in their country of origin at an early age. Naturally they continue using these drugs day in, day out, even after their immigration to Israel.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 841

In Palestine, during the period of the British mandate until the end of the war of liberation of 1948, neither drugs nor alcohol constituted a social or medical problem among the Jewish population. Indeed there were some Jews, especially from among the locally born, who jointly with the Arabs smuggled drugs, especially from Syria to Egypt. Among these there were some who themselves used drugs. This collaboration continued undisturbed even during the Arab anti-Jewish riots. During the Second World War the smuggling of drugs increased considerably with the aid of soldiers of the various armies at that time stationed in the country and deriving a rich source of income from this activity.

On the establishment of the State of Israel in 1948, the Department of Pharmacy was set up within the Ministry of Health, headed by the chief pharmacist. In 1949 the three district pharmacists were appointed to assist the chief pharmacist in his various functions. They started to carry out the systematic supervision of the use of dangerous drugs. Thus the drug addicts who received their drugs through doctors' prescriptions and pharmacies were discovered.

The duties of the district pharmacies include control of the stock of intoxicating drugs in private and public pharmacies, pharmaceutical factories, hospitals, and drug supply departments. This control comprises prescriptions for such drugs and the keeping of special registers, as well as the actual stock inventory (including particulars of production, consumption, and losses). The pharmacists in Israel submit regular reports to the district pharmacists on the repeated use of intoxicating drugs by a given patient. At the health offices a card index is kept on such cases, including the name of the patient, his address, the names of the physicians who wrote the prescriptions, the kind and quantity of the drugs and the dates at which they were taken, as well as the diagnosis of the disease. Every drug addict sent to a hospital to be cured of his addiction is registered at the Pharmacy Department of the Ministry of Health, where all the data of the Ministry of Health concerning the use and production of intoxicating drugs and of registered drug addicts are concentrated. Physicians and persons belonging to various medical professions were discovered who were themselves drug addicts. Prescriptions which had been forged by drug addicts were found, and both doctors and pharmacists were discovered who supplied these wretched people with drugs for large sums of money. Some of the drug addicts were hospitalized in mental hospitals which did not dispose of special departments for their cure. With the establishment of the State on May 15, 1948, and the mass immigration from the Arab countries, the use of drugs steadily increased, so that the problem of drug addiction started to assume serious proportions in Israel. No appropriate means were available to overcome the problem. Hospital facilities for drug addicts were extremely limited owing to the shortage of beds in mental hospitals and the lack of a special institution dealing with the cure of drug addiction. Those addicts who succeeded in being hospitalized were kept together with mental patients. This caused a strong resistance against the very idea of hospitalization among part of the addicts. At the beginning of 1950 the first drug addicts from Middle Eastern countries were admitted to Israel mental hospitals. In the course of that year several such new immigrants were hospitalized who used opium, while one of them was addicted to injections of morphine. At a later period a further dozen or so of drug addicts were hospitalized, including two physicians and two nurses. Until 1953 about 70 drug addicts were registered at the various health offices in Israel which applied to us for help. The overwhelming majority were medical cases; namely, people who had become used to taking drugs in the course of a physical illness. Until then only a few of those whose source of supply came from the underworld (i.e., all those who obtained the drugs through smuggling and illegal trade) had applied to us. When they did come they were in a state of serious physical and mental breakdown, so that immediate assistance was essential. From all the above it transpires that the number of known drug addicts until that time was still limited. Since immediate hospitalization, as required in most cases, was impossible owing to the shortage of hospital beds, and so as to help the drug addicts themselves and save them as well as their families from economic disaster, in 1952 the Ministry of Health, after profound deliberation, decided to allocate to these addicts drugs at official prices through the district health offices until they could be hospitalized. The physician of the health office issued an appropriate prescription—in particular for morphine injections—to the addict, and the district pharmacist linked him to a certain pharmacy from which he could obtain his drugs.

842 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

This arrangement prevented the drug addicts from being exploited by criminal suppliers of drugs, thus saving them from impoverishment, moral deterioration, and the ruin of their families, as stated above. It may be said that the method of official allocations served a vital function and achieved the goals we had set ourselves with respect to addicts who did not belong to the criminal underworld. In the course of time, however, when drug addicts belonging to this underworld started using this system to their advantage, the method proved to be a failure. In view of the large gap between the official price of drugs, especially ampoules, and their price on the black market, which was 20 times the official rate, there is serious ground to suspect that the drugs allocated by us were sold by some of the drug addicts at a high price, for part of which they then bought unrefined opium or hashish.

From 1953 onward, a steady stream of drug addicts from the underworld started applying to us, pretending they were anxious to be cured while well knowing that we did not dispose of sufficient hospital space. Their sole purpose was to receive from us an allocation of drugs. Not only did they exaggerate their own demands, but they also sent us drug peddlers who simulated addiction so as to obtain drugs for purposes of trade and sale. These people used every means at their disposal to achieve their ends and obtain as large a quantity of drugs as possible. They did not hesitate to raise a scandal, to threaten the employees of the health office with knives, etc. It became a dangerous job to work at the health offices, to the extent that it was hardly possible to carry out the work properly and a constant police guard was required. The number of drug addicts registered at the various health offices constantly grew, soon reaching about 200 in number. A further unfavorable effect of the official allocation of drugs was that people who had hitherto used only opium started going over to morphine injections, a more severe and acute form of addiction. In the light of these grave developments the factors concerned, psychiatrists, the staff of the Health Ministry, public attorneys, a representative of the prison authorities and senior police officers, convened for urgent consultation. In the course of these conferences the general opinion was reached that a special institution for the treatment of drug addicts was required.

On the proposal of one of the present authors¹ it was decided to open a special department of 20 beds for the cure of drug addicts at the Government Hospital for Mental Patients at Bat Yam. The preparation for the opening of this department lasted from the end of December 1955 until May 1, 1956. In the interim stage until the registered drug addicts could be hospitalized the method of providing drug addicts with injections at certain hospitals was substituted for the system used hitherto of supplying them with the drugs. The addicts had to appear twice or three times every 24 hours at the hospital in order to get their injection. A considerable number of addicts from the underworld absolutely refused to be weaned of their addiction in hospital, when their allocation of drugs was of course immediately stopped. The decision to open a special department for the cure of drug addicts was a major fundamental turning point in the handling of the problem. The implementation of the decision, the formation and the management of the department were entrusted to the director of the Government Hospital for Mental Patients in Bat Yam. It was a difficult and daring venture for a man who lacked experience in the organization and running of a department of this kind. From the start it became obvious that the functions of this department were much wider than those of an ordinary psychiatric ward, and that weaning as such constitutes only one of the tasks, and not even the main one, of a department of this kind. We considered it our duty to assist the patients in making up for their defective education, to teach them a trade and care for their rehabilitation. Moreover, we intended to care for the transfer of the cured addicts and their families to new and healthier surroundings. We imagined that most cases would be new immigrants, and that even where they had been living in the country for a number of years they had not become sufficiently integrated into the social environment of Israel. We considered it part of the function of the department to bring them closer to Hebrew culture, to teach them our language, etc. We therefore applied to the Ministry of Education to set up a small seminar for the study of Hebrew at the department to include lessons in Hebrew and lectures on the geography, history, and culture of the country, etc. Two special courses were set up for the vocational training of addicts, one of which was for home maintenance, including plumbing and general repairs. The intention was that people without trade

¹ Dr. Z. W. Jermulowicz.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 843

qualifications would, after leaving our institution, be able to make a living for themselves and their families. It was agreed with the Ministry of Labor that suitable certificates be issued on completion of the course, enabling the cured addicts to find adequate work at their place of living or elsewhere, and that they be provided with bicycles and tools so as to facilitate their rehabilitation. It was obvious to us that we would not be able to keep these people at our institution for any length of time unless we provided a minimum livelihood for their families. The Ministry of Welfare promised financial support to the families of the hospitalized addicts in the same amount as allocated by the local welfare departments, as well as support and constructive aid to convalescents. The staff of the department was expanded, and in addition to a physician, a social worker and a psychologist were engaged. Considering goals we had set ourselves it was clear that the period of hospitalization should be at least 1 year.

In view of the prevailing state of affairs at the health offices and the special circumstances of the period as compared with the small number of beds available, we decided to limit the average period of hospitalization to no more than half a year. Unfortunately, we were not able even to keep up with this reduced demand, so that the average stay in hospital did not exceed 3 months.

One of the most serious problems we had to face during the preparatory period was the creation of an appropriate character and atmosphere for the department. Our goals were to a certain extent contradictory: on the one hand we wanted to assure strict adequate control of the patients, while on the other we intended to give them the greatest possible freedom of movement. As regards external circumstances the problem was easily solved. We set up the department in a separate pavilion which was closed on the outside, but provided full freedom of action and movement inside. The patients had at their disposal a spacious dining room, a dayroom which also served for group gatherings, a wireless set, a large number of newspapers and journals, a small special library, various games, including table tennis and sports appliances. We realized that even under such circumstances we would not be able to keep physically healthy and mentally alert people locked up for any length of time within the narrow confines of the department. We tried to provide the patients, under the supervision of male nurses, with suitable amusement such as trips to the sea in summer, short trips, and from time to time visits to the cinema or theater. While prior to the opening of the department the main stress had been laid on increasing the number of the personnel, we soon realized that physical force alone would hardly enable us to keep under control 20 or 30 people who mostly came from the underworld, with a criminal record and well versed in the use of both fists and knives. It is doubtful whether and to what extent even three to four times the number of staff at our disposal would have been able to maintain peace and order if such a course had been adopted. Hence from the very start we sought to create a spirit of cooperation and understanding among the patients and to a large extent relied on a system of self-government.

We set up a committee elected by the patients themselves, and indirectly tried to get some of the most difficult and undisciplined patients to sit on this committee. We were successful in establishing good relations with the patients and using the committee for our purposes. At a later period we got to such a stage that regardless of the number of male attendants, the committee maintained law and order and enforced the various rules and regulations on which it had resolved by itself with our consent and under our influence. It was customary for the patients' committee to receive each new addict on admission. The members of the committee persuaded him to obtain the required regulations at the department, to give his consent thereto and of his own free will to sign a pledge that he would stay at the institution for the period deemed necessary by the attendant physician. When after a certain time patients had to be given a short home leave, the members of the committee subjected them to a careful physical examination after their return to prevent drugs being smuggled into the hospital, the function of the nurses being merely to supervise such search. It happened that a patient did not return from home leave in time and then the members of the committee (who regarded themselves personally responsible for any leave granted) of their own initiative went to the man's home, accompanied by a sanitary officer, and returned him to hospital. At a joint meeting with the physician they also decided on punishments to be meted out for any breach of order or discipline which might have occurred. The most severe form of punishment consisted of a temporary transfer to another ordinary closed psychiatric ward. The committee was likewise responsible for

844 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

the execution of the punishment. In this way we managed to avoid any serious outbursts or disturbances. While a certain number of patients did escape, they usually returned of their own free will within a couple of hours.

THE TREATMENT OF DRUG ADDICTS AT THE DEPARTMENT

It was decided from the first that drug addicts should be transferred to their own special ward only after termination of the first stage of physical weaning under strict control in an ordinary closed ward together with psychotic patients. This arrangement yielded excellent results. In their desire to be transferred as soon as possible to their own special ward, which seemed much more pleasant and convenient, the addicts tried to cooperate even during this preliminary period of weaning. Our method was at once to discontinue the administration of drugs including sodium pentobarbital, right from the moment of admission. This was successful in the overwhelming majority of cases (95 percent). Only in some cases, where the patients suffered from a heart condition or disturbances of the blood vessels or where their physical condition was extremely poor, the use of drugs had to be stopped gradually over a period of several days. In some cases which had been used to large doses of sodium pentobarbital over a prolonged period of time, a sudden stoppage of the administration of this drug brought an epileptic attack after 10 to 14 days and hence we went over to a method of gradual discontinuation of this drug. As is known from the literature, a sudden stoppage of the administration of sodium pentobarbital might cause slight delirium, especially at night, which passes after several hours. In our practice, however, we have not encountered this phenomenon. In the course of our treatment it was noted that the symptoms of physical weaning were very slight in our patients, and sometimes lasted no more than a few days. It should be noted that among the long-habituated addicts who had been used to large doses over many years there were several who underwent the period of weaning without any physical symptoms whatsoever. The average time spent by the addicts in the closed psychiatric ward did not exceed a fortnight, and only a few of them spent up to 3 weeks in that ward. Our success as regards physical weanings is to our mind largely due to the use of Largactyl (Thorazin). This preparation was administered to our patients from the first day of hospitalization, and the dose was rapidly increased from 150 mg. to an average of 400-500 mg. per day. It is to be assumed that, thanks to the use of Largactyl, the vegetative symptoms of weaning (such as diarrhea, abdominal pains, colds, etc.) which in the past had been so obstinate, became surprisingly slight in our department. We are still able to recollect cases where the vegetative symptoms of weaning lasted in acute form from 20 days to several months. Now these symptoms appear in a slight form for 2 or 3 days, and slightly longer in rare cases. Only in one patient, an addict of long standing aged about 60 who also suffered from severe diabetes and vascular disturbances, the signs lasted about 3 weeks. We have learned that the abdominal pains are to a large extent psychogenic and that one single injection, even of aqua distillata, is sufficient to provide relief as long as the patient is convinced he received a morphine injection.

As against the physical weaning symptoms, the psychological symptoms were more protracted and expressed themselves in stress and internal unrest that lasted for several weeks. Maximum stress was noted during the third week of hospitalization, when the addicts used every possible means, sometimes even force, to try to obtain the drugs they craved for. They resorted to every possible trick—either by attempting to obtain leave or otherwise as far as actual escape from hospital—to fulfill their craving. During this period they complained of various symptoms: ringing of the ears, headaches, general weakness, rheumatic pains, etc. Most of these physical signs were represented as a repetition of symptoms from which they had suffered in the past. After the termination of the physical weaning stage, the medical work at the drug addicts' department consisted mainly of psychotherapy—i.e., talks with the patients. Apart from regular group sessions the physician in charge of the department spent almost his entire day in talks with individual patients, the patients' committee and their families. It was found that a separation between administrative and psychotherapeutic functions was desirable. The physician engaged on psychotherapeutic tasks should not concern himself with administrative matters, since this interferes with medical treatment and the required spirit of understanding and cooperation between doctor and patient. It should be pointed out that these numerous talks, mostly based on persuasion, gave surprisingly good results.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 845

Even though the psychological complexes of the patients were not resolved from a psychoanalytic point of view, a "group super ego" was formed. A favorable therapeutic atmosphere was created which was greatly enjoyed by the patients, who were extremely proud of their cooperation with the medical staff. Under this favorable atmosphere even neurotics calmed down and left our institution in a satisfactory and stable mental state. To quote an example: a young man of about 30, an invalid of the war of liberation, who suffered from severe feelings of guilt because he had caused his younger brother to come to Israel contrary to the wishes of his parents—where he fell in the war of liberation. During the first months of hospitalization this patient caused a great deal of difficulty. He was riddled with doubts as to the value of our treatment and failed to cooperate. At the beginning of his period of hospitalization he tried in despair to commit suicide. After being made a member of the patients' committee and taking an active share in the work of the department he gradually calmed down and left our institution in a satisfactory and stable mental condition. He has been working for several years as a clerk, to the satisfaction of his superiors, and to the best of our knowledge no longer uses drugs. Another case is that of a patient, likewise about 30 years old, a native of the country, who owing to a severe and complicated heart condition which he contracted after his release from the army spent many months in the internal departments of various hospitals, where he became addicted to pantopon. When he needed the drug he entered a state of excitation followed by conditions of asthma cardiac. This patient had learned to use the psychosomatic mechanism in order to provoke serious attacks of asthma, thus forcing us to administer pantopon injections even during his period of hospitalization at the department. We regarded him as a lost case as far as a cure from addiction was concerned, and during an attack transferred him to a general hospital, where he stayed for some time and continued to receive drugs. A week after his release from the general hospital he applied to us again, asking once more for hospitalization. Despite our misgivings we agreed. This time he showed full cooperation, took part in the work of the patients' committee, calmed down generally and was weaned of his craving for drugs.

So far 274 drug addicts have been hospitalized at the department, of whom 106 were recidivists. Thanks to the activities of our department we were able to stop the supply of drugs to addicts by the health offices, thus putting an end to the trading with these drugs and the cheating connected therewith. Now that most of the addicts registered at the health offices have undergone curative treatment and the health offices no longer supply such drugs, the pressure on the department has decreased, so that the average number of addicts hospitalized at present does not exceed more than four or six people at a time. Whenever a patient was released from our institution we endeavored to maintain an adequate followup treatment. The addict was invited for repeat examinations at an outpatient clinic attached to the Bat Yam hospital. It should be pointed out that only the more positive elements maintained contact with us over a longer period of time for purposes of medical control; others used to appear from time to time to obtain various kinds of social aid. The majority disappeared immediately or after a short time and were seen no more. The means at our disposal did not enable us to trace addicts who had discontinued their contacts with us. It is intended to improve contacts with ex-addicts who have left our institution, through public social nurses. At present we are expanding the services of the outpatient department attached to the Bat Yam hospital, which will assist in the accomplishment of the more comprehensive followup aimed at.

THE EXPERIENCE OF THE DRUG ADDICTS DEPARTMENT

Our experience in the treatment of drug addicts has taught us that the most toxic drug of these used in Israel is pethidine, which is manufactured locally under the name "Dolestine." In addition to all the symptoms of drug addiction it also provokes a toxic stimulation of the brain. When used for an extended period of time (1 year to a year and a half) this toxic reaction leads to epileptic seizures. In some of the pethidine addicts it was these seizures which drew attention to their disease and led to their hospitalization. The relatively least serious among the drugs used in Israel is hashish. The number of cases who require psychiatric treatment owing to the use of this drug is so small (less than one per thousand of hashish smokers) that it might be said that it does not constitute a medical problem in Israel. It was noted that in the over-

846 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

whelming majority of cases, hashish does not lead to addiction at all; nor does it produce signs of a "hunger," or craving after the drug. At the same time it is regarded as a kind of preparatory breeding ground for the use of other, more dangerous drugs.

It was noted that drug addicts of a higher standard of culture and intelligence (physicians, nurses, etc.) who appreciate the risks involved in the use of drugs and try to subsist on minimum doses, as far as possible avoiding any increase in the amount, have succeeded in continuing their work for many years without any serious hindrance. On the other hand we have found that primitive people of psychopathic character and a low standard of intelligence constantly increased the dose in a childish attempt to obtain the maximum pleasure. They furthermore tend to take the next dose before the effect of the previous one has worn off, in an exaggerated fear of the symptoms of drug "hunger." In this way they incur both physical deterioration and economic ruin within the short space of 1 to 1½ years. This was the state in which most addicts reached our institution. Most of them used to inject themselves intravenously with two ampoules of 0.02 gram each of morphine every 3 to 4 hours, and some even more. The average dose reached by the morphine addicts hospitalized in our department ranged from 8 to 12 ampoules of 0.02 gram morphine each per 24 hours. Some even exceeded this amount. Obviously, with such an exaggerated use of drugs, the addicts' entire care and attention was devoted to securing a sufficient supply of drugs, so as to avoid reaching a state of "hunger." In this state they are prepared to commit any and every act of forgery or theft, including breaking into pharmacies so as to obtain their drugs.

While we were successful in the physical weaning of the hospitalized addicts, we were less successful in the reeducation and rehabilitation of the patients. The reason for this lay in the fact that 98.5 percent were of clearly psychopathic character, of whom 90 percent were primitive people with the lowest possible standard of education, about 80 percent stemming from the underworld. Forty-three people reported being without a profession. These were obviously underworld characters, many of them pimps and brothelkeepers with a rich criminal past who had been imprisoned more than a dozen times for various offenses, both in Israel and abroad.

However, even those who presented themselves as belonging to various trades (port workers, tailors, porters, electricians, etc.) usually engaged only partly in their actual trade, being in one measure or another connected with the underworld. The most difficult to handle from an educational point of view were the unqualified illiterates who in their country of origin had become used to opium since the age of adolescence (16 to 18). Some of them had been using this drug for 20 to 30 years. Especially among the underworld characters there were many who were completely disinterested in learning a trade. Some of them earned a considerable amount of money without doing any work, as pimps. In people of this kind it is naturally difficult to awaken the desire to learn a trade or do any productive work whatsoever. Another sector that presented difficulties were those over the age of 45, who had never done any creative work in all their lives. Even in their country of origin they had been peddlers and the like, and were not prepared to change their way of life. A third much smaller group were those who did not need any vocational rehabilitation (doctors, nurses, clerks, a writer, etc.). It is encouraging to note that the patients did not include a single adolescent, either from among working youth or students.

THE RESULTS OF THE TREATMENT

A year after the concentrated effort at stopping the allocation of drugs by the health offices we were still convinced that we had achieved a stable cure of close to 20 percent of all hospitalized cases. About a year and a half after the treatment we still estimated the percentage at 15 percent. From then on this rate started to decline rapidly, and by now, after about 5 years have elapsed, we may state with certainty that those who have failed to relapse constitute no more than 2 to 3 percent.

CONCLUSIONS

It was found that a special department for drug addicts within the scope of a general mental hospital constitutes a disturbing and foreign element within the hospital.

The treatment of drug addicts requires an extremely strict discipline and general approach. This contradicts the liberal attitude prevailing at present in

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 847

mental hospitals with respect to psychotic patients. It is obviously extremely difficult to adopt a twofold policy in one and the same hospital. Keeping the difficult human material represented by drug addicts from the underworld within the framework of a hospital ward, with all the dangers involved (organized breakouts, escapes, smuggling of drugs, attacks on female patients, etc.) constitutes a constant physical and mental strain for the entire personnel. The running of such a department constitutes a constant source of worry for everyone concerned at the hospital. It was felt that we were unable to maintain it permanently in the form given to the ward during the period of the "antidrug campaign" when a concentrated effort was made to stop the allocation of drugs. A further conclusion was that the treatment of drug addicts of a psychopathic character requires a hospitalization period of from 3 to 5 years in special institutions. The actual hospital is able to carry out merely the first phase of treatment (physical withdrawal and diagnosis of the personality in a mental hospital for a period of 4 to 6 weeks). Afterward drug addicts should be dealt with according to the psychological findings, according to which they divide into:

(a) Those whose chances of treatment of any kind are very slight in view of their severely antisocial psychopathic character. In case of any clash with the law their place is in prison.

(b) The large majority of drug addicts of psychopathic character who after a period of physical weaning should be transferred to a special institution of the nature of a work camp or a farm, far removed from any major community. There they should be kept under strict supervision by court order for a period of 3 to 5 years or for an unlimited period of time, with a possibility of release at the decision of a legal psychiatric commission.

(c) A small group of people, including members of the free professions and particularly those who became addicted as a result of physical illness. These should stay in hospital for a protracted period for both physical and psychological treatment. These include clearly neurotic cases which require psychotherapy that should be continued on an ambulatory basis also after their release from hospital for a prolonged period.

It is well known that the results of treatment against drug addiction are far from satisfactory all over the world. They are all the more disappointing in Israel, where apart from the small department at the hospital for mental patients in Bat Yam there are no other alternative institutions whatsoever for the treatment of persons of psychopathic character in general and drug addicts in particular. It is therefore obvious that curative action in Israel is quantitatively extremely restricted and that for these reasons the time of treatment is likewise limited. Consequently, therapeutical medical activities are confined mainly to physical withdrawal and superficial brief psychotherapeutic treatment. In the overwhelming majority of cases there is no possibility of providing basic psychotherapeutical treatment or proper reeducation. It is thus clear that all our efforts must be directed toward stopping the spread of the evil of drug addiction and its prevention.

THE USE OF THE VARIOUS DRUGS IN ISRAEL

This country has always constituted a transit route for the traffic of drugs among the neighboring countries. Smuggling of the various drugs through Palestine is a regular occurrence, and part of these drugs remain in the country for local use. Among the drugs employed by the addicts registered with us the first place is taken by hashish, followed by opium, heroin, morphine, and pethidine. We have not met with any cocaine addicts.

Cases of addiction to amphetamine are very rare. Throughout the years we have encountered only three or four such cases. Lately the use of sodium pentobarbital tablets has become widespread. It serves as an addition to other drugs and as a substitute for other more expensive drugs which are sometimes difficult to obtain. About 45 percent of addicts used this drug in tablets of 0.1 gram up to 20 tablets per day (4 to 6 tablets at a time). It is a typical phenomenon in Israel that drug addicts from amongst the underworld use any kind of drug they can lay their hands on, from opium and morphine down to heroin and sodium pentobarbital tablets. Among those who are addicted to synthetic drugs, such as pethidine and amidone, there is a relatively high percentage of physicians and medical workers, while the members of the underworld in Israel neither know of nor use these drugs.

848 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

THE PRESENT SITUATION

At present there are some three hundred drug addicts to all the various drugs registered at the health offices in Israel. These include almost all medical cases who started using drugs as a result of a physical illness and obtain them through doctors' prescriptions (about 25 percent) as well as the members of the underworld who applied to us either in consequence of a severe crisis or were sent to us by the police or else registered at the time in order to obtain drugs at the official price. The distribution by age of the drug addicts registered at the health offices is as follows:

Age:	Percent
20 to 30.....	20
31 to 40.....	35
41 to 50.....	15
51 to 60.....	25
Over 60.....	5
Total.....	100

Among the addicts discovered in 1960 there is a shift increasing the 20- to 30-year age group to 30 percent; on the other hand the 51- to 60-year age group has decreased to about 12 percent. The number of female addicts is relatively small, not exceeding 10 percent at most, of whom about 60 percent belong to the 20- to 40-year age group.

Furthermore, about 2,200 persons are known to the Israel police, against whom police files were opened in connection with drugs in the course of the years under review. Part of these are drug peddlers, while most of them are users. This number also includes persons who smoke hashish. A number of addicts who applied or were directed to the health offices appear in the registers both of the police and the health offices, so that the total is about 2,300 to 2,400, constituting $1\frac{1}{2}$ per thousand of the total Israel population. Persons who smoke hashish are generally not registered at the health offices, but only those who are addicted to more dangerous drugs, such as opium, morphine, heroin, pethidine, etc.

In the fight against drug addiction there exists the fullest cooperation between physicians, pharmacists, and the health authorities. Whenever an addict is discovered, he is registered at the health office. His anamnesis is taken by a team consisting of the medical officer of the health office and the district pharmacist, whereupon he is transferred to the care of the district psychiatrist.

According to the Law for the Treatment of Mental Patients published in Israel in 1955, the country, from a psychiatric point of view, is divided into three zones, each headed by a district psychiatrist. The function of the district psychiatrist is to exercise control over all Government psychiatric institutions, as well as the public and private institutions, within his zone, and to provide for the required hospitalization of mental patients. He is entitled by law to hospitalize mentally sick persons even against their own will if they constitute a danger to their surroundings or to themselves. The existing law makes no mention at all of the terms "drug addict" or "drug addiction." This constitutes a major obstacle in the hospitalization of drug addicts against their will and even more so in keeping them in a closed institution for a protracted period of time otherwise than on a voluntary basis. While as long as the addict is actually intoxicated by drugs he may be regarded as a mentally sick person, this is by no means the case after the preliminary period of withdrawal. It should be noted that not a single addict has been hospitalized against his own free will at the order of the district psychiatrist. From a legal point of view a drug addict may receive treatment at any open or closed psychiatric institution or even with a private physician. Experience has shown that the treatment of drug addiction is feasible only in a closed institution and over a protracted period of hospitalization. All ambulatory treatments or treatments in open institutions have generally proved useless. Since according to the Dangerous Drugs Ordinance in force in Israel a physician is not allowed to supply dangerous drugs to a patient, and may prescribe them only for purposes of bona fide treatment, a private physician treating a drug addict might come into conflict with the law if he yields to the demands and pressure of his patient.

Since the Government Hospital for Mental Patients at Bat Yam has, since 1956, constituted the center for the treatment of drug addicts in Israel, all addicts in need of hospitalization are directed by the health offices or the other district

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 849

psychiatrists to the district psychiatrist of the Tel Aviv zone which comprises the hospital in Bat Yam). The addicts are examined at the outpatients' clinic of the Bat Yam hospital either by the district psychiatrist himself or by a psychiatrist authorized for this purpose.

According to this examination it is determined whether hospitalization is of immediate urgency, when the addict is admitted immediately of his own free will, or whether hospitalization may take place at a later date. Of those addicts who have so far agreed to appear for examination no one has refused to enter the hospital for treatment. Even where admission has to be postponed, no allocation of drugs is made except in isolated instances where there is a clear medical indication in this respect in view of the physical condition of the addict.

Opinions are divided as to whether the problem of drug addiction in Israel has by now passed its peak or not. Developments during the next few years will depend on the nature of immigration to the country. With increased immigration from oriental countries the number of addicts is certainly likely to increase for a certain time. On the other hand, since there is a large measure of identification among oriental youth in Israel with Jews of Western European origin and their way of life, and since drug addiction among European Jews is negligible, the risk of any large-scale spreading of drug addiction is thus eliminated. It is interesting to note that none of the children of drug addicts brought up in Israel has become addicted.

By a comprehensive control of pharmacies and doctors' prescriptions, practically all medical cases of drug addiction are known to us, and their number is not very great. Drug addiction in Israel has thus become fundamentally a social problem among those who procure their drugs illegally. If we succeed in restricting the illicit trade in drugs—and most energetic steps are being taken in this direction—and if, in the course of time, we manage to localize the focuses of this evil, we shall be able to prevent the spreading of the problem.

The problem of drug addiction should be compared to the problem of alcoholism. While the problem of alcoholism is practically nonexistent in Israel, the problem of drug addiction does exist to a certain extent. From the point of view of the state it hardly matters which means are adopted by part of the population in order to arrive at a state of physical and economic ruin. There are countries, and particularly those of a high cultural level, where alcoholism constitutes a most serious social evil causing a considerable rate of invalidity toward middle age, with chronic cases of liver disease, gastritis, polyneuritis, delirium, etc. Alcoholics are always hospitalized on a background of physical illness or pronounced mental disturbances. Such is not the case with respect to drug addicts. We have found that drug addicts applied to us in low physical condition mainly because of lack of an adequate diet, but not because of any real illness resulting from the use of the drugs themselves. Some of them wanted to be hospitalized because they were unable to obtain their drugs (usually owing to lack of funds) or because of the pressure exercised on them on the part of their family, or in order to evade punishment when faced with a criminal suit for some offense or another. There are also quite a number who want to be weaned of the large doses to which they have become habituated in order afterward to start anew with smaller doses. We have noted that drug addiction leads to economic ruin at a much faster rate than alcoholism. The addict turns into an asocial element ruining the life of his family by his craving for the drug. The dependence on drugs is much greater than the dependence on alcohol. On the other hand, in the case of alcoholics who submit to treatment owing to physical complications the damage is, as a rule, too far gone to be completely cured and only limited improvement is possible. Not so in the case of drug addicts: even those who are admitted in an extremely low physical condition are completely healed in this respect within a relatively short period of 2 to 3 months, and leave the institution as physically and intellectually healthy persons even after a most extended use of drugs, over many years.

THE MEANS ADOPTED IN ISRAEL TO PREVENT THE SPREAD OF DRUG ADDICTION AND PLANS FOR THE FUTURE

Steps are being taken to achieve closer cooperation among all those concerned with the control of dangerous drugs, with addicts and the treatment of drug addiction; the various divisions of the Ministry of Health, the police, and the law courts. It is thus intended to intensify the fight against drug peddlers, middlemen, and drug salesmen in restaurants and various places of entertainment. Much heavier punishments are imposed for offenses against the dangerous drugs

850 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

laws and long periods of imprisonment are ordered in this connection by the local courts. Severe measures must also be taken against the pimps in this connection, since they are one of the factors leading to the spread of drugs and addiction. Strict control is maintained over the sale of drugs, including preparations containing sodium pentobarbital, and energetic steps are being taken (as mentioned above) by the Israel police in combating the trade and use of illegal drugs. Adequate instruction and publicity activities are carried out among physicians and pharmacists in order to reduce the supply of drugs to the minimum. A proposed amendment of the law is under examination with a view to introducing special prescriptions for dangerous drugs bearing the seal of the Ministry of Health. If this amendment is passed we hope that it will contribute toward reducing the number of prescriptions for such drugs so as to prevent to some extent the danger of addiction.

Our entire experience has taught us that the principal stress must be laid on the prevention of drug addiction, since psychological weaning of drug addicts depends on so many factors that its chances of success are hardly favorable.

[From the *Lancet*, London, Mar. 21, 1964]

OPIATE ADDICTION

The Interdepartmental Committee on Drug Addiction,¹ which reported in 1961, based its advice to the Minister of Health on official statistics which ran to the end of 1959 (the yearly figures quoted in the report are, in each case, those for 1 year earlier). After 4 years, there are good reasons for thinking that the problem of addiction is now more grave.

The committee's main conclusions were: (1) that "the incidence of addiction to drugs controlled under the Dangerous Drugs Act, 1951, is still very small, and traffic in illicit supplies is almost negligible, cannabis excepted. This is mainly due to the attitude of the public and to the systematic enforcement of the dangerous drugs legislation"; (2) that "the departmental arrangements insure that nearly all addicts to dangerous drugs are known"; and (3) that "addiction should be regarded as an expression of mental disorder, rather than a form of criminal behavior." With the last point there will be general agreement; and the incidence of addiction in this country is probably still rightly described as small. But then the reservoir of infection at the start of any epidemic is small. And it is clear that the number of addicts is, at the moment, increasing, and increasing rapidly; and the pattern of addiction also seems to be undergoing a disquieting change. Comparing successive yearly reports to the United Nations by Her Majesty's Government,² it is seen that the yearly number of new cases of addiction has risen from 90 in 1957 to 169 in 1962, and totals 728 in these 6 years. Although many cases may have been dropped (as inactive) from the Home Office index within this period, the proportion of recidivists amongst new addicts is only about 7 percent. The number of addicts known in 1957 was 359, and so, at the beginning of 1963, the number of people in the country at large who had had periods of addiction within the previous 5 years cannot have been appreciably less than 1,000. Even this figure is probably too small by about half. Many people with wide experience of this subject believe that it takes at least a year before an addict is listed through the rather ponderous police and regional medical machinery. Experience also suggests that a large number of addicts request a prescription for at least 4 times their own need. The doctor may divide this amount by 2 in the belief that he is calling the bluff, but this still leaves the addict enough to support at least one "friend" whom he maintains in his habit, and may indeed have introduced to it in the first place. Taken together, these indications point to a potential reservoir of addictive illness in Britain of probably not much less than 2,000. Allowing for differences in population size as well as definition, the problem is only a fifth the size of that in the United States of America; but this is small matter for congratulation.

¹ Report of the Interdepartmental Committee on Drug Addiction. H. M. Stationery Office, 1961.

² Reports to the United Nations by Her Majesty's Government on the working of the international treaties on narcotic drugs, 1957-62.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 851

The total number of addicts remained about the same in 1958 and 1959 (442 and 454); yet the numbers of cases removed from the index in these years were respectively 21 and 118. Of these, 11 were "cured" in 1958 and 10 died; in 1962, 61 were cured, 34 died and 12 "disappeared." The increased cure rate may be due to a change in definition, but it is hard to account for the disquieting increase in deaths.

Three further notable facts emerge from the reports.² Firstly, in 1958, about 80 percent of all cases had initially become addicted from medical causes; in 1962, this proportion had fallen to under 60 percent. Secondly, in 1959, only 11 percent of addicts were under 34 years of age; in 1962 this proportion had doubled (3, indeed, were under 20). Thirdly, in 1957, 43 out of 359 addicts indulged in mixed habits (morphine and pethidine, for example); in 1962, 148 out of 532 did so. The increase of 105 is almost exclusively due to the increase in "H and C"—the simultaneous intravenous injection of heroin with cocaine. Ninety-eight people had apparently learned to do this in 5 years, although the numbers taking heroin alone or cocaine changed little; 52 and 3, respectively, against 63 and 5. Of course, it is not absolutely certain from the figures that almost all the younger addicts are "nontherapeutic," and taking H and C; but this is the simplest hypothesis, because the number of drug users in all the other categories would have had to change widely for an alternative explanation to be tenable.

The problem of opiate addiction is thus certainly more serious now than it was in 1961, and it will grow still further if nothing is done. What can be done? The recommendations¹ of the Brain Committee declared: "compulsory committal of an addict to [a suitable] institution is not desirable"; "the establishment of specialized institutions * * * is not practicable. Initial treatment of an established addict is best undertaken in the psychiatric ward of a general hospital"; "a system of registration of addicts would not be desirable or helpful"; "a doctor should obtain a second medical opinion before deciding to prescribe a dangerous drug for a lengthy period; and should give only a limited supply * * * to a patient temporarily under his care in the absence of a letter from the patient's own doctor"; "student instruction * * * is generally adequate" but "the essential features of the Home Office memorandum on dangerous drugs could be presented in a more readable form. It should be sent to all doctors in practice"; "further statutory powers to control new analgesic drugs are not needed at present * * * any drug likely to be addictive should be tested for this possibility at the instance of the manufacturers before release." The implication is that students and doctors now know more about the dangers of addiction than they did (the declining incidence of addiction in medical practitioners supports this); but few practitioners are taught as students, or later, how to deal with addicts; and the Home Office memorandum has not yet been reshaped. A great many general practitioners have never seen an addict—though they seem more likely to do so in the future. For this reason, therefore, and because the Committee believed that "long-term results of the treatment of addiction appear to be disappointing" and "the information available is limited," the argument against setting up specialized treatment centers seems less tenable now than it was in 1961.

Again, it may be time to replace the Home Office file, laboriously and inconsistently compiled with police help, by a proper register, based on information statutorily required from the practitioner. After all, the problem is recognized in this country to be medical and not criminal, and it might therefore be advisable to give the responsibility for maintaining such a file to the Ministry of Health.³ But whoever is responsible, it should be open 24 hours a day for the transfer of confidential information in either direction. If addiction became a notifiable disease, it would be less necessary for the addict to carry a "license," as is sometimes proposed; he would be discouraged from collecting prescriptions under a variety of names, and the number of prescriptions written in excess of needs would be reduced.

Another proposal may be worth discussing. The addict, particularly in the early stages of his weaning, is particularly prone to relapse;⁴ and this may justify committing him, if only once, under section 26 of the 1959 Mental Health Act. Such committals could also be recorded on the central register, and would absolve addicts from further treatment of this kind after a specified number of failures, unless they voluntarily sought it.

² Baker, A. A., *Lancet*, 1963, II, 946. See also Stungo, E. *ibid.*, p. 1386.

⁴ Volkman, R., Cressey, D. R., *Amer. J. Sociol.*, 1963, 69, 129.

852 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

[Circular No. 25]

POLICE DEPARTMENT,
CITY OF NEW YORK,
OFFICE OF THE POLICE COMMISSIONER,
New York, June 26, 1964.

INSTRUCTIONS TO MEMBERS OF THE FORCE CONCERNING THE "STOP AND FRISK"
(CHAPTER 86) AND "NO KNOCK" (CHAPTER 85) LAWS

Two new statutes, with major impact on police authority, become effective in New York State on July 1, 1964.

These laws, if properly utilized, can be of considerable aid in safeguarding our communities. Their passage resulted in part from the combined strenuous efforts expended by New York State's various law enforcement agencies. As is the case with all other law enforcement powers, whether or not these sorely needed enactments will withstand the attacks that will be made upon their constitutionality, and will stand as laws upon the books of this State, will depend in large measure upon the fashion in which they are carried out. They should be enforced with full recognition that their purposes are to protect the community, while simultaneously protecting and treating fairly all persons in it.

Every member of the force has the responsibility of seeing to it that the powers conferred by these new statutes are used to further those purposes for which they were enacted. Some guidelines for proper conduct pursuant to these statutes are set forth herein:

I. THE "STOP-AND-FRISK" LAW (CHAPTER 86, LAWS OF 1964)

The new statute, which becomes § 180-a of the Code of Criminal Procedure, provides as follows:

§ 180-a. Temporary questioning of persons in public places; search for weapons.

1. A police officer may stop any person abroad in a public place whom he reasonably suspects is committing, has committed, or is about to commit a felony or any of the crimes specified in section 552 of this chapter, and may demand of him his name, address, and an explanation of his actions.

2. When a police officer has stopped a person for questioning pursuant to this section and reasonably suspects that he is in danger of life or limb, he may search such person for a dangerous weapon. If the police officer finds such a weapon or any other thing the possession of which may constitute a crime, he may take and keep it until the completion of the questioning, at which time he shall either return it, if lawfully possessed, or arrest such person.

A. General principles

1. The new law does not permit an officer to stop just any passer-by and search him, nor does it allow the search of any person merely because he has a criminal record.

2. The new law does not permit the stopping and searching of any person found in the vicinity of a crime scene, merely because he happens to be there.

3. The new law does not dispense with the need for adequate observation and investigation, depending upon all the circumstances, before a stop is made.

4. No officer should stop anyone, under the new law, unless he is prepared to explain, with particularity, his reasons for stopping such person.

5. No officer should stop anyone, under the new law, unless the crime he reasonably suspects is a felony or one of those misdemeanors listed in § 552 of the Code of Criminal Procedure.

6. When a person is stopped under the new law, the officer—if not in uniform—must properly and promptly identify himself to the person stopped.

7. Not everyone stopped may be searched; searches are only permitted when the officer reasonably suspects that he is in danger.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 853

8. The right to stop provided in the new law in no way changes the previously existing authority of an officer to make an arrest without an arrest warrant, as provided by § 177 of the Code of Criminal Procedure. The new rights to stop and to search, as defined in the new statute, are separate and distinct from the established right to arrest, as provided by existing law, and to make a complete search incident to such arrest.

9. Whether or not an arrest follows a stopping under the new law, whenever any force is used in stopping the suspect, or whenever any frisk or search is made, a written report shall be made to the officer's superior officer. Form for such reports, together with instructions for their use, will be distributed with separate orders.

B. The right to "stop"

1. "stop": The new statute gives the officer the right to stop a person under the indicated circumstances. If the suspect refuses to stop, the officer may use reasonable force, but only by use of his body, arms, and legs. He may not make use of a weapon or nightstick in any fashion. (Of course, if there is an assault on the officer or other circumstances sufficient to justify an arrest, the officer may use necessary force to effect that arrest.)

2. "abroad in a public place":

(a) For the purposes of practical enforcement procedures, this phrase is viewed as being restricted to public highways and streets, beaches and parks (to include outdoor facilities open to the public even though privately owned), depots, stations, and public transportation facilities.

(b) For the purpose of practical enforcement procedures, this phrase is viewed as not including the public portions of private buildings such as hotel lobbies, moving picture theaters, licensed premises, etc.

(c) Definitions of the words "public place" as found in other laws, such as those dealing with disorderly conduct, are not to be substituted for the strict definition of "abroad in a public place" as outlined above.

3. "whom he reasonably suspects":

(a) The words "reasonably suspects" are not to be lightly regarded; they are not just an incidental phrase; they have real meaning. "Reasonable suspicion" is clearly more than "mere suspicion." At the same time it is something less than "reasonable ground for believing" that a crime is being committed, as is necessary for an arrest.

(b) No precise definition of "reasonable suspects" can be provided, other than that it is such a combination of factors as would merit the sound and objective suspicions of a properly alert law enforcement officer, performing his sworn duties. Among the factors to be considered in determining whether or not there is "reasonable suspicion" are:

- (i) The demeanor of the suspect.
- (ii) The gait and manner of the suspect.
- (iii) Any knowledge the officer may have of the suspect's background or character.
- (iv) Whether the suspect is carrying anything, and what he is carrying.
- (v) The manner in which the suspect is dressed, including bulges in clothing—when considered in light of all of the other factors.
- (vi) The time of the day or night the suspect is observed.
- (vii) Any overheard conversation of the suspect.
- (viii) The particular streets and areas involved.
- (ix) Any information received from third persons, whether they are known or unknown.
- (x) Whether the suspect is consorting with others whose conduct is "reasonably suspect."
- (xi) The suspect's proximity to known criminal conduct.

(This listing is not meant to be all inclusive.)

(c) "Reasonable suspicion" of any crime at all does not afford a basis for stopping under the new law; there must be reasonable suspicion that the suspect is committing, has committed, or is about to commit either any felony or one of

854 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

those misdemeanors enumerated in § 552 of the Code of Criminal Procedure. (These misdemeanors are weapons crimes, burglar's tools, receiving stolen property, unlawful entry, escape, impairing, carnal abuse, indecent exposure, obscenity and other indecency provisions, sodomy, rape, narcotics, amphetamines, and hypodermic needles.) Suspicion of disorderly conduct, an offense, is not for the purpose of practical enforcement procedures a basis for stopping.

C. The right to "question"

1. No questions are to be asked until the officer has, either by being in uniform or by showing his shield and stating he is a police officer, identified himself.

2. Promptly thereafter, the suspect should be questioned (and frisked, when appropriate) in the immediate area in which he was stopped.

3. Should the suspect refuse to answer the officer's questions, the officer cannot compel an answer and should not attempt to do so. The suspect's refusal to answer shall not be considered as an element by the officer in determining whether or not there is a basis for an arrest.

4. In ascertaining "his name" from the suspect, the officer may request to see verification of his identity, but a person shall not be compelled to produce such verification.

5. If the suspect does answer, and his answers appear to be false or unsatisfactory, the officer may question further. Answers of this nature may serve as an element in determining whether a basis for arrest exists. (But if an officer determines that an answer is "unsatisfactory" and relies upon this in part to sustain his arrest, he should be able to explain with particularity the manner in which it is "unsatisfactory.")

6. If, after he has been stopped and the officer has identified himself, the suspect attempts to flee from the officer, this fact may be an element in determining whether a basis for arrest exists. However, the officer should not resort to the use of a weapon or other extraordinary means to stop the flight unless he has information which now leads him to reasonably believe that the suspect has committed a felony.

D. The right to "search"

1. Clearly no right to search exists unless there is a right to stop.

2. Nor is a search lawful in every case in which a right to stop exists. A search is only justified under the new law when the officer reasonably suspects that he is in danger. This claim is not to be used as a pretext for obtaining evidence. In instances in which evidence is produced as a result of a search, the superior officers, the prosecutors, and—it is anticipated—the courts, will scrutinize particularly closely all the circumstances relied upon for justifying the stopping and searching.

3. No search is appropriate unless the officer "reasonably suspects that he is in danger." Among the factors that may be considered in determining whether to search are:

(a) Nature of the suspected crime, and whether it involved the use of a weapon or violence.

(b) The presence or absence of assistance to the officer, and the number of suspects being stopped.

(c) The time of the day or night.

(d) Prior knowledge of the suspects' record and reputation.

(e) The sex of the suspect.

(f) The demeanor and seeming agility of the suspect, and whether his clothes so bulge as to be indicative of concealed weapons.

(This listing is not meant to be all inclusive.)

4. Initially, once the determination has been made that the officer may be in danger, all that is necessary is a frisk—an external feeling of clothing—such as would reveal a weapon of immediate danger to the officer.

5. A search of the suspect's clothing and pockets should not be made unless something is felt by this frisk—such as a hard object that feels as if it may be a weapon. In such event, the officer may search that portion of the suspects' clothing to uncover the article that was felt.

6. If the suspect is carrying an object such as a handbag, suitcase, sack, etc. which may conceal a weapon, the officer should not open that item, but should see that it is placed out of reach of the suspect so that its presence will not represent any immediate danger to the officer.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 855

E. An example

An example may help to illustrate. Assume that a mugging has just occurred. The officer questions the victim. She says that her pocketbook was taken and she gives a description of the suspect stating, among other things, that he is about 6 feet tall and was wearing a brown leather windbreaker. While the victim is receiving medical treatment, the officer starts a search of the area. He sees a man hurrying down a dark street. The man's hand is clutching at a bulge under his brown windbreaker, and he glances back at the officer repeatedly. The suspect meets the description of the perpetrator except for one discrepancy: he is only five feet tall.

The officer does not have reasonable grounds to arrest the suspect for his description is clearly inconsistent with the victim's estimate of the perpetrator's height. However, from the officer's experience he realizes that victims of crime, in an excited condition, often give descriptions which are not correct in every detail. Although he lacks reasonable grounds to make an arrest, from all of the circumstances the officer "reasonably suspects" that the man he has spotted has committed the crime. Under the new law, the officer may stop this person, and may ask for his identification and an explanation of his actions. And because the crime involved violence and the suspect's windbreaker seems to conceal unnatural bulges, a frisk may be in order.

II. "THE NO-KNOCK" LAW. (CHAPTER 85, LAWS OF 1964)

The new statute amends section 799 of the Code of Criminal Procedure, which will read as follows:

Section 799. Officer may break open door or window to execute warrant. The officer may break open an outer or inner door or window of a building, or any part of the building, or any thing therein, to execute the warrant, (a) if, after notice of his authority and purpose, he be refused admittance, or (b) without notice of his authority and purpose, if the judge, justice or magistrate issuing the warrant has inserted a direction therein that the officer executing it shall not be required to give such notice. The judge, justice or magistrate may so direct only upon proof under oath, to his satisfaction, that the property sought may be easily and quickly destroyed or disposed of, or that danger to the life or limb of the officer or another may result, if such notice were to be given.

A. General principles

1. Seeking to dispense with the usual notice requirements when executing search warrants should be the exception, not the rule. Stereotype forms should not be prepared that might encourage too ready use of this extraordinary procedure. When it is to be used, it should be upon carefully drafted papers.

2. The facts relied upon as indicating that "the property sought may be easily and quickly destroyed or disposed of, or that danger to the life or limb of the officer or another may result if such notice were to be given" should be spelled out in detail in the affidavits.

3. Every application for this type of search warrant should have the endorsement or approval of a superior officer, who must be satisfied that the case is of sufficient significance to justify this procedure, and that the danger or risk of destruction is soundly anticipated. In addition, wherever practicable, the superior officer of the officer making the application for this type of warrant shall accompany the officer to court and be present when the application is made to the Judge. Notation of this fact shall be made on the copy of the affidavit filed in the command.

4. When it is permitted, unannounced entry should be made with the least disruption possible. Often a passkey or the help of a superintendent may assist an officer to enter the premises with a minimum of disturbance. Every action possible should be taken to allay the fears of the occupants of the premises, or others, which may be occasioned by an unannounced entering.

5. Copies of all affidavits and court orders should be filed in the office or command of the executing officer.

6. Instructions for reporting on search warrants under revised section 799 C.C.P. will be published in separate orders.

MICHAEL J. MURPHY,
Police Commissioner.

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

856 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

ANALYSIS—NARCOTIC DRUG USERS ARREST, NEW YORK CITY, 1963 TO 1962

NARCOTIC AND DRUG USERS, COMPARED TO TOTAL ARRESTS, NEW YORK CITY,
1963 TO 1962

In 1963 there were a total of 206,248 arrests for all crimes compared to 207,615 arrests in 1962, a decrease of 1,367. Despite the decrease in total arrests, arrests of persons who are narcotic users increased to 14,345 in 1963 from 13,670 in 1962, an increase of 675 users.

In 1963 narcotic users made up 7 percent of the total persons arrested, while in 1962 narcotic users made up 6.6 percent of the total persons arrested.

Total juvenile arrests (under 16 years) decreased to 12,749 in 1963, from 13,727 in 1962, a decrease of 978 arrests; arrests of juveniles who are narcotic users decreased from 41 in 1962 to 36 in 1963, a decrease of 5 users.

Narcotic and drug users, compared to total arrests, New York City, 1963-62

	1963			1962			1963-62 comparison		Users, percent increase or decrease versus arrests
	All arrests	Narcotic users	Percent of arrests	All arrests	Narcotic users	Percent of arrests	Arrests, number increase or decrease	Users, number increase or decrease	
Felonies.....	45,837	5,019	10.9	41,950	4,536	10.8	+3,887	+483	+0.1
Misdemeanors and offenses in sec. 552 Code of Criminal Procedure.....	13,805	6,139	44.5	13,653	5,860	42.9	+152	+279	+1.6
Other misdemeanors and offenses.....	130,480	2,970	2.3	135,513	3,015	2.2	-5,033	-45	-.1
F.O.A.'s.....	16,126	217	1.3	16,499	259	1.6	-373	-42	-.3
Total.....	206,248	14,345	7.0	207,615	13,670	6.6	-1,367	+675	+ .4

Source: Statistical and Records Bureau, Joseph P. Driscoll, inspector, Feb. 4, 1964.

NARCOTIC AND DRUG USERS, BY TYPE USED, NEW YORK CITY, 1963-62

Heroin accounted for 93.4 percent of the specific types used by narcotic users arrested in 1963, and 94.4 percent of all used in 1962. Heroin and marihuana combined accounted for 97.7 percent of all narcotics or drugs used by narcotic users in 1963, and for an equal percentage of 97.7 in 1962.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 857

An increase both numerically and percentagewise was found in the use of amphetamines, up from 81 to 123 or 42 additional users for a 51.9-percent increase; and the use of marihuana, up from 452 to 611 or 159 additional users for a 35.2-percent increase.

A decrease was found in the use of cocaine, down 14 users from 64 to 50 for a percentage decrease of 21.9.

Narcotic and drug users, by type used, citywide, 1963-62

	1963		1962		1963-62 comparison	
	Narcotics users	Percent of total	Narcotics users	Percent of total	Numerical increase or decrease	Percent increase or decrease
Heroin.....	13,399	93.4	12,905	94.4	+494	+3.8
Cocaine.....	50	.3	64	.5	-14	-21.9
Morphine.....	16	.1	33	.2	-17	-51.5
Opium.....	14	.1	14	.1		
Marihuana.....	611	4.3	452	3.3	+159	+35.2
Barbiturates.....	100	.7	86	.6	+14	+16.3
Amphetamines.....	123	.9	81	.6	+42	+51.9
Others.....	32	.2	35	.3	-3	-8.6
Total.....	14,345	100.0	13,670	100.0	+675	+4.9

Source: Statistical and records bureau, Joseph P. Driscoll, inspector, Feb. 4, 1963.

NARCOTIC AND DRUG USERS ARRESTED FOR CRIMES AGAINST PERSON—CRIMES AGAINST PROPERTY, SELECTED FELONIES

An analysis of narcotic or drug users arrested in 1963, and in 1962, reveals that users comprise a far higher percentage of persons arrested for crimes against property than for crimes against the person. In 1963, and 1962, 11.7 and 11.6 percent, respectively, of all persons arrested for selected felonies of crimes against property were users, while 1.2 and 1.8 percent, respectively, of all persons arrested for selected felonies of crimes against the person were users.

Crimes for which users comprised a high percentage of total persons arrested were burglary, grand larceny (except motor vehicle), criminally receiving, and forgery.

858 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Narcotic and drug users compared to arrests—Crimes against property, selected felonies, 1963-62

	1963			1962			Comparison, 1963-62		
	Arrests	Narcotic users	Percent of users	Arrests	Narcotic users	Percent of users	Numerical increase or decrease, arrests	Numerical increase or decrease, users	Percent increase or decrease, users
Robbery.....	4,547	384	8.4	4,299	397	9.2	+248	-13	-0.8
Burglary.....	8,088	1,268	15.7	6,916	1,119	16.2	+1,172	+149	-5
Grand larceny (except motor vehicle).....	4,192	652	15.6	3,750	558	14.9	+442	+94	+7
Grand larceny (motor vehicle).....	5,121	198	3.9	4,441	149	3.4	+680	+49	+5
Criminally receiving.....	1,097	246	22.4	1,129	259	22.9	-32	-13	-5
Frauds and cheats.....	181	7	3.9	167	1	.6	+14	+6	+3.3
Forgery and counterfeiting.....	1,494	221	14.9	1,351	165	12.2	+133	+56	+2.7
Arson.....	274	4	1.5	277	1	.4	-3	+3	+1.1
Malicious mischief.....	221	5	2.3	231	7	3.2	-10	-2	-9
Extortion.....	270	3	1.1	277	2	.7	-7	+1	+4
Blackmail.....	1								
Total.....	26,476	2,968	11.7	22,828	2,658	11.6	+2,648	+330	+1

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 859

Narcotic and drug users compared to arrests—Crimes against person, selected felonies, 1963-62

	1963			1962			Comparison, 1963 to 1962		
	Arrests	Narcotic users	Percent of users	Arrests	Narcotic users	Percent of users	Numerical increase or decrease, arrests	Numerical increase or decrease, users	Percent increase or decrease, users
Murder and nonnegligible manslaughter	582	19	3.3	515	38	7.4	+67	-19	-4.1
Manslaughter by negligence	36	1	2.8	34	1	2.9	+2	-----	-----
Felonious assault	10,334	128	1.2	9,695	103	1.7	+639	-35	-3.5
Rape	1,130	7	.6	1,165	14	1.2	-35	-7	-6
Other sex crimes	430	-----	-----	423	2	.6	+7	-2	-6
Abortion	94	1	1.1	112	-----	-----	+18	+1	+1.1
Kidnaping	69	1	1.4	79	3	3.8	-10	-2	-2.4
Total	12,675	157	1.2	12,025	221	1.8	+650	-64	-6

Source: Statistical and records bureau, Joseph P. Driscoll, inspector, Feb. 4, 1964.

860

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Arrests of narcotics users in relation to total arrests by the New York City Police Department, 1962 and 1963

YEAR 1962

	Arrests				Drug, narcotic users				Percent users versus arrests				
	Under 16 years	16 to 20 years	21 years and over	Total	Under 16 years	16 to 20 years	21 years and over	Total	Under 16 years	16 to 20 years	21 years and over	Total	
1 Murder.....	23	110	356	499			8	30	38		7.3	8.4	7.6
2 Nonnegligent manslaughter.....			16	16									2.9
3 Manslaughter by negligence.....			30	34									1.2
4 Rape.....	122	213	830	1,165			2	12	14		9	3.3	1.4
5 Robbery.....	1,110	1,249	1,940	4,299	2	63	332	397		5.0	2.0	9.2	1.7
6 Felonious assault.....	1,186	1,680	6,829	9,695	4	23	136	163	0.3	1.4	31.2	16.2	16.2
7 Burglary.....	2,304	1,691	2,921	6,916	3	205	911	1,119	.1	12.1		14.9	3.4
8 Possessing burglar tools, felony.....			20	22				14				22.9	6.6
9 Grand larceny, except auto theft.....	686	549	2,515	3,750			52	506		9.5	20.1	12.2	12.2
10 Larceny of motor vehicle, felony.....	964	2,280	1,197	4,441			25	124		1.1	10.4	25.4	22.9
11 Criminal receiving stolen property.....	12	183	934	1,129			22	237				12.2	12.2
12 Frauds and cheats, felony.....		8	159	167				1				1.2	1.2
13 Forgery and counterfeiting.....	47	254	1,080	1,381	1		36	128	2.1	14.2		1.2	1.2
14 Arson.....	166	30	81	277				1					
15 Prostitution and commercial vice, felony.....		15	11	26									
16 Other sex offenses.....	110	50	265	425				2					
17 Selling narcotic drugs, felony.....	13	238	1,834	2,085	1	139	1,427	1,567	7.7	59.7	77.9	75.3	75.3
18 Carrying et cetera, dangerous weapons, felony.....	170	324	571	1,065	1	7	37	45	.6	2.2	6.5	4.2	4.2
19 Driving while intoxicated, 2d offense.....			41	55									
20 Abandonment of wife, children.....		14	71	85			1	6		2.4	6.1	3.2	3.2
21 Malicious mischief, felony.....	81	42	98	221			2	34		.8	.9	.8	.8
22 All other felonies, not included above.....	191	243	3,812	4,246									
Total, felony arrests, misdemeanors in CCP 552.....	7,195	9,174	25,531	41,950	12	535	3,939	4,536	.2	6.4	15.4	10.8	10.8
8 Unlawfully entering a building.....	97	120	419	636			13	109	122		10.8	26.0	19.2
9A Possessing burglar tools.....	262	297	681	1,240			32	303	335		10.8	44.5	28.6
10 Jostling and pocket picking.....	30	115	937	1,082			9	116	125		7.8	12.4	11.5
11A Criminal record, stolen property, misdemeanor.....	98	166	464	708			21	161	182		13.5	35.5	26.7
12 Sex offenses, misdemeanor.....	433	928	1,103	2,464	4	3	7	14	.9	3.3	6.6	8.9	8.9
13A Illegal possession, narcotic drugs, misdemeanor.....	31	981	4,822	5,834	9	665	4,334	5,008	29.0	67.8	89.9	85.5	85.5
14 Carrying (etc.) dangerous weapons, misdemeanor.....	492	526	631	1,669	1	14	59	74	.2	2.7	9.1	4.4	4.4
15 Aiding an escaped prisoner.....													
Total 552 CCP arrests.....	1,163	3,123	9,067	13,653	14	757	5,089	5,860	1.2	24.2	56.1	42.9	42.9

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 861

11	Petit larceny, except auto theft.....	875	1,022	3,404	5,301	1	73	691	765	.1	7.1	20.3	14.4
15A	Frauds and cheats, misdemeanor.....	2	15	251	288	---	---	1	1	---	---	.4	.4
18A	Prostitution and commercial vice.....	2	72	2,940	3,014	---	---	148	150	---	2.8	5.0	5.0
23	Assault, 3d degree.....	514	1,127	5,608	7,249	1	20	52	73	.2	1.8	.9	1.0
25	Other offenses against families and children.....	---	8	38	46	---	---	---	---	---	---	---	---
26	Violation of liquor laws.....	1	10	979	990	---	---	---	---	---	---	---	---
27	Driving while intoxicated, 1st offense.....	---	78	2,539	2,637	---	---	5	5	---	---	.2	.2
29	Violation of motor laws.....	9	107	521	637	---	---	9	10	---	.9	1.7	1.6
30	Intoxication.....	---	---	---	---	---	---	---	---	---	---	---	---
31	Disorderly conduct and vagrancy.....	285	5,004	81,733	87,032	---	127	1,335	1,462	---	2.5	1.8	1.7
70	Disorderly persons.....	---	2	63	65	---	---	---	---	---	---	---	---
33	Gambling, policy and lottery.....	3	175	7,042	7,220	---	1	26	27	---	.6	.4	.4
34A	Malicious mischief, misdemeanor.....	444	564	1,150	2,168	---	4	22	26	---	.7	1.9	1.2
35	Trespassing, private property.....	---	10	129	139	---	2	6	8	---	20.0	4.6	5.7
36	Corporal offenses, misdemeanor.....	---	17	84	101	---	1	---	1	---	5.9	---	1.0
90	Wayward minors (included in line 49).....	---	---	---	---	---	---	---	---	---	---	---	---
38	All other misdemeanors not included above.....	594	1,346	1,646	3,586	---	55	382	437	---	4.1	23.2	12.2
49	Fugitives and FOA's.....	762	1,578	14,159	16,499	---	42	216	259	.1	2.7	1.5	1.6
	Total other misdemeanor and offense arrests.....	3,491	11,136	122,369	136,995	3	328	2,893	3,224	.1	2.1	2.4	2.4
	Total arrests not reported to State.....	1,878	396	13,043	15,017	12	9	29	50	.6	2.3	.2	.3
	Grand total arrests (all).....	13,727	23,828	170,060	207,615	41	1,679	11,950	13,670	.3	7.0	7.0	6.6

Prepared by Statistical and Records Bureau, Joseph P. Driscoll, Inspector, Jan. 27, 1964.

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

863

18A	Prostitution and commercial vice	7	203	3,096	3,306		5	139	144		2.5	4.5	4.4
23	Assault, third degree	639	1,384	5,398	7,419		6	46	52			.9	.7
25	Other offenses against family and children			22	28			1	1			4.5	3.6
26	Violation of liquor laws		19	969	988			4	4			.4	.4
27	Driving while intoxicated, 1st offense		105	3,958	4,063		1	3	4		1.0	1.1	1.1
29	Violation of motor laws	6	129	599	734			7	7			1.2	1.0
30	Intoxication												
31	Disorderly conduct and vagrancy	262	5,471	77,495	83,218		109	1,021	1,130		2.0	1.3	1.4
70	Disorderly persons	1	1	40	42			2	2			5.0	4.8
33	Gambling, policy and lottery	6	188	7,053	7,247		16	142	158		8.5	2.0	2.2
34A	Malicious mischief, misdemeanor	411	686	1,202	2,239		2	20	22		.3	1.7	1.0
35	Trespassing, private property	4	34	125	163			12	12			9.6	7.4
36	Corporal ordinances, misdemeanor	1	21	79	101			1	1			1.3	1.0
90	Wayward minors (included in line 49)												
38	All other misdemeanors not included above	593	1,298	1,805	3,786		63	433	497		4.9	22.8	13.1
49	Fugitives and FOA's	1,133	1,187	13,808	16,126		35	181	217		2.9	1.3	1.3
	Total other misdemeanors and offense arrests	3,854	12,079	119,474	135,407		346	2,738	3,087		2.9	2.3	2.3
	Total arrests not reported to State	55	823	10,321	11,199		51	45	100		6.2	.4	.9
	Grand total arrests (all)	12,749	26,470	187,029	206,248		1,911	12,388	14,345		7.2	7.4	7.0

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PAGINA BIANCA

PART 4

(July 30, 1964)

PAGINA BIANCA

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

HEARINGS BEFORE THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE EIGHTY-EIGHTH CONGRESS FIRST AND SECOND SESSIONS PURSUANT TO SENATE RESOLUTION 278, 88TH CONGRESS

JULY 30, 1964

PART 4

Printed for the use of the Committee on Government Operations



U.S. GOVERNMENT PRINTING OFFICE

24-366

WASHINGTON : 1964

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

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CONTENTS

	Page
Appendix.....	945
Testimony of—	
Belk, George M.....	911
Casey, Daniel P.....	911
Gaffney, George H.....	895
Pera, Martin.....	865
Ward, Charles G.....	911

EXHIBITS

	Introduced on page	Appears on page
2. History of narcotic traffic originating in Turkey, Syria, Lebanon.....	881	881
Backup material.....	881	945
2A. History of narcotic traffic originating in France.....	881	884
Backup material.....	881	952
2B. Photographs of laboratory operations in France.....	881	962
2C. History of narcotic traffic originating in Italy.....	881	890
Backup material.....	881	969
3. The illicit interstate narcotic traffic from New York City throughout the eastern seaboard of the United States.....	916	917
Backup material.....	916	1012
4. The illicit narcotic traffic from Chicago throughout the mid- western and southwestern United States.....	931	931
Backup material.....	931	1063
5. Organized crime and illicit traffic in narcotics, Los Angeles, area.....	941	1116
San Francisco area.....	941	1123
Seattle, Wash., area.....	941	1133
Portland, Oreg., area.....	941	1135
Denver, Colo., area.....	941	1138
Colorado area.....	941	1141
New Mexico, area.....	941	1144
Utah area.....	941	1145
Wyoming area.....	941	1147
6. Letter to Commissioner of Narcotics from George M. Belk, subject statistics on last 200 defendants reported in New Jersey cases.....	942	943
List of names mentioned in letter.....	943	(*)

CHARTS PRINTED IN THE RECORD

	Page
Routes used in transporting illicit narcotics in Europe and Asia and names of persons involved.....	Facing 876
Distribution of illicit narcotics in the United States and names of principal violators.....	Facing 912
Albert and Vito Agueci case.....	Facing 916
Carmino Galante-Mancino case.....	Facing 916
Proceedings of—	
July 30, 1964 (afternoon).....	865

*May be found in the files of the subcommittee.

PAGINA BIANCA

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

THURSDAY (AFTERNOON), JULY 30, 1964

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee reconvened at 2:05 p.m., in room 3302, New Senate Office Building, pursuant to Senate Resolution 278, agreed to February 10, 1964, Senator John L. McClellan (chairman of the subcommittee) presiding.

Members of the subcommittee present: Senator John L. McClellan, Democrat, Arkansas; Senator Daniel B. Brewster, Democrat, Maryland; Senator Karl E. Mundt, Republican, South Dakota; Senator Carl T. Curtis, Republican, Nebraska; Senator Jacob K. Javits, Republican, New York.

Also present: Jerome S. Adlerman, general counsel; Paul E. Kamerrick, assistant counsel; LaVern J. Duffy, assistant counsel; Philip W. Morgan, chief counsel to the minority; Eugene J. Marshall, Bureau of Narcotics; Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will come to order.

(Members of the subcommittee present at time of reconvening: Senators McClellan and Curtis.)

The CHAIRMAN. Call your next witness.

Mr. ADLERMAN. Mr. Martin Pera.

The CHAIRMAN. Be sworn, please.

You do solemnly swear that the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PERA. I do.

TESTIMONY OF MARTIN PERA

The CHAIRMAN. Mr. Pera, will you identify yourself for the record, please?

Mr. PERA. My name is Martin Pera. I am employed by the Office of Naval Intelligence. I was formerly employed by the Federal Bureau of Narcotics for 15 years, since 1948.

The CHAIRMAN. Since 1948 you have been with the Bureau of Narcotics. What is your position now?

Mr. PERA. With the Office of Naval Intelligence.

The CHAIRMAN. How long have you been with the Office of Naval Intelligence?

Mr. PERA. For the past 9 months.

866 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. And you were with the Bureau of Narcotics?

Mr. PERA. For 15 years prior to that time I was employed by the Bureau of Narcotics.

The CHAIRMAN. Do you have a prepared statement?

Mr. PERA. No, I do not.

The CHAIRMAN. If you care to, proceed on your own, if you wish, to make a statement of what you have in mind pertinent to this inquiry.

Mr. PERA. I will attempt to provide information concerning the sources of heroin which is smuggled into the United States going back to the points of origin where the opium is grown, through the various areas where it is processed first into morphine base and then into heroin, with some descriptions of the criminal groups that are involved in this operation, and some descriptions as to the smuggling techniques that are used.

The CHAIRMAN. Very well. You may proceed in your own way. You have charts, do you, by which you can illustrate?

Mr. PERA. Yes, I do.

The CHAIRMAN. Proceed.

Mr. PERA. The bulk of the heroin being trafficked in the illicit market in the United States has as its origin opium grown in Turkey. The Turks have cultivated the opium poppy for centuries and modern Turkey now ranks second among the four leading opium-producing nations.

Mr. ADLERMAN. Where is the center of the opium-producing area in Turkey?

Mr. PERA. There are some seven different provinces where opium is grown in Turkey. The most prominent of these is Afyon. The English equivalent of Afyon is opium, so the province is named after opium.

Mr. ADLERMAN. In other words, the province is named opium and the Turkish name is Afyon?

Mr. PERA. That is right.

Cultivation of opium for the world illicit market is permitted by the Turkish Government in seven provinces. The greatest amount and probably the best quality is grown in the Province of Afyon. Control of opium production is the responsibility of the provincial technical agricultural office, and all legal purchasing of opium in Turkey is done by Toprak, which is equivalent to the Turkish Government opium monopoly.

The morphine content of Turkish opium ranges between 6 to 25 percent, depending on the point of origin. It is probably superior to any other opium grown anywhere else in the world.

The CHAIRMAN. Do you mean depending upon the land or the climate, the soil, or something where it is grown, it will have a different strength?

Mr. PERA. That is correct, Senator. The largest producer of legitimate opium in the world is India. But Turkish opium has consistently been of a higher quality than Indian opium. Turkish opium—of course the quality of opium is judged by its morphine content—has consistently had a relatively higher morphine content ranging from 10 to 18 percent. The Turkish farmer is free to plant opium provided his kaza or administrative district has been approved for that purpose.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 867

Opium cultivation is permitted in all the kazas of Afyon Province but in other provinces only a few are permitted opium cultivation. Following the planting of opium each season the farmer must declare to the agricultural office the amount of area under cultivation and his anticipated yield.

The CHAIRMAN. In planting, is it a large area? Compare it to a crop of tobacco in this country. How would this planting over there compare?

Mr. PERA. There is a considerable acreage involved.

The CHAIRMAN. More acreage involved in the raising of opium or the poppies than in the raising of tobacco?

Mr. PERA. The Senator will have to forgive me. I have absolutely no idea what acreage is involved in growing tobacco in this country. But I would imagine they are similar.

The CHAIRMAN. I am not an expert. But we grow a tremendous amount of tobacco on just a very few acres.

Mr. PERA. There is a high density of growth of the opium poppy. It is cultivated in high density.

The CHAIRMAN. Do you measure this by the ton or what? I don't know.

Mr. PERA. I can give you a figure. One dekar, which is approximately 10 square meters, will produce about 3 kilos of opium, something in that vicinity.

The CHAIRMAN. It is a minor detail, go ahead with your presentation. I just wondered. I have seen tobacco areas and they grow a tremendous amount of tobacco on a very few acres. I didn't know whether that was a comparable situation with respect to the poppy from which opium is taken.

Mr. PERA. I think it is. In traveling through these areas there are only fields of poppies—as far as you can see. I think the situation is similar.

Mr. ADLERMAN. A meter would be slightly larger than a yard?

Mr. PERA. That is correct.

Mr. ADLERMAN. In this case, would you repeat the figures?

Mr. PERA. A dekar is approximately 10 square meters, and this will produce about 3 kilos of raw opium in total.

Mr. ADLERMAN. In other words, 1 meter would be a little bit more than 3 feet?

Mr. PERA. That is correct.

Mr. ADLERMAN. So that 35 square feet would produce about 3 kilos?

Mr. PERA. That is approximately.

There are controls extant for governing the cultivation. The farmer has to declare the amount of acreage he is going to cultivate and his anticipated yield. But in spite of this consistently through the years there has been an overproduction of opium. Historically Turkey has been one of the prime producers of opium that has entered both the illicit and the licit market. Centuries ago there were absolutely no controls. Like farmers all over the world, when controls did come about, the Turkish opium growers resisted the imposition of these controls and continued to manufacture as much opium as they could dispose of and make the greatest possible profit they could.

Mr. ADLERMAN. Does the Turkish Government endeavor to put strict controls on the growth of opium?

868 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. PERA. Yes.

Mr. ADLERMAN. Do they provide for a licensing system for the growth of opium?

Mr. PERA. Precisely.

Mr. ADLERMAN. Or, rather, the growth of poppies?

Mr. PERA. Yes.

Mr. ADLERMAN. And do they compel the farmer to give them an estimate of how much they are going to produce?

Mr. PERA. That is right.

Mr. ADLERMAN. And do they check up later on to find out whether he has produced less or more, and can they determine whether or not he is giving any out to the illicit market?

Mr. PERA. Yes, this procedure exists.

Mr. ADLERMAN. And the Government endeavors to control it by buying all the opium for the Toprak?

Mr. PERA. Yes.

Mr. ADLERMAN. Toprak is a state-owned gathering agency for the opium?

Mr. PERA. That is right.

Mr. ADLERMAN. However, there is an illicit or bootleg market?

Mr. PERA. Precisely.

The CHAIRMAN. As I understand you, it is the purpose of the Government, and the Government attempts, not only to regulate and control the amount that is planted, but also to dispose of it after it is grown, after it is produced?

Mr. PERA. That is correct. What is in effect a governmental opium monopoly is supposed to purchase all the opium produced.

The CHAIRMAN. So any illicit distribution or, I suppose, even processing, is done outside the Government and is not permitted or condoned by governmental action?

Mr. PERA. That is correct. And there are severe penalties provided for infractions.

The CHAIRMAN. May I ask you at that point does the Government seriously attempt, genuinely attempt, to enforce its laws in this respect?

Mr. PERA. To the extent of its enforcement capabilities in this area, the Government does a serious job.

The CHAIRMAN. I mean it does it in good faith. There is no subterfuge involved, where it condones or permits the illicit traffic knowingly.

Mr. PERA. That is correct.

The CHAIRMAN. They try in good faith to do a job of controlling it.

Mr. PERA. Yes.

The CHAIRMAN. Then they cooperate with us. The Turkish Government cooperates with us in this effort.

Mr. PERA. Yes. There is a mutual exchange in enforcement efforts directed toward apprehending traffickers in black market opium and so forth.

Despite all these measures Turkey through the years has experienced an unabated overproduction, and more opium continues to be sold to black marketeers through brokers who deal in this commodity. And many of these brokers are wealthy merchants from Istanbul or from the larger cities in Syria or Lebanon. These people contract to buy

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 869

large quantities of opium and have it delivered to, let's say, Aleppo, Syria, or Beirut, Lebanon, via smugglers who are specialists in this enterprise.

The CHAIRMAN. I assume they pay quite a premium over Government-established prices?

Mr. PERA. No, in terms of the money made in the traffic in the United States, the amount of money made in the black market or opium traffic in Turkey isn't that much. They may pay anywhere from, let's say, \$5 to \$10 over the current market price.

The CHAIRMAN. They do pay a premium.

Mr. PERA. Yes, they do.

The CHAIRMAN. That is in the black market.

Mr. ADLERMAN. It is a very small premium, however, is it not?

Mr. PERA. Yes, in comparison to the money made in the traffic in the United States.

Mr. ADLERMAN. Maybe it is only \$5 a kilo more than they would get from the Government.

Mr. PERA. That is right.

Mr. ADLERMAN. Nevertheless, it is attractive to them to sell it and they do sell it.

Mr. PERA. Yes.

The routes taken——

Mr. ADLERMAN. First, hasn't the Turkish Government recently raised the price of legal opium in an endeavor to make it more attractive for the farmers to sell it to the Turkish Government?

Mr. PERA. Yes. The price of crude opium today, I believe, is about \$12. This is licit opium we are speaking of. It is \$12 per kilo, whereas, I believe, last year and the year before it was \$10. It is \$12.40 now whereas before it was \$10.

Mr. ADLERMAN. In other words, the licit price went up?

Mr. PERA. Yes, that is right.

Statements vary concerning the amount of Turkish opium going into the illicit market, but it is estimated that between 6 and 8 percent of the entire annual production goes to the illicit market in Turkey. During 1962, the opium production of Turkey, the licit opium production, was 310 metric tons.

Mr. ADLERMAN. Apropos of that figure for a moment, you say the total production ran somewhere around 300 tons?

Mr. PERA. 310 metric tons for 1962.

Mr. ADLERMAN. I think earlier it was testified that the amount of illicit heroin that came into this country is estimated at 1,000 kilos.

Mr. PERA. Yes.

Mr. ADLERMAN. Does that figure strike you as the correct figure? In other words, that would be about 2,200 pounds, or about 1 ton of heroin a year?

Mr. PERA. Yes.

Mr. ADLERMAN. It takes 10 tons of opium to make 1 ton of heroin, is that right?

Mr. PERA. That is correct.

Mr. ADLERMAN. So that the amount of illicit heroin that is diverted and eventually winds up in the United States will be the equivalent to the smuggling of 10 tons of opium out of Turkey.

Mr. PERA. That would be correct.

870 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. And out of their total production of some 310 tons?

Mr. PERA. You have 10 tons reflected as being smuggled.

Mr. ADLERMAN. So even if the small amount of 10 tons is diverted and sold on the illicit market, that would reach the United States in the form of heroin, the 1,000 kilos.

Mr. PERA. That is correct. Of course, I don't think one can assume that the entire illicit opium of Turkey is going to the United States.

Mr. ADLERMAN. I did not mean that. I am just talking about the amount that would be smuggled to satisfy the needs of the illicit trade in the United States it would be the equivalent of 10 tons of opium.

Mr. PERA. Yes.

Mr. ADLERMAN. And, of course, there would be more that would be used for other areas of the world.

Mr. PERA. And the figure of 1,000 kilos of heroin is not inconsistent with the figures given for Turkish opium diverted.

As the illicit opium moves toward the Syrian border, and as it crosses the various border points, its value appreciates considerably. Once it crosses the Syrian border, it may be sold for four or five times the price a trafficker might pay for illicit opium in Turkey.

Mr. ADLERMAN. The figures that we have on the chart showing the price at the Syrian border, is that the price you are talking about?

Mr. PERA. I think you have there a figure for morphine base. You have \$350 for morphine base in Turkey and Syria. We haven't come to morphine base yet, but we will.

I might point out that the groups involved in this smuggling are also, in turn, involved in the smuggling of consumer goods. Turkey has had a very tightly controlled economy, and these criminal smuggling groups are involved in multiple illicit operations.

Mr. ADLERMAN. Where is it smuggled from and to?

Mr. PERA. The opium is grown at points in Turkey, and these various other points, and taken across the Syrian border and into Lebanon.

Mr. ADLERMAN. The people of the area on the border of Syria and Turkey—that group is very much like the Turkish peasants who grow the opium.

Mr. PERA. Yes, there is a strong affinity between these people. They may be Arab speaking or Turkish speaking, but the people in the traffic have very close ties and their fathers and sons have very close ties. They have been in smuggling for many years, sir.

Mr. ADLERMAN. The traffic between Syria and Turkey in illicit things like stockings and so forth—are these traded for opium?

Mr. PERA. There is a traffic in consumer goods in reverse of the opium flow.

Mr. ADLERMAN. That is used to pay for the opium?

Mr. PERA. It is used to make money and some of this money may be invested in opium to make profits on the other end.

Mr. ADLERMAN. Can you trace what happens when it gets into Syria?

Mr. PERA. Yes. This opium might go to the ultimate purchaser or broker, and he will have someone extract the morphine from it. This is not too complex a process. For example, it may come by way of mule caravan or by way of automobile across the Turkish border to Syria.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 871

Mr. ADLERMAN. That is rather rough country up through there?

Mr. PERA. Yes, it is, and it is very closely patrolled. There the Turkish gendarmes do a very effective job and on the other side the Syrian forces attempt to close off the borders, too. It is not uncommon that a gunfight occurs between the smugglers and the patrol forces of either government. Some time ago the Turkish authorities mined the crossing points. Of course, it was not long before the smugglers used the method of employing sheep to detonate the mines.

Mr. ADLERMAN. In other words, they would drive the sheep over the minefields and follow after that?

Mr. PERA. That is right.

Mr. ADLERMAN. Is the opium put into any laboratory operations in Turkey itself?

Mr. PERA. A few years ago this was true. Progress has been made in enforcement in Turkey in various steps. Whereas, let's say, before the 1950's it was not uncommon to have large operations where morphine was extracted from opium in Turkey, this is quite uncommon today. The risk involved in this type of activity is much greater today than awhile back.

Mr. ADLERMAN. The punishment is much more severe.

Mr. PERA. Yes, the punishment is much more severe and the police activity is much more concentrated.

Mr. ADLERMAN. So now the opium is in Syria. What happens to it there?

Mr. PERA. It will go to a broker who ultimately has someone extract the morphine from this opium. Once the morphine is extracted the total space occupied by the article to be smuggled is one-tenth of that that it might have been previously. The extraction operation is relatively simple. A typical example of the operation would be to obtain a 50-kilo oil drum. A used one that is emptied out. Into this will be placed a quantity of opium and an excess quantity of calcium chloride. Water will be added and this mixture will be heated slowly over a fire and stirred. They have to be very careful not to overheat it because this will destroy the morphine in the opium.

After this mixture has been dissolved and heated for awhile, let's say several hours, it is allowed to settle. The undesirable material settles, the vegetable substances, leaves, twigs, et cetera, and all the other components of the opium except morphine. The morphine content and some small quantity of codeine remains in solution. The solution is poured off and allowed to evaporate and this leaves morphine base. This is partially clarified morphine.

Mr. ADLERMAN. That comes out in a powdered form?

Mr. PERA. That is right. When this is dried ultimately it comes out in a powdered form.

Mr. ADLERMAN. Who handles the laboratory operations in Syria?

Mr. PERA. In Syria the traffickers generally do. This isn't a very difficult or complex job. It is taught by one trafficker to another, and they handle this operation.

Mr. ADLERMAN. Where does it go from Syria?

Mr. PERA. From Syria this morphine base will find its way to Beirut, in all probability.

Mr. ADLERMAN. In Lebanon?

872 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. PERA. Or it might go to the port of Aleppo in Syria. If it goes to Beirut, it will be purchased by wealthy dealers in morphine base who have excellent ties with the traffickers in France.

Mr. ADLERMAN. What is the connection between the Beirut operators and the French operators?

Mr. PERA. Lebanon, years ago, was a French protectorate, and there have been very, very close ties established between Corsican underworld operators, in France, and those French-speaking Lebanese, who are in underworld activity, in Lebanon. Through these close ties and prior dealings in other illicit operations there has formed a basis for mutual exchange and trust among the criminal groups dealing in narcotics.

Mr. ADLERMAN. Can you name some of the large operators in the Beirut area who have financed and dealt in large-scale operations?

Mr. PERA. Yes; one of the most prominent is Samil Khoury. Also, Antoine Harrouk, Antoine Araman, Rached Kuleilat, Tanios Cortas, and Antranik Paroutian, who actually is from Marseilles but who also operated in Beirut. Mr. Mauricio Rosal, who was the Guatemalan Ambassador to the Netherlands and the low countries who traveled to Beirut. His function was as a smuggler of morphine base out of Beirut to France.

Mr. ADLERMAN. He is now in jail?

Mr. PERA. Yes. He is serving 15 years in the U.S. penitentiary. And Etienne Tarditi, who was involved with Rosal in that operation. Camille Choueri, and Jose Moubarak; and these are all people who have been consistently active in the traffic of morphine base.

Mr. ADLERMAN. And these men are well financed?

Mr. PERA. Yes; they are well financed. We know Choueri and the others are wealthy people. Paroutian was active in the United States as a smuggler and during 18 months, from 1956 to 1958, he sent a total of a half million dollars from banks in New York to coded Swiss bank accounts he maintained in Switzerland.

Mr. ADLERMAN. Do you have background material on these people—their records?

Mr. PERA. Yes; I have background information on them.

Mr. ADLERMAN. Can you put that into the record?

Mr. PERA. Yes.

Mr. ADLERMAN. Can you do it at the present time?

Mr. PERA. I prefer to do it later.

Mr. ADLERMAN. Can you tell us what happens when the morphine base leaves Beirut, how it leaves Beirut, and what are the ties with any other routes as to where it may go?

Mr. PERA. The morphine base leaves Beirut packeted usually in waterproof containers in kilo lots.

Mr. ADLERMAN. Pardon me. We have not mentioned the Turkish operators. Can you name them?

Mr. PERA. Yes. These are Ali Csman Tuter, Huseyin Eminoglu, Ali Kambur, Hagi Kiver, Asim Bintepe, Ibrahim Sen, Muhtar Berk, Ali Celen, Durmus Topok, Antranik Paroutian—again, active in Turkey as well as Lebanon—Imirtziades, Ihsan Sekban, and Mehmet Hattatoglu.

Mr. ADLERMAN. Can you name the principal Syrian violators? Are they El Badawi, Taha, and Dahir?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 873

Will you supply the names at a later time?

Mr. PERA. Yes, I can.

Mahmoud El Badawi, Hasan Taha, and Dahir Khuder Dahir. These individuals have been active.

Mr. ADLERMAN. I think you have already named the Lebanese.

Mr. PERA. Yes.

Mr. ADLERMAN. Will you proceed from there?

Mr. PERA. The French traffickers who are, for the most part, represented by the Corsican underworld, contract to have large amounts——

Mr. ADLERMAN. Will you discuss who are the French underworld? Whom does that group consist of and where do they come from?

Mr. PERA. For the most part, the French underworld involved in the heroin traffic originates from the island of Corsica. They have a strong affinity with the Mafia element in Sicily. As a matter of fact, these two people call themselves cousins in their correspondence. They are very closely allied in multiple underworld operations, including the traffic of heroin.

Mr. ADLERMAN. The French Corsican is not only a violator in heroin, but he is generally the criminal group in France; such as, we would have, say, the Mafia group in the United States?

Mr. PERA. Precisely. A few years ago they were involved in extensive armed robberies, so that the French police had to make a concerted effort to stop that type of banditry. They have been involved in counterfeiting operations, extortion plots, in thefts of very valuable paintings, in kidnappings. In all these crimes they have an organized operation, very similar to the Mafia activities.

Mr. ADLERMAN. Do they have a discipline somewhat similar to the Mafia in that they have family or planned relationships that are very strong?

Mr. PERA. Yes; not only that but the most identifying thing about their operations is that they have a code of silence similar to that of the Mafia.

Mr. ADLERMAN. So there is a great deal of similarity between the French Corsican and the Mafia groups, whether in Italy or the United States or anywhere else in the world?

Mr. PERA. Precisely. I might also say that they both speak Italian. The Corsicans are bilingual and generally speak Italian as well as French.

Mr. ADLERMAN. The language is important here, is it not, because it allows them to deal with the Syrian or the Lebanese who are French speaking also?

Mr. PERA. I might also mention that many of the Corsicans settled in north Africa and developed very close ties with the Arab world, as did the Italians. In Algiers and Tunis you have had Mafia-type operations.

Mr. ADLERMAN. So you have the situation where the French Corsicans, or if you want to call it the Mafia group, have their tentacles out to the Near East and Africa the same as the Mafia groups in Italy have them in the United States?

Mr. PERA. It is a very similar situation.

874 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. To go a step further, and I am sure you will come to it later, the French groups also extend to the French Canadian areas, too?

Mr. PERA. That is correct.

Mr. ADLERMAN. Do you want to proceed?

Mr. PERA. Yes.

The laboratory operators in France are also Corsican or Corsican racketeer financed. It is the Corsican underworld in France that finances them and sets them up. They contract for large quantities of morphine base to be procured in Lebanon or Syria. This is either flown to Marseilles, which is generally the clearing point for this morphine base, or comes by ship, smuggled in by ship to Marseilles, France.

When the morphine base arrives at the port of Marseilles, it is processed into heroin at the laboratory. Here the laboratory operation is a little more complex and requires competence on the part of the chemist if a fine quality of heroin is to be produced.

Mr. ADLERMAN. Was this map prepared under your direction?

Mr. PERA. Yes, it was.

Mr. ADLERMAN. And does that show the routes of the different types of narcotics, for heroin and morphine base, and so forth?

Mr. PERA. Yes. We designate heroin by one color and morphine base by another, and the routes each take.

Mr. ADLERMAN. So you have your route in Syria, from Aleppo, and Beirut, going up to Marseilles, which is in the south of France?

Mr. PERA. Yes.

Mr. ADLERMAN. What happens to it in Marseilles and why does it go to Marseilles?

Mr. PERA. The center of Corsican hoodlum activity is Marseilles. It is a seaport.

Mr. ADLERMAN. In France, that is the real center of criminality as far as organized crime goes?

Mr. PERA. Yes. Secondly, it is a port, a large seaport, and historically the movement has been by sea. So it is not only the center of hoodlum activity but also a seaport where this material arrives, where it is smuggled in. The operators in France may set up a laboratory in a slum section of Marseilles, or they may rent out a villa between, let's say, Nice and Marseilles, a villa in an isolated area, and furnish it with all the materials necessary for the conversion process.

The materials are not hard to obtain, the chemicals are not unusual, nor is the apparatus.

Mr. ADLERMAN. Would you say it was similar to the former American bootlegging processes, where they would set up a still?

Mr. PERA. I think it is a little more difficult to make good heroin than it is to make good alcohol. It takes a little more experience on the part of the chemist. But it is essentially a bootlegging operation.

Mr. ADLERMAN. You have to have a little more skill and a little more technical knowledge to make the heroin from the morphine base than you do from opium to morphine?

Mr. PERA. Exactly. Particularly if the heroin is going to be of high quality, approaching pharmaceutical purity, and this type of heroin is in great demand by the addict market. Considerably greater skill is needed.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 875

Mr. ADLERMAN. Prices range, for the morphine base, to \$3,500 per kilo in France?

Mr. PERA. That is correct.

Mr. ADLERMAN. That would be the price of the heroin, rather.

Mr. PERA. Excuse me. About \$350 is the value of the morphine base in Turkey or Lebanon. When the heroin is sold in France, it is sold for \$3,500.

Mr. ADLERMAN. In other words, after it is converted from the morphine base into heroin, it is then worth \$3,500, and they bought it for \$350.

Mr. PERA. That is correct.

Mr. ADLERMAN. Can you go from there? What happens after that?

Mr. PERA. We can describe the laboratory operation. Heroin is diacetylmorphine, its technical name, and one acetylates morphine by having it react with acetic anhydride or acetyl chloride. The first thing that would have to be done with the morphine base arriving from Lebanon is to purify it further and remove foreign substances as much as possible. This is done with successive washings, with lamp black and acetone. These washings will whiten the morphine base and render it much more pure, so that when it is finally acetylated the resulting product will be of much greater purity.

Morphine base is then acetylated, being heated with acetic anhydride. Other materials used in this operation are solvents, such as ether, acetone, alcohol. Bone black is used to purify this material. Hydrogen chloride is used, or hydrochloric acid is used, in order to make the hydrochloride salt of heroin, because heroin can only be used for injection purposes once its salt is formed. Otherwise, it would be insoluble in water.

Mr. ADLERMAN. Can you name the principal French traffickers in the laboratory operations as well as in the sales?

Mr. PERA. Yes. Probably the most notorious laboratory operator in France through the years has been Dominique Albertini. We have Dominique Reissant who many years ago was very active in laboratory operations and in more recent years he has been more active in the traffic of morphine base.

Gabriel Carcassone, he and his brother Alexis, have been active in laboratory operations. I believe his brother is dead now.

Marius Ansaldi was active in laboratory operation and the French police apprehended him while he was operating a laboratory in a suburb of Paris during the early 1950's.

Jean Casanova is also a laboratory operator.

The traffickers involved in this activity are Robert LeCoat, who actually was a stockbroker in Paris. He financed the operation of Rosal, Tarditi, and Barnier. One of the important traffickers and a suspect in counterfeiting operations in France is Charles Marignani, and his associate, Jean Jacobetti. Marcel Franchi is active and so is Joseph Patrizzi, mostly in southern France. Gilbert Coscia is involved with Tarditi.

Mr. ADLERMAN. We have the chart you prepared. Does that chart show all of the people in the Marseilles area who are involved in the trafficking as well as the laboratory operations?

Mr. PERA. Yes; we have both the people in Marseilles and in Paris.

Mr. ADLERMAN. Those that have a single star in front of their names

876 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

were deported from the United States at one time or another; is that right?

Mr. PERA. Yes. I was giving you the list from Paris.

Mr. ADLERMAN. Those that have the two stars in front of their names were principally involved in laboratory operations?

Mr. PERA. That is correct.

Mr. ADLERMAN. The Paris list is the same way; is that right?

Mr. PERA. That is right. I was giving you the Paris list initially.

Mr. ADLERMAN. And the Le Havre list would also contain the names of those who are involved in the Le Havre area?

Mr. PERA. That is right.

Mr. ADLERMAN. Rather than go through a detailed description of each name, you do have the backup material and records on each of these people, do you not?

Mr. PERA. Yes. I have identifying information.

Mr. ADLERMAN. And we can put them in the record at the close of the hearing?

Mr. PERA. Yes.

Mr. ADLERMAN. I would like to have the map offered into evidence, Mr. Chairman.

The CHAIRMAN. Very well, the map will be printed in the record.

Mr. ADLERMAN. He need not repeat the list of all the names. We can show all the characters involved in this.

(The map referred to faces this page.)

(165)

Mr. ADLERMAN. There is an addendum on there containing the other names in New York.

Can you tell us what happens after it leaves there? Where does it go and whom does it go to?

Mr. PERA. There are several different routes heroin takes following its manufacture in France. It may go to the Mafia traffickers in Italy and Sicily and be rerouted from there to the United States.

Mr. ADLERMAN. The names of those involved in that traffic are also contained on the map under the names of Milan, Genoa, and Sicily; is that correct?

(166)

Mr. PERA. Yes.

Mr. ADLERMAN. And also the Naples area?

Mr. PERA. That is correct.

Mr. ADLERMAN. And the Rome area?

Mr. PERA. That is correct.

Mr. ADLERMAN. And the names of all these people that are listed in these areas are the ones that are engaged in the traffic in Italy?

Mr. PERA. Yes.

Mr. ADLERMAN. Do the Italian traffickers get their supplies directly from the French operators?

Mr. PERA. Since the early 1950's; yes.

Mr. ADLERMAN. They do not get it from Lebanon or Syria, or if they do it is a very small amount?

Mr. PERA. That is right.

Mr. ADLERMAN. The principal traffic, then, flows from Lebanon and Syria to Marseilles, to the Paris laboratories, and back down to Naples, Milan, Genoa, Sicily, Rome, and so forth, and from there where does it go?

(165) (166) Fra le pagine 876-877 del documento originale sono inserite due mappe che — contrassegnate, rispettivamente, con le lettere EE ed FF — sono pubblicate, insieme alle altre carte, nella Parte Terza del presente tomo. (N.d.r.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 877

Mr. PERA. From there it is shipped either to the port of New York or to Canada. It might enter Montreal.

Mr. ADLERMAN. Are we talking now of the route from Italy down?

Mr. PERA. Yes.

Mr. ADLERMAN. Would that go to Montreal, too?

Mr. PERA. It can. It might go from, let's say, Sicily, the port of Palermo, to Montreal, or it might go directly to New York.

Mr. ADLERMAN. To New York?

Mr. PERA. Yes. Or other ports on the eastern seaboard. The bulk of the traffic is to New York.

Mr. ADLERMAN. Many of these people have been deported from the United States. Many of these or almost all of them have their Mafia ties, do they not?

Mr. PERA. Yes. Originally many of these people during the early prosecutions by the Italian authorities of the Mafia, in the late 1920's and the early 1930's, fled Italy and entered the United States. Here they set up Mafia-type operations and eventually came into conflict with the law. Some of them were deported later by excellent work done by the Immigration and Naturalization authorities, and returned to Italy where they organized this type of smuggling operation.

Mr. ADLERMAN. The Mafia groups in the Italian area, in the Sicily-Italian area—to whom do they dispose of their heroin in the United States?

Mr. PERA. Their counterparts in the United States involved in organized racketeering activities.

Mr. ADLERMAN. And you have that on the map, I believe, showing the New York area, also Montreal, Toronto, Canada, and Mexico City.

Many of these people in the New York area are French, those that you have listed there?

Mr. PERA. Some of them are French. The bulk are Mafia-type violators.

Mr. ADLERMAN. And many of them are Italians; is that right?

Mr. PERA. Yes.

Mr. ADLERMAN. Some of these were connected with the Mafia groups in the United States?

Mr. PERA. That is right.

Mr. ADLERMAN. And they dealt directly with the Mafia groups in Italy?

Mr. PERA. That is correct.

Mr. ADLERMAN. You have another route, do you not, going from France directly to Canada?

Mr. PERA. That is true. We haven't mentioned this.

Mr. ADLERMAN. What is the big area in Canada that it goes to?

Mr. PERA. Montreal, for the most part, Toronto, those two cities.

Mr. ADLERMAN. The flow to Canada, to Montreal—has that been increasing in recent years? Where it formerly went directly to New York, much of it now goes to Canada and down to New York?

Mr. PERA. Yes. Up to the very early 1950's the bulk of the flow went directly to New York. Subsequent to that, the flow of heroin, more and more, went to Montreal, to the Canadian ports.

Mr. ADLERMAN. So the French have assumed the more prominent role in the exportation and receiving of the narcotics in Montreal for further shipment to the United States?

878 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. PERA. Yes. Also we have Mafia groups in Canada as well that receive this drug.

Mr. ADLERMAN. You have Mafia groups in Canada?

Mr. PERA. Yes, such as the Agueci brothers in Toronto.

Mr. ADLERMAN. Do they deal mostly with the Italians?

Mr. PERA. Yes.

Mr. ADLERMAN. But the French Canadians deal mainly with the French?

Mr. PERA. Yes.

Mr. ADLERMAN. In other words, they seem to have trust and confidence only in their own groups.

Mr. PERA. Yes. There has been considerable difficulty in assuring payments for narcotic drugs delivered in the United States.

The laboratory operators on several occasions have been swindled by the Italian racketeers in the United States, so it has been a practice with them to send along someone representing them with the drugs in order to assure payment for the heroin delivered. Sometimes even this has proven unsatisfactory and they have arranged that someone prominent in the French underworld accompany the shipments.

Mr. ADLERMAN. In other words, they do have couriers and they have guards over the couriers to see that it gets there and that they get paid for it.

Mr. PERA. Mostly it is someone responsible to collect the moneys, yes.

Mr. ADLERMAN. They have a courier and a collector?

Mr. PERA. Precisely.

Mr. ADLERMAN. This requires some high finance, does it not?

Mr. PERA. Yes, it does.

Mr. ADLERMAN. And some of the amounts involved in the transactions on the wholesale level are rather large?

Mr. PERA. Yes, quite large.

Mr. ADLERMAN. And very frequently there are cash payments, unless they have a lot of confidence in the people they are delivering it to.

Mr. PERA. Faith doesn't go too far. It is mostly cash payments.

Mr. ADLERMAN. What are the sums that you would mention that would be involved in a fairly large shipment?

Mr. PERA. I gave one sum or mentioned one sum a little while earlier and that was in connection with the Paroutian operation. We recorded, during the period of 18 months between 1956 and 1958, a total of half a million dollars that went from banks in New York to coded accounts in Switzerland that were maintained by Paroutian and his associates. All this evidence was presented in Federal court in connection with the conviction of Paroutian.

Mr. ADLERMAN. This would be on a real high level of criminals involved where the value of the heroin would be between \$10,000 in Canada and \$16,000 or \$18,000 in the United States. It would be at that level that we are talking about.

Mr. PERA. We are speaking of the wholesale level as described on the finance chart.

Mr. ADLERMAN. I do not want to go down through all these names, but I would like to have the record show—

The CHAIRMAN. That whole thing is already in the record.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 879

Mr. ADLERMAN. Yes, except that we have not discussed the Mexico City names.

The CHAIRMAN. They go into the record at the end of Mr. Pera's testimony. The list of names accompanying it should go into the record. (See fold-in on p. 876.)

Mr. ADLERMAN. Is there any other route by which heroin is sent from abroad which finds its way into the United States by way of Mexico?

Mr. PERA. Yes, there is.

Mr. ADLERMAN. What is the route on that?

Mr. PERA. The French traffickers have, during many bad experiences, found it necessary to establish an operating point in Mexico City because of seizures in both Montreal, Canada, and the United States. They set up operations in Mexico City whereby large amounts of heroin were sent to the United States by way of Mexico City. The French operators that established a sizable operation there include Paul Mondoloni, Jose Hawayer-Nayer, Roger Coudert, and Antonino Farina.

The CHAIRMAN. Are we the principal market for the illicit drug traffic in the world?

Mr. PERA. Yes, in the consumption of heroin.

Mr. ADLERMAN. Except for the Far East.

Mr. PERA. When we speak of the illicit production of Turkey, I believe we are the principal market for that illicit production. But we are not considering here the Far East.

The CHAIRMAN. Not what?

Mr. PERA. We are not considering here opium produced in the Far East, for the illicit production of Turkey.

The CHAIRMAN. As I understand these maps and charts, they simply deal with the opium production in Turkey, and you are tracing it.

Mr. PERA. Yes, the illicit opium production.

The CHAIRMAN. And we are, the United States, the principal market for that illicit production?

Mr. PERA. Yes.

Mr. ADLERMAN. Who would be the second largest in the use of heroin? I am talking now of illicit heroin.

Mr. PERA. There is a substantial addict market in Canada.

Mr. ADLERMAN. Would you say that their number of addicts is anywhere near as high as ours?

Mr. PERA. I don't believe so. I can't give an estimate as to the number of addicts in Canada.

Mr. ADLERMAN. There are some countries that use a great deal more narcotics than we do. For example, England uses much more narcotics than the United States.

Mr. PERA. The United Kingdom has a per capita consumption of licit narcotic drugs that is twice that of the United States.

Mr. ADLERMAN. That is per capita?

Mr. PERA. Yes.

Mr. ADLERMAN. Of course, in the Near East you have a very large use of heroin by Iran.

Mr. PERA. Yes.

Mr. ADLERMAN. What is the source of their supply? Would that be Turkey, also?

880 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. PERA. Years ago there was a tremendous amount of opium grown in Iran. There were consistent enforcement efforts directed toward lowering this opium production. These were successful. So today, Iran, instead of being an opium grower that furnishes the illicit market outside of Iran, has to go to other sources. The traffickers there have to go to Turkish sources in order to get opium to make heroin for their own uses.

Mr. ADLERMAN. So Iran may not be one of the biggest users but it is one of the larger?

Mr. PERA. Yes.

Mr. ADLERMAN. And in the Far East you do have places like Hong Kong with over 150,000 addicts, or more than 3 times the number that we have in the entire United States.

Mr. PERA. The entire Far East is, by far, the world's greatest center for consumption of narcotic drugs. It doesn't compare to what we have in the United States.

Mr. ADLERMAN. You have various backup materials, notice, and you have information relating to particular cases which would show a pattern of traffic, and so forth. Rather than have you take the time of the committee in setting this forth orally, we would like you to submit that in writing. I think you have prepared some material along that line.

Mr. PERA. Yes.

Mr. ADLERMAN. Some of these outfits engaged in the heroin traffic are real bigtime criminal operators abroad. For example, I think the Paroutian outfit was engaged in very large-scale thefts that amounted to millions and millions of dollars.

Mr. PERA. Yes.

Mr. ADLERMAN. And some of the others have been involved in very large-scale operations, in thievery and counterfeiting, is that correct?

Mr. PERA. Yes. By far their total criminal operations would probably exceed in revenue the money they gain from the traffic of narcotics, if you considered the total criminal operations.

As an example, during the first few months of 1958 the Cotroni group, and those involved with it, were responsible for burglaries of Canadian banks of negotiable securities amounting to approximately \$12 million or so.

Mr. ADLERMAN. We do have several other maps showing the paths of operations of the other gangs. I would like to offer those in evidence at this time, together with your backup material, if we can do that.

The CHAIRMAN. Have you prepared the maps?

Mr. PERA. Yes, Mr. Chairman.

The CHAIRMAN. Are they self-explanatory, largely?

Mr. PERA. Largely they are; yes.

Mr. ADLERMAN. Together with the other material that he has.

Mr. PERA. Yes; I have written material that would explain them, too.

The CHAIRMAN. Very well, they may all go into the record.

(The map may be found in the files of the subcommittee.)

Mr. ADLERMAN. Is there anything else that you feel you would like particularly to discuss in this area?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 881

Mr. PERA. With regard to the traffic; no, I think I have covered it. The CHAIRMAN. Are there any other aspects of this? Are there any other subject matters you would like to discuss?

Mr. PERA. No; I think that is all.

Mr. ADLERMAN. You think everything else will be covered by your written testimony?

Mr. PERA. Yes; and by succeeding witnesses.

Mr. ADLERMAN. Do you also have photographs of laboratory operations in France?

Mr. PERA. Yes.

Mr. ADLERMAN. Can we include with exhibit No. 2 all of the backup material?

The CHAIRMAN. We will let the backup material, along with the photographs, be designated as exhibit Nos. 2, 2-A, 2-B, and 2-C and printed in the record.

(History of narcotic traffic follows. Backup material may be found in appendix on p. 945.)

EXHIBIT No. 2

NARCOTIC TRAFFIC ORIGINATING IN AND EMANATING FROM TURKEY, SYRIA, AND LEBANON

(Witness: A representative of the Bureau of Narcotics)

The Turks have cultivated the opium poppy (*Papaver somniferum*) for centuries. Modern Turkey ranks second among the four leading opium-producing nations. During 1962 Turkey produced 340 tons of licit opium, representing for that year approximately slightly over one-third of the world's medical and scientific needs.

The cultivation of opium for the world licit market is permitted by the Turkish Government in seven provinces; namely, Afyon, Eskisehir, Amasya, Kuhtahya, Malatya, Denizli, and Konya. However, the greatest amount of Turkish commercial opium is produced in Afyon Province. The control of opium production is the responsibility of the Provincial Technical Agricultural Office and all legal purchasing of opium is done by "Toprak" which is equivalent to the Turkish Government opium monopoly. The morphine content of opium ranges from 6 to 25 percent, depending upon the origin. Turkish opium is noted for its superior quality and the relatively high morphine content, which averages from 10 to 18 percent.

A farmer is free to plant opium provided his "kaza" or administrative district has been approved for that purpose. Opium cultivation is permitted in all "kazas" of Afyon but in the other provinces named only a few districts have been approved. Following the planting a farmer must submit a declaration to the agricultural office describing the location and the number of dekars (equivalent to 10 square meters) of opium planted along with an estimate of anticipated yield.

The agricultural office is responsible for the checking on these estimates and seeing to it that the declarations have been filed. The staff from this office goes from district to district inspecting fields. Under Turkish laws, farmers are subject to penalties of at least 3 months imprisonment if they underestimate the size of their crop or if they fail to deliver the amount of opium they have declared when "Toprak" purchases the crop.

One dekar produces in the vicinity of three kilos of raw opium and the income from this crop substantially exceeds that obtainable from the growth of grain or other crops. Furthermore, a greater labor force is required in the cultivation of opium and the relatively high income sustains increased employment in the localities where this crop is produced.

"Toprak" purchases opium from the Turkish farmers at a price that varies between \$8 and \$12 per kilogram. In recent years the number of farmers licensed to grow opium in Turkey approximates 100,000.

Despite these governmental measures, Turkey through the years has experienced unabated overproduction of opium. The farmers refuse to sell to the

882 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Government their entire output of opium, preferring to channel their excess supplies to the underworld, which affords them a higher price. The contraband opium buyer-traffickers pay the peasants from \$1 to \$5 more per kilogram than the price fixed by the monopoly.

Turk peasant producers and even the wholesalers who buy up quantities from groups of producers are often dealt with leniently when they are apprehended. Whereas traffickers dealing in morphine base and heroin have received substantial penitentiary sentences, the judiciary has meted out to opium traffickers minor prison sentences up to 6 months.

There are indications that the number of clandestine heroin conversion factories in Turkey has diminished. The heroin output in Turkey is more for national criminal consumption rather than for smuggling outside the country.

A substantial portion of the annual opium crop of Turkey is diverted to the illicit market by smugglers who purchase the farmers' excess production. Estimates of opium entering the illicit traffic vary between 6 and 8 percent of Turkish annual production.

The smuggling groups who purchase the farmers' overproduction are financed in many instances by wealthy merchants. As the opium moves toward and across the Syrian border, its value in the illicit market increases substantially. When first purchased from the farmer, the illicit raw opium may cost a dollar or two per kilo above what the Government monopoly may pay. Once it crosses this Syrian border it may be sold for four or five times that price.

The groups involved in this smuggling are, in turn, also responsible for the smuggling of consumer goods from Syria into Turkey. It should be remembered that Turkey for years has had a very tightly controlled economy and that black market has flourished in the face of these controls. As an example, one of the most important traffickers, one Huseyin Eminoglu, is reputed to be an extremely wealthy Turk. While he is described as one of the most important traffickers in smuggling opium, he at one time was implicated in smuggling charges involving tons of contraband coffee and English nylon.

Raw opium is smuggled over the Turkish border into Syria by several routes usually in groups or caravans. The groups of smugglers are usually armed and will not hesitate to exchange fire with the Turkish or Syrian patrols they might encounter. The smugglers may employ animals, such as mules or camels, or those having the means may use trucks or cars for the purpose.

In recent years the Turkish authorities have resorted to placing mines in the path of the routes used by the smugglers. However, the smugglers have devised countermeasures such as the herding of a flock of sheep ahead of them through a minefield in order to detonate mines planted and make the routes safe.

Because of the increased prices the smuggled opium fetches in Syria and Lebanon, this type of traffic has continued through the years and is engaged in by individuals with a variety of backgrounds. Some of this opium finds its way to Aleppo, Syria, where it is purchased by traffickers who extract from the raw opium a morphine base.

This is done with primitive equipment such as a used 50-gallon oil drum in which the opium is dissolved with water while being warmed over a fire. To the mixture is added chalk or calcium chloride precipitating the substances other than morphine. The filtrate, or liquid portion, is then poured off and allowed to evaporate leaving a residue which is partially clarified morphine base.

Ten kilograms of opium will make approximately 1 kilogram of morphine base. The conversion of opium into morphine base may also take place in Beirut, Lebanon, and the techniques used in this conversion are substantially the same.

Turkish authorities have stated that some 11 persons are killed each month in the smuggling operations over the Syrian border.

The General Directorate of the Security Forces of Syria reported during May of 1961 that in the course of the 5-year period from 1956 to 1961 the Syrian Security Forces seized some 15,800 kilograms of opium smuggled into that country from Turkey.

Most of the morphine base from Lebanon is smuggled into France, particularly Marseilles. In France there are clandestine laboratories which convert the morphine base into heroin. These clandestine laboratories are for the most part operated by French-Corsicans, who smuggle most of the heroin into the United States and Canada for eventual consumption in North America.

It is noteworthy that there is a close ethnic relationship between Syrian black marketeers and the Turkish families trafficking in opium. There is also a close personal association between the French-speaking Lebanese and Syrians and

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 883

many of the French-Corsican narcotic traffickers of France. Most Lebanese and Syrian narcotic traffickers are unwilling to deal directly with European traffickers unless there has been evidence of past trustworthiness and rapport.

The underworld elements in Turkey dealing in narcotics are for the most part organized groups which engage in multiple illicit operations. Despite the opium overproduction in Turkey, that country does not experience any overburdening, serious addiction problem, although addiction per se does exist there. There is a notable scarcity of addiction among the opium poppy farmers and in the opium producing areas. The penalties under Turkish law are somewhat harsh; however, the full implementation of these laws is rarely exercised.

The French police several years ago estimated that monthly there are smuggled into the United States approximately 100 kilograms of heroin from French clandestine laboratories. Most of this heroin is manufactured from morphine base derived of Turkish opium. This would mean that 1,000 kilograms of opium would have to be smuggled from Turkey each month in order to supply the French clandestine laboratories with the amount required for their output. On a yearly basis, about 10 metric tons of opium would have to be smuggled out of Turkey.

A vigorous enforcement program in Turkey during recent years has revised these estimates downward considerably. It should be borne in mind that these estimates are, at the best, only educated guesses and subject to the many changes in the patterns of the drug traffic.

ADDENDUM

Background sheets have been prepared on the following named individuals mentioned in this report:

- | | |
|-----------------------------|-------------------------------|
| 1. Alaouie, Mounir | 12. Kiyar, Hagi Ibrahim |
| 2. Araman, Antoine | 13. Makkouk, Omar |
| 3. Berk, Muhtar | 14. Paroutian, Antranik |
| 4. Berti, Enzo | 15. Patrizi, Joseph |
| 5. Bezal, Ali | 16. Pirico, Francesco |
| 6. Bezal, Sefer | 17. Rahmo, Fayssal |
| 7. Bourbonnais, Charles | 18. Rosal, Mauricio |
| 8. Graziani, Gabriel Lucien | 19. Saverino, Francesco Paolo |
| 9. Harrouk, Antoine | 20. Sen, Ibrahim |
| 10. Kevorkian, Hagop | 21. Soysal, Ahmet |
| 11. Khoury, Samil | 22. Tarditi, Etienne |

(Complete background sheets on above-named individuals may be found in the appendix on p. 945.)

ANTRANIK PAROUTIAN AND GABRIEL GRAZIANI

This case involves the international traffic in heroin by a group which participated in all phases of the traffic from the purchase of the opium grown in Turkey to the final distribution of heroin in the United States. The case also involves the first successful extradition of a narcotic violator to the United States from a foreign country, as well as the first and only exposure in the U.S. Federal court through the cooperation of the Swiss Government, and of Swiss bank accounts maintained by these defendants.

SUMMARY

During early 1958 there were a series of burglaries of Canadian banks in which approximately \$12 million in negotiable securities were stolen. It was suspected that the Cotroni group of Montreal was responsible for these crimes. This group was known for years to have trafficked in heroin, of which they furnished to violators in the United States.

During April 1958, Graziani, a partner of Paroutian, was apprehended in Geneva, Switzerland, while he attempted to negotiate a number of securities which were part of those stolen from Canadian banks. The Swiss officials arrested Graziani and alerted both Canadian and United States authorities. It was learned that Graziani maintained an apartment in New York.

Subsequent investigation revealed that Graziani had resided with Paroutian in this apartment. Further, that they kept a secret compartment in the closet located there for the purpose of storing both heroin and stolen securities.

Subsequent search of this apartment disclosed a small amount of pure heroin to be hidden in the secret cache.

884 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Additional investigation also established that during the period of 18 months commencing from the latter part of 1956, Graziani and Paroutian had forwarded to coded numbered accounts in Switzerland a total of approximately one-half million dollars. It was also established that both Paroutian and Graziani operated in partnership with Giuseppe Cotroni, Rene Robert, and Peter Stepanoff, alias Peter the Russian, the latter subsequently identified as the perpetrator of some of the bank burglaries.

Paroutian and his associates would smuggle approximately 27 kilos of heroin at a time from France to Canada, secreting the drug in hidden compartments of automobiles which they had brought from France to Canada into the United States.

Following this investigation a Federal indictment was obtained charging Graziani and Paroutian with possession of narcotics and conspiracy to violate Federal narcotics acts. Both had returned to France where extradition was impossible.

During early 1960, Paroutian was apprehended by Lebanese authorities involving an investigation of some 10 kilos of morphine base seized in Lebanon. Investigation by Lebanese authorities and agents of the Bureau of Narcotics disclosed that Paroutian had traveled to Turkey where he negotiated the purchase of large quantities of opium and its subsequent conversion into morphine base in Lebanon. The morphine base seized was taken from underlings working for Paroutian. However, because several witnesses against Paroutian recanted in Lebanon, the case against him there was not prosecutable. He was held pending extradition proceedings initiated in the United States. The extradition was effected during June 1960 when he was brought to the United States to stand trial.

During this period of imprisonment, while awaiting trial, Paroutian by chance, had as a cellmate a Brazilian national who had just been apprehended on an attempt to sell a quantity of cocaine to a narcotic agent working undercover. Never at a loss to further his dealing in the traffic, Paroutian made close friends with the Brazilian and attempted to convince the latter that he should enter a partnership with him and supply cocaine from sources known to the Brazilian in Bolivia, to members of the Paroutian organization, who were to travel to South America posing as tourists with automobiles in which the cocaine was to be hidden and smuggled on the return trip to France.

Paroutian told the Brazilian that the market for cocaine in France and particularly in Lebanon would get them high prices in both of these countries. During this period the Brazilian related to Federal narcotic agents the conversations he had with Paroutian and subsequently testified in Federal court against Paroutian.

Following his trial in Federal court in the eastern district of New York, Paroutian was sentenced to 20 years in prison. The case was subsequently reversed by the court of appeals and Paroutian was retried.

Upon retrial before Hon. Jacob Mishler, U.S. district court judge, eastern district of New York, and most able prosecution by Mr. Joseph J. Marcheso, then deputy chief of the criminal division, eastern district of New York, this defendant was again convicted and since was sentenced to serve 20 years on two separate counts and fined \$20,000 on each count.

Among Paroutian's outlets in the United States was the organization headed by Carmine Galante. Both Paroutian and Graziani, in addition to their activities in Canada and New York were equally active in Florida and Cuba.

EXHIBIT No. 2A

FRANCE

SUMMARY OF TESTIMONY

The bulk of heroin manufactured illegally in France is destined for consumption by the addict market in the United States. The French-organized underworld, composed predominately of Corsican gangsters, is responsible for the bulk of the manufacture of illegal heroin. The developments leading to the formation of underworld laboratory facilities in France and some details regarding the overall operation of the organized French underworld in narcotic traffic and their relationship with criminal groups from other countries in establishing the chain of flow of heroin being smuggled into the United States will be the subject of this report.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 885

FRANCE—THE CENTER OF ILLICIT HEROIN MANUFACTURE

Since the early 1950's France has been the center for the laboratory operations which produce heroin from morphine base smuggled into that country from illicit sources in the Near East. This laboratory operation is a most important link in the chain of flow of the heroin which arrives in the United States for consumption by the addict population in this country.

ROLE OF THE CORSICAN UNDERWORLD IN THE FRENCH TRAFFIC

An important element in the French narcotic traffic is the closely knit underworld organization composed of criminals of Corsican origin. Ethnically, this criminal group has much in common with its counterpart from the island of Sicily. Italian is the first language of both groups. On both islands conditions of poverty have existed for many years and there has been a migration toward a mainland in search of better opportunities. Both are seafaring people who have had a long history of smuggling activity. Both islands have produced a criminal fraternity which is strongly affected by family ties and clan influence. This criminal activity has a rigid code of its own which, within its limited sphere, makes it, in effect, a second government.

We have found in the past that Mafia elements from Sicily have referred to those in the Corsican underworld organization as "cousins." With the settlement of many Corsicans during years past in French possessions in North Africa and the Levant, there developed a trade, both licit and illicit, with French-speaking merchants in these areas.

INCEPTION OF ILLICIT LABORATORY ACTIVITY IN FRANCE

The traffic in illicit heroin during World War II was virtually nonexistent. Immediately following World War II, the heroin which was smuggled into the United States for illicit consumption was produced in licensed pharmaceutical laboratories in northern Italy and illegally diverted into Mafia channels in that country.

Following the exposure of this activity by the Italian authorities, assisted by agents of the Bureau of Narcotics stationed in Italy, the Italian Government took forceful action. The manufacture of heroin was outlawed in Italy and during the early 1950's this source was eliminated.

The Corsican gangsters in France immediately recognized the lucrative possibilities of replacing the Italian sources and commenced the manufacture of heroin which was then directed to the Mafia outlets in Sicily.

The strong affinity between these two groups readily provided for a smooth-working organization which obtained massive quantities of morphine base from Lebanon and Syria. There French-speaking merchants contracted to accumulate large quantities of morphine base on orders placed by the Corsican racketeers with whom they had dealt in other commerce during previous years.

DESCRIPTION OF LABORATORY OPERATION IN THE MANUFACTURE OF HEROIN

The morphine base in most cases is provided French seamen couriers whose ships stop at ports of call at Beirut, Aleppo, or Istanbul. These seamen are in the employ of the Corsican gangs and smuggle the base into the port of Marseilles when their ships call there. Marseilles has long been the center of Corsican hoodlum activity. There the laboratory operators take delivery of the base and forward it to the location of their clandestine laboratory. Such a laboratory may be located in a villa near Marseilles, along the Cote D'Azur, or in a slum section of Marseilles. The locations vary and are changed from time to time to avoid detection by French police.

The equipment required in these laboratories is not elaborate but the technique in manufacturing a high purity heroin must be good and requires some skill. The partially clarified morphine base is purified by successive washings with acetone or similar solvent and the use of bone black or activated charcoal. Following its purification, the morphine is acetylated. This process requires the use of acetic anhydride, a chemical which has widespread use in industry, particularly in the manufacture of textiles.

Heroin, in actuality, is diacetyl morphine and the process by which morphine is acetylated is that by which heroin is manufactured. The basic heroin must then be transformed into the hydrochloride salt before it is usable by the addict

886 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

as the heroin molecule itself is relatively insoluble in water and cannot be dissolved easily for injection purposes. The chemical operation is complete when heroin hydrochloride has been manufactured.

Among the chemicals used in quantity in the manufacture of heroin are included acetic anhydride or acetyl chloride (either may be used for the purpose of acetylation.) Also used are solvents such as ether, acetone, alcohol, bone black or other forms of activated charcoal and hydrogen chloride. In addition to this, there is required laboratory paraphernalia including retorts, flasks, condensers, heating elements, thermometers, glass tubing, etc. The laboratory operations, not being particularly complex, may be moved from one place to the other.

The Corsican gangsters have through the years succeeded in corrupting professional chemists who have made heroin. These chemists have also taught some of the more adept hoodlums the operation and there are a number of gangsters who have become laboratory operators through the knowledge of chemistry acquired in this manner.

For every kilo of morphine base, under the best conditions and with very competent technique, approximately $1\frac{1}{3}$ kilos of heroin hydrochloride can be manufactured. Because clandestine laboratories often do not provide the most excellent conditions and because the operators are not always as technically competent as those employed by legitimate pharmaceutical houses, it can be estimated that the yield for 1 kilo of morphine base may be closer to an equal amount of heroin in the illegal conversion.

MANUFACTURED HEROIN ENTERS TRAFFIC

Following the manufacture of the heroin, the drug is packaged in kilo quantities in plastic bags (formerly in oil cloth watertight containers) and is placed in the hands of a courier who will deliver large quantities to the Mafia traffickers in Sicily for eventual distribution in the United States, alternately, it may be placed in the hands of a seaman courier who will deliver it to the Canadian traffickers in Montreal for eventual distribution through underworld channels in the United States. False bottom trunks, hidden compartments in automobiles, or other smuggling paraphernalia are often used for this purpose.

While most of the laboratories are located in the Marseilles area, some of the laboratory operators have set up facilities in the suburbs of Paris, another center of activity for the Corsican underworld.

It should be noted that those in the Corsican underworld often operate lucrative legitimate enterprises acquired from revenue from illicit sources. Some of these include industry, banking, import-export, and operation of night clubs and restaurants. Those in the Corsican criminal fraternity have been equally active in other organized criminal pursuits such as the traffic in counterfeit currency, the smuggling of contraband cigarettes, the theft and dealing in stolen paintings or objects of art, stolen gems, furs, and extortion. A few years ago this group was active in widespread armed robbery to such an extent that a concerted effort was made by the French police and severe measures were taken so that this menace was repressed.

The organized Corsican criminal element does not hesitate to work closely with other criminal groups or cooperate with criminals outside their sphere when opportunities promising a mutual advantage arise. In many aspects the organized underworld activity in France is similar to that existing in Italy and the United States.

FINANCIAL ASPECT OF FRENCH ILLICIT LABORATORY OPERATION

The scale and extent of the illicit laboratory operation in France require a considerable financial investment on the part of the laboratory operators and those backing such ventures. Exhaustive investigation conducted by the French police with the cooperation of Swiss authorities have shown large bank drafts between the major traffickers in France, the sources of morphine base in Lebanon, and the outlets for this heroin in Italy, Canada, the United States, and Mexico which occur through secret accounts maintained in Swiss banks.

One of the difficulties facing the French operators is the complete lack of guarantee of payment for heroin they deliver to the United States and Italy. Those engaged in this large-scale international crime do not always show integrity in their dealings.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 887

To guarantee that delivery of large shipments to Canada and the United States takes place and to supervise the collection of moneys, the French operators of times send a trusted confederate to New York or Montreal to guarantee the delivery and payment for it.

The traffickers in Montreal have established a considerably better record as to financial responsibility and are, therefore, more trusted by the French sources of supply. For this reason, the Canadian group has acted as brokers or intermediaries between the French sources and the New York outlets.

FRENCH SOURCES OF HEROIN FOLLOWING WORLD WAR II

Shortly following World War II, a laboratory for the conversion of heroin from morphine base was operated by Marius Ansaldi, an underworld chemist, and Dominique Reissant, both important figures in the French Corsican underworld fraternity. Their laboratory was located in the suburbs of Paris. Most of the heroin they manufactured was furnished by Francois Spirito, a notorious leader in the Corsican underworld of Marseilles. Spirito, alias Charles Faccia, had been closely associated with Mafia elements in the United States before his deportation from this country in 1953. He was equally familiar with the more important Canadian underworld figures in Montreal and Toronto, Canada.

Spirito's close associate in the narcotic traffic was Joseph Orsini, who traveled to the United States and Canada where he established outlets for the heroin from Ansaldi's laboratory. Spirito and Orsini worked closely with Antoine D'Agostino, alias Michelle Sisco, and the late Jean David, alias John Laget. Orsini, D'Agostino and their associates were well known to the French police. This group had been identified as collaborators during World War II and D'Agostino had been sentenced to death in absentia by the French courts as the result of a murder occurring during their wartime collaboration with the Germans.

This group was equally involved in a wide assortment of organized criminal activities in France during the war period, as well as the early postwar period. In order to escape arrest in France, several of them entered the United States illegally and assumed false identities in New York City where they immediately set up outlets for heroin produced by their associates in France.

Among those who established a working relationship with the Reissant-Ansaldi group were New York traffickers, Eugene Giannini, Giacomo Reina, and Salvatore Shillitani, alias Sally Shields. another New York outlet for this group was Saul Gelb for many years a notorious international trafficker.

As the result of the investigation conducted by the Bureau of Narcotics, indictments were secured at the southern district of New York implicating Giannini, Shillitani, Giacomo Reina, and others in a narcotics conspiracy case. A separate Federal narcotic conspiracy case was developed against Saul Gelb, Harry Stromberg, and their associates at the southern district of New York.

Working closely with the French police, agents of the Bureau of Narcotics succeeded in developing information concerning Marius Ansaldi. During June of 1952 French police culminated this investigation by raiding a villa in the Montbaron, a suburb of Paris, France. The villa was the site of Ansaldi's secret heroin laboratory. The raid resulted in the seizure of equipment and quantities of heroin and morphine base, as well as the arrest of Ansaldi and several of his associates.

Reissant was not implicated in this case and continues to be an important figure in the narcotic traffic in France to this date. His specialty now is the obtaining of large quantities of morphine base from sources in the Middle East for illegal heroin laboratories operated by his associates in France. During 1953, Marius Ansaldi was convicted of operating a clandestine heroin laboratory (prison term). The French police report that he died during 1960.

LABORATORY ACTIVITY AND NARCOTIC TRAFFIC IN FRANCE DURING RECENT YEARS—THE FOUR MAJOR GROUPS INVOLVED

As a result of close cooperation between the French police and agents of the U.S. Bureau of Narcotics, we have been able to obtain some excellent sources of information concerning the extent of the narcotic traffic and laboratory operations in France during recent years. This information specifies that the narcotic traffic in that country is controlled by four Corsican underworld groups.

The first is the organization of Francois Spirito which continues to function unabated to date. Spirito, through the years, has developed close association

888 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

with major Mafia figures, both in Italy and the United States. He funnels heroin manufactured illegally in France to these Mafia outlets.

One of his principal associates in this traffic is Salvatore Caneba, a Mafia leader deported from the United States during 1953, who now resides in Rome, Italy. Caneba has been involved recently in a narcotic case developed jointly by the Italian police and agents of the Bureau of Narcotics working in Italy. He is, as well, subject of intensive investigation in the anti-Mafia drive now being waged by the Italian authorities.

Among Spirito's close Corsican criminal associates in Marseilles, France, is Dominick Venturi. The latter's brother, Jean Venturi, resides in Montreal, Canada. Persistent information from French underworld sources indicates that the latter is furnished large quantities of heroin by the Spirito-Venturi combine at Marseilles. The heroin is smuggled into Canada by Corsican seamen smugglers who sail aboard French-line ships plying the port of Marseilles and ports along the St. Lawrence Seaway and the Great Lakes. Also associated with the Spirito-Venturi organization and an understudy to the leader, is Marcel Francisi, an equally important figure in the French underworld.

According to knowledgeable underworld sources in France, the Spirito organization in recent years is responsible for the smuggling of approximately 50 kilograms of pure heroin monthly into the United States from France.

The second organization is headed by Charles Marigniani, alias Lolo. He is a Corsican about 60 years of age who now resides in Paris, France. He works closely with Jean Jacobetti, also a Corsican and a resident of Paris. Both Marigniani and Jacobetti have also been active traffickers in counterfeit currency and stolen objects of art. Leading members of this organization are Francois Franchi and Gilbert Coscia.

Coscia at the present time is under indictment at the southern district of New York in a case involving the largest seizure of heroin ever recorded. This seizure took place in New York during October 1960. Also implicated as defendants and convicted as a result of this seizure were Mauricio Rosal, former Guatemalan Ambassador to Belgium and the Netherlands, a paid courier and smuggler for the organization; Etienne Tarditi, a French national and member of the Corsican criminal element, who traveled to New York representing the French sources of supply; Charles Bourbonnais, U.S. citizen, an airline purser operating between Paris, France, and New York, N.Y., who was charged with the responsibility of delivering large amounts of money amounting to several hundred thousand dollars in payment of heroin received in New York to the organization at Paris, France; and Nicholas Calamaras, a lesser figure whose job it was to take delivery of the narcotic drugs for the Mafia outlets of New York.

Implicated with Coscia in France in the seizure of this heroin were Robert Lecoat, a stockbroker in Paris, France, and the financial manipulator for the underworld; Felix Barnier, the go-between for the Corsican underworld and Lecoat, and Gilbert Coscia. The Marigniani organization, according to information furnished, smuggles monthly into the United States approximately 50 kilograms of heroin from France.

The third organization is that operated by Joseph Patrizzi who works closely with Charles Peysson, a notorious Corsican violator who was implicated in the famous Aga Khan jewel robbery which took place on the French Riviera several years ago. This group utilizes the outlets for heroin in the United States, Canada, and Mexico established by their fellow Corsican trafficker, Paul Mondoloni. Working closely with Mondoloni in furnishing heroin to traffickers in New York via Florida, Mexico, and Canada are Jean Baptiste Croce and Ansan Bistoni. Equally active as outlets for the Patrizzi organization were Gabriel Graziani, and Antranik Paroutian, both of Marseilles, France. Paroutian was recently sentenced to 20 years for violation of the Federal narcotics laws at the eastern district of New York after his extradition from Beirut, Lebanon, during 1960. According to undercover sources, the Patrizzi organization was formerly headed by Dominique Nicoli, a Corsican underworld leader who was murdered in Marseilles.

The fourth group was active in France until it was disbanded as the result of a joint effort by the French police and agents of the U.S. Bureau of Narcotics working in France and the United States. This group was composed of the Aranci brothers, Joseph, Marius, and George. These brothers specialized in furnishing heroin to American seamen smugglers for delivery to their underworld customers in New York.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 889

During April of 1960, the U.S. Narcotics Bureau agent working in an undercover capacity purchased heroin from Louis Santiago, one of these seamen, at New York, N.Y., and subsequently made arrangements for delivery of heroin by the latter's shipmate, Clarence Aspelund, also a seaman smuggler. A total of five kilograms were seized and, as a result of the investigation which followed, the Aranci brothers were implicated and were subsequently arrested in France.

While the Aranci brothers had not trafficked in massive quantities of heroin, they had, for over 20 years, been responsible for a smooth-running organization which, with regularity, smuggled substantial quantities of heroin by means of seamen couriers from France to the United States. Since the conviction of the Aranci brothers during 1960, this group has been disbanded.

The most important single operator of the clandestine laboratory in France is Dominique Albertini. A clever underworld figure, the latter learned the chemistry involved in the manufacture of heroin from morphine base and has been successful in this operation for a period of over 25 years. His success has been such that he has been able to furnish heroin he manufactures to several of the groups previously mentioned. Albertini operates this laboratory in the vicinity of Marseilles, France, and has been the subject of continuous investigation by the French police.

During 1952 he attempted to establish outlets in the United States for the heroin he was manufacturing and entered the United States illegally at Windsor, Ontario, for that purpose. He was apprehended and sentenced (to serve 2 years in the Federal penitentiary) under the immigration laws of the United States. Following the sentence he was deported to France where he resumed his activities in producing heroin for several of the Corsican organizations mentioned above on an even larger scale.

The total output of the illicit heroin for France destined for illegal consumption in the United States, on the basis of the information learned above, is in the vicinity of 150 kilos monthly. This coincides with recent estimates made by the French police.

FRENCH PENALTIES FOR NARCOTIC OFFENSES LESS SEVERE THAN IN THE UNITED STATES

While the coordinated effort by the French police and agents of the Bureau of Narcotics working overseas has done much to contain this activity, particularly when it has resulted in substantial prison sentences meted out such traffickers when they have been apprehended in the United States, it is apparent that the enormous profits accrued by the French criminal organizations engaged in this activity continues to make their participation in the narcotics traffic attractive to them.

Certainly if the traffickers who are apprehended after difficult and painstaking investigation by the French police were sentenced to long prison terms by the French courts, as they have been under the mandatory penalties in the United States, there might be reconsideration as to their participation because of the increased risks involved. The maximum penalty for trafficking in narcotics in France is 5 years imprisonment. More often than not, French courts have sentenced important violators to prison terms of 2 years or less.

MORE RECENT DEVELOPMENTS IN NARCOTIC TRAFFIC BETWEEN FRANCE AND THE UNITED STATES

During January of 1962 an investigation conducted jointly by the agents of the Bureau of Narcotics and the New York City Police Department resulted in the apprehension of Jacques Angelvin. The latter, a popular French television entertainer, was arrested following his arrival at New York when he smuggled approximately 50 kilos of heroin in hidden compartments in an automobile which he brought with him aboard ship from France. Investigation disclosed that Angelvin was closely associated with Francois Scaglia, a Corsican hoodlum from Marseilles and Paris, France. The latter was also arrested in New York with Angelvin. Involved in this operation were two other French nationals, Jean Jehan and Marius Martin. Both have been regarded for many years as major narcotic suspects operating between France, Montreal, Canada, and New York, N.Y.

Approximately 50 kilos of heroin was seized by New York City police and agents of the Bureau of Narcotics in connection with this case. Followup investigation in France indicated that the Charles Marignani organization was the probable source of supply of this heroin.

890 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The recruiting and employment of an important French entertainer as a smuggling vehicle by the French traffickers is an indication as to the care this group now exercises in effecting deliveries of heroin to their outlets in the United States. This has been necessary in view of the success had through the mutual enforcement efforts of the French police and the Bureau of Narcotics in recent years in breaking up other smuggling channels employed by the French underworld organizations.

ADDENDUM

Background sheets have been prepared on the following-named individuals mentioned in this report:

- | | |
|------------------------------|----------------------------------|
| 1. Albertini, Dominique | 18. Jehan, Jean |
| 2. Angelvin, Jacques | 19. Le Coat, Robert Leon Francis |
| 3. Ansaldi, Marius Jacques | 20. Marignani, Antoine Marie |
| 4. Aranci, Georges | 21. Martin, Marius Louis |
| 5. Aranci, Joseph | 22. Mondoloni, Paul Damien |
| 6. Aranci, Marius Antoine | 23. Orsini, Joseph |
| 7. Barnier, Felix Alfred | 24. Paroutian, Antranik |
| 8. Bistoni, Ansan Albert | 25. Patrizi, Joseph |
| 9. Bourbonnais, Charles | 26. Reina, Giacomo |
| 10. Caneba, Salvatore | 27. Reissant, Dominique |
| 11. Coscia, Gilbert Augustin | 28. Rosal, Mauricio Claudio |
| 12. Croce, Jean Baptiste | 29. Scaglia, Francois |
| 13. D'Agostino, Antoine | 30. Spirito, Francois |
| 14. David, Jean | 31. Stromberg, Harry |
| 15. Francisci, Marcel | 32. Tarditi, Etienne |
| 16. Gelb, Usche | 33. Venturi, Jean |
| 17. Graziani, Gabriel Lucien | 34. Venturi, Dominique |

(Complete background sheets on above-named individuals may be found in the appendix on p. 952.)

(Exhibit No. 2B, photographs of laboratory operations in France, may be found in the appendix on p. 962.)

ITALY**EXHIBIT No. 2C****SUMMARY**

Since the latter 1920's, Mafia groups in the United States have controlled the bulk of interstate distribution of heroin smuggled into this country.

This organization, since World War II, has looked toward the Mafia in Italy, with which it had been closely affiliated both through blood ties and mutual criminal endeavors, for its source of supply. The Italian Mafia during the early postwar period succeeded in corrupting some of the licensed pharmaceutical manufacturers in northern Italy and thereby acquired stocks of licit heroin which they diverted into the illicit traffic for eventual distribution in the United States.

When the Italian authorities sealed off this source, the Mafia traffickers in Italy obtained heroin from the French Corsican underworld organization which had set up laboratories for the manufacture of heroin. This pattern continues to date.

In recent years the Mafia in Italy has come under close scrutiny by Italian authorities. Because of an ever-continuing bloodbath for which the Mafia has been held responsible, strong governmental action in Italy has been underway and promises to contain the activities of this organization.

HISTORY OF MAFIA PARTICIPATION IN THE NARCOTICS TRAFFIC

As a result of anti-Mafia drives by the Italian authorities during the late 1920's and early 1930's, many of the important members of this criminal fraternity emigrated to the United States arriving here with the influx of Italian immigrants during that period. Unlike the great bulk of immigrants from Italy, many of these Mafiosi chose not to take advantage of the opportunities afforded

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 891

them in the United States, but decided instead to continue their activities in the criminal fraternity of which they were part. This resulted in the creation of local Mafia-like organizations in the United States.

During the late 1920's and early 1930's, the narcotic traffic in the United States was controlled primarily by the Jewish criminal organizations. The Jewish criminal elements at that time had access to their own smuggling channels. Toward the latter 1930's the Mafia group assumed control of the interstate channels of distribution and their well-organized underworld network provided a ready outlet for drugs throughout the country.

Prior to World War II, the sources of heroin being furnished Mafia outlets in the United States were located in France and the Near and Far East. During World War II, there was no appreciable traffic in narcotics and the flow of heroin and other drugs into the United States was at a standstill.

During the prewar period and immediately following the war, there were a number of important Mafia figures deported from the United States to Italy. Among these were included some of the most important narcotics violators of the day.

In 1937 Nicole Gentile was arrested at New York. While in the United States he traveled to New Orleans, Kansas City, Chicago, Cleveland, Detroit, New York, and various cities in Florida in pursuit of a scheme involving a large-scale distribution of heroin throughout the United States. Gentile was on equal footing with top Mafia leaders, Vito Genovese, the Mangano brothers, Salvatore Maranzano, Joseph Biondo, Salvatore Lucania, of New York, Sam Macea, of New Orleans, and equally important members of that criminal fraternity in Chicago and Kansas City.

Gentile fled prosecution in the United States and traveled to Italy during 1938 where he took refuge. Following Gentile's voluntary exile to Italy there were a number of other important Mafia figures in the United States who either fled to Italy to avoid prosecution or were deported to that country following the completion of prison terms. Among the postwar deportees were included Salvatore Lucania, Frank Callace, alias Chick 99, Dominick Petrillo, alias the Gap, Giuseppe Pici, Francesco Coppola, Sylvestro Carollo, and Salvatore Vitale. All the above were convicted narcotic violators or fled to Italy to escape prosecution for narcotic violations in the United States. Upon their arrival in Italy during the postwar period, these traffickers renewed ties with those of the Sicilian criminal fraternity with whom they had been acquainted years ago.

DEVELOPMENT OF PRESENT-DAY TRAFFIC FROM ITALY

During the early postwar period, this group impressed upon Mafia elements in Sicily and Italy the fact that they had ready outlets for heroin in the United States and that considerable profits were available to engage in this traffic. It was not long before, through the influence of Salvatore Lucania, there were formed agreements between these traffickers and certain corrupt officials of a number of Italian pharmaceutical firms in northern Italy. These firms had been licensed by the Italian Government to manufacture heroin for medicinal purposes.

Since 1950 agents of the Bureau of Narcotics have worked closely with the Italian police attempting to uncover the sources of heroin smuggled into the United States and distributed through Mafia channels in this country. This cooperation resulted in the exploitation of several seizures of heroin in Italy.

On June 25, 1949, some 9 kilos of heroin was seized at Rome, Italy, from one Vincent Trupia, a New York hoodlum. Associated with Trupia, but not apprehended at the time of seizure, was Joseph DiPalermo, notorious New York hoodlum with a lengthy criminal record. As a result of this seizure, a widespread investigation was conducted by the Italian police into the source of the 9 kilos of heroin seized. This investigation was expanded to include an inquiry into the activities of Salvatore Lucania.

Subsequently, a seizure of 3 kilos of heroin at the Rome airport was made from Frank Callace on April 6, 1951. This rekindled the investigation into the sources of supply. It was determined that Callace was associated with fellow deportees, Giuseppe Pici and Dominick Petrillo in the narcotic traffic. Further, it was noted that both had been seen in the company of Joseph Biondo, an important Mafia figure from New York, who also had visited both Salvatore Lucania and Nicole Gentile in the course of his trip to Italy during 1951.

892 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Continued investigation by the Italian police, working with agents of the Bureau of Narcotics, indicated that Lucania and Gentile had been in contact with one Edigio Calascibetta, a Sicilian, who was a resident of Milan. Calascibetta was involved in the operation of one of the pharmaceutical combines licensed to produce considerable quantities of heroin.

Further investigation disclosed that an estimated 800 kilos of heroin had been made available to Mafia channels in Italy by means of counterfeiting documents and falsifying records. Following these disclosures, the Italian Government took forceful action in bringing this enormous diversion under control and, in fact, outlawed the manufacture of heroin in that country altogether.

After the Italian Government prohibited the manufacture of heroin in Italy, alternate sources of supply had to be obtained by the Mafia hoodlums in this traffic. During this period the French Corsican criminal elements set up laboratories for the conversion of morphine to heroin. This heroin they supplied to Mafia elements in Sicily and Italy for eventual distribution to their outlets in the United States.

During March of 1952, Serafino Mancuso, notorious narcotic trafficker who had been deported to Italy from the United States during 1947, was arrested while he was in possession of a trunk which had false compartments in which a total of 6 kilos of heroin were concealed. Investigation by the Italian police, assisted by agents of the Bureau of Narcotics, indicated that this trunk was destined for delivery to Anthony Giordano, a trafficker from St. Louis, Mo., who had contracted for the obtaining of this quantity of heroin from Francesco Coppola.

Coppola, who had a lengthy criminal record in the United States, was allowed to leave this country voluntarily during 1948 following a warrant for his deportation. Later both Coppola and Mancuso formed a close association with Mafia elements in Sicily and in conspiracy with this group managed to obtain considerable quantities of heroin for delivery to their outlets in the United States. Among these were Raphael Quazarano, John Priziola, and Paul Cimino, of Detroit, Mich.; Giacomo Ammirato, alias James Emery, of Chicago Heights, Ill.; and Anthony Giordano, of St. Louis, Mo. Among the Mafia elements involved with Coppola in Sicily were included Mafia leaders, Salvatore Greco, Antonio Sorcio, and deportees, Salvatore Vitale and Sylvestro Carollo.

Also important sources of supply of heroin in Milan, Italy, were Francesco Perico and Francesco Severino. These two made available large quantities of heroin to various Mafia outlets with which they were associated. Among these outlets were Ugo and Salvatore Caneba. The alias of the former was John Sperandeo. The latter was a major trafficker and outlet for heroin in New York prior to his deportation to Italy in 1948. Upon his deportation he developed a close working relationship with the sources of supply of heroin provided by the Pirico-Severino group and later the French sources of supply.

The Pirico-Severino group of Milan, Italy, also supplied Eugene Giannini, a notorious New York Mafia outlet, up to the time of his murder in New York City during 1952. The Giannini case illustrates the operation of a top echelon Mafia trafficker during the early 1950's, obtaining heroin from sources in Italy and France. The duplicity shown by Giannini in dealing with his associates in the narcotics traffic may well have accounted for his murder (Giannini case).

Giuseppe Pici, who was associated with Frank Callace, Dominick Petrella, and Eugene Giannini, was also a close associate of Salvatore Lucania. He continued his activities in the narcotic traffic and alien smuggling until 1959 when he sold heroin to an agent of the U.S. Bureau of Narcotics, working in an undercover capacity in cooperation with the Italian police at Genoa, Italy. As a result of this case, Pici and those conspiring with him were arrested and sentenced by the Italian court for trafficking in narcotics.

TODARO-LOPICCOLO CASE

Associated with the Spirito organization in France, which has supplied traffickers in Italy, were Corsican violators Antoine Cordelani and Edouard Giribone, both of Marseilles, France. This group alone accounted for 50 kilograms of heroin furnished monthly to Italian Mafia outlets for eventual distribution in the United States. Their outlets in Sicily were Giuseppe Provenzano, Vincenzo Di-Trapani, and Giuseppe Mangianpane of Rome.

The principal traffickers in the United States for whom this heroin was earmarked were Vincent Todaro and Joseph LoPiccolo. This case illustrates the mechanics of the heroin traffic originating from the French sources, flowing

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 893

through the Mafia channels in Sicily for eventual smuggling into the United States. This case will also serve to illustrate channels of distribution in the United States.

THE AGUECI CASE

Following the seizure of the green trunk containing 6 kilograms of heroin from Serafino Mancuso during April 1952, the Italian police conducted an investigation which set responsibility for those involved in the seizure upon the Mafia organization of Salemi, Sicily. The leadership of this organization included Salvatore and Benedetto Zizzo, Settimo Accardo, and the Agueci brothers. This group continued trafficking in heroin and it was not until 1961 that they were implicated through joint investigation conducted by Italian and Canadian authorities and the Bureau of Narcotics in the United States. The Agueci case illustrates the close collaboration between Mafia elements in Sicily, Canada, and the United States.

MAFIA, SICILY ENGAGED IN MULTIPLE ILLICIT ACTIVITIES

This criminal organization has only during the postwar years, concentrated its activity in the narcotics traffic. During the same period they also engaged in extensive trafficking in other contraband. Pietro Davi, leading figure in the Palermo Mafia community for years, has been closely associated with some of the more important French and Sicilian narcotics traffickers, such as Rosario Mancino, Pascal Molinelli, an important Corsican trafficker, and Nicole Gentile.

The Davi group during the early postwar years created a smuggling organization which dealt in very large quantities of contraband American cigarettes. These were purchased by the group front organizations in Tangiers and subsequently loaded upon fast smuggling vessels, mostly surplus British warcraft and smuggled into various ports.

The organization took elaborate precautions to avoid detection and seizure by the Italian police. The smugglers used radar and operated illegal two-way radio transmitters in order to insure the safe landing of their cargo in Italy.

During 1950 Davi and several of his associates were denounced by the Italian authorities at Palermo for dealing in some 13 tons of contraband American cigarettes. He was sentenced to 3 years in prison following his trial, but was later acquitted by the Palermo Court of Appeals for lack of sufficient evidence.

During the prewar years the Mafia groups in Sicily confined their activities, for the most part, to such crimes as kidnapping and extortion. However, during the postwar years they expanded their activities to include, aside from trafficking in narcotics, the creation of powerful monopolies for controlling the produce and foodstuff markets throughout Italy; the contracting of buildings and roads, the sale and purchase of real estate in Sicily, the obtaining of concessions of special water supply points, and for exercising influence on an assortment of public works projects both in Sicily and elsewhere in Italy.

In this respect they expanded their spheres of influence much as has their counterpart underworld organization in the United States. In Italy, this has been accomplished through intimidation and coercion.

Since World War II there have been a total of some 540 murders attributed to Mafia activities throughout Sicily and Italy. Not all of these have occurred as a result of Mafia encroachment into other areas. Many are the result of factional disputes within the Mafia organization.

The Italian police agencies have conducted sporadic investigations into Mafia activities during this period. However, much of the success in bringing these violators to justice has been experienced in the field of narcotics investigations in which the agents of the Bureau of Narcotics have assisted. The most recent anti-Mafia drive by the Italian authorities was sparked during 1960 following an investigation into the sources of supply of 10 kilograms of heroin seized from an unwitting Sicilian immigrant couple at New York during November of that year. In the Italian police investigation that developed a thorough inquiry was initiated into various facets of Mafia activity throughout the country and has now resulted in the convening of an Interparliamentary Commission of the Italian Government to study and provide for possible legislation which might assist in disbanding this criminal group and eliminating their influence.

Concerted effort of the Italian authorities has brought striking results. As has occurred in the United States, following intensive police investigation, there have been factional disputes which have resulted in killings. The Gallo-Profaci

894 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

war has had its counterpart in Sicily. Profaci's hometown of Villabate, Sicily, has been the center of interfactional Mafia disputes wherein some 21 persons were murdered during the first 6 months of this year.

Public opinion in Italy was thoroughly aroused when some five police officers and two military experts were killed during June 1963 when a booby-trapped vehicle which they were searching exploded on the outskirts of Palermo. The explosion was blamed on the Mafia. The Interparliamentary Commission has continued to sit and vigorous police efforts are continuing in the present anti-Mafia drive in Italy.

ADDENDUM

Background sheets have been prepared on the following named individuals mentioned in this report:

- | | |
|-------------------------------|--------------------------------------|
| 1. Accardo, Settimo | 48. Guippone, Robert Angelo |
| 2. Agueci, Vito | 49. Laget, Jean (David, Jean) |
| 3. Amari, Filippo | 50. Levine, Sam |
| 4. Andreani, Jean Joseph | 51. Locascio, Carmine |
| 5. Ansaldo, Marius Jacques | 52. Loiacano, Angelo M. |
| 6. Baccarani, Gheo | 53. Lo Piccolo, Joseph Paul |
| 7. Badalamenti, Vito | 54. Lucchese, Gaetano |
| 8. Balzarini, Ugo | 55. Lucania, Salvatore C. |
| 9. Barilla, Giovanni | 56. Mancuso, Serafino |
| 10. Berti, Enzo | 57. Maneri, Salvatore Charles |
| 11. Biondo, Joseph | 58. Maugeri, Giovanni |
| 12. Bistoni, Ansan Albert | 59. Massi, James Leo |
| 13. Bonanno, Joseph | 60. Mauro, Vincenzo Francesco Angelo |
| 14. Bonventre, Giovanni | 61. Meltzer, Harold |
| 15. Buccola, Philip | 62. Mogavero, Rosario |
| 16. Buia, Angelo | 63. Orlando, Ignazio Lawrence |
| 17. Borelli, Frank | 64. Ormento, John |
| 18. Calascibetta, Egidio | 65. Orsini, Joseph |
| 19. Campisi, Charles | 66. Papalia, John |
| 20. Campisi, Thomas | 67. Pellegrino, Giuseppe |
| 21. Caneba, Ugo | 68. Pirico, Francesco |
| 22. Caneba, Salvatore | 69. Profaci, Frank |
| 23. Carpineti, Matteo | 70. Priziola, John |
| 24. Caruso, Frank | 71. Pici, Giuseppe |
| 25. Castaldi, Anthony | 72. Quasarano, Raffaele |
| 26. Ciccone, Anthony | 73. Renna, Vincent |
| 27. Cinquegrana, Benedetto F. | 74. Robert, Rene |
| 28. Costiglia, Francisco | 75. Robino, Calogero |
| 29. Cordoliani, Antoine | 76. Ruffino, Giuseppe |
| 30. Cotroni, Giuseppe | 77. Sancinella, Rocco |
| 31. Coppola, Francesco Paolo | 78. Scarpulla, Michele Giacomo |
| 32. Coudert, Roger Antoine | 79. Saverino, Francesco Paolo |
| 33. D'Agostino, Antoine | 80. Schiffman, Charles |
| 34. D'Ercole, Joseph | 81. Santagata, Aniello |
| 35. Di Palermo, Joseph | 82. Scopelliti, Rocco Eugenio |
| 36. Doto, Giuseppe Antonio | 83. Smith, David |
| 37. Eder, Max | 84. Sedotto, Michale |
| 38. Farina, Antonio | 85. Sorge, Santo |
| 39. Fiume, Armando | 86. Spirito, Francois |
| 40. Galante, Carmine | 87. Spitzer, Albert J. |
| 41. Gambino, Carlo | 88. Tantillo, Enrico Nicolo |
| 42. Garofolo, Frank | 89. Todaro, Vincent James |
| 43. Gamba, Costantino | 90. Tuminaro, Angelo |
| 44. Gelb, Usche | 91. Trupia, Charles Vincent |
| 45. Genovese, Vito | 92. Valachi, Joseph |
| 46. Giribone, Edouard | 93. Valenti, Salvatore |
| 47. Gentile, Nicola | 94. Vento, Joseph A. |

(Complete background sheets on above-named individuals may be found in appendix on p. 969.)

Mr. ADLERMAN. Thank you very much.

Senator CURTIS. Mr. Chairman, I do not have any questions, but I want to say that this has been a very valuable witness and I have been impressed by the thoroughness of his preparation.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 895

Mr. PERA. Thank you.

The CHAIRMAN. This takes a lot of work to get this material together, does it not?

Mr. PERA. Yes, it does, Mr. Chairman.

The CHAIRMAN. Does it not become rather intriguing at times as you follow on these clues, and try to put the pieces together?

Mr. PERA. It is a fascinating enterprise, yes.

The CHAIRMAN. I think it is.

Thank you very much.

Call the next witness.

Mr. ADLERMAN. Mr. Gaffney.

The CHAIRMAN. Will you be sworn?

You do solemnly swear the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GAFFNEY. I do.

TESTIMONY OF GEORGE H. GAFFNEY

The CHAIRMAN. Will you identify yourself for the record, please?

Mr. GAFFNEY. My name is George H. Gaffney. I am the Deputy Commissioner of the U.S. Bureau of Narcotics.

The CHAIRMAN. How long have you served in that capacity?

Mr. GAFFNEY. I have been the Deputy Commissioner since early this year, and I have been employed by the Bureau of Narcotics since 1949, approximately 15 years.

The CHAIRMAN. Do you have a prepared statement?

Mr. GAFFNEY. No; I do not, Senator. I have some notes which I will refer to, which I prepared. But a formal statement, no.

The CHAIRMAN. You may add any background material. You are a graduate of the Naval Academy, I see.

Mr. GAFFNEY. Yes, sir; I graduated from the Naval Academy in 1944. I served in the fleet for 4 years. Shortly after I resigned my commission, I went to work as an undercover agent for the Bureau of Narcotics in New York. I served in that capacity until about 1955 when I was appointed district supervisor in Atlanta, covering the Southeastern States. In 1958 I was appointed the district supervisor in New York, and I served there until 1962, when I came down to Washington as assistant to the Commissioner in Charge of Enforcement.

As I say, in 1964, earlier this year, I was appointed Deputy Commissioner.

The CHAIRMAN. I believe the burden of your testimony will be with respect to traffic between Canada and the United States.

Mr. GAFFNEY. And also Mexico.

The CHAIRMAN. Very well. You may proceed.

Mr. GAFFNEY. Mr. Pera has touched upon the sources of supply in France, and Mexico and Canada as with the United States have been mentioned as the principal points of entry of the heroin emanating from the clandestine laboratories in France.

To mention Mexico first, the importance of Mexico stems back to the early days of World War II. At that time, when our traffickers in the United States were relying upon European sources, they suddenly

896 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

found themselves cut off as a result of the disruption of the normal oceangoing traffic. Of course, I don't believe there was much in the way of transatlantic plane flights in those days. We found then that the Mafia element in New York, particularly the younger members of what was then known as the 107th Street mob, who later became very important in these various family groups of the Cosa Nostra, went down in the Mexican border area and established contact with Mexican sources of crude opium, and managed to supply a limited quantity of crude opium or obtain supplies of limited quantities of crude opium, and set up within the United States, particularly within the New York area, clandestine laboratories.

The CHAIRMAN. When was that?

Mr. GAFFNEY. This was during the war years.

The CHAIRMAN. In the early 1940's?

Mr. GAFFNEY. In the early 1940's—1941, 1942, 1943, and so forth.

Mr. ADLERMAN. That was at the time that traffic had stopped between Italy, France, and the United States, and as far as the Mediterranean was concerned there was no flow of any traffic into the United States, so they couldn't smuggle the material in?

Mr. GAFFNEY. It was virtually cut off. As a matter of fact, the addicts in those days relied mainly on thefts from doctors' bags, from drugstores and wholesale houses. Some of them turned to disreputable physicians, and so forth.

Mr. ADLERMAN. During those years, as shown on the other diagrams of Mr. Giordano, we had a very sharp decrease in addiction because there was a lack of accessibility and availability of the drugs?

Mr. GAFFNEY. As a matter of fact, that is precisely the situation. Actually, what happened in the country from the time of the enactment of the Harrison Act of 1914 and the Jones-Miller Act of 1921, outlawing heroin, and the creation of the Bureau of Narcotics in 1930, was that you had a tremendous improvement in the addict situation, and I think it is demonstrated very dramatically by the statistics on draft rejections, the rejections from the draft for reasons of drug addiction.

For example, in World War I approximately 1 man out of every 1,100 was rejected for drug addiction. Yet the situation had improved so greatly by World War II that only 1 man out of every 10,000 was rejected for drug addiction.

As I say, during the war the situation improved even further by the lack of availability of the narcotic drug.

Following World War II, however, and with the diversion from the legitimate manufacturers in Italy, there was a resurgence of the heroin traffic emanating principally from Italy. This continued for a period of about 4 to 5 years at the most.

Mr. ADLERMAN. The flow from Italy, did that go principally to New York?

Mr. GAFFNEY. Principally to New York, yes. Canada didn't figure into it directly and Mexico did not either.

Mr. ADLERMAN. Was it directly to the Mafia groups?

Mr. GAFFNEY. Yes. They had this thing sewed up. They stepped into a vacuum there and took it over completely.

Mr. ADLERMAN. Are you familiar with the map that is on the easel now?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 897

Mr. GAFFNEY. Yes.

Mr. ADLERMAN. Was that prepared under your direction?

Mr. GAFFNEY. Yes. I assisted in its preparation.

Mr. ADLERMAN. Does that show the New York group that is principally involved in the narcotics traffic?

Mr. GAFFNEY. Yes. You have the setup in New York. They have four of the families mentioned, as I see them, the Gambino family, Lucchese family, Bonanno, and the Vito Genovese.

Mr. ADLERMAN. You are familiar with the Valachi hearings?

Mr. GAFFNEY. Yes.

Mr. ADLERMAN. You played quite a part in the *Valachi* case, and you are one of those responsible for Valachi being in jail today?

Mr. GAFFNEY. I will put it this way. The agents of the New York office of the Federal Bureau of Narcotics developed evidence which convicted Valachi on not one occasion but two occasions.

Mr. ADLERMAN. You heard the testimony of Valachi describing the five family groups?

Mr. GAFFNEY. Yes.

Mr. ADLERMAN. Does that coincide in large part with your own experience?

Mr. GAFFNEY. It does, but the course of Valachi went even further and he gave us a tremendous amount of information, intelligence information, which expanded our knowledge a great deal. He was very helpful.

The CHAIRMAN. Was his testimony, what he disclosed to you, very helpful in confirming information you already had, or did it give you new leads and expand your knowledge?

Mr. GAFFNEY. He gave us a great insight into questioned areas that we had information on and we had several theories. He gave us the correct interpretation of what actually happened in these various situations, dating back to the early 1930's.

The CHAIRMAN. In other words, he had the answers to a lot of things that were speculative on your part?

Mr. GAFFNEY. He did. As a matter of fact, I am offering this out: I was quite disturbed by comments in several articles that I read which tended to discredit what he had to say. I can only say that we were greatly impressed. We found that he corroborated many things that we already knew and he cleared up these questioned areas where we had placed varied interpretations, and he gave us what we consider now, on the basis of further corroboration, the correct information.

The CHAIRMAN. In other words, since he testified, or since you interrogated him, you have been able to check further and get corroboration?

Mr. GAFFNEY. We think now, and I believe this opinion is shared by other enforcement agencies, we have a better picture now of organized crime in the United States than we ever had at any time in the past. Of course, this is of inestimable benefit to law enforcement as a whole. I think it is fundamental that if you are going to attack a problem, you first have to recognize what that problem is and the extent of it. I think it is one of the major contributions that that man has made in this area.

I might also add that this committee has thrown the light on a heretofore rather dark corner.

898 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. For this period of time immediately after World War II when traffic flowed into the New York Harbor, enforcement then took its toll on many of the operators in this field, the illicit operators?

Mr. GAFFNEY. Yes. There were several major conspiracy cases developed during the war years involving the 107th Street mob, and they went to jail, a goodly number of them. There were conspiracy cases that I can recall just from reviewing the files that had as many as 37 to 40 defendants in them. Unfortunately, in those days the sentences that were meted out were so unrealistic that these people found themselves having served their terms and were back on the street by the time the case reports were written.

The Government and the police up there in New York found themselves having to cope with them all over again.

Mr. ADLERMAN. I think Mr. Giordano put into the record copies of our original charts we used in the Valachi testimony showing the five families. I think it is well to mention now that you did cross out on each of these charts, by a mark, the persons in the Mafia groups that were convicted of narcotics trafficking, and there were quite a few of them. (Charts appear in part 3, p. 652.)

Mr. GAFFNEY. Approximately 20 percent of all five families. As I remember from looking at them, 40 percent of one of the families were convicted. In another family it was 19 percent, and in another family it was 20 percent. So we like to feel that this has demonstrated that our main interest, our main effort, has been directed against the highest echelon in the traffic, the comments of some persons notwithstanding.

Mr. ADLERMAN. Following this rigorous enforcement by the Bureau of Narcotics, did you find a change in the flow of traffic to Canada and to Mexico?

Mr. GAFFNEY. Yes, we did. But initially when the source of supply was coming from the diversion from the legitimate wholesale houses and manufacturers in Italy, New York still seemed to be the main port of entry. As a matter of fact, in those days the Canadian addicts, the bulk of whom were centered in the Vancouver area, were actually supplied with heroin coming from Italy through New York and thence exported into Canada and transported to the west coast.

Mr. ADLERMAN. There has been a little bit of a reverse now?

Mr. GAFFNEY. That is right. But then the situation changed quite dramatically. At the same time through the tremendous enforcement efforts of the Italian police, and the fact that we had set up offices up there and had our top people, one of whom has now retired and who is head of the Illinois Crime Commission, played havoc with the diversion in Italy.

Then the clandestine operation shifted to France, as Mr. Pera outlined. At that point, there was a change in the method of introduction, the points of introduction, in the United States. Canada; Montreal, became a point of entry, and the Canadian traffickers and the French Corsicans operating in Canada began supplying the drugs from France directly into Canada and thence down to the United States.

Mr. ADLERMAN. This was the first time that the French Corsicans dealt with the French Canadians?

Mr. GAFFNEY. I would say that is correct.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 899

Mr. ADLERMAN. Before that, all of the traffic flowed down to Italy. Now part of it goes to Italy and to the United States, and part of it goes through France, directly to the Canadian areas, and part down to Mexico.

Mr. GAFFNEY. But the Canadians didn't have to rely upon the United States any more. They took a portion of that coming into Canada, sent it out to the west coast, and the bulk came on down to the same Mafioso distributors in the United States.

Mr. ADLERMAN. They just changed the route?

Mr. GAFFNEY. That is right. This is in the early 1950's. The Royal Canadian Mounted Police quickly got onto this. Our people went up into Canada and worked with them. They were very successful initially, and the Canadians developed evidence against some of the top people to such an extent that when they arrested them and set high bonds on them, these people jumped bond and fled first down to New York and then down to Mexico City.

What, in effect, they did was to shift their entire operation from Montreal to Mexico. They were the same people, the Corsicans allied with the Mafia distributors. Then say around 1952, 1953, and 1954 the emphasis seemed to shift to Mexico City. They would bring the drugs in from France to Mexico City and then bring them on up into the States.

I might mention that there were three principal methods of smuggling that were used during this entire period. When the Mafia people were actually doing the smuggling, they preferred New York, as I mentioned, as a port of entry, and they used unwitting immigrants coming in who carried with them elaborately constructed trunks containing false bottoms. They had no knowledge at all that they were being used by these travel agents and so forth in Palermo. But they brought in these quantities that way. When the Corsican gangsters actually took over the smuggling operation, they used two other means which we figure accounted for the biggest part of their traffic. They used automobiles with very cleverly constructed traps built into them, where they could carry upward of 50 kilograms at a time. Then, they turned to a much more refined and sophisticated method of smuggling and that was the use of the diplomats, diplomatic couriers.

This is how the pattern has changed from time to time. When things would get too hot for them in Montreal, they would move down to Mexico. When things got too hot in Mexico they would move back to Montreal. But the pattern has persisted.

(At this point Senator Mundt entered the hearing room.)

Mr. ADLERMAN. Would you discuss briefly, if you can, some of the diplomats that were involved and how they would be involved?

Mr. GAFFNEY. We have had two cases, really I suppose you would be correct if you defined them as one case, and the first one we stumbled on was in 1960. About midsummer in 1960 we received information from our agent stationed in Beirut that a Frenchman by the name of Tarditi was an active trafficker smuggling morphine base into France.

He was also suspected of bringing heroin into the United States. They had sketchy information at the time that he was closely associated with a diplomat who spoke either French or Spanish. I think the information we received on this was in June or July of 1960.

900 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

In August 1960, we received word from our agent in Paris who had been working with the French police that this fellow Tarditi—I think they said his name was Adolph at the time—had just arrived in Paris on a flight.

He had just arrived in Paris on a flight from New York. We knew the flight he had traveled on and we knew his last name. This was all the information we had. So, we dispatched our agents out to Idlewild Airport and in checking with the airline and so forth, we learned that when Tarditi traveled to France on that particular flight, he had a traveling companion listed. I understand this is done to expedite the grouping of baggage and so forth.

The traveling companion was identified as an M. Rosal. In checking further with the airline people, and we have to give them a great deal of credit for this, they indicated that he had received VIP privileges, limousine, and so forth. It was in this means that we identified the traveling companion as Mauricio Rosal, who was at that time the Guatemalan Ambassador to the Netherlands and Belgium.

Well, about a month went by.

I might mention in passing that not only did our people check the movements of these people, the hotels they stayed at, and so forth, in New York, but we checked their baggage declarations coming in and the weight of their baggage going out. While there was no appreciable change in the weights of the baggage that Tarditi had, we found that the Guatemalan Ambassador came in with 180 pounds of baggage and left with 80 pounds. So somewhere along the line, after a 2-day stay, there was 100 pounds difference in the weight of luggage. This of course, excited our suspicion.

We also found that when Tarditi came in, he preceded the arrival of the Guatemalan Ambassador by 2 days.

Mr. ADLERMAN. What would be the advantage of using an ambassador or somebody with embassy privileges as a courier?

Mr. GAFFNEY. Well, in the first instance, being an ambassador, a person having that status, would not ordinarily be suspect. Secondly, it is common in all countries, I believe, to have a certain amount of diplomatic courtesy. There is courtesy extended to diplomats. They are not people who would normally be subjected to the type of extensive search that you and I might encounter.

Mr. ADLERMAN. Was this profitable to the Ambassador?

Mr. GAFFNEY. Mauricio Rosal, after he got caught, which I was going to relate later on, told me that he had received in commissions on three prior trips something like \$26,000 or \$27,000 as just his fees for bringing this in. As a matter of fact, when we arrested him in New York when he came in with the load that he was arrested with, as I recall, he had around the same amount of money in his suitcase.

The CHAIRMAN. What do you mean the same amount?

Mr. GAFFNEY. He had around \$26,000 in his suitcase. I am not positive on the figures of before, but I know that he had about \$26,000 in his suitcase which was the commission for bringing in the 100 kilos.

To make a long story short, as I say, a month after this initial information, we received word from the French that Tarditi was coming in, and we felt if the modus operandi held true, we could expect the arrival of the Guatemalan Ambassador, and that is exactly what happened. He came in 2 days later, and the two met in a hotel, with

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 901

conversations back and forth. He indicated, incidentally, when he came in, and I think he did this for the purpose of having some kind of diplomatic immunity, that he was enroute to his home country of Guatemala. He was not accredited to this country, but as a diplomat in transit from Belgium to Guatemala, he did have a certain form of immunity. When we learned that he canceled his reservation to go back to Guatemala, we felt that he lost that immunity, and when he left the hotel with his four big bags and joined Tarditi and went on up on the East Side of New York, I think 72d Street and Lexington Avenue, he was joined by a steward from the airline and an underworld figure from New York, who was a contact with the mobs.

We just moved in and arrested him and Tarditi in a taxicab and seized over 100 pounds of pure heroin. Questioning of these people quickly led us to the seizure of an additional 100 pounds of heroin which he had brought in about 6 weeks before.

MR. ADLERMAN. What was the total amount?

MR. GAFFNEY. There were a hundred and some kilos—I think 220 pounds of pure heroin, to be exact, and I think we also seized in the neighborhood of 70-some thousand dollars in cash, not only that the diplomat had, but which we found in the car of one of the mob in New York who was to receive these drugs.

MR. ADLERMAN. You found a pattern of using an Ambassador in another case, too?

MR. GAFFNEY. At the time of this arrest, we were quite elated and felt we had really thrown a monkey-wrench into this diplomatic operation until we started talking to an underworld figure who was doing time and who had been important in the traffic. He told us, "Well, you got one of them, but you haven't got the other one." He didn't know the man's name, but he said, "There is another one that is even bigger than he is."

He went on to tell us that this fellow was also from a Latin American country. He didn't identify the country. In questioning the various defendants in the case, and in tracing their movements, we then assigned agents, relieving them of all other duties and told them, "You have to check on all the diplomats that have been coming in." Of course, this meant that our agents had to go and check in Boston, in New York, in the various ports, all the immigration entry forms. Over a period of about a year and a half, they examined upward of a quarter of a million travel documents. By this means, they were able to determine or identify possible suspects, other diplomats whose movements corresponded to the movements of other suspects. As a result of that, in February of this year we arrested the Mexican Ambassador to Bolivia, and the Uruguayan Ambassador-designate to Colombia, using the identically same *modus operandi*. In this particular case, with the Royal Canadian Mounted Police, we seized 138 pounds of pure heroin.

MR. ADLERMAN. What were the names?

MR. GAFFNEY. The Mexican Ambassador to Bolivia was Salvador Pardo-Bolland, and the Uruguayan Ambassador-designate to Colombia was Juan Aroosti. The French trafficker who was tied up with them in the case was a fellow named Rene Bruchon who had been convicted in the United States in 1954, was deported, and had the conviction reversed on some technicality.

902 ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS

They were sentenced about 2 weeks ago. The Mexican Ambassador got 18 years, the Uruguayan Ambassador-designate got 10 years, and Bruchon, 15.

On the other one, the Guatemalan Ambassador received 15 years in the penitentiary. These were the two principal diplomat-smuggling operations.

In addition to that—

Senator MUNDT. These fellows who were sentenced—are they in jail or is there an appeal pending?

Mr. GAFFNEY. No; they are in jail. The Guatemalan Ambassador has already served 3 years, and he has another 12 to go before we have to worry about him again, if we ever have to worry about him.

Senator MUNDT. And these were convicted in February?

Mr. GAFFNEY. No; he was convicted in 1961 as a result of his arrest in 1960. But about 2 weeks ago the other ambassadors were convicted.

Going back for a minute into Mexico, to show you a pattern of the traffic as it shifted from Montreal to the same traffickers, we arrested a man in New York by the name of Jean Laget, a French trafficker. His real name is Jean David. He came to this country in 1939 after having murdered a bank messenger in France.

Mr. ADLERMAN. What was his name?

Mr. GAFFNEY. He went by the name of Jean Laget. His real name was Jean David. At the time of his arrest in 1953, we found a lot of correspondence, names, addresses, and so forth. One particular letter that was found in his possession when arrested in April 1963 was a letter from Mexico City addressed to him under an assumed name, addressed to his apartment, inquiring about the prices of linen in New York. The letter was written in French and said, "If the prices are any good, you can communicate with me in care of the restaurant Helena, Calle de Lerme No. 9, Mexico City."

Our agents in New York City looked at the letter and felt, "Well, perhaps this is a coded inquiry concerning the prices of narcotics." Laget was a Frenchman about 55 years old, 6 feet 2, a distinguished-looking gentleman. But he is in jail. One of our agents decided he would answer the letter. So in August of 1963, the agent sent a letter down in answer and said, "In reply to your letter of such-and-such, the price of linen is very good. If you want to get hold of me, you can reach me at my address," and he gave his own roominghouse in Brooklyn where he shared a room with another bachelor agent. In fact, he even signed the letter with his own name, his correct name, "Angelo Zoro."

Then I think he forgot about it and thought there was only one chance in a million of that paying off. But about 10 days later the roommate came into the roominghouse and the landlady said to him, "Mr. Taraglino, there is a gentleman here. I don't know where he is from, but he is a nice looking and respectful man. He wants to see Mr. Zoro very badly. I hope you don't mind, but I told him to wait up in your room."

Taraglino, of course, had no knowledge of this case at all, or letters being written, but he was a very clever, intelligent, and cautious individual. He went up and met this fellow who was later identified as Roger Coudert, another Frenchman. He spoke broken English but

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 903

made himself understood. He said he just came in from Mexico and wanted to see Mr. Zooro on a matter of extreme emergency.

Mr. Taraglino informed him that Mr. Zooro wasn't at home at the time, but they would get together later and he would arrange a meeting. After the Frenchman left and got into a cab, he quickly contacted our office and arranged a meeting for him up around 8th Avenue and 34th Street in New York City.

Of course, when Mr. Taraglino called the office of the Bureau of Narcotics and informed Mr. Zooro what happened, this created a rather interesting situation. We weren't sure whether the fellow was here to buy narcotics or here to sell them, but we felt anyone bringing narcotics into Mexico would be like bringing coals to Newcastle. We felt that in all probability this fellow Roger Coudert was here to sell narcotics.

The meeting was arranged in a bar up near 8th Avenue and 34th Street. We, of course, had surveilling agents around there at the time. Very quickly Mr. Coudert told Zooro that he had just come to this country, that he was anxious to do business on a large scale, and that he knew that Mr. Zooro was a good customer of long standing. He asked what the price of heroin was. Zooro told him at the time \$8,000 a kilo. The Frenchman got very excited and said that he had been taken by the mob, that he had just brought in 6 kilograms from France, and he was going to go to the mob and get the 6 kilos back and sell it to our agent.

To make a long story short, he tried desperately, but the mob wouldn't give him back the heroin. In turn, he promised to produce an additional 5 kilos from Mexico. Unfortunately, at the same time—a member of the mob, one of two brothers who were fugitives from a Canadian case, the Malak brothers—one of them was arrested in New York by our people for the Royal Canadian Mounted Police.

The word got down to Mexico and they became fearful and sent word to Coudert to move back. At that time, we moved in and seized Coudert and his smuggling trunks, the evidence that he gave us, the samplings, and so forth, and all the cash from him that he had received from the mob for the 6 kilos they brought in several weeks before.

I might mention that, while here, our surveillance indicated that they were dealing with a man in New York—a fellow we knew by the name of John Sparadino. When we checked on him, we found out his real name was Ugo Caneba, and that he was here illegally, that he had a prior crime record in Italy.

So we picked him up. He was one of the quick deportations. He went back to Italy and resumed the traffic over there. So far as I know, he is still in the traffic.

One of the other defendants was a man by the name of Antonio Farina. He operated a shirt factory in Mexico City and since he spoke Italian fluently, he was the representative of the Corsicans in dealing with the Mafia in New York.

So this is a sort of capsule picture of it.

Mr. ADLERMAN. That pretty well shows the pattern of the operation and how they deal.

Mr. GAFFNEY. Yes.

Mr. ADLERMAN. I wanted to come to another matter. There is a geographical distribution of addiction in most of the centers, in New York City, Chicago, and the Los Angeles area, is that correct?

904 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. GAFFNEY. That is correct. I would say the bulk of it is in five major cities in the United States.

Mr. ADLERMAN. There is also a band of addiction on the Mexican border, is there not?

Mr. GAFFNEY. You have a number of addicts in the Texas border area, and, of course, in southern California.

Mr. ADLERMAN. What is that due to? Is that due to the availability and accessibility?

Mr. GAFFNEY. Well, availability, of course, is always an important factor in any study of addiction. If we were to consider the traffic through Mexico, the bulk of the heroin coming out of Mexico is European heroin destined for the markets in the Midwest.

Mr. ADLERMAN. That is the white heroin?

Mr. GAFFNEY. Yes. I would say that probably represents about 80 percent of all the heroin coming out of Mexico. It is French heroin in transit. The homegrown stuff, the brown heroin that has been described, is primarily distributed in the southern California area.

Mr. ADLERMAN. We would say it is about 20 percent of all of the heroin?

Mr. GAFFNEY. Twenty percent of all the heroin, yes.

Mr. ADLERMAN. The accessibility and availability on the border means that they can go right across the border and make contacts and get the drugs, and that leads to a band of addiction along the border.

Mr. GAFFNEY. I think it contributes to it, but it is not the only factor in the situation.

Mr. ADLERMAN. Do you have a list of the names of those who are involved in the traffic in Mexico?

Mr. GAFFNEY. Yes. I have this list here which, with your permission, I would like to have introduced.

Mr. ADLERMAN. Can we put that into the record?

Mr. GAFFNEY. Yes.

Mr. ADLERMAN. Do you have any other backup material?

Mr. GAFFNEY. Yes, we do, and I would like to put that in at the same time.

Mr. ADLERMAN. I would like to cover one more subject, native-grown poppy in Mexico. Where is it grown in Mexico?

Mr. GAFFNEY. Generally, it is grown in the remote mountain areas, very inaccessible. There are no roads into the area. The only way you can get up there is by plane and helicopter. It makes it a very difficult problem for the Mexicans.

Mr. ADLERMAN. Is there a rapport between the Mexican police authorities and the European and American authorities to stamp this out?

Mr. GAFFNEY. We have a most splendid working relationship, I think, not only with the Mexicans but with the Royal Canadian Mounted Police. The Mexicans in recent years have gone all out to try to not only stop the flow of drugs coming through their country, but to destroy the opium poppy growth within the country.

Mr. ADLERMAN. What steps have been taken to destroy the poppies?

Mr. GAFFNEY. They have used helicopters and light planes to fly over and spot it. Then, they have to ship in very heavily armed contingents, army, mostly, to destroy it, because they encounter fierce resistance. As a matter of fact, I might mention that the Mexicans

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 905

have had seven of their police officers killed in the last 5 years and three seriously wounded in trying to stamp out this.

They are very sincere, and we think they are making a magnificent effort.

Mr. ADLERMAN. Are they getting any aid from the United States?

Mr. GAFFNEY. Yes. I won't say we, the Bureau, but the U.S. Government has assisted them in terms of material, planes, one or two of our planes, and equipment like that. They utilize flamethrowers, incidentally, to burn these crops out.

Mr. ADLERMAN. Were it not for these efforts to restrain the growing of the poppy and so forth, would this be a much more fertile area for the export of illicit narcotics to the United States?

Mr. GAFFNEY. I think it could be. I think if this growth went unchecked, it could present a tremendous problem. I think it is a tribute to the Mexicans that they have been able to keep it down so that really, what they have been able to ship to us as homegrown represents, as I say, about 20 percent of the overall traffic.

Mr. ADLERMAN. There are just one or two other questions I have. They pertain to your experience in England and so forth, and particularly to the figures on the number of addicts that are reported in England. I think some 532 is the figure. Is this an official figure of the British Government?

Mr. GAFFNEY. I have heard this same magic figure of 475 to 500 addicts mentioned since I came on the Bureau and frankly, I think it is most unrealistic.

Mr. ADLERMAN. Were you in England at any time?

Mr. GAFFNEY. I was in England. I lived there approximately 6 months, but it had nothing to do with narcotics at the time. I was still in the Navy, a flight lieutenant at the time. But England's situation, I think, is a big question mark. I frankly don't think they know how many addicts they have. They don't have any enforcement in their country as we have here. They don't have any real compulsory reporting of these people. Their per capita consumption, as I believe Commissioner Giordano stated, is twice that of the United States.

I don't see how they can forget about it. I saw a recent article in "Lancet," the official journal of the British Medical Association, in which they estimate that a minimum of 2,000 of their people are addicted. Going even further, they have less than a dozen people attached to the Home Office who really pry into this or are involved in controlling the legitimate traffic.

Mr. ADLERMAN. Some eight in number?

Mr. GAFFNEY. I have heard several figures but I know it is less than a dozen. So, they don't have enforcement. In fact, frankly, I am inclined to think that they are like a bunch of ostriches. They stick their heads in the sand and feel what they don't see won't hurt them. But, I think if they ever go into this, and there is a considerable degree of agitation in the British Parliament to take a closer look at it, criticism of the judges, of some of the doctors about the indiscriminate manner in which they are handing out drugs to these people. There have been deaths from overdoses which were reported only the other day in the Herald Tribune.

I think the English have something to be alarmed about.

906 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. There is a constant figure in one class of addicts, and that is the physician addict, is there not?

Mr. GAFFNEY. Yes.

Mr. ADLERMAN. They are a known group because their contact with the drug probably gives them more addiction than any other group.

Mr. GAFFNEY. I have heard varying estimates from one-tenth of 1 percent to one-half of 1 percent.

Mr. ADLERMAN. There are slightly less than 100,000 doctors in England. Using your figures of one-half of 1 percent or one-tenth of 1 percent, would that almost equal the number of reported addicts?

Mr. GAFFNEY. That would amount to 500 right there, if the figure held true.

Mr. ADLERMAN. You would say, then, that the figure of 500 addicts would not be one that was reliable?

Mr. GAFFNEY. I would say, as an enforcement officer with 15 years experience, I think it is ridiculous.

Mr. ADLERMAN. Are these 400 or 500 reported supposed to be medical addicts? By medical addicts, I mean—

Mr. GAFFNEY. Well, you are getting at the crux of the difference now between the situation in England and the situation here. An overwhelming majority of the addicts in England that they report have some underlying medical cause. As a matter of fact, I think this same "Lancet" article talked about the percentage in 1958. I think it said 80 percent of those reported had some underlying medical cause. That situation is quite different here.

Mr. ADLERMAN. I believe you supplied that "Lancet" article to me but I don't know if I can lay my hands on it. Can you produce it for the record?

Mr. GAFFNEY. I don't have it with me, unfortunately, but I shall certainly try to get it to the committee before the hearing ends.

Mr. ADLERMAN. It is an article which appeared in the official journal of the British Medical Society.

(Article referred to appears on p. 850, pt. 3.)

The CHAIRMAN. I don't know why you are going into so much detail about Britain.

Mr. ADLERMAN. It becomes very important in the further testimony next week, where there will be certain advocates of the so-called British system.

The CHAIRMAN. They will bring us their advocacy based on the low number of addicts?

Mr. ADLERMAN. Yes.

The CHAIRMAN. Very well.

Mr. GAFFNEY. One of the things that we note in trying to analyze our situation here as compared to England is this: that practically every study that has been made in this country on the backgrounds of addicts that we have, the street addicts, from about 1949 to the present time, have had four to five independent surveys made. The Bureau of Narcotics conducted a survey in 1949. The Federal Probation Office in New York conducted a survey on the addicts on probation in 1955.

The California people under their parole system conducted studies. I have seen them dated 1961 and 1962. More recently, the FBI did a survey of the addicts reported to them in 1963.

ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS 907

Mr. ADLERMAN. In other words, you do make a strong effort to determine the number of addicts in the United States.

Mr. GAFFNEY. Yes, but in addition to that, we go further to try to find out something about them. One of the magic figures that seems to evolve is this figure of about three out of four addicts in the United States that we know of today have prior criminal records for nonnarcotic offenses before their first experience with a narcotic drug.

It is a great contrast to the situation that existed.

Mr. ADLERMAN. I believe you are making the point that one of the reasons they advocate giving the drugs to the narcotic addict free or without charge, or just a prescription charge is to maintain them on an ambulatory basis. The claim is that it would be attractive to eliminate the profit in the narcotic area, and if you take away the profit from it, you would lose the professional criminal in the process.

Mr. GAFFNEY. They claim that if you give drugs to addicts in the United States that they are not going to have to go out and rob and steal and prostitute in order to obtain the money to buy drugs. This might be. This theory might have some foundation, if it were not for the fact that three out of four of them were engaged in criminal activity before they became addicts and there is no reason to believe that by some magic panacea when you give them the drugs, they are going to stop stealing.

This is what they were doing before. This is the point. I think it has a great bearing on the various positions that are taken about giving away drugs. It would almost appear that the people that propose this consider drug addiction to be a crime or a problem, rather, only because of associated crime. They seem to forget completely about the moral and social decay and the fact that it is most difficult for these people to live useful and productive lives while addicted.

Mr. ADLERMAN. Those are all the questions.

(History of narcotic traffic follows. Backup material may be found in the appendix on p. 1000.)

MEXICO

The importance of Mexico in relation to the illicit traffic in drugs within the United States is based on three factors. For many years, the bulk of the marijuana distributed throughout the United States has been grown in that country and has been smuggled across the many border points stretching from the Gulf of Mexico to the Pacific Ocean.

During World War II, when the main supply of heroin from abroad was virtually cut off, the criminal element turned to Mexico where there was some cultivation of the opium poppy particularly in remote, inaccessible areas. During the early 1940's, conspiracy cases were developed resulting in the conviction of a considerable number of members of the infamous 107th Street mob who set up a rather elaborate system for smuggling and distributing both crude opium and heroin harvested and produced in Mexico. However, with the cessation of hostilities and the resumption of clandestine laboratory operations in Europe, principally in France, Mexico as Canada became an important point of transit for European drugs being shipped to the United States. We estimate conservatively that 80 percent of the heroin which has been smuggled into this country from Mexico is not of Mexican origin but instead is European.

It is significant to note that the Corsican gangster element who control the laboratories in France set up headquarters in Mexico City, which corresponded to similar operations in Montreal, Canada. As a matter of fact, the same people in charge would shift their headquarters back and forth between Montreal and Mexico City as the situations changed within those areas. In other words, when stepped-up enforcement activities in the Montreal area increased their risks, the

908 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

group would move to Mexico City. When the Mexican authorities cracked down the violators moved back to Montreal. This has been the pattern since about 1958.

The actual smuggling of the bulk quantities of heroin was usually accomplished by one of two means: first, involved the use of automobiles with hidden traps and the second involved the use of couriers with cleverly constructed suitcases with hidden compartments. In many instances, they used planes, both private and commercial.

There can be no doubt that the Mexican Government is increasing its efforts to suppress the traffic in drugs throughout their country. They have also embarked on programs designed to eradicate the growing of marihuana and opium poppy plants. In view of the remote and inaccessible locations of these crops it is a problem of great dimensions and involves the use of spotter planes and heavily armed military personnel equipped with flamethrowers. During the past 5 years seven Mexican officers have been killed in carrying out these programs.

Since January 1963, the Bureau of Narcotics has had several agents assigned to work with the Mexican authorities on the entire problem. The results they have achieved to date are most significant.

SALVADOR PARDO-BOLLAND, ET AL.

On October 3-5, 1960, our agents in New York City made a record seizure of 225 pounds of pure heroin. Arrested at the time were Mauricio Rosal, Guatemalan Ambassador to Belgium, Charles Bourbonnais, an airline steward, Etienne Tarditi, a French national who acted as the intermediary between the French traffickers and the New York receivers, and Nicholas Calamaris, a notorious New York hoodlum who represented the New York organization.

In a followup conspiracy investigation, our agents determined that another member of this group was a French national named Gilbert Coscia. Our investigation showed that Coscia made frequent trips to New York and Montreal from France. In fact, in tracing his movements we ascertained that he had made four short trips to New York City.

At about this very same time we received information indicating Coscia was associated with an unknown diplomat who served as a courier for this organization. We located Coscia's New York hotel and determined the dates he resided in that city. By utilizing these dates as a basis, we checked thousands of airline manifests and entry documents and obtained the names of all diplomats who arrived in New York either directly, or via Canada, in order to compare the dates with Coscia's arrivals. These names were cataloged in a special file.

Simultaneously, the French Surete Nationale had located Coscia living under an assumed name on the French Riviera. They were able to discreetly intercept a number of telegrams to Coscia from various parts of North and South America, all of which were signed in fictitious names. However, the texts of these cables, while in guarded language, gave certain clues as to the person's travel plans and enabled us to pinpoint the cities from which they were sent. Again we set out to examine the airline manifests and entry documents to correspond with the travel plans indicated in the cablegrams received by Coscia.

The names of all diplomats were carefully cataloged. I might add that our agents calculate that they examined over 1 million travel documents and names on various manifests in the period of almost 3 years of investigation.

By process of elimination, Salvador Pardo-Bolland, the then Mexican Ambassador to Bolivia, emerged as a principal suspect. Our suspicions were confirmed by the French Surete and Royal Canadian Mounted Police who both provided important documentation which left little doubt that Pardo-Bolland had been associated with an international narcotic trafficking organization for at least 8 years. The Mexican Federal Judicial Police provided equally important data collected in Mexico City.

From a circumstantial point, we were now in possession of facts and corroborative data strongly indicating Pardo-Bolland made periodic trips between his various posts of duty to France and delivered substantial quantities of heroin to the United States.

On February 6, 1964, Ambassador Pardo-Bolland arrived in Paris from Holland. He had been detected by an alert established on the French border and allowed to proceed. In Paris, he made surveillance a little more difficult by registering at a plush hotel with a false passport but within 1 day the French Surete located him by canvassing over 100 Paris hotels and examining all hotel

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 909

registers and comparing the descriptions of new arrivals with that of the suspect. From that point on and for the next 2 weeks he was under constant surveillance by the French Surete and our agents who are stationed in Europe.

On February 10, 1964, Pardo-Bolland left Paris and flew to the French Riviera, proceeding to a Cannes hotel and registered under his false name, Suarez De Mendoza. On the following morning, Pardo-Bolland was observed to meet an individual subsequently identified as Juan Arizti, a diplomat from Uruguay who was a member of the Uruguayan Foreign Ministry in Montivideo and who had also just arrived in France. For the next 2 days Pardo-Bolland and Arizti met frequently with Jean-Baptiste Giocobetti and Gilbert Coscia. Giocobetti and Coscia are two known French traffickers. On February 14, 1964, Pardo-Bolland left by air for Paris carrying two additional suitcases. As we suspected and now know, this was a less than clever maneuver to draw out any possible police surveillance for the two extra suitcases carried no contraband.

Surveillance was maintained on Arizti at the French Riviera. On February 15, 1964, he went to the Nice airport with his original two pieces of luggage but stopped at the baggage room and picked up an additional four suitcases. He booked this baggage through Paris to Montreal, Canada.

Pardo-Bolland went directly to New York on February 16, 1964, and Arizti directly to Montreal on February 15, 1964. Agents of our New York office flew to Montreal and assisted the RCMP's, prior to the arrival of Arizti.

Arizti arrived in Montreal by air and went immediately to the railroad station in Montreal and checked the four additional bags he had acquired in France. He remained in Montreal for 3 days, always under surveillance while continuous observation was maintained on the baggage lockers.

The Royal Canadian Mounted Police, during the period of observations, surreptitiously examined the suitcases in the locker and determined they contained 135 pounds of heroin. Substituting identical packages of flour, the RCMP's seized all the heroin except two one-half pound packages which they left in the baggage.

On the evening of February 17, Arizti called for his bags and boarded a train for New York. On February 18, 1964, he arrived in New York under the joint surveillance of U.S. customs and narcotic agents, checked the four bags in the baggage room at Pennsylvania Station and went to a hotel. He checked into the same hotel at which Pardo-Bolland had registered 3 days earlier, following his arrival from Paris.

Arizti was seen to meet Pardo-Bolland and they conversed on a number of occasions. Surveillance of Pardo-Bolland produced excellent results. On February 20, 1964, our agents saw Pardo-Bolland meet with a French national who was identified as Rene Bruchon, who was determined to be the intermediary between the French and New York organizations. Bruchon has a record of two prior narcotic convictions, one in the United States and the other in Algeria. We have known him for more than 15 years as a persistent international narcotic trafficker.

Rene Bruchon was observed throwing a set of keys into a basket disposal in New York and they were quickly retrieved by the surveilling agents and determined to be the keys to the lockers in which Arizti had placed his suitcases.

On February 21, 1964, the agents moved in and arrested Pardo-Bolland, Arizti, and Rene Bruchon. The Mexican Government charged Pardo-Bolland with being absent from his post of duty at La Paz and condemned him for his atrocious action. Arizti, who had asked permission from the Uruguayan Government to travel to Canada for medical assistance, was equally disowned by his Government.

On June 16, 1964, in the southern district of New York, Pardo-Bolland, Arizti, and Bruchon were found guilty after a 3-week jury trial. On July 22, 1964, the Honorable Judge Canella sentenced Pardo-Bolland to 18 years in prison, Arizti to 10 years, and Bruchon received 15 years.

MAURICIO ROSAL, ETIENNE TARDITI, ET AL.

During August 1960, confidential information was developed by agents of the Bureau of Narcotics working in Europe and the Middle East relative to one Etienne Tarditi, a French national who was one of the principals of an underworld organization which supplied huge quantities of heroin to the illicit traffic in the United States.

910 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Agents of the Bureau of Narcotics working with French police overseas developed information which indicated that Tarditi's organization would utilize the services of an ambassador who was smuggling heroin into the United States under the cloak of diplomatic privilege. This information was relayed to the Bureau of Narcotics office in New York where agents following up this investigation determined that the Ambassador in question was one Mauricio Rosal, Guatemalan Ambassador to Belgium and the Netherlands. It was further determined that Tarditi and the Ambassador were to arrive in the United States on the first or second of October 1962.

As a result of the investigation that followed, a total of 52 milograms of heroin were seized from Tarditi and Rosal on October 3, 1960. Arrested with the latter two and also implicated in the seizure and conspiracy were Charles Bourbonnais, a TWA airline purser working on international flights between Paris and New York and Nicholas Calamaras, a representative of the underworld organization distributing the heroin smuggled by this group.

This seizure of heroin represented the largest ever recorded. In pursuing the investigative leads of this case, agents of the Bureau of Narcotics a week later seized from the same organization, an additional 50 kilograms of pure heroin which had been cached away. The investigation was sufficiently developed whereby Robert LeCoat, Felix Barnier, and Gilbert Coscia, all French nationals representing the sources of supply and those financing the manufacture in France and smuggling of this heroin into the United States, were indicted at the southern district of New York.

Continued investigation developed that Felix Barnier and Robert LeCoat, upon their visits to the United States during the past 10 years would confer with the head of the American organization distributing heroin smuggled in from France. These discussions concerned the accounting of moneys due for heroin delivery.

Also indicted were two other representatives of the organization distributing the heroin in the United States. These were identified only as John Doe and Richard Roe, alias "Robert." Since that time John Doe has been identified as Joseph Cahill of 25 Daffodil Street, Franklin Square, Long Island. The latter was arrested and has since been brought to trial on another important narcotic conspiracy case involving French sources of heroin.

Investigation has developed that both Cahill and Calamaras are closely associated with Joseph Armone, who has taken over the criminal activities of his brother Steve Armone since the latter's death on June 20, 1960. The criminal activities of the Armone group are headed by Joseph Biondo. Also associated with Armone and working under Biondo in the distribution of heroin smuggled into the United States is Andrew Alberti, N.L. No. 5, long known as an important trafficker operating out of New York.

On December 28, 1960, Joseph Cahill was placed under arrest at his home, 25 Daffodil Street, Franklin Square, Long Island. Following this, investigation developed information that Cahill's residence was actually owned by Biondo. The owners of record, however, are Anthony Graffino and Nettie Volpe of 109-04 Corona Avenue, Queens, New York City.

Upon questioning by narcotic agents at the time of his arrest, Cahill readily admitted that he knew and was on friendly terms with Joseph Biondo, Arnold Romano, N.L. No. 333, Joseph Armone, Eugene Tramaglino, N.L. No. 402, Nicholas Calamaras, defendant in Tarditi-Rosal case NY:S 10,787, and Frank Sherbice, criminal associate of Armone and Calamaras.

Among the papers and documents found in Cahill's home was a Christmas greeting card from the Cadillac Division of the General Motors Co., Detroit, Mich., addressed to Louise Biondo, 25 Daffodil Street, Franklin Square, Long Island. Further, it had been noted that Louise Volpe Biondo, wife of Joseph Biondo had a Cadillac automobile registered in her name at that same address.

On January 11, 1960, Ambassador Mauricio Rosal and Nicholas Calamaras were sentenced each to 15 years' imprisonment by Federal Court, at the southern district of New York. Etienne Tarditi and Charles Bourbonnais were sentenced to 9 years each by the same court.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 911

ADDENDUM

Profiles have been prepared on the following-named individuals mentioned in this report:

- | | |
|----------------------------|--------------------------------------|
| 1. Bellanca, Sebastiano | 19. Mauro, Vincenzo Francesco Angelo |
| 2. Bistoni, Ansan Albert | 20. Mazzie, Rocco |
| 3. Bonanno, Joseph | 21. Mondoloni, Paul Damien |
| 4. Borelli, Frank | 22. Orsini, Joseph |
| 5. Caneba, Salvatore | 23. Pagano, Pasquale Anthony |
| 6. Caneba, Ugo | 24. Paroutian, Antranik |
| 7. Consolo, Michael Joseph | 25. Pasqua, Frank Anthony |
| 8. Cotroni, Giuseppe | 26. Petrone, John Michael |
| 9. Cotroni, Vincenzo | 27. Pici, Giuseppe |
| 10. Coudert, Roger Antoine | 28. Pirico, Francesco |
| 11. Croce, Jean Baptiste | 29. Sansone, Carmelo |
| 12. Curcio, Charles | 30. Saverino, Francesco Paolo |
| 13. D'Agostino, Antoine | 31. Scalici, Frank |
| 14. Farina, Antoine | 32. Scarpulla, Giacomo Michele |
| 15. Galante, Carmine | 33. Squillante, Vincent James |
| 16. Guido, Alfred | 34. Strollo, Anthony C. |
| 17. Lucania, Salvatore C. | 35. Vitale, Salvatore |
| 18. Mancuso, Serafino | |

(Complete background sheets on above-named individuals may be found in the appendix on p. 1000.)

The CHAIRMAN. Are there any further questions?

If not, thank you.

Call your next witness.

Mr. ADLERMAN. Mr. Belk, Mr. Ward, and Mr. Casey, please.

The CHAIRMAN. Will you be sworn, please?

Do you and each of you solemnly swear that the evidence you shall give before this Senate subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BELK. I do.

Mr. WARD. I do.

Mr. CASEY. I do.

**TESTIMONY OF DANIEL P. CASEY, GEORGE M. BELK, AND
CHARLES G. WARD**

The CHAIRMAN. Mr. Ward, will you identify yourself for the record, please, sir?

Mr. WARD. My name is Charles G. Ward. I am currently the district supervisor in Chicago, but prior to that, I started with the Bureau of Narcotics in 1942. Up until 1953 I was an agent. At that time I was made enforcement assistant to the supervisor in New York and I remained in that position until 1963 when I was transferred to Chicago.

The CHAIRMAN. Mr. Belk, will you identify yourself for the record?

Mr. BELK. My name is George M. Belk. I am presently district supervisor of New York City. Prior to that, I was district supervisor for 6 years in Chicago, Ill. The New York City office covers, in addition to New York City, New York State and 11 northeastern counties of New Jersey.

The CHAIRMAN. Mr. Casey?

Mr. CASEY. I am Daniel P. Casey, currently the district supervisor in Atlanta, Ga. Prior to approximately a year ago I served 12 years

912 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

ago in San Francisco for the district comprising California, Arizona, and Nevada.

The CHAIRMAN. All right, Mr. Counsel.

Mr. ADLERMAN. Mr. Ward, are you familiar with the map on the easel there?

Mr. WARD. Yes.

Mr. ADLERMAN. Was that prepared with your cooperation?

Mr. WARD. Yes, sir.

Mr. ADLERMAN. I would like to offer that chart in evidence.

The CHAIRMAN. That map may be printed in the record at this point.

(The chart referred to faces this page.)

(167)

Mr. ADLERMAN. That is the map of the United States which contains a chart of distribution of the narcotic traffic in the United States, with the principal violators, showing the pattern of operation and how distributed in the United States.

Mr. Ward is familiar with the east coast area, Mr. Belk with the Middle West area, and Mr. Casey with the Far West area. To try to complete the hearing today, I am going to ask them to cover briefly the areas that they are familiar with. They have some other material here, backup material, to submit.

The CHAIRMAN. Very well. We will start with you, Mr. Ward. You don't have a prepared statement, I assume.

Mr. WARD. No, sir.

The CHAIRMAN. Very well. Describe what you know about the east coast.

Mr. WARD. District two, with headquarters in New York City, comprises the entire State of New York and the 11 northern counties of New Jersey. Within that area, there are approximately 20,000 to 23,000 addicts and it is the biggest troublespot in the United States insofar as narcotic addiction is concerned.

Of course, the reason for this is the large population. It is a financial center, an entertainment center. The shipping facilities are great there. It attracts many addicts from many parts of the country as well as the addicts who do reside in New York.

The CHAIRMAN. Why does it attract them from other parts of the country? Is it because it is accessible to them there?

Mr. WARD. Yes; narcotics are more available in New York and the price of narcotics is cheaper in New York. The further west or south you go, you will find that heroin is more adulterated and more coarse.

Senator CURTIS. The sentences are lighter, too.

Mr. WARD. Locally they are. Federally they are similar.

The bulk of the narcotic traffic in New York is controlled by the five major families of the Mafia listed on the board.

The CHAIRMAN. Are those the same families that Valachi described?

Mr. WARD. They are, sir. The most important one is the Vito Genovese family, the largest family. In narcotics, I believe that the Thomas Lucchese family is the most important. They have been in it the longest and it seems that more members of their organization are engaged in it, and also they are engaged in larger quantities.

Then, we have the Carlo Gambino family, the Joe Bonanno family, and the fifth family we do not know too much about, nor did Joe Valachi, except to say that Giuseppe Profaci was the leader.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 913

He died roughly about a year ago and was replaced by a fellow named Magliocco who recently died. At the present time, we are not positive but we believe that another racketeer has succeeded him by the name of Joe Colombo. But the true picture hasn't worked out yet because of the recent death of the former leader.

In that area, I would say 95 percent of the narcotics are controlled by these five mobs. The balance of the traffic is controlled by Jewish racketeers or by Negroes who might have contacts with the independent seamen, or Puerto Ricans who fall in the same category. Once in awhile, they make a connection with a seaman and they bring some narcotics into the country. By and large, the great problem is with the five families on the board.

The CHAIRMAN. The last you referred to you would call the unorganized or unsyndicated operation?

Mr. WARD. Yes, sir. Many years ago, going back into the 1920's, it was a different picture. The Jewish racketeers of New York almost exclusively controlled narcotics, but back in the 1920's, the leader at that time was Arnold Rothstein. He was murdered and the advent of the Italian racketeers taking over began. As time went on, they became more entrenched.

The CHAIRMAN. As I understand you, all but about 5 percent of the illicit traffic or drugs that are handled is controlled by these organized groups or families, the Mafia and the Cosa Nostra gangs.

Mr. WARD. Yes; I am speaking of heroin.

The CHAIRMAN. You are speaking of heroin?

Mr. WARD. Yes, sir.

Senator MUNDT. In the unfolding of this picture, in which you said earlier in the history of the narcotics traffic the Jewish mob with this Arnold Rothstein pretty much controlled the narcotics traffic but now the Italian mobs and families have replaced them, how did they maneuver the Jewish mobs out? Did they have a gang warfare or buy them out, or did they outmaneuver them? What transpired?

Mr. WARD. They outmaneuvered them with muscle. They killed quite a few of them, and forced them to do their bidding.

Senator MUNDT. It was a power play.

Mr. WARD. Yes, sir.

The CHAIRMAN. All right.

Mr. WARD. The bulk of the heroin is assimilated right in New York City and its environs. But these mobs also have representatives in other cities or other families who they are closely allied with, and what they do in New York is a supply source for Chicago and Boston. What happens when the narcotics arrive in Chicago is that the Italians in Chicago service the Midwestern area.

Boston is not too much of a problem. There is one mob up there. There are not too many addicts. They are concentrated in the Boston area, but almost the entire New England area is almost void of addicts. Insofar as Philadelphia and New Jersey, because of its close proximity to New York, you don't any longer find much organized activity. It is cheaper for the addicts to jump on a Greyhound bus or the Pennsylvania Railroad and ride to New York and purchase narcotics from the lower echelon trafficker in that area.

Throughout the South, on the eastern seaboard, there is really no major problem there. The drugs that are used are diverted legiti-

914 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

mate drugs, usually obtained from the burglary of drugstores or wholesalers.

The CHAIRMAN. What I don't understand about this racket is how it is sustained since its customers, its victims, are from the low economic status group. How do they get the money? You say some of them are engaged in prostitution and I understand they might make a little money. But the male addict, how does he get his money to purchase these?

Mr. WARD. I don't subscribe to the theory that because a person is from the lower economic group it would more or less make him more prone to narcotic addiction. I think there are more maladjusted people in that area because of stresses. But insofar as obtaining money, that is one reason why a lot of addicts head for New York.

They have what is known as a cannon, which is a pickpocket. It is much easier for him to pick pockets in New York than on a farm in Indiana.

The CHAIRMAN. Many of them are pickpockets?

Mr. WARD. Yes; and many of them are shoplifters. They have worked this down to an art where customers can actually order a size and color suit and in 5 minutes the pickpocket is in and out of R. H. Macy's or Gimbels with the size and color requested. That is one of the reasons many addicts flock to New York, because of the thousands of department stores, and the crowded subways. It makes it much easier for them.

The CHAIRMAN. When do they commit their crimes? Is it while under the influence of the drug? I understood it disabled them to some extent.

Mr. WARD. When they are under the influence of drugs, they are more or less placid. It is when they have the urge for the drug, as the shot is wearing off, that they become more alert, and that is when they go out and commit their crimes to get the money.

The CHAIRMAN. Would they buy it in quantities if they have the money?

Mr. WARD. If they have the money they will.

The CHAIRMAN. For instance, it was shown to us that you get a little package far smaller than the size of one of these sugar packages such as I am holding in my hand, which has just enough sugar to sweeten your coffee. They buy that for \$5 or \$10, to get a shot. Does the addict make four purchases a day if he uses four injections a day, or does he get enough for a dozen injections, enough to last 2 or 3 days, ordinarily, when he makes the purchase?

Mr. WARD. If he has the money, he will buy as much as his money will bear.

The CHAIRMAN. In other words, when he makes a purchase, he invests all of his capital, to the full extent of what he can get?

Mr. WARD. Yes, sir.

The CHAIRMAN. That is generally true?

Mr. WARD. Yes, sir. I recall an addict in New York that committed quite an important jewel theft in the Essex House many years ago and immediately came to the attention of the underworld. I have forgotten the exact amount, but the value was in the hundreds of thousands of dollars. The mob immediately relieved him of it and gave him a few ounces of heroin. Once in awhile an addict makes

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 915

what is called a good score and he will invest his entire earnings in narcotics immediately.

Senator MUNDT. Would it cost an addict \$20 a day to keep "hepped up" as the chairman suggested, at \$4 or \$5 doses? Would it cost that much?

Mr. WARD. It would cost him \$20. But the thing to remember is if you have a very successful thief, his habit will naturally get larger because he has the money to buy more drugs. It is, in a sense, like an alcoholic; the more you offer him the more he is going to use. If an addict is a poor thief, of course, he is going to have a poor habit.

Senator CURTIS. Are you the one who is going to testify about the Midwest, the Kansas City-Omaha area?

Mr. WARD. No, sir. Mr. Belk will, on my left.

Mr. ADLERMAN. I think you mentioned Philadelphia. Have you touched Washington, yet?

Mr. WARD. No. Baltimore and Washington more or less fall in the same category because of their proximity to New York City. At the present time, we are finding that the major traffickers in these areas, who are Negroes, are traveling to New York or, on occasion, the Negro traffickers in New York are traveling to Washington and Baltimore and effecting the deliveries.

Mr. ADLERMAN. What is the pattern of the operation in the traffic of narcotics in Washington? In whose hands are the operations? How large are they? How much is used here?

Mr. WARD. At the present time, there are roughly four pretty important traffickers in Washington, D.C., and what they do is they have a following, a clientele, of addicts.

Mr. ADLERMAN. Who are these four?

Mr. WARD. There is an Alphonso Turner, Edna Renolds, who is formerly from New York City but who eventually moved to Washington, D.C., and Jesse Greenweld. They are the three most important.

Mr. ADLERMAN. What was the Alphonso?

Mr. WARD. Alphonso Turner.

Mr. ADLERMAN. Is he also known as "Catfish" Turner?

Mr. WARD. Yes. There is a fourth one in Washington under arrest at the present time. Litigation is pending against that individual. What they do is sometimes meet the source of supply in prison or at other times are introduced to them through mutual friends. But what they do is, as a general rule, they will journey to New York, either by car, train, or bus, and they will buy quantities ranging from 5 to 10 ounces of heroin. They will then return to Washington or have their couriers return it, and when it is brought down here it is diluted, packaged up and sold in decks of \$3, \$5, \$10.

Mr. ADLERMAN. What would these 10 ounces be worth when they buy it?

Mr. WARD. I believe the present price in New York for an ounce of diluted heroin would run somewhere in the neighborhood of from \$200 to \$500, depending on the purity of it.

Mr. ADLERMAN. In other words, they would go up there with \$5,000 and buy the 10 ounces?

Mr. WARD. Yes.

916 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. I notice on the map you have some other names for the Washington area. These are people who have been in traffic in the past?

Mr. WARD. Yes.

Mr. ADLERMAN. And who are currently in the traffic?

Mr. WARD. Yes.

Mr. ADLERMAN. I notice you have Vincent Todaro down there, of Fairfax County. Who is he?

Mr. WARD. Vincent Todaro belonged to a major organization in New York and was primarily engaged in the smuggling of narcotics for the mobs in New York.

However, because of his affluency, he owned quite a nice home in Fairfax County—

Mr. ADLERMAN. He happened to be a resident of Fairfax County but his operations were in New York.

Mr. WARD. Strictly New York, yes.

Mr. ADLERMAN. Then, you have some of the operations down in Miami and some of the other areas nearby.

Mr. WARD. Miami, from time to time, is used as a port to introduce heroin. We find that quite a few of the New York racketeers who have accumulated money over the years in their trafficking and other illicit activities have moved to that area.

Mr. ADLERMAN. You also cover, I notice, Buffalo, and there you find Magaddino and Randaccio listed. They are pretty important, are they not?

Mr. WARD. They are. They are a separate organization that controlled the Buffalo-Niagara Falls area, as well as their sphere of influence extending up to Toronto. One of the major narcotic cases was made in 1960. As the story unfolded, it was disclosed that two of the Agueci brothers, Vito and Albert, immigrated from Sicily.

Mr. ADLERMAN. I notice you prepared a map of the Agueci case. They were involved in narcotics, were they not?

Mr. WARD. They were.

Mr. ADLERMAN. I would like to offer this at this point.

The CHAIRMAN. It may be printed in the record at this point.

(The map referred to faces this page.)

(168)

Mr. ADLERMAN. I would also like to offer into evidence the map involved in another case, the Carmine Galante-Mancino case. Did you prepare this map also?

Mr. WARD. Yes, sir.

The CHAIRMAN. Very well. That may be printed in the record with proper identification.

(The map referred to faces this page.)

(169)

Mr. ADLERMAN. I would also like to offer in evidence the backup material on the east coast.

The CHAIRMAN. That can be offered just as an exhibit, couldn't it?

Mr. ADLERMAN. I think this should be printed in the record.

The CHAIRMAN. Let it be printed in the record as exhibit No. 3.

(Document referred to was marked "Exhibit No. 3." History of narcotic traffic that follows backup material may be found in appendix on p. 1012.)

(168) (169) Fra le pagine 916-917 del documento originale sono inserite due mappe che — contrassegnate, rispettivamente, con le lettere HH ed II — sono pubblicate, insieme alle altre carte, nella Parte Terza del presente tomo. (N.d.r.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 917

EXHIBIT No. 3

THE ILLICIT INTERSTATE NARCOTIC TRAFFIC FROM NEW YORK CITY THROUGHOUT
THE EASTERN SEABOARD OF THE UNITED STATES

ANNOTATION SHEET

This report was completed in November 1963. Since then, the following events have occurred.

1. Joseph Magliocco, who succeeded his brother-in-law, the late Joseph Profaci as head of the Profaci family, died on December 28, 1963, of a heart attack in Good Samaritan Hospital, West Islip, Long Island, N.Y.

2. On December 12, 1963, the following named defendants (N.Y.: S 11160) were acquitted in a trial by jury before U.S. District Judge Dudley B. Bosnal, Southern District of New York: Buia, Angelo; Castaldi, Anthony; Di Stefano, Albert; Ruffino, Giuseppe; Settecase, Anthony.

On January 20, 1964, U.S. District Judge Dudley B. Bosnal, Southern District of New York, sentenced the following defendants in N.Y.: S 11160:

Name	Sentence	Bail
Borelli, Frank.....	20 years. Fined \$20,000.....	(¹)
Castiglia, Dominick.....	12 years.....	\$45,000
Cinquegrana, Benedetto.....	8 years.....	40,000
Garibaldi, Thomas.....	2 years, concurrent with sentence now being served.....	(¹)
Locascio, Carmine.....	15 years. Fined \$20,000.....	60,000
Loiacano, Angelo.....	7 years, consecutive to 20 years he is now serving.....	(¹)
Mogavero, Rosario.....	15 years. Fined \$20,000.....	55,000
Sancinella, Rocco.....	12 years.....	40,000
Sedotto, Mike.....	10 years, concurrent to present sentence. (Convicted 1960—6½ years.).....	(¹)
Smith, David.....	17 years. Fined \$20,000.....	50,000
Tantillo, Harry.....	10 years.....	35,000

¹ No bail set.

On July 31, the U.S. Court of Appeals, Second Circuit, reversed the decision of the U.S. District Court, Southern District of New York, in narcotic conspiracy N.Y.: S 11160. The case was remanded for retrial in U.S. district court.

The reversal was based on the following:

(1) It was not clearly demonstrated that the statute of limitations had not run.

(2) U.S. District Judge Dudley B. Bosnal did not adequately include in his charge to the jury the specific involvement of each defendant in the conspiracy.

BRIEF HISTORY OF ILLICIT INTERSTATE NARCOTIC TRAFFIC FROM NEW YORK CITY
THROUGHOUT EASTERN SEABOARD OF THE UNITED STATES

The port of New York encompasses that area in New York State from its southern boundary including Long Island, northerly to the southern boundary of Buffalo and St. Lawrence and in New Jersey that area including the counties of Sussex, Passaic, and Bergen, extending south to Union, Middlesex, and Monmouth Counties. The heart of the activity of the port of New York in New York City, Long Island and northern New Jersey areas. Here are located the largest and busiest shipping and airport facilities in the complex. The airports of the port of New York are International Airport and La Guardia Airport in New York City and the Newark Airport and the Teterboro Airport in New Jersey.

New York City with its superior facilities handles much of the freight for the entire Nation and also manipulates much of its narcotic traffic. New York City is the center of the illicit narcotic traffic for the eastern seaboard. The principal drag in this illicit interstate narcotic commerce is heroin. This heroin originates chiefly from European sources. Through the years many persons have engaged in this illegal, lucrative venture and a substantial number still are.

Currently, the narcotic traffic in this area is controlled for the most part by organized crime through several powerful New York City syndicates ruled by top echelon Italian racketeers of considerable international and nationwide under-

918 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

world influence. The greater portion of the balance of this traffic is handled by important Jewish racketeers and several Puerto Rican, Cuban, and Negro violators who at times independently have foreign sources of supply of heroin of their own.

In recent years, most of the heroin handled in New York City has been smuggled by European sources through trusted couriers via air and sea routes to underworld Canadian sources who subsequently have sold this contraband to organized crime syndicate members, operating in New York City. The latter, through their underlings, distribute this heroin in local and interstate commerce. The traffickers on this level are astute criminals and by and large are not drug addicts.

Organized crime is largely responsible for channeling vast quantities of heroin from New York City to major cities in the eastern seaboard and to Chicago, Ill. From Chicago the narcotics are subsequently distributed by the underworld to leading cities in Midwestern and Southwestern United States. The heroin is smuggled interstate via air, railway, automobiles, trucks, mail, by trusted couriers or the out-of-town customers themselves.

The principal cities serviced by New York City in the eastern seaboard are Buffalo, Boston, Hartford, Philadelphia, Newark, Camden, Baltimore, Washington, D.C., Atlanta, and Miami. Leading criminal organizations in these cities distribute the narcotics in local and neighboring areas.

In the early part of October 1963, in testimony at Washington, D.C., before the U.S. Senate Permanent Subcommittee on Investigations (McClellan committee), Joseph Valachi, FBI No. 544, stated that the principal underworld activities in the metropolitan area of New York City are controlled by five powerful criminal organizations, namely: (1) The Vito Genovese family, (2) the Carlo Gambino family, (3) the Thomas Lucchese family, (4) the Joseph Magliocco family, and (5) the Joseph Bonanno family. These criminal groups, referred to by Joseph Valachi as the Cosa Nostra, are composed of individuals of Italian extraction.

Information dated 1952, contained in the files of the Bureau of Narcotics, corroborates Valachi's contention as to the current existence of five major criminal organizations in New York City which control the major rackets in the metropolitan area. This information, received in 1952, by the Bureau of Narcotics from a confidential source, maintained the existence at that time of five leading underworld organizations in New York City. Source referred to these groups as members of the Mafia. Source identified these five gangs as follows: (1) The Frank Costello group, (2) the Vito Genovese group, (3) the Thomas Lucchese group, (4) the Joseph Profaci group, (5) the Albert Anastasia group, and the Joseph Buoncuore group.

Note: Vito Genovese has deposed Frank Costello as a boss. The Joseph Profaci (deceased) group is currently the Joseph Magliocco family. The Albert Anastasia (deceased) group is currently the Carlo Gambino family. Albert Anastasia was shot to death in New York City on October 25, 1957, allegedly on orders of Vito Genovese and purportedly with the approval of Anastasia's lieutenant, Carlo Gambino who succeeded to leadership of the family upon Albert Anastasia's death.

The five criminal syndicates currently in power in New York City have been engaged in and have controlled multiple lucrative illicit activities in and around the New York City area, including local and interstate trafficking of narcotics. It is noteworthy that many of the individuals identified by Joseph Valachi as members of these five criminal organizations have been engaged for a number of years in the smuggling and/or interstate distribution of narcotics.

The Italian element of organized crime did not emerge as the dominant factor in local and interstate narcotic traffic in the United States until the late 1930's and early 1940's. Prior to this time, in the early 1920's and the early 1930's, Jewish racketeers operating mainly in New York City, directed and influenced the major flow of narcotics throughout the United States. The leading racketeer in the New York City area in the 1920's was Arnold Rothstein who was murdered in 1928. His death left the underworld with a vacuum soon filled by rising Italian racketeers who subsequently seized control of the major rackets in New York City.

During the 1930's the Jewish racketeers in New York City obtained enormous quantities of narcotics from various sources in Europe, principal among these being the notorious Eliopoulos brothers, George and Elias, Greek nationals, the most important narcotic smugglers of all time. They were referred to as the

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 919

"drug barons" of Europe and they virtually monopolized world narcotic traffic during the years 1929, 1930, and 1931. The Eliopoulos brothers smuggled tons of opium into China from their European factories, as well as enormous quantities into the United States. They achieved much of this through the machination of "fronts," that is, businessmen and bankers.

The U.S. Bureau of Narcotics was subsequently successful in undermining the conspiratorial smuggling operations of the Eliopoulos brothers and incarcerated many of their confederates in the United States. With the advent of World War II, the Eliopoulos brothers fled to the United States where narcotic officers, upon learning of their presence in the United States, promptly assembled evidence against them. The indictment as to George and Elias Eliopoulos was dismissed in U.S. District Court, Southern District of New York, on October 31, 1947.

Among the more important American narcotic customers of the Eliopoulos brothers were members of Murder, Inc., such as, the late Louis Buchalter alias Lepke, Emanuel Weiss alias Mandy Weiss and their associates. Also included among their customers were the infamous Newman brothers (Charles, George, and Harry, true name: Reiditch). Jack Diamond alias Legs Diamond, Arthur Flugenhelmer alias Dutch Schultz, and many others. Also active in this period were Saul Gelb alias Solly Gordon, Harry Stromberg alias Nig Rosen, Harry Meltzer, Meyer Lansky and others.

During this period the Italian underworld element was undergoing internecine warfare among the powerful rival groups contending for absolute power. As a result of this gangland strife, the five principal syndicates now in power in New York City evolved as the uncontested rulers of the underworld in this area.

These five principal criminal syndicates soon controlled the major portion of the interstate narcotic traffic emanating from the New York City area. The flow of this traffic is effectively illustrated by a number of major substantive and narcotic conspiracy cases culminated in past years by the Bureau of Narcotics. In some instances these cases were conducted in cooperation with local law enforcement agencies. Discussed below are several important cases involving interstate narcotic traffic.

Of the five current ruling criminal syndicates in New York City, it appears that it was the Thomas Lucchese group which spearheaded their entry into the lucrative narcotic traffic on a vast scale. Elements of this group allied themselves with important Jewish racketeers who had sources of supply of heroin in Europe and in Mexico. The narcotics obtained from these sources soon found their way into local and interstate commerce.

The first significant onslaught by the Bureau of Narcotics against members of the Thomas Lucchese family occurred in the late 1930's and the early 1940's, when a vast narcotic conspiracy case was initiated against those individuals in U.S. District Court, Southern District of New York. This huge undertaking consumed several years of intensive investigation, involving cooperation with international law enforcement authorities. The conspiracy case hitherto mentioned is narcotic case SE 199.

Narcotic conspiracy case SE 199 had its inception in the notorious East 107 Street area of east Harlem, New York City where narcotics were sold and distributed in retail and wholesale lots to various traffickers who subsequently caused these narcotics to be introduced into local and interstate traffic. The narcotics received at this time by these important dealers were obtained in Mexico by the East 107 Street mob through the aid of several Jewish racketeers. A portion of the narcotics purchased in Mexico by the East 107 Street mob was seized in Reno, Nev.

Thomas Lucchese, the leading member of the East 107 Street mob, directed these activities but remained insulated from possible incrimination by delegating the implementation of these illicit operations to several of his lieutenants, such as John Ormento and Salvatore Santora alias Tom Mix. At times, it was not possible to obtain desired quantities of high-grade opium from Mexico. Consequently, these individuals covertly resorted to local purchases of huge quantities of acetic anhydride which they soon converted into heroin in their clandestine heroin producing laboratories located in the Metropolitan New York area. They distributed this heroin in local and interstate commerce.

The Jewish underworld element at this time controlled the market while the Italian racketeers attended to the conversion of the opium into heroin and the distribution of the finished product throughout the United States.

Convicted and sentenced to prison terms in SE 199 were the following: Joseph Gagliano alias Pip the Blind (deceased), John Schillaci, Charles Albergo, Joseph

920 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Spitalieri, Philip Lombardo, Frank Livorsi (currently incarcerated in an income tax evasion case), Dominick Petrelli (deceased), Salvatore Santora (currently incarcerated for violations of the Federal narcotic laws), Mariano Marsalisi, Pasquale Genese, and John Ricardulli. A no true bill was returned as John Ormento, Anthony Patricola, Frank Arra, Alfred Felice, and Rosario Coniglio.

The next significant narcotic case successfully culminated by the Bureau of Narcotics against members of the notorious East 107th Street mob was narcotic conspiracy case SE 204. In 1942 members of this mob obtained Mexican opium in California and transported this opium to New York City where it was converted into heroin for eventual distribution throughout the United States. Convicted in this case were Charles Alberio, Eugene Tramaglino, and Steve Armons.

The East 107th Street mob had attempted in 1940-41 to purchase narcotics and to establish a steady source of supply from the Bahamas and from Haiti via the Bahamas, Florida, and New York. In 1942, 31 members of this mob were indicted and in 1943, 17 were indicted in the United States and 106 confederates were arrested in Mexico in connection with this case.

Convicted and sentenced to prison terms in narcotic conspiracy case SE 204 were the following: Joseph Michael Dentico, Philip Albanese, Robert Cancellero, Frank Caruso alias Frankie the Bug, Alfred Criscuolo, Eugene Giannini (deceased), Joseph Marone, George Nobile alias Georgie Hooks, John Stoppelli (later released), Harry Tantillo, Anthony Toracco, and Eugene Uricola.

At the close of World War II, interstate narcotic traffic was not as active as in previous years. This was partly due to the fact that the racketeers in the United States consumed much time and effort to realign themselves substantially with foreign sources of supply for heroin.

It was not until 1948 when this commerce quickened its pace to an appreciable degree. A significant case made during this period was that against Joseph Basile. In 1949, Basile was arrested in New York City by agents of the New York City office of the Bureau of Narcotics and by members of the New York City Police Department in the possession of 105 ounces of heroin and 24 ounces of cocaine. This case culminated in the arrest of several important Jewish violators. Joseph Basile and his associates sold heroin to traffickers who caused it to be introduced in interstate traffic particularly the Philadelphia and Washington, D.C., areas.

The year 1951 witnessed the culmination of narcotic conspiracy case SE 226 which had its inception in 1944 and functioned until 1949 without detection or apprehension of the principals involved. The participants in this case were engaged in the importation of Mexican opium and converting same into heroin for introduction in interstate narcotic traffic. This conspiracy investigation extended throughout the United States, Mexico, Cuba, France, Italy, Turkey, and Greece. The key man in this conspiracy was Harold Meltzer who had important sources of opium in Mexico. Convicted in this conspiracy case were the following: John Ormento, Salvatore Santora, Joseph Vento, Harold Meltzer, Mario Livolsi, and others.

In 1951 the Bureau of Narcotics culminated narcotic conspiracy case N.Y.: S 8601 against Joseph Orsini, a French national, and several of his associates in the United States. Orsini's organization secured opium from a Yugoslav source and transported it into France where it was converted into heroin for eventual smuggling into the United States. This heroin from Paris and Marseilles entered New York City through couriers and the use of automobiles containing secret compartments. Convicted in this vast conspiracy were the following: Joseph Orsini, Salvatore Shillitani, Anthony Martello, Carmelo Sansone, Vincent Randazzo and one Marcello Anselmi.

In this case Orsini received his heroin from Francois Paoleschi, Jean Laget, and Lucien Ignaro, notorious French narcotic smugglers and traffickers. Numbered among their customers were Salvatore Shillitani and the late Eugene Giannini, both members of the Thomas Luchese organization. Another customer was Rosario Tornello who became a fugitive. He was finally apprehended by the Bureau of Narcotics after an intensive manhunt. Shillitani and Giannini sold large quantities of heroin from these sources which ended up in interstate traffic, particularly the New England area, Washington, D.C., and Chicago. From the latter point it was distributed to the midwestern and southwestern parts of the United States.

During 1952 one of the most persistent narcotic traffickers in the New York City area was Frank Pasqua, alias Frankie Page, who was one of the principal

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 921

sources of supply of heroin for Chicago. In December 1952, an investigation by the Bureau of Narcotics resulted in the arrest at Chicago of at least 12 large-scale narcotic traffickers, including Jack Rizzo, Louis Anselmo, Joseph Di Caro, and Frank Panatera. Frank Pasqua was arrested in New York City in this case but managed to escape incrimination. To date, Pasqua, a soldier in the Carlo Gambino family, has not been convicted for violations of the Federal narcotic laws.

In 1954 the Bureau of Narcotics initiated a narcotic conspiracy case involving nine important Cleveland racketeers, two leading Buffalo, N.Y., racketeers, and eight New York City racketeers. Those involved in this case were as follows: Salvatore Poliafico, Frank Consolo, Joseph Zingali, and Angelo Filicia, of Cleveland. Salvatore Pieri and Salvatore Rizzo of Buffalo, and Anthony Crisci, Anthony DeSimone, and Rocco Mazzie, of New York City. Mazzie was not convicted in this case because of failure of a witness to testify against him. Mazzie, a lieutenant of the Carlo Gambino family, is currently in Federal prison as a result of his conviction in the Vito Genovese narcotic conspiracy case in 1960. Shortly after the Cleveland case, Anthony DeSimone became the victim of a gangland slaying in New York City.

In 1954 the New York City office of the Bureau of Narcotics, in cooperation with members of the New York City Police Department, arrested notorious trafficker Saul Gelb, alias Solly Gordon, previously mentioned, in possession of a large quantity of heroin and prepared smoking opium. Gelb supplied heroin to customers who in turn introduced the narcotics in interstate traffic, especially Chicago, Detroit, and Washington, D.C. Saul Gelb obtained his supply of heroin from French-Corsican sources. He was active in the traffic since the early 1920's. Gelb was sentenced to 5 years in prison following his conviction in this case.

In 1955, shortly after Saul Gelb's arrest, the Bureau of Narcotics and members of the New York City Police Department arrested Nathan Behrman and Anthony Vellucci in New York City in possession of approximately 13 kilograms of pure heroin. This was the largest seizure in the United States until that time. Behrman and Vellucci received substantial State prison sentences in this case. They are currently incarcerated in State prison. Investigation determined that Behrman and Vellucci had carried on Gelb's narcotic business for him while the latter was incarcerated in Federal prison. The heroin handled by Behrman and Vellucci was introduced by their associates in interstate traffic, particularly Detroit, Washington, D.C., Philadelphia, Baltimore, and Cleveland.

Early in 1955 the Bureau of Narcotics received information that kingpin racketeer Settimo Accardo, alias Sam Accardi; Frank DiGregorio, and Joseph Russo were dealing in large amounts of heroin in New York City. Following several purchases of narcotics by U.S. undercover narcotic agents, Accardo, Russo, and DiGregorio were arrested. DiGregorio and Russo were sentenced each to 4 years in prison to be followed by 2 years probation.

Accardo jumped \$75,000 bail and became a fugitive. After intensive search, Accardo was finally located in Italy. Accardo was returned to the United States on November 12, 1963, under extradition and will face charges for violation of the Federal narcotic laws, pertaining to the 1955 narcotic case aforementioned.

Accardo was closely associated in the narcotic traffic with Charles Campisi and Cristoforo Robino. The narcotics handled by Settimo Accardo and his associates entered the traffic in the eastern seaboard and midwestern cities. Robino remained a fugitive for approximately 2 years. He surrendered himself on December 11, 1957, and his bail was set at \$35,000. Robino, a close associate of the late Salvatore Lucania, alias Lucky Luciano, was a participant in the notorious Apalachin meeting on November 14, 1957. Robino was killed in gangland fashion in New York City on July 18, 1958. Robino was highly placed in the narcotic traffic, being a representative of the late Salvatore Lucania and a soldier in the Joseph Profaci family (currently the Giuseppe Magliocco family). It appears that Robino represented Profaci in the narcotic traffic. The reason for his murder is unknown but evidently he transgressed against the code of the underworld.

Another significant case in 1955 involved Charles Campisi. Ugo Giampaoli, Aniello Santagata and Matildo Buia. They were implicated by several purchases of heroin by U.S. undercover narcotic agents. Santagata and Giampaoli were each sentenced to 4 years in prison in this case. Thomas Campisi, a brother of Charles Campisi, was indicted in this case for sale of heroin to a U.S. undercover narcotic agent. Charles Campisi was previously sentenced to 3 years imprison-

922 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

ment, sentence suspended. Later, he was reindicted in Brooklyn, N.Y., where he was sentenced on November 6, 1956, to 8 years in prison. Charles Campisi, Settimo Accardo and Cristoforo Robino were among the most active interstate traffickers at this time.

In 1955 the Bureau of Narcotics culminated a case against Charles Curcio, Benjamin Licchi and the latter's brother, Joseph Licchi, who were arrested on January 27, 1955, at Hackensack, N.J., where a clandestine heroin laboratory was found in the home of Joseph Licchi. The Licchi brothers are uncles of notorious narcotic trafficker Frank Borelli. Borelli became a fugitive in this case but was finally located and arrested in Chicago, Ill., on November 16, 1956. This organization, which supplied narcotics to Chicago and the eastern seaboard had in its employ one Dr. John E. Jackson, a competent chemist. Dr. Jackson manufactured heroin for Borelli et al. in this laboratory. Dr. Jackson was subsequently assaulted and died of cranial injuries. His death precluded prosecution against Frank Borelli, a principal suspect in this murder. Borelli, as of this writing, is currently standing trial in U.S. District Court, Southern District of New York, for violation of the Federal narcotic laws. This case involves Carmine Locascio and other important local and interstate narcotic violators.

An important interstate narcotic conspiracy case culminated in 1956 by the Bureau of Narcotics involved James Ewing, Florence Hart, Clarence E. Wilson, William Frank, and Henry Marzette, Jr. The latter three were members of the Detroit Police Department. The Detroit narcotic operations of this group were conducted by James Ewing, Florence Hart, David Robinson, and Thomas Allen, with active assistance by Wilson, Marzette, and Frank. The New York City sources of supply of heroin for this group were Anthony Vellucci, previously mentioned, George Vellucci, Carmine Siano, Frank Corona, and Dominick Tedesco. These defendants were subsequently tried in Federal court and most of them were given substantial prison sentences in the summer of 1956. Anthony Vellucci and his associates were subsequently involved in the Harry Stromberg narcotic conspiracy case in New York City. (This case will be discussed briefly below but a more comprehensive report concerning this case has already been submitted to the McClellan committee.)

In April 1956, agents of the Bureau of Narcotics, assisted by members of the New York City Police Department, arrested Michael Castaldo, Alfred Vollano, Ralph and Philip Armano and Elsie Williams in possession of 17 ounces of heroin. This investigation resulted in the arrest of notorious Angelo Tuminaro alias Angie. For the past many years Angelo Tuminaro was associated in the narcotic traffic with Anthony DiPabqua alias Bootsie. Angelo Tuminaro is a soldier of the Thomas Lucchese family. Tuminaro was a defendant in a subsequent narcotic conspiracy case, *Carmine Galante et al.*, in which he was a fugitive for some time. He was subsequently located and arrested and is awaiting trial.

On September 15, 1959, the Bureau of Narcotics culminated narcotic conspiracy case N.Y.:S 9673 involving Harry Stromberg, Saul Gelb, Jean Baruche, Jean Aron, Anthony Vellucci, Nathan Behrman, and others. This case was an outgrowth of the Nathan Behrman-Anthony Vellucci case, the Clarence Wilson case and the Saul Gelb case, all previously mentioned.

Harry Stromberg, the principal figure in this conspiracy case, financed the narcotic operations of this syndicate. He amassed the necessary funds making possible the importation of vast quantities of heroin from Europe into the United States. This organization handled on an average of 50 kilograms of pure heroin a month. The sources of heroin in this case were some of Saul Gelb's French-Corsican associates. The heroin was paid for through financial machinations involving anonymous numbered Swiss bank accounts. The Stromberg organization distributed the heroin to Detroit, Pittsburgh, Philadelphia, Baltimore, Washington, D.C., and as far south as Miami. Those receiving substantial prison sentences in this case were as follows. Harry Stromberg, Nathan Behrman, Saul Gelb, John Buccelli, Salvatore Maimone, Anthony Mirra, Stephen Puco, Henry Teitelbaum, Martin De Saverio, Nicholas and Daniel Lessa, and others. Also involved in this case was George Brisbois, a Canadian, who was one of the sources of supply of heroin for Saul Gelb and others. Brisbois was located after an extensive search and was extradited. He was sentenced to 3 years 6 months in this case. John Buccelli, a Boston source of narcotic supply and a suspect in the Brink's armored car holdup, was subsequently shot and killed.

On December 3, 1957, Helen Mack was arrested in Chicago for the sale of pure heroin to an undercover narcotic agent. Helen Mack is the wife of Nolan Mack. The latter was shot to death on October 25, 1963, by a U.S. narcotic agent following Mack's violent attempt to avoid arrest and engaging in a gun battle with

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 923

arresting officers. (The details of this incident are included in a separate report available to the McClellan committee.) The major source of supply of heroin for Helen and Nolan Mack in 1957 and some time prior thereto was William Wright of Brooklyn, N.Y. Wright also supplied heroin to other traffickers in Chicago.

An important interstate narcotic case culminated in 1959 by the Bureau of Narcotics involved Vincent Todaro and Joseph Lo Piccolo, and others. (A comprehensive report on this case has been submitted to the McClellan committee.) Briefly, this case involved Vincent Todaro, of Fairfax County, Va., formerly of New York City, who obtained heroin from important sources in Italy and France. Todaro and his associates, leading racketeers in Metropolitan New York City, effected the distribution of heroin to the Camden-Philadelphia area and other cities in the eastern seaboard. From these points the heroin entered into the traffic in local and surrounding areas. The principal defendants in this case, besides Vincent Todaro, were James Massi, Amelio D'Aria and Ignacio L. Orlando, Nassau County, Long Island, N.Y., Peter Casella and James Santore of the Philadelphia-Camden area, Frank Valli of Philadelphia, Joseph Lo Piccolo of New York City and Miami, and George Nobile of New York City. Nobile assisted Todaro in preparing smoking opium at the latter's residence.

A total of approximately 37 pounds of heroin and approximately 39 pounds of smoking opium were seized in this case. These individuals stood trial and received substantial prison sentences. Joseph Valachi has identified George Nobile, a persistent narcotic violator, as a soldier in the Vito Genovese family. Todaro and Nobile were sentenced on May 28, 1958, in Fairfax County, Va., to 10 years in State prison. James Massi had been associated with one Dante Gallo in the narcotic traffic until the latter succumbed to cancer of the throat. Massi then became active in the traffic with Frank Pasqua, previously mentioned, a soldier in the Carlo Gambino family.

The principal narcotic conspiracy case, culminated in 1958 by the Bureau of Narcotics, involved boss racketeer Vito Genovese, John Ormento, Natale Evola, and Rocco Mазzie. This conspiracy began in 1954 and involved the smuggling of large amounts of heroin into the United States via Cuba. The heroin handled by this organization was distributed from New York City to various points in the United States, including Cleveland, Chicago, Philadelphia, Las Vegas, and Los Angeles. This group handled at least 160 kilograms of heroin. Convicted in this case were the following: Vito Genovese, Natale Evola, Rocco Mазzie, Joseph Di Palermo, Nicholas and Daniel Lessa. These individuals received substantial prison sentences in this case. John Ormento and Carmine Galante were fugitives in this case at the time of trial. They were subsequently apprehended and were tried in another conspiracy case (*Carmine Galante et al.*) in which they were found guilty and were sentenced to prison. Recently the U.S. Supreme Court directed the Court of Appeals, Second Circuit, to reconsider its findings in the Genovese case. This matter is pending.

Also involved in this case were John Ormento and Carmine Galante but they had remained fugitives until after the trial. They were tried in this case. Ormento and Galante were convicted in a subsequent Federal narcotic conspiracy and are currently incarcerated. The Genovese case involved members of four of the five leading criminal syndicates in New York City, namely Vito Genovese himself, Ormento, a lieutenant of the Thomas Lucchese family, Rocco Mазzie, a lieutenant in the Carlo Gambino family, and Carmine Galante, chief lieutenant of the Joseph Bonanno family.

In 1959 the Bureau of Narcotics culminated several major narcotic cases resulting in the conviction of important violators. One such case involved Marc Antonio Orlandino and others. This investigation had its inception in January 1959 when U.S. undercover narcotic agents purchased two ½ kilograms of heroin from Sam Monastersky and Richard McGovern of New York City. Further investigation revealed that Monastersky was receiving heroin from Philip and Marc Antonio Orlandino. On February 14, 1959, U.S. narcotic agents and New York City police arrested Monastersky, McGovern, William Struzziery, and William Bentvena. That same evening officers arrested Philip and Marc Antonio Orlandino, seizing a total of 11 kilograms of heroin from the home of Philip Orlandino and the office of Marc Antonio Orlandino.

The latter search disclosed a Railway Express receipt for a package to one E. K. Brown, of Chicago. Upon receipt of this information, the Chicago office of the Bureau of Narcotics arrested Eula Brown and seized 1 kilogram 814 grams of heroin which she said she was holding for Wilbur Holmes, brother of notorious

924 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

narcotic trafficker Auckland Holmes. Auckland Holmes was arrested on February 19, 1959, when he called for the package.

Richard McGovern's body was later found in a ditch in Acapulco, Mexico, the victim of a gangland assassination. It is believed that he was murdered for having introduced a narcotic agent into the organization.

Another significant case made in 1959 by the Bureau of Narcotics involved John Freeman, an important Negro trafficker, Joseph Valachi, Michael Monica, and others. In May 1959 John Freeman, Jr., and Georgie Flood (female) were arrested in New York City as they were about to deliver 3 kilograms 430 grams of heroin to an undercover narcotic agent. Ralph Wagner, Herbert Sperling, and Emma Ward, members of this organization, were arrested for involvement in this case and 1½ kilograms of heroin were seized from them.

John Freeman, Sr., operator of two flower shops in New York City, supplied large quantities of heroin to the west Harlem section of New York City, the South Side of Chicago, Detroit, and Los Angeles. Freeman's principal source of heroin supply was Joseph Valachi. The latter was a fugitive in this case until he was arrested in November 1959 in Connecticut. Valachi was sentenced to 20 years in prison in this case, Freeman to 20 years, and Monica to 8 years. Monica was a narcotic courier for the late Pasquale Moccio (deceased), a soldier in the Vito Genovese family. Monica was purportedly the "plant man" for narcotic traffickers Michael Nicoline and Joseph Valachi.

Another case culminated in 1959 involved Anthony Pisciotta and Thomas Garibaldi of New York City. These individuals sold 485 grams of high grade heroin to a U.S. undercover narcotic agent who had penetrated the distributing organization in Chicago. Following a subsequent purchase of heroin, Pisciotta was arrested in December 1959. Pisciotta, who received a substantial prison sentence in this case, is a member of the Vito Genovese family.

The year 1960 witnessed the culmination of at least 3 major narcotic cases against individuals of high status in the narcotic traffic. Mentioned briefly below are the highlights of these cases.

On October 2, 1960, following information from the French Surete National and the Paris, France, office of the U.S. Bureau of Narcotics, French narcotic trafficker Etienne Tarditi, Guatemalan Ambassador to the Netherlands, Belgium, and Luxembourg; Maurice Rosal; TWA Purser Charles Bourbonnais, and pickup man, Nicholas Calamaras, of New York City were arrested by agents of the New York City office of the Bureau of Narcotics, and the Customs Agency Service in midtown Manhattan as Tarditi and Rosal were about to deliver a quantity of pure heroin to Calamaras and Bourbonnais. Seized from Tarditi and Rosal were 49,256 kilograms of pure heroin and \$57,466. Seized from Calamaras was \$51,549.

Tarditi was a member of a French organization smuggling huge amounts of pure heroin into the United States. Bourbonnais, a courier for this organization, had smuggled enormous amounts for this organization for the previous 10 years. Rosal, taking advantage of his diplomatic status, had been successful in smuggling heroin for this organization on previous occasions. Calamaras was a pickup man for New York City racketeers who were the intended recipients for 49,256 kilograms of heroin.

Four days later an additional 51.893 kilograms of pure heroin in a trunk were located and seized. This combined seizure is the greatest seizure of heroin made to date in the United States. Rosal and Calamaras were sentenced to 15 years in prison in this case. Bourbonnais and Tarditi each were sentenced to 9 years in prison.

Calamaras had succeeded one Joseph Cahill as pickup man for New York City racketeers. Calamaras was an associate of one Frank Sherbicki. Sherbicki and Cahill were associates of notorious traffickers Steve and Joseph Armone. The latter were closely associated with notorious Andre Alberti, a close associate of Joseph Biondo, chief lieutenant of Carlo Gambino. Armone, Alberti, and Biondo were not implicated in this case but it is suspected that Alberti and his associates were the intended recipients of this heroin. Alberti and Biondo are suspected of being engaged in interstate narcotic traffic.

Another important narcotic case culminated in 1960 was the narcotic conspiracy case involving Salvatore Rinaldo and others. In this case, on August 21, 1960, agents of the New York City office of the Bureau of Narcotics and Westchester police arrested Salvatore Rinaldo and Natteo Palmeri near Yonkers, N.Y., in possession of a specially constructed wooden trunk with a false bottom containing 10 kilograms of pure heroin. The officers had just followed Rinaldo and Palmeri from the SS *Saturnia* which had docked at a pier on the North

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 925

River. Rinaldo and Palmeri had loaded this trunk into a panel and were followed to the site where they had been arrested.

A search of Rinaldo's home disclosed a trap in a closet containing one-half kilogram of heroin and \$21,450. A search of Rinaldo's sister's home revealed an additional one-half kilogram of heroin along with scales and testing paraphernalia.

Further investigation implicated Vincent Mauro, Frank Caruso, Robert Cuipone, Anthony Porcelli, Rocco Cancinella, Joseph Ragone, Salvatore Maneri, and Charles Schiffman. Heroin in this case originated in France and Italy and was distributed by the aforementioned individuals in interstate narcotic traffic throughout the United States.

Mauro, Caruso, and Maneri jumped bail and became fugitives in this case. Through the use of false passports they traveled to Europe via Nassau, Bahamas, Kingston, Jamaica, Caracas, Venezuela, Nice, France, London, England, Spain, Portugal, and the island of Majorca. The Bureau of Narcotics, in cooperation with the Spanish authorities, arrested Caruso and Mauro in Barcelona, Spain, and Maneri on the island of Majorca. They were subsequently returned to the United States where they pleaded guilty in U.S. District Court, Southern District of New York. Caruso, Maneri, and Mauro each received a 15-year prison sentence in this case and an additional 5 years in prison for jumping bail, to run concurrently.

Another major narcotic case culminated in 1960 was the *Giuseppe Cotroni Narcotics Conspiracy* case. This case followed the arrests and convictions of Giuseppe Cotroni and Rene Robert and the seizure of 6 kilograms of pure heroin in Canada in 1959. This resulted in the indictment of approximately 29 defendants in the southern district of New York on charges of narcotic conspiracy. The leading members of this conspiracy were Carmine Galante, John Ormento, Angelo Tuminaro, Frank Mari, Carlisle Di Pietro, Rocco Sancinella, Angelo Loiacano, and Frank Mancino. Anthony Di Pasqua, Charles Gagliodotto, Salvatore Giglio, and Louis Greco had eluded arrest during the roundup. Anthony Mirra, another defendant in this case, had been incarcerated as the result of the *Harry Stromberg Narcotic Conspiracy* case. The *Cotroni Conspiracy* case was tried in the southern district of New York and resulted in the convictions of the following: John Ormento, 40 years; Samuel Monastersky, 30 years; Joseph Fernandez, 35 years; William Bentvena, 35 years; Carlisle Di Pietro, 20 years; Carmine Galante, 20 years; Frank Mancino, 20 years; Anthony Mirra, 20 years; Carmine Panico, 12 years; Salvatore Panico, 20 years; William Struzzieri, and Angelo Loiacano, 20 years.

Represented in the *Cotroni Conspiracy* case were members of three of the five principal criminal organizations in New York City; namely, Carmine Galante, chief lieutenant of the Joseph Bonanno family; John Ormento and Angelo Loiacano of the Thomas Lucchese family; and Carlisle Di Pietro of the Vito Genovese family. These individuals distributed the heroin, obtained from the Cotroni organization, into local and interstate traffic.

The *Salvatore Rinaldo-Matteo Palmeri* case in 1960 resulted in significant developments in 1961. Briefly, they are as follows: Following the indictments in this case approximately 43 traffickers were denounced in Italy for being involved in the smuggling of large quantities of pure heroin from French clandestine heroin producing laboratories into the United States via Italy. These sources had supplied Rinaldo with sizable quantities of heroin.

An important defendant in N.Y.: S. 10795, *Narcotic Conspiracy* case, an outgrowth of the *Rinaldo-Palmeri Conspiracy* case, was one Alberto Agueci who had been released on \$20,000 bail bond on September 18, 1961. On October 9, 1960, Alberto Agueci failed to appear in court and his bond was forfeited. On November 23, 1961, the body of Alberto Agueci was found in a field near Rochester, N.Y. His arms had been bound behind his back with wire and he had been strangled with a clothesline, his body doused with gasoline and set afire. Another defendant in N.Y.: S. 10795, William Holmes alias Shorty, considered by the other traffickers to be a weak link, also was murdered. His body was found on August 8, 1961, in the Bronx, N.Y., apparently a victim of gangland slaying.

Convicted in N.Y.: S. 10795, *Narcotic Conspiracy* case, were the following: Alberto Agueci, Vito Agueci, 15 years; Arnold Barbeto, Frank Caruso, pled guilty March 14, 1963, 15 years; Filippo Cottone, 5 years; Robert Guipone, 20 years; William Holmes; Luigi Le Bue, 15 years; Michael Maiello, 15 years, died later of a heart attack; Salvatore Maneri, pled guilty March 14, 1963, 15 years; Vincent Mauro, pled guilty March 14, 1963, 15 years; Matthew Palmieri, 20 years; John

926 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Papalia, 10 years; Anthony Porcelli, 15 years; Charles Shiffman, 25 years; Rocco Scopelitti, 10 years; Charles Tandler, 15 years, and Joseph Valachi, 20 years. Joseph Valachi's 20-year sentence was to run concurrently with the 20-year sentence he received in the *John Freeman* case, aforementioned. The principals in N.Y.: S. 10795 *Conspiracy* case sold huge amounts of heroin to traffickers who introduced the narcotics into interstate traffic in the eastern seaboard and Cleveland, Chicago, and other cities.

A significant case made in 1962 by the Bureau of Narcotics was *Narcotic Conspiracy* case, N.Y.: S. 11160, wherein the following named individuals were charged with violation of the Federal narcotic laws, conspiracy, title 21, sections 173 and 174; Frank Borelli, aforementioned; Angelo Buia, aforementioned; Anthony Castaldi, Anthony Ciccone, Benedetto Cinquergrana, Albert Di Stefano, Alfred Eppolito (deceased), Thomas Garibaldi, Carmine Locascio, Angelo Loiacano, Joseph Mogavero, Rosario Mogavero, Vincent Renna, Giuseppe Ruffino, Michael Sedotto, Anthony Settecase, David "Pop" Smith, Rocco Sanci-nella, Harry Tantillo, and John Doe alias Mickey Blair, later identified as Anthony Castiglia.

The principals in this case, especially Carmine Locascio, obtained large quantities of high-grade heroin from David "Pop" Smith and the latter's associate, Angelo Buia. Smith and Buia obtained their supplies from French sources. Angelo Buia, previously mentioned in this report, is a soldier in the family. Represented in this conspiracy were members of three of the five principal criminal organizations in New York City. Anthony Castaldi, Anthony Ciccone, Carmine Locascio, and Angelo Loiacano are members of the Thomas Lucchese family. Joseph and Rosario Mogavero are members of the Vito Genovese family. Michael Sedotto is a soldier of the Carlo Gambino family. Alfred Eppolito (deceased) was a lieutenant in the Carlo Gambino family.

This conspiracy had its inception in 1950 until the date of the indictment in 1962. This case went to trial on November 6, 1963, at U.S. District Court, Southern District of New York. As of this writing this trial is still in progress.

Outlined above are major cases involving interstate narcotic traffic emanating from New York City. Indicated briefly below are interstate cases in district No. 1, district No. 3, district No. 5, and district No. 6. This aforementioned district offices together with district No. 2 (New York and northern New Jersey) comprise the eastern seaboard headquarter offices of the Bureau of Narcotics).

District No. 1.—Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island

Massachusetts.—For the past 25 years the narcotic traffic in Massachusetts has been controlled by two major and several smaller independent groups. Their sources of supply on most occasions has been New York City. These two major groups have been operating on and off for the past 25 to 30 years. These two groups are the North End Italians (Frank Cucchiara being the most recent) and the Isabella family of Malden. Frank Cucchiara was allegedly obtaining heroin in New York City from the late Cristoforo Robino, previously mentioned, and the Carlo Gambino organization. The Isabellas of Malden are cousins of a notorious New York City narcotic trafficker, Florio Isabella.

It has been ascertained that New York City has been the principal source of supply of heroin for the smaller independent groups, the Edward Frank-Frank Cesario group and more recently the Edward Frank-Leonard Delmar group, as well as the Sylvester-Cesario-Delia group. The North End Italians, the Isabellas of Malden and New York City traffickers have been sources of supply of heroin for the Wady David group in Boston. Other traffickers in this area have been the late John Buccelli, Joseph Mofie, and Joseph Massa.

The more notable cases and violators have been as follows:

Year	Case number	Defendants
1952-55.....	Mass, 1851 and 1959.....	Nady David et al.
1955.....	Mass, 1949 and 1953.....	Peter Marinello.
1955.....	NY:S, 9673.....	Buccelli, Mofie and Marinello.
1956.....	Mass, 1975.....	Della, Sacoco and Russo.
1960.....	Mass, 1999.....	Webster Falge.
1961.....	Mass, 2016.....	Edward Frank and Leonard Delmar.
1962.....	Mass, 2043.....	Dominic Isabella and Charles Kintaris.
1962.....	NY:S, 10767.....	Joseph Sax and James Massa.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 927

Connecticut.—The narcotic traffic in Connecticut is not controlled by a tightly knit organization as it was 10 years ago. Currently, the majority of known traffickers in this area are Negroes who are addicted to heroin. These individuals travel to New York City by bus or train, obtain the heroin, and return to Connecticut where they resell it. Many of these persons are engaged in various types of crimes, many of them being pimps or thieves.

The most notable narcotic cases made by the Bureau of Narcotics in Connecticut within the past 10 years are as follows:

- 1952—Conn-474, defendants Raymond Maresca and Concetta Maresca.
- 1952—Conn-479, defendant Vincent Stancarone.
- 1953—Conn-498, defendant George Malloy, et al.
- 1954—Conn-502, defendant Dominick Paolantonio, et al.
- 1958—NY:S 10040, defendant Ignazio C. Marchese.
- 1960—Conn-572, defendant Clarence Aspelund, et al.
- 1961—Conn-589, defendant Ralph Cianchetti, et al.
- 1962—NY:S 11208, defendant Robert Ager, et al.

Narcotic arrangements in Connecticut involving organized peddling dropped off sharply after the arraignments and conviction of Raymond Maresca, Vincent Stancarone, George Malloy, and Dominick Paolantonio; however, within the past 3 years, important narcotic traffickers; such as, Clarence Aspelund and Ralph Cianchetti were arrested for involvement in narcotic smuggling. These individuals did not sell narcotics locally but engaged in traffic with important narcotic dealers. As matters stand, there is a vast potential capable of being engaged in large-scale narcotic traffic in Connecticut. Those suspected in such traffic are: Ippolito Paolo Agresta, Frank Piccolo, Frank Visone and Morris J. Salow.

Raymond Maresca is considered the leading racketeer in the Connecticut area. He gives the impression that he is not currently engaged in the narcotic traffic. Visone, Agresta, and Piccolo appear to control the numbers racket and book-making in the Fairfield County area. It appears that Agresta and Piccolo work for Visone.

Those suspected of being engaged in narcotic traffic in Hartford, Conn., are Dominick Paolantonio, Walter Fredericks, and Morris J. Salow. Salow was acquainted with the late Alfred Eppolito and has been acquainted with New York City narcotic suspect trafficker Andrew Alberti for a number of years.

District No. 3—Pennsylvania, New Jersey (except Fifth Internal Revenue District)

For the past decade the general source of supply of heroin for the Philadelphia area has been New York, N.Y. Due to continual pressure on the addict and the peddler by both the Philadelphia Police Department, Narcotic Squad; and the Special Investigations Squad, in cooperation with the Federal Bureau of Narcotics, the pattern of this traffic from New York to Philadelphia has changed from the beginning of the decade in that wholesale organized outlets for heroin in this city and its environs are a rarity.

In view of this development, the narcotic traffic in Philadelphia has now more or less stabilized to individual addicts or one individual addict acting for a group making trips irregularly to New York, N.Y., and obtaining either personal or group supplies of heroin; or addict peddlers making trips to New York, purchasing either the so-called "loads," consisting of 25 small packets, costing from \$75 to \$100, in addition to the so-called one-sixteenth, one-eighth, or one-quarter, and a very few who will occasionally purchase ounce quantities for distribution in Philadelphia. All of the above quantities are further adulterated and broken down, usually to the \$5 or \$10 packets, which are the items of traffic on the street in this vicinity.

This pattern has developed by reason of the high price of heroin at the addict level in Philadelphia which averages 30 mgm. or less of dilute heroin for \$5, in contrast to New York City, where a \$5 packet would run from 150 mgm. to 200 mgm. This price contrast follows through the one-sixteenth, one-eighth quantities even more so. The fact that New York City is only 90 miles away, with bus or train service averaging better than one trip per half hour, it pays the local narcotic violator to make these trips to New York and obtain supplies of heroin.

928 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The major violators in the Philadelphia, Pa., area are as follows: Harry Riccobene, Andrew B. Willis, Henry Staley, Jr., Dorothy Staley, Peter Casella, James J. Santore, Frank Malfi, and Frank Valli.

The major violators in the Pittsburgh, Pa., area are as follows: Stevenson Stone Bey, Edgar L. Butler, Estella Jane Byrd, Alvin Clark, William Clark, Alonzo Davis, Joseph Barker, George Mills, Hershel Smith, Edward Todd, Elmer Washington, and George Williams.

District No. 5—Maryland, Washington, D.C., North Carolina, Virginia, and West Virginia

The hub of the heroin traffic in District No. 5 is Washington, D.C., Baltimore, Md., the Norfolk-Richmond areas of Virginia, North Carolina, and West Virginia have comparative heroin problems in descending lesser degrees and in that order.

The primary source for heroin for the District of Columbia has been New York City. Most of these New York City sources have been discussed previously in this report. There have been instances of some heroin distribution in the District of Columbia which originated in Mexico and sporadically smuggled in small quantities by seamen or service personnel originally stationed in Korea. The heroin involved in the latter operation has appeared in U.S. Army installations in North Carolina. Attached as an addendum are background sheets on the principal violators in District No. 5.

District No. 6—Georgia, Florida, Alabama, South Carolina, and Tennessee

Three of the most important narcotic violators in Alabama for the past 10 years have been Wilburn Cary Gunter alias Bill Gunter (deceased); Eddie Brown Rich alias Brown Rich; and Rufus Howard Harden. Rich and Harden are currently incarcerated in Federal penitentiaries.

Most of the narcotics in Alabama entering into illegal channels were at one time in the illicit trade. Rarely some heroin gets into the trade in Alabama. Three cases involving heroin have been made in this State in the past 10 years. These involved the following: Eddie Brown Rich, Alabama 1076; Theoplis Simmons, Alabama 1101, and Nathaniel Steinback, Alabama 1129.

Attached in the addenda are brief background histories of Eddie Brown Rich and William Wilburn Cary Gunter, and Rufus Howard Harden. It is noteworthy that Harden is a known associate of New York City narcotic trafficker Florio Isabella.

Since 1952 approximately six cases of significance were made in Tennessee. They are as follows: Tennessee 1988, James Merritt; Tennessee 1989, Timothy S. Flanders; Tennessee 2022, George E. Duggins, and Cecil Nappier; Tennessee 2068, William E. Alley; Tennessee 2071, William Condon Graham, Grace Cunningham, and William Minnick. A brief synopsis of the aforementioned cases is included in attached addenda.

The Port of Miami, Fla., is a receiving point for heroin from Europe and for cocaine from South and Central America. Currently residing in the Miami area are retired leading racketeers from metropolitan New York City and Cleveland. Among these racketeers are Myer and Jake Lansky, Michael Coppola, Rocco Pellegrino, Philip Krovlick, Alfred Polizzi, Pasquale Erra, Joseph Falcone, and others.

The Tampa, Fla., area is controlled by Santo Trafficante, Jr., and his associates. The latter, a participant in the underworld meeting at Apalachin in 1957, has been active in the narcotic traffic for the past many years. Through the years, Trafficante has allegedly received large amounts of heroin from important New York City traffickers.

District No. 8—Michigan, Ohio, and Kentucky

The most prevalent drug in the illicit narcotic traffic throughout Michigan and Ohio is heroin. This is particularly true of the addict population of Detroit, Mich. The narcotic traffic in Ohio remains primarily restricted to the cities of Cleveland, Cincinnati, and Dayton, and to a lesser degree Columbus. Heroin traffic in Kentucky is virtually nonexistent.

Most of the heroin in Detroit comes from Chicago, with New York being the secondary source, however, New York City supplies Chicago with a greater portion of its heroin.

Until several years ago activities in Detroit would indicate the presence of possibly six or seven peddlers of sufficient stature to furnish wholesale quantities of heroin. It was the trend in 1962 for important Detroit narcotic violators to combine their activities, thus forming a more highly organized distribution of

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 929

narcotics. It has been suspected that the reason for this trend was to minimize the risk of apprehension of the wrongdoers. It also has been indicated that these individuals, by pooling their funds, could obtain a more satisfactory buying power for their heroin in Chicago and New York.

Today the Detroit narcotic trafficker has to bring his money usually to Chicago, and on a few occasions to New York, pay for the narcotics and transport the drugs back to Michigan themselves. Due to effective law enforcement by Michigan, Federal and city agencies, the organization and syndication in the illicit traffic in this area has been pretty well minimized.

One of the most important suspected narcotics traffickers in the Detroit area is Raffaele Quasarano. Quasarano has been active in the narcotic traffic for at least the past 10 years. During the early 1950's Quasarano made frequent trips to New York City allegedly for the purpose of obtaining heroin. Quasarano is the protégé of John Priziola, one of the most powerful criminal leaders in the Detroit area. Quasarano's father-in-law was the late Vito Vitale, a former top-ranking Mafioso who resided in Ostia, Italy, a suburb of Rome. Quasarano made several trips to Italy ostensibly to visit his sick father-in-law, but it is suspected that the real purpose for these trips was to make arrangements for obtaining large quantities of heroin and for the smuggling into the United States to the Detroit area. It appears that Quasarano has been the channel for the one independent source of heroin for Detroit.

There is no direct evidence that Quasarano has been engaged in interstate narcotic traffic, but it would appear that the amounts of heroin allegedly smuggled in by Quasarano would more than suffice for the Detroit area. Today, the heroin available in the streets of Detroit averages about 1 to 4 percent in purity. There are slightly less than 1,500 narcotic addicts today in Detroit. Erstwhile major traffickers such as Sam Caruso, Louis Oddo, Joseph Catalanotte, James Galici, Anthony Teramine, and many others have in recent years entered into some other field of criminal endeavor upon their release from prison.

Ohio, mentioned previously in this report, is the interstate narcotic case involving Salvatore Poliafico, of Cleveland, and Rocco Mazzie, of New York City, and others.

In the early 1950's there were at least 3,000 to 3,500 addicts in Cleveland, heroin being the drug of preference. During this period the narcotic traffic in this area was dominated by five separate and distinct criminal syndicates operated by elements of the Italian underworld. Those active in the traffic at this time were Salvatore Poliafico, Spitalieri brothers, John Montana, Sylvester Papalardo, and Joseph Fredericks. These organizations purchased the bulk of their heroin from New York City and Buffalo, N.Y. They sent couriers from Cleveland to the latter cities for the purpose of obtaining the heroin and transporting the narcotics back to Cleveland. This heroin, in 3 kilogram lots, averaged 10 to 30 percent in purity. In Dayton, Ohio, where there were previously 400 reported addicts, today there are less than 30 addicts. There appears to be no syndicated organization in the narcotic traffic today in Ohio. (Attached as an addendum to this report are reports from district No. 8.)

ADDENDUM

Listed below are the names of individuals contained in the appendix concerning whom background sheets are attached.

- | | |
|-------------------------|----------------------------|
| 1. Accardo, Settimo | 17. Campisi, Thomas |
| 2. Agresta, Ippolito | 18. Carlisi, Rosario |
| 3. Albanese, Philip | 19. Caruso, Frank |
| 4. Alberio, Charles | 20. Casella, Peter |
| 5. Alberti, Andrew | 21. Castaldi, Anthony |
| 6. Arnone, Joseph | 22. Catalanotto, Joseph |
| 7. Arnone, Stephen | 23. Catena, Gerardo |
| 8. Barbato, Arnold | 24. Ciccone, Anthony |
| 9. Bellanca, Sebastiano | 25. Cinquegrana, Benedetto |
| 10. Biondo, Joseph | 26. Coppola, Michael |
| 11. Boiardi, Richard | 27. Corona, Frank |
| 12. Bonanno, Joseph | 28. Costiglia, Francesco |
| 13. Borelli, Frank | 29. Crisci, Anthony |
| 14. Bufalino, Russell | 30. Criscuolo, Alfred |
| 15. Buia, Angelo | 31. Cucchiara, Frank |
| 16. Campisi, Charles | 32. Curcio, Charles |

930 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

- | | |
|--------------------------|---------------------------|
| 33. Denticio, Joseph | 92. Monica, Michael |
| 34. D'Ercole, Joseph | 93. Montana, John |
| 35. Di Carlo, Joseph | 94. Nicoline, Michael |
| 36. Di Palermo, Charles | 95. Nobile, George |
| 37. Di Palermo, Joseph | 96. Orlando, Ignazio |
| 38. Di Pasqua, Anthony | 97. Orlando, Lorenzo |
| 39. Di Pietro, Carlo | 98. Ormento, John |
| 40. Embarrato, Alfred | 99. Orsini, Joseph |
| 41. Eppolito, Alfred | 100. Pacella, Louis |
| 42. Erra, Pasquale | 101. Pacelli, Vincent |
| 43. Evola, Natale | 102. Pagano, Joseph |
| 44. Falcone, Joseph | 103. Pagano, Pasquale |
| 45. Felice, Alfredo | 104. Panatera, Frank |
| 46. Gagliano, Giuseppe | 105. Papalardo, Sam |
| 47. Galante, Carmine | 106. Papalardo, Sylvester |
| 48. Gallo, Joseph | 107. Pasqua, Frank |
| 49. Gallo, Lawrence | 108. Pellegrino, Rocco |
| 50. Gambino, Carlo | 109. Petrone, John |
| 51. Gambino, Paolo | 110. Piccolo, Frank |
| 52. Gelb, Usche | 111. Pieri, Salvatore |
| 53. Genese, Pasquale | 112. Pisciotta, Anthony |
| 54. Genovese, Vito | 113. Poliafico, Salvatore |
| 55. Gernie, Joseph | 114. Polizzano, Ralph |
| 56. Gigante, Vincent | 115. Polizzi, Alfred |
| 57. Giglio, Salvatore | 116. Priziola, John |
| 58. Granza, Anthony | 117. Profaci, Joseph |
| 59. Guippone, Robert | 118. Puco, Stephen |
| 60. Ignaro, Lucien | 119. Quasarano, Rattaele |
| 61. Indiviglio, Benjamin | 120. Ragone, Joseph |
| 62. Isabella, Florio | 121. Reina, Giacomo |
| 63. Leo, Arthur | 122. Ricardulli, John J. |
| 64. Lessa, Daniel | 123. Riccobene, Harry |
| 65. Licchi, Benjamin | 124. Rizzo, Jack |
| 66. Licchi, Joseph | 125. Rizzo, Salvatore |
| 67. Livorsi, Frank | 126. Sancinella, Rocco |
| 68. LoCascio, Carmine | 127. Sansone, Carmelo |
| 69. LoCascio, Peter | 128. Santagata, Aniello |
| 70. Lombardo, Philip | 129. Santoro, Salvatore |
| 71. LoPiccolo, Joseph | 130. Scarpulla, Michele |
| 72. LoProto, Salvatore | 131. Schiffman, Charles |
| 73. Lucania, Salvatore | 132. Schillaci, John |
| 74. Lucchese, Gaetano | 133. Sedotto, Michael |
| 75. Magaddino, Stefano | 134. Smith, David |
| 76. Magliocco, Giuseppe | 135. Squillante, Vincent |
| 77. Mancino, Frank | 136. Stopelli, Innocenzio |
| 78. Maneri, Salvatore | 137. Strollo, Anthony |
| 79. Maresca, Raymond | 138. Stromberg, Harry |
| 80. Mari, Frank | 139. Tantillo, Enrico |
| 81. Marinello, Peter | 140. Teramine, Anthony |
| 82. Marone, Joseph | 141. Todaro, Vincent |
| 83. Marsalisi, Mariano | 142. Tolentino, Nicholas |
| 84. Martello, Nicholas | 143. Tramaglino, Eugene |
| 85. Massi, James | 144. Tuminaro, Angelo |
| 86. Mauro, Vincenzo | 145. Valachi, Joseph |
| 87. Mазzie, Rocco | 146. Vellucci, Anthony |
| 88. Miranda, Michele | 147. Vento, Joseph |
| 89. Mirra, Anthony | 148. Vitale, Vito |
| 90. Moccio, Pasquale | 149. Zingale, Joseph |
| 91. Mogavero, Rosario | |

(Complete background sheets on above named individuals may be found in appendix on p. 1012.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 931

Mr. ADLERMAN. Your area covers as far west as New Orleans?

Mr. WARD. No. I am strictly along the east coast. I believe Mr. Belk will cover New Orleans.

Mr. ADLERMAN. Is there anything in particular that you feel you ought to add in addition to the backup material and the other maps that have been placed into the record?

Mr. WARD. No, sir.

Mr. ADLERMAN. I will proceed with Mr. Belk now.

Mr. Belk, you are presently Director in the New York Office?

Mr. BELK. Yes.

Mr. ADLERMAN. And formerly you were Director of the Chicago Office?

Mr. BELK. Yes.

Mr. ADLERMAN. You are familiar with the Middle West traffic in narcotics?

Mr. BELK. I am.

Mr. ADLERMAN. What area did you cover in the Middle West?

Mr. BELK. The Chicago Office actually covers the States of Illinois, Indiana, and Wisconsin.

Mr. ADLERMAN. What cities did you cover in what States?

Mr. BELK. In those three States?

Mr. ADLERMAN. I mean what can you testify to?

Mr. BELK. I can cover west to Omaha and southwest—

Mr. ADLERMAN. Well, what is the source of supply of the narcotics coming into the Chicago area?

Mr. BELK. Primarily New York City.

Mr. ADLERMAN. It doesn't come down from Canada ordinarily even though it is adjacent to Canada, but the flow is from New York, from there and then flows westward?

Mr. BELK. Traditionally this seems to be the flow of the traffic.

Mr. ADLERMAN. And you have prepared some backup material on this area?

Mr. BELK. Yes; I have.

Mr. ADLERMAN. I would like to offer that in evidence also.

The CHAIRMAN. That will be received and printed in the record as exhibit 4.

(Document referred to marked "Exhibit No. 4. History of Narcotic Traffic" follows. Backup material may be found in the appendix on p. 1063.)

EXHIBIT No. 4

THE ILLICIT INTERSTATE NARCOTIC TRAFFIC FROM CHICAGO THROUGHOUT THE
MIDWESTERN AND SOUTHWESTERN UNITED STATES

Chicago, Ill., ranks among the major centers of distribution of the illicit narcotic traffic within the continental United States. It functions as the principal source for narcotics in the midwestern and southwestern sectors of the country. It is supplied primarily by New York City and, in turn, distributes to midwestern cities of secondary importance within the network of the narcotic traffic. Cities such as Omaha, Tulsa, Kansas City, Dallas, Houston, and St. Louis, are dependent on Chicago for the illicit narcotic drugs which are consumed locally and which are also distributed to neighboring areas. Chicago has occupied this position since the early 1930's.

Available data indicates that the flow of narcotics into and from Chicago is controlled by various criminal elements. There are Italian organizations, with sources of supply in New York, which distribute heroin to Italian violators of lesser importance and to major Negro violators. There are also independent

932 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Negro organizations which have Italian sources in New York and which transport heroin to Chicago for sale within their organizations. In addition, a Puerto Rican, Spanish-speaking element functions independently obtaining heroin, cocaine, and marihuana from Mexico for distribution to Spanish-speaking and Negro violators in Chicago and throughout the midwestern area.

The interstate and regional aspects of Chicago's position can well be illustrated by citing the activities of a combine comprised of Jack Roy Clayton, Samuel Carrola, Anthony Dichiarante, and Arthur Gasparro. In the early 1950's Clayton, a resident of Kansas City, Mo., was utilizing his private airplane to transport stolen merchandise from Chicago to Kansas City. He lived on a farm and a portion of his land had been converted into a landing strip. Clayton entered into an association with Samuel Carrola, of Kansas City, who was engaged in the narcotic traffic. They collaborated in the distribution of heroin in and from Kansas City. Clayton began to fly to Chicago, in Carrola's behalf, to obtain heroin in kilogram quantities from one Joseph Iacullo.

Joseph Iacullo, a trafficker of significance who was associated with the criminal element throughout the United States, was securing heroin from Anthony Castaldi (NL No. 62) and Anthony Tacoma (Ill.-337, deceased), both from New York City. He was of sufficient caliber to supply Carrola with approximately a kilogram of heroin on a monthly basis. He was arrested in 1954 for violation of the Federal narcotic laws (Ill. 7117) and was sentenced to 5 years imprisonment. Prior to beginning his sentence, he referred Clayton to Anthony Dichiarante as a source for heroine. Dichiarante and his associate, Arthur Gasparro, continued to supply Clayton and Carrola with narcotics.

Jack Clayton was later recruited by Dichiarante to fly to New York, and using this means of transportation, Dichiarante was securing 5 kilograms of heroin per trip from his New York source of supply (not identified). Some half a dozen such trips per year were made by Clayton with Dichiarante and/or Gasparro.

The heroin which originated from New York and which Samuel Carrola obtained via Dichiarante in Chicago was furnished by him to Ralph Goldstein, Dominick DiMaggio, Patsy Ventola, Anthony Marcella and Robert Cox, all of Kansas City, Mo. Marcella also had dealings directly with Dichiarante. He was arrested in California in 1959 for violation of the Federal narcotic laws and was sentenced to imprisonment for 40 years. Robert Cox allegedly made trips to Chicago by automobile to obtain heroin for Carrola. Harold "Fats" Wright, of Tulsa, Okla., and Frank J. Ellsworth, of Omaha, Nebr., were out-of-town customers of Carrola. On occasion, Clayton assisted Carrola in distributing ounce lots of heroin from Kansas City to Anthony Biase at Council Bluffs, Iowa.

Clayton, in addition to his activities with Carrola, had several customers of his own, in Texas, Arkansas, Tennessee, and Florida, whom he supplied with heroin. He was arrested in 1958 and charged with the sale of heroin to an undercover agent of the Bureau of Narcotics at Gurdon, Ark., for \$2,000. He entered a guilty plea and was sentenced to imprisonment for a total of 20 years. Clayton is currently incarcerated at the U.S. Medical Center, Springfield, Mo.

In case Ill.-7863, reported in Chicago on March 1960, Anthony Dichiarante, Spartico Mastro, and Salvatore Pisano (deceased) were charged, as codefendants, with the sale of approximately 9 ounces of heroin to an undercover agent. Information available to the Bureau of Narcotics indicates that Dichiarante obtained this heroin from his New York source, John Doe or "Joe." This case is currently pending in Federal court.

The case of *Clayton, et al.* is but one of many examples which, though varying in detail, personalities, and locale, demonstrate the flow of narcotics in the Midwest as it has been outlined in preceding paragraphs. Additional and equally applicable cases will be incorporated below to show the various facets of the traffic under the scope of this report.

Joseph Bruno (NL No. 43) was considered the principal source for heroin in the Chicago area and the major distributor of narcotics in the Midwest prior to his arrest and conviction in 1958 for violating the Federal narcotic laws (Ill. 7495, Ill. 7510). Files of the Chicago office of the Federal Bureau of Narcotics mention Bruno as the supplier for many known traffickers since the early 1950's. He had dealings, in this capacity, with Rupert Kelly (NL No. 208), Archie Robinson (Ill. 7994), Charles Venton, Marvin Moses (Ill. 7994), Auckland Holmes, Dorothy Johnson, Moses Hightower, Harry Schennault (NL No. 335), Joseph Doyle, Ernest Brakens, Edgar Runell, Lucille Riles, Joseph C. Saddler, Melvin Harris, and Thomas Matas.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 933

Among Bruno's associates were Charles LaPaglia, Mike Condie, Frank Panatera (NL No. 307), John Tanno, Carlo Urbinati (NL No. 406), Joseph Bartuchi, Anthony Dichiarante, Anthony Marcella (NL No. 278), Carl Campise, Frank Coduto, and Armando Piemonte, all of whom are participants in the Chicago and midwestern traffic.

Bruno, throughout the years, had several New York sources for heroin. In the early 1950's he allegedly purchased heroin from Eddio Coco. In 1955, Frank Carbo and the Anglet brothers of New York are mentioned as his sources. In 1957, the Altimari brothers, John Ormento (NL No. 295) and Ronald Romano, all New Yorkers, are listed as suppliers.

On June 28, 1957, through two associates, Bruno sold 12 ounces of pure heroin to undercover agents of the Bureau of Narcotics. This led to his arrest and an 8-year prison term which he is currently serving at the Leavenworth Penitentiary.

John Paul Dispensa, an important figure in the interstate traffic of heroin between New York and Chicago, was considered one of the major wholesale suppliers of heroin in the Chicago area. In November 1958 and subsequent to months of surveillance and several purchases by undercover agents, Dispensa was arrested with fellow Chicagoans, Morris Rosengard and Phillip Vittoria (Ill. 7655). Also arrested were New York associates, Nicholas Esposito, Dominick Gentile, and Saverio Schifano. The latter were supplying Dispensa and others with what is estimated as 300 ounces of pure heroin per year. This significant quantity was destined for distribution throughout the Chicago and midwestern area.

On October 25, 1963, Nolan Mack was shot to death by a Federal narcotic agent whom he had engaged in a gun battle while attempting to resist arrest. Nolan Mack (FBI No. 2595072), murder suspect and a vicious criminal with a record dating back to 1939, was one of the most important Negro sources of supply in the Chicago area. A major distributor of heroin in Chicago's South Side, he was closely associated with major Italian suspects and violators. Prior to his death, he was free on bond after having been indicted for conspiracy to violate the Federal narcotic laws (Ill. 8144, Ill. 8195). Mack's shooting and death occurred when agents attempted to arrest him after they had observed him receiving a delivery of heroin from an Italian violator currently under investigation (Ill. 8273).

Files of the Bureau of Narcotics, District No. 9, show Mack as the source of supply, in the mid-1950's, for Jack B. Madden (Ill. 7239 and Mo. 8450), Francis Baskerville (Ill. 7352), and Jesse Harris (Ill. 7396). In 1957, he was convicted for violation of the narcotic laws and was sentenced to prison for a term of 5 years (Ill. 7211). His codefendant (not convicted) was his wife, Helen Mack (NL No. 274), also an important violator. Mack's suppliers in this case were Medio Mancione and Joseph Iacullo.

Mack was also reported as the source of supply for James Goodar (Ill. 7459), Clifford Benton (Ill. 7463), Arthur Morse (who was supplying Ollie Brantley, of Detroit, Mich.), Robert Jordan, of Dayton, Ohio, Robert Cain, of St. Louis, Mo. (Mo. 8576), and Joseph Wilson and Finnell Lee, of Milwaukee, Wis. (Wis. 38-M).

William Wright, a significant violator in New York and a known supplier of large quantities of heroin to dealers in Chicago, was arrested upon his arrival in Chicago in October 1958. He had in his possession 9 ounces of pure heroin and an ounce of cocaine. Wright admitted that he was delivering the heroin to Nolan Mack. He was convicted in the Chicago municipal court for possession but the Illinois Supreme Court subsequently reversed the conviction.

After Nolan Mack's incarceration in May 1957, his wife, Helen (nee Kountis, white, female of Greek descent), assumed control of his business activities and soon became one of Chicago's important heroin dealers. She was reported in July 1957 as the source for Edward Williams of Indiana (Ind. 1011). In case No. Ill. 7506 (1957), Helen Mack, assisted by codefendants Samuel Morse, Robert Jordan, and Johnnie B. Cooper, sold 14 ounces of heroin to an undercover agent. After the agent placed an order with her for a quarter of a kilogram of heroin and paid her \$2,500, in advance, for same, Helen Mack boarded a plane and met with William Wright in New York. She returned to Chicago and delivered the heroin to the purchasing agent. Two days later, agents in New York arrested William Wright and \$2,095 of the money given by the agent to Helen Mack was recovered from Wright. Wright, though not successfully prosecuted in this instance, was later arrested and convicted in case No. Ill. 7924 as the New York source for Michael Carioscia.

934 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Helen Mack unwittingly introduced an undercover agent to her Chicago source, Armando Piemonte. Two purchases were made from Piemonte and he was later convicted in case No. Ill. 7565. It is believed that Arnold Romano of New York was Piemonte's source of supply.

Helen Mack was arrested as a defendant in cases Nos. Ill. 7521 and Ill. 7565. She was convicted and sentenced to 10 years imprisonment. She is currently in prison.

In October 1959, Carmine Desalvo of New York, defendant in NY: S. 10323, told an undercover agent that he had been the source of supply for William Wright and Helen Mack.

In recent months, case No. Ill. 8084 was developed and concluded in Chicago with the indictment of 41 defendants for conspiring to violate the Federal narcotic laws. This case, in which Michael DeMarco and Americo DiPietto are principal defendants, was developed from several significant cases reported in Chicago since 1960. DeMarco, and others were obtaining kilogram quantities of heroin from sources of supply in New York and were transporting it to Chicago where they sold it to prime distributors in one-eighth- and one-fourth-kilogram lots. These distributors, including Nolan Mack, Pat Cole (Ill. 8059), and Johnny Green (Ill. 8030), in turn, sold the heroin to local and out-of-town customers. George Farraco, a convicted narcotic violator with sources in Montreal, Canada, and associated with Roger Coudert, a French international trafficker, was one of DeMarco's New York sources of supply. He is missing and presumed dead—a victim of gangland violence.

William Wright, of New York, convicted in Ill. No. 7924 as the source of supply for Michael Carioscia, entered into association with DeMarco and participated, prior to beginning his sentence which had been deferred by appeals, in this traffic between New York and Chicago. One of the principal cases which led to the development of this conspiracy case was Ill. No. 8273. In Ill. No. 8273, Frank Carioscia, brother of Michael, was arrested following sales to an undercover agent of the Bureau of Narcotics. Related surveillance disclosed a definite connection between Carioscia and Michael DeMarco.

Violators in St. Louis, Mo., have been regularly supplied with heroin by sources in Chicago, Ill. In recent years and after passage of the Narcotic Control Act of 1956, the proportion of the traffic between Chicago, St. Louis, and Kansas City, Mo., has been considerably reduced. During the year 1960, Nathaniel Spurlack organization at Chicago was active in the traffic between Chicago and St. Louis. This Spurlark group supplied local dealers Earl Williams, Sam Mays, Waddell Buchanan, T. J. Ruffin, Willie F. Foster, Ollie Jackson, James Mitchell, and Barbara Brinkley. (Nathaniel Spurlark, possibly the most important Negro narcotic trafficker in Chicago, was prominent in the interstate commerce in narcotics and had New York sources of supply. In 1959, he was indicted in Chicago for conspiring to violate the Federal narcotic laws and was subsequently convicted and sentenced to 10 years imprisonment. He is currently free on bond pending appeal.)

Files of the Federal Bureau of Narcotics reflect that Marvin Moses, Willie Horn, Aukland Holmes, Wilburn Holmes, and Willie Bowen of Chicago were considered important suppliers of heroin to St. Louis in 1961. Through 1962 and part of 1963, prior to his arrest and conviction in Federal court, Marvin Moses continued as a chief source of supply. The late Nolan Mack was also reported to have been supplying dealers in St. Louis with ounce quantities prior to his death in October 1963.

In 1956 in Houston, Tex., case No. Tex-11965 was developed and concluded with the conspiracy indictment of 10 defendants. The case involved the trafficking of heroin and marihuana between New York City, Chicago, and Texas. The principal defendants were Vito Giordenello, his wife, Ardelle Giordenello, both of Houston, Tex., and Benny Indiviglio of New York. All defendants were convicted in the U.S. district court, Houston. The conviction was subsequently reversed by the U.S. Supreme Court.

The Giordenello's were principal distributors of heroin in the Houston area. They secured heroin from dealers in Chicago and from Indiviglio in New York City. Giordenello was arrested following two purchases of heroin by an undercover police officer (Tex-11964). When arrested he had 5 ounces of heroin in his possession. Ardelle Giordenello was arrested in Dallas, Tex., following the sale of 6 ounces of heroin, which she had transported from Chicago by airplane, to an undercover agent. Benny Indiviglio, through the years, has been a persistent trafficker in local (New York) and interstate narcotic commerce.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 935

In Dallas, Tex., Aubrey Aeby (NL No. 2A) was a wholesale dealer in heroin, obtained in kilogram quantities from Chicago and New York, until the time of his conviction in 1952. He supplied John E. Miller, Olen Ray Tyler, John Willard Thompson (Tex-11689) and Nick Casio, all important traffickers in the Dallas area. After Aeby's imprisonment, Miller began to receive wholesale quantities from Aeby's sources and to distribute them within the Dallas-Fort Worth area. Miller died in June of 1963. Although investigation failed to prove the source for Aeby, reliable information indicates that Aeby purchased heroin from Charles Schiffman and Morris Taubman, both of New York. This heroin was reportedly delivered to Aeby by John Eder from Chicago.

In 1961 a conspiracy case was developed in Fort Worth, Tex. (Tex-12236) involving the transportation of heroin from Denver, Colo., to Fort Worth by James Glover, Jr., of Denver. Investigation disclosed that the heroin which was being sold by Glover had been obtained by him from sources in Chicago.

The Biase brothers, Anthony, Bernard, Louis, and Samuel, have long participated in the illicit narcotic traffic in Omaha, Nebr., and its environs. They have been closely associated with leading midwestern racketeers and have been steadily engaged in the large-scale distribution of narcotics to dealers in that area. They are known to have had heroin sources in New York, Chicago, and Kansas City.

In 1960 at Omaha, Anthony J. Biase sold a large quantity of narcotics to an undercover agent of the Federal Bureau of Narcotics. The narcotics in question had been burglarized from a drug manufacturer in Iowa. Biase was convicted and sentenced to 15 years imprisonment.

The Biase brothers are known associates of Samuel Carrola, Anthony Marcella, and Frank Ellsworth, all known narcotic violators. Anthony Biase had dealings with Jack Roy Clayton and was known to supply Harold Wright of Tulsa, Okla. Harold "Fats" Wright, a principal distributor in Oklahoma had also been receiving heroin from the Clayton-Carrola-Dichiarente organization of Kansas City, Mo., and Chicago, Ill.

The position of Detroit, Mich., and Cleveland, Ohio, in the interstate traffic will be discussed in the report regarding New York and the eastern seaboard States. Mention of these cities, however, is pertinent to this report since resident violators have been consistently securing heroin, in varying degrees, from sources in Chicago as well as New York. In recent years, the traffic of narcotics in Michigan and Ohio has been substantially diminished due to the passage of State laws stipulating severe mandatory sentences for violators. This is responsible for the dramatic change in the traffic as compared to the early 1950's when Italian dominated syndicates were importing and distributing large wholesale quantities of heroin.

Files of the Bureau of Narcotics reflect that Detroit peddlers Stanley Wood, Victoria Basemore, Lonnie Stigall, Frank Susser, and Cleveland dealers Paul Jerrells and Herbert Foreman were supplied with heroin by Jeremiah Pullings and associates. Pullings, one of Chicago's heroin sources of major significance and an important interstate trafficker, was indicted in Chicago in 1959, together with 20 other defendants, for conspiracy to violate the Federal narcotic laws. These conspirators, including Nathaniel Spurlark and Armando Piemonte, were responsible for a large percentage of the heroin traffic in Chicago and were considered suppliers for major cities throughout the Midwest. Pullings was sentenced to 12 years in prison following conviction (Ill-7885).

Further, Nathaniel Spurlark associates William Rouzer, Gladys Davis, Woodrow Wilson, and Elaine Wilson are reported to have intermittently delivered illicit narcotic drugs to violators in the Detroit, Mich., area for the period from 1952 through 1959. Spurlark, mentioned above as a source for St. Louis, was also distributing to peddlers in Los Angeles, Calif., cities in Iowa, Milwaukee, Wis., and Indianapolis, Ind.

Miami, Fla., and Denver, Colo., are also related to Chicago in the flow of the interstate traffic. They are not, however, exclusively or principally dependent on Chicago as a source for illicit drugs. Miami shares a much closer association with New York, and Denver with Los Angeles, Calif. Accordingly, reports being submitted regarding the interstate traffic within the Eastern and Western sectors of the United States will deal, respectively, with Miami and Denver.

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

936 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

ADDENDUM

This addendum contains résumés or profiles of individuals whose names appear in the report or who are listed on the chart (Midwestern sector) which has been prepared to demonstrate the interstate flow of the illicit narcotic traffic.

PART I. NAMES MENTIONED IN REPORT AND/OR LISTED ON CHART

Chicago

1. Jesse Alexander
2. Joseph Bruno
3. Leonard Calamia
4. Jack Clayton
5. Rocco DeGrazia
6. Theodore DeRose
7. Anthony Dichiarante
8. Carlo Fiorito
9. Arthur Gasparro
10. George Ginnone
11. Dennis Green
12. Isaac Hill
13. Joseph Iacullo
14. John Iorio
15. Jacob Klein
16. Wesley Lewis
17. Orville Locke
18. Jake Marbray
19. Helen Mack
20. Nolan Mack
21. Frank Panatera
22. Salvatore Pisano
23. Jeremiah Pullings
24. Jack Rizzo
25. Junius A. Robinson
26. James Russo
27. Patrick Russo
28. Frank Santore
29. Harry Schennault
30. Otis Sears
31. Sam Serritella
32. Nathaniel Spurlark
33. Carlo Urbinati
34. Victor Zingarelli

Kansas City

35. Leonard Affronti
36. Sam Carrolla
37. Robert Cox
38. Dominick DiMaggio

Kansas City—Continued

39. Ralph Goldstein
40. Joseph Lascoula
41. Michael Lascoula
42. Anthony Marcella
43. Joseph Olivo
44. Kenneth Sheetz
45. Patsy Ventola

Houston

46. Biagio Angelica
47. Lonnie Bryant
48. Travis Burks
49. Vito Giordenello
50. Judson Henderson
51. Quincy Kennedy
52. Archie Sample
53. Clyde Tillman

Dallas

54. Nick Cascio
55. Angelo Casten
56. Frank Celli
57. Joseph Civello
58. John Thompson

St. Louis

59. Anthony Giardano
60. Anthony Lopiparo
61. John Vitale

Omaha

62. Anthony Biase
63. Louis Biase
64. Sam Biase

Tulsa

65. Harold Wright

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 937

PART II NAMES MENTIONED IN REPORT AND NOT LISTED ON CHART

66. Aubrey Aeby	84. Paul Jerrels
67. Michael Altimari	85. Rupert Kelly
68. Frank Carioscia	86. Spartico Mastro
69. Michael Carioscia	87. Marvin Moses
70. Anthony Castaldi	88. John Ormento
71. Frank Coduto	89. Armando Piemonte
72. Pat Cole	90. Arnold Romano
73. Gladys Davis	91. Morris Rosengard
74. Michael DeMaro	92. William Rouzer
75. Americo DePietto	93. Joseph C. Saddler
76. John P. Dispensa	94. Frank Sasser
77. Nicholas Esposito	95. Saverio Schifano
78. George Faracco	96. Charles Schiffman
79. Herbert Foreman	97. Morris Taubman
80. Dominick Gentile	98. Phillip Vittoria
81. Auckland Holmes	99. Elaine Wilson
82. Wilbert Holmes	100. Woodrow Wilson
83. Benny Indiviglio	101. William Wright

(Complete background sheets on above named individuals may be found in appendix on p. 1063.)

Mr. ADLERMAN. From Chicago, does the supply of narcotics flow out to other areas like Dallas, Houston, and Omaha?

Mr. BELK. Chicago is the secondary distribution point for heroin that is received from New York City, and it is a city, of course, where a large amount of heroin is consumed, in the Chicago area primarily, with traffickers operating out of Chicago furnishing midwestern cities such as Detroit, Cleveland, St. Louis, Kansas City, Dallas, Houston, New Orleans.

Mr. ADLERMAN. And this map shows the names of the various parties?

Mr. BELK. Yes, sir.

Mr. ADLERMAN. And you have backup material on the area?

Mr. BELK. Yes.

Mr. ADLERMAN. One of the areas, I notice, is Omaha. I believe Mr. Curtis had some questions.

Senator CURTIS. I just wanted to develop that a little bit. This map shows Omaha with three names, the Biase family, Sam, Louis, and Anthony. Are you familiar with that case?

Mr. BELK. Yes, sir; I am.

Senator CURTIS. We had testimony earlier that in the State of Nebraska there were less than 100 addicts. What sort of an operation was this in Omaha?

Mr. BELK. It started out initially, but if the operation had continued to go it would have become quite an operation, but I think it was nipped at a time before it became a serious problem.

Senator CURTIS. It has been put out of business at the present time?

Mr. BELK. Completely.

Senator CURTIS. How long ago?

Mr. BELK. This case was concluded in March 1960.

Senator CURTIS. Was Omaha a central point or was it part of a Kansas City operation, insofar as narcotics were concerned?

Mr. BELK. In this particular case, Senator, it was rather a triangle. The sources of supply originated in Chicago, a trafficker there by the name of Anthony Dichiarante. He was the source of supply for a

938 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

group operating in Kansas City, principally one Sam Carrola. Carrola had a working relationship with Anthony Biase in Omaha.

Senator CURTIS. Sam Carrola is Kansas City?

Mr. BELK. A Kansas City character, yes. About 1952, 1953, and 1954, along in that area, the Kansas City group headed by Carrola was purchasing drugs in Chicago from one Iacullo. This individual was subsequently sent to the penitentiary for narcotics trafficking and Dichiarante took over the business.

Senator CURTIS. Is he on this map?

Mr. BELK. Yes, he is on the map, sir. Carrola had an associate of his, one Jack Clayton, also of Kansas City, who was a pilot, who owned a plane, and he would fly up to Chicago with Carrola and buy drugs. He would distribute these drugs to some of his own customers in various States, one of whom was Biase in Omaha. He would fly heroin to him.

Senator CURTIS. Which Biase?

Mr. BELK. Angelo.

Senator CURTIS. Were the other two connected with it?

Mr. BELK. We never were able to definitely state that they were involved with Biase in the active trafficking of drugs. We suspected that they were associated.

Senator CURTIS. Were they brothers?

Mr. BELK. Yes.

Senator CURTIS. And they had had some arrests for gambling and other offenses?

Mr. BELK. That is right. After Jack Clayton was arrested in Arkansas for the possession of 5 ounces of heroin, at Hope, Ark.—

The CHAIRMAN. What was he doing down there in that watermelon country? Very well.

Mr. BELK. Following Clayton's arrest, about simultaneous with that, the Chicago office effected the arrest of Dichiarante and his group following the sale of a quarter kilo of heroin. This cut off the heroin supply to Kansas City from this group and, thus, to Omaha. Biase being an enterprising fellow associated with some pretty good burglars that were burglarizing drug stores and wholesale houses and obtaining legitimate drugs by burglaries, and Biase was then selling this in 1958 and 1959.

Senator CURTIS. One of those principal drugs was the Morphy Drug Store at Council Bluffs.

Mr. BELK. Yes. And when he started selling diverted drugs we were able, with the cooperation of Kenneth B. Sheetz, a Kansas City character, to get an introduction to Biase in Omaha, and did make purchases of diverted drugs from him.

Senator CURTIS. Biase was supplying Sheetz?

Mr. BELK. That is right.

Senator CURTIS. Was Sheetz subsequently arrested? Did he sell to an agent or something of that sort?

Mr. BELK. Sheetz was arrested following sale to an agent in Kansas City. He furnished information to the Kansas City office concerning the operation of Biase. He did agree to introduce an agent to Biase and did, which subsequently resulted in making sales to the agent and he was later convicted.

Senator CURTIS. Biase made sales to the agent?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 939

Mr. BELK. Yes.

Senator CURTIS. Do you know how many times?

Mr. BELK. I believe he made four sales, Senator. In September 1959, he sold 163 tablets of morphine and 233 tablets of dilaudid to an undercover agent for \$700.

Senator CURTIS. What is dilaudid?

Mr. BELK. A derivative of opium. On the same date, at 10 o'clock that night—the first sale was at 8 o'clock—he sold 196 tables of dilau-did to the same agent. On October 7, 1959, he sold the same agent 465 morphine tablets and 136 dilaudid tablets.

On December 3, 1959, he sold five 1-ounce bottles of codeine hydro-chloride to the same undercover agent.

Senator CURTIS. Were they stolen drugs?

Mr. BELK. Yes, sir.

Senator CURTIS. In all four instances?

Mr. BELK. In all four instances. We had all reason to believe at the time that these were drugs stolen from the Morphy Drug Co. However, they had stricken the control numbers off the drugs.

Senator CURTIS. And you got your lead on Anthony Biase from Kenneth Sheetz, of Kansas City?

Mr. BELK. That is correct.

Senator CURTIS. What happened to Sheetz?

Mr. BELK. Shortly after Biase's arrest in relation to these sales, Sheetz was attacked in Kansas City and he was shot and seriously wounded there by one Felix Barina and Anthony Cardarella. They were charged subsequently in State court for attempted murder. Sheetz didn't die, although he lost the sight of one eye, his gall bladder and kidney. He did identify his assailants. It was a mistrial the first time and the second time they went to trial they were acquitted.

Senator CURTIS. This was a State court?

Mr. BELK. Yes. And subsequently, however, both were indicted along with Biase for obstruction of justice in a Federal court. We were only able to do this, however, because Sheetz was under Federal subpena at the time. Had he not been, this case would have died at that time.

I think this graphically illustrates the Commissioner's testimony and need for legislation that would protect the witnesses from intimidation. I might add that following their conviction they were sentenced, I believe, to 10 years of imprisonment for obstruction of justice.

Biase was sentenced to 5 years to run consecutively with his 15-year sentence in the narcotics case. However, later the eighth circuit did reverse on Biase.

Senator CURTIS. His 15-year sentence was for selling narcotics?

Mr. BELK. Yes, sir.

Senator CURTIS. Was that a Federal case or a State case?

Mr. BELK. A Federal case.

Senator CURTIS. And that became final without an appeal?

Mr. BELK. It was appealed, but the appellate courts upheld.

Senator CURTIS. So he was convicted on December 12, 1960, and got 15 years?

Mr. BELK. He is still there.

Senator CURTIS. No attempt has been made to parole him.

940 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. BELK. Well, of course, under the control act, he assumes he is not eligible for parole under the law.

Senator CURTIS. Did you ever have any direct evidence or any evidence that the other two, Sam and Louis, were engaged in the narcotic business?

Mr. BELK. No, sir.

Senator CURTIS. Do you know their whereabouts now?

Mr. BELK. The last I heard of them they were still around Omaha.

Senator CURTIS. To the best of your knowledge and to the best information available to the narcotics agents, is there any narcotic operation at Omaha or anywhere in Nebraska now?

Mr. BELK. No, sir. I checked on that the other day. The last heroin case reported in Nebraska was 1961. It involved a very small amount. There is absolutely nothing out there now.

Senator CURTIS. And this apprehension, you feel, really put a stop to what could have become a sizable operation.

Mr. BELK. I am confident if we hadn't moved in at the time it would have gotten bigger.

Senator CURTIS. So the current situation with respect to heroin, morphine, and that sort of thing, there is no operation of any consequence that you know about?

Mr. BELK. Not at all, sir.

Senator CURTIS. How about marihuana?

Mr. BELK. There have been three marihuana cases reported in Nebraska during the past 18 months, I believe. The largest of these was about 6 grains, and this happened to be an itinerant musician from New York City who was playing an engagement in Lincoln.

(At this point Senator Mundt departed from the hearing room.)

Senator CURTIS. That involved a resident of New York?

Mr. BELK. Yes, that is correct.

Senator CURTIS. The other two, were they lesser cases?

Mr. BELK. Lesser, even lesser amounts.

Senator CURTIS. Do you recall whether they involved individuals from out of State?

Mr. BELK. I believe the latter two were Nebraskans.

Senator CURTIS. They may have been Mexicans? I don't mean to infer anything about them, but we do have a migration up there for the harvest and so forth, from Mexico.

Mr. BELK. That is right. I know I actually spent a year out there, and that was my district at one time. I covered Nebraska as well as North and South Dakota. But the itinerant Mexican farmworkers that came up there never constituted a problem.

Senator CURTIS. They are very high type people. They come to my hometown and their children attend schools there. They are very fine citizens. But because of the movements, I wondered if some might have slipped in to take advantage of the transportation. But that is not a problem.

Mr. BELK. No, sir; it isn't.

Senator CURTIS. In other words, there is no pattern of connection between Mexican migrant farm labor and the Mexican dope problem? There is no connection at all, is that right?

Mr. BELK. Not in that particular area, no, sir.

The CHAIRMAN. Thank you very much.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 941

Mr. ADLERMAN. Mr. Casey, you have prepared some backup material, have you?

Mr. CASEY. Yes.

Mr. ADLERMAN. And you cover the west coast area?

Mr. CASEY. That is correct.

Mr. ADLERMAN. Comprising California, Washington, Oregon, Arizona, Colorado, and New Mexico?

Mr. CASEY. That is correct.

Mr. ADLERMAN. I would like to offer this.

The CHAIRMAN. It may be received as exhibit 5 and printed in the record.

(Document referred to marked "Exhibit No. 5" and will be found in the appendix on p. 1116.)

Mr. ADLERMAN. Can you tell me the extent of the addiction in the west coast area?

Mr. CASEY. In the Western United States, the problem of addiction is primarily centered in California, and in California two-thirds of that problem is in the Los Angeles area, as was testified earlier today. As far as the pattern of the traffic in the Western United States, since 1950 there has been a dramatic change in the pattern.

From approximately 1950 to 1958 the primary source of supply for the Western United States was the Far East, with Communist China being the principal violator, or the eastern crime syndicates.

Commencing in 1958, the emergence of Mexico as a source of supply became important. I don't mean to imply that Mexico was necessarily the producing agent in this instance because quite a bit of heroin of Middle Eastern origin has come in through there.

Mr. ADLERMAN. In other words, there may be some of the French heroin, that is, coming from Turkey by way of Syria, and so on.

Mr. CASEY. That is correct.

Mr. ADLERMAN. Eighty percent, I think, sent in from Mexico to the United States is of that origin and only 20 percent is grown in Mexico.

Mr. CASEY. That is correct.

Mr. ADLERMAN. I think it was testified earlier today that to a large extent the traffic in heroin in California and the Los Angeles area is not in the hands of organized crime, such as the Mafia in New York.

Mr. CASEY. That is correct. There are loose-knit groups but there is no organization.

Mr. ADLERMAN. That does not mean it is not in the hands of criminals, but it is not in the hands of large organized groups.

Mr. CASEY. That is correct.

Mr. ADLERMAN. The source of supply is usually over the border in Mexico where the purchases are made and brought into the United States?

Mr. CASEY. Yes, sir.

Mr. ADLERMAN. Is there also a pattern of addicts getting together and chipping in whatever funds they may have and selecting one in the group to go down and make the purchase and come back and distribute it amongst themselves?

Mr. CASEY. Yes, sir; that is very commonplace.

Mr. ADLERMAN. That makes it doubly difficult to detect and stop.

Mr. CASEY. That is correct.

942 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. Then there are many that are involved rather than the few main or principal offenders?

Mr. CASEY. Yes, sir.

Mr. ADLERMAN. The flow from Mexico also extends up to Portland, Seattle, and San Francisco?

Mr. CASEY. That is correct. At the present time, Mexico is practically the sole source of supply for Portland, Seattle, San Francisco, and even instances of Vancouver, in British Columbia.

Mr. ADLERMAN. Even though a good part of the flow may go into Montreal and Toronto, it doesn't flow westward.

Mr. CASEY. No, sir.

Mr. ADLERMAN. So the Vancouver area is supplied from Mexico, through the United States on the west coast.

Mr. CASEY. That is right, with some isolated instances of movements from China.

Mr. ADLERMAN. You said prior to 1958 the major source of supply was Communist China.

Mr. CASEY. I would say Communist China and the Eastern United States constituted approximately 80 percent of the problem.

Mr. ADLERMAN. Before 1958, there was an indication in one case that almost a million and a half dollars had been available to Communist China for payment for these drugs.

Mr. CASEY. Yes, sir. That was in the *George Poole Conspiracy* case.

Mr. ADLERMAN. But this is no longer as big a problem?

Mr. CASEY. That is correct. There have been isolated instances where deliveries have come in from the Orient, usually to one particular customer. But no sustained, organized activity.

Mr. ADLERMAN. I would like to ask Mr. Belk one or two questions. Have you recently concluded a study or survey as to the relationship between narcotics addiction and previous criminal records which were not for violations of the narcotics laws?

Mr. BELK. Yes, sir; I did. I did this for New York and the 11 counties that we cover in northern New Jersey.

Mr. ADLERMAN. Was this survey put into the record?

Mr. BELK. It can be. The survey was made on 200 defendants that we had arrested in narcotic cases in northern New Jersey over the past 3 or 4 years, and of the 200 defendants that were reported and subsequently convicted we had 77.2 percent of these individuals who had prior criminal records.

Mr. ADLERMAN. In other words, they were criminals before they became addicts?

Mr. BELK. 77.2 percent of them were.

Mr. ADLERMAN. Could you offer that into the evidence? I would like to make that a part of the record.

Mr. BELK. Yes, sir.

The CHAIRMAN. It will be printed in the record at this point.

(Document referred to marked exhibit No. 6.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 943

The letter follows and the list of names may be found in the files of the subcommittee.

EXHIBIT No. 6

MEMORANDUM

JULY 15, 1964.

To: Mr. Henry L. Giordano, Commissioner of Narcotics.

From: George M. Belk, district supervisor.

Subject: Statistics on last 200 defendants reported in New Jersey cases.

At the time the Narcotic Drug Study Commission of the New Jersey Legislature issued its interim report for 1963, I requested a survey be made of the last 200 defendants involved in New Jersey cases. These 200 defendants were to be broken down into addicts and nonaddicts. A further determination was to be made of the addict defendants to determine if their criminal record predated his addiction.

These statistics were obtained from a diligent search of the files of this office and the files of the Newark and Paterson branch offices. The Newark Police Department narcotic squad files were also reviewed. Of the 200 defendants checked, 158, or 79 percent, were addicts and the 42 remaining defendants were nonaddicts. Of the 158 addicted defendants, we were able to establish the fact 123, or 77 percent, had criminal records prior to addiction.

There were several instances of addiction and criminal records being dated the same year. Under these circumstances it was assumed the criminal record was the result of the addiction. An attempt to obtain juvenile records was frustrated by the courts refusal to give information on these youths. If it had been possible to obtain this information, undoubtedly the number of addicts with prior criminal records would have been larger.

GEORGE M. BELK, *District Supervisor.*

Mr. ADLERMAN. Do you have any information on organized traffic in the Newark, N.J., area, which is not in the Mafia or Cosa Nostra operation?

Mr. BELK. The drug addicts in the area purchase drugs in New York City, in amounts of \$25 or \$50 at a time, and return it to Newark, whether to use it or for resale. There is no organized effort in the Newark area on this level.

However, there are Cosa Nostra individuals that do live in the northern New Jersey area associated with these families. But they are not engaged directly on that level.

Mr. ADLERMAN. But they do deal with the New York area to get their supply, and they distribute it. It is on a different distribution level.

Mr. BELK. It is on the street, yes.

Mr. ADLERMAN. That is the addict distribution level.

Mr. BELK. That is correct.

Mr. ADLERMAN. I have no further questions.

The CHAIRMAN. Senator Curtis.

Senator CURTIS. I do want to thank these witnesses. They have given us a good picture of the situation with some very valuable information.

The CHAIRMAN. When you get to examine these backup records, you will find that they present a pretty well documented story.

Gentlemen, thank you very much. The committee will stand in recess until 10:30, Tuesday morning.

(Whereupon, at 4:45 p.m., the committee recessed, to reconvene at 10:30 a.m., Tuesday, August 4, 1964.)

(Members present at time of recess: Senators McClellan and Curtis.)

PAGINA BIANCA

APPENDIX

EXHIBIT No. 2

MOUNIR ALAOUIE

Aliases: Mounir Alaouieh, Mounir Allaouie, Mounir Alawyye, Mouner Allouie, Mounir Alawieh, Negib Allaouie.

Description: Born December 21, 1929, Arnoun (Nabatleh), Lebanon; 5 feet 7 inches; 195 pounds; brown hair; ruddy complexion; race, Arab; nationality, Lebanese.

Localities frequented: France, Italy, Germany, Spain, Morocco, Libya, Kit-Kat Nightclub, Beirut; Casino du Liban, Beirut; Cave du Roi, Beirut, Joe's Bar, Beirut; Almuni Club & Sporting Club, Beirut; Cercle de l'Aviation, Paris.

Criminal associates: Samil Khoury, Antoine Araman, Edmond Azizi.

Criminal history: Alaouie was an officer in the Lebanese Sureté. He has been engaged in the international narcotic traffic since 1953; he used his post as an officer in the Sureté to further his own position in the narcotic traffic. Alaouie has traveled extensively through Europe and Africa as a representative of various gangs engaged in the international smuggling of narcotics, tobacco, and arms. ICPO-Interpol feels that he is one of the most active accomplices of the notorious drug trafficker Samil Khoury, and head of the Lebanese section of the latter's gang.

Modus operandi: Alaouie directs his current operations from an office on the Kit-Kat Nightclub. He usually confines his activities to acting as a mediator or negotiator between French and Arab smuggling combines. Alaouie also has current interest in tobacco smuggling and gambling. He is actively interested in Lebanese politics.

Agencies familiar with individual: ICPO-Interpol, French Services de Police Judiciaire, Italian police, Swiss police, Lebanon police, U.S. Bureau of Narcotics.

Fingerprint classification: See ICPO-Interpol Circular No. 265/60 A 4425; ICPO 4041.

ANTOINE ARAMAN

Alias: Tony.

Description: Born on August 15, 1920, in Beirut, Lebanon; son of Caesar and of Victoria; 5 feet 8 inches; 165 pounds; black hair; brown eyes.

Localities frequented: Lives in Beirut, Lebanon. Travels to Italy, Switzerland, and other European countries, Near and Middle Eastern countries.

Criminal associates: Samil Khoury, Mounir Alaouie, Basil Trad, Tania Smaha (Cortas), Jean Lorenzi, Joseph Balerni, Arif Khader Saghir, Fayssal Rahmo, Agop Kevorkian, Haj Abou Selim, Fouad Sinno, Ghalb Aboukjaoude, Antoine Harrouk.

Criminal history: Former partner of notorious drug trafficker Samil Khoury and appears to have broken with him to form a gang with Agop Kevorkian and Antoine Harrouk. Is considered to be one of the main drug traffickers operating between the Near East and Europe.

Modus operandi: Araman purchases morphine base from Aleppo, Syria, either alone or in cooperation with other Lebanese gangsters and forwards it to France. The base is allegedly smuggled from Beirut to France by aircraft personally and diplomatic couriers. Araman or his brother, George, go to Europe and collect payment for the narcotics. It is believed that Araman is the biggest single exporter of base from Lebanon to France. In touch with the international drug trafficking world.

Agencies familiar with individual: Lebanese police, ICPO-Interpol, U.S. Bureau of Narcotics.

946 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

MUHTAR BERK

Aliases: None.

Description: Born September 3, 1915, at Kilis, Turkey; 5 feet 10 inches; 172 pounds; gray eyes; gray hair.

Localities frequented: Resides Caylak mahallsi hasanbeysok No. 10, Kilis, Turkey; frequents Izmir, Turkey; Usak, Turkey; Kilis, Turkey.

Criminal associates: Suleyman Ersoy.

Facsimile of signature:

Criminal history: Arrested October 1960 by Turkish police and U.S. narcotic agent at Izmir, Turkey, in possession of 5 kilograms, 100 grams morphine base.

Modus operandi: An important morphine base source of supply in Turkey. Capable of selling large quantities of narcotics to foreign customers.

Agencies familiar with individual: Turkish police; U.S. Bureau of Narcotics.

Fingerprint classification: 29 W1 20 20 Wo.

ENZO BERTI

Aliases: None.

Description: Born August 7, 1918, Pisa, Italy; 5 feet, 9 inches; 180 pounds; brown hair; brown eyes.

Localities frequented: At present in prison in Switzerland (1960).

Family background: Wife: Maria Giannullo; mother: Bruna Macchia; father: Luigi Enrico.

Criminal associates: Constantino Gamba, Francesco Saverino, Francesco Pirico, Hans Schlegel, Otto Herrmann, Salvatore Caneba, Ugo Caneba, Armando Fiume, Mehmed Hattatoglu.

Criminal history: 1958 convicted of narcotic trafficking in Switzerland.

Business: Merchant, doctors degree in philosophy.

Modus operandi: Together with Constantino Gamba, purchased morphine base from Turkish violators and converted same to heroin. This heroin was sold to Pirico and Saverino who then resold it to traffickers in the United States. Gamba and Berti were two of the largest clandestine laboratory operators in Europe.

ALI BEZAL

Aliases: None.

Description: Born 1923 at Rize, Turkey; white male; 5 feet, 7 inches; 180 pounds; black hair; brown eyes; black mustache.

Localities frequented: Resides Balat Ayan Cad. gergilli Sokak No. 7, Istanbul. Frequents Melek gambling club, Istanbul.

Criminal associates: Sefer Bezal (brother), Mustafa Ozer, Ramiz Zeren, Remzi Aslan, Mehmet Tavucku, Sevet Pazarkoy.

Criminal history: Arrested November 1962 by Istanbul police and U.S. narcotics agent, possession of 40 kilograms of pure morphine base.

Modus operandi: A member of the Ahmet Soysal narcotics smuggling organization operating in Turkey. Capable of converting opium to morphine base and heroin.

Agencies familiar with individual: Turkish police, U.S. Narcotics Bureau, Interpol.

Fingerprint classification: 5 uoo 16 4 W1.

SEFER BEZAL

Alias: Parlak Sefer.

Description: Born 1921 at Rize, Turkey; white; 5 feet, 8 inches; 160 pounds; brown hair, brown eyes.

Localities frequented: Residence at Istanbul Balat Karabaz caddesi Salhane Sokak No. 2/4, Istanbul. Frequents Balat, Florya sections of Istanbul.

Criminal associates: Osman Hoge, Siddik Pamukcu.

Criminal history: Served 10-year sentence, violation of Turkish narcotic laws.

Modus operandi: Wholesale dealer of heroin in Turkey.

Agencies familiar with individual: Turkish police.

Fingerprint classification: Turkish police fingerprint No. 96489.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 947

CHARLES BOURBONNAIS

Alias: Robert Norton.

Description: Male, white; born November 7, 1920, in Paris, France; 5 feet 11 inches; 180 pounds; blue eyes; black hair; fair complexion; neat dresser; slightly deformed left arm (unnoticeable). Naturalized American citizen.

Localities frequented: Currently incarcerated at Terminal Island, San Francisco, Calif., French restaurants, New York City; Los Angeles, Calif.; French Riviera, and Paris, France.

Criminal associates: Robert LeCoat, Joseph Sax, Mauricio Rosal, Etienne Tarditi, Nicholas Calamaras, Gilbert Coscia, Jean Ager, Robert Ager, Joseph Cahill, Felix Barnier.

Criminal history: Bourbonnais has no prior criminal record. Sentenced in January 1961 to 9 years imprisonment for his complicity in New York; E 1261 and New York; S 10787 which involved the seizure of over 100 kilograms of pure heroin.

Modus operandi: Subject utilized his position as a TWA airline purser to pass through cursory Customs inspection and smuggle large amounts of narcotics from France into the United States. In the same manner Bourbonnais carried moneys derived from the distribution of drugs back to the French sources of supply.

Agencies familiar with individual: Federal Bureau of Narcotics; New York City Police Department; U.S. Customs Agency Service.

Fingerprint classification: FBI No. 631 453 D; 19 L 30 W I MO; I 16 I OI.

GABRIEL LUCIEN GRAZIANI

Alias: Gaby.

Description: Born July 1, 1922, in Marseilles, France (French-Corsican), 5 feet 5 inches, 145 pounds, medium build, black hair, brown eyes, scar over right temple. I. and N.S. No. V-1832105.

Localities frequented: Resides 2A Rue Navarin, Marseilles, France. In United States resided at 118-09 83d Avenue, Queens, N.Y. Travels frequently between the United States, Canada, South America, and Europe.

Family background: Married to Georgette Marie Felizia; has one daughter; father, Pierre; mother, Assomption Rutali.

Criminal associates: Antranik Paroutian, Dominique Nicoli, Jean-Baptiste Croce, Marie Bernard, Casimir Guerazi, Roger Quendane, Andre Quendane—all of France. Giuseppe Cotroni, Joseph DiPalermo, Carmine Galante.

Criminal history: FBI No. 864135C. No record in United States. In 1958 was arrested in Switzerland while trying to negotiate stolen Canadian securities. He was released when Canada failed to extradite.

Business: Formerly ran the Bar de L'Avenir 13 Boulevard Danielle Casanova, Marseille. Also owned a grocery and a coffee-roasting shop. Coppersmith by trade.

Modus operandi: An international drug trafficker; closely associated with and trusted by top-level members of the Mafia. A courier for the Croce-Nicoli-Paroutian smuggling group. Travels frequently to major cities in the United States, Canada, South and Central America, and Europe making contacts for the organization.

ANTOINE HARROUK

Alias: Antoine Harrouk.

Description: Born in Zahle, Lebanon, in 1923; 190 pounds, 5 feet 11 inches; graying-black hair; brown eyes; Arabian; Lebanese nationality.

Localities frequented: Resides in Beirut, Lebanon; frequented Casino du Liban, Cave du Roi, Joe's Bar, Beirut; Cercle de l'Aviation, Paris, France.

Criminal associates: Samil Khoury, Antoine Araman, Agop Kevorkian, Fouad Sinno.

Criminal history: Harrouk was Samil Khoury's bodyguard until 1957. He joined the Antoine Araman organization in 1958 in a similar capacity. In 1959 at Beirut, Lebanon, was sentenced to 15 days imprisonment and a fine of LL150 plus customs fines of LL9,000 and an additional LL54,000 for trafficking in narcotics.

Modus operandi: Acts as a "strongarm" man. Works with major Lebanese narcotic traffickers. Currently sending small lots of hashish to Egypt.

Agencies familiar with individual: Lebanese police, ICOP-Interpol, French Services de Police Judiciaire, Italian Police, U.S. Bureau of Narcotics.

Fingerprint classification: ICPO-Interpol No. 3/57 A.3973.

948 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

HAGOP KEVORKIAN

Aliases: Kirkorian, Bermond, Manoukian, Jacques, Jacky.

Description: Born on December 18, 1914, at Madin, Turkey; 5 feet 5 inches; 135 pounds, black hair; Armenian origin.

Localities frequented: Resides at 9 Square du Thimerais, Paris 17, France. Frequents the Paris and Marseilles areas. Also travels to the United States and Canada.

Criminal associates: Gilbert Coscia, Antoine Harrouk, Antoine Araman.

Modus operandi: This suspect is involved in the traffic of narcotics between Lebanon and France. He is now involved in the traffic between France, Canada, and the United States. He brings back the money from Canada which represents the payment for the narcotics sold in the United States.

Agencies familiar with individual: French Surete National, Interpol Paris, France, Federal Bureau of Narcotics.

SAMIL KHOURY

Aliases: Sami Khoury, Salim Khoury, Selim Khoury, Salim Alameddine, Sami El Houris, Samil El Khoury, Sami Salim Khoury.

Description: Arabian male born on May 7, 1927, at Zahle, Lebanon; son of Selim and of Wadia Moubarak; 5 feet 8 inches; 140 pounds; black wavy hair; brown eyes; dark complexion; Lebanese nationality speaks French and Arabic.

Localities frequented: Residence: Rue Badaro (no number), Beirut. Frequented Casino du Liban, Cave du Roi, Beirut, Egypt, Spain, Switzerland, Libya, Germany, Morocco.

Criminal associates: Nagulb Nahs (Frankfurt, Germany), Henri Abdil Jalil, Mounir Alaouie, Antoine Araman, Joseph Skaff, Richard Hadda, Omar Makkouk, Phillipe Leandri, Antoine Harrouk, Albert Ansn Bistone, Camille Choureri, Giuseppe Cotrone, Jean-Baptiste Croce, Haj Abou Selim, his wife Paulette Giudicelli alias Maria Vincent, a cabaret singer living in Paris.

Criminal history: Considered the most important drug trafficker working between the Near East and Europe. Many times has been prosecuted for drug trafficking and generally released for lack of evidence. In Egypt, convicted for hashish smuggling; in France for possession of counterfeit U.S. dollars; in Lebanon in 1959 for bribing a narcotics law-enforcement official to 4 months imprisonment; also in Lebanon for cigarette smuggling, and in Germany for possession of cocaine.

Modus operandi: Has a considerable number of people who carry the drugs hidden in places specially arranged in cars or on ships. Never smuggles drugs himself but acts through accomplices or agents. Travels frequently between Asia, Europe, and Africa as a spokesman for his criminal associates, arranging to smuggle tobacco, arms, and narcotics in exchange for money or other merchandise.

Agencies familiar with individual: Egyptian, Lebanese, German, Swiss, French Police; ICPO-Interpol, U.S. Bureau of Narcotics.

HAGI IBRAHIM KIYAB

Alias: Yosuf Soken.

Description: Born July 16, 1909, at Divrig, Turkey; 5 feet 6 inches; 120 pounds; gray hair; brown eyes; gray moustache.

Localities frequented: Resides at Kiziz Toprak Sehir Kahya Sokak No. 29, Istanbul, Turkey.

Criminal associates: Osman Tuter, Huseyin Eminoglu, Lutfi Akarca, Muzaffer Akarca, Musa Kilic, Zeynep Anamurlar, Necati Incekara.

Criminal history: Arrested March 1961, by Istanbul police and U.S. narcotic agent in possession of 14 kilograms of morphine base.

Modus operandi: An important supplier of morphine base in Turkey. Capable of supplying large quantities of morphine base to foreign customers.

Agencies familiar with individual: Turkish Police; U.S. Bureau of Narcotics.

Fingerprint classification: 13 Roi, 00 WMJ.

OMAR MAKKOUK

Aliases: Omar El Makouk, Omar Mahouh, Umar Maquq, Omar El Makkouk.

Description: Born 1911 in Beirut, Lebanon; 5 feet 4 inches; 155 pounds; grey hair (balding); brown eyes.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 949

Localities frequented: Resides in Beirut, Lebanon; frequents the Near East countries.

Criminal associates: Samil Khoury, Souhail Makkouk (son), Ismail Fakhoury, Chafic Hibri, Edmond Khouri, Mahfouz Shaer Shokri, Camil Eolmastri (Syria), Yousef Eletir.

Criminal history: Has been arrested twice for operating a clandestine laboratory. Was also sentenced July 2, 1959, to 6 months imprisonment for bribing an official responsible for combating illicit drug traffic.

Modus operandi: Considered to be one of the most important Lebanese drug traffickers specializing in manufacturing and converting drugs. Is the best clandestine chemist in Lebanon, perhaps in all of the Middle East. Makkouk and his son Souhail purchase morphine base from sources of supply in Aleppo, Syria, smuggle it to Lebanon, convert it to heroin for consumption on the local and other Middle East markets, i.e., Teheran, Iran.

Agencies familiar with individual: Lebanese Police, ICPO-Interpol, U.S. Bureau of Narcotics.

ICPO-Interpol Circular No. 169/57; ICPO-Interpol Booklet on Near & Middle East Narcotic Drugs Traffickers DRMO 5-61.

ANTRANIK PAROUTIAN

Alias: Andre.

Description: White male born on April 3, 1925, at Gardanne, France; 5 feet 5 inches; 175 pounds; black hair; brown eyes; scar on the first phalanx, right middle finger; French national.

Localities frequented: Residence: 211 Promenade de la Corniche, Marseilles, France. Frequented the major cities of Turkey, Lebanon. Also frequented New York City; Miami, Fla.; Havana, Cuba; and Montreal, Canada.

Criminal associates: Cotroni brothers of Montreal, Canada, Gabriel Graziani, Carmine Galante, John Baptiste Croce, Paul Mondoloni, Albert Bistoni, Jean and Dominique Venturi.

Criminal history: Arrested, March 8, 1960, for violation of the Federal narcotic laws; convicted and sentenced to 20 years in Federal prison. He is believed to have had convictions in France which were amnestied, of which no official record is available.

Modus operandi: He arranged the smuggling of large quantities of heroin from France to the United States via Montreal, Canada. Also traveled to Lebanon and Turkey to secure large quantities of morphine base to be delivered to operators of clandestine laboratories in the Marseilles, France, area. Handled the transfer of large amounts of currency in payment for narcotic drugs from the United States to coded bank accounts under his control in Switzerland.

Agencies familiar with individual: U.S. Bureau of Narcotics, U.S. Bureau of Customs, U.S. Immigration, Federal Bureau of Investigation, RCMP, French Surete, Lebanese Police, Interpol. FBI No. 520974D.

JOSEPH PATRIZI

Alias: Jo.

Description: Born on June 24, 1916; son of Ange and Josephine Preciozi at Ogliastro, Corsica, France; 5 feet 6 inches; brown hair; brown eyes.

Localities frequented: Residence: 54 Rue du Coq, Marseilles, France. Patronizes the Bar Artistic, Cours Joseph Thierry, Marseilles and the nightclub Maxims Place Massena at Nice, France. Travels frequently to Paris, France.

Criminal associates: Dominique Albertini, Jean-Baptiste Croce, Albert Bistoni, Jerome Leca, Paul Mondoloni.

Modus operandi: With Albert Bistoni and Jean-Baptiste Croce organizes the smuggling to the United States of large quantities of heroin produced in clandestine laboratories in France.

Agencies familiar with individual: U.S. Bureau of Narcotics.

FRANCESCO PIRICO

Aliases: Don Ciccio, Cheech.

Description: Born June 1, 1901, Palermo, Sicily, 5 feet 10 inches, 180 pounds, brown eyes, light brown hair, small mouth, usually wears glasses and moustache, has droopy right eyelid.

Localities frequented: Resides via Vincenzo Monte No. 34, Milan, Italy.

Family background: Father: Giovanni; mother: Angela Pirico (both deceased); son: Gianni.

950 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal associates: Lucky Luciano, Giuseppe Pici, Nicola Gentile, Joseph Di Palermo, Albert Bistoni, Nicolo Di Giovanni, Francesco Saverino, Egidio Calascibetta.

Criminal history: Never in United States. Record in Italy dating back many years includes arrests for theft, gambling, fraud, and narcotic trafficking.

Business: Claims to be a businessman and tradesman.

Modus operandi: Important Mafia figure, 1948 to 1951 was distributor of large quantities of diverted heroin from the Schapparelli Pharmaceutical Co., supplying U.S. customers Frank Scalise, Joseph Di Palermo, Eugene Giannini and others. When diversion ceased he obtained French heroin for his American customers.

FAYSSAL RAHMO

Aliases: Mohammad Fayssal Abdellatif El-Ahmed El-Rahmou El-Chabi, Abi Latlouf, Fessal El Rahmou, Faical Rahmo, fayssal Mohammad Faycal El Ahmed, Mohammad Faycal El Rahmou, Faycal El Chehabi, Abi Latlouf, Abdul Latif.

Description: Syrian male born in 1919 at Bab, Syria; 5 feet 8 inches, 150 pounds; black hair; brown eyes.

Localities frequented: Travels mainly between Aleppo, Syria, and Beirut, Lebanon, as well as Turkey, United Arab Republic.

Criminal associates: Samil Khoury, Antoine Araman, Tanius Smaha (Cortas), Michel Smaha (Cortas), Agop Kouyoumdjian, Adib Abdel Hamid Yamout.

Criminal history: Trafficker in drugs and accomplice of Samil Khoury. Arrested in 1955 with his brother, Abdel, smuggling 144 kilos of opium from Syria to Lebanon.

Modus operandi: Responsible for organizing transportation of opium, morphine, or heroin between Turkey and Syria or Lebanon for transshipment to France. Works with his brother Mohammad Adel Abdellatif El Ahmed El-Rahmou El-Chehabi at Adel Rahmo.

Agencies familiar with individual: ICPO-Interpol No. 40/56 A.2483, ICPO-Interpol Booklet on Near & Middle East Narcotic Drugs Traffickers DRMO 5-61 Syrian and Lebanese Police, ICPO-Interpol, U.S. Bureau of Narcotics.

MAURICIO CLAUDIO ROSAL

Aliases: None.

Description: White male, born on December 23, 1912, 5 feet 10 inches; 159 pounds; gray-brown hair; gray eyes.

Localities frequented: All of France, in particular Paris and Marseilles; New York City, Guatemala, Honduras, Lebanon.

Criminal associates: Robert LeCoat, Joseph Sax, Charles Bourbonnais, Etienne Tarditi, Nicholas Calamaras, Gilbert Coscia, Jean Ager, Robert Ager, Joseph Cahill, Felix Barnier.

Criminal history: Convicted December 1960; serving a 15-year sentence for his complicity in NYS 10787, which involved the seizure of over 50 kilograms of pure heroin.

Modus operandi: Rosal was the Guatemalan Ambassador to Belgium, the Netherlands and Luxembourg. He was in the employ of several leading French-Corsican narcotic smugglers and used his diplomatic status to smuggle large quantities of heroin into the United States for these individuals.

Agencies familiar with individual: Federal Bureau of Narcotics, New York City Police Department, U.S. Customs Service. FBI No. 627939D.

FRANCESCO PAOLO SAVERINO

Aliases: Don Ciccio, F. Saverino, Ciccio, Don Ciccio, Don Chicco, Saverino, Severino, Savarini.

Description: Born August 5, 1911, at Salemi, Trapani, Sicily, Italy; 5 feet 6 inches; 155 pounds; black hair; brown eyes; moustache; very good dresser.

Localities frequented: Residence, Viale Papignao No. 28, Milan, Italy; frequents better night clubs in Milan and also the cities of Rome, San Remo, and other major cities of Italy, including those in Sicily.

Criminal associates: Frank Pirico, Ugo Caneba, Serafino Mancuso, Alberto Bianciardi, Frank Coppola, Paolo Greco, Giuseppe Pici, Joseph Pellegrino, the late Eugene Giannini, Michael Cerami, Constantino Gamba, Dr. Enzo Berti, and all other major narcotic violators in Italy.

Criminal history: Naples, Italy, 1938, 9 months' imprisonment for fraud and breach of trust; Trapani, 1940, 7 months' imprisonment for fraud; Palermo,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 951

1949, 1 month and 10 days imprisonment for drug trafficking; Palermo, 1951, 12 months' imprisonment for drug trafficking; warrant of arrest August 29, 1957, by Milan court (Italy) for drug trafficking between Turkey, Switzerland, and Italy. In 1958 arrested in Milan in connection with Enzo Berti et al. laboratory case, released October 17, 1958, on parole. Wanted in Switzerland on warrant of arrest issued August 7, 1958, by examining magistrate in Zurich for trafficking in drugs.

Modus operandi: Operates clandestine heroin laboratories in Italy. Is also supplied by Corsican gangsters in France. Distributes kilo lots of heroin to many important American gangs.

Agencies familiar with individual: Italian Questura Police, Guardia di Finanza, Carabinieri; Swiss, Turkish, French Police Service, ICPO-Interpol; U.S. Bureau of Narcotics.

Fingerprint classification: ICPO-Interpol No. 278/49 A.2961. Scientific Police Milan No. 1610. 9 U 00 13. 6 U 00.

IBRAHIM SEN

Alias: Hajji.

Description: Born on February 4, 1928, at Tokat, Turkey; 5 feet 5 inches; 150 pounds, black hair; brown eyes.

Localities frequented: Resides at Tokat, Turkey.

Criminal associates: Necati Gurel, Lufti Eryilmaz, Halil Taskin, Sadik Basbayrak.

Criminal history: Arrested April 15, 1960, in Zile, Turkey, in possession of 140 kilograms of opium. Arrested in May 1960, by Turkish police and U.S. narcotic agent in possession of 301 kilograms of opium.

Modus operandi: One of the more important opium smugglers in Turkey. Capable of selling large quantities of opium to other narcotic violators.

Agencies familiar with individual: Turkish police. U.S. Bureau of Narcotics.

AHMET SOYSAL

Aliases: None.

Description: Born 1928 at Kilis, Turkey; 5 feet 6 inches; 170 pounds; black hair; brown eyes; wears glasses.

Localities frequented: Resides Cifte Havuzlar Cad. No. 15, Kadikoy, Istanbul, Turkey. Frequents Sisli section of Istanbul; Melek Club.

Criminal associates: Huseyin Eminoglu, Sefer Bezal, Ali Bezal, Musrafa Ozer, Ramiz Zeren, Remzi Aslan, Alexandre Rosolacci, Mehmet Tavukcu, Ihsan Sekban, Sevet Pazarkoy.

Criminal history: Arrested 1951 for trafficking in heroin. Arrested 1957 in possession of 25 tons of contraband coffee. Arrested October 1962 for smuggling gold and watches. Arrested November 1962, by Istanbul police and U.S. narcotic agent in possession of 40 kilograms of pure morphine base.

Modus operandi: Should be considered most important international narcotics trafficker operating in Turkey. Has caused the delivery of large quantities of morphine base to Marseilles, France, for subsequent conversion to heroin destined for further delivery to U.S. market.

Agencies familiar with individual: Turkish police, French police, Italian police, Greek police, Interpol, Iran police, U.S. Bureau of Narcotics.

Fingerprint classification: i viii 7. 1 ro.

ETIENNE TARDITI

Alias: Adolphe Tarditi.

Description: Born October 18, 1904; white male; 5 feet 6 inches; 180 pounds; brown eyes; gray hair (balding); light complexion; neat dresser; half-inch scar on bridge of nose. French citizen.

Localities frequented: All of France, in particular, Paris and Marseilles, New York City, Lebanon.

Criminal associates: Robert LeCoat, Joseph Sax, Charles Bourbonnais, Mauricio Rosal, Nicholas Calamaras, Gilbert Coscia, Jean Ager, Robert Ager, Joseph Cahill, Felix Barnier.

Criminal history: Sentenced January 1961, to 9 years in Federal prison for his complicity in NY:S 10787 which involved the seizure of over 50 kilograms of pure heroin in New York City. This heroin was supplied by the Robert LeCoat-Felix Barnier organization in France.

952 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Modus operandi: Tarditi was responsible for buying morphine base in the Near East and smuggling it into France where the morphine base was converted into heroin. He also served as liaison man between the French sources of supply and the American consumers.

Agencies familiar with individual: U.S. Bureau of Narcotics, U.S. Bureau of Customs, New York City Police Department. FBI No. 627-966D.

Fingerprint classification: 15 M 13 R OIM 13. I 18 R OII.

EXHIBIT No. 2A

DOMINIQUE ALBERTINI

Alias: Charles Albert Albertini.

Description: Born April 2, 1908, Loretto DiGasceinca (Corsica), France; French (Italian descent) 5 feet 6 inches, 180 pounds, dark brown hair, brown eyes, stocky build.

Localities frequented: Resides Boulevard DeLaCabane, Villa Pierrevette No. 15, St. Julien, Marseilles, France. Frequents Paris and other French cities, Milan, Ventimiglia, San Remo and other Italian cities.

Family background: Wife: Catherine Mastromauro; children: Anna Marie, Charles Albert, Richard, Dominique; father-in-law: Dominique Mastromauro.

Criminal associates: Paul Miccallief, Dominique Nicoli, Antoine Galiano, Alain LeRoy, Serge Sibille, Giovanni Salemi, Jean-Baptiste Crose, Ignazio Bracco, Peter Gaudino.

Criminal history: FBI No. 190608, convicted 1952 for illegal entry into United States and attempted bribery. Sentenced to 1 year and 1 day.

Business: Broker, industries-diffusion, 118 LaCanabiere, Marseilles, France.

Modus operandi: One of Europe's largest narcotic smugglers and wholesale dealers. Has operated heroin-processing laboratories in Marseilles and other French cities. Source of supply for U.S. Mafia narcotic distributors.

JACQUES ANGELVIN

Alias: Jock.

Description: Born August 5, 1914, in Marseilles (Bouche du Rhone) France; 5 feet 8 inches; 160 pounds; light brown hair, light complexion.

Localities frequented: Residence, 24 Boulevard de la Tour, Maubourg, Paris, France. Frequents nightclubs catering to the radio and television field in France, Club Ile D'Amour, at Chennevieres, France.

Criminal associates: Francois Scaglia, Jean Jehan.

Criminal history: Arrested in New York City January 18, 1962, by New York City Police Department for possession of narcotics.

Modus operandi: Purchased an automobile in France and smuggled large quantity of heroin into the United States concealed in automobile.

MARIUS JACQUES ANSALDI

Aliases: None.

Description: Born September 9, 1901, Toulon, France, French citizen.

Localities frequented: Resides 8 Alle De L'Alma, Perreux, Seine, France, frequents Hotel California, Cafe Murat, San Francisco Restaurant, and Carol Club, all in Paris, France.

Family background: Married Jeanne Masson; no children; father, Pierre; mother, Dominique Delfino.

Criminal associates: In United States Usche Gelb, Salvatore Shillitani, Nathan Behrman, and Joseph Orsini; in Europe Dominique Reissant, Dominique Baldini, Antoine Bergeret, Marius Reversac.

Criminal history: Never in United States, 1953 was sentenced to 4 years imprisonment and 1 million francs fine for operating a clandestine heroin laboratory in Paris, France. Appealed sentence, but lost and started serving February 6, 1957.

Business: When gainfully employed, works as a wine broker.

Modus operandi: Large-scale illicit heroin manufacturing laboratory operator. Supplies heroin to Mafia and other racketeers. Was the prime source for the Gelb-Behrman and Orsini-Shillitani organizations.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 953

GEORGES ARANCI

Alias: Mr. Georges.

Description: Born April 23, 1892, at Marseilles, France; 5 feet 5 inches; gray hair, almost bald.

Localities frequented: Resides at 3 Rue Barbaroux, Marseilles, France. Patronizes various bars in the old harbor section of Marseilles, France.

Family background: Father, Sauveur; mother, Marie-Jeanne Christofini.

Criminal associates: His brothers, Joseph and Marius Aranci, Antoine Cordoliani alias The Elder, Antoine Filippi, Ralph Cianchetti, Raoul Battestini.

Criminal history: Was arrested at Marseilles, France, in 1960, in connection with the seizure of 3 kilograms of heroin which he attempted to have smuggled to the United States. Subsequently sentenced to a 5-year prison term.

Business: None.

Modus operandi: With his brothers, purchases heroin from various clandestine suppliers at Marseilles and causes same to be smuggled to his customers in the United States.

JOSEPH ARANCI

Alias: Mr. Joseph.

Description: Born April 15, 1899, at Marseilles, France; 5 feet 5 inches; gray hair, almost bald.

Localities frequented: Resides at 34 Boulevard Perier, Marseilles, France. Patronizes various bars in the old port section of Marseilles, France.

Family background: Father, Sauveur; mother, Marie Jeanne Christofini.

Criminal associates: His brothers Georges and Marius Aranci, Antoine Cordoliani alias The Elder, Antoine Filippi, Ralph Cianchetti, Raoul Battestini.

Criminal history: Was arrested at Marseilles, France, in 1960, in connection with the seizure of 3 kilograms of heroin, which he attempted to have smuggled to the United States. Subsequently sentenced to a 5-year prison term.

Business: None.

Modus operandi: Purchases, with his brothers, heroin from various clandestine suppliers at Marseilles and causes same to be smuggled to his customers in the United States.

MARIUS ANTOINE ARANCI

Aliases: None.

Description: Born April 16, 1886, Marseilles, France, Corsican descent; 5 feet 6 inches, 170 pounds; gray hair, wears glasses, carries cane.

Localities frequented: Resides 37 Allees, Lean Gambetta, Marseilles. Frequents Bar La Daurade, rue Fortia, Marseilles, France.

Family background: Married Cesarine Benaglia; daughter, Jeanne (Mrs. Raoul Battestini), father, Sauveur; mother, Jeanne Christofini; brothers, George, Joseph.

Criminal associates: Antoine Cordoliani, Raoul Battestini, Salvatore Mancuso, Samil Khoury, Reza Samman Khalil.

Criminal history: Arrested in France 1929 in possession of 5 kilos of opium, 1934 in connection with 3,000 kilos of opium smuggled into France from Istanbul, and 1959 in possession of 5 kilos of heroin.

Business: Retired merchant mariner. From time to time has operated bars on the Marseilles waterfront.

Modus operandi: Over the past 35 years or more has supplied huge quantities of heroin to Mafia associates and other narcotic traffickers in the United States. In his younger days, while employed as a seaman, he acted as a courier. Now he and his organization operate their own laboratories for the conversion of morphine base to heroin.

FELIX ALFRED BARNIER

Alias: Pierre Renucci.

Description: Born January 19, 1917, at Lyon, France; 5 feet 11 inches; 185 pounds; brown hair, blue eyes. French national.

Localities frequented: Resides at 26 Avenue Lilly, Le Celle-Saint-Cloud (Seine et Oise), France. Frequents the Paris and Marseilles areas. Has also traveled to the United States and Canada.

Criminal associates: Robert LeCoat, Etienne Tarditi, Mauricio Rosal, Gilbert Coscia, Charles Bourbonnais.

Facsimile of signature: None.

Criminal history: None.

954 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Modus operandi: Barnier is a member of a large-scale drug trafficking gang operating between France and the United States. He supervises the shipment of heroin to the United States and assures the distribution of this heroin to the American recipient. Barnier is suspected of having supplied the 50 kilograms of heroin seized in New York on October 3, 1960, when his accomplices Etienne Tarditi and Mauricio Rosal were arrested.

Agencies familiar with individual: Interpol; French Surete National; Federal Bureau of Narcotics.

Fingerprint classification: 12 UOO 7; 25 WII.

ANSAN ALBERT BISTONI

Aliases: Monsieur Albert, Aga Khan, Albert Bistoni, Joseph Bistoni.

Description: Born November 21, 1911, Marseilles, France. Corsican descent, 5 feet 7½ inches, 175 pounds, dark brown hair, pale eyes.

Localities frequented: Sometimes resides 35 rue Victor Masse, Paris, and sometimes with mother at Carseilles. Frequents Bar Villa D'Esaste and Bar Washington, Paris, also Cuba, Mexico, and Canada.

Family background: Father, Attilion; mother, Ida Buonchristiani; mistress, Simone Prevost.

Criminal associates: Roger Coudert, Paul Mondoloni, Jean Baptiste Croce, Antoine Galliano, Cotroni brothers of Montreal.

Criminal history: Interpol Secretariat file No. 841/52. Arrested three times for narcotic trafficking; 1956 convicted of narcotic trafficking and sentenced to 3 years imprisonment and 5 years restricted residence.

Business: Believed to have interests in the Eve, Cupidon, and Pigalle night clubs, Havana, Cuba.

Modus operandi: Head of a large narcotic trafficking organization which smuggles morphine base into France and converts it to heroin, which is sent to the United States and Canada. Supplies several Mafia narcotic distributing organizations.

CHARLES BOURBONNAIS

Alias: Robert Norton.

Description: Male, white; born November 7, 1920, in Paris, France; 5 feet 11 inches, 180 pounds, blue eyes, black hair, fair complexion, neat dresser, slightly deformed left arm (unnoticeable). Naturalized American citizen.

Localities frequented: Currently incarcerated at Terminal Island, San Francisco, Calif., French restaurants, New York City; Los Angeles, Calif.; French Riviera, and Paris, France.

Criminal associates: Robert LeCoat, Joseph Sax, Mauricio Rosal, Etienne Tarditi, Nicholas Calamaras, Gilbert Coscia, Jean Ager, Robert Ager, Joseph Cahill, Felix Barnier.

Criminal history: Bourbonnais has no prior criminal record. Sentenced in January 1961 to 9 years imprisonment for his complicity in NY:E 1261 and NY:S 10787 which involved the seizure of over 100 kilograms of pure heroin.

Modus operandi: Subject utilized his position as a TWA purser to pass through cursory customs inspection and smuggle large amounts of narcotics from France into the United States. In the same manner Bourbonnais carried moneys derived from the distribution of drugs back to the French sources of supply.

Agencies familiar with individual: Federal Bureau of Narcotics; New York City Police Department, U.S. Customs Agency Service.

Fingerprint classification: FBI No. 631 453 D; 19 L 30 W I MO; I 16 W I OI.

SALVATORE CANEBA

Aliases: Toto, John Sperandeo.

Description: Born October 24, 1901, Palermo, Sicily, 5 feet 6 inches, 180 pounds, heavy build, black-graying hair, balding, brown eyes; poor English, fluent Italian-French.

Localities frequented: Resides via Priscioan No. 69, Rome, Italy, frequently travels to Palermo and Milan, Italy, also Germany, France, and Switzerland. Before deportation resided 3425 89th Street, Jackson Heights, N.Y., and frequented vicinities of First Avenue and 11th St., Second Avenue and 106th Street, New York City.

Family background: Married Irene Pluber (last reported living in New York City with their son); father, Giuseppe; mother, Marianna Ania (sister of late Pasquale Ania, former head of Mafia in Italy); brothers, Giosue, Giovanni, and Ugo.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 955

Criminal associates: William LoCasolo, Samuel Kass, Peter Kourakis, Sorci brothers (Palermo), Rosario Mancioni, Francois Paoleschi, Lucky Luciano, and Ugo Caneba (brother).

Criminal history: FBI No. 611860B. European record dates from 1918 and includes arrests for theft, criminal conspiracy, armed assault, receiving, etc., in Italy and France. Expelled from France 1936. Record in United States dates from 1950 and includes arrests for violation of Immigration and Federal Narcotic Laws; deported from United States 1954.

Business: Claims to be in finance and loan business.

Modus operandi: A prominent Mafia member. One of the largest narcotic smugglers and wholesale dealers in Italy, in partnership with his brother, Ugo, purchases pure heroin from major Corsican gangsters in Marseilles and Paris, France, and ships it to customers in the United States.

GILBERT AUGUSTIN COSCIA

Alias: Roby.

Description: Born October 18, 1907, at Volx (Basses Alpes), France. He is a French national; 5 feet 6 inches tall, 165 pounds; black hair; brown eyes; heavy build.

Localities frequented: Resides at 9 Quai Rauba Capeu, Nice, France. Frequent Paris and Nice, France.

Family background: Father, Augustin; mother, Laura Crocioni.

Criminal associates: Robert Le Coat, Felix Barnier, Antoine Marignagni, Jean Baptiste Giacobetti, Antoine Rinieri, Hagop Kevorkian.

Criminal history: None.

Business: None.

Modus operandi: Coscia is a member of an international narcotics trafficking organization operating between France and the United States. He is in charge of the transportation of the narcotics and the returning of the payments for the narcotics to France.

JEAN BAPTISTE CROCE

Aliases: None.

Description: Born April 9, 1920, Olmeto di Tuda, Bastia, Corsica, France; 5 feet 7 inches, 185 pounds, black hair, stocky build.

Localities frequented: Resides at Marseilles, France, also 15 rue de Perre, Paris, France. Travels by air to Montreal and Havana, Cuba. Owns two nightclubs in Havana, Cuba.

Family background: Married; mistress, Catherine Maestraci; father, Dominique; mother's maiden name, Annonciade.

Criminal associates: Joseph Albert Bistoni, Dominique Albertini, Paul Mondoloni of Marseilles, Cotroni mob of Montreal.

Criminal history: FBI No. 394-335C. RCMP file No. 57HQ1180-4-Q7. Arrested in France for murder; in United States for immigration violation and smuggling investigation.

Business: Nightclub operator. Owns two nightclubs in Havana, Cuba.

Modus operandi: Top member of a group of French-Corsican narcotic traffickers who obtain large quantities of heroin from illicit laboratories in France and smuggle it to Mafia racketeers in the United States and Canada.

ANTOINE D'AGOSTINO

Aliases: Michel Sisco, Louis Floris, Antoine Scarfoni, Alberto Blasis, Albert DuJardin, Lunettes.

Description: Born December 8, 1914, Bone, Algeria, French citizen; 5 feet 7 inches, 177 pounds, heavy build, dark brown hair, brown eyes.

Localities frequented: Marseilles, Paris, and Evreux, France; Montreal, Canada; French restaurant in New York City; Mexico City. Currently incarcerated in Canada (1960).

Family background: Married Suzanne Filleau; daughter, Michele Theresa; wife and daughter have taken name Filleau and reside in Mexico City; brothers, Albert and Stephen; father, Joseph; mother, Theresa Scarfoni. Both parents born Naples, Italy.

Criminal associates: Joseph Orsini, Carmelo Sansone, Francois Spirito, Paul Mondoloni, Marius Ansaldi, Salvatore Shillitani.

Criminal history: FBI No. 409989A. Record dates back to 1935 with arrests in Algeria and France for theft and treason. Federal narcotic conviction in United States, and narcotic conviction Canada for which sentenced to 3 years in 1958.

956 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Business: No legitimate occupation.

Modus operandi: A persistent large-scale narcotic trafficker. Closely allied with top Mafia members of Europe and North America and has supplied them with huge amounts of heroin, gold, and stolen jewelry.

JEAN DAVID

Aliases: Jean Laget, Silver Fox, Whitey.

Description: Born August 29, 1898, Arles Bouches Du Rhone, France; 5 feet 11 inches, 193 pounds, white wavy hair, gray eyes, ruddy complexion, French accent. I. & N.S. No. A-465-2328.

Localities frequented: Resided at 312 West 56th Street, New York City, frequented French restaurants in New York's midtown area. Currently (1960) incarcerated.

Family background: Married Simone Alice Marcelli; no known children; annulled December 6, 1943, in New York City; father, Pierre; mother, Marie Vidal; brothers, Vincent, Joseph, Marcel.

Criminal associates: Lucien Ignaro, Ugo Rossi, Andrew Alberti, Joseph Orsini, Antoine D'Agostino, Lucien Rivard, Paul Mondoloni, John Sperandeo, Frank Tornello, Joseph Basile, Henry Sauzet, Roger Coudert.

Criminal history: FBI No. 3654908. Arrests since 1921 include burglary, contempt of court, and narcotics. Wanted for murder in France committed in 1937. Currently serving a 10-year sentence at Leavenworth Prison. Eligible for parole at end of 1960. Subject to deportation.

Business: Was formerly a partner in Felice's Restaurant, 330 West 46th Street, New York City, and a partner of Alfred Letourneur in Letourneur Sulky Wheels, Inc., New York.

Modus operandi: Is an important member of a group which for years has smuggled large quantities of heroin into the United States for sale to top-level Mafia narcotic traffickers.

MARCEL FRANCISCI

Alias: Marcel.

Description: Born November 30, 1919, Ciamanacce, Corsica, France; 6 feet 1 inch, brown hair, brown eyes.

Localities frequented: Resides at 108 Rue Sauchet, Paris, France. Has an alternate residence at 8 Rue Rochefort, Paris, France. Patronizes the Bar Artistic, Cours Joseph Thierry, Marseilles, and the Restaurant Fouquet's, Avenue des Champs Elysees, Paris, France.

Family background: Mother, Angele Santucci; father, Francois.

Criminal associates: Brothers Jean and Xavier Francischi, Dominique Venturi, Paul Mondoloni, Francois Spirito, Gabriel Carcassonne.

Criminal history: Has been the subject of various French customs investigations.

Business: None.

Modus operandi: Organizes the smuggling into France of morphine base produced in the Middle East.

USCHE GELB

Aliases: Solly Gordon, Saul Gelb, Kreisberg, King, Geld, Edward S. A. Jordon.

Description: Born March 27, 1897, Dembica, Austria, Jewish; 5 feet 7½ inches, 162 pounds, white hair, brown eyes, glasses. Illegal alien.

Localities frequented: Resides 545 West End Avenue, New York City. Frequented Lafayette Street machinery center, midtown restaurants and clubs. Summer home, Tennenah Lake, N.Y.

Family background: Married Ethel Egan; father, Tobias Samuel Gelb; mother, Feiger Krantz (both deceased); brother, Hyman; sisters, Mary, Belle, and Mrs. Bertha Sterza.

Criminal associates: Anthony Vellucci, Nathan Behrman, Jean Baruche, Joseph Orsini, Morris Taubman, Salvatore Shillitani.

Criminal history: FBI No. 35989. NYCPD No. B53908. Record dates from 1913 and includes arrests for juvenile delinquency, disorderly conduct, felonious assault, dangerous weapon, perjury, stolen bonds, Federal narcotics conviction. Currently incarcerated for narcotic conspiracy.

Business: Machinery salesman. Owned florist shop.

Modus operandi: In association with top-level Mafia racketeers, he operated a narcotic smuggling and distribution ring which supplied untold quantities of heroin throughout the United States; top echelon racketeer and drug trafficker for past 30 years.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 957

GABRIEL LUCIEN GRAZIANI

Alias: Gaby.

Description: Born July 1, 1922, Marseilles, France (French-Corsican), 5 feet 5 inches, 145 pounds, medium build, black hair, brown eyes, scar over right temple. I. & N.S. No. V-1832105.

Localities frequented: Resides 2A Rue Navarin, Marseilles, France. In United States resides at 119-09 83d Avenue, Queens, N.Y. Travels frequently between the United States, Canada, South America, and Europe.

Family background: Married to Georgette Marie Felizia; has one daughter; father, Pierre; mother, Assomption Rutali.

Criminal associates: Antranik Paroutian, Dominique Nicoli, Jean Baptiste Croce, Marie Bernard, Casimir Guerazi, Roger Quendane, Andre Quendane, all of France. Giuseppe Cotroni, Joseph DiPalermo, Carmine Galante.

Criminal history: FBI No. 864135C. No record in the United States. In 1958 was arrested in Switzerland while trying to negotiate stolen Canadian securities. He was released when Canada failed to extradite.

Business: Formerly ran the Bar de L'Avenir 13 Boulevard Danielle Cassanova, Marseilles. Also owned a grocery and a coffee-roasting shop. Coppersmith by trade.

Modus operandi: An international drug trafficker; closely associated with and trusted by top-level members of the Mafia. A courier for the Croce-Nicoli-Paroutian smuggling group. Travels frequently to major cities in the United States, Canada, South and Central America and Europe making contacts for the organization.

JEAN JEHAN

Aliases: Auguste Calmes, Steve Martin, Francis Stokam.

Description: French national, born September 2, 1898, Fourques, Oard France; 6 feet; 180 pounds, white hair, medium build, receding hair line.

Localities frequented: Resides 6805 21st Avenue, Rosemont, Quebec, Canada; Commodore Hotel, New York City; travels frequently to France.

Criminal associates: Marius L. Martin, Francois Scaglia, Angelo Tuminaro, Rosario Ippolito.

Criminal history: Suspected of homicide in France; associates with top echelon narcotics violators (1962) wanted by the New York City Police Department for violation of narcotic laws.

Modus operandi: Arranges for the smuggling of narcotics into the United States in large quantities.

ROBERT LEON FRANCIS LE COAT

Aliases: None

Description: Born July 1, 1907, Rochefort Sur-Mer, France. Five feet 6 inches, 155 pounds, brown hair, French national.

Localities frequented: Resides at 68 Boulevard Malesherbes, Paris 17, France. Frequents the Pair and Le Havre areas.

Family background: Father, Guillaume; mother, Leoncie Dequesse.

Criminal associates: Felix Bernier, Mauricio Rosal, Etienne Tarditi, Gilbert Coscia, Jean Baptiste Giacobetti, Jean "Pio" Andreani, Charles Bourbonnais.

Criminal history: Has been associated with international narcotic traffickers for many years. Has never been condemned.

Modus operandi: Arranges the shipment of large quantities of heroin from France to the United States. He is said to be responsible for the transportation of 50 kilograms of heroin by suspects Charles Bourbonnais and Gilbert Coscia to the United States.

ANTOINE MARIE MARIGNANI

Aliases: Antoine Mariniani, "Lolo le Corse," Charles.

Description: Born March 4, 1906, at Ajaccio, Corsica; French National; 5 feet 6 inches, dark brown hair (balding), brown eyes. Tattooed: A heart and cross on the left forearm. A cross on the right forearm.

Localities frequented: Resides at 66 rue de Ponthieu, Paris 8, France. Frequent the Paris, Marseilles, and the Cote d'Azur areas.

Family background: Father, Sebastien; mother, Loetitia Polo DiBorgo.

Criminal associates: Francois Franchi, Jean-Baptiste Ciacobetti, Gilbert Coscia, Robert LeCoat.

Criminal history: Paris, France on June 6, 1952, 18 months prison and Fr50,000 fine for swindle and attempted swindle. Amiens on March 16, 1953, 18 months prison, default, for swindle. Germany has been requested to extradite him.

958 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Business: Previously director of casino.

Modus operandi: A financier of heroin sent to the United States. Is believed to be one of the owners of 50 kilograms of heroin sent to the United States through Robert LeCoat in 1960.

MARIUS LOUIS MARTIN

Aliases: None.

Description: Born May 15, 1900, at Salon De Provence (Bouches du Rhone), France; 5 feet 5 inches; 140 pounds; brown hair; brown eyes.

Localities frequented: France; New York, and California, United States; and Montreal, Province of Quebec.

Criminal associates: Roger Mollet, Cotroni Brothers (Vincent, Giuseppe and Frank), Edmond Martin (brother), Jean Antonin Jehan, Pasquale Fuca, Roger Denizet.

Criminal history: He has no record in Canada.

Modus operandi: Engaged in international drug trafficking between France, United States, and Canada.

Agencies familiar with individual: French Sureté Nationale.

PAUL DAMIEN MONDOLONI

Aliases: Paul Marie Bejin, Eduardo Dubian Chabolla, Jacques Desmarais, Paul Mondolini, Paul Madraleni, Jean Kraeber.

Description: Born September 27, 1916, Sartene, Corsica, France. French citizen, 5 feet 6 inches, 140 pounds, brown hair, blue eyes.

Localities frequented: Frequents Paris, Montreal, Mexico City, and gambling casinos in Havana, Cuba.

Family background: Mistress, Marcelle Senesi; father, Antoine; mother, Marie Giacomini.

Criminal associates: Jean Baptiste Croce, Roger Coudert, Marcelle Senesi, Nathan Behrman, Dominic Nicoli, Giuseppe Cotroni, Antoine D'Agostino.

Criminal history: FBI No. 564009-B. Arrested in United States for immigration violation and narcotic conspiracy, in France for aggravated theft and armed attack, and in Mexico (1960) for immigration violation.

Business: No legitimate occupation.

Modus operandi: Internationally known narcotic trafficker with associates in Canada, Mexico, Cuba, France, the United States, and elsewhere. Originally became notorious as a jewel thief. Closely associated with top Mafia racketeers.

JOSEPH ORSINI

Aliases: Joseph Casabianca, Joe Dorney, Francois.

Description: Born March 19, 1903; Bastia, Corsica, France; French citizen; 5 feet 8 inches; 170 pounds; brown eyes; gray hair; partly bald; medium build; tattoos on left arm.

Localities frequented: Now resides in France. Formerly resided at 26 West 85th Street, New York City and frequented French restaurants in the midtown area of New York City.

Family background: Mistress, Marcelle Ansellem; father, Louis, mother, Maria Leonetti.

Criminal associates: Antoine D'Agostino, Francois Spirito, Jean Laget, Jean Ager, Marius Ansaldi, Dominique Reissant, Saul Gelb, Edouard Giribone, Carmelo Sansone, Vincent Randazzo, Salvatore Shillitani.

Criminal history: FBI No. 708363-A. He has been convicted in France for fraud and robbery and collaboration with the Germans during World War II. Federal narcotic and counterfeiting convictions in the United States, for which sentenced to 10 years in 1951. Deported from the United States in 1958.

Business: Ex-seaman. No legitimate occupation.

Modus operandi: He was the Canadian-American representative for the Ansaldi group which operated a clandestine laboratory in France and smuggled heroin in large quantities to Mafia racketeers in the United States.

ANTRANIK PAROUTIAN

Alias: Andre.

Description: Born April 30, 1925, Gardonne (Bouches du Rhone), France. French-Armenian, 5 feet 8 inches, 190 pounds, dark-brown wavy hair, brown eyes, stocky build, round face.

Localities frequented: Resides 211 Promenade de la Corniche and frequents Place de L'Opera, both Marseilles, France.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 959

Family background: Unmarried; father, Ohannes (deceased); mother, Boyzar Armandjan (resides with Paroutian); brother, Sauren.

Criminal associates: Joseph DiPalermo, Carmine Galante, Ernesto Barese, Roger Guendane, Giuseppe DiGiorgio, Jean Baptiste Croce, Paul Mondoloni.

Criminal history: Arrested 1947 for violation of the French Price Control Act and 1949 as a violator of the French economic law. Federal narcotic conspiracy, 1960 (United States).

Business: Purports to be in the grocery business, operating under the name of Gabriel & Cie, No. 6 Rue Bussy l'Indien, Marseilles, France.

Modus operandi: Large-scale trafficker who obtains morphine base in Turkey, Syria, and Lebanon for conversion in illicit laboratories in France. Smuggles furnished heroin by way of Canada to Mafia traffickers in the United States.

JOSEPH PATRIZI

Alias: Jo.

Description: Born January 24, 1916, at Ogliastro, Corsica, France. Height, 5 feet 6 inches, brown hair, brown eyes.

Localities frequented: Resides at 54 Rue du Coq, Marseilles, France. Patronizes the Bar Artistic, Cours Joseph Thierry, Marseilles, and the nightclub Maxims', Place Massena at Nice, France. Travels frequently to Paris, France.

Family background: Father, Ange; mother, Josephine Preciozi.

Criminal associates: Albert Bistoni, Jean Baptiste Croce, Dominique Albertini, Paul Mondoloni, Jerome Leca.

Criminal history: Was never arrested.

Business: Seaman.

Modus operandi: With Albert Bistoni and Jean Baptiste Croce organizes the smuggling to the United States of large quantities of heroin produced in clandestine laboratories in France.

GIACOMO REINA

Aliases: Jack Reina, Jack Ricca, Henry Reina.

Description: Born September 21, 1909, New York City, 5 feet 8½ inches, 155 pounds, brown eyes, black hair with gray streaks.

Localities frequented: Resides at 152 Kearny Avenue, Kearny, N.J., frequents bars at 49 Market Street, and 121 Mulberry Street, both in New York City.

Family background: Wife, Phyllis; brothers, Henry, Sam, John, and Bernard; sisters, Anna, Mildred Valachi (wife of Joe Valachi), Rose Bongrieco, Lucy Sterling; father, Gaetano; Mother, Angelina Olivera.

Criminal associates: Frank Caruso, Anthony Strollo, Vincent Mauro, Joe Orsini, Joe Valachi, all of New York City, Marius Ansaldi, Dominique Reissant, Francois Spirito, all of France.

Criminal history: FBI No. 193805, New York City Police Department No. B-73123, arrests from 1928 include felonious assault, robbery, conviction of Federal narcotic laws.

Business: No legitimate business known.

Modus operandi: Wholesale smuggler, distributor of heroin with sources of supply in France. Has connections with most leading Mafia members of New York City.

DOMINIQUE REISSANT

Aliases: Niques des Carmes; Nickey.

Description: Born in Marseilles, France, on July 6, 1896. Male; white; 5 feet 6 inches tall; 150 pounds; medium build; black-gray hair; brown eyes.

Localities frequented: Resides at 40 Rue Bellevue, Fort Marly, S. & O., France. Frequents Hotel California; Carol Club; all Paris, France; Veau D'or Restaurant, New York City.

Criminal associates: Marius Ansaldi; Dominique Baldini, Francois Spirito; Joseph Orsini; Edouard Giribone; Giacomo Reina; Salvatore Shillitani; Pasquale Pagano.

Criminal history: Dates from 1917 and includes arrests for battery and assault; corrupting the morals of minors; illegally manufacturing gold coins. During World War II suspected of having collaborated with the Germans. Indicted May 1955 in Federal court at New York for violation of Federal narcotic laws.

Modus operandi: Directs international group (France and Italy) which imports opium and morphine base for conversion into heroin for ultimate distribution in the United States.

Agencies familiar with individual: French Sureté Nationale (police judiciaire); U.S. Bureau of Narcotics.

960 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

MAURICIO CLAUDIO ROSAL

Aliases: None.

Description: White, male, 5 feet 10 inches, 159 pounds, gray eyes, gray-brown hair, medium build, fair complexion, neat dresser. Born December 23, 1912.

Localities frequented: All of France, in particular, Paris and Marseilles; New York City; Guatamala, Honduras, Lebanon.

Criminal associates: Robert LeCoat, Joseph Sax, Charles Bourbonnais, Etienne Tarditi, Nicholas Calamaras, Gilbert Coscia, Jean Ager, Rober Ager, Joseph Cahill, Felix Barnier.

Criminal history: Rosal has no prior criminal record. At the time of his arrest was the Guatamalan Ambassador to Belgium, Netherlands, and Luxembourg. FBI No. 627939D. Serving a 15-year sentence for his complicity in New York State: 19787 which involved the seizure of over 50 kilograms of pure heroin. Convicted in December 1960.

Modus operandi: Utilized his position as Guatamalan Ambassador to the Netherlands to pass through courtesy immunity of search granted by U.S. Customs to smuggle large amounts of narcotics from France into the United States.

FRANCOIS SCAGLIA

Aliases: Little Frank, Francois Barbier.

Description: Born August 4, 1927, Marseilles, France. French citizen; 5 feet 2 inches; 150 pounds; medium build, black hair, brown eyes, medium complexion.

Localities frequented: 82 Avenue Michelet; St. Ouen, Seine, France. The Les Trois Canards, located 48 rue de la Rochefoucauld, Paris. The Bouliste Bar, 82 Avenue Michelet, St. Ouen, Seine, France.

Criminal associates: Jacques Angelvin, Angelo Tuminaro, Jean Jehan, Pasquale Fuca, a member of the Corsican underworld, Gautan Alboreo, Marium Bertella, Francis Capezza.

Criminal history: Arrested March 1957 in France and sentenced to 2 months for leaving scene of accident. Known by French police to have kidnapped several people and held for ransom. NYCPD B No. 504481.

Modus operandi: Arranges for the importation of heroin into the United States from France, makes the contacts in the United States.

FRANCOIS SPIRITO

Aliases: Charles Henri Faccia, Le Grand, Big Frank, Charles Lamoss.

Description: Born January 23, 1900, Marseilles, France. French citizen; 6 feet, 170 pounds, gray hair, brown eyes, olive complexion, slender build.

Localities frequented: Resides Marseilles, France. In United States resided midtown New York City and Greenwood Lake, N.Y. Frequented New York City's French section, visited Montreal, Canada, and Cranston, R.I.

Family background: Son, Paul; daughter, Maria; father, Dominick; mother, Rosina DeNola; brother, John; sister, Angelina Corona; nephew, Anthony Palumbo, Cranston, R.I.

Criminal associates: Angelo Iandosco, Joseph Orsini, Salvatore Shillitani, Carmelo Sansone, Anthony Martello, and Antoine D'Agostino.

Criminal history: FBI No. 837850A. Lengthy record in France includes arrests for assault and battery, theft, smuggling, using false civil status, and attempt against security of state. Federal narcotic conviction in New York City in 1951.

Business: Bar owner and men's shop operator.

Modus operandi: Well-known international narcotic violator and member of one of the largest smuggling rings in France. Major source of narcotics for the Joseph Orsini narcotic smuggling organization.

HARRY STROMBERG

Aliases: Nig Rosen, Harry Rosen, Hyman Stromberg, Chaim Stromberg, the Mahoff, Joseph Bloom, Hyman Chaim.

Description: Born July 15, 1903, Sorokov, Russia, Jewish, 5 feet 8 inches, 190 pounds, gray hair, balding, brown eyes, dark complexion, neat, conservative dresser. Naturalized, New York City, August 6, 1945.

Localities frequented: Resided 420 East 55th Street, New York City, and 5196 Pine Tree Drive, Miami Beach. Frequented New York City garment district and better night clubs, Miami Beach and Philadelphia. Currently (1960) incarcerated.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 961

Family background: Divorced Silvia Cohen; adopted son, Joseph; remarried Gretchen Cershon; father, Harry; mother, Netti Cohen.

Criminal associates: Lucky Luciano, Francesco Costiglia, Giuseppe Doto, Gaetano Lucchese, Meyer Lansky, Mickey Cohen.

Criminal history: FBI No. 786309 New York City Police Department No. 57333. Arrests include robbery, illegal lottery, burglary, possession of a gun, violation of Federal liquor and narcotic conspiracy.

Business: Has been connected with the following garment houses: Studio Frocks, Dearest Miss, Jay & Lou Manufacturing Co., LouJay Dress Co., Judy Lee Fashions.

Modus operandi: Though non-Italian he is allied with top Mafia criminals in all types of illicit activity, including labor racketeering, gambling, and narcotic trafficking.

ETIENNE TARDITI

Alias: Adolphe Tarditi.

Description: Born October 18, 1904; white male; 5 feet 6 inches; 180 pounds; brown eyes; gray hair (balding); light complexion; neat dresser; half-inch scar on bridge of nose. French citizen.

Localities frequented: All of France, in particular, Paris and Marseilles; New York City; Lebanon.

Criminal associates: Robert LeCoat, Joseph Sax, Charles Bourbonnais, Mauricio Rosal, Nicholas Calamaras, Gilbert Coscia, Jean Ager, Robert Ager, Joseph Cahill, Felix Barnier.

Criminal history: Sentenced January 1961 to 9 years in Federal prison for his complicity in NY:S 10787 which involved the seizure of over 50 kilograms of pure heroin in New York City. This heroin was supplied by the Robert LeCoat-Felix Barnier organization in France.

Modus operandi: Tarditi was responsible for buying morphine base in the Near East and smuggling it into France where the morphine base was converted into heroin. He also served as liaison man between the French sources of supply and the American consumers.

Agencies familiar with individual: U.S. Bureau of Narcotics, U.S. Bureau of Customs, New York City Police Department. FBI No. 627 966D.

Fingerprint classification: 15 M 13 R OIM 13 I 18 R OII.

JEAN VENTURI

Aliases: None.

Description: French; born Marseilles, France, September 18, 1921; 5 feet 9 inches, 185 pounds, black hair; brown eyes; medium complexion; heavy build; tattooed snake and eagle on right shoulder.

Localities frequented: Immigrated to Canada in 1952; resides 5080 Pie IX Boulevard, Montreal, Canada; frequents Montreal, Canada, and Marseilles, France.

Criminal associates: Joseph Cotroni, Vincent Cotroni, Gilbert Coscia, Dominique Venturi, Lucien Rivard, Lucien Ignaro, Jacques Mari, Albert Bistoni, Francois Spiritu, Paul Mondoloni, Robert Bianchi-Maliberno; Jean Baptiste Croce.

Criminal history: No criminal record in Canada, came to attention of Sureté Nationale, France, in 1955 as a suspected narcotic trafficker.

Modus operandi: Major distributor of French heroin into the United States; works very closely with his brother Dominique Venturi who resides in Marseilles and who is considered his major source of supply.

DOMINIQUE VENTURI

Alias: Nique.

Description: Born June 24, 1923, Marseilles, France, 5 feet 8 inches, brown hair, brown eyes.

Localities frequented: Resides 46 Avenue Marechal Foch, Marseilles, France. Patronizes the Bar Artistic, Cours Joseph Thierry at Marseilles, France. Travels frequently to Paris, France, and Geneva, Switzerland.

Family background: Mother: Catherine Paccini.

Criminal associates: Marcel, Xavier and Jean Francisci; Jean Pozzo DiBorgo, Achile Cecchini, Jacques Discepolo, his brother Jean Venturi.

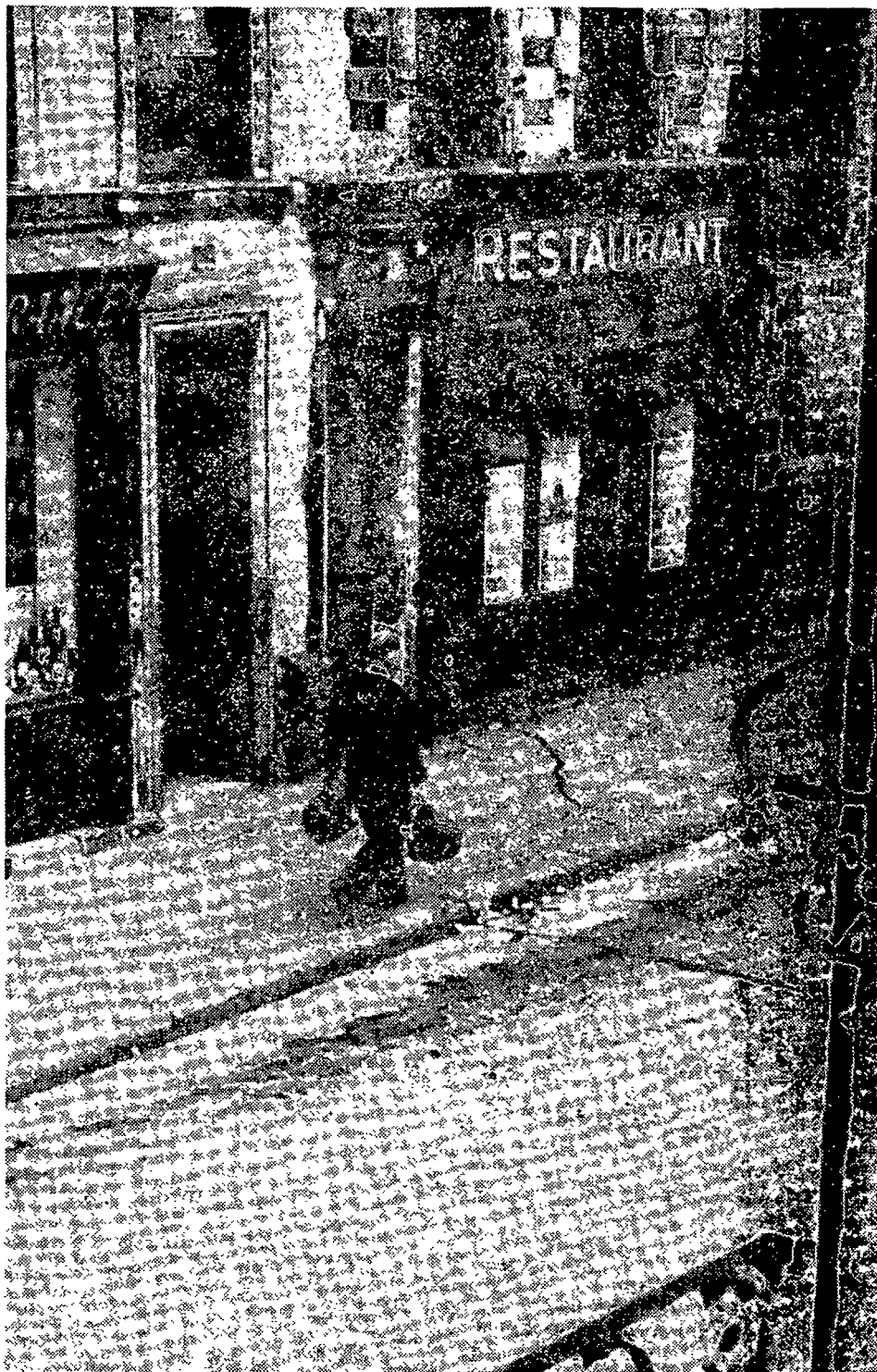
Criminal history: Served a 4-month prison sentence for attempted robbery. Was sentenced on four different occasions for carrying a concealed weapon.

Business: Salesman.

Modus operandi: Organizes the smuggling to Canada of large quantities of heroin produced in clandestine French laboratories, utilizing the services of his brother Jean Venturi who resides in Canada.

962 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

EXHIBIT No. 2B



French police in the course of this investigation obtained a secret post of observation from which they photographed various suspects entering and leaving the villa. This photograph shows one of the suspects carrying two carboys of acetic anhydride to the laboratory.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 963



A carboy of acetic anhydride, one of the chemicals essential to the manufacture of heroin from morphine base. Surveillance of the laboratory operators following their purchase of this chemical led to the location of the laboratory.

964 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS



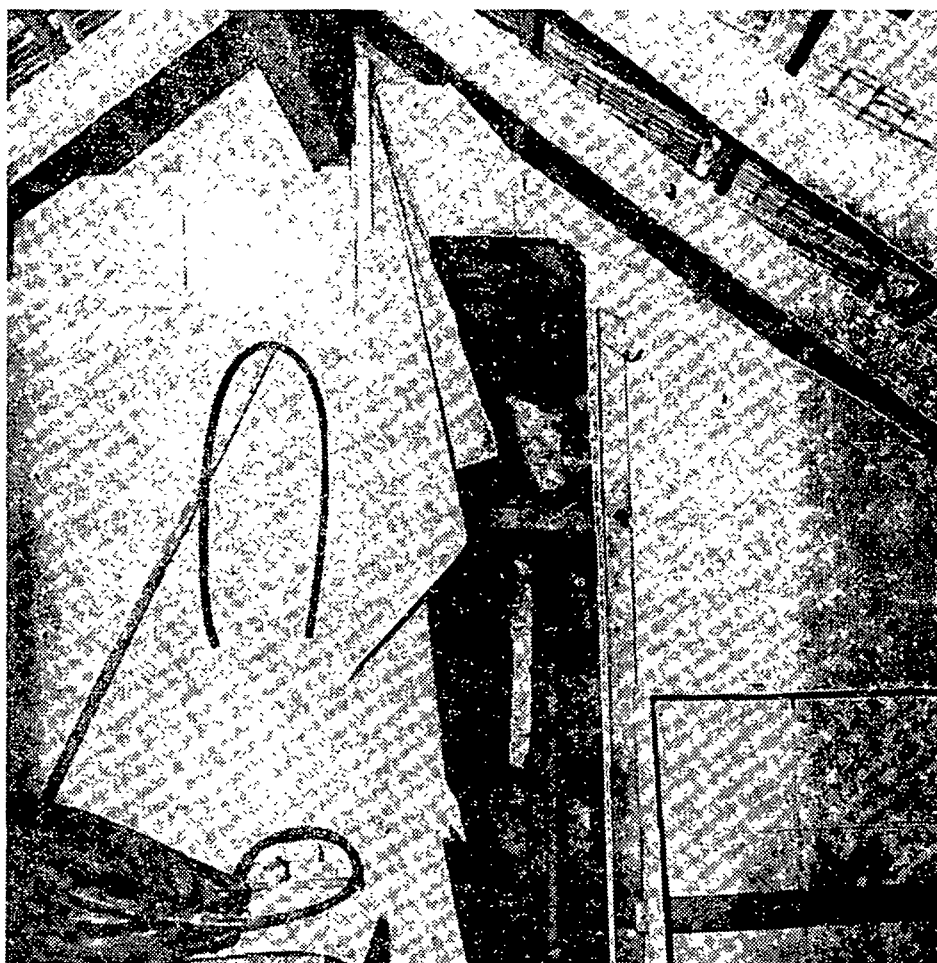
▲ photograph taken inside the villa at the time the raids and arrests were effected by the French police. Inside is observed laboratory equipment and defendants, Ansaldo, Maysson, and Franchi.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 965



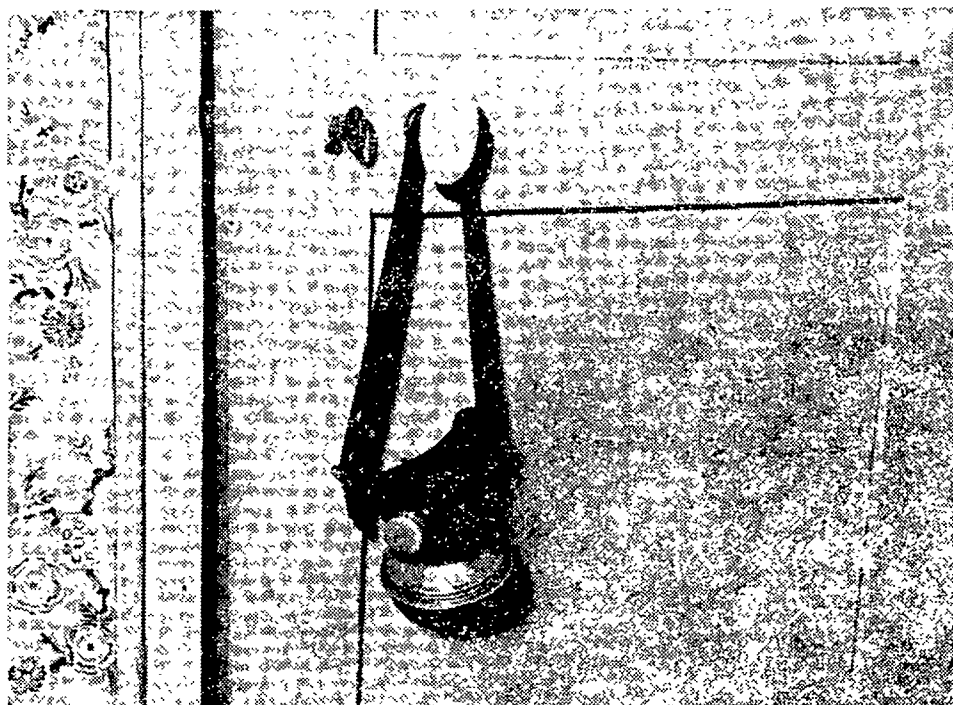
Photograph of Villa Castelran located at Montgeron, France, in the vicinity of Paris, site of a clandestine laboratory where heroin was manufactured from morphine base. The villa was raided by the French police following a prolonged investigation of Marius Ansaldi and his associates.

966 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS



In the attic of the Villa Castelran there were special compartments used for secreting the manufactured heroin or morphine base. Such a compartment was exposed and appears in this photograph.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 967



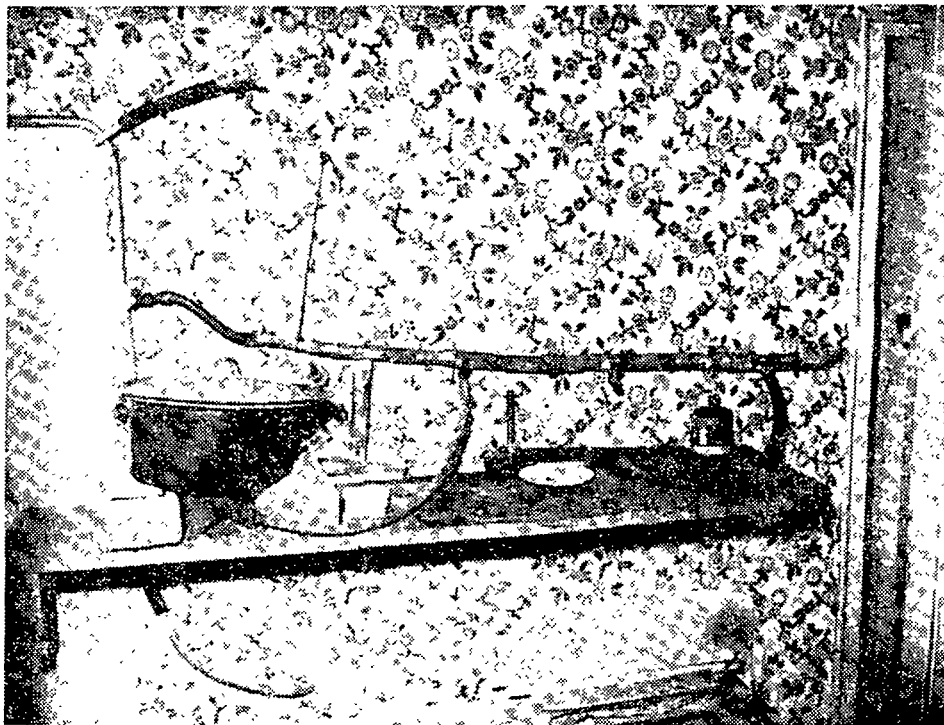
Photograph at Villa Castelran of a dust mask. This must be used by laboratory operators who handle and package the heroin and morphine base, as handling causes small particles of the drug to appear in the air breathed in by the operators as dust. Prolonged inhalation of this dust might well cause addiction and the operator is protected against this by using such a mask.

968 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS



Additional laboratory equipment and chemicals photographed inside the Villa Castelran during the raid.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 969



Makeshift gas outlets supplying burners and heating elements used in the chemical operation at Villa Castelran during the raid.

EXHIBIT No. 2C

SETTIMO ACCARDO

Aliases: Sam Accardi, Big Sam, Giuseppe Accarobi.

Description: Born on October 23, 1902, in Vita, Sicily, 5 feet 9½ inches, 200 pounds, brown eyes, heavy build, black hair graying and receding.

Localities frequented: Family resides at 188 Franklin Street, in Bloomfield, N.J., he is currently (1959) a fugitive for violation of Federal narcotic laws.

Family background: Married to Teresa Menio; has 3 sons, Salvatore, Carmine and Joseph; parents (dead) were Salvatore and Francesca Avila, sister: Pietra and brothers: Joseph and Frank (dead).

Criminal associates: Lucky Luciano, Tom and Charles Campisi, Carmine Locascio, Joe Doto, Frank Costello, Tony Corallo, Tony Strollo, Cristoforo Rubino (dead) and all top Mafia leaders in New York and New Jersey.

Criminal history: FBI No. 683907, Newark Police Department No. 17577; arrests since 1928 include atrocious assault and battery, violation Federal narcotic laws (1955), is fugitive in this case, having jumped \$92,500 bond.

Business: Was engaged in real estate and building construction in Newark, N.J., area.

Modus operandi: A very important top echelon Mafia leader from Newark area, who was engaged in international narcotic trafficking.

VITO AGUECI

Alias: None.

Description: Born on July 27, 1920, at Salemi, Trapani, Italy; 5 feet 5 inches; 154 pounds; black hair; brown eyes.

Localities frequented: Residence: 282 Westmoreland Avenue, Toronto, Canada.

Criminal associates: Albert Valenti, Albert Agueci, Rocco Scopellegtti.

970 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal history: Arrested on May 25, 1961, in Toronto, Canada, for conspiracy to traffic in narcotics; arrested on July 20, 1961, in New York City, for violation of Federal narcotic laws.

Modus operandi: Engaged in the smuggling of narcotics from Italy to Canada. With his brother and associates arrange for the eventual illegal sale and transporting of narcotics to wholesalers in the United States.

Agencies familiar with individual: U.S. Bureau of Narcotics, Federal Bureau of Investigation, Metropolitan Police of Toronto, Canada. FBI No. 889944D, U.S. Bureau of Narcotics, N.Y.: S 10795, Metropolitan Police, Toronto, Canada, No. 1716/61.

FILIPPO AMARI

Aliases: Big Phil, Philip Amari.

Description: Born on December 16, 1899, in Ribera, Agrigento, Sicily, 6 feet, 200 pounds, stocky build, gray hair, brown eyes.

Localities frequented: Formerly resided at 15 Q Betty Anne Drive, Raritan Township, N.J., now reported to be Ribera, Sicily. Passport lists permanent address as Mount Pleasant Road, Edison, N.J. Frequents Elizabeth, N.J., Newark, N.J., New York, N.Y., and Miami, Fla.

Family background: Married Maria Masapolli; daughters; Carmela, Confortino, and Sara; father, Giuseppe; mother, Carmela Truncale.

Criminal associates: Anthony Larasso, Frank Majuri, Emmanuel Riggi.

Criminal history: No known criminal record.

Business: Claims to own liquor store in New Jersey. Active in construction union activities.

Modus operandi: Important Mafia figure who backs Union County, N.J., gambling activities and through his union connections obtains employment for legal and illegal immigrants.

JEAN JOSEPH ANDREANI

Alias: Pio.

Description: Born on May 5, 1897, at Olmeta, Corsica, France; 5 feet, 9 inches; 170 pounds; gray hair (balding).

Localities frequented: Residence, 383 rue de Verdum, Le Havre, France. Frequents bars in Le Havre and Paris, France.

Criminal associates: Jean-Baptiste Peretti, Klevoulos Vafiadis, Thomas Hoag, Dan Martin, Charles Vincileoni, Auguste Paffenhoff, Antoine Coves, Albert D'Agostino, Albert Bistoni, Paul Mondoloni, Roger Coudert, Jean-Baptiste Croce.

Criminal history: Was convicted of violating the narcotic laws in France.

Modus operandi: Before World War II, he acted as a middleman for the international narcotic traffickers of Europe and the United States. It is believed he still operates in this capacity.

Agencies familiar with individual: U.S. Bureau of Narcotics, French Police Judiciaire, Paris Prefecture of Police, French Surete Nationale.

MARIUS JACQUES ANSALDI

Aliases: None.

Description: Born on September 9, 1901, in Toulon, France; French citizen.

Localities frequented: Resides 8 Alle de L'Alma, Perreux, Seine, France. Frequents hotel California, Cafe Murat, San Francisco Restaurant and Carol Club all in Paris, France.

Family background: Married Jeanne Masson; no children; father, Pierre; mother, Dominique Delfino.

Criminal associates: In the United States, Usche Gleb, Salvatore Shillitani, Nathan Behrman, and Joseph Orsini; in Europe, Dominique Reissant, Dominique Baldini, Antoine Bergeret, Marius Reversac.

Criminal history: Never in the United States. In 1953 was sentenced to 4 years imprisonment and 1 million francs fine for operating a clandestine heroin laboratory in Paris, France. Appealed sentence, but lost and started serving on February 6, 1957.

Business: When gainfully employed, works as a wine broker.

Modus operandi: Large scale illicit heroin manufacturing laboratory operator. Supplies heroin to Mafia and other racketeers. Was the prime source for the Gelb-Behrman and Orsini-Shillitani organizations.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 971

GHEO BACCARANI

Aliases: Georgia Baccarani, Remo.

Description: Born in Laliera, Italy, on December 17, 1910; 5 feet, 11 inches; 185 pounds; brown eyes; gray hair; fair complexion.

Localities frequented: Resides at Largo Corsica No. 8, Modena, Italy. Owns the SICFA Chemical Co., Via della Zecca No. 1, Bologna, Italy, and a warehouse at Via Fallopia No. 22, Modena, Italy. He also frequents principal cities in Italy.

Criminal associates: Egidio Calascibetta, Armando Lodi, Cesare Melli, Guglielmo Ponomo, Richardo Morganti, Anacleto Facchini, Matteo Carpinetti, Dr. Georgia Aite, and Alarcio Valle.

Criminal history: On October 9, 1950, was arrested in Modena, Italy, for violation of narcotic laws. He was sentenced on November 26, 1952, in Trieste to a prison term of 2 years, 2 months.

Modus operandi: A pharmacist who operates a laboratory and supply house from which narcotics may be diverted to illicit channels.

Agencies familiar with individual: U.S. Bureau of Narcotics, Criminal Investigation Division of the U.S. Army and Interpol.

VITO BADALAMENTI

Aliases: None.

Description: Born on September 16, 1913, in Cinisi, Sicily, Italy.

Localities frequented: Resides at Via Salvatore Badalamenti No. 24, Cinisi, Sicily, Italy. Frequents Palermo, Partinico, Alcamo, Trapani, Montelebre, and other Mafia strongholds in Sicily.

Family background: Father, Vito; mother, Giuseppa Spitaleri; brothers, Gaetano, Giuseppe (deceased); cousin, Cesare Badalamenti.

Criminal associates: Gaetano Badalamenti, Cesare Badalamenti, Silvestro Carollo, Procopio DiMaggio, Giuseppe Indelicato, Vencenzo Bello, Vincenzo Carollo, Calcedonio di Pisa, Giuseppe Spataro.

Criminal history: No known criminal record.

Business: Farmer.

Modus operandi: He and other members of his family are the ruling members of the Mafia in Cinisi dealing in narcotics and black market cigarettes and enforcing Mafia decrees regarding the control of the fruit and produce markets in the provinces of Palermo and Trapani.

UGO BALZARINI

Aliases: None.

Description: Born on January 7, 1903, in Milan, Italy, 5 feet 4 inches, 160 pounds, brown hair, balding, brown eyes, medium build, light complexion.

Localities frequented: Resided at Via Giulio Romano No. 15, Milan, Italy. Frequented Rome, San Remo, Genoa, and other cities in Italy.

Family background: Father, Pietro; mother, Ester Negri.

Criminal associates: Emilio Dicintio, Giovanni Barilla, Armando Fiume, Luigi Bicchieri, Augustine Giraud.

Criminal history: Has been arrested for trafficking in narcotics.

Business: No legitimate occupation known.

Modus operandi: With other Mafiosi he conducted a large-scale narcotic traffic in Italy, obtaining the narcotics from French violators which was in turn sold to trusted U.S. customers.

GIOVANNI BARILLA

Aliases: None.

Description: Born on October 21, 1910, in Archi, Reggio Calabria, Italy, 5 feet 9 inches, 175 pounds, brown eyes, brown hair graying, medium build, dark complexion.

Localities frequented: Resided at Via Nazionale, Reggio Calabria, frequented the cities of Milan, San Remo, Naples, Rome, Genoa, in Italy.

Family background: Father, Giuseppe; mother, Margherita Saracemo.

Criminal associates: Emilio Dicintio, Augustine Giraud, Armando Fiume, Luigi Bicchieri, Ugo Balzarini.

Criminal history: Has been arrested for trafficking in narcotics.

Business: Wholesale fruit and vegetable dealer.

972 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Modus operandi: Part of a Mafia group which conducted a large-scale narcotic traffic in Italy, obtaining same from French violators and disposing of it to trusted U.S. customers.

ENZO BERTI

Aliases: None.

Description: Born on August 7, 1918, in Pisa, Italy; 5 feet 9 inches, 180 pounds, brown hair, brown eyes.

Localities: At present in prison in Switzerland (1960).

Family background: Wife, Maria Giannullo; mother, Bruna Macchia; father, Luigi Enrico.

Criminal associates: Costantino Gamba, Francesco Saverino, Francesco Pirico, Hans Schlegel, Otto Herrmann, Salvatore Caneba, Ugo Caneba, Armando Fiume, Mehmed Hattatoglu.

Criminal history: In 1958 convicted of narcotic trafficking in Switzerland.

Business: Merchant; doctors degree in philosophy.

Modus operandi: Together with Costantino Gamba, purchased morphine base from Turkish violators and converted same to heroin. This heroin was sold to Pirico and Saverino who then resold it to traffickers in the United States. Gamba and Berti were two of the largest clandestine laboratory operators in Europe.

JOSEPH BIONDO

Aliases: "J.B.," Joe Bionda, "Little Rabbit," Joe Banti, Joe Bondi.

Description: Born on April 16, 1897, in Barcellona, Sicily; 5 feet 4 inches, 150 pounds, brown eyes, brown-gray hair, naturalized.

Localities frequented: Resides 77-12 35th Avenue in Jackson Heights, Queens, N.Y. Has summer home at Long Beach, Long Island, frequents area East 11th Street and 1st Avenue in Manhattan, and makes trips to Italy.

Family background: Married to Louise Volpe; brother, John, has a nephew, Vincent Manfredi.

Criminal associates: Eduardo Aronica, Frank Costello, Vito Genovese, Steve Armone, Thomas Lucchese, Andrew Alberti, Lucky Luciano, Joe Doto, and Nicola Gentile.

Criminal history: FBI No. 62666. New York City Police Department B No. 50466. Arrests since 1919 include drugs, homicide, revolver, extortion.

Business: Is vice president of See-Boro Forwarding Co., Inc., Queens, N.Y., and operates a real estate office at 84 Oswego Avenue in Long Beach, Long Island, N.Y.

Modus operandi: An international drug trafficker who is up among the higher echelon members of the Mafia in New York City.

ANSAN ALBERT BISTONI

Aliases: Monsieur Albert, Aga Khan, Albert Bistoni, Joseph Bistoni.

Description: Born on November 21, 1911, in Marseilles, France. Corsican descent, 5 feet 7¼ inches, 175 pounds, dark brown hair, pale eyes.

Localities frequented: Sometimes resides 35 Rue Victor Masse, Paris, and sometimes with mother at Marseilles. Frequents Bar Villa D'Esaste and Bar Washington, Paris, also Cuba, Mexico, and Canada.

Family background: Father: Attilion; mother: Ida Buonchristiani; mistress: Simone Prevost.

Criminal associates: Roger Coudert, Paul Mondoloni, Jean Baptiste Croce, Antoine Calliano, Cotroni brothers of Montreal, Canada.

Criminal history: Interpol Secretariat file No. 841/52. Arrested three times for narcotic trafficking. In 1956 convicted of narcotic trafficking and sentenced to 3 years imprisonment and 5 years restricted residence.

Business: Believed to have interests in the "Eve", "Cupidon" and "Pigalle" night clubs, all in Havana, Cuba.

Modus operandi: Head of a large narcotic trafficking organization which smuggles morphine base into France and converts it to heroin, which is sent over to the United States and Canada. Supplies several Mafia narcotic distributing organizations.

JOSEPH BONANNO

Aliases: Joe Bananas, Joe Bononno, Joe Bonnano, Joe Bouventre.

Description: Born January 18, 1905, Castellammare, Sicily, 5 feet 9 inches, 190 pounds, brown eyes, brown-gray hair, naturalized May 17, 1945, Brooklyn, N.Y.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 973

Localities frequented: Resides 1847 East Elm Street, Tucson, Ariz. Travels extensively about the United States and makes frequent trips to Italy.

Family background: Married Filippa LaBruzzo; daughter, Catherine; sons, Salvatore (married to Rosalie Profaci, niece of Giuseppe Profaci) and Joseph: father, Salvatore; mother, Catherine Bouventre; both parents deceased.

Criminal associates: Lucky Luciano, Francisco Costiglia, Giuseppe Profaci, Anthony Corallo, Thomas Lucchese, Carmine Galante.

Criminal history: FBI No. 2534540; NYCPD No. B-85172; I. & N.S. No. C-6602167. Record dating from 1930 includes arrests for grand larceny, possession of gun, transportation of machineguns, obstruction of justice.

Business: Has interests in Grande Cheese Co., Fond du Lac, Wis.; Alliance Realty & Insurance, Tucson, Ariz; and Brunswick Laundry Service, Brooklyn, N.Y.

Modus operandi: Attended 1957 Apalachin Mafia meeting and Binghamton (N.Y.) meeting in 1956. One of the most important Mafia leaders in United States and attends all top-level Mafia meetings. Makes trips to Italy to confer with Mafia leaders there and to negotiate for international narcotic trafficking. Heads the Joseph Bonanno organization in Brooklyn, N.Y.; one of the five principal criminal syndicates in New York City.

GIOVANNI BONVENTRE

Aliases: John Bonventra, Giuseppe Bonanno, Joe Bonventre, John Bonaventure.

Description: Born on April 18, 1901, in Castellammare, Sicily; 5 feet 5 inches, 180 pounds, brown eyes, gray hair, naturalized on August 6, 1946, in Brooklyn, N.Y.

Localities frequented: Resides 115 Cleveland Street, Brooklyn, N.Y. Frequents restaurant-bars at 180 Forsythe Street in New York City, 141 Central Avenue and 273 Central Avenue, both in Brooklyn, N.Y.

Family background: Married to Caterina Vitale: brothers, Antonio, Pietro, Ignazio; father, Martino; mother, Carmela Magaddino (both dead).

Criminal associates: Carmine Galante, James Zoleo, Frank Garafolo, Robert Dionisio, Frank Costello, Tom Lucchese, Lucky Luciano, Santo Sorge.

Criminal history: FBI No. 828984C; NYCPD No. B-215124; I. & N.S. No. 3301772. Arrests since 1943 include kidnaping and burglary, endangering health of a child.

Business: Has interests in Levine & Bonventre (ladies coat contractors) 91 Eastern Parkway and Green Garden Cafe, 141 Central Avenue, both in Brooklyn.

Modus operandi: Attended Binghamton Mafia meeting in 1956 and Apalachin Mafia meeting in 1957. With both his nephew Joe Bonanno and Joe Profaci, he is one of the heads of the Mafia in the United States.

PHILIP BUCCOLA

Aliases: Philip Bucollo, Phil Bucalo, Filippo Bruccola.

Description: Born on August 6, 1886, in Palermo, Sicily; 5 feet 7 inches, 167 pounds, medium build, brown-gray hair, brown eyes, dark complexion; naturalized in Boston, Mass., in 1927. Holds American passport No. 31902 as Filippo Bruccola.

Localities frequented: Resides Axienda Agricola, Sicilone, Via Magni 9, Pallavecino, Palermo, Sicily. When in Boston frequents Giro's Cafe and the European Restaurant.

Family background: Father, Vincent; mother, Nina Blandino (both dead), married to Rosena McDonough, has nephew, Joseph Buccola, and wife's nephew, Richard Hogan, are both pinball machine operators in Boston.

Criminal associates: Salvatore Lucania, Joseph Doto, Frank Cucchiara, Raymond Patriarca, Henry Selvitelli, John Guglielmo, Albert Santaniello, Joseph Lombardi, and all top-ranking hoodlums in the Boston area.

Criminal history: FBI No. 847638, Massachusetts State Police No. 138536. Was first arrested in 1923 for carrying a loaded weapon and paid \$100 fine. Additional arrests for gambling and suspicion of murder.

Business: Owns shares Revere dogtrack and has money invested in the Hotel Bostonian.

Modus operandi: Went to Sicily in 1954. In Boston was the head of the New England Mafia. He came to Boston 2 weeks before the Apalachin meeting in 1957. Returned to Sicily shortly thereafter.

974 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

ANGELO BUIA

Aliases: Frenchie, Angelo Russo.

Description: Born on July 26, 1910, in Nice, France, of Italian parents; became an American citizen through the naturalization of his father; 5 feet 7 inches, 166 pounds, brown eyes, black-gray hair, dark complexion, neat dresser.

Localities frequented: Resided at 719 Lexington Avenue in New York City; frequented Greenwich Village area and Lower East Side of New York City.

Family background: Married to Mary McAvoy; father, Nicholas; mother, Amelia Buia; brother, Matildo.

Criminal associates: John Stoppelli, Aniello Santagata, Sam Accardi, Thomas and Charles Campisi, Matildo Buia (brother).

Criminal history: FBI No. 1641962, NYCPD No. B-125444. Arrest record dates back to 1934; two convictions for violation of Federal narcotic laws, in connection with one of which he is currently (1959) serving a term of 7 years in Federal prison.

Business: Machinist.

Modus operandi: He and his brother, Matildo, are members of the Accardi-Campisi Mafia organization and distribute heroin in kilogram lots.

FRANK BORELLI

Aliases: Frankie Gooks, Frank the Hawk.

Description: Born on June 19, 1925, in New York City; 5 feet 9 inches, 180 pounds, with black hair (thinning), and brown eyes, wears glasses with thick lenses, is a very dapper dresser.

Localities frequented: Frequents the East Harlem section of New York City, and spends some time in Chicago, Ill., resides with his wife at 2042 Second Avenue, Apartment No. 4 in New York City.

Family background: Is married to Mary DeGeorge, daughter of Angelo DeGeorge, a convicted East Harlem narcotic violator; his brother-in-law, Mario Colucci, is also a convicted narcotic violator.

Criminal associates: Charles Curcio, Joe Bendenelli, Rocco Maszie, Nick Tolentino, all narcotic traffickers and racketeers in East Harlem area in New York City.

Criminal history: FBI No. 3902235, NCYPD No. B-206594, includes arrests for assault and robbery, burglary, and violation of State and Federal narcotic laws.

Business: None at present.

Modus operandi: Wholesale trafficker in heroin to associates in New York, Chicago, Ill., and Cleveland, Ohio, and trusted member of the Mafia from East Harlem in the New York City area.

EGIDIO CALASCIBETTA

Aliases: None.

Description: Born on February 10, 1898, in Alimena, Palermo, Sicily, 5 feet 9 inches, 180 pounds, brown eyes, brown hair (graying), dark complexion, wears tinted glasses.

Localities frequented: Resides Via Vittoria Pisani No. 12 Milan, Italy. Travels to Naples, Torino, Trieste, and Rome, Italy.

Family background: Father, Pietro; mother, Lucia D'Amico.

Criminal associates: Lucky Luciano, Joseph Biondo, Joe Pici, Francesco Pirico, Francesco Paolo Coppola.

Criminal history: Never in the United States. Record in Italy, dating from 1931 includes arrests for bankruptcy and criminal use of rubber stamps, tobacco smuggling, fraud, forgery, and narcotic law violation.

Business: An important business man who, with Prof. Guglielmo Bonomo, owned Sace, a chemical corporation in Milan. Also headed an organization which included at least six pharmaceutical companies.

Modus operandi: Was responsible for the diversion of 716 kilograms of heroin from the Schiapparelli Co., to the Lucky Luciano mob which then smuggled it into the United States. He has continued close association with the Luciano mob and is, therefore, still a strong threat in the narcotic traffic.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 975

CHARLES CAMPISI

Aliases: Campi, Charles Campise.

Description: Born on October 16, 1912, in Newark, N.J., 5 feet 4 inches, 160 pounds, brown hair, gray eyes, stocky build.

Localities frequented: Resides 118 Tuxedo Parkway, Newark, N.J. Frequents Atlantic City and Ventnor, N.J., and Miami, Fla.

Family background: Father, Pietro; mother, Fortunata Longo; wife, Rose; children, Peter, Mrs. Lois Sanitate; brothers, Tom, Gus, Salvatore, Biagio, Louis, and Anthony.

Criminal associates: Lucky Luciano, Tom (brother), Sam Accardi, Vito Genovese, and other well-known Mafia members in Newark, N.J., area.

Criminal history: FBI No. 652456; Newark, N.J., PD No. 17122. Arrests since 1932 include carnal abuse, grand larceny, aggravated assault, Federal liquor laws, and conviction for Federal narcotic laws.

Business: No legitimate business known.

Modus operandi: With brother Tom was one of the top echelon operators in the Mafia narcotic smuggling and distributing organization headed by Sam Accardi. One of the top hoodlums in the northern New Jersey area.

THOMAS CAMPISI

Aliases: Gasparo Campisi, Albert Campi, Thomas Campe, Tom Campise.

Description: Born on May 12, 1911, in Newark, N.J., 5 feet 4 inches, 185 pounds, gray eyes, wavy light brown hair, stocky build.

Localities frequented: Resides 265 14th Ave., Newark, N.J. Frequents major race tracks in New York City, Atlantic City, and Miami.

Family background: Father, Pietro; mother, Fortunata Longo; wife, Christine; children, Fay, Lois, Connie, Peter, Thomas, Jr.; brothers, Gus, Charles, Salvatore, Biagio, Louis, Tony.

Criminal associates: Lucky Luciano, Sam Accardi, Joe Doto, Vito Genovese, George Scalise, Frank Borelli, Vincent Carrao.

Criminal history: FBI No. 148998; Newark, N.J. PD No. 19658. Arrests since 1928 include assault, kidnaping, liquor laws, and conviction for Federal narcotic laws.

Business: No legitimate business known.

Modus operandi: A leader in the Mafia narcotic smuggling and distributing organization headed by Sam Accardi of Newark, N.J., with his brother Charles is considered one of top hoodlums in northern New Jersey area.

UGO CANEBA

Aliases: None.

Description: Born on March 18, 1910, in Palermo, Sicily, Italy, 5 feet 4 inches, 140 pounds, brown eyes, brown hair, balding, dark complexion, medium build, skin discoloration right temple.

Localities frequented: Resides via Priscioan No. 69, Rome, Italy. Frequently travels to Palermo and Milan, Italy.

Family background: Married; father, Giuseppe; mother, Marianna Ania (sister of the late Pasquale Ania the former head of the Mafia in Italy); brothers, Salvatore, Giosue, and Giovanni.

Criminal associates: William Lo Cascio, Lucky Luciano, Serafino Mancuso, Rosario Mancino, Frank Locicero, Sorci brothers.

Criminal history: No FBI number. Arrested in Italy in 1955 for traffic in contraband and in 1957 in connection with the Berti-Gamba narcotic case.

Business: Claims to be in the finance and loan business.

Modus operandi: Prominent Mafioso. Was the Italian agent for his brother, Salvatore Caneba, while the latter was in the United States. Now in partnership with his brother. Purchases pure heroin from Corsican gangsters in France and ships it to customers in the United States.

SALVATORE CANEBA

Aliases: Toto, John Sperandeo.

Description: Born on October 24, 1901, in Palermo, Sicily, 5 feet 6 inches, 180 pounds, heavy build, black-graying hair, balding, brown eyes; poor English, fluent Italian-French.

976 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Localities frequented: Resides via Priscioan No. 69, Rome, Italy. Frequently travels to Palermo and Milan, Italy, also Germany, France, and Switzerland. Before deportation resided 3425 89th Street, Jackson Heights, N.Y., and frequented vicinities of First Avenue and 11th Street, Second Avenue and 106th Street in New York City.

Family background: Married Irene Pluber (last reported living in New York City with their son); father, Giuseppe; mother, Marianna Ania (sister of the late Pasquale Ania former head of Mafia in Italy); brothers, Giosue, Giovanni, and Ugo.

Criminal associates: William Lo Cascio, Samuel Kass, Peter Kourakis, Sorci brothers (Palermo), Rosario Mancini, Francois Paoleschi, Lucky Luciano, and Ugo Caneba (brother).

Criminal history: FBI No. 611860B. European record dates from 1918 and includes arrests for theft, criminal conspiracy, armed assault, receiving, etc., in Italy and France. Expelled from France in 1936. Record in the United States dates from 1950 and includes arrests for violation of immigration and Federal narcotic laws; deported from the United States in 1954.

Business: Claims to be in finance and loan business.

Modus operandi: A prominent Mafia member. One of the largest narcotic smugglers and wholesale dealer in Italy, in partnership with his brother Ugo, purchases pure heroin from major Corsican gangsters in Marseilles and Paris, France, and ships it to customers in the United States.

MATTEO CARPINETTI

Aliases: Matteo Carpinetti. Matteo Gabrosek.

Description: Born in Trieste, Italy, on June 15, 1899; 5 feet 6 inches; 165 pounds; brown eyes; gray hair; dark complexion; scar under right nostril; skin spotted.

Localities frequented: Resides at Via dei Fabbri, Trieste, Italy. Frequents Caffee "Espresso" and Fabbri of Trieste; Genoa; Padua; Milan; Turin; and other cities in Italy.

Criminal associates: Gheo Baccarani; Ricardo Morganti; Cesare Melli; Teodoro Dutti; Georgio Negrim; Ital Santoro; Carlo Trost.

Criminal history: Several arrests since 1924 in Vienna and Trieste on charges of smuggling narcotics. Apprehended on October 6, 1950, for selling narcotics. Sentenced on November 26, 1952, to serve a term of imprisonment of 5 years and to pay a fine of 50,000 lire.

Modus operandi: Large-scale smuggler of narcotics into Italy from other European and Middle East countries and arranges for the smuggling of drugs into the United States through the use of merchant seamen.

Agencies familiar with individual: U.S. Bureau of Narcotics, U.S. Army Criminal Investigation Division, Interpol.

FRANK CARUSO

Aliases: Frankie the Bug, Frank Russo, Frank Ross, Frank Campo.

Description: Born on February 18, 1911, in New York City, 5 feet 7 inches, 190 pounds, black hair, brown eyes, heavy build.

Localities frequented: Resides 1579 81st Street, Brooklyn, N.Y. Frequents area of Hester and Mulberry Streets, and Greenwich Village section, both in Manhattan.

Family background: Married to Josephine Oddo; son, Frank, Jr.; daughter, Mrs. Josephine Anne Morrongiello; father, Frank (dead); mother, Josephine; sister, Nancy; brothers, Joseph and Theodore.

Criminal associates: Tony Strollo, Phil Albanese, Joe Marone, John Ormento, Saro Mogavero, Tom Lucchese, George Nobile—all of New York City.

Criminal history: FBI No. 187656. New York City Police Department B No. 73604. Arrests since 1928 include robbery, assault, extortion, conviction for violation of Federal narcotic laws.

Business: Has interests in New York Carting Co., 643 East 13th Street and Pygmalion Restaurant, both in Manhattan.

Modus operandi: A trusted Mafia leader in the Tony Strollo organization and a wholesale narcotic trafficker.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 977

ANTHONY CASTALDI

Aliases: T. H., Tony Higgins, Tony Bones.

Description: Born on January 27, 1913, in New York City, 5 feet 10 inches, 219 pounds, brown hair, brown eyes, stocky build.

Localities frequented: Resides 15 Princeton Avenue, Yonkers, N.Y. Frequents Jennie's Restaurant at 2036 Second Avenue, and midtown bars, and racetracks; all of New York City.

Family background: Wife, Jean Penosi (sister of Guido); sons, William and Andrew; father, Andrew; mother, Philomena DeLorenzo; brothers, John N., Lewis, James and Samuel; sisters, Mrs. Lillie DePalma, Mrs. Sadie Blumetti, Mrs. Rose Ciccone.

Criminal associates: Anthony Strollo, John Ormento, Salvatore Santoro, John Stoppelli, Vincent Mauro, Vincent Squillante, Sam Kass, Carmine and Pete Locascio, Anthony Ciccone, Guido Penosi.

Criminal history: FBI No. 546748; New York City Police Department No. B 101443. Arrests since 1932 include assault, robbery, extortion, robbery-gun, and Federal narcotic laws.

Business: Has interests in Jennie's Restaurant at 2036 Second Avenue, in New York City, and also in real estate in East Harlem area.

Modus operandi: One of the most active Mafia leaders in East Harlem area of Manhattan. A major interstate narcotic trafficker and close associate of most Mafia members in East Harlem area.

ANTHONY CICCONE

Aliases: Tony Moon.

Description: Born on July 18, 1918, in New York City, 5 feet 9 inches, 170 pounds, medium build, black hair, brown eyes, 2-inch scar on left cheek, 3-inch scar on left temple.

Localities frequented: Frequents Joe's Bar, 2062 First Avenue, Mickey Walkers, 1654 Broadway in New York City, present address 11 Center Drive, Whitestone, L.I., N.Y.

Family background: Married to sister of Anthony Castaldi, has two brothers, Salvatore and Joseph; sisters, Anna and Margaret; father, Sebastian; mother, Gelsamina Piccola.

Criminal associates: Anthony Castaldi, Salvatore Santora, John Ormento, Rocco Mazzie, Salvatore LoProto, Patsy Moccio, Vincent Mauro, and other of the East Harlem racketeers.

Criminal history: FBI No. 2526415; New York City Police Department No. B172419, includes arrests and convictions for violation of State and Federal narcotic laws, beginning in 1941.

Business: Employed in Fruit Exchange, 1981 First Avenue, in New York City.

Modus operandi: Is closely associated with most important Mafia narcotic traffickers in the New York City area, has large sources of supply and sells wholesale quantities of heroin into local and interstate traffic.

BENEDETTO F. CINQUEGRANA

Aliases: Vincent Grandi, Radio Red, Benedetto DiPalo, Chink.

Description: Born on January 6, 1913, in New York City, 5 feet 6 inches, 175 pounds, brown eyes, light brown hair, light complexion, wears glasses.

Localities frequented: Resides at 166 Mulberry Street in New York City. Frequents Mulberry and Grand Streets (little Italy area) of Manhattan.

Family background: Married to Lucy DiPalo; son, Louis; daughter, Concetta; brother, Anthony; parents, Luigi and Concetta (both born in Italy).

Criminal associates: Frank Caruso, Philip Albanese, Patsy Polimena, Matthew Palmieri, Joe Marone, Tom Lucchese, John Ardito, Edward Shapiro, all of New York City.

Criminal history: FBI No. 444281; New York City Police Department B No. 93715. Arrests since 1932 include assault and robbery, criminally receiving stolen property, conviction for Federal narcotic laws.

Business: Partner in operation of Roma Cafe & Bakery, 385 Broome Street, in New York City.

Modus operandi: A major wholesale dealer in narcotics both local and interstate. Is a trusted associate of Mafia traffickers from whom he obtains his supply of narcotics.

978 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

FRANCISCO COSTIGLIA

Aliases: Francisco Castiglia, Frank Costello, Frank Saverio, Saveria.

Description: Born on January 26, 1893, in Calabria, Italy, 5 feet 7 inches, 155 pounds, brown eyes, black-gray hair, naturalized in New York City on September 10, 1925.

Localities frequented: Resides 115 Central Park West, apartment 18F, in New York City and has summer home at Sands Point, Long Island; frequents the Biltmore and Waldorf-Astoria hotels and most expensive nightclubs in Manhattan.

Family background: Married to Loretta Geigerman, have no children; father, Luigi; mother, Mary Sevarrio Aloisa; brother, Edward; sister, Marcellina.

Criminal associates: Michele Miranda, Giuseppe Profaci, Vito Genovese, Frank Erichsen, Phil Kastel, and almost every important racketeer in the United States; Giuseppe Doto, Lucky Luciano, Francesco P. Coppola, of Italy.

Criminal history: FBI No. 936217; New York City Police Department No. B-38412. Arrests since 1908 include assault and robbery, concealed weapon, conspiracy, contempt, income tax evasion, deportation proceedings currently pending.

Business: President of 79 Wall Street Corp., and has numerous other interests in valuable real estate and nightclubs in New York City and elsewhere.

Modus operandi: One of the most influential and powerful Mafia leaders in the United States. He is one of the controlling factors in all types of commercial vice throughout the United States.

ANTOINE CORDOLIANI

Aliases: Cordolerini, Cordelliano.

Description: Born on February 22, 1890, in Brando, Corsica, France. French citizen, 5 feet 6 inches, 150 pounds, gray hair, balding.

Localities frequented: Resides 150B Rue Paradis, Marseilles, France. Frequent bars "La Daurade," "Rue Fortia," and other bars frequented by the underworld in Marseilles.

Family background: Married; daughters, Marthe, and Mrs. Antoine Cinti; son, Emile; father, Barthelemy; mother, Catherine Causti; both parents deceased.

Criminal associates: Marius Aranci, Raoul Noel Battestini, Salvatore Mancuso.

Criminal history: Several arrests in France, dating back to the 1930's, including two narcotic trafficking convictions, 1938, and 1959.

Business: No legitimate occupation. Former merchant seaman.

Modus operandi: For the past 30 years or more has been supplying heroin to Mafia and other narcotic traffickers. In his early days, when employed as a seaman, he acted as courier for narcotics, but more recently he and his associates have operated their own laboratories for the conversion of morphine base to heroin.

GIUSEPPE COTRONI

Aliases: Pepe, Joe Catrone, Catroni.

Description: Born on February 22, 1920, in Reggio, Calabria, Italy, 5 feet 6½ inches, 200 pounds, brown eyes, brown hair balding on top.

Localities frequented: Resides 3615 Ridgewood Street, apartment 104, Montreal, Canada. Frequent Metropole Club, Bonfire Restaurant and Jacques Cartier Motel, all in Montreal, Canada. Also Vivere Lounge on 2d Avenue, and Hotel Edison and Hotel Lexington in New York City.

Family background: Single; father, Giuseppe; mother, Maria Rosa Micholletti; brothers, Vincent, Frank, Michael; sister, Mrs. Marguerite Luca.

Criminal associates: Vincent Cotroni, Rene Robert, Joe Coccolichio, Lucien Rivard, Peter Stepanof, of Montreal; Carmine Galante, Salvatore Giglio, Angelo Tuminaro, Anthony DiPasqua, Frank Moccardi, Frank Mari, of New York City.

Criminal history: FBI No. 164790 D, RCMP No. 608. Arrests since 1937 include theft and receiving, theft by breaking into, theft with violence, possession of stolen bonds. Convicted in 1959 for violation of Canadian narcotic laws.

Business: Restaurant operator in Montreal, Canada.

Modus operandi: Head of the largest and most notorious narcotic syndicate on the North American Continent. A supplier of major Mafia traffickers in the United States. Has direct French-Corsican sources of supply. Is a terrorist and vicious hoodlum in the Montreal area.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 979

FRANCESCO PAOLO COPPOLA

Aliases: Frank Coppola, Jim Barbero, Frank Loicono, Angelo Vota, Frank Lomonde, Don Ciccio.

Description: Born on October 6, 1899, in Partinico, Sicily, 5 feet 2 inches, 150 pounds, blue eyes, brown-gray hair, ring and little fingers of left hand amputated.

Localities frequented: Resides Localita San Lorenzo, Ardea, Rome, Italy, also in Partinico, Sicily. Has resided in Detroit, Kansas City, Los Angeles, Rock Island, Ill., also in Mexico. Deported from the United States on January 9, 1948.

Family background: Wife, Leonarda Chimenti; daughter, Pietra; father, Francesco; mother, Pietra Loicano; son-in-law, Giuseppe Corso, Jr.; Fay Tavo-lacci, his ex-mistress lives in Detroit, Mich.

Criminal associates: Lucky Luciano, Phil Kastel, Carlos Marcello, Sylvestro Carollo, Giuseppe Mangiapane, Giuseppe Corso, Sr.

Criminal history: FBI No. 549933. Suspect in several Mafia murders, fled from Sicily in 1926 to avoid prosecution. Record in the United States dates from 1931 and includes arrests for murder and bootlegging. Narcotic convictions in the United States and Italy.

Business: Claims to be a farmer and exporter-importer. Still receives money from illicit interests in the United States.

Modus operandi: Dangerous criminal and killer. In the narcotic traffic for many years and an important link in the international narcotic traffic. High Mafia leader who hears grievances, then orders restitution or assassination.

ROGER ANTOINE COUDERT

Aliases: Charles Conte, Paul Brown, Joseph Mireault, Roy Roger, Roger Davis, Pierre Arnault.

Description: Born on August 23, 1895, in Cognac, Charente, France. French citizen, 6 feet 2 inches, 189 pounds, gray hair, hazel eyes, ruddy complexion, burn scars about upper lip.

Localities frequented: Since 1954 incarcerated at Federal penitentiary in Atlanta, Ga. Previously frequented French quarter of New York City and traveled between New York City, Canada, France, Mexico, and California.

Family background: Married Jessie Kenmuir; father, Alexandre; mother, Lucie Nexon; no known brothers or sisters.

Criminal associates: Antoine D'Agostino, Paul Mondoloni, Antonino Farina, Ansan Bistoni, Stephano D'Agostino, Cotroni brothers.

Criminal history: FBI No. 959779; New York City Police Department No. E32883. Record dating from 1911 includes arrests for theft, vagrancy, fraud, assault, desertion, procuring, and conspiracy; 1954 sentenced to 10 years and \$16,000 fine for violation Federal narcotic laws. Currently (1960) incarcerated.

Business: Has operated several cafes in Montmartre section of Paris.

Modus operandi: Part of a large-scale narcotic smuggling organization which supplied huge quantities of heroin to Mafia racketeers in the United States and Canada.

ANTOINE D'AGOSTINO

Aliases: Michel Sisco, Louis Floris, Antoine Scarfoni, Alberto Blasis, Albert Dujardin, Lunettes.

Description: Born on December 8, 1914, in Bone, Algeria. French citizen, 5 feet 7 inches, 177 pounds, heavy build, dark-brown hair, brown eyes.

Localities frequented: Marseilles, Paris, and Evreux, France; Montreal, Canada; frequents French restaurants in New York City and Mexico City, Mexico. Currently (1960) is incarcerated in Canada.

Family background: Married Suzanne Filleau; daughter, Michele Theresa; wife and daughter have taken on name of Filleau and reside in Mexico City; brothers, Albert and Stephen; father, Joseph; mother, Theresa Scarfoni. Both parents were born in Naples, Italy.

Criminal associates: Joseph Orsini, Carmelo Sansone, Francois Spirito, Paul Mondoloni, Marius Ansaldi, Salvatore Shillitani.

Criminal history: FBI No. 409989-A. Record dates back to 1935 with arrests in Algeria and France for theft and treason. Federal narcotic conviction in the United States and a narcotic conviction in Canada for which sentenced to 3 years in 1958.

980 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Business: No legitimate occupation.

Modus operandi: A persistent large-scale narcotic trafficker. Closely allied with top Mafia members of Europe and North America and has supplied them with huge amounts of heroin, gold, and stolen jewelry.

JOSEPH D'ERCOLE

Aliases: Joe Z, Josey, Joe Morelli, Josie Romano.

Description: Born on November 16, 1911, in New York City, 210 pounds, brown eyes, black-gray hair, medium complexion, hoarse voice.

Localities frequented: Resides at 428 East 116th Street, apartment No. 18 in New York City. Frequents Delightful Luncheonette in New York City.

Family background: Married Helen Morelli; daughter, Rose Zanfardino; father, Domenico; mother, Rosalia Emanuele; brothers, Anthony, Louis, and Ignazio (deceased in 1952); sisters, Mary Chionchio, Bessie Dorio, Virginia Derio, and Theresa Ivonelle.

Criminal associates: Joe Rao, Mike Coppola, Joe Bendenelli, Nicholas Tolentino, John Ardito, Anthony Criscuolo, Joseph Teresky, DeMartino brothers, Nicholas and Daniel Lessa.

Criminal history: FBI No. 373891; New York City Police Department No. B-82879. Arrests since 1930 include robbery, assault and robbery, grand larceny, Dyer Act, and convictions for the Federal narcotic laws.

Business: Employed as manager and bouncer, at Delightful Luncheonette, 116th Street and First Avenue in New York City.

Modus operandi: Is one of the controlling Mafia members in the East Harlem section of New York City. Engages in any type of illicit activity; mainly narcotic wholesaling and large-scale auto theft.

JOSEPH DI PALERMO

Aliases: Joe Beck, Joe Palmer, Joe Palmero, Joe De Palermo.

Description: Born June 8, 1907, New York City, 5 feet 6 inches, 120 pounds, slim build, brown eyes, light-brown hair, balding, wears glasses.

Localities frequented: Resides at 246 Elizabeth Street, New York City. Frequented Lower East and West Sides of Manhattan also makes trips to Italy.

Family background: Married to Mary Cattone; son, John; daughter, Mrs. Sarah Florio; brothers, Peter, Tony, Charles (all with criminal records).

Criminal associates: Carmine Galante, Frank Carofolo, Santo Sorge, Vito Genovese, Joe Bonanno, Natale Evola, all of New York City, Cotroni brothers of Montreal.

Criminal history: FBI No. 1519166, New York City Police Department No. B-203135, arrests since 1925 include narcotics (State), homicide, convictions for violating Federal liquor laws and counterfeiting laws. Sentenced to 15 years on April 17, 1959, for violation of Federal narcotic laws. He and Carmine Galante suspected of 1943 murder of Carlo Tresca in New York City.

Business: Has never engaged in any legitimate business.

Modus operandi: A most vicious criminal, international drug trafficker, and an "enforcer" for the Mafia in New York City. Attended Binghamton, N.Y., meeting in 1956.

GIUSEPPE ANTONIO DOTO

Aliases: Joe Adonis, Joe DeMio, Joe Arrosa, Joe Arressa, "Doto," James Arrosa.

Description: Born on November 22, 1902, in Montemarano, Avellino, Naples, Italy, 5 feet 9½ inches, 175 pounds, brown eyes, dark-brown hair, graying. Voluntarily left the United States on January 3, 1956, for Italy while deportation proceedings still were pending against him.

Localities frequented: Resides at Via Albricci 2, Milano, Italy. Owns a villa at Lake Como, Italy. Frequents the better restaurants and nightclubs in Milan, also the Hotel Francia and Excelsior Gallia Palace in Milan.

Family background: Married Jean Montimorano; son, Joseph A. Doto, Jr.; daughters, Maria Dolores, Ann Marie, and Elizabeth; father, Michael; mother, Maria DeVito; brothers, Antonio, Ettore, and Genesisio.

Criminal associates: Willie Moretti, Albert Anastasia, Philip Mangano, Frank Scalice, all of whom died by violence, Lucky Luciano, Anthony Strollo, Meyer Lansky, John Bart Salvo, Vito Genovese.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 981

Criminal history: FBI No. 500203. New York City Police Department No. B-64766. Record dates from 1926 and includes arrests for grand larceny, robbery, liquor smuggling, carrying a concealed weapon, kidnaping, extortion, assault, and others.

Business: Numerous business enterprises in the United States, Haiti, and Italy.

Modus operandi: Powerful Mafia figure, became wealthy through bootlegging, gambling, and narcotic trafficking, then put money and Mafia tactics into legitimate and semilegitimate enterprises. American Mafiosi going to Italy contact Doto for advice and assistance. Also bring him large sums of money obtained from his enterprises in the United States.

MAX EDER

Alias: Little Maxie.

Description: Born June 14, 1908, South Bend, Ind., Jewish, 5 feet 6 inches, 145 pounds, brown eyes, black-gray hair, medium build, fair complexion, wears glasses.

Localities frequented: Resides at 86 West 179th Street, Bronx, N.Y. Frequent New York and Florida racetracks, 107th Street and 1st Avenue, and Delancey Street area in New York City.

Family background: Married Elizabeth Turrett; no children; father, Morris; mother, Sarah Meinhardt (both deceased); brothers, Saul, Nathan, Sidney, and Cornelius; sister, Sylvia Eder (a call girl involved in the 1949 Minot Jelke trial).

Criminal associates: Frank Livorsi, Michael Coppola, Alfred Felice, Pasquale Erra, Joseph Bendenelli, Mickey Cohen.

Criminal history: FBI No. 236413; New York City Police Department No. 96691. Record dating from 1925 includes arrests for burglary, gambling, vehicular homicide, and Federal narcotics conviction.

Business: No legitimate occupation known.

Modus operandi: Though Jewish he has for many years been affiliated with and highly trusted by Mafia racketeers and narcotic traffickers in New York's East Harlem. Narcotic smuggler and wholesale distributor.

ANTONIO FARINA

Aliases: Nino, Antonio Farina Bono.

Description: Born on June 3, 1912, in Palermo, Sicily, 5 feet 9½ inches, 221 pounds, black hair (bald), brown eyes, heavy build, speaks only Italian, 4-inch scar on right side of face from ear to neck.

Localities frequented: Resided Via Antonio Scioscia No. 1, Palermo, Italy, until the middle of 1959 when he disappeared. He is suspected of having clandestinely emigrated to Canada, South America, or Mexico. Before 1953 arrest, resided Paseo De la Reforma No. 489, Mexico City, and traveled frequently to the United States. Present whereabouts unknown.

Family background: Wife: Rosa resides in Sicily with their four children, Gioia, Bina, Massimo and Elvira; in Mexico had paramour Lina D'Orlando DiBello; father: Antonio; mother: Lucia Bono.

Criminal associates: Roger Coudert, Antione D'Agostino, Paul Mondoloni, John Sperandeo, Antonio Sorci, Antoine Cordoleani, Giuseppe Provenzano, and Paolo Greco, all of Italy.

Criminal history: FBI No. 525025B. USM NY No. C-1652-53. Arrested in 1953 for violation Federal narcotic laws, sentenced April 1954 to serve 5 years and fined \$10,000. In Italy has arrests since 1928 for living off profits of prostitution, violence, carrying a knife, and fraud.

Business: Owns real estate in Sicily. In Mexico operated dry goods store.

Modus operandi: Important Mafia narcotic trafficker. Acts as middleman between French and Italian sources of supply and customers in the United States.

ARMANDO FIUME

Aliases: None.

Description: Born on July 7, 1907, in Villa San Giovanni, Reggio Calabria, Italy, 5 feet 6 inches, 165 pounds, brown hair, graying, brown eyes, medium build, light complexion.

Localities frequented: Resides at Via Petrella No. 8, Milan, Italy. Frequent Genoa, San Remo, Rome, and other cities in Italy.

982 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Family background: Father: Giuseppe; mother: Carolina Cimino.
Criminal associates: Enzo Berti, Lamberto Canini, Emilio Dicintio, Giovanni Barilla, Augustine Giraud, Piero Mantica.
Criminal history: Has been arrested for narcotic trafficking.
Business: Clothing salesman.
Modus operandi: Part of a Mafia group which obtained heroin from French sources and disposed it to trusted customers in the United States.

CARMINE GALANTE

Aliases: Camillo Galante, Carmine Calanti, Carmine Galento, Joseph Russell, Louis Volpe.

Description: Born February 21, 1910, in New York City, 5 feet 5 inches, 168 pounds, gray hair balding, brown eyes.

Localities frequented: Resides 274 Marcy Avenue, Brooklyn, N.Y., frequents south New Jersey area, Miami, and Montreal, also makes trips to Sicily.

Family background: Married to Helen Marullo; son: James; daughters: Camilla and Angela; brothers: Sam and Peter; sisters: Mrs. Angela Volpe, Mrs. Josephine Volpe.

Criminal associates: Frank Garofolo, Joe Di Palermo, Vito Genovese, Joe Bonanno, Joe Profaci, Meyer Lansky, all of New York City, Joe Cotroni and Lucien Rivard of Montreal, Canada.

Criminal history: FBI No. 119495, New York City Police Department No. B66994. Arrests since 1921 include juvenile delinquency, robbery, assault, homicide. Federal narcotic laws. With Joe Di Palermo as an accomplice, believed to have murdered Carlo Tresca in New York City (1943).

Business: Operates Rosina Costume Co., Brooklyn, N.Y., and Latamer Shipping Co., Manhattan.

Modus operandi: Attended Binghamton, N.Y., Mafia meeting in 1956. An extremely important figure in the international drug traffic, and a high ranking Mafia member engaged in terrorist activities. In 1956 he was top representative of American racketeering activities in Montreal.

Carmine Galante is the chief lieutenant of Joseph Bonanno who is the head of the Joseph Bonanno organization of Brooklyn, N.Y., which is one of the five principal criminal syndicates in New York City. Galante is currently serving a prison sentence in Federal prison resulting from his recent conviction in a narcotic conspiracy case in the southern district of New York.

CARLO GAMBINO

Aliases: Carlo Gambirino, Don Carlo.

Description: Born August 24, 1902, in Palermo, Sicily, an alien, 5 feet 7 inches, 200 pounds, brown eyes, black-gray hair.

Localities frequented: Resides at 2230 Ocean Parkway in Brooklyn, N.Y. Frequents Carroll Paper Products Co., and Bensonhurst section of Brooklyn, also Italian section of East Bronx, and Miami, Fla.

Family background: Married to his first cousin, Vincenza Castellana; son, Tom, married to Frances Lucchese (daughter of Tom Lucchese); father: Thomas; mother: Felicia Castellana; brother: Paolo; sister: Mrs. Giuseppina Giammona.

Criminal associates: Lucky Luciano and Santo Sorge (deportees), Tom Lucchese, Hugo Rossi, Paolo Gambino (brother), Jack Scarpulla, Meyer Lansky, Scalice brothers, all of New York City.

Criminal history: FBI No. 334450, New York City Police Department No. B128760; arrests from 1930 include larceny, Federal liquor laws, and violation I&NS laws.

Business: Owns Carroll Paper Products Co., in Brooklyn, N.Y. Is a member of S.G.S. Associates, a labor consultant firm in Manhattan.

Modus operandi: Attended Apalachin Mafia meeting in 1957 as one of the Mafia leaders from New York City. One of the most powerful Mafia leaders in the United States. With his brother Paolo has been involved in large-scale narcotic and alien smuggling.

FRANK GAROFOLO

Aliases: Frank Carroll, Frank Garafola, Frank Garofola.

Description: Born on September 10, 1891, in Castellammare, Sicily, naturalized on September 8, 1931, in New York City; 5 feet 7 inches; gray hair, brown eyes; wears glasses; distinguished looking.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 983

Localities frequented: Resides at 339 East 58th Street in New York City and Post Office Box 1370 in Merced, Calif.

Family background: Father, Vincent; mother, Caterina Cocco (both dead); brother, Vincent.

Criminal associates: Robert Dionisio, Joe DiPalermo, William Tocco, Tom Lucchese, all Mafia members who attended Apalachin Mafia meeting in 1957.

Criminal history: Believed to have ordered the murder of Carlo Tresca at New York City in 1943. Arrested in 1926 in New York City for bootlegging.

Business: Owner of High Grade Packing Co., in Merced, Calif.

Modus operandi: Attended Binghamton, N.Y., Mafia meeting in 1956; is one of the top-ranking Mafia in the United States and Sicily, and was considered an enforcer and executioner.

CONSTANTINO GAMBA

Aliases: None.

Description: Born on February 14, 1915, in Flumeri, Avellino, Italy; 5 feet 7 inches; 185 pounds; brown eyes, dark brown hair, dark complexion.

Localities frequented: Resided at Via Brocchi No. 3, Milan, Italy. Frequented Milan, Rome, Genova, Italy, and Zurich, Switzerland.

Family background: Father, Giuseppe; mother, Maria Grella.

Criminal associates: Francesco Pirico, Francesco Saverino, Dr. Enzo Berti, Hans Schlegel, Mehmed Hattatoglu.

Criminal history: Never in the United States. Record dates from 1950, when he was arrested in Italy for trafficking in narcotics. At present is a fugitive from Swiss justice for the violation of their narcotic laws.

Business: Owned a pharmaceutical laboratory in Milan, Italy.

Modus operandi: Together with Dr. Enzo Berti, purchased morphine base from Turkish violators and converted same to heroin. This heroin in turn was sold to Pirico and Saverino who then resold it to traffickers in the United States. Gamba and Berti were two of Europe's largest converters of morphine base to heroin.

USCHE GELB

Aliases: Solly Gordon, Saul Gelb, Kreisberg, King, Geld, Edward S. A. Jordon.

Description: Born on March 27, 1897, in Dembica, Austria. Jewish; 5 feet 7½ inches; 162 pounds; white hair, brown eyes; wears glasses; illegal alien.

Localities frequented: Resides 545 West End Avenue in New York City. Frequented Lafayette Street machinery center, midtown restaurants and clubs. Summer home in Tennesse Lake, N.Y.

Family background: Married Ethel Egan; father, Tobias Samuel Gelb; mother, Felger Krantz (both deceased); brother, Hyman; sisters, Mary, Belle, and Mrs. Bertha Sterza.

Criminal associates: Anthony Vellucci, Nathan Behrman, Jean Baruche, Joseph Orsini, Morris Taubman, Salvatore Shillitani.

Criminal history: FBI No. 35989; New York City Police Department No. B-53908. Record dates from 1913 and includes arrests for juvenile delinquency, disorderly conduct, felonious assault, dangerous weapon, perjury, stolen bonds, Federal narcotic conviction. Currently incarcerated for narcotic conspiracy.

Business: Machinery salesman. Owned florist shop.

Modus operandi: In association with top-level Mafia racketeers, he operated a narcotic smuggling and distribution ring which supplied untold quantities of heroin throughout the United States; top-echelon racketeer and drug trafficker for the past 30 years.

VITO GENOVESE

Aliases: Don Vitone, "The Old Man."

Description: Born November 21, 1897, Roccarainola, Naples, Italy; 5 feet 7 inches, 160 pounds, brown eyes, black-gray hair, wears glasses. Naturalized November 25, 1936, in New York City.

Localities frequented: Resides 68 West Highland Avenue, Atlantic Highlands, N.J. Frequents Greenwich Village area of New York City, Old Orchard Country Club, and Piano Bar, Atlantic Highlands, N.J.

Family background: Separated from wife, Anna Petillo; son; Philip; step-daughter: Mrs. Anna Simonetti; brothers: Michael and Carmine; father; Felice; mother: Nunziata (both deceased).

Criminal associates: Frank Costello, Tony Strollo, Tom Lucchese, Joe Blondo, Joe Stracci, Joe Doto, Lucky Luciano.

984 ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS

Criminal history: FBI No. 861267; New York City Police Department No. B-59993. Extensive arrest record since 1917, including burglary, concealed weapons, auto homicide and murder; has conviction for violation of Federal narcotic laws.

Business: Has interest in Colonial Trading Co., Waste Paper Removal Co., Erb Strapping Co., Tryon Cigarette Service Co., and many night clubs, all in New York City.

Modus operandi: Attended Apalachin Mafia meeting in 1957. Financial backer for international narcotic smuggling. Is reputed Mafia head in New York City rackets, shares in gambling and other interstate rackets with deportee Lucky Luciano.

EDOUARD GIRIBONE

Alias: Edouard.

Description: Born on May 28, 1920, at Marseille, France; 5 feet 7 inches; brown hair; brown eyes.

Localities frequented: Resides 57 Avenue Marechal Foch, Marseille, France; frequents the bar "Le Radar," Rue Gilbert Dru at Marseille, France. Travels frequently to Genoa and Milano, Italy.

Criminal associates: Antoine Cordoliani, Francois Spirito, Joseph Orsini.

Criminal history: Received an 8-month suspended sentence for having participated in a robbery in 1947.

Modus operandi: Is associated with Antoine Cordoliani in the direction of a criminal association producing heroin for various French traffickers, who smuggle the drug into the United States through Italy.

Agencies familiar with individual: French Surete Nationale; Italian Guardia di Finanza; U.S. Bureau of Narcotics. French Surete Nationale DI 176770.

NICOLA GENTILE

Aliases: Zio Cola, Nick, Don Cola, Cola Gentile.

Description: Born on June 12, 1895, in Siculiana, Agrigento, Sicily; 5 feet 6 inches; 160 pounds, chestnut eyes, gray hair, bald top.

Localities frequented: Resides Via Ammiraglio Gravina No. 2, Palermo, Italy. Occasionally visits Rome and Naples. Formerly resided in the United States at New York City, Pittsburgh, Detroit, New Orleans, and Houston, Tex.

Family background: Married and has several grown children, however, he now lives alone. Son is married to the daughter of Pietro Davi, notorious Palermo Mafioso. Father: Antonio; mother: Maria Zarbo.

Criminal associates: Joseph Biondo, Pasquale Siracusa, Pietro Davi, Eduardo Aronica, Lucky Luciano, Joseph Parlapiano.

Criminal history: FBI No. 138119. Record in both Italy and the United States dating from 1915 includes arrests for assault and battery, murder, extortion, and narcotic trafficking.

Business: Claims to be sales representatives, but in reality receives money from Pietro Davi and various American racketeers.

Modus operandi: Was an important smuggler and distributor of narcotics when in the United States. He was an adjudicator for the Mafia in the United States and is still highly regarded by both Italian and U.S. Mafiosi.

ROBERT ANGELO GUIPPONE

Aliases: Giapone, "Sonny," "Fat Sonny."

Description: Born on April 4, 1930, in New York City; 5 feet 8½ inches, 285 pounds, black hair, brown eyes, scar over left eye, mole left side of nose.

Localities frequented: Resides 2420 Cambreling Avenue, in Bronx, N.Y. Frequents 187th Street and Cambreling Avenue, the Capri Lounge, and Southern Boulevard and Fordham Road in the Bronx, N.Y.

Family background: Unmarried; father, Dominick; mother, Mary Cienelli; brother, Daniel; sister, Marie Muschio.

Criminal associates: Anthony Carminati, Michael Galgano, Anthony Castaldi, Rocco Sancinella, Joseph Ambrosini, Rocco Mazzie, Dominick Carminati, and Joseph Valachi.

Criminal history: FBI No. 535872A, New York City Police Department No. B-337619; arrests date from 1950, including counterfeiting, assault, and battery, and violation of New York State narcotic laws.

Business: No legitimate business or employment.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 985

Modus operandi: A major wholesale interstate narcotic trafficker. Is one of the younger Mafia members controlling gambling and narcotics in the Bronx, N.Y. area.

JEAN DAVID

Aliases: Jean Laget, Silver Fox, Whitey.

Description: Born on August 29, 1898, in Arles Bouches Du Rhone, France; 5 feet 11 inches, 193 pounds, white wavy hair, gray eyes, ruddy complexion, French accent; I&NS No. A-4652328.

Localities frequented: Resided at 312 West 56th Street in New York City. Frequented French restaurants in New York City's midtown area. Currently (1960) incarcerated.

Family background: Married Simone Alice Marcelli; no known children; annulled on December 6, 1943, in New York City; father, Pierre; mother, Marie Vidal; brothers, Vincent, Joseph, and Marcel.

Criminal associates: Lucien Ignaro, Ugo Rossi, Andrew Alberti, Joseph Orsini, Antoine D'Agostino, Lucien Rivard, Paul Mondoloni, John Sperandeo, Frank Tornello, Joseph Basile, Henry Sauzet, Roger Coudert.

Criminal history: FBI No. 3654908; arrests since 1921 include burglary, contempt of court, and narcotics. Wanted for murder in France committed in 1937. Currently serving a 10-year sentence at Leavenworth Prison; eligible for parole at end of 1960; subject to deportation.

Business: Was formerly a partner in Felice's Restaurant, 330 West 46th Street in New York City, and a partner of Alfred Letourneur in Letourneur Sulky Wheels, Inc. in New York City.

Modus operandi: Is an important member of a group which for years has smuggled large quantities of heroin into the United States for sale to top level Mafia narcotic traffickers.

SAM LEVINE

Aliases: James Cromin, Red Levine, Joseph Brown, William Hayes.

Description: Born on March 28, 1903, in New York City; 5 feet 8 inches, 180 pounds, brown eyes, red hair, ruddy complexion, stout build.

Localities frequented: Residence, 30 Ocean Parkway, Brooklyn, N.Y. Frequent Bohrer's Trucking Co., 99 Sullivan Street; Farber's Bar, Suffolk and Delancey Streets; R. B. Trading Co., 11 West 42d Street; all in New York City.

Criminal associates: Louis Cohen, Harry Stromberg, Saul Gelb, Jacob Schaeffer.

Criminal history: Dates from 1921 and includes arrests for vagrancy, perjury, gambling, burglary, grand larceny, felonious assault, homicide, robbery, and rape.

Modus operandi: A dangerous criminal closely associated with smuggling-distribution of narcotics. Uses violence and strong-arm methods to maintain organization for distribution of large quantities of narcotics. Has gambling interests and is an important member of the New York underworld on the lower East Side.

Agencies familiar with individual: U.S. Bureau of Narcotics, New York City Police Department, FBI No. 255223, New York City Police Department No. B-63122.

CARMINE LOCASCIO

Aliases: Willie the Wop, Willie Orlando, William Locascio, Anthony Corona.

Description: Born on September 23, 1911, in New York City; 5 feet 8 inches, 200 pounds, gray-black hair, brown eyes, dark complexion, prominent double chin.

Localities frequented: Ciro's Pastry Shop, 41-19 National Avenue, Corona, Long Island, N.Y.; frequents Oldtimers Bar, 104th Street and Roosevelt Avenue, Corona, Queens, Prince and Sullivan Streets in Manhattan. Cheer Club, 58th Street and 2d Avenue; Cafe Roma, Broome and Mulberry Streets, alleged owner of Pepe's Restaurant, Forest Hills, Queens, N.Y. Resides at 5 Shore Avenue, Bayville, Long Island, and 144-58 10th Avenue, Malba, Queens.

Criminal associates: John Ormento, Sam Accardi, Peter Locascio (brother), Charles DeStefano, Solomon Kaplan, Saro Mogavero.

Criminal history: Dates from 1929 and includes arrests for vagrancy, bribing a Government agent, robbery, homicide, violation of Federal narcotic laws, sentenced on January 24, 1964, in the southern district of New York to 15 years imprisonment for violation of Federal narcotic laws (conspiracy).

986 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Modus operandi: One of the most important smugglers and source of supply for the United States; controls a large segment of the narcotic traffic in New York City.

Agencies familiar with individual: U.S. Bureau of Narcotics, U.S. Bureau of Customs, New York City Police Department, FBI No. 246742; New York City Police Department No. B-159260.

ANGELO M. LOIACANO

Aliases: Angelo Puggino, Little Puggy.

Description: Born on June 23, 1913, in New York City, 5 feet 7 inches, 178 pounds, brown eyes, black hair with some gray, wears glasses occasionally.

Localities frequented: Resides 24-48 79th Street in Jackson Heights, Queens, N.Y. Frequents area 1st Avenue and East 107th Street in Manhattan.

Family background: Married to Mary Maccheroni and has two sons; sister, Kate; brothers, Stephen and John; father Carmelo (deceased); mother, Bessie Chabiro.

Criminal associates: John Ormento, Salvatore Santoro, Anthony Castaldi, Salvatore Lo Proto, Dominick Gangi, Frank Moccardi, all of New York City.

Criminal history: FBI No. 4749853; New York City Police Department No. B-148746; arrests since 1935 include policy and conviction for New York State narcotic laws.

Business: Occasional employment as a plasterer.

Modus operandi: Wholesale narcotic trafficker who supplies large-scale dealers in East Harlem. Obtains his supply from the Mafia narcotic trafficking mob headed by John Ormento. Also engaged in illegal gambling activities.

JOSEPH PAUL Lo PICCOLO

Alias: Joe.

Description: Born on April 28, 1918, in Chicago, Ill., 5 feet 5½ inches, 218 pounds, brown hair, brown eyes, scar on chin, heavy build.

Localities frequented: Resides 233 East 69th Street in New York City and 621 44th Street, Miami, Fla., frequented midtown area of New York City. Vesuvio Restaurant and Paddock Bar, 50th Street and Broadway in New York City; also Philadelphia, Chicago, and Miami Beach.

Family background: Wife, Carolyn Riggio; sons, Philip, Carl, Joseph; daughter, Margaret; father, Felippo (deceased); mother, Margherita Viso; brothers, Anthony and Frank; sisters, Loretta (Mrs. Dan) Ficarelli, and Carmella (Mrs. Nick) Ficarelli.

Criminal associates: Joseph Di Palermo, Santo Trafficante, James Massi, Angelo Loiacano, Vincent Todaro, Ignazio and Lorenzo Orlando.

Criminal history: FBI No. 790022C, no New York City Police Department number, Miami Beach Police Department No. A24278. Record consists only of an arrest for investigation in Miami and a Federal narcotic conviction. In August 1958 sentenced to 20 years on the Federal narcotic charge.

Business: Partner in Rock Creek Fluorspar Mining Co., Hardin County, Ill.

Modus operandi: An important member of the Mafia, instrumental in narcotic smuggling and wholesale distribution in association with other top echelon violators.

GAETANO LUCCHESI

Aliases: Tom Lucchese, Tom Brown, Tom Arra, "Three Finger Brown."

Description: Born December 1, 1899, in Palermo, Sicily, 5 feet 5 inches, 150 pounds, brown eyes, gray hair, wears glasses, naturalized January 25, 1943, in New York City.

Localities frequented: Resides 74 Royale Street, Lido Beach, Long Island, N.Y. Frequents Miami Beach, garment district of Manhattan, various locations in Long Island and New Jersey.

Family background: Wife, Catherine; sons, Francis and Baldassari; brothers, Anthony and Joseph; sisters, Pietra, Mrs. Rosalie Rosato (wife of Joe Rosato), and Concetta; father, Baldassari; mother, Francesca.

Criminal associates: Joe Biondo, Anthony Corallo, Anthony Strollo, Joe Profaci, Frank Livorsi, Settimo Acardi, Joe Rao, Lucky Luciano, Joe Rosato (brother-in-law).

Criminal history: FBI No. 168275. NYCPD-B No. 68834. Arrests since 1921 include murder, grand larceny, receiving stolen goods.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 987

Business: Either owns or has interests in Braunell Ltd., Manhattan; Pleasant Coat Co., Pleasant, N.J.; Bob-France Coat Co., Queens, N.Y.; Fordam Hoisting Co., Bronx, N.Y.; and several other businesses.

Modus operandi: A capable and influential Mafia leader who has developed powerful friends in political circles and has used them at times in behalf of his Mafia associates.

SALVATORE C. LUCANIA

Aliases: Lucky Luciano, Charles Reid, Charles Luciano, Charles Lucania, Charles Ross.

Description: Born on November 24, 1897, in Lercara Friddi, Sicily; 5 feet 10 inches, brown eyes, black-gray hair, 140 pounds, wears glasses.

Localities frequented: Resides 464 Via Tasso, Naples; frequents Zia Teresa, San Francisco and Giacomino's restaurants, all in Naples, also the Agnano Race Track in Naples.

Family background: Single; father, Antonio; mother, Rosalia Cafarella; (both deceased), brother, Bartolo (living in New York City).

Criminal associates: Vito Genovese, Joe Biondo, Joe Profaci, Joe Bonanno, Frank Costello, Meyer Lansky, all of the United States; Joe Doto, Joe Pici, Pietro Davi, Frank Pirico, all of Italy.

Criminal history: FBI No. 62920. NYCPD-B No. 72321. Arrests since 1916 include assault and robbery, grand larceny, conviction of the Federal narcotic laws. Sentenced in New York City in 1936 to 30 to 50 years for compulsory prostitution; paroled and deported to Italy in 1946.

Business: Has interests in San Francisco Cafe and is secret owner of apartment building at 464 Via Tasso, both in Naples; also interested in a clinic at Cercola, a suburb of Naples.

Modus operandi: Is one of the highest ranking Mafia both in Italy and the United States. From Italy he participated in directing of American rackets and had regularly received his share of the profits through the Mafia couriers. Lucania died in Italy in 1961.

SERAFINO MANCUSO

Aliases: Pier DeStefano, Pierre De Stefano, Sam, Pierre Stefano.

Description: Born on April 5, 1911, in Alcamo, Sicily, 5 feet 7½ inches, 162 pounds, medium build, medium complexion, black hair, dark hazel eyes, vertical scar three-fourth inch on left temple.

Localities frequented: Deported from the United States (New York City) in 1947 and established residence in Alcamo. He has traveled much and has worked as a seaman on oceangoing ships.

Family background: Father, Francesco Paolo; mother, Vincenza Ferrara; brothers, Salvatore and Giuseppe Mancuso, well-known Mafia hoodlums and narcotic traffickers.

Criminal associates: Morris Shatz, Francesco Paolo Coppola, Vincenzo Rimi, Giuseppe Corso, Sr., Giuseppe Corso, Jr.

Criminal history: FBI No. 1191423; arrested in 1936 for smuggling narcotics into the United States and served 10 years in the Federal penitentiary. He was paroled and deported to Italy in February of 1947. Arrested and convicted in 1952 at Alcamo for possession of trunk containing 6 kilos of heroin he was shipping to the United States for Frank Coppola.

Business: With his brother Giuseppe, he operates a large farm near Alcamo, Sicily.

Modus operandi: With his brother Giuseppe he maintains close ties with French heroin suppliers furnishing to Mafia associates in the United States and Italy heroin which he obtains from the French.

SALVATORE CHARLES MANERI

Aliases: Salvatore Manera, Salvatore Piazza, Antonio Magana.

Description: Born on August 15, 1912, in Marineo, Palermo, Sicily, 5 feet 5 inches, 140 pounds, brown eyes, black hair, dark complexion, medium build.

Localities frequented: Resides Palermo, Italy. Before deportation from the United States resided in Brooklyn and Staten Island, N.Y.

Family background: Married Jennie Morello; sons, Michael; father, Michael-angelo; mother, Maria Gippetto; sisters, Cella Collecta and Anna Scorsone; brothers, Joseph and Philip.

988 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal associates: Ernesto Barese, Giuseppe DiGiorgio, Michael Spinella, Onofrio Minaudo, Gaetano Maiorana.

Criminal history: FBI No. 495856; New York City Police Department No. B-97217. Record dating from 1924 includes arrests for juvenile delinquency, truancy, petit larceny, grand larceny, burglary tools, theft from foreign shipment, and immigration violation.

Business: No legitimate occupation.

Modus operandi: Though himself a narcotic addict, Maneri engaged in large-scale narcotic smuggling, personally removing drugs from ships in New York harbor and also acting as contact man between French sources and the Joseph DiPalermo narcotic smuggling organization.

GIOVANNI MAUGERI

Aliases: Giovanni Mauceri, John, Johnny.

Description: Born on August 15, 1906, in Tunis, Tunisia, 5 feet 11 inches, 180 pounds, hazel eyes, black-gray hair, speaks Italian, French, Spanish, Arabic, and poor English.

Localities frequented: He lives in Milan, Italy. He was deported from the United States (New York City) in April of 1957 for illegal entry. He travels over most of Italy and southern France.

Family background: Married, but separated; has one daughter; father, Luigi; mother, Corradina Aparo; brother, Corrado.

Criminal associates: Dominique Albertini, Corrado Maugeri, Joe Pici, Herbert Blaschevitsch, Giuseppe Negrini, Pietro Sorci, Matthew Cuomo, Sebastiano Bellanca.

Criminal history: FBI No. 468582C. Has a long criminal record in Italy for murder, assault, theft, counterfeiting, and narcotics. He was deported from the United States in 1957 for illegal entry.

Business: No legitimate occupation.

Modus operandi: With his brother, Corrado, and other Mafiosi, has been for many years supplying heroin to the U.S. traffickers. Obtains supplies of heroin from French-Corsican mobs in France. Italian national.

JAMES LEO MASSI

Aliases: Jimmy Ward, Johnny Martino.

Description: Born on September 23, 1908, in New York City, 5 feet 7 inches, 208 pounds, black-gray hair, brown eyes, heavy build.

Localities frequented: Resided 1223 Waring Avenue in the Bronx, N.Y. Currently (1959) incarcerated in Federal penitentiary.

Family background: Married to Florence Manzi; sons, Michael and James; stepson, Stanley; brothers, Fred, Harry; sisters, Mrs. Rose Botta, Mrs. Lena Casella, Mrs. Fannie DiMonte, Mrs. Antoinette DeMartino; father, Joseph (dead); mother, Mary Loreto.

Criminal associates: Ben and Ted DeMartino, Rocco Mazzie, Emilio D'Aria, Joe Valachi, Rocco Barra, Frank Pasqua, all of the New York City area; James Santore and Peter Casella, of Philadelphia area.

Criminal history: FBI No. 495223; New York City Police Department No. B-97132. Arrests since 1925 include illegal possession of firearms, attempted robbery, conspiracy. Sentenced on July 31, 1958, to 10 years for Federal narcotic laws at New York City.

Business: No legitimate business or employment known.

Modus operandi: A large-scale interstate narcotic trafficker closely associated with known Mafia international traffickers and smugglers.

VINCENZO FRANCESCO ANGELO MAURO

Aliases: Vincent Murio, Vincent Maurio, Vincent J. Morrio, Vinnie Morrow.

Description: Born on February 26, 1916, in New York City, 5 feet 11 inches, 194 pounds, brown eyes, dark brown hair.

Localities frequented: Resides at 3824 Bronx Boulevard, in the Bronx, N.Y., and also at 22 King Street in Manhattan. Frequents Burke Bar and Ciro's Bar, both in the Bronx, and most nightclubs in midtown Manhattan and in Greenwich Village area.

Family background: Single; father, Salvatore; mother, Rafaela Criscuolo; sisters, Teresa and Amella.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 989

Criminal associates: Anthony Strollo, John Stoppelli, John Ormento, Salvatore Santoro, Patsy Moccio (dead), Anthony Mirra, Joe Valachi.

Criminal history: FBI No. 760950; New York City Police Department No. B115-392. Arrests since 1933 include robbery, burglary, Federal income tax evasion and Federal narcotic laws.

Business: Usually associates himself with some nightclub or bar which is under the control of the Strollo organization.

Modus operandi: A high-ranking member of the Tony Strollo-controlled Mafia organization, which is involved in narcotic trafficking, shylocking, policy rackets, and after hours "joints." Considered a merciless and vicious killer.

HAROLD MELTZER

Aliases: Harold Fried, Harold Mill, "Happy", Herbert Mason, Harry Levy, Allen McNeese, Harry Miller, Harry Hirsch.

Description: Born on January 16, 1908, in New York City, 5 feet 7 inches, 160 pounds, brown hair, brown eyes, walks with slight limp.

Localities frequented: Resides 6431 West 6th Street in Los Angeles, Calif. Frequents Enid, Okla.; Laredo, Tex.; Baltimore; Miami; Las Vegas; New York City; Boston; Canada; Mexico; Cuba; Hong Kong; Japan; Hawaii and the Philippines.

Family background: Married Dolores Fuller Moutner; two sons; father, David; mother, Celia Mason; brothers, Samuel and James.

Criminal associates: Mickey Cohen, Meyer Lansky, John Ormento, Louis Tom Dragna, Max Cossman, Louis Fiano.

Criminal history: FBI No. 113017, Los Angeles Police Department No. 96472, New York City Police Department No. B115520. Since 1920 he has been arrested for disorderly conduct, larceny, homicide, assault with intent to kill, possession of dangerous weapon, escapee, gambling, and violation of Federal narcotic and customs laws. Two Federal narcotic convictions.

Business: Partner with Louis Tom Dragna in California Sportswear Co., 1024 South Maple, Los Angeles, Calif.

Modus operandi: An international drug trafficker closely allied with top Mafia racketeers. Smuggled narcotics in large quantities from Mexico and Cuba to California and New York. Head of large bookmaking and prostitution syndicate in California. Associated with top labor organizers.

ROSARIO MOGAVERO

Aliases: Saro Mogavero, Saro Mogaveno, Saro Mugavero.

Description: Born on May 2, 1916 in New York City, 5 feet 6 inches, 168 pounds, blue eyes, brown hair.

Localities frequented: Resides 104 Madison Street in New York City. Frequents area of Madison and Pike Streets, in New York City and docks on East River.

Family background: Married to Mary Nanetakis and has four children; father, Salvatore; mother, Illuminata (both born in Sicily); brother, Joseph.

Criminal associates: John Ormento, Salvatore Santoro, Rocco Pellegrino, Phil Albanese, Sam Kass, Angelo Tuminaro, Anthony DiPasqua, Carmine Locascio, Joe Lapi, Angelo Lolacano, all of New York City.

Criminal history: FBI No. 895630; New York City Police Department No. B109163. Arrests since 1932 include burglary, felonious assault, harboring a fugitive, extortion.

Business: Was vice president of Local 856 of the International Longshoremen's Union in 1953 when he was sentenced in New York City for extortion.

Modus operandi: A major narcotic trafficker on New York's Lower East Side, and a feared Mafia leader in that area. A close associate of most top Mafia leaders in New York City.

IGNAZIO LAWRENCE ORLANDO

Aliases: Big Nose Larry.

Description: Born on October 24, 1924, in New York City, 6 feet 1 inch, 195 pounds, black hair, brown eyes, has large nose.

Localities frequented: Resided 16 Jacob Street in Elmont, Long Island, N.Y. Currently incarcerated in Federal penitentiary.

Family background: Married to Serafina Rescica; daughter: Rose; son: Lawrence; father: Lorenzo; mother: Rose.

990 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal associates: Lorenzo Orlando (father), Nick Tolentino, Emilio D'Aria, James Massi, Angelo Loiacano, Rocco Sancinella, Joseph Lo Piccolo, all of New York area, James Santore, Peter C. Casella, of Philadelphia area, and Vincent Todaro, of Virginia.

Criminal history: FBI No. 4369250. Record shows arrest and conviction as Army deserter in 1946. Arrested again in 1958 and sentenced to 17 years on July 31, 1958, for violation of Federal narcotics laws.

Business: Prior to arrest in 1958 he operated a laundry truck.

Modus operandi: A member of a Mafia-controlled international smuggling narcotic ring who acted as a courier and "plant man" for the ring.

JOHN ORMENTO

Aliases: John Ormando, John Forte, Big John, Governor.

Description: Born on August 1, 1912, in New York City, 5 feet 10 inches, 240 pounds, black hair, brown eyes, heavy build, sometimes wears glasses.

Localities frequented: Resides 118 Audrey Drive, Lido Beach, Long Island, frequents the East Harlem area and various New York City night clubs.

Family background: Married Carmela Mildred Forte; son: Thomas (married to Patricia Livorsi, daughter of the notorious Frank Livorsi); daughter: Connie.

Criminal associates: Gaetano Lucchese, Carmine Galante, Salvatore Santoro, Rocco Pellegrino, Frank Livorsi, John Dioguardi, Vincent Squillante, all of New York City, Joseph Ianni, of Texas, Diecidue brothers, of Tampa, Fla.

Criminal history: FBI No. 1321383; New York City Police Department No. B-158044. Arrests since 1937 include three convictions of Federal narcotic law violation. Convicted in 1960 of conspiracy to obstruct justice and sentenced to 5 years and a \$10,000 fine.

Business: Has interest in the O. & S. Trucking Co., and the Long Island Garment Trucking Co., both in New York City.

Modus operandi: Attended 1957 Apalachin Mafia meeting. Is an important Mafia member and leader of the notorious "107th Street Mob" in New York City which for many years has been responsible for a large part of the narcotic smuggling and distribution in the United States.

JOSEPH ORSINI

Aliases: Joseph Casabianca, Joe Dorney, Francois.

Description: Born on March 19, 1903, in Bastia, Corsica, France, French citizen, 5 feet 8 inches, 170 pounds, brown eyes, gray hair, partly bald, medium build, tattoos on left arm.

Localities frequented: Now resides in France. Formerly resided at 26 West 85th Street, in New York City, and frequented French restaurants in the midtown area of New York City.

Family background: Mistress: Marcellé Ansellem; father: Louis; mother: Maria Leonetti.

Criminal associates: Antoine D'Agostino, Francois Spirito, Jean Laget, Jean Ager, Marius Ansaldi, Dominique Reissent, Saul Gelb, Edouard Giribone, Carmelo Sansone, Vincent Randazzo, Salvatore Shillitani.

Criminal history: FBI No. 708363A. He has been convicted in France for fraud and robbery and collaboration with the Germans during World War II. Federal narcotic and counterfeiting convictions in the United States for which sentenced to 10 years in 1951. Deported from the United States in 1958.

Business: Exseaman. No legitimate occupation.

Modus operandi: He was the Canadian-American representative for the Ansaldi group which operated a clandestine laboratory in France and smuggled heroin in large quantities to Mafia racketeers in the United States.

JOHN PAPALIA

Alias: Johnny.

Description: White male of Italian extraction; born in Hamilton, Ontario, Canada, on March 18, 1924; 5 feet 8 inches; 135 pounds; brown eyes; black hair; 1-inch scar on right eye; mole above right upper lip.

Localities frequented: Resident: 16 Railway Street, Hamilton, Ontario, Canada. Frequented the College Restaurant, Toronto, Canada. He was known to be connected with several illegal enterprises in Hamilton, Ontario, Canada and seen in many gambling clubs in that area.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 991

Criminal associates: Vincent Mauro, Frank Caruso, Vito Agueci, Stephan Magaddino.

Criminal history: Arrested on March 16, 1962, for violation of Federal narcotic laws. Plead guilty, sentenced to 10 years on March 11, 1963. Previously arrested for assault, breaking and entering, bootlegging, and bookmaking, all in Canada.

Modus operandi: Papalia was the intermediary for Buffalo-Toronto organizations with the New York organization. Collected money and made arrangements for transportation and delivery of narcotics to these above organizations. He also transmitted information for the same organization members.

Agencies familiar with individual: Royal Canadian Mounted Police, Federal Bureau of Narcotics, Federal Bureau of Investigation. FBI No. 818021-D. RCMP No. 568267.

GIUSEPPE PELLEGRINO

Aliases: Joseph Pelligrino, Joe Hardy, Frank Sciallo, Louis Carbonetti, Anthony Pellegrino.

Description: Born on November 3, 1902 in Teggiano, Campagna, Salerno, Italy; 5 feet 8 inches; 200 pounds; brown eyes; straight black hair; dark complexion.

Localities frequented: Deported from the United States in 1947. Resides via Alfaro No. 27, Salerno, Italy.

Family background: Father, Vincenzo; mother, Maria Tropiano; brothers, Anthony and Charles Pellegrino alias Tropiano; sisters, Mrs. Sam Monastersky and Mrs. Eugene Giannini.

Criminal associates: Eugene Giannini (deceased), Sam Monastersky, Giacomo Reina, Salvatore Shillitani, Francesco Saverino.

Criminal history: FBI No. 42935. New York City Police Department No. B-63160. Record dating from 1921 includes arrests for concealed weapon, robbery, homicide, assault, and robbery, grand larceny, and violation of Federal narcotic laws.

Business: Claims to be the manager of the Brazil Bar, Salerno, Italy.

Modus operandi: Was a member of the Mafia narcotic smuggling and distributing ring headed by the late Eugene Giannini. His task was to receive heroin from the suppliers, safeguard it and turn it over to couriers for delivery to the United States.

FRANCESCO PIRICO

Aliases: Don Ciccio, Cheech.

Description: Born on June 1, 1901, in Palermo, Sicily; 5 feet 10 inches; 180 pounds; brown eyes; light brown hair; small mouth; usually wears glasses and moustache; has droopy right eyelid.

Localities frequented: Resides via Vincenzo Monte No. 34, Milan, Italy.

Family background: Father, Giovanni; mother, Angela Pirico (both deceased); son, Gianni.

Criminal associates: "Lucky" Luciano, Giuseppe Pici, Nicola Gentile, Joseph Di Palermo, Albert Bistoni, Nicolo Di Giovanni, Francesco Saverino, Egidio Caslascibetta.

Criminal history: Never in the United States. Record in Italy dating back many years includes arrests for theft, gambling, fraud, and narcotic trafficking.

Business: Claims to be a businessman and tradesman.

Modus operandi: Important Mafia figure, 1948 to 1951 was distributor of large quantities of diverted heroin from the Schapparelli Pharmaceutical Co., supplying U.S. customers Frank Scalise, Joseph Di Palermo, Eugene Giannini, and others. When diversion ceased he obtained French heroin for his American customers.

FRANK PROFACI

Alias: Frankie.

Description: Born on April 15, 1907, in Villabate, Sicily, 5 feet 7 inches, 160 pounds, brown hair, brown eyes, naturalized on February 8, 1944, in the United States.

Localities frequented: Resides 3801 Avenue P in Brooklyn, N.Y. Is associated with the Newburg Coat Co., 1578 86th Street in Brooklyn, N.Y.

Family background: Married Vivenza Costello; sons: Salvatore, Ignazio, Emmanuel; father, Salvatore; mother: Rosaria Schillaci; brothers: Salvatore, Andrew, Joseph; sisters: Josephine Tipa and Sister Madelina of the Dominican Sisters of New York City.

992 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal associates: Joseph Profaci (brother), Frank Costello, Nicolo Gentile, Joseph Rinaldi, Frank Scalici (deceased).

Criminal history: No criminal record known.

Business: Associated with brother Joseph in Olive Oil Co., and clothing companies. Owns the Newburg Coat Co., 1578 86th Street in Brooklyn, N.Y.

Modus operandi: An underling of his brother Giuseppe Profaci, who is a top level international narcotic violator and high ranking Mafioso.

JOHN PRIZIOLA

Aliases: Papa John Priziola, John Braziola, John Barzziola, John Prisiola, John Peraziola.

Description: Born on January 12, 1893, in Partinico, Sicily, Italy, 5 feet 3½ inches, 165 pounds, brown eyes, gray-brown hair, balding, wears glasses.

Localities frequented: Resides 1349 Devonshire Street in Grosse Pointe, Mich.

Family background: First wife, Thomasina, deceased, mother of Ninette (Mrs. Peter Tocco), Frances (Mrs. Frank Matranga), Angeline (Mrs. Michael Polizzi) and Josephine (Mrs. Joseph Matranga); second wife, Francesca, mother of Thomasina (Mrs. James D. Cammarata); father: Giuseppe; mother, Antonian Sciacchitana.

Criminal associates: All top ranking Detroit Mafiosi: Ralph Caleca and Anthony Giordano of St. Louis; John Ormento and Salvatore Santoro of New York City, Frank and Joseph Matranga of California; Salvatore Vitale, Francesco Coppola and Serafino Mancuso of Italy.

Criminal history: FBI No. 783659-C. Detroit PD No. 10171. Record dating from 1917 includes arrests for grand larceny, prohibition law violation, concealed weapons, and murder.

Business: St. Clair Terrace Corp., royalties from P. & T. Oil Co., rentals from 16906 Harper, Detroit; Jon Car homes.

Modus operandi: One of the heads of the Mafia in the Detroit area. Engaged in large scale narcotic smuggling and distribution.

GIUSEPPE PICI

Aliases: Joe Picci, Peach, Pacey, Pisano, Chester Ricardi.

Description: Born on April 27, 1911, in Bovino, Foggia, Italy, 5 feet 7 inches, 165 pounds, brown eyes, black hair.

Localities frequented: Resided Via Aurelia No. 47, Bogliasco, Genoa, Italy. Before deportation from the United States in 1946 lived in Turtle Creek, Pa., and made frequent trips to Pittsburgh, Kansas City, and New York City. Currently (1959) incarcerated.

Family background: Wife: Enrica; two children of his deceased former wife, Joseph and Janet, live in Turtle Creek, Pa., father: Santo; mother: Teresa Carletto.

Criminal associates: "Lucky" Luciano, Carmine Tufarelli, Michele Cerami, Giovanni Gioia, Gaetano Ciofalo (deceased).

Criminal history: FBI No. 639336. Pittsburgh PD No. 26793. Record in the United States dates from 1932 and includes arrests for violation firearms act, white slavery, conspiracy, suspicious person, and violation immigration laws.

Business: Claims to be landowner and frequently invests in restaurant and bar enterprises.

Modus operandi: Important Mafia figure and wholesale supplier of heroin to smugglers. Organizes and finances other criminal activities, principally alien smuggling.

RAFFAEL QUASARANO

Aliases: Ralph, Gino, and James Quasarano, James Quasamoni.

Description: Born on December 20, 1910, in Mauch Chunk, Pa., 5 feet 8 inches, 160 pounds, medium build, black hair, blue eyes, glasses, numerous cyst scars on back of neck.

Localities frequented: Resides 20143 Doyle Court, Grosse Pointe, Woods, Mich. Frequents Michigan Mutual Distributing Co., in Detroit, Mich.

Family background: Married Giovanna Vitale; two children; father: Vincenzo (deceased); mother: Francesca; brother: Diego (resides in Italy); father-in-law: Vito Vitale.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 993

Criminal associates: Angelo Meli, John Priziola, Angelo Polizzi, Pietro Gaudino, Michael Polizzi and Salvatore Finazzo, of Detroit; John Ormento, Frank Livorsi, Francisco Costiglia, of New York; "Lucky" Luciano, Francisco P. Coppola, Giuseppe Corso, and Vito Vitale of Italy.

Criminal history: FBI No. 736238. Detroit Police Department No. 40868. Record dating from 1931 includes arrests for disorderly conduct, armed robbery, shooting, wiretapping, gambling, and violation of Federal narcotic laws.

Business: Owns Motor City Barber Supply, Greenfield Furniture, Moravian Acres, and Motor City Arena and Gym, in Detroit, Mich.

Modus operandi: A top level Detroit Mafia member and international narcotic trafficker. His father-in-law, Vito Vitale, is a Mafia leader in Italy.

VINCENT RENNA

Aliases: Vincenzo Renna.

Description: Born in San Giorgio, Taranto, Italy, on July 25, 1904; 5 feet 6 inches; 140 pounds; black-gray hair; brown eyes.

Localities frequented: Residence: 3201 34th Avenue, Astoria, Long Island, N.Y. Frequented the lower East Side of New York City.

Criminal associates: Frank Caruso, Vincent Mauro, Charles Schiffman, Matthew Palmeree, Salvatore Rinaldo, Ugo and Salvatore Caneba, Vito and Albert Agueci, Rocco Scopelliti, Vincenzo Calalonotte, Frank Tarabella, Sonny Gulpone, John Papalia, Carmine Locascio.

Criminal history: Presently in jail in Italy for violation of the Italian national narcotic laws. No arrest in the United States; however, is also under indictment in the United States (Southern District of New York) for violation of the Federal narcotic laws.

Modus operandi: International seaman courier and smuggler for Caneba brothers and other Mafia organizations between Italy and the United States.

Agencies, familiar with individual: U.S. Bureau of Narcotics, U.S. Treasury Department, Italian National Police, Rome, Italy.

RENE ROBERT

Aliases: Rene Martin, Bob.

Description: Born in Montreal, Canada, on October 23, 1925; 5 feet 11 inches; 200 pounds; brown hair with receding hairline; brown eyes; stomach scars, bullet hole on right leg; French-Canadian.

Localities frequented: Formerly resided at 2473 Rouan Street, Montreal, Quebec (1959). Frequents Romeo Cafe, Chez Paree, Metropole Club, and Jacques Cartier Motel, all in Montreal, Canada; also, Edison Hotel and Vivere Lounge, New York City.

Criminal associates: Giuseppe, Vincent, Frank and Michael Cotroni; Arthur David; Thomas Pytel; Jimmy Soccio; Frank Mancino; Frank Starr; Angelo Tuminaro and Carmine Galante.

Criminal history: Subject has a criminal record dating back to 1942, and shows arrest for theft, breaking into, narcotics, auto theft, lottery, and receiving.

Modus operandi: Sentenced July 9, 1959, to 8 years in prison in Canada for violating the narcotics laws. Prior to his arrest Robert was the bodyguard and deliveryman for Giuseppe Cotroni who was head of the largest and most notorious narcotic syndicates on the North American Continent.

Agencies familiar with individual: U.S. Treasury Department, Bureau of Narcotics, Federal Bureau of Investigation, Royal Canadian Mounted Police, Montreal Police Department.

CALOGERO RUBINO

Aliases: Caliddu, Calogero Rubino.

Description: Born on January 25, 1917, in Salemi, Trapani, Sicily, Italy; 5 feet 9 inches, 175 pounds, brown hair, brown eyes, dark complexion, deep cleft in chin.

Localities frequented: Resides Via Marcona No. 9, Salemi, Italy. Frequents Palermo, Trapani, Alcamo, and other Italian cities.

Family background: Father: Santo; mother: Catherina Caruso; cousin: Cristoforo Rubino, the notorious narcotic trafficker who was slain in New York City in 1958.

Criminal associates: Giovanni Mira, Pietro Sorci, Pietro LaFata, Lucky Luciano.

994 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal history: Not known to have ever been in the United States. Arrested for nonpolitical crimes in Palermo and Trapani, confined and proposed for exile.

Business: Fruit and produce merchant.

Modus operandi: He and other Mafiosi in Italy comprise an organization which supplied 20 kilos of heroin per month to a distributing organization in the United States. Headed by his cousin, the late Cristoforo Robino.

GIUSEPPE RUFFINO

Aliases: Joseph Ruffino, Don Ruffino.

Description: Born in Palermo, Sicily, on May 16, 1886; Italian; white male; 5 feet 9 inches; 165 pounds; brown hair; brown eyes.

Localities frequented: Residence: 708 Garden Street, Bronx, New York, frequents 441 East 12th Street, New York, N.Y., lower East Side of New York and Syracuse, N.Y.

Criminal associates: Joseph Profaci (deceased), Joseph Gagliano, Marco Li-Mandri, Joseph D'Angelo, Vitale and Joseph Monchelli, William Locassio, Rosario Mogavero.

Criminal history: Arrested for violation of Federal narcotic laws in 1932. In 1940 was arrested in New York on gambling charge.

Modus operandi: Ruffino, a trusted courier for the Carmine Locascio-Rosario Mogavero organization, has traveled to Italy under pretext of visiting relatives. It is suspected that following these sojourns he causes heroin to be smuggled into the United States secreted in false-bottom trunks.

Agencies familiar with individual: New York City Police Department; Bureau of Narcotics, U.S. Treasury Department. FBI No. 466656, NYCPD No. B-107033.

ROCCO SANCINELLA

Aliases: None.

Description: Born on May 6, 1919, in New York City, 5 feet 9 inches, 185 pounds, dark complexion, brown hair, brown eyes.

Localities frequented: Resides 421 West 260th Street in the Bronx, N.Y. Frequent Anchor Bar at 76th Street and 2d Avenue, Green Open Kitchen, 77th Street and 1st Avenue, Wright's Coffee Shop, 86th Street and Lexington Avenue, all in New York City. Hi-Way Bar, 362 Metropolitan Avenue, in Brooklyn, N.Y.

Family background: Married Virginia Donofrio; father: Frank; mother: Carmela D'Orio (both born in Italy).

Criminal associates: Ignazio Orlando, Angelo Loiacano, Vincent Todaro, Charles Alberio, Frank Moccardi, Salvatore Santoro, Cotroni brothers (Canada).

Criminal history: FBI No. 5132291; NYCPD No. B213629. Record dates from 1943 and includes arrests for assault and robbery and violation of the narcotic laws.

Business: Operates a luncheonette at 4533 Third Avenue in the Bronx, N.Y.

Modus operandi: Member of a major Mafia group engaged in counterfeiting and in distributing huge quantities of heroin obtained from the Cotroni organization in Canada.

MICHELE GIACOMO SCARPULLA

Aliases: Giacomino, Jack Scarpulla.

Description: Born on May 16, 1899, in Palermo, Sicily, Italy; 5 feet 8 inches, 185 pounds, stout build, dark complexion, brown eyes, brown hair turning white.

Localities frequented: Resides 77 Winter Street in the Bronx, N.Y. Frequent the New Prosperity Meat Market, 284 Fifth Avenue, in Brooklyn, N.Y., and the Crescent Avenue section of the Bronx, N.Y.

Family background: Married Rosa Scalici (sister of the late Francesco); son, Angelo; daughter, Maria Anna; father, Giacomo; mother, Marion Quadri; Angelo married Rosemary Lapi, daughter of convicted counterfeiter Vincent Rocco Lapi.

Criminal associates: Frank Luciano, Carlo and Paul Gambino, Joseph Bisogno, Salvatore Caneba, Sebastiano Bellanca.

Criminal history: FBI No. 983998; NYCPD B-113221. Record dates from 1933 and includes arrests for grand larceny and bootlegging.

Business: He and son Angelo own and operate the New Prosperity Meat Market, 284 Fifth Avenue, in Brooklyn, N.Y.

Modus operandi: High echelon Mafioso, key member of the large-scale narcotic smuggling ring formerly headed by his brother-in-law the late Francesco Scalici.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 995

FRANCESCO PAOLO SAVERINO

Aliases: Don Ciccio, F. Severino.

Description: Born on August 5, 1911, in Salemi, Trapani, Sicily; 5 feet 6 inches, 155 pounds, black hair, brown eyes, thin build, mustache, very good dresser.

Localities frequented: Lives at Viale Papignao, No. 28, Milan, Italy; frequents better nightclubs in Milan and also the cities of Rome, San Remo in season, and other major cities of Italy and Sicily.

Family background: Father, Salvatore; mother, Alonza Gaspare, both born in Italy.

Criminal associates: Frank Pirico, Ugo Caneba, Sal Caneba, Alberto Bianciardi, Frank Coppola, Paolo Greco, Serafino Mancuso, Joe Pici, Joe Pellegrino, Eugene Giannini (dead), Michael Cerami, Costantino Gambi, Dr. Enzo Berti, and all other major narcotic violators in Italy.

Criminal history: Dates from 1938. At one time he was arrested for resisting a police officer. Arrested in 1949 for possession of 2 kilos of cocaine and convicted in 1950 in Palermo. In 1958 arrested in Milan in connection with the *Enzo Berti et al.* laboratory case.

Business: Operated a textile business on Via V. Hugo No. 2, Milan, Italy.

Modus operandi: Operates clandestine heroin laboratories in Italy. Is also supplied by Corsican gangsters in France. Distributes kilo lots of heroin to many important American gangs.

CHARLES SCHIFFMAN

Aliases: Charles Shipman, Schippman, Morris Feldman, Charles Harris.

Description: Born on September 14, 1903, in Wallington, N.J.; Jewish, 5 feet 6 inches; 156 pounds, brown-gray hair, brown eyes.

Localities frequented: Resides 79 Van Buren Street, Passaic, N.J. Frequents midtown New York City and northern New Jersey.

Family background: Single; father, Samuel; mother, Sarah Feldman (both deceased); sisters, Eva Sternberg, Esther Schiffman, and Ann Floff; brothers, Barney and Arthur.

Criminal associates: John Ormento, Salvatore Santoro, Moische Taubman, Marco Orlandino, Abraham Chalupowitz, Joseph Littman.

Criminal history: FBI No. 313781; NYCPD No. B-123114; Newark, N.J., PD No. 6034. Record dating from 1921 includes arrests for burglary, breaking and entering, drunkenness, robbery, concealed weapon, highway robbery, and three Federal narcotic convictions.

Business: No legitimate occupation.

Modus operandi: A confirmed and vicious criminal who for many years headed a gang of racketeers who engaged in every type of illicit enterprises in the northern New Jersey area. Is known to and allied with top Mafia criminals from all parts of the United States. Large-scale narcotic trafficker.

ANIELLO SANTAGATA

Aliases: Santagato, Joseph Ottieri, O'Maddalonese, Emmet Agato, Santo Emilio, Santiago Amella.

Description: Born on January 13, 1888, in Maddaloni, Caserta, Italy; 5 feet 6 inches, 198 pounds, gray hair, brown eyes, dark complexion. Naturalized in Newark, N.J., on October 3, 1928. No. C-493304.

Localities frequented: Resides No. 1 Kearney Avenue, Kearney, N.J. Frequents the 14th Avenue section of Newark, N.J.; Lower East Side of New York City; Wilson Avenue section of Brooklyn, N.Y.; New York area racetracks, and Mexico.

Family background: Married Grace Carbone in 1952 and she divorced him after he went to prison in 1955. He is again living with her. Father, Raphael; mother, Giovanna Della Rocco; sister, Lucidlle Carrolo.

Criminal associates: Salvatore Aniccone (Mexico), Ugo Giampaoli, Campisi brothers, Angelo Bula, Setimo Accardo.

Criminal history: FBI No. 1671607; NYCPD No. B-22389. Record dating from 1908 includes arrests for pickpocketing, larceny, kidnaping, bastardy, fornication, assault and battery, disorderly conduct, gambling, bootlegging, Federal narcotics conviction.

Business: Retired barber. Collecting social security.

996 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Modus operandi: An oldtime Mafioso who is highly regarded by other members. Has sources for narcotics in Italy, Mexico, and Canada and has been responsible for the smuggling and distribution of untold quantities of heroin. Recently (1960) perjured himself before a grand jury in an attempt to protect another Mafia member and narcotic trafficker.

ROCCO EUGENIO SCOPELLITI

Aliases: Not known.

Description: White male, of Italian extraction, born in Italy on January 1, 1935; 5 feet 6 inches, 158 pounds, black hair, brown eyes, 1-inch scar on left brow, red marks near left eye, rigid small finger left hand; naturalized Canadian citizen.

Localities frequented: Residence, 375 Manning Avenue, Toronto, Ontario, Canada; Via Stefano Romeo No. 69 Santo Stefano De Aspromonte Reggio Calabria; frequented clubs Lower East Side New York City.

Criminal associates: Vito Agueci, Vincent Mauro, Matthew Palmeri, Salvatore Rinaldi, Frank Caruso.

Criminal history: Arrested in 1961 for violation of the U.S. Federal narcotic laws; sentenced on February 13, 1962, to 10 years.

Modus operandi: Courier for large international smuggling ring. Scopelliti returned to Italy, picked up large quantities of heroin and delivered to the United States via Canada. This organization supplied large quantities of heroin for the Lower East Side distributors in New York City.

Agencies familiar with individual: U.S. Bureau of Narcotics, Federal Bureau of Investigation, Royal Canadian Mounted Police. FBI No. 900811D.

DAVID SMITH

Aliases: John Payne, Pop Smith.

Description: Born on May 28, 1908, in New York City; 5 feet 8 inches, 200 pounds, stout build, black hair, brown eyes, ruddy complexion, tip of left index finger missing.

Localities frequented: Resides 92-40 Queens Boulevard, Rego Park, N.Y. Frequents 100th Street and First Avenue, 1885 Third Avenue, 1618 Westchester Avenue, Bronx, all in New York City. Visits Phoenix, Ariz.

Family background: Married Wanda Klein and has one child. Father, Joseph, born in England; mother, deceased.

Criminal associates: Rosario Rinaldi, Anthony Corallo, Joseph Stallone, Hyman Habler, Solly Kaplan.

Criminal history: FBI No. 747793; New York City Police Department No. B-121211. Record dating from 1934 includes arrests for felonious assault and violation of State and Federal narcotic laws. Federal narcotic conviction.

Business: Coowner with Joseph Costa of the New Third Avenue Bakery Shop 1909 Third Avenue, in New York City.

Modus operandi: Wholesaler of narcotics to interstate violators. Engages in the conversion of opium and morphine base. Though non-Italian he is accepted and trusted by top New York City Mafia violators.

MICHAEL SEDOTTO

Aliases: LaRocco, Sedetto; Mike-the-Geep.

Description: Born on February 22, 1920, in New York City; 5 feet 8½ inches, 185 pounds, medium build, gray hair (bald), blue eyes.

Localities frequented: Resides 2715 DeWitt Place, Bronx, N.Y. Frequents 187th Street and Crescent, 187th Street and Cambreling Avenue in the Bronx, N.Y.

Family background: Married Dorothy Lauer; sons, Michael and Salvatore; father, Joseph; mother, Anna LaRocco (both deceased); brothers, Joseph, Patrick, and Anthony; sister, Mary Acvino.

Criminal associates: Alfred Maureillo, Jerry Santaniello, Joseph Barra, Rocco Mазzie, Vincent Panebianco, Anthony Allocco.

Criminal history: FBI No. 3242790; New York City Police Department No. B-246243. Record dates from 1937 and includes arrests for possession of burglary tools, felonious assault, perjury, and violation of probation, Federal narcotic case pending.

Business: Self-employed dress contractor.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 997

Modus operandi: A powerful Mafioso who controls policy and Italian lottery rackets in the East Bronx area of New York City. Also controls a wholesale narcotic trafficking combine.

SANTO SORGE

Aliases: None.

Description: Born on January 11, 1908, in Mussomeli, Caltanissetta, Sicily, Italy; 5 feet 10 inches, brown hair, brown eyes. Immigrated to the United States on February 3, 1941. Naturalized in New York City on June 7, 1948.

Localities frequented: Resides 222 East 57th Street in New York City. Frequents exclusive clubs and restaurants in New York City.

Family background: Married Bertha Kretschmer; father, Salvatore (deceased); mother, Rosena Gange, resides in Mussomeli, Sicily, Italy.

Criminal associates: Lucky Luciano, Carmine Galante, Calogero DiCarlo, Vito Genovese, Giuseppe Bonanno, Giuseppe DiPalermo, John Balsamo.

Criminal history: No record in the United States. Expelled from France in 1932. In 1939 the Italian Government convicted him, in absentia, of espionage and falsification of documents, arrested in 1948 in connection with this and later released.

Business: Managing director of the Rimrock International Oil Co., 680 Fifth Avenue in New York City. Member of the Foreign Economic Research Association.

Modus operandi: One of the most important Mafia leaders. Travels extensively between Italy and the United States in furtherance of ostensibly legitimate international ventures which probably cover for liaison duties between highest ranking Mafiosi in the United States and Italy. Has considerable political influence in Italy.

FRANCOIS SPIRITO

Aliases: Charles Henri Faccia, Le Grand, Big Frank, Charles Lamoss.

Description: Born on January 23, 1900, in Marseilles, France; French citizen; 6 feet, 170 pounds, gray hair, brown eyes, olive complexion, slender build.

Localities frequented: Resides Marseilles, France. In the United States resided in midtown New York City and Greenwood Lake, N.Y. Frequented New York City's French section; visited Montreal, Canada, and Cranston, R.I.

Family background: Son, Paul; daughter, Maria; father, Dominick; mother, Rosina DeNola; brother, John; sister, Angelina Corona; nephew, Anthony Palumbo, Cranston, R.I.

Criminal associates: Angelo Iandusco, Joseph Orsini, Salvatore Shillitani, Carmelo Sansone, Anthony Martello, and Antoine D'Agostino.

Criminal history: FBI No. 837850A. Lengthy record in France includes arrests for assault and battery, theft, smuggling, using false and civil status and attempt against security of the state. Federal narcotic conviction in New York City in 1951.

Business: Bar owner and men's shop operator.

Modus operandi: Well-known international narcotic violator and member of one of the largest smuggling rings in France. Major source of narcotics for the Joseph Orsini narcotic smuggling organization.

ALBERT J. SPITZER

Aliases: Albertus Spitzer, Abraham Spitzer, Charles Spitzer, Victor Spitzer, Al.

Description: Born on December 25, 1895 in New York City; American Jew; 5 feet 7½ inches; 153 pounds; blue-gray eyes; gray-brown hair; sallow complexion; wears glasses.

Localities frequented: Last known address Hotel Luxor, 46th Street and Broadway, New York City. Previous address Marcy Hotel, 95th Street and West End Avenue in New York City. Frequents midtown Manhattan and race-tracks.

Criminal associates: Joseph Roth, James Amendola, Benjamin Silver, Jack Sieman, William Vachuda, Abraham Stein.

Criminal history: Criminal history dates from August 13, 1908, when he was first arrested for juvenile delinquency. Since then he has been arrested for offenses such as disorderly conduct, burglary, safe robbery, grand and petit larceny, National Stolen Property Act, smuggling and attempting to smuggle narcotic drugs, sale and possession of narcotics, and forgery. He has

998 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

served terms of imprisonment in both State and Federal institutions. His last arrest in New York City was on June 22, 1949, for receiving stolen property.

Modus operandi: Prior to World War II, he was considered one of the most important, if not the most important, smuggler of narcotics in the United States. His method being to smuggle narcotics in shipments of merchandise and in the false bottoms of trunks. He also deals in stolen securities.

Agencies familiar with individual: Bureaus of Narcotics and Customs, U.S. Treasury Department. Canadian Department of National Health and Welfare. Rotterdam, Holland Police. FBI No. 365968, New York City Police Department No. B-34829, Rotterdam, Holland Police No. 6662.

ENRICO NICOLÒ TANTILLO

Aliases: Harry Tantillo, Blackie, Coco, Harry T. Cantillo.

Description: Born on January 28, 1916, in New York City, 5 feet 6 inches, 160 pounds, medium build, black hair, brown eyes, dark complexion.

Localities frequented: Resides at 4303 Furman Avenue, Bronx, N.Y. Frequents the Florence Lingerie Shoppe, 4148 White Plains Road, in the Bronx, N.Y., and vicinity of 106th Street and Second Avenue in New York City.

Family background: Wife, Matilda Manfredonia; father, Giuseppe; mother, Genoveffa Salerno (both born in Italy); brother, Alfred Tantillo; half brother, Frank Tantillo; sister Mary Lucchese; brothers-in-law, Richard, John, and Anthony Manfredonia.

Criminal associates: Joseph Marone, John Stoppelli, Vincent Mauro, Nicholas Tolentino, Fred Salerno, John Ormento.

Criminal history: FBI No. 1024285, New York City Police Department No. 137405; record dates from 1935 and includes arrests for possession of revolver, obstructing justice, influencing witness, and conviction for violation of Federal narcotic laws.

Business: Owns Dominick's Pastry Shop, 2058 Second Avenue in New York City.

VINCENT JAMES TODARO

Aliases: Charles Todaro, Frank Todaro.

Description: Born on January 8, 1914, in Palermo, Sicily, was naturalized in New York City, 6 feet 1 inch, 195 pounds, black hair, brown eyes.

Localities frequented: Resides Herndon, Va. (Post Office Box 23, Merrifield), currently (1959) incarcerated.

Family background: Wife is Helen Fay; has 2 children; father, Andrea; mother, Filippina Ruoppola (both in Italy).

Criminal associates: George Nobile, James Massi, Ignazio and Lorenzo Orlando, Joe Lo Piccolo and Frank Moccardi of New York City, also Frank Coppola, Peter Licata, Antoine Cardoliani, and Charles Leca of Europe.

Criminal history: FBI No. 534748, Extensive criminal record since 1932, including robbery, concealed weapon, receiving stolen goods, counterfeiting OPA stamps, sentenced on May 20, 1958, to 10 years in Fairfax County, Va., violation of Virginia State narcotic laws.

Business: Landscaping and real estate dealer.

Modus operandi: An international narcotic trafficker with Mafia associates in Italy.

ANGELO TUMINARO

Aliases: "Little Angie," Angelo Tumenslo.

Description: Born on February 22, 1910, in New York City, 5 feet 2 inches, 135 pounds, brown hair, brown eyes, cut scar near left eye.

Localities frequented: Resides at 24 Rutgers Street in New York City, frequents area of Madison and Pike Streets in lower Manhattan.

Family background: Married to Bella Stein; father, Pasquale; mother, Mary Presenzano; has seven brothers and five sisters.

Criminal associates: Anthony DiPasqua, Saro Mogavero, Al Embarrato, Frank Mari, Carli DiPietro, Nathan Behrman, all of New York City. Joe Cotroni of Montreal.

Criminal history: FBI No. 270010; New York City Police Department No. B-80192, several arrests since 1929 including grand larceny, assault and robbery, and violation of New York State narcotic laws.

Business: Has interest in Apollo Barber Shop at 144 Clinton Street in New York City.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 999

Modus operandi: Together with Anthony DiPasqua, is one of the largest wholesale narcotic traffickers in New York City, dealing with known Jewish traffickers, and having Mafia traffickers as a source of supply. Is suspected in some unsolved homicides in Manhattan.

CHARLES VINCENT TRUPIA

Aliases: Carlo Trupia.

Description: Born on November 26, 1923, in New York City, 5 feet 6 inches, 155 pounds, medium build, black hair, brown eyes.

Localities frequented: Resides at 377 Broome Street in New York City. Frequent Towncrest Restaurant at 123 West 49th Street in New York City.

Family background: Single; resides with parents at 377 Broome Street; father, Vincenzo; mother, Carmela Celeste; brothers, Vincent and Angelo; sisters, Grace, Josephine (Mrs. Joseph) Dattalio.

Criminal associates: Joseph Di Palermo, Santo Sorge, Francesco Pirico, Peter Di Palermo.

Criminal history: FBI No. 4293745; New York City Police Department No. 305423. Record dates from 1945 when arrested for Army desertion. Convicted of narcotic trafficking in Italy and mail theft in the United States.

Business: Automobile mechanic, taxi driver.

Modus operandi: Trusted Mafia courier for money and narcotics.

JOSEPH VALACHI

Aliases: Joe Cago, Joe Cargo, Joe Kato, Joseph Siano.

Description: Born on September 22, 1903, in New York City, 5 feet 5 inches, 195 pounds, brown eyes, gray hair, dark complexion.

Localities frequented: Resides at 45 Shawnee Avenue, Yonkers, N.Y. Frequent the Belmont Avenue section of the Bronx, N.Y., and the Yonkers (N.Y.) Racetrack.

Family background: Wife, Mildred; son, Donald; father, Dominick; mother, Mary Casale (both dead); girl friend: Carol Jacobs Cuccuru.

Criminal associates: Anthony Strollo, John Stoppelli, Vincent Mauro, Arnold Romano, Salvatore Santoro, John Batista Salva, John Ormento, Giuseppe Doto, Fiore Siano, and Giacomo Reina.

Criminal history: FBI No. 544. New York City Police Department No. B-58458. Record dating from 1921 includes arrests for concealed weapon, burglary, robbery. Pleaded guilty to Federal narcotic law violation (1960).

Business: Formerly owned Lido Bar, 1362 Castle Hill Avenue, Bronx, N.Y. Has part interest in jukebox firm and in several race horses.

Modus operandi: A trusted Mafia member and part of the Anthony Strollo narcotic smuggling and distributing organization. Wholesales heroin to major Mafia narcotic traffickers on the Upper East Side of New York City.

SALVATORE VALENTI

Alias: Turiddu.

Description: Born on June 16, 1907, in San Vito Lo Capo, Trapani, Sicily, Italy. Five feet 9 inches; 180 pounds; light complexion; gray-light brown hair; blue-gray eyes; has heart trouble.

Localities frequented: Resides Via Santuario No. 6, San Vito Lo Capo, Trapani, Sicily, Italy. Frequent Palermo, Naples, and all cities, towns, and villages in the Province of Trapani, Sicily. There have been instances where he has traveled to other parts of Sicily.

Criminal associates: Vincenzo Di Trapani, Leonardo Crimi, Agueci brothers, Francesco Paolo Fileccia, Giuseppe Palmieri, Benedetto Zizzo, Ernesto Marchese, Salvatore Marchese, Angelo and Salvatore La Barbera, Francesco Paolo Saverino.

Criminal history: No known previous criminal record, however, denounced in June 1961 for large-scale narcotic activities and is now awaiting trial in Italy.

Modus operandi: Valenti is one of the key members of the Mafia engaged in recruiting witting and unwitting couriers for large-scale shipment of narcotics to the United States and Canada. His position as a subagent for any number of freight forwarders makes him ideal as a courier spotter and anchor man for large-scale narcotic shipments destined for outside of Italy.

Agencies familiar with individual: Questura of Palermo, Questura of Trapani, Nucleo Polizia Tributaria, Palermo and Rome, Interpol, Rome, RCMP, French Surete, Arma Carabinieri in Italy, U.S. Bureau of Narcotics.

1000 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

JOSEPH A. VENTO

Aliases: Babo, Sebastiano Vento.

Description: Born on February 8, 1913, in New York City; 5 feet 6½ inches, 165 pounds, medium build, brown hair, brown eyes.

Localities frequented: Resides at 168-01 12th Avenue in Queens, N.Y. Frequent East Harlem area and vicinity of 50th Street and Broadway both in New York City. Helen Mar Hotel, Golden Nugget Hotel, Eden Roc Hotel, all in Miami, Fla.

Family background: Married to Mary Messina, has one daughter; brothers: Benjamin, Frank, and Jack; sisters: Nancy and Elizabeth; father: Louis; mother: Edmonda Schiletti.

Criminal associates: Salvatore Santoro, John Ormento, Salvatore LoProto, Alfred Felice, Pasquale Genese, John Schillaci, Harold Meltzer.

Criminal history: FBI No. 1432959; NYCPD No. B-103810, National List No. 408. Arrest record dates from 1932, and includes arrests for burglary, robbery, and violation of liquor laws. Conviction for violation of Federal narcotic laws.

Business: Salesman for Irving Lazarus Jewelers, 32 West 42d Street in New York City.

Modus operandi: A trusted member of the Mafia organization which controls the distribution of heroin in large quantities on the upper East Side of New York City. As a smuggler-distributor has been interested in clandestine laboratories.

SEBASTIANO BELLANCA

Aliases: Sebastiano Ballanca, Benny Bellanca, "The Bald Head," "Benny the Sicilian."

Description: Born January 6, 1904, Cattolica, Sicily; naturalized, January 8, 1931, New York City; 5 feet 4 inches; 165 pounds; build stocky, brown hair (graying) almost completely bald, eyes blue, medium complexion, scar on right cheek; sometimes wears glasses.

Localities frequented: Currently a fugitive, last known address 209 Tremont Avenue, Fort Lee, N.J. Frequented Guy's Restaurant, Astoria, N.Y., Montreal, Province of Quebec, and Windsor, Ontario.

Family background: Father was Pasquale, his mother Josephine Renda, wife is Jennie, has grown children.

Criminal associates: Frank Scalise (dead), Joe Pici, Peter Beddia, Jack Scarpulla, and Albert Anastasia (dead), Michele Sisco, Lucien Rivard, Sam Accardi.

Criminal history: FBI No. 797788, Ballanca has been convicted for violation of the Federal narcotic laws.

Business: Last known business: Owner of Guy's Restaurant, Astoria, Long Island, N.Y.

Modus operandi: One of the most important international smugglers in the United States, and a top ranking Mafioso from the New York area; was originally a partner of Jack Scarpulla and Frank Scalise, he received narcotic supplies from the Coudert-Sisco combination of Montreal and France.

ANSAN ALBERT BISTONI

Aliases: Monsieur Albert, Aga Khan, Albert Bistoni, Joseph Bistoni.

Description: Born November 21, 1911, Marseilles, France. Corsican descent, 5 feet 7½ inches, 175 pounds, dark brown hair, pale eyes.

Localities frequented: Sometimes resides 35 rue Victor Masse, Paris, and sometimes with mother at Marseilles. Frequents Bar Villa D'Esaste and Bar Washington, Paris, also Cuba, Mexico, and Canada.

Family background: Father: Attilio; mother: Ida Buonchristiani; mistress: Simone Prevost.

Criminal associates: Roger Coudert, Paul Mondoloni, Jean Baptiste Croce, Antoine Galliano, Cotroni brothers of Montreal.

Criminal history: Interpol Secretariat file No. 841/52. Arrested three times for narcotic trafficking; 1956 convicted of narcotic trafficking and sentenced to 3 years imprisonment and 5 years restricted residence,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1001

Business: Believed to have interests in the "Eve," "Cupidon," and "Pigalle" nightclubs, Havana, Cuba.

Modus operandi: Head of a large narcotic trafficking organization which smuggles morphine base into France and converts it to heroin, which is sent to the United States and Canada. Supplies several Mafia narcotic distributing organizations.

JOSEPH BONANNO

Aliases: Joe Bananas, Joe Bononno, Joe Bonnano, Joe Bouventre.

Description: Born January 18, 1905, Castellammare, Sicily; 5 feet 9 inches, 190 pounds, brown eyes, brown-gray hair; naturalized May 17, 1945, Brooklyn, N.Y.

Localities frequented: Resides 1847 East Elm Street, Tucson, Ariz. Travels extensively about United States and makes frequent trips to Italy.

Family background: Married Filippa LaBruzzo; daughter: Catherine; sons: Salvatore (married to Rosalie Profaci, niece of Giuseppe Profaci) and Joseph; father: Salvatore; mother: Catherine Bouventre; both parents deceased.

Criminal associates: Lucky Luciano, Francisco Costiglia, Giuseppe Profaci, Anthony Corallo, Thomas Lucchese, Carmine Galante.

Criminal history: FBI No. 2534540, NYCPD, No. B-85172, I&NS No. C-6602167. Record dating from 1930 includes arrests for grand larceny, possession of gun, transportation of machineguns, obstruction of justice.

Business: Has interests in Grande Cheese Co., Fond du Lac, Wis.; Alliance Realty & Insurance, Tucson, Ariz.; and Brunswick Laundry Service, Brooklyn, N.Y.

Modus operandi: Attended 1957 Apalachin Mafia meeting and Binghamton, N.Y., meeting 1956. One of the most important Mafia leaders in United States and attends all top-level Mafia meetings. Makes trips to Italy to confer with Mafia leaders there and to negotiate for international narcotic trafficking.

FRANK BORELLI

Aliases: Frankie Gooks, Frank the Hawk.

Description: Born June 19, 1925, New York City, 5 feet 9 inches, 180 pounds, with black hair (thinning), and brown eyes, wear glasses with thick lenses, is a very dapper dresser.

Localities frequented: Frequents the east Harlem section of New York City, and spends some time in Chicago, Ill., resides with his wife at 2042 Second Avenue, apartment 4, New York City.

Family background: Is married to Mary DeGeorge, daughter of Angelo DeGeorge, a convicted east Harlem narcotic violator, his brother-in-law, Mario Colucci, is also a convicted narcotic violator.

Criminal associates: Charles Curcio, Joe Bendenelli, Rocco Mазzie, Nick Tolentino, all narcotic traffickers and racketeers in east Harlem area, New York City.

Criminal history: FBI No. 3902235, New York City Police Department No. B206594, includes arrests for assault and robbery, burglary, and violation of State and Federal narcotic laws.

Business: None at present.

Modus operandi: Wholesale trafficker in heroin to associates in New York, Chicago, Ill., and Cleveland, Ohio, and trusted member of the Mafia from east Harlem, New York, area.

SALVATORE CANERA

Aliases: Toto, John Sperandeo.

Description: Born October 24, 1901, Palermo, Sicily, 5 feet 6 inches, 180 pounds, heavy build, black-graying hair, balding, brown eyes; poor English, fluent Italian and French.

Localities frequented: Resides Via Priscionano No. 69, Rome, Italy, frequently travels to Palermo and Milan, Italy, also Germany, France and Switzerland. Before deportation resided 3425 89th Street, Jackson Heights, New York, frequented vicinities of First Avenue and 11th Street, Second Avenue and 106th Street, New York City.

Family background: Married Irene Pluber (last reported living in New York City with their son); father: Giuseppe; mother: Marianna Anea (sister of late Pasquale Anea, former head of Mafia in Italy); brothers: Giosue, Giovanni, and Ugo.

1002 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal associates: William LoCascio, Samuel Kass, Peter Kourakis, Sorci brothers (Palermo), Rosario Mancini, Francois Paoleschi, Lucky Luciano, and Ugo Caneba (brother).

Criminal history: FBI No. 611860B. European record dates from 1918 and includes arrests for theft, criminal conspiracy, armed assault, receiving, etc., in Italy and France. Expelled from France 1936. Record in the United States dates from 1950 and includes arrests for violations of immigration and Federal narcotic laws; deported from the United States, 1954.

Business: Claims to be in finance and loan business.

Modus operandi: A prominent Mafia member. One of the largest narcotics smugglers and wholesale dealer in Italy, in partnership with his brother, Ugo, purchases pure heroin from major Corsican gangsters in Marseilles and Paris, France, and ships it to customers in the United States.

UGO CANEBA

Aliases: None.

Description: Born March 18, 1910, Palermo, Sicily, Italy, 5 feet 4 inches, 140 pounds, brown eyes, brown hair, balding, dark complexion, medium build, skin discoloration at right temple.

Localities frequented: Resides Via Priscioano No. 69, Rome, Italy, frequently travels to Palermo and Milan, Italy.

Family background, married; father: Giuseppe; mother: Marianna Anea (sister of late Pasquale Anea, the former head of Mafia in Italy); brothers: Salvatore, Giosue, and Giovanni.

Criminal associates: William LoCascio, Lucky Luciano, Serafino Mancuso, Rosario Mancino, Frank Locicero, Sorci brothers.

Criminal history: No FBI number. Arrested in Italy 1955 for traffic in contraband and 1957 in connection with the Berti-Gamba narcotic case.

Business: Claims to be in finance and loan business.

Modus operandi: Prominent Mafioso. Was the Italian agent for his brother, Salvatore Caneba, while the latter was in the United States. Now, in partnership with his brother; purchases pure heroin from Corsican gangsters in France and ships it to U.S. customers.

MICHAEL JOSEPH CONSOLO

Aliases: Mike Locaso, Anthony Leo, Michael Bruno.

Description: Born April 9, 1903, Siracusa, Sicily, Italy, naturalized 1944, 5 feet 8 inches, 175 pounds, stout build, black hair, brown eyes.

Localities frequented: Resides 61-05 76th Street, Rego Park, Queens, New York, maintains address: 35 East 25th Street, Bayonne, N.J. Frequents Mulberry and Worth Streets, New York City, Club Hoo-Ha, Bayonne, N.J., and Frankie's Auction Market, Lodi, N.J.

Family background: Wife: Mary Caso; daughter: Catherine; father: Salvatore; mother: Catherine Locaso; sisters: Connie Pagano and Anna Saturno; brother: Anthony.

Criminal associates: Carmine Galante, Joseph Zicarelli, Vito Genovese, Joseph Bonanno, Salvatore Giglio, Vincent Cotroni.

Criminal history: FBI No. 285487, New York City Police Department No. B59684, New Jersey State Police No. 399012. Record dates from 1915 and includes arrests for juvenile delinquency, vagrancy, robbery, grand larceny, homicide, and Federal alcohol laws.

Business: No legitimate employment known.

Modus operandi: Active in the leadership of the Galante-Zicarelli Mafia organization which carries on international and domestic narcotic traffic and large scale gambling operations.

GIUSEPPE COTRONI

Aliases: Pepe, Joe Catrone, Catroni.

Description: Born February 22, 1920, Reggio, Calabria, Italy, 5 feet 6½ inches, 200 pounds, brown eyes, brown hair, balding on top.

Localities frequented: Resides 3615 Ridgewood Street, apartment 104, Montreal, Canada. Frequents Metropole Club, Bonfire Restaurant, Jacques Cartier Motel, all in Montreal, also Vivere Lounge on Second Avenue, and Hotels Edison and Lexington in New York City.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1003

Family background: Single; Father, Giuseppe; mother, Mario Rosa Michelotti; brothers, Vincent, Frank, Michael; sister, Mrs. Marguerite Luca.

Criminal associates: Vincent Cotroni, Rene Robert, Joe Coccolichio, Lucien Rivard, Peter Stepanof, of Montreal; Carmine Galente, Salvatore Giglio, Angelo Tuminaro, Anthony DiPasqua, Frank Moccardi, Frank Mari of New York City.

Criminal history: FBI No. 164790D, Royal Canadian Mounted Police No. 608. Arrests since 1937 include theft and receiving, theft by breaking into, theft with violence, possession of stolen bonds. Convicted in 1959, violation Canadian narcotic laws.

Business: Restaurant operator in Montreal, Canada.

Modus operandi: Head of the largest and most notorious narcotic syndicate on the North American Continent. A supplier of major Mafia traffickers in the United States; has direct French-Corsican sources of supply. Is a terrorist and vicious hoodlum in the Montreal area.

VINCENZO COTRONI

Aliases: Vincent Cotroni, Catroni, Catrone, Vic Cotroni.

Description: Born November 10, 1910, Marina, Reggio Calabria, Italy, 5 feet 5 inches, 170 pounds, blue-green eyes, black hair, stocky build, dark complexion. Naturalized Canadian.

Localities frequented: Resides 4800 Pie Neux Boulevard, Montreal, Canada. Frequents Chez Paree, Montreal; Sea Gulf Hotel, Miami; Hotel Nacional, Havana.

Family background: Married Maria Brisciani. Daughter, Rosina (Mrs. Frank Guzzo); father, Giuseppe; mother, Maria-Rosa Michelotti; brothers, Giuseppe, Frank, Michael; sister, Mrs. Marguerite Luca.

Criminal associates: Giuseppe Cotroni, Lucien Rivard, Carmine Galente, Rene Robert, Salvatore Giglio, Frank Moccardi.

Criminal history: FBI No. 415374D. Montreal Police FPE 183003. Record dates from 1928 and includes arrests for rape, false pretenses, counterfeiting, theft, receiving, felonious assault, and narcotic conspiracy.

Business: Owns Chez Paree and Vic's Cafe. Vice president of Servet Agencies, Ltd., pharmaceutical importing firm.

Modus operandi: He and his brother head the largest and most notorious narcotics syndicate in North America. Supplies major Mafia traffickers in United States with heroin obtained from French-Corsican sources. A vicious hoodlum who engineers varied major crimes.

ROGER ANTOINE COUDERT

Aliases: Charles Conte, Paul Brown, Joseph Mireault, Roy Roger, Roger Davis, Pierre Arnault.

Description: Born August 23, 1895, Cognac, Charente, France. French citizen, 6 feet 2 inches, 189 pounds, gray hair, hazel eyes, ruddy complexion, burn scars above upper lip.

Localities frequented: Since 1954 incarcerated at Federal Penitentiary, Atlanta Ga. Previously frequented French quarter of New York City and traveled between New York City, Canada, France, Mexico, and California.

Family background: Married Jessie Kenmuir. Father, Alexandre; mother, Lucie Nexon; no known brothers or sisters.

Criminal associates: Antoine D'Agostino, Paul Mondoloni, Antonio Farina, Assan Bistoni, Stephano D'Agostino, Cotroni brothers.

Criminal history: FBI No. 959779, New York City Police Department No. E-32883. Record dating from 1911 includes arrests for theft, vagrancy, fraud, assault, desertion, procuring, and conspiracy. In 1954 sentenced to 10 years and \$16,000 fine for violation of Federal narcotic laws. Currently (1960) incarcerated.

Business: Has operated several cafes in Montmartre section of Paris.

Modus operandi: Part of large-scale narcotic smuggling organization which supplied huge quantities of heroin to Mafia racketeers in the United States and Canada.

JEAN BAPTISTE CROCE

Aliases: None.

Description: Born April 9, 1920, Olmeto di Tuda, Bastia, Corsica, France, 5 feet 7 inches, 185 pounds, black hair, stocky build.

1004 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Localities frequented: Resides at Marseilles, France. Also 15 rue de Perre, Paris, France. Travels by air to Montreal and Havana, Cuba. Owns two nightclubs in Havana, Cuba.

Family background: Married. Mistress, Catherine Maestracci; father, Dominique; mother's maiden name, Annonciade.

Criminal associates: Joseph Albert Bistoni, Dominique Albertini, Paul Mondolini of Marseilles, Controlli mob of Montreal.

Criminal history: FBI No. 394-335C. RCMP file No. 57HQ1180-4-Q7. Arrested in France for murder, in United States for immigration violation and smuggling investigation.

Business: Nightclub operator. Owns two nightclubs in Havana, Cuba.

Modus operandi: Top member of a group of French-Corsican narcotic traffickers who obtain large quantities of heroin from illicit laboratories in France, and smuggle it to Mafia racketeers in the United States and Canada.

CHARLES CURCIO

Aliases: Charlie Mouse, Charles Rossi.

Description: Born July 26, 1926, New York City, 5 feet 9 inches, 185 pounds, brown eyes, brown graying hair, medium complexion, heavy build.

Localities frequented: Resided at 33-18 159th Street, Flushing, N.Y., currently (1959) incarcerated.

Family background: Married to Rose Zaccardo. Children are Diane and Charles, Jr.; father, Anthony; mother, Mary Lemardo (both dead); brothers, Vincent, Anthony and Louis.

Criminal associates: Frank Borelli, Rocco Mазzie, Nick Tolentino, Joe and Ben Licchi, and most all narcotic traffickers in East Harlem, New York City.

Criminal history: FBI No. 4226766, NYCPD No. B228844. Arrests date from 1944 and include burglary, larceny, State and Federal narcotic laws; sentenced May 24, 1957, Hackensack, N.J., 8 to 10 years, State narcotic violation.

Business: None.

Modus operandi: Associated with and received his narcotics from top echelon Mafia traffickers; a wholesale dealer both local and interstate, operated a clandestine laboratory.

ANTOINE D'AGOSTINO

Aliases: Michel Sisco, Louis Floris, Antoine Scarfoni, Alberto Blasis, Albert Dujardin, Lunettes.

Description: Born, December 8, 1914, Bone, Algeria. French citizen, 5 feet 7 inches, 177 pounds, heavy build, dark brown hair, brown eyes.

Localities frequented: Marseilles, Paris, and Evereaux, France; Montreal, Canada; French restaurants in New York City and Mexico City. Currently (1960) incarcerated in Canada.

Family background: Married Suzanne Filleau. Daughter, Michele Teresa. Wife and daughter have taken name Filleau and reside Mexico City. Brothers, Albert and Stephen; father, Joseph; mother, Theresa Scarfoni. Both parents born Naples, Italy.

Criminal associates: Joseph Orsini, Carmelo Sansone, Francois Spirito, Paul Mondoloni, Marius Ansaldi, Salvatore Shillitani.

Criminal history: FBI No. 409989A. Record dates back to 1935 with arrests in Algeria and France for theft and treason. Federal narcotic conviction in United States and narcotic conviction in Canada for which sentenced to 3 years in 1958.

Business: No legitimate occupation.

Modus operandi: A persistent, large-scale narcotic trafficker. Closely allied with top Mafia members of Europe and North America and has supplied them with huge amounts of heroin, gold, and stolen jewelry.

ANTONIO FARINA

Aliases: Nino, Antonio Farina Bono.

Description: Born June 3, 1912, Palermo, Sicily; 5 feet 9½ inches; 221 pounds; black hair (bald), brown eyes, heavy build, speaks only Italian, 4-inch scar on right side of face from ear to neck.

Localities frequented: Resided Via Antonio Scioscia No. 1, Palermo, Italy, until the middle of 1959 when he disappeared. He is suspected of having clandestinely emigrated to Canada, South America, or Mexico. Before 1953 arrest,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1005

resided Paseo De la Reforma No. 489, Mexico City, and traveled frequently to the United States. Present whereabouts unknown.

Family background: Wife, Rosa, resides in Sicily with their four children, Gioia, Bina, Massimo, and Elvira; in Mexico had paramour Lina D'Orlando DiBello; father, Antonio; mother, Lucia Bono.

Criminal associates: Roger Coudert, Antoine D'Agostino, Paul Mondoloni, John Soerandeo, Antonio Sorci, Antoine Cordoleani, Giuseppe Provenzano, and Paolo Greco, all of Italy.

Criminal history: FBI No. 525025B. USM New York No. C-1652-53. Arrested in 1953 for violation Federal narcotic laws; sentenced April 1954 to serve 5 years and fined \$10,000. In Italy has arrests since 1928 for living off profits of prostitution, violence, carrying a knife, and fraud.

Business: Owns real estate in Sicily. In Mexico operated drygoods store.

Modus operandi: Important Mafia narcotic trafficker. Acts as middleman between French and Italian sources of supply and customers in the United States.

CARMINE GALANTE

Aliases: Camillo Galentine, Carmine Galanti, Carmine Galento, Joseph Russell, Louis Volpe.

Description: Born February 21, 1910, in New York City; 5 feet, 5 inches; 168 pounds; gray hair, balding; brown eyes.

Localities frequented: Resides 274 Marcy Avenue, Brooklyn, N.Y., frequents south New Jersey area, Miami, Montreal; also makes trips to Sicily.

Family background: Married to Helen Marullo; son, James; daughters, Camilla and Angela; brothers, Sam and Peter; sisters, Mrs. Angela Volpe, Mrs. Josephine Volpe.

Criminal associates: Frank Garofolo, Joe DiPalermo, Vito Genovese, Joe Bonanno, Joe Profaci, Meyer Lansky, all of New York City, Joe Controni and Lucien Rivard of Montreal.

Criminal history: FBI No. 119495, New York City Police Department No. B-66994, arrests since 1921 include juvenile delinquent, robbery, assault, homicide, Federal narcotic laws. With Joe DiPalermo as an accomplice, believed to have murdered Carlo Tresca in New York City (1943).

Business: Operates Rosina Costume Co., Brooklyn, N.Y., and Latamer Shipping Co., Manhattan.

Modus operandi: Attended Binghamton, N.Y., Mafia meeting 1956. An extremely important figure in the international drug traffic and a ranking Mafia member engaged in terrorist activities. In 1956 he was top representative of American racketeering activities in Montreal.

ALFRED GUIDO

Aliases: Ralph Petrolli, Iggy, Eggy.

Description: Born in New York City September 26, 1911; 5 feet, 8 inches; 160 pounds; medium build; black hair; brown eyes; sallow complexion; 3-inch scar right arm.

Localities frequented: Resides 2516 Bedford Ave., Brooklyn, N.Y., frequents lower East Side, New York City, also Turf Bar, 51st Street and Broadway, New York City.

Family background: Wife, Josephine Cuccinello; children, Katherine, Richard, Jessie; father, Angelo; mother, Catherine Signetti; father remarried to Rose Isola; half-brothers, Albert and Alex; half-sister, Marie.

Criminal associates: Arnold Romano, George and Tony Angelet, Joseph Tedesche, Salvatore Chellemi.

Criminal history: FBI No. 779756, New York City Police Department No. B-121495. Has a record dating from 1934 including arrests for violation National Motor Theft Act, forgery of U.S. bonds, and vagrancy; has two State and two Federal narcotic convictions.

Business: No legitimate employment.

Modus operandi: In association with other Mafiosi wholesales heroin on lower East Side of New York.

1006 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

SALVATORE C. LUCANIA

Aliases: Lucky Luciano, Charles Reid, Charles Luciano, Charles Lucania, Charles Ross.

Description: Born November 24, 1897, Lercara Friddi, Sicily; 5 feet 10 inches, brown eyes, black-gray hair, 140 pounds, wears glasses.

Localities frequented: Resides 464 Via Tasso, Naples, frequents Zia Teresa, San Francisco and Giacomino's restaurants, all in Naples, also the Agnano race-track in Naples.

Family background: Single; father, Antonio; mother, Rosalia Cafarella (both deceased); brother, Bartolo (living in New York City).

Criminal associates: Vito Genovese, Joe Biondo, Joe Profaci, Joe Bonanno, Frank Costello, Meyer Lansky, all of United States; Joe Doto, Joe Pici, Pietro Davi, Frank Pirico, all of Italy.

Criminal history: FBI No. 62920, New York City Police Department No. B-72321. Arrests since 1916 include assault and robbery, grand larceny, and conviction of Federal narcotic laws. Sentenced New York City 1936 to 30 to 50 years for compulsory prostitution; paroled and deported to Italy in 1946.

Business: Has interests in San Francisco Cafe and is secret owner of apartment building at 464 Via Tasso, both in Naples; also interested in a clinic at Cercola, a suburb of Naples.

Modus operandi: Is one of the highest ranking Mafia both in Italy and the United States. From Italy he participates in directing American rackets and regularly receives his share of the profits through Mafia couriers.

SERAFINO MANCUSO

Aliases: Pier DeStefano, Pierre De Stefano, Sam, Pierre Stefano.

Description: Born April 5, 1911, Alcamo, Sicily, 5 feet 7½ inches, 162 pounds, medium build, medium complexion, black hair, dark hazel eyes, vertical scar ¾ inch left temple.

Localities frequented: Deported from the United States of America (New York City, N.Y.) in 1947 and established residence in Alcamo. He has traveled much and has worked as a seaman on oceangoing ships.

Family background: Father, Francesco Paolo; mother, Vincenza Ferrara; brothers, Salvatore and Giuseppe Mancuso, well-known Mafia hoodlums and narcotic traffickers.

Criminal associates: Morris Shatz, Francesco Paolo Coppola, Vincenzo Rimi, Giuseppe Corso, Sr., Giuseppe Corso, Jr.

Criminal history: FBI No. 1191423, arrested in 1936 for smuggling narcotics into the United States of America and served 10 years in the Federal penitentiary. He was paroled and deported to Italy in February of 1947. Arrested and convicted in 1952 at Alcamo for possession of trunk containing 6 kilos of heroin he was shipping to United States for Frank Coppola.

Business: With his brother, Giuseppe, he operates a large farm near Alcamo, Sicily.

Modus operandi: With his brother, Giuseppe, he maintains close ties with French heroin suppliers furnishing to Mafia associates in the United States and Italy heroin which he obtains from the French.

VINCENZO FRANCESCO ANGELO MAURO

Aliases: Vincent Murio, Vincent Maurio, Vincent J. Morrio, Vinnie Morrow.

Description: Born February 26, 1916, New York City, 5 feet 11 inches, 194 pounds, brown eyes, dark brown hair.

Localities frequented: Resides 3824 Bronx Boulevard, Bronx, and also at 22 King Street, in Manhattan. Frequents Burke Bar and Ciro's Bar, both in Bronx, and most night clubs in midtown Manhattan and in Greenwich Village area.

Family background: Single, father: Salvatore, mother: Rafaela Criscuolo, sisters: Teresa and Amelia.

Criminal associates: Anthony Strollo, John Stoppelli, John Ormento, Salvatore Santoro, Patsy Moccio (dead), Anthony Mirra, Joe Valachi.

Criminal history: FBI No. 760750, New York City Police Department. B No. 115392. Arrests since 1933 include robbery, burglary, Federal income tax evasion and Federal narcotic laws.

Business: Usually associates himself with some night club or bar which is under the control of the Strollo organization.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1007

Modus operandi: A high ranking member of the Tony Strollo controlled Mafia organization, which is involved in narcotic trafficking, shylocking, policy rackets, and after hours "joints." Considered a merciless vicious "killer."

ROCCO MAZZIE

Alias: Rogie.

Description: Born February 25, 1916, Luzerne, Pa., 5 feet 7 inches, 160 pounds, brown eyes, brown-gray hair.

Localities frequented: Resides 2332 Seymour Avenue, Bronx, N.Y. Frequents East Harlem area of Manhattan.

Family background: Married to Anna Vacchi; daughter: Amelia; brothers: Ralph and James; sister: Mrs. Angelina Branca; mother: Amelia Pecoria; father: Angelo.

Criminal associates: Frank Borelli, Charles Curcio, John Ormento, Vincent Squillante, Steve Pucco, Frank Pasqua, Nick Tolentino, all of New York City; Salvatore Poliafico of Cleveland.

Criminal history: FBI No. 836192. New York City Police Department No. B-128301. Arrests since 1934 include robbery, assault and robbery, conviction for Federal narcotic laws.

Business: No legitimate business or employment known.

Modus operandi: A wholesale dealer in narcotics who has supplied many important traffickers throughout the United States. A close associate of known Mafia traffickers who are his source of supply.

PAUL DAMIEN MONDOLONI

Aliases: Paul Marie Bejin, Eduardo Dubian Chabolla, Jacques Desmarais, Paul Mondolini, Paul Madraleni, Jean Kroeber.

Description: Born September 27, 1916, Sartene, Corsica, France. French citizen, 5 feet 6 inches, 140 pounds, brown hair, blue eyes.

Localities frequented: Frequents Paris, Montreal, Mexico City, and gambling casinos in Havana, Cuba.

Family background: Mistress: Marcelle Senesi; father: Antoine; mother: Marie Giacomini.

Criminal associates: Jean Baptiste Croce, Roger Coudert, Marcelle Senesi, Nathan Behrman, Dominic Nicoli, Giuseppe Cotroni, Antoine D'Agostino.

Criminal history: FBI No. 564009-B. Arrested in United States for immigration violation and narcotic conspiracy, in France for aggravated theft and armed attack and in Mexico (1960) for immigration violation.

Business: No legitimate occupation.

Modus operandi: Internationally known narcotic trafficker with associates in Canada, Mexico, Cuba, France, United States, and elsewhere. Originally became notorious as a jewel thief. Closely associated with top Mafia racketeers.

JOSEPH ORSINI

Aliases: Joseph Casabianca, Joe Dorney, Francois.

Description: Born March 19, 1903, Bastia, Corsica, France, French citizen, 5 feet 8 inches, 170 pounds, brown eyes, gray hair, partly bald, medium build, tattoos on left arm.

Localities frequented: Now resides in France. Formerly resided at 26 West 85th Street, New York City, and frequented French restaurants in the midtown area of New York City.

Family background: Mistress: Marcelle Ansellem; father: Louis; mother: Maria Leonetti.

Criminal associates: Antoine D'Agostino, Francois Spirito, Jean Laget, Jean Ager, Marius Ansaldi, Dominique Reissant, Saul Gelb, Edouard Giribone, Carmelo Sansone, Vincent Randazzo, Salvatore Shillitani.

Criminal history: FBI No. 708363-A. He has been convicted in France for fraud and robbery and collaboration with the Germans during World War II. Federal narcotic and counterfeiting convictions in United States, for which sentenced to 10 years 1951. Deported from United States, 1958.

Business: Ex-seaman. No legitimate occupation.

Modus operandi: He was the Canadian-American representative for the Ansaldi group which operated a clandestine laboratory in France and smuggled heroin in large quantities to Mafia racketeers in the United States.

1008 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

PASQUALE ANTHONY PAGANO

Aliases: Big Pat, Patsy Pagano.

Description: Born February 21, 1921, New York City, 5 feet 11 inches, 202 pounds, black hair, brown eyes.

Localities frequented: Resides 3023 Fish Avenue, Bronx, N.Y., frequented East Harlem section and night clubs in New York City.

Family background: Father, Donato; mother, Antoinette DiMasti; married to Laura Prete and has two children; brothers, Joseph, John.

Criminal associates: Tony Strollo, Steve Armone, Fiore Siano, Jack Scarpulla, Joe Pagano (brother), all of New York City; Pat Erra and Mike Coppola of Miami, Fla., Alfredo Badulati (France).

Criminal history: FBI No. 74687B, Jersey City Police Department No. 13856. Arrests since 1952 include atrocious assault and battery, conviction for bribing Federal officer, and conviction (1956) for Federal narcotic laws.

Business: Was business agent for Local 59, International Bricklayer's Helpers, AFL prior to narcotic arrest; also a mason contractor, and New Jersey dock worker for Mafia chief Tony Strollo.

Modus operandi: An international and interstate smuggler and distributor of narcotics with his own source of supply in France. An up and coming Mafia leader in East Harlem, New York City.

ANTRANIK PAROUTIAN

Alias: Andre.

Description: Born April 30, 1925, Gardonne (Bouches du Rhone), France. French-Armenian, 5 feet 8 inches, 190 pounds, dark brown wavy hair, brown eyes, stocky build, round face.

Localities frequented: Resides 211 Promenade de la Corniche and frequents Place de l'Opera, both Marseilles, France.

Family background: Unmarried; father, Ohannes (deceased); mother, Boyzar Armandjan (resides with Paroutian); brother, Sauren.

Criminal associates: Joseph DiPalermo, Carmine Galante, Ernesto Barese, Roger Quendane, Giuseppe LiGiorgio, Jean Baptiste Croce, Paul Mondoloni.

Criminal history: Arrested 1947 for violation of the French Price Control Act and 1949 as a violator of the French economic law, 1960 Federal narcotic conspiracy (United States).

Business: Purports to be in the grocery business, operating under the name of Gabried & Cie, No. 6 Rue Bussy, l'Indien, Marseilles, France.

Modus operandi: Large-scale narcotic trafficker who obtains morphine base in Turkey, Syria, and Lebanon for conversion in illicit laboratories in France. Smuggles furnished heroin by way of Canada to Mafia traffickers in the United States.

FRANK ANTHONY PASQUA

Aliases: Frank Page, Frank Pasquale, Frank Hunt.

Description: Born January 13, 1923, New York City; 6 feet, 250 pounds, brown eyes, dark brown hair, heavy build.

Localities frequented: Resides 974 Rhineland Avenue, Bronx, N.Y. Frequented area of East Harlem in Manhattan and Chicago, Ill. Currently (1959) incarcerated for violation Federal narcotic laws.

Family background: Married to Mildred Bartolamucci; sons, Richard and Frank; father, Natale; mother, Rose Comodeo.

Criminal associates: Jack Scarpulla, John Riccardulli, James Massi, Mike Galgano, Rocco Mазzie, Frank Corona, all of New York City; Frank Panatera and Jack Rizzo of Chicago, Ill.

Criminal history: FBI No. 241577B. Convicted April 25, 1958, to 4 years for violation of Federal narcotic laws.

Business: Was self-employed in the produce trucking business.

Modus operandi: Has been a major interstate narcotic trafficker in association with known Mafia traffickers from East Harlem area of Manhattan.

JOHN MICHAEL PETRONE

Aliases: John Bennett, John Michael, John Carrila.

Description: Born February 4, 1896, New York City, 5 feet 8 inches, 175 pounds, blue eyes, gray hair, left index finger amputated.

Localities frequented: Resides 1500 Rowland Street, Bronx, N.Y., frequents Pastry Shop, Elizabeth and Prince Streets, Michael Angelo Jewelry Shop, 37 West 47th Street, both in New York City, and Gondolfo Motors, Bronx, N.Y.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1009

Family background: Married to Mary Rose Cerrita; son: John; daughter: Annette Marie Mirrando.

Criminal associates: Salvatore Shillitani, Anthony D'Agostino, Charles and Joseph DiPalermo, Carmine Galanti, Mike Consolo, Albert Spitzer, Paul Gambino, Joseph Notaro and Charles Porcelli.

Criminal history: FBI No. 1474964. NYCPD No. B-408659. Arrests since 1938 include concealing assets in bankruptcy and conviction for counterfeiting.

Business: Has interests in Michael Angelo Jewelry Shop, 37 West 47th Street, New York City.

Modus operandi: An international narcotic trafficker who also deals in gold smuggling and counterfeiting. A close and trusted associate of high-ranking Mafia in New York City.

GIUSEPPE PICI

Aliases: Joe Picci, Peach, Pacey, Pisano, Chester Ricardi.

Description: Born April 27, 1911, Bovino, Foggia, Italy, 5 feet 7 inches, 165 pounds, brown eyes, black hair.

Localities frequented: Resided Via Aurelia No. 47, Bogliasco, Genoa, Italy. Before deportation from United States, in 1946 lived in Turtle Creek, Pa., and made frequent trips to Pittsburgh, Kansas City, and New York City. Currently (1959) incarcerated.

Family: Wife: Enrica; two children of his deceased former wife, Joseph and Janet, live in Turtle Creek, Pa., father: Santo; mother: Teresa Carletto.

Criminal associates: Lucky Luciano, Carmine Tufarelli, Michele Cerami, Giovanni Gioia, Gaetano Ciofalo (deceased).

Criminal history: FBI No. 639336. Pittsburgh PD No. 26793. Record in United States dates from 1932 and includes arrests for violation of firearms act, white slavery, conspiracy, suspicious person and violation of immigration laws.

Business: Claims to be landowner and frequently invests in restaurant and bar enterprises.

Modus operandi: Important Mafia figure and wholesale supplier of heroin to smugglers. Organizes and finances other criminal activities, principally alien smuggling.

FRANCESCO PIRICO

Aliases: Don Ciccio, Cheech.

Description: Born June 1, 1901, Palermo, Sicily, 5 feet 10 inches, 180 pounds, brown eyes, light brown hair, small mouth, usually wears glasses and mustache, has droopy right eyelid.

Localities frequented: Resides via Vincenzo Monte No. 34, Milan, Italy.

Family background: Father: Giovanni; mother: Angela Pirico (both deceased); son: Gianni.

Criminal associates: Lucky Luciano, Giuseppe Pici, Nicola Gentile, Joseph Di Palermo, Albert Bistoni, Nicolo DiGiovanni, Francesco Saverino, Egidio Calascibetta.

Criminal history: Never in United States. Record in Italy dating back many years includes arrests for theft, gambling, fraud and narcotic trafficking.

Business: Claims to be a businessman and tradesman.

Modus operandi: Important Mafia figure, 1948 to 1951 was distributor of large quantities of diverted heroin from the Schapparelli Pharmaceutical Co., supplying U.S. customers Frank Scalise, Joseph DiPalermo, Eugene Giannini, and others. When diversion ceased he obtained French heroin for his American customers.

CARMELO SANSONE

Aliases: Michel Nasone, Schnozzola.

Description: Born September 10, 1912, New York City; 5 feet 9 inches, 160 pounds, brown eyes, black hair, nose scars due to plastic surgery, tattoo of man's head on right forearm, tattoo of woman's head on left forearm.

Localities frequented: Resides 163 West 71st Street, New York City. Frequented French restaurants in vicinity 8th Avenue and West 47th Street in Manhattan.

Family background: Single; brothers, Joseph and Chalo; sister, Mrs. Angelo Ouvar; mother, Josephine Kanala (dead); father, Carmelo.

Criminal associates: Eugene Giannini (dead), Jean Laget, Lucien Ignaro, Giovanni and Corrado Maugeri, Francisco Pirico, Antoine D'Agostino, Francois Spirito.

1010 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal history: FBI No. 780875A. NYCPD B-299646. Arrests since 1951 include convictions for Federal narcotic laws. Currently (1959) awaiting trial for violation Federal narcotic laws at New York City.

Business: No legitimate business of employment known.

Modus operandi: An important Mafia narcotic trafficker who has direct sources of supply from international Corsican Mafia traffickers.

FRANCESCO PAOLO SAVERINO

Aliases: Don Ciccio, F. Severino.

Description: Born August 5, 1911, Salemi, Trapani, Sicily; 5 feet 6 inches, 155 pounds, black hair, brown eyes, thin build, mustache, very good dresser.

Localities frequented: Lives at Viale Papignao No. 28, Milan, Italy; frequents better nightclubs in Milan and also the cities of Rome, San Remo in season and other major cities of Italy and Sicily.

Family background: Father, Salvatore; mother, Alonza Gaspare, both born in Italy.

Criminal associates: Frank Pirico, Ugo Caneba, Sal Caneba, Alberto Bianciardi, Frank Coppola, Paolo Greco, Serafino Mancuso, Joe Pici, Joe Pellegrino, Eugene Giannini (dead), Michael Cerami, Constantino Gamba, Dr. Enzo Berti, and all other major narcotic violators in Italy.

Criminal history: Dates from 1938. At one time he was arrested for resisting a police officer. Arrested in 1949 for possession of 2 kilos of cocaine and convicted in 1950 Palermo. In 1958 arrested in Milan in connection with the *Enzo Berti et al.* laboratory case.

Business: Operated a textile business on Via V. Hugo No. 2, Milan, Italy.

Modus operandi: Operates clandestine heroin laboratories in Italy. Is also supplied by Corsican gangsters in France. Distributes kilo lots of heroin to many important American gangs.

FRANK SCALICI

Aliases: Scalise; Scalisi, Don Cheech.

Description: Born February 22, 1893; 5 feet 7 inches tall; 150 pounds; neat dresser; mustache; bald.

Localities frequented: Resides at 211 Kirby Street, City Island, Bronx, N.Y.; frequents Lower East Side of New York; the Delmont Bar, 180th Street and Hughes Avenue, Bronx, N.Y.

Criminal associates: Luigi Morici and Vincenzo Carona of Baltimore, Md. "Lucky" Luciano, Vincent Squillante, Anthony Strollo, Giacomo and Angelo Scarpulla, Rocco Mазzie, Pasquale Pagano, Benny Ballanca, Carlo Gambino, Roger Coudert.

Criminal history: No criminal record available. His fingerprints and records have been removed from the files of the various agencies.

Present modus operandi of criminal operations: He is an important figure in the Italian-American underworld. He arranges for the smuggling of narcotics into the United States and the distribution of these narcotics throughout the United States. He is the head of a syndicate that deals directly with European wholesalers of narcotics.

Agencies, familiar with individual: U.S. Bureau of Narcotics.

MICHELE GIACOMO SCARPULLA

Aliases: Giacomino, Jack Scarpulla.

Description: Born May 16, 1899, Palermo, Sicily, Italy; 5 feet 8 inches, 185 pounds, stout build, dark complexion, brown eyes, brown hair turning white.

Localities frequented: Resides 77 Winter Street, Bronx, N.Y. Frequents New Prosperity Meat Market, 284 5th Avenue, Brooklyn, N.Y., and Crescent Avenue section of Bronx, N.Y.

Family background: Married Rosa Scalici (sister of late Francesco); son, Angelo; daughter, Maria Anna; father, Giacomo; mother, Marion Quadrini; Angelo married Rosemary Lapi, daughter of convicted counterfeiter Vincent Rocco Lapi.

Criminal associates: Frank Luciano, Carlo and Paul Gambino, Joseph Bisogno, Salvatore Caneba, Sebastiano Bellanca.

Criminal history: FBI No. 983998; NYCPD B-113221. Record dates from 1933 and includes arrests for grand larceny and bootlegging.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1011

Business: He and son Angelo own and operate New Prosperity Meat Market, 284 5th Avenue, Brooklyn, N.Y.

Modus operandi: High echelon Mafioso. Key member of the large-scale narcotic smuggling ring formerly headed by his brother-in-law the late Francesco Scalici.

VINCENT JAMES SQUILLANTE

Aliases: Jimmy Jerome.

Description: Born June 17, 1917, New York City; 5 feet 2 inches, 130 pounds, black hair, brown eyes, slight build, large horn-rimmed glasses, natty dresser.

Localities frequented: Resides 1962 Narragansett Avenue, Bronx, N.Y. Frequents 106th Street and First Avenue, Jennie's Restaurant at 2036 Second Avenue, and midtown night clubs, all in Manhattan, 187th and Cambreling Avenue, and Bluebird Restaurant at 2890 Burke Avenue, Bronx, N.Y.; 1961 missing and underworld reports him dead.

Family background: Married Theresa Scialabba 1949 and had one child, Bedilia; divorced 1951 and married Olivia Hughes, by whom two daughters, Donna and Olivia; father, Louis; mother, Euthalia Alberti; brother, Nunzio; nephew, Jerry Mancuso; has seven sisters.

Criminal associates: Rocco Mazzie, Frank Borelli, Charles Curcio, Nunzio Squillante, Benjamin DiMartino, Anthony Sedotto.

Criminal history: FBI No. 700100C; Nassau County, N.Y. (N.Y.) PD No. 25155. Record dating from 1953 includes arrests for income tax violation, violation of probation and extortion.

Business: Holds position in numerous unions and had interests in several garment and surplus companies.

Modus operandi: Has risen from smalltime narcotics peddler to top racketeer and labor extortionist; is feared by lesser racketeers because of his powerful position in the Mafia. Finances narcotic smuggling ventures and controls garbage collection business in greater New York, through Mafia tactics. Claims to be godchild of the late Mafia leader Albert Anastasia.

ANTHONY C. STROLLO

Aliases: Tony Benda, Tony Bender.

Description: Born June 18, 1899, New York City, 5 feet 7½ inches, 156 pounds, brown hair, brown eyes, wears glasses.

Localities frequented: Resides at 1015 Palisades Avenue, Fort Lee, New Jersey, frequents Greenwich Village section of Manhattan and dock area in Newark and Hoboken, N.J.

Family background: Married to Edna Goldenberg and has three children; father, Leone; mother, Giovannina Nigro; brothers, Emilio and Dominick (both dead).

Criminal associates: Frank Costello, Joe Adonis, Vito Genovese, Vincent Mauro, Pat Pagano, Joe Valachi, Anastasia brothers, and most top racketeers in New York City and United States.

Criminal history: FBI No. 4282858, New York City Police Department No. B-64086. Arrests from 1926 include possession of a gun, conspiracy to contrive a lottery.

Business: Claims to be a real estate broker.

Modus operandi: One of most powerful racketeers in the United States, having control of northern New Jersey dock area. A recognized Mafia leader and head of a narcotic smuggling, distributing organization with several of his criminal associates who handle the distribution of narcotics.

SALVATORE VITALE

Aliases: Toto, Don Toto, the Short One.

Description: Born October 1, 1902, Partinico, Sicily, Italy, 5 feet 6 inches, 140 pounds, black hair, sharp features, long nose. Illegal alien.

Localities frequented: Resided at 5670 Mary Jane Drive, San Diego, Calif., disappeared May 1956, and has not since been located. Frequented Detroit and southern California.

Family background: Married Katherine Matranga; daughter, Rose Marie DeGregorio; son, Salvatore, Jr.; father, Francesco Paolo; mother, Rosa Arculeo.

Criminal associates: Francesco Paola Coppola, Lucky Luciano, Matranga family, Ralph Caneba, Dominic LiMandri.

1012 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal history: FBI No. 1209612. Detroit Police Department No. 53442. Criminal history dates from 1936 when convicted of Federal narcotics and liquor violations. Sentenced to 15 years; 1937 sentence commuted and permitted to depart United States voluntarily. Returned illegally, arrested and returned to prison 1952. Released 1954 on a technicality and was awaiting both new trial and deportation when he disappeared.

Business: Formerly operated Tropics Cafe, 122 Broadway, San Diego, Calif., owned by corporation consisting of his wife and brothers-in-law, Joseph and Gaspare Matranga.

Modus operandi: A top level Mafia narcotics violator who smuggled large quantities of heroin into the United States, for distribution in Detroit, California, and New Orleans.

EXHIBIT No. 3**SETTIMO ACCARDO**

Aliases: Sam Accardi, Big Sam, Giuseppe Accarobl.

Description: Born October 23, 1902, Vita, Sicily, 5 feet 9½ inches, 200 pounds, brown eyes, heavy build, black hair, graying and receding.

Localities frequented: Family resides at 188 Franklin Street, Bloomfield, N.J., he is currently (1959) a fugitive for violation Federal narcotic laws.

Family background: Married to Teresa Menio; has three sons, Salvatore, Carmine, and Joseph; parents (dead) were Salvatore and Francesca Avila; sister is Pietra; and brothers, Joseph and Frank (dead).

Criminal associates: Lucky Luciano, Tom and Charles Campisi, Carmine Lo Cascio, Joe Doto, Frank Costello, Tony Corallo, Tony Strollo, Cristoforo Rubino (dead), and all top underworld leaders in New York and New Jersey.

Criminal history: FBI No. 603907, Newark Police Department No. 17577. Arrests since 1928 include atrocious assault and battery, violation Federal narcotic laws (1955), is fugitive in this case, having jumped \$92,500 bond.

Business: Was engaged in real estate and building construction in Newark, N.J., area.

Modus operandi: A very important top echelon underworld leader from Newark area, who was engaged in international narcotic trafficking.

IPPOLITO PAOLO AGRESTA

Aliases: Paul Agresto, "Greaseball," "Kip."

Description: Born June 18, 1906, Gioia Tauro Calabria, Italy, 5 feet 6 inches, 155 pounds, black-gray hair, brown eyes, naturalized June 20, 1945, Bridgeport, Conn.

Localities frequented: Resides at 85 Steuben Street, Bridgeport, Conn. Frequents Hotel Savoy, Mento's Service Station, Ocean Sea Grill, all Bridgeport, Conn.

Family background: Married to Francesca Corica; brothers, Joseph, Vincent, Anthony, and Rocco; has several sisters also.

Criminal associates: Frank Piccolo, Philip Barrese, Larry Vastano, all of Bridgeport; Sam Accardi and John Ormento of New York area; Joe Doto and Vincent Speranza of Italy.

Criminal history: FBI No. 4862273. Arrested 1947 at Milford, Conn., for idleness, later changed to extortion, for which he received an 8-month sentence.

Business: Salesman for Columbia Motors (used cars), Bridgeport, Conn., which is owned by Frank Piccolo.

Modus operandi: A trusted associate of known underworld traffickers in New York City. Makes trips to Italy in connection with narcotic transactions. With Frank Piccolo he controls a good deal of the illegal gambling in Bridgeport area.

PHILIP JOSEPH ALBANESE

Aliases: Phil Katz, Philly.

Description: Born November 7, 1907, New York, N.Y.; 5 feet 9 inches, 180 pounds, brown eyes, dark-brown hair, sallow complexion, and stocky build.

Localities frequented: Resides at 1108 Philip Court, Valley Stream, Long Island, N.Y. Frequents 121 Mulberry Street, 124th Street and 1st Avenue, and pier 28, North River, all in New York City.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1013

Family background: Divorced from Lillian Cappola in 1931. Currently married to Rose Russo. They have two children. Brothers, Joseph, Dominick, Anthony, and Rosario; and sister, Nancy; all residing in New York City.

Criminal associates: George Nobile, Joe Marone, Vito Tozzi, Eugene Uricola, Charles DiUmberto, and Frank Donato.

Criminal history: FBI No. 4042881, New York City Police Department No. B-262814. Dates from 1925 and includes robbery, income tax evasion, and violations of the narcotics laws.

Business: A public loader on the North River piers, New York, N.Y.

Modus operandi: A strong arm man for the underworld and reputed boss of New York City's fourth ward for this organization.

CHARLES ALBERO

Aliases: Charlie Bullets, Charles Rizzo, Albert Rizzo, Charles Crescenzo.

Description: Born April 26, 1902, New York City, 5 feet 7½ inches, 170 pounds, medium build, dark-brown hair, brown eyes.

Localities frequented: Resides 2390 Tiebout Avenue, Bronx, N.Y.; frequents Vinnie's Restaurant, Midnight Cafe, and Jenny's Restaurant, Bronx, N.Y., also racetracks.

Family background: Wife's name Dorothy; children are Charles, Jr., Franklin, and Madeline; is brother-in-law of Charles "Four Cents" Salerno.

Criminal associates: Joe Rao, Joe Marone, Mike Coppola, Joe Tocco, Joe Dentico, Steve Armone, Frank Livorsi, John Ormento, and all top hoodlums in East Harlem area, New York City.

Criminal history: FBI No. 69088, New York City Police Department No. 49903, arrests commence in 1941 and include concealed weapons, narcotics (New York State) grand larceny, rape, and conviction for Federal narcotic laws.

Business: Employed at Melrose Salvage Co., and Bridge Motors Inc., both in Bronx.

Modus operandi: Interstate and international narcotic trafficker, a leader of the underworld traffickers from New York's East Harlem area.

ANDREW ALBERTI

Aliases: Andy.

Description: Born October 15, 1920, New York City, 5 feet 5 inches, 175 pounds, dark-brown hair, brown eyes, stocky build.

Localities frequented: Resides 2675 Henry Hudson Parkway, Bronx, N.Y., frequents area East 12th Street and 1st Avenue and most prizefights in New York City. Makes trips to Italy.

Family background: Married to Adele Serpentine, daughter, Marilyn, son, Andrew, Jr.; brother, James; father, Frank; mother, Domenica Cammarata (both dead).

Criminal associates: Steve Armone, John Laget, Hugo Rossi, John Ormento, Joe DiPalermo, Frank J. Valenti, Peter C. Valenti, Louis Saccaroma, Salvatore Mezzasalma.

Criminal history: FBI No. 345652B. Only arrest on April 23, 1953, on a complaint for violation Federal narcotic laws which was dismissed.

Business: Operates the Alberti Baking Co., 441 East 12th Street, New York City, with his brother James. Also has interests in prizefighters.

Modus operandi: Has taken over position of his deceased father in the underworld from the area of East 12th Street and 1st Avenue. Makes trips to Italy in connection with narcotic smuggling operations and together with Jean Laget and Steve Armone, constitutes a major source of supply for wholesale dealers in New York City.

JOSEPH ARMONE

Aliases: Piney, Shorty Armone.

Description: Born September 13, 1917, New York City, 5 feet 5 inches, 140 pounds, brown hair, gray eyes, medium complexion, small build.

Localities frequented: Resided 143 Jefferson Street, Brooklyn, N.Y. Frequented Lulu's Bar, Second Avenue and 13th Street and area of East 14th Street and First Avenue. Currently (1959) incarcerated for New York State parole violation.

Family background: Married to Josephine DiQuarto and they have two children; father, Teri; mother, Anna (both dead); brothers, Steve, Frank, and Angelo; sisters, Angela, Florence, and Margarita.

1014 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal associates: Steve Armone (brother), Andrew Alberti, Angelo Meli, George Nobile, Eugene Tramaglino, Arnold Romano, all of New York City.

Criminal history: FBI No. 798682. New York City Police Department No. B-12581. Arrests since 1933 include robbery, felonious assault, homicide, and conviction of Federal narcotic laws.

Business: No legitimate business or employment known.

Modus operandi: A member of the underworld trafficking organization in the vicinity of East 14th Street and 1st Avenue, New York City, which is headed by his brother Steve and Arnold Romano. Is a dangerous hoodlum.

STEPHEN ARMONE

Aliases: Stefano Armona, Frank Pizzo, Joe Marinello, 14 Street Steve, Frank Charmonte.

Description: Born November 17, 1899, Palermo, Sicily. 5 feet, 4 inches, 163 pounds, brown eyes, black-gray hair, limps due to fracture of left hip.

Localities frequented: Resides 98-05 63d Road, Queens, New York. Frequent East 14th Street, 1st to 37th Avenues, and the Alberti Baking Co., 441 East 12th Street, all New York City.

Family background: Father, Terenzio; mother, Anna Grammauta (both deceased); brothers, Joseph, Frank, Angelo; sisters, Angela, Florence, and Margarita.

Criminal associates: Andrew Alberti, Joseph Marone, Joseph Valachi, Arnold Romano, Eugene Tramaglino, Joseph Armone, Charles Albergo, Anthony Strollo.

Criminal history: FBI No. 320538 New York City Police Department No. B-86090. Arrests since 1918 include assault and battery with intent to kill, burglary, Federal narcotic law conviction.

Business: No legitimate business or employment known.

Modus operandi: A underworld leader in New York City's East 14th Street area. With Arnold Romano and other underworld members has been engaged in large-scale narcotic smuggling and wholesale distribution for many years.

ARNOLD BARBATO

Aliases: Wash, Curly, Anthony Barbato.

Description: Born January 30, 1911, New York City, 5 feet 7 inches, 140 pounds, black-gray hair, brown eyes, slim build, medium complexion.

Localities frequented: Resides 2350 Beaumont Avenue, Bronx, New York, frequents East Harlem section of New York City, primarily the Blue Moon Bar, 115th Street and 1st Avenue.

Family background: Married Dorothy Sacco; children, Maria and Anthony; father, Anthony; mother, Maria Desimone; brothers, Sam, Michael, Joseph; sisters, Nettie Calvelli and Angela Barbato.

Criminal associates: Michael Corsaro, Joseph Marone, Joseph Rao, Michael Coppola, Calogero Lovetro.

Criminal history: FBI No. 751203, New York City Police Department No. B-107915. Record dates from 1932 and includes arrests for robbery, assault, alcohol violations, and Federal narcotic law violations.

Business: No legitimate occupation known.

Modus operandi: A member of the Mafia, particularly the "107th Street mob", supplies narcotics locally and interstate.

SEBASTIANO BELLANCA

Aliases: Sebastiano Ballanca, Benny Bellanca "The Bald Head," "Benny the Sicilian."

Description: Born January 6, 1904, Cattolica, Sicily, naturalized, January 8, 1931, New York City, 5 feet 4 inches, 165 pounds, build stocky, brown hair (graying) almost completely bald, eyes blue, medium complexion, scar on right cheek, sometimes wears glasses.

Localities frequented: Currently a fugitive, last known address 209 Tremont Avenue, Fort Lee, N.J. Frequented Guy's Restaurant, Astoria, N.Y., Montreal, Province of Quebec, and Windsor, Ontario.

Family background: Father was Pasquale, his mother Josephine Renda. Wife is Jennie, has grown children.

Criminal associates: Frank Scalise (dead), Joe Pici, Peter Beddia, Jack Scarpulla, and Albert Anastasia (dead), Michele Sisco, Lucien Rivard, Sam Accardi.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1015

Criminal history: FBI No. 797788, Bellanca has been convicted for violation of the Federal narcotic laws.

Business: Last known business; owner of Guy's Restaurant, Astoria, Long Island.

Modus operandi: One of the most important international smugglers in the United States, and a top-ranking Mafioso from the New York area; was originally a partner of Jack Scarpulla and Frank Scalise, he received narcotic supplies from the Coudert-Sisco combination of Montreal and France.

JOSEPH BIONDO

Aliases: "J. B." Joe Bionda, "Little Rabbitt," Joe Banti, Joe Bondi.

Description: Born April 16, 1897, Barcellona, Sicily; is 5 feet 4 inches, 150 pounds, brown eyes, brown-gray hair, naturalized.

Localities frequented: Resides 77-12 35th Avenue, Jackson Heights, Queens, N.Y. Has summer home at Long Beach, Long Island. Frequents area East 11th Street and First Avenue in Manhattan and makes trips to Italy.

Family background: Married to Louise Volpe. Brother, John; has a nephew, Vincent Manfredi.

Criminal associates: Eduardo Aronica, Frank Costello, Vito Genovese, Steve Armone, Thomas Lucchese, Andrew Alberti, Lucky Luciano, Joe Doto, and Nicola Gentile.

Criminal history: FBI No. 62666. New York City Police Department No. B-50466. Arrests since 1919 include drugs, homicide, revolver, extortion.

Business: Is vice president of See-Boro Forwarding Co., Inc., Queens, N.Y., and operates a real estate office at 84 Oswego Avenue, Long Beach, Long Island, N.Y.

Modus operandi: An international drug trafficker who is up among the higher echelon members of the Mafia in New York City.

RICHARD BOIARDO

Aliases: Richie Boiardo, Ruggerio Boiardi, Diamond Boiardo.

Description: Born November 8, 1890, Naples, Italy; 5 feet 7 inches, 210 pounds, brown eyes, gray hair, bullet scar on left cheek.

Localities frequented: Has residences in Newark, N.J., and Havana, Cuba. Frequents Newark, New York City, and gambling houses in Havana.

Family background: Married to Jenny Manfro (deceased). Son, Anthony; daughters, Marie and Rose.

Criminal associates: Sam Accardi, Gerard Catena, Tom Campisi, Charles Campisi, Charles Tourine, Paul Lombardino, Anthony Caponegro, all of Newark, N.J., area.

Criminal history: FBI No. 330595. Newark Police Department No. 9315. Arrests since 1921 include manslaughter, assault and battery, and carrying concealed weapons.

Business: Reputed to have interest in Sea Gull Hotel, Miami Beach, Fla.

Modus operandi: One of the underworld leaders from the Newark, N.J., area engaged in all types of illegal rackets; also active in gambling activities in Havana, Cuba.

JOSEPH BONANNO

Aliases: Joe Bananas, Joe Bononno, Joe Bonnano, Joe Bouventre.

Description: Born January 18, 1905, Castellammare, Sicily; 5 feet 9 inches, 190 pounds, brown eyes, brown-gray hair, naturalized May 17, 1945, Brooklyn, N.Y.

Localities frequented: Resides 1847 East Elm Street, Tucson, Ariz. Travels extensively about United States and makes frequent trips to Italy.

Family background: Married Filippa LaBruzzo. Daughter, Catherine; sons, Salvatore (married to Rosalie Profaci, niece of Giuseppe Profaci) and Joseph; father, Salvatore; mother, Catherine Bouventre; both parents deceased.

Criminal associates: Lucky Luciano, Francisco Costiglia, Giuseppe Profaci, Anthony Corallo, Thomas Lucchese, Carmine Galante.

Criminal history: FBI No. 2534540, NYCPD No. B-85172, I & NS No. C-6602167. Record dating from 1930 includes arrests for grand larceny, possession of gun, obstruction of justice.

Business: Has interests in Grande Chese Co., Fond du Lac, Wis.; Alliance Realty & Insurance, Tucson, Ariz.; and Brunswick Laundry Service, Brooklyn, N.Y.

1016 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Modus operandi: Attended 1957 Apalachin underworld meeting and Binghamton, N.Y., meeting 1956. One of the most important underworld leaders in United States and attends all top-level underworld meetings. Makes trips to Italy to confer with underworld leaders there and to negotiate for international narcotic trafficking.

FRANK BORELLI

Aliases: Frankie Gooks, "Frank the Hawk."

Description: Born June 19, 1925, New York City, 5 feet 9 inches, 180 pounds, with black hair (thinning) and brown eyes, wears glasses with thick lenses, is a very dapper dresser.

Localities frequented: Frequents the East Harlem section of New York City, and spends some time in Chicago, Ill. Resides with his wife at 2042 2d Avenue, Apartment 4, New York City.

Family background: Is married to Mary DeGeorge, daughter of Angelo DeGeorge, a convicted East Harlem narcotic violator. His brother-in-law, Mario Colucci, is also a convicted narcotic violator.

Criminal associates: Charles Curcio, Joseph Bendenelli, Rocco Mazzie, Nick Tolentino, all narcotic traffickers and racketeers in East Harlem area, New York City.

Criminal history: FBI No. 3902235, NYCPD No. B-206594, includes arrests for assault and robbery, burglary, and violation of State and Federal narcotic laws.

Business: None at present.

Modus operandi: Wholesale trafficker in heroin to associates in New York, Chicago, Ill., and Cleveland, Ohio, and trusted member of the underworld from East Harlem, New York City, area.

RUSSELL A. BUFALINO

Aliases: Ross Bufalino, Rosario Bufalino, Buffalino.

Description: Born October 29, 1903, Montedoro, Sicily; 5 feet 8 inches, 166 pounds, medium build, gray hair, hazel eyes, sallow complexion, left thumb and index finger amputated.

Localities frequented: Resides 304 East Dorrance Street, Kingston, Pa. Frequents the Medico Electric Motor Co., Pittston, Pa., and attends most championship prizefights.

Family background: Married Carolina Sciandra; brother: Charles; sister: Josephine; father: Angelo; mother: Maria Cristina Buccolliere (both deceased).

Criminal associates: Moesto Loquasto, William Medico, Santo Volpe, Sam Mannarino, Frank Carbo, James Plumeri, Al Polizzi, John Dioguardi, William Bufalino (cousin).

Criminal history: FBI No. 691589, Buffalo Police Department No. 18580. Arrests since 1927 include vagrancy, petit larceny, criminally receiving stolen property, and conspiracy to obstruct justice, for which sentenced (1960) to 5 years and \$10,000 fine.

Business: Owns Penn Drape & Curtain Co., Pittston, Pa. Interest in other Pittston and New York City dress manufacturing companies.

Modus operandi: Arranged and attended the 1957 Apalachin Mafia meeting. One of the most ruthless and powerful leaders of the Mafia in the United States. Also engaged in narcotic trafficking, labor racketeering, and dealing in stolen jewels and furs.

ANGELO BUIA

Aliases: "Frenchie," Angelo Russo.

Description: Born July 26, 1910, Nice, France, of Italian parents, became an American citizen through the naturalization of his father; 5 feet 7 inches, 166 pounds, brown eyes, black-gray hair, dark complexion, neat dresser.

Localities frequented: Resided 719 Lexington Avenue, New York City, frequented Greenwich Village area and Lower East Side of New York City.

Family background: Married to Mary McAvoy; father: Nicholas; mother: Amelia Buia; brother: Matildo.

Criminal associates: John Stoppelli, Aniello Santagata, Sam Accardi, Thomas and Charles Campisi, Matildo Buia (brother).

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1017

Criminal history: FBI No. 1641962, NYCPD B-125444. Arrest record dates back to 1934; two convictions for violation of Federal narcotic laws, in connection with one of which he is currently (1959) serving a term of 7 years in Federal prison.

Business: Machinist.

Modus operandi: He and his brother, Matildo, are members of the Accardi-Campisi underworld organization and distribute heroin in kilogram lots.

CHARLES CAMPISI

Aliases: Campi, Charles Campise.

Description: Born October 16, 1912, Newark, N.J., 5 feet 4 inches, 160 pounds, brown hair, gray eyes, stocky build.

Localities frequented: Resides 118 Tuxedo Parkway, Newark, N.J., frequents Atlantic City and Ventnor, N.J., and Miami, Fla.

Family background: Father: Pietro, mother: Fortunata Longo, wife: Rose; children: Peter, Mrs. Lois Sanitate; brothers: Tom, Gus, Salvatore, Biagio, Louis, and Anthony.

Criminal associates: "Lucky" Luciano, Tom (brother), Sam Accardi, Vito Genovese, and other well known Mafia members in Newark, N.J., area.

Criminal history: FBI No. 652456, Newark, N.J., PD No. 17122. Arrests since 1932 include carnal abuse, grand larceny, aggravated assault, Federal liquor laws, and conviction for Federal narcotic laws.

Business: No legitimate business known.

Modus operandi: With brother Tom was one of the top echelon operators in the underworld narcotic smuggling and distributing organization headed by Sam Accardi. One of the top hoodlums in the northern New Jersey area.

THOMAS CAMPISI

Aliases: Gasparo Campisi, Albert Campi, Thomas Campe, Tom Campise.

Description: Born May 12, 1911, Newark, N.J., 5 feet 4 inches, 185 pounds, gray eyes, wavy light brown hair, stocky build.

Localities frequented: Resides 265 14th Avenue, Newark, N.J., frequents major racetracks in New York City, Atlantic City, and Miami.

Family background: Father: Pietro; mother: Fortunata Longo; wife: Christine; children: Fay, Lois, Connie, Peter, Thomas, Jr.; brothers: Gus, Charles, Salvatore, Biagio, Louis, Tony.

Criminal associates: "Lucky" Luciano, Sam Accardi, Joe Doto, Vito Genovese, George Scalise, Frank Borelli, Vincent Carrao.

Criminal history: FBI No. 148998, Newark, N.J., PD No. 10658. Arrests since 1928 include assault, kidnapping, liquor laws, and conviction for Federal narcotic laws.

Business: No legitimate business known.

Modus operandi: A leader in the underworld narcotic smuggling and distributing organization headed by Sam Accardi of Newark, N.J., with brother Charles is considered one of top hoodlums in northern New Jersey area.

ROSARIO CARLISI

Aliases: Roy Carlisi, Roy Caruso, Rosario Carlise.

Description: Born April 10, 1909, Chicago, Ill., 5 feet 9 inches, 175 pounds, brown eyes, brown-gray hair.

Localities frequented: Resides 20 Anderson Place, Buffalo, N.Y. Frequents Club 97, Hotel Richmond, and other clubs in downtown Buffalo area; also race-tracks.

Family background: Married to Phillipa Romano and has three children; brothers: Carmine and Alfonso; father: Joseph; mother: Calogera Casaro (both dead).

Criminal associates: Vincent Mauro, Sam Pieri, Stefano Magaddino, Antonio Magaddino, James LaDuca, John C. Montana, Frank Valenti.

Criminal history: FBI No. 1434575. Arrests since 1937 include Federal liquor laws, malicious mischief, gambling, contempt.

Business: Owned Club 97, Buffalo, N.Y., till 1958, and has been associated with wholesale seafood markets in the Buffalo area.

Modus operandi: Attended Apalachin underworld meeting 1957 with other members from Buffalo area representing the underworld controlled rackets in the Buffalo area.

1018 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS**FRANK CARUSO**

Aliases: Frankie the Bug, Frank Russo, Frank Ross, Frank Campo.
Description: Born February 18, 1911, New York City, 5 feet 7 inches, 190 pounds, black hair, brown eyes, heavy build.

Localities frequented: Resides 1579 81st Street, Brooklyn, N.Y. Frequents area of Hester and Mulberry Streets, and Greenwich Village section, both in Manhattan.

Family background: Married to Josephine Oddo; son: Frank, Jr.; daughter; Mrs. Josephine Anne Morrongiello; father: Frank (dead); mother: Josephine; sister: Nancy; brothers: Joseph and Theodore.

Criminal associates: Phil Albanese, Joe Marone, John Ormento, Tony Strollo, Saro Mogavero, Tom Lucchese, George Nobile, all of New York City.

Criminal history: FBI No. 187656. New York City Police Department No. 73604. Arrests since 1928 include robbery, assault, extortion, conviction for Federal narcotic laws.

Business: Has interests in New York Carting Co., 643 East 13th Street, and Pygmalion Restaurant, 1068 2d Avenue, both in Manhattan.

Modus operandi: A trusted underworld leader in the Tony Strollo organization and a wholesale narcotic trafficker.

PETER CASELLA

Alias: Pete Casela.

Description: Born August 28, 1907, St. Louis, Mo., 5 feet 9 inches, 220 pounds, heavy build, brown hair, hazel eyes, scar under right eyebrow.

Localities frequented: Resides 105 South Dorset Avenue, Ventnor, N.J., frequented J. & R. Flower Shop, Philadelphia, Pa., and Bamboo Club, Atlantic City, N.J.

Family background: Married to Julia Greenjack, has two brothers, Anthony and Sam; has one daughter.

Criminal associates: James Santore, Frank Malfi, Frank Palermo, Felix DeTullio, Patsy Massi, Felix Bocchicchio, James Massi, Joseph Lo Piccolo, Lawrence Orlando, Vincent Todaro, Marco Reginelli (dead).

Criminal history: FBI No. 894604, Philadelphia Police Department No. 74700, several arrests since 1927 including larceny, lottery, homicide; currently serving 40 years for violation of Federal narcotic laws.

Business: Was part owner of Ticket Grill, Philadelphia, Pa., and Bamboo Club, Atlantic City, N.J.

Modus operandi: Interstate narcotic trafficker; was a lieutenant of deceased underworld head, Marco Reginelli, in Philadelphia-Camden area.

ANTHONY CASTALDI

Aliases: T. H., Tony Higgins, Tony Bones.

Description: Born January 27, 1913, New York City, 5 feet 10 inches, 219 pounds, brown hair, brown eyes, stocky build.

Localities frequented: Resides 15 Princeton Avenue, Yonkers, N.Y. Frequents Jennie's Restaurant, 2306 Second Avenue, and midtown bars, and racetracks, all New York City.

Family background: Wife: Jean Penosi (sister of Guido); sons: William and Andrew; father: Andrew; mother: Philomena DeLorenzo; brothers: John N. Lewis, James, and Samuel; sisters: Mrs. Lillie DePalma, Mrs. Sadie Blumetti, Mrs. Rose Ciccone.

Criminal associates: Anthony Strollo, John Ormento, Salvatore Santoro, John Stoppelli, Vincent Mauro, Vincent Squillante, Sam Kass, Carmine and Pete Locascio, Anthony Ciccone, Guido Penosi.

Criminal history: FBI No. 546748. NYCPD No. B101443. Arrests since 1932 include assault, robbery, extortion, robbery-gun, and Federal narcotics laws.

Business: Has interests in Jennie's Restaurant, 2036 Second Avenue, New York City, and also in real estate in East Harlem area.

Modus operandi: One of the most active underworld leaders in East Harlem area of Manhattan. A major interstate narcotic trafficker and close associate of most leading criminals in East Harlem area.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1019

JOSEPH CATALANOTTO

Aliases: Joe Contelanotte, Joe Catalanotte, Joe Catalonte, Joe Catonoo, Cock-eyed Joe, The Old Man.

Description: Born August 8, 1901, Salemi, Sicily, 5 feet 7 inches, 160 pounds, black hair, brown eyes, medium build, wears glasses.

Localities frequented: Former resident, Detroit, Mich., deported 1957 to Italy, returned clandestinely to United States, and Cuba, deported to Italy again 1959 from Cuba.

Family background: Married to Mary Ann Ruisi who lives in Windsor, Canada; two daughters, Virginia and Angela Marie; brother: Benedict; father: Liborio; mother: Vincenza Giacalone.

Criminal associates: William Tocco, John Priziola, Peter Lombardo, Peter Gaudino, Paul Cimino, John Ormento, Raffaele Quasarano, Frank Coppola.

Criminal history: FBI No. 3825453, Detroit Police Department No. 15656, numerous arrests since 1921 including assault with intent to kill, murder, extortion, and conviction for Federal narcotic laws.

Business: No known legitimate sources of income.

Modus operandi: An international trafficker of illicit drugs; a very important member of the Detroit underworld, who is expected to work with other underworld devotees in Italy in the international traffic.

GERARDO VITO CATENA

Aliases: Gerald Catena, Jerry Allen, Jerry Cutana, Jerry Catena.

Description: Born January 2, 1902, Newark, N.J., 5 feet 7 inches, 185 pounds, blue eyes, brown-gray hair.

Localities frequented: Resides 21 Overhill Road, South Orange, N.J. Frequents El Sorrento Cafe, Bleeker Club, Old Colonial Inn, all in Newark, and La Martiniere Cafe on Route 29, Mountainside, N.J.

Family background: Married to Catherine McNally; daughters: Patricia, Geraldine, Donna, Vicki; son: Richard; sisters: Mrs. Mary Frederico, Mrs. Sadie Dellasante; father: Francesco; mother: Donata Speciale.

Criminal associates: Lucky Luciano and Joe Doto of Italy, Frank Costello, Anthony Strollo, Michael Lascari, Angelo DeCarlo, Sam Accardi, Nick Delmore, Charles Tourine.

Criminal history: FBI No. 144036. Newark Police Department No. 9636. I & NS No. A1108677. Arrests since 1923 include robbery, hijacking, bribing a Federal juror, suspicion of murder.

Business: Has interests in People's Express Co., Advance Vending Co., Runyon Vending Sales Co., Kool-Vent Awning Co., all in Newark, N.J.

Modus operandi: Attended Apalachin underworld meeting 1957 with other underworld members representing the interests of the underworld-controlled rackets in northern New Jersey. Used strong-arm methods to gain control of vending machine industry in northern New Jersey.

ANTHONY CICCONE

Alias: Tony Moon.

Description: Born July 19, 1918, New York City, N.Y.; 5 feet, 9 inches; 170 pounds; medium build; black hair, brown eyes; 2-inch scar left cheek, 3-inch left temple.

Localities frequented: Frequents Joe's Bar, 2062 First Avenue, Mickey Walker's, 1654 Broadway, New York City; present address 11 Center Drive, White-stone, Long Island.

Family background: Married to sister of Anthony Castaldi, has two brothers, Salvatore and Joseph; sisters, Anna and Margaret; father, Sebastian; mother, Gelsamina Piccola.

Criminal associates: Anthony Castaldi, Salvatore Santora, John Ormento, Rocco Mazzie, Salvatore LoProto, Patsy Moccio, Vincent Mauro, and other East Harlem racketeers.

Criminal history: FBI No. 2526415, New York City Police Department No. B-172419, includes arrests and convictions for violation of State and Federal narcotic laws, beginning in 1941.

Business: Employed in Fruit Exchange, 1981 First Avenue, New York City.

Modus operandi: Is closely associated with most important underworld narcotic traffickers in New York City area, has large sources of supply and sells wholesale quantities of heroin into local and interstate traffic.

1020 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

BENEDETTO F. CINQUEGRANA

Aliases: Vincent Grandi, Radio Red, Benedetto DiPalo, Chink.

Description: Born January 6, 1913, New York City; 5 feet, 6 inches; 175 pounds; brown eyes, light brown hair, light complexion; wears glasses.

Localities frequented: Resides 166 Mulberry Street, New York City. Frequent Mulberry and Grand Streets (Little Italy area) in Manhattan.

Family background: Married to Lucy DiPalo; son: Louis; daughter: Concetta; brother: Anthony; parents: Luigi and Concetta (both born in Italy).

Criminal associates: Frank Caruso, Philip Albanese, Patsy Polimena, Matthew Palmiori, Joe Marone, Tom Lucchese, John Ardito, Edward Shapiro, all of New York City.

Criminal history: FBI No. 444281. New York City Police Department No. B-93715. Arrests since 1932 include assault and robbery, criminally receiving stolen property, conviction for Federal narcotic laws.

Business: Partner in operation of Roma Cafe & Bakery, 385 Broome Street, New York City.

Modus operandi: A major wholesale dealer in narcotics both local and interstate. Is a trusted associate of underworld traffickers from whom he obtains his supply of narcotics.

MICHAEL COPPOLA

Aliases: Trigger Mike, Mike Ross, Mike Russo, Mike Marino.

Description: Born July 20, 1900, Salerno, Italy; 5 feet, 5 inches; 155 pounds; brown eyes, black-gray hair, I. & N.S. file A-109292316.

Localities frequented: Resides 4431 Alton Road, Miami Beach, Fla. Frequent Collins Avenue and 23d Street, Miami Beach, and makes occasional trips to East Harlem area in Manhattan.

Family background: Parents: Giuseppe and Angelina (both dead); brothers: Ralph, John, Vincent, Louis; sisters: Mrs. Helen Multitillo, Mrs. Amelia Gallo, Mrs. Josephine Tufaro, Mrs. Mary Frediroso.

Criminal associates: Joe Rao, Joe Stracci, Tom Lucchese, Frank Costello, Tony Strollo, Meyer Lansky, all of New York City; Joe Mazzei, Fred Felice, Patsy Erra, all of Miami Beach, Fla.

Criminal history: FBI No. 677976, New York City Police Department No. B-54988. Arrests since 1914 include burglary, felonious assault, homicide, and Federal narcotic laws.

Business: Believed to have interest in Midtown Social Club, 21st Street and Collins Avenue, Miami Beach, Fla.

Modus operandi: Currently involved in gambling activities in Miami Beach. Has been a feared and powerful racketeer from East Harlem area, New York City, and has engaged in narcotic smuggling and distributing with top underworld associates.

FRANK CORONA

Aliases: Irish, Caruso.

Description: Born May 15, 1909, New York City, 5 feet 5 inches, 130 pounds, ruddy complexion, brown eyes, black hair, birth mark center forehead, always wears glasses.

Localities frequented: Currently (1960) incarcerated. Wife resides 208 East 134th Street, New York City. Frequent Merry Cottage Social Club, 116th and Paladino; Lizzie's Bar, 116 and Second; Tony's Bar, 129 West 72d Street; and Broadway from 96th to 125th Street, all New York City.

Family background: Married Mary Crisco; father: James; mother: Mary Calabrese (both deceased); brothers: Angelo and Samuel; sisters: Mrs. Jennie Mongelli, Mrs. Marie Sherwood, Mrs. Anedina Francia and Mrs. Anna Velluci, wife of narcotic trafficker George Vellucci.

Criminal associates: Anthony and George Vellucci, Anthony Castaldi, Matthew Picone, Joseph Marone, Daniel and Nicholas Lessa.

Criminal history: FBI No. 242674. New York City Police Department No. B68334. Record dates from 1927 and includes arrests for armed robbery, book-making, contempt of court. Federal narcotic conviction 1957 for which now serving 5 years.

Business: No legitimate occupation known.

Modus operandi: Part of an East Harlem, New York City, underworld drug distribution mob, supplying large quantities of heroin to local and out-of-State dealers.

ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS 1021

FRANCISCO COSTIGLIA

Aliases: Francisco Castiglia, Frank Costello, Frank Saverio, Saveria.

Description: Born January 26, 1893, Calabria, Italy, 5 feet, 7 inches, 155 pounds, brown eyes, black-gray hair, naturalized September 10, 1925, New York City.

Localities frequented: Resides 115 Central Park West, Apartment 18F, New York City, and has summer home at Sands Point, Long Island, frequents Biltmore and Waldorf Astoria Hotels, and most expensive night clubs in Manhattan.

Family background: Married to Loretta Geigerman, have no children; father: Luigi; mother: Mary Sevarrio Aloisa; brother: Edward; sister: Marcellina.

Criminal associates: Michele Miranda, Giuseppe Profaci, Vito Genovese, Frank Erichsen, Phil Kastel, and almost every important racketeer in the United States; Giuseppe Doto, Lucky Luciano, Francesco P. Coppola, of Italy.

Criminal history: FBI No. 936217. New York City Police Department No. B-38412. Arrests since 1908 include assault and robbery, concealed weapon, conspiracy, contempt, income tax evasion, deportation proceedings currently pending.

Business: President of 79 Wall Street Corp., and has numerous other interests in valuable real estate and night clubs in New York City and elsewhere.

Modus operandi: One of the most influential and powerful underworld leaders in the United States. He is one of the controlling factors in all types of commercial vice throughout the United States.

ANTHONY CRISCI

Aliases: Tony Carish.

Description: Born March 5, 1911, Beaverdale, Pa., 5 feet 8 inches, 205 pounds, brown hair, brown eyes, dark complexion, stocky build.

Localities frequented: Resides 171 Norfolk Street, New York City. Frequents Lower East Side, Lima's Bar and Grill, 58 Clinton Street, New York City. Owns summerhouse, 416 Thompson Street, Fort Jefferson, Long Island, N.Y.

Family background: Married Pauline Pavlishich; father: Salvatore; mother: Antonia Carluzzo (deceased); sister: Josephine Ciralo.

Criminal associates: Salvatore Rizzo, Salvatore Pieri, Salvatore Poliafico, Nunzio Romano, Rocco Mazzie, Michael Erra.

Criminal history: FBI No. 995937. New York City Police Department No. 74250. Record dates from 1929 and includes arrests for assault and robbery, robbery of truck and merchandise. Federal narcotic conviction, 1954, 5 years.

Business: Delivery truckdriver.

Modus operandi: An important Mafia narcotic trafficker supplying large amounts of high quality heroin to out-of-State dealers.

ALFRED CRISCUOLO

Aliases: Alfonso Criscuoli, Alphonse Criscuolo, Frank Romano, Ralph Esposito, Alfred Rocca, Alfred Tente, Frank Russo, Al, Goodlooking Al.

Description: Born January 23, 1911, New York City, 5 feet 7 inches, 170 pounds, brown hair, brown eyes, medium build.

Localities frequented: Resides 353 Grove Street, New Milford, N.J. Frequents Rex Tavern, Negri Candy Store, and taverns on upper First Avenue, in vicinity of 123d Street, New York City.

Family background: Wife: Floria Hausa; son: Lewis; father: Francesco; mother: Maria Bello (both born in Italy); brothers: Steve, Larry, Albert; sister: Carmella.

Criminal associates: John "Buster" Ardito, Joseph Marone, Al Landi and Charles Alberio, Frank Livorsi, Joseph Vento.

Criminal history: FBI No. 1529336, New York City Police Department No. B-153956. Criminal record dates from 1934 and includes arrests for burglary, gambling, and violations of State and Federal narcotic laws.

Business: No known legitimate business.

Modus operandi: An important member of the old 107th Street Mafia group on New York's Upper East Side. Delivers large amounts of narcotics locally and interstate.

FRANK CUCCHIARA

Aliases: Frank Caruso, Frank Russo, Frank the Spoon.

Description: Born March 29, 1895, Salemi, Sicily; naturalized August 10, 1931, Boston, Mass., 5 feet 3½ inches, 156 pounds, stocky build, brown eyes, hair brown and graying, has 6-inch scar in palm of left hand.

1022 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Localities frequented: Resides 282 Common Street, Watertown, Mass., frequents Purity Cheese Co., European Restaurant, Giro's Cafe, Florentine Cafe, all in Boston.

Family background: Wife: Santa Lucy Giordano; no children; brother: Peter (Boston); sister in Italy; father: Vito; mother: Antonia Cardonna.

Criminal associates: Philip Buccola, Raymond Patriarca, John Guglielmo, Rocco Palladino, Henry Selvitella, Albert Santaniello, Frank Morelli.

Criminal history: FBI No. 4477, Boston Police Department No. 19057. Arrested 1925 Boston possession of morphine and dynamite, arrested again 1932 Boston suspicion of murder.

Business: Owns Purity Cheese Co., 55-57 Endicott Street, Boston.

Modus operandi: Attended Apalachin meeting 1957 as representative of the Mafia from the New England area; operates gambling joints in North End of Boston; finances narcotic transactions.

CHARLES CURCIO

Aliases: Charlie Mouse, Charles Rossi.

Description: Born July 26, 1926, New York City, 5 feet 9 inches, 185 pounds, brown eyes, brown graying hair, medium complexion, heavy build.

Localities frequented: Resided at 33-18 159th Street, Flushing, N.Y., currently (1959) incarcerated.

Family background: Married to Rose Zaccardo, children are Diane and Charles, Jr.; father: Anthony; mother: Mary Lemardo (both dead); brothers: Vincent, Anthony, and Louis.

Criminal associates: Frank Borelli, Rocco Mазzie, Nick Tolentino, Joe and Ben Licchi, and most all narcotic traffickers in East Harlem, New York City.

Criminal history: FBI No. 4226766, New York City Police Department No. B-228844, arrests date from 1944 and include burglary, larceny, State and Federal narcotic laws; sentenced May 24, 1957, Hackensack, N.J., 8 to 10 years, State narcotic violation.

Business: None.

Modus operandi: Associated with and received his narcotics from top echelon Mafia traffickers; a wholesale dealer, both local and interstate, operated a clandestine laboratory.

JOSEPH DENTICO

Aliases: Joseph Dandia, Joe Bari, Dandio.

Description: Born October 5, 1898, Gioia Del Collo Calabria, Italy, 5 feet 7½ inches, 195 pounds, brown eyes, gray hair, wears glasses, alien registration No. 534B654.

Localities frequented: Resides 2355 Prospect Avenue, Bronx, N.Y., frequents East Harlem section Manhattan.

Family background: Married to Theresa Romano; father: Vito Antonio; mother: Rose (both dead); brothers: Frank and Larry; sister: Mrs. Grace Doyle.

Criminal associates: Charles Albero, Joseph Marons, Joseph Tocco, John Ardito, Joe Rao, Alfred Criscuolo, all of New York City.

Criminal history: FBI No. 68636, New York City Police Department No. B45977, numerous arrests since 1916 including assault, grand larceny, burglary, conviction of Federal narcotic laws. Currently free on bail pending deportation proceedings.

Business: In the past has been interested in radio, phonograph and jukebox business.

Modus operandi: A member of the Albero-Marone organization which has been engaged in the smuggling and distribution of narcotics on a major scale. Is closely associates with most Mafia leaders in East Harlem area, New York City.

JOSEPH D'ERCOLE

Aliases: Joe Z. Josey, Joe Morelli, Josie Romano.

Description: Born November 16, 1911, New York City; 5 feet 7 inches, 210 pounds, brown eyes, black-gray hair, medium complexion, hoarse voice.

Localities frequented: Resides 428 East 116th Street, apartment No. 18, New York City. Frequents Delightful Luncheonette, New York City.

Family background: Married Helen Morelli; daughter, Rose Zanfardino; father, Domenico; mother, Rosalia Emanueto; brothers, Anthony, Louis, and

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1023

Ignazio (deceased 1952) ; sisters, Mary Chionchio, Bessie Dorio, Virginia Derio, and Theresa Ivonelle.

Criminal associates: Joe Rao, Mike Coppola, Joe Bendenolli, Nicholas Tolentino, John Ardito, Anthony Criscuolo, Joseph Teresky, DeMartino brothers, Nicolas and Daniel Lessa.

Criminal history: FBI No. 373891. New York City Police Department No. B-82879. Arrests since 1930 include robbery, assault and robbery, grand larceny, Dyer Act, and convictions for Federal narcotic laws.

Business: Employed as manager and bouncer at Delightful Luncheonette, 116th Street and First Avenue, New York City.

Modus operandi: Is one of the controlling Mafia members in the East Harlem section of New York City, engages in any type of illicit activity, mainly narcotic wholesaling and large-scale auto theft.

JOSEPH J. DI CARLO

Aliases: Joe DeCarlo, Jerry the Wolf, Joe the Gyp.

Description: Born November 8, 1899, Vallerlunga, Sicily, Italy: 5 feet 6 inches, 175 pounds, brown eyes, black-gray hair. Derivative citizenship.

Localities frequented: Resides 530 South Shore Drive, Miami Beach, Fla. Frequents Esquire Smoke Shop, Carib Hotel, Tahiti Bar, and Grand Barber Shop, all in Miami Beach. Makes trips to Youngstown, Ohio, and Utica-Rochester area of New York State.

Family background: Married Elsie Pieri (sister of narcotics violator Salvatore Pieri) ; daughter, Vinnie; father, Joseph P.; mother, Florence Palmeri.

Criminal associates: Stefano and Antonino Magaddino, Salvatore Pieri, Salvatore Rizzo, Anthony Strollo, Cassandras Bonasera (brother-in-law), Joseph Massel, Angersola brothers.

Criminal history: FBI No. 286967; Buffalo Police Department No. 14592. Record dating from 1920 includes arrests for assault, coercion, intimidating witness, and violation of Federal narcotic laws.

Business: No known legitimate occupation.

Modus operandi: A feared Mafioso, utilized as a killer by the Magaddino brothers of Buffalo, N.Y. Forced to leave the Buffalo area by police and is currently engaged in underworld controlled illegal gambling in the Greater Miami area.

CHARLES DiPALERMO

Aliases: Charlie Beck, Charlie Brody.

Description: Born February 15, 1925, New York City; 5 feet 8 inches, 140 pounds, slim build, brown eyes, black hair.

Localities frequented: Resides 260 Elizabeth Street, New York City; frequents Reno Bar, 168 Elizabeth Street, and Joy's Restaurant, 28 Spring Street, New York City, and College Pizzeria, 301 East 170th Street, Bronx, N.Y.

Family background: Wife, Marie Cuomo; daughter, Cheryl; son, John; father, John (deceased) ; mother, Sarah Floria; brothers, Anthony, Steve, Peter, Joseph.

Criminal associates: Florio Isabella, Joseph DiPalermo, Carmine Galante, Vito Genovese, Joseph Bonnano, Natale Evola.

Criminal history: FBI No. 4532585, New York City Police Department No. B-239114. Record dates from 1945 and includes arrests for burglary, perjury, burglary tools, violation of alcohol laws, unlawful entry, forgery; 1959 convicted of narcotic conspiracy and sentenced to 12 years. Now appealing this conviction.

Business: Owner of College Pizzeria, 301 East 170th Street, Bronx, N.Y.

Modus operandi: He and his brothers constitute the notorious "Beck brothers," all Mafiosi, led by Joseph DiPalermo. Charles DiPalermo, like his brothers, engages in narcotic trafficking and bootlegging on a major scale.

JOSEPH DiPALERMO

Aliases: Joe Beck, Joe Palmer, Joe Palmero, Joe DePalermo.

Description: Born June 8, 1907, New York City; 5 feet 6 inches, 120 pounds, slim build, brown eyes, light brown hair balding, wears glasses.

Localities frequented: Resides 246 Elizabeth Street, New York City. Frequented lower East and West Sides of Manhattan, also makes trips to Italy.

Family background: Married to Mary Cattone; son, John; daughter, Mrs. Sarah Florio; brothers, Peter, Tony, Charles (all with criminal records).

1024 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal associates: Carmine Galante, Frank Carofolo, Santo Sorge, Vito Genovese, Joe Bonnano, Natale Evola, all of New York City; Cotroni brothers of Montreal.

Criminal history: FBI No. 1519166, New York City Police Department No. B-203135, arrests since 1925 include narcotics (State), homicide, convictions for violating Federal liquor laws and counterfeiting laws. Sentenced to 15 years on April 17, 1959, for Federal narcotic laws. He and Carmine Galante suspected of 1943 murder of Carlo Tresca in New York City.

Business: Has never engaged in any legitimate business.

Modus operandi: A most vicious criminal, international drug trafficker, and an "enforcer" for the Mafia in New York City. Attended Binghamton, N.Y., Mafia meeting in 1956.

ANTHONY DiPASQUA

Aliases: Bootsie.

Description: Born July 23, 1912, in New York City; 5 feet 7 inches, 135 pounds, black hair, brown eyes, medium build, dark complexion.

Localities frequented: Resides, 58 Catherine Street, New York City. Frequents Mendel's Restaurant, Clinton and Broome Streets; Lower East Side area of New York City.

Criminal associates: Angelo Tuminaro, John Stoppelli, Frank Caruso, Florio Isabella, George Noble, Solly Kaplan.

Criminal history: Includes five convictions for violation of Federal and State narcotic laws.

Modus operandi: A wholesaler of heroin locally and into interstate traffic. Associated with both Jewish and Italian narcotic traffickers on lower East Side of New York City.

Agencies with information: U.S. Bureau of Narcotics, New York City Police Department.

Identification: FBI No. 78004, New York City Police Department No. B-121496.

CARLO DI PIETRO

Aliases: Cosco, Charlie, Charles.

Description: Born October 15, 1930, New York City, 5 feet 8 inches, 140 pounds, black wavy hair, brown eyes, ruddy complexion, scars under right eye and over lip.

Localities frequented: Resides at 1 Cardinal Hayes Place, New York City, Frequents Vivere Lounge, 199 Second Avenue, New York City, CIA Club, 72 Forsythe Street, and entire Lower East Side area of New York City.

Family background: Married; father, Rocco; mother, Rose Palermo; sisters, Mildred Mari (wife of narcotic violator Frank Mari) and Jean Menta; brother, Joseph.

Criminal associates: Frank Mari, Anthony Lisi, Pasquale Gigante, George Presto, Anthony DiPasqua, Angelo Tuminaro.

Criminal history: FBI No. 315537-A; New York City Police Department No. B-274644. Record dating from 1936 includes arrests for disorderly conduct, burglary, and criminally receiving stolen goods. Federal narcotic law conviction.

Business: Former professional boxer. Has interest in the Vivere Lounge, 199 Second Avenue, New York City.

Modus operandi: Part of a Mafia narcotic smuggling and distributing ring on New York's Lower East Side. Obtains supplies of heroin from the Cotroni organization in Canada.

ALFRED JAMES EMSARRATO

Aliases: Alfred Scalisi, Al Walker, Aldo Elvardo.

Description: Born November 1, 1909, New York City, 5 feet 7 inches, 165 pounds, black hair, brown eyes, tattoo "AJE" on right arm, wears glasses.

Localities frequented: Resides at 43 Market Street, New York City. Frequents House of Chan, 52d Street, and area of Market and Madison Streets, all in New York City.

Family background: Married to Constance and has 3 children; father, Salvatore; mother, Mary.

Criminal associates: Frank Livorsi, John Catrone, Lucky Luciano, Florio Isabella, William Paradise, Carmine Locascio, Saro Mogavero, and Anthony Mirra (nephew).

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1025

Criminal history: FBI No. 776059; New York City Police Department No. B-94812. Arrests since 1930 include felonious assault and conviction for Federal narcotic laws.

Business: Usually employed on piers as a boss loader in New York City.

Modus operandi: An interstate and local narcotic trafficker closely allied with known Mafia traffickers. A strong-arm man who controls the worker of stevedores at Lower East Side piers so that shipping companies have to deal with him.

ALFRED EPPOLITO (DECEASED)

Aliases: Freddy, Big Freddy, Ippolito.

Description: Born September 19, 1919, New York City, 5 feet 11 inches, 205 pounds, heavy build, black hair, brown eyes, suffers from serious ulcer condition.

Localities frequented: Resides at 1727 Troy Avenue, Brooklyn, N.Y. Frequents Gran Mark Bar, Grand St. and St. Marks Avenue, San Chel's Restaurant, 5000 Kings Highway and Colonial Enterprises, 605 Grand Avenue, all in Brooklyn, N.Y.

Family background: Married Lorraine Dasena; son, Louis; daughters, Lorraine and Marlene; brothers, James, Ralph, and Joseph.

Criminal associates: Andrew Alberti, John Robilotto (deceased), Gaetano Maiorano, Thomas Farula, Anthony Brandolino.

Criminal history: FBI No. 1924986; New York City Police Department No. B-276479. Record dates from 1936 and includes arrests for robbery, counterfeiting, felonious assault, and suspected murder. Was prime suspect in murder of John Robilotto, a high echelon underworld member.

Business: Owns Colonial Enterprises, 605 Grand Avenue, Brooklyn, a jukebox distributing firm.

Modus operandi: Finances wholesale smuggling and distribution of narcotics in collusion with the Andrew Alberti organization. Is an important underworld member and in addition to his narcotic interests is active in loansharking and gambling operations.

PASQUALE ERRA

Aliases: Pat Erra, Patsy Erra.

Description: Born November 29, 1915, New York City, 5 feet 5 inches, 140 pounds, brown eyes, black hair, mole at side of chin, dark complexion, and medium build.

Localities frequented: Resides at 3720 Chase Avenue, Miami Beach, Fla., frequents the Dream Bar, Hotel Albion, Hotel Fountainbleau, and Club LaRue, all of Miami Beach, Fla.

Family background: Separated from wife and child, father is Rocco Erra, mother's name is Assunta; has two brothers, Mike and Rocco, Jr.; his family resides at Astoria, Long Island, N.Y.

Criminal associates: Joe Massel, Mike Coppola, Joseph Indelicato, Charles Tourino, Fred Felice, and Terry Teriaca, of Miami, Fla., Joe Rao and Joe Valachi of New York City.

Criminal History: FBI No. 1593543, New York City Police Department No. B-151752. Arrest record dates from 1936, with convictions for auto theft and violations of the Federal narcotics laws.

Business: Is a partner in the Dream Bar and owns other Miami Beach real estate.

Modus operandi: Is the enforcer and right-hand man for Mike Coppola and an important member of the underworld in New York City and Miami, Fla.

NATALE JOSEPH EVOLA

Alias: Joe Diamond.

Description: Born January 22, 1907, New York City, 5 feet 10 inches, 190 pounds, brown eyes, gray hair, balding.

Localities frequented: Resides at 972 Bay Ridge Parkway, Brooklyn, N.Y. Frequents garment center of New York City.

Family background: Single; father, Felippo; mother, Francesca; brothers, Paul and Joseph; sister, Anna.

Criminal associates: Salvatore Santoro, Audimo Papaddio, Cassandros S. Bonasera, Joseph Stracci, James Plumeri, John Ormont.

Criminal history: FBI No. 449296, New York City Police Department No. E-8624. Record dating from 1930 includes arrests for coercion, possession of gun, Federal narcotic law conviction, and conspiracy to obstruct justice, for which sentenced (1960) to 5 years and \$10,000 fine.

1026 ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS

Business: Owner of Belmont Garment Delivery and Amity Garment Delivery, both at 240 West 37th Street, New York City.

Modus operandi: Attended 1957 Apalachin Mafia meeting with other Mafia leaders from New York City. Is a major narcotic trafficker who also engages in labor racketeering in New York City's garment center.

JOSEPH FALCONE

Alias: Joe Falcone.

Description: Born November 6, 1925, Utica, N.Y.; 5 feet 7½ inches, 190 pounds, stocky build, blue eyes.

Localities frequented: Resides 5609 NW. Seventh Avenue, Miami, Fla. Frequent NW. Seventh Avenue, Italian neighborhood of Miami, and travels to Tampa, Fla.

Family background: Father, Salvatore (1957 Apalachin delegate); mother, Josephine Provenzano; son, Joseph Salvatore Falcone.

Criminal associates: Decidue family of Tampa, Fla. Father, Salvatore Falcone.

Criminal history: No FBI Number assigned. Was arrested on May 27, 1959, Miami, Fla., charged with harboring his fugitive father Salvatore Falcone.

Business: Operates the Falcone & Sons Wholesale & Retail Italian Grocery, 5609 NW. Seventh Avenue, Miami, Fla.

Modus operandi: Joseph Falcone has no criminal record and is ostensibly a respectable businessman. He is, however, undoubtedly cognizant of his father's activities in the underworld and is considered a threat because of potential underworld influence through his father, one of the 1957 Apalachin delegates.

ALFREDO GEORGE FELICE

Aliases: Fred Franco, Freddy Red Shirt, Frank Graziano.

Description: Born October 5, 1912, in New York City; 160 pounds, 5 feet 8 inches; brown hair; brown eyes, half-inch scar center of forehead, cleft chin, dark complexion.

Localities frequented: Resides 1770 Normandy Drive, Miami, Fla. Frequent, La Rue Cafe, 23d Street and Collins Avenue, Miami; Jewelry Center, 46th Street and Sixth Avenue; and Forest Hotel, 224 West 49th Street, in New York City.

Criminal associates: Charles Rosenberg, Patsy Erra, Pasquale Fenese, Bum Brothers, Frank Loicano, Joseph Vento, Mike Coppolo.

Criminal history: Dates from 1931 and includes arrests for vagrancy, policy, possession of gun, and violation of Federal narcotic laws.

Modus operandi: Smuggles opium from Mexico. Interested in clandestine laboratories. Has organization for distribution of heroin in wholesale quantities.

Agencies with information: U.S. Bureau of Narcotics. New York City Police Department. Miami Beach (Fla.) Police Department.

Identification: FBI No. 951876; New York City Police Department; Miami Beach Police Department A-14019.

GIUSEPPE GAGLIANO

Aliases: Joseph Gagliano, Frank Costello, Frank Castelli.

Description: Born August 8, 1903, in Porto Empedocle, Province of De Agrigento, Sicily; 5 feet 8½ inches, 211 pounds, black hair.

Localities frequented: Deported to Italy December 23, 1955.

Criminal associates: Tommy Gagliano, Carlos Marcello, John Vaccaro, Julian Lopez, Anthony Carollo, all of New Orleans, La.

Criminal history: Includes arrests for theft, possession of stolen property, carrying a concealed weapon, and violation of Federal narcotic laws.

Modus operandi: As a Sicilian underworld narcotic trafficker, with close associates in New York and New Orleans, is of continuing importance in the narcotic traffic.

Agencies with information: U.S. Bureau of Narcotics, Immigration and Naturalization Service, Department of Justice, New Orleans Police Department.

Identification: FBI No. 786311, New Orleans Police Department No. 31956.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1027

CARMINE GALANTE

Aliases: Camillo Galante, Carmine Galanti, Carmine Galento, Joseph Russell, Louis Volpe.

Description: Born February 21, 1910, New York City; 5 feet 5 inches, 168 pounds, gray hair balding, brown eyes.

Localities frequented: Resides 274 Marcy Avenue, Brooklyn, N.Y. Frequents south New Jersey area, Miami, Montreal, also makes trips to Sicily.

Family background: Married to Helen Marullo; son, James; daughters, Camilla and Angela; brothers, Sam and Peter; sisters, Mrs. Angela Volpe, Mrs. Josephine Volpe.

Criminal associates: Frank Garofolo, Joe DiPalermo, Vito Genovese, Joe Bonanno, Joe Profaci, Meyer Lansky, all of New York City, Joe Cotroni and Lucien Rivard of Montreal.

Criminal history: FBI No. 119495; NYCPD No. B-66994. Arrests since 1921 include juvenile delinquent, robbery, assault, homicide, Federal narcotic laws. With Joe DiPalermo as an accomplice, believed to have murdered Carlo Tresca in New York City (1943).

Business: Operates Rosina Costume Co., Brooklyn, N.Y., and Latamer Shipping Co., Manhattan.

Modus operandi: Attended Binghamton (N.Y.) Mafia meeting 1956. An extremely important figure in the international drug traffic, and a ranking Mafia member engaged in terrorist activities. In 1956 he was top representative of American racketeering activities in Montreal.

JOSEPH GALLO

Aliases: Joe-the-Blonde.

Description: Born April 6, 1929, Brooklyn, N.Y.; 5 feet 6 inches, 145 pounds, slim build, brown hair, blue eyes.

Localities frequented: Resides 639 East Fourth Street, Brooklyn, N.Y. Frequents 108 Beverly Road and various sections of Flatbush, Brooklyn.

Family background: Single; father, Albert; mother, Mary Nunziato; brothers, Ralph and Lawrence; sisters, Carmela Froiera and Jacqueline Meyers.

Criminal Associates: John Oddo, Salvatore Pepitone, Carmine Lombardozi, Columbo Saggese, Dominic Sciala.

Criminal history: FBI No. 120842A; NYCPD No. B-250889. Record dates from 1947 and includes arrests for dangerous weapon, abduction, possession of gun, burglary, kidnaping and attempted sodomy and felonious assault on police officer.

Business: Claims to be manager of Jackie's Charcolette, 108 Beverly Road, Brooklyn, N.Y.

Modus operandi: Becoming powerful in the Mafia. A strong-arm man and labor goon, suspected murderer, and trafficker in small arms and narcotics.

LAWRENCE GALLO

Aliases: Larry.

Description: Born November 3, 1927, Brooklyn, N.Y., 5 feet 7 inches, 160 pounds, dark hair, brown eyes, dark complexion.

Localities frequented: Resides 2031 East 67th Street, Brooklyn, N.Y. Frequents 108 Beverly Road, Brooklyn, N.Y., and various sections of Flatbush, Brooklyn, N.Y.

Family background: Single. Father, Albert Gallo; mother, Mary Nunziato; brothers, Ralph Gallo and Joseph Gallo; sisters, Carmela Froiera, Jacqueline Myers.

Criminal associates: Angelo Luigi Perso, Carmine Lombardozi; Anthony Tuzio, Ernest Filocomo, John Oddo, Joseph Ravo, John Caruso, Salvatore Pepitone, Mario DeGrandis.

Criminal history: FBI No. 120842A; NYCPD No. B-250889. Record dates from 1944 and includes arrests for grand larceny, receiving stolen property, operating a lottery, consorting with criminals, vagrancy, felonious assault, and extortion.

Business: Claims to work as a counterman in Jackie's Charcolette, 108 Beverly Road, Brooklyn, N.Y.

Modus operandi: With his older brother, Joseph, and other underworld hoodlums, engages in gambling, narcotic trafficking, and numerous other illicit enterprises. Strong-arm man and suspected murderer.

1028 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

CARLO GAMBINO

Aliases: Carlo Gambirino, Carlo Gambrieno, Don Carlo.

Description: Born August 24, 1902, Palermo, Sicily; an alien, 5 feet 7 inches, 200 pounds, brown eyes, black-gray hair.

Localities frequented: Resides 2230 Ocean Parkway, Brooklyn, N.Y. Frequenters Carroll Paper Products Co. and Bensonhurst section of Brooklyn; also Italian sections of East Bronx, and Miami, Fla.

Family background: Married to his first cousin, Vincenza Castellana. Son Tom married to Frances Lucchese (daughter of Tom Lucchese); father, Thomas; mother, Felicia Castellana; brother, Paolo; sister, Mrs. Giuseppina Giammona.

Criminal associates: Lucky Luciano and Santo Sorge (deportees), Tom Lucchese, Hugo Rossi, Paolo Gambino (brother), Jack Scarpulla, Meyer Lansky, Scalice brothers, all of New York City.

Criminal history: FBI No. 334450, NYCPD No. B-129760. Arrests from 1930 include larceny, Federal liquor laws, and violation I. & N.S. laws.

Business: Owns Carroll Paper Products Co., Brooklyn. Is a member of S.G.S. Associates, a labor consultant firm in Manhattan.

Modus operandi: Attended Apalachin underworld meeting 1957 as one of the underworld leaders from New York City. One of the most powerful underworld leaders in the United States. With his brother, Paolo, has been involved in large-scale narcotic and alien smuggling.

PAOLO GAMBINO

Aliases: Don Paolo.

Description: Born November 20, 1904, Palermo, Sicily; naturalized citizen, 5 feet 7 inches, 210 pounds, brown eyes, black-gray hair.

Localities frequented: Resides 1219 East 12th Street, Brooklyn, N.Y. Frequenters East Bronx area of New York City and Coney Island area of Brooklyn. Make trips to Sicily.

Family background: Married to Caterina Castellana (who is his first cousin), has two sons and two daughters. Father, Thomas; mother, Felicia Castellana; brother, Carlo; sister, Mrs. Giuseppina Giammona.

Criminal associates: Hugo Rossi, Jack Scarpulla, Sam Accardi, Carlo Gambino (brother), Frankalice (dead), Joe Profaci, Willie Locascio, all of New York City. Lucky Luciano (deportee).

Criminal history: FBI No. 1667871, Yonkers, N.Y., PD No. 8164. Arrests since 1929 include suspicion of a felony and conviction for Federal liquor laws.

Business: Owns Blue Star Meat Market, 40-10 Main Street, Flushing, Long Island, N.Y.

Modus operandi: In association with top-level Mafia racketeers, he operated and important large-scale narcotic and alien smuggling suspects.

USCHE GELB

Aliases: Solly Gordon, Saul Gelb, Kreisberg, King, Geld, Edward S. A. Jordon.

Description: Born March 27, 1897, Dembica, Austria. Jewish, 5 feet 7½ inches, 162 pounds, white hair, brown eyes, glasses, illegal alien.

Localities frequented: Resides 545 West End Avenue, New York City. Frequenters Lafayette Street machinery center, midtown restaurants and clubs. Summer home Tennenah Lake, N.Y.

Family background: Married Ethel Egan. Father, Tobias Samuel Gelb; mother, Feiger Krantz (both deceased); brother, Hyman; sisters, Mary, Belle, and Mrs. Bertha Sterza.

Criminal associates: Anthony Vellucci, Nathan Behrman, Jean Baruche, Joseph Orsini, Morris Taubman, Salvatore Shillitani.

Criminal history: FBI No. 35989. NYCPD No. B53908. Record dates from 1913 and includes arrests for juvenile delinquency, disorderly conduct, felonious assault, dangerous weapon, perjury, stolen bonds, Federal narcotic conviction. Currently incarcerated for narcotic conspiracy.

Business: Machinery salesman. Owned florist shop.

Modus operandi: In association with top-level mafia racketeers, he operated a narcotic smuggling and distribution ring which supplied untold quantities of heroin throughout the United States; top-echelon racketeer and drug trafficker for past 30 years.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1029

PASQUALE GENESE

Aliases: Pat Genese, Patsy Genese, Patsy Jerome.

Description: Born March 3, 1911, in New York City; 5 feet 8 inches, 180 pounds, brown eyes, black hair, dark complexion.

Localities frequented: Resides 1219 Colgate Avenue, Bronx, New York City. Frequents Matty's Barber Shop, 1961 Third Avenue; Garden Drug Store, 50th Street and Broadway; political club on Second Avenue, between 115th and 116th Streets; all in New York City.

Criminal associates: John Ormento, Joseph Vento, Nicholas Martello, Bum brothers, Joseph Rao, Alfred Felice, Salvatore Santoro, Frank Luciano, Jacob Ziveter.

Criminal history: Dates from 1933 and includes arrests for sodomy, vagrancy, policy, and violation of Federal narcotic laws.

Modus operandi: A trusted member of the Sicilian underworld. Deals in heroin in wholesale quantities.

Agencies with information: U.S. Bureau of Narcotics, Bureau of Customs, New York City Police Department.

Identification: FBI No. 1200745. NYCPD No. B113022.

VITO GENOVESE

Aliases: Don Vitone, "The Old Man."

Description: Born November 21, 1897, Roccarainola, Naples, Italy; 5 feet 7 inches, 160 pounds, brown eyes, black-gray hair, wears glasses. Naturalized November 25, 1936, New York City.

Localities frequented: Resides 68 West Highland Avenue, Atlantic Highlands, N.J. Frequents Greenwich Village area of New York City, Old Orchard Country Club and Piano Bar, Atlantic Highlands, N.J.

Family background: Separated from wife, Anna Petillo; son, Philip; step-daughter, Mrs. Anna Simonetti; brothers, Michael and Carmine; father, Felice; mother, Nunziata (both deceased).

Criminal associates: Frank Costello, Tony Strollo, Tom Lucchese, Joe Biondo, Joe Stracci, Joe Doto, Lucky Luciano.

Criminal history: FBI No. 861267. New York City Police Department No. B-69993. Extensive arrest record since 1917, including burglary, concealed weapons, auto homicide, and murder; has conviction for violation of Federal narcotic laws.

Business: Has interest in Colonial Trading Co., Waste Paper Removal Co., Erb Strapping Co., Tryon Cigarette Service Co., and many nightclubs, all in New York City.

Modus operandi: Attended Apalachin underworld meeting in 1957. Financial backer for international narcotic smuggling. Is reputed underworld head of New York City rackets, shares in gambling and other interstate rackets with deportee Lucky Luciano.

JOSEPH GERNIE

Aliases: Joseph Yanni, John Gernie.

Description: Born August 4, 1921, at New York City; 5 feet 9 inches, 180 pounds, stocky build, brown hair, brown eyes, dark complexion, tattoos both arms.

Localities frequented: Resided at 336 East 120th Street, New York City, frequented vicinity of 76th and Broadway, 86th Street and Third Avenue, New York City.

Family background: Married to Mary Brancaccio; son, Joseph; daughter, Ann; mother, Erna Manone; sister, Frances Maresca; half-brother, Thomas Angelos; half-sister, Pauline Angelos.

Criminal associates: Anthony Strollo, George Agovino, Phillip Buzzeo, Michael Nicoline, Vincent Mauro.

Criminal history: FBI No. 1851322. New York City Police Department No. B-167697. Arrests since 1938 include felonious assault, burglary, larceny, gambling, and causing explosion with intent to kill. 1957 sentenced to 10 years for Federal narcotic violation at New York City.

Business: Had wartime employment as longshoreman, but no recent legitimate employment.

1030 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Modus operandi: An important member of the underworld narcotic trafficking and union racketeering organization in New York City and vicinity. Is a professional strong-arm man and suspected killer for the underworld mob controlled by Anthony Strollo.

VINCENT GIGANTE

Aliases: "The Chin," "Chin Chin."

Description: Born March 29, 1928, in New York City; 5 feet 11 inches, 263 pounds, brown hair and eyes.

Localities frequented: Resides 206 Thompson Street, New York City. Frequent Lower East Side and Greenwich Village areas of New York City.

Family background: Married to Olympia Grippa; children, Yolanda Rose-Ann, Salvatore, Andrew; father, Salvatore; mother, Yolande Scotta; brothers, Pasquale, Mario, Ralph, Louis.

Criminal associates: Vito Genovese, Anthony Strollo, Michael Miranda, Gus Frasca, John Stoppelli, Carmine Galante.

Criminal history: FBI No. 5020214. New York City Police Department No. B-231328. Arrests since 1945 include grand larceny, criminally receiving, arson, and attempted murder.

Business: Former professional boxer. No legitimate current employment.

Modus operandi: A rapidly rising younger member of the underworld who has gained recognition by carrying out strong-arm assignments for underworld chief, Vito Genovese. In 1957 he was arrested for the attempted murder of the notorious Frank Costello.

SALVATORE GIGLIO

Aliases: King, Phillips, Gigli, Salvatore Galante.

Description: Born September 29, 1906, New York City, 5 feet 5 inches, 140 pounds, black-gray hair, brown eyes, dark complexion.

Localities frequented: Resides 2760 Grand Concourse, Bronx, N.Y. Frequent Manhattan News Co., 627 West 42d Street, New York City and Montreal, Canada.

Family background: Married to Mary Fanale, daughter Eileen, father is Joseph and mother is Caterina Tonuzzo, brothers, John, Charles, Jack, sisters, Mrs. Elizabeth Gioia.

Criminal associates: Carmine Galante, Joe DiPalermo, John Petrone, Joe Notaro, all of New York City, Joe Cotroni and Lucien Rivard of Montreal, Joe Zicarolli of New Jersey, Rosario Mancuso of Utica, N.Y.

Criminal history: FBI No. 1967931, New York City Police Department No. B 154368. Arrests since 1937 include one conviction for violation Federal narcotic laws.

Business: Official of E. & W. Trucking Co., 131 Varick Street, New York City, and salesman for Theta Electronics Co., Harrisburg, Pa.

Modus operandi: A major local and interstate narcotic trafficker who is closely associated with known underworld traffickers.

ANTHONY GRANZA

Aliases: Tony Skunge, Tony Scallo.

Description: Born March 25, 1915, Oneida, N.Y., 5 feet 3 inches, 140 pounds, black hair, gray eyes, medium build, medium complexion.

Localities frequented: Resides 2854 Kingsbridge Terrace, Bronx, N.Y.; frequent East Harlem area of New York City, particularly 107th Street and First Avenue, 104th Street and First Avenue.

Family background: Wife, Fanny Bifano; daughters, Rosemarie and Theresa; father, Joseph; mother, Theresa Bieni (both deceased); brother, Frank; sisters, Nina Lovino and Mary Benintendi (wife of Joseph Benintendi).

Criminal associates: Joseph Benintendi, Joseph Casablanca, Nicholas Corsaro, Benny Coniglio, Rosario Rinaldi.

Criminal history: FBI No. 2042937, New York City Police Department No. B 224486. Record dates back to 1940 and includes convictions for violation of State and Federal narcotic laws. On parole until 1961 in connection with State narcotic conviction.

Business: Before incarceration in 1951 had no legitimate source of income. Now, for parole purposes, employed as general worker by Travel Craft Press, 830 Broadway, N.Y.

Modus operandi: A trusted member of the underworld who has been engaged in large-scale local interstate trafficking for many years. Since release from prison has been awarded a large area in which to carry on illicit activities including narcotics and gambling.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1031

ROBERT ANGELO GUIPPONE

Aliases: Giapone, "Sonny," "Fat Sonny."

Description: Born April 2, 1930 in New York City, 5 feet 8½ inches, 285 pounds, black hair, brown eyes, scar over left eye, mole left side of nose.

Localities frequented: Resides 2420 Cambreling Avenue, Bronx, N.Y. Frequent 187th Street and Cambreling Avenue, the Capri Lounge, and Southern Boulevard and Fordham Road, Bronx.

Family background: Unmarried. Father, Dominick; mother, Mary Cienelli; brother, Daniel; sister, Marie Muschio.

Criminal associates: Anthony Carminati, Michael Galgano, Anthony Castaldi, Rocco Sancinella, Joseph Ambrosini, Rocco Mazzie, Dominick Carminati, and Joseph Valachi.

Criminal history: FBI No. 535872A. New York City Police Department No. B-327619. Arrests date from 1950, including counterfeiting, assault and battery, and New York State narcotic laws.

Business: No legitimate business or employment.

Modus operandi: A major wholesale interstate narcotic trafficker. Is one of the younger underworld members controlling gambling and narcotics in the Bronx, N.Y., area.

LUCIEN IGNARO

Aliases: Lucian Vincent Ignaro, Lucien Collonna, Frenchy.

Description: Born May 10, 1903, Maurice, Constantine, Algeria, 5 feet 4 inches, 115 pounds, black hair, blue eyes.

Localities frequented: Resides in Algiers, Algeria. In 1953 deported from United States where resided at 112 West 82d Street, New York City, and 46 Vine Street, Roxbury, Mass.

Family background: Married Antoinette Navarro; no known children; father, Siro, born Algeria, deceased; mother, Angelina Califano, born Italy, deceased; sisters, Carmen Francisco, Mary Gentile, Vincenza Duquor, Daisire Perez; brother, Charles.

Criminal associates: John DiCarlo, Gennaro Caputo, Jean David, D'Agostino brothers, Frank Tornello, Salvatore Giordano, Ugo Rossi, Andrew Alberti, Henry Sauzet, Matthew Cuomo.

Criminal history: FBI No. 1009068, NYCPD No. B-139387. Record dating from 1935 includes arrests for narcotic trafficking, immigration law violation, and parole violation. Two Federal narcotic convictions and deported from United States three times.

Business: No recent legitimate employment.

Modus operandi: Has for many years been closely associated with top underworld members in the international narcotic traffic. Has caused untold quantities of heroin to be smuggled into the United States.

BENJAMIN INDIVIGLIO

Aliases: Benedetto Indiviglia, Benny Indiviella, Benny the Cringe.

Description: Born July 16, 1921, New York City, 5 feet 11 inches, 180 pounds, black hair, brown eyes, has acne marks on both sides of face.

Localities frequented: Resides at 353 West 44th Street, New York City. Frequent Dell's Cafe and Opera Inn, both in New York City.

Family background: father, Giuseppe; mother, Felicia (Fannie) Marino; living with paramour Rose Pizzaro Diaz; brothers, Joseph, John, and Salvatore.

Criminal associates: Joseph, John, and Samuel Indiviglio (brothers), Michael J. Costagliola, Salvatore Zarba, Carmelo DeVito, John Romagno, Stephen Della Cava, Michael Altimari, Nicholas Benina.

Criminal history: FBI No. 4333204, NYCPD No. B-227037. Arrests since 1945 include desertion, assault, felonious assault, and conviction for Federal narcotic laws.

Business: Owns and operates Dell's Cafe, 918 Eighth Avenue, and Opera Inn, 726 Eighth Avenue, both in New York City.

Modus operandi: With other underworld narcotic traffickers engages in narcotic smuggling and interstate distribution.

1032 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS**FLORIO ISABELLA**

Aliases: Flo, Florindo, Pino, William Pino.

Description: Born March 30, 1911, New York City, 5 feet 9 inches, 165 pounds, blue eyes, black-gray hair, 1½-inch scar left forehead.

Localities frequented: Resided at 101 Chrystie Street, New York City. Frequented Lower East Side and Greenwich Village areas of New York City, Copacabana night club, New York City, Grand Mark Bar, St. Marks Avenue and Grand Street, Brooklyn, N.Y. Currently (1960) incarcerated.

Family background: Married Marsha Jones; father, Joseph Angelo (deceased); mother, Elizabeth Pino (remarried, now Mrs. Thomas Pennachio).

Criminal associates: Joseph and Charles DiPalermo, Anthony Mirra, Alfred Embarrato, Norma Hill.

Criminal history: FBI No. 467320. NYCPD No. B-105498. Record dates from 1932 and includes arrests for counterfeiting, receiving stolen goods, gambling, interstate theft. Three Federal narcotic convictions. Currently (1960) serving 15-year narcotic sentence.

Business: Operated luncheonette.

Modus operandi: With other important New York City Mafiosi, engaged in large-scale local and interstate narcotic traffic. Also had bookmaking and shylocking operations.

ARTHUR LEO

Aliases: Arthur Rocco, Chink, Mousie.

Description: Born March 27, 1924, New York City, 5 feet 10 inches, 195 pounds, dark-brown hair, brown eyes, ruddy complexion, husky build, considered to be a sexual deviate.

Localities frequented: Resides at 339 East 105th Street, New York City, frequents 2030 Second Avenue, Copacabana Night Club; Ciccone's Bar; 116th Street and 1st Avenue, and 105th Street and 2d Avenue, all in New York City.

Family background: Single; father, Jack; mother, Mary Del Rochio; brother, Jack; sister, Mrs. Marie Valenti.

Criminal associates: Fred and Angelo Salerno; Vincent Mauro, Anthony Strollo, Salvatore Santoro, John Ormento, Joseph Vento and Julie Podell.

Criminal history: FBI No. 4520053, New York City Police Department No. B-219461. Arrests since 1943 include policy, rape, impairing the morals of a minor, assault with knife, conviction for Federal narcotic laws.

Business: No legitimate employment.

Modus operandi: Associated with other New York Mafiosi in supplying narcotics to interstate traffickers.

DANIEL LESSA

Aliases: Mushky, Monzigi, Minzagee.

Description: Born November 25, 1915, New York City, 5 feet 5½ inches, 140 pounds, brown wavy hair, brown eyes, mole on left cheek, medium build, neat dresser.

Localities frequented: Resided at 2885 Sampson Avenue, Bronx, N.Y., frequents 117th Street and Paladino Avenue, East 109th Street, between Park and 3d Avenue, New York City. Currently (1960) incarcerated.

Family background: Married to Mary Jacobson; children: Lorraine and Daniel; father, Frank; mother, Mary (Della Foglia); sisters, Josephine and Mrs. Mary Wolfson; brothers, Frank, Louis, Nick and Dominick.

Criminal associates: Vincent Pacelli, Joseph D'Ercole, John Ardito, Dominick and Nick Lessa (brothers), Louis and Nick Tolentino, Steve Puco, Frank Pasqua, Michael Coppola, Joseph Rao, Rocco Mазzie, Joe DiPalermo, Martin DeSaverio, Carmine Polizano, Ralph Polizano, Frank Borelli.

Criminal history: FBI No. 101854G. New York City Police Department No. B-173869, criminal record includes rape, assault, second degree, and violation of the Federal narcotic laws.

Business: No legitimate employment.

Modus operandi: A very active interstate narcotic trafficker and a member of the underworld in East Harlem area, New York City.

BENJAMIN LICCHI

Alias: Benny.

Description: Born January 2, 1913, New York City, 5 feet 10 inches, 222 pounds, heavy build, gray-brown hair, balding, brown eyes, dark complexion, tattoos both forearms.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1033

Localities frequented: Resides 429 Parker Avenue, Hackensack, N.J. Frequent 107th Street and 2d Avenue, 116th Street and Pleasant Avenue, both New York City and Fairlawn, N.J. Currently incarcerated.

Family background: Wife, Marie Grantino; daughters, Marie Mayo, Mamie Borelli; father, Salvatore; mother, Marie Magistro; brothers, Joseph and Anthony; sister, Bessie Casimentl.

Criminal associates: Joseph Licchi, Frank Borelli, Charles Curcio, Rocco Mazzie, Vincent Squillante, Nicholas Tolentino.

Criminal history: FBI No. 614023, New York City Police Department No. B-103186. Record dates from 1932 and includes arrests for robbery, assault and robbery, grand larceny and violation of Federal narcotic laws.

Business: Operated small contracting business from residence. Is a plumber and mechanic by trade.

Modus operandi: Part of the underworld organization, headed by Frank Borelli, which produced heroin in large quantities in a clandestine laboratory in New Jersey. This heroin was then distributed in New York and Chicago, Ill.

JOSEPH ANTHONY LICCHI

Aliases: None.

Description: Born April 9, 1919, New York City, 5 feet 6 inches, 146 pounds, black, receding hair, brown eyes, dark complexion, mustache, deformed right little finger.

Localities frequented: Resides 1263 Third Street, Fairlawn, N.J., frequents Hackensack, N.J., First Avenue and 107th Street, New York City, 116th Street and Pleasant Avenue, New York City. Currently incarcerated.

Family background: Wife: Marie Pisamelo; no children; father: Salvatore; mother: Marie Magistro; sister: Bessie Casimentl; brothers: Benjamin and Anthony.

Criminal associates: Benjamin Licchi, Frank Borelli, Charles Curcio, Rocco Mazzie, Vincent Squillante, Nicholas Tolentino.

Criminal history: FBI No. 1182170, NYCPD No. B144035. Record dates from 1930 and includes arrests for assault and robbery. New Jersey State narcotic conviction 1957 sentenced to 5 to 7 years New Jersey State prison.

Business: Carpenter and mechanic. Worked for brother, Benjamin, in contracting business.

Modus operandi: Part of the underworld organization, headed by Frank Borelli, which produced heroin in large quantities in a clandestine laboratory in New Jersey. This heroin was then distributed in New York and Chicago, Ill.

FRANK S. LIVORSI

Aliases: Cheech, Ciccio, Frank Livolsi.

Description: Born November 10, 1903, Chicago, Ill., 5 feet 7 inches, 170 pounds, brown eyes, brown-gray hair thinning on top, cut-scar over right eye.

Localities frequented: Resides 15 Fulton Avenue, Atlantic Beach, Long Island, N.Y., and has winter home in Miami, Fla. Frequent East Harlem area and racetracks, New York City.

Family background: Married to Dorina Gassola, has five daughters: Rosemary (oldest) married to Tom Dioguardia (brother of notorious Johnny Dio); Dolores, married to Sam Meli (son of notorious Mafiosi Angelo Meli, Detroit); Patricia, married to Tom Ormento (son of John Ormento); father: Bartholomew; mother: Rosaria; has five sisters and three brothers.

Criminal associates: John Ormento, Salvatore Santoro, Mike Coppola, Vito Genovese, John Stoppelli, Charles Alberio, Sebastiano Vento, Johnny Dio, all of New York City, Meli family, Tocco family, and Rafaele Quasarano, of Detroit.

Criminal history: FBI No. 792029, NYCPD No. B-74349, arrests since 1927 include assault, homicide, Federal narcotic laws, sentenced on February 18, 1955, to 15 years New York City for fraudulent Federal income tax returns.

Business: No legitimate business known.

Modus operandi: For over a decade has been the dominating underworld leader, director, and financier of the East 107th Street mob of narcotic traffickers.

1034 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

CARMINE LOCASCIO

Aliases: Willie the Wop, Willie Orlando, Anthony Corona, Willie Brown, Willie LoCascio.

Description: Born September 23, 1911, New York City, 5 feet 7 inches, 204 pounds, gray-black hair, brown eyes, dark complexion, prominent double chin, build, stocky.

Localities frequented: Resides 144-58 10th Avenue, Malba, Queens, frequents Oldtimers Bar, 184th Street, and Roosevelt Avenue, Corona, Queens, Prince and Sullivan Streets, in Manhattan, One Forty Operating Corp., 140 West 44th Street.

Family background: Wife: Rose Orlando; daughter: Rachael; father: Giuseppe (deceased), brother: Peter; sister: Mrs. Rose Caronia.

Criminal associates: John Ormento, Sam Accardi, Joe and John Amici, Peter Locascio, Charles DeStefano, Charles Bracco, Salvatore Santora, Joe Marone, Charles Albero.

Criminal history: FBI No. 246742, New York City Police Department No. 159260, prior arrests since 1929, including robbery, homicide, bribing a Federal officer, bootlegging, harboring a narcotic fugitive, violation of the Federal narcotic laws.

Business: Alleged owner of Peppi's Restaurant, 70-30 Austin Street, Forest Hills, Queens, and of One Forty Operating Corp., 140 West 44th Street, New York City.

Modus operandi: An important New York underworld leader, supplier of local and interstate large-scale dealers in narcotics. Has direct foreign source of supply.

PETER JOSEPH LOCASCIO

Aliases: James Russo, John Russo, Mr. Bread.

Description: Born June 10, 1916, New York City; 5 feet 8 inches, 162 pounds, black hair, brown eyes.

Localities frequented: Resides 216 Audley Court, Copiague, Long Island, N.Y. Frequents Lower East Side (Little Italy) section of Manhattan.

Family background: Divorced from first wife Jean Rotandi and has two daughters by her; now married to Anna DiCarlo (sister of Angelo "Gyp" DiCarlo).

Criminal associates: Joe and Pete DiPalermo, John Ormento, Carmine Locascio (brother), Rocco Mazzie, James Picarelli, Sammy Kass, all of New York City.

Criminal history: FBI No. 980365; New York City Police Department B-180109. Arrests since 1935 include convictions for Federal liquor laws, conspiracy and New York State narcotic laws.

Business: Has interests in Ennis Construction Co., Lindenhurst, Long Island, N.Y., and Peppi's Restaurant, Forest Hills, Queens, N.Y.

Modus operandi: A trusted associate by high-ranking underworld in New York City. Engaged in narcotic trafficking with his brother Carmine. A vicious and feared hoodlum.

PHILIP LOMBARD

Aliases: Ben Grasso, Ben Turpin, Benny DeMaio, "Cockeyed" Phil.

Description: Born October 5, 1908, New York City; 5 feet 6 inches, 155 pounds, black hair, bald on top, brown eyes, small build, sallow complexion, left eye is crossed.

Localities frequented: Resides 1265 Olmstead Avenue, Bronx, New York. Frequents East Harlem area of New York City, Miami Beach, Fla.

Family background: Single; father, Filipe (deceased); mother, Eleanor Rotolo.

Criminal associates: Charles Albero, Salvatore Santoro, John Ormento, Pasquale Genese, Michael Coppola, Joseph Vento.

Criminal history: FBI No. 201426; New York City Police Department B-90771; Miami Police Department 4154, record dates from 1928 and includes arrests for attempted extortion, robbery with gun, possession of stolen car and consorting with known criminals. Two Federal narcotic convictions.

Business: No legitimate employment known.

Modus operandi: A respected and feared member of the underworld. Active in the wholesale distribution of narcotics throughout the United States. A one-time bodyguard for Michael Coppola, he has a reputation for violence.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1035

JOSEPH PAUL LO PICCOLO

Alias: Joe.

Description: Born April 28, 1918, Chicago, Ill.; 5 feet 5½ inches, 218 pounds, brown hair, brown eyes, scar on chin, heavy build.

Localities frequented: Resides 233 East 69th Street, New York City, and 621 44th Street, Miami, Fla. Frequented midtown area of New York City. Vesuvio Restaurant, and Paddock Bar, 50th and Broadway, New York City; also Philadelphia, Chicago, and Miami Beach.

Family background: Wife, Carolyn Riggio; sons, Philip, Carl, Joseph; daughter, Margaret; father, Felippo (deceased); mother, Margherita Viso; brothers, Anthony and Frank; sisters, Loretta (Mrs. Dan) Ficarelli and Carmella (Mrs. Nick) Ficarelli.

Criminal associates: Joseph DiPalermo, Santos Trafficante, James Massi, Angelo Lolacano, Vincent Todaro, Ignazio and Lorenzo Orlando.

Criminal history: FBI No. 790022C; no New York City Police Department number; Miami Beach Police Department No. A-24278; record consists only of an arrest for investigation in Miami and a Federal narcotic conviction. In August 1958 sentenced to 20 years on the Federal narcotic charge.

Business: Partner in Rock Creek Fluorspar Mining Co., Hardin County, Ill.

Modus operandi: An important member of the Mafia, instrumental in narcotic smuggling and wholesale distribution in association with other top echelon violators.

SALVATORE LO PROTO

Aliases: Sally the Blonde, Sally Blue Eyes, Dennis the Menace.

Description: Born April 22, 1926, Lodi, N.J.; 5 feet 10 inches, 200 pounds, blue eyes, light brown hair, fair complexion.

Localities frequented: Resides 397 Passaic Avenue, Lodi, N.J. Frequents area of East Harlem, the Vogue Room, the Copacabana, all in New York City.

Family background: Married to Mildred Pisciotta (killed in auto accident 1958), has three children.

Criminal associates: John Ormento, Salvator Santoro, Frank Livorsi, Angelo C. Salerno, Fred Salerno, all of New York City.

Criminal history: FBI No. 921798; New York City Police Department No. B-355232; arrests include bookmaking, possession of gun (felony) vehicular homicide. Arrested with John Ormento (1955) in possession of two loaded guns concealed in seat of a car, while apparently on their way to commit a Mafia-inspired crime.

Business: Purportedly employed as dispatcher by Frank Stamato & Co., Lodi, N.J.

Modus operandi: An important member of the John Ormento underworld controlled narcotic traffickers from East Harlem area, New York City.

SALVATORE C. LUCANIA

Aliases: Lucky Luciano, Charles Reid, Charles Luciano, Charles Lucania, Charles Ross.

Description: Born November 24, 1897, Lercara Pridi, Sicily; 5 feet 10 inches, brown eyes, black-gray hair, 140 pounds, wears glasses.

Localities frequented: Resides 464 Via Tasso, Naples. Frequents Zia Teresa, San Francisco and Giacomino's restaurants, all in Naples, also the Agnano Racetrack in Naples.

Family background: Single; father, Antonio; mother, Rosalia Cafarella (both deceased); brother, Bartolo (living in New York City).

Criminal associates: Vito Genovese, Joe Biondo, Joe Profaci, Joe Bonanno, Frank Costello, Meyer Lansky, all of the United States, Joe Doto, Joe Picl, Pietro Davi, Frank Pirico, all of Italy.

Criminal history: FBI No. 62920. New York City Police Department No. B-72321. Arrests since 1916 include assault and robbery, grand larceny, conviction on Federal narcotic laws. Sentenced, New York City 1936 to 30 to 50 years for compulsory prostitution; paroled and deported to Italy in 1946.

Business: Has interests in San Francisco cafe and is secret owner of apartment building at 464 Via Tasso, both in Naples; also interested in a clinic at Cercola, a suburb of Naples.

Modus operandi: Is one of the highest ranking underworld both in Italy and the United States. From Italy he participates in directing of American rackets and regularly receives his share of the profits through underworld couriers.

1036 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

GAETANO LUCCHESE

Aliases: Tom Lucchese, Tom Brown, Tom Arra, "Three-Finger Brown."
Description: Born December 1, 1899, Palermo, Sicily, 5 feet 5 inches, 150 pounds, brown eyes, gray hair, wears glasses, naturalized January 25, 1943, New York City.

Localities frequented: Resides 74 Royale Street, Lido Beach, Long Island, N.Y. Frequents Miami Beach, garment district of Manhattan, various locations in Long Island and New Jersey.

Family background: Wife, Catherine; sons, Francis and Baldassari; brothers, Anthony and Joseph; sisters, Pietra, Mrs. Rosalie Rosato (wife of Joe Rosato), and Concetta; father, Baldassari; mother, Francesca.

Criminal associates: Joe Biondo, Anthony Corallo, Anthony Strollo, Joe Profaci, Frank Livorsi, Settimo Accardi, Joe Rao, Lucky Luciano, Joe Rosato (brother-in-law).

Criminal history: FBI No. 168274. New York City Police Department No. B-68534. Arrests since 1921 include murder, grand larceny, receiving stolen goods.

Business: Either owns or has interests in Braunell Ltd., Manhattan; Pleasant Coat Co., Pleasant, N.J.; Bob-France Coat Co., Queens, N.Y.; Fordham Hoisting Co., Bronx, N.Y.; and several other businesses.

Modus operandi: A capable and influential underworld leader who has developed powerful friends in political circles and has used them at times in behalf of his Mafia associates.

STEFANO MAGADDINO

Aliases: Stefano Magardino, Don Stefano.

Description: Born October 10, 1891, Castellammare, Sicily, 5 feet 6 inches, 200 pounds, gray hair and balding, brown eyes.

Localities frequented: Resides Dana Drive, Buffalo, N.Y. Frequents Magaddino's Memorial Chapel and Camelia Linen Supply Co., both in Niagara Falls, N.Y.

Family background: Married; son, Peter; daughters, Josephine, who is married to Charles Montana (nephew of John C. Montana); Angelina, who is married to James LaDuca; and Arcangale, who is married to Vincent Scro; father, Giovanni; mother, Giuseppa (both dead); brother, Antonino.

Criminal associates: John C. Montana, James LaDuca, Antonino Magaddino (brother), Vincent Scro, Salvatore and Joe Falcone, Russell Bufalino, and Roy Carlsli.

Criminal history: FBI No. 778722C. New York City Police Department No. 3080. Arrested in 1921 by New York City Police Department for Avon, N.J., Police Department as a fugitive from justice (homicide).

Business: True owner of Magaddino Memorial Chapel, Inc., 1338 Niagara Street, Niagara Falls, N.Y.

Modus operandi: He and his brother Antonino are the top underworld leaders in the Niagara Falls area. They control illegal gambling in the area and have been "muscling" in on legitimate oil- and linen-supply dealers.

GIUSEPPE MAGLIOCCO

Aliases: Joe Magliocco, Joe Magliocci.

Description: Born June 29, 1898, Portella di Mare, Sicily, 5 feet 9 inches, 245 pounds, brown eyes, brown-gray hair.

Localities frequented: Resides 279 Bay 11th Street, Brooklyn, N.Y. Summer home at Bay View Avenue, East Islip, Long Island. Frequents Sunland Beverage Co., Brooklyn, N.Y.

Family background: Married Rose Angelo; brothers, Anthony, Angelo, and Ambrosio; father, Giovanni; mother, Carmela Fontani; sister, Mrs. Nina Profaci (wife of Giuseppe Profaci).

Criminal associates: Sebastiano Nani and Lucky Luciano, of Italy, John Balsamo, Emmanuel Cammarata, Palo Gambino, Frank Livorsi, John Oddo, all of New York City area, Angelo Meli and William Tocco, of Detroit.

Criminal history: FBI No. 184224. Cleveland Police Department No. 32771. Record dating from 1928 includes arrests for concealed weapon and conspiracy to obstruct justice. In 1960 sentenced on latter charge to 5 years and \$10,000 fine.

Business: Owns Sunland Beverage Co., Brooklyn, N.Y.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1037

Modus operandi: Attended Cleveland underworld meeting in 1928 and the 1957 Apalachin underworld meeting with brother-in-law, Giuseppe Profaci. Is one of the most powerful members of the underworld in the United States.

FRANCESCO JOSEPH MANCIO

Aliases: Frank Mancino, Chow, Joseph Barbera.

Description: Born October 25, 1906, New York City, 5 feet 5 inches, 204 pounds, black-gray hair, brown eyes, heavy build, sloppy dresser.

Localities frequented: Resides 44 Marcy Avenue, Brooklyn, N.Y. Frequents Hi-Way Bar, 362 Metropolitan Avenue, Orientale Bar, 40 Marcy Avenue, Mustang Social Club, 433 Metropolitan Avenue, all Brooklyn, N.Y.

Family background: Common law wife, Margaret Rodd; previous wives, Angelina Barbera, Beatrice Pulco, and Lillian Gorshenbaum; daughters, Apolnette McDough, Marie Bongiovanni; son, Anthony F.; father, Salvatore; mother, Maria Iolazzolo; sisters, Beatrice, Angelina Defiorra, Marv Russo, Vita LaSalle.

Criminal associates: Cotroni Brothers, Frank Moccardi, Salvatore Giglio, Luke Russo (brother-in-law), Anthony Di Pasque.

Criminal history: FBI No. B-48817. New York City Police Department No. B-78209. Record dating from 1929 includes arrests for assault and robbery, grand larceny, robbery, burglary, armed robbery, and violation Federal narcotic laws.

Business: No legitimate occupation.

Modus operandi: Part of a large-scale underworld narcotic smuggling and distributing group. Acted as courier for large quantities of heroin furnished by the Cotroni organization in Canada to underworld mobs in United States.

SALVATORE CHARLES MANERI

Aliases: Salvatore Manera, Salvatore Piazza, Antonio Magana.

Description: Born August 15, 1912, Marineo, Palermo, Sicily, 5 feet 5 inches, 140 pounds, brown eyes, black hair, dark complexion, medium build.

Localities frequented: Resides Palermo, Italy. Before deportation from United States resided in Brooklyn and Staten Island, N.Y.

Family background: Married Jennie Morello; son, Michael; father, Michaelangelo; mother, Maria Gippetto; sisters, Celia Collecta and Anna Scorsone; brothers, Joseph and Philip.

Criminal associates: Ernesto Bareso, Giuseppe DiGiorgio, Michael Spinella, Onofrio Minaudo, Gaetano Maiorana.

Criminal history: FBI No. 495856. New York City Police Department No. B-97217. Record dating from 1924 includes arrests for juvenile delinquency, truancy, petty larceny, grand larceny, burglary tools, theft from foreign shipment, and immigration violation.

Business: No legitimate occupation.

Modus operandi: Though himself a narcotic addict, Maneri engaged in large-scale narcotic smuggling, personally removing drugs from ships in New York Harbor and also acting as contactman between French sources and the Joseph DiPalermo narcotic smuggling organization.

RAYMOND MARESCA

Aliases: "Lemons," Thomas Del Monto.

Description: Born January 19, 1903, New Haven, Conn.; 5 feet 7 inches, 160 pounds, brown eyes, gray-black hair, middle finger left hand amputated.

Localities frequented: Resides 549 Valley Street, New Haven, Conn. Frequents Carson's Restaurant, Lip's Bar & Grill, and parking lot at 1172 Chapel Street, all in New Haven.

Family background: Married to Concetta DePalma; has a daughter; father, Leonard; mother, Felice; sisters, Alice and Anna; brother, Eugene.

Criminal associates: Carmine Locascio, Vincent Squillante, Anthony Spalena, all of New York City; James and William Conforte of New Haven, Conn.

Criminal history: FBI No. 26808. New Haven Police Department No. 2696. Arrests since 1923 include breaking and entering, robbery with violence, carrying concealed weapons, and convictions for Federal narcotic laws.

Business: Employed at 1172 Chapel Street (parking lot), New Haven, Conn. Also believed to have interest in Valley Supermarket, New Haven, Conn.

Modus operandi: Major distributor of narcotics in New Haven area and close associate of known underworld traffickers in New York City from whom he obtained narcotics. Also engaged in loan shark business and any illegal activity available.

1038 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

FRANK MARI

Aliases: Frankie T., Frank Russo.

Description: Born September 3, 1926, Scilla, Reggio, Calabria, Italy; 5 feet 7 inches, 185 pounds, brown hair, brown eyes, medium build, sharp dresser. Schizophrenic. Derivative citizenship.

Localities frequented: Resides 20 Monroe Street, New York City, formerly 68 Forsythe Street and 124 Forsythe Street, New York City. Frequents CIA Club, 72 Forsythe Street, Vivere Bar, 192 Second Avenue, Sugar Bowl, 305 Broome Street, Mott Street and Mulberry Street areas, all New York City.

Family background: Married Mildred DiPietro (sister of narcotic violator Carli DiPietro); son, Matthew; brother, Rocco; sisters, Antoinette Rando, Adeline Rando (not related to Antoinette's husband), and Minnie Tortorelli; father, Matteo; mother, Concetta DeFranco.

Criminal associates: Anthony DiPasqua, Angelo Tuminaro, Salvatore Giglio, Frank Mancino, Anthony Lisi, Carmine Gaiente.

Criminal history: FBI No. 4371934, New York City Police Department No. 233493. Record dates from 1945 and includes arrests for felonious assault, possession of weapons, grand larceny and vagrancy, suspect in two homicide investigations.

Business: No legitimate employment.

Modus operandi: Large-scale underworld narcotic trafficker obtains narcotics from Tuminaro and DiPasqua, who, in turn obtain their supply from the Cotroni smuggling organization in Canada.

PETER ANTHONY MARINELLO

Aliases: Pete Mello, Charles P. Mello.

Description: Born April 20, 1911, Boston, Mass. 5 feet 8 inches, 170 pounds, brown eyes, black hair.

Localities frequented: Currently (1959) a fugitive. Used to frequent Malden, Revere, and Boston, Mass., area, also carnivals and racetracks.

Family background: Married to Carolyn Copson; father: Leo (dead); mother: Victoria Zittola; sisters: Mrs. Mary Capello and Mrs. Rose Glachinta; brothers, Louis, Dominick, Anthony, Michael, and Frank.

Criminal associates: Florio Isabella, Joe Basile, Tony Vellucci, Nathan Behrman, all of New York City; Wady David, Charles Robinson, William Marino, Edward Biscoe, all of Boston area.

Criminal history: FBI No: 1432750. Boston Police Department No. 48953. Arrests since 1927 include grand larceny, assault and battery, breaking and entering. Currently (1959) wanted for violation Federal narcotic laws.

Business: No legitimate business known.

Modus operandi: Engaged in illegal activities most of his life. A wholesale distributor of narcotics for the underworld controlled Behrman-Vellucci organization of New York City.

JOSEPH MARONE

Aliases: Joe Marone.

Description: Born February 11, 1904, in New York City; 5 feet 8 inches; 150 pounds; black hair; brown eyes; sallow complexion; medium build.

Localities frequented: Resides 1815 Grand Concourse, Bronx, New York City. Frequents 434 Revere Avenue, Bronx; barbershop, 3594 East Tremont Avenue, Bronx; upper East Side of New York City; all in New York City.

Criminal associates: Charles Albero, Alfred Criscuolo. Knows every major racketeer on the upper East Side of New York City.

Criminal history: Dates from 1928 and includes arrests for disorderly person, assault, robbery, and violation of Federal narcotic laws.

Modus operandi: A notorious dominating criminal and racketeer on the upper East Side of New York City who sells narcotics to large-scale dealers locally in New York City and in other cities. Associated with a group of smuggling distributing traffickers with sources of supply in Europe.

Agencies with information: U.S. Bureau of Narcotics. Police departments of New York City, N.Y., and Jersey City, N.J.

Identification: FBI No. 318702. New York City Police Department No. B-57799.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1039

MARIANO MARSALISI

Aliases: Mariano Marsalise.

Description: Born October 21, 1879, Palermo, Sicily, Italy; 5 feet 6¼ inches; 160 pounds; medium build; gray hair; brown eyes.

Localities frequented: Resides 662 Manida Street, Bronx, and seldom leaves there due to his advanced age.

Family background: Father, John; mother, Sarah Griffo (both deceased); brothers, Luciano, Harry, Charles; sister, Lucy; children, John, Charles, Ammo, Mary Leonardi, Lucy Collica, Sarah Caruso, Tina Lynch, Eleanor Terico.

Criminal associates: Frank Caruso (son-in-law) not "Frankie the Bug," Joseph Doto, Vito Coniglio, Jerry Feraci, Lucien Ignaro.

Criminal history: FBI No. 455409, no New York City number, was first arrested in Istanbul, Turkey, in 1932 for narcotic smuggling. In 1942 he was convicted of narcotic conspiracy.

Business: None.

Modus operandi: Has been an underworld leader for many years. At one time he headed what was considered to be the largest heroin smuggling ring in existence. Due to his advanced age he has apparently retired from active participation in illegal activities and confines his activities to counseling younger underworld members.

NICHOLAS MARTELLO

Aliases: Bulldog Nick, Nick Marrone.

Description: Born April 7, 1907, Brooklyn, N.Y., 5 feet 5 inches, 160 pounds, black and gray hair, stocky build, brown eyes, cleft chin.

Localities frequented: Resides at 42-06 25th Avenue, Astoria, Long Island, N.Y., frequents Paisano Bar, 304 East 14th Street, New York, N.Y.

Family background: Father's name, Sylvester, mother's name, Mary, wife's maiden name, Alvino, two brothers, Fred and Carmine Martello.

Criminal associates: Joe Rao, Mike Rubino, Arnold Romano, Victor Eugene Tramaglino, John Ormento, Salvatore Santora, Harry Tantillo.

Criminal history: FBI No. 4716, NYCPD No. B-64621 dates from 1926 and includes arrests for rape, assault, robbery, grand larceny, extortion, conviction for Federal narcotic laws; arrested on October 15, 1958, for conspiracy to violate Federal narcotic laws (pending).

Business: Was the owner of the Paisano Bar, 304 East 14th Street, New York City, at the present time believed to be in partnership with his father; Martello & Son Shoe Repair, 25-02 Steinway Street, Astoria, Long Island, N.Y.

Modus operandi: An important trafficker in the East Harlem section of New York and on the Lower East Side; a leader of the underworld, in charge of narcotic distribution for a group of these traffickers operating on the Lower East Side and in the East Harlem section of New York, N.Y.

JAMES LEO MASSI

Aliases: Jimmy Ward, Johnny Martino.

Description: Born-September 23, 1908, New York City, 5 feet 7 inches, 208 pounds, black-gray hair, brown eyes, heavy build.

Localities frequented: Resided at 1223 Waring Avenue, Bronx, N.Y. Currently (1959) incarcerated in Federal penitentiary.

Family background: Married to Florence Manzi; sons, Michael and James; stepson, Stanley; brothers, Fred, Harry; sisters, Mrs. Rose Botta, Mrs. Lena Casella, Mrs. Fannie DiMonte, Mrs. Antoinette DeMartino; father, Joseph (dead); mother, Mary Loreto.

Criminal associates: Ben and Ted DeMartino, Rocco Mazzie, Emilio D'Aria, Joe Valachi, Rocco Barra, Frank Pasqua, all of New York City area; James Santore and Peter Casella of Philadelphia area.

Criminal history: FBI No. 495223. NYCPD No. B-97132. Arrests since 1925 include illegal possession firearms, attempted robbery, conspiracy. Sentenced July 31, 1958, to 10 years for Federal narcotic laws at New York City.

Business: No legitimate business or employment known.

Modus operandi: A large-scale interstate narcotic trafficker closely associated with known underworld international traffickers and smugglers.

1040 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

VINCENZO FRANCESCO ANGELO MAURO

Aliases: Vincent Murio, Vincent Maurio, Vincent J. Morrio, Vinnie Morrow.
Description: Born February 26, 1916, New York City, 5 feet 11 inches, 194 pounds, brown eyes, dark-brown hair.

Localities frequented: Resides at 3824 Bronx Boulevard, Bronx, and also at 22 King Street, in Manhattan. Frequents Burke Bar and Ciro's Bar, both in Bronx, and most nightclubs in midtown Manhattan and in Greenwich Village area.

Family: Single, father, Salvatore; mother, Rafaela Criscuolo; sisters, Teresa and Amelia.

Criminal associates: Anthony Strollo, John Stoppelli, John Ormento, Salvatore Santoro, Patsy Moccio (dead), Anthony Mirra, Joe Valachi.

Criminal history: FBI No. 760950, NYCPD No. B-115392. Arrests since 1933 include robbery, burglary, Federal income tax evasion, and Federal narcotic laws.

Business: Usually associates himself with some nightclub or bar which is under the control of the Strollo organization.

Modus operandi: A high-ranking member of the Tony Strollo controlled underworld organization, which is involved in narcotic trafficking, shylocking, policy rackets, and afterhours "joints." Considered a merciless and vicious "killer."

ROCCO MAZZIE

Aliases: Rogle.

Description: Born February 25, 1916, Luzerne, Pa., 5 feet 7 inches, 160 pounds, brown eyes, brown-gray hair.

Localities frequented: Resides at 2332 Seymour Avenue, Bronx, N.Y. Frequents East Harlem area of Manhattan.

Family background: Married to Anna Vacchi; daughter, Amelia; brothers, Ralph and James; sister, Mrs. Angelina Branca; mother, Amelia Pecoria; father, Angelo.

Criminal associates: Frank Borelli, Charles Curcio, John Ormento, Vincent Squillante, Steve Puco, Frank Pasqua, Nick Tolentino, all of New York City, Salvatore Poliafico, of Cleveland.

Criminal history: FBI No. 836192. NYCPD No. B-128301. Arrests since 1934 include robbery, assault and robbery, conviction for Federal narcotic laws.

Business: No legitimate business or employment known.

Modus operandi: A wholesale dealer in narcotics who has supplied many important traffickers throughout the United States. A close associate of known underworld traffickers who are his source of supply.

MICHELE MIRANDA

Aliases: Mike Mirandi, Mr. Big, Frank Russi.

Description: Born July 26, 1896, San Giuseppe Vesuviano, Naples, Italy, 5 feet 5 inches, 160 pounds, brown eyes, black-gray hair, naturalized in New York City on May 16, 1932.

Localities frequented: Resides at 167 Greenway North, Forest Hills, Long Island. Summer home, 629 East Olive Street, Long Beach, Long Island. Frequents lower East Side and garment district of New York City, travels to Florida, Cuba, Canada, and Italy.

Family background: Married Lucy DeLorenzo; son, Anthony Michael; sister, Mrs. Anna Flavio; brothers, Pasquale and Antonio (dead); father, Vincenzo; mother, Carmela Bifulco.

Criminal associates: Lucky Luciano, Giuseppe Doto, and Calogero Iacono, of Italy, Francisco Costiglia, Anthony Strollo, Carmine Galente, Joseph Stracel, and Meyer Lansky.

Criminal history: FBI No. 91524, NYCPD No. B-129648. Record dating from 1915 includes arrests for murder, disorderly conduct, vagrancy, and conspiracy to obstruct justice (for which sentenced 1960 to 5 years and \$10,000 fine).

Business: Cadillac salesman for Huntoon & Raffo, New York City.

Modus operandi: Attended 1957 Apalachin underworld meeting as a leader from New York City area. One of the most feared and ruthless Mafiosi in the United States. Has engaged in narcotic smuggling, murder, extortion, and is one of the controlling racketeers in New York City's garment industry.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1041

ANTHONY MIRRA

Aliases: Anthony Mirro.

Description: Born July 18, 1927, New York City, 6 feet, 210 pounds, black hair, brown eyes, medium build.

Localities frequented: Resides 115 Madison Street, New York City, frequents LaComedie Restaurant, Manhattan, and 42 College Place, Yonkers, N.Y.

Family background: Single, father's name Albert; mother's name is Millie Embarrato.

Criminal associates: Alfred J. Embarrato (uncle), William Paradise, Angelo Tuminaro, Anthony De Pasqua, Joe Latona, Vincent Mauro.

Criminal history: FBI No. 393845C, NYCPD No. B-233768, dates from 1948 and includes arrests for possession of a gun, assault, and conviction for Federal narcotic laws.

Business: Commission salesman for Pure Stone Construction Co., 221 Palisades Avenue, Garfield, N.J., alleged owner of LaComedie Restaurant, East 46th Street, New York City, together with Ann Dedon, paramour and owner of record.

Modus operandi: A wholesaler of narcotics in large quantities. Trusted member of the underworld. Was purchasing narcotics from the Behrman and Velucci organization in New York City and delivers locally and also into interstate traffic.

PASQUALE MOCCIO

Aliases: Moccia, Pat, Little Pat, Paddy Mush, Paddy Mush, Patsy.

Description: Born January 10, 1918, in Bronx, New York City; 5 feet, 4 inches; 170 pounds; stocky; black hair, balding; brown eyes; dark complexion.

Localities frequented: Residence: 95 Kimball Avenue, Yonkers, New York. Sentenced April 23, 1956, to 5 years for violation Federal narcotic laws. Frequented Mickey Walker's Glove & Palette, 1654 Broadway, New York City.

Criminal associates: Tony Bender, Vinny Mauro, Pasquale Pagano, John Stoppelli, Joseph Valachi, Giacomina Reina, Larry Quartiero, Joseph Marone, John Ardito, Thomas Mile, Joseph D'Ercole.

Criminal history: Dates from 1934 and includes arrests for gambling, policy, grand larceny, burglary, and violation of Federal narcotic laws. Sentenced April 23, 1956, to 5 years for violation Federal narcotic laws.

Modus operandi: Directs smuggling activities for the Anthony Strollo organization. Recruits seamen and longshoremen for the actual smuggling of narcotics. Deals in kilogram quantities through trusted lieutenants.

Agencies with information: U.S. Bureau of Narcotics, Federal Bureau of Investigation, New York City Police Department, Jersey City, N.J., Police Department.

Identification: FBI No. 706840, New York City Police Department No. B-130737.

ROSARIO MOGAVERO

Aliases: Saro Mogavero, Saro Mogavero, Saro Mugavero.

Description: Born May 2, 1916, New York City; 5 feet, 6 inches; 163 pounds; blue eyes, brown hair.

Localities frequented: Resides 104 Madison Street, New York City. Frequents area of Madison and Pike Streets, New York City, and docks on East River.

Family background: Married to Mary Nanetakis and has four children; father: Salvatore; mother: Illuminata (both born in Sicily); brother: Joseph.

Criminal associates: John Ormento, Salvatore Santoro, Rocco Pellegrino, Phil Albanese, Sam Kass, Angelo Tuminaro, Anthony DiPasqua, Carmine Locascio, Joe Lapi, Angelo Loiacano, all of New York City.

Criminal history: FBI No. 895630, New York City Police Department No. B-109163. Arrests since 1932 include burglary, felonious assault, harboring a fugitive, extortion.

Business: Was vice president of Local 856 of the International Longshoremen's Union in 1953 when he was sentenced in New York City for extortion.

Modus operandi: A major narcotic trafficker on New York's lower East Side, and a feared underworld leader in that area. Close associate of most top underworld leaders in New York City.

1042 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

MICHAEL MONICA

Aliases: Gigs, Gigi, Giggy.

Description: Born January 12, 1917, New York City; 5 feet, 6 inches; 193 pounds; brown eyes, brown hair, light complexion.

Localities frequented: Resides with sister at 3655 Willett Avenue, Bronx, N.Y. Frequents Sawdust Inn at 3131 White Plains Road, Maple Tavern at 578 East Fordham Road, and Burke's Bar, 3204 White Plains Road, all in Bronx, N.Y.

Family background: Single; father: Joseph; mother: Margaret Movigan; brother: Anthony (recently deceased); sisters: Mrs. Mary Sassano and Lucille Regante.

Criminal associates: Michael Nicoline, Thomas Milo, Joseph Valachi, Dominick Carminate, Robert Guippone.

Criminal history: FBI No. 811538, New York City Police Department No. B-220924. Record dating from 1934 includes arrests for assault and robbery with gun, vagrancy, rape, jostling police and felonious assault. Currently (1960) defendant in important narcotic case.

Business: No legitimate occupation.

Modus operandi: For many years has operated as "plant man" maintaining caches of narcotics for underworld narcotics distribution organizations headed by the late Pasquale Moccio and currently Joseph Valachi.

JOHN MONTANA, JR.

Alias: Curley.

Description: Born September 18, 1918, in Cleveland, Ohio; 5 feet 10 inches; 160 pounds; brown hair; hazel eyes; medium build.

Localities frequented: Residence: 11130 Magnolia Drive, Cleveland, Ohio. Frequented: Victory Lounge Bar, West 65th Street, and Detroit Avenue; Cadillac Hotel, Walnut Street; Pic-a-Bone Cafe, Mayfield Road; all in Cleveland, Ohio.

Criminal associates: Sam and Studo Papalardo, Frank Livorsi, Louis De Gregorio, Alex Clarco, Carmen Lavelle, Rudy Valent, Joseph Zoray, Frank Borelli, Charles Curcio, Stanley Secunda.

Criminal history: Dates from 1939 and includes arrests for burglary, robbery, and violation of Federal narcotic laws. Sentenced November 21, 1956, in Cleveland, Ohio, to 7 years for violation Federal narcotic laws.

Modus operandi: One of the most important narcotic wholesale dealers in Midwest working as the leader and trusted member of an organization with sources of supply into the underworld smuggling-distributing traffickers in New York City. Employs extreme violence to maintain organization.

Agencies with information: U.S. Bureau of Narcotics. Cleveland, Ohio, Police Department.

Identification: FBI No. 1369462. Cleveland Police Department No. 47448.

MICHAEL NICOLINE

Aliases: Marco Ceritelli, Mark, Mike.

Description: Born in 1914 in New York City; 5 feet 6 inches; 175 pounds; brown hair; brown eyes; stocky; medium complexion.

Localities frequented: Resides: 3674 White Plains Road, Bronx, N.Y. Frequents: Porcharo's Luncheonette, 3630 Holland Avenue; 3515 White Plains Road; Gun Hill Tavern, 720 East 214th Street, Castle Hill Diner, Tremont and Castle Hill Avenues: all in Bronx, N.Y.

Criminal associates: Rocco Mазzie, John Stoppelli, Charles Curcio. Known to all members of Anthony Strollo organization.

Criminal history: Dates from 1930 and includes arrests for jostling, policy, grand larceny, burglary, and robbery.

Modus operandi: Controls the distribution of wholesale quantities of narcotics for the Anthony Strollo organization.

Agencies with information: U.S. Bureau of Narcotics, U.S. Bureau of Internal Revenue, and New York City Police Department.

Identification: FBI No. 481939; New York City Police Department No. B93747.

GEORGE NOBILE

Aliases: Georgie Hooks, George Noble, George DeGaetano, Joe Rizzo.

Description: Born April 26, 1910, New York City, 5 feet 7 inches, 160 pounds, brown eyes, dark brown hair, small mole on left cheek.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1043

Localities frequented: Resided 130 Baxter Street, New York City. Frequented area of Mulberry and Hester Streets, Manhattan, made trips to Florida, and Virginia.

Family background: Married to Isabella DeGaetano and has no children; brother: John; sisters: Mrs. Rose Barniere, Anna, and Mrs. Lena Rapalone.

Criminal associates: Vincent Mauro, Frank Caruso, John Stoppelli, Angelo Tuminaro; Anthony DiPasqua, Arnold Romano, Philip Albanese, all of New York City, Vincent J. Todaro, of Virginia.

Criminal history: FBI No. 1379511: New York City Police Department No. B-161699. Arrests since 1937 include policy, conspiracy to obstruct justice and convictions for both New York State and Federal narcotic laws. Sentenced May 20, 1958, to 10 years State prison, Virginia, for violation Virginia State narcotic laws.

Business: Has never maintained any legitimate business or employment.

Modus operandi: A major local and interstate narcotic trafficker and trusted associate of known underworld traffickers from whom he obtained his supply of narcotics. Working with underworld associates he acts as chemist in conversion narcotic drugs for the illicit market. Is also known as a strong-arm man.

IGNAZIO LAWRENCE ORLANDO

Alias: Big Nose Larry.

Description: Born October 24, 1924, New York City, 6 feet 1 inches, 195 pounds, black hair, brown eyes, has large nose.

Localities frequented: Resided 16 Jacob Street, Elmont, Long Island, N.Y. Currently incarcerated in Federal penitentiary.

Family background: Married to Serafina Rescica; daughter: Rose; son: Lawrence; father: Lorenzo; mother: Rose.

Criminal associates: Lorenzo Orlando (father), Nick Tolentino, Emilio D'Aria, James Massi, Angelo Loiacano, Rocco Sancinella, Joseph Lo Piccolo, all of New York City area; James Santore, Peter Casella, of Philadelphia area; Vincent Todaro, of Virginia.

Criminal history: FBI No. 4369250. Record shows arrests and conviction as Army deserter in 1946. Arrested again 1958 and sentenced to 17 years on July 31, 1958, for violation Federal narcotic laws.

Business: Prior to arrest in 1958 he operated a laundry truck.

Modus operandi: A member of an underworld controlled international smuggling narcotic ring who acted as a courier and "plant man" for the ring.

LORENZO ORLANDO

Aliases: Lorenzo Rizzo, Lawrence Rizzo.

Description: Born February 10, 1901, New Orleans, La., 5 feet 7 inches, 195 pounds, heavy build, black hair, brown eyes.

Localities frequented: Resided 164 Hill Street, Elmont, N.Y.; currently (1959) incarcerated.

Family background: Married to Rose Orlando (his cousin); son: Ignazio Lawrence Orlando; sisters: Nina, Rosalie; father: Vito; mother: Settima M. Lafuira.

Criminal associates: James Santore, Peter Casella, Nicholas Tolentino, Anthony Napolitana, Joseph Lo Piccolo, Angelo Loiacano, Vincent Todaro.

Criminal history: FBI No. 511557, arrests date back to 1928, largely for alcohol violations. In 1958 convicted of Federal narcotic law violation and sentenced to a total of 17 years.

Business: No legitimate occupation known.

Modus operandi: Part of an underworld controlled organization which smuggled narcotics into the United States and distributed to interstate violators. Orlando was entrusted with the storage of the narcotic drugs and then delivery to the interstate violators.

JOHN ORMENTO

Aliases: John Ormando, John Forte, Big John, Governor.

Description: Born August 1, 1912, New York City; 5 feet 10 inches, 240 pounds, black hair, brown eyes, heavy build, sometimes wears glasses.

Localities frequented: Resides 118 Audrey Drive, Lido Beach, Long Island. Frequents East Harlem area and various New York City nightclubs.

1044 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Family background: Married Carmela Mildred Forte; son: Thomas (married to Patricia Livorsi, daughter of the notorious Frank Livorsi); daughter: Connie.

Criminal associates: Caetano Lucchese, Carmine Galante, Salvatore Santoro, Rocco Pellegrino, Frank Livorsi, John Dioguardi, Vincent Squillante, all of New York City; Joseph Ianni of Texas, Rafaele Quasarano and Angelo Mell, of Detroit; the Diecidue brothers, of Tampa, Fla.

Criminal history: FBI No. 1321383; New York City Police Department B-158044. Arrests since 1937 include three convictions of Federal narcotic law violation. In 1960 convicted of conspiracy to obstruct justice and sentenced to 5 years and \$10,000 fine.

Business: Has interest in O. & S. Trucking Co. and Long Island Garment Trucking Co., both in New York City.

Modus operandi: Attended 1957 underworld Apalachin meeting. Is an important underground member and leader of the notorious "107th Street Mob" in New York City, which for many years has been responsible for a large part of the narcotic smuggling and distribution in the United States.

JOSEPH ORSINI

Aliases: Joseph Casabianca, Joe Dorney, Francois.

Description: Born March 19, 1903 Bastia, Corsica, France, French citizen, 5 feet 8 inches, 179 pounds, brown eyes, gray hair, partly bald, medium build, tattoos on left arm.

Localities frequented: Now resides in France. Formerly resided at 26 West 85th Street, New York City, and frequented French restaurants in the midtown area of New York City.

Family background: Mistress, Marcelle Ansellem; father, Louis, mother, Maria Leonetti.

Criminal associates: Antoine D'Agostino, Francois Spirito, Jean Laget, Jean Ager, Marius Ansaldi, Dominique Reissant, Saul Gelb, Edouard Giribone, Carmelo Sansone, Vincent Randazzo, Salvatore Shillitani.

Criminal history: FBI No. 708363A. He has been convicted in France for fraud and robbery and collaboration with the Germans during World War II. Federal narcotic and counterfeiting convictions in United States, for which sentenced to 10 years 1951. Deported from United States, 1958.

Business: Ex seaman. No legitimate occupation.

Modus operandi: He was the Canadian-American representative for the Ansaldi group which operated a clandestine laboratory in France and smuggled heroin in large quantities to underworld racketeers in the United States.

LOUIS PACELLA

Aliases: Louis Dome.

Description: Born October 28, 1921, New York City, 5 feet 7 inches, 160 pounds, brown eyes, black hair, olive complexion.

Localities frequented: Resides 322 East 116 Street, New York City; frequents Sonny's Bar at 104th and First Avenue, Lizzi's Restaurant, at 116th and 2d Avenue, and 118th Street, and Paladino Avenue, all New York City.

Family background: Married Jennie Gerardi, no children; father, Anthony; mother, Marie Lamonico.

Criminal associates: Joseph D'Ercole, Pasquale Pagano, Sidney Ginsberg, Alexander Rosso, Giacomo Reina.

Criminal history: No FBI No. assigned. New York City Police Department No. B8347933. Only arrest was for grand larceny (automobile) in 1954.

Business: Reported to be employed at Napoli Restaurant, 141 Rockaway Boulevard, Belle Harbor, N.Y.

Modus operandi: With other important underworld in New York area. Engaged in large-scale distribution of pure heroin. Has made trips to Europe to further his illicit activities.

VINCENT JOSEPH PACELLI

Aliases: Picelli, Bacile, Pacoli, Joe Maci, Anthony Vincent Pacelli.

Description: Born June 13, 1921, New York City, 6 feet 0 inches, 175 pounds, brown eyes, dark brown hair.

Localities frequented: Resides 422 East 118th Street, New York City, frequents East 117th Street and Paladino Avenue, New York City, also makes trips to Los Angeles.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1045

Family background: Wife, Mildred; Father, Michael; mother, Aureba; brothers, Frank and Anthony; sister, Anna.

Criminal associates: John Ormento, Edward Sandello, Lessa brothers, Salvatore Santora, Joe Bendenelli, all of New York City, Megan King and Mose Stevens of Los Angeles.

Criminal history: FBI No. 2034716, New York City Police Department No. B3361, arrest record from 1940 includes burglary and conviction of Federal narcotic laws.

Business: No legitimate means of employment.

Modus operandi: An interstate narcotic trafficker, working directly under underworld associate Joe Bendenelli. Is a trusted member of the organization.

JOSEPH LOUIS PAGANO

Aliases: Joe, Joey.

Description: Born August 28, 1928, New York City, 5 feet, 9 inches, 140 pounds, black hair, brown eyes, slender build, sallow complexion.

Localities frequented: Resides 323 East 115th Street, New York City, frequents Santoro's Bar and Grill and Lizzie's Clam House, both in New York City.

Family background: Wife, Theresa; father, Donato; mother, Antoinette Dimasi; brothers, John and Pasquale.

Criminal associates: John and Pasquale Pagano (brothers), Salvatore Mezzasalma, Arthur Repola, Fiore Siano, Joseph Ragone, Peter Contes and Achilles Abbamonto.

Criminal history: FBI No. 4674260. NYCPD No. B246200. Arrests since 1946 include attempted robbery, assault and robbery, and conviction for Federal narcotics laws.

Business: Alleged to be manager of Lizzie's Clam House, East 116th Street and Second Avenue, New York City.

Modus operandi: Associated with other important underworld, including the Joseph Valachi organization, which is part of the Anthony Strollo combine, in the local and interstate narcotic traffic.

PASQUALE ANTHONY PAGANO

Aliases: Big Pat, Patsy Pagano.

Description: Born February 21, 1921, New York City, 5 feet, 11 inches, 202 pounds, black hair, brown eyes.

Family background: Father, Donato; mother, Antoinette Dimasi; married to Laura Prete and has two children; brothers, Joseph and John.

Criminal associates: Tony Strollo, Steve Arnone, Fiore Siano, Jack Scarpulla, Joe Pagano (brother), all of New York City; Pat Erra and Mike Coppola of Miami, Fla.; Alfredo Badulati (France).

Criminal history: FBI No. 74687B. Jersey City PD No. 13866. Arrests since 1952 include atrocious assault and battery, conviction for bribing Federal officer, and conviction (1956) for Federal narcotic laws.

Business: Was business agent for Local 59, International Bricklayer's Helpers, AFL prior to narcotic arrest; also a mason contractor, and New Jersey dockworker for underworld chief Tony Strollo.

Modus operandi: An international and interstate smuggler and distributor of narcotics with his own source of supply in France. An up and coming underworld leader in East Harlem, New York City.

FRANK J. PANATERA

Aliases: None.

Description: Born in 1926 in Chicago, Ill.; 5 feet, 8½ inches; 190 pounds, brown eyes, black hair, stocky.

Localities frequented: Resides 2956 South Wallace Street, Chicago, Ill. Frequents Phil's Tavern, 2956 South Wallace, Spotlite Tavern, 3113 Broadway, Silver Bar Club, 3200 South Halsted Street, 26th and Union, Ciro's, 817 North Wabash; all in Chicago, Ill.

Criminal associates: Robert Payne, Jack Rizzo, Peter Gushi, James Cordavana, all of Chicago, Ill. Frank Pasqua of New York City.

Criminal history: Dates from 1952 and includes a conviction for violation of Federal narcotic laws.

1046 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Modus operandi: Wholesaler of heroin in large quantities in Chicago and into interstate traffic. Has source of supply for pure heroin in New York City.

Agencies with information: U.S. Bureau of Narcotics. U.S. Secret Service. Chicago, Ill., Police Department.

Identification: FBI No. 301390B. Chicago Police Department E-458.

SAM PAPALARDO

Aliases: Sam Papp.

Description: Born August 23, 1909, Cleveland, Ohio; 5 feet 7 inches, 150 pounds, black hair, brown eyes, sallow complexion, sharp weasel features, medium build, wears sport clothes.

Localities frequented: Resides 4119 East 176th Street, Cleveland, Ohio, frequents Victory Lounge Bar, 6605 Detroit Avenue, and night clubs on Short Vincent Street.

Family background: Single. Father is Rosario, sister is Mrs. Josephine Rini, widow of Gus J. Rini, brother Sylvester, alias Studo.

Criminal associates: Sylvester Papalardo, John Montana, Jr., John DeMarco, Sam Poliafico, Frank Brancato, Frank Liosi, Anthony and Charles Spitalieri, all of Cleveland; Frank Borelli, Charles Curcio, Rocco Mazzie, Vincent Squillante, all of New York City; Salvatore Pieri, Salvatore Rizzo, Nicholas Tutino, all of Buffalo; Joseph Licavoli, of Detroit.

Criminal history: FBI No. 118998, Cleveland Police Department No. 28652, criminal record dates back to 1927. Sentenced in May 1927, for rape, from 8 to 10 years; has been picked up numerous times in connection with murder and narcotics; was acquitted on February 13, 1958, at New York City, for conspiracy to violate the Federal narcotic laws.

Business: Owns and manages, by proxy, the Victory Lounge Bar, West 65th Street, and Detroit Avenue, Cleveland, Ohio.

Modus operandi: Major interstate narcotic trafficker, alleged to be the "bank-roll" for the John Montana organization; considered to be an important member of the underworld at Cleveland, Ohio.

SYLVESTER PAPALARDO

Aliases: Studo.

Description: Born November 27, 1910, in Cleveland, Ohio; 5 feet 7½ inches, 188 pounds, brown hair, brown eyes, stocky build, small moles on both sides of face.

Localities frequented: Resides 17620 Walden Avenue, Cleveland, Ohio, frequents Victory Lounge Bar and various nightclubs on Short Vincent Street, Cleveland.

Family background: Married Katherine Frisina; sons: Russell and Fred; father: Rosario; brother: Sam; sister: Mrs. Josephine Rini.

Criminal associates: Sam Papalardo, Sam Poliafico, John Montana, Jr., Frank Liosi, William Basile, Angelo Lavelle, all of Cleveland; Rocco Mazzie, Vincent Squillante, of New York City; Salvatore Rizzo, Salvatore Pieri, all of Buffalo, N.Y.

Criminal history: FBI No. 463957, Cleveland Police Department No. 33941, record dating from 1932 includes arrests for burglary, robbery, narcotics, and homicide; currently incarcerated at the United States penitentiary, Leavenworth, Kans., having been sentenced on August 14, 1953, to 15 years for violation of Federal narcotic laws.

Business: No legitimate occupation. Derives income from narcotic trafficking and gambling.

Modus operandi: Major interstate narcotic trafficker, large scale gambler and ranking member of the underworld in Cleveland, Ohio.

FRANK ANTHONY PASQUA

Aliases: Frank Page, Frank Pasquale, Frank Hunt.

Description: Born January 13, 1923, New York City; 6 feet, 250 pounds, brown eyes, dark brown hair, heavy build.

Localities frequented: Resides 974 Rhinelander Avenue, Bronx, N.Y. Frequented area of East Harlem in Manhattan and Chicago, Ill. Currently (1959) incarcerated for violation Federal narcotic laws.

Family background: Married to Mildred Bartolamucci; sons, Richard and Frank; father, Natale; mother, Rose Comodeo.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1047

Criminal associates: Jack Scarpulla, John Riccardulli, James Massi, Mike Galgano, Rocco Mazzie, Frank Corona, all of New York City; Frank Panatera and Jack Rizzo of Chicago, Ill.

Criminal history: FBI No. 241577B. Convicted April 25, 1958 to 4 years for violation of Federal narcotic laws.— (Reversed?)

Business: Was self-employed in the produce trucking business.

Modus operandi: Has been a major interstate narcotic trafficker in association with known underworld traffickers from East Harlem area of Manhattan.

ROCCO PELLEGRINO

Alias: The Old Man.

Description: Born April 13, 1889, Calabria, Italy, 5 feet 6 inches, 139 pounds, brown eyes, gray hair, stocky build.

Localities frequented: Resides 20 Carrigan Avenue, White Plains, N.Y.; frequents Pellegrino Bakery, White Plains, N.Y.

Family background: Married to Elizabeth Rabasco, four sons and four daughters, Carmine, Sam, Peter, Frank, Mary (wife of Vincent Genari), Cecelia, Elizabeth, Elinore (engaged to son of Saro Magavero); father, Carmine; mother, Maria Violanti.

Criminal associates: Saro Magavero, Michael Clemente, Gaetano Maiorano, Albert Anastasia (dead), Anthony Strollo, Mickey Bowers, Al De Brizzi, John Ormento, Joe Civello.

Criminal history: New York City Police Department No. E3530, was arrested for assault in 1918 for which he received a sentence of 1½ years; arrested November 6, 1922, for violation of Volstead Act, fined \$850. Deportation proceedings pending against him.

Business: Owns Pellegrino Bakery, 16 Barker Avenue, White Plains, N.Y.

Modus operandi: Head of underworld in Westchester County; involved in gambling and waterfront activities in New York City, with sons was source of supply of narcotics for Italian violators in Dallas, Tex.

JOHN MICHAEL PETRONE

Aliases: John Bennett, John Michael, John Carrila.

Description: Born February 4, 1896; 5 feet 8 inches, 175 pounds, blue eyes, gray hair, left index finger amputated.

Localities frequented: Resides 1500 Rowland Street, Bronx, N.Y. Frequents pastry shop, Elizabeth and Prince Streets, Michael Angelo Jewelry Shop, 37 West 47th Street, both in New York City, and Gondolfo Motors, Bronx, N.Y.

Family background: Married to Mary Rose Cerrita; son, John; daughter, Annette Marie Mirrando.

Criminal associates: Salvatore Shillitani, Anthony D'Agostino, Charles and Joseph DiPalermo, Carmine Galante, Mike Consolo, Albert Spitzer, Paul Gambino, Joseph Notaro, and Charles Porcelli.

Criminal history: FBI No. 1474964; New York City Police Department No. B-409659. Arrests since 1938 include concealing assets in bankruptcy and convicted for counterfeiting.

Business: Has interests in Michael Angelo Jewelry Shop, 37 West 47th Street, New York City.

Modus operandi: An international narcotic trafficker who also deals in gold smuggling and counterfeiting. A close and trusted associate or high-ranking underworld in New York City.

FRANK LOUIS PICCOLO

Aliases: Frank Lanza, Bob Brooks.

Description: Born July 2, 1921, New York City; 6 feet, 200 pounds, black hair, brown eyes, husky build.

Localities frequented: Resides 188 Peace Street, Stratford, Conn. Frequents Columbia Motors, Ocean Sea Grill, Hotel Savoy, all in Bridgeport, Conn.

Family background: Married to Virginia Paglinco and has four children; father is Francesco; mother is Fannie Lanza.

Criminal associates: Paolo Agresta, Ignazio C. Marchese, Larry Vastano, Philip Barrese, all of Bridgeport area; Michele Marchese of Los Angeles; Anthony Castaldi and Rocco Mazzie of New York City.

Criminal history: FBI No. 428348A; Bridgeport Police Department No. 7637. Arrests since 1947 include gambling, assault, income tax evasion.

1048 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Business: Has interest in Columbia Motors (used car lot), Bridgeport, Conn.
Modus operandi: Associated with major underworld traffickers from New York's East Harlem area; believed to be engaged in interstate traffic; also engaged in all illegal gambling rackets in Bridgeport area.

SALVATORE PIERI

Aliases: Sam Pieri, Samuel Jones.

Description: Born January 29, 1911, in Buffalo, N.Y.; 5 feet 8 inches, 148 pounds; black hair, brown eyes; medium build.

Localities frequented: Residence, 63 Claremont Avenue, Buffalo, N.Y. Frequenters Cleveland, Ohio. Sentenced December 17, 1954, to 10 years for violation Federal narcotic laws.

Criminal associates: Salvatore Poliafico, Salvatore P. Rizzo, Frank Consolo, Edward Stampfel, Angelo Felicia, Alex Clarco, Carmen Lavelle, Sylvester Papalardo.

Criminal history: Dates from 1928 and includes arrests for burglary, grand larceny, carrying firearms, robbery, automobile theft, and violation of Federal narcotic laws. Sentenced December 17, 1954 to 10 years for violation of Federal narcotic laws. Begain serving sentence August 31, 1956 after appeal denied.

Modus operandi: A trusted underworld member who, with other racketeers in this organization, controls narcotic distribution in Buffalo, N.Y., and Cleveland, Ohio. Uses extreme violence and murder to maintain organization.

Agencies with information: U.S. Bureau of Narcotics. Police Departments of Cleveland, Ohio; Buffalo, Rochester, and New York City, N.Y.

Identification: FBI No. 182971; Buffalo Police Department No. 20699; Rochester Police Department No. 9847; Cleveland Police Department No. 45301.

ANTHONY PISCIOTTA

Alias: Tony.

Description: Born February 16, 1923, New York City; 5 feet 11 inches, 210 pounds, heavy build; brown hair, brown eyes.

Localities frequented: Resides 288 Brinsmade Avenue, and 1923 Third Avenue, both New York City. Frequenters Skyway Bar, East Elmhurst, N.Y., Barge Restaurant, Ten Pin Bar and Jacks Restaurant, all Bronx, N.Y.; Copacabana Club, New York City; Roosevelt and Yonkers Raceways.

Family background: Wife, Rose DeCaro; sons, Anthony and Charles; father, Nicholas; mother, Geraldine Passanondi; brother, Rosario; sisters, Rose Luceretta, Vivian Milazzo.

Criminal associates: Thomas Garibaldi, Salvatore LoProto, Frank Borelli, Michael Altimari, Victor Tramaglino, Charles DeCaro.

Criminal history: FBI No. 592746A; no NYCPD number. Criminal record consists of two arrests by Federal Narcotic Bureau, May 25, 1951, sentenced to 9 years followed by 5 years probation. On probation until 1965. Second case now (1959) pending.

Business: Has an interest in the Skyway Bar, East Elmhurst, N.Y.

Modus operandi: Is engaged, with other important mafiosi in the wholesale narcotic traffic, supplying heroin to dealers from all sections of the United States.

SALVATORE F. POLIAFICO

Aliases: Sylvester Poliafico, Sam Polo.

Description: Born June 7, 1911, Cleveland, Ohio; 5 feet 7 inches, 150 pounds, medium build; black hair, brown eyes.

Localities frequented: Residence, 3309 Milverton Road, Shaker Heights, Ohio. Frequented Khoury's Nightclub and various other nightclubs on Short Vincent Street, Cleveland, Ohio.

Family background: Married to Judy Lascko on September 9, 1935, at Cleveland, Ohio; has two sons, Joseph and Dominic; sister Mary is married to John DeMarco; father, Joseph, resides with John DeMarco in Cleveland.

Criminal associates: Anthony Crisci, Anthony Naselli, Michael Erra, Salvatore Lazzaro, Nunzio Romano, all of New York City; Salvatore Pieri, Salvatore Rizzo, all of Buffalo, N.Y.; John DeMarco, Sam and Sylvester Papalardo, all of Cleveland, Ohio.

ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS 1049

Criminal history: FBI No. 1482222; Cleveland Police Department No. 36451; arrest record dates back to 1930, when he was acquitted of murder, incarcerated at U.S. Penitentiary, Leavenworth, Kans., on April 23, 1957, in connection with a 15-year sentence received for violation of the Federal narcotic laws.

Business: Nightclub manager, operator of TV repair service shop, with partner David L. Zallan.

Modus operandi: A major interstate drug trafficker, operating from Cleveland, Ohio; brother-in-law of John DeMarco; a strongarm member of the underworld in the Cleveland area.

RALPH POLIZZANO

Aliases: None.

Description: Born May 16, 1922, New York City, 5 feet, 10 inches, 210 pounds, medium build, black hair, brown eyes, fair complexion.

Localities frequented: Resides 57 East Fourth Street, New York City, frequents Squeeze Inn Bar, 57 East 4th Street, New York City, also the Club 82, East 4th Street, New York City. Currently incarcerated.

Family background: Wife: Marion Labarbera; son: Charles; father: Charles; mother: Mary Antonelli; brothers: Carmine and Charles; sisters: Frances and Rose.

Criminal associates: Carmine Polizzano, Joseph DiPalermo, Alfred Aviles, Vito Genovese, Charles DiPalermo, Jack Russo, Charles Barcellona.

Criminal history: FBI No. 736566-C, New York City Police Department No. B-397206. Record commenced 1957 with an arrest and conviction for State narcotic law violation; 1959 convicted of Federal narcotic law violation and sentenced to 7 years.

Business: Owns Squeeze Inn Bar, 57 East Fourth Street, New York City.

Modus operandi: Part of the Vito Genovese-Joseph DiPalermo mob. Distributes large quantities of illicit heroin.

ALFRED POLIZZI

Aliases: Albert Allen, Al Polizzi, Alfonzo Polizzi, Big Al.

Description: Born March 15, 1900, Siculiana, Sicily, naturalized June 8, 1928, Cleveland, 5 feet, 10 inches, 170 pounds, brown eyes, black-gray hair.

Localities frequently: Resides 6857 Granada Boulevard, Coral Gables, Fla. Frequents area of 23d Street and Collins Avenue, Miami Beach, Fla.

Family background: Married to Philomena Valentino; daughter: Joanne; sons: Raymond A., Nicholas G.; father: Alphonse; mother: Giovanna Indelica.

Criminal associates: Angersola brothers and Jose Massei, of Miami, Joe Doto and Lucky Luciano, of Italy, Frank Costello and Joe Profaci, of New York City, John DeMarco and John Scalish, of Cleveland, Frank Milano, of California.

Criminal history: FBI No. 118357. Cleveland Police Department No. 32332. Arrests since 1920 includes robbery, Prohibition Act, Internal Revenue Act, suspicion of murder.

Business: Has an interest in the Thompson-Polizzi Construction Co., Coral Gables, Fla.

Modus operandi: One of the most influential members of the underworld in the United States. Was leader of the underworld in Cleveland before moving to Florida. Is associated with international narcotic traffickers; and engaged in illicit gambling activities in the Miami area.

JOHN PRIZIOLA

Aliases: Papa John Priziola, John Brazziola, John Barzziola, John Prisiola, John Peraziola.

Description: Born January 12, 1893, Partinico, Sicily, Italy; 5 feet 3½ inches, 165 pounds, brown eyes, gray-brown hair, balding, wears glasses.

Localities frequented: Resides 1349 Devonshire Street, Grosse Pointe, Mich.

Family background: First wife, Thomasina, deceased, mother of Ninette (Mrs. Peter Tocco), Frances (Mrs. Frank Matranga), Angeline (Mrs. Michael Polizzi), and Josephine (Mrs. Joseph Matranga); second wife, Francesca, mother of Thomasina (Mrs. James D. Cammarata); father: Giuseppe; mother: Antonina Sciacchitana.

1050 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal associates: All top ranking Detroit Mafiosi; Ralph Caleca and Anthony Giordano of St. Louis; John Ormento and Salvatore Santoro of New York City; Frank and Joseph Matranga of California; Salvatore Vitale, Francesco Coppola and Serafino Mancuso of Italy.

Criminal history: FBI No. 783659-C, Detroit Police Department No. 10171. Record dating from 1917 includes arrest for grand larceny, prohibition law violations, concealed weapons, and murder.

Business: St. Clair Terrace Corp., royalties from P. & T. Oil Co., rentals from 16906 Harper, Detroit; Jon Car Homes.

Modus operandi: One of the heads of the underworld in the Detroit area. Engaged in large-scale narcotic smuggling and distribution.

GIUSEPPE PROFACI (DECEASED JUNE 7, 1962)

Aliases: Joe Proface.

Description: Born October 1, 1897, Villabate, Sicily, 5 feet 6 inches, 180 pounds, gray hair, brown eyes, glasses, naturalized Brooklyn, September 27, 1927.

Localities frequented: Resided 8863 15th Avenue, Brooklyn, N.Y. Frequents his place of business.

Family background: Married Nina Magliocco (sister of Giuseppe Magliocco); daughters, Carmela (married to Anthony Tocco, son of William Tocco, Detroit), Rosalie (married to Anthony Zerilli, son of Joseph Zerilli, Detroit); sons, John, Dominick, and Joseph; brothers, Frank and Andrew; sisters, Mrs. Josephine Tipa, Mrs. Providence LoCastro, Mrs. Paolina Savone, and Sister Marie Madelena, a nun; father, Salvatore; mother, Rosaria Schillaci.

Criminal associates: Lucky Luciano, Sebastiano Nami, Nicholas Impastato (all deportees), Francisco Costigila, Joseph Stracci, John Oddo, Gaetano Lucchese, Frank Livorsi.

Criminal history: FBI No. 362142-A, NYCPD No. B-13328. Record in United States dating from 1928 includes arrests for gun, suspicion of murder, income tax evasion, and conspiracy to obstruct justice on which sentenced 1960 to 5 years and \$10,000 fine. Also has criminal record in Italy.

Business: Owned Carmela Mia Packing Co., and many other firms.

Modus operandi: Attended 1928 Cleveland and 1957 Apalachin underworld meetings. One of most powerful underworld leaders in United States.

STEPHEN MARTINI PUCO

Aliases: Steve the Bug, Steve Nose, Daniel Puco.

Description: Born April 12, 1918, in New York City, 5 feet 10 inches, 160 pounds, brown hair, balding, brown eyes, medium build, medium complexion.

Localities frequented: Resides 323 Paladino Avenue, New York City. Frequents DeMartino Restaurant, 320 East 117th Street; 326 East 117th Street; 325 Paladino Avenue; 2d Avenue and 109th and 110th Streets; 501 East 116th Street, all in New York City.

Criminal associates: Tony Bellito, Rocco Mазzie, Salvatore Barbato, Joe Bruno, Nicholas Tolentino, John Ormento, Andrew Puco, Joe Babs.

Criminal history: Dates from 1935 and includes arrests for possession of a gun, assault and robbery, and violation of Federal narcotic laws. Latest narcotic arrest September 13, 1957, for violation Federal narcotic laws. Disposition pending.

Modus operandi: A trusted member of the Joe Babs underworld group trafficking in narcotics in wholesale quantities. Transactions are confined to Paladino Avenue area in New York City.

Agencies with information: U.S. Bureau of Narcotics; Federal Bureau of Investigation; New York City Police Department.

Identification: FBI No. 971099, NYCPD No. 137105.

RAFFAELE QUASARANO

Aliases: Ralph, Gino, and James Quasarano, James Quasamoni.

Description: Born December 20, 1910, Mauch Chunk, Pa., 5 feet 8 inches, 160 pounds, medium build, black hair, blue eyes, glasses, numerous cyst scars on back of neck.

Localities frequented: Resides at 20143 Doyle Court, Grosse Point Woods, Mich. Frequents Michigan Mutual Distributing Co., Detroit, Mich.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1051

Family background: Married Giovanna Vitale; two children; father, Vincenzo (deceased); mother, Francesca; brother, Diego (resides Italy); father-in-law, Vito Vitale.

Criminal associates: Angelo Meli, John Priziola, Angelo Polizzi, Pietro Gaudino, Michael Polizzi, and Salvatore Finazzo, of Detroit; John Ormento, Frank Livorsi, Francisco Costiglia, of New York, Lucky Luciano, Francisco P. Coppola, Giuseppe Corso, and Vito Vitale, of Italy.

Criminal history: FBI No. 736238, Detroit PD No. 40868. Record dating from 1931 includes arrests for disorderly conduct, armed robbery, shooting, wire tapping, gambling, and violation of Federal narcotic laws.

Business: Owns Motor City Barber Supply, Greenfield Furniture, Moravian Acres, and Motor City Arena and Gym, Detroit.

Modus operandi: A top-level Detroit underworld member and international narcotic trafficker. His father-in-law, Vito Vitale, is an underworld leader in Italy.

JOSEPH RAGONE

Aliases: Joe Ragone.

Description: Born September 4, 1918, New York City, 5 feet 7½ inches, 155 pounds, medium build, brown eyes, brown hair.

Localities frequented: Resides at 1639 Colden Avenue, Bronx, N.Y. Frequenters Parma Cafe, 364 West 57th Street, 2067 Second Avenue, New York City. 2d Avenue and 136th Street, all New York City. Capri Bar, Ten Pin Bar, and Fordham section of the Bronx; owns Bluebird Bar on Buhre Avenue in the Bronx.

Family background: Married Helen DeLuca; father, Emilio; mother, Mary Ippolito (both deceased); brothers, Gaspere, Albert, Michael, Anthony.

Criminal associates: Angelo DeGeorge, Paul Zerbo, Anthony Vanacore, Joe Valachi and Gaspere Ragone.

Criminal history: FBI No. 688161-B. Arrested August 2, 1954, for violation of the Federal narcotic laws; sentenced on November 27, 1954, to serve 3½ years in prison and 5 years probation. No other arrests.

Business: Works with brother Gaspere Ragone in vending machine business and has interests in Bluebird Bar on Buhre Avenue in the Bronx, N.Y.

Modus operandi: Ragone is a large-scale narcotic violator and an influential Mafia member in the New York City area.

GIACOMO REINA

Aliases: Jock Reina, Jack Ricca, Henry Reina.

Description: Born September 21, 1909, New York City, 5 feet 8½ inches, 155 pounds, brown eyes, black hair with gray streaks.

Localities frequented: Resides at 152 Kearny Avenue, Kearny, N.J., frequents bar, at 49 Market Street, and 121 Mulberry Street, both in New York City.

Family background: Wife, Phyllis; brothers, Henry, Sam, John and Bernard; Sisters, Anna, Mildred Valachi (wife of Joe Valachi), Rose Bongrieco, Lucy Sterling; father, Gaetano; mother, Angelina Olivera.

Criminal associates: Frank Caruso, Anthony Strollo, Vincent Mauro, Joe Orsini, Joe Valachi, all of New York City, Marius Ansaldi, Dominique Reissant, Francois Spirito, all of France.

Criminal history: FBI No. 193805, New York City Police Department No. B-73123, arrests from 1928 include felonious assault, robbery, conviction of Federal narcotic laws.

Business: No legitimate business known.

Modus operandi: Wholesale smuggler, distributor of heroin with sources of supply in France. Has connections with most leading underworld members of New York City.

JOHN J. RICCARDULLI

Aliases: Johnny Schlitz, Slits, Freddie, Ronnie.

Description: Born January 29, 1912, New York City, 5 feet 2 inches, 144 pounds, brown eyes, brown hair, medium stocky build.

Localities frequented: Resides at 974 Rhinelander Avenue, Bronx, N.Y. Frequenters 3d Avenue, 102d to 105th Streets, Harlem Social Club, 222 East 104th, Jim's Bar, 309 East 104th and 336 East 119th Streets all in New York City.

Family background: Single, father, Leonard (deceased); mother, Maria Vito; sisters, Anna and Virginia Riccardulli, Frances Velliare; brothers, Paddy and Tony.

1052 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal associates: Anthony DePerna, Frank Pasqua, George Velluci, Anthony Castaldi, Stephen Puco.

Criminal history: FBI No. 2453962, New York City Police Department No. E-12678. Has only one arrest which was for violation of Federal narcotic laws. He was convicted and served 2 years in Federal prison.

Business: No known legitimate employment at this time.

Modus operandi: Has been a large-scale local and interstate narcotic trafficker for over 20 years in close association with important Mafiosi.

HARRY RICCOBENE

Aliases: Anthony DeMarco, Little Harry, Hunchback Harry.

Description: Born July 27, 1909, in Italy, 5 feet 136 pounds, dark-brown eyes, brown-gray hair, balding, slender build.

Localities frequented: Residence, 728 Carpenter Street, Philadelphia, Pa. Sentenced in 1956 to 7½ to 15 years for violation State narcotic law in Cleveland, Ohio, to be followed by 2½ years for violation Federal narcotic laws.

Criminal associates: Salvatore Poliafico, Frank Consolo, Anthony Crisci, Papalardo brothers.

Criminal history: Dates from 1930 and includes arrests for carrying a concealed weapon, auto larceny, and violation of State and Federal narcotic laws. Sentences in Cleveland, Ohio, in 1956 to 7½ to 15 years for violation of State narcotic laws, to be followed by a 2½-year sentence for violation Federal narcotic laws.

Modus operandi: An important Midwest narcotic wholesale trafficker operating with other racketeers in Cleveland, Ohio, with source of supply for pure heroin in New York City.

Agencies with information: U.S. Bureau of Narcotics. Police Departments of Cleveland, Ohio and Philadelphia, Pa.

Identification: FBI No. 470924; Philadelphia, Pa., PD No. 89592.

JACK RIZZO

Aliases: None.

Description: Born September 18, 1923, Chicago, Ill.; 5 feet 10 inches, 175 pounds, Brown eyes, black hair, swarthy complexion and medium build.

Localities frequented: Resides at 2748 West Belmont, Chicago, Ill. Frequents Kelly's Lounge, Racine and Wilson Streets; Harry's New Yorker Bar, 900 Rush Street; The Fountainebleau Tavern, 624 West Division Street; and the Spotlight Tap Room, 3113 North Broadway Avenue, all of Chicago, Ill.

Family background: Marital status, single.

Criminal associates: Patrick Russo, Charles Bartoli, James Cordovano, Peter Guschi, and Frank Panatera, all of Chicago, Ill.; and Frank Pasqua of New York City, N.Y.

Criminal history: FBI No. 281857B. This subject has a record of one felony conviction for violation of the Federal narcotic laws.

Business: Reportedly owns an interest in Kelly's Lounge, The Fountainebleau Tavern, and Harry's New Yorker Bar, all of Chicago, Ill.

Modus operandi: With Mafia associates is engaged in the wholesale distribution of heroin in Chicago, Ill.

SALVATORE PETER RIZZO

Aliases: Sam Rizzo.

Description: Born August 14, 1913, Buffalo, N.Y., 5 feet 6 inches, 156 pounds, black hair, brown eyes, medium build.

Localities frequented: Resides 12 Brayton Street, Buffalo, N.Y. Frequents Santores Restaurant, and Park Edge Restaurant, in downtown Buffalo, Crystal Beach, Ontario, Canada, Cleveland, Ohio, and Rochester, N.Y.

Family background: Marriage annulled 1947, no children. Father: Pietro; mother: Concettina Nugello (both deceased), were born in Italy; brother: Angelo; sister: Miss Mary C. Rizzo.

Criminal associates: Salvatore (Sam) Pieri, Maggadino brothers, John C. Montana, Carmen Lavalie, Papalardo brothers, Angelo Felicia.

Criminal history: FBI No. 4449035. Buffalo PD No. 46193. Record dates from 1942 and includes arrests for larceny, robbery, gambling, and violation of the Federal narcotic laws.

Business: Silent partner of the Huron Smoke Shop, 86 West Huron Street, Buffalo, N.Y.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1053.

Modus operandi: An important Mafia member and wholesaler of narcotics supplying upstate New York and Midwest cities. Operates with other Mafiosi in Cleveland, Ohio, and Buffalo, N.Y. Has sources of supply for pure heroin in New York City.

ROCCO SANCINELLA

Aliases: None.

Description: Born May 6, 1919, New York City, 5 feet 9 inches, 185 pounds, brown hair, brown eyes, dark complexion.

Localities frequented: Resides 421 West 260 Street, Bronx, N.Y. Frequents Anchor Bar at 76th and Second Avenue, Green Open Kitchen, 77th and First Avenue, Wright's Coffee Shop, 86th and Lexington, all New York City, Hi-Way Bar, 362 Metropolitan Avenue, Brooklyn, N.Y.

Family background: Married Virginia Donofrio; father, Frank; mother: Carmela D'Orio (both born Italy).

Criminal associates: Ignazio Orlando, Angelo Loiacano, Vincent Todaro, Charles Alberio, Frank Moccardi, Salvatore Santoro, Cotroni brothers (Canada).

Criminal history: FBI No. 5132291, New York City Police Department No. B-13629. Record dates from 1943 and includes arrests for assault and robbery and violation of the narcotic laws.

Business: Operates a luncheonette at 4533 Third Avenue, Bronx, N.Y.

Modus operandi: Member of major Mafia group engaged in counterfeiting and in distributing huge quantities of heroin obtained from the Cotroni organization in Canada.

CARMELO SANSONE

Aliases: Michael Nasone, "Schnozzola."

Description: Born September 10, 1912, New York City, 5 feet 9 inches, 160 pounds, brown eyes, black hair, nose scars due to plastic surgery, tattoo of man's head on right forearm, tattoo of woman's head on left forearm.

Localities frequented: Resides 163 West 71st Street, New York City. Frequents French restaurants in vicinity 8th Avenue and West 47th Street in Manhattan.

Family background: Single; brothers: Joseph and Chalo; sister: Mrs. Angelo Ouvar; mother: Josephine Kanala (dead); father: Carmelo.

Criminal associates: Eugene Giannini (dead), Jean Laget, Lucien Ignaro, Giovanni and Carrado Maugeri, Francisco Pirico, Antoine D'Agostino, Francois Spirito.

Criminal history: FBI No. 780875A. NYCPD No. B-299646. Arrests since 1951 include convictions for Federal narcotic laws. Currently (1959) awaiting trial for violation Federal narcotic laws at New York City.

Business: No legitimate business of employment known.

Modus operandi: An important Mafia narcotic trafficker who has direct sources of supply from international Corsican Mafia traffickers.

ANIELLO SANTAGATA

Aliases: Santagato, Joseph Ottieri, O'Maddalonese, Emmet Agato, Santo Emilio, Santiago Amelia.

Description: Born January 13, 1888, Maddaloni Caserta, Italy, 5 feet 8 inches, 198 pounds, gray hair, brown eyes, dark complexion, naturalized Newark, N.J., October 3, 1928, No. C-493304.

Localities frequented: Resides 1 Kearney Avenue, Kearney, N.J. Frequents 14th Avenue section of Newark, N.J., Lower East Side of New York City, Wilson Avenue, section of Brooklyn, N.Y., New York area racetracks; Mexico.

Family background: Married Grace Carbone 1952 and she divorced him after he went to prison in 1955. He is again living with her: father: Raphael; mother: Giovanna Della Rocco; sister: Lucille Carrolo.

Criminal associates: Salvatore Amicone (Mexico), Ugo Giampaoli, Campisi brothers, Angelo Buia, Settimo Agardo.

Criminal history: FBI No. 1011607. NYCPD No. B-22389. Record dating from 1909 includes arrests for pickpocket, larceny, kidnaping, bastardy, fornication, assault and battery, disorderly conduct, gambling, bootlegging, Federal narcotics conviction.

Business: Retired barber. Collecting social security.

Modus operandi: An old time Mafioso who is highly regarded by other members. Has sources for narcotics in Italy, Mexico, and Canada and has been re-

1054 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

sponsible for the smuggling and distribution of untold quantities of heroin. Recently (1960) perjured himself before a grand jury in an attempt to protect another Mafia member and narcotic trafficker.

SALVATORE T. SANTORO

Aliases: Tom Mix, Salvatore Santora, Arthur Ricco.

Description: Born November 18, 1915, 5 feet 9 inches, 200 pounds, black hair, brown eyes, stout build.

Localities frequented: Resides 132 Longview Street, Leonia, N.J., frequents East Harlem area and midtown Manhattan.

Family background: Married to Mary Zangaglia and has one child, father: Antonio, mother: Teresa Borgio.

Criminal associates: John Ormento, Sal LoProto, Frank Livorsi, Charles Alberio, Joe Marone, Angelo C. Salerno, Joe Rao, all of New York City.

Criminal history: FBI No. 838426, New York Police Department No. B-128622. Arrests since 1933 include attempted grand larceny, 1897 Public Law of New York, and two convictions for Federal narcotic laws.

Business: Associated with John Ormento in trucking concern, and a produce salesman.

Modus operandi: A notorious underworld associate of John Ormento in the smuggling and distributing of narcotics from the East Harlem area of New York City.

MICHELE GIACOMO SCARPULLA

Aliases: Giacomino, Jack Scarpulla.

Description: Born May 16, 1899, Palermo, Sicily, Italy, 5 feet 8 inches, 185 pounds, stout build, dark complexion, brown eyes, brown hair turning white.

Localities frequented: Resides 77 Winter Street, Bronx, N.Y. Frequents New Prosperity Meat Market, 284 Fifth Avenue, Brooklyn, N.Y., and Crescent Avenue, section of Bronx, N.Y.

Family background: Married Rosa Scalici (sister of late Francesco); son: Angelo; daughter: Maria Anna; father: Giacomo; mother: Marion Quadrini; Angelo married Rosemary Lapi, daughter of convicted counterfeiter Vincent Rocco Lapi.

Criminal associates: Frank Luciano, Carlo and Paul Gambino, Joseph Bisogno, Salvatore Caneba, Sebastiano Bellanca.

Criminal history: FBI No. 983998. New York City Police Department No. B-113221. Record dates from 1933 and includes arrests for grand larceny and bootlegging.

Business: He and son Angelo own and operate New Prosperity Meat Market, 284 Fifth Avenue, Brooklyn, N.Y.

Modus operandi: High echelon Mafioso. Key member of the large scale narcotic smuggling ring formerly headed by his brother-in-law the late Francesco Scalici.

CHARLES SCHIFFMAN

Aliases: Charles Shipman, Schippman, Morris Feldman, Charles Harris.

Description: Born September 14, 1903, Wallington, N.J., Jewish, 5 feet 6 inches, 156 pounds, brown-gray hair, brown eyes.

Localities frequented: Resides 79 Van Buren Street, Passaic, N.J., frequents midtown New York City and northern New Jersey.

Family background: Single: father: Samuel; mother: Sarah Feldman; (both deceased); sisters, Eva Sternberg, Esther Schiffman and Ann Floff; brothers: Barney and Arthur.

Criminal associates: John Ormento, Salvatore Santoro, Moische Taubman, Marco Orlandino, Abraham Chalupowitz, Joseph Littman.

Criminal history: FBI No. 313781. New York City Police Department No. B-123114. Newark, N.J. Police Department No. 6034. Record dating from 1921 includes arrests for burglary, breaking and entering, drunkenness, robbery, concealed weapon, highway robbery and three Federal narcotic convictions.

Business: No legitimate occupation.

Modus operandi: A confirmed and vicious criminal who for many years headed a gang of racketeers who engaged in every type of illicit enterprise in the northern New Jersey area. Is known to and allied with top underworld criminals from all parts of the United States. Large scale narcotic trafficker.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1055

JOHN SCHILLACI

Aliases: Frank Coniglio; John Tanza; John Longo; Frank Lonza; Thomas Coniglio; Frank Alberto; Al Brown; Frank Long.

Description: Born in Cirleone, Italy 48 years old (1950); height 5 feet 5 inches; weight 175 pounds; build stocky; hair, brown-gray; partially bald; eyes, brown; complexion, dark.

Localities frequented: Deported to Italy in 1947; resided at 15 Bajart Place, Yonkers; frequented Greenwich Village; 116th Street and First Avenue, New York City; Graden Pharmacy, 50th Street and Broadway, New York City.

Criminal associates: Charles Alberio; Dominick Petrelli; Frank Livorsi; Salvatore Santore; Philip Lombard; Charles Luciano.

Criminal history: Criminal history includes 11 arrests since May 4, 1921 for assault and robbery, burglary, robbery, and narcotics. He has served two terms of imprisonment, nine of the charges having been dismissed. Deported to Italy on April 2, 1947, however, there are reports that he has illegally re-entered the United States.

Modus operandi: Before his deportation he was one of the leaders of the upper East Side group in New York City which finances the wholesale distribution and smuggling of opium and heroin from Mexico.

Agencies familiar with individual: Bureaus of Narcotics and Customs, U.S. Treasury Department. New York City Police Department.

MICHAEL SEDOTTO

Aliases: LaRocco, Sedetto, Mike the Geep.

Description: Born February 22, 1920, New York City, 5 feet 8 inches, 185 pounds, medium build, gray hair (bald), blue eyes.

Localities frequented: Resides 2715 DeWitt Place, Bronx, N.Y., frequents 187th and Crescent, 187th and Cambreling, Bronx, N.Y.

Family background: Married Dorothy Lauer; sons: Michael and Salvatore; father: Joseph; mother: Anna LaRocco, (both deceased); brothers: Joseph, Patrick and Anthony; sister: Mary Acvino.

Criminal associates: Alfred Mauriello, Jerry Santaniello, Joseph Barra, Rocco Mazzie, Vincent Panebianco, Anthony Allocco.

Criminal history: FBI No. 3242790, New York City Police Department No. B-246243, record dates from 1937 and includes arrests for possession of burglary tools, felonious assault, perjury and violation of probation, Federal narcotic case pending.

Business: Self-employed dress contractor.

Modus operandi: A powerful Mafioso who controls policy and Italian lottery rackets in the East Bronx area of New York City. Also controls a wholesale narcotic trafficking combine.

DAVID SMITH

Aliases: John Payne, Pop Smith.

Description: Born May 28, 1908, New York City; 5 feet 8 inches, 200 pounds, stout build, black hair, brown eyes, ruddy complexion, tip index finger missing.

Localities frequented: Resides 92-40 Queens Boulevard, Rego Park, N.Y. Frequents 100th Street and First Avenue, 1885 Third Avenue, 1618 Westchester Avenue, Bronx, all in New York City. Visits Phoenix, Ariz.

Family background: Married Wanda Klein; has one child; father, Joseph, born in England; mother, deceased.

Criminal associates: Rosario Rinaldi, Anthony Corallo, Joseph Stallone, Hyman Habler, Solly Kaplan.

Criminal history: FBI No. 747793, New York City Police Department No. B-121211. Record dating from 1934 includes arrests for felonious assault and violation of State and Federal narcotic laws. Federal narcotic conviction.

Business: Coowner with Joseph Costa of the New Third Avenue Bakery Shop 1909 Third Avenue, New York City.

Modus operandi: Wholesaler of narcotics to interstate violators. Engages in the conversion of opium and morphine base. Though non-Italian he is accepted and trusted by top New York City underworld violators.

1056 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

VINCENT JAMES SQUILLANTE

Aliases: Jimmy Jerome.

Description: Born June 17, 1917, New York City; 5 feet 2 inches, 130 pounds, black hair, brown eyes, slight build, large horn rimmed glasses, natty dresser.

Localities frequented: (Missing). Resided at 1962 Narragansett Avenue, Bronx, N.Y. Frequents 106th Street and First Avenue, Jennie's Restaurant, at 2036 Second Avenue, and midtown night clubs, all in Manhattan, 187th and Cambrelling Avenue, and Bluebird Restaurant, at 2890 Burke Avenue, Bronx, N.Y. 1961 missing and underworld reports him dead.

Family background: Married Theresa Scialabba, 1949, and had one child, Bedilia; divorced, 1951, and married Olivia Hughes, by whom two daughters, Donna and Olivia; father, Louis; mother, Euthalia Alberti; brother, Nunzio; nephew, Jerry Mancuso; has seven sisters.

Criminal associates: Rocco Mазzie, Frank Borelli, Charles Curcio, Nunzio Squillante, Benjamin DiMartino, Anthony Sedotto.

Criminal history: FBI No. 700100C. Nassau County (New York) Police Department No. 25155. Record dating from 1953 includes arrests for income tax violation, violation of prohibition, and extortion.

Business: Holds positions in numerous unions and has interests in several garment and surplus companies.

Modus operandi: Has risen from smalltime narcotics peddler to top racketeer and labor extortionist; is feared by lesser racketeers because of his powerful position in the underworld. Finances narcotic smuggling ventures and controls garbage collection business in Greater New York, through underworld tactics. Claims to be godchild of the late underworld leader Albert Anastasia.

INNOCENZIO STOPPELLI

Aliases: John Stoppelli, Johnny the Bug

Description: Born April 10, 1907, New York City, N.Y.; 5 feet 7 inches, 160 pounds, medium build, black graying hair, brown eyes, dark complexion.

Localities frequented: Resides, 153 Madison Street, New York City, frequents 191 Prince Street, Prince and Sullivan Streets, Bleecker and Sullivan Streets, Milady's Bar, 167 Bleecker Street, Tony Pastor's Club, 130 West Third Street, Tommy's Bar, 171 Bleecker Street, all New York City.

Family background: Wife, Marion Groger; father, Rocco; mother, Carmela Miraglio; brother, Caesar; sister, Margaret.

Criminal associates: Anthony Strollo, Joseph Morone, Vincent Mauro, Frank Caruso, Charles Albero, Joseph Valachi, Harry Tantillo.

Criminal history: FBI No. 67649, New York City Police Department No. B-67307. Record dates from 1924 to 1948, and includes arrest for possession of a gun, robbery, bribing a Government officer, and violation of Federal narcotic laws.

Business: Alleged to be in partnership with Tommy Annichiario, owner of Tommy's Bar, 171 Bleecker Street, New York City, N.Y.

Modus operandi: Trusted inner circle underworld leader in the Anthony Strollo organization. One of the most active large scale wholesale narcotic traffickers in the United States.

ANTHONY C. STROLLO

Aliases: Tony Banda, Tony Bender.

Description: Born June 18, 1899, New York City; 5 feet 7½ inches, 156 pounds, brown hair, brown eyes, wears glasses.

Localities frequented: Resided, 1015 Palisades Avenue, Fort Lee, N.J. Frequents Greenwich Village section of Manhattan and dock area in Newark and Hoboken, N.J. (Missing.)

Family background: Married to Edna Goldenberg and has three children; father, Leone; mother, Giovannina Nigro; brothers, Emilio and Dominick (both dead).

Criminal associates: Frank Costello, Joe Adonis, Vito Genovese, Vincent Mauro, Pat Pagano, Joe Valachi, Anastasia brothers, and most top racketeers in New York City and United States.

Criminal history: FBI No. 4282858, New York City Police Department No. B-64086, arrests from 1926 include possession of a gun, conspiracy to contrive a lottery.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1057

Business: Claims to be a real estate broker.

Modus operandi: One of most powerful racketeers in United States, having control of northern New Jersey dock area. A recognized underworld leader and head of a narcotic smuggling-distributing organization with several of his criminal associates who handle the distribution of narcotics.

HARRY STROMBERG

Aliases: Nig Rosen, Harry Rosen, Hymian Stromberg, Chaim Stromberg, The Mahoff, Joseph Bloom, Hyman Chaim.

Description: Born July 15, 1903, Sorokov, Russia; Jewish, 5 feet 8 inches, 190 pounds, gray hair, balding, brown eyes, dark complexion, neat, conservative dresser. Naturalized New York City, August 6, 1945.

Localities frequented: Resided 420 East 55th Street, New York City, and 5196 Pine Tree Drive, Miami Beach. Frequented New York City garment district and better night clubs, Miami Beach and Philadelphia. Currently (1960) incarcerated.

Family background: Divorced Silvia Cohen; adopted son: Joseph; remarried Gretchen Gershon; father, Harry; mother, Netti Cohen.

Criminal associates: Lucky Luciano, Francesco Costiglia, Giuseppe Dotto, Gaetano Lucchese, Meyer Lansky, Mickey Cohen.

Criminal history: FBI No. 786309. New York City Police Department No. 57333. Arrests include robbery, illegal lottery, burglary, possession of a gun, violation of Federal liquor and narcotic laws; 1958, sentenced to 5 years on Federal narcotic conspiracy.

Business: Has been connected with the following garment houses: Studio Frocks, Dearest Miss, Jay & Lou Manufacturing Co., Lou-Jay Dress Co., Judy Lee Fashions.

Modus operandi: Though non-Italian he is allied with top underworld criminals in all types of illicit activity, including labor racketeering, gambling and narcotic trafficking.

ENRICO NICOLÒ TANTILLO

Aliases: Harry Tantillo, Blackie, Coco, Harry Cantillo.

Description: Born January 28, 1916, New York City, N.Y., 5 feet 6 inches, 160 pounds, medium build, black hair, brown eyes, dark complexion.

Localities frequented: Resides 4303 Furman Avenue, Bronx, N.Y., frequents Florence Lingerie Shoppe, 4148 White Plains Road, Bronx and vicinity, 105th and 2d Avenue, New York City.

Family background: Wife: Matilda Manfredonia; father: Giuseppe; mother: Genoveffa Salerno (both born Italy); brother: Alfred Tantillo; half brother: Frank Tantillo; sister: Mary Lucchese; brothers-in-law: Richard, John and Anthony Manfredonia.

Criminal associates: Joseph Marino, John Steppelli, Vincent Mauro, Nicholas Tolentino, Fred Salerno, John Ormento.

Criminal history: FBI No. 1024285, NYCPD No. 137405, record dates from 1935 and includes arrests for possession of revolver, obstructing justice, influencing witness, and conviction for violation of Federal narcotic laws.

Business: Owns Dominick's Pastry Shop, 2058 Second Avenue, New York City.

Modus operandi: A trusted member of the Mafia inner circle. Supplies wholesale quantities of heroin to local and out-of-town customers.

ANTHONY TERAMINE

Aliases: Tony Termain, Tony Termine, Black Tony, Tony Tuttsen.

Description: Born February 16, 1906, Detroit, Mich., 5 feet 8½ inches, 160 pounds, black hair, brown eyes, heavy build, ruddy complexion.

Localities frequented: Resided 3948 Harvard, Detroit, Mich. Frequents Gratiot Central Market, Tuller Hotel, 5847 Mitchell, all in Detroit and also visits Chicago, Ill., and California.

Family background: Divorced from Mrs. Lillian Einkorn and has son, Irvin; father: Savillio; mother: Mary; brother: Joseph; sister: Mrs. Mamie Puglia; girl friend: Grace Slater, 5847 Mitchell; all of Detroit; and common law wife: Joyce Tollis, of Chicago, Ill.

Criminal associates: Frank LeMedico, Raffaele Quasariano, Toto DiGiovanni, Joe Russell, all of Detroit; Frank and Joseph Matranga of California; and Joe Catalanotte.

1058 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal history: FBI No. 649176. Detroit Police Department No. 24030. Arrests since 1922 include armed robbery, gambling, defrauding hotel, State liquor laws, and two convictions for Federal narcotic laws.

Business: No legitimate employment or business known. On occasion works with brother Joseph with fruit business at Gratiot Central Market in Detroit.

Modus operandi: A major violator of the narcotic laws and is closely associated with Mafia leaders in Detroit.

VINCENT JAMES TODARO

Aliases: Charles Todaro, Frank Todaro.

Description: Born January 8, 1914, Palermo, Sicily, naturalized New York City, 6 feet 10 inches, 195 pounds, black hair, brown eyes.

Localities frequented: Resides Herndon, Va. (Post Office Box 23, Merrifield), currently (1959) incarcerated.

Family background: Wife is Helen Fay, has two children, father is Andrea and mother is Filippina Ruoppolo (both in Italy).

Criminal associates: George Nobile, James Massi, Ignazio and Lorenzo Orlando, Joe LoPiccolo and Frank Moccardi of New York City, also Frank Coppola, Peter Licata, Antoine Cordoliani, and Charles Leca of Europe.

Criminal history: FBI No. 534748, extensive criminal record since 1932, including robbery, concealed weapon, receiving stolen goods, counterfeiting OPA stamps, sentenced June 20, 1958, to 10 years in Fairfax County, Va., violation Virginia State narcotic laws.

Business: Landscaping and real estate dealer.

Modus operandi: An international narcotic trafficker with Mafia associates in Italy.

NICHOLAS TOLLENTINO

Alias: Nick Tollentino.

Description: Born February 10, 1909, New York City, 5 feet 8 inches, 165 pounds, brown eyes, medium build, black-gray balding hair, wears glasses.

Localities frequented: Resides 350 Pleasant Avenue, Apartment 9, New York City. Frequents Parnell Social Club, 224 East 112th Street; Square Deal Pet Shop, 2133 First Avenue; Mollie's Restaurant, 2126 First Avenue; all in New York City.

Family background: Married to Mary Avalino; brothers: Anthony, James, Martin, and Thomas; sister: Lucy; father: Anthony; mother: Rose Canzoni.

Criminal associates: Joseph Foti, Arnold Barbato, Theodore Orzo, John Ormento, Frank Borelli, Charles Curcio, and Harry Tantillo.

Criminal history: FBI No. 1352699. New York City Police Department No. B-68336. Arrests since 1920 include robbery, assault and robbery, and convictions for Federal narcotic laws.

Business: No legitimate business or employment known.

Modus operandi: Wholesale dealer in interstate narcotic traffic and is closely associated with underworld traffickers in East Harlem section of Manhattan.

EUGENE TRAMAGLINO

Aliases: Genoa, Joseph Mariono, Eugene Romano, Eugene Traumaglino, Gino.

Description: Born November 5, 1915, New York City; 5 feet 5½ inches, 150 pounds, black hair, brown eyes, sallow complexion, scar over left eye, plastic surgery, straightened nose (1950).

Localities frequented: Resides 1621 Saint Marks Place, Brooklyn, frequents 13th Street and 2d Avenue, New York City.

Family background: Parents Lorenzo and Amalia, deceased; brothers: Victor, Alemondo, John, and George; sister: Margaret; wife: Madeline Wojtowicz; daughters: Barbara and Delores.

Criminal associates: Stephen Arnone, Eugene Monaco, Arnold Romano, Cosmo Franco, Joseph Valachi, and his brothers.

Criminal history: FBI No. 588015. New York City Police Department No. B-147997. Criminal record dates back to 1932 and includes numerous arrests for grand larceny, counterfeiting, intimidation of witnesses, Federal liquor laws, and conviction for violation of Federal narcotic laws.

Business: Operates Margene's Lunch Room, 193 Second Avenue, New York City, owned by his wife, Madeline.

Modus operandi: A key member of the Arnold Romano underworld gang which distributes wholesale quantities of heroin in New York and interstate.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1059

ANGELO TUMINARO

Aliases: "Little Angie," Angelo Tumensio.

Description: Born February 22, 1910, New York City, 5 feet 2 inches, 135 pounds, brown hair, brown eyes, cut scar near left eye.

Localities frequented: Resides 24 Rutgers Street, New York City, frequents area of Madison and Pike Streets, in lower Manhattan.

Family background: Married to Bella Stein; father, Pasquale; mother, Mary Presenzano; has seven brothers and five sisters.

Criminal associates: Anthony DiPasqua, Saro Mogavero, Al Embarrato, Frank Mari, Carli DiPietro, Nathan Behrman, all of New York City; Joe Cotroni of Montreal.

Criminal history: FBI No. 270010, New York City Police Department No. B-80192; several arrests since 1929 including grand larceny, assault, and robbery, New York State narcotic laws.

Business: Has interest in Apollo Barber Shop, 144 Clinton Street, New York City.

Modus operandi: Together with Anthony DiPasqua, is one of the largest wholesale narcotic traffickers in New York City, dealing with known Jewish traffickers, and having underworld traffickers as a source of supply. Is suspected in some unsolved homicides in Manhattan.

JOSEPH VALACHI

Aliases: Joe Cago, Joe Cargo, Joe Kato, Joseph Siano.

Description: Born September 22, 1903, New York City, 5 feet 5 inches, 195 pounds, brown eyes, gray hair, dark complexion.

Localities frequented: Resides 45 Shawnee Avenue, Yonkers, N.Y., frequents the Belmont Avenue section of Bronx, N.Y., and Yonkers (N.Y.) Racetrack.

Family background: Wife, Mildred; son, Donald; father, Dominick; mother, Mary Casale (both deceased); girlfriend, Carol Jacobs Cuccuru.

Criminal associates: Anthony Strollo, John Stoppelli, Vincent Mauro, Arnold Romano, Salvatore Santoro, John Batista Salvo, John Ormento, Giuseppe Doto, Fiore Siano, and Giacomo Reina.

Criminal history: FBI No. 544, New York City Police Department No. B-58458. Record dating from 1921 includes arrests for concealed weapon, burglary, robbery, Pleaded guilty to Federal narcotic law violation (1960).

Business: Formerly owned Lido Bar, 1362 Castle Hill Avenue, Bronx, N.Y. Has part interest in jukebox firm and in several racehorses.

Modus operandi: A trusted Mafia member and part of the Anthony Strollo narcotic smuggling and distributing organization. Wholesales heroin to major Mafia narcotic traffickers on the Upper East Side of New York City.

ANTHONY J. VELLUCCI

Aliases: Tony Vellusi, Anthony Velluccia, Tony Miserable.

Description: Born December 18, 1924, New York City, 5 feet 9 inches, 185 pounds, black hair, brown eyes, two small scars on forehead, stocky build.

Localities frequented: Resides 310 E. 112th Street, New York City, frequents East Harlem area of New York City, currently incarcerated.

Family background: Wife, Jennie Spada; daughters, Valerie and Janet; father, Vincent; mother, Clementine Ogero (now remarried to Angelo Corona); uncle, George Vellucci and Jumbo.

Criminal associates: Nathan Behrman, Dominick Tedesco, Anthony Mirra, Anthony Ciccona and Tony Moom, George Vellucci (uncle).

Criminal history: FBI No. 2858768, New York City Police Department B-208187. Arrests since 1939 include juvenile delinquency, unlawful entry, attempted grand larceny, violation and conviction of State and Federal narcotic laws, 1955 sentenced to 14 to 15 years for State narcotic violation.

Business: No legitimate employment known.

Modus operandi: An important member of the underworld in the East Harlem section of New York City. Was the key figure in a multimillion-dollar ring that smuggled narcotics into the United States and Canada from Europe and Cuba from 1950 to 1955.

1060 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

JOSEPH A. VENTO

Aliases: Babo, Sebastiano Vento.

Description: Born February 18, 1913 New York City, 5 feet 6½ inches, 165 pounds, medium build, brown hair, brown eyes.

Localities frequented: Resides at 168-01, 12th Avenue, Queens, N.Y., frequents East Harlem area and vicinity of 60th Street and Broadway, both in New York City. Helen Mar Hotel, Golden Nugget Motel, Eden Roc Hotel, all in Miami, Fla.

Family background: Married to Mary Messina; has one daughter; brothers, Benjamin, Frank, and Jack; sisters, Nancy and Elizabeth; father, Louis; mother, Edmonda Schiletti.

Criminal associates: Salvatore Santoro, John Ormento, Salvatore LoPrato, Alfred Felice, Pasquale Cenese, John Schillaci, Harold Meltzer.

Criminal history: FBI No. 1432959, New York City Police Department No. B-103810, national list No. 408. Arrest record dates from 1932, and includes arrests for burglary, robbery, violation of liquor laws, and conviction for Federal narcotic laws.

Business: Salesman for Irving Lazarus Jewelers, 32 West 42d Street, New York City.

Modus operandi: A trusted member of the underworld organization which controls the distribution of heroin in large quantities on the Upper East Side of New York City. As a smuggler-distributor has been interested in clandestine laboratories.

VITO VITALE

Aliases: Don Vito.

Description: Born August 24, 1885, at Castellamare, Trapani, Sicily, 5 feet 2 inches, 135 pounds, brown-gray hair, brown eyes, dark complexion, medium build (photo over 30 years old).

Localities frequented: Resides Corso Regina Maria Pia No. 21C, Astia, Italy. Frequents Rome and suburbs, Ostia and Ardea. Also Palermo Castellamare, Partinico, and Alcamo in Sicily, all Italy.

Family background: Father, Antonino; mother, Giovanna Giaravino; son, Michelangelo; daughter, Giovanna (married to Raffaele Quasarno of Detroit).

Criminal associates: Francesco Coppola, Giuseppe Mangiapana, Giuseppe Maninni, Vincenzo Rimi, Giuseppe Corso, Serafino and Giuseppe Mancuso.

Criminal history: Has never been in America. Criminal records in Italy dates back to 1918 and includes arrests for alien smuggling, bootlegging, and murder.

Business: Owns property in Rome and Palermo areas.

Modus operandi: Regarded as a top leader and arbitrator of Mafia in Italy and arranges money transfers from America to Italy regarding narcotic and other illicit transactions. Introduces American gangsters to Sicilian and Corsican narcotic suppliers.

JOSEPH ZINGALE

Aliases: None.

Description: Born April 7, 1922, Cleveland, Ohio, 5 feet 8½ inches, 225 pounds, black hair, brown eyes, dark complexion, stocky build.

Localities frequented: Resides at 4429 Warner Road, Cleveland, Ohio.

Family background: Married to Lucille C. D'Alessio; daughter, Mary Ann; sisters, Angela and Lucille; brothers, Thomas and Frank; father, Salvatore William; mother, Marianne Srzozurello.

Criminal associates: Alex Calarco, Angelo Pillicia, Joseph Fredericks, Sam Paliatico, all of Cleveland, Ohio.

Criminal history: FBI No. 352422-D, Cleveland PD No. 66551. Record dates from 1948 and includes arrest for homicide. Federal narcotic conviction.

Business: Truckdriver for the Hunkin-Conkey Co., Cleveland, Ohio.

Modus operandi: Lower echelon Mafioso. Considered a prime suspect for burglaries, strong-arm robberies, and gambling in the Cleveland area.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1061

FAMILIES

The five principal underworld organizations currently controlling the major portion of the illicit narcotic traffic in and from New York City are the following:

1. Joseph Bonanno family.
2. Carlo Gambino family.
3. Vito Genovese family.
4. Thomas Lucchese family.
5. Profaci-Magliocco family.

NOTE.—Giuseppe Magliocco, who succeeded his brother-in-law, the late Giuseppe Profaci, as head of the Profaci family, died on December 28, 1963, of a heart attack at Good Samaritan Hospital, West Islip, Long Island, N.Y.

Magliocco's successor, if indeed one has emerged, is not known to law enforcement agencies as of this writing.

NEW YORK CITY

JOSEPH BONANNO FAMILY

Chief Lt.: Galante, Carmine

MEN

Consolo, Michael	Mancino, Frank
DiPietro, Carl	Mari, Frank
Giglio, Salvatore (missing, fugitive)	Petrone, John
Lisi, Anthony	Presinzano, Angelo

CARLO GAMBINO FAMILY

(Formerly headed by the late Albert Anastasia (murdered))

Chief Lt.: Biondo, Joseph; Lt. Mazzie, Rocco; Lt. Robilotto (murdered)

MEN

Alberti, Andrew	Leo, Arthur
Armone, Joseph	Nani, Sebastiano (deported)
Armone, Steve (deceased)	Pasqua, Frank
Bisogno, Joseph	Porgelli, Anthony
Carminati, Anthony	Ragone, Joseph
Crisci, Anthony	Robino, Cristoforo (murdered)
DiSimone, Anthony (murdered)	Romano, Arnold
Erra, Michael	Scarpulla, Giacomo
Guipponi, Ralph	Squillante, Vincent (missing)
Indiviglia, Benjamin (fugitive)	Tranaglino, Eugene

VITO GENOVESE FAMILY

Chief Lt.: Catena, Gerardo

Lieutenants: Boiardi, Richard; Miranda, Michael; Strollo, Anthony

MEN

Accardo, Settimo	Maneri, Salvatore
Albanese, Philip	Mauro, Vincent
Altamari, Mike	Nobile, George
Bellaanca, Sebastiano (missing)	Pagano, Joseph
Bonino, Nick	Pagano, Pasquale
Buia, Matilde	Panica, Victor
Campisi, Charles	Pisciotta, Anthony
Campisi, Thomas	Sone-so, Angel (missing)
Caruso, Frank	Varghi, Joseph
Celi, Arthur	Vecchio, Joseph (killed)
Curcio, Charles	Zaccaro, Patsy
Guido, Alfred	Zicarelli, Joseph

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

1062 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

THOMAS LUCCHESE FAMILY

Lieutenants: Corallo, Anthony; Ormento, John; Scalice, Frank (murdered)

MEN

Barbato, Arnold	Luciano, Frank
Bendenelli, Joseph	Martello, Nicholas (missing)
Callace, Frank (murdered)	Monastersky, Samuel
Corrao, Vincent	Pacelli, Vincent
DeMarco, Joseph (murdered)	Petrelli, Dominic (murdered)
D'Ergole, Joseph	Reina, Giacomo
DiPalermo, Joseph	Salerno, Angelo
Giannini, Eugene (murdered)	Santoro, Salvatore
Guarino, Joseph	Scalice, Joseph
Isabella, Florio	Tolentino, Nicholas
LoProto, Salvatore	Zerbo, Paul

PROFACI-MAGLIOCCO FAMILY

The Profaci-Magliocco family was represented in the narcotic traffic by the late Christopher Robino who was slain in gangland fashion in New York City on July 18, 1958.

Robino was a close associate of the late Salvatore Lucania alias "Lucky" Luciano from whom Robino allegedly obtained narcotics for the Profacio-Magliocco family.

Robino reputedly acted as liaison between Salvatore Luciana and top echelon criminals in the United States, particularly the metropolitan area of New York City.

ATLANTA, GA.

Fouts, J. D.	Landers, Clifford A.
Fouts, Robert	Fatty, Chester

BALTIMORE, MD.

Greenberg, Thomas	Rollins, Charles J.
Parker, Raymond A.	

BOSTON, MASS.

Buccelli, John	Frierson, Brother
Buccola, Philip	Marinello, Peter
David, Wady	Paige, Webster
Delia, Anthony	Russo, Frank Placido

BUFFALO, N.Y.

Agro, Ignatius	Pieri, Sam
Carlisi, Roy	Randaccio, Frederico
Cassaro, Charles	Rizzo, Sam
Magaddino, Stefano	Salsanese, Daniel, Sr.

CONNECTICUT

Agresta, Ippolito	Diccolo, Frank
Barese, Ernesto	Marchese, Ben
Conforte, William	Maresca, Raymond

MIAMI, FLA.

Diognardi, Frank	Ritchie, Robbie S.
DiPalermo, Joseph	Seto, Leo
Felice, Alfred	Shields, Claude
Fowler, Robert	Todaro, Vincent
Jackson, James	Trafficante, Santo, Jr.
LoPiccolo, Joseph	Wyld, Willie May

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1063

PHILADELPHIA-CAMDEN

Casella, Peter
Potnick, Morris

Riccobene, Henry
Santoro, James

WASHINGTON, D.C.

Brown, Lamar
Morrison, Michael
Parker, Nell
Randolph, Clinton

Roberts, James Milton
Toland, James
Williams, Robert
Wong Sing, Lee

FAIRFAX COUNTY, VA.

Todaro, Vincent.

EXHIBIT No. 4

CHICAGO

JESSE ALEXANDER, FBI No. 1655045

Jesse Alexander, alias Big Jess: FBI No. 1655045; Chicago Police Identification number C-90877; Federal Bureau of Narcotics National List No. 4 is a Negro male, 6 feet 3 inches tall, weighing 260 pounds, born at Webb, Miss., on May 18, 1911. He has black hair, brown eyes, stout build, and has a dark brown complexion. His last address in Chicago, Ill., was 4323 South Forrestville Street. He is presently incarcerated in a Federal penitentiary, believed to be at Sandstone, Minn.

Federal Bureau of Narcotics files indicate the first mention of Alexander in Chicago, Ill., was when he and Larry Cunningham were listed as the source of supply of narcotics for William McCoy, case Ill-5517. Alexander, Cunningham, and Leroy Martin were then listed as "runners" for Amos Jones, NL No. 197, now deceased. All of the latter four were charged and convicted in Federal court at Chicago, Ill., for sale of narcotics, and Alexander was sentenced to 2 years in prison.

In 1947 Alexander was listed as the source of supply of narcotics for Oscar Pierce, NL No. 16; and in that same year it was reported that Alexander was obtaining his narcotics from John Rogers, NL No. 331, now deceased. Oscar Pierce is presently incarcerated for a narcotic violation. In 1949 Alexander was reported to be the source of supply for Morris Taylor, case Ill-6201. In case Ill-6599, reported in 1951, Jesse Alexander, Burnett Carter, Paul Joseph, Jr., Fannie Alexander, and Lela Willis were charged for violation of the narcotic laws. All except Fannie Alexander, Jesse's wife, and Lela Willis, Fannie's mother, were convicted. Jesse Alexander was sentenced in Federal court to 3 years in prison for this conviction.

In 1955 Jesse Alexander was listed as the source of supply for Irene and James Hairston of St. Louis, Mo., the latter two were defendants in case Mo-8427. Also, in 1955 Alexander was reportedly obtaining his supply of cocaine from Ahmad Khatab Salim, of New York City. On November 22, 1955, Alexander appeared before the Price Daniels hearings of the Subcommittee on Improvements in the Federal Criminal Code of the Committee on the Judiciary of the U.S. Senate, 84th Congress, 1st session. Alexander refused to answer the majority of the questions put forth to him. He was subsequently charged for contempt of the Senate, and was later acquitted on February 3, 1959, by Federal Judge Michael Igoe at Chicago, Ill.

During the latter part of 1955 Alexander was reported as the source of supply of narcotics for defendants: Louis Davis, case Ill-7327; Waddell Scales; Mabel Peterson; and a special employee reported that he had purchased heroin from Alexander, which he resold in Cleveland, Ohio. Information in the files indicates that Sam Serritella, NL No. 356, supplied narcotics to Alexander at one time.

In 1956 a narcotic agent made a purchase of heroin from Ella Baugh, case Mo-8471, which Baugh was delivering to St. Louis, Mo., for Jesse Alexander. Subsequent development of this case resulted in the indictment of Alexander, and on July 2, 1956, he entered a plea of guilty and was sentenced to 12 years in prison, and was fined \$2,000. He is presently incarcerated on this case.

1064 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

After the conviction of Jesse Alexander, it appears that his narcotic business was continued by his wife, Fannie Alexander, and her sister, Marie Walker. The files indicate that the latter two supplied heroin to the following: Farris Walker, exhusband of Marie Walker, case Ill-7391; Henry Williams, case Ill-7674, alleged that he could obtain cocaine from Fannie; Edgar Powell, case Ill-7726; James Gibson, case Ill-7752; and Marion Hortense Bryant, arrested at Detroit, Mich., with 5 ounces of heroin in case Mich-4226, which she was delivering for Fannie Alexander.

In case Ill-7849, Fannie Alexander and Marie Walker were charged and convicted for sale and conspiracy in Illinois State court. Both were sentenced as second offenders to 10 years on May 4, 1960. They appealed, the conviction was affirmed, and they began serving their sentences on October 25, 1961.

In 1961, December, Defendant Samuel Parker was arrested with narcotics at Minneapolis, Minn., in case Minn-1142, and his source of supply for heroin was identified as Willie Willis, brother of Fannie Alexander, and released from prison on a prior narcotic conviction on August 17, 1961. On December 30, 1961, a case, Ill-8090, was initiated against Willis at Chicago, Ill., through the purchase of a quantity of heroin. This case is presently pending in Federal Court at Chicago, Ill.

It would appear from the above background information that Jesse Alexander, his family, Fannie Alexander, and his in-laws Marie Walker and Willie Willis will devote all their efforts, while not incarcerated, toward the sale and distribution of narcotics; and will never be satisfied to earn their living in a legitimate manner.

JOSEPH BRUNO, ALIAS GARDINI, ALIAS GIARDINI—FBI No. 1828913

Joseph Bruno, alias Joseph Gardini, alias Joseph Giardini; FBI No. 1828913; Federal Bureau of Narcotics national list No. 43, is a white male of Italian descent born November 22, 1912, at Boston, Mass. He is 5 feet 10 inches tall, weighs about 180 pounds, has black hair, brown eyes, swarthy complexion. His last known address at Chicago, Ill., was 3540 North Newcastle Street. He is presently incarcerated at Leavenworth Penitentiary. Bruno has the following prior record for Alcohol and Tobacco Tax Division violations: case Ill-N-2637, August 7, 1940, sentenced to 6 months in jail; case Ill-N-3128 and Ill-N-3016, sentenced June 14, 1942, to serve 1 year and a day concurrent on the above two cases; case Ill-N-5135, sentenced June 13, 1949, to 2 years in prison.

The files at Chicago, Ill., list Joseph Bruno as the source of supply for heroin in the early 1950's for the following known narcotic traffickers: Rupert Kelly, NL No. 208; Archie Robinson (presently a defendant in case Ill-7994; Charles Venton; Marvin Moses (presently a defendant in case Ill-7994); Auckland Holmes; Dorothy Johnson; Moses Hightower; Harry Schennault, NL No. 355 (presently incarcerated); Delphine McGee (paramour of Harry Schennault, now deceased); during the early half of 1950's Bruno, Charles Lapaglia, and Mike Condic were alleged to have an interest in two drugstores at 4300 South Drexel and at 239 East 51st Street. These stores were allegedly used by Bruno to obtain quantities of quinine and milk sugar for mixing with heroin.

Bruno and Frank Panatera, NL No. 307, were alleged to be the source of supply for heroin for Joseph Doyle. In April 1953 John Tanno was in New York attempting to purchase Amidone, a synthetic drug. Tanno was then reported as an associate of Bruno, Carlo Urbinati, NL No. 406; Joe Bartuchi. Tanno and Bruno were reported to be major suppliers of cocaine in the Chicago, Ill., area. The source of supply of heroin for Bruno was alleged to be Eddie Coco, alias Killer, fight manager of New York.

About 1955 Bruno was indicated as the source of supply for Ernest Brackens; Edgar Powell and Lucille Riles; Joseph Scudero (not positively identified nor apprehended); Joseph C. Saddler (presently incarcerated); and in this same period of time Bruno allegedly accompanied Anthony Dichiarinte (presently a defendant); Anthony Marcella, NL No. 278; and Carl Campise to Indianapolis, Ind., where they met with Orville Drake (a known trafficker now deceased). Bruno's source of supply during this time, 1955, was allegedly Frank Carbo and the D'Angelot brothers of New York. On November 22, 1955, Joseph Bruno appeared before the Price Daniels Senate subcommittee investigating narcotic trafficking. He was subsequently cited for contempt of the Senate for failure to answer questions, and on July 8, 1957, Federal Judge Julius Hoffman dismissed the contempt charges at Chicago, Ill.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1065

In April 1957 an agent in New York purchased a quantity of heroin from Joseph Altimari, during which transaction, Altimari asked the agent if he knew Bruno from Chicago, stating that Bruno was buying kilo amounts of heroin in New York and owed "the boys" \$18,000.

In June 1957 Bruno was named as Melvin Harris' source of supply, after Harris had been arrested, and a seizure of 110 ounces had been made. In April, May, and June 1957 case Ill-7495 was developed and Joseph Bruno, Thomas Matas, and Carlo Urbinati. All above three were found guilty and Bruno was sentenced to 8 years in prison in June 1958. He began serving the sentence on October 10, 1958. Bruno was also indicted in case Ill-7510, in which case a special employee ordered 12 ounces of heroin from Bruno and it was later delivered by two unidentified males. Bruno entered a plea of guilty to this indictment and was sentenced to serve another 8 years concurrent with Ill-7495. Bruno's source of supply in 1957 was listed in the files as: the Altimari brothers; John Ormento, NL No. 295; Arnold Romano, NL No. 333; and later a French-Canadian smuggling group, possibly the Cotronis.

Bruno was allegedly close to Fred Coduto, and Armondo Piemonte, all of whom are now incarcerated. It was alleged after Piemonte went to prison that one of his brothers would continue in the narcotic traffic. It was reported in 1958 that Grace Pine, operating the drugstore located at 4300 South Drexel (purportedly owned by Bruno), had taken over Bruno's heroin business. The information alleged that Pine had made several trips to Canada to pick up heroin in kilo lots for Bruno. Pine was purportedly once the wife of Bruno's associate Mike Condie. Pine was arrested once in 1958 after arriving from Canada to Chicago, Ill. She had \$4,500 on her person, but no narcotics. She admitted not having paid income tax for a number of prior years; and the money was turned over to the Internal Revenue Service. Information was later received that Pine wound up paying an additional \$18,000 for back taxes.

In the development of case Ill-7863, defendant Anthony Dichiarante was seen on August 27, 1959, with Arthur Gasparro (purportedly Dichiarante's associate in the narcotic traffic). Gasparro was driving a 1959 Ford registered to V. Lucania, 6901 West Belmont. Vincent Lucania was a member of the Illinois State Legislature and was the alleged owner of the Montclare Funeral Home, 6900 West Belmont. Surveillance during May 1957 had disclosed Joseph Bruno to frequent the Montclare Funeral Home, 6900 West Belmont. It was never ascertained what association Lucania had with the above narcotic traffickers, if any. An attempt was made in May 1961 to interview Joseph Bruno at the Leavenworth Penitentiary regarding his cooperation and testimony in the anti-racketeering campaign initiated by the Attorney General's Office. Bruno refused to be interviewed.

Joseph Bruno, at the time of his conviction in 1958, was considered to be the major distributor of narcotics in the Midwest, and the principal source of supply of heroin for the Chicago area. Information has been received to the effect that Grace Pine has been entrusted to look after his financial interests while he is in prison, and that he expects to have accumulated \$1 million by the time he is released from the penitentiary. There is no doubt that Bruno could furnish a considerable amount of information concerning the narcotic traffic in the United States, and he should be considered as a witness to be called, however, he undoubtedly would be uncooperative.

LEONARD CALAMIA, FBI No. 366116

Leonard Calamia, alias Calamis, alias Calam, alias Culanis, FBI No. 366116; Chicago Police identification No. C-35054; Federal Bureau of Narcotics national list No. 54, is a white male of Italian descent. He is 5 feet 4 inches tall, weighs about 145 pounds, brown hair, blue eyes, medium dark complexion. Calamia was born January 2, 1911, at Kansas City, Mo.

Calamia was arrested and charged in 1932 for the murder of Ralph Fanara, and he was subsequently acquitted of this charge. He was charged for violation of the Federal narcotic laws in case Ill-4072 and was sentenced on September 6, 1935, to 3 months in jail. In 1936 he was again charged for violation of the narcotic laws in case Ill-4377 with a codefendant Mike Bucaro. Bucaro was discharged by the U.S. commissioner; however, on May 29, 1936, Calamia was sentenced to 1 year and 1 day in prison.

Calamia was questioned in 1945 regarding the murder of Carl Carranusa. He was added to the list of 15 most important narcotic violators in 1946.

1066 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

In 1947 he was living in San Francisco, Calif. Calamia was arrested December 23, 1948, at Albuquerque, N. Mex.; charged with the murder of Mike De John. The codefendants were named as Sabastiano Nani; Michael Abata, and Frank Scappatura, and Tona Lima. All of the above defendants were subsequently dismissed of the murder charge.

Investigation at Chicago, Ill., in 1959 disclosed that Catherine F. Tañone was living at 1119 West Drummond, Chicago, Ill. Calamia's whereabouts are not presently known; and there appears to have been no recent mention of him in the files at Chicago, Ill., as being involved in the narcotic traffic.

JACK CLAYTON, FBI No. 2909025

Jack Roy Clayton, alias Jack R. Rogers; FBI No. 2909025; Kansas City, Mo., Police identification No. 81637, is a white male, 6 feet tall, 190 pounds, brown eyes, brown hair (balding in front) muscular build, born January 2, 1918, at Wichita, Kans. Subject's address before incarceration was Route No. 2, Box 279, Blue Springs, Mo.

The files at Chicago, Ill., contains a report dated November 10, 1953, from Kansas City, Mo., identifying Clayton as a subject living outside Kansas City on a farm with an airplane and landing strip. Clayton was reported as an associate of a Leo Hallak. Hallak's ex-wife, Evelyn, was interviewed, and stated that in February of 1952 she began to realize that Hallak and Clayton were transporting stolen goods from Chicago, Ill., to Kansas City, Mo.; including such items as jewelry, household appliances, clothes, and even automobiles. Clayton had purchased a motorcycle agency from Hallak, and alleged to other people that the trips were for auto parts.

Evelyn also related that in April 1952 she accompanied Hallak, Clayton, and Clayton's wife Betty to Chicago when they met with a subject named "Little Joe" (Joseph Iacullo), whom they identified as their "connection." Evelyn stated that she knew Clayton and Samuel Carrola were associated, and were making trips together to Chicago by airplane.

In case Ark-1868, reported September 8, 1958, Jack R. Clayton was charged with the sale of heroin to a special employee at Curdon, Ark., on May 27, 1958, for \$2,000. On October 24, 1958, Clayton entered a plea of guilty and was sentenced to serve a total of 20 years by Federal Judge Albert Ridge at Kansas City, Mo. On March 22, 1961 Clayton's attorney made a motion to have the plea of guilty set aside on the grounds that Clayton was mentally incompetent at the time. On May 18, 1961 Judge Ridge denied the above motion. Clayton is presently incarcerated at the U.S. Medical Center, Springfield, Mo.

In June 1959, subsequent to Clayton's being sentenced, he was interviewed by a Federal narcotic agent, and related the following information, which is here-with summarized for brevity: Clayton stated he began associating with Samuel Carrola, of Kansas City, Mo., around the fall, of 1952. Clayton first considered Carrola dealt primarily in stolen cars, but later learned he "fenced" all types of stolen merchandise. About a year later he learned Carrola was also in the narcotic traffic.

Carrola subsequently induced Clayton to fly him to Chicago, Ill., where they met with Joseph Iacullo, obtained a quantity of narcotics, and returned to Kansas City, Mo. (Information reported in 1953 by Leo Hallak's wife, preceding page, indicated Clayton knew Iacullo in April 1952.) Clayton stated that after the first trip, he started making the flights himself, monthly, picking up a kilo of heroin each time from Iacullo, and returning it to Carrola at Kansas City, Mo. Iacullo later told Clayton he was going to have to go away on a "rap" (records indicate Iacullo went to prison June 21, 1955) and introduced Clayton to his "partner" Tony D. (Anthony Dichiarante) (presently a defendant in pending case Ill.-7863). Clayton continued picking up heroin at Chicago for Carrola, from Dichiarante, and after a few months, Dichiarante introduced Clayton to his "partner" Arthur Gasparro. About this time Clayton stated Dichiarante purchased the Meadowbrook Lounge, just outside Chicago.

Subsequently, Dichiarante induced Clayton to fly him to New York to obtain narcotics. After that, Clayton began buying heroin for his own customers in 5- and 10-ounce lots, in addition to the heroin he was transporting to Sam Carrola. Clayton stated that he was making six or seven trips a year to New York, sometimes with Dichiarante and sometimes with Gasparro. He believed that they usually picked up about 5 kilos of heroin per trip.

Clayton also stated that shortly after first entering this venture with Carrola, he was introduced to Anthony Biase at Council Bluffs, Iowa, and that he subse-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1067

quently delivered 25 to 30 ounces of heroin every 6 weeks to 2 months, on orders from Carrola. Clayton knew Biase was selling heroin to Walter Wilmering, of Amarillo, Tex. (prior to the time Clayton began supplying heroin to Wilmering); Biase was also supplying a banker and his wife at Omaha, Nebr.; and an unidentified gambler at Council Bluffs, Iowa.

Carrola had also furnished heroin to Ralph Goldstein, Dominick DiMaggio (Carrola's nephew); Patsy Ventola; Anthony Marcella; and Robert Cox, all of whom were then from Kansas City, Mo. Carrola later took Marcella to Chicago and introduced him to Dichiarante, so he could buy heroin direct; and had also taken DiMaggio to Chicago to meet Iacullo, for the purpose of his buying counterfeit money. Clayton stated that Cox had been making the trips to Chicago for Carrola by auto, before he met Carrola. Clayton also mentioned out-of-town customers of Carrola as: Harold "Fats" Wright, of Tulsa, Okla.; and Hank J. Ellsworth, of Omaha, Nebr.

Clayton recalled attending a prize fight at Chicago with Iacullo and Carrola, after which they went to a funeral home to meet a good friend of Iacullo, reportedly an Italian, and a State of Illinois representative or senator. The Italian was not there, however a heavy set Greek, reportedly the Italian's partner was there. (Iacullo, subsequently identified Kringas and Marzullo, 5400 West Harrison in his later application for parole from prison.)

Clayton's information was considered the basis for an excellent conspiracy case against the persons named above in this report, however, much of the information extended beyond the statute of limitations, and the majority of the persons had subsequently been charged or convicted on substantive narcotic violations. In addition to this, Clayton was not deemed an acceptable witness, after making his allegations of mental incompetency.

ROCCO DE GRAZIA, FBI No. 389499

Rocco De Grazia is identified by FBI No. 389499, and Chicago police identification No. D-26847. The last address mentioned in the files for De Grazia is dated 1946, and was then reported at 1040 North Elmwood, Oak Park, Ill.

Rocco De Grazia was the brother of Andrew De Grazia, National List No. 96, now deceased. In case Ill-5909 a pharmacist named James Dwyer was found to have diverted a large quantity of legitimate narcotics over a period of time to Rocco and Andrew De Grazia, Mike Stacey, alias Sam Moreno. The pharmacist alleged that the narcotics were diverted to the above for gambling debts that Dwyer had incurred with the De Grazia's.

An indictment was obtained against the above defendants, and Andrew De Grazia was arrested in possession of a quantity of opium. He allegedly admitted to being an opium smoker. Trial of the conspiracy case involving all of the defendants took place in 1947, and the defendants were acquitted by a directed verdict of Federal Judge Elwyn R. Shaw, at Chicago, Ill. Andrew De Grazia, however, was found guilty on the substantive count involving the narcotics found in his possession. The conviction was appealed and affirmed on May 28, 1948. Andrew De Grazia was sentenced to 1 year and 1 day in prison.

Rocco De Grazia and his brother Andrew, while living, owned and operated the Lumber Garden Tavern, later called the Casa Madrid Night Club, by which it is now known, at 25th and Lake Streets, Melrose Park, Ill. This location is alleged to be one of the principal locations for syndicate gambling in Cook County; and is frequently raided by the local authorities.

THEODORE DE ROSE, FBI No. 1009801

Theodore De Rose, alias Ted De Rose, FBI No. 1009801; Chicago police identification No. E-49038 is a white male of Jewish descent. He is about 5 feet 6 inches tall, weighs about 140 pounds; has gray hair, brown eyes, slender build, walks with a limp, and has allegedly been operated on for knee trouble. De Rose was born October 22, 1906, at New York, N.Y. He alleges that his occupation is that of a salesman.

De Rose is alleged to know Jake Klein; and was a former associate and "runner" for Patrick Russo, both of whom are well known in the narcotic traffic at Chicago, Ill. De Rose has a reputation for being a "confidence man."

In 1959 a Federal narcotic agent obtained an introduction to De Rose, through a special employee, and subsequently effected the purchase of one-half kilo of heroin from De Rose and Carl Fiorito, reported in case Ill-7873, on August 15, 1959. De Rose and Fiorito were convicted on February 16, 1961, and De Rose

1068 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

was sentenced to 10 years by Federal Judge Julius Miner at Chicago. The case was appealed, and on March 19, 1962, the Seventh Circuit Appellate Court reversed the above conviction and remanded the case back to the district court for retrial. The case involving De Rose and Fiorito is presently pending and is scheduled for trial in January or February 1963 at Chicago, Ill.

The special employee, William Skaley, utilized for the initiation of this case was murdered on January 5, 1960. Fiorito is suspected of having committed the murder, though it could not be proven.

The source of supply for the heroin sold by De Rose and Fiorito was believed to have been Frank Borelli, of New York; however, this was not positively ascertained.

ANTHONY JOSEPH DICHIARENTE, FBI No. 1797682

Anthony Dichiarante; alias Tony D; alias Tony Dicci; alias Tony Decca; alias Anthony Costello; alias Dechiarinte; FBI No. 1797682; Chicago Police Identification No. E-53845. is a white male of Italian descent, 5 feet 10 inches tall, weighs 215 pounds, brown hair, blue eyes, medium complexion, heavy build. Born May 5, 1918, at St. Paul, Minn. Presently a defendant in case Ill-7863.

Dichiarante's record indicates that in August 1939 he was sentenced to a term of 1 to 5 years for armed robbery. He was discharged April 30, 1943, at Chicago, Ill. He was again sentenced on January 17, 1952, to a Federal prison for 3 years on a charge of possession of goods stolen from interstate shipment.

It is suggested that you refer to the reports on Arthur Gasparro, Joseph Iacullo, and Jack R. Clayton, to better understand the part played by Anthony Dichiarante. Clayton provided information that upon Iacullo's incarceration in 1955, Clayton was introduced by Iacullo to Dichiarante, who then became the source of heroin at Chicago, Ill., for Clayton, et al. Dichiarante later introduced Gasparro as his partner, and Clayton was subsequently induced to even fly Dichiarante and Gasparro to New York where they picked up their supply of heroin. The trips to New York number six and seven a year; and allegedly involved 5 kilos of heroin at a time. Clayton's association with this group would have ended in the latter part of 1958 when he was arrested.

In April 1958 during the development of case Cal-5507, at Los Angeles, Calif.; involving defendants Jesse del Bono and a codefendant named Marchese, del Bono was found to have been mailing packages to "Tony Dicci" 6224 West Fletcher, at Chicago, Ill. A toll call check on the telephone of "Dicci" indicated a long-distance call to Del Bono's residence dated March 26, 1958, at California. Del Bono refused to make any statement after his arrest and no further information was developed to indicate or clarify the above association. "Dicci" was identified as Anthony Dichiarante.

In March 1959 during the development of case Cal-5681, involving Anthony Marcella, National List No. 278, and previously from Kansas City, Mo.; toll calls on Marcella's phone indicated a call November 20, 1958, to ME 7-4607 to "Tony." This phone is listed at Chicago, Ill., to the Eat a Bit Restaurant, 6001 West Grand, allegedly managed then by Dichiarante and known as a hangout for him and his associates. Another number called by Marcella at Chicago was TU 9-8265, which was listed to Josephine Cullotta, 1833 North McVicker Street. Telephone records at Chicago indicated in April 1959 that this subscriber had moved to 8221 Forest Preserve Drive. This latter address was reported in 1957, with telephone number TU 9-8023, as a number and address left by Joseph Bruno, National List No. 43; as a forwarding address when he left Chicago, Ill., in 1957. This information had also been found on the person of Bruno at the time of his arrest. In 1957 TU 9-8023 was listed to Sarah Rinanardi. In April 1959 the TU 9-8023 number had been changed to NA 5-5018 and was listed then to Sarah Rinardo at 8221 Forest Preserve Drive. Autos in front of that address were listed to Sarah Bacino, 8221 Forest Preserve Drive and Frank Cullotta, 1833 North McVickers. Marcella was convicted and sentenced August 14, 1959, to 40 years, and afterward admitted knowing Bruno, but denied trafficking in narcotics.

In August 1959 a report was made of information from a special employee at Los Angeles, Calif., resulting in the following: The special employee and Marcella flew to Chicago on October 21, 1958, and stayed at the Caffarello Motel. On October 23, 1958, they met with a man identified as Charles LaPaglia and went to dinner at the home of a woman identified as alias Josie (believed to be Josephine Cullotta), LaPaglia's girl friend. That evening, LaPaglia, Josie, and

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1069

Marcella left the house and returned with 27 ounces of heroin and 6 ounces of cocaine, which the special employee and Marcella transported back to California.

A second trip was described by the special employee around November 27, 1958, to Chicago with Marcella for heroin. Because Charles LaPaglia allegedly did not receive his supply of heroin from New York, a Jane Doe, alias Mary assisted in obtaining an amount believed to be a kilo of heroin, and they took this back to California. Mary spoke of LaPaglia as her uncle, however, subsequent efforts to identify her proved futile. It should be noted that the telephone calls listed to Marcella's residence at California to "Tony" at the Eat A Bit Restaurant and to the suspected residence of Josephine Cullotta, were dated November 20, 1958, just 1 week before the above trip.

A report dated September 18, 1962, lists information from a special employee at Chicago, Ill., that he knew a person named Orville Drake (now deceased) a narcotic trafficker who lived at Indianapolis, Ind. That Drake was an associate of Anthony Marcella, and in the mid-1950's Marcella, Joseph Bruno, Anthony Dichiarante, and Carl Campise (purported former business partner of Dichiarante, and allegedly the person who started Dichiarante in the narcotic traffic) all went to Indianapolis, Ind., and had a meeting with Drake.

In case Ill-7863, reported at Chicago, Ill., March 21, 1960, Anthony Dichiarante is a defendant with Spartico Mastro, and Salvatore Pisano (now deceased). They are charged with selling heroin, approximately 9 ounces, to an agent and special employee on August 8, 1959, at Chicago. This case is presently pending in Federal court. The source of supply for Dichiarante is only known as "Joe" in New York, according to information from Clayton.

In 1962 Dichiarante was named at New York as a coconspirator (not a defendant) in a basketball game "fixing" conspiracy. Dichiarante was reportedly the "field man" for the Chicago mob, it being his job to gather money from the Chicago "mobsters": Fiore Buccieri, Sam "Mooney" Giancana, Sam Battaglia, Marshall Caifano, Albert Frabbotta, and Phil Alderisio. He reportedly worked closely with Norman (Lefty) Rosenthal, whose assignment was to line up basketball players willing to cooperate by shaving points. Rosenthal was a known associate of Dichiarante, and was with him at the time of his arrest.

Since the arrest of Dichiarante in March 1960, certain papers denoting financial assets of Dichiarante were made available to the Internal Revenue Service at Chicago, Ill. An investigation was initiated by their office, which is believed to possibly result in a charge against Dichiarante in the near future for income tax evasion. One of the Internal Revenue agents working on this investigation once reported that he had located a joint checking account in the name of Dichiarante and Joseph Bruno, which had once showed a balance of \$100,000, but had since been abandoned.

It should be reiterated that Dichiarante is presently a pending defendant in narcotic case Ill-7863 at Chicago, Ill., and is awaiting trial.

CARLO FIORITO, FBI No. 3110979

Carlo Fiorito, FBI No. 3110979, Chicago Police Identification No. 52183 is a white male of Italian descent. He is 5 feet, 6 inches tall, weighs about 155 pounds, is of medium build, has black hair, brown eyes, and a sallow complexion. He has a tattoo on his right forearm. Fiorito was born at Chicago, Ill., on November 15, 1923. He is presently incarcerated in the Illinois State Penitentiary at Joliet, Ill.

Fiorito has long been known in the Chicago area as a burglar and robber. He is allegedly associated with members of the Chicago crime syndicate hierarchy, including some of the most well known in the Chicago, Ill., area. He is alleged to have committed burglaries and robberies throughout the United States. On April 22, 1959, Fiorito was found guilty in Illinois State court of receiving stolen property, in that he had been arrested with part of the proceeds from a \$400,000 robbery of the Harry Winston Jewelry Store at Chicago, Ill. None of the other loot from this robbery was recovered, nor was Fiorito identified as one of the robbers. Fiorito was sentenced to serve 4 to 6 years in the Illinois State Prison.

Fiorito appealed the above conviction, and remained out on bond. Through negotiations with Theodore De Rose, a Federal narcotic agent, on August 15, 1959, made a purchase of one-half kilo of heroin from Fiorito and De Rose for \$6,000. It is believed that Fiorito discovered that the special employee in this case had "set him up" and on January 5, 1962, the special employee, William Skally was found in his car fatally shot in the head. Meanwhile, Fiorito's appeal

1070 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

on the receiving stolen property charge had been affirmed, and on January 6, 1960 Fiorito turned himself in to the State authorities and began serving his 4- to 6-year sentence.

On February 16, 1961, Fiorito and De Rose were found guilty for the sale of the half kilo of heroin, case Ill-7873, by Federal Judge Julius Miner at Chicago, Ill., and Fiorito was sentenced to 20 years in prison. This conviction was appealed and was reversed and remanded for a new trial. The case is now pending at Chicago, Ill., and should be retried in January or February of 1963. It was always assumed that Fiorito murdered Skally, though it could not be proven. Fiorito is alleged to have angered Sam Giancana and Sam Battaglia for the above murder, because, Skally purportedly was in debt to the above two, and with the murder, they stood no chance of collecting their money.

ARTHUR GASPARRO, FBI No. 1117545

Arthur Gasparro, alias Arthur Gastarro, alias Arthur Gasperro, FBI No. 1117545; Chicago Police Identification No. D-54455; is a white male of Italian descent. He was born July 8, 1910. There is no physical description presently available of this subject. He was last reported living at 6735 West Wellington, Chicago, Ill.

Gasparro's criminal record indicates that he was convicted and sentenced at Chicago, Ill., to 1 year to life for armed robbery. He was paroled May 10, 1943.

To understand Gasparro's part in the narcotic traffic, it is suggested that you refer to the reports on Joseph Iacullo and Jack Roy Clayton. After Iacullo went to prison in 1955, and introduced Clayton to his "partner" Anthony Dichiarante, subsequently, Clayton stated that Dichiarante introduced him to his "partner" Gasparro. Arthur Gasparro was Dichiarante's brother-in-law. After meeting Gasparro, Clayton related that he sometimes received heroin from him, and sometime from Dichiarante, for transportation back to Kansas City, Mo. Also, after Clayton began flying Dichiarante to New York for his supply of heroin; on occasions Gasparro went instead of Dichiarante.

In 1958, during the development of cases Ark-1868 and Tex-12106, in which a special employee and narcotic agent were negotiating with Clayton for the purchase of heroin, the following events took place: On July 9, 1958, Clayton left his residence at Blue Springs, Mo., and went to a nearby public telephone where he telephoned TU 9-5369 at Chicago, Ill. (listed to the name of Arthur Gasparro, 6735 West Wellington). Clayton returned to his farm after making this call at 6:18 a.m., in which he had called Gasparro and ordered a quantity of narcotics. He then left the farm, via his airplane, and flew to Joliet, Ill.; where he met Gasparro, and obtained from him 6 ounces of heroin.

On the morning of July 10, 1958, the narcotics agents working on this case received \$2,500 in advance funds from the Texas office of the Bureau of Narcotics. They placed this in an envelope, had it properly postmarked as being from Texas, and turned it over to the postal inspector for delivery that morning to Clayton. Clayton was observed removing this envelope from his mailbox that morning; and later he left his house and drove to Independence, Mo., where he mailed a package to the undercover agent at Mount Pleasant, Tex. The package contained approximately 5 ounces of heroin, as was previously ordered by the agent.

In 1959, during the development of case Ill.-7863, presently pending against Dichiarante at Chicago, Ill., surveillance in the vicinity of the Eat A Bit Restaurant, 6001 West Grand, reportedly managed by Dichiarante, disclosed Gasparro to be a frequent associate of Dichiarante and others who were observed "hanging" around this location, including Salvatore Pisano, and Spartico Mastro; codefendants with Dichiarante in the above case.

On one such occasion, Gasparro was observed driving an automobile registered to V. Lucania, 6901 West Belmont; Vincent Lucania is allegedly the owner of the Montclair Funeral Home, 6901 West Belmont, and was once an Illinois State representative or senator. Surveillance in 1957 disclosed Joseph Bruno, national list No. 43, to frequent this same funeral home on numerous occasions. The associations of Lucania with these narcotic traffickers was never investigated. Gasparro was also observed on numerous occasions driving an automobile with dealer plates, listed to A. & S. Auto Sales, 601 Madison, Oak Park, Ill. This firm was found to have gone out of business August 18, 1959, which was just prior to Gasparro having been seen in this auto.

ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS 1071

When interviewed in 1958, after his arrest, Clayton mentioned the fact that Gasparro always used cars with dealer's plates whenever he met with him to deliver narcotics. This was also mentioned by Clayton in regard to the delivery of 6 ounces by Gasparro at the airport in Joliet, Ill., on July 9, 1958. This practice of using autos with dealer's plates was also a method of operation utilized by Iacullo, during the development of case Ill.-7117. In this manner they had available to them a variety of cars, which was the case in regard to Gasparro, according to Clayton.

Gasparro has never been approached regarding his participation in the narcotic traffic with the above individuals. There is no investigation presently pending against him in the office of the Bureau of Narcotics at Chicago, Ill. If it were possible to have him called as a witness before the committee, his answers might be very interesting, though it is assumed he would be hostile. It would also be necessary to question him without divulging information regarding the pending case against Dichiarante.

GEORGE GINNONE, FBI No. 1359607

George Ginnone, alias Gannone, alias Giannone, alias Gennone, Romano, alias Georgiano Iannini, alias Gregorio Iannone; FBI No. 1359607; Federal Bureau of Narcotics Mafia book No. 145; is a white male, of Italian descent, 5 feet, 5 inches tall, weighing 182 pounds, stocky build, dark complexion, black hair, brown eyes. Ginnone was born July 17, 1907, at Staletti, Catamaro, Italy. Subject entered the United States in 1923, and was naturalized a U.S. citizen in the year 1931 at Chicago, Ill.

In case Ill-6254 at Chicago, Ill., George Ginnone was listed as a defendant with Salvatore Pisano, national list No. 316a (now deceased); James Bowman, and William McNairy; charged with conspiracy to sell and possess narcotics. Ginnone and Pisano were tried, found guilty in Federal court, Chicago, Ill., and on March 27, 1951, Ginnone was sentenced to serve two 5-year sentences, consecutively. He was released from the penitentiary on parole January 18, 1958.

In case Ill-6348 at Chicago, Ill., Ginnone, Pisano, and Bowman were listed in 1950 as the source of supply for narcotics for defendant Maurice and Alpha Koen.

There appears to be no mention of Ginnone in the files of district No. 9 regarding his activity in the narcotics traffic, since his conviction in the above case in 1951.

DENNIS GREEN, JR., FBI No. 920117-A

Dennis Green, Jr., FBI No. 920117-A; Chicago police identification No. D-88824; Federal Bureau of Narcotics national list No. 169; is a Negro male, 5 feet, 6 inches tall, weighing about 145 pounds. Green has black hair, brown eyes, born June 30, 1929, at Chicago, Ill. Green's most recent address is listed as 4526 Mount Vernon Drive, Los Angeles, Calif.

Green's activities in the narcotics traffic date back to the 1950's in the files of the Federal Bureau of Narcotics at Chicago, Ill. He later became a partner and associate of Nathaniel Spurlark, national list No. 377, and under Spurlark, Green supplied virtually all the Negroes on the West Side of Chicago, Ill., with heroin. Green's principal "runners" were Arthur Faulkner, Willard Evans, alias "Dub," and James White.

In 1952 Green was charged with sale of narcotics in Illinois State court in case Ill-6745. He was acquitted June 5, 1952.

On September 2, 1959, Green was indicted at Chicago, Ill., and charged in Federal Court with conspiracy to violate the narcotic laws. The codefendants in this case were Nathaniel Spurlark, Edward R. Gayles (former narcotic agent), Willard Jones, Cornelius Mack, Percy Johnson, Floyd Williams, and Gladys Davis. On March 8, 1962, at the conclusion of the above trial, the defendants Green, Gayles, Davis, Jones, and Spurlark were found guilty by a jury. Green was subsequently sentenced to 5 years in prison and is presently free on appeal bond. Green's source of heroin was Spurlark. Nathaniel Spurlark obtained his narcotics from a person or persons unknown in New York.

ISAAC HILL, FBI No. 213772

Isaac Hill, alias Golly Drop, FBI No. 213772; Chicago police identification No. E-55597; Federal Bureau of Narcotics national list No. 182a, is a Negro male, 5 feet 10 inches tall; weighing about 200 pounds, with brown eyes, black

1072 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

hair, medium brown complexion, and heavy build. Hill was born March 24, 1907, at Memphis, Tenn. His most recent address was 5034 South Woodlawn, Chicago, Ill., where he was living with Helen Dixon.

Hill was first reported in the files of the Federal Bureau of Narcotics at Chicago, Ill., under case Ill-575, dated May 10, 1928. He was found guilty of violating the narcotic laws and sentenced to 1 year and 1 day on June 26, 1928, in Federal court. His second conviction came in case Ill-3404, when he entered a plea of guilty on April 6, 1934, and was sentenced in Federal court to 90 days in the Lake County jail. In this case he was a codefendant with Mack Thomas, national list No. 393d. In case Ill-4077 Hill was charged with Dave Chapman, Mack Thomas, and Anthony Chambers. Thomas and Chambers were dismissed by the U.S. Commissioner on August 27, 1935. Hill was found guilty on October 2, 1935, and was sentenced to 6 months in Milan by Federal Judge John P. Barnes at Chicago, Ill. Motion for a new trial was made and granted, and on March 31, 1936, Hill was found not guilty by Federal Judge William Holly.

In 1936 Hill was reported as the source of supply of heroin for cases Ill-4474 and Ill-4771. In cases Ill-4888 Hill was again a defendant with George Booker and Robert Stevenson. Hill was found guilty on March 2, 1939, his third narcotic conviction, and was sentenced that date to 16 years in prison by Federal Judge John Barnes at Chicago, Ill. Hill was conditionally released from the above sentence on January 6, 1949. Hill was also listed as a defendant in case Ill-4919 in 1939 with 21 other defendants; however, the U.S. attorney dismissed the charges against Hill before he went to trial.

Isaac Hill was reported as the source of supply for heroin in the following cases: Ill-7506, for defendant Amos Jones, national list No. 197, now deceased, case dated August 1957; Ill-7650, for defendant Thomas Flynt, reported October 1, 1958; Ill-7698, for defendants John E. Jackson and Amos Jones reported September 1958; Ill-7903, for defendant Albert Williams, reported October 1959. Hill has been named as source of supply and associate of Harry Schennault, national list No. 355, now incarcerated, in 1957 and 1958. He was also referred to as the source of supply for William Frierson, national list No. 150 in 1959. Perrin Stewart of St. Louis, Mo., reported that he had made purchases of heroin from Hill occasionally. Hill was also reported as source of supply in case Ill-18078.

In 1957 Hill was reportedly receiving his narcotics from Patrick Russo, national list No. 338. Information in 1960 indicated his source of supply was Rocco Infelice, manager of the Lido Motel on Mannheim Road. In case Ill-7994 Hill has been charged with codefendants Marvin Moses, Archie Robertson, Michael Battiese. This case is presently pending at Chicago, Ill. Source of supply in this case is allegedly Morris Taubman and Charles Schiffman of New York.

JOSEPH IACULLO, FBI No. 1868453

Joseph Iacullo, alias Joseph Petrino, FBI No. 1868453; Chicago police identification No. E-4857; is a white male of Italian descent, 5 feet 2 inches tall, weighing 130 pounds; medium build, brown hair, and brown eyes. He was born May 3, 1919, at Chicago, Ill.

A report from Kansas City, Mo., listed telephone toll calls for the phones Linwood 9448 and Benton 5909; the business and unlisted residence telephone respectively of Samuel Carrola, known underworld character. The toll calls listed for July and December 1953 indicated telephone contact with Joseph Iacullo at Chicago, Ill.

In case Ill-7117, reported at Chicago, Ill., April 5, 1954, Joseph Iacullo was charged with seven codefendants for violation of the Federal narcotics laws. Iacullo was convicted and sentenced to 5 years on June 21, 1955. This sentence was reduced to 4 years on April 30, 1956. Codefendants Anthony Pape and Frank Coduto were murdered prior to the final disposition of this case. Iacullo, Pape, and Anthony Sperna were allegedly partners, obtaining their heroin from Anthony Tacoma, international list No. 337, now deceased; and Anthony Castaldi, national list No. 62. Iacullo was released on April 26, 1958. He reportedly now lives at 3428 West 59th Place, Los Angeles, Calif.

Iacullo was reputedly associated with members of the criminal element all over the United States: Samuel Carrola, of Kansas City, Mo.; Anthony Castaldi and Anthony Tacoma, both of New York; Daniel De Nunzio, reported to be Iacullo's uncle, Los Angeles, Calif.; and Anthony Accardo, Chicago, Ill. Iacullo and Anthony Sperna were alleged to have participated in the murder of Anthony Ragucci, a Chicago hoodlum.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1073

In case Ill-7150, reported August 23, 1954, Iacullo was again listed as a defendant with four codefendants. Prosecution in this case was declined, due to the fact that Iacullo was prosecuted in case Ill-7117. In case Ill-7238, naming Robert Wells, James A. and Irene White; Joseph Iacullo and Anthony Schullo were reported to be the source of supply of heroin for the above three. Wells and the Whites were not prosecuted in this case due to the fact that they were charged and convicted in other cases.

A report of July 17, 1954, alleges that Anthony Accardo asked Joseph Iacullo to move out of the immediate vicinity of his, Accardo's, neighborhood.

As early as 1953 Iacullo was reported as the source of supply for heroin, and stolen merchandise, for Jack R. Clayton and Samuel Carrola of Kansas City, Mo. In 1958 Jack Clayton was charged with sale of heroin in case Ark-1868. He entered a plea of guilty on October 24, 1958, and was sentenced to 20 years. Clayton became cooperative in furnishing information, and the following was related by him to a narcotic agent in a series of interviews, while he was incarcerated.

Clayton related that in 1952 he began associating with Samuel Carrola, believed by him to be dealing primarily in stolen cars and other merchandise. Around the fall of 1952 Clayton flew Carrola to Chicago, Ill. where they met with Joseph Iacullo, and obtained a quantity of heroin, which they transported back to Kansas City, Mo. Clayton continued making these trips, averaging one a month, obtaining a kilo of heroin each time for Carrola. Subsequently, Clayton stated that Iacullo expected to go to prison and introduced him to his partner, Tony D. (Anthony Dichiarante, presently a defendant in pending case Ill-7863 at Chicago, Ill.).

Clayton continued the monthly trips, and after a few months, Dichiarante introduced him to his partner, Arthur Gasparro. After this, Clayton obtained heroin on his trips from either of the above two persons. Clayton subsequently began flying Dichiarante and Gasparro to New York where they picked up their supply of heroin, believed to be in 5-kilo amounts. Clayton did not know the name of their source of heroin in New York, except by the nickname, "Joe."

Clayton also related that soon after his first trip to Chicago, Ill., for Carrola, he began delivering 25- to 30-ounce quantities of heroin every 6 weeks to 2 months to Tony Biase at Omaha, Nebr. He knew Biase was supplying Walter Wilmering of Amarillo, Tex.; a banker and wife in Omaha; and an unidentified gambler in Council Bluffs, Iowa. He also knew that Carrola had supplied heroin to Ralph Goldstein; Carrola's nephew Dominick Dimaggio; Patsy Ventola; Anthony Marcella; and Robert Cox, all of Kansas City, Mo. Cox had previously been making the trips to Chicago for Carrola by automobile.

Clayton knew also that Carrola had introduced Marcella to the "people" in Chicago, so he could deal "direct." Carrola had introduced Dimaggio to Iacullo so Dimaggio could buy counterfeit money from Iacullo. It was Clayton's understanding that Iacullo's principal business was counterfeit money and State cigarette stamps; and that narcotics were a sideline with him.

Clayton recalled attending the Wilcox-Marciano title fight at Chicago, Ill. (May 15, 1953), with Carrola and Iacullo. After the fight Iacullo took Clayton and Carrola to a large funeral home owned by a heavy-set Greek and an Italian, then State representative or senator. Iacullo stated that the Italian was a good friend of his. The Italian was not at the funeral home, so they left. (It is believed this was the Kringas & Marzullo Funeral Parlor, 5400 West Harrison; mentioned later by Iacullo in his applications for parole from prison.)

Jack R. Clayton is presently incarcerated at the U.S. Medical Center, Springfield, Mo.; and his defense attorneys have alleged that he was mentally incompetent when he entered a guilty plea to the charges for which he is presently incarcerated. Federal Judge Ridge has denied a motion by Clayton to set aside his plea of guilty on the above allegation of mental incompetency.

JOHN IORIO, FBI No. 46976

John Iorio, alias John Pincus; FBI No. 46976 is a white male of Italian descent; 5 feet 5 inches tall, weighing 135 pounds, brown eyes, black hair, and slender build. He was born July 21, 1903, at New York.

Iorio's first offense reported at Chicago, Ill., is designated as case Ill-5701, reported May 17, 1943. This lists Iorio as a defendant with Arthur Kupsnecker, now deceased. Kupsnecker was listed as the source of supply for Iorio in this case; his source was not known. Iorio was sentenced January 14, 1944, to 18

1074 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

months in prison. He was released March 27, 1945. Iorio had a prior State and Federal narcotic conviction in New York prior to the above case.

In 1943 Iorio was listed at Chicago, Ill., as 1 of 15 most important narcotic violators. In 1946 he was reported as an associate of Frank Cohen and Thomas de Santo.

In case Ill-6231, reported December 31, 1948, Iorio again was charged with violating the narcotic laws at Chicago. Again his source was believed in New York but was not identified. He entered a plea of guilty and was sentenced to 3 years on June 21, 1949. He was released October 10, 1951. In case Ill-7035, reported March 10, 1953, defendant Jack Faulkner's source of heroin was listed as Iorio.

Case Ill-7118, reported March 22, 1954, listed Iorio again as a defendant. He was sentenced January 14, 1955, to 15 years in prison. Iorio was also listed as a defendant in case Ill-7204, reported September 29, 1954; and on January 14, 1955, he also entered a plea of guilty in this case and was sentenced to 15 years to run concurrent with that sentence meted out in case Ill-7118, above. Iorio's source of supply this time was determined to be Theodore Ferrara of New York. As a result of information furnished from Chicago, agents in New York arrested Ferrara with 22 ounces of heroin.

In case Ill-7225, reported December 20, 1954, defendant Dominick Conde's source of supply for heroin was reported to be Iorio.

JACOB KLEIN, FBI No. 554296

Jacob Klein, alias Jake Klein, alias Joe Gold, alias Jack Klein, FBI No. 554296, is a white male of Jewish descent. He is 5 feet 5 inches tall, weighs 190 pounds, is balding with gray hair on the sides, heavy build, brown eyes, and was born June 6, 1903, at Brooklyn, N.Y. The last known residence of Klein is reported as 1128 Pratt Boulevard, Chicago, Ill. Klein is listed in the Bureau of Narcotics Mafia book under No. 148.

The files at Chicago, Ill., indicate that Jacob Klein and Harry Lerner were codefendants in case Ill-5072, initiated October 1, 1938. Klein was found guilty of sale of narcotics and was sentenced to 8 years in prison. Lerner was acquitted.

On October 6, 1939, Hymen Rubin was arrested and charged for violation of the narcotic laws in case Ill-5298, having been in possession of approximately 2 ounces of heroin. The reports indicate that Rubin was associated with Jacob Klein and Irving Kushner. Rubin was sentenced to 1 year and 1 day on November 21, 1939, in Federal court at Chicago, Ill.

In Illinois case Ill-6481, defendants Nathan Chiarelli and Sam Serritella were charged with violation of the Federal narcotic laws as the result of a seizure of heroin made from them by the Chicago Police Department. A report in this file indicates that the involved police officers had been offered \$500 by Jacob Klein to "forget Chiarelli and Serritella's case." Chiarelli and Serritella were sentenced to 3 and 5 years respectively on March 9, 1951, in this case in Federal court at Chicago, Ill.

Reports indicate that in September and October 1954 an informant in New York was negotiating with a Jane Doe, Clara, and Jacob Klein for the purchases of kilogram amounts of heroin. Klein arranged a meeting between the informant and John Mugavero, of New York, to conduct further negotiations. These meetings were under the surveillance of Agents Angelo Zurlo and B. J. Fitzgerald. The above endeavor was closed by district No. 2 based on information that Klein was unwilling to meet and negotiate with Agent Zurlo.

In case Ill-7399, defendants Sam Serritella, Nathan Chiarelli, and Salvatore Nugara were arrested on January 8, 1957. An address book seized from Serritella contained the name Jake Klein, 6814 North Lolita, Lincolnwood, Ill. Nugara, Serritella, and Chiarelli were sentenced June 25, 1957, to 5, 10, and 10 years, respectively.

In a report dated March 15, 1957, it is alleged that Klein, Isadore Kayne, and Moe Biegler were partners in Lakeside Liquors, 4675 South Lake Park, Chicago, Ill. It was reported January 31, 1958, by former Agent Jack Love that Biegler, Klein, and John Mugavero, of New York, were seen together at the Sheridan Bar, Sheridan and Irving Park Streets, Chicago, Ill. In May of 1958, Klein is reported to have owned a one-quarter interest in the Flamingo Motel at River Road and Milwaukee Avenue, Wheeling, Ill.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1075

A report dated July 1958, from district No. 2 requested a photo of Klein to determine possible involvement as a defendant in case NY:S-10047, John Ormento, et al. No further correspondence appears at Chicago to indicate any final identification or inclusion as a defendant, in that case.

In a report dated March 18, 1959, by former Agent Samuel Newey, he mentions negotiations then taking place between an informant, Theodore de Rose, and Agent James Attie to obtain a kilogram of heroin. De Rose intimated that his source of supply was a man known to the informant named "Jake" and that he owned a motel. A subsequent case evolved, Ill-7873, after De Rose and Carl Florito sold one-half kilogram of heroin to Agent Attie. Subsequent investigation did not implicate Klein and the source of this heroin was never definitely ascertained. Florito was arrested December 11, 1959, and on January 6, 1960, the informant in this case, William Skally was found murdered. Florito immediately surrendered himself to Illinois State authorities to begin serving a sentence imposed for receiving stolen property.

On February 16, 1961, Florito and De Rose were sentenced to 20 and 10 years, respectively. A subsequent appeal resulted in both being granted a new trial by the Seventh Circuit Court of Appeals, but the new trial has not yet taken place. De Rose is now indicted as a coconspirator in case Ill-8084. To my knowledge, Florito is still in custody of the State authorities.

There is no recent specific information in the files of district No. 9 to indicate that Jacob Klein has been active in the narcotic traffic at Chicago, Ill.

WESLEY LEWIS (DECEASED), FBI No. 518493

Wesley Lewis, alias Trap; FBI No. 518493; Chicago Police identification No. D-58421; Federal Bureau of Narcotics National List No. 253; was a Negro male, 5 feet 10 inches tall; weighing 197 pounds, stocky build, dark brown complexion, gray-black hair, and brown eyes. Lewis was born December 13, 1893 at New Orleans, La. He died September 25, 1962, at Chicago, Ill.

The files at Chicago, Ill., disclose that Lewis was named as a defendant in the following cases: Ill-967, reported November 30, 1928, in which Lewis was fined \$500 on March 23, 1931; case Ill-2638, reported March 18, 1932, in which Lewis was a codefendant with Wilbert McNeal, and was sentenced May 17, 1932, to 2 years in prison; case Ill-3806, in which Lewis was a defendant with eight other persons and was sentenced April 7, 1943, on a plea of guilty to serve 1 hour in the custody of the U.S. marshal.

In cases: Ill-3966, reported in 1935; Ill-3987; Ill-5148, and Ill-5195, Lewis was reported as the special employee who assisted the Bureau of Narcotics in their initiation. In case Ill-5383 Lewis and two other defendants were reported in 1940, and he was found guilty and sentenced to 5 years in prison January 9, 1941. Lewis was named as a defendant in case Ill-6444, reported January 4, 1950, but was acquitted October 24, 1950. Lewis was again convicted in case Ill-6717 on November 6, 1951, and was sentenced to 10 years in prison. He was released on parole December 25, 1957.

In case Ill-7350 defendant Harry Lewis, alias Little Trap; son of Wesley Lewis, was sentenced July 26, 1956, to 10 years in prison. He has since been released. Wesley Lewis was reported as the source of supply of narcotics for Leslie Borum, case Ill-7707, in 1958; Milton McSmith, case Ill-7689, in 1958; and for Herbert Foreman, case Ill-7802, in 1959.

In August, 1959, Wesley Lewis assisted the Bureau of Narcotics by making a purchase of heroin from Salvatore Pisano, National List No. 316A. Surveillance disclosed Pisano to receive these narcotics from Anthony Dichiarante and Spartico Mastro; listed at Chicago as case Ill-7863. This case is presently pending at Chicago, Ill., awaiting trial. Pisano died April 5, 1962.

Wesley Lewis, alias Trap knew and was known by every major, and many minor narcotic peddlers in the Chicago, Ill., and neighboring States area.

ORVILLE LOCKE, FBI No. 13175

Orville Locke, alias Oliver Locke, alias Kelly; FBI No. 13175; Chicago Police Identification No. E-22407; Federal Bureau of Narcotics National List No. 260, is a Negro male, 5 feet 10 inches tall, weighing about 200 pounds, with black-graying hair, brown eyes, medium brown complexion. Locke was born April 27, 1900 at Kansas City, Mo. Locke's last known address was 5038 South Drexel, Chicago, Ill., where he lives with Virginia Kelly.

1076 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Locke's record discloses that in 1924 he was sentenced at Jefferson City, Mo., to 12 years in prison for first degree robbery. In case No. 6044, Locke was charged in 1933 at Kansas City, Mo., for possession of morphine. The charges were dismissed by the U.S. commissioner in that same year. A report in the files at Chicago, Ill., reports that a John Doe, alias Locke, was the most active narcotic peddler on the South Side of Chicago in 1947.

In 1949 Locke was identified as the source of supply in case Ill-6298 for defendant Major Gibson, at Chicago, Ill.; in case Minn-1080, he was source of supply for Robert Peoples of Minneapolis, Minn., 1952; and in case Ill-6936 at Chicago, Ill., as source of supply for defendant Madero Dawson, in 1953. Locke was also mentioned as source of supply in case Mich-3307, for defendants Alice West, Nathaniel Williams, and James Owens, who were arrested at Detroit, Mich. Locke was mentioned during the early 1950's as the manager of the DuSable Hotel Tavern, 39th and Cottage Grove Streets; Chicago, Ill.

Locke was also mentioned as the source of supply in cases: Mo-8141, Joe Rucks, 1950; Mo-8175, Sam Walders; Mo-8361, Clarence Nelms, Mo-8369, Claude Maddox; Mo-8376, Richard Lee Wallace, Mo-8485, John E. Mitchell and John H. Bluford. Locke has purportedly been furnishing heroin to the Kansas City, Mo., area for 10 years prior to 1954. Locke was reported in 1951 in case W. Va-22-M, by defendant Fred Gamble, as having been a source of marihuana for him at one time. Locke is also mentioned as the source of heroin at Chicago, Ill., in cases Ill-7368, for Robert Anderson; Ill-7441, Louis Davis. In case Ill-7243 a special employee made a purchase of heroin from Locke at Chicago, Ill., in 1955, however, the case was closed without prosecution. In 1957 Locke was known to purchase cocaine from Helen Mack, National List No. 274.

Locke knows and is known by every major narcotic peddler in the Chicago area. He allegedly deals only with out-of-town customers, and only "steers" them in to other peddlers, without ever transacting the deals himself. He alleges a living from gambling proceeds.

JAKE MARBRAY (DECEASED), FBI No. 555674

Jake Marbray, alias Jacob Marberay, alias Jake Mabry, alias Jake Maravy; FBI No. 555674; Chicago Police Identification No. D-51908; Federal Bureau of Narcotics National List No. 271; was a Negro male, 5 feet 7 inches tall, weighing about 168 pounds; black-graying hair; brown eyes; dark brown complexion, thin build. He was born December 17, 1902, and is presently deceased.

The files at Chicago, Ill., indicates that Marbray was a defendant in two cases in 1924, one for sale and one for possession. He was sentenced to 6 months in one case and 30 days in the other. In case Ill-73, he was sentenced November 21, 1927 to 1 year and 1 day. In case Ill-2067 he was sentenced on September 23, 1930, to 9 months.

Marbray was again reported as a defendant at Chicago, Ill., in case Ill-2724, in which he was sentenced April 25, 1932 to 2 years. In case Ill-5522 he was sentenced December 15, 1941, to 5 years' probation by Federal Judge Michael J. Igoe at Chicago, Ill.

Last report of Marbray was case Ill-6737 reported July 1951. The charges in this case were dismissed due to the fact that Marbray had been convicted of possession of narcotics in the Illinois State Court, and was sentenced on March 7, 1952, to a sentence of 5 years to life. Marbray subsequently died.

HELEN MACK, FBI No. 946551-B

Helen Mack, nee Kountis: FBI No. 946551B: Federal Bureau of Narcotics National List No. 274 is a white female of Greek decent. She is 5 feet 4 inches tall, weighs 179 pounds, stout build, light complexion, brown eyes, and brown hair. She was born at Chicago, Ill., on November 8, 1919. She was living with, and purportedly married to Nolan Mack in early 1950.

On September 28, 1953, Nolan and Helen Mack were observed to meet with Medio Mancione, a known narcotic trafficker, during the development of case Ill-7119. It is reported in the files that on January 29, 1954, a search warrant was served by the Chicago Police Department at 211 East 48th Street and a quantity of narcotics was found. Arrested at that address was Charles Bradford, Thurman Wyatt, Rose Austin, Robert Austin, and Helen Mack. No results of prosecution are shown in the files regarding the above arrests.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1077

In case Ill-7211, reported June 29, 1955, Helen Mack was named as a defendant with Nolan Mack and James Fields. Helen Mack entered a plea of guilty in this case and was sentenced to 2 years. She subsequently appealed on the allegation that she was wrongfully counseled by her attorney. The cause was remanded for rehearing, but was later dismissed due to a sentence received in another case.

In case Ill-7352 Nolan and Helen Mack were listed as the source of supply for heroin for Francis Baskerville. After the incarceration of Nolan Mack, in May 1957, in case Ill-7211, Helen Mack actively took over his business and soon became one of the largest heroin dealers on the South Side of Chicago during this period. She was reported by Edward Williams as the source of his heroin in case Ind-1011, reported July 1957, involving him and four other defendants.

On July 11, 1957, a Federal narcotic agent at Chicago, Ill., developed a case against Amos Jones, National List No. 197, now deceased, case Ill.-7506, and induced Jones to unwittingly introduce him to Helen Mack. Subsequently, the agent initiated case Ill.-7521, in which Helen Mack, assisted by codefendants Samuel Moore, Robert Jordan, and Johnnie B. Cooper sold a total of about 14 ounces of heroin from July to August 1957, to the agent. Exhibit No. 5 in this case was about 7 ounces, for which the agent had paid Helen Mack \$2,500, when she stated she was going to New York for a new supply of heroin, and ordered a quarter of a kilo of heroin for himself.

Helen Mack was observed boarding the plane for New York. Was observed arriving at New York and meeting with William Wright. She returned July 31, 1957, and delivered exhibit No. 5 to the agent. On August 2, 1957, agents in New York arrested Wright and recovered \$2,095 of the money given her by the agent at Chicago, Ill. Wright was not successfully prosecuted on this charge at New York.

The narcotic agent at Chicago and the special employee subsequently induced Helen Mack to introduce them to her source of supply at Chicago, Ill., Armando Piemonte. Two purchases were made from Piemonte and he was later convicted and sentenced in case Ill-7565. Toll calls during this period of Piemonte's residence disclosed a call to Arnold Romano, National List No. 333 of New York. It was believed that Romano may have been Piemonte's source of supply. Piemonte was called before the Federal grand jury at Chicago in September 1959, but refused to testify and was cited for contempt, and sentenced to a consecutive 18 months.

Helen Mack was arrested December 3, 1957, as a defendant in both above cases, Ill-7521 and Ill-7565. On June 19, 1958, she was convicted and sentenced to 10 years in prison in case Ill-7521. She also entered a plea of guilty in case Ill-7565, as a codefendant with Piemonte, and was sentenced to 10 more years, concurrent with the above. She is now in prison.

Helen Mack is also reported in case Ill-7566, as the result of Chicago police officers executing a search warrant on her residence on November 26, 1957. This case was nolle prossed in Illinois State court after her 10-year sentence above. During development of case Ill-7885 in 1959 Otis Sears, now deceased, gave testimony to the effect that Police Officers Cooperman and Teller, who took part in the above execution of the search warrant, had sold him heroin, which they stated they had seized from Helen Mack. The above officers were later acquitted by Federal Judge Perry in the above case.

In case Ill-7731, reported December 19, 1958, defendant Cornelius M. Webb related that from September 1956, to August 1957, he had purchased about 1 ounce of heroin every other day from Helen Mack. In case Ill-7476, reported January 3, 1958, defendant Ulysses Cougis had obtained his heroin from Helen Mack, and had formerly been a "runner" for Nolan and Helen Mack. Helen and Nolan Mack were also reportedly suppliers of heroin to Joseph Wilson and Finnell Lee, reported in case Wis-38-M; and Donald L. Grady, reported in case Mo-8656, in 1958.

A report dated October 1959, relates that defendant Carmine De Salvo, of New York, NYS: 10323, told an undercover agent he had been the source of supply for William Wright and Helen Mack.

NOLAN MACK, FBI No. 2595092

Nolan Mack, FBI No. 2595092, Chicago Police identification No. D-96186 is a Negro male, 6 feet tall, weighing 180 pounds. He is of medium build, of medium brown complexion, with brown eyes, and black hair. He was born November 5, 1924, at Memphis, Tenn.

1078 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mack's criminal record dates back to 1939 when he was fined \$50 for attempted robbery and carrying a concealed weapon at Memphis, Tenn. In 1942, at Lake County, Ind., he was placed on 3 years probation on a charge of burglary. In 1943 Mack was sentenced to 1 to 20 years at Joliet Penitentiary for two charges of robbery. In 1947 he was paroled. In 1949 he returned for violation of parole, and was reparaoled in October 1952.

During the development of case Illinois-7119, involving defendant, Medio Mancione, Mack was observed meeting with Mancione on occasions. Mack was cited in the files as the source of supply for Jack B. Madden, cases Illinois-7239 and Missouri-8450; for Francis Baskerville, in case Illinois-7352; and for Jesse Harris in case Illinois-7396.

In case Illinois-7211, reported June 29, 1955, Nolan Mack was a codefendant with James Fields, and Helen Mack, national list No. 274. Nolan Mack was sentenced May 24, 1957, to 5 years in prison. Helen Mack entered a plea of guilty, but later appealed the sentence she received. The cause was subsequently dismissed due to her having been convicted on another case. The source of supply for Nolan and Helen Mack in the above case was listed as Medio Mancione and Joseph Iacullo. Mack was released from prison on March 6, 1961.

Arthur Hunt was arrested at Detroit, Mich., as a fugitive from Chicago, at which time he was in possession of 12 ounces of heroin which he stated he had obtained from Nolan Mack. In case Illinois-7406 William Wright was arrested October 1, 1956, upon his arrival from New York, and was found in possession of 9 ounces of heroin, 99 percent pure, and 1 ounce of cocaine. Wright admitted he had brought the heroin to deliver to Nolan Mack. Wright was convicted in Chicago Municipal Court for possession; however, the Illinois Supreme Court later reversed the conviction.

In April 1957 Mack was reported as source of supply for defendant James Goodab, in case Illinois-7459; and for Clifford Benton in case Illinois-7463. He was also named as source of heroin for Arthur Morse, who, in turn, was supplying Ollie Brantley of Detroit, Mich. In May 1957 Robert Jordan, arrested with heroin at Dayton, Ohio, stated his source of supply was Mack. Richard Cain and five others arrested in St. Louis, Mo., case Missouri-8576, had obtained their heroin from Nolan Mack. In case Wisconsin-38-M, reported May 21, 1958, at Milwaukee, Wis., defendants Joseph Wilson and Finnell Lee stated that they had obtained narcotics on prior occasions from both Nolan and Helen Mack.

On June 18, 1961, Shelby Faulk, a known narcotic trafficker at Chicago, Ill., was found shot to death. Information later developed to indicate that Faulk and Mack had pooled their money to make a purchase of narcotics, and it was believed that Faulk may have been robbed of the money and shot. Mack was also suspected of this murder.

Mack is presently known to be in the narcotic traffic at Chicago, Ill., and is believed to be supplied by Italian suspects in this area. Evidence is now being assimilated, and it is hoped a case will be developed to involve Mack as a defendant in the very near future. None of the information thus far known and being developed will be herein reported, as it might jeopardize this investigation. It is anticipated that the case will have to be developed along the lines of a conspiracy indictment, due to the fact that Mack is very cautious and appears to be dealing only through known and trusted "runners." Most persons who are approached with the idea of assisting in the initiation of a case against Mack, express fear of being killed by Mack, and refuse to cooperate in such an endeavor.

FRANK JOSEPH PANATERA, FBI No. 301396B

Frank Joseph Panatera, FBI No. 301396B; Chicago Police identification No. E-458; and Federal Bureau of Narcotics national list No. 307, is a white male, of Italian descent. He is 5 feet 8 inches tall, weighs 204 pounds, has dark brown hair, brown eyes, medium complexion, and heavy build. He was born August 24, 1926, at Chicago, Ill.

In the files of the Federal Bureau of Narcotics at Chicago, Ill., Panatera and Charles Bartoli were reported in September of 1951 to be "runners" for Jack Rizzo in the narcotic traffic. In case Illinois-6751, reported April 1952, Panatera was named as the source of supply for defendant, Joseph Doyle. Panatera was also listed in case Illinois-6869, reported December 1952, as the source of supply

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1079

for Peter Gushi and James Cordovano. Panatera has also been mentioned as a partner in a tavern located at 2600 South Wallace, with James Cordovano.

In case Illinois-6856, reported January 2, 1953; Frank Panatera, Joseph DiCaro, and Frank Pasqua (of New York), were named as defendants. This case involved purchases totaling about 26 ounces at Chicago, Ill. On May 18, 1954, Panatera pleaded guilty and was sentenced to 2 years; DiCaro was sentenced to 3 years on that date; and on June 28, 1954, Pasqua was found not guilty. Pasqua was reported as the source of supply in this case, and his source was listed as Vince Liberti and Joe Rossi of New York City. While this case was pending, awaiting trial, Panatera was severely beaten, allegedly by Joey Pacella, Angelo La Pietra, and Anthony Maenza, reportedly on orders from Frank Pasqua because Panatera had cheated him out of some money. Pacella was later shot and wounded, an act attributed to Panatera in retaliation for the beating.

In case Illinois-7154 reported December 17, 1953, Anthony Annerino was named as the source of supply for Marvin Moses, and his source was named as Panatera and Pasqua.

On October 6, 1958, a special employee met with Panatera and Cordovano at the Nightingale Tavern, 2600 South Wallace. He attempted to engage the above two in a conversation regarding the supply and sale of heroin; however, they would have no part of this conversation, alleging they were no longer engaged in the traffic, since their convictions. Panatera is still to be seen in the area of 26th and Wallace, associating with the same persons formerly convicted for narcotic violations in that area. He is regarded by the Chicago police as a hijacker and interstate shipment thief; as are his associates, Cordovano, Gushi, DiCaro, and others.

SALVATORE PISANO (DECEASED), FBI No. 765916

Salvatore Pisano, alias Solly, alias One-eyed Solly, FBI No. 765916; Chicago police identification No. E-53844; Federal Bureau of Narcotics national list No. 316A, and Mafia Book No. 156, was a white male of Italian descent, 5 feet 4 inches tall, weighing 250 pounds, heavy build, ruddy complexion; black-graying hair and balding, with brown eyes, the left one was false. He was born November 6, 1906, at Chicago, Ill.

In case Illinois-5926, reported December 26, 1945, Salvatore Pisano and Frank Accettura are listed as defendants. Pisano was convicted and sentenced April 15, 1946, to 3 years. There was no mention in this case as to Pisano's source of heroin. In case Illinois-6218, reported October 10, 1948, defendants Joseph Daley and Harry Winefield were reported to have obtained their heroin from Pisano. Case Illinois-6201, reported February 3, 1949, listed Pisano as the source of heroin for defendant in this case, Morris Taylor.

Case Illinois-6254, reported January 17, 1950, listed Pisano and five co-defendants, one of whom was George Ginnone. Two indictments appeared to have resulted from this case against Pisano. On March 27, 1951, Pisano was sentenced to 5 years in Docket No. 50-CR-369; and on May 23, 1951, he was sentenced to serve another 5 years consecutive with the above, in Docket No. 50-CR-407. Pisano appealed and, on January 4, 1952, he surrendered for service of the above total 10-year sentence. Ginnone stated the source of supply was a John Doe, alias Jerry, from New York. Investigation indicated the source was James Sherry, alias Jerry and James Cippolaro, both of New York.

In case Illinois-6348, reported February 6, 1950, Maurice and Alpha Koen were reported as defendants. The source of heroin for the above defendants was listed as J. B. Bowman, reputed "runner" for Pisano.

In case Illinois-7863, reported March 21, 1960, and presently pending, a purchase of approximately 9 ounces of heroin was made by a special employee for \$6,000 from Salvatore Pisano. Surveillance agents observed defendants Spartico Mastro and Anthony Dichiarante deliver the above narcotics to Pisano, prior to his delivering them to the special employee. Salvatore Pisano died on April 5, 1962. This case is yet to be tried at Chicago, Ill., in Federal court.

JEREMIAH HOPE PULLINGS, FBI No. 2747798

Jeremiah Hope Pullings, FBI No. 2747798; Federal Bureau of Narcotics National List No. 322; Chicago Police Identification No. E-22316, is known to have used the aliases of James V. Evans; Gerald Wright; and Gerald Wilson and is a Negro male. He is 6 feet tall, weighs 225 pounds, has black-graying hair, brown eyes, medium brown complexion; and heavy build. He was born

1080 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

September 24, 1918, at Wilmington, Ohio. He is now believed to be living at 949 East 84th Street, Chicago, Ill., under the alias of Gerald Wilson, with his girl friend Dolores Keeby.

In the year 1951 Pullings was reported to the Chicago, Ill., office as a defendant in case Ohio-3689, which had been initiated at Dayton, Ohio. Codefendant in this case with Pullings was his paramour, Marie Gilmore, alias Mona Evans. Both were wanted as fugitives from Ohio for the above case. On August 17, 1954, both Pullings and Gilmore were arrested at Chicago, Ill. They had been living at 9413 South Vernon, and Pullings had been managing a Standard gasoline service station under the name of James Evans, at 400 East 95th Street. Pullings was dismissed from this case and Gilmore was found guilty and sentenced to 2 years in prison.

It was about 1954 that Pullings was alleged to be partners with William Evans, known narcotic trafficker, later convicted in California in case California-5400. Prior to Gilmore going to prison, Dolores Keeby came to live with them as a housekeeper at 9413 South Vernon, at which time she began assisting Pullings and Gilmore in the narcotic distribution. She continued in this capacity after Gilmore went to prison and ultimately lived common law with Pullings. In 1956 Pullings entered into a partnership with Morris Roller and Bondsman Winston Mardis in the Artistic Builders, specializing in construction subcontracting and home modernization.

This company soon became a "front" for Pullings' narcotic business. Calls would be received at this location, after which Keeby would contact the customers, take their orders, and make delivery. From 1954 to 1958 Pullings, et al., was known to be supplying heroin to James and Gladys White, Lee Shorten, Jesse Maroy, and Lydia and Maple Shorten. Cases were ultimately developed against all of these defendants, the latest being Lydia Shorten, in the first part of 1958. After Gilmore's release from prison in 1957 she and Florine Johnson began selling heroin with Pullings and were supplying Stanley Woods and Victoria Basemore, and Loretta and Frank Sasser, all of Detroit, Mich.

In the latter part of 1957 and early 1958 purchases were made from Pullings, Alice Gilmore, and Florine Johnson by special employee Victoria Basemore and a narcotic agent. Subsequent investigation and development of information resulted in an indictment September 2, 1959, using the evidence and testimony from the case against Lydia Shorten, who corroborated the prior dealings of Pullings with Maroy, and James and Gladys White. The case, Illinois-7885 named Pullings, Gilmore, Johnson, Morris Roller, Keeby, James and Gladys White, Chicago Police Officers Sheldon Teller, Miles Cooperman, and Richard Austin; Armondo Piemonte, and William Jones, alias Bilbo. All were charged in a conspiracy count to violate the narcotic laws.

The trial commenced in February 1961. Stallsworth had died; Roller became a witness for the Government and was dismissed as a defendant. On March 1, 1961, Piemonte was dismissed when witness Otis Sears failed to identify him as the source of supply introduced to him by the police officers. William Jones was found not guilty on March 18, 1961. This same date Federal Judge Joseph Perry, during jury deliberations, took it upon himself to dismiss Cooperman, Teller, and Austin by granting a directed verdict of acquittal. James and Gladys White were found guilty and were granted new trials by Judge Perry.

Pullings was convicted and sentenced to 12 years and fined \$10,000; Keeby was convicted and sentenced to 6 years and fined \$5,000. Johnson was convicted and sentenced to 8 years and it was later reduced to 5 years with no fine. Gilmore was convicted and sentenced to 10 years, no fine. Pullings, Keeby, and Gilmore filed an appeal which is presently pending.

In case Illinois-8102, three purchases of heroin were made by a special employee from Charles Spencer, a known associate of Pullings, during February and March 1962. During negotiations for the third purchase, March 2, 1962, Pullings was observed in the area and accompanied Spencer to Spencer's residence after Spencer received the money for the purchase. Pullings was also seen in the area of the "plant" of narcotics, after Spencer had left it with exhibit No. 3. He appeared to be looking the area over. Spencer was arrested subsequent to this purchase, and Pullings then could not be located. No narcotics were found in the "plant" and no marked money was found on Spencer. It is believed that Pullings may have had the money.

ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS 1081

Spencer's trial commenced September 25, 1962, and the special employee refused to acknowledge even knowing Spencer. After good corroborative testimony was given by the surveillance agents regarding the purchases, Federal Judge Richard Austin found Spencer not guilty. It is still felt that Spencer is in the traffic; and Pullings is either supplying him or has made arrangements to have him supplied.

JACK MARTIN RIZZO, FBI No. 281857B

Jack Martin Rizzo, FBI No. 281857B; Chicago Police Identification No. D-98576; Federal Bureau of Narcotics National List No. 329B; is a white male of Italian descent, 5 feet 10 inches tall, weighing about 175 pounds, with black hair, brown eyes, and dark complexion. He is of medium build and was born September 18, 1923, at Chicago, Ill.

The files at Chicago, Ill., Federal Bureau of Narcotics indicates the early mention of Rizzo as the source of supply for heroin for defendant Paul Joseph, reported January 4, 1951, in case Ill-6599.

Subsequently, in case Ill-6763 reported December 30, 1952, Rizzo was named as a defendant with Lewis Anzelmo and Negro peddler Robert Payne. This case was developed through purchases of approximately 25 ounces of heroin during a period from September 1951 to December 1952 from the above defendants. Rizzo pleaded guilty on October 14, 1953, and was sentenced to 3 years in prison and fined \$600. The heroin purchased in the above case was alleged to have been obtained by Rizzo from Frank Pasqua of New York. Rizzo was also alleged to have obtained heroin on occasions from Patrick Russo, National List No. 338. During this period Charles Bartoli and Frank Panatera, National List No. 307 were alleged to have been runners for Rizzo.

In 1952 Rizzo purportedly owned an interest in two used-car lots located at 3901 and 3629 North Western; Chicago, Ill. He also reputedly had an interest in a tavern at 624 West Division, which was operated by his codefendant Robert Payne; and an interest in the Spotlight Tap, 3113 North Broadway.

In case Ill-7458 Rizzo was reported to have been the source of supply for defendant Sabastian Cannata, reported February 26, 1957. In this period he was also reported as source of supply for Stanley Kapsalis of Chicago and Sam Gadds of Detroit, Mich.

In 1958 Rizzo reportedly had an interest in the Fountainbleau Tavern, 3920 North Broadway; Kelly's Lounge, Wilson and Broadway; and Harry's New Yorker Bar, 900 North Rush Street. As recent as October 1962 Rizzo was reported to have an interest in the Spotlite Motors Garage, 713 West Diversey, and is suspected of using this location to strip stolen autos. He reportedly now lives at 1458 West Wilson with his father.

Attempts by narcotic agents and special employees from 1958 to 1960 to meet with Rizzo and discuss narcotic trafficking have proved futile. No information has appeared in the files of late to indicate that Rizzo has reentered the narcotic traffic.

JUNIUS ROBINSON (DECEASED), FBI No. 367698A

Junius Robinson, alias Junior Robinson, alias Junior Robertson, alias Robert Lee, alias Stale Bread; FBI No. 367698A; New Orleans Police Identification No. 81083; Federal Bureau of Narcotics National List No. 334. Robinson was a Negro male, 5 feet 8 inches tall, weighing 160 pounds, he had maroon eyes, black hair, medium build. He was born November 15, 1926, at New Orleans, La.

This violator was principally known as a trafficker at New Orleans, La. The only information connecting him with Chicago were reports from New Orleans regarding his frequent trips to Chicago and the toll call listings on his residence phone indicating calls to Chicago.

During 1957 the above toll calls indicated very frequent contact with one Violetta Foster, then living at 601 East 36th Street, Chicago, Ill. It was felt that Foster was either Robinson's source of heroin, or that she was making contact for Robinson with his source of heroin at Chicago. Foster did not appear to be in the narcotic traffic to the extent that she could have kept Robinson supplied with his supply.

A report of July 30, 1958, indicated that information was received about a George Williams being Robinson's source of heroin. Later investigation of the Williams mentioned, did not indicate him to be of a caliber that could supply Robinson either. There was another George Williams in the Chicago, Ill., area who may have been capable of being Robinson's source of supply, however.

1082 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

No definite information or leads were ever developed to positively identify Robinson's source of heroin. Robinson died November 1, 1958, at New Orleans, La.

JAMES VINCENT RUSSO, FBI No. 3811016

James Vincent Russo, FBI No. 3811016, Chicago Police identification No. D-74854; Federal Bureau of Narcotic National List No. 337, is white male of Italian descent, 5 feet 4 inches tall, weighing 165 pounds, with brown eyes, black-graying hair, medium build, and a paralytic right leg. He was born March 12, 1915, at Chicago, Ill.

Russo was reportedly involved in an internal revenue liquor law violation in 1944, in which he was convicted and sentenced to 18 months. In case Ill-6481, reported March 3, 1950, by the Federal Bureau of Narcotics, defendants Nathan Chiarelli and Sam Serritella, both known narcotic violators, while awaiting trial in this case, were both observed associating with James Russo and Oscar Spruett, also a known Negro narcotic violator. When Chiarelli and Serritella went to prison in March 1951 for this case, they reportedly turned their narcotic business over to James Russo and John Dispensa. Dispensa is presently in prison as a result of being convicted in case Ill-7655, reported in December 1958.

In case Ill-6606, reported December 14, 1950, defendant Oscar Pierck, national list No. 316, revealed that he had obtained his heroin from Nathan Chiarelli, and also admitted having made purchases of heroin from Serritella and James Russo. In case Ill-6845, reported April 20, 1952, defendant Gerard Nisivaco was reputedly obtaining his heroin from Russo. In case Ill-7177, reported August 25, 1955, Russo was listed as the source of supply for defendant Ernest Williams.

In case Ill-7184, reported August 1, 1955, Russo was a defendant with Louis Manella, and August Lo Coco. Russo entered a plea of guilty and was sentenced to 5 years in prison on January 11, 1956. Minella and Lo Coco were dismissed. Russo was released in August 1959. The source of supply for Russo in this case was reported to be Joey Pacella, an associate of Frank Pasqua.

PATRICK RUSSO FBI No. 690068

Patrick Russo, FBI No. 690068, Chicago Police identification No. C-50547; Federal Bureau of Narcotics National List No. 338 and Mafia Book No. 160, is a white male of Italian descent, 5 feet 9 inches tall, weighing 225 pounds. He has brown-graying hair, hazel eyes, is of dark complexion and heavy build. He was born May 17, 1904, at Chicago, Ill.

In the year 1941 Russo was reported on a list of the 15 most important narcotic violators in the Chicago, Ill., area. In the early 1950's Russo was reported to have been the source of supply of heroin for Jack Rizzo, national list No. 329B. Theodore De Rose, now reported as a defendant in pending case Ill-7873, was once alleged to have been a runner for Russo.

A special employee reported in 1958 that back in 1950 he was introduced to Joseph Bruno by Marvin Moses. That he bought heroin from Bruno until 1953, after which he met alias Joe, whom he identified as Patrick Russo. That he continued buying heroin from Russo until about 1957 (having it delivered by other persons), after which, Russo changed his operation, and would telephone the special employee, take his order, and Isaac Hill, national list 182A, would deliver the heroin and collect the money.

In 1958 Frank Borelli, national list No. 38, an associate of Anthony Pisciotta and Thomas Garibaldi, both of New York, was a defendant in a case in New Jersey and was in Chicago fighting removal proceedings. While at Chicago on bond, the bonding company had only the phone and address of the Hub Tavern, owned and operated by Russo, by which to contact Borelli. Borelli was later reported to have spent a lot of time at this tavern associating with Russo.

In November 1959, a special employee and narcotic agent met with Russo at the Hub Lounge. They approached Russo on the subject of narcotics and Russo alleged that he had been out of the business for the past 7 years, on orders from the syndicate. He also told the special employee that Frank Borelli in New York might help them or introduce them to someone in New York who could supply them with heroin. Russo never subsequently contacted the special employee to fulfill his intention of introducing him to Frank Borelli.

The file of Chicago, Ill., Federal Bureau of Narcotics do not reveal that Russo was ever charged or reported as a defendant in a narcotic case.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1083

FRANK SANTORE, FBI No. 731130A

Frank Santore, FBI No. 731130A, Federal Bureau of Narcotics National List No. 350, and Mafia Book No. 161; is a white male of Italian descent. He is 5 feet 9 inches tall, weighs 167 pounds, has brown eyes, dark brown hair, swarthy complexion, and medium build. He was born January 23, 1915, at Melrose Park, Ill.

In case Ill-6710, reported June 5, 1951, defendant Frank Santore, Anthony Santore, Frank Laino, and Eugene Burton were charged with purchases and seizures amounting to over 11 ounces. Frank Santore was found not guilty on January 3, 1952. Laino and Burton were dismissed on January 11, 1952. Anthony Santore was found guilty and was sentenced to 5 years in prison on January 30, 1952. The source of supply for heroin in this case was listed as Rocko and Andrew De Grazia. The initial meeting of a narcotic agent and Anthony Santore took place in the Lumber Gardens Lounge, Melrose Park, Ill.; this was the forerunner of the Casa Madrid Lounge, and was even then operated by the De Grazia's.

The Santore brothers were once believed to have been the source of supply for heroin for Nathaniel Spurlark, national list No. 377. No information has appeared in the files at Chicago, Ill., since the above dated case, to indicate that Frank Santore has continued in the narcotic traffic.

HARRY SCHENNAULT, FBI No. 624023

Harry Schennault, FBI No. 624023; Chicago Police Identification No. D-81892; Federal Bureau of Narcotics national list No. 355 is a Negro male 6 feet 2 inches tall, weighing 170 pounds, with brown eyes, black-graying hair, thin build, medium brown complexion. He was born May 31, 1901, at Tulsa, Okla.

Harry Schennault was first mentioned in the files of the Chicago office of the Federal Bureau of Narcotics as follows: In case Ill-6487, reported February 28, 1950, he was reported as the source of supply for defendant Delphine McGee, who later became his paramour. In case Ill-6566, reported June 28, 1950, Schennault was reported as the source for defendant Edwin Perkins and Robert F. Riley. In case Ill-6676, reported June 12, 1951, he was reported as the source for Marie and Michael Battiesse. In case Ill-6700, reported May 16, 1951, defendant Jean Gibson was arrested and about 13 ounces of heroin were found in her apartment. She stated she had been living with Schennault for the prior 2 weeks, and the heroin was his.

In case Ill-6732 reported November 15, 1951, Schennault was charged with a 13-count indictment for heroin purchased from him, seized from him, and that heroin seized from Jean Gibson in the above case Ill-6700. Schennault was found not guilty on counts 10 and 11 on February 20, 1952, by Federal Judge Sullivan. He was found guilty by Federal Judge Patrick Stone on February 28, 1952, on counts 12 and 13, and was sentenced to 5 and 7 years to run consecutively with a fine of \$7,000. Schennault appealed and it was affirmed. Schennault began serving sentence on May 13, 1953, and on April 5, 1954, Judge Stone amended the sentence by suspending the 7-year sentence, and replacing with 7 years probation.

In case Ill-6797, reported January 15, 1952, Schennault was listed as the source for defendant Margaret Weaver. Case Ill-7017, reported July 27, 1953, involved defendant Brutus Lewis. Lewis was always considered a "runner" for Schennault, and was alleged to have been an illegitimate son of his. Lewis is now deceased. Case Ill-7245, reported June 26, 1956, again involved defendant Delphine McGee. Her source again was listed as Schennault, who was now considered her paramour. In case Ill-7300, reported September 28, 1955, Joseph C. Saddler was reported to have taken over all the narcotic customers of Schennault, after his incarceration, on May 13, 1953.

Case Ill-7623 was reported April 10, 1958, charging a violation against Comfort Fairley. His source of supply for heroin was Harry Schennault, and he elected to cooperate in the initiation of a case against Schennault, which was reported as case Ill-7627.

In case Ill-7627, reported June 4, 1958, special employee and defendant, Comfort Fairley, cooperated and made a purchase of heroin from Harry Schennault. Schennault was convicted on this charge on October 28, 1958, and was sentenced to 10 years, and fined \$100. Prior to the conviction of Schennault the Special Employee Comfort Fairley was wounded by a shotgun blast from an unidentified assailant. He recovered and subsequently testified against Schennault in court.

1084 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

There is no information to indicate who the source of supply for heroin for Schennault was. Delphine McGee was fatally shot on October 25, 1958, at Chicago, Ill. It was strongly suspected that Schennault shot her over an argument for her to relinquish money which he had entrusted with her, so that he could prolong a court fight in regard to the above case Ill-7627. Nothing could be proven against Schennault in the above shooting.

In case Ill-7573, reported May 5, 1958, defendant Marie Battiesse again named Schennault as her source of supply for heroin. Case Ill-7667, reported October 14, 1958, charging defendant Harry Arthur Lewis, Schennault was listed as the source of supply. In case Ill-7698, defendant Melvin Cross was listed as having secured his heroin from Schennault.

Schennault was known to every major narcotic trafficker in the Chicago, Ill., area; including both Negro and Italian. Harry Schennault is presently incarcerated.

OTIS SEARS (DECEASED), FBI No. 4852051

Otis Sears, alias Otis Scales, FBI No. 4852051, was a Negro male, 5 feet 9 inches tall, weighed 215 pounds, had black hair, brown eyes, dark brown complexion, stocky build. He was born December 20, 1914, at Hattiesburg, Miss.

Otis Sears is first mentioned in the files of the Federal Bureau of Narcotics at Chicago, Ill., in case Ill-6002. This case, reported June 20, 1947, lists defendants Otis Sears and Robert Wolfe. Sears was acquitted October 17, 1947. Wolfe was reported in this case as a "runner" for Sears. The source of supply of heroin for Sears in this case was Ralph Alexander.

In case Ill-6133, Otis Sears was reported April 16, 1948, as a defendant with five other codefendants, including his source of supply Ralph Alexander. Alexander and Ross Robinson were convicted and sentenced in this case. The other defendants, including Sears, were dismissed. Alexander's source of heroin was reported in this case to have been Morris Taubman, Isadore Kayne, William Murphy, and Salvatore Pisano at different periods of time.

In case Ill-6256, reported March 4, 1949, Sears was listed as a defendant with Curtis Little. Sears entered a plea of guilty in this case and was sentenced December 8, 1949, to 1 year and 1 day in prison. Case Ill-6400, reported October 20, 1949, listed defendants Otis Sears and Ella Mae Long. This case was dismissed as to Sears, after he had entered a plea of guilty and was sentenced in case Ill-6256. Sears was released from the above sentence on October 13, 1950.

In case Ill-6767, reported January 15, 1952, Sears was again charged for violation of the narcotic laws. It was brought out by Sears' attorney that the Bureau of Narcotics had told Sears they would make a recommendation on his behalf to the U.S. Attorney's office, if he would cooperate. This recommendation had actually been made. However, while this case was pending, Sears was again arrested for violation of the narcotic laws in case Ill-6999, so the Bureau withdrew their recommendation on behalf of Sears. When Judge Sullivan was apprised of the fact that a recommendation had been made, he found Sears not guilty. Sears had cooperated and initiated cases against Madison Young and John Thomas at New York in case New York State 8907; and against O. C. Campbell, of Detroit, and Frank Preston of New York; both were reported in case New York State 8908.

SAM SERRITELLA, FBI No. 2677927

Sam Serritella, FBI No. 2677927: Chicago Police Identification No. D-57540; Federal Bureau of Narcotics national list No. 356 is a white male of Italian descent. He is 5 feet 11 inches tall, weighs 175 pounds, has brown eyes, black hair, is of dark complexion, and medium build. He was born July 24, 1921, at Chicago, Ill. Serritella is presently incarcerated.

In 1942 Serritella was placed on 1-year probation after he pleaded guilty to a charge of violating the Internal Revenue liquor laws. Again, in 1944, on a plea of guilty he was sentenced to 3 years in prison. In 1946 the Federal Bureau of Narcotics considered Serritella 1 of the 15 most important narcotic violators in the Chicago, Ill., area.

In case Ill-5552, reported at Chicago on April 23, 1943, Serritella and 18 other defendants were charged with violating the Federal narcotic laws. This case involved the purchases and seizures of approximately 150 ounces of heroin from January 1942, to February 1943. Serritella was convicted and sentenced June 29, 1944, to 1 year and 1 day on three counts of this indictment. The sentence was to run concurrent with that received for the above-mentioned

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1085

liquor law violation. The source of supply of heroin for Serritella in this case was not shown. Serritella was paroled June 3, 1946.

In case III-6481, reported March 3, 1950, Sam Serritella and Nathan Chiarelli were named as defendants and were charged for possession of about 6 ounces of heroin. Serritella and Chiarelli were convicted March 9, 1951, and were sentenced to 5 and 3 years in prison, respectively. The source of this heroin was not determined; however, while the case was pending, known narcotic violator, Jake Klein, was reported to have approached two Chicago police officers and asked if anything could be done for Chiraelli. The case was originally initiated by the Chicago Police Department.

On July 17, 1950, narcotic agents stopped Sam Serritella, James Russo, national list No. 337; and Oscar Spruell who were seen together in an automobile. Spruell is a known Negro narcotic violator, presently incarcerated. In case III-6606, reported December 14, 1950, defendants Oscar Pierce, national list No. 316 and Isabelle Thomas were charged with the possession of 26 ounces of heroin. Pierce admitted his source of supply for the above seizure was Nathan Chiarelli and that he had bought heroin from Sam Serritella and James Russo on prior occasions.

In case III-7309, reported January 24, 1956, defendant Mack Thomas, national list No. 393D allegedly had obtained his heroin from Serritella and Chiarelli on occasions. In case III-7387, reported September 7, 1956, defendant Simon Stalls-worth, now deceased, named Chiarelli and Serritella as his source for heroin; and cooperated in the initiation of case III-7399 against the above two defendants.

Case III-7399, reported January 17, 1957, named Serritella, Chiarelli, and Salvatore Nugara as defendants. Serritella was convicted June 25, 1957, and was sentenced to 10 years in prison and fined \$2,000 and costs. Chiarelli was also sentenced to 10 years, and Nugara to 5 years. In case III-7427, reported December 20, 1956, Serritella was named as the source of heroin for defendant Thomas Lee.

In 1958 Lawrence Lemons, then a defendant, related that he had attended grade school with Serritella; and that he started buying heroin from him in the early 1940's. When Serritella and Chiarelli were convicted in case III-6481, Serritella, before going to prison in March 1951, introduced Lemons to James Russo and John Dispensa, both of whom were to take over the business. In 1953, Lemons went to prison in case III-6760, and upon his release in 1956 he resumed contact with Serritella and Chiarelli and purchased narcotics from them until June 1957 when they were convicted and sentenced in case III-7399.

Prior to being sentenced on this occasion, Serritella introduced Lemons to Armondo Piemonte for his heroin. Lemons made only one buy from Piemonte after which Serritella related that he could not trust Piemonte (it was believed Piemonte was not furnishing Serritella with a share of his profits). Serritella then turned his business over to Dispensa and his partner Phillip Vittoria. Dispensa had been convicted with Serritella in 1944 for a liquor law violation. Piemonte was subsequently convicted and is now incarcerated from case III-7565.

In case III-7655 Dispensa became a defendant with Vittoria, and with Dispensa's source of supply in New York: Nicholas Esposito, Saverio Schifano, and Dominick Gentile. All were convicted and sentenced to prison. Morris Rosenguard, of Chicago, was also convicted and sentenced in this case. Serritella is listed in the Federal Bureau of Narcotics Mafia Book as No. 162.

From his record, it would appear that Serritella, like most other prominent narcotic traffickers, is a confirmed peddler and will never engage in any legitimate endeavor to earn a living.

In case III-6999, reported November 19, 1952, Sears was convicted and sentenced December 26, 1956, to 5 years. Sears appealed this case, and the appellate court affirmed the conviction. Sears then appealed to the Supreme Court, and the case was remanded to the district court for "clarification of the finding of fact" directing this order to remarks made by the trial judge, Joseph S. Perry, which appeared not consistent with the finding of guilty. Judge Perry, on August 18, 1958 made a "clarification of the finding of fact" and reduced the sentence from 5 to 2 years and 6 months. Sears again appealed, and the appellate court, on April 13, 1959, remanded the case back to the district court for a new trial. This indictment was dismissed on September 14, 1959, due to the fact that Sears had been granted immunity to testify in case III-7885.

1086 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Sears was reported June 4, 1959, in case NYS-1219 at New York as a defendant in a conspiracy case naming Sears' sister Emma Ward, and eight other defendants, including the source of supply for Chicago Narcotic peddlers Sears, Nathaniel Spurlark, and Rupert Kelly; Joh Freeman and Freeman's source of heroin Joseph Valachi, both of the latter being from New York.

In case Ill-7885, reported at Chicago, Ill., on January 29, 1960, Sears was one of the principal witnesses, and was named a coconspirator not charged. The case included three Chicago police officers: Sheldon Teller, Miles Cooperman, and Richard E. Austin with 10 other defendants. Sears' testimony evolved around monthly "protection" payments he had been making to the above officers, purchases of heroin he had made from them, and an introduction by them of him to a "connection" for heroin, Armando Piemonte. Sears testimony was partially corroborated by his paramour Earthie Lee Grace.

During the trial Judge Joseph Perry moved that all of Sears' testimony be stricken, due to the fact that he questioned Sears ability to tell the truth. (Sears had testified in his own behalf before Judge Perry in his own case Ill-6999, and had denied under oath that he was a narcotic peddler.) The trial of this case took place in March 1961. Judge Perry dismissed the police officers, a directed verdict of acquittal, which he had reserved ruling on, while the jury in this case was in the middle of deliberations.

The files reflect that in case Ill-6025, reported May 23, 1947, Sears was alleged to be the source of heroin for defendant in this case, Queen Sanders. In case Ill-6193, reported October 11, 1948, Sears was reported to be the source for defendant Guy Berry. In case Ind-854, reported September 13, 1949, Sears was named as the source of defendant in this case by Sylvester Williams of Gary, Ind. In case Ill-6192, reported May 12, 1949, Sears was named as source for Maurice Koen, defendant in this case. In case Ill-7250, reported February 25, 1956, Sears was listed as the source for defendant James Clark.

In case Ill-7665, reported July 16, 1958, Sears was named as source for defendant Richard Burke. In case Ill-7733, reported December 29, 1958, listed defendants Elinor Smith, Geraldine Wood, and Robert Jackson. Wood was obtaining heroin for the above from Earthie Lee Grace, who was the paramour and "runner" for Otis Sears. Wood assisted in the initiation of case Ill-7748 against Earthie L. Grace. Wood also gave information to the effect that police officers Cooperman and Teller had originally introduced her to Sears so she could purchase heroin to satisfy her habit.

In case Ill-7748, reported December 22, 1958, defendant Earthie L. Grace stated her source was Otis Sears. Grace agreed to cooperate and testified in case Ill-7885, regarding her knowledge of the activities of police officers Cooperman, Teller, and Austin, in regard to the monthly payoffs and their deliveries of heroin to Sears. The above case against Grace, also resulted in Sears offering his cooperation in case Ill-7885. Sears was also reported to be the source of supply for heroin for defendant Chester Brown, case Ill-7768, reported February 17, 1959.

Sears died of natural causes on December 14, 1961, at Chicago, Ill.

NATHANIEL SPURLARK, FBI No. 335266D

Nathaniel Spurlark, alias Ted Spurlark, alias John Spurlark, FBI No. 335266D; Chicago Police Identification No. E-35821; Federal Bureau of Narcotics National List No. 377 is a Negro male 5 feet 10 inches tall, weighing 200 pounds, with black hair, brown eyes, medium build, and medium brown complexion. He was born October 11, 1909, at Pickens, Miss.

In case Ill-6982, reported November 12, 1952, charged Nathaniel Spurlark and Troy McClain with violating the narcotic laws. This case was dismissed as to Spurlark on February 19, 1954, due to a change of testimony by former Narcotic Agent Edward Gayles. Spurlark was again charged in case Ill-7055, reported January 4, 1954. Charges were subsequently dismissed by the U.S. attorney's office due to the lack of corroborating testimony. The source of supply for heroin for Spurlark in this case was alleged to have been William DiGiovanni, then a defendant in case Ill-7039.

Spurlark was listed as the source of supply for William Kelly and Julius Johnson case Ill-7187, reported September 29, 1955. The above defendants received their heroin from Noble Thigpen, who was then a "runner" for Spurlark. In case Ill-7872, reported October 2, 1958, defendant Noble Thigpen admitted his source of heroin was Nathaniel Spurlark. Thigpen later testified in case

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1087

Ill-7884, in which Spurlark was ultimately convicted. A report of 1958 alleges that Spurlark's source of heroin was John Foreman (known as John Formosa), of Gary, Ind. No information was ever developed to substantiate this allegation.

In case Iowa-642, reported September 25, 1958, defendant Mannette Maljohn, of Davenport, Iowa, named Spurlark as her source of heroin. She also later testified in the prosecution of Spurlark in case Ill-7884. In December 1958 Spurlark is mentioned as the source of supply for Leon Jones, alias Lightening. Later information indicated that Leon Jones actually took over as Spurlark's principal "runner" and "plant" man after the incarceration of Willard Jones. Willard Jones had taken over this position from Katie B. Lewis, who died in 1956. Leon Jones has never been a defendant.

In case Ill-7879, reported October 5, 1959, defendant Willard Evans named Dennis Green, National List No. 169, as his source of supply. Green's source of heroin was Spurlark. Evans also testified in case Ill-7884 against Green, Spurlark, Arthur Faulkner, and former narcotic agent Edward Gayles. All were convicted.

In case Ill-7910, reported February 8, 1961, the defendant was William Smith, a customer of Spurlark. Smith also appeared and testified against Spurlark in case Ill-7884. Spurlark was also reported on December 2, 1960, as the source of supply in case Ill-7913. Williams was indicted in case Ill-7884, with Spurlark et al., however, he was dismissed, due to the fact that testimony against him might have been prejudicial to other defendants and jeopardize proper presentation of the case. Williams was convicted and sentenced in this case, Ill-7913, and was sentenced to prison.

In case Ill-7918, reported August 31, 1960, the defendants are James A. White and Joel Bridgeforth, this case presently pending. On prior occasions White was known to have obtained heroin from Spurlark, and may have on this violation. White's paramour, Gladys Davis, had been assisting Spurlark distributing heroin from 1958. She also was convicted in case Ill-7884 with Spurlark, et al. In 1959 William Rouzer, presently incarcerated, was obtaining his supply of heroin from Spurlark and did testify in case Ill-7884.

Case Ill-7884 resulted from an indictment returned September 2, 1959, charging Nathaniel Spurlark, Edward Gayles (former narcotic agent), Dennis Green, Arthur Faulkner, Willard Jones, Gladys Davis, Floyd Williams, Percy Johnson, and Cornelius Mack, with conspiring to violate the narcotic laws. Investigation had disclosed that Spurlark was probably the biggest Negro narcotic trafficker in Chicago, Ill. Through Dennis Green, Arthur Faulkner, and Willard Evans, Spurlark controlled the major supply of heroin to Chicago's West Side. Through Noble Thigpen, Willard Jones, Katie B. Lewis, Otis Sears (now deceased), Gladys Davis, Spurlark managed to almost completely monopolize the narcotic supply to the South Side of Chicago, also.

Through legal and operating advice of Edward Gayles, former narcotic agent, and later a defense attorney specializing in narcotic cases, principally on behalf of Spurlark, et al. and customers, through the services also of Attorney Joseph Clayton, now deceased, who also specialized in narcotic cases; and through a planned payoff system to Chicago narcotic officers; Spurlark managed to thrive in the narcotic traffic, virtually untouched, from about 1952 until indicted in 1959. Spurlark was once alleged to receive his narcotics from Harry Tantillo. His more recent source of heroin was from New York, but was not identified.

Spurlark is known to everyone in the Chicago area connected in any way with narcotics. He is alleged to have had interests in the following: A tavern called the Rodeo Club, later changed to Kim's Lounge, 1240 East 47th Street, more recently used by Spurlark as Martell's Toggery, a men's clothing store; the "311 Club" a tavern at 311 East 47th Street, the P. & T. Amusement Co., 342 East 43d Street, renting out jukeboxes and selling records and appliances, used as a "front" for collecting narcotic money from his "runners" and customers; the H. & G. Tavern, 47th and Calumet Street; Martell Products, Inc., 6236 South Cottage Grove Street, manufacturing and distributing cosmetic products; the three-story flat building located at 4131 South Drexel, where Spurlark once lived; a house and lot in Pickens, Miss., valued at \$12,000; and part interest in a gambling location at 3600 Block Street, Indiana Harbor, Ind.

On March 8, 1962, Spurlark, Gayles, Green, Faulkner, Jones, and Davis were convicted in case Ill-7884. Spurlark was sentenced May 22, 1962, to 10 years in prison. All six were released on appeal bonds, and the appeal is presently pending. Defendants Johnson, Mack, and Williams had been severed or dismissed.

1088 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

CARLO URBINATI, FBI No. 1065767

Carlo Urbinati, alias Urbanati, alias Joe Bananas, FBI No. 1065767; Chicago Police identification No. C-69016; Federal Bureau of Narcotics national list No. 406, is a white male of Italian descent, 5 feet 11 inches tall, 175 pounds, hazel eyes, black-graying hair, ruddy complexion, medium build. He was born January 22, 1917, at Chicago, Ill.

A report dated April 15, 1953, listed information from New York to the effect that John Tanno was there attempting to obtain a quantity of Amidone, a synthetic drug. It was determined that Tanno was an associate of Joseph Bruno and a John Doe, alias Carl; identified as Carlo Urbinati. In 1954 a special employee reported that Carlo Urbinati was in the narcotic traffic and had Pasquale Clementi as a "runner" for him. Both were alleged to frequent the Derby Lounge, 2356 Mannheim Road, Elmwood Park, Ill. Urbinati was then reported to have a source of supply for heroin in New York. It was later determined that Urbinati was the manager of the Derby Lounge.

In 1958 Urbinati was found to be married to Grace English, sister of Charles (Chuck) and Sam English. Charles is the operator of the Lormar Record Distributing Co., 5954 West Roosevelt Road, and is alleged to be in the gambling and "policy" racket in the Chicago, Ill., area.

In case, Ill-7495, reported at Chicago, Ill., September 8, 1957, Urbinati was reported as a defendant with Thomas Matas and Joseph Bruno, charged with participation in the sale of heroin and conspiracy. Urbinati was convicted on May 20, 1958, and was sentenced to 5 years. He was released January 20, 1962, after which he was to serve a 30-day probation sentence which had been imposed in 1958 for his being an accessory after the fact to the shooting of a narcotic agent by Dominick Argentine. The agent had followed Urbinati to the Triangle Inn Tavern, managed by Argentine, and was shot at that location.

It is alleged in the files that in 1954 three major groups existed on Chicago's West Side in the narcotic traffic, consisting of Carlo Urbinati and Patrick Clementi; Joseph Bruno, Charles La Paglia, and Mike Condic; John Tanno and Joseph Catalana. In 1956 Condic and La Paglia allegedly had a "falling out" with Bruno, after which Bruno became active with Urbinati and Tanno.

Urbinati is presently believed to be assisting his brother-in-law, Charles English, in the "policy" racket.

VICTOR ZINGARELLI, FBI No. 2064998

Victor Zingarelli, alias Victor Alioto, alias Victor Vistarelli, alias Victor Hamilton, FBI No. 2064998; Chicago Police Identification No. D-82389, is a white male of Italian descent, 5 feet 3½ inches tall, weighs 153 pounds, dark complexion, medium build, brown eyes, black hair. He was born October 13, 1915, at Chicago, Ill.

The files of the Federal Bureau of Narcotics at Chicago, Ill., list case Ill-5411, reported January 13, 1941, with defendants Victor Zingarelli, Ben Scardina, and Leo Tavolacci. Zingarelli entered a plea of guilty on May 14, 1941, and was sentenced to 1 year and 1 day in prison. Zingarelli's source of heroin in this case was alleged to have been Benny Morreale.

In case Ill-7022, reported December 30, 1952, Defendants Harold and Beverly Ballard at St. Louis, Mo., were believed to have been obtaining their heroin from Victor Zingarelli, alias Victor Hamilton. In Case Ill-7057, reported March 21, 1953, defendant Richard McGuire named his source of heroin as Victor Zingarelli. McGuire assisted in the initiation of case Ill-7076 against Zingarelli.

In case Ill-7076, reported April 3, 1953, Victor Zingarelli and a female, Lee Hamilton, are listed as defendants. On January 5, 1954, Zingarelli entered a plea of guilty and was sentenced to 10 years. The source of supply for Zingarelli was listed in this as Jack Rizzo or Carl Florito. A report of August 20, 1953, relates that Herman Fatchett, of St. Louis, Mo., was obtaining his heroin from Zingarelli.

In October 1958 it was reported that Victor Zingarelli was out of prison and was supplying heroin to Joseph Galassi. Attempts were made to locate Galassi, but were negative. A narcotics agent talking with Anthony Pisciotta of New York determined that Pisciotta knew Zingarelli from prison. Further attempts were made in Chicago to locate and make contact with Zingarelli; however, these efforts proved to be futile.

ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS 1089

KANSAS CITY

LEONARD AFFRONTI

Aliases: Lonnie, Albert Leonard, Joseph Fradella.

Description: Born May 24, 1898, Canada, 5 feet 7 inches, 155 pounds, brown eyes, grey hair, dark complexion, stout build.

Localities frequented: Resided at 514 Gillis, Kansas City, Mo.; currently incarcerated U.S. Penitentiary, Leavenworth, Kans.

Family background: Married to Billie Leroy; father, Antonio; mother, Antonina Fradella; five sisters, all married, one of them to Tудie Lascuola.

Criminal associates: Mike, Joe, Tудie Lascuola, Joe Olivo, Angelo Nigro, Jack Ancona, Frank Crapisi, all of Kansas City.

Criminal history: FBI No. 189847, Kansas City Police Department No. 66036, numerous arrests since 1919 including, highway robbery, murder, and two convictions Federal narcotic laws; currently serving 20-year sentence (narcotics); possible release in 1968.

Business: None.

Modus operandi: Interstate narcotic trafficker; a killer and strong-arm man for the underworld in the Missouri area.

SAMUEL CARROLLO

1. This subject is the younger brother of Charles Vincent Carrollo who for more than a decade was an important underworld figure in Kansas City, Mo. During the late 1920's and through the 1930's, Charles V. Carrollo was the "collection man" for the local crime syndicate and as a result of his prominence his brother, Sam, was granted certain concessions in the underworld. These gratuities consisted of "pieces" or interests in several syndicate crap games which were prevalent in Kansas City during that era. This lucrative income continued from the date that same attained manhood until Charles V. Carrollo was sentenced to 8 years' imprisonment in 1939 for perjury in connection with an income tax matter. At about the time of this conviction, Charles V. Carrollo fell into disrepute with the syndicate and Sam's interest in the gambling enterprises was terminated.

2. Following this loss of income, Sam began to deal in stolen merchandise, first by engaging as a "fence" for shoplifters and later extending his activities to the point where he was purchasing loot from burglaries in truckload lots.

3. In 1946, Sam Carrollo opened a used car lot on Truman Road in Kansas City, Mo., and used this establishment not only as a front for his fencing activities but also as an outlet for stolen automobiles which he allegedly obtained from a group of Minneapolis, Minn., auto thieves. In 1949, Sam purchased some real estate at 3520 Prospect Avenue in Kansas City, Mo., and moved his used car lot to this location where he continued his activity. By this time, Sam had acquired a wide reputation as a "fence" for stolen merchandise and was "in solid" with a number of "big time" thieves from Oklahoma, Texas, Nebraska, Iowa, and Illinois.

4. A short time later or during the early 1950's, Sam began to deal in heroin which he obtained through his close personal friend, Joe Iacullo, a well-known narcotic trafficker and professional killer of Chicago, Ill. In the beginning, the majority of Sam's narcotic activities were limited to bartering heroin to addict burglars and thieves for stolen merchandise. Later, Sam branched out in the drug traffic to the extent that he was supplying such notorious dealers as Tony Biase of Omaha, Nebr., and Harold "Fats" Wright of Tulsa, Okla., with heroin in wholesale quantities. During the interim, Sam became acquainted with Tony Dichiarante and Arthur Gasparro, associates of Iacullo in the narcotic traffic at Chicago, Ill., and continued to utilize this group as his source of supply throughout his career in the narcotic traffic. Carrollo terminated his narcotic activities when it appeared that "the heat" was on as a result of the arrest of an associate, Jack Roy Clayton of Kansas City, Mo., in September 1958, and has since contented himself with his fencing activities.

5. Throughout the years that Sam Carrollo was engaged in the narcotic traffic, he dealt with a highly select clientele and maintained such secrecy in his operations that not only were law enforcement officers unaware of his activities but he succeeded in keeping this knowledge from the local crime syndicate. This latter accomplishment was a necessity in view of the fact that in 1951 the syndicate forbade any member or associate in the Greater Kansas

1090 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

City area to traffic in narcotics for the reason that such activity brought undue "heat" upon gambling, the organization's most lucrative producer of income.

6. The subject resides with his wife and adopted son in the second floor apartment of a duplex which he owns at 3930 Saint John Avenue, Kansas City, Mo. Sam's present wife is an Iowa farm girl whom he met while on a pheasant hunting trip. This marriage, according to acquaintances, occurred a year or so after Sam was divorced from his first wife in 1949.

Personal description. Samuel Carrollo, FBI No. 3018274, Kansas City Police Department No. 33154. Subject is a white male, Italian descent, born at Kansas City, Mo., on August 21, 1914, height 5 feet 9 inches, weight 170 pounds, black hair, complexion dark, and build stocky.

ROBERT GARVER COX

1. The subject, Robert Garver Cox, was born and reared at Kansas City, Mo. He began his crime career at an early age and on March 31, 1939, was sentenced to 5 years in the Missouri State Penitentiary for robbery, attempted escape, and attempted sodomy. Shortly after his release on these charges, Cox married Marie Parker, a widely known shoplifter who was convicted for violation of the narcotic laws in 1929. During a portion of World War II, Cox served in the U.S. Army and upon his return from the service, he and Marie "fleeced" a wealthy Kansas City businessman out of a considerable sum of money. With this money, they purchased a \$42,500 duplex at 2813 Meyer Boulevard, at Kansas City, Mo. Sometime later Cox became infatuated with a young prostitute, Darlene Joyce Debauch, and after several estrangements, divorced his wife and married Darlene.

2. For the next several years, Cox spent considerable time away from Kansas City, while his wife plied her trade in houses of prostitution at Omaha, Nebr., Council Bluffs, Iowa, and Hot Springs, Ark. During this time, Cox was closely associated with a number of widely known thieves including such notorious characters as Ray Wilson, Frank Ellsworth, and Charles J. Ellsworth of Omaha, Nebr. Also listed as associates in Cox's police records are Samuel Carrollo, Charles Caccioppo, James and Dave Bonadonna, all of Kansas City, Mo. While residing elsewhere, Cox is alleged to have made a number of trips to Kansas City to negotiate with Sam Carrollo for the disposition of loot obtained in out-of-town burglaries and to obtain narcotics for friends and acquaintances who were addicted to the use of drugs.

3. During the spring of 1958, Darlene and Robert Cox moved to Kansas City, Mo., where they purchased the furnishings and leased the commercial hotel at 1104 Broadway Avenue. The Coxes then began fencing and disposing of stolen merchandise on a sizable scale and within a relatively short time were well established in this business. A few months later, after their arrival in Kansas City, the Coxes purchased a 3-bedroom ranch-style bungalow at 11201 Herick Avenue in nearby Hickman Mills, Mo., and for a period of time appeared to prosper. However, on September 14, 1959, Cox was arrested for the interstate transportation of stolen property and on April 1, 1960, was sentenced by the U.S. district court to 10 years' imprisonment.

4. Criminal record: Robert G. Cox has a previous record of 47 arrests dating to November 23, 1938, on such charges as robbery, holdup, burglary, possession of stolen merchandise, receiving and concealing stolen property, shoplifting, possession of burglary tools, operating bawdy house, and interstate transportation of stolen property with three felony convictions as follows: March 31, 1939, 5 years, Missouri State Penitentiary, for robbery, attempted escape, and attempted sodomy; 1951, 3 years in Wisconsin State Prison for receiving and concealing stolen property; April 1, 1960, sentenced to 10 years by the U.S. district court, Kansas City, Mo., for interstate transportation of stolen property.

DOMINICK DiMAGGIO

1. The subject, Dominick DiMaggio, first came to the attention of the Bureau of Narcotics at Kansas City, Mo., on April 8, 1949, when it was determined that he was the source of supply of defendants in our case file Mo-8048. This investigation involved the transportation and distribution of large quantities of quarter-grain morphine sulfate hypodermic tablets, in vials of 20 tablets each, with counterfeit strip stamps attached, and bearing the spurious labels of a highly reputable manufacturer. Subsequent investigations disclosed that the tablets were manufactured in a clandestine laboratory for introduction into the illicit narcotic traffic. Although a strenuous effort was made at that time

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1091

to obtain sufficient evidence to substantiate a criminal prosecution case against DiMaggio, these endeavors met with negative results.

2. Near the conclusion of the investigation of our case Mo-8048, information was received from the principal defendant that DiMaggio had been strongly admonished by his brother-in-law Charles V. Carrola when the latter learned that the subject was engaged in the narcotic traffic. It is believed that this criticism, together with DiMaggio's indebtedness to Carrola for loans and other gratuities, resulted in his decision to discontinue his narcotic activities.

3. No further rumors were received by the district headquarters office of the Bureau of Narcotics, Kansas City, Mo., that the subject was again engaged in the illicit narcotic traffic until June 1959, when an investigation conducted at Chicago, Ill., disclosed that DiMaggio had in recent years been a heroin customer of the Iacullo-Dichiarente-Gasparro combine in that city. However, the findings failed to disclose that DiMaggio was then engaged in the heroin traffic and an investigation conducted at Kansas City, Mo., at that time was concluded with negative results.

4. DiMaggio resides at 3930 Norledge Avenue, Kansas City, Mo., and for the past several years has been engaged as an independent building contractor.

5. Criminal record: Dominick DiMaggio has a previous record of 26 arrests by the Kansas City Police Department, dating from February 24, 1936, on such charges as liquor violations, holdup of a bank messenger, burglary, and robbery, with three convictions as follows:

Kansas City, Mo., March 12, 1936, 5 months in the county jail for violation of Internal Revenue laws (liquor).

Kansas City, Mo., January 12, 1938, 6 months in the Platte County jail for violation of the Internal Revenue laws (liquor).

Kansas City, Mo., June 10, 1941, 5 years in the Missouri State Penitentiary, Jefferson City, Mo., for robbery, first degree.

6. Personal description: Dominick DiMaggio, alias Joseph Matico, alias Joe Mattio, FBI No. 1062046, Kansas City Police Department No. 23618. Subject is a white male of Italian descent born December 28, 1919, at New York City, N.Y. Height 5 feet 9 inches, weight 195 pounds, brown eyes, brown hair, complexion dark, and build stout.

RALPH GOLDSTEIN

Aliases: None.

Description: White male of Jewish extraction, born at Kansas City, Mo., on September 4, 1905; height 5 feet 5 inches, weight 140 pounds, brown eyes, gray hair, complexion ruddy, and build small.

Localities frequented: Resides at apartment 308, Villa Rita Apartments, 420 West 46th Terrace, Kansas City, Mo. Frequents the Warner Plaza Drug Store, 3233 Main Street, and the LaLouisane Restaurant, 3251 Main Street, both in Kansas City, Mo.

Family background: Subject is a bachelor. His mother Jennie and his father Joseph Goldstein are both deceased. A brother Harry Goldstein is also deceased. A sister, Mrs. Mary Hulda Johnson resides at 4816 Campbell Street, Kansas City, Mo.

Criminal associates: Louis Planzer, Barney Gershon, Louis Lavine, and Sam Terino, all of Kansas City, Mo.

Criminal history: Kansas City Police Department No. 83128; no FBI number available. Although the subject is known to have an arrest record dating to 1931, the record of these early arrests together with fingerprints and photographs were removed from the files of the Kansas City Police Department. More recent arrests include gambling, improper vehicle license and traffic with no felony convictions.

Business: For the past 12 years Goldstein has been employed as a part-time clerk at the Warner Plaza Drug Co., a drug sundry store located at 3233 Main Street, Kansas City, Mo.

JOSEPH LASCOULA

Aliases: Joe School, Joe Lascoula, Machinegun Joe.

Description: Born January 1, 1897, Termini, Palermo, Sicily, 5 feet 8 inches, 190 pounds, gray hair, brown eyes.

Localities frequented: Resides 1910 East 72d Street, Kansas City, Mo. Frequents North Side Democratic Club, Bridge Club & Artcraft Store Equipment Co., Kansas City.

Family background: Wife: Pauline; father: Giacomo; mother: Saveria Sansone; brothers: Michael, Philip, Henry, and James.

1092 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal associates: Michael Lascoula (brother), Tudie Lascoula (cousin), Joe Oliver, Carl and Nick Civello, Joe Filardo, all of Kansas City, John Vitale and Anthony Giordano, of St. Louis, and Nick Impastato, of Italy.

Criminal history: FBI No. 467361; Kansas City Police Department No. 9257. Arrests since 1919 include National Prohibition Act, carrying concealed weapon, trafficking in narcotics, and associating with thieves.

Business: With brother, Michael, operates clubs at 121½ East Fifth Street and 4229 Main Street and has interest in Artercraft Store Equipment Co., all in Kansas City, Mo.

Modus operandi: A prominent member of the underworld organization in Kansas City which distributed narcotics in the Midwest. Is respected and feared by the underworld in Kansas City. Has acted as "fence" for stolen jewelry.

MICHAEL LASCOULA

Alias: Mike School.

Description: Born May 19, 1906, Kansas City, Mo., 5 feet 8 inches, 168 pounds, brown eyes, black-gray hair, dark complexion.

Localities frequented: Resides 6744 Montgall Avenue, Kansas City, Mo., frequents the Artercraft Store Equipment Co., Inc., the Fifth Street Drug Store, both of Kansas City.

Family background: Married Clara O. Monsen; father, Giacomo; mother, Saveria Sansone; brothers: Joseph, Phillip, Henry and James.

Criminal associates: Joseph Lascoula (brother), Tudie Lascoula (cousin), Joseph Olivo, Carl and Nicholas Civello, Joseph Filardo, all of Kansas City, Mo.; John Vitale, of St. Louis, Mo.; Nicolo Impastato and James DeSimone, both of Italy.

Criminal history: FBI No. 1806821. Kansas City Police Department No. 17588. Record dates from 1929 and includes arrests for gambling, armed robbery, and violation of the narcotics laws.

Business: Operates gambling casino at 121½ East Fifth Street, Kansas City, Mo.; has interest in gambling place called the Bridge Club, owns stock in the Artercraft Store Equipment Co., Inc., Kansas City, Mo.

Modus operandi: A member of the underworld organization for distribution of narcotics throughout the Midwest with sources of supply in New York City, N.Y., Chicago, Ill., and New Orleans, La.

ANTHONY F. MARCELLA

1. Anthony Frank Marcella was born at Kansas City, Mo., on December 29, 1904, the son of Mary and Rocco John Marcella. He attended public schools in Kansas City, Mo., and attained manhood during the prohibition era. He then entered into the bootlegging business and for a period of approximately 25 years was connected with the liquor business, both legally and illegally. During the greater part of this period, Marcella's principal business was either the transportation, or the supplying to runners, of liquor destined for the neighboring dry States of Oklahoma and Kansas. However, the subsequent legalization of liquor in these States terminated the lucrative trade that Marcella had established in these areas.

2. In the spring of 1954, information was first received that Marcella was engaged in the illicit narcotic traffic. This change of occupation for this veteran bootlegger was obviously due to two reasons. First, the loss of income resulting from the repeal of prohibition in the State of Kansas, and, secondly, that the local "crime syndicate" had failed to resume their narcotic activities at Kansas City, Mo., following the conviction of several prominent members in 1943. In the years that followed, several investigations were conducted by agents of the Bureau of Narcotics at Kansas City, Mo., relative to Marcella's activities but in each instance the subject proved very elusive. Although he maintained a residence at 400 East 70th Terrace at Kansas City, Mo., from September 1956 until the fall of 1958, he was observed only on occasions in that city. During this period, it was rumored that Marcella had been seen in Fort Worth and Dallas, Tex.; Reno and Las Vegas, Nev.; Phoenix, Ariz.; and Los Angeles, Calif. Finally in February 1959, agents of district No. 14 determined that Marcella was operating a restaurant and bar equipment company in Los Angeles, Calif., and was residing in a home he had just purchased at nearby Sherman Oaks, Calif. Less than 1 month later while investigation of the subject was in progress, a disgruntled customer of Marcella voluntarily surrendered to the district headquarters office in San Francisco 5 ounces of heroin and 4 ounces of cocaine. Subse-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1093

quent inquiry revealed that this individual, together with two associates in North Hollywood, Calif., had been purchasing drugs from Marcella in 16-ounce quantities, and that the trio had a disagreement with the subject over a shipment of heroin of inferior quality. Criminal action predicated upon this evidence was filed in the U.S. district court at Los Angeles, Calif., against Marcella and on August 14, 1959, this subject was sentenced to 40 years' imprisonment.

3. Criminal record: Marcella has a previous record of 17 arrests on such charges as violation of the National Prohibition Act, violation of the internal revenue laws, fighting, peace disturbance, common assault, traffic, and narcotics, with two felony convictions as follows: 1929—sentenced to 2 years in the Federal reformatory, Chillicothe, Ohio, for violation of the National Prohibition Act; 1950—sentenced to 2 years in the Federal penitentiary, Leavenworth, Kans., for conspiracy to engage in the wholesale liquor business. August 14, 1959—sentenced to 40 years' imprisonment by the U.S. district court at Los Angeles, Calif., for violation of the narcotic laws.

JOSEPH OLIVO

Aliases: Joe Oliver, Joe Olive.

Description: Born February 14, 1899, Kansas City, Mo., 5 feet 9 inches, 170 pounds, brown eyes, gray hair, medium build, dark complexion.

Localities frequented: Resides 3035 North 18th Street, Kansas City, Kans. Frequents the Olympic Stadium, Fifth Street Drug Store, and Nigro Service Station, all Kansas City, Mo.

Family background: Father, Giuseppe; mother, Louise; brother, Stephen; sisters, Mary (Mrs. Peter DiGiovanni), Fannie (widow of James Arnone), and Delia (Mrs. Mario Balistreri) of Santa Clara, Calif.

Criminal associates: Angelo, Otto, and Salvatore Nigro, Michael and Joseph Lascoula, Nicholas and Carl Civello, all of Kansas City, Mo.; John Vitale, Anthony Lopiparo, and Anthony Giordano, of St. Louis; Nicolo Impastato, of Italy.

Criminal history: FBI No. 81060, Kansas City Police Department No. 10971. Record dating from 1921 includes arrests for burglary, robbery, and grand larceny and three narcotic convictions.

Business: Owns a one-fourth interest in the Olympic Stadium, Kansas City, Mo.

Modus operandi: A trusted member of the underworld narcotic distributing organization operating in the Midwest, with sources of supply in New York City and Europe.

KENNETH BRUCE SHEETZ

Aliases: None.

Description: White male, born December 12, 1920, at Camp Lee, Va., height 5 feet 11 inches, weight 190 pounds, brown eyes, brown hair with gray temples, build medium, and complexion fair.

Localities frequented: Last residence address in Kansas City, Mo., was 4501 Michigan Avenue.

Family background: Wife, Katherine, age 43. No information available in the files of the district headquarters office at Kansas City, Mo., as to other members of the subject's family.

Criminal associates: Carl DeJuna, James and Samuel Palma, George and Joseph Harris, Carlton Young, and Robert Pinkerman.

Criminal history: FBI No. 1883546, Kansas City Police Department No. 87508. Criminal record dates to May 5, 1939, and includes arrests for unauthorized use of automobile, possession of burglar tools, burglary, housebreaking, grand larceny, unlawful flight to avoid apprehension, and violation of the Federal narcotic laws, with two felony convictions for burglary.

PATSY VENTOLA

1. During the investigation of the Clayton-Carrolla-Dichiarente combine of Kansas City, Mo., and Chicago, Ill., in 1959, it was disclosed that Samuel Carrollo had, in prior years, supplied heroin to several Kansas Citizens as well as out-of-town clientele. Among these local customers was Patsy Ventola who during the late 1930's and early 1940's was actively engaged in the narcotic traffic at Kansas City, Mo.

2. The subject, Patsy Ventola, first came to the attention of the Bureau of Narcotics on February 22, 1940, when he and his brother, Louis Ventola, were apprehended at Kansas City, Mo., in possession of 13 ounces of heroin and 5½ ounces of morphine hydrochloride. These arrests culminated 3 months of intensive investigation during which 13 1-ounce purchases of heroin were made from

1094 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

three codefendants; namely, John Molinaro, Steno Lamento, and Joseph F. LaSalle, our case file Missouri-7539. The Ventolas were the source of supply for this group and their involvement and apprehension were the result of the surveillance of these customers.

3. Subsequent investigation of the principals in the above-mentioned case resulted in the reporting of a conspiracy case on April 10, 1940, which involved these same individuals together with 11 additional defendants, our case file Missouri-7567. On May 28, 1940, Patsy Ventola entered a plea of guilty in the U.S. District Court at Kansas City, Mo., in connection with this case and was sentenced to 2 years' imprisonment. This sentence was later reduced to 1 year and 1 day by the court.

4. No further information was received regarding the narcotic activities of Patsy Ventola until the early part of March 1951 at which time an individual who had been designated a major violator, Bureau of Narcotics National List No. 103, was apprehended and subsequently convicted at Kansas City, Mo. When interrogated concerning narcotics activities, this defendant named two national list violators of Chicago, Ill., as his source of supply and stated that he had recently heard that heroin could be purchased locally from an individual called "Patsy," but that he had never met this person or had any dealings with him. At that time, the defendant furnished the investigating officers with a card bearing the notation "Patsy" and a telephone number. This telephone number checked to a restaurant and cocktail lounge at 608 West Sixth Street Trafficway in Kansas City, Mo., known as Patsy's Chop House and owned by Patsy Ventola.

5. During the early part of 1952, Patsy Ventola closed his restaurant and cocktail lounge and for the next several years operated a package liquor store known as the Stop and Shop Tobacco and Liquor Store at 427 West Sixth Street Trafficway. Later Ventola was employed as an assistant manager of a wholesale necktie firm known as Jack Steinberg Neckwear at 908 Broadway Avenue.

In recent years, Ventola has been gainfully employed at Kansas City, Mo., as a sales representative for a nationally known firm manufacturing coin-operated laundry and drycleaning equipment.

6. Patsy Ventola is related by marriage to a very prominent, wealthy Kansas City family. However, he is said to receive no assistance from his in-laws and his personal income is relatively small. His criminal pursuits have always been of an independent type and he has never been a member of the underworld syndicate at Kansas City, Mo.

Personal description: Patsy Ventola, FBI No. 1948062. Subject is a white male of Italian descent, born May 3, 1910, at Kansas City, Mo., height 5 feet, 5 inches, weight 175, black hair, brown eyes, stout build.

HOUSTON**BIAGIO ANGELICO**

Aliases: Biaggio Angelico, Blasco Moscato, Big Angelo.

Description: Born May 18, 1907, New York City, 5 feet, 7½ inches, 192 pounds, brown eyes, wears glasses, black-gray hair, balding.

Localities frequented: Resides 3925 Avenue R, Galveston, Tex. Frequents Galveston and Houston, Tex.

Family background: Married, son, Vincent, father, Vincenzo, mother, Theresa.

Criminal associates: Louis Marino, Vitor Maddi, Joseph Lucca, Joseph Civallo, Vincent A. D'Inglanni, all of Texas; Alfonso Attardi, of New York City; and August Simoncini, of Italy (deportee).

Criminal history: FBI No. 541336, Houston Police Department No. 16323. Record dating from 1930 includes arrests for armed robbery, extortion, kidnapping, and conviction for violation of Federal narcotic laws.

Business: Operates M. & M. Music Co., 2114 Market Street, Galveston, Tex., in partnership with Louis Marino.

Modus operandi: An influential and feared member of the underworld in the southeast Texas area. Member of a large-scale narcotic trafficking ring which smuggled heroin into the United States and distributed it in Texas and other Southern States.

ORGANIZED CRIME AND ILLEGAL TRAFFIC IN NARCOTICS 1095

LONNIE ROBERT BRYANT

Aliases: Eddie Wilson, Bill Bryant, Slim Bryant.

Description: Born May 24, 1926, in Beaumont, Tex.; Negro; 6 feet; 175 pounds; black hair; maroon eyes; light brown complexion; slender; right little finger amputated.

Localities frequented: Resides: 4805 Hutchins Street and 12519 Safeguard Street, Houston. Sentenced March 8, 1957, to 15 years in Federal prison for violation of narcotic laws.

Criminal associates: Dessara Christopher, Quincy Lee Kennedy, Woodrow Wilson, Joe Wilson, Lillie Mae Benjamin, Staveson Benjamin.

Criminal history: Dates from 1943 and includes prison terms for robbery and mail theft. Sentenced March 8, 1957, to 15 years in Federal prison for violation narcotic laws. Appeal pending in September 1957.

Modus operandi: Wholesales heroin and travels to Nuevo Laredo to obtain the contraband. Maintains organization for distribution.

Agencies with information: U.S. Bureau of Narcotics, Secret Service, Post Office Department. Police Departments of Houston and Beaumont, Tex.

Identification: FBI No. 4006476. Houston Police Department No. 44214.

TRAVIS BURKS

Aliases: None.

Description: Born November 10, 1928, in Franklin, Tex.; 156 pounds; 5 feet 9½ inches; maroon eyes; black hair; medium build.

Localities frequented: Residence: 2415 Pannel Street, Houston, Tex. Makes trips to Mexican border and to eastern cities. Sentenced March 15, 1955, to 6 years in Texas State court for theft.

Criminal associates: Judson and Leona Henderson, Johnnie Gates, Clyde Tillman, Archie and Louise Sample, R. G. Tyson, Billy Richardson.

Criminal history: Includes numerous arrests for investigation and theft, and one conviction in 1952 for violation of Federal narcotic laws. Sentenced March 15, 1955, to 6 years in Texas State court for theft.

Modus operandi: Supplies wholesalers with heroin and marihuana which he obtains from sources of supply on Mexican border.

Agencies with information: U.S. Bureau of Narcotics. Houston, Tex. Police Department.

Identification: FBI No. 275192A. Houston Police Department No. 43090.

VITO GIORDENELLO

Alias: Vito Giordenello.

Description: Born September 11, 1925, in Hammond, La.; 5 feet 5 inches, 130 pounds; black hair; brown eyes; slight build; medium complexion.

Localities frequented: Residence: 2901 Airline Road, Houston, Tex. Sentenced December 14, 1956, to 10 years for violation Federal narcotic laws.

Criminal associates: Benny Indiviglio and Rose Diaz, New York City; Eugene Howell, Chicago, Ill.; Titus Thomas, Joe S. Aguilar, Anthony P. Kolm, Rodney H. Peevey, Donovan E. Hoge, Frank T. Freeman, Robert C. Adams, Leland E. Smith, Connie Thompson, Joe B. Killian, Daniel and Juanita Mitchell, all in Texas.

Criminal history: Dates from 1941 and includes convictions for violation of Federal narcotic laws. Sentenced to 10 years December 14, 1956, for violation of Federal narcotic laws.

Modus operandi: Wholesale dealer in marihuana and heroin locally and into interstate traffic. Has heroin sources of supply in New York City and Chicago.

Agencies with information: U.S. Bureau of Narcotics, Police Departments of Houston and Beaumont, Tex. and New Orleans, La.

Identification: FBI No. 3254832. Houston Police Department No. 27631.

JUDSON R. HENDERSON

Aliases: None.

Description: Born August 7, 1919, in Richards, Tex.; 6 feet 1 inch; 150 pounds; black hair, maroon eyes, medium build, brown complexion; Negro.

Localities frequented: Residence, 3104 Clinton Drive, Houston, Tex. Frequent Kopa-Ka-Bana Night Club, 3104 Clinton Drive, Houston, Tex. Makes trips to colored Harlem, New York City.

1096 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal associates: Travis Burks, Andrew Jenkins, Archie Sample, John Calvin Young, Johnnie W. Gates, Elisha Levi Brice, John Edward Smith, Leona Henderson (wife).

Criminal history: Includes arrests for theft and violation of Federal narcotic laws.

Modus operandi: Wholesale narcotic trafficker with heroin and marihuana sources of supply on Mexican border. Has heroin source of supply in New York City to which area he ships large quantities of marihuana.

Agencies with information: U.S. Bureau of Narcotics, Bureau of Customs, Houston, Tex. Police Department.

Identification: FBI No. 478851A. Houston Police Department No. 50757.

QUINCY LEE KENNEDY

Alias: Soldier Boy.

Description: Born February 2, 1920, in Smith County, Tex., 5 feet 7 inches, 181 pounds, black hair, maroon eyes, dark brown complexion, heavy build, Negro.

Localities frequented: Residence, 2111 Rothwell Street, Houston, Tex. Frequenters: Colored wards and waterfront, Houston, Tex.

Criminal associates: Dessara Christopher, Jessie Hargrove, Woodrow Wilson, Lonnie R. Bryant, Marshal Bingham, Dorothy Cooper.

Criminal history: Dates from 1951 and includes arrests for violation of State barbiturate laws and Federal narcotic laws.

Modus operandi: Source of supply includes seamen couriers entering the port of Houston. Delivers in wholesale quantities to other traffickers.

Agents with information: U.S. Bureau of Narcotics. Police Department of Houston, Tex.

Identification: FBI No. 904742A. Houston Police Department No. 49511.

ARCHIE SAMPLE

Alias: Buster Sample.

Description: Born March 23, 1916, in Brazoria County, Tex.; 6 foot; 170 pounds; black hair; maroon eyes; dark brown complexion; muscular build; Negro.

Localities frequented: Resides, 3019 Arbor Street, Houston, Tex.; frequents Third and Fifth colored wards, Houston. Visits New York City and other eastern cities.

Criminal associates: Louise Sample (wife), John Calvin Young, Elmer Moore, Hamp Trottie, Horace Murphy, Travis Burks, Elisha Levi Brice, Moses Randle, Thomas Kirby, J. W. Brady.

Criminal history: Dates from 1940 and includes arrests and convictions for violation of Federal narcotic laws.

Modus operandi: A large-scale wholesale and interstate narcotic trafficker. On occasions exchanges large quantities of marihuana for heroin from sources of supply in New York City.

Agencies with information: U.S. Bureau of Narcotics, U.S. Bureau of Customs, Houston, Tex., Police Department.

Identification: FBI No. 3066807. Houston Police Department No. 48381.

CLYDE TILLMAN

Aliases: Chube, Chubby.

Description: Born February 6, 1918, in Madon, La.; five feet 9 inches; 133 pounds; medium-brown complexion; slender; black kinky hair; maroon eyes, Negro.

Localities frequented: Residence, 30 Artesian Street, Houston, Tex. Frequenters Mexican border points, New York City, and Galveston. Sentenced March 13, 1954 to 7 years for violation Federal narcotic laws.

Criminal associates: John Edward Smith, Edward Price, Judson and Leona Henderson, Travis Burks, Archie and Louise Sample, Lavern Moten, John Calvin Young.

Criminal history: Dates from 1940 and includes arrests for violation of State and Federal narcotic laws. Sentenced March 13, 1954, to 7 years for violation of Federal narcotic laws.

Modus operandi: Wholesaler of heroin and marihuana. Makes trips to Mexican border and New York City. Has sources of supply for heroin both on Mexican border and in New York City. A source of supply for marihuana in New York City.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1097

Agencies with information: U.S. Bureau of Narcotics. Police Departments of Houston and Galveston, Tex.

Identification: Federal Bureau of Investigation No. 4013744, Houston Police Department No. 20230, Galveston Police Department No. 13371.

DALLAS

NICK CASCIO, FBI No. 692074

Nick Cascio, Federal Bureau of Investigation No. 692074, Dallas Police Department No. 11976, is a white male of Italian descent. He was born in Shreveport, La., on April 28, 1913. He is 5 feet 11½ inches tall, weighs 217 pounds, has receding brown hair, hazel eyes, and fair complexion. Cascio is last reported to be residing in Euless, Tex., and reportedly owns and operates a used car dealership in the Dallas area.

Cascio has an extensive criminal record dating from 1933 which includes arrests for theft, burglary, receiving and concealing stolen merchandise, threats, violation of the Federal Explosive Act, narcotic violations, robbery, and possession of burglary tools.

Although never prosecuted for violation of the Federal narcotics laws, Cascio has been a close associate of prominent narcotic violators in the Dallas area. During 1951, 1952, 1953, Cascio was associated with Aubrey Aeby (NL No. 2A) of Dallas who was his principal source for narcotics. After Aeby's arrest and imprisonment, Cascio became a principal dealer for John E. Miller. Cascio is said to have discontinued dealing in narcotics when Miller was convicted in 1955, except for a few occasions when he would purchase large quantities of tax-paid narcotic drugs which had been burglarized and resell them for a quick and sizable profit.

Listed among Cascio's criminal associates are Leroy Pannell, John Williard Thompson, of Dallas, Tex., and Angelo T. Casten, of Alamogordo, N. Mex.

ANGELO CASTEN

Alias: Angelo Casten.

Description: Born January 15, 1919, in Dallas, Tex.; 167 pounds; 6 feet one-half inch; brown eyes; dark brown hair; dark complexion; medium build.

Localities frequented: Resides 1114 North Clinton, Dallas, Tex. Frequents Irving, Tex., a suburb of Dallas.

Criminal associates: Jettie Bass, Nick Cascio, R. D. Matthews, Sammy Sloan. Criminal history: Includes arrests for theft and burglary, and theft of interstate shipment; also a conviction for violation of the Federal narcotic laws.

Modus operandi: Maintains sources of supply out of the State to supply wholesale organization for narcotic distribution within the State.

Agencies with information: U.S. Bureau of Narcotics. Federal Bureau of Investigation. Police departments of: Houston, Tex., San Antonio, Tex., Oklahoma City, Okla.

Identification: FBI No. 1265707. Dallas Police Department No. 16184.

FRANK CELLI, FBI No. 1054852

Frank Celli, FBI No. 1054852, Fort Worth Police Department No. 13669, was born in Galveston, Tex., on August 28, 1917. He is a white male, 5 feet 5¼ inches tall, weighs 164 pounds, has medium-dark chestnut hair, hazel eyes and medium complexion. He currently resides and operates a liquor store in Fort Worth.

Approximately 20 years ago, Celli was associated with important heroin traffickers in the Galveston area. In 1936, he was defendant in Tex-2556 and later in 1936, was a defendant in Tex-8911. There has been no information or evidence that Celli has been active in the narcotic traffic during the past 15 or 20 years.

Frank Celli's criminal record shows arrests for armed robbery in 1936 and again in 1943. He is known to have been an associate of Nick Cascio and Angelo Casten.

1098 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS**JOSEPH F. CIVELLO**

Alias: Joe Civillo.

Description: Born February 3, 1902, Port Allen, La.; 5 feet 11 inches, 163 pounds, blue eyes, gray hair, wears glasses, slender build.

Localities frequented: Resides 5311 Denton Drive, Dallas, Tex. Frequents Civello's Fine Foods, Dallas, and makes trips to New York City.

Family background: Wife, Mary; father, Joseph; mother, Catherine; brother, Charles; sisters, Mrs. Frances Musso, Mrs. Anna Cangelosi, Mrs. Phyllis Ginestra, Mrs. Margaret Polito.

Criminal associates: Rocco and Peter Pellegrino of New York City, Frank Torticelli, Biagio Angelica, Joe Ianni and Joe Glaviano of Texas, Nicholas Impastato (deportee), Joseph Filadro and Joseph DeLuca, of Kansas City, Mo.

Criminal history: FBI No. 1222605; Dallas Police Department No. 7265. Record dating from 1928 includes conviction for Federal narcotic law violation and conspiracy to obstruct justice (for which sentenced (1960) to 5 years).

Business: Operates Civello's Fine Foods & Liquor, 4236 Oak Lawn Avenue, Dallas, Tex.

Modus operandi: Attended the 1957 Apalachin Mafia meeting as the leader from the Dallas area. Controls all rackets in Dallas and vicinity.

JOHN WILLARD THOMPSON

Alias: John Willard Thompson.

Description: Born May 15, 1915, in Ellis County, Tex.; 160 pounds; 5 feet 8½ inches; brown eyes; black hair; medium build; medium complexion.

Localities frequented: Residence: 3001 Harvey Street, Dallas, Tex. Frequents Austin Cafe and Burt's Place on Singleton Boulevard; Abe's Industrial Garage, 1821 Industrial Boulevard; all in Dallas, Tex.

Criminal associates: Glenn Wilfred, Glen Roach, R. D. Matthews, Aubrey Aeby.

Criminal history: Dates from 1932 and includes arrests for burglary, auto theft, theft of interstate shipment and violation of State and Federal narcotic laws. Sentenced May 11, 1953, to 8 years for violation Federal narcotic laws.

Modus operandi: Wholesales narcotics locally in Dallas and also into interstate traffic.

Agencies with information: U.S. Bureau of Narcotics, Federal Bureau of Investigation, police departments of Dallas, Sherman, Houston, Greenville, Waxahachie, Austin, and Tyler, Tex.

Identification: FBI No. 1076157; Dallas Police Department No. 10415.

ST. LOUIS**ANTHONY GIARDANO**

Aliases: Tony, Anthony Giordano, Tony G.

Description: Born June 24, 1914, St. Louis, Mo.; 5 feet 8½ inches; 182 pounds; black hair; blue eyes; medium build; dark complexion; tattoo on right arm.

Localities frequented: Resides at 6901 Roland Boulevard, St. Louis County, Mo.

Family background: Wife, Catherine; father, Vincent; mother, Mary; brothers, Joseph and Sam; sisters, Pearl Tocco, Josephine Trupiana, all of St. Louis, Mo., Phyllis Fontana, another sister of Detroit, Mich.

Criminal associates: John J. Vitale, Anthony Lopiparo, Rocco Vitale, Ralph Caleca, Anthony Rizzo, Marvin Paul Michaels, Isadore Londe, and Anthony Giammanco, all of St. Louis, Mo.; Sam Vitale, New Orleans, La.; and Ralph Quasarano, Detroit, Mich.; Frank Coppola of Sicily.

Criminal history: FBI No. 1624141, St. Louis Police Department No. 43407, dates back to 1938, and includes arrests for carrying concealed weapon, robbery, holdup, income tax evasion, and counterfeit tax stamps; sentenced to 4 years imprisonment on the latter charge on September 28, 1956.

Business: Anthony Novelty Co., 3401 Kienlen, St. Louis County; Anthony Discount Co., same address; Greene Fluorspar Mining Co., Elizabethtown, Ill.; Twin-City Distributing Co., St. Louis, Mo.

Modus operandi: One of the trusted members of the St. Louis Mafia with associates in New Orleans, La.; Detroit, Mich.; and Sicily.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1099

ANTHONY JOSEPH LOPIPARO

Aliases: Tony Lopiparo, "Tony the Pip."

Description: Born January 19, 1914, St. Louis, Mo. 5 feet 11 inches, 190 pounds, muscular build, brown hair, graying, bald in front, brown eyes, prominent round nose, bushy eyebrows.

Localities frequented: Resides 5881 Highland, St. Louis, Mo., frequents Anthony Novelty & Vending Co., Anthony Discount Co., both at 3401 Kienlen, St. Louis County, Greene Fluorspar Mining Co., of Elizabethtown, Ill.

Family background: Married Rose Marie Migini, January 21, 1947, and divorced September 21, 1949, Lopiparo adopted two children of Rose, James Anthony and Jovena; married Bonnie D. Cardwell, October 21, 1949, Yuma, Ariz., divorced second wife and remarried first wife, Rose; father, Joseph, and mother, Catherine, both deceased; brothers, Nick and Sam; sisters, Mary Dailey and Mamie Dailey; in addition to two adopted children Lopiparo has two sons, Joseph, 4, and Sam, 5 months.

Criminal associates: John J. Vitale, St. Louis, Vincent Todaro of Virginia, Joseph LoPiccolo of New York, Anthony Giardano, Ralph Caleca and Isadore Londe, of St. Louis.

Criminal history: FBI No. 710969, St. Louis Police Department No. 32943, has a lengthy arrest record dating back to 1931, and has served sentences for criminal contempt, and evasion of income tax.

Business: Associated with John Vitale and Anthony Giardano in the Anthony Novelty & Vending Co., and the Anthony Discount Co., St. Louis; has an interest in the Greene Fluorspar Mining Co., Elizabethtown, Ill.

Modus operandi: An important member of the St. Louis Mafia.

JOHN JOSEPH VITALE

Aliases: Johnny V., John Vitali.

Description: Born May 17, 1909, in St. Louis, Mo. 5 feet 11 inches, 208 pounds, black-gray hair, balding, brown eyes, heavy build, ruddy complexion.

Localities frequented: Resides: 3725 Avondale Avenue, Arbor Terrace, Mo. Frequents: Anthony Novelty Co., 3401 Kienlen Avenue, Pine Lawn, Mo.

Criminal associates: Joe Palazzolo, Isador Londe, Joseph Costello, Joe Licavoli, Jack Joseph, Gregory Moore, Anthony, Joseph and Sam Giardano, Tony Lopiparo, Joe and Mike Lascoula, Joe Olivero, Nicolo Impastato, Sam Vitale.

Criminal history: Dates from 1920 and includes arrests for carrying concealed weapon, forgery, robbery with firearms, receiving stolen property, murder, and violation of Federal narcotics laws.

Modus operandi: A member of the Mafia narcotic trafficking organization in the Midwest with sources of supply for pure heroin in New York City and through other ports in the United States. Finances large scale illicit narcotic transactions.

Agencies with information: U.S. Bureau of Narcotics. Police Department of St. Louis, and Clayton, Mo.

Identification: FBI No. 793259; St. Louis Police Department No. 36177.

OMAHA

ANTHONY JOSEPH BIASE

Aliases: Tony Biase, Tony DiBiase.

Description: Born September 6, 1908, Omaha, Nebr., 5 feet 3 inches, 160 pounds, heavy build, black-gray hair, waves and thinning in front, hazel eyes, dark complexion, 3 inch diagonal scar on right cheek.

Localities frequented: Resides at 2207 Mason Street, Omaha, Nebr., frequents Owl Smoke Shop, 610 South 16th Street, Omaha, Nebr.

Family background: Marital status unknown, is a brother of Sam, Benny, and Louis, of Omaha, Nebr.

Criminal associates: Sam, Louis, and Benny (brothers), Frank Ellsworth, Victor Bonnaci, John Trovato, Lawrence Boylan, Tony Scavio, Benny Barone, all of Omaha, Nebr., Samuel Carrollo, Kansas City, Mo., Anthony Marcella, Rosario Lantieri, California.

1100 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal history: FBI No. 36521, Omaha Police Department No. 9839, has been arrested for burglary, theft, and numerous times for bookmaking.

Business: Partner in Owl Smoke Shop, 610 South 16th Street, Omaha, Nebr.

Modus operandi: Interstate narcotic trafficker, bookmaker and gambler and an influential member of the Mafia at Omaha, Nebr.

LOUIS BIASE

Aliases: Louie Biase, Louis DiBiase.

Description: Born February 1, 1916, Omaha, Nebr.; 5 feet 4 inches, 180 pounds, brown eyes, black wavy hair, dark complexion, and stout build.

Localities frequented: No permanent address. Travels throughout the United States attending horseraces at the various tracks. Frequents the Owl Smoke Shop and the Newhall Hotel when in Omaha, Nebr.

Family history: Marital status unknown. Subject is a brother of Tony, Sam, and Benny Biase of Omaha, Nebr.

Criminal associates: Tony, Sam, and Benny Biase (brothers), John Travato, Victor Bonnaci, Tony Scavio, Benny Barone and Frank Ellsworth, all of Omaha, Nebr.; Samuel Carrollo, Kansas City, Mo.; Louis Ventola, Las Vegas, Nev.; Anthony F. Marcella and Rosario Lantieri of California.

Criminal history: FBI No. 1298537, Omaha Police Department No. 16921. Dates from 1932 and includes robbery, possession of burglar tools, resisting arrest, and operation of bunco game.

Business: Not engaged in legitimate business.

Modus operandi: Interstate narcotic trafficker, bookmaker, and horserace enthusiast. A member of the Mafia organization at Omaha, Nebr.

SAMUEL BIASE

Alias: Sam Biase.

Description: Born November 6, 1913, Omaha, Nebr., 5 feet 6½ inches, 150 pounds, brown eyes, brown wavy hair, and dark complexion.

Localities frequented: Resides at 1014 South 27th Street, Omaha, Nebr., frequents Owl Smoke Shop and Newhall Hotel, Omaha, Nebr.

Family background: Married. Is a brother of Anthony, Benny, and Louis Biase, of Omaha, Nebr.

Criminal associates: Anthony, Benny, and Louis Biase (brothers); John Travato, Tony Scavio, Victor Bonnaci, Benny Barone, and Frank Ellsworth, all of Omaha, Nebr.; Samuel Carrollo, Kansas City, Mo.; John B. Trilliegi, Milwaukee, Wis.; Anthony Marcella, and Rosario Lantieri, of California.

Criminal history: FBI No. 157566, Omaha Police Department No. 12338, record reflects 24 arrests dating to 1924 with 2 felony convictions for robbery.

Business: Partner in Owl Smoke Shop, 610 South 16th Street, Omaha, Nebr.

Modus operandi: Interstate narcotic trafficker, bookmaker, and fence; and important member of the Mafia at Omaha, Nebr.

TULSA**HAROLD HUGH WRIGHT**

1. Harold Hugh Wright first came to the attention of the Bureau of Narcotics in September 1930 when a case involving the sale of sizable quantities of diverted tax-paid drugs was made at Tulsa, Okla., against this subject. Wright subsequently received a 60-day jail sentence in connection with these violations, our case Okla-2633.

2. In December 1943, a criminal case was developed against Wright and an associate, William E. Peck, of Tulsa, Okla. This case was predicated upon the seizure of 14 pounds marihuana from Peck and Wright which was shipped from Carlsbad, N. Mex., to Tulsa, Okla., at the instance of Wright. On February 11, 1954, Wright was sentenced to 2 years' imprisonment on these charges by the U.S. district court, Tulsa, Okla., our case Okla-113-M.

3. In June 1951, an investigation was conducted by the Oklahoma City office of the Bureau of Narcotics relative to the alleged smuggling of narcotics into the Oklahoma State Penitentiary at McAlester, Okla. The major suspects in this investigation were Harold H. Wright and his brother, Glen Roy Wright who was then an inmate of the institution and several convict associates. This

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1101

investigation resulted in the seizure of a quantity of narcotics within the prison but the circumstances were such that it was impossible to definitely establish that Glen Roy Wright was the owner of the drugs or that the contraband had been smuggled into the institution by Harold Wright.

4. At the time of the above-mentioned investigation, Harold H. Wright was one of the major suspects in the burglaries of several wholesale drug companies in Oklahoma, Iowa, and South Dakota in which large quantities of tax-paid drugs were stolen. Wright is believed to have actively participated in two or more of these robberies and is known to have been the recipient of a portion of the narcotics from all of these burglaries.

5. In September 1954, a criminal case was developed by the Oklahoma State Narcotic Bureau against James William Fletcher of Oklahoma City, Okla. In this investigation, Fletcher sold quantities of heroin to a special employee. Following his arrest in this case, Fletcher admitted that his source of supply was Harold H. Wright, and that he had been purchasing heroin from this subject at the rate of \$450 per ounce.

6. During the investigation of the Clayton-Carrolla-Dichiarente combine of Kansas City, Mo., and Chicago, Ill., in 1959, it was ascertained that Harold H. Wright's source of supply for heroin in recent years had been Samuel Carrolla of Kansas City, Mo. It was also disclosed that on occasions Wright had purchased sizable quantities of diverted tax-paid drugs from Anthony Biase of Omaha, Nebr.

7. Throughout the past 35 years, Harold Wright's criminal activities have been very diversified. He began his career at Tulsa, Okla. during the late 1920's as a pool and card "hustler" but soon extended these activities to narcotics and the fencing of stolen merchandise for shoplifters and petty thieves. As the years passed, Wright continued these pursuits and increased his status in the underworld to such an extent that he became known as a professional gambler and fence for big-time thieves. During the scarcity of automobiles in World War II, Wright associated himself with a young and very able mechanic, John Gibson Dillon, in the garage business in Tulsa, Okla. This garage was utilized for the transfer of motors, repainting, and changing of motor and serial numbers of stolen automobiles which were bought and disposed of by Wright and his partner. This partner is the John Gibson Dillon who is presently a fugitive in our case Okla-4229 and is now on the Federal Bureau of Investigation's list of 10 most wanted criminals.

8. In the late 1940's, Wright began a new phase of his career by establishing himself in the liquor business. Within a relatively short time, Wright acquired the reputation of being a large-scale bootlegger and continued this activity up until the repeal of prohibition in the State of Oklahoma on April 9, 1959.

9. Wright is believed to have discontinued his narcotic activities during the investigation of the Clayton-Carrolla-Dichiarente combine in 1959 when he became aware that he, too, was under scrutiny by the Bureau of Narcotics. Since that time, Wright has apparently contented himself with his fencing activities and the playing of balk-line billiards at which he is considered a semi-professional.

Personal description: Harold Hugh Wright, alias "Fats," alias "Killer," FBI No. 766759—Tulsa Police Department No. 7189. Subject is a white male, born at Malvern, Ark., on June 26, 1907, height 5 feet 7 inches, weight 185 pounds, brown eyes, gray-brown hair, complexion fair, and build stocky.

PART II. NAMES MENTIONED IN REPORT AND NOT LISTED ON CHART

AUREY AEBY

Alias: Big Abe.

Description: Born January 14, 1908, in Royce City, Tex., 5 feet 11 inches, 185 pounds, brown hair, blue eyes, medium build, sallow complexion.

Localities frequented: Residence, 2615 Ledbetter Drive, Dallas, Tex. Sentenced September 18, 1952, to 20 years for violation of Federal narcotic laws. Frequented Abe's Industrial Garage (owner), 1821 Industrial Boulevard, Dallas, Tex.

Criminal associates: Norene Aeby (wife), Nell Aeby (brother), Johnny Miller, John Willard Thompson.

1102 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal history: Dates from 1925 and includes arrests for theft, burglary, robbery, assaulting a Federal officer, and violation of State and Federal narcotic laws. Sentenced September 18, 1952, to 20 years for violation of Federal narcotic laws.

Modus operandi: Wholesaler of heroin in large quantities in the Midwest with sources of supply for pure heroin in Chicago and eastern cities. Maintains organization for distribution of heroin. A fence for stolen property.

Agencies with information: U.S. Bureau of Narcotics. Dallas (Tex.) Police Department.

Identification: FBI No. 50226. Dallas Police Department No. 5114.

MICHAEL PETER ALTIMARI

Aliases: Mike; Big Mike.

Description: Born November 1, 1913, New York City, 5 feet 5½ inches, 215 pounds, heavy build, blue eyes, black-gray receding hair, cleft in chin, double chin, fair complexion.

Localities frequented: Resided at 186 Brinsmade Avenue, Bronx, N.Y., and frequented the Fountain Blue Bar, Playhouse Bar, Opera Inn, and Ten Pin Bar, all in New York City. Currently (1960) incarcerated.

Family background: Single; father, Frank; mother, Mary; both parents deceased; brothers, John, Joseph, Ernest, and Paul.

Criminal associates: Nicholas Bonina, Nicholas Martello, Anthony Marcella, Alfred Sacco, Victor Panica, Frank Borelli, Anthony Pisciotta, Joseph Valachi and Anthony Carminati.

Criminal history: FBI No. 2603611 New York Police Department No. B-202795. Record dating from 1937 includes arrests for murder, gambling, and three convictions for Federal narcotic law violation. Sentenced to 12 years for Federal narcotic violation.

Business: No legitimate employment.

Modus operandi: A trusted Mafioso who has engaged in large-scale local and interstate narcotic trafficking all of his adult life.

FRANKLIN CARIOSCIA

Alias: Frank.

Description: Born July 22, 1938, at Chicago, Ill. White male of Italian extraction, 5 feet 8 inches tall, 170 pounds, brown eyes, brown hair, medium build, sallow complexion. Operates Star Lite Tavern, 1101 South Loomis, Chicago, Ill.

Localities frequented: Residence, 1813 North 38th Street, Stone Park, Ill.; 851 South Racine Street (parent's residence); Star Lite Tavern, 1101 South Loomis; Burgundy Lounge, 2235 North Clark Street; Andy's Grill, 2250 North Clark Street; all above at Chicago, Ill.

Criminal associates: Michael Carioscia (brother now incarcerated); Michael De Maro; Joseph Battiato; Arthur Faulkner; Theodore De Rose; Anthony Passini.

Criminal history: Carioscia has only two prior arrests for investigation dated in 1961, one shows he was released, the other shows no disposition. Franklin Carioscia was arrested at Chicago, Ill. by the Federal Bureau of Narcotics on October 29, 1963, for violation of the Federal narcotic laws, case Ill-8273. He has been indicted as a coconspirator at Chicago, Ill., with 21 other defendants charged under a composite case file, Ill-8084. This case now pending.

Modus operandi: It appears that Franklin Carioscia took over the narcotic business left after his brother Michael was incarcerated. Franklin operates the Star Lite Lounge, 1101 South Loomis. He formerly supplied heroin to Arthur Faulkner. In the pending case, an informant would call Franklin at the tavern, meet him and pay for prior deliveries of heroin, order more narcotics at the same time. Franklin would then drive to the area of North Clark and Belden, meet with Michael De Maro or his half brother, Joseph Battiato, or both, pay them the money and obtain more narcotics, which Franklin would then deliver that same night to the informant back in the area of the Star Lite Lounge.

Agencies with information: Chicago Police Department; Federal Bureau of Narcotics, Chicago, Ill.

Identification: FBI No. 9-380-E.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1103

MICHAEL CARIOSCIA

Aliases: Mickey; M. Luna.

Description: Born March 18, 1933, at Chicago, Ill. White male, 6 feet, 178 pounds, black hair, brown eyes, slender build, ruddy complexion.

Localities frequented: Presently incarcerated. Formerly lived at 851 South Racine Street, Chicago, Ill. Ashland and Taylor Streets, Chicago, Ill. North Avenue Steak House, 8500 West North Avenue, Melrose Park, Ill.

Criminal associates: William Wright, Michael De Maro, Franklin Carioscia (brother), Armando Pennachio, Ben Pennachio, Virge Bolden, Arthur Faulkner.

Criminal history: Arrested December 23, 1950, on charge of armed robbery, three counts. Sentenced July 19, 1951, to 2 years to life; paroled November 17, 1954. Carioscia was arrested on September 6, 1960, at Chicago, Ill., by Federal narcotic agents and was charged in case Ill-7924 with sale and conspiracy to violate the Federal narcotic laws. Codefendants in this case were Armando Pennachio, Ben Pennachio, and William Wright. Carioscia entered a guilty plea in the above case and on October 27, 1961, he was sentenced to 5 years in Federal prison. Carioscia is presently charged as a defendant in case Ill-8084 with 21 other defendants. This case now pending.

Modus operandi: Michael Carioscia and Armando Pennachio obtained their heroin from William Wright. They frequently met Wright at the North Avenue Steak House, and on one known occasion Carioscia accompanied Wright to New York, purportedly for heroin. Ben Pennachio assisted his brother, Armando, in the last purchase of heroin made from this group; however, Ben was acquitted in a jury trial at Chicago, Ill. This group furnished heroin to Negro violators at Chicago, Ill.; namely, Arthur Faulkner, and Virge Bolden.

Agencies with information: Chicago Police Department; Federal Bureau of Narcotics at Chicago, Ill.

Identification: FBI No. 622-871-A; Chicago Police No. E-48814.

ANTHONY CASTALDI

Aliases: Tony Higgins, T. H.

Description: Born January 27, 1913, in New York City, 5 feet 10 inches, 219 pounds, light-brown hair, brown eyes, stocky, olive complexion.

Localities frequented: Residence, 15 Princeton Avenue, Yonkers, N.Y. Frequents Jennie's Restaurant, 2036 Second Avenue, Mickey Walker's Restaurant, 1654 Broadway, both in New York City.

Criminal associates: Anthony Ciccone (Tony Moon) is his brother-in-law. Anthony Pinto is his front man. He is a Mafia leader and knows every important racketeer in the United States.

Criminal history: Includes arrests for assault, robbery, extortion, and violation of Federal narcotic laws.

Modus operandi: One of the top Mafia leaders and narcotic traffickers in the United States. A member of the 107th Street organization. A wholesaler of heroin into local and interstate traffic with a distributing organization.

Agencies with information: U.S. Bureau of Narcotics, New York City Police Department.

Identification: Federal Bureau of Investigation No. 546748, New York City Police Department No. B-101443.

FRANK PHILLIP CODUTO (DECEASED)

Aliases: Shorty.

Description: Born October 14, 1907, at Hibbing, Minn. He was a white male, of Italian extraction, 5 feet 1 inch tall, 120 pounds, olive complexion, brown thinning hair, brown eyes, medium build, was married to Antoinette at 3056 West Jackson Boulevard, Chicago, Ill. Murdered at Chicago on May 14, 1954, by unknown assailants.

Criminal associates: Anthony Schullo, Joseph Lucullo, Anthony Sperna, Roy Pinna, Anthony Ponzi, Anthony Pape (also murdered), Adeline Lafrano.

Criminal history: Dated back to January 31, 1925, when sentenced to 1 year for larceny at Chicago, Ill. On November 17, 1928, sentenced to 1 to 14 years for assault to rob, paroled June 18, 1932; returned September 23, 1935, for parole violation; reparaed November 26, 1935. Discharged January 19, 1937. Numerous arrests for investigation, including possession of goods stolen from interstate shipment. Arrested March 16, 1954, in case Ill-7117 charged with violation of Federal narcotic laws along with those persons listed above as "Crim-

1104 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

inal associates." Coduto was murdered May 14, 1954, while the above case was pending, as was Anthony Pape, also a defendant in this same case.

Agencies with information: Chicago Police Department, Federal Bureau of Investigation, Federal Bureau of Narcotics; at Chicago, Ill.

Identification: Federal Bureau of Investigation No. 591-559; Chicago Police No. D-87599.

OPAL (PAT) COLE

Aliases: Opal Mae Mason; Opal Jones, Opal May Battle, Opal Robinson, Theopal Johnson; Patricia Opal Smith; Patricia Johnson, Pat Cole.

Description: Born April 13, 1928, at Oklahoma City, Okla., Negro female, five feet 5 inches tall, 200 pounds, black hair, brown eyes, medium brown complexion, heavy build. Gives occupation as a beautician.

Localities frequented: Residence, 310 East 90th Place, Chicago, Ill.; Impala Lounge, 71st and Michigan, Chicago, Ill.; Clark and Belden, Chicago, Ill.

Criminal associates: Charles Cole (husband, separated), Chester Jones, LaFauncie Johnson, Maceo Thomas, Dolores Watkins, Michael DeMaro, Joseph Battiato, Theodore DeRose, William Wright, Americo DePietto, and numerous other principal Negro narcotic traffickers in the Chicago, Ill. area.

Criminal history: Record dates back to 1942 with numerous arrests by Oklahoma Police for disorderly conduct, assault, keeping house of ill fame (Los Angeles, Calif.); prostitution and sodomy (Sheriff's Office, Tacoma, Wash.). Her first penitentiary sentence appears July 11, 1956, 1 year and 1 day at Chicago, Ill., for obtaining money by means of confidence game. Arrested December 12, 1961, by the Federal Bureau of Narcotics at Chicago, Ill., for sale of heroin, case Ill.-8059. This case was subsequently developed into a conspiracy indictment and combined into case Ill.-8084 and she is now a defendant with 21 other persons. This latter case pending.

Modus operandi: Obtained heroin from William Wright, and Michael DeMaro both in Chicago and New York and sold same to various Negro traffickers in Chicago. Was apparently introduced to DePietto, DeMaro, and Wright through her husband Charles Cole. Opal Cole is known to have dealt in amounts as high as 5 kilograms of heroin at one time; and in sums of money of amounts up to \$100,000.

Agencies with information: Oklahoma City (Okla.) Police Department; Los Angeles (Calif.) Police Department; sheriff's office, Tacoma, Wash.; Chicago, (Ill.) Police Department; Federal Bureau of Narcotics at Chicago, Ill.

Identification: FBI No. 2-823-954; Chicago Police No. E-21038; Oklahoma City Police No. 39671.

GLADYS DAVIS

Aliases: Gladys Dyse; Gladys White.

Description: Born November 24, 1930, at Meridian Miss. Negro female, 5 feet 5 inches tall, 150 pounds, black hair, brown eyes, medium brown complexion, plump build. Last known to be living with James A. White.

Localities frequented: Residence, last known address, 4828 South Forestville, Chicago, Ill.

Criminal associates: James A. White, Nathaniel Spurlark, Jesse Maroy, Jeremiah Pullings, NL No. 322, Mona Evans, Dolores Keeby, William Rouzer, Florine Johnson, Edward Gayles, Frank Sasser, Loretta Sasser, and numerous other narcotic traffickers in the Chicago, Ill., area.

Criminal history: Convicted May 10, 1955, at Chicago, Ill., for violation of the Federal narcotic law, with codefendant James A. White in case Ill-7241, and sentenced to 2 years. After an unsuccessful appeal, Davis surrendered to the U.S. marshal on February 8, 1956, to serve her sentence. She was released on September 3, 1957. She was indicted at Chicago, Ill., on September 2, 1959, for conspiracy to violate the Federal narcotic laws in two cases; Ill-7884 and Ill-7885 with 21 other defendants in all. In a jury trial in case Ill-7885 she was found guilty on March 18, 1961; however, Federal Judge J. Sam Perry subsequently granted her and James White a new trial in this case. The next court date for the above new trial is set for February 3, 1964, but it is doubtful she will be retried in that she was convicted on May 22, 1962, in the second case, Ill-7884, and was sentenced to 10 years in prison. She is presently appealing the latter conviction and is out on bond.

Modus operandi: Prior to her incarceration in 1956 in case Ill-7241, Davis lived with White and assisted him in the narcotic distribution at Chicago, Ill. Their heroin was purchased from Jeremiah Pullings, and they sold to various

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1105

peddlers in Chicago including Jesse Maroy. After her release from prison in 1957 she appears to have taken up with Mona Evans, of the Pullings' organization; assisting in the delivery of heroin to customers in Detroit, Mich; namely, Victoria Basemore, and Loretta and Frank Sasser. Subsequently, she appeared with the Nathaniel Spurlark group at Chicago, assisting in the distribution of heroin for him to customers, including William Rouzer of Detroit and Noble Thigpen of Chicago. When James White was released in the latter part of 1958, she rejoined him.

Agencies with information: Chicago Police Department; Federal Bureau of Narcotics at Chicago, Ill.

Identification: FBI No. 822-682-B.

MICHAEL DE MARO

Aliases: Mike De Marco, Mike Battiato, Michael De Demaro, Michael De Demarco.

Description: Born May 30, 1915, at Chicago, Ill. White male of Italian extraction, 5 feet 7 inches tall, 190 pounds, black hair (balding), brown eyes, ruddy complexion, heavy build, large stomach.

Localities frequented: Residence, 2300 North Commonwealth Street, Chicago, Ill. Burgundy Lounge, 2335 North Clark Street; Andy's Grill, 2350 North Clark Street; other taverns in the area of Clark and Fullerton, Clark and Belden, and Clark and Diversey.

Criminal associates: William Wright, Americo De Pietto, Anthony Passini, Theodore De Rose, Joseph Battiato, Bill Gold, Chester Jones, Charles Cole, Opal (Pat) Cole, Dolores Watkins, Nolan Mack (deceased), Armando Pennachio, Michael Carioscia, Franklin Carioscia.

Criminal history: Dates back to 1939 and includes sentence of 3 years probation on May 28, 1940, for liquor law violations, case Indiana-N-754. Sentenced at Chicago, Ill., on May 14, 1941, to 14 years for charge of accessory to murder. Sentenced in 1954 to 4 years for uttering counterfeit obligations or securities. Numerous arrests for liquor violations, robbery, passing counterfeit money, confidence game, grand larceny, and transporting false securities in interstate commerce.

De Maro was arrested at Chicago, Ill., on December 12, 1961, for conspiracy to violate the Federal narcotic laws, case Illinois-8084. Presently under indictment at Chicago, Ill., for the above case which has been developed and expanded to now include 21 other codefendants. This case now pending.

Modus operandi: Formerly associated with William Wright and appears to be taking care of Wright's narcotic business since Wright's incarceration. Obtains his narcotics from New York and supplied Charles Cole, Opal (Pat) Cole, Chester Jones, Dolores Watkins, Frank Carioscia, Theodore De Rose, Anthony Passini, and Nolan Mack (now deceased), all of Chicago, Ill. De Maro was assisted by his half brother, Joseph Battiato. De Maro is charged as conspiring in the narcotic traffic with Americo De Pietto and 21 other defendants, case Illinois-8084.

Agencies with information: Chicago Police Department; ATTU at Indianapolis, Ind.; U.S. Secret Service, at Chicago, Ill.; Federal Bureau of Narcotics, at Chicago, Ill.

Identification: FBI No. 1-746-141; Chicago Police No. E-53238.

AMERICO DE PIETTO

Aliases: None known.

Description: Born March 31, 1914, at New York, N.Y. White male of Italian extraction, 5 feet 8 inches tall, 200 pounds, gray hair, brown eyes, stocky build, ruddy complexion.

Localities frequented: Residence, 3001 North Mannheim Road, Leyden Township, Ill. Local racetracks in the Chicago, Ill., area.

Criminal associates: All major local hoodlums in the Chicago, Ill., area. Also, William Wright, Ernest (Rocco) Infelice, Michael De Maro, Opal (Pat) Cole, Charles Cole, Nolan Mack (deceased).

Criminal history: Dates back to 1935. Includes arrests for assault, larceny, flight to avoid prosecution of murder, interstate transportation of stolen goods, armed robbery. Arrested October 30, 1963, at Chicago, Ill., by the Federal Bureau of Narcotics, charged in case Illinois-8084 with conspiracy to violate the Federal narcotic laws with 21 other defendants. This case pending.

1106 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Modus operandi: Believed to have been in the narcotic traffic with William Wright, and to have somewhat taken over since Wright's incarceration, as supplier and/or "overseer" of Michael De Maro, et al., organization at Chicago, Ill. Was operating the North Avenue Steak House, 8500 West North Avenue, Melrose Park, Ill. during 1960 when Wright was meeting with and supplying heroin to Armando Pennachio, and Michael Carioscia. The North Avenue Steak House was believed to actually have been owned by Sam Giancana. It has since burned to the ground. De Pietto is suspected of being implicated in several restaurant taverns around Chicago, Ill., that have mysteriously burned down within the past 3 years, and in which it appeared he had some monetary interest.

Agencies with information: FBI at Chicago, Ill., Intelligence Division of the Internal Revenue Service at Chicago, Ill., Intelligence Bureau of the Chicago Police Department, New York Police Department.

Identification: FBI No. 1-639-023, Chicago Police Department No. E-41629, New York Police No. B-133486.

JOHN PAUL DISPENSA, FBI No. 3845561

John Paul Dispensa, FBI No. 3845561, Chicago Police Identification No. E-41907, is a white male of Italian descent. He is 5 feet 7 inches tall, weighs 150 pounds, of small build, with gray hair and brown eyes. He was born February 6, 1920, at Chicago, Ill. His last address was an apartment in back of a pizzeria restaurant he and his wife operated at 3224 West 103d Street, Evergreen Park, Ill. Dispensa is now incarcerated.

The FBI record disclosed that Dispensa was sentenced June 12, 1944, to two concurrent 1-year sentences for violation of the alcohol tobacco tax laws, cases Illinois-N-4047 and Illinois-N-4142 and on this same date was sentenced to 2 years concurrent with the above, on a charge of resisting and assault of a Government officer, case Illinois-N-4172. Dispensa was reportedly a codefendant in the above cases with Sam Serritella.

In 1958 Lawrence Lemons, FBI No. 165802, then a defendant, related that he had attended grade school with Serritella, and that he started buying heroin from him in the early 1940's. When Serritella and Chiarelli were convicted in case Illinois-6481, Serritella, before going to prison in March 1951, introduced Lemons to James Russo and John Dispensa, both of whom were to take over the business. In 1953 Lemons went to prison in case Illinois-6760 and upon his release in 1956 he resumed contact with Serritella and Chiarelli and purchased narcotics from them until June 1957, when they were convicted and sentenced in case Illinois-7399.

Prior to the above sentencing and incarceration of Serritella, he introduced Lemons to Armando Piemonte (it was believed Piemonte was not furnishing Serritella with a share of his profits) and Serritella subsequently turned his business over to John Dispensa and his partner, Phillip Vittoria, FBI No. 930-199-B. Dispensa had been convicted with Serritella in 1944 for a liquor law violation. Piemonte was subsequently convicted and is now incarcerated as a result of case Illinois-7565.

In case Illinois-7655, initiated at Chicago, Ill., in 1958, the following information appears. John Dispensa and Phillip Vittoria were in the narcotic traffic at Chicago, Ill., furnishing heroin to Morris Rosenguard, FBI No. 910-066 (operator of a drug store); Lawrence Lemons, and Herman Franklin (now deceased). Dispensa obtained his heroin via a "runner" of his named James V. Chiaro. Dispensa would send Chiaro to New York and there Chiaro would, through prearrangements by Dispensa, obtain half and kilogram amounts of heroin from Nicholas Esposito, FBI No. 723-541-A; Saverio Schifano, FBI No. 2-289-700; and Dominick Gentile, FBI No. 909-875-B.

In the Federal court prosecution of the above case, Docket No. 58-CR-693; Dispensa, Rosenguard, Vittoria, Gentile, Esposito, and Schifano were listed as defendants. Chiaro cooperated and testified for the Government. On February 3, 1960, the New York defendants, Schifano, Esposito, and Gentile all entered pleas of guilty, this was on the 3d day of trial. They were sentenced on March 1, 1960, to 10, 20, and 7 years, respectively. Also on February 3, 1960, the defendants, Dispensa and Rosenguard entered pleas of guilty and were sentenced on March 1, 1960, to 12 and 5 years, respectively. Phillip Vittoria was found guilty by a jury trial on March 1, 1960, and was sentenced March 5, 1960, to 12 years. Vittoria subsequently appealed this conviction and it was affirmed in the Seventh Circuit Court of Appeals on December 15, 1960.

Dispensa is presently incarcerated.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1107

NICHOLAS RALPH FOSPOSITO

Alias: Nick.

Description: Born May 10, 1922, at New York City, N.Y. White male of Italian extraction, 5 feet 10 inches tall, 157 pounds, black hair, brown eyes, slender build.

Localities frequented: Residence: Presently incarcerated, formerly lived at 2162 East Second Avenue, Brooklyn, N.Y., 112th Street and Second Avenue; 86th and Lexington Streets, New York.

Criminal associates: Saverio (Sam) Schifano, Dominick Gentile, Sam Serri-tella, John Dispensa, Phillip Vittoria.

Criminal history: Convicted in 1951 for violation of the Federal narcotics laws, conspiracy, at New York, case New York-S-8522, and sentenced to 5 years. Paroled March 20, 1954, returned for parole violation July 13, 1955. Discharged April 25, 1957. Arrested November 20, 1958, at New York for conspiracy to violate the Federal narcotics laws, case Illinois-7655, for which he had been indicted at Chicago, Ill. Entered plea of guilty and sentenced March 1, 1960, to 20 years at Chicago, Ill.

Modus operandi: Believed to be the "ringleader" of defendants, Shifano, Gentile, and himself; supplying narcotics to John Dispensa, et al., at Chicago, Ill.

Agencies with information: New York Police Department, Federal Bureau of Narcotics, at Chicago, Ill., and New York City, N.Y.

Identification: FBI No. 723-541-A. This defendant was principally known as a violator at district No. 2, New York, where he has been named as a defendant in cases New York-S-8505 and New York-S-8522; and where he furnished the heroin to a "runner" of John Dispensa who, in turn, transported it to Chicago.

GEORGE FARACCO

George Faracco was born on March 6, 1922, in New York City, N.Y. He is a white male of Italian descent, weighs approximately 180 pounds, is 5 feet 7 inches tall, has brown eyes, black hair, medium build, and dark complexion.

Faracco has a criminal record dating back to 1939 which includes arrests for burglary, grand larceny, robbery, and counterfeiting. He was arrested twice for violation of the Federal narcotic laws. In case No. New York-S-7764, Faracco was sentenced on December 29, 1949, to serve 1 year and 1 day at the Federal Correction Institute, Milan, Mich. On October 2, 1953, in the U.S. district court, Detroit, he was sentenced to 10 years imprisonment in case No. Michigan-3677. This case involved the transportation of heroin from New York to Detroit. Faracco served his sentence at the Federal Penitentiary, Atlanta, Ga. He was released on October 16, 1959.

On May 31, 1962, Faracco left his home at 341 Pleasant Avenue, New York City reportedly to buy a newspaper and was never seen nor heard from again. He is presumed dead, a victim of gangland violence.

George Faracco was an important and persistent violator. He took part in an organization which distributed narcotics in the retail and interstate traffic. He had sources of supply in Montreal, Canada, and was associated with international traffickers.

Faracco was mentioned as the source of supply in New York-S-7557—Dominick Dovico and New York-S-7689—Benjamin DiFonzo. He was a known associate of Louis Pellechio, Albert Pierro, Michael DeMaro, Roger Coudert, and Dominick D'Ercole (NL No. 117).

HERBERT HOWARD FOREMAN

Herbert Howard Foreman, alias Slim, alias George Wilson, was born on June 2, 1919, at Memphis, Tenn. He is a Negro male, 6 feet 4 inches, weighs 178 pounds, has a slender build and a medium-brown complexion.

Foreman is known to and identified in the files of the following police organizations: Chicago, Ill., Police Department No. D-21348, Grand Rapids, Mich., Police Department No. 16045, Cleveland, Ohio, Police Department No. 81621, and FBI No. 3919607. In 1947, he was convicted at Grand Rapids, Mich., of assault to rob while armed and received a 2- to 10-year sentence. In 1955, he was sentenced to 2 years in Federal prison for violation of the Federal narcotic laws. At the time of Foreman's arrest for violation of the Federal narcotic laws in 1955 at Cleveland, Ohio, he was residing at the Sans Souci Hotel, East 112th Street and Superior Avenue. He gave his home address as 6203 South Ada Street, Chicago, Ill.

1108 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Foreman first came to the attention of the Cleveland, Ohio, branch office, district No. 8, during January of 1955 when agents developed information that Herbert Howard Foreman was selling heroin in bulk quantities on the East Side of Cleveland, Ohio, to the extent of about 10 ounces per week. Investigation indicated that he and Paul Jerrels had arrived in Cleveland, Ohio, from Chicago, Ill., and were attempting to organize the street narcotic peddlers into an organization dependent upon Foreman as the source of supply. Acting on this information, agents made 2-ounce purchases of heroin from Foreman and Jerrels and seized from Foreman at the time of his arrest on April 20, 1955, 4 ounces of heroin. Foreman, as a result, received the above-mentioned 2-year sentence in Federal penitentiary. Foreman subsequently testified before the Senate subcommittee headed by Senator Price Daniels when this committee held hearings in Detroit, Mich.

Foreman was associated in the narcotic traffic with John Pringleton, Paul Jerrels, William "Butch" Evans, and Josephine Evans. All of these persons are considered major interstate violators.

DOMINICK FRANK GENTILE

Alias: Dom.

Description: Born August 12, 1923, at New York City, N.Y. White male of Italian extraction, 5 feet 11½ inches tall, 198 pounds, brown hair, brown eyes, ruddy complexion, and stocky build.

Localities frequented: Presently incarcerated. Formerly lived at 198 Brinsmade Street, Bronx, N.Y.; 118th Street, 86th and Lexington Streets, 112th and 2d Avenue, all in New York.

Criminal associates: Saverio (Sam) Schifano, Nicholas Esposito, John Dispensa.

Criminal history: Gentile's record shows only one prior arrest for petty larceny at New York, no disposition. On November 21, 1958, Gentile was arrested at New York by Federal narcotic agents for a charge of conspiracy to violate the Federal narcotic laws as a result of being indicted at Chicago, Ill., in case Ill-7655. He was a codefendant with Nicholas Esposito, Saverio Schifano, John Dispensa, Phillip Vittoria, and Morris Rosengard. On February 3, 1960, Gentile entered a plea of guilty in Federal court at Chicago and was sentenced March 1, 1960, to 7 years in prison.

Modus operandi: Participated with Saverio Schifano at New York delivering half kilogram quantities of heroin for Nicholas Esposito, to John Dispensa, et al., of Chicago, Ill.

Agencies with information: New York City Police Department; Federal Bureau of Narcotics at New York and at Chicago, Ill.

Identification: FBI No. 909-875. This defendant operated exclusively at New York.

WILBERT ORLANDO HOLMES

Aliases: None known.

Description: Born November 2, 1924, at Chicago, Ill. Negro male, 5 feet 8 inches tall, 190 pounds, husky build, black hair, brown eyes, dark brown complexion.

Localities frequented: Residence: 6956 South Anthony; Chicago, Ill.

Criminal associates: Auckland Holmes (brother); Earl Williamson, alias Big Moody; Fred Anderson; Attorney Julius Echeles.

Criminal history: Sentenced June 2, 1942, at Chicago, Ill., to 20 years for murder. Paroled December 17, 1951. Holmes was arrested February 19, 1959, at Chicago, Ill., charged with conspiracy to violate the Federal narcotic laws in case Ill-7775 with codefendant Marc Antonio Orlandino, of New York. Holmes was acquitted by a jury on February 23, 1960, at Chicago, Ill.

Modus operandi: Wilbert Holmes had requested a Miss Eula Brown to accept a Railway Express package for him. The package had been sent by Marc Antonio Orlandino, receipt of which had been discovered at New York when Orlandino was arrested on a case in that city. The package was intercepted at Miss Brown's residence in Chicago and was found to contain almost 2 kilograms of very-high-grade heroin. When Wilbert Holmes came to pick up the package, he was arrested. There is no doubt that Wilbert was acting in behalf of his brother Auckland, and that the heroin was actually meant for Auckland. The above narcotics allegedly came from the Morris Taubman organization at New York.

Agencies with information: Chicago Police Department; Federal Bureau of Narcotics at Chicago, Ill.

Identification: FBI No. 2-669-438; Chicago police No. E-29382.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1109

BENJAMIN INDIVIGLIO

Aliases: Benedetto Indiviglia, Benny Indiviglia, Benny the Cringe.

Description: Born July 16, 1921, New York City, 5 feet 11 inches, 180 pounds, black hair, brown eyes, has acne marks on both sides of face.

Localities frequented: Resides 353 West 44th Street, New York City. Frequenters Dell's Cafe and Opera Inn, both in New York City.

Family background: Father, Giuseppe; mother, Felicia (Fannie) Marino; living with paramour Rose Pizzario, alias Diaz; brothers, Joseph, John, and Salvatore.

Criminal associates: Joseph, John, and Samuel Indiviglio (brothers), Michael J. Costagliola, Salvatore Zarba, Carmelo DeVito, John Romagno, Stephen Della Cava, Michael Altimari, Nicholas Bonina.

Criminal history: FBI No. 4333204, New York City Police Department B No. 227037. Arrests since 1945 include desertion, assault, felonious assault, and conviction for Federal narcotic laws.

Business: Owns and operates Dell's Cafe, 918 Eighth Avenue, and Opera Inn, 726 Eighth Avenue, both in New York City.

Modus operandi: With other Mafia narcotic traffickers engages in narcotic smuggling and interstate distribution.

PAUL JERRELS

Paul Jerrels was born in Chicago, Ill., on April 21, 1923. He is a Negro male, 5 feet 3 inches tall with a medium-brown complexion. His last known address is 6955 Perry Avenue, Chicago, Ill.

He is known to the following police agencies: Michigan City (Ind.) Police Department No. 0946; Chicago, (Ill.) Police Department No. D-42218; Cleveland (Ohio) Police Department No. 81619; and FBI No. 3800799. Jerrels' FBI record indicates an arrest on April 5, 1946, for possession of marihuana and possession of burglar tools at Chicago, Ill., no disposition given. On December 9, 1955, Jerrels was sentenced to 3 years in Federal prison for violation of the Federal narcotic laws.

Paul Jerrels first came to the attention of the Cleveland (Ohio) District No. 8 Branch Office sometime in January of 1955, when he and Herbert Howard Foreman came to that city from Chicago, Ill., for the express purpose of setting up an organization to sell bulk quantities of heroin. During April of 1955, agents at Cleveland, Ohio, made several ounce purchases of heroin from Jerrels and Herbert Howard Foreman and seized from them 4 ounces of heroin. As a result, Foreman received the aforementioned 3-year sentence for violation of the Federal narcotic laws.

Paul Jerrels is considered a major interstate trafficker. He is a resident of Chicago, Ill., and travels to Michigan and Cleveland, Ohio, to dispense quantities of heroin. He has been identified as a main outlet for heroin for Jeremiah Pullings and William "Butch" Evans, Chicago, Ill.

RUPERT KELLY

Alias: Robert Johnson.

Description: Born January 26, 1906 in Alton, La.; 5 feet 7 inches, 160 pounds, black hair, black eyes, bald, medium build, dark brown complexion, Negro.

Localities frequented: Residence, 8324 South Michigan Avenue, Chicago, Ill. Frequenters Archway Lounge, 356 East 61st Street, Chicago, Ill.

Criminal associates: Orville Locke, Harry Schennault, Mack Thomas, Archie Robinson, Lawrence Lemons, John Rector.

Criminal history: Dates from 1938 and includes arrests for violation of liquor laws and Federal narcotics laws.

Modus operandi. Wholesale dealer of heroin in Chicago and into interstate traffic.

Agencies with information: U.S. Bureau of Narcotics, Alcohol and Tobacco Tax Unit; police departments of Detroit, Mich., Chicago, Ill., Los Angeles, Calif., Washington, D.C.

Identification: FBI No. 1666712; Chicago Police Department No. D-7053.

SPARTICO MASTRO

Aliases: Spartilo, Sparky.

Description: Born May 24, 1917, at Chicago, Ill. White male of Italian extraction; 5 feet 7 inches tall, 180 pounds, brown eyes, black hair, medium complexion and build. Gives occupation as a steelworker.

1110 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Localities frequented: Residence, 834 North Harlem, River Forest, Ill. Eat-A-Bit Restaurant, Grand and Austin, and Gateway Bowling Alley, Chicago, Ill.

Criminal associates: Anthony Joseph Dichiarante; Arthur Gasparro; Norman Rosenthal; Salvatore Pisano (deceased).

Criminal history: Arrested March 9, 1960, as a codefendant with Salvatore Pisano, NL No. 316A (deceased); and Anthony J. Dichiarante charged with conspiracy to violate the Federal narcotic laws at Chicago, Ill., in case Ill-7863. This case is pending.

Modus operandi: Assisted Anthony Dichiarante in delivery of one-quarter kilogram of heroin to Salvatore Pisano, who in turn sold same to an informant and narcotic agent.

Agencies with information: None known.

Identification: FBI No. 443065-D.

MARVIN MOSES

Aliases: Marvin Mosley, Marvin Mosses.

Description: Born July 3, 1903, at New Orleans, La. Negro male, 6 feet tall, 200 pounds, black graying hair, brown eyes, light brown complexion, heavy build.

Localities frequented: Residence, 4454 South Greenwood, Chicago, Ill. Also appears to have residence at Route No. 2, Box 17-B, Alton, La. Owns L. & M. Hotel, 515 W. Englewood, Chicago, Ill.

Criminal associates: Isaac Hill, NL No. 182A; Archie Robinson; Michael Battiesse; Broadway Arrington; Moses Hightower; Oscar Pierce, NL No. 316, Rupert Kelly, NL No. 208; all of Chicago, Ill.; Morris Taubman, NL No. 393B, Charles Schiffman, both of New York; Henry Thomas, of New Orleans; Jesse McShan, of Davenport, Iowa. Moses is associated with most of the major Negro narcotic traffickers in Chicago.

Criminal history: Dates back to 1931 including the following convictions: March 31, 1931, receiving stolen property, sentenced to 1 year probation at Chicago, Ill.; March 19, 1935, violation of Internal Revenue laws, sentenced to 3 years' probation; December 3, 1937, violation of liquor laws, Gary, Ind., fined \$210; November 29, 1939, violation of Internal Revenue laws, sentenced to 1 year and 1 day; December 27, 1950, violation of Federal narcotic laws, sentenced to 3 years, case Ill-6314; November 14, 1955, violation of Federal narcotic laws, sentenced to 5 years and \$100 fine, case Ill-7154.

The record also indicates that on September 23, 1955, Moses was sentenced to 6 months and 1 year for violation of the Michigan State drug law and bribing a police officer at Detroit, Mich. Numerous other arrests for violation of Internal Revenue laws and narcotic investigations. Moses was recently indicted at Chicago, Ill., for violation of the Federal narcotic laws, however, on June 5, 1963, the indictment was dismissed in case Ill-7884 due to Moses' cooperation and testimony resulting in conviction of Isaac Hill, Michael Battiesse, Archie Robinson, and Broadway Arrington.

JOHN ORMENTO

Aliases: Big John, John Forte, Governor.

Description: Born August 1, 1912, in New York City; 5 feet 10 inches, 240 pounds, black hair, brown eyes, heavy build, dark complexion.

Localities frequented: Resides 118 Audrey Drive, Lido Beach, Long Island, N.Y. Frequents 107th Street and Second Avenue; Copacabana, 10 East 60th Street; Vogue Room, 120 East 57th Street; all New York City. Visits 15 Fulton Avenue, Atlantic Beach, Long Island, N.Y.

Criminal associates: Salvatore Santora, Frank Livorsi, Rocco Pellegrino, Mike Lascoula, Carmine Galantè, Joe Bonnano, Frank Garafolo, Vincent and Joseph Catrone, Charles Luciano.

Criminal history: Dates from 1937 and includes arrests for bookmaking, and violation of State and Federal narcotic laws.

Modus operandi: A notorious leader in the Sicilian-Mafia organization, and through the 107th Street group of traffickers in New York City controls the distribution of large quantities of narcotics. Closely associated with top Mafia traffickers and racketeers including Carmine Galante, Joseph Bonnano, Frank Garafolo, Joe Barbara, Vincent Catrone, Joseph Catrone, and Charles Luciano.

Agencies with information: U.S. Bureau of Narcotics, U.S. Bureau of Customs, New York City Police Department.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1111

Identification: FBI No. 1321383; New York City Police Department No. B-158044.

ARMANDO PIEMONTE. ALIAS MIKE FALONE

Armando Piemonte is a white male of Italian extraction, born March 15, 1915, at Chicago, Ill., 5 feet 9 inches tall, 200 pounds, and heavy build. This subject was a major wholesale supplier of high-grade heroin in ½ kilogram lots at Chicago, Ill. He was a codefendant with Helen Mack in Ill.-7565 at Chicago, Ill., in which he sold large quantities of heroin to an undercover agent of the Bureau of Narcotics. His primary outlet was Negro peddlers on the South and West Sides of Chicago, Ill. He was associated with Arnold Romano, N.L. No. 333, Helen Mack, N.L. No. 274, Harry Schennault, N.L. No. 355, and Fred Coduto.

Piemonte was a defendant in Ill.-7565 at Chicago, Ill., and was charged with violation of the Federal narcotic laws.

November 28, 1958, Piemonte was sentenced in Federal court at Chicago, Ill., to a term of 6 years. August 18, 1959, Piemonte was sentenced, at Chicago, Ill., to an additional 18 months for refusing to answer questions of a Federal grand jury at Chicago, Ill.

FBI No. 757537; Chicago Police Department No. 9461.

ARNOLD ROMANO

Aliases: Allie, Aniello, Gaetano Romano, Anthony Cacia.

Description: Born May 4, 1914, in New York City; 5 feet 3 inches; 140 pounds; black hair; brown eyes; dark complexion; Roman nose; medium build.

Localities frequented: Residence: 200 Mott Street, New York City. Frequenters: Paisano Bar, 14th Street and Second Avenue; Tell Tea Room, 13th Street and Second Avenue; both in New York City.

Criminal associates: Steve Arnone, Cosmo Franco, Charles Conti, Eugene and Victor Tramaglino, Solomon Kaplan, Alfred Guido, Salvatore Schillitani, Nick Martello.

Criminal history: Dates from 1933 and includes arrests for grand larceny, assault and robbery, robbery, attempted robbery, and violation of State and Federal narcotic laws.

Modus operandi: A wholesale distributor of heroin who controls the traffic in the East 14th Street area of New York City. Supplies wholesale dealers from the Midwest and Texas.

Agencies with information: U.S. Bureau of Narcotics. Police departments of New York City, N.Y.; and Philadelphia, Pa.

Identification: FBI No. 698634; New York City Police Department No. B-116989.

MORRIS R. ROSENGARD

Alias: Morrie.

Description: Born January 4, 1908, at Chicago, Ill. White male of Jewish extraction, 5 feet 9 inches tall, 180 pounds, brown hair, blue eyes, stout build, light complexion. Married to Albina Rosengard.

Localities frequented: Residence: 2534 West Marquette Road, Chicago, Ill. Formerly operated the Unity Drug Store, 3037 South Wentworth Avenue (has since been demolished).

Criminal associates: John P. Dispensa; Phillip Vittoria; Grace Pine; Peter Gushi; and many other known hoodlums of minor importance in the Chicago area.

Criminal history: Dates back to 1935. Sentenced February 5, 1937, to 5 years at Leavenworth for theft from interstate shipment. No arrest to November 21, 1958, when he was charged with conspiracy to violate the Federal narcotic laws at Chicago, Ill., in case Ill.-7655 with codefendants John Dispensa, Phillip Vittoria, both of Chicago, Ill., and Nicholas Esposito, Saverio Schifano, and Dominick Gentile, of New York City, N.Y. Rosengard was sentenced March 1, 1960, to 5 years on a plea of guilty to the above charge. He has since been released.

Modus operandi: Operated Unity Drug Store while licensed as an assistant pharmacist in the State of Illinois. Was purchasing heroin from Dispensa and Vittoria and selling to various customers in the Chicago area. Was also known as a "bookmaker," "fence," and underworld "fixer" for minor arrests by the Chicago Police Department.

Agencies with information: FBI; Chicago Police Department; Federal Bureau of Narcotics at Chicago, Ill.

1112 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Identification : Chicago Police Group Photo No. 7889 ; FBI No. 910-066.

WILLIAM ROUZER

Aliases : None known.

Description : Born October 14, 1914, at Baltimore, Md. Negro male, 5 feet 9 inches tall, 210 pounds, black hair, brown eyes, 2-inch scar on forehead, rough, pitted face. Medium brown complexion, stocky build.

Localities frequented : Presently incarcerated ; Jackson, Mich., State Prison.

Criminal associates : Nathaniel Spurlark, Gladys Davis and others known to Detroit office of the Federal Bureau of Narcotics.

Criminal history : Convicted and sentenced at Detroit, Mich., in Federal Bureau of Narcotics case Mich-4106. Convicted in State court at Detroit, Mich., on May 10, 1960, and sentenced to 7½ to 10 years for possession of heroin. On March 1, 1962, Rouzer appeared at Chicago, Ill., and testified against Spurlark and Gladys Davis in conspiracy case Ill-7884, which ultimately resulted in their conviction.

Modus operandi : Rouzer obtained narcotics from Nathaniel Spurlark, who was assisted by Gladys Davis ; at Chicago, Ill. Rouzer distributed these narcotics to various peddlers at Detroit, Mich. Above period of activity appears to have been during 1958.

This subject only appeared as a witness for the Chicago, Ill., office of the Federal Bureau of Narcotics and testified regarding his association with Spurlark during 1958. Further information and history may be contained in the Bureau files at Detroit, Mich.

Agencies with information : Detroit Police Department, Federal Bureau of Narcotics at Detroit, Mich.

Identification : Federal Bureau of Investigation No. 5063627 ; Detroit Police No. 80067.

JOSEPH CLEVELAND SADDLER, ALIAS J.C.

Joseph C. Saddler is a colored male, born December 1, 1925, at Port Arthur, Tex., 5 feet 11½ inches tall, 200 pounds, dark complexion, and medium build. Saddler was a known major violator in interstate trafficking in heroin. For a number of years, he supplied all of the heroin at New Orleans, La. He was closely associated with major violators Joseph Bruno, N.L. No. 43, Nathaniel Spurlark, N.L. No. 377, Auckland Miles, Dutch Evans, and Jeremiah Hope Pullings, Ill-7300, this subject was charged with possession of over ounces of high-grade heroin.

Saddler was a defendant in Ill-7300 at Chicago, Ill., and was charged with violation of the Federal narcotic laws.

June 24, 1957, Saddler was sentenced in Federal court at Chicago, Ill., to a term of 10 years.

Federal Bureau of Investigation No. 3708437 ; Chicago Police Department No. 45392.

FRANK SASSER

Frank Sasser was born in Bloomburg, Tex., on July 1, 1922. He is a Negro male, 6 feet 1 inch tall, weighs 200 pounds, is of stocky build, has brown eyes and black hair. He resides with his wife, Loretta, at 5537 Pacific Street, Detroit, Mich.

Sasser is currently incarcerated for violation of the Federal narcotic laws. Prior to his conviction, he frequented the 12th Street area of Detroit, the Visger Road section of Ecorse, Mich., and the south side of Chicago. He was actively engaged in the narcotic traffic in Detroit. He was assisted in this endeavor by his wife, Joseph House, and Joseph Lowery. His Chicago associates were James White alias Freckle Face Jimmy, Theorus Bankhead alias Rick, Jeremiah Pullings, and Nathaniel Spurlark, major narcotic traffickers.

Frank Sasser is identified in the files of the following police agencies : FBI No. 393691-A, Detroit Police Department No. 95574, Ecorse, Mich., Police Department No. 1663, and Oklahoma City Police Department No. 64227. Frank Sasser's criminal history dates back to 1950, when he was arrested and convicted at Oklahoma City, Okla., for operating a disorderly house, carrying a concealed weapon, and possession of whiskey. He was convicted on January 30, 1956, for violation of the Federal narcotic laws, and sentenced to 4 years in a Federal prison. On November 28, 1960, he was sentenced to 12 years in the Federal penitentiary for violation of the Federal narcotic laws. During the

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1113

same period of the sentence in Federal courts, he was convicted in recorder's court, Detroit, Mich., for conspiracy to commit murder and assault with intent to commit murder and received respective sentences of 1 to 5 years and 5 to 10 years to run concurrent.

In the past, Frank Sasser purchased wholesale lots of narcotics at Chicago, Ill., for redistribution through his wife Loretta Sasser and others at Detroit and River Rouge, Mich. While Frank Sasser was serving a Federal prison term in 1956, his wife Loretta assumed his position in the narcotic traffic. In 1958, Loretta Sasser received a 2-year sentence in Federal court for violation of the Federal narcotic laws.

Sasser is considered a ruthless chieftain in the colored underworld and enforces his will through the use of hired gunmen as exemplified in his attempt to kill a Government witness in 1960 for which he received the above-mentioned sentence in recorder's court.

SAVERIO GAETANO SCHIFANO, JR.

Alias: Sam.

Description: Born February 7, 1923, at New York City, N.Y. White male, of Italian extraction, 5 feet 11 inches tall, 170 pounds, brown hair, brown eyes, dark complexion, slender build.

Localities frequented: Presently incarcerated. Formerly resided at 2966 Coddington, Bronx, New York.

Criminal associates: Dominick Gentile, John Dispensa, Phillip Vittoria, Nicholas Esposito.

Criminal history: Defendant in ATTU case NYS-3307 for alcohol tax violation. Sentenced December 29, 1948, to 1 year probation at New York. Sentenced June 28, 1955, to 1 year and 1 day for having an unregistered still. Numerous other arrests for ATTU violations. Arrested November 21, 1963, at New York as a defendant in case Ill-7655. Entered plea of guilty at Chicago and sentenced to 10 years on March 1, 1960, for conspiracy to violate the Federal narcotic laws.

Modus operandi: Participated in the narcotic trafficking at New York with Dominick Gentile and Nicholas Esposito supplying heroin to John Dispensa, et al., at Chicago, Ill.

Agencies with information: ATTU, New York; Federal Narcotics Bureau, New York.

Identification: FBI No. 2-289-700.

This defendant was principally known to have operated and resided in district No. 2, New York.

CHARLES SCHIFFMAN

Aliases: Charles Shiffman, Morris Feldman, Charles Schippman, Charles Harriss.

Description: White male, born September 14, 1903, at Wallington, N.J., 5 feet 6 inches tall, 160 pounds, brown eyes, black-gray hair, medium build, ruddy complexion.

Localities frequented: Resided at 337 West 23d Street, New York City; frequented racetracks in the New York area and midtown Manhattan.

Criminal associates: Frank Caruso, Vincent Mauro, Charles Tandler, Isaac Hill, Abe Chapman, Morris Taubman.

Criminal history: FBI No. 313781. New York City Police Department No. B-123114. Arrests since 1924 include robbery, carrying concealed weapon, and narcotic violations. He is currently incarcerated for violation of the Federal narcotic laws and is serving a 25-year sentence (NY:S-10795).

Modus operandi: A major source of supply for dealers in Chicago, Ill. Wholesaler of large quantities of heroin to interstate dealers.

MORRIS TAUBMAN

Aliases: Morris Tennenbaum, Morris Tannenbaum, Jack Davis, L. Galloway, Morris Gold, Morris Galloway, Moe, Doc.

Description: Born September 16, 1904, in Poland-Russian corridor; 5 feet 9 inches; 200 pounds; brown eyes; black hair, balding; stocky; tattoo right arm; two 17-inch scars on back.

Localities frequented: Resides: 325 East 23d Street, New York City. Frequents Chicago, Ill., and Miami, Fla.

1114 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal associates: Barney Gold, Betty Miller, Jockey Joe Miller, Nathan Banks, Saul Gelb, Max Gerstenfeld, Leslie Williams.

Criminal history: Dates from 1915 and includes arrests for burglary, assault and battery, robbery with a gun, highway robbery, and violation of Federal narcotic laws.

Modus operandi: A major source of supply for dealers in Chicago, Ill. Wholesaler of large quantities of heroin to interstate dealers.

Agencies with information: U.S. Bureau of Narcotics. Police departments of New York, N.Y., and Chicago, Ill.

Identification: FBI No. 19874, NYCPD No. B-59828, Chicago Police Department No. C-86356.

PHILLIP JOSEPH VITTORIA

Alias: Phil.

Description: Born October 15, 1915, at Chicago, Ill. White male of Italian extraction, 5 feet 1 inch tall, 170 pounds, black hair (balding), brown eyes, stout build, ruddy complexion.

Localities frequented: Residence. 256 West 23d Place, Chicago, Ill. Known to frequent "Chinatown" area of Chicago. Presently incarcerated.

Criminal associates: John P. Dispensa, Morris Rosengard, Phillip Cassatta, Sam Serritella, Lawrence Lemons, Peter Gushi, Leo Boney.

Criminal history: Charged with violation of Federal narcotic laws, case Ill-7258, with Phillip Cassatta. Vittoria sentenced in this case January 5, 1956, to 2 years. Sentenced March 1, 1960 to 12 years in Federal Court at Chicago, Ill., after being found guilty by a jury for violation of the Federal narcotic laws in case Ill-7655. Codefendants in the latter case were Morris Rosengard, John Dispensa, Saverio Schifano, Dominick Gentile, and Nicholas Esposito (the latter three being from New York).

Modus operandi: Acted as partner of John Dispensa in the distribution of narcotics at Chicago, Ill., which were brought from New York.

Identification: FBI No. 930-199-B.

ELAINE WILSON

See report on Woodrow L. Wilson. Elaine Wilson is the wife of Woodrow Wilson, living somewhere in Michigan. Elaine Wilson lived with and assisted Woodrow Wilson in his trafficking in narcotics during the period of about 1952 to 1957 at Chicago, Ill.; St. Louis, Mo.; Des Moines, Iowa; and Detroit, Mich.

There is no specific identifying information in the files of District No. 9, Chicago, Ill., except as relates to and is reported about Woodrow L. Wilson. Elaine Wilson also testified at Chicago, Ill. in case Ill-7884 and corroborated Woodrow Wilson's testimony regarding his association and dealings with Nathaniel Spurlark, et al.

WOODROW LEO WILSON

Aliases: Woody; Chicken.

Description: Born September 25, 1925, at Kansas City, Mo. Negro male, 5 feet 11½ inches tall, 155 pounds, black hair, brown eyes, slender build, medium brown complexion. Married to Elaine Wilson.

Localities frequented: Residence: Formerly lived at 5012 South Drexel Boulevard, Chicago, Ill. Now believed living in Michigan.

Criminal associates: Nathaniel Spurlark, Katy B. Lewis (deceased); Dennis Green, national list No. 169; Willard Jones; Vernelet Peters; Henry Layden; Edward Gayles; Dorothy Johnson; Dolores Doyle; Elaine Wilson (wife).

Criminal history: Convicted for violation of Federal narcotic laws on June 17, 1957, at St. Louis, Mo., and sentenced to 5 years in prison. Named as a defendant in case Ill-763-M at Springfield, Ill., however, this latter case was dismissed in view of the above conviction and sentence. Wilson testified for the Government in early 1962 during the prosecution of case Ill-7884, at Chicago, Ill., against defendants Nathaniel Spurlark, Willard Jones, Dennis Green, and Edward Gayles.

Modus operandi: From 1952 until 1955 Wilson purchased the majority of his narcotics from Nathaniel Spurlark, directly or through Spurlark's "runner" Katy B. Lewis. After discharge from the Army in October 1955 he continued buying narcotics from the Spurlark organization, particularly, Dennis Green and Willard Jones. Wilson supplied narcotics as follows: to Calvin Waugh, defendant at Detroit, Mich., in case Mich-592-M, 1954; to Mildred Clark and Elijah Hampton, Chicago, Ill., case Ill-7247, 1955; Henry Layden, St. Louis,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1115

Mo., case Mo-8519; Grady Mosley, Mo-8524, 1957; Dorothy Johnson, Des Moines, Iowa, case Iowa-631.

Agencies with information: Milwaukee, Wis., Police Department, St. Louis, Mo., Police Department, Federal Bureau of Narcotics at St. Louis, Mo., and Chicago, Ill.

Identification: FBI No. 632103-B; Milwaukee Police No. 56061; St. Louis Police Department No. 75880.

WILLIAM ERNEST WRIGHT

Aliases: New York Bill; J. Burns; J. Harris.

Description: Born August 14, 1916, at Syracuse, N.Y. White male, 6 feet tall, 200 pounds, brown thinning hair, blue eyes, heavy build, claims self-employment as a jewelry salesman.

Localities frequented: Presently incarcerated. Residence address: 288 Maple Street, Fort Lee, N.J. Frequented the North Avenue Steak House, 8500 West North Avenue, Melrose Park, Ill. (Has since burned down.)

Criminal associates: Armando Pennachio, Michael Carioscia, Ben Pennachio, (codefendants with Wright in case Ill-7924), Americo De Pietto, Ernest (Rocco) Infelice; Michael De Maro, alias De Marco; John Schivarelli; Nolan Mack (deceased); Helen Mack (incarcerated); Charles Cole; Opal Cole; Chester Jones.

Criminal history: Arrest record dates back to 1932. Sentenced September 30, 1938, to 30 years for murder at Chicago, Ill. Paroled October 30, 1950, returned June 1, 1951, as a parole violator. Sentence commuted by Governor to 25 years on September 8, 1952. Released on expiration of sentence September 8, 1953. Arrested November 16, 1953, by the New York Police on a warrant charging assault and robbery with a gun of a residence. Wright was turned over to the sheriff's office of Miami Beach, Fla. There is no disposition shown for this arrest. Wright was again arrested by New York Police on January 28, 1955, for grand larceny of scrap metal. This charge was dismissed on March 2, 1955. Wright was again arrested on October 1, 1956, at Chicago, Ill., for possession of narcotics in case Ill-7406. (He had 9 ounces of heroin to deliver to Nolan Mack.) Wright was found guilty of the above charge at Chicago, sentenced to 2 years on February 20, 1959, appealed, and on January 27, 1961, the conviction was reversed.

Wright was again arrested on December 6, 1957, by Federal Bureau of Narcotic agents at New York in case NY:E-1185. This indictment was subsequently dismissed. Wright was next arrested September 12, 1960, by Federal narcotic agents at Chicago, Ill., in case Ill-7924. In this case Wright was charged with conspiracy to violate the Federal narcotic law with codefendants Armando Pennachio, Ben Pennachio, and Michael Carioscia. Wright was sentenced in this case on October 27, 1961, to 5 years in prison.

Modus operandi: Information from Wright at the time of his arrest in 1956 indicated he obtained his narcotics from Tony Carminati and Robert Guippone of New York. Wright was transporting narcotics from New York to Chicago for Nolan Mack, subsequently to Helen Mack, national list No. 274, after Nolan was incarcerated, and later to Michael Carioscia and Armando Pennachio, codefendants with him in case Ill-7924.

Wright, it appears, was also furnishing heroin to Michael De Maro, alias De Marco; who in turn supplied Opal Cole, Charles Cole, Chester Jones, Frank Carioscia, and Nolan Mack. These latter defendants are all now named in a conspiracy case, Ill-8084, at Chicago, Ill. This case now pending.

During the development of case Ill-7924 Wright always frequented the North Avenue Steak House, 8500 West North Avenue, while he was in Chicago. This restaurant was then operated by Americo De Pietto and Ernest Infelice (purportedly for Sam "Mooney" Giancana). The pending conspiracy case, Ill-8084, names De Pietto as a coconspirator along with Charles Cole and 20 other persons.

Agencies with information: Chicago Police Intelligence Unit; New York Police Department; Miami Beach, Fla., Police; Federal Bureau of Narcotics at Chicago and New York.

Identification: FBI No. 1-610-173; Chicago Police No. D-82729; New York Police No. B-334508; Miami Beach Police No. A-32245.

1116 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

EXHIBIT No. 5

LOS ANGELES AREA

WALTER LEE CARLTON

Aliases: None.

Description: Born December 25, 1915, Mobile, Ala.; Negro male; 5 feet 9½ inches tall; weighs 160 pounds; black hair; brown eyes; dark complexion; medium build.

Criminal associates: Louis Fiano; Michael Fiano.

Criminal history: Dates from 1939 and includes arrests for Federal liquor laws, burglary, gambling, State narcotic laws, battery, and two convictions for violation of the Federal narcotic laws.

Modus operandi: Wholesale heroin dealer in Los Angeles area. Sole distributor for Louis Fiano and eastern mobsters.

Identification: FBI No. 1745844.

Summary of activity

Walter Lee Carlton was a coconspirator and partner of Louis Fiano. Fiano received shipments of heroin from the east coast syndicate in lots of 6 and 7 pounds. Carlton was the only distributor for Fiano in California. The amount of heroin that Carlton distributed in 1957; 1958; and 1959 must of necessity run to values of several hundreds of thousands of dollars.

On January 26, 1959, Carlton entered a plea of guilty to violation of the Federal narcotic laws, and on February 16, 1959, he was sentenced to 12 years in the Federal penitentiary.

JESSE MARVIN DEL BONO

Alias: Edward Strauss.

Description: Born December 20, 1922, Arma, Kans.; white male, Italian extraction; 5 feet 9 inches tall; weighs 185 pounds; black hair and brown eyes.

Criminal associates: Benjamin Marchese, Michele Marchese, Tony Dichiarente.

Criminal history: Dates from 1940. He has been arrested for breaking and entering, gambling, bookmaking, and violation of the Federal narcotic laws.

Modus operandi: Associated with Michael Marchese in Los Angeles, Calif., in the wholesale distribution of heroin of New York origin.

Identification: FBI No. 414-841A.

Summary of activity

On March 13, 1958, Federal narcotic agents and California authorities arrested Michele Marchese and Jesse Marvin Del Bono, and seized 921 grams (32½ ounces) of heroin which Marchese had delivered. In Del Bono's garage arresting officers found 85 grams (3 ounces) of heroin and some packaging equipment. The arrests and seizures climaxed 3 months of investigation, during which Marchese made two sales totaling 113 grams (4 ounces) of good quality heroin.

Marchese, considered one of the largest distributors of heroin on the west coast, had been associated with major narcotic violators on the east coast, and was known as a supplier of heroin to several other narcotic dealers in the Los Angeles area. On June 16, 1958, Federal Judge Thurmond Clarke of Los Angeles sentenced Marchese to 10 years in prison.

Investigation disclosed that Michele Marchese and Jesse Del Bono had numerous sources of supply both in New York City and Chicago, Ill. Benny Marchese, the uncle of Michele, supplied large amounts of heroin from syndicated narcotic traffickers in New York City. Investigation also disclosed that Del Bono was mailing registered packages from California to Tony Dichiarente, Chicago, Ill. These packages were believed to contain moneys in payment for deliveries of heroin from the Chicago syndicate. It was established that Marchese was a close friend and associate of major trafficker Anthony Castaldi of New York City.

LOUIS FIANO

Aliases: Louis Friedman, Louis Frano.

Description: Born December 25, 1914; white male, Italian extraction, 5 feet 9½ inches tall, weighs 200 pounds, brown hair, brown eyes.

Criminal associates: Walter Lee Carlton, Joseph DiPalermo, Vito Genovese, Rocco Mazzie.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1117

Criminal history: Numerous arrests and convictions for bribery of a Secret Service agent, Dyer Act, larceny, forgery, robbery, felonious assault, and one conviction of violation of Federal narcotic laws.

Modus operandi: Associate of top Italian racketeers in New York and Los Angeles. Wholesale interstate heroin dealer.

Identification: FBI No. 619247, CII No. 543424.

Summary of activity

On May 14, 1958, Federal narcotic agents at Los Angeles, Calif., arrested Louis Fiano, alias Louis Friedman, after an undercover investigation of about 3 months. On April 7, 1958, Fiano sold one-half kilogram (17 ounces) of pure heroin to an undercover narcotic agent. On July 28, 1958, Federal Judge Peirson Hall at Los Angeles sentenced Fiano to 20 years in prison and imposed a fine of \$20,000. This sentence was later reduced to 7 years. Fiano, one of the most important narcotic dealers in Los Angeles, was involved in a narcotic conspiracy which operated between New York City and other cities.

Shortly before Fiano's sentence in the above case, he was indicted by a Federal Grand Jury in New York City in an indictment naming 37 defendants in a gigantic conspiracy to violate the Federal narcotic laws. The conspiracy began in 1954 and involved the smuggling of heroin in kilogram lots from Europe to the United States via Cuba. Fiano was the west coast distributor for this organization. On April 3, 1959, after 13 weeks of trial, a guilty verdict was returned against all of these conspirators in this case with the exception of Fiano. Fiano was acquitted because the Government was unable to corroborate the testimony of a coconspirator relative to a large delivery of narcotics made to Fiano in Las Vegas, Nev., in 1955. The source of supply for Fiano was identified as Joseph Di Palermo, of the New York syndicate, headed by the notorious Vito Genovese.

LEROY JEFFERSON

Aliases: None.

Description: Born February 1, 1919; Warren, Ark.; 5 feet 10½ inches tall, weighs 175 pounds, black hair, brown eyes, dark complexion, medium build.

Criminal associates: Rodolfo Arriola, Nelson Hermida, Clarence Criss, and many others.

Criminal history: Record dating from 1936 includes arrests for robbery, pimping, and violation of the Federal narcotic laws.

Modus operandi: A persistent and large-scale interstate and international trafficker in California, with sources of supply in New York City and Mexico.

Identification: FBI No. 2028068.

Summary of activity

From 1957 to January 1959, the largest individual narcotic trafficker in the Western United States was Leroy Jefferson. Three separate conspiracy investigations were initiated against this prominent Negro trafficker, who in turn, was the source of supply for other top echelon Negro traffickers in the States of California, Oregon, and Washington.

From the Nelson Hermida organization operating out of New York City, Jefferson received deliveries of pure heroin. For cocaine, Jefferson utilized the Rodolfo Arriola organization, operating out of Villa Acuna in the Mexican State of Coahuila. The smallest narcotic delivery received by Jefferson was one-half kilo, while the largest was 5 kilos.

On February 18, 1959, an indictment was returned in San Francisco, Calif., against Jefferson and 16 codefendants who lived in Washington; Oregon; Oakland and Los Angeles, Calif.; Chicago, Ill.; New York, N.Y.; and Villa Acuna, Coahuila, Mexico, with whom Jefferson had narcotic transactions.

From information learned following the arrests of those defendants indicted on February 18, 1959, an extensive investigation followed, which led to the indictment of 27 defendants including members of both the Hermida and Arriola organizations, by the Federal grand jury in San Francisco, Calif., on March 25, 1959.

It is interesting to note that prior to Jefferson's entrance into the narcotic traffic during 1957, he derived his income from living with and accepting earnings from prostitutes. During his 2-year tenure in the narcotic traffic, he was able to rise from a panderer to an extremely wealthy individual. He was distributing such vast quantities of narcotics on the west coast, that several New York Italian groups were actually "fighting" to get him as a customer. He be-

1118 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

came personally acquainted with the large narcotic traffickers, both Negro and Italian, in New York City, Chicago, and Los Angeles.

Jefferson traveled extensively throughout the United States and Europe, and was known to literally carry thousands of dollars on his person. When Jefferson was arrested in Seattle, Wash., on August 22, 1957, he had over \$5,000 on his person. Then on June 2, 1958, Jefferson and his common law wife, Delores Mitchell, were arrested by officers of the Los Angeles Police Department. On Jefferson's person, \$32,430 was found. On Mitchell's person, the officers found an additional \$5,765.

On May 25, 1959, Jefferson was sentenced in Federal court at Los Angeles, Calif., to a term of 20 years imprisonment for his participation in case Cal-5634. Then on June 12, 1959, in Federal court at San Francisco, Calif., Jefferson received another 20-year sentence for his participation in case Cal-5630. This second 20-year sentence is to run concurrently with the 20-year sentence imposed at Los Angeles, Calif.

With the conviction of Jefferson, and several other prominent codefendants in the three California conspiracy cases, the Jefferson organization was completely broken up.

MORRIS JOSEPH

Alias: Fat Joe.

Description: Date of birth, June 24, 1926, New Orleans, La., Negro male, 5 feet 7 inches tall, weighs 200 pounds, heavy build, dark-brown complexion, brown eyes, black hair. Has a 4-inch cut scar over left eye.

Criminal associates: Edward McCray, James Glover, Jr., Norman E. Smith, Randolph Patterson, Milton Beasley, Vase Valrie, Warren Harris.

Criminal history: Dates from 1944 and includes four convictions under the Federal narcotics and marihuana laws. Currently serving a total of 80½ years following convictions for violation of the Federal narcotic laws in Texas, Colorado, and California.

Identification: FBI No. 4-394-479, Denver Police Department No. 61945, Chicago Police Department No. E-4413, Beaumont Police Department No. 10282; State Police, Hartford, No. G-1630-E/75336.

Summary of activity

Notorious narcotic trafficker Morris Joseph, over a period of years, operated in complete defiance of the narcotic laws. In Chicago, he maintained ready sources of unlawful narcotics in wholesale quantities to supply a distribution system extending into Texas, Colorado, and California.

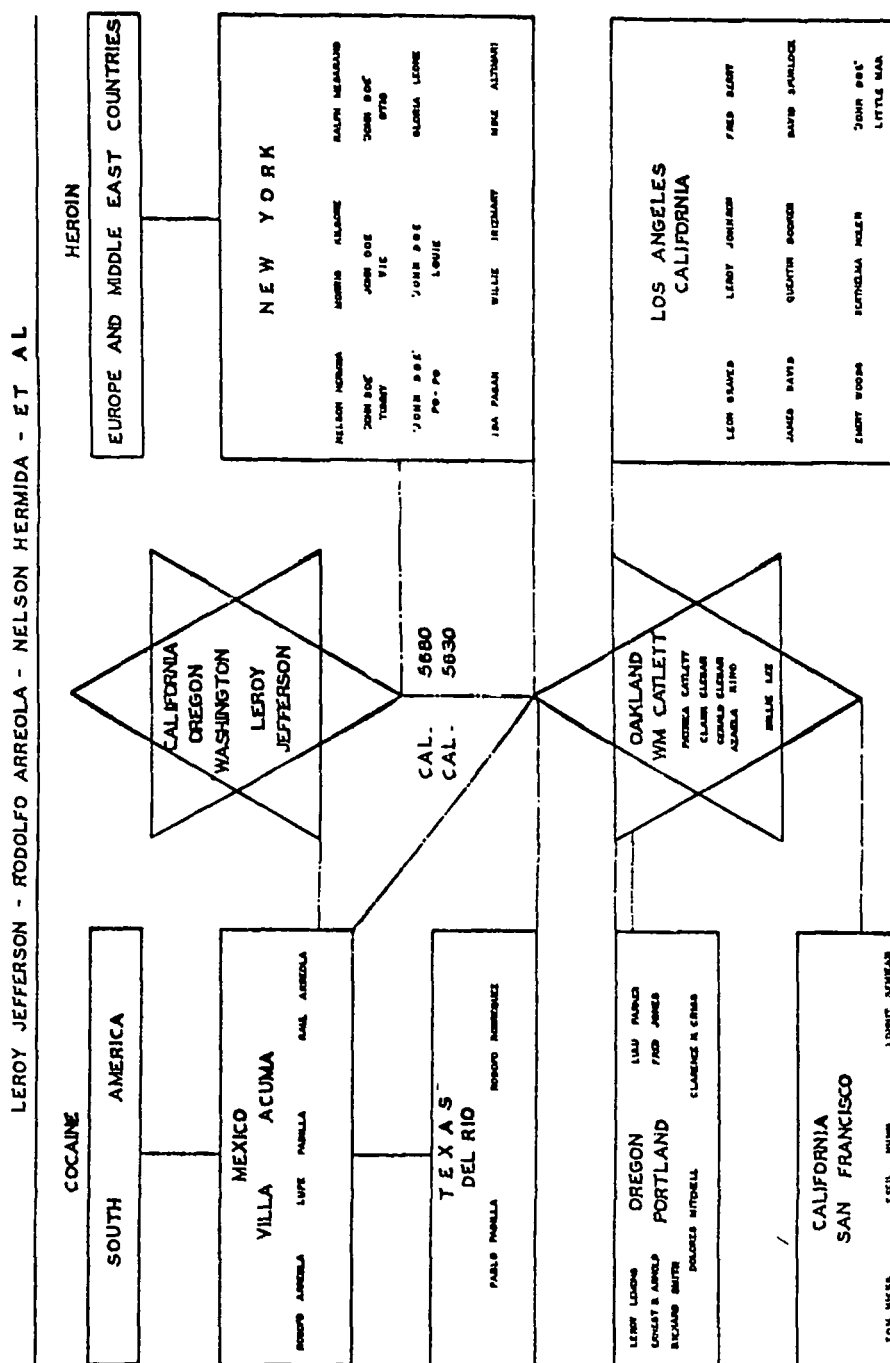
Joseph was convicted on a narcotic charge in Beaumont, Tex., and sentenced September 17, 1959, to 12 years in the penitentiary. This conviction was appealed and Joseph moved to Denver, Colo., where he was convicted and sentenced October 21, 1960, to 8½ years in the penitentiary on a narcotic charge. This conviction was also appealed.

Joseph then transferred his headquarters to Los Angeles, Calif., from which point he directed unlawful distribution of heroin in Texas, Colorado, and California.

Following conviction on charges of having unlawfully sold heroin in large quantities to undercover agents of the Federal Bureau of Narcotics in Los Angeles, Calif., during February and March 1961, Morris Joseph, on May 4, 1961, was sentenced to 60 years in a Federal penitentiary and immediately began serving this sentence.

On August 10, 1961, at Las Vegas, Nev., the body of the Government witness who testified against Morris Joseph was found in an automobile. He had been shot twice. This murder "contract" apparently was given by Joseph and other notorious racketeers in Los Angeles against whom the Government witness had made evidential purchases for the U.S. Bureau of Narcotics at Los Angeles.

In an excellent example of outstanding cooperation between the Federal Bureau of Narcotics and the California State Bureau of Narcotics, an extensive investigation resulted in the arrest of Milton Beasley for the murder of this witness. Beasley has been convicted and sentenced to life imprisonment without possibility of parole. Three other individuals were arrested for this murder when it was proven that they had paid Beasley the sum of \$5,000 to commit the murder. These three individuals had previously been arrested for narcotic violations as a result of testimony provided by the same witness. To date, one of these defendants, Randolph Patterson has pleaded guilty to second-degree murder and has been sentenced to 15 years at Las Vegas, Nev. The trial of the other two defendants is still pending.



1120 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

IGNAZIO CARLO MARCHESE

Aliases: Benny Mardhese; "Okay Benny."

Description: Date of birth, February 12, 1903, Palma, Italy; white male; 5 feet 9 inches tall; weighs 195 pounds; brown eyes; hair is graying; naturalized February 2, 1944, in Connecticut.

Criminal associates: Frank Piccolo, Raymond Marcesca, Paul Agrests, John Santangelo, all of Connecticut; Michele Marchese of Los Angeles; Anthony Castaldi and Vincent Corrao of New York City.

Criminal history: Arrests since 1930 include carrying concealed weapon, robbery with violence, and conviction of Federal narcotic laws.

Modus operandi: An interstate narcotic trafficker who obtained his supply from known Mafia traffickers in New York City.

Identification: FBI No. 4612703; Connecticut State Police No. 49778.

Summary of activity

Ignazio C. Marchese, alias Benny, was important in the interstate traffic in heroin and was identified as the source of supply for his nephew, Michele Marchese of Los Angeles, Calif. Marchese maintained a residence in Ansonia, Conn.

In February and March of 1958, Marchese made two sales totaling approximately 1 kilogram of pure heroin to an undercover agent in New York. He was identified as an associate of well-known narcotic traffickers in Harlem and the lower East Side of New York City.

On September 10, 1958, at Federal district court, New York City, Marchese was sentenced to 7 years in the Federal penitentiary.

MICHELE MARCHESE

Alias: Michael Marchese.

Description: Date of birth, January 15, 1922, New York City; white male, Italian extraction; 5 feet 8½ inches tall; weighs 185 pounds; medium-heavy build; has dark brown hair; hazel eyes.

Criminal associates: Benjamin Marchese (uncle); Jesse Del Bono; Anthony Castaldi.

Criminal history: Michael Marchese has been arrested for narcotic violations and perjury. On June 16, 1958, he was sentenced to 10 years in Federal penitentiary for narcotic violations at Los Angeles, Calif.

Modus operandi: Large-scale interstate trafficker in Los Angeles, Calif., area, has important sources of supply in New York City and Chicago.

Identification: FBI No. 833-156-C.

Summary of activity

On March 13, 1958, Federal narcotic agents and California authorities arrested Michele Marchese and Jesse Marvin Del Bono, and seized 921 grams (32½ ounces) of heroin which Marchese had delivered. In Del Bono's garage arresting officers found 85 grams (3 ounces) of heroin and some packaging equipment. The arrests and seizures climaxed 3 months of investigation, during which Marchese made two sales totaling 113 grams (4 ounces) of good quality heroin.

Marchese, considered one of the largest distributors of heroin on the west coast, had been associated with major narcotic violators on the east coast, and was known as a supplier of heroin to several other narcotic dealers in the Los Angeles area. On June 16, 1958, Federal Judge Thurmond Clarke of Los Angeles sentenced Marchese to 10 years in prison.

Investigation disclosed that Michele Marchese and Jesse Del Bono had numerous sources of supply both in New York City and Chicago, Ill. Benny Marchese, the uncle of Michele, supplied large amounts of heroin from syndicated narcotic traffickers in New York City. Investigation also disclosed that Del Bono was mailing registered packages from California to Tony Dichiarente, in Chicago, Ill. These packages were believed to contain moneys in payment for deliveries of heroin from the Chicago syndicate. It was established that Marchese was a close friend and associate of major trafficker Anthony Castaldi of New York City.

YSIDRO ONTIVERO

Aliases: Chilo; Juan O. Torres; Isidro Rico; Isidro Ontivero.

Description: Date of birth, May 15, 1919, in El Paso, Tex.; 5 feet 8 inches tall; weighs 150 pounds; black hair; brown eyes; dark complexion; medium build.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1121

Criminal associates: Enrique Galindo, Feliciano Garcia, Mitchel Rosenberg, Jack Barthel, Mike Ramirez, the latter in Tijuana, Mexico.

Criminal history: Dates from 1935 and includes arrests for theft, burglary, and violation of the narcotic laws.

Modus operandi: A member of a group of traffickers engaged in smuggling-distributing heroin from Mexico. Sources of supply along the Mexican border and in Mexico.

Identification: FBI No. 1111269.

Summary of activity

Ysidro Ontivero has been an important international drug trafficker since 1935. Since that time he has served two Federal prison terms for violation of the Federal narcotic laws, one term for violation of the State narcotic laws, and one term in a prison in Mexico for violation of that country's narcotic laws.

When not in prison, Ontivero has persistently engaged in the narcotic traffic in the Western United States. In recent years, he has been associated with major trafficker, Miguel Barragan of Tijuana, Mexico. Ontivero received kilogram deliveries of heroin from Barragan on a consignment basis. He distributed this heroin in Los Angeles, Calif.; San Jose, Calif., and in the State of Washington.

On December 13, 1963, at Los Angeles, Calif., Ontivero was arrested after making several sales of heroin to a Federal narcotic agent. On February 18, 1964, he was sentenced to 10 years in the Federal penitentiary.

JAMES DURA PATTERSON

Alias: Pat.

Description: Date of birth, May 19, 1921, at Philadelphia, Pa.; 5 feet 11 inches tall; weighs 185 pounds; black hair; brown eyes; brown complexion; medium build; Negro.

Criminal associates: Megan King, Andrew Shannon, John T. McClain, Robert Burke. Well known to narcotic traffickers in the vicinity of 107th Street and Second Avenue, New York City.

Criminal history: Dates from 1945 and includes arrests for draft evasion, bookmaking, and violation of State and Federal narcotic laws.

Modus operandi: Purchases and sells heroin in wholesale quantities. Has sources of supply in New York that furnish pure heroin in kilogram lots. Maintains organization for distribution of narcotics.

Identification: FBI No. 4405723; Los Angeles Police Department No. 77387.

Summary of activity

James Patterson has long been identified as a wholesale dealer in heroin in the Los Angeles, Calif., area. In 1951, he was arrested in Los Angeles, Calif., along with his brother, Randolph Patterson, at which time 2 kilograms of pure heroin were seized. This heroin had just been received through the mail from New York.

Investigation disclosed Patterson's source of supply to be Dillard Morrison, considered to be the top heroin trafficker in the Harlem area of New York. Morrison's source of supply was Vincent Pacelli, considered one of the top men in the eastern narcotic syndicate. Pacelli, through Morrison, had been supplying quantities of heroin to California for several years through their west coast distributors, the Patterson brothers.

James Patterson was acquitted in a jury trial on December 4, 1951, at Los Angeles, Calif., when his brother and codefendant, Randolph Patterson testified that the narcotics seized were sent to him by a New York Italian trafficker. James Patterson continues to be one of the powers behind the illicit narcotic traffic in southern California. However, he ordinarily manages to have other individuals, such as his brother, front for him in this traffic.

MARIA ROSE SANTINO

Aliases: None.

Description: Date of birth, January 27, 1919, Boston, Mass.; white female, Italian extraction, 5 feet 1 inch tall, weighs 130 pounds, black hair, brown eyes, medium build.

Criminal associates: Matthew Santino (husband); Anthony Marcella, Anthony Dichiarante.

1122 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Criminal history: Includes arrests for prostitution, and one conviction for violation of the Federal narcotic laws.

Modus operandi: Interstate courier of heroin for wholesale dealer Anthony Marcella, of Kansas City and Los Angeles.

Identification: FBI No. 390-862-C.

Summary of Activity

Maria Santino and her husband, Matthew Santino, were utilized by the notorious heroin trafficker Anthony Marcella in the large-scale interstate traffic from the Midwest to the Western United States. Maria Santino was utilized as a courier to travel by air to the Midwest for the purpose of transporting narcotics for distribution in the California area.

On March 20, 1959, at Los Angeles, Calif., narcotic agents arrested the two Santinos. Investigation disclosed that the source of supply for this operation was the Anthony Dichiarente group of Chicago, Ill.

MATTHEW SANTINO

Aliases: None.

Description: Date of birth, August 29, 1922, Kansas City, Mo.; white male, Italian extraction; 5 feet 11 inches tall; weighs 170 pounds; black hair; brown eyes; medium build.

Criminal associates: Anthony Marcella; Maria Santino (wife).

Criminal history: In addition to minor arrests, includes one conviction for violation of Federal narcotics laws.

Modus operandi: Interstate courier of heroin for wholesale dealer Anthony Marcella, of Kansas City and Los Angeles.

Identification: FBI No. 954-310-B.

Summary of activity

Maria Santino and her husband, Matthew Santino, were utilized by the notorious heroin trafficker Anthony Marcella in the large-scale interstate traffic from the Midwest to the Western United States. Maria Santino was utilized as a courier to travel by air to the Midwest for the purpose of transporting narcotics for distribution in the California area.

Matthew Santino acted as a courier in the intrastate traffic for the delivery of heroin between Los Angeles and San Francisco.

On March 20, 1959, at Los Angeles, Calif., narcotic agents arrested the two Santinos. Investigation disclosed that the source of supply for this operation was the Anthony Dichiarente group of Chicago, Ill.

JOSEPH SICA

Aliases: None.

Description: Date of birth, August 20, 1911, Newark, N.J.; 5 feet 8 inches tall, weighs 190 pounds, brown hair, black eyes, stocky build, dark complexion, and rough.

Criminal associates: Alfred, Frank, and Angelo Sica (brothers); Thomas DeMayo, Mickey Cohen, Salvatore Iannone, James Iannone, and is well known to all racketeers in southern California.

Criminal history: Record dates from 1926 and includes arrests for larceny, grand larceny, robbery, violation of Mann Act, and violation of the Federal narcotic laws.

Modus operandi: Important Mafia leader who maintains organization through strong-arm methods and extreme violence; is known as a killer; travels with bodyguard and is reported to deal in wholesale quantities of heroin.

Identification: FBI No. 343378; Los Angeles Police Department No. 32483M12.

Summary of activity

Joseph Sica of California has long been considered one of the most dangerous and deadly thugs in the country. Sica's lengthy criminal record includes arrests since 1928 for robbery, murder, extortion, narcotics, and other serious crimes. In early 1950, Sica and 15 other major racketeers were indicted by the grand jury for the Southern District of California, charged with conspiring to sell narcotics.

The eyewitness who testified for the Government concerning the sale and transactions by Sica was Abraham Davidian. While the case was pending for trial, Davidian was shot to death while sleeping in his mother's home at Fresno, Calif. No person has ever been tried for this murder; however, there is no doubt that

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1123

Sica and his codefendants were responsible for this killing. In view of Davidian's death, the indictment against all the defendants in this case was dismissed.

On September 28, 1959, Sica was arrested at Los Angeles for violation of the Antiracketeering Act, extortion, and conspiracy. Also arrested on the same charges were Paul John Carbo; Frank Palermo; Louis Tom Dragna, and Truman Gibson. On December 2, 1961, in Federal district court, California, Sica was sentenced to 20 years' imprisonment. Sica filed notice of appeal and was released on bond.

Joseph Sica and his brother, Alfred Sica, are hoodlums with important underworld connections in the East and in California.

SAN FRANCISCO AREA

MARIO BALISTRERI

Aliases: Marion Balesteri, Marlo Balestrero.

Description: Date of birth, November 20, 1901, San Francisco, Calif.; 5 feet 8 inches tall, weighs 175 pounds; blue eyes; brown hair, bald pate, walks with limp (right foot).

Criminal associates: Salvatore Lima, Joseph Pitta, Abraham Chalupowitz, and William Levin, of California, Arturo Leyvas, of Phoenix, Sebastiano Nani (deportee) and Charles Schiffman, of New Jersey.

Criminal history: Record dating from 1924 includes arrests for counterfeiting and narcotic trafficking. Three Federal narcotic convictions.

Modus operandi: Persistent large-scale Mafia narcotic trafficker, operating in association with important smugglers and traffickers who are members of the Mafia in the San Francisco Bay area.

Identification: FBI No. 93064; San Francisco Police Department No. P-302.

Summary of activity

The defendants in this case, 36 in number, conspired and formed an organization to distribute illicit narcotic drugs throughout the United States. The principal source of supply was Irving Waxler, of New York. Other sources of supply were Charles Schiffman, Robert L. Reynolds, Joseph Olivero, Mario Balestreri, and Sebastiano Nani. Joseph Littman acted as an order taker and receiver of currency in payment for narcotics sold by Irving Waxler and Charles Schiffman. All of these persons supplied Abraham Chalupowitz with narcotics. His partner in the sale of narcotics in California was Joseph Palm. Abraham Chalupowitz personally directed the sales of narcotics, utilizing the services of Harry Winkleblack to deliver and receive payments for the narcotics sold to the other defendants in this case. On March 23, 1951, Harry Winkleblack was arrested for violation of the narcotic laws. The defendants, William Levin and Frank McKee, then actively assisted him after Winkleblack's arrest in obtaining and selling narcotics. On April 22, 1951, Abraham Chalupowitz and William Levin were arrested and the arrest of Frank McKee followed on August 2, 1951, for violation of the narcotic laws. Mary Palm Hare, after January 29, 1951, the date Joseph Palm was sentenced to the penitentiary, knowingly participated in the conspiracy and collected money from Abraham Chalupowitz due Joseph Palm as his share of the profits from narcotics sold by Chalupowitz. The other defendants in this case purchased narcotics from Abraham Chalupowitz in California for distribution in the States of California, Oregon, Nevada, and Arizona. The defendants, Irving Waxler, Samuel Kass, Arthur Repola, and Benjamin Katz continued to sell narcotics at New York, N.Y., until arrested in that city on August 2, 1951, for violation of the Federal narcotic laws.

GAETANO PAUL CAPALBO

Aliases: Paul Anthony, Paulette Helm.

Description: White male, Italian extraction, born March 14, 1914, New York City, 5 feet 5 inches tall, weighs 160 pounds, medium build, dark brown-gray hair, brown eyes, ruddy complexion, often wears glasses.

Criminal associates: Joseph Stallone, Dominic Marcone, Alfred Saco, Archangelo Noio, Rocco Mазzie, Joseph Barra, Harry Tantillo.

Criminal history: Criminal record dates from 1933, includes grand larceny and narcotic law violations. Has two convictions for Federal narcotic law violations, for which he is currently serving a 10-year sentence.

1124 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Modus operandi: Large-scale narcotic trafficker for past 25 years with associates in New York and California.

Identification: FBI No. 2340720; New York City Police Department No. B-200313.

Summary of activity

The following case is a clear-cut example of the large-scale distribution of heroin of European origin from a highly organized east coast syndicate to the California area. In this case, the Bureau of Narcotics was fortunate in effecting the introduction of an undercover agent to this group before they got their operation off the ground.

During the month of January, 1958, Gaetano Paul Capalbo was introduced to an undercover Federal narcotic agent. Capalbo explained to the agent his grandiose idea for setting up a large interstate narcotic operation. As a result of this meeting, Capalbo and the agent traveled to New York City where, on January 29, 1958, Capalbo and Dominic Marcone sold one-half kilogram of heroin to the agent for \$7,000 in Government money.

On February 21, 1958, Capalbo was arrested in San Francisco, Calif., together with Alfred Frank Sacco and Archangelo Rudolph Nolo, who had just arrived by air from New York, allegedly to deliver large quantities of heroin.

On February 24, 1958, Dominic Marcone was arrested in New York City and on March 7, 1958, three additional conspirators were arrested in New York, including Rocco Mazzie. Mazzie was identified as the source of supply for this organization and is considered to be one of the top traffickers within the eastern Mafia group.

ABRAHAM CHALUPOWITZ

Aliases: Abe Chapman, Abe Klein, Abe Gordon, Lou Green.

Description: White male; date of birth July 3, 1904, Poland, Jewish; 5 feet 6 inches tall; weighs 150 pounds; brown hair; brown eyes; medium build; rough skin. Alien, to be deported. At present no country will accept him.

Criminal associates: Sebastiano Nani; Joe Palm; Mario Balistreri, of California; Charles Schiffman, Samuel Kassop, and the late Waxey Gordon, of New York.

Criminal history: Record dating from 1928 includes arrests for theft and immigration violation. Three Federal narcotic convictions.

Modus operandi: A one-time member of the Murder, Inc., mob in Brooklyn, N.Y. He has operated over the years with the approval and cooperation of important Mafiosi in all parts of the country. A persistent large-scale narcotic trafficker.

Identification: FBI No. 264-265.

Summary of activity

The defendants in this case, 36 in number conspired and formed an organization to distribute illicit narcotic drugs throughout the United States. The principal source of supply was Irving Waxler of New York. Other sources of supply were Charles Schiffman, Robert L. Reynolds, Joseph Olivero, Mario Balestreri, and Sebastiano Nani. Joseph Littman acted as an order-faker and receiver of currency in payment for narcotics sold by Irving Waxler and Charles Schiffman. All of these persons supplied Abraham Chalupowitz with narcotics. His partner in the sale of narcotics in California was Joseph Palm. Abraham Chalupowitz personally directed the sales of narcotics, utilizing the services of Harry Winkleblack to deliver and receive payments for the narcotics sold to the other defendants in this case. On March 23, 1951, Harry Winkleblack was arrested for violation of the narcotic laws. The defendants, William Levin and Frank McKee, then actively assisted him after Winkleblack's arrest in obtaining and selling narcotics. On April 22, 1951, Abraham Chalupowitz and William Levin were arrested and the arrest of Frank McKee followed on August 2, 1951, for violation of the narcotic laws. Mary Palm Hare, after January 29, 1951, the date Joseph Palm was sentenced to the penitentiary, knowingly participated in the conspiracy and collected money from Abraham Chalupowitz due Joseph Palm as his share of the profits from narcotics sold by Chalupowitz. The other defendants in this case purchased narcotics from Abraham Chalupowitz in California for distribution in the States of California, Oregon, Nevada, and Arizona. The defendants Irving Waxler, Samuel Kass, Arthur Repola, and Benjamin Katz continued to sell narcotics at New York, until arrested in that city on August 2, 1951, for violation of the Federal narcotic laws.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1125

CHAN CHUN

Alias: Chan Poon Char.

Description: In 1957, 69 years of age; Chinese, weighs 115 pounds; has maroon eyes; black hair; and sallow complexion.

Criminal associates: Pon Wai, Chang Jui Kang, Wong Yin Doon, Law Suey Wah; Lee Dong Kan.

Criminal history: Includes arrests for State and Federal narcotic laws. On July 15, 1954, sentenced to 7 years for Federal narcotic law violation in San Francisco.

Modus operandi: Wholesale dealer in heroin in kilogram lots from mainland China. Uses position as stockholder in business enterprises in San Francisco to facilitate the illicit narcotic traffic.

Identification: FBI No. 1766725; San Francisco Police Department No. 3725.

Summary of activity

After months of intensive investigation by undercover narcotic agents, major narcotic traffickers in Communist Chinese heroin were arrested in raids in San Francisco, Calif., on April 4, 1954. Those arrested were Ly Hing Soo; Chan Chun; Pon Wai; Chew Chung Young; Lee Chee Young; Chan Him Leong Ming; Hoo Ah Sze; and Quan Shue. All are Chinese. Approximately 6 pounds of heroin were seized in the raids. It was established that the heroin had been smuggled into the United States from Communist China. The principal source of supply was identified as Judah Isaac Ezra of Hong Kong, formerly convicted of large-scale narcotic trafficking in the United States and subsequently deported. Merchant seamen who frequented Ezra's hotel-restaurant-brothel in Hong Kong obtained the narcotics from Ezra and smuggled them in the United States for the narcotic dealers arrested in the raids on April 4, 1954.

From Chan Chun and Pon Wai two purchases of heroin, 1 pound each, were made. These men were also engaged in legitimate enterprises; Chan Chun was principal stockholder and operator of the China Emporium, one of the largest merchandising stores in San Francisco; Pon Wai operated the Fragrant Flower Shop, and one of the heroin purchases was delivered in a flower box of the firm.

Through Pon Wai the agent met Chew Chung Young and Lee Chee Young and purchased a pound of heroin from them. This heroin was wrapped as a Christmas parcel.

The agent also met Hoo Ah Sze and purchased from him 14 ounces of heroin. Hoo Ah Sze was employed as a cook was illegally in the United States, having jumped ship in San Francisco in 1951; he told the agent that he obtained the drugs from a seaman at Los Angeles.

From Leong Ming, and Chan Him, who was associated with him in the traffic, the agent purchased a pound of heroin.

The cases were prosecuted in Federal court and the following sentences were imposed:

Chan Chun, 7 years and \$1,000 fine.

Pon Wai, 8 years.

Lee Chee Young, 8 years and \$3,000 fine.

Hoo Ah Sze, 3 years and \$300 fine.

Leong Ming, 10 years and \$2,000 fine.

Ly Hing Soo, 10 years and \$4,000 fine.

Chan Him, 8 years and \$1,000 fine.

Quan Shue, 2 years and \$1 fine.

JAMES VINCENT LaSALA

Aliases: Jimmie LaSala, Vincent LaSala.

Description: White male, date of birth, June 4, 1904, at Brooklyn, N.Y.; 5 feet 7 inches tall, weighs 190 pounds; brown eyes; gray hair; dark complexion; stout build.

Criminal associates: Frank LaSala (son); Bennie Mauceri; Sam Bartolotta; Frank Messina; Al Pizzichino; Anthony Caruso, and John Busterno, all of California; and Joseph DiGiovanna of New York City.

Criminal history: Has record of arrests dating from 1933, on such charges as narcotics, counterfeiting, and bookmaking with one conviction for violation of the Federal narcotic laws.

Modus operandi: Is an active member in the Mafia's organization for the wholesale distribution of narcotics on the west coast.

Identification: FBI No. 690454; Los Angeles Police Department No. 82171.

1126 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS*Summary of activities*

James Vincent LaSala was one of the most important traffickers in northern California, obtaining huge supplies of heroin from the Mafia eastern syndicate. In 1953 and 1954, LaSala supplied pound quantities of heroin to the major traffickers in the San Francisco area.

LaSala's partner in this operation was one Benny Daguanno of Brooklyn, N.Y. Daguanno brought large quantities of heroin from the East by automobile to San Francisco where he assisted LaSala in the distribution of this drug.

The caution of these two traffickers was so great, that prior to making a transaction, they would have underlings maintain surveillance of the potential customer for several hours prior to the delivery to insure that the customer was not contacted by law enforcement officers or known informants.

LaSala was arrested on February 5, 1954, at San Francisco, Calif., and was later sentenced to 4 years in prison. The investigation of this operation disclosed that the source of supply for LaSala and Daguanno was Christoforo Rubino, a major New York trafficker. Rubino was later murdered in gangland fashion.

LEE DONG KAN

Aliases: Lee Wai; Chew W. Lee; Chew Chung Young.

Description: In 1957, 63 years of age; weighs 150 pounds; 5 feet 4½ inches tall; has maroon eyes; black hair; sallow complexion; and is Chinese.

Criminal associates: Lee Chuck Foo; Lee Hong Chung; Chan Chun.

Criminal history: Dates from 1934 and includes arrest for violation of State and Federal narcotic laws. Sentenced May 20, 1954, to 8 years for violation of Federal narcotic laws.

Modus operandi: A smuggler-distributor of narcotics in large quantities locally in San Francisco and into interstate traffic. Source of supply: Red China via Hong Kong.

Identification: FBI No. 715171; San Francisco Police Department No. 3769.

Summary of activity

After months of intensive investigation by undercover narcotic agents, major narcotic traffickers in Communist Chinese heroin were arrested in raids in San Francisco, Calif., on April 4, 1954. Those arrested were Ly Hing Soo; Chan Chun; Pon Wai; Chew Chung Young; Lee Chee Young; Chan Him; Leong Ming; Hoo Ah Sze; and Quan Shue. All are Chinese. Approximately 6 pounds of heroin were seized in the raids. It was established that the heroin had been smuggled into the United States from Communist China. The principal source of supply was identified as Judah Isaac Ezra of Hong Kong, formerly convicted of large-scale narcotic trafficking in the United States and subsequently deported. Merchant seamen who frequented Ezra's hotel-restaurant-brothel in Hong Kong obtained the narcotics from Ezra and smuggled them into the United States for the narcotic dealers arrested in the raids on April 4, 1954.

From Chan Chun and Pon Wai two purchases of heroin, 1 pound each, were made. These men were also engaged in legitimate enterprise; Chan Chun was principal stockholder and operator of the China Emporium, one of the largest Chinese merchandising stores in San Francisco; Pon Wai operated the Fragrant Flower Shop, and one of the heroin purchases was delivered in a flower box of the firm.

Through Pon Wai the agent met Chew Chung Young and Lee Chee Young and purchased a pound of heroin from them. This heroin was wrapped as a Christmas parcel.

The agent also met Hoo Ah Sze and purchased from him 14 ounces of heroin. Hoo Sze was employed as a cook, was illegally in the United States having "jumped" ship in San Francisco in 1951, he told the agent that he obtained the drugs from a seaman at Los Angeles.

From Leong Ming, and Chan Him, who was associated with him in the traffic, the agent purchased a pound of heroin.

The cases were prosecuted in Federal court and the following sentences were imposed:

Chan Chun, 7 years and \$1,000 fine.

Pon Wai, 8 years.

Lee Chee Young, 8 years and \$3,000 fine.

Hoo Ah Sze, 3 years and \$300 fine.

Leong Ming, 10 years and \$2,000 fine.

Ly Hing Soo, 10 years and \$4,000 fine.

Chan Him, 8 years and \$1,000 fine.

Quan Shue, 2 years and \$1 fine.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1127

ANTHONY MARCELLA

Aliases: Stringbean; Anthony Marcus; Tony Amore; Tony Ventola.

Description: White male; date of birth December 29, 1904, at Kansas City, Mo.; 5 feet, 8 inches tall; weighs 203 pounds; brown eyes; gray hair; dark complexion.

Criminal associates: Mike Altimari; Hugh G. Wall; Bennie Bonjoe, Patsy Ventola; Charles Taibi; John Picone; Harvey Mighell; Louis Ventola; Maria Avola; Charles Carolla (Palermo).

Criminal history: Dates from 1923 and includes 22 arrests for liquor law violations, gambling, and assault.

Modus operandi: A wholesale trafficker in narcotics with sources of supply in New York City and Chicago. Supplies narcotics in large quantities to dealers in other cities.

Identification: FBI No. 830276; Kansas City Police Department No. 47870.

Summary of activities

Anthony Marcella for many years was a notorious heroin trafficker in the Middle West operating from Kansas City, Mo. In the late 1950's he moved to Los Angeles, Calif., where he maintained a palatial residence. In California he sold enormous quantities of heroin and cocaine in Los Angeles and San Francisco, dealing in pound quantities.

Marcella's source of supply was the Anthony Dichiarente organization of Chicago, Ill. Marcella utilized couriers to travel by air to the Midwest and transport large quantities of heroin to the west coast. The two primary couriers utilized by Marcella were Matthew Santino, a Hollywood, Calif., bartender, and his wife, Maria Santino. This pair, in addition to delivering the drugs from Chicago, distributed this heroin throughout the State of California.

On March 19, 1959, at Los Angeles, Calif., narcotic agents arrested Marcella. Investigation disclosed that Marcella was the successor to the notorious Louis Fiano. On August 14, 1959, Federal Judge William C. Mathes sentenced Marcella to 40 years in prison.

ARCHANGELO RUDOLPH NOIO

Aliases: Angelo Nolo, Joseph Martine.

Description: White male, Italian extraction; date of birth May 2, 1927, at New York City; 5 feet, 10 inches tall, weighs 140 pounds; brown hair, brown eyes, and his occupation is chauffeur and truckdriver.

Criminal associates: Paul Capalbo, Alfred Frank Sacco, Rocco Mазzie.

Criminal history: This record dates from 1945 and includes arrests for rape, grand larceny, bookmaking, and violation of the Federal narcotic laws.

Modus operandi: Large-scale distributor of heroin from New York City to San Francisco, Calif.

Identification: FBI No. 4-539-562; New York City Police Department No. B-239891.

Summary of activity

Archangelo Rudolph Noio was utilized as a courier to deliver large quantities of heroin from New York City to the San Francisco, Calif., area. He was associated with violator Paul Capalbo in the interstate traffic, and Capalbo in turn was receiving his supply of heroin from Rocco Mазzie, identified as one of the top traffickers of the Italian eastern syndicate.

On February 21, 1958, Noio was arrested at San Francisco, Calif., together with Paul Capalbo and Alfred Frank Sacco, shortly after arriving by air from New York City, allegedly to deliver large quantities of heroin.

PETER JOHN PIACENTI

Aliases: Pete Nimo; Pete Gallo.

Description: White male, date of birth August 26, 1921, at New York City; 5 feet 7 inches tall weighs 190 ponuds; brown eyes, black curly hair; medium complexion.

Criminal associates: Sebastiano Nani; Pietro Raimondi; Leo Ferraro; Frank Scappatura; John Stopelli; Andrew Ingoglia.

Criminal history: Record dates from 1947 and includes arrests for conspiracy, theft, felonious assault, and violation of the Federal narcotic laws.

Modus operandi: A large scale narcotic distributor who has close ties with top-level Mafia members in New York and California.

1128 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Identification: FBI No. 561015-A; New York City Police Department No. B-252724.

Summary of activity

Three 5-ounce purchases of heroin were made from Peter J. Piacenti and Pietro B. Raimondi in 1952 in San Jose, Calif. Two of these purchases were made by an undercover agent and after the arrest, in the home of Raimondi, the officers found 14 ounces of heroin, together with 2 pounds of the adulterant manitol, scales, bags, and other paraphernalia.

These violators, who are young, both resided in San Jose, Calif., and both had legitimate employment. Piacenti indicated to the undercover agent that he could furnish heroin in amounts of 100 ounces or more on 12 hours' notice. Investigation disclosed that the source of supply was Sebastiano Nani of Brooklyn, N.Y., a known international violator and a defendant in a California conspiracy case. Following the California arrest Sebastiano Nani and Frank Piacento were arrested in New York for attempting to bribe a narcotic agent with reference to Nani's indictment in San Francisco. Frank Piacenti is a brother of Peter, the defendant in this case.

Conviction was had after a trial of 2 weeks' duration, Peter J. Piacenti was sentenced to 3 years' imprisonment and Pietro B. Raimondi to 2 years' imprisonment.

GEORGE DOUGLAS POOLE

Aliases: Frank Thomas, Frank Ellis.

Description: Date of birth Oakland, Calif., January 22, 1923; white male, 6 feet tall, weighs 175 pounds, brown hair, blue eyes, medium complexion.

Criminal associates: Richard Ketchum, Raymond Hanna, John Simpson, Franklin Soares, John Chappell, Gerald Williams, King Richardson, Sr., Albert Marks.

Criminal history: Criminal record dates from 1936 when his arrest record began as a juvenile. He has been arrested for burglary, petty theft, and violation of the California narcotic laws, with no complaint filed for the latter arrest.

Modus operandi: A smuggler-distributor of narcotics in large quantities locally in San Francisco and into interstate traffic.

Identification: FBI No. 3472450, San Francisco Police Department No. 20219.

Summary of activity

Between 1948 and 1954 a group of approximately 25 Caucasian seamen residing in the San Francisco Bay area conspired to carry on a quiet, smoothly running smuggling operation resulting in the importation into San Francisco of more than 70 kilograms of Oriental heroin. During this period the caution and moderation employed by these conspirators was such that they were practically unknown to the authorities concerned. One of their safety precautions was to keep their operation relatively small, using the American President Line ships for the most part. They seldom attempted to smuggle more than 1 pound of drugs on each trip. President Line ships arrived in San Francisco every 3 weeks from the Orient and only one or two members of the group would be involved in the actual smuggling on each trip. The others would remain ashore and contribute money toward the purchase of the drugs in Hong Kong. When the drugs were finally brought ashore, generally with the assistance of longshoremen confederates, they would be distributed according to the financial contribution of each member of the group. In this way no individual risked a really important sum of money on each trip and, further, avoided suspicion by sailing only at infrequent intervals. The drugs were disposed of by selling the entire shipment to one of several wholesalers who were known only to a few of the smugglers.

In 1954, State narcotic officers arrested Thomas Moeller, one of the seamen involved, with possession of approximately 1 pound of heroin, at Oakland, Calif. He was subsequently sentenced to a term in the State penitentiary. This was the first important setback these conspirators had suffered. Since most of them were now reasonably well-to-do the group broke up and many of them engaged in legal enterprises ashore.

Following the arrest of Moeller, observation and investigation by Federal narcotic agents at San Francisco indicated that Moeller was only one of a large organization, most prominent of whom was George Poole. Poole had continued in the drug traffic, although he had remained ashore, and had become the

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1129

proprietor of a garage. He obtained his drugs from various individual smugglers some of whom had been members of the conspiracy prior to its dissolution.

After the enactment of the immunity statute incorporated in the Narcotic Control Act of 1956, it appeared that if we availed ourselves of that statute with respect to the brother of Thomas Moeller, William, there was an excellent chance of obtaining evidence against Poole and other members of the conspiracy. An administrative subpoena was served on William Moeller and he appeared with his attorney at the San Francisco headquarters of the Bureau of Narcotics. Upon advice of counsel he invoked the fifth amendment in response to questioning. It was then we suggested that an attempt would be made to apply the immunity statute to him and, after conferring with his attorney, he stated that should this be done he would testify on behalf of the Government in prosecution of others with whom he and his brother had been associated. The U.S. attorney at San Francisco then requested, and obtained from the Attorney General, authority to give William Moeller immunity.

In order to expedite matters, an agreement was reached with William Moeller and his attorney to make full disclosures in advance of the grand jury appearance. Based upon the information supplied by Moeller, administrative subpoenas were issued to all of the other persons involved with William Moeller. All appeared in response to the subpoena. Those who did not already have legal counsel were advised to obtain counsel so that they would be aware of the authority of agents of this Bureau to question them. Some of these persons returned and expressed a desire to cooperate and gave recorded statements involving themselves and others. Those who did not cooperate, invoking the fifth amendment, were kept available through the device of continuing their subpoenas from week to week pending action of the grand jury. As those witnesses cooperating were repeatedly questioned, more and more of the complex story unfolded. We obtained the crew lists of the American President Lines for all of the voyages concerned and were thus able to establish an exact chronology of the sailing and arrival times of the various conspirators. This, in turn, enabled us to locate hotel registrations where meetings of the group were held to distribute smuggled drugs, as well as other physical evidence corroborating the statements, such as toll calls, etc.

Thirty persons were reported to the U.S. attorney but, because of the statute of limitations, the U.S. attorney felt that only nine persons should be indicted, not including Thomas and William Moeller. On the opening day of the trial, when they became aware of the evidence in possession of the Government, four of the defendants pleaded guilty and three others pleaded guilty during the course of the trial. The two remaining defendants were found guilty. All defendants were sentenced to 5 years' imprisonment except one of the principal witnesses who received 3 years.

An interesting aspect of this case is that several of the defendants had become successful, legitimate businessmen, acquired families, and enjoyed an excellent reputation in their communities. Each considered himself well beyond the reach of justice.

CAL-5347—George Poole conspiracy

Richard Ketchum : 5 years ; court 9 ; April 23, 1957.
Raymond Hanna : 5 years ; court 9 ; April 23, 1957.
John Simpson ; 5 years ; court 9 ; April 23, 1957.
Franklin Soares ; 5 years ; court 9 ; April 23, 1957.
George Poole ; 5 years ; court 5 ; April 23, 1957.
John Chappell ; 5 years ; court 2 ; April 23, 1957.
Gerald Williams ; 3 years ; court 11 ; April 23, 1957.
King Richardson, Sr. ; 5 years ; court 9 ; April 23, 1957.
Albert Marks ; 2½ years ; courts 3, 4, 5, 6 ; May 28, 1957.
Douglas Van Horne : Prosecution denied by U.S. attorney.
John Doe "Goldteeth" : Prosecution denied by U.S. attorney.
Samson Sargis : Prosecution denied by U.S. attorney.
Andrew Mitchell, Jr. : Prosecution denied by U.S. attorney.
Wallace Hargraves : Prosecution denied by U.S. attorney.
James Woods : Prosecution denied by U.S. attorney.
Cornelius Shanahan : Prosecution denied by U.S. attorney.
Thomas McKoy : Prosecution denied by U.S. attorney.
Trinidad Swenson : Prosecution denied by U.S. attorney.
John Doe "Fong" : Prosecution denied by U.S. attorney.

1130 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

OAL 5347—George Poole conspiracy—Continued

John Doe "Kalid": Prosecution denied by U.S. attorney.
John Doe "Abdul": Prosecution denied by U.S. attorney.
Lee Spencer: Prosecution denied by U.S. attorney.
William Simpson: Prosecution denied by U.S. attorney.
Hardin Briscoe: Prosecution denied by U.S. attorney.
Jessie Lawrence: Prosecution denied by U.S. attorney.
Oliver Roberts: Prosecution denied by U.S. attorney.
Willie Christian: Prosecution denied by U.S. attorney.
Anthony Longobardi: Prosecution denied by U.S. attorney.
Ong Way Jong: Prosecution denied by U.S. attorney.
Willie Tucker: Prosecution denied by U.S. attorney.

PETER B. RAIMONDI

Aliases: None.

Description: White male, Italian; date of birth, February 2, 1926, at Paola, Italy; 5 feet, 10 inches tall; weighs 190 pounds; blue eyes; black hair; heavy build and light complexion.

Criminal associates: Peter J. Piacenti, Sebastiano Nani.

Criminal history: One arrest and conviction for violation of the Federal narcotic laws.

Modus operandi: Large-scale distributor of heroin in California with important New York sources of supply.

Identification: FBI No. 193962-B.

Summary of activities

Three 5-ounce purchases of heroin were made from Peter J. Piacenti and Pietro B. Raimondi in 1952 at San Jose, Calif. Two of these purchases were made by an undercover agent and after the arrest, in the home of Raimondi, the officers found 14 ounces of heroin, together with 2 pounds of the adulterant manitol, scales, bags, and other paraphernalia.

These violators, who are young, both resided in San Jose, Calif., and both had legitimate employment. Piacenti indicated to the undercover agent that he could furnish heroin in amounts of 100 ounces or more on 12 hours' notice. Investigation disclosed that the source of supply was Sebastiano Nani of Brooklyn, N.Y., a known international violator and a defendant in a California conspiracy case. Following the California arrest Sebastiano Nani and Frank Piacenti were arrested in New York for attempting to bribe a narcotic agent with reference to Nani's indictment in San Francisco. Frank Piacenti is a brother of Peter; the defendant in this case.

Conviction was had after a trial of 2 weeks' duration, Peter J. Piacenti was sentenced to 3 years imprisonment and Pietro B. Raimondi to 2 years imprisonment.

ALFRED FRANK SACCO

Alias: Freddie.

Description: White male, Italian extraction, date of birth, March 6, 1928; at New York, N.Y.; 5 feet 6 inches tall, weighs 165 pounds, brown hair and blue eyes. His occupation is bartender.

Criminal associates: Paul Capalbo; Archangelo Rudolph Noio, Rocco Mазzie.

Criminal history: Includes arrests from 1948 for gambling, bookmaking, and violation of the Federal narcotic laws.

Modus operandi: Large-scale distributor of heroin from New York City to San Francisco, Calif.

Identification: FBI No. 808-989-C.

Summary of activity

Alfred Frank Sacco was utilized as a courier to deliver large quantities of heroin from New York City to the San Francisco, Calif., area. He was associated with violator Paul Capalbo in the interstate traffic, and Capalbo in turn was receiving his supply of heroin from Rocco Mазzie, identified as one of the top traffickers of the Italian eastern syndicate.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1131

On February 21, 1958, Sacco was arrested at San Francisco, Calif., together with Paul Capalbo and Archangelo Rudolph Noio, shortly after he arrived by air from New York City, allegedly to deliver large quantities of heroin.

GEORGE W. YEE

Aliases: None.

Description: Born in Canton, China, March 29, 1905; weighs 180 pounds; 5 feet 10 inches tall; black hair; brown eyes; stocky build; sallow complexion.

Criminal associates: Lee Dean, Fred Moe, Chung Wing Fong.

Criminal history: One arrest and conviction for violation of the Federal narcotic laws for which a sentence of 5 years was imposed.

Modus operandi: A smuggler-distributor of large quantities of heroin in the interstate traffic between California, Oregon, and Washington. Source of supply, Red China via Hong Kong.

Identification: FBI No. 291-005-E.

Summary of activity

Upon the arrest of Jung Jim, defendant in case Oreg-1941 on April 28, 1958, in Portland, Oreg., documentary evidence was seized which revealed that between the period 1951 through 1957, 124 kilograms of pure heroin were smuggled into the United States from the Far East.

A total of 21 Chinese conspirators were engaged in this vast operation. Twelve of them resided in Hong Kong, Macao, and Shanghai, beyond the jurisdiction of the United States for prosecution.

From the documents seized, it was established that the heroin originated in the Province of Szechwan, Communist China, and was smuggled into various U.S. Pacific coast ports via Hong Kong and Shanghai. Documentary evidence also showed that the conspirators in this case referred to themselves in customary Communist terms. The U.S. price paid by the American-Chinese receivers averaged \$360 an ounce.

It was noted that two Chinese tongs here in the United States—namely, the Bing Kong and the Hip Sing—played important roles in this conspiracy case. The Bing Kong president at Portland, Oreg., was used as a mediator and settled the matter of commissions over narcotics between two conspirators in this case. George W. Yee, the primary conspirator in this case, was the president of the Hip Sing Tong in San Francisco during the year 1958.

On April 28, 1959, George W. Yee, was sentenced in Federal court at San Francisco, to a term of 5 years imprisonment for his participation in this case.

Moe Yim, alias Fred Moe, of Portland, Oreg., a conspirator in this case, committed suicide shortly after his arrest and release on commissioner's bond, by driving his vehicle at a high rate of speed into a concrete freeway pillar.

Lee Dean of Portland, Oreg., another conspirator in this case, is still a fugitive. From reliable sources of information, it has been established that Lee fled to Kowloon, where he is presently residing.

Two former narcotic partners of both Moe Yim and Lee Dean in Portland, Oreg., were Tung Jim and Wey Him Fong, alias Wayne Fong. Jung is presently incarcerated at McNeil Island Penitentiary, serving a 12-year sentence imposed in case Oreg-1951, as a result of sales of both heroin and opium to an undercover narcotic agent.

Fong is presently incarcerated in the U.S. penitentiary at Leavenworth, Kans., serving a 20-year sentence imposed in case Oreg-1946, as a result of three separate sales of pure brick heroin to an undercover narcotic agent.

Cal-5628—George W. Yee et al.

The following is the translation from defendant Jim Jung's memorandum book:

On page 24 of the memorandum book dated August 15, no year, is the following:

"1. Received 'Ger Kiung' from Sue-Chung Province in Communist China (assumed to be heroin) 1 dozen (assumed to be 12 ounces).

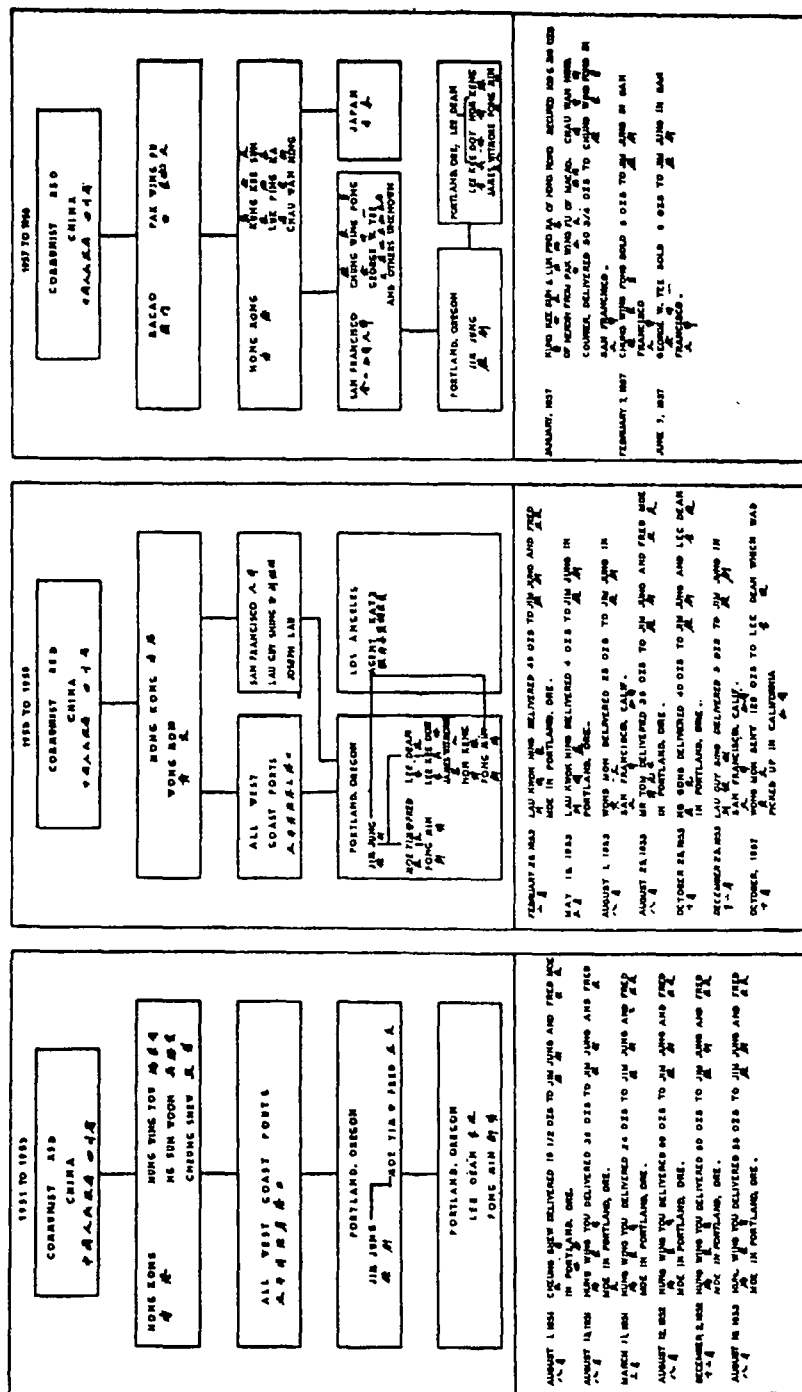
"2. At the same date, received private stock of 'Ger Kyung' from Sue Chung Province in Communist China (assumed to be heroin) at the price of \$250 per ounce.

"3. This action is completed (assumed money was paid and transaction completed)."

1132 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

GEORGE W. YEE ET AL

CAL. 5028



1951 TO 1958 AT LEAST 270 POUNDS HEROIN BROUGHT INTO THE UNITED STATES FROM COMMUNIST CHINA. SUE CHUN PROVINCE

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1133

SEATTLE, WASH., AREA

ERNEST DUKE ARNOLD

Aliases: None.

Description: Date of birth: June 12, 1922, at Sapulpa, Okla.; Negro male; 5 feet 8 inches tall; 175 pounds; black hair, brown eyes; usually wears a mustache; dark brown complexion; scar on his head.

Criminal associates: Westbrook Sanders, Leroy Lemons, Travis Reid, Solomon Sandez, Jr., Eugene Westbrook, Leroy Jefferson, Clarence Criss.

Criminal history: Dates from 1936, includes arrests for larceny, vagrancy, wife abandonment, pimping, carrying a concealed weapon, first degree kidnapping, violation of Mann Act, violation of Federal narcotic laws.

Modus operandi: Distributor of heroin in the States of Washington and Oregon.

Identification: FBI No. 1-991-904, San Francisco Police Department No. 83787, Los Angeles Police Department No. 100410.

Summary of activity

This subject is considered to have been one of the most important narcotic traffickers in the Pacific Northwest. In addition to independent interstate and international heroin trafficking, he was associated with two large conspiracy groups operating on the Pacific coast. The first of these was the Leroy Jefferson group which conspired to import heroin from Mexico and France for distribution in the United States, primarily in Washington, Oregon, and California. Arnold was one of the distributors for the group in Washington and Oregon. When the Jefferson conspiracy was ended in 1959 Arnold found a source of supply in Solomon Rodrigo-Sandez, Jr., of Tijuana, Mexico, and began buying heroin from him at Tijuana and San Diego, usually sending runners, such as Travis Robert Reid, Clayton Avritt, Robert Watson Boyd, Hazel Davis, Odean Sheppard, and Darres Poe to pick up the heroin (several ounces at a time) and bring it to Portland. This operation grew into another conspiracy with Westbrook Sanders, Leroy Lemons, Wallace Hanks (deceased), Jack Rose, and others to secure heroin from Sandez at Tijuana for distribution in Washington and Oregon. This conspiracy existed during 1959 and 1960 with Arnold, Sanders, and Lemons as the leaders. At one time they planned to set up their own laboratory at Dallesport, Wash., in order to manufacture heroin themselves.

In September 1959, there were three factions competing for the heroin market in Portland. One was Arnold, and others; the second was Charles Redd and associates; and the third was a group composed of Clarence Moss, Robert Perkins, and Otto Jordon. On September 30, 1959, Redd and Arnold got into an argument and Redd struck Arnold over the head with a pistol which also went off and shot Arnold in the head, causing some brain damage. A few weeks later Redd was found murdered in his hotel room after having been shot 11 times with a pistol. Otto Jordon pleaded guilty to the murder and was sentenced to life imprisonment.

On December 4, 1960, Arnold was arrested in cases Oreg-1984 and Wash-3110, sales of heroin at Portland, Oreg., and Dallesport, Wash. He was convicted in case Oreg-1984 at U.S. district court, Portland, and was sentenced to a term of 10 years on March 2, 1961. A complaint was filed in Wash-3110 at Yakima, Wash., but dismissed after the sentence in Oreg-1984.

TOM FUN BOW (DECEASED)

Aliases: Hom Fun Bow, Harry Fun Bow.

Description: Date of birth: September 21, 1895 in Canton, China; Chinese male; 5 feet 6½ inches tall; weighs 175 pounds; brown eyes; black hair; stocky build.

Criminal associates: Yee Shee Foon, Luis Wong, Wing Locke.

Criminal history: Alleged to have been a "hatchetman" for the On Leong Tong in the eastern part of the United States; president of the Fourth Family Association, known as the Chew Lun Benevolent Association.

Modus operandi: Sole distributor for Luis Wong of Mexicali, Mexico.

Identification: FBI No. 366-636.

1134 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS*Summary of activity*

In the early 1950's this suspect received his supply of narcotic drugs from seamen who smuggled same from the Orient to various points throughout the Western United States.

Following the general trend in the Western United States in the late 1950's his source of supply was identified as an important international violator, Luis Wong of Mexicali, Mexico.

Tom Fun Bow was found guilty of narcotic violations in Federal court on September 29, 1960, and sentenced to a 10-year term and fined \$10,000. He was allowed to remain free on appeal bond. On the following day, September 30, 1960, he committed suicide by leaping from the roof of the Bush Hotel in Seattle, Wash.

LEROY LEMONS

Aliases: Leroy Lemmons, LeRoy Lemon.

Description: Date of birth: September 3, 1926, at Weimar, Tex.; Negro male; 6 feet tall, 184 pounds, black hair processed, brown eyes.

Criminal associates: Solomon Rodrigo Sandez, Jr., Ernest Duke Arnold, Caesar Watson, Beulah Smith, Marvin Sockwell, Luke Pope.

Criminal history: Dates from 1945 and includes arrests for narcotic violations and pimping.

Modus operandi: Wholesale distributor of narcotics in the Seattle, Wash., and Portland, Oreg., area.

Identification: FBI No. 435672; Seattle Police Department No. 42465.

Summary of activity

In 1958 Leroy Lemons emerged as the main source of supply for Portland, Oreg., and vicinity with his supply being Westbrook Sanders. Sanders' source was Solomon Sandez, Jr., of Tijuana, Mexico.

Lemons was associated in a conspiracy with Ernest Arnold, Westbrook Sanders, and many others. These conspirators used addict runners to travel to San Diego, Calif., where they would obtain large quantities of heroin from their source of supply in Tijuana, Mexico. In each of these transactions in San Diego, Calif., sums of money ranging in amounts from \$2,500 to \$5,000 were exchanged.

This trafficker widened his scope of operation to include the Seattle, Wash., area, in addition to Portland, Oreg.

In early 1962 Lemons was convicted in a conspiracy case in Seattle and sentenced to 10 years in Federal penitentiary.

WESTBROOK SANDERS

Aliases: None.

Description: Born March 2, 1915, at Paul Valley, Okla.; Negro male. Married to Charlotte Sanders, a white female ex-prostitute.

Criminal associates: Tom Burton, Ivory Wilson, Isaac Wilson, Howard Bible, Oscar Trotter, Frank Williams, Frank White, Robert Perkins.

Criminal history: Includes arrest and conviction for burglary second degree, Mann Act, conspiracy and violation of Federal narcotic laws.

Modus operandi: Wholesale heroin dealer in San Diego, Calif., Portland, Oreg., and Seattle, Wash.

Identification: FBI No. 888532; Seattle, Wash., Police Department No. 45432.

Summary of activity

Westbrook Sanders was an important heroin trafficker in Seattle, Wash., from 1950 until his arrest and conviction there in 1954. His main source of supply at that time was seamen arriving from the Orient. He was able to purchase heroin in Canada and apparently did so. Sanders was in prison from 1954 to 1958 after being convicted in Washington—2961. In 1958 Sanders left McNeil Island and again engaged in the heroin traffic, but on a much larger scale.

Westbrook Sanders was associated in a conspiracy with Ernest Arnold, Leroy Lemons, Leon Noah, Jack Rose, Robert W. Boyd, Odean Sheppard, Hazel Davis, Eugene Westbrook, Daares Poe, Travis Reid, Beulah Smith, and Ceasar Watson, to obtain heroin from Solomon Rodrigo Sandez, Jr., in Mexico, through Sandez's runners, to be delivered to San Diego for transportation to Portland, Oreg., and Seattle, Wash.

On July 9, 1962, Sanders was sentenced to a term of 15 years for violation of 21 U.S.C. 174 (conspiracy). He is presently incarcerated at McNeil Island Penitentiary.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1135

PORTLAND, OREG., AREA

CLARENCE CRISS

Alias: "Big Criss."

Born November 27, 1917, Pine Bluff, Ark.

Criminal associates: Leroy Lemons, Clarence Dawkins, Leroy Jefferson, Lulu Parker, Ernest Duke Arnold, Velmer Dorsey, and numerous other Portland, Oreg., hoodlums.

Criminal record: FBI No. 2431808.

Prior to his sentence of 10 years in Federal court at Portland, Oreg., on April 11, 1958, in connection with Oreg-1938, Criss had only two prior arrests, one in 1938 at Dalhart, Tex., for vagrancy and the other one in 1952 at Los Angeles, Calif., for a traffic violation.

Personal description and history: Clarence Criss is a male Negro who, sometime prior to 1956, met and became acquainted with notorious violator Leroy Jefferson. Criss was not a narcotic addict but was reported to be a heavy marihuana smoker. In fact he was also considered to be, in addition to his highly important role in the heroin traffic, a very large source of supply for bulk marihuana in Portland. At the time of his arrest in our case Oreg-1938 in 1958, Criss was married to Augusta Criss and they had one child age 3½. He claimed that he formerly was a taxi driver in Chicago and that he also had worked on the Southern Pacific Railroad for many years. At that time he was paying for his home in Portland at the rate of \$50 per month after \$150 downpayment.

LEROY LEMONS

Aliases: Leroy Lemmons; LeRoy Lemon.

Description: Date of birth, September 3, 1926, at Weimar, Tex.; Negro male; six feet tall; 184 pounds; black hair processed; brown eyes.

Criminal associates: Solomon Rodrigo Sandez, Jr., Ernest Duke Arnold, Caesar Watson, Beulah Smith, Marvin Sockwell, Luke Pope.

Criminal history: Dates from 1945 and includes arrests for narcotic violations and pimping.

Modus operandi: Wholesale distributor of narcotics in the Seattle, Wash., and Portland, Oreg., area.

Identification: FBI No. 435672; Seattle Police Department No. 42465.

Summary of activity

In 1958, Leroy Lemons emerged as the main source of supply for Portland, Oreg., and vicinity with his supply being Westbrook Sanders. Sanders' source was Solomon Sandez, Jr., of Tijuana, Mexico.

Lemons was associated in a conspiracy with Ernest Arnold, Westbrook Sanders, and many others. These conspirators used addict runners to travel to San Diego, Calif., where they would obtain large quantities of heroin from their source of supply in Tijuana, Mexico. In each of these transactions in San Diego, Calif., sums of money ranging in amounts from \$2,500 to \$5,000 were exchanged.

This trafficker widened his scope of operation to include the Seattle, Wash., area, in addition to Portland, Oreg.

In early 1962 Lemons was convicted in a conspiracy case in Seattle and sentenced to 10 years in Federal penitentiary.

ARTHUR JAMES PALMER

Address: 109 Northeast San Rafael Street, Portland, Oreg. (presently serving 7½ years' sentence in Federal prison).

Place and date of birth: De Funiak Springs, Fla., May 19, 1923.

Criminal associates: Leroy Lemons, Ernest Duke Arnold, Sam Blasingame, Travis Robert Reid, William McCowan, Merle Blasingame McGowan, John Adams also known as Horace, Roma Ollison also known as Poop, David Kiser, Herman Canyon, Eddie Henry Lloyd, James Whitmore, James Williams, Gwen Crawford, Clyde Motton, Solomon Sandez, Jr.

Criminal record: The first arrest of Arthur Palmer, according to his FBI record, was by the police department at Alameda, Calif., on August 14, 1948, for petty theft. No disposition is shown. He was arrested by the Anchorage,

1136 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Alaska, Police Department on November 6, 1949, for reckless driving, posted \$100 bail. On June 20, 1952, he was arrested by the sheriff's office at Seattle, Wash., for petty larceny and the case was dismissed by bail forfeiture. He was arrested by the sheriff's office at Tacoma, Wash., on November 14, 1953, for driving while license suspended, was sentenced to 2 days in the county jail and \$2.50 costs. At Seattle he was arrested by the police department on February 19, 1958, for a traffic violation and investigated for narcotics. He posted a \$20 bond on the traffic charge which he then forfeited.

Palmer was detained (not an arrest) by the San Diego, Calif., Police Department on June 5, 1958, for suspicion of robbery.

On March 30, 1962, Palmer was arrested at Portland, Oreg., for violation of the Federal narcotic laws, was sentenced to a term of 7½ years on September 13, 1962. (See cases Oreg-2002 and Oreg-2009.)

Criminal identification numbers:

Federal Bureau of Investigation: 3 760 331.

Federal Bureau of Narcotics: Oreg-2002, Oreg-2009.

Alameda, Calif., Police Department: 7997.

Seattle, Wash., Sheriff's Office: 38 189.

Tacoma, Wash., Sheriff's Office: BA-18 488.

Seattle, Wash., Police Department: 49 478.

Anchorage, Alaska, Police Department: 2479/3252.

San Diego, Calif., Police Department: 152 906.

Portland, Oreg., Police Department: 40 811.

Portland, Oreg., Sheriff's Office: 43 770.

Personal description and history: Arthur James Palmer, also known as Roosevelt Oates, is a Negro, male, born De Funiak Springs, Fla., on May 19, 1923, five feet eight inches tall, 168 pounds, black hair, maroon eyes, former carpenter, merchant seaman, motel and hotel operator, and political club leader.

The subject has six brothers and one sister. One of the brothers is Leroy Palmer who is a foundry worker living at 3728 North Williams Ave., Portland, Oreg. Arthur Palmer served in the U.S. Navy from 1942 to 1945, was discharged with the rank of seaman, first class. He worked as a merchant seaman during 1946 and 1947, serving on vessels that called at foreign ports. In 1948 and 1949 he was employed as a carpenter for the Atomic Energy Commission, Hanford project, Pasco, Wash. While living at Pasco he became acquainted with Ernest Duke Arnold, Leroy Lemons and Sam Blasingame, among others. During 1950, 1951, 1952, and 1953 he worked again as a merchant seaman and resided at Seattle, Wash. During 1954 and 1955 he worked as a carpenter in military construction in Alaska; went to sea again in 1956 and 1957; resided in Portland from 1958 to 1962 when he went to Federal prison. In Portland, Palmer owned and operated the Desert Hotel, which was destroyed by fire in late 1959, and the Desert Motel.

Palmer became a narcotic suspect in the Pacific Northwest over 10 years ago, during the period 1950-53 when he was employed as a merchant seaman, and it is interesting to note that just prior to that period (1948 and 1949) he had worked at Pasco, Wash., and while there had become acquainted with such notorious heroin traffickers as Ernest Duke Arnold, Leroy Lemons, and Sam Blasingame, as is mentioned above. Although he did not move to Portland until 1956, it is known that Palmer trafficked in narcotics in Portland as early as 1952. Although we have little information as to his sources of supply prior to 1961, it is believed that the bulk of his heroin supplies were smuggled into the United States by either Palmer himself or by seaman associates.

In 1961 Palmer began securing his heroin supplies from Solomon Sandez, Jr., of Tijuana, Mexico, and engaged Travis Robert Reid to act as a runner to pick up the drugs from Sandez.

During the period 1960-62 Palmer distributed heroin in Portland through James Whitmore, James Williams, Clyde Motton, William McGowan, Merle McGowan, and Travis Robert Reid, among others. He usually sold to the retailers in quantities of "spoons" or better and often took stolen merchandise in payment for drugs.

Although this subject was considered by most enforcement agencies to be a major narcotic violator, he claimed to be a social and political leader in the Portland area. A large number of politicians and other prominent business and social leaders were taken in by Palmer and had no idea that he was engaged in the narcotic traffic. He was president of the Booker T. Washington Demo-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1137

crat Club in Portland which supported first the Democratic and then the Republican Party in the 1960 presidential election.

A narcotic conspiracy case (Oreg-2002) was developed against Palmer in early 1962. At his trial on May 16 and 17, 1962, three prime Government witnesses balked, causing the trial to end in a mistrial and a loss of eight of the nine counts in the indictment. Investigation revealed that Palmer had intimidated and bribed witnesses and a new 19-count indictment was returned. He subsequently pleaded guilty to a bill of information charging one count of narcotic law violation (Oreg-2009) and was sentenced to a term of 7½ years on September 13, 1962.

EUGENE JOSEPH GREGORY SPURLOCK

Address: U.S. Penitentiary, McNeil Island, Wash.

Aliases: Eugene Joseph Spurlock, Spider, George Joseph Spurlock, Gregory Spurlock, Earl Robert Washington, Harold Eugene Gregory.

Personal description: Male Negro, U.S. citizen; born January 12, 1923, at Brooklyn, N.Y.; height 5 feet 7 inches, weight 131 pounds, black hair, maroon eyes; slender build. Addicted at time of arrest February 25, 1960; admits use of heroin and addiction since 1950.

Criminal history: FBI No. 4-991-975; U.S. Bureau of Narcotics case No. Oreg-1968; Portland Police Department No. 37759; Multnomah County Sheriff's Office No. 40444; Seattle Police Department No. 49414.

Spurlock's first arrest, as indicated by the FBI criminal record report, was in 1941 at New York for robbery. During the next 19 years from 1941 to 1960 Spurlock's record report shows a total of 66 arrests for assault, larceny, check forgery, Not Stolen Property Act, drinking, burglary from auto, vagrancy, narcotic addiction, grand theft, bunco, possession of narcotics, larceny from a store, and violation of the Federal narcotic laws. As a result of these charges Spurlock served small sentences of from 3 to 6 months. A Federal charge of interstate transportation of stolen checks in 1947 resulted in a sentence of 1 year and 6 months. In 1960 Spurlock was arrested for violation of the Federal narcotic laws for which he received an 8-year sentence, the first substantial incarceration in his long and varied criminal career.

Background information: Eugene Spurlock first came to the attention of the Bureau of Narcotics, District No. 15, during the years 1957 and 1958 in Seattle, Wash. During this time Spurlock can best be described as an addict peddling small capsule quantities of heroin to sustain his own addiction. He was then associating with Don Jordon, Seattle trafficker, selling shots and capsules at Jordon's residence. After Jordon's arrest in 1959 Spurlock came to Portland, Oreg. During the latter part of 1959 Spurlock made several trips to Vancouver, British Columbia, Canada, to pick up small supplies of heroin for his own use and for resale. In this same period of time he became associated with Myrtle Patricia Cutchlow. Cutchlow herself had just moved to Portland from Seattle where she had peddled heroin for a number of years, on her own, and in conjunction with her husband, Ray Cutchlow. Pat Cutchlow moved to Portland after Ray was arrested on a narcotic charge. It is rumored that Pat Cutchlow was responsible for this arrest. Pat Cutchlow then made her own arrangements with her husband's former source of supply for heroin. Cutchlow made numerous trips to San Diego during 1959 to pick up heroin from Urbano Siquieros of Tijuana, Mexico. She in turn was supplying several local peddlers including Ernest Duke Arnold, Oreg-1984, Leroy Hastings, Oreg-1970, Charles Erwin Redd, and Westbrook Sanders, of Seattle, Wash. On the retail level most of the peddling was handled by Eugene Spurlock.

In January 1960 Cutchlow was arrested for possession of heroin by Portland police officers and this case was taken into Federal court. After this arrest Cutchlow enlisted the aid of Eugene Spurlock to make trips to San Diego for her. These trips were made at Cutchlow's expense and payment of moneys and other arrangements were taken care of by Cutchlow. Spurlock made one successful trip to San Diego in January 1960 and on the second trip in February 1960 he was arrested by agents of the Bureau of Narcotics at Portland, Oreg.

In March of 1960 Urbano Siquieros was arrested in possession of a quantity of heroin by agents of the Los Angeles office of the Bureau of Narcotics working in conjunction with Mexican authorities.

In September 1960 Spurlock was found guilty by a Federal court jury and later received an 8-year sentence. Pat Cutchlow received a 10-year sentence on her separate case in July 1960.

1138 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

DENVER, COLO., AREA

JOE NATHAN CLARK

Alias: Squirrel.

Description: Negro male; born in Midland, Tex., July 9, 1934; 5 feet 9½ inches; 145 pounds; slender build; brown complexion; maroon eyes; and black hair. Has large burn scar on side of face.

Localities frequented: Bars in the Five Points area (Negro section) of Denver. Presently in Federal prison for violation of Federal narcotic laws. Due to be released on December 13, 1962, and will reside at 2096 Emerson Street, Denver, Colo.

Criminal associates: Hubert Mason, Charles A. Garret, Jr., George Benningfield.

Criminal history: Discloses one minor arrest for theft and conviction for violation of Federal narcotic laws.

Modus operandi: Employed by wholesale dealers as a courier for transportation of heroin from Chicago to Denver. Would meet Denver wholesale dealers in Chicago, pick up the drug, and return to Denver via some conveyance other than that used by his employer.

Agencies with information: U.S. Bureau of Narcotics and Police Department, Denver, Colo.

Identification: FBI No. 937,396 C; Denver Police Department No. 56225.

Summary of activity

In July of 1958, information furnished the Chicago office of the Bureau of Narcotics indicated that Charles A. Garret, Jr., and subject Joe Nathan Clark, known only as Squirrel, at that time were in Chicago to purchase a quantity of heroin from an unknown source. Agents of the Chicago office subsequently observed Joe Nathan Clark entrain the Denver Zephyr on July 15, 1958, and he was arrested the following morning by Denver agents. He was found with 3 ounces 432.5 grains of heroin on his person. Clark refused to identify the person for whom he made the trip to Chicago or to identify any individuals whom he contacted in Chicago relative to the transaction.

Clark was tried for violation of the Federal narcotic laws on March 13, 1959, was found guilty, and subsequently sentenced to 5 years. He remains in Federal prison but according to the Federal probation office, Denver, is scheduled for release on December 13, 1962. He intends to return to Denver.

Subject Clark had been used on several occasions by Charles A. Garret, Jr., and Hubert Mason to transport heroin to Denver. Whether he will again become involved in the narcotic traffic cannot presently be determined. Both Garret and Mason have recently become active and may approach Clark following his release; however, Clark himself has never attained any stature in the heroin traffic and it appears doubtful that he will gain any further importance than that of a courier.

In view of Clark's reluctance to cooperate before his incarceration, it is not felt that he would be any more amenable to suggestion that he help the Government now that he has served his prison term.

JAMES GLOVER, JR.

Aliases: None.

Description: Negro male; born in Fort Worth, Tex., on August 8, 1932; 5 feet 9 inches; 180 pounds; muscular build; brown complexion; brown eyes; and black hair.

Localities frequented: Denver address, 2925 Josephine Street. Frequents bars in Five points area (Negro section) of Denver. Presently confined at Federal Medical Center, Springfield, Mo.

Criminal associates: Morris Joseph, Norman Smith, Edward McCray, Wesley W. Jackson, Douglas Onick, Kentha McDowell.

Criminal history: Conviction for violation of the Federal narcotic laws in May 1961. Circuit court reversed guilty verdict and dismissed charges.

Modus operandi: Obtained large quantities of heroin from Morris Joseph for distribution in Colorado and Texas.

Agencies with information: U.S. Bureau of Narcotics; and police departments of Denver, Colo., and Fort Worth, Tex.

Identification: FBI No. 885,504B; Denver Police Department No. 61124; Fort Worth Police Department No. EX-83159.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1139

Summary of activity

James Glover, Jr., first came to the attention of this office during the summer of 1959 as an active heroin violator. Further reports indicated that Glover was operating on a larger scale and being supplied by Morris Joseph. Efforts were made to purchase evidence from him but he refused to meet any agents or special employees. Glover extended his activities, in cooperation with Morris Joseph and Norman Smith, to Texas where he supplied heroin in wholesale quantities to peddlers in Fort Worth and Dallas. Glover and Norman Smith entered in a partnership with Morris Joseph, who supplied the heroin from various sources in Chicago and Tijuana, Mexico. Glover would make frequent trips to Chicago; Texas; and the west coast in furtherance of these activities. Glover was convicted on May 22, 1961, at Denver, Colo., for violation of the Federal narcotic laws and subsequently sentenced to 15 years. The conviction was reversed by the 10th Circuit Court of Appeals on July 9, 1961. In September of 1961, a Federal grand jury at Dallas, Tex., returned an indictment charging Glover with violation of the Federal narcotic laws in Texas. He was arrested and transported to Texas to stand trial. On December 11, 1961, while en route to district court for trial Glover went berserk. He was committed to the custody of the Attorney General and subsequently taken to the Medical Center for Federal Prisoners at Springfield, Mo., where he remains under treatment. Upon determination by hospital authorities that his mental condition is sufficiently improved, he will stand trial for violations reported in Tex-12236.

MORRIS JOSEPH

Alias: Fat Joe.

Localities frequented: Has lived in Beaumont, Tex.; New York City; Chicago; Hartford; Denver; and Los Angeles. Frequents better bars in Negro sections.

Description: Negro male; born in New Orleans, La., on June 24, 1926; 5 feet 7 inches; 200 pounds; heavy build; dark brown complexion; brown eyes; and black hair. Has 4-inch-cut scar over left eye.

Criminal associates: Edward McCray; James Glover, Jr.; Norman E. Smith; and prominent heroin traffickers in Chicago, New York, California, and Texas.

Modus operandi: A notorious trafficker in narcotics throughout the United States. Is able to obtain heroin in large quantities through associates for distribution to outlets in many of the large cities. Would operate small businesses such as taxi service, real estate, etc., as a front.

Criminal history: Dates from 1944 and includes four convictions under the Federal narcotics and marihuana laws. Currently serving a total of 80½ years following convictions for violation of the Federal narcotic laws in Texas, Colorado, and California.

Agencies with information: U.S. Bureau of Narcotics; U.S. Customs Agency Service; police departments in Denver, Colo.; Chicago, Ill.; Beaumont, Tex.; and State police, Hartford, Conn.

Identification: FBI No. 4,394,479; Denver Police Department No. 61945; Chicago Police Department No. E 4413; Beaumont Police Department No. 10282; State police, Hartford, No. G-1630-E/75336.

Summary of activity

Morris Joseph initially came to the attention of this office in November 1958. He was arrested with a local violator and charged in State court with possession of a quantity of marihuana and heroin found in their hotel room. It was learned at that time that he was the subject of case Tex-12102 in Beaumont, Tex., and was considered an important violator. Joseph made his home in Denver and continued his trafficking in narcotics, supplying local dealers with heroin. He was arrested in Denver in January 1959, for violation of the Federal marihuana law (Colo-713-M).

The following September Joseph was convicted in case Tex-12102 and received a 12-year sentence. This conviction was promptly appealed. He continued operations in Denver on an increasing scale supplying Edward McCray, James Glover, and Norman Smith with all the heroin they were able to distribute. In September 1960, he was convicted in case Colo-713-M and received an 8½-year sentence and immediately appealed the conviction. Joseph moved to Los Angeles, Calif., in the summer of 1960 from whence he continued to supply his confederates with heroin obtained from Tijuana, Mexico, sources. While in California, a third case was developed against Joseph involving sales of heroin (Cal-6069) in March of 1961. Joseph was promptly brought to trial and

1140 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS .

sentenced to 60 years in the latter case. A total of 80½ years were imposed in the three cases. Joseph is presently serving these sentences in Federal prison.

Morris Joseph, a major interstate heroin trafficker, was the most important violator to come under investigation by District No. 13. His activities, while in Denver, have no doubt contributed more to spread the use of heroin in this area than any other violator before or since. Subject seemingly had in inexhaustible availability of heroin which he apparently had no difficulty obtaining from the various prominent traffickers known to him throughout the country. Morris Joseph never really ceased to be a major heroin violator and it is believed that he would continue to be one as long as he remained free from incarceration.

Morris Joseph, through his extensive operations and connections in many large cities, has considerable knowledge of the heroin traffic from the violator's viewpoint. If called upon to appear as a witness, it is not believed that he would cooperate unless he has assurance that he could gainfully do so through mitigation of his sentence.

NORMAN EUGENE SMITH

Aliases: None.

Description: Negro male; born in Iowa City, Iowa, March 1, 1931; 5 feet 7 inches; 170 pounds; medium-heavy build; light brown complexion; brown eyes; black hair.

Localities frequented: Presently in Federal prison for violation of Federal narcotic laws. Earliest possible release date July 4, 1967. Formerly frequented bars in the Five Points area (Negro section) of Denver.

Criminal associates: Morris Joseph James Glover, Jr.; Charles Garrett, Jr.; Martin Talley; Edward McCray.

Criminal history: Dates from 1949 includes arrests for investigation of possession of narcotics, burglary, assault, conviction for violation of Federal narcotic laws.

Modus operandi: Wholesale dealer in large quantities of heroin locally and in interstate traffic. Source of supply was Morris Joseph.

Agencies with information: U.S. Bureau of Narcotics and the Denver Police Department.

Identification: FBI No. 242,807-A; Denver Police Department No. 82026.

Summary of activity

Norman Eugene Smith first came to the attention of the Bureau of Narcotics in the early part of 1960 when it was reported that he was engaged in the sale of heroin to addicts at the retail level. Subject became increasingly active and allied himself with James Glover, Jr. Together with Morris Joseph, these three individuals during 1959 and 1960 supplied most of the heroin in the Denver area. Upon the departure of Morris Joseph to Los Angeles, subjects Norman Smith and Glover retained their control of the traffic locally and were supplied by Morris Joseph from California. Smith made frequent trips to Los Angeles during which he would carry substantial sums of money, on one occasion reported to be \$7,000. Other sums were sent by Smith to Joseph by telegraph and money orders. These three principals became partners and extended their series of operations to Fort Worth, Tex., where Glover made numerous sales to peddlers in that area. This operation ceased following the arrest of Morris Joseph in California in March 1961, and of James Glover, Jr., at Denver, Colo., also in March of 1961, both for violation of Federal narcotic laws.

Norman Eugene Smith was charged in Federal court in Denver, Colo. on August 18, 1961, with two violations of 21 U.S.C. 174. He pleaded guilty to one count and was sentenced to 7½ years on January 5, 1960. The U.S. Probation Office advises that the earliest date possible for his release from Federal prison is July 4, 1967.

On questioning regarding his association with Glover and Joseph, he readily admitted that the three of them operated as a partnership; however, there was a tendency by Smith to minimize the extent of their operations. Smith appears to be the most intelligent of the important violators known to this district and would be the most likely to be a friendly witness. Whether his present incarceration would influence him in this matter is not known.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1141

COLORADO AREA

The most extensive narcotic activity in District No. 13 is concentrated in the State of Colorado; the focal point for distribution being the city of Denver with lesser activity noted in Pueblo and Colorado Springs. The narcotic activity during the first half of the past decade reflected violations of marihuana laws with numerous narcotic cases developed on registrant diversions, illegal possession of taxable drugs, and prescription violations. A single case involving the drug of heroin was reported in 1953 wherein a small seizure was made. Beginning in 1956 there was a sudden and strong upsurge in the heroin traffic in Denver. This activity increased steadily as violators with interstate connections began operations. Wholesale arrests of heroin peddlers in 1960, 1961, and 1962 on indictments resulted in curbing the traffic to some degree. With the removal of these violators from the streets, and particularly Morris Joseph, a notorious major trafficker, activity dropped to a lower level during the latter part of 1961 and continuing into 1962.

With the decline of the Negro violator during this period the use and distribution of the drug by persons of Mexican descent began. Several of these traffickers through their operations became major violators with sources of supply in Mexico. Heroin traffic among Mexican violators was the dominant trend and not until the latter part of 1962 had the situation showed any change. Beginning in approximately September of 1962 there appeared a reactivation of the heroin traffic among Negroes which continues at the time of this writing.

A compilation of the annual reports on narcotic and marihuana arrests (forms 49-N) in the State of Colorado from the beginning of the calendar year 1952 until the present time follows: It should be noted that beginning with the year 1957 arrests and seizures embrace Federal, State, and local violations. Prior to that time only Federal figures were available. In addition to the heroin and marihuana seizures listed in this chart, there were varied quantities of drugstore type narcotics not listed. These drugs comprised for the greatest part items recovered by police in the course of their investigations of drugstore thefts and have no significant effect on the trend generally.

Year	Narcotic arrests		Marihuana arrests		Type of drug and/or quantity of drug involved
	Federal	State and local	Federal	State and local	
1952.....	3	4	26	49	Assorted drugs; marihuana, 6.7 kilos.
1953.....	6	1	66	14	Heroin, 4.3 grams; marihuana, 7.3 kilos.
1954.....	8	4	28	1	Heroin, 2.5 grams; marihuana, 7.9 kilos.
1955.....	4	15	18	57	Heroin, 58.5 grams; marihuana, 13.3 kilos.
1956.....	15	8	11	28	Heroin, 313 grams; marihuana, 10.1 kilos.
1957.....	9	173	7	131	Heroin, 29.7 grams; marihuana, 962 grams.
1958.....	9	142	2	143	Heroin, 399 grams; marihuana, 7.7 kilos.
1959.....	14	24	0	51	Heroin, 28.7 grams; marihuana, 909 grams.
1960.....	15	53	0	95	Heroin, 50.1 grams; marihuana, 2.8 kilos.
1961.....	8	96	1	65	Heroin, 216.3 grams; marihuana, 4.8 kilos.
1962.....	1	35	7	34	Heroin, 158 grams; marihuana, 1.9 kilos.

The overall trend in the narcotic activity for the Colorado area is reported chronologically as follows:

1952 through 1955

As reflected in the above chart for the years of 1952, 1953, 1954, and 1955, arrests and seizures were based on the marihuana traffic with the secondary effort being directed toward violations involving taxable narcotic drugs. A single heroin violation in 1953, two in 1954, followed by two others in 1955 represented the extent of the heroin traffic during those years. The marihuana

1142 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

activity during this period showed no organization nor any distinct pattern. Violators were generally individuals operating on their own obtaining their supply from various local producers or sometimes journeying to Mexican border cities for the weed.

1956

As previously mentioned there was a sharp upsurge in the heroin traffic beginning with this year. Seizures of heroin totaled 313 grams. Most violators were arrested transporting the heroin to Denver via different conveyances. These heroin operations were all individual actions and no particular pattern or organization was indicated. Sources for the heroin seized were Chicago, San Francisco, Kansas City, and Nogales, Ariz. Only Chicago was named as a source in more than one instance.

1957

This year saw the first indication of organization of the heroin traffic in the Denver area. James W. Lewis alias Six, early in the year obtained heroin from Chicago in sufficient quantities to employ several peddlers on a street level. Although the quality of the drug obtained by Lewis was generally poor he was instrumental in extending the use of the heroin among a large number of Negroes. Lewis was apprehended and convicted for violation of the narcotic laws in October of 1957, made bond, and continued his operations until finally sent to prison in June of 1959. Appeals and a retrial delayed his imprisonment. Charles A. Garrett, Jr. and Hubert Mason initiated their interstate operations during the year and obtained heroin in wholesale quantities in Chicago for distribution in Denver. Mason was arrested in June 1957, convicted in November 1957 for narcotics violation, appealed the conviction, and remained free on appeal bond until November 1958 when the conviction was affirmed. Mason and Garrett remained active in the traffic during all this time.

1958

The distribution of heroin in the Denver area by interstate traffickers James W. Lewis, Hubert Mason, and Charles A. Garrett continued unabated during most of the year. Two couriers employed by Mason and Garrett were apprehended with large quantities of heroin obtained in Chicago upon arrival in Denver. Joe N. Clark, their chief courier, was one of those apprehended, the other being a female courier. Clarence W. Dawkins was arrested upon arrival in Denver. Dawkins transported a quantity of heroin from Portland, Oreg. for distribution in Denver. Dawkins has not returned to Denver but upon his release from prison returned to Portland where he is considered an important violator at present. Edward McCray came to the attention of this office in mid-1958, first as a minor violator and by the end of the year had allied himself with Morris Joseph, major interstate trafficker, who was living in Beaumont, Tex., at the time. McCray obtained large quantities of heroin from sources in Chicago through arrangements made by Morris Joseph.

1959

It was during this year that Morris Joseph became engaged in the heroin traffic locally. Hubert Mason and Charles A. Garrett were no longer in the traffic and James W. Lewis was operating on a declining scale until his imprisonment in June. Morris Joseph continued his employment of Edward McCray as one of his distributors and engaged several others, most important of which was James Glover, Jr., Joseph operating out of Denver, would make trips to various cities throughout the country, Chicago and Los Angeles in particular, where he would obtain heroin and have it transported to Denver. Upon the receipt of the drug by Glover, he would in turn supply it to a number of peddlers for street distribution. Able to obtain almost unlimited quantities of heroin through his partnership with Joseph, Glover extended his interstate operations into the Dallas-Fort Worth area of Texas.

1960

In February of 1960 grand jury indictments were handed down resulting in the removal of 14 violators from the traffic. These were for the most part peddlers on a street level. The heroin traffic subsided only briefly and resumed on a more active scale than ever with the sources of supply continuing to be

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1143

Morris Joseph and his associates. During the early part of the year Joseph acquired another partner, Norman Smith, who was to become prominent in the interstate traffic during 1960 and early 1961.

During the latter part of 1960 the violator of Mexican descent emerged as a factor to be considered. This was anticipated to some degree since it was known that a large number of pharmacy stickups committed in the late part of 1959 and early part of 1960, wherein the narcotic drugs were taken, were committed by persons of Mexican descent. The distribution and illegal sale of these drugs among that particular group no doubt were responsible for their graduation from use of marihuana to the use of heavier drugs.

1961

Indictments returned on 26 persons in February 1961 for violations of the Federal narcotic laws reduced the heroin traffic to a minimum. Almost all of the street peddlers employed by Glover and Norman Smith were taken into custody as was Glover himself. Smith was arrested several months later when one of his peddlers furnished necessary testimony to implicate him. This roundup of violators curtailed the drug traffic among Negro users to such an extent that only isolated instances of drug offenses came to the attention of this office for the next 18 months.

Following the cessation of the heroin traffic among Negroes it became apparent that violators of Mexican descent had taken over the traffic. In March of 1961 it was learned that Frank Maestas, of Colorado Springs, was obtaining heroin in large quantities from sources in Tijuana, Mexico, and distributing it in wholesale quantities in the Denver and Pueblo areas. Maestas was arrested with an associate several months later, pursuant to sales of heroin to a narcotic agent. He was convicted in December 1961 and immediately appealed the conviction. He continued his supplying of heroin on a wholesale basis without letup. Maestas was joined by a brother, Henry Eddie Maestas, upon the latter's release from the Colorado State Penitentiary in December.

1962

The heroin activity during the early part of the year centered on brothers Henry and Frank Maestas. These two violators, through a fugitive brother-in-law in Tijuana, Mexico, were able to obtain heroin in almost any quantity, which they subsequently distributed in Colorado. Purchases of evidence were made from Henry Maestas and his chief distributor in Pueblo resulting in their indictments in February of 1962. Henry Maestas was not apprehended and became a fugitive. He elected to join his fugitive brother-in law in Tijuana, Mexico, from where he supplies his brother, Frank Maestas, with wholesale quantities of heroin. Frank Maestas, who remains free on appeal bond, continues his heroin activities in Denver. A minor increase in drugstore robberies was noted in the early part of 1962, probably resulting from a panic created by the arrests in February.

In January of 1962, Nickolas Guerra was arrested by agents of the U.S. Customs Agency Service as he was about to take delivery of 75 pounds of marihuana supplied to him at Pueblo from a source in Juarez, Mexico. Guerra pleaded guilty and was sentenced to 10 years in prison in August of 1962. Guerra for many years sold marihuana in very large quantities to peddlers in the State of Colorado and to individuals in other States. Guerra was in every respect a major dealer in marihuana with interstate and international involvement. This subject did not employ any organization but chose to operate chiefly through members of his own family.

Sentences imposed by the U.S. district court in Colorado have been substantial and averaging about 8 years during the past several terms of court. Most sentences imposed were for violation of the narcotic law. Sentences in State court are not as substantial and have provisions for probation and parole under the State law.

Narcotic enforcement on a local level is generally very good. Excellent work is done by the intelligence division of the Denver Police Department under whose responsibility falls the enforcement of the local narcotic laws. There is no State police, and enforcement in less populated areas is the responsibility of the county sheriff.

1144 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

In summary, the current trend of the narcotic traffic indicates the continued domination by Negro and Mexican traffickers. As reported heretofore, there is a noticeable increase in activity by the Negroes. Not all users, of course, are of the two groups mentioned as there are a number of Caucasian users. None have attained any prominence in the narcotic traffic; however, it should be mentioned here that at no time in the past decade has there been any indication of the entry of the Italian hoodlums into the illicit narcotic traffic. Several such isolated instances have been reported but no concrete evidence was developed to substantiate the reports. With the imprisonment of Nickolas Guerra there remains no other major marihuana trafficker of interstate proportions. Several marihuana producers are presently under investigation; however, they are not considered important violators.

NEW MEXICO AREA

The narcotic traffic in the State of New Mexico has remained at fairly constant level for the past 10 years. Supplies of heroin and marihuana have been slightly irregular at times but the overall pattern is one of minor individual operations involving relatively small quantities of drugs. Since January 1, 1952, a total of 92 narcotic cases and 125 marihuana cases have been reported on a Federal level. No significant seizures or purchases were reported and the trend of the traffic disclosed that violations reported for the first half of the past decade chiefly involved marihuana, illegal diversion of drugstore narcotics, and obtainment of drugs through deceit. Eight cases were made on physicians who were charged with some type of diversion. The first heroin activity reported during this period occurred in February 1954 and reflected a small seizure.

Beginning in 1957 a noticeable and steady increase became apparent in the heroin traffic. During the years 1959, 1960, and 1961, the illegal activity appeared to have reached its peak. Wholesale arrests on several occasions by Federal and local officers and subsequent substantial sentences imposed by Federal judges in Albuquerque did much to alleviate the situation. Traffic in heroin continues, but primarily on a street level involving small quantities.

A compilation of the annual reports on narcotic and marihuana arrests (form 49-N) in the State of New Mexico from the beginning of the calendar year 1952 until the present time follows: It should be noted that beginning with the year 1957 arrests and seizures listed embrace Federal, State, and local statistics. Prior to that time only Federal figures were available.

Year	Narcotic arrests		Marihuana arrests		Type of drug and/or quantity of drug involved
	Federal	State and local	Federal	State and local	
1952	5	5	15	18	Marihuana, 179.6 grams; Rx arrests and assorted drugs.
1953	7	2	52	14	Marihuana, 1 kilo, 230 grams; Rx arrests and assorted drugs.
1954	10	2	23	10	Heroin, 5.2 grams; marihuana, 603.5 grams; raw opium, 1.3 grams.
1955	18	25	7	20	Heroin, 32.6 grams; marihuana, 0.2 kilos.
1956	9	1	8	38	Heroin, 14.2 grams; opium, 141.7 grams; marihuana, 1.6 kilos.
1957	10	8	6	8	Heroin, 25.4 grams; marihuana, 19.8 kilos.
1958	13	32	1	64	Heroin, 151 grams; marihuana, 15 kilos.
1959	20	44	0	59	Assorted drugs; marihuana, 7.9 kilos.
1960	30	10	0	36	Heroin, 189 grams; marihuana, 3.8 kilos.
1961	0	64	0	58	Heroin, 141.77 grams; marihuana, 4.5 kilos.
1962 ¹	1	9	0	-----	Heroin, 3.5 grams; marihuana, not available.

¹ Complete statistics in this period are not presently available.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1145

Neither the heroin traffic nor the marihuana traffic is organized in the State of New Mexico. Albuquerque is the focal point for the distribution of heroin in the State. Sources of supply in the city depends, for the most part, on various individuals who acquire sufficient funds to purchase relatively small quantities of the drug in Mexico and return to Albuquerque to distribute it. Where sufficient profit is realized the individual, usually an addict, may again make several trips to Mexico. No peddler has attained sufficient stature in the traffic to establish himself as a major violator.

The same pattern exists as relates to the marihuana traffic. Most peddlers who sell the marihuana on a wholesale level obtain it from sources below the Mexican border, usually at Juarez, Mexico.

Interstate trafficking exists only as it pertains to persons who may journey to Nogales, Sonora, Mexico, for drugs and transport it through the State of Arizona. A similar situation applies where heroin was reportedly obtained from sources in southern California and the Tijuana area.

Heroin use is confined for the most part to persons of Mexican descent. There are a small number of Negroes in Albuquerque who also use the drug. The latest figures available report 171 narcotic addicts. There are, no doubt, additional uncounted persons who use the drug only occasionally and have not been recorded.

Although there are no interstate traffickers of note in this area, there are two well-known international sources who reside in Mexico and supply most of the heroin brought into the State. Ignacio Jasso vda Gonzales, alias La Nacha, international list No. 137, is the most notorious supplier. She resides in Juarez, Chihuahua, Mexico, where her activities have been under investigation for many years by the Bureau of Narcotics and U.S. Customs Agency Service. Enrique Sanchez, also known as Henry Sanchez, of Nogales, Sonora, Mexico, is the other international supplier of renown. These two individuals are no doubt responsible for most of the heroin peddled on a street level in New Mexico cities.

Narcotic enforcement in the State is pursued vigorously. In addition to the Bureau of Narcotics and the U.S. Customs Agency Service who operate into New Mexico from the Mexican border, the New Mexico State Police has a narcotic enforcement division. Several of their members have attended the Federal Bureau of Narcotics Training School as have several officers from the Albuquerque Police Department. Cooperation between the Bureau of Narcotics and the other agencies throughout the State for the most part is excellent.

Almost all narcotic violations in New Mexico are taken into U.S. district court where substantial sentences are meted out to those convicted. Where violations of 21 U.S.C. 174 are involved, sentences are particularly good. An average sentence of 9.2 years was imposed on individuals arrested following one roundup.

Because of the proximity of New Mexico to the Mexican border and the easy accessibility by addicts to sources of supply therein, any marked decrease in the narcotic traffic appears unlikely.

UTAH AREA

The narcotic traffic in the State of Utah for the past 10 years has been relatively inextensive. A branch office at Salt Lake City was maintained by district No. 13 until November of 1957. During the time that an agent was stationed in that city, more activity on a Federal level, of course, was noted and reported. A compilation of narcotic and marihuana arrests reported out of Utah for the past 10 years reflect a larger amount of arrests and seizures accordingly. Since the departure of the agent, there has been a decline, particularly in the reporting of violations in smaller communities. Salt Lake City and Ogden, the State's two largest cities, have in the past and continue to be the focal point for the illicit traffic in narcotics.

There is no distinct pattern, trend, or organization indicated in the narcotic traffic in this State. Violations primarily involved sales and possession of marihuana; diversions of legal drugs by registrants, for the most part physicians; and the obtainment of narcotic drugs by addicts through misrepresentation and forgery. A large number of arrests reported by State and local agencies represent violations for exempt and minor-type narcotic drugs and do not reflect any change in the overall picture. It will be noted that no arrests or seizures involving heroin were made in this period.

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

1146 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Information from forms 49-N (annual report on narcotic and marihuana arrests), since 1952 reflect as follows:

Year	Narcotic arrests		Marihuana arrests		Type of violation and/or quantity of drug involved
	Federal	State and local	Federal	State and local	
1952.....	3	1	4	7	Marihuana, 592.7 grams. Smoking opium, 304.3 grams. Assorted drugs.
1953.....	0	43	4	10	Marihuana, 27.5 grams. Assorted drugs and prescription violations.
1954.....	3	0	4	0	Marihuana, 379.8 grams. Assorted drugs.
1955.....	8	19	3	19	Marihuana, 4.8 grams. Prescription violations.
1956.....	3	5	4	6	Marihuana, 44.5 grams. Prescription violations and assorted drugs.
1957.....	0	12	4	7	Marihuana, 105 cigarettes. Drug-store narcotics.
1958.....	0	11	0	5	Marihuana, 14 grams. Assorted drugs.
1959.....	0	8	0	4	Marihuana, 38.35 grams. Assorted drugs.
1960.....	0	45	0	6	Marihuana, 2.26 kilos.
1961.....	0	21	0	1	Marihuana, 4 plants. Assorted drugs. Prescription violations.
1962.....	1	10	0	3	Assorted drugs.

¹ Complete figures not available.

The marihuana traffic in the State involved a number of cases wherein relatively small purchases and seizures were made. The violators in these instances were for the most part Negroes and whites. Nine of the narcotic violators were physicians charged with irregularities pertaining to diversion or prescribing of drugs illegally to addicts.

The narcotic traffic remained limited and unorganized during this time. With the exception of one significant case involving the seizure of approximately 11 ounces of smoking opium, originally obtained in Mexico, there has been no indication of any interstate or international trafficking in narcotic drugs. In this case, Wilbur Lee Judd, Utah-1654, was arrested at Salt Lake City in May of 1952 with the opium. He obtained it from Mexicali, Mexico, for his use and that of a friend. Judd agreed to assist Federal authorities in apprehending his source and was subsequently instrumental in bringing on the arrest by U.S. customs officials in August 1952 of Mario Desiderio Alcantar-Fernandez and Miguel Moreno-Verdugo. This arrest resulted in the seizure of 10 cans of smoking opium and 2 cars.

Sentences imposed on a Federal level in narcotic cases ranged from 2 to 5 years with an average of 3.2 years. State sentences were insignificant. Sentences given in marihuana cases taken to U.S. district court embrace probation and terms from 2 to 5 years with an average of 4.4 years. State sentences for similar offenses were from 60 days to 5 years with an approximate average of 1.5 years.

The majority of arrests centered on the cities of Salt Lake City, Ogden, and Provo. Narcotic enforcement in the State is primarily on a local level and assistance is extended by this office whenever indicated and practicable. There is no State police organization; however, registrants are controlled by the State department of business regulations who have done an excellent job thereof. Two officers have been sent from the Salt Lake City Police Department to the Federal Bureau of Narcotics Training School. Only one presently remains on the force. Other cities have been urged to send a representative.

No particular change in the trend of the narcotic traffic is anticipated in the foreseeable future.

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1147

WYOMING AREA

The narcotic traffic in the State of Wyoming has been a minor problem in district No. 13 during the past 10 years. No extensive degree of activity was noted nor any type of pattern established. Violations primarily involved sales and possession of marihuana; diversions of legal drugs by registrants, for the most part physicians; and the obtainment of narcotics drugs by transient addicts through fraud, misrepresentation, and forgery. No heroin violations were reported.

A compilation of the annual reports on narcotic and marihuana arrests (form 49-N) in the State of Wyoming from the beginning of the calendar year 1952 until the present time discloses the following:

Year	Narcotic arrests		Marihuana arrests		Type of drug and/or quantity of drug involved
	Federal	State and local	Federal	State and local	
1952.....	2	2	0	0	Illegal sale of drugs.
1953.....	0	0	5	1	Marihuana, 769.4 grams.
1954.....	0	0	2	0	Marihuana, 152.6 grams.
1955.....	4	0	0	0	Prescription violations.
1956.....	0	0	0	1	No seizure reported.
1957.....	0	1	0	3	Morphine sulfate. Marihuana, 30 cigarettes.
1958.....	0	0	0	2	Marihuana, 2.9 kilos.
1959.....	0	5	0	0	No quantities reported.
1960.....	0	0	0	0	None.
1961.....	0	0	0	0	Do.
1962 ¹	0	0	0	3	Drugstore theft.

¹ Reported to Nov. 1, 1962.

As indicated by the above chart, narcotic traffic has been on the decline during the past 2 years. Furthermore, there is no indication of any interstate or international traffic in the State. Any suggestion of interstate traffic, if it can be considered such, is restricted to transient addicts who may have obtained legal-type drugs through fraud and misrepresentation, or through forgery.

The marihuana traffic in the State appears to be confined to the two largest cities, Cheyenne and Casper, and the arrests involved primarily Negroes and persons of Mexican descent. Several physicians were prosecuted for illegal sale of drugs.

Sentences imposed in U.S. district court for narcotic violations ranged from 4 to 10 years with an average of 7 years, exclusive of probation granted to physicians who were prosecuted. With reference to marihuana violations, sentences in Federal court averaged 2.75 years and the average State sentence was 6.5 years. Violators are vigorously prosecuted on both Federal and State levels.

No significant cases were developed during the past decade and no great change in the narcotic traffic is anticipated in the foreseeable future.

Cooperation with State and local enforcement officials is excellent. Aside from the relatively few police departments in the State, enforcement is for the most part carried out by county sheriffs, since there is no State police. On occasions, these local officers admit that they are at a loss as to how to proceed on narcotic violations. Thus far no police officer from the State has attended the Federal Bureau of Narcotics Training School, although the police departments of Casper and Cheyenne have been informed of the availability of this school and urged to have some member or members of their department attend. Lack of funds appears to be the major stumbling block for these agencies.

PAGINA BIANCA

PART 5

(August 4, and 5, 1964)

PAGINA BIANCA

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

HEARINGS BEFORE THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE EIGHTY-EIGHTH CONGRESS SECOND SESSION PURSUANT TO SENATE RESOLUTION 278, 88TH CONGRESS

AUGUST 4 AND 5, 1964

PART 5

Printed for the use of the Committee on Government Operations



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1964

24-366

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CONTENTS

	Page
Appendix.....	1331
Statement of—	
Brill, Dr. Henry.....	1315
Dempsey, Rev. O. D.....	1353
Isbell, Dr. Harris.....	1325
Smith, Judge William F.....	1275
Testimony of—	
Baird, Dr. Robert W.....	1228
Cameron, Dr. Dale C.....	1149
Hess, Dr. Catherine B.....	1222
Kolb, Dr. Lawrence C.....	1281
Kuh, Richard H.....	1176
Meiselas, Dr. Harold.....	1196
Raskin, Dr. Herbert A.....	1298
Rector, Milton G.....	1247
Rubin, Sol (interrogatory).....	1259
Wood, Roland W.....	1239

EXHIBITS

	Introduced on page	Appears on page
7. Booklet entitled "Narcotics Addiction," prepared by Department of Mental Health of the American Medical Association, 1963.....	1152	*

CHARTS PRINTED IN THE RECORD

	Page
The flow of worldwide traffic in illicit narcotics, map (3 parts).....	Facing 1330
Proceedings of—	
August 4, 1964.....	1149
August 5, 1964.....	1221

*May be found in the files of the subcommittee.

PAGINA BIANCA

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

TUESDAY, AUGUST 4, 1964

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:37 a.m., in room 3302, New Senate Office Building, pursuant to Senate Resolution 278, agreed to February 10, 1964, Senator John L. McClellan (chairman of the subcommittee) presiding.

Present: Senator John L. McClellan, Democrat, Arkansas; Senator Edmund S. Muskie, Democrat, Maine; Senator Thomas J. McIntyre, Democrat, New Hampshire; and Senator Jacob K. Javits, Republican, New York.

Also present: Jerome S. Adlerman, general counsel; Paul B. Kame-
rick, assistant counsel; LaVern J. Duffy, assistant counsel; Philip W.
Morgan, chief counsel to the minority; Eugene J. Marshall, Bureau
of Narcotics; and Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will please be in order.

(Members of the subcommittee present at time of convening: Sena-
tors McClellan, Muskie, and Javits.)

The CHAIRMAN. Dr. Cameron, will you come forward, please?

Be sworn, please, sir.

You do solemnly swear the evidence you shall give before this Sen-
ate subcommittee shall be the truth, the whole truth, and nothing but
the truth, so help you God?

TESTIMONY OF DALE C. CAMERON, M.D.

Dr. CAMERON. I do.

Senator JAVITS. Mr. Chairman, may I have permission to make a
very brief statement?

The CHAIRMAN. Senator Javits.

Senator JAVITS. I have to go to another meeting. I hope you will
forgive me, but I will read your testimony with the greatest care.

Mr. Chairman, today the committee will hear from Mr. Richard H.
Kuh, of the New York District Attorneys Association, and the man in
the office of District Attorney Hogan, of New York County who has
had most experience with the aspects of the narcotics problem which
we are dealing with here.

The committee will also hear from Dr. Harold Meiselas, of the New
York State Mental Hygiene Department, which is doing its utmost to
cope with the treatment of narcotic addicts, particularly under our
new Metcalf-Volker Act in New York.

1150 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. Chairman, the point I would like to make as an opening remark in respect to their testimony, which will come in due course later in the morning, is that, upon checking into one of the important reasons for the riots in New York City, in the Bedford-Stuyvesant and Harlem areas, is I have repeatedly been told that the presence of large numbers of narcotic addicts on the streets represents material of such an incendiary character that if there is the least spark in the community to set it off, it can be expected at once to ride such a whirlwind, even to the extent of the riots and the looting which occurred.

It is felt by many of those best informed that removal of narcotic addicts from the streets would be a very major contribution, not only to crime prevention, or crime avoidance, but also to the public order, stability and tranquility in such a very trying period as this.

Therefore, Mr. Chairman, I would like to make a point for the witness to pursue, that what we need, perhaps, is not only additional law—in New York we already have such a law—but additional facilities and additional money. These apparently cannot come alone from State and municipal sources, but must come to some extent from the Federal Government. The availability of civil commitment must be complemented by the availability of facilities which together will remove these narcotic addicts from the streets where they are a constant menace, quite despite themselves.

I think that last-mentioned factor has now become very clear from our testimony; that what has been said does not necessarily mean that these people in any way have control of themselves. Whether they do or not is immaterial to the impact that they have upon public order.

I make that statement, Mr. Chairman, because I have just come back from a little time in my home community, and this was so much impressed upon me. It bears so heavily upon what our chairman likes to feel about his hearings; that is, that they are very germane to some really burning public issue. I can assure the chairman that that is very much the case in respect to the subject of these hearings.

I thank the chairman for the opportunity to make this statement.

The CHAIRMAN. Thank you very much, Senator. I hope these hearings are serving some good purpose, and I hope we may, through them, find some of the answers, find some means of coping with this menace more effectively than we have been able to in the past.

Senator Muskie, have you any statement before we proceed with the witness?

Senator MUSKIE. No, Mr. Chairman.

(At this point Senator McIntyre entered the hearing room.)

The CHAIRMAN. I am glad to see Senator McIntyre arrive. I hope we can keep a quorum today and tomorrow. The Chair may not be able to be here tomorrow because of some appropriations bills, but if we can have two present, you can proceed without my presence. I hope we can continue and expedite the hearings.

Dr. Cameron, will you identify yourself for the record, please, sir?

Dr. CAMERON. Mr. Chairman and members of the committee, my name is Dale Cameron. I am Superintendent of St. Elizabeths Hospital here in Washington, D.C.

I deeply appreciate your invitation to express my views on some of the current issues in the field of narcotic addiction. I am speaking as a private citizen.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1151

The CHAIRMAN. Do you have a prepared statement?

Dr. CAMERON. I do.

The CHAIRMAN. All right, you may proceed.

First, let's get a little more of your background in the record. Give us a little of your background and experience, Doctor, please.

(At this point Senator Javits withdrew from the hearing room.)

Dr. CAMERON. I am a commissioned officer in the Public Health Service. I have been in that organization since 1936, with the exception of 6 years when I was medical director for the department of welfare in the State of Minnesota.

I am a graduate of the University of Nebraska, College of Medicine; and of the Johns Hopkins University, in public health. As I indicated earlier, I am the Superintendent of St. Elizabeths Hospital here in Washington, D.C., on loan from the Public Health Service.

The CHAIRMAN. How long have you served as Superintendent?

Dr. CAMERON. Approximately 2 years. Prior to that I was Assistant Superintendent at the hospital.

Mr. ADLERMAN. Are you chairman of the National Academy of Sciences and National Research Council's Committees on Drug Addiction and Narcotics?

Dr. CAMERON. Yes.

Mr. ADLERMAN. Is that affiliated with the American Medical Association?

Dr. CAMERON. No, sir.

Mr. ADLERMAN. Are you chairman of one of the committees of the American Medical Association?

Dr. CAMERON. Yes, sir; the Committee on Alcoholism and Addiction.

Mr. ADLERMAN. And you are familiar with the report that has been put out by the American Medical Association?

Dr. CAMERON. Yes, sir; I am.

Mr. ADLERMAN. We would like to cover part of the American Medical Association report with you as you proceed.

The CHAIRMAN. Very well, you may proceed. If you choose to do so, you can read your statement or you can insert it into the record and highlight it, as you desire, whichever way you prefer.

Dr. CAMERON. With your permission, Mr. Chairman, I would like to read my statement.

The CHAIRMAN. You may proceed.

Dr. CAMERON. What I have to say has neither been approved or disapproved by the Department of Health, Education, and Welfare, the Department for which I work.

The current issues relative to addiction have to do with questions of broad public policy in relation to the management of addicts, and with the nature of research needed better to understand, control, and prevent addiction. Narcotic addiction is the primary focus of my discussion despite the fact that the number of such addicts in the United States—estimated at 40,000 to 60,000—is almost minuscule as compared with the number of problem drinkers—estimated at 4,500,000—and the substantial number of persons dependent on barbiturates.

All three groups are of grave concern to society, yet the public assumes a somewhat less severe attitude toward the alcoholic and barbiturate addict than toward the narcotic addict.

1152 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

"Narcotic addiction" and "drug addiction" are emotionally charged and much misunderstood phrases. Because of this, the American Medical Association and the National Research Council found it useful to make a joint statement on this subject in May 1962. A spokesman for the Federal Bureau of Narcotics expressed that Bureau's complete approval of the views contained in the statement.

Mr. ADLERMAN. Doctor, do you have a copy of those reports?

Dr. CAMERON. Yes, I do, and I would like, if it is agreeable to the Chair, to read one of the statements, since it is relatively short.

Mr. ADLERMAN. I would like to have it introduced in evidence, if I may.

The CHAIRMAN. I don't think it needs to be printed in the record in full. It may be made a part of the record as exhibit 7.

(The report referred to was marked exhibit No. 7 for reference and may be found in the files of the subcommittee.)

(Excerpts from this report follow :)

AMBULATORY WITHDRAWAL CLINICS

27. The 1962 joint AMA-NRC statement (9) reads:

"* * * Ambulatory clinic plans for the withdrawal of narcotics from addicts are * * * generally inadequate and medically unsound."

This position is taken "on the basis of present knowledge" and is intended to cover current clinical practice; it is not intended to obstruct bona fide research (see under Research).

AMBULATORY MAINTENANCE AND CONTINUED ADMINISTRATION

28. The joint statement covers this much debated issue as follows:

"The maintenance of stable dosage levels is generally inadequate and medically unsound and ambulatory clinic plans for the withdrawal of narcotics from addicts are likewise generally inadequate and medically unsound. [Emphasis supplied.]

"As a result of these conclusions the American Medical Association and the National Research Council oppose on the basis of present knowledge such ambulatory treatment plans."

29. In fact, as pointed out earlier, ambulatory maintenance can be considered ethical medical practice only if consultation has been had and it is agreed by the physicians concerned that (a) withdrawal would be hazardous to life, or (b) continued drug administration is necessary for a chronic or terminal painful condition other than the drug addiction itself and for which no other mode of treatment is feasible.

DEFINITIVE TREATMENT

30. After withdrawal a therapeutic program of up to 6 months or even a year is often indicated and this is best carried out in specialized facilities. However, physicians with specialized experience in this field who have established a good working relationship with the patient can and do carry out treatment in other institutional settings and provide followup services with long-term aftercare in the community.

31. Information as to inpatient facilities is available on a local basis from the State or local agency having to do with health matters, or from local voluntary and professional groups such as local medical societies or mental health associations.

32. Physicians will often wish to refer patients to such facilities for definitive care. Certification to civil facilities is possible in a number of States and its broader application is recommended. It may supply the element of compulsion toward maintenance of treatment which most addicts require. Information or certification is also available from the sources named in paragraph 30.

AFTERCARE AND REHABILITATION

33. After a patient has had even the best available treatment in any special closed facility his subsequent course will depend to a significant degree on the

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1153

type and adequacy of aftercare, the social, economic, and psychiatric rehabilitation program which can be provided and the environment to which the patient returns. Physicians should play an important role in the mobilization of social resources for aftercare and in providing supervision and followup treatment.

34. Relapse requires treatment and should not be taken as indication of failure, but should be accepted as in any other relapsing disorder. There is suggestive evidence that with the passage of time, patients tend to become more responsive to treatment and an increasing number of cases "mature out" of addiction.

RESEARCH

41. It is apparent that research on the problems of addiction to narcotics is absolutely necessary. The joint statement of the American Medical Association and the National Research Council Committees (9) was very explicit in emphasizing that the judgment of these organizations about ambulatory withdrawal and ambulatory maintenance was based on "present knowledge" and it characterized these methods as generally inadequate and unsound but there was no intent or desire to prevent any future research efforts (12).

42. There is urgent need for further investigations of many types, both at clinical and basic science levels, and future findings may make it necessary to revise further our current concepts of what constitutes ethical medical practice in relation to narcotics and narcotic addicts.

43. Many of the restrictions on the use of narcotics in general medical practice may properly be modified for the purpose of carrying out bona fide research activities since research creates special requirements. Such activities must, however, be carried out within the limits of ethical medical practice as applied to research.

The CHAIRMAN. You may quote from it, of course, if you like. I just thought it unnecessary to burden the record with printing it, since it is available from other sources. But it may be attached as an exhibit and, therefore, becomes a part of the record but not a part of the printed record.

Dr. CAMERON. Senator, I shall not attempt to read the entire series of statements in this published material which I have just handed to the clerk.

The CHAIRMAN. Read such excerpts as you desire.

Dr. CAMERON. If I may, I should like to read the rather brief statement that was made by the AMA and the National Academy of Sciences in 1962. It is less than a page long.

The American Medical Association and the National Research Council for many years have been concerned about and have studied the narcotic drug addiction problem. To assist in carrying out its studies, the American Medical Association collaborated with the American Bar Association in establishing a joint committee which made an interim report to the two organizations in 1958, and a final report in 1959.

It is concluded that there is widespread public and professional misunderstanding about this subject, specifically (1) that the Federal Bureau of Narcotics believes drug addiction to be a crime; a belief that is contrary to the Federal law and its application by the Bureau; and (2) that the American Medical Association proposes the establishment of community ambulatory clinics for the withdrawal of narcotics from addicts, or for the continuing maintenance of addicts on narcotics; a belief that is contrary to the official position of the American Medical Association.

Mr. ADLERMAN. At what page is that in the report? Perhaps you can supply the pages later on.

Dr. CAMERON. I believe it is on page 47 of the report.

Historically, society has found it necessary—

Senator MUSKIE. May I ask a question, Doctor?

Dr. CAMERON. Yes.

1154 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator MUSKIE. The second point in the second paragraph is—
that the American Medical Association proposes the establishment of community ambulatory—

which is contrary to the official position.

Dr. CAMERON. Yes, sir. The point I am trying to make is that many people were saying that the American Medical Association was proposing the establishment of ambulatory clinics, but that this is not true, and the American Medical Association never had advocated such a position.

Senator MUSKIE. Thank you.

Mr. ADLERMAN. And that same paragraph indicates that people believe that the Federal Bureau of Narcotics says that drug addiction is a crime. It is not a crime.

Dr. CAMERON. It is not a crime.

Mr. ADLERMAN. And the Federal Bureau of Narcotics does not contend that addiction is a crime?

Dr. CAMERON. That is correct.

Mr. ADLERMAN. And the second point is that the American Medical Association does not believe in community ambulatory clinics, contrary to popular beliefs.

Dr. CAMERON. That is correct. [Reading:]

Historically, society has found it necessary to employ legal controls to prevent the spread of certain types of illness that constitute a hazard to the public health. Drug addiction is such a hazard.

The successful and humane withdrawal of individuals addicted to narcotics in the United States necessitates constant control, under conditions affording a drug-free environment, and always requires close medical supervision.

The successful treatment of narcotic addicts in the United States requires extensive postwithdrawal rehabilitation and other therapeutic services.

The maintenance of stable dosage levels in individuals addicted to narcotics is generally inadequate and medically unsound, and ambulatory clinic plans for the withdrawal of narcotics from addicts are likewise generally inadequate and medically unsound.

Mr. ADLERMAN. I wonder if you can expand on that to some extent? Do you feel that an addict on an ambulatory basis can be given a dosage of the drug, stabilizing the same amount each day?

Dr. CAMERON. There are always exceptions to generalities, but in general the import of this statement, and I agree with it, is that it is not feasible to try, in an uncontrolled setting, to maintain an addict on a stabilized dose. Most addicts will tend to increase their dose under these circumstances, if they can get the drug.

Mr. ADLERMAN. Could you go into the question of the buildup of tolerance for the drugs? I think it is rather important that we understand why you cannot have a stabilized dosage.

Dr. CAMERON. There are three factors in addiction. One is the psychological dependence, that is, the psychological need to continue taking the drug.

A second is the business of tolerance, which you mentioned. That means that as a person becomes addicted, he tends to require an increasing amount of drug in order to get the same effect, that is, the same dose tends to become relatively less effective as he continues the administration of the drug.

The third factor in addiction has to do with physical dependence. This does not occur in all types of addictions, but it does occur in narcotic addiction, alcohol, and barbiturate addiction. The type of de-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1155

pendence that one has depends on the addicting drug, but in general, it may be said that if a drug is withdrawn suddenly from an addicted person, he will become physically ill.

Mr. ADLERMAN. If a drug addict is treated on an ambulatory or out-patient basis, or any other basis—if the person is given a quarter grain of morphine, heroin, or whatever the drug may be, for a period of time—at the end of a few weeks he doesn't receive the amount that he had in the beginning. Does he not require an increase to maybe a half grain?

Dr. CAMERON. That is correct.

Mr. ADLERMAN. This continues until he has built up some kind of tolerance of unbelievable capacity; is that correct?

Dr. CAMERON. That is correct; an addict who is tolerant may be able to take doses of narcotics which, if administered to a nontolerant person, might kill him.

Mr. ADLERMAN. I have read of cases where tolerance has built up to maybe 70 grains a day, or something of that sort.

Dr. CAMERON. I think the largest habit of any addict I ever cared for was 64 grains of medical morphine a day.

Mr. ADLERMAN. But they do build up an unbelievable tolerance?

Dr. CAMERON. That is a good one.

Mr. ADLERMAN. And they reach a stage where they have ever-increasing requirements for it.

Dr. CAMERON. That is right.

Mr. ADLERMAN. Do you find that some of them will go into a hospital—first, were you connected with Lexington?

Dr. CAMERON. No; I was a staff member at the Fort Worth Hospital for 3 years.

Dr. ADLERMAN. And that is a Federal hospital for the treatment of addicts?

Dr. CAMERON. Yes.

Mr. ADLERMAN. Do you find that there are certain addicts who go in for voluntary treatment and go through withdrawal under hospital care so they can take their tolerance down to the point where they can start off again at one-twentieth of a grain or one-fifth of a grain? They build themselves back, and in a year or so come back again?

Dr. CAMERON. Occasionally addicts come up with this as their avowed purpose. More came in that wanted to get off the drug. It was our impression that some came in to reduce their tolerance, so they could continue at a lower level.

Mr. ADLERMAN. This is not uncommon, to have a "dryout" and then go back on it at a lower level.

Dr. CAMERON. The point you make is well taken.

The CHAIRMAN. Doctor, have you finished your statement?

Dr. CAMERON. Not quite.

The CHAIRMAN. Proceed until you finish.

Dr. CAMERON. Continuing the quotation:

As a result of these conclusions, the American Medical Association and the National Research Council oppose on the basis of present knowledge such ambulatory treatment plans.

These two organization support: (1) After complete withdrawal, followup treatment for addicts, including that available at rehabilitation centers; (2) measures designed to permit the compulsory civil commitment of drug addicts

1156 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

for treatment in a drug-free environment; (3) the advancement of methods and measures toward rehabilitation of the addict under continuing civil commitment; (4) the development of research designed to gain new knowledge about the prevention of drug addiction and the treatment of addicted persons; and (5) the dissemination of factual information on narcotic addiction.

The CHAIRMAN. If I understand correctly, the American Medical Association and the National Research Council, including the Federal Bureau of Narcotics, all three of those organizations have come to the conclusion that the plan or the outline in the last paragraph of the statement which you just quoted represent to them the best methods of handling this problem; is that correct?

Dr. CAMERON. It is correct in this sense: The statement was prepared by the AMA and the National Research Council. The Federal Bureau of Narcotics did not participate in its preparation, but it did endorse it after it had been prepared.

The CHAIRMAN. What I am getting at, Doctor, is this last paragraph which you read, giving five indications of support, of the things they support, is endorsed by the three organizations as presenting the best methods of dealing with this problem.

Dr. CAMERON. As I understand it; yes, sir.

The CHAIRMAN. What is the source of the opposition to these recommendations, or these methods?

Dr. CAMERON. I am not aware that there is enormous opposition to these methods. The three organizations that I just quoted are, it seems to me, the three preeminent organizations in this field in the country.

The CHAIRMAN. That is what I was getting at. This, then, represents the best thinking from your standpoint, your judgment, and so far as we know the best thinking on the subject.

Dr. CAMERON. Yes, sir. I might point out that contained in the pamphlet "Narcotics Addiction," previously given to you, there is another statement by the National Academy of Sciences-National Research Council and the American Medical Association on "The Use of Narcotic Drugs in Medical Practice, and the Management of Narcotic Addicts," which was adopted in June 1963, a more recent statement. It appears on page 51 of the pamphlet I have given you. I have not quoted from it.

All it does is endeavor to make somewhat more clear and more precise the details of the meaning of the statement I have just read.

The CHAIRMAN. Do you agree with the five points recommended?

Dr. CAMERON. Yes, I do.

The CHAIRMAN. I have one or two questions on those.

Senator MUSKIE. May I ask a question, Mr. Chairman?

The CHAIRMAN. Yes.

Senator MUSKIE. At the beginning of your statement, Doctor, you said that your statement was neither approved or disapproved by the Department.

Dr. CAMERON. Yes, sir.

Senator MUSKIE. Does that qualification apply to the paragraph to which the chairman is referring?

Dr. CAMERON. Yes, sir.

Senator MUSKIE. Does the Public Health Service take a position, in other words?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1157

Dr. CAMERON. I don't know that the Public Health Service has taken an official stand on this statement that I have just read. If so, I am not aware of it. But it may well have.

The CHAIRMAN. What you are trying to say is that this statement is yours?

Dr. CAMERON. I am saying that this is a statement of the AMA and the National Research Council, and as chairman of the two committees that drafted it, I am in agreement with it.

The CHAIRMAN. That which you quoted is their statement, but the statement you are presenting to the committee, as I understand, has not been approved or disapproved by your superiors.

Dr. CAMERON. That is correct. It is my personal opinion; yes, sir.

The CHAIRMAN. You said:

After complete withdrawal, followup treatment for addicts, including that available at rehabilitation centers.

How do we get the complete withdrawal before we get to this recommendation?

Dr. CAMERON. A complete withdrawal is relatively easily accomplished, Senator McClellan, in a drug-free environment under medical supervision. It usually would take no more than 2 to 3 weeks, and can be done with relatively little discomfort to the addict, with proper medical management.

The CHAIRMAN. How do you get the addict there? He doesn't go voluntarily.

Dr. CAMERON. Some do. Others come as a result, in some States, of civil commitment. The majority would come as a result of criminal proceedings, in many instances. Some would come on probation. Some may come while under sentence.

The CHAIRMAN. Is this designed to take the place of criminal penalties?

Dr. CAMERON. It is my feeling, Senator, that the use of civil commitment in the vast majority of cases would be preferable to criminal commitment.

The CHAIRMAN. As I understand it, one may be an addict and not a law violator in the sense that he is a pusher of the drug or peddler of the drug.

Dr. CAMERON. That is correct.

The CHAIRMAN. From that standpoint, I can appreciate that possibly a court order, if he consents to it, or even if he didn't, would require him to take treatment and would be in order. But if one is a pusher of the drug, a peddler of it, actually engaged in the violation of the law, then should this treatment be given to him? Or should there be discrimination in trying to sift out those that are repeaters, and so forth? Should we give this treatment or prescribe this remedy and give this civil sentence only to those who are just beginners, maybe, just first offenders?

Dr. CAMERON. Senator, of one thing I am reasonably sure, and that is that not all persons are alike.

The CHAIRMAN. That what?

Dr. CAMERON. That not all persons are alike. If you treat every person exactly alike, you will certainly perpetrate an injustice to some. Therefore, I believe that the treatment of the addict must be individualized according to his particular problem, socially, and so on.

1158 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. And leave it to the discretion, of course, of the court hearing the case, as to whether a criminal penalty should be imposed, or whether treatment should be prescribed?

Dr. CAMERON. I think the two are not necessarily mutually exclusive. Criminal penalty may be imposed and the person may receive treatment while he is undergoing sentence.

The CHAIRMAN. You may do it both ways.

Dr. CAMERON. You may do it both ways. Perhaps one point to be made here is that many addicts sell simply to maintain their own habit, while other addicts sell far in excess of this amount, much on the order of a private entrepreneur, if you will. I believe that the management, from the legal point of view, of these two classes of addicts might well be different.

The CHAIRMAN. This thought occurs to me. If a fellow is such an addict that he doesn't have the power of resistance, and satisfies his desire for drugs by peddling them to get money to buy them—then in a sense he is as dangerous to society as the fellow who peddles for profit, even though his is a little different situation.

Possibly if you could cure him of the addiction, he wouldn't have any desire to peddle the drug; whereas, the other man, who is in the business for profit, whether cured or not cured, might still want to engage in the illicit traffic.

Dr. CAMERON. I agree with you entirely. I think there will be some problems of determining into which class of peddler the person falls, but in general, I think a distinction can more often than not be accurately made, and to take into account this difference in motive is not a new concept under the law because, for example, in the case of murder, you may have a question of first degree murder, second degree murder, manslaughter, and so on.

The law does recognize differences in intent and in motivation, and I think that could be applied here.

The CHAIRMAN. The courts or the authorities who have the responsibility for making decisions are not infallible and often get people paroled who are habitual criminals. Yet there is always a humanitarian appeal to give them another chance.

We make many mistakes in that field, and I am sure there would be mistakes made here, but the question is, does the potential good outweigh the harm that might occur from mistakes? It is something that deserves study and these two agencies, and apparently the Bureau of Narcotics, have all finally come to the same conclusion.

Dr. CAMERON. Yes, sir.

The CHAIRMAN. The second recommendation is for measures designed to permit the compulsory civil commitment of drug addicts for treatment in a drug-free environment. What does that mean?

Dr. CAMERON. That would mean that it is our hope that the several States and perhaps the Federal Government might enact laws enabling the civil commitment of persons who are addicted, committing them to medical authorities for proper treatment.

The treatment would begin in a closed setting, generally, for withdrawal. Under civil commitment it would be possible, then, to follow the person for a number of months or years, if necessary, during the rehabilitation process and give him supervision during that period.

The CHAIRMAN. Do we not have Federal laws to permit that now? Are our Federal laws inadequate?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1159

Dr. CAMERON. I know of no Federal statute that provides for civil commitment of an addict.

The CHAIRMAN. Do you think such laws should be enacted?

Dr. CAMERON. Personally, yes, sir.

The CHAIRMAN. You think you would recommend that that be done?

Dr. CAMERON. Quite definitely.

The CHAIRMAN. I assume, then, that a number of States do not have such statutes?

Dr. CAMERON. That is correct, although in some States you find it possible to commit persons who are addicts under their existing civil commitment statutes, but this is not uniformly the case.

The CHAIRMAN. This second recommendation proposes that proper statutes be enacted both by the Federal Government and the States where they do not have them to authorize treatment in the handling of addicts in this manner. That would be your interpretation of that?

Dr. CAMERON. Yes.

Senator MUSKIE. Would the chairman yield?

The CHAIRMAN. Yes.

Senator MUSKIE. Who would initiate the civil commitment proceedings?

Dr. CAMERON. That would depend upon the way the statute was drafted. But it would occur to me that the initiation of such proceedings might well be on the basis of medical action or on the basis of law enforcement agencies, or private citizens.

Senator MUSKIE. If it was initiated by law enforcement agencies, what would be the distinction between civil commitment proceedings and criminal commitment proceedings?

Dr. CAMERON. The law enforcement agencies now very often initiate proceedings in connection with commitment of the mentally ill, but the fact that the police officer might be the petitioner does not necessarily mean that the court would have to hear it under a criminal proceeding.

Senator MUSKIE. And the commitment would be for a definite period of time or would that be left to the judgment of those who would have to evaluate the success of the rehabilitation?

Dr. CAMERON. I would recommend an indefinite period because it is difficult to determine in advance how long a period would be required.

The CHAIRMAN. Did you say "indefinite"?

Dr. CAMERON. Yes, sir.

The CHAIRMAN. You would have to put some limit on it, wouldn't you?

Dr. CAMERON. I would use as a model many of the civil commitment statutes for the mentally ill at the present time. Those persons are usually committed to a mental hospital and may be released when, in the opinion of the superintendent of that hospital, he is sufficiently recovered to return to the community. He may be released under certain conditions, such as that he report back to the hospital for continued treatment. I would use the same model for the commitment of addicts.

Senator McINTYRE. Doctor, what is meant by "civil commitment"? Does that have reference to the procedure by which he is committed, or does it have a reference to where he will be retained?

1160 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Dr. CAMERON. It has reference to the type of procedure, civil judicial commitment in contradistinction to criminal action on a criminal charge.

Senator McINTYRE. The purpose there being to give it an atmosphere of noncriminality, the same as we do in juvenile courts, for instance?

Dr. CAMERON. Exactly.

Senator McINTYRE. Thank you.

Senator MUSKIE. I have one other question, Mr. Chairman.

You said something that implied that civil commitment might encompass the possibility of the patient being at large in the community.

Dr. CAMERON. Certainly later in his period of treatment this would be the case. I think most States, if this kind of legislation were enacted for bringing a person into a hospital setting or his withdrawal and the beginnings of his treatment, would have that covered. There would come a time when it would be necessary to release him under a certain amount of supervision to the community, if the goal is rehabilitation.

Then the person needs to learn to accept increasing responsibility for his own actions and to demonstrate that he is learning this. In order to have this happen, he will have to have increasing opportunity to exercise responsibility for himself. A person doesn't get well suddenly, overnight; today he is sick and locked up and tomorrow he is completely well and on the street. This is a gradual process and has to be handled, I think, in this way.

Senator MUSKIE. He is still subject to supervision in that period and subject to recommitment in an institution?

Dr. CAMERON. In the event he were to relapse; yes, sir.

The CHAIRMAN. I would assume that the courts making the order for civil commitment would retain control of the case pending further developments.

Dr. CAMERON. This is an area that would need to be explored. If one were to use the civil commitment model, then the court would not retain jurisdiction, but would give it to the medical personnel who are treating the person. On the other hand, you well know that in certain types of criminal proceedings, for example, a person who is found not guilty of an act by reason of insanity, the court very often retains jurisdiction and he may be released from the hospital only on approval of the court. It could be done either way in this instance.

The CHAIRMAN. You might follow through with an explanation, Doctor, of recommendations 4 and 5, briefly.

Senator MUSKIE, will you take charge until I return?

(At this point Senator McClellan withdrew from the hearing room.)

Mr. ADLERMAN. May I ask a few questions?

Senator MUSKIE (presiding). Yes.

Mr. ADLERMAN. I think it might be well, Doctor, to explain the problems in rehabilitation, the problems of trying to effect a cure for addiction.

As I understand it, you have two dependencies: one is a physical dependency on the drug which can be removed by treatment during which you give them diminishing doses in a period of a week to 10 days or 2 weeks, and that would remove the physical dependency on the drug.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1161

Dr. CAMERON. That is correct.

Mr. ADLERMAN. That is, on the withdrawal. Then you have the big problem, which is the psychological dependency on the drug.

Dr. CAMERON. That is correct.

Mr. ADLERMAN. There is a very severe relapse where you have a person who has been taken off and withdrawn from the drugs. There is an extremely high episode of relapse; is that correct?

Dr. CAMERON. That is correct.

Mr. ADLERMAN. The civil commitment that you advocate, and which has been followed in some States, although not in the Federal courts, does provide that when a person comes up on a criminal charge in some States, he can be offered an alternative to accept civil commitment for a period of years, or for the length of the term of the sentence. He is, however, under control and under supervision all of this time to see that he doesn't relapse.

If he does, he is sent back either to the jail or the hospital, as the case may be. Is that right?

Dr. CAMERON. That is correct.

Mr. ADLERMAN. But there is a continuous pressure on him, holding the sentence or parole over him, to give him a motive to stay off the drug.

Dr. CAMERON. That is right. I would invite to your attention that since drug addiction is a chronic relapsing disorder, that we should not be surprised, even if civil commitment statutes are enacted and appropriate programs to implement them are provided, we should not be surprised if some addicts continue to relapse and have to come back into the treatment center. That relapse should not be considered as an ultimate failure. There is suggestive evidence to indicate that addicts, as they come off drugs, tend to relapse, but at less frequent intervals, until they finally remain abstinent.

There are many illnesses that have a relapsing characteristic. This is true of addiction insofar as it involves sick people.

I might say parenthetically that I think most addicts are mentally disordered persons who have addiction as a symptom, but not all addicts are in this category. Since this is a relapsing illness, we must not be disappointed by the fact that some addicts, even with an ideal treatment program, will relapse and have to renew their treatment.

Mr. ADLERMAN. However, doesn't it give a much greater hope for effecting some cures that would be given just by taking him off the drug while he is in jail, with no aftercare, no psychiatric treatment, or anything of this sort. Then almost invariably he will relapse?

Dr. CAMERON. This is the current pattern.

Mr. ADLERMAN. Then there is a sort of emotional immaturity involved in drug addiction; is that not correct?

Dr. CAMERON. For many addicts this is true.

Mr. ADLERMAN. Is it not true that to some extent, after a period of years when they reach a certain age, there seems to be a tendency to outgrow the need for the drugs, perhaps at age 40 or 45?

Dr. CAMERON. There is some suggestive evidence for this. It is twofold. On the basis of clinical experience in treating addicts, it is not uncommon to see the same man several times during his earlier years, and then he disappears from the scene. Since so many of them get into trouble with the law, it is reasonable to assume, I think that

1162 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

if they disappear from the scene, a good proportion of them are remaining abstinent, but these people are notoriously difficult to follow.

I think, and you can get this from the personnel at the Bureau of Narcotics directly, rather than from me, it is my impression that they keep records of people known to be addicts, and that their records show that persons tend to disappear from the law violation rolls very often around the age of 40 or 45.

Mr. ADLERMAN. They disappear at about that age, but there is another group who are free who appear to have a diminishing desire.

Dr. CAMERON. I believe the individual does not disappear from the Bureau of Narcotics roster by virtue of being in prison. They still keep track of them.

Mr. ADLERMAN. Would you proceed?

Senator MUSKIE. Doctor, I have one or two other questions.

Do any States meet the standards in their programs which you have outlined in these five points?

Dr. CAMERON. Not completely; no, sir; although two or three States are making very valiant efforts to try to improve their programs, notably New York and California.

But so far as I am aware, no State would have the kind of treatment program advocated here, with treatment, rehabilitation, and research programs, nor quite likely have they what they would like to have themselves.

Senator MUSKIE. Is there any disagreement among the States which face the problem in any way at all with the concept which underlies your five points?

Dr. CAMERON. I think it would perhaps be inappropriate for me to try to speak for all of the States on that, Senator Muskier.

Senator MUSKIE. Are you aware of any important difference of opinion?

Dr. CAMERON. Most of the persons knowledgeable about the treatment of addicts are moving very much in this direction.

Mr. ADLERMAN. We will hear from representatives of the States of New York and California, Mr. Chairman.

Senator MUSKIE. Thank you.

Your last two points emphasize the importance of research and dissemination of information. This is inadequately done now, I take it.

Dr. CAMERON. Yes. There are research endeavors in this field, in New York and California, and the Federal Government at Lexington, but it is my impression that a great deal more needs to be learned. I would suggest, perhaps, that some of the areas of research that should be undertaken might be as follows: An experimental facility for outpatient and/or general hospital treatment of narcotic addicts to explore the possibilities of treating at least some types of addicted persons in the community rather than in closed facilities designed primarily or exclusively for the treatment of addicted persons.

Such endeavors would have to be closely supervised, controlled, and carried out only with skilled consultation and approval of appropriate professional and other authorities. This should be done on a research basis. This is a mode of treatment which we now do not generally endorse, but I think we should not cut off the possibility that this might be useful and it should be explored on a research basis.

We need a good deal more research about the causes and the psychological and physiological mechanisms of addiction. We need

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1163

more studies on the natural history of addiction in a substantial series of patients with special attention to the patterns of and factors associated with addiction, with relapse, with recovery.

This is a field in which we do rather badly at the present time in terms of treatment, and it is imperative, I believe, that our research efforts in this area be intensified.

Senator MUSKIE. I take it you are speaking of a substantial expansion of the research.

Dr. CAMERON. Yes, I am.

Senator McINTYRE. Mr. Chairman——

Senator MUSKIE. Senator McIntyre?

Senator McINTYRE. At the risk of these questions having been answered in prior hearings, I have two possible conceptions that are entertained generally, and I think the doctor can put them at rest for me.

One is that it is my understanding that once addicted, there is no permanent cure, but that they are always subject to relapse.

Dr. CAMERON. There is always the danger of relapse, but I can point to a good many individual patients who have been treated and who are no longer addicted and have never relapsed. These are relatively few, but it does occur.

Senator McINTYRE. These are the exceptions?

Dr. CAMERON. Percentagewise; yes, sir.

Senator McINTYRE. The second popular conception I have is that—and this has reference to some earlier testimony of yours—that when you seek to treat an addict, the initial treatment I have pictured in my mind is one of complete withdrawal of the drug. I think in your testimony you said this can now be accomplished with relatively little discomfort to the patient.

Dr. CAMERON. That is right.

Senator McINTYRE. So the popular conception, at least, that I entertained to this moment, that this initial treatment was one of agony, or seeing them climbing up the walls of the cells, is not true today.

Dr. CAMERON. If I can develop this point just a little further, some years ago, when addicts were able to get, through illicit channels, "better" drugs than they are now able to, one frequently saw rather severe withdrawal syndromes. Even though severe withdrawal syndromes can be well managed with modern drugs, now, because of the lack of availability of drugs on the illicit market, the kind of "stuff" the man gets on the street is usually cut to the point that even though he thinks he may be taking quite a little when he comes in, he usually has a relatively mild withdrawal, and indeed it is not necessary in many instances to give him any supporting drugs during the period of withdrawal.

But if he does have a severe habit, by the proper use of medications this procedure can be made relatively painless. He will have some aches, he will feel uncomfortable, and he won't like it psychologically because he still has a considerable yen for the drug, but as far as physical agony, this is absolutely and completely unnecessary.

Senator McINTYRE. Thank you.

Mr. ADLERMAN. Does the so-called "cold turkey" withdrawal sometimes happen on rare occasions where a man may be picked up and

1164 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

they cannot get medical care for him right away? Ordinarily, hasn't that been abandoned as a method of withdrawal?

Dr. CAMERON. Even the term "cold turkey" is subject to very marked misunderstanding. "Cold turkey" for a person who has a severe habit is an agonizing and unnecessary process. But as I pointed out before, if a man has only a mild dependence due to the availability of only limited amounts of drugs, it may be possible to withdraw him "cold turkey" because he never develops any real, severe symptoms in the first place.

"Cold turkey" simply means that you give him no drugs during his withdrawal period, and if he doesn't need it, I suppose there are some who would call this "cold turkey," but that is not inhumane.

Mr. ADLERMAN. And this is not practiced as a general rule anyhow, even with the mild cases? It is not generally practiced in any of the Federal penitentiaries or in any of the State hospitals?

Dr. CAMERON. It may well be. For example, a patient comes in and claims to have a large habit. He may sincerely think he has a large habit. But before we would give him drugs, more often than not, we would wait and see if he begins to develop objective signs of withdrawal. Many persons never even develop objective signs of withdrawal.

So in those circumstances, you would not give him drugs because it would simply be an increase in his dosage.

Mr. ADLERMAN. May I explain for the record that we have heard testimony that the drugs are diluted or adulterated to the extent that, whereas most of the addicts think they are getting high dosages, actually they are getting one-twentieth of the morphine or heroin content of the pure drug. The pure drug is about 80 percent heroin, as it arrives in the United States. But it is diluted 20 times.

So a package of maybe 3 grains that the addict may get—a \$5 bag—contains only one-twentieth of a grain heroin content. So he is getting very, very little. Many think they are getting a whole lot more and sometimes they don't get any at all. They only get quinine, but they don't realize it.

Dr. CAMERON. You will notice in our statement that we did say that the withdrawal should always be under medical supervision, and even if the person has been taking relatively little drug and turns out not to need additional drugs during the withdrawal period, this determination should be made under medical supervision.

(At this point Senator McClellan entered the hearing room.)

Mr. ADLERMAN. Do you wish to proceed?

Dr. CAMERON. My formal statement, Mr. Chairman, continues after the quotation.

Since the Federal Bureau of Narcotics expressed its complete approval of the views contained in the statement, it is apparent that the three organizations involved share common objectives concerning narcotic addiction in the United States, namely, that present efforts should be strengthened (1) to reduce and, if possible, eliminate such addiction; and (2) to provide the best possible treatment and rehabilitation services to addicted persons. Understandably, and quite properly, those concerned with various aspects of this problem have and doubtless will continue to view it from their particular vantage point.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1165

Narcotic addicts in the United States today are to be found primarily in the major metropolitan centers of New York, California, Illinois, and Michigan. According to the "Report on Narcotic Addiction" of the Council on Mental Health of the American Medical Association in 1957:

There is a remarkable agreement between * * * various studies in diverse locations. In all studies, addiction, especially of youths, is found to be largely confined to very limited areas of the cities involved. These areas are the poorest in the cities and are characterized by the lowest income, poorest housing, most unstable family structures, the highest delinquency rates, and * * * the areas having populations of predominantly Negro or Puerto Rican origin.

Thus, it is evident that socioeconomic factors are associated with the development of addiction in particular persons. However, it is important to remember that addicts are to be found in other settings and that there are many persons in these deprived areas who do not become addicts—in fact, more who do not than do.

There are other factors associated with addiction. In addition to the socioeconomic factors mentioned, there are usually very important psychiatric factors as well. According to the 1957 Report of the Council on Mental Health—

There is a general agreement among all students of addiction that addicts have personality aberrations and that these psychiatric conditions preceded and played an important role in the genesis of addiction, its maintenance, and the higher relapse rate after treatment—note the possible relationship with socioeconomic factors, particularly unstable family structures, in the development of such personality disturbances.

It has been said that the development of addiction to narcotics usually involves first of all an unstable personality plus the "accident" of introduction to the drugs. The drugs must fall on "fertile soil" before addiction occurs. I should stress that I am here ignoring the occasional person who is unavoidably made physically dependent and tolerant to drugs in the process of being given relief from intractable pain.

I shall not endeavor to describe the types of mental and emotional disorders most frequently associated with addiction, other than to say that most addicts in the United States today (ignoring those unavoidably medically addicted), suffer from character disorders, inadequate personalities, and various types of neuroses. For these persons, narcotics seem to be used as a "crutch" or a "solution" for meeting life's problems. The range and paradoxical nature of the effects of narcotics are astonishing indeed. For the man who wants to remain awake, narcotics provide an answer. For the man who wants to go to sleep, narcotics induce slumber. Narcotics have both euphoriant and sedative effects. They give relief from pain, relief from fear, relief from anxiety, and even relief from excessive passivity. Narcotics come as close as any drugs yet found to being a panacea, solving different problems for different people, and different problems for the same person at different points in time.

Lest narcotics be made to sound too attractive, we should move on to a consideration of the characteristics of the addiction phenomena, psychological dependence, tolerance, and usually physical dependence.

I have already discussed with you these three factors and will not read the formal part on this. I will ask that my entire statement, if agreeable with the Chair, be inserted into the record.

1166 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Psychological dependence has to do with the "relief" or "crutch" phenomena mentioned earlier. Drugs make the addict "feel better" or in some instances "not feel." For some persons, particularly those addicted to narcotics, there may even be a sense of elation or a state of well being greater than that normally experienced, especially in the early phases of addiction. However, this euphoriant effect is usually lost as the addiction progresses and the person continues to take drugs just to feel "normal," which to the addict means absence of tension of any type. The desire for "relief" or euphoria often develops, after drug usage, to an intensity amounting to "craving." It is this psychological drive or "need" that usually starts the drug user on the road to addiction or causes him to relapse, once withdrawn. Without such a psychological "need" there would be little, if any, addiction.

Tolerance means that as a person continues to use a particular addicting drug over a period of time, its effectiveness for that person tends to diminish and an increasing dose is necessary to produce the desired effect. This is particularly true of narcotics, quite true of barbiturates, and less so for alcohol. But tolerance to alcohol does develop.

The final characteristic is that of physical dependence. It must be emphasized that this does not occur in all types of addiction. It does occur with narcotics, barbiturates, and alcohol, but it does not occur with marihuana, cocaine, and the amphetamines.

When physical dependence has been established, it is "necessary" to continue the use of the addicting drug, not only to feel "normal" psychologically, but to prevent the onset of an actual physical illness referred to as the "abstinence syndrome." This syndrome is manifested in different ways, depending upon the nature of the addicting drug and the intensity of use. Allowed to run its course without appropriate treatment, the abstinence syndrome induced by narcotic withdrawal is characterized by sweating, a runny nose, muscular aching, tremulousness, nausea, vomiting, diarrhea, and it may, in extreme cases involving debilitated persons, proceed to collapse and death. When physical dependence occurs, it tends to make the use of the addicting drug continuous. Thus, we have a second powerful factor in addition to psychic dependency that perpetuates addictions, once established.

The withdrawal of narcotics from an addicted person is a relatively simple matter, granted a drug-free environment, and can be accomplished with only minimal to moderate discomfort to the patient by the appropriate use of methadone, itself an addicting drug. I am making this point a second time because I think it is quite important. Withdrawal from barbiturates must be quite gradual and requires very close medical supervision. Also, withdrawal from alcohol can, in most cases, be accomplished with only moderate difficulty if scrupulous attention is given to the establishment of a proper fluid, vitamin, and nutritional balance, and to the judicious use of sedatives.

Once the nature of addiction and its antecedents are appreciated, particularly the psychological craving and the intensity of the physical discomfort associated with unsupported withdrawal from narcotics, it is not surprising that some addicts may participate in criminal activity in order to obtain drugs if they cannot obtain them in other ways. (It should be remembered that many addicts who carry

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1167

out criminal acts had a well-established pattern of criminal behavior before becoming addicted.)

Mr. ADLERMAN. I would like to say that we already have in evidence the report and letter from the FBI, from Mr. Hoover, to the effect that 73 percent of the addicts have had a criminal record before they were first arrested for addiction. That is the point the witness is making.

Dr. CAMERON. Yes, sir.

The narcotic addict, unlike the alcoholic, if able to obtain an adequate supply, tends to be relatively tranquil and placid and does not ordinarily demonstrate aggressive behavior. He wants to be let alone to enjoy the "boost" given by the drug. However, he well knows that in order to maintain this state of tranquillity and sense of "relief" he must have additional drugs; and if he has no ready funds with which to buy, he may steal in order to get them. It is noteworthy that the crimes committed by narcotic addicts are usually against property and not against persons. Many addicts participate in criminal activity only to the extent necessary to obtain money to maintain their habits, while some tend to go far beyond this. Particularly is this true in connection with the crime of selling drugs.

It is a common pattern for a narcotic addict to buy drugs, take about half for himself, add to the remainder some innocuous adulterant such as powdered sugar to restore the original volume, and sell it to someone else. The buyer again "cuts" it and sells, so that the final purchaser may obtain relatively little active drug. Illicit narcotics in the United States are now so scarce that the majority of addicts obtain such diluted "stuff" that relatively few show major evidences of physical dependence during withdrawal.

The CHAIRMAN. Apparently from that statement we are making tremendous progress in the matter of stopping this illicit traffic in drugs.

Dr. CAMERON. I think a great deal of progress has been made. There is no question about it. When I was actively engaged in the clinical treatment of addicts before World War I, we saw numerous patients who had severe habits supplied on the illicit market. Now it is rather unusual to find an addict who can get enough drug to support a severe habit.

This simply means that the material isn't as available as it once was. I must assume that this state of affairs is largely due to the activities of the Bureau of Narcotics, who are responsible for this phase of enforcement.

The CHAIRMAN. Are we to assume from this that the present weapons, the present statutes, are adequate to deal with the problem, if they are making such progress with the present methods being employed?

Dr. CAMERON. Senator McClellan, I am a physician. I think we have to make a lot more progress on the problems of treatment and rehabilitation. The control of the distribution of drugs is not my particular problem and I am not an expert in this field. That should be responded to by the Bureau of Narcotics and not by me.

The CHAIRMAN. You don't have to be an expert to say whether the present weapons, which have reduced the number of addicts in this country, are apparently effective. Whether we can implement them

1168 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

better and make them more effective, to finally obliterate this menace from our midst, I don't know. But that is what we are searching for. I thought maybe you had some comment.

Dr. CAMERON. I think we need to improve treatment and rehabilitation resources. Such resources of this type as we have, plus the control program have had some effect. There can be no question on that. But since I do not know enough about the intricacies of control, I think it would be a little presumptuous on my part to suggest whether or not the Commissioner of Narcotics needs additional staff or additional laws.

The CHAIRMAN. Let me ask you what percentage of those that you attempt to rehabilitate are rehabilitated, and remain rehabilitated?

Dr. CAMERON. This is a difficult question to answer because, as I said before, addicts are notoriously difficult to follow. There have been some attempts to follow them, and recent studies show that a large proportion of addicts did relapse, but they didn't all relapse. If you take a cross-section of persons addicted at a particular point in time, you find some of them on now and off at another time.

But the relapse rate is high. There was a study some years ago in which it was ascertained that something under 10 percent were known to be absent after treatment. Around—and I am not certain of the figures—50 percent were known to have relapsed, and the remaining 40 percent or thereabouts, were not able to be found. We have to assume that some of that 40 percent had died, but not all of them.

Since in that situation, reports were being received from the FBI about any criminal activity of persons in this group, and since they had not appeared again on the FBI files, it is to be assumed that a substantial number of those who were not capable of being followed were, indeed, abstinent because they were not again getting into trouble with the law. But to give you a positive figure from that study would be difficult.

The CHAIRMAN. Doctor, irrespective of whether additional weapons are needed in the field of preventing the traffic and dealing with addicts as criminals—in that field, there is, according to your testimony, great need for continuing research and efforts in curing the addict and preventing the relapse.

Dr. CAMERON. That is correct.

The CHAIRMAN. That is where you are placing the emphasis of your testimony?

Dr. CAMERON. That is right.

The CHAIRMAN. Very well, you may proceed.

Dr. CAMERON. There is much misunderstanding about the relation of crime and narcotic addiction. It is not a Federal crime to be an addict, nor is it under most State laws. A recent California law making it a crime to be an addict was declared unconstitutional by the Supreme Court of the United States. It is, however, a crime to possess or sell illicit drugs, and to steal. Thus, persons who become addicted because of an underlying personality difficulty, and the opportunity to obtain drugs, may or may not participate in criminal activities.

And, of course, there is a massive amount of criminal activity perpetrated by nonaddicts. As a matter of fact, the number of drug users is so small that even though a substantial proportion of them do participate in some form of criminal activity, it is not possible to find any

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1169

effect on overall crime rates because of their presence. Some areas where there is a relatively high prevalence of addiction have lower crime rates than those where there is a relatively low prevalence of addiction.

The CHAIRMAN. The person under the influence of a drug is not likely to commit any crime, as I understand you, other than that of possibly stealing to get money to replenish his supply.

Dr. CAMERON. As long as the addict has a plentiful supply, he is usually a relatively tranquil person. It is when he is running short that he is apt to get in trouble.

The CHAIRMAN. But that is the principal crime they commit, is that right?

Dr. CAMERON. Stealing is the principal crime; yes, sir.

The CHAIRMAN. So the contribution of drug addiction to crime is primarily that of larceny, or stealing.

Dr. CAMERON. That is right.

Since society applies sanctions against criminal behavior and many narcotic addicts are involved in such behavior, it is useful for us to look at the philosophies underlying various criminal sanctions.

One of the philosophies is that of "deterrence." It, in effect, says: "Punish the offender as an example to others, that they may see and be persuaded not to do likewise." Perhaps this was the philosophy underlying capital punishment for theft many years ago in England. It was not particularly effective, since a starving man may steal despite the severity of the penalty, if caught. Besides, if he does not get food, he is dead anyway. The addict "needs" to ward off the abstinence syndrome and to obtain relief from his psychic distress. Thus, he has a very substantial "hunger." Deterrence, as an underlying basis for criminal sanctions against many of the criminal acts of narcotic addicts, seems to me to leave something to be desired.

A second major philosophy underlying criminal sanctions is that of "retribution," or "an eye for an eye, and a tooth for a tooth." If we accept the thesis that addiction is more often than not a symptom of an underlying personality disorder or illness, then we must lay aside the retribution philosophy as an inappropriate basis for dealing with a sick person. I do not say that all addicts have a mental disorder, but I do say that most of them have.

A third philosophy that underlies criminal sanctions is that of treatability or "correction." Here, the idea is to detain the person for a sufficient length of time to give him an opportunity to acquire new understandings and skills so that it will no longer be "necessary" for him to participate in criminal activities.

This is certainly one of the more predominant philosophies today, and has resulted in the change in the name of many institutions from penitentiaries to correctional centers. The correctional philosophy is closely related to treatment and rehabilitation. Holding the views I do as to the causes and nature of addiction, it is understandable that I favor a correctional philosophy as the basis for any criminal sanctions that may have to be applied to narcotic addicts involved in criminal behavior.

The CHAIRMAN. You wouldn't apply that to a criminal who was out pushing drugs.

Dr. CAMERON. No; I would not.

1170 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Only to the addict who becomes engaged in stealing or pushing a drug in order to get money to sustain his own addiction?

Dr. CAMERON. That is right. The nonaddict pusher is not an addict and I am not talking about him at all today.

The CHAIRMAN. I thought there ought to be some distinction made. I have no sympathy with the fellow out pushing the drug simply to profiteer on human misery. I think severe penalties should be imposed in those instances. I can't have much sympathy or tolerance for them.

Dr. CAMERON. To me, there are three groups: (1) The nonaddict who sells, and I would tend to share your view about how he should be dealt with; (2) the addict who sells far in excess of the amount necessary to maintain his own habit; and (3) the addict who sells only to maintain his own habit. I believe the three should be dealt with differently.

The CHAIRMAN. That some different treatment should be given in each case.

Dr. CAMERON. That is right.

The CHAIRMAN. I agree with you. Particularly the head of a gang of illicit distributors, the importer of it, people who are actually engaged in it as a business, profiteering on human misery—I don't know that anything less than death is an excess penalty for people who do that.

You may proceed.

Dr. CAMERON. I might add parenthetically that if one wishes to deal with each person in his own best interest and that of society, it is necessary to individualize the program for each person. There is no surer way to make this difficult or impossible than to treat each person exactly alike, because all persons are not alike. To deal with different persons with different problems in exactly the same way is to assure unfairness to some.

The CHAIRMAN. That brings us to another thought. The courts before whom they are brought are not necessarily competent to deal with each case, because they lack experience and information in this field.

One judge might have a far better understanding than another judge, with the same facts before him. One judge might conclude that a heavy penalty should be assessed and another might conclude that treatment, civil commitment, was in order. I don't know how you are going to remedy that situation. Have you any suggestions about that?

Dr. CAMERON. No. I would simply join in saying that where as you have indicated that some courts have different skills and interests, so, too, do physicians have different skills and interests.

The CHAIRMAN. I might in some cases have pretty good judgment and exercise some wisdom in a decision or sentence I might impose. In this field, I don't know if I understand the problem enough. I just wonder about whether judges generally do.

Dr. CAMERON. Fortunately, most of the addiction is concentrated in a few metropolitan areas, and it is not unreasonable to assume that certain courts may, therefore, acquire considerable skill.

The CHAIRMAN. They may very well. They may become experts.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1171

Dr. CAMERON. Just as many physicians in those areas might become quite skilled. I think the courts should use the advice of physicians in making their judicial determinations. I do not suggest that the physicians should supplant the courts in making judicial determinations.

The CHAIRMAN. I think it is an area in which it would be well for folks to consult physicians.

Dr. CAMERON (continuing). There is much to be learned about the control, treatment, and prevention of various types of addiction. Control of narcotic distribution is one of the most important ways to prevent such addiction. Without the availability of narcotics there could be no narcotic addiction, though there certainly would remain many persons with mental and emotional problems who would constitute "fertile soil" for other addictions.

It may be easier to control the availability of narcotics than to "cure" all persons with mental disorders that render them susceptible to such addiction. That control of drugs is useful has been well demonstrated. Since the passage of the Harrison Narcotic Act, the number of addicts in the United States has steadily declined despite the increased number of people in the country. Further, during World War II, the number of addicts fell to an all-time low, not because people were necessarily healthier, but because shipping was so difficult as a result of the war that illicit drugs were very hard to smuggle into the country.

Mr. ADLERMAN. Doctor, there has been much advocacy of the ambulatory withdrawal clinics. It is a controversial matter and we will hear representatives of those who are advocating both ambulatory maintenance and ambulatory withdrawal clinics, or treatment by physicians. The American Medical Association has taken a position on that in its last report in 1963, at page 57, paragraphs 27 and 28. Do you agree with those conclusions?

Dr. CAMERON. Yes, sir; I do.

Mr. ADLERMAN. Can that be printed in full in the record, Mr. Chairman, paragraphs 27, 28, and 29? I think that becomes pertinent at this time.

The CHAIRMAN. Very well. The witness says he agrees with it. It may be printed in the record.

(The material referred to follows:)

AMBULATORY WITHDRAWAL CLINICS

27. The 1962 joint AMA-NRC statement (9) reads:

"* * * Ambulatory clinic plans for the withdrawal of narcotics from addicts are * * * generally inadequate and medically unsound."

This position is taken "on the basis of present knowledge" and is intended to cover current clinical practice; it is not intended to obstruct bona fide research. (See under Research.)

AMBULATORY MAINTENANCE AND CONTINUED ADMINISTRATION

28. The joint statement covers this much-debated issue as follows: "The maintenance of stable dosage levels is generally inadequate and medically unsound and ambulatory clinic plans for the withdrawal of narcotics from addicts are likewise generally inadequate and medically unsound."

"As a result of these conclusions the American Medical Association and the National Research Council oppose on the basis of present knowledge such ambulatory treatment plans."

1172 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

29. In fact, as pointed out earlier, ambulatory maintenance can be considered ethical medical practice only if consultation has been had and it is agreed by the physicians concerned that (a) withdrawal would be hazardous to life, or (b) continued drug administration is necessary for a chronic or terminal painful condition other than the drug addiction itself and for which no other mode of treatment is feasible.

Mr. ADLERMAN. Apropos of that and apropos of the previous paragraph you just read in your statement about the "fertile soil" present in addiction, today narcotic addiction is generally concentrated in three cities, New York, Chicago, and Los Angeles. And in many States in the United States there is very little addiction.

If you were to have a clinic arrangement under, say, Federal law, it would have to be one that would be available to all doctors and to all patients throughout the United States.

It would make drugs available on prescription. Would this tend to reverse the present tendency of low addiction in all of the rural areas and all of the States outside of these three large cities, and make narcotics available by prescription to those who may be addiction prone in, say, Utah, Wyoming, Nevada, Texas, or any of the other States?

Dr. CAMERON. I am not sure that it would alter that picture materially, Mr. Adlerman. I think a physician who would prescribe narcotics for a person as symptomatic relief, for a person who is addiction prone, or who has a neurosis or something of this kind, is certainly practicing very poor medicine, and I doubt very seriously that very many physicians would do it.

Mr. ADLERMAN. This is assuming, of course, that you could control it. But if an addict is present in an area and has available to him prescription drugs—and, you know, addicts make addicts. Isn't that the adage?

Dr. CAMERON. They associate with one another; yes, sir.

Mr. ADLERMAN. And one who is addiction prone, for example, a man will very frequently induce his wife to become an addict—

Dr. CAMERON. He may.

Mr. ADLERMAN. Or a brother, or another relative, or a close friend, to try it out and get a kick. If it is available to him in one of the States where there is very little addiction at present, this might spread and cause additional addiction?

Dr. CAMERON. Mr. Adlerman, I don't know of anyone who has ever suggested in connection with maintenance clinics that drugs be made readily available to anyone, particularly those who are not now addicted.

Mr. ADLERMAN. They wouldn't be made available to those not now addicted, but they could readily become addicted because the drug would be made available.

Dr. CAMERON. To the extent that an addict who is already addicted could get drugs easily and then pass them on to the wife, as you suggest; yes, this would be a problem.

Mr. ADLERMAN. And there might be a tendency to spread addiction throughout the country, if there were ambulatory outpatient maintenance types of operation?

Dr. CAMERON. Only if the physicians involved are practicing a very poor brand of medicine.

Mr. ADLERMAN. Are you familiar with what happened in the early 1920's, and even before that?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1173

Dr. CAMERON. I have read accounts of it, yes, sir.

Mr. ADLERMAN. It was common for doctors to give scrip for medication?

Dr. CAMERON. Yes.

Mr. ADLERMAN. You will always find a few rotten apples in the barrel throughout the world, and I don't suppose the medical profession would be an exception to it. But there always are some rotten apples in a barrel. This might make narcotics available to a great number of people.

Dr. CAMERON. If you had a lot of rotten apples, yes, this would be a serious problem.

The CHAIRMAN. Very well.

Dr. CAMERON. Elimination of the availability of another addicting drug, alcohol, was tried and failed. Some persons argue that since it was deemed wise to repeal the Prohibition Act in order to help get the underworld out of the illicit alcohol business, it would be useful to follow the same reasoning with narcotics, viz., make narcotics readily available, thus removing the profit to the underworld and reducing the incentive to recruit new addicts. There are at least two flaws in this argument. There is a vast difference in the number of persons involved in narcotic abuse (40,000 to 60,000) as compared with those who abuse alcohol (approximately 4,500,000). There are additional millions who use, but do not abuse alcohol. The market is rather different. The other flaw is that seldom does one hear of persons being recruited to narcotic addiction by the underworld. Rather, the persons who become narcotic addicts because of their personality difficulties either seek out the drug supply, or more often, are introduced to it rather accidentally.

Another related approach to the prevention of addiction is that of trying to find effective analgesics that do not have addiction liability, thus making unnecessary the production of narcotics. Much work has been done in this area, but to date the efforts have not been crowned with notable success. However, there is reason to believe that such drugs may be forthcoming in the next few years. Further work is required.

It goes without saying that programs designed to correct some of the social and economic ills associated with various forms of addiction are important preventive approaches and much further work needs to be done in these areas. It is recognized that such ills are doubtless more important in and of themselves than is the problem of narcotic addiction with which they are associated.

Perhaps one of the most fruitful avenues for the medical and allied professions to follow, relative to addiction, is to provide to all addicts the best methods available for their withdrawal, treatment, and rehabilitation. We are not now serving the vast majority as well as we know how. We know that the successful treatment of the mentally disordered person is very often a long and difficult process. This is doubly true of those who have addiction as a complicating syndrome of their basic underlying difficulty. Such persons need intensive and prolonged followup assistance, once withdrawn from drugs. Yet, we have very meager resources in this country for that purpose.

The CHAIRMAN. What do we mean by prolonged followup?

Dr. CAMERON. Several years.

1174 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. Then one who becomes an addict becomes rather a burden on the tax resources of the country or of the community.

Dr. CAMERON. He is a burden either way.

The CHAIRMAN. Do you think the burden is lighter if he is treated than if he is permitted to continue the habit?

Dr. CAMERON. Yes, sir.

The CHAIRMAN. Very well.

Dr. CAMERON. In those communities where there are relatively large numbers of addicts, special facilities and services for their treatment and followup need to be developed further. In those communities where they are numerically few, at least some agencies providing services to persons with other mental and emotional problems should endeavor to provide help to addicts as a part of their overall services.

In connection with providing adequate withdrawal, treatment, and rehabilitation services to narcotic addicts, it should be recognized that such persons may not, on their own initiative, seek or continue the necessary treatment. In such cases, civil commitment to medical authorities may be necessary. The several States, and perhaps the Congress, should be encouraged to enact enabling legislation to this end.

The final part of my statement has to do with the needed research and I have already spoken to that point.

The CHAIRMAN. Senator Muskie, have you any questions?

Senator MUSKIE. No questions.

The CHAIRMAN. Senator McIntyre?

Senator MCINTYRE. No questions, Mr. Chairman.

(At this point Senator McIntyre withdrew from the hearing room.)

The CHAIRMAN. Counsel has some questions.

Mr. ADLERMAN. Are you aware of a Bureau of Narcotics regulation which interferes with a physician in his right to treat an addict?

Dr. CAMERON. No, sir; but I am well aware that there is a good deal of controversy on this point. Some physicians think there is such a regulation. The Bureau of Narcotics think there is not. It depends on how you read the regulation. My own reading of the regulation is that it does not interfere with legitimate, ethical medical practice. However, it is my personal opinion that since the regulation can be read in more than one way, depending upon your preexisting prejudice, it might be useful to consider how it might be written so it couldn't be so easily misunderstood.

The CHAIRMAN. Do you think it can be so written?

Dr. CAMERON. I think so.

Mr. ADLERMAN. In other words, you think it needs clarification.

Dr. CAMERON. I am quite convinced that the intent of the regulation, as it is implemented by the current staff of the Bureau of Narcotics, is not intended to interfere with ethical medical practice. I think if this is a problem for some physicians, then it might be useful to try to clarify it.

Mr. ADLERMAN. Doctor, I would like to go over one or two things in the AMA report. Page 2 covers the operation of narcotic clinics rather fully, does it not, concerning the abandonment of the clinic system back about 1919 or 1920?

Dr. CAMERON. Yes, sir.

Mr. ADLERMAN. And it gives the reasons for closing them. Also it discusses the tolerance factor of the report on page 11. Then, there

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1175

is the fact that Canada rejected the clinics in 1955. That is on page 22. Also, there is the English system which has been referred to, covered on page 23.

There may be a difference in the medical profession toward treatment, is that correct?

Dr. CAMERON. I think the statement to which you are inviting attention in various sections is a factual presentation of the history for the period covered. There is a lot of misunderstanding of the so-called British system. Most of the addicts who are registered in Britain and who receive maintenance doses would not be considered addicts in this country. They are, for the most part, persons with terminal painful conditions for whom no question would be raised about their continued maintenance in this country.

Mr. ADLERMAN. These people receive narcotics from physicians in this country without any hindrance or any objection by anyone, whether it is a Government agency, including the Bureau of Narcotics, or anybody else?

Dr. CAMERON. I think this is true, though I can well imagine in some instances that if a physician happens to have several patients of this kind and is prescribing a fair amount of narcotics, he might well be queried by the Bureau as to where these are going. But if he is using them in this way, he is in no trouble as I understand it.

Mr. ADLERMAN. There is no interference with that?

Dr. CAMERON. No.

Mr. ADLERMAN. And that is generally accepted as good medical practice and not to be frowned upon in any way whatsoever?

Dr. CAMERON. Unfortunately, there are some conditions where you just cannot treat, where the pain is extreme, and it is only humane to give the person, even if addicted, the necessary pain reliever.

Mr. ADLERMAN. I think the AMA takes the position on page 34 in this report that there is nothing in the law, the Federal narcotics law, which prohibits a physician from treating an addict. I am not talking about only medical addicts. I am talking about treating an addict in the sense that we are talking about, the criminal addict.

Dr. CAMERON. I am aware of no such prohibition.

Mr. ADLERMAN. Thank you.

The CHAIRMAN. Thank you very much, Doctor.

The committee will stand in recess until 2 o'clock. We will try to resume at that time.

(Members present at time of recess: Senators McClellan and Muskie.)

(Whereupon, at 12:07 p.m., the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION

(The committee reconvened at 2:23 p.m., Senator John L. McClellan, chairman of the subcommittee, presiding.)

The CHAIRMAN. The committee will come to order.

(Members present at time of convening: Senators McClellan and McIntyre.)

The CHAIRMAN. Will you stand and be sworn?

1176 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Do you solemnly swear that the evidence you shall give before this Senate subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KUH. I do.

TESTIMONY OF RICHARD H. KUH

The CHAIRMAN. Will you please identify yourself for the record?

Mr. KUH. I am Richard H. Kuh, an assistant district attorney in the county district attorney's office, where I have been since 1953. In 1955, I was appointed administrative assistant to District Attorney Francis Hogan, and I have been in charge of the criminal division of that office since 1960.

I also serve as secretary of the New York District Attorneys Association, and also as coordinator of the New York State Combined Council of Law Enforcement Officials, which consists of sheriffs, the State police, the waterfront commission, and all other law enforcement agencies in the State of New York.

The CHAIRMAN. How long have you been licensed to practice law?

Mr. KUH. In 1948 I was admitted to the practice of law.

The CHAIRMAN. Are you still with the U.S. district attorney's office?

Mr. KUH. The New York County district attorney's office, yes, I am.

The CHAIRMAN. Have you a prepared statement?

Mr. KUH. I have a prepared statement which I believe your counsel has and I ask that it be made part of the record.

The CHAIRMAN. Let the entire statement as submitted by the witness be printed in the record at this point.

STATEMENT OF RICHARD H. KUH

I have been asked to, and shall consider with you, two areas of the narcotic addiction problem:

First, whether addicts should be treated—given narcotics—on a maintenance out-patient basis; and

Second, the provisions of and experience under New York State's 1962 Narcotic Addiction Act, know as the Metcalf-Volker law, and whether somewhat similar Federal civil commitment legislation is advisable.

SUPPLYING NARCOTICS TO MAINTAIN OUT-PATIENTS ON DRUGS

As these hearings are intended to serve a constructive purpose, and not merely to add tonnage to the already bulging volumes of conference minutes and hearing transcripts dealing with addiction, that have been compiled at city, State, and Federal levels, I see little sense in continuing—before this subcommittee—the battle between those who would give drugs away and those who would not.

For years, distinguished "authorities" have lined up on both sides of this issue. Most recently, in June of this year, the Advisory Council of Judges of the National Council on Crime and Delinquency, urged the wisdom of "administering drugs as necessary" to addicts at large in our communities. Earlier in the year, the President's Advisory Commission on Narcotic and Drug Abuse, a Commission that had been appointed by the late President Kennedy, issued its final report reaching the contrary conclusion. That report cited the 1963 findings of the American Medical Association and the National Research Council to the effect that "the continuous administration of maintenance doses to addicts as treatment is medically unsound."

With most persons in law enforcement who regularly spend time in the courts, I prefer to take my medical advice—at least my current advice on addiction—not from those who are judges by profession, but from those whose orientation is scientific: the National Research Council, the American Medical Association,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1177

and the President's Advisory Commission (that included, among its members, several distinguished scientists). Indeed, at least in the area of addiction, the current opinion of these men of science seems to me as a lawyer, to make better commonsense.

I will not here detail all of my reasoning, but I believe that some brief explanation of my conclusions, shared generally by law enforcement personnel who have had continuing close contact with narcotic cases, is appropriate: (i) America's experience with addiction is almost exclusively a problem of heroin, of the person who became addicted initially for "kicks," who is frequently ghettoed, for whom heroin offers escape from the harshness and frustrations of daily living.

This addict seeks, not relief from the pain but something quite different: a euphoric "high." As his tolerance for the drug, heroin, increases, he seeks it in mounting quantities, in order that it may continue to bring him nirvana. "Maintenance dosages" for our addicts would mean steadily mounting dosages. (ii) It grossly oversimplifies to say that America's outlawing of opiates causes crime. For many of our addicts the procuring of drugs is simply one more manifestation of that antisocial conduct that expresses their neurotic or psychopathic rebellion against society. These addicts are not milk-toasts, readily regimented, prepared to register and to stand in line for mere maintenance dosages, merely because such drugs may be lawful, when lacking inhibiting feelings of guilt they can procure "happier" drug quantities with less redtape through illegal sources. (iii) The so-called British system offers no argument. Britain is no more America than is Hong Kong America; and in Hong Kong, where the same system prevails, an estimated 1 in 12 persons is addicted (in New York City, sadly America's addiction capital, the figure is about 1 in 700). In Britain, the rate for major crimes—allowing for differences in population—is one-eighth to one-tenth of ours. England's handful of addicts are, unlike our vast multitudes, mostly addicted to morphine or cocaine, as painkillers, following serious illness. It is not the system, but the sociology of the community, that is likely to accelerate or to retard its addiction rate.

(iv) America's experience with white-collar addiction has been heaviest among our doctors and nurses (it might more accurately be termed "white gown" addiction, indicating that drug use increases with drug availability. (v) Lastly, the use of drugs, to keep an estimated 50,000 American addicts in a muted, gently flowing euphoria, placid and flaccid, lacking in energy and ambition, is hardly to be subsidized by the state. Today this should be particularly so, when the public's growing concern over addiction may auger well for burgeoning research; this may—ultimately—produce effective modes of prevention, treatment, and rehabilitation.

This catalog of arguments would seem to belie the seriousness with which I said that I saw no sense in continuing, before this subcommittee, the battle pro and con outpatient drug administration. That battle, I would guess, has absorbed more than enough energy over the years to send dozens of lunar probes into space, but—unlike last week's universal adventure—I fear that it has returned little of value to this earth. Rather than continuing the battle, those on both sides would do well to explore together such areas of agreement as may exist.

Mr. Justice Frankfurter and the late great Learned Hand were fond of quoting Cromwell's thundering pronouncement: "Ye may be right, and I may be wrong. But, by the bowels of Christ, I suffer ye to conceive it possible that ye may be wrong."

Prosecutors and police do well to keep this caveat in mind (as the actions of the Supreme Court have so often reminded us). And so, convinced that we are right, but conceiving it possible that we may be wrong, many in law enforcement would welcome some scientific proof of the truth. Many of us should like to see a workable pilot project that might ultimately tell us definitely whether or not drugs could be safely administered to addicts at large in our communities.

Happily, we have now learned that this year has seen the start of such a pilot project, on an extremely small scale, under the auspices of the New York State Department of Mental Hygiene. We are hopeful that we, and the public, will be kept informed of its progress. We are watching to see whether it can be demonstrated experimentally that in heterogeneously populated New York City, with the unfortunately high addiction rates of our ghettoed racial and ethnic groups, heroin addicts can be maintained—on heroin, or on some drug the addicts will accept in lieu of heroin—in their communities. Can this be done without exposing the nonaddicted to the infection of addiction? Can spot checks

1178 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

utilizing scientific means (urine chromatography, naline, etc.) be used effectively to see whether pilot project addicts are supplementing their controlled dosages with supplies of illegal drugs? Can typical addicts in the project function usefully in society while under the influence of their daily drug dosages?

Unless and until such experiments prove the workability of broad drug give-away program, responsible persons chargeable with reducing the addiction plague and simultaneously protecting their communities, should not—one would hope—commit themselves to general out-patient drug doles.

Meanwhile, continued all-or-nothing agitation for immediate and widespread "clinical" drug dispensation serves only to divert attention from a method of dealing with addiction that is clearly more cautious, although infinitely less dramatic. I refer, of course, to the civil commitment of drug addicts.

NEW YORK STATE'S 1962 NARCOTIC ADDICTION ACT, ITS PROMISE AND ITS PERFORMANCE

We in New York City have long recognized the criminal law's limitations in dealing with drug addiction. Traditional enforcement methods make no sense against an addiction background: Paroling or bailing drug defendants for months—or even years—before the criminal charges against them are disposed of in no way means an addict from his drugs. Hinging the determination as to what, if anything, is to be done about an addict, on whether the drugs were fished out of his pocket or seen openly in his hand—likely to be crucial if there is a claim of lawless police conduct—makes little sense in a medical or sociological context. Trying addicts pursuant to rules not designed to deal with illness, and hence intentionally oblivious to the addict's social history—is equally unproductive. Ultimately, sentencing addict-defendants with an awareness that they may be deemed ill and hence should not be imprisoned is likely to mean that they are tossed back into their communities with no real assistance; incarceration for "90 days" followed by no aftercare supervision is just as nonsensical.

Recognizing these limitations, in 1951 New York County District Attorney Frank S. Hogan urged the adoption of a new procedure for the civil commitment of adolescent drug users to hospitals. That procedure was adopted in 1952.

A decade later, in March 1962, the New York State Legislature, by unanimous vote in both houses, adopted the comprehensive Metcalf-Volker law, thus leveling an attack on all phases of addiction. This act was the product of a series of shirt sleeve work sessions between county, city, State, and Federal officials, and representatives of community volunteer groups and social workers, bound together by the determination to produce a statute that would chart a course, both progressive and workable, to govern New York's efforts to do something about addiction.

The act concentrates full responsibility in the State department of mental hygiene. (There were some misgivings about saddling that agency—that operates more than 80,000 hospital beds for mental patients—with this added responsibility. Responsibility was there lodged, however, at the insistence of those conferees who represented State government.)

A unit within the mental hygiene department was charged with planning, educating the public, conducting research, collecting and disseminating statistical and other information, training workers, operating institutions and reviewing and approving institutions operated by others, and handling commitments and all phases of aftercare of the addicts.

The most novel feature of the 1962 legislation was its subdivision known as the Arrested Narcotic Addict Commitment Act. It specified that an arrested addict, whether charged with a narcotic crime or one not directly involving drugs might—subject to certain necessary safeguards—by his own election, convert the criminal proceeding pending against him to a civil hospital commitment. During that commitment, further criminal action is stayed. Decisions of medical personnel govern release of the addict to the department of mental hygiene's aftercare out-patient program. If this program, too, is completed to the satisfaction of the doctors, the criminal charges that led to the arrest are dismissed, and the addict will have avoided the onus of a criminal record. The period of hospitalization and aftercare combined is not to exceed 3 years, and the medical authorities have discretion to have the criminal charges sooner dismissed. (As to misdemeanants lacking prior felony records, the criminal accusation must be dismissed after 1 year's hospitalization or aftercare.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1179

Should mental hygiene find a defendant intractable, it may return him to the criminal courts; there the criminal charges will be reactivated. Similarly, the charges are to be revived against escapees and those whose determination peters out in some fashion during the aftercare period.

Signing the 1962 statute into law, Gov. Nelson A. Rockefeller hailed it broadly, stating:

"Many narcotics addicts under arrest whose most serious failing is their own tragic addiction will be given an opportunity under the provisions of this measure to become self-respecting and self-reliant members of society through State hospital treatment and rehabilitation."

In September of 1963, having observed the operation of the arrested narcotic addict commitment provisions—that had gone into effect January 1, 1963—for more than 8 months, the mental hygiene department announced:

"One set of facts has emerged quite clearly, and that is that the arrested drug addicts who chose medical treatment in preference to a possible correctional sentence are, in comparison to voluntary cases:

"(a) More easily retained in the hospital for a suitable period of treatment.

"(b) With some exceptions, respond more easily to hospital requirements.

"(c) And are brought to cooperate with aftercare more easily."

This conclusion, that corroborates earlier experiences of the New York State Division of Parole, poses a strong argument for hospitalization as a humane alternative to the unallayed invocation of our punitive processes. In light of this conclusion, and of the work being done by mental hygiene in conducting the much-needed pilot project utilizing maintenance doses for outpatients, it would be pleasant to be able to praise lavishly that department's handling of the new law. Because of my own firm conviction that hospital commitment programs, both State and Federal, are desirable—they humanely help the addict to try to "cure" himself, and they protect the community while so doing—I should like to be able to boast that the new law is working wonderfully under the mental hygiene aegis. But, long ago, a wise man noted "Among the smaller duties of life, I hardly know any one more important than that of not praising where praise is not due." And, clearly, praise is not due for the mental hygiene department's performance in this area.

An analysis of some of the weaknesses in mental hygiene's administration of the new law may serve to point up the importance, should there be Federal civil commitment legislation, of entrusting its administration to an agency that is realistic in recognizing the dangers to society of the unsupervised addict in our community, and that possesses a high degree of dedication, imagination, and flexibility.

Consideration of the tabulation that I have prepared, showing the use of the new law in New York County for the year 1963, will underscore the importance of these qualities. The New York County experience is worth considering; unfortunately my county has the State's and Nation's largest addict population.

HOSPITALIZATION

Firstly, I shall consider the extent to which hospitalization has been used. In 1963, less than one in three persons arrested and charged with drug crimes, and who were eligible for hospitalization, sought it. (In 1964, the proportion dropped somewhat; it now seems closer to one in four.) Hence, despite the public wailing on behalf of "the sick addict," the odds are better than 2 to 1 that the "sick" one himself remains cool enough to weigh the threat to his untrammelled freedom more heavily than he weighs his hopes for a cure. On the one hand he sees the prospect of "beating the rap" entirely, or of receiving one of the so frequently light sentences; on the other is the prospect of as much as 3 years of subjection to medical supervision. Realistically though, as hospital beds for addicts remain woefully few, there is little point in worrying now about why even more addicts do not seek access to them.

The bed shortage is, of course, a major problem. In 1963, 1,093 addicts arrested in New York County sought beds and were eligible for them. Mental hygiene was only able to accept 615, thus rejecting about 43 percent of those who sought the "cure". (This same rate of rejection continues in 1964.) And those that got the beds were not long kept in them. The 1962 Ad Hoc Report of the President's Committee on Narcotic and Drug Abuse had recommended that hospitalized addicts be held for about 5 months, before their release into aftercare programs. Mental hygiene hospitalizes its patients for only about 3.

1180 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

When, in 1963, half a million dollars was lopped from its budget, representing 100 to-be-added beds, mental hygiene made no efforts to dramatize its plight in order to get public support for restoring those funds. (The Department's addiction budget is of pygmy proportions compared to its overall annual outlays for mental health.)

The escape figures are alarming; 81 of the 615 committed New York County addicts—or 13 percent—escaped. (Imagine the public scandal that would engulf a correctional institution with a 1-percent escape record.) Although the mental hygiene addict facilities are hospitals—not prisons—that some effective security precautions would have been taken was to be expected.

Approximately the same escape rate continues in 1964. That the drug addict at large in our community can be extremely dangerous should be clear; it has been confirmed by the recent killings by addicts of a New York lawyer (in June, in an elevator), and a New York policeman (in July, on a fire-escape).

AFTERCARE

In preparing the Metcalf-Volker bill, the draftsmen recognized that aftercare was as important to the addict's rehabilitation, and to the community's protection, as was hospitalization. (See sec. 207.) Here, too, the record of the State Mental Hygiene Department is shockingly poor. Of New York County's approximately 500 addicts to be released to aftercare, 349—or almost 70 percent—had disappeared from the aftercare program by July 15 of this year, and more than a third of these are still at large. The high rate of disappearance from mental hygiene aftercare is understandable—but not excusable. The department maintains but two aftercare centers, both open only during normal business hours. One is at the Manhattan State Hospital on Wards Island in the East River; the other, almost as inaccessible to the bulk of the addict populace, is on East 17th Street. By way of contrast, the U.S. Public Health Service placed its project where the addicts are, at 135th Street and Broadway; the East Harlem Protestant Parish Narcotic Committee has its headquarters in East Harlem, at 103d Street, and is open round the clock; New York City operates four neighborhood rehabilitation centers, located in the addict communities, where they remain open 7 days a week 'til 9 at night. There can be little wonder that the addict, who needs help when and where he needs it, drops out of mental hygiene's geographically and chronologically remote program.

The utter absurdity—the virtual nonexistence—of a serious aftercare program is underscored by the lack of any in-community spot checks by mental hygiene. The law provides expressly (sec. 210(3)) for the use of "accepted medical procedures, tests and treatment, which may include but are not limited to the use of narcotic antagonists or other accepted techniques," but no use by mental hygiene has been reported of antagonists such as nalline, or of urine chromatography, in connection with aftercare for the bulk of the released addicts.

The results achieved are consonant with the level of performance. Of the 615 New York County addicts accepted by mental hygiene in 1963, by June 15, 1964, only 126—or 20 percent—were still either hospitalized or in aftercare, and only 15 persons had remained in the program long enough, and satisfactorily enough, to have had the criminal charges against them dismissed. The ultimate "success ratio" that this suggests is, it is obvious, extremely low. Not only aren't a significant portion of our addict populace getting meaningful aid from mental hygiene, but our New York community is not being protected from the depredations of the addict populace while mental hygiene bumbles along.

This does not mean that a civil commitment and aftercare program skillfully conducted, cannot produce meaningful results. In sharp contrast is the State division of parole's special narcotic project, that produced about 30 percent "cures," through a dedicated program that removed addicts from their communities for an appreciable period of time, and followed this with meaningful aftercare supervision.

OTHER DERELICTIONS

Quite apart from its shortcomings in the area of hospitalization and aftercare, the Mental Hygiene Department has utilized only bits and pieces of the 1962 Narcotic Addiction Act; the law's full tapestry remains largely unexplored.

A portion of the new law, effective more than 26 months ago, in March 1962, empowers the Commissioner of Mental Hygiene to "formulate a comprehensive plan for the long-range development, through the utilization of Federal, State, local, and private resources, of adequate services and facilities for the prevention

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1181

and control of drug addiction" (sec. 203(1)). No such plan has, as yet, been unveiled. All agencies in the State continue to pursue their own separate paths, without any overall unified aim or design.

Another provision (sec. 207) specifies the issuance by the Commissioner of "regulations and standards" for the guidance of private agencies, and agencies of political subdivisions of the State, in handling addicts. It specifies further that the facilities of such agencies are to be "reviewed and approved" by the Commissioner, if they conform to these "standards." There has been no State action along these lines.

Throughout, the act uses the term "hospitals or facilities," not simply "hospitals." This was done intentionally by the draftsmen, in order that mental hygiene might create halfway houses, work camps, industrial schools, and other nonhospital facilities that might be useful in the battle against addiction. To date, however, mental hygiene's facilities are beds in hospitals. Period.

The 1962 law (sec. 203(5)) specifies that the Commissioner is to "provide public education on the nature and results of drug addiction and on the potentialities of prevention and rehabilitation in order to promote public understanding, interest, and support." No efforts at "public education" have come to my attention.

Many years ago Mr. Dooley commented "I care not who make the laws in a nation, if I can get out an injunction." Unfortunately, there are times when it does not take so much as an injunction to render a statute almost nugatory.

RECOMMENDATIONS

What, if anything, can and should the Federal Government do in the area of narcotics?

First, I believe that the New York experience underscores the importance of who is handling the problem. Some months ago, the President's Advisory Commission on Narcotic and Drug Abuse issued its final report. Generally, I agreed with most of its recommendations. Respectfully, however, I would caution this subcommittee that, as New York's experience so clearly shows, when handling problems of addiction becomes merely a tiny tail on an overly large dog, the imagination and dedication that is required for substantial progress to be made are likely to be lacking. I hope I will not seem an intruder into the Federal area when I note that professionals in local law enforcement have long admired the imaginative and dedicated performance of the Federal Bureau of Narcotics.

Second, I would urge Federal support for programs embracing the hospitalization of addicts. The President's Advisory Commission has also made this recommendation. In 1961, New York's Senators Javits and Keating, with support from Senators Bush, Case, Hart, Kuchel, and Scott, and the late Senator Ke-fauver, introduced two civil commitment bills, S. 1693 and S. 1694 (87th Cong., 1st sess.). The New York Senators reintroduced those bills in February of last year. One, S. 864 (88th Cong., 1st sess.), provides for the civil commitment and aftercare of addicts who have been arrested on Federal narcotic charges. The statutory scheme is much like that of New York's 1962 legislation, with the Surgeon General supervising the addict commitments. The other, S. 861, provides for grants-in-aid to those States with earnest programs for dealing with their own addiction problems.

Third, Senators Javits and Keating have introduced two other, and more modest, bills in the addiction field, passage of which I urge. S. 862 specifies that the U.S. Public Health Service may make research grants in the area of addiction. S. 863 provides that youths, charged with narcotic offenses, are entitled to the protections of the Youth Corrections Act.

Passage of bills substantially along these lines would announce with unmistakable clarity that the United States of America has mandated humane and constructive treatment for addicts, whether locally or federally arrested. Passage would also appropriately assist New York and California, and other States with appreciable narcotic problems, in establishing more adequate facilities for the treatment of their addicted. I say "appropriately" because I do not believe that, today, there can be any doubt that addiction is a Federal—not solely a local—problem.

Lastly—but of great importance—Federal wiretap legislation is urgently needed. The Department of Justice's proposal, introduced in the Senate by Senator McClellan in 1962, as S. 2813 (2d sess., 87th Cong.), was reintroduced by him—as S. 1308—during the present session. That bill provides a host of safeguards and affords a narrow area only in which law enforcement is author-

1182 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

ized to intercept. Narcotic investigations are within that narrow area. In 1962, a large group, representing the Nation's prosecutors, police, and crime commissioners, convened in Washington and testified, before the Senate Judiciary Committee, for legislation along the lines of the Attorney General's proposal. We join Commissioner Giordano, whose testimony favoring wiretap legislation this committee heard, in hoping for early—and favorable—congressional action in this area.

New York County addict commitment figures¹ for 1963, the 1st year of operations under the Arrested Narcotic Addict Commitment Act (secs. 208-216, art. 9, mental hygiene law)

Arraignments on narcotic charges only.....	4,932
Number of such defendants eligible for commitment.....	3,075
Number of such eligible defendants requesting commitment under the act.....	880
Number of defendants charged with nonnarcotic crime eligible for and requesting commitment.....	430
Total number of defendants requesting commitment.....	1,310
Number of these found not to be addicted.....	217
Number of these found to be addicted.....	1,093
Addicts accepted by mental hygiene and committed.....	615
Addicts denied commitment by the court.....	11
Addicts turned down by mental hygiene, though eligible.....	467
Total.....	1,093
Followup on those 615 addicts accepted by mental hygiene and committed during 1963, from New York County:	
Addicts still either hospitalized or in after-care program.....	126
Addicts who escaped from inpatient care.....	81
Of whom—	
Still at large.....	28
Apprehended:	
Case disposed of.....	52
Case still open.....	1
Addicts who disappeared from after-care.....	349
Of whom—	
Still at large.....	137
Apprehended:	
Case disposed of.....	187
Case still open.....	25
Addicts whose cases abated because of death.....	2
Addicts who were recommitted to hospital after reapprehension, following escape or disappearance.....	8
Addicts returned to court by mental hygiene as unsuitable for continued commitment.....	34
Addicts certified (under sec. 213) whose criminal charges dismissed pursuant thereto.....	15
Total.....	615

¹ This tabulation prepared from such documents as have been available to the New York County district attorney's office; as comprehensive reports have not been available from mental hygiene, and as such documents as were received have varied some during the first year of operation, some slight error in these figures is possible.

The CHAIRMAN. You may proceed to highlight it as you like.

Mr. KUH. First, I would like to thank the committee for the privilege of appearing, and also the thanks of my superior, Mr. Hogan, to you and the committee for the fantastic job you have done for law enforcement over the years, the highlighting of situations that exist, getting the public aware of some of the problems of law enforcement. It has certainly been a major accomplishment.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1183

The CHAIRMAN. Thank you very much. You know that primarily our responsibility and our jurisdiction is limited to searching out information that might help us with respect to legislation.

In other words, we have a legislative function, but there seems to be some considerable justification, I may say, for the view that often hearings of this kind alert the public to conditions that it would not have known about, except for some forum of this kind where these things are brought out and exposed to the public. As I say, while alerting the public is not the primary function and doesn't come within what we term to be the legislative function of the committee, however, it seems to be a wholesome byproduct from which some good ensues. Sometimes these hearings really have a greater impact that way than they do, at least immediately, upon legislation.

We make these records, and they are here for quite a long time. Maybe no legislation actually results from the inquiries, but in the meantime something else happens and then you go into the matter again with this background as a record for the Congress in its further study of the situation.

So, I don't think these hearings are always—well, in fact, I think they are never a complete loss of time, energy, and effort on the part of Senators who serve upon the committee.

Mr. KUH. We quite seriously recognize, and I think the events of the last few months not only in our city but in the Nation, the problem of when the public is not in sympathy with and doesn't understand the problems of law enforcement.

So, quite apart from the legislative purposes, which your committee has so ably served, the public education purpose we in law enforcement find to be an important one.

We are indebted for both. I was asked to talk about two critical problems in the narcotic area, one the problem of outpatient treatment of addicts to drugs, and the other is the civil commitment situation, and how New York deals with it.

I will deal with them in that order. Dr. Cameron, this morning, spoke with you about the recommendations of the American Medical Association and the National Research Council against an outpatient maintenance program. There is, and I think in fairness we must note, a great conflict in this area. Quite recently, the Advisory Council of Judges of the National Council on Crime and Delinquency issued a report in which they appeared strongly in favor of such a program of administering drugs to addicts while on the street.

The CHAIRMAN. If you will, inject there just what this program is and how it operates, so we will know exactly what we are talking about, and we will also know what is controversial.

Mr. KUH. Senator, you have anticipated me, because that, frankly, is one of my problems. We find groups saying, "Give them drugs, let them have drugs in the street," and yet, one of the problems is we don't see a concrete workable program as to how it can be done under adequate controls.

The CHAIRMAN. What did you call it?

Mr. KUH. The outpatient maintenance program.

The CHAIRMAN. What do you mean by that?

Mr. KUH. I guess that they mean outpatient, that the person is not in a hospital. He is an outpatient.

1184 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. But under the care of a doctor?

Mr. KUH. Under the care of a doctor or under the care of doctors in a clinic.

The CHAIRMAN. With the doctor authorized to give him drugs?

Mr. KUH. Yes.

The CHAIRMAN. In other words, he is an outpatient in the sense that he is under the care of a doctor but not restrained in any way.

Mr. KUH. He would be free to go about his daily tasks and come in periodically to get his maintenance dosages of drugs.

The CHAIRMAN. I understand we have people who advocate that to be the way to handle the group.

Mr. KUH. Yes. The most distinguished group to recently advocate it was the so-called Advisory Council of Judges of the National Council on Crime and Delinquency, a group of about 30 judges, some of them quite distinguished, many of them from adolescent and children's courts.

The CHAIRMAN. Do they do that by having the patient go to the doctor or hospital to get his injection?

Mr. KUH. I think, Senator, one of the problems is that they favor giving them drugs out of the hospital, but they don't quite indicate how they are going to handle it. I have yet to see a concrete program.

The CHAIRMAN. Would the addict go there to have them give him a supply to last him 2 or 3 days?

Mr. KUH. I would hope not.

The CHAIRMAN. That is what I am getting to. It would seem to me that that addict might very well, with the drug in his pocket, while he is "pretty high"—I guess that is the proper term—might solicit a friend to join him. They do that with alcohol. They might very well do it, though I don't know.

Mr. KUH. I understand this might happen. I am anything but a champion of that program. I think it has many weaknesses. I understand, though, that Milton Rector, of the National Council on Crime and Delinquency, is to be one of the witnesses before this committee in the next few days.

I think one of the problems is that we must recognize that there are distinguished groups of people, and, I guess, so far as anyone is an authority, authorities on both sides of this question, and it is a question that has been boiling for some years, actively, certainly, in the last 10 or more years. You sort of get teams lined up on each side. I don't know that one can decide the question by saying which set of authorities you would like more. Our own opinion, and I think I speak generally for law enforcement, as best we can see the thing cannot be successful.

You heard Dr. Cameron this morning talk of the idea that there is no such thing as a simple maintenance dose. The doses go up. The addicts want more and more. The addict personality is likely to be a highly neurotic personality. Addicts are frequently psychopaths. These are persons who rebel to authority. They are not the persons who would like to stand in line saying "Please, may I have more?" They would rather deal with an illegal market.

Then, one hears about the British system. I understand that the so-called British system also exists in Hong Kong, where the addiction rate is even greater than New York City, and we have more addiction than any part of the country.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1185

We learn of doctors and nurses having drugs readily available to them have a very high addiction rate. So, just on a theoretical basis, we in law enforcement are convinced, and this morning Mr. Adlerman referred to the experience of the 1920's, that it won't work. And that was a practical experience.

But we don't think the problem will be solved by arguing about it for the next 12 years. What we would like to see, and I speak for the district attorney of New York County, and I think generally for law enforcement in New York City, is a real test. We would like to see an effective pilot project. We would like to see the doctors, if you will, or the social scientists, who feel that the outpatient administration of drugs is the answer, come up with a plan of having a control project in which addicts are given drugs and are out in their community, but they are given tests.

There are tests today. We are told about nalline, about urine chromatography, that will reveal if the addict is supplementing his dosages, or taking a greater supply of dosages on the outside.

I think if we can get the results of such tests, we think we know what they will be. We think they will not work. But it may settle the argument. One of the problems that bothers us is that so much in this whole area of drug addiction is spent in arguing, in arguing giving drugs, in cussing at the law enforcement officials claiming that we are living in the stone age because we don't believe in giving out drugs. So, we are hopeful that a pilot project in this area may settle the project.

The CHAIRMAN. Is a pilot project now authorized?

Mr. KUH. It is my understanding, and apparently, it has been conducted in somewhat hush-hush fashion, and you have a witness who will tell you more about it than I, that the State department of mental hygiene is conducting at this point a very, very small pilot project involving about 19 or 20 addicts that are out in the community, but that are reporting daily or thereabouts for dosages.

The CHAIRMAN. The State department?

Mr. KUH. New York State Department of Mental Hygiene. That is a department of the State of New York.

The CHAIRMAN. It is not a Federal project but a State project?

Mr. KUH. That is correct. It is my understanding, and again, I have this fourth hand, that that agency is here, but that before commencing it, they did have discussions with Federal Narcotics Bureau, and the program is proceeding with at least official tolerance.

The CHAIRMAN. In other words, it is an experiment.

Mr. KUH. It is, a very small one. But at least, it is a project.

The CHAIRMAN. So far as you know, the Federal authorities are cooperating?

Mr. KUH. That is my understanding. I have it, as I said, fourth hand.

The CHAIRMAN. How long has that been going on?

Mr. KUH. It is my understanding that it started about the first of this year, approximately.

I prefer not to take more time of this committee, therefore, discussing the pros and cons of this, because I think the results of this project, and if there are others, will be more persuasive than anything I can say. I would like to get into the problem of the civil commit-

1186 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

ment of addicts and what we have done about addicts in this area in New York.

We have law enforcement in New York and New York County, my county, unfortunately have more addiction than any other county in the country. We recognize that the traditional methods of law enforcement would not be effective in cutting down on our addiction problem.

The CHAIRMAN. What do you mean by the traditional methods?

Mr. KUH. Arresting someone, holding him for trial, possibly releasing him on bail, or releasing him on his own recognizance pending trial, and having the trial take place a week after he was arrested or a year and a half after arrested.

During this intervening period, he would still be on drugs.

The CHAIRMAN. You are talking about the drug addict and not the arrest and prosecution of the drug pusher.

Mr. KUH. That is correct, Senator. One of the big problems in this area is that so often the pusher, and at least almost invariably the small pusher, is himself an addict, so you can't draw sharp dividing lines and say all pushers should get thus and thus sentence but all addicts treated differently.

The New York Police have said for years, and I think this is an attitude that the Federal Narcotic Bureau shares, that every addict is a pusher, either actually or potentially. To support his own habit, because of the community social nature of addiction, he will share what he has or sell what he has, on occasion.

So, the short line or the sharp line cannot be drawn. We found that traditional methods don't work. I have indicated one reason, that there can be a long delay before trial. In the meantime, the addict may be nurturing his addiction. We do have and certainly have in all the 50 States of the Union, since the case in June 1961, where the situation, where what happens to a defendant may hinge on whether he was seen with the white powder in his hand or whether the police officer fished the white powder out of his pocket.

If it is fished out of his pocket, you may have an illegal search, and, thus, can do nothing in the way of treatment, punishment, or incarceration, where if it is in his hand, the case may not go out, that the police officer has probable cause.

So, this distinction in terms of a social frame of reference makes no sense at all. It does in a legal frame of reference, but not in the terms of helping the addict.

Then, the addict, assuming he is ultimately convicted, you may find a range of sentencing that varies with human personalities. You will find a tough judge who says, "Anybody with anything to do with drugs will get a maximum sentence," and another judge who says, "It is a sickness," and even though the person is a pusher he may get a suspended sentence, released, put on probation or what have you.

So, our methods of law enforcement we have found, have not been effective. We will even have mandatory minimum sentences, but if one is dealing with an addict who is selling to support his own habit, there are great human pressures not to treat him as a seller and to impose the 5-year mandatory minimum sentence upon him, human pressures to give him a lesser plea.

So, recognizing that our own traditional methods have not worked, law enforcement, late in 1960, started making efforts for legislation in

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1187

New York for a civil commitment program, a method whereby a drug addict, instead of being processed in the criminal courts, could be sent to a hospital, and the criminal procedures held in abeyance pending the results of his hospital treatment. That program was finally accepted and enacted, I might say, unanimously by both houses of our legislature in 1962.

Prior to its enactment, it was refined and codified in a series of what I call shirt-sleeve conferences. I certainly mean no reflection on these excellent hearings, but they were working conferences held off the record, just everybody sitting together, editing, making suggested changes, making improvements. We finally came up with a statute that social workers, people in the Federal Narcotics Bureau, people in the State enforcement, in the State mental hygiene department, doctors, the whole gamut of opinion in the narcotic area feeling we had a good, workable statute.

Much of that became effective on signing on March 21, 1962. When Governor Rockefeller signed it he said :

Many narcotics addicts under arrest whose most serious failing is their own tragic addiction will be given an opportunity under the provisions of this measure to become self-respecting and self-relying members of society through State hospital treatment and rehabilitation.

The essence is that when he is arrested for a narcotic crime he, within a period of 15 days, may elect civil commitment, elect to be sent to a hospital. If he made that election and it was approved of by the court and not, in effect, vetoed by mental hygiene, he would then go to a hospital facility where he could be held up to 3 years, to be released under an after-care program under mental hygiene supervision for the balance of that 3-year period.

We did have certain safeguards in the act. I should also add that the act provided that persons who were narcotic addicts but who were arrested for nonnarcotic crimes might similarly be committed to a hospital if the crime seemed to be the outgrowth of their narcotic habit.

We had safeguards in there because we didn't want persons charged with muggings, robberies, murders, if you will, to say, "Well, it is only because I am an addict. Send me to the hospital for a few months." So, there were certain categories of persons who were excluded. In any event, that portion of the 1962 act became effective January 1, 1963. So, we have had more than a year and a half's experience with it to date.

It was an act, I might say, in which I was one of the draftsmen along with a group of other persons. We had great pride in that act. Unfortunately, many of us who had great hopes in that act have been disappointed.

I think although this is a Federal hearing and not a State hearing, I think there is some relevancy to our consideration of the experience under that act. I know that there is some consideration for similar Federal legislation, and I think New York's experience may help give guidance in terms of administration of any Federal act, if there should be such Federal legislation.

We found, first of all, that the sick one, if you will, the addict, in large numbers, wasn't interested in going to the hospital. We found during the first year of operation, less than one in three persons who were eligible for the act electing civil commitment under the act.

1188 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

We have known, before this act passed, when one generalizes and when one talks about human beings, we can never be fooled by the generalization, but we knew that our addicts by and large, were a pretty savvy group of our inhabitants. The best we could figure was that he would weigh the possibilities. If he saw the chance was for a successful motion to suppress evidence and hence, the case to go out, or if he thought the likelihood was only 3 months in prison or 5 months in prison, we thought the chances would be greater than equal that he would say that the best would be to go to a hospital and technically staying under supervision for 3 years.

And he would sooner take the chance on beating the rap or taking the chance on 90 days and having it over with. So, we found one out of three addicts who were eligible in 1963 saying no dice, they elected to take the hospital commitment. Our figures for the first 6 months of 1964 are incomplete, but they indicate the percentage of addicts seeking hospital commitment has dropped. It now appears to be less than one in four.

I should note that I have attached as the last page of my statement the complete figures for 1963, with followup, up until July 15, 1964. Actually, the fact that more than two out of three addicts do not elect civil commitments is not at this point a crucial criticism because if more elected we would have no beds to put them in anyway.

We had hoped literally for thousands of beds. We understand you will hear from Mr. Wood, of California, who will tell you of their experience, where I gather some 2,300 beds are available.

New York State up to July 1 had the grand total of 455 beds available, and we supposedly have 35,000 to 40,000 addicts in the State. I am told now, with an increase, we have about 555 beds, plus a few hundred beds that New York City maintains that have not been used under the act of which I speak. So, our first need, of course, is for more beds. That, naturally, tunes us in to Senator Javits' statement this morning, the need for Federal funds, that will encourage the State to develop more beds, train more workers, have more people to man the institutions.

The second defect of our State civil commitment program is that we much fear that the blend of the medical and the law enforcement is not recognized by the doctors. In effect, when someone seeks civil commitment he is turned over to the doctors. The court is out of the picture until and unless the doctors say, "We can't do anything for this man," and they would remand him to us. Other than that, the court has no role in handling the addict committed to a doctor.

On the other hand, we do feel, or at least we hoped, that our State mental hygiene department would have shown some concern with the security that the addict at large—I should say the threat to the security that the addict at large represents. Yet, we have found that of the 615 addicts committed to the State mental hygiene hospitals from New York County, my county, in 1963, 81 of 615 so far have escaped. That means 13 percent who were committed in lieu of penal treatment, committed to a hospital, in some fashion walked out of the hospital.

We know, and Dr. Cameron mentioned this morning, that an addict is normally a peaceful person, not normally committing crimes to persons, we know that there are exceptions. In New York County in the last 6 weeks we have had two people killed, not by escaped addicts but

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1189

by drug addicts. We would have hoped that our mental hygiene department recognized the importance of some security factor.

The CHAIRMAN. What would that indicate to you? Within the last 6 weeks two drug addicts have committed murder?

Mr. KUH. In June a lawyer was found in a self-service elevator killed, and an addict was charged with the murder, though he has not gone to trial.

Last July, a police officer was shot on a fire escape seeking to apprehend a man. So, in about 6 weeks' time, we have had two persons killed, with persons arrested for those crimes, not yet tried, who were identified as drug addicts.

The CHAIRMAN. If there is occasion of their guilt—I don't mean to say that they have been adjudged guilty, but for the purposes of making calculations in this area you would have regarded them as crimes committed by drug addicts.

Mr. KUH. They have been indicted, and they would not have been arrested had there not been probable cause to suspect that they were persons who had committed the crimes.

The CHAIRMAN. Is that unusual?

Mr. KUH. I can't give you any overall statistics.

The CHAIRMAN. I am referring to crimes against persons, that is, the supposition that addicts do not commit crimes against persons?

Mr. KUH. I can only answer it this way, Senator: I think the picture of the dope fiend who goes around mugging people is probably an inaccurate picture, and yet when we have, as we had in 1963, almost 5,000 drug arrests in New York City, I am sure that many of those persons were persons who, on occasions in addition to mugging, certainly committed other crimes of violence in support of their addiction.

In 1963, some 430 persons charged with nondrug crimes sought civil commitment, indicating at least some criminal activity by admitted addicts.

The CHAIRMAN. They were crimes against persons?

Mr. KUH. Without being able to give you figures, Senator, I am sure that a large portion of them were.

The CHAIRMAN. A large portion were?

Mr. KUH. I am sure that they were, an appreciable portion.

The CHAIRMAN. Well, that may or may not be. The peace of a community is certainly more secure if you don't have drug addicts.

Mr. KUH. There can be no question about that, Senator. We in law enforcement would be much happier if a commitment program such as we have in New York recognized that the persons in charge of the commitment program had an obligation not simply to try to cure the addict, which is their prime obligation, but also an obligation to protect society from the depredations of that addict and from the possibility that that addict might escape. As I say, here a 13 percent record indicates that that obligation is not recognized.

The next area of importance certainly, is the aftercare program. When the New York 1962 act was drafted, we recognized that just as important as hospital commitment was what happened to the addict when he was released from the hospital.

One of the defects of our penal system had been that the addict would get 90 days, and then be on his own, with nobody worrying. We felt im-

1190 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

portant that he be eased back into the community and supervised on his reentry in the community and helped on his reentry to the community.

So, we felt that the aftercare program was a vital part of this legislation for civil commitment that was enacted in 1962. We had hoped at the time that the aftercare, which was also under the supervision of the mental hygiene department, would include relatively close supervision of the addict. Again, we understand from the California experience that the caseworker will have about 30 cases that he handles.

He will check with employers, he will be in touch with families, he will be in touch with the addicts. He will be moving in the addict's community. Unfortunately, our own aftercare program, at least in the estimate of many of us, failed completely in that regard. It has two aftercare centers, neither of which are anywhere near the drug addict's community. Unfortunately, our New York City problem of addiction to a great extent is a problem of our racial ghettos, our ethnic ghettos. Neither of the aftercare centers are located in those centers. One is on an island in the East River, which creates certain obstacles of travel to get there, and another is way down on East 17th Street, which is some miles from the area of heavy drug concentration in our city.

So, we are not at all surprised when I see that. I might say not only are the aftercare centers out of the community, but the aftercare centers do not send workers into the community to do followups, to see what the addict is doing.

We are not surprised to see that now some 7 or 8 months after the end of 1963, so far 70 percent, 349 out of 500 addicts who were released to the aftercare program from my county, New York County, 70 percent of them have absconded from the aftercare program, have failed to show, failed to appear for their aftercare sessions.

The CHAIRMAN. Would that indicate a relapse?

Mr. KUH. We don't know, because there is no followup. All we get, Senator, is word from the mental hygiene department that he is our baby again, that the courts should issue a warrant, and if we can find him, to bring him back for processing of the criminal charges against him.

The chances are, I would assume, that when he failed to appear for his aftercare sessions, it probably was because he relapsed. Of that, we have no way of knowing.

The CHAIRMAN. Most of them have, I suppose, beyond question.

Mr. KUH. That would be our assumption.

One of the interest, I might say, in setting up what is called the Metcalf-Volker bill, the New York Civil Commitment Act of 1962, was that prior to then we leaned somewhat heavily on Lexington, a hospital some 700 miles from New York. They had a very high relapse rate, and many people in the field felt the reason for the high relapse rate was because when he got out of Lexington he was on his own, with no followthrough when he came back to New York.

The CHAIRMAN. And there was no one that he could turn to for guidance when he felt a weak moment.

Mr. KUH. Exactly. And there was nothing in the community coordinated to what happened when he was in the hospital. We thought when we gave the New York State Department of Mental Hygiene authority over the aftercare program, we would get a real follow-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1191

through program. Instead, as I indicated, so far, we have 70 percent dropouts, quite apart from those who escaped from the hospital.

We contrast this, incidentally, with the program that another agency of State government has conducted, our State parole commission, in which they had a really intensive aftercare program, and which followed the addict back into his community. They found, over a much longer period, something like 30 percent or better than 30 percent rehabilitation.

We have other criticisms of the failure of imaginative followthrough on the part of our State agency charged with this program, detailed in my formal statement. I will not take the time to review them. I think they point out a couple of things, a couple of points that I would like to make.

One, it is important, if one is to engage in a civil commitment program, to have an imaginative, dedicated administration of it that has in mind not only the medical aspects, but the aspects of the community's security.

Secondly, another point I would like to make about it is in terms of getting a dedicated and imaginative agency administering something. This is an intangible. I, here, may seem to be going afield, but it was early this year that we had the reports of the President's Advisory Commission on Narcotic and Drug Abuse. Basically, many of us in the narcotic area agreed with most of its recommendations, but I think there was one recommendation, or really one that was broken into several parts, that we in law enforcement, we in New York law enforcement, would take violent issue with.

That sort of suggested a shifting and a breaking up of the functions of the Federal Narcotic Bureau. We in law enforcement have found that that Bureau has always been a very imaginative and very dedicated Bureau, and I think these are intangible factors that may not exist if you simply make narcotics a small part of some other function.

One of our criticisms of our State mental hygiene department is that it handles over 80,000 beds, 80,000 beds for mental patients. Compare to that 555 or 455 narcotic beds are not even the tail on the dog. They are a flea; they are a nothing. So, we feel it doesn't have the imagination, the dedication, the size of staff, the size of appropriation, that an independent agency charged solely with this function might have.

In this respect, we think the independence and esprit de corps, if you will, of the Federal Narcotics Bureau has been a major plus factor in good law enforcement.

Another recommendation I would like to make to the subcommittee would be serious consideration of the bills introduced by Senators Keating and Javits, and others, that call for two things; one, a Federal civil commitment program, that would be in outline somewhat similar to our New York program; and, secondly, call for grants in aid to the States, so that the States can further their own hospital bed programs and their own aftercare program, encouraged by Federal funds.

Many of us think that were there today such a program, we might, as a result of it, be getting much more constructive activity in terms of our own State commitment program.

One last item that I should like to mention, Senator, that I know has been something close to you, is that we in law enforcement would again urge consideration of wiretapping legislation. We are ap-

1192 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

preciative to you for the bill that you introduced several years ago and reintroduced last year, S. 1308. Were this law today, we in New York could make infinitely greater headway in dealing with some of the pushers, some of the nonaddict pushers, some of the large commercial pushers, in the drug area.

You will remember that some years ago we had arrested a group of about eight of them and had to dismiss the indictment against the seven of the eight because our evidence against them consisted of wiretaps that we felt we could not use in the courtroom, consistent with Federal law.

District Attorney Hogan felt he would not ask the police officer or assistants of his to violate a Federal statute.

Under that case, we would have had to violate a Federal law.

Once again, we would like to join yourself, Commissioner Giordano, and others, in urging senatorial and House action on wiretap legislation.

The CHAIRMAN. Mr. Kuh, with respect to the wiretapping, I don't think there is any question that it should have been enacted as law before now. There is no doubt that it will be enacted. However, people are apprehensive that the law would be abused—that is, the legal supervision of the authority to wiretap would be abused.

You have been in the law enforcement field for quite a long time and you hold a responsible position. In a jurisdiction where there are all kinds of law violations, where there is hardly a crime in the book that you have not had experience with, I am sure, do you think the likelihood of abuse of this statute, if it were enacted, is high enough really to put the rights of law-abiding citizens in jeopardy?

Mr. KUH. Senator, it is our experience that whenever any legislation is proposed, either statewide, our city council, or nationally, that has to do with police power, or that either confers new police power or that firms up legislatively what may be police power, there are a lot of people that holler and wail that this is going to interfere with civil liberties.

It is equally our experience that these calamity hollerers can rarely point to facts to sustain their argument.

In direct answer to your question, we have had wiretapping under our State constitution and that enabling legislation pursuant to that since 1938. Our State constitution was amended in 1938 and spelled out the right of court order wiretaps.

The use of wiretapping by law enforcement officials, pursuant to court order, which was investigated by a joint legislative committee, headed by an assemblyman from Queens, which, as I recollect, started with a strong wiretap point of view, which was also investigated by the civil rights committee of our State bar association, and headed by Whitney North Seymour, who later became president of the American Bar Association—well, I am sorry that I don't have extracts of their reports before me—and both of them said that in all their studies of the history of wiretapping in New York, they had never—underlining never—had never seen it abused by law enforcement officials.

Certainly, there are private eyes, and others who violate the law and tap wires.

The CHAIRMAN. But they are doing that all the time now.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1193

Mr. KUH. They are. And when we have found them we have convicted them. But that today violates the law. We now have a situation in New York State where our State constitution and our State statutes not simply say this is lawful, but they create the wiretap weapon for law enforcement.

Yet, if law enforcement uses it and chooses to use it in a courtroom, we commit a Federal crime when we do it. It is an incredible situation.

The CHAIRMAN. It is an inconsistency. It certainly should be removed. There is no question about that. But here is the condition that prevails today: The criminal, the scoundrel, so to speak, if he desires to do so, can use an intercepting device and thus violate the privilege, the confidence, the freedom, and privacy of any citizen, and yet escape any punishment whatsoever. Is that correct?

Mr. KUH. They do, unless we can get the goods on them.

The CHAIRMAN. But it is pretty hard to get the goods.

Mr. KUH. It certainly is. And it becomes increasingly so.

The CHAIRMAN. They are able to continue the practice in spite of the law, and in spite of diligence and desire to enforce the law. But society cannot make use of the technique under the supervision of constituted authority: the courts. Society cannot make use of it to catch the criminal. That is what puts us in a very awkward situation.

The criminal can use it and get by with it, but the law-abiding citizen is not permitted to have the benefit of it to catch the criminal.

Mr. KUH. I would like to underscore the points you make, that under the supervision of the courts, the bill you introduce has built-in safeguards, during close court supervision. The fear that police and prosecutors are going to go haywire simply because they are given another record is a fear that (a) is rebutted by the very terms of your bill, and (b) is rebutted by the experience of jurisdictions that have used wiretapping.

The CHAIRMAN. While that is not entirely pertinent to this inquiry, since it has come in I am glad to have your comments that you have been investigated in New York, your administration of the law or your operations under it, twice, I believe you said.

Mr. KUH. By these two major committees; yes, sir.

The CHAIRMAN. And in no instance have they found that you have abused it.

Mr. KUH. That is correct.

(At this point Senator Muskie entered the hearing room.)

The CHAIRMAN. So people get the idea that you will turn over to the cop on the beat the right to go in and tap anybody's wire or telephone, and so forth, but that is not the approach we are making. We are asking for wiretap authority to be granted after a presentation has been made to a court of competent jurisdiction. Then the court may order it at a given place under stated conditions.

Mr. KUH. Exactly.

The CHAIRMAN. And, of course, the authority would remain under the jurisdiction of the court and they would order it removed at the least abuse.

Mr. KUH. And under your bill, it could only be used for certain serious crimes, including narcotic crimes.

(At this point Senator McIntyre withdrew from the hearing room.)

1194 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The CHAIRMAN. It is not a license to every law enforcement officer to go out and do what he pleases. It still remains under the immediate jurisdiction and supervision of a court of law.

Mr. KUH. That is correct.

The CHAIRMAN. I think it is a weapon that is needed. I would be very much opposed if there was strong probability of its abuse. As I see it now, there is the very slightest probability that it can or will be abused. If it ever occurs, it will be such a singular incident that I don't think it will be repeated.

Mr. KUH. Anytime you give humans power, there is potential for abuse. But nonetheless, the course of government has tended to give governmental agencies, other than police, more and more power.

The CHAIRMAN. Of course, the officer who is entrusted with the custody of a prisoner can abuse a prisoner if he wants to. He would be in violation of the law. Yet we don't say, because that does occur occasionally, that we will no longer permit any arrest, we will no longer prosecute anybody, we will no longer apprehend anybody who violates the law. We don't do that.

I think we have reached a point in this country where we are going to have to do something with the tremendous and steadily increasing crime and about the handicap that law enforcement officials are under, and particularly about the way the courts seem to be inclined to give the criminal the breaks. We will have to employ some additional weapons in order to combat this situation. It is getting very, very serious. I don't think wiretapping legislation will cure it. I don't mean that. But I do think that with this instrument at your disposal, law enforcement officials will be able to get some of the higher-ups that are now insulated from being detected, being apprehended.

Mr. KUH. One of the interesting things is that wiretapping can be used and can be used most effectively to prevent not only trade in narcotics but can prevent official abuse. There is pending right now, and I can't comment on it beyond this, a motion before a judge in Queens County to prevent a grand jury in that county that is now engaged in police abuses in the gambling area, police dishonesty in the gambling area, a motion to prevent that grand jury from hearing any evidence on the basis that the evidence might be the fruit of, allegedly, unlawful or unconstitutional wiretapping.

This is being litigated and further comment would be improper. But I might say that experience shows that in connection with official abuse, in connection with dishonesty on the part of government employees, be they police officers or anyone else, wiretapping over the years has been an invaluable tool, a tool for which there is no substitute, absolutely no substitute.

As we pointed out, there has been no evidence that it has been abused. I am getting off the topic that I have here, and I didn't mean to do that.

The CHAIRMAN. But you think it would be a great aid, do you, in this particular area?

Mr. KUH. And our experience proves that, Senator.

I have nothing further. I am most appreciative of the opportunity to be here.

The CHAIRMAN. Senator Muskie, have you any questions?

Senator MUSKIE. First of all, Mr. Chairman, I would like to apologize for not being present during Mr. Kuh's testimony. I looked

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1195

forward to hearing it but I was held up in arriving here. I want to avoid asking questions, simply because they may be repetitious of what has been stated.

There are a couple of questions, however, concerning the application of the Metcalf-Volker law in New York. That applies only to addicts who have been arrested for some crime, as I understand it.

Mr. KUH. Part of it has the arrested narcotic addict commitment portion.

Senator MUSKIE. I am referring to the commitment portion.

Mr. KUH. That is two parts. There is a voluntary commitment feature for the nonarrested addicts who feels he would like to terminate his addiction or reduce his dosages, whatever the motivation, and who would like to go to a hospital for a period of time.

That can be done by either assigning himself to a hospital or going through formal commitment procedures, done in a civil court. That is done on a voluntary basis. That is one portion of the act. I mention the two ways of handling the one portion.

If he simply assigns himself in, he can only be held thereafter 45 days against his will. If he goes through formal court proceeding, he can normally be held up to a year, even though he may change his mind. Quite another part of the same act provides that the arrested addict may, with certain safeguards, convert his arrest into a civil commitment.

Senator MUSKIE. There is no provision which would permit caring for an addict who does not himself wish to be committed for treatment?

Mr. KUH. Yes and no. Of course, the formal civil commitment procedure for the 1-year commitment in our civil courts does permit persons other than the addict to seek the civil commitment. I forget the exact wording. I can check it, but it is his family, his next of kin, or persons close to him can ask that he be civilly committed, much like the commitment for an insane person.

Senator MUSKIE. Against his will?

Mr. KUH. Against his will. I think to the best of my knowledge that has rarely, if ever, been used. But it can be done.

Senator MUSKIE. That is the commitment statute apart from the Metcalf-Volker?

Mr. KUH. That was the law prior to Metcalf-Volker and was re-incorporated with a few slight modifications.

Senator MUSKIE. For how long a period can an addict be held?

Mr. KUH. Up to a year. I think someone else can give you more of the experience under that. It is my understanding that if an addict wants out, they find that basically he will not be responsive to treatment and they will not hold him longer, even though they have a legal right to hold him.

Senator MUSKIE. Is commitment under the Metcalf-Volker law, or other statutes, done after a court hearing, by a court order?

Mr. KUH. Yes. Again, I am sorry I can't give you a blank yes or no on these things. It is, Senator Muskier, except for the 45-day commitment the addict can sign himself in for himself, and then can be held for 45 days, even though he changes his mind.

Senator MUSKIE. Under the law applying to commitment of addicts who would not choose to do so voluntarily, that is, the involuntary com-

1196 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

mitment, is there provision for jury trial? Or is this also a court hearing?

Mr. KUH. The civil commitment that a family could use to commit an addict, that would be done, I am quite sure, without a jury. It would be a hearing before a judge.

Senator MUSKIE. That would be the case in most States, I assume.

Mr. KUH. I am not certain of that, Senator, and I don't mean to mislead you. But I think it can be done without a jury. I think it has been rarely used.

Senator MUSKIE. I am sure I would have other questions, Mr. Chairman, but I wasn't privileged to hear his testimony. I don't want to get into subjects and cover them for a second time.

The CHAIRMAN. This witness has made an excellent presentation.

We do appreciate your cooperation very much.

Mr. KUH. Thank you very much.

The CHAIRMAN. Call the next witness.

Mr. ADLERMAN. Dr. Meiselas.

The CHAIRMAN. Will you be sworn, please?

You do solemnly swear that the testimony you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

TESTIMONY OF DR. HAROLD MEISELAS

Dr. MEISELAS. I do.

The CHAIRMAN. Please identify yourself for the record, giving us your background of experience, training, and qualifications.

Dr. MEISELAS. I am Dr. Harold Meiselas, director of the New York State Department of Mental Hygiene, Division of Narcotics.

I am licensed to practice medicine in the State of New York since 1954. I am guest lecturer at the New York School of Psychiatry. I am on the staff of the College of Physicians & Surgeons, Columbia University. I have been working in the drug addiction field since 1959, at which time New York State began its program.

The CHAIRMAN. I notice you have a prepared statement.

Dr. MEISELAS. I do, and I would like to submit it to the committee for its consideration.

The CHAIRMAN. Do you wish to have it printed in the record and then highlight it, or would you prefer to read it?

Dr. MEISELAS. I think I would like to read it and augment it as I go along.

The CHAIRMAN. Very well. You may proceed.

Dr. MEISELAS. To begin with, I want to stress that what I will be talking about is a treatment program. I think this is a very important thing to stress since, in developing a program under the auspices of the New York State Department of Mental Hygiene, what we have essentially attempted to do is to provide something in the field of drug addiction which prior to the initiation of our program did not exist.

The program had its origin in 1958, at which time a survey of the scientific literature, a series of conferences with experts in narcotic addiction, and a number of field visits in this country and abroad were initiated. Among the sites visited were the U.S. Public Health Service hospital at Lexington, Ky., the Narcotic Services of the California Department of Mental Hygiene, the Riverside Hospital in New York,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1197

several community agencies, and a number of New York City detention facilities. Specialists from the National Institute of Mental Health, the National Research Council, and the U.S. Treasury Department's Bureau of Narcotics were consulted and visits were paid to several European workers, especially those in the Narcotic Unit of the World Health Organization. Finally, a field survey of the British narcotic experience was made in collaboration with the New York State Department of Health.

As a result of this exploratory effort, we were able to confirm that:

1. While the need for services to the narcotic addict was far greater in the New York City metropolitan area than anywhere else in the United States or Europe, clinical effort on the addict's behalf have provided very limited success. This was particularly true of the youthful addict whose capacity to make constructive use of a treatment program was virtually nil.

2. While there was considerable clinical experience and much literature on certain aspects of drug addiction, particularly as provided by the Lexington hospital, scientific data was universally acknowledged to be seriously incomplete. It was clear, therefore, that there was an urgent need for expanded research, especially basic scientific research.

3. Nowhere was there to be found a satisfactory or successful system after which a narcotic service for New York State could be patterned. In many ways it would be necessary to develop a methodology which would be applicable to the New York situation.

4. Adequate numbers of professional personnel trained for work in addiction were not available from either U.S. or European sources, so that a program dealing with narcotic abuse would require that all the levels of personnel be secured and trained locally.

5. While it was appropriate to develop a narcotic treatment and research service under mental hygiene auspices, the creation of such a service would require radical modification of existing technical procedures, standards of financing, and staffing patterns, all of which would have to evolve within the framework of an actual work experience.

With these observations in mind, and with the active support of the administration and the legislature, the following steps were then taken to create a New York State program in narcotic addiction:

1. In the spring of 1959 organization of a 55-bed research unit in narcotic addiction was begun at the Manhattan State Hospital with the appointment of a supervising psychiatrist and several nurses who were sent to the U.S. Public Health Service Hospital at Lexington, Ky., to acquire familiarity with the operating techniques of this facility. In September of 1959 the unit began to receive voluntary admissions.

2. This group later served as the training center for personnel to man the 80-bed service subsequently opened at Central Islip State Hospital in 1961 and the 20-bed ward at Utica State Hospital opened in 1962. A narcotic after care service was also started with the Manhattan State Hospital as the base of operations.

3. With Federal grant support, a \$1,700,000 rehabilitation contract was let in October of 1961 to convert the 60,000-square-foot Mabon Building of the Manhattan State Hospital into a modern, basic science institute for neurochemistry and narcotics with a 55-bed clinical research wing.

1198 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

4. Anticipating the availability of these facilities, temporary laboratories were established at Manhattan State Hospital in 1961 and research activities which had been initiated elsewhere were transferred to this facility.

5. Meanwhile, preliminary work on the Metcalf-Volker bill made it clear that the State program was to be expanded to include treatment services for the adolescent. Accordingly, in 1961 negotiations were undertaken with representatives of New York City to secure an extension of an expiring lease to a part of the Manhattan State Hospital which contained buildings suitable for relatively quick conversion to an excellent adolescent narcotic facility. Final approval by the New York City Board of Estimates was secured in December of 1962, but by then the passage of the Metcalf-Volker Act in the spring of that year had already moved the department in the direction of implementing its provisions.

ORGANIZATIONAL ACTIVITIES

1. Pursuant to the provisions of the law, a division of narcotics was created in the department and a director appointed June 7, 1962.

2. Simultaneously, a study was initiated within the Manhattan House of Detention so that some impression could be gained to the numbers and types of cases a source such as this would be likely to yield under the provisions of the Arrested Narcotic Commitment Act, a section of the Metcalf-Volker law. This allowed for a random sampling of some 400 individuals who were interviewed over a 5-month period following their arraignment in magistrates courts and classification by the detention facility as narcotic addicts. The techniques utilized by this institution in the processing and management of addict defendants was also reviewed and an opportunity to familiarize hospital personnel with these methods was provided.

As a result, the development of administrative procedures to be followed by local correction departments under the provisions of the new law was facilitated and an opportunity to train personnel in the screening of arrested drug addicts was made possible.

3. In anticipation of final approval by the New York City Board of Estimates, plans were pursued to convert the Keener Building at the Manhattan State Hospital to an adolescent narcotic facility. Contracts were let and construction work initiated late in 1962.

4. On September 4, 1962, Governor Rockefeller named nine members to the newly created advisory council on drug addiction. This group has met regularly since November 9, 1962.

5. In another move to anticipate the expansion of services under the law, a cadre of personnel was sent for training to Manhattan State Hospital from Pilgrim, Middletown, and Buffalo State Hospitals. Wards were readied in these institutions, several hundred mental patients were evacuated to other locations, the necessary structural changes were made, and a considerable amount of new equipment was installed to provide the intensive treatment and rehabilitation program required by the narcotic patient as well as the necessary security for a narcotic-free environment.

6. Meanwhile, there remained the task of creating an administrative mechanism for an orderly movement of cases from detention facilities to the narcotic units. Conferences were held with judges

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1199

and district attorneys, procedures agreed upon, certification forms created, and regulations developed during the closing months of 1962.

7. During the early months of 1963, a narcotic aftercare division was created in the aftercare clinic at 39 East 17th Street, New York City, by transferring part of the work of this clinic to another location.

8. In July of 1964 the inpatient facilities of the department were expanded by adding 100 beds to the 455 which had been previously established.

CURRENT SITUATION AND OPERATING STATUS

On January 1, 1963, the Metcalf-Volker Act became fully operative. The current situation and the record of operations are summarized in the tables appended to this report. It will be noted that the department presently operates 555 inpatient beds at 6 different locations, 510 of which are primarily for the use of narcotic addict patients originating in the downstate area—Table 1. Services are offered to addicted individuals of both sexes and all ages, with females being handled exclusively at the Middletown State Hospital and adolescent males at the Manhattan State Hospital. Patients are received on a voluntary committed basis with applications from individuals who are in the communities of New York City being processed at the Manhattan State Hospital and from those outside of the immediate New York City metropolitan area at those department institutions closest to their homes. In addition, the department performs regular screening interviews of arrested addicts in the detention facilities of Erie, Nassau, Westchester, Bronx, Queens, Kings, and Manhattan Counties where the bulk of such cases originate. Special arrangements are made to screen arrested persons who apply from other areas of the State. Most patients placed on aftercare are serviced at the Narcotic Aftercare Clinic on 17th Street in New York City, but each of the institutions with inpatient facilities can and do serve patients whose homes are close to the hospital where they have been treated and another aftercare clinic will open in the Bronx this year.

From January 1, 1963, through June 30, 1964, over 2,800 patients were admitted to the department's facilities—table 2—and roughly half of the eligible prisoners in detention who made application under section 208 of the Arrested Drug Addict Commitment Act were accepted—table 3. I would add parenthetically that this is a pretty good record for a program in its infancy. In accepting applicants, consideration was given to the individual's level of motivation, ability to live in a hospital setting, and capacity to utilize psychiatric and social work services. Thus, many applicants who were not accepted were rejected because they failed to meet the most basic of treatment criteria. This is not to say that those addicts who were admitted to the program brought with them a good prognosis. Quite the contrary, and I think this is quite consistent with the testimony of the two previous witnesses, in virtually all cases our patients present a complex clinical entity which tends to resist therapeutic intervention.

In addition to this program of service, research activities continue at the department's narcotic research unit on Ward's Island. I would invite those who have not seen our research facilities to do so. Also, during these 18 months, the department provided speakers to several community meetings on narcotics and members of the department par-

1200 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

ticipated in five major narcotic conferences. Representative of several community agencies visited with the division director to explore matters of mutual interest and the division provided students and other interested persons with opportunities to familiarize themselves with the operation of a narcotic treatment center. Further, members of the division continued to give a course dealing with narcotic abuse to resident psychiatrists attending the New York School of Psychiatry and gave lectures to the students of several schools of nursing.

Finally, an ongoing program of in-service training for staff members attached to the program was maintained, as was an intensive recruitment effort in the face of a very difficult personnel situation.

In summarizing and making some comments, I hope to pick up some points that Mr. Kuh brought in.

1. The New York State Department of Mental Hygiene has been evolving a program addressed to the treatment of addicted individuals since 1959, which was initiated at a time when services for the addict did not exist. Confronted with a requirement to train virtually all levels of personnel and faced with severe manpower shortages in the field of mental health, the program nevertheless has moved forward in stepwise fashion and can be expected to continue to do so. Recognizing the needs of the addict for specialized services, separate facilities at six State hospitals have been established and recently expanded. Presently the focus is upon the strengthening of aftercare and with this end in mind, an additional aftercare clinic will open shortly.

Contrary to Mr. Kuh's implied statements in his written document, the budget of the division of narcotics has been steadily increased, and our initial budget of \$75,000 in 1959, when we started, has gone to a budget of \$2,700,000 in 1964, an increase of \$500,000 over our budget in 1963.

2. Within the framework of current knowledge, narcotic addiction must be viewed as a chronic relapsing affair and treatment results should be evaluated with this in mind. Thus, upward to 90 percent of addict patients can be expected to relapse on return to the community, and unfortunately all too frequently cease to avail themselves of those who would offer help.

I would say this has been virtually everyone's experience including the New York State Division of Parole.

The CHAIRMAN. If there have been that many relapses, what have you profited? Only 10 percent have been benefited by the treatment and the aftercare?

Dr. MEISELAS. I think this is a very pertinent question. After all is said and done, if one sees this particular question in perspective, what we are offering to the addict today by suggesting that he be treated is the humane willingness to address ourselves to an illness which heretofore has essentially been handled largely through law enforcement. We do this with other illnesses and I think that it is appropriate that we do it with narcotic addiction as well.

We don't, for example, close our cancer hospitals because the overwhelming majority of cancer patients die. We continue to address ourselves to improve methods and techniques, and live in the hope that at some point in time our results will be better.

I make a point a little later on—

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1201

The CHAIRMAN. There is nothing that an individual can do, necessarily, to prevent cancer. There is a little difference where people go out, perhaps because of a weakness, or deliberately, and become addicted—I say deliberately and to some degree it is deliberate to the extent they have judgment and reason. If we can't cure and stop over 10 percent of them should we continue this? There should be some prospect that we are making progress toward improving that situation. That might give some further justification.

Dr. MEISELAS. You stopped me a sentence before where I was about to make that point.

The CHAIRMAN. I had no doubt you were. I was a little surprised to find that 90 percent of them relapse, and that it is a continuing thing. I was surprised at a percentage that large.

Dr. MEISELAS. As I say, this has been everyone's experience, including the New York State Division of Parole. The figure Mr. Kuh referred to was an early figure in their study, and the most recent followup indicates that the abstainers which they originally had was not the number of abstainers that they ended up with after following up these cases further.

The CHAIRMAN. Let me ask you this: Do you effectuate any permanent cures, do you think?

Dr. MEISELAS. This brings us into the question of what narcotic addiction is. As Dr. Cameron pointed out this morning, most cases of drug addiction deal with individuals who present a basic personality disorder. A number of times the word "neurosis" was used, but we infrequently see neuroses as a clinical entity. We see largely individuals with character defects who are impulsive, who operate within the framework of feelings of inadequacy, whose ability to postpone gratification is limited, who tend to be preoccupied with their bodies almost to the point of hypochondriasis in some instances, who operate with a low level of self-esteem, whose personal identification is confused, whose ability to sustain themselves in the complex society in which we live is quite limited.

It is within this framework that virtually all patients utilize narcotics as a means of reversing the feelings of personal discomfort, as a way of securing satisfaction in living.

The CHAIRMAN. I still don't have a very direct answer to my question about whether you can effect any permanent cures. Maybe I couldn't follow you too well. Do we effect any cures, so far as you know, that you can really rely upon as being permanent?

Dr. MEISELAS. I think that we see, as we work with patients over periods of time, changes which are favorable, that we see a certain number of people who abstain for longer periods of time as they get older, and people who abstain for longer periods of time as they react to treatment; that we see certain individuals as they are treated, sometimes repeatedly, who grow in terms of their personal assets and who ultimately, in later periods of time, begin to assume a greater life for themselves.

The CHAIRMAN. What would you say is the average time before relapse after release? Could you comment upon those who relapse quickly and those who relapse not so quickly?

Dr. MEISELAS. Some addicts relapse almost as soon as they hit the streets, return to the community. Other addicts sustain themselves

1202 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

over a period of time, sometimes for extended periods of time. At the present time, I don't think we have a clear idea as to what relapse is all about. This is one of the issues that I think we have to pursue through research.

The CHAIRMAN. Proceed with your statement. We may have to go and vote in a minute. I hoped we could conclude, but still, these questions arise in my mind. I am hoping you can give us helpful answers.

Senator MUSKIE. I have one question, Mr. Chairman, if I may pursue it.

Do people who relapse often, after further treatment, achieve a cure to the degree that you can call them cured? In other words, after one or two relapses, would they finally put these people on the right road?

Dr. MEISELAS. My impression is that a significant number of addicts, after relapsing several times in their lifespan, ultimately stop using drugs.

The CHAIRMAN. All right, you may proceed.

Dr. MEISELAS. The aftercare effort we are making shows some promise of reversing this trend and our plans to intensify this effort may help us further. However, it is incorrect today to simply look to treatment of the narcotic addict as a means of resolving the drug addiction problem. Rather, it should be clear that so long as socioeconomic deprivation in the city of New York and elsewhere persists; so long as people grow up under circumstances which are not conducive to the development of sound personality structure which permit them to live at peace with themselves and the world around them; so long as drugs are available and can be secured with relative ease—drug addiction as a human phenomenon will persist. These issues require attention and should not be shunted aside as too inconvenient to face.

Mr. Kuh has indicated that his county has the largest incidence of narcotic addiction in the State, and I think it is important to point out that his county also has large slum areas, large areas of socioeconomic depression, large areas that require attention, where the people can possibly begin to grow and develop so that they can meet the expectations with which our society confronts them; namely, so that they can live free of drugs.

The CHAIRMAN. Won't you agree with this statement: that we need to concentrate heavily upon eliminating the source, no matter what addicts' environment or conditions are? If they cannot get the drugs, they cannot become addicts.

I can appreciate that those people in that environment perhaps becoming more susceptible and are more susceptible, but our problem is to stop the source.

Dr. MEISELAS. We agree you do not have drug addiction without drugs, and we would encourage those who are responsible for law enforcement to pursue the task of eliminating the racketeers and the individuals who essentially stand behind the drug traffic. The fact remains, however, that in New York City's Harlem drugs are readily available, and when we have susceptibles growing up under conditions whereby they turn to drugs as a way of life, we have a problem which is self-perpetuating.

If law enforcement can remove the drugs from the streets of New York City, we would be most happy to see this accomplished. But I think in some ways if we face up to some of these social issues that

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1203

confront us in New York City, we have a chance, perhaps, of eliminating some of the susceptibles so that perhaps fewer people will turn to drugs even though they are available.

The CHAIRMAN. I think that is undoubtedly true, but you are never going to make all people ambitious by law, environment, or anything else. You will never make them all self-respecting and so forth. You will never eliminate the source completely. But we have, I think, with our efforts, gone a long way toward drying up the source. We need to concentrate on that.

The social problems exist in addition to the drug problem. The slum environments and those things are continuing problems that we have to work on. But in this particular matter, I think we need to concentrate continuously on drying up the source, stopping the drugs from getting in here, and trying to reach the highups, the persons who are guilty of this exploitation of human suffering.

Dr. MEISELAS. We agree, Senator McClellan.

The CHAIRMAN. I am not condemning what you are doing. As long as we have addiction we need to do something about it from the medical standpoint, to provide as much relief to that suffering and affliction as we can.

Dr. MEISELAS. But on the other hand, I think you are making a very important point and one with which we agree; namely, that law enforcement efforts must be vigorous and must be supported in terms of driving out those who supply our cities with drugs.

The CHAIRMAN. I find it difficult to have much sympathy for a man who wasn't an addict himself who was apprehended and convicted of actually engaging in this traffic. There are addicts who sell drugs or push them to satisfy their own craving for them. But a fellow who is just in the business to exploit human beings and profiteer from them—I would like to give him a life sentence. I think he has pretty much forfeited his right to be in a free society. I think he should be restrained so that he couldn't do such things.

Would you proceed?

Dr. MEISELAS. Three. The Metcalf-Volker law in its entirety is a broad statute based upon the suggestions of many individuals and groups, both public and private, including those of the State department of mental hygiene, which in establishing a basis upon which a mental hygiene program can develop, in no way relieves the Federal Government and local communities of their responsibilities in providing services to the drug addict.

I feel this is important to stress, because Mr. Kuh feels that in passing this law the department placed the handling of drug addiction in the hands of the department of mental hygiene and that there is where the matter should rest. I think it is important to point out that we certainly need Federal help and have to look to local communities to do their part of the job—

The CHAIRMAN. I am sorry, but that is a signal for a rollcall vote and we will have to leave.

Will it be satisfactory with you if we place the rest of your prepared statement in the record?

Dr. MEISELAS. Yes.

The CHAIRMAN. We will do that so that you don't have to come back tomorrow. Do you wish to make a brief statement?

1204 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Dr. MEISELAS. In view of the time, I will not, but perhaps we can communicate with you and present a few additional thoughts.

The CHAIRMAN. Would you submit any supplemental thoughts that you have? They will appear here along with your other testimony. (The balance of Dr. Meiselas' statement follows:)

To date, its basic concepts appear to be sound and constructive. However, it is necessary to stress that among the basic concepts contained in the statute is the realization that all users of narcotics are not suitable for inclusion in a psychiatric treatment program. Further, to insure that the civil commitment procedures will not be abused, defendants who are serious criminal offenders are excluded and a claim of addiction must be substantiated by medical examination. Thus, it is not possible to project the ideal size of a treatment program for addicts simply by estimating the number of drug users in the community or the number who claim to be addicts following arrest. Rather, the ultimate size of a program is best arrived at through an experience which demonstrates the number of eligible addicted individuals who are suitable for inclusion and will avail themselves of it. Further, care should be exercised not to confuse plans which would incarcerate the drug user for extended periods of time without the benefit of due process with a program of treatment. The civil commitment law which encourages a defendant to seek psychiatric assistance by holding the charge against him in abeyance if he does so constitutes a useful and humane approach. But a law which would take from an individual who is not psychotic the right to elect as to whether he will be treated, a law which fails to provide for evaluation by the treatment agency as to whether the individual could benefit from treatment, a law which denies the individual the right to change his mind or would charge the treatment agency with the responsibility to hold him at all costs for a period of years should be seen for what it is.

Whether we call the building where he is to be held a hospital or the camp to which he is sent a rehabilitation center, the simple fact is that under those circumstances, the individual has been jailed without the same considerations operating which other citizens enjoy. With treatment methods producing the limited results they do, such a state of affairs becomes all the more repugnant.

4. Finally, may I point out that perhaps the most crucial task in the drug addiction field which lies ahead for medicine and psychiatry is the search for knowledge which, when applied, will improve treatment results. It is with this in mind that our research facilities on Ward's Island were established and much of our hope for the future rests with those who are there at work.

(Tables 1, 2, and 3 accompanying Dr. Meiselas' statement follow:)

TABLE I.—*Expansion of services*

	Total before Jan. 1, 1963	New beds added Jan. 1, 1963	New beds added July 1964	Total beds avail- able	New ado'es- cent beds Jan. 1, 1963	Adult beds added Jan. 1, 1963	Adult beds added July 1964	Total adult beds July 1964
Central Islip State Hospital.....	80	0	10	90	0	0	10	90
Manhattan State Hospital.....	55	135	10	200	¹ 135	0	10	65
Middletown State Hospital.....	0	35	20	55	² 15	² 20	20	40
Pilgrim State Hospital.....	0	105	60	165	0	105	60	165
Total available to downstate metropolitan area.....	135	275	100	510	150	125	100	360
Utica State Hospital.....	20	0	0	20	0	0	0	20
Buffalo State Hospital.....	0	25	0	25	0	25	0	25
Statewide total.....	155	300	100	555	150	150	100	405

¹ Male.

² Female.

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1205

TABLE II.—*Admissions to narcotic units, Jan. 1, 1963, to June 30, 1964*

Total.....	2,846
Legal status:	
Sec. 208, arrested addict.....	1,669
Sec. 206, probation condition and regular certification.....	63
Voluntary.....	1,114
Age (years):	
15 to 17.....	137
18 to 20.....	656
21 to 25.....	829
26 to 30.....	583
31 to 35.....	389
36 to 40.....	144
40 and up.....	108
Source of cases:	
Manhattan.....	1,067
Brooklyn.....	708
Bronx.....	425
Queens.....	289
Richmond.....	12
Outside New York City.....	345

TABLE III.—*Admissions under arrested narcotic addict provisions*

Applications from eligible prisoners in detentions.....	3,491
Accepted.....	1,837
Not accepted.....	1,654
Admitted ¹	1,669
Placed on convalescent care.....	1,252
Returned to court from convalescent care.....	586
Returned to hospital from convalescent care.....	237
Discharged.....	13
On convalescent care June 30, 1964.....	416

¹ Difference between those accepted and those rejected equal the sum of those cases in process and those where in spite of an acceptance by the department, civil commitment did not ensue.

Mr. ADLERMAN. You are at the present time running a pilot project on outpatient ambulatory maintenance. We would like to get the details. If you cannot testify tomorrow, perhaps we can do it in the form of interrogatories, preparing certain questions for you to give us the answers to, and we will insert those into the record.

The CHAIRMAN. That will be all right, any supplemental statement.

Mr. ADLERMAN. I can submit the questions to him.

The CHAIRMAN. You wouldn't mind that, would you?

Dr. MEISELAS. We made this point to Mr. Adlerman previously. This particular study is in a very preliminary stage, and I think that most of the questions that Mr. Adlerman will put to us we really don't have concrete answers to at this particular point.

The CHAIRMAN. All right, you two work that out.

I am very sorry for this interruption which we cannot avoid. I will recess until 10:30 in the morning.

(Members of the subcommittee present at time of recess: Senators McClellan and Muskie.)

(Whereupon, at 3:48 p.m., the subcommittee recessed, to reconvene at 10:30 a.m., Wednesday, August 5, 1964.)

INTERROGATORY OF DR. HAROLD MEISELAS

A staff interrogation of Dr. Harold Meiselas, director, Division of Narcotics, New York State Mental Hygiene Department, was held at 4 p.m., in room 101, Old Senate Office Building, Washington, D.C.

1206 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Staff members present: Jerome S. Adlerman, general counsel; and LaVern J. Duffy, assistant counsel.

Also present: Charles J. Reynolds, a shorthand reporter from Alderson Reporting Co.

Mr. ADLERMAN. These are interrogatories taken this 4th day of August 1964, at 4 p.m., of Dr. Harold Meiselas, director, Division of Narcotics, New York State Mental Hygiene Department, pursuant to agreement at the hearings held this same date, and in continuation of the matters dealt with at the hearing.

Dr. Meiselas, there were certain things unfinished at the time we closed the hearing pertaining to, one, the civil commitment procedure in the State of New York and its implementation by the department of mental hygiene; two, questions relating to a research project being conducted under your direction for the maintenance treatment of ambulatory patients.

At which hospital is that?

Dr. MEISELAS. Manhattan State.

Mr. ADLERMAN. The Civil Commitment Act in the State of New York, I believe, is under the jurisdiction of the department of mental health, New York State Department of Mental Health?

Dr. MEISELAS. Mental hygiene, that is correct.

Mr. ADLERMAN. What is the average length of time that a patient committed under the Civil Commitment Act as a result of a criminal proceeding is treated and maintained in the hospital?

Dr. MEISELAS. Three months.

Mr. ADLERMAN. And what type of aftercare treatment does he receive when he leaves the hospital?

Dr. MEISELAS. An extension of the same services that we initiated in the hospital; namely, an attempt to address ourselves to the psychological issues which makes him the individual he is, and an attempt to address ourselves to the social issues which confront him, and which perhaps have contributed to his addiction, to address ourselves to some of the vocational issues and problems which our patients have. In short, an attempt to quite simply move with the individual in the direction of becoming a productive citizen.

Mr. ADLERMAN. Is the addict who is under aftercare treatment under any parole? Can he be sent back to the hospital or to the criminal jurisdiction of the State if he does not comply with the aftercare requirements set up by the doctor who is treating him?

Dr. MEISELAS. The law so provides.

Mr. ADLERMAN. Is it so provided?

Dr. MEISELAS. Yes.

Mr. ADLERMAN. Who supervises the addict in the aftercare treatment?

Dr. MEISELAS. The staff consists of psychiatric social workers and psychiatrists.

Mr. ADLERMAN. Are any steps taken to determine whether or not he is taking any drugs once he leaves the hospital?

Dr. MEISELAS. We see our patients regularly and we don't feel, any more than the New York State commissioner of parole feels, that there is a problem in recognizing when an addict returns to drug usage. We plan to initiate thin layer chromatography, not because we need a test to determine whether he is back on drugs, but rather, because we feel this creates a situation where the therapy proceeds more smoothly.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1207

To explain that a little bit, at the present time, we are confronted with a situation whereby the person providing treatment must confront the addict with the question of drug usage. The utilization of a chemical test makes this an administrative procedure apart from the therapy, itself. All in all, the primary benefit, we feel, is in this direction.

Mr. ADLERMAN. What is the principal objective, then, of having an addict under aftercare treatment if it isn't to make sure that you are effecting a cure and that he has not relapsed or reverted to the use of drugs?

Dr. MEISELAS. I haven't said that we are not interested in whether or not he has relapsed. We are. The point that I make, rather, was that this is not a big problem in determining whether or not he has relapsed.

Mr. ADLERMAN. How is it determined?

Dr. MEISELAS. By clinical judgment. How he looks, what his behavior in the community is like, the reports we receive from the family, arm examinations. All of this provides a pretty good indication as to whether or not he is using drugs.

Mr. ADLERMAN. How often does the psychiatrist or the social worker see each addict?

Dr. MEISELAS. We see most of our patients on a weekly basis. Occasionally we see some patients more frequently, and those patients who are doing well and require less intensive care are seen less frequently.

Mr. ADLERMAN. Do you think that this has proven to be an effective method in trying to cure or help the addict stay away from drugs?

Dr. MEISELAS. I think we are moving in the right direction. What I mean very simply by that is this: Heretofore we have had a situation whereby all addicts would be arrested at some point in time, go off to a correctional facility, return to the community largely under auspices which were not treatment oriented. Currently we are addressing ourselves to a group of addicts who show some promise of being worked with in therapy contacts.

In working with this particular group, we see some indications that if one is dedicated and one works hard, that there is the possibility of holding individuals at a level of equilibrium that is better than would be the case otherwise.

Mr. ADLERMAN. I asked the last question because I understand there had been a study made, and I wonder if you are familiar with it, by the New York State Parole Division which shows that they conducted an after-care program which was perhaps more in the nature of a Department of Correction type of care operation rather than the medical or mental hygiene type of approach, and the patients showed a lower incidence of relapse.

I believe they showed 30 percent maintained themselves free of drugs and 70 percent reverted, while I think you testified that you have a relapse record of about 90 percent.

Dr. MEISELAS. I think there was some confusion in that testimony. I am sorry that the interruption came at a point in time where it wasn't possible to explain that. The point that I made was, very simply, that drug addicts can be expected to relapse up to 90 percent and that that is everybody's experience.

1208 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

What we are talking about is the basic nature of the problem, what the inclination is. It would be similar if I said that 100 percent of the individuals who get sore throats will, at some time or other in the future, get a sore throat again.

The aftercare efforts that we are making show some promise of reversing this trend. That was the sentence that I was cut off at before I was able to read it.

Mr. ADLERMAN. I think you left the impression that in your program there was a 90-percent relapse, and if that was not so, I think it should be corrected.

Dr. MEISELAS. I am very anxious to correct that impression. I think if the statement I made is read carefully, the next sentence indicated that our initial experience shows some promise of reversing this trend and has led us to feel that an intensification of this effort might help us further.

The point is simply this, that while there is an inclination for a 90 percent relapse rate, efforts on behalf of the addict do help this. The New York State parole had the following experience. In dealing with individuals who are largely felons, and in dealing with a particular age group, and in dealing with a highly selected group of drug addicts, who in many instances had a significant amount of time to do back in the penitentiary if they didn't make it in the community, they approached the drug addict in a manner whereby they made use of principals which are largely psychiatric in nature, and they indicated that through such an approach a percentage can be kept drug free.

Interestingly enough, their last report which follows this group beyond the period when they were on parole, shows a relapse rate which brings their results very close to the 10 percent admission rate that most facilities experience.

Mr. ADLERMAN. You are talking now about the division of parole?

Dr. MEISELAS. Yes.

Mr. ADLERMAN. So when they lose custody and the addicts continue beyond the custody of the parole commission and are followed up, an additional 20 percent relapse is shown so that only 10 percent wind up without any drug addiction?

Dr. MEISELAS. This perhaps is implied, but it hasn't been proven. What I mean by that is that perhaps the relapse rate would continue even if they were under supervision. The point is, again, that if one thinks in treatment terms we deal with a chronic relapsing illness in drug addiction, and I think we have to face up to this—I don't think we can just throw our hands up because we have a chronic relapsing situation—I think in medicine we are confronted over and over again with medical problems which do not yield simply to the techniques which are currently available.

The only way we have ever developed improved techniques is by continuing to work with those patients who, while they don't respond initially to the techniques that were available, ultimately responded to those techniques that were developed.

Mr. ADLERMAN. If you remember earlier in the testimony, Senator McIntyre, I believe, asked Dr. Cameron about his understanding that once a person was hooked on heroin, it was almost impossible for him to be cured. I think Dr. Cameron did not agree with that, but said that he found that there are many cases where you have been able to effect a cure.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1209

Dr. MEISELAS. That is right.

Mr. ADLERMAN. Are you in agreement with Dr. Cameron in that statement?

Dr. MEISELAS. Yes.

Mr. ADLERMAN. Would you go beyond the 10 percent figure?

Dr. MEISELAS. Yes. Here, again, when we talk about this 90 percent relapse rate, we are talking about a given group of addicts under a given course of treatment. Dr. Cameron was talking about following addicts over an extended period of time.

We have a fairly stable number of addicts in the United States today. The only way we can explain this is, if new addicts are constantly being formed, and they are, is by recognizing that a certain number of people will constantly stop using drugs. So I think it is appropriate for us to recognize, and we do, that there is a maturing out factor.

Mr. ADLERMAN. Do you feel that the patients you get in the hospital under civil commitment are hard-core patients? Are they as a group, a stronger group than the average?

Dr. MEISELAS. I think we are seeing the drug addicts that represent the community problem. I am certainly aware of the fact that there are middle-class drug addicts who present a different kind of problem. But I don't think this is the addict that society is concerned with. I think we are seeing the same drug addict that everybody else sees within the framework of drug addiction as a problem for this country and for our State.

Mr. ADLERMAN. Are you familiar with the results in California? I presume you keep yourself familiar with other areas.

Dr. MEISELAS. I would say that we have been familiar with the development of the California program. Mr. Woods has just given me a more recent report which I do not have.

Mr. ADLERMAN. Have you read the report he is submitting now?

Dr. MEISELAS. No.

Mr. ADLERMAN. I would be glad to let you have a copy.

Dr. MEISELAS. He already gave me one.

Mr. ADLERMAN. He indicates in his report, the one that he will submit to the Senate tomorrow, a much higher rate of success in their followup program than the 90-percent figure. How do you account for that?

Dr. MEISELAS. Well, here again, I would emphasize that we are not talking about a 90-percent figure as our experience. I don't even think we have had an experience that we can begin to talk about statistically.

Mr. ADLERMAN. Can you give us a figure of what you feel is your accomplishment in your program?

Dr. MEISELAS. I would say that I think our program is at such an early stage that for us to talk about results would be very premature. This is not what I was doing today.

Mr. ADLERMAN. The California project is not much older than yours. I think they came up about the same time.

Dr. MEISELAS. What is the year of the California project?

Mr. ADLERMAN. I think it was January 1963.

Dr. MEISELAS. Then I would make the same reference to their results.

1210 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. DUFFY. The pilot program has been in existence since 1959 in California.

Mr. ADLERMAN. I am talking about the Corona, Calif., program.

Mr. DUFFY. That started initially in 1959. Then the California Act was passed in 1961. It has been in existence since that time.

Mr. ADLERMAN. Then they have a little longer experience.

Mr. DUFFY. How long has your program been in existence?

Dr. MEISELAS. The civil commitment is since January 1963. The aftercare patients didn't even begin to appear on the scene until about April or May of that year.

Mr. DUFFY. In light of Mr. Kuh's criticism of the so-called escapees, and I don't know what he meant by that, it seems to indicate that these were relapses.

Dr. MEISELAS. No, Mr. Kuh was talking about individuals who left the hospital without permission. First of all, I think you have to analyze the group of people who leave without permission to understand what this means in terms of a total approach.

What Mr. Kuh did not do, and what I did not have the opportunity to point out, was he didn't analyze the number. The number is largely adolescent addicts, and the number of adolescent addicts we have taken into the program has been large. The adolescent addict is the most unstable drug addict and you have to pitch your program a little differently toward the adolescent addict than the adult.

We had this experience, and we are altering some of our techniques and approaches with this group. We have already seen some change in terms of what we are experiencing. So here, again, this is jumping the gun well before one really has an opportunity to look at something in the way where you would know what you are talking about. Just take a raw number without analyzing it. It really has very little meaning in terms of moving along.

Mr. ADLERMAN. It is generally agreed, then, that the adolescent addict is a much more difficult problem to handle as far as effecting any cure or success in getting him off the drug?

Dr. MEISELAS. That is correct.

Mr. ADLERMAN. It is only after he is in the middle twenties or so that you have a measure of success?

Dr. MEISELAS. When you begin to get a man in his late twenties or early thirties, you begin to get a man you can work with much better.

Mr. ADLERMAN. And that is not the case with the adolescents.

Dr. MEISELAS. We, in our first year and a half operation out of a total of 2,846 patients admitted, had 137 between the ages of 15 and 17 and 656 between the ages of 18 and 20. So you can get some idea as to the percentage of adolescents that were in the program.

Mr. ADLERMAN. The California Civil Commitment Act is operated by the department of correction?

Dr. MEISELAS. Yes.

Mr. ADLERMAN. They probably take more of a penal—well, they do tend toward a penal attitude toward these things, keeping addicts in strict confinement and so forth. Is that done in the New York State program, too?

Dr. MEISELAS. If you look at our statute, what we have is a situation whereby there is an opportunity to select out a group of people who can be treated in a hospital rather than a correctional facility. As

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1211

Mr. Kuh pointed out, the law was not simply developed by district attorneys and correction people. It was developed by other interested parties.

To put it quite simply, one goal for the statute is to create a treatment program. This does not eliminate the possibility of significant numbers of drug addicts being handled under correctional auspices. Significant numbers of drug addicts are handled in that manner. The point is that since there would be an opportunity for those people who can be handled under a different set of circumstances, and we feel there should be, we are developing a program for this group of people.

Mr. ADLERMAN. It will be interesting to watch, if we have enough time to do it, the difference between the results perhaps of a purely medical approach and a quasi-medical-correctional approach—that is, a medical approach with some quasi-correctional features in it.

Dr. MEISELAS. It will be interesting to watch this from many points of view, not only in terms of the individual results with addicts who enter one program or the other, but also in terms of the total impact of such program upon the community in which it operates. This is another point that I would stress.

In operating a treatment program, you have an opportunity to develop people who can ultimately work on the community level. In operating a correctional program, the possibilities of doing this are not the same. The response you get from community leaders if you are operating under a treatment philosophy is a different one than if you are operating under a correctional philosophy. This too, is something we have to keep in mind.

Mr. ADLERMAN. The second question we would like to cover is the progress being made on the research program for the maintenance of ambulatory patients.

How long is it since this project was undertaken? When was it first undertaken?

Dr. MEISELAS. I would have a little difficulty pinning down the precise date, but it is something I think we had in the back of our minds easily for a couple of years.

Mr. ADLERMAN. But when was it first started? I would like to get the details.

Mr. DUFFY. When were the funds first appropriated?

Dr. MEISELAS. This does not require a special appropriation of funds because there are funds that have already been set up for a research operation which allows for a variety of projects under clinical auspices. So it doesn't require any special funds to run this particular project. This does not give us a point of time.

Mr. DUFFY. You had it in mind, but you didn't do it for 2 years; is that it?

Dr. MEISELAS. No, I wouldn't put it that way. What we have had is a situation whereby we had to give consideration to certain kinds of research goals, initially. Again, in starting a research program, one of the things that we had to give consideration to initially was how to handle the item, as simply as that.

If we sit here in 1964 we can talk casually about many variables that we have already eliminated. But getting started in 1959 that was certainly not the case.

Mr. ADLERMAN. When did you undertake to treat the first patients for this project?

1212 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Dr. MEISELAS. Let me say this. I don't think as we sit here today that this project has really begun in terms of a selected group of people who will represent the subjects for the projects.

Mr. ADLERMAN. What I am trying to get at is when was the first one committed? How long ago was that?

Dr. MEISELAS. This is a hard thing to pin down.

Mr. ADLERMAN. Was it a year or 2 years ago?

Dr. MEISELAS. It goes back quite a while.

Mr. ADLERMAN. Was it 2 years ago?

Dr. MEISELAS. We will say the first time we gave any thought to it whatsoever in the framework of administration was possibly about a year and a half, I would think.

Mr. ADLERMAN. And how was this program to work? Were you to try to give them stabilized doses, after determining the level at which you could give an individual his narcotics?

Dr. MEISELAS. The problem starts initially in the following way: At the present time the drug addicts must obtain their narcotics from the illicit market. There are those who have suggested that if drugs were freely available this illicit market would dry up, drug addicts would not have to use all their time pursuing drugs, that perhaps they could lead useful, constructive lives and the community would be better off.

This is the basic question to which we addressed ourselves. Some of the immediate issues which we had to recognize are: No. 1, the possible threat to the community when drugs are placed in the addicts hands; No. 2, how much drugs should an addict get, how much drugs would a clinic working in the city be able to supply; and No. 3, what problems are there in terms of: will this man continue to deal with an illicit market and thereby keep it alive even if he receives legal supplies?

These are some of the variables we had to give consideration to. In pursuing the variables, we had to give consideration to techniques and methods that would provide us with answers, and it is this particular area that we are currently exploring. Today the subject was made by Mr. Kuh that nalline tests and urine chromatography provide a basis for making tests.

It is not as simple as that. We are still exploring with our biochemists techniques that would still put us in a firm position.

Mr. ADLERMAN. You say you started off a year and a half ago, and when you started off you must have had some program. Did you try to get an idea of whether or not you could stabilize them at a certain level of drugs, or did you just abandon the idea of stabilization and give them a progressively higher dosage and then dry them out and bring them up again?

Dr. MEISELAS. We already have adequate clinical literature which clearly indicates that a drug addict who takes the same dose of narcotics for an extended period of time develops tolerance and seeks to increase his dose. This is a problem which I think we probably will have to deal with, either by bringing them in periodically and drying them out and then starting them all over again, or by increasing the dose as we go along. Currently we have nothing more to add on that particular question.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1213

Mr. DUFFY. What experience have you had already with the recruits that you have programed, that you already have in your program? What are the results you have so far on this point?

Dr. MEISELAS. I would prefer not to answer that question for the very simple reason since it is not a formal project at this particular time, I think it would prejudice results if I started talking about results which are not results.

Mr. ADLERMAN. I didn't get the question.

Dr. MEISELAS. He wants the results.

(The record was read by the reporter.)

Mr. ADLERMAN. And you say you prefer not to answer that. Can you tell us how many recruits you did have?

Dr. MEISELAS. Well, we have worked with approximately, I would estimate, 23 people in one aspect of this project or another on this point.

Mr. ADLERMAN. Is that the total number or did you have more recruits?

Dr. MEISELAS. No; as I say, I would estimate that we have worked with about 23 people.

Mr. ADLERMAN. And I think you told us the other day you only have three left.

Dr. MEISELAS. No; I told you that we were currently working with three people.

Mr. DUFFY. Have you lost the rest?

Dr. MEISELAS. I don't think you can talk in terms of losing the rest when you do not have a formal study in operation.

Mr. DUFFY. Let me ask you first: How many do you plan to get into the program?

Dr. MEISELAS. We initially thought in terms of 20. The possibility is that we will have to work with a larger group to get a statistically valid sample.

Mr. DUFFY. During the period of recruitment you say you have had in the program as high as 20 or 23?

Dr. MEISELAS. What I am saying is that over a period of time we have worked with approximately 23 people.

Mr. DUFFY. Now you have three people in the program.

Dr. MEISELAS. We are currently working with three people.

Mr. DUFFY. So you have lost the remainder in that period of time.

Dr. MEISELAS. No; I would say that is not necessarily so.

Mr. ADLERMAN. Would you explain it in your own way?

Dr. MEISELAS. The point I would make, very simply, is that the assumption is made that all of the people who have participated in the project were brought into the project as subjects for the project. The point I am making, very simply, is that this is not a conclusion that you should necessarily arrive at.

Mr. DUFFY. Let me ask one other question: Are you having trouble getting people into the program?

Dr. MEISELAS. It is my impression at this particular time that the numbers of addicts who are available for maintenance projects of this kind is not nearly as large as many people would be inclined to think.

Mr. ADLERMAN. I think we discussed that a little. Why is it that an addict who can have available to him narcotics on a prescription basis or by treatment at the hospital, freely, without any cost to him-

1214 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

self—well, I would imagine that this would sort of start a panic, and if not a panic a large number going to the hospital and demanding this type of treatment. Why is it that so few are willing to volunteer for it?

Dr. MEISELAS. First of all, I don't think that we really, at this point, have the answer to that question. I think to get the answer to that question one has to have a way of analyzing those individuals who have an opportunity to participate in a project such as this but do not. Putting it quite simply, the motivations may be many. For example, a given addict may not want to tie himself in with a governmental agency within the framework of a project of this kind.

No. 2, a given addict may not feel that he can operate within the structure of a project such as this.

Mr. ADLERMAN. By structure, you mean what?

Dr. MEISELAS. Well, I mean meet all the requirements of this type of study. For instance, it is essential that you use nothing else, that you only utilize the substance which is given to you, that you report at a given time, that you report regularly, that you don't miss appointments, and so forth. To conduct a study of this kind, you have to structure along these lines, or at least that is our impression at this time.

Mr. ADLERMAN. Meaning that he has to be under supervision so that he does not get drugs elsewhere, and you must have some assurances.

Dr. MEISELAS. Yes; there are all these issues.

Mr. ADLERMAN. Still, it would seem to me if they were offered drugs without cost, or without fear of being arrested while trying to steal the money to get the drugs or while possessing the drugs, the freedom from fear of prosecution would be a great inducement for them to enlist in this project. It is hard for me to understand why they don't enlist.

Dr. MEISELAS. Without meaning to be offensive, I would point out to you that that is in many ways middle-class logic. I don't think that you can simply apply your view of things and the way you would approach living to an individual who has lived as a drug addict, perhaps for many years. I don't think that you can see your goals in life as being identical with his.

I don't know that you can see your satisfactions in living as being identical with his. So what one really must do, if he wants to understand the logic of a drug addict, is to begin to develop a little feeling from where this logic comes from.

Mr. ADLERMAN. Let me put it this way. You undoubtedly know there have been many Canadian and United States addicts who have gone to England in the belief that they can put themselves under socialized medicine, obtain free drugs, and be free of any fear of prosecution. Are you aware of this fact?

Dr. MEISELAS. I really have not encountered this too frequently. I don't think I can help you on that.

Mr. ADLERMAN. Have you read any reports from Lady—

Dr. MEISELAS. I know the doctor you are referring to.

Mr. ADLERMAN. Lady Frankau, and also the Cameron report containing a study of some 31 Canadian addicts?

Dr. MEISELAS. How many addicts are 31? There, again, I don't think this is a fair point to make. We are talking about how many addicts go to England out of a total population of—well, you know.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1215

Mr. ADLERMAN. I assure you that the report that Cameron wrote on 31 addicts happens to cover only 31 that went to his little hospital in London on an emergency basis to get the drugs on a day when they couldn't be available any other place. But that doesn't represent all of the Canadians that went to England or all the Americans that went to England.

Dr. MEISELAS. Mr. Adlerman, I think here we again get into the question of firm figures. We don't know how many addicts there are in the United States. From the point you are making we apparently don't know how many addicts migrated to England. Until we know how many addicts migrated to England——

Mr. ADLERMAN. I agree that the figures on the subject are very hazy. Here we have the figure of 48,000 reported, the only firm figure, and there are estimates running 60,000, and both could be off by many thousands. Do you feel that the figure is higher or lower, or do you want to venture a guess?

Dr. MEISELAS. I would have no basis for guessing as to how many addicts go to England. All I can say is we have not known many addicts. In our experience, I think we have met about 4,000 or 5,000. We don't know how many addicts that left the United States for England.

Mr. ADLERMAN. Can you tell us what happened to the 20 who are no longer in the program? Did they drop out voluntarily or were they forced out by you for some reason or another, and, if so, why?

Dr. MEISELAS. Here, again, I think the only way I could get into that would be to review the preliminary thinking, which I am reluctant to do at this particular time.

Let me explain my reluctance.

Mr. ADLERMAN. This is rather important. I don't want to press you too hard. I understand you have a really hard job and you want to do a good job. I am sure of that. But at the same time, this subject comes up, and in the report written in 1963 by the New York Academy of Medicine they refer to the pilot project. Since this project exists we ought to try to get some information even though we probably cannot take it as the final word on this subject.

I think you should have more time. It may be very valuable to have a very realistic appraisal made at a later date when you feel the timing is appropriate. But at the present time I would like to learn what little we can learn from it.

Dr. MEISELAS. I would like to make this point, Mr. Adlerman. The people associated with the New York Academy of Medicine have been closely alined with projects of a scientific nature. They understand research problems and they know you can't talk results until you have them.

The position that has been taken is largely a position which is a social position, and in terms of dealing with some of the critiques of that social position, there is a need for a demonstration project. A demonstration project has not been completed. Until it is completed I don't think anybody can point to it as meaning anything.

Mr. ADLERMAN. At the same time, I think we ought to be able to get some idea of the problems you are facing. If you had 23 to start off with, and 20 have dropped out and you only have 3 left, that is an indication to me—and it may be that I am a layman and do not understand these things—which has some meaning.

1216 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. DUFFY. In that same connection is the tolerance issue the main reason that you have had difficulty getting people into the program?

Dr. MEISELAS. I don't think we have gone far enough to evaluate the problem.

Mr. DUFFY. I think you can give us an answer.

Dr. MEISELAS. If we had gone far enough to evaluate this particular problem I would certainly be happy to give you an answer. I am not being nearly as mysterious as it seems.

Mr. ADLERMAN. When do you think you can get results?

Dr. MEISELAS. I think in 2 or maybe 3 years. Perhaps a preliminary report could be put out before that.

Mr. DUFFY. Are you having trouble getting them into the program because they don't want a stabilized dosage? Do they want more and more, and you will not give it to them and so they are falling out of the program?

Dr. MEISELAS. I don't think we can give you an answer.

Mr. DUFFY. But you have had some experience along that line, Doctor. I think it is important for us to know that.

Dr. MEISELAS. I would agree if I had a firm answer to give you, I would give you the answer.

Mr. DUFFY. Do you have a tentative thought on that?

Dr. MEISELAS. I can only say, as I speculated before, and that is the reason I emphasize the May—

Mr. DUFFY. In our conversation in New York, you said tolerance was one of the difficult problems you were encountering. You also said it was something that you would have to get around. Is that a fair statement?

Dr. MEISELAS. I think it is a fair statement to say that if you conduct a program of this kind, sooner or later you will have to face up to tolerance.

Mr. DUFFY. Would you say tolerance is one of the main reasons for not getting people into this program?

Dr. MEISELAS. No, I haven't said that.

Mr. DUFFY. You said it to us in New York, Doctor, and you are implying it now.

Dr. MEISELAS. Let me say this to you—

Mr. DUFFY. We are not trying to ruin your research program, but we are trying to get the results thus far.

Mr. ADLERMAN. We are not trying to pressure you or badger you. But it is obvious that if 20 drop out of 23 you must know the reason why. I wonder why you hesitate to answer that question.

Dr. MEISELAS. Mr. Adlerman—

Mr. ADLERMAN. I don't object to any way you want to answer it; qualify it as much as you want to. I think there must be an answer to it, though.

Dr. MEISELAS. No. 1, if you are going to conduct a study of this kind, you have to develop criteria that are going to be applied to the individuals who are included. That is the first point I would make. We haven't finalized those criteria.

Mr. ADLERMAN. What are the criteria? What kind of criteria are you talking about?

Dr. MEISELAS. As I stated, we haven't finalized the criteria.

Mr. ADLERMAN. Is it the size of the dosages?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1217

Dr. MEISELAS. No. I said you have to decide who are the people you are going to include. You have to decide what age range, you have to decide marital status, you have to decide vocational background, arrest record.

Mr. DUFFY. Before you can initiate a program, you have to have some criteria. You have thought about this program for 2 years and the criteria has not been laid down as yet? You have to have the criteria before you can begin to recruit.

Dr. MEISELAS. As I said, I tried to give you an accurate estimate, as accurate as I possibly could, as of 2 years ago. I think as we have gone along, we have learned a few things and we are adjusting our sights accordingly.

If you will let me finish the points I am trying to make, if you publish criteria prematurely, if you publish methodology prematurely, you cannot have satisfactory results, and I will explain to you why. Let us assume that the best person in terms of coming to some kind of conclusive result to do this work are addicts of a given age, a given marital status, given vocational background, and a given arrest record.

Once you have publicly announced these are your criteria, the people who present themselves adjust to meet this criteria. You have to know your criteria and you cannot develop it prematurely.

Mr. ADLERMAN. The drug addict is really a very clever individual. He is very clever in his way of handling the doctor, and satisfying his capacity for drugs, and in conning people. You feel that if you were to divulge your criteria, he would tailor his approach to fight the criteria if he felt this would be the best way to get the drugs?

Dr. MEISELAS. All of these things that you say are true. I would only add that they are also true of people who are not addicts. Putting this quite simply, if you run any kind of experimental program and you have people who are interested in getting into the program, and they think that it might have some meaning for them, and you have certain criteria, you will find that people adjust to the criteria.

If you have a drug for arthritis and you are only going to give it to people who have had arthritis for 10 years, are of a given age, have a particular type of history, and you publish this, the people who come who want relief for arthritis present this history.

Mr. DUFFY. I will not belabor the point; but I agree with him, probably, that it would not be wise to tell us what the criteria is. But I think it is only a fair question for us to ask, since the program has been in existence for 2 years, what results have you had from the program.

Dr. MEISELAS. The program is not in existence from 2 years.

Mr. ADLERMAN. Have you developed the criteria yet?

Dr. MEISELAS. I must say we have done some thinking about it, and the final study form still remains to be structured, and I think until you have a final study form there is no point in talking about the study you are going to make.

Mr. ADLERMAN. Can I ask you a question on another point?

Dr. MEISELAS. Incidentally, this is not unusual in research.

Mr. ADLERMAN. Are you familiar with the program of Dr. Kolb for the American Academy of Medicine or with the academy's approach to this?

1218 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Dr. MEISELAS. Let me say that I am familiar with certain published materials I have read.

Mr. ADLERMAN. Do you believe that can be implemented at the present time, considering your knowledge of the subject over the past year and a half, doing it on a pilot basis? Do you think this is ready to go?

Dr. MEISELAS. I couldn't base it on the pilot work we have done. I can only base it on my understanding of narcotic addiction. Essentially our feeling is that maintenance studies—well, our feelings are very similar to Dr. Cameron's. I think that is the easiest way to say it.

Mr. DUFFY. You reject the academy's approach on this issue?

Dr. MEISELAS. We feel that there is nothing that we know currently that would suggest that this would be useful at this particular time. That doesn't mean we shouldn't pursue issues to improve our knowledge and improve the base upon which we take this position, or abandon it.

Mr. DUFFY. But from the status of the art today, that would be your conclusion?

Mr. ADLERMAN. Do you feel that it should await the outcome of your research projects, say for another 2 years?

Dr. MEISELAS. I think that our research projects should provide some information. I think we are going to find that other people do research of this kind, and that will add also to the general fund of information. I think the whole question, philosophically, of who the addict is in our midst is something that requires further examination, and requires that there be additional education on this particular point. There are a lot of people we meet who are troubled with drugs who struggle to maintain adjustments in their community.

Mr. ADLERMAN. If I am not mistaken, the judicial council, the Advisory Council of Judges of the Council of Juvenile Delinquency, goes even further, I believe, than the clinical-type approach advocated by the American Academy of Medicine. They don't believe even in civil commitment, if I understand it correctly. I may be entirely wrong.

Mr. DUFFY. Have you read the report?

Dr. MEISELAS. No. I have only seen newspaper accounts.

Mr. ADLERMAN. They believe it should be freely handled by physicians without further ado.

Mr. DUFFY. Leaving it to the physician to use his best medical judgment in handling addicts. That in principle is what they are saying. Do you agree with that thesis?

Dr. MEISELAS. I think our position is that currently too many physicians are not intimately familiar with the regard to handling of addicts. I think the idea of simply abandoning our present structure in terms of what we do know, in terms of the familiarity of practicing physicians in the community with the drug addict currently. I know none of this that would be particularly helpful.

Mr. ADLERMAN. Where do your funds come from for this research? Are they from the National Institutes of Health?

Dr. MEISELAS. No.

Mr. ADLERMAN. New York State?

Dr. MEISELAS. These are New York State funds.

Mr. ADLERMAN. Do you have sufficient funds to conduct your experiments?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1219

Dr. MEISELAS. Well, when you talk money——

Mr. ADLERMAN. You never have enough.

Dr. MEISELAS. I would simply say that I think additional funds for narcotic addiction would be welcomed.

Mr. ADLERMAN. I don't mean for narcotic addiction. I am talking about the pilot project.

Dr. MEISELAS. The pilot project, itself, this study, really isn't expensive to itself. The people who are working with it are also employed in other research work so that essentially we are talking about a percentage.

Mr. ADLERMAN. You don't have a strong problem on money?

Dr. MEISELAS. No.

Mr. ADLERMAN. Whom do you report to on this thing? Do you have any interim reports that you file, and, if so, whom do you file with?

Dr. MEISELAS. Dr. Brill has been intimately involved with the project, and I would say he is the senior research consultant working with us.

Mr. ADLERMAN. Is he presently associated with this project?

Mr. DUFFY. I think he left approximately 3 months ago.

Dr. MEISELAS. He left the central office. He was director of a State hospital.

Mr. ADLERMAN. I believe those are all the questions we have. We will send you a copy of the transcript to correct any errors in grammar but not in substance. We will send it to you and you can return it to the committee.

Dr. MEISELAS. Thank you.

(Whereupon, at 4:55 p.m., the interrogation was concluded.)

PAGINA BIANCA

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

WEDNESDAY, AUGUST 5, 1964

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:55 a.m. in room 3302, New Senate Office Building, pursuant to Senate Resolution 278, agreed to February 10, 1964, Senator Henry M. Jackson presiding.

Present: Senator Henry M. Jackson, Democrat, of Washington; Senator Edmund S. Muskie, Democrat, of Maine.

Also present: Jerome S. Adlerman, general counsel; Paul B. Kamerrick, assistant counsel; LaVern J. Duffy, assistant counsel; Philip W. Morgan, chief counsel to the minority; Eugene J. Marshall, Bureau of Narcotics; Ruth Y. Watt, chief clerk.

Senator JACKSON. The committee will come to order.

(Members of the subcommittee present at time of convening: Senators Jackson and Muskie.)

Senator JACKSON. We regret that due to so many committee meetings in session today, it is not possible for all the members to be present, nor is it possible to take the detailed testimony from each of the witnesses in person in the committee room. Instead, we are asking that the seven distinguished witnesses be sworn and present their testimony for the record. Subsequently, interrogatories will be submitted to the witnesses. The witnesses will give their response, and all of this will be a part of the sworn testimony that is being submitted today.

Senator MUSKIE. Mr. Chairman, I wonder if I might add this comment: that in behalf of the absent members of this committee, as well as ourselves, this committee does not indicate a lack of interest on the part of the committee in the subject of these hearings. I think we are all intensely interested. It happens that we are driving for adjournment of the Congress within the next 2 weeks, and in that process we are all deluged with committee responsibilities of one kind and another, as well as work on the floor, and it is simply impossible for us to give the time to this that we would all very much like to give.

Senator JACKSON. I wholeheartedly agree with the statement by Senator Muskie. We are intensely interested in this problem. It is for this reason that we want to receive this testimony, have it in the record. It will be scrutinized very carefully.

1222 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

We do not want to delay the proceedings to a later date when, of course, we would lose the value of the important contribution that these gentlemen make. It is for this reason that we are anxious to get the testimony in the record, and the comments and counsel will be pursued vigorously on the part of the committee in order that we have a full and complete story.

Dr. Catherine Hess, would you come forward?

Please be sworn.

Do you solemnly swear that the testimony you are about to give before this subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

TESTIMONY OF DR. CATHERINE B. HESS

Dr. HESS. I do.

Senator JACKSON. You are the assistant commissioner of the New York City Health Department, Doctor?

Dr. HESS. That is correct?

Senator JACKSON. And you have a statement?

Dr. HESS. Yes, I have presented a prepared statement.

Senator JACKSON. And you swear, of course, that this statement is true to the best of your belief?

Dr. HESS. Yes, sir.

Senator JACKSON. That statement will be included at this point in the record. In addition, I understand that you have three exhibits.

Dr. HESS. Four exhibits, Senator.

Senator JACKSON. Without objection, the four exhibits marked "Exhibits A, B, C, and D" will be included at this point in the record; that is to say, at the conclusion of your testimony.

(The exhibits A, B, C, and D will be found in the appendix on p. 1331.)

(170)

(Dr. Hess' statement follows:)

STATEMENT OF DR. CATHERINE B. HESS**MAGNITUDE OF THE PROBLEM OF NARCOTICS ADDICTION****New York City Health Department, Office of Narcotics Coordinator**

The various figures quoted as representing the narcotic population in New York City are at such extreme limits that one wonders which will ever approach the real situation. According to the figures compiled by the Federal Bureau of Narcotics, there were 47,489 known addicts in the United States in 1962, of which 22,034 (46.4 percent) were located in New York. Some voluntary groups estimate the addicted population to be as high as 60,000 in Harlem alone. My office, through implementation of Health Code No. 11.05, established a central registry on January 1, 1963. In that year 9,012 new cases were entered in this registry, and in the first 6 months of 1964 an additional 4,412 new cases were reported. The characteristics of these persons on the registry can be seen in exhibit A.

Another aid in evaluating the magnitude of the problem is the analysis of the health department intake figures for hospitalization to Manhattan General, a 215-bed proprietary hospital for detoxification. Approximately one-third of all admissions go through the health department admitting facility so that they can utilize the rehabilitation facilities afterward.

Exhibit B shows that in a 3-month period, January 14 to April 14, 1964, 443 patients were seen and interviewed. The waiting period for a bed is about 7 days for this facility during which interval 30 to 50 percent are lost.

The greatest "underreporting" is evident in the public school system, where in the past year 48 were listed as narcotics addicts and 140 as nonnarcotic addicts.

(170) Fra le pagine 1330-1331 del documento originale risultano inserite solo tre mappe che — contrassegnate, rispettivamente, con le lettere LL, MM e NN — sono pubblicate, insieme alle altre carte, nella Parte Terza del presente tomo. (N.d.r.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1223

Voluntary agencies reported giving service in 1963 to 7,000 addicts. The amount of duplications and poor recordkeeping in their groups makes the figure of questionable value.

Considering the fact that in the first 18 months of reporting to the registry, 13,400 new addict names have appeared almost exclusively from medical facilities and 7,000 services have been reported from voluntary agencies, it is probably safe to say that New York City has a minimum of 30,000 addicts.

DRUG USE

The drug of choice continues to be heroin, which currently sells for \$3 to \$5 a bag. In New York City the amount of heroin in a deck is so low that the addict supplements it with anything from barbiturates to morning-glory seeds.

A recent survey by the office of the chief medical examiner from the city of New York indicates clearly that an addict cannot predict the contents of a given bag of heroin bought on the street. Samples were carefully analyzed in 119 cases—132 individual samples were studied. Of 122 samples supposedly containing heroin, the heroin strength varied from zero to 77.2 percent. Among 12 specimens sold as heroin, but which contained no heroin, 9 contained diluted quinine hydrochloride, 1 pure quinine, 1 baking soda, and 1 starch. Most individual bags contained 1 to 3 percent heroin.

An increase has been noted in the use of Tuinal, Doriden, tranquilizers, amyl nitrate, and amphetamines. In the health department's intake group, approximately 30 percent of the people use other drugs to supplement the heroin habit.

Deaths from overdose in New York County in 1961 were 311; in 1962, 172; and in 1963, 242 deaths were attributed to overdose or some form of anaphylactic shock.

DRUG USERS

Although most drug users become involved with drugs between 16 and 22 years of age, they do not seek assistance for their problem to any extent under 25. Treatment of adolescents at Riverside Hospital over a 10-year period from 1952 to 1963 was a failure and continues to be in other voluntary settings. The only groups showing any promise are those who develop high religious transferences and the group of 20 on probation from King's County Court living at "Daytop Lodge" on Staten Island.

Boys who become addicts are clearly related to the delinquent subculture. This environment contributes to heavy moods of pessimism, a sense of mistrust, with no goals in life and inability to face reality. The boys spend their leisure time aimlessly, hanging in doorways talking about expensive cars and getting something for nothing, and discussing methods of manipulation to achieve these ends. This group has few friends, except other addicts, and no meaningful interests. The majority of female addicts are not only prostitutes, but homosexuals. Males are not implicated homosexually as frequently as females and in most instances are ashamed of such involvement. While the male addict becomes a criminal to support his habit, the female is a prostitute first and addiction is superimposed.

The vast majority of addicts are not psychotics, but do have psychopathology—with immature character development—and inadequate personalities. They have feelings of inferiority which are translated to aggressive acts against society and which never seem capable of coping with the pressures and stresses of the environment. Drug addiction to me is much more a sociological than a psychiatric manifestation of physical disease.

CURRENT TREATMENT APPROACHES OF ADDICTION IN NEW YORK CITY

Currently there are four possible phases of treatment, namely—

1. Ambulatory: This is an experimental approach by several groups and does not represent a standard procedure.
2. Prehospitalization: Treatment while waiting for a hospital bed.
3. Hospitalization: A detoxification process.
4. Rehabilitation phase: To include the halfway house concept and to provide sheltered workshops.

1. Ambulatory treatment-experimental concept

The New York Academy of Medicine in 1963 advocated that physicians should treat addiction as a disease. Although this way may be a possible approach

1224 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

for the future, at the present time any mass therapy program would produce chaos and failure (see exhibit C) as experienced in the health department clinics of 1917 when 7,000 patients were in a program to supply them with drugs. This ended in failure within 10 months.

Before such a plan of supplying drugs to the addict on an ambulatory basis could be considered, the following must occur:

1. A drug must be found to simulate heroin which needs to be administered only once daily. Giving even 30,000 shots a day seems a formidable task.
2. This drug must have satisfying effects, but at the same time must permit the individuals to work.
3. A rapid test must be developed to detect the usage of narcotics from the street so that the clinic dose will not compound the effects, resulting in overdose and death.
4. Some assurance must be given that the dealer and pusher will go out of business, instead of their spreading the heroin to new populations and new areas which most authorities in the field think will occur.

2. *Prehospitalization*

The waiting period for a bed of detoxification varies directly with the supply of drugs on the street. When things are tight, there is a surge for hospitalization. In the city hospitals, where most addicts are admitted, the waiting period is 3 to 5 days at Manhattan General Hospital, and about 4 to 6 weeks at Metropolitan Hospital. The period at Manhattan State Hospital has been as high as 9 weeks. This program is run exclusively by the State.

In the city program there is a 30- to 50-percent loss between the time the addict applies for admission and the time the bed vacancy occurs for him to be admitted. It is important that an addict be supplied a bed as soon as he decides to seek help. If we force him to continue his habit while waiting, we promote crime with our blessing. To help solve this problem, until more beds are available, the health department is planning to give the addict medication while he is awaiting hospitalization (not to exceed a 10-day period). Currently a program has been established doing group therapy with those who register at our health center and are awaiting a bed. This approach was established to cut down the loss during this interval. This group is continued through the hospital stay into the rehabilitation period.

3. *Hospitalization*

The city supply of beds is as follows:

Manhattan General.....	215
Metropolitan.....	60
Female voluntary hospitals.....	25

State hospital beds in the New York City vicinity include:

Manhattan State.....	190
Central Islip.....	80
Middletown (female).....	35
Pilgrim State.....	105

This is a total of 710 beds in the New York City area.

The medical detoxification is accomplished by using oral methadone X mgm., three times a day and, when needed, thorazine or another tranquilizer. For sleep, chloral hydrate is the drug of choice. All barbiturates, doriden and librium should be avoided because of their high addictive qualities. Withdrawal with methadone takes approximately 3 to 4 days, but the entire hospitalization period is 3 weeks, the time allocated to become accustomed to living without drugs.

It is questionable how much psychiatric diagnosis or therapy can be accomplished in this period which for the most part is a period of friction and confusion. Certainly the day the patient enters is no time for such an evaluation and often, if postponed, the patient signs out. At Manhattan General, where approximately 7,000 admissions occur in a year's period of time, 36 percent complete the 3 weeks' treatment program, 41 percent complete the withdrawal phase, and the remainder sign out within the week.

The group therapy sessions organized by the health department for the addict while awaiting admission are continued in the hospital in an effort to begin helping the patient identify his needs and problems. This is then carried over to the aftercare period.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1225

Any hospital floor having 20 to 30 admissions and 20 to 30 discharges a day is mechanically in a state of agitation and flux. Friends come and go, the pusher can be among friends or foes, battles are fought over past debts, and the homosexuals are disturbed that a pass was made at their friends, and with it all, no family or visitor may see the patient. In such an atmosphere, little evaluation or rehabilitation can successfully take place.

I personally feel that large wards are unsatisfactory and that the ideal is around 50 to 60 beds. This is a workable unit in which each patient can have a complete physical exam, a social work evaluation, and a psychiatric interview. Our experience has shown that, in addition to their addiction problem, these patients are medically ill people suffering from gastrointestinal disturbance, dental caries, malnutrition, skin diseases and abscesses, chest conditions, infectious hepatitis, endocarditis, and orthopedic problems.

4. Rehabilitation

Here lies the potential for the entire future of the addict. Up until now, no program anywhere has been able to offer a thorough and complete answer in this period of his treatment. It is usually because of lack of funds and many times because of shortage of personnel. Until a full complement of services can be offered the addict, our recidivist rate will be high and successes will be an exception, and the public at large will continue to demand a new approach.

The health department has only one rehabilitation center for five boroughs. We should be serving the 7,000 yearly discharges from Manhattan General all the time. Currently, the space and staff can accommodate only 100 patients. Services are limited to those who stayed the entire 3 weeks in the hospital and within 48 hours after discharge come to the center. The main services included are psychologic testing, psychiatric diagnosis and treatment, social service casework, medical treatment and vocational rehabilitation. The uniqueness of the program is the day care aspect, where only drug-free former addicts participate in recreation, organized group therapy sessions, and occupational therapy. They can get breakfast and lunch at the center and remain a full 12 hours if they so desire.

The main objective in this part of the program is to teach him discipline, such as ability to keep appointments on time, and to develop self-esteem which he has never been able to attain. Graduated work in the center is the first step of his occupational therapy. In a few cases it takes only weeks to prepare a man for a job in the community, in most cases months of patient support are required. The majority of addicts revert to drugs after being on the job 2 to 3 days because they still cannot stand the pressure and stress in an unprotected situation. There is also a need for productive, meaningful occupational training where items can be made and sold in an outlet store.

Following this training, the patient should be placed in a sheltered workshop for varying periods of time until he can manage on his own. It is possible that he may always have to work in a sheltered situation. Every patient must be evaluated separately.

While rehabilitation is being programed for the individual, it is essential that he live in protected, "clean" quarters. Currently, as soon as he is discharged from jail or hospital, the addict is placed on welfare and finds a place to live infested with other addicts and prostitutes. No matter how determined this person is to stay off drugs, the constant needling and pressure from friends breaks down his good intentions. The support given him 10 hours a day, 6 days a week, at the rehabilitation center is not sufficient to carry him for the other 14 hours, and for the seventh day in the week. The Halfway House approach must be tried to overcome this situation.

I believe it should be physically placed in an area where the addict is accustomed to living, and not on some farm or faraway place in the country. Sooner or later he must live in his own community again, and all programing should be directed through this transition to that end. No matter where you relocate the individual, he always drifts back to his own environment.

Many other less-extensive types of rehabilitation programs offer a sliding scale of services to the addict. Exhibit D is a directory of such services in New York City provided chiefly by voluntary agencies. These services range from a group receiving so much religious support that the adolescent addict visibly carries his Bible through Harlem and the Bronx, to another group practicing hypnosis, to a private physician who sees addict patients only between 10 p.m. and 2 a.m. To give some idea of the extent of involvement of many of these groups there are currently 12 halfway houses being proposed by 7 groups. One group, Haryou, is advocating the erection of five in Harlem alone.

1226 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

All State hospitals admitting addicts, plus the two city hospitals, have their own aftercare programs which consist of the traditional approach in an outpatient clinic where the patient is seen by a psychiatrist once or twice a week.

There is an active Narcotics Anonymous group functioning in New York City with several chapters. This approach of receiving strength through the accomplishments of others is a time-honored one in the field of alcoholism and is now applied to the field of addiction. Their membership is claimed to be near 200, but no documentation is available.

Another rehabilitation approach is working through the courts with probationers and parolees. The probation officers utilize the services already existing in the community with a condition of probation being to stay drugfree. The New York State Division of Parole followed 344 carefully supervised parolees. Here the relapse rate was 55 percent while paroled, and 15 percent after 3 years. The health department is conducting another study with probationers on a grant from the National Institute of Mental Health, where the influence of a health department setting and services will be measured against the normal services given to those on probation.

With all of these skills and techniques available, the relapse rate for all programs is discouragingly high. No approach has ever produced more than a 35-percent abstinence rate, and this has been obtained only in a correction setting. Voluntary groups have never produced more than a 6- to 10-percent "cured" group. One is inclined to admit to the hopelessness of the situation and declare there is no satisfactory answer. Such a declaration, I feel, is premature. It is true that we have tried many hospitalization techniques and found no differences in the cure rate no matter what the technique, but the loopholes are in the aftercare and rehabilitation components of treatment. These inadequacies include:

1. Insufficient staff; namely, social workers, to reach out and work with families as well as patients.
2. Insufficient beds for detoxification in all areas of New York.
3. The lack of vocational and occupational training, including sheltered workshops.
4. No existing Halfway Houses where the addict can try community living and adjustment with ample support.
5. Too few day-care rehabilitation-type centers exist where he can go any time of the day or evening to keep busy and learn constructive approaches to his problems.

Before leaving the discussion of methods of rehabilitation, a statement should be made about New York's Metcalf-Volker Act in effect since January 1, 1963.

It is a well-known fact that crime and addiction are inseparable because of the need to secure money to support the habit. In New York City in 1963, 7 percent of the 206,248 arrested persons were drug addicts. Drug users committed only 1.2 percent of crimes against the person, but 11.7 percent of crimes against property. Narcotic users were responsible for 22.4 percent of arrests for criminally receiving property, 15.6 percent of burglaries, 14.9 percent of forgery and counterfeiting arrests. In striking contrast, narcotic users were implicated in only 1.2 percent of felonious assault arrests and 0.6 percent of the arrests for rape.

From 111,055 new admissions to its detention facilities the New York City Department of Corrections admitted 30,106 inmates to sentenced institutions. Out of a total of 8,629 applications for voluntary civil commitment under the Metcalf-Volker Act, 966 were approved for admissions to State mental hygiene facilities and 665 were admitted, of which 50 percent disappeared from the followup program.

Here, again, one sees an attempt to answer a problem through civil commitment, but because of inadequate facilities, not because of the act itself, it is ineffectual in many ways. Lack of beds at Manhattan State have made it necessary to carefully select those who will be admitted to the program. There has not been sufficient experience to know if the criteria used is the most productive possible. Because of the shortage of beds, the waiting list for voluntary admissions reached 9 weeks in the past, so the health department and many voluntary agencies have discontinued looking to this referral source for any of their cases. In an attempt to free more beds earlier, discharges are made so the patient can be carried on an ambulatory basis and he then disappears from the program with inadequate measures to get him back. It is disappointing to note that the research and educational provisions of the act have not moved along at a more rapid pace.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1227

SPECIFIC RECOMMENDATIONS FOR MEDICAL MANAGEMENT

1. Expand the procedure of treating addicts with methadon or a similar drug while waiting for admission to hospitals for detoxification.
2. Expand the group therapy principle in the prehospital phase, through hospitalization into rehabilitation or aftercare.
3. Create more beds in State hospitals to take care of those electing civil commitment under the Metcalf-Volker Act.
4. Provide more day-care centers in all boroughs of New York.
5. Provide Halfway House facilities for a period up to 1 year for individual addicts if needed.
6. Exploration into the feasibility of "foster homes" for addicts.
7. Establish sheltered workshops and extensive vocational training facilities so when a person gets a job he can keep it without going back to drugs.
8. Expansion must be made in laboratory facilities to do larger amounts of chromatography testing, which is the urine test to determine if the individual is using drugs or not. This test is an essential part of rehabilitation and should be used by probation and parole, police in fatal accidents, welfare, department of licenses, and all treatment and rehabilitation centers and in the school system.
9. Research needed:
 - (a) Continued search to find an adequate drug substitute for heroin.
 - (b) Continued search to find if there are physiologic and metabolic differences detected in addiction-prone individuals.
 - (c) More ambulatory studies maintaining the addict on drugs in different settings must be tried with small groups before considering it possible for mass use. In such studies the following questions must be answered: While on supplied drugs, does he have the ability to stay out of trouble? While on a supplied maintenance dose, can he be self-supporting?

CONCLUSIONS

Narcotic addiction is a psychosocial disease which will always be present as long as there is availability of drugs; as long as there are slums and unemployment, and no integrated family living. The narcotic problem is not spreading at any measurable rate, although those experimenting with all fringe practices of drug abuse show increases. In time, a small portion of these will become victims of the habit.

Treatment facilities need to be expanded and enlarged with greater emphasis on rehabilitation. Laws and regulations related to control over manufacture, importation, and exportation of narcotic drugs must be tightened. More severe penalties must be imposed on the importer and mob-connected dealers and distributors so that availability of drugs reaches a minimum. Until drugs are taken out of the reach of the susceptibles, the addict will always make all types of attempts to secure them. It was only during World War II when supply was so low that the addiction population dropped.

Prevention must be the area for greatest concentration of effort in the future. Environment which breeds frustration and anger and leads to antisocial behavior must be changed. Slum housing must be replaced with decent places to live. Education must be broadened as to the dangers of addiction and how it starts. In the school system, early recognition of the use and abuse of drugs must be made with programs formulated to serve the needs of these early users. Medical schools must provide more curriculum in the addiction field. Greater knowledge is needed in how to treat and detoxify addicts who are not only on heroin alone, but suffer from using a multitude of drugs and harmful substances.

If localities and States could be as united a front and be as well organized as the dealers and mob organizers, we could push this addiction problem to an insignificant size.

Senator JACKSON. Thank you very much, Dr. Hess. We are very sorry that we are operating under these expedited procedures. We want you to understand how much we appreciate your help. We will be in touch with you later.

Dr. Hess. I am very happy to have been able to present the material for you.

(Dr. Hess' exhibits A, B, C, and D will be found in the appendix on p. 1331.)

1228 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator JACKSON. Thank you.

Dr. Robert Baird, the Haven Clinic, would you come forward, please?

Will you raise your right hand?

Do you solemnly swear the testimony you are about to give before this subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Dr. BAIRD. I do.

TESTIMONY OF ROBERT W. BAIRD, M.D.

Senator JACKSON. Your name is Robert Baird?

Dr. BAIRD. Yes, sir. My address is 222 East 116th Street, New York City. I was licensed in 1952 to practice medicine, and I am chairman of Haven Clinic, an organization which helps addicts, and a member of the faculty of New York College and Metropolitan Hospital.

Senator JACKSON. You have a statement do you not?

Dr. BAIRD. Yes.

Senator JACKSON. And you swear to the information contained in the statement as being true to the best of your ability?

Dr. BAIRD. Yes, sir.

Senator JACKSON. Do you have any exhibits?

Mr. ADLERMAN. There are some exhibits which have to be culled, I think. I would like to have some of them printed in the record, but we would have to select them.

Senator JACKSON. Without objection, then, the exhibits will be reviewed and then submitted for the record.

Thank you very much, Doctor.

Dr. BAIRD. Thank you, Senator.

(The full statement of Dr. Baird follows:)

STATEMENT OF DR. ROBERT W. BAIRD

It certainly is a pleasure and an honor to be called down here to discuss narcotics control and treatment. Most often only those physicians who have treated patients in large institutions and not on an out-patient basis are consulted, which is a different form of medical experience. Withdrawing a patient in his environment is completely different from withdrawing him in a hospital. The motivation, of course, is different. Those withdrawn on an ambulatory basis want to kick the habit. Those who are in a hospital want to kick the habit, or else they have been sentenced, in which case motivation is absent, and unless psychotherapy is intensive and prolonged, there will be marked recidivism. Today, the treatment of drug addiction runs the gamut from lay people who want to do good, to theologians with fervent prayer designed to overcome withdrawal symptoms of vomiting and diarrhea, to some doctors who mean well but are naive and are conned and deceived by the smart drug addict into writing prescriptions which the addict uses either to sell or increase his habit, and to some fast-talking hucksters who are cropping up daily and milking the public out of millions of dollars to develop a sicker inner circle closed society of drug addicts who, they say, need no medical supervision. Too many doctors in institutions see the drug addict in a totally unrealistic situation.

I think the analogy can be drawn of the professor of zoology who knows everything about the tiger, its technical name, classification, habits, progeny, and relationship in its environment, and, of course, these are verified and substantiated by going to the zoo and making more observations. Now place this erudite man in the cage with just a chair and a whip, or allow him to have an encounter with the animal in its natural habitat, and lo and behold, all knowledge soon departs because there is no firsthand experience working with the animal in its natural environment. It is the same with the drug addict. One

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1229

must see him under the pressure of home life, his personal reactions with his environment, and his motivations in a situation that is not protective to be truly able to understand him.

DIFFERENT THEORIES

There are so many schools of advice and therapy which are offered to us and given so freely by the "professional sociologically oriented narcotics expert" to confuse us:

- (1) Advocates of the so-called English system.
- (2) Advocates of professionalism who make statements like: "If you can't take care of their problems, at least make them happy and allow them narcotics."
- (3) Advocates of the American clinic system with ambulatory withdrawal or maintenance doses.
- (4) Advocates of cold turkey and the punitive approach.

QUOTATIONS

Some of my own medical compatriots are well intentioned but make remarks that require further examination. For example, one expert wrote this: "It is extremely doubtful that any mentally healthy woman would ever go into prostitution in order to support an addiction habit."

I quote from a book published in 1962 by an expert on narcotics: "There are only 5,000 marijuana smokers." From the same book: "A critical review of all the evidence strongly suggests that the impact of drug addiction on major crimes is so slight that it is imperceptible in statistics." I wonder what impact this has had on the families of two policemen who died and the man killed in an elevator because of crazed drug addicts. It is such statements as these coming from well-meaning people who themselves do not have the wide scope of training or experience that have managed to retard the forward motion of narcotics addiction toward its solution.

PRAISE FOR THE NARCOTICS BUREAU

I find myself backing the Narcotics Bureau 100 percent in their dictums. It is their department of 289 agents that has been the greatest asset in keeping narcotics addiction to a minimum. How? They keep the pill black market to a minimum and further addiction down by keeping contraband opiates and heroin from coming into our country from all over the world, by reminding physicians what the dangers of free dispensation of narcotics are if given to addicts not in good faith. Yes, the doctors might have good faith in the addict but would the addict have good faith in himself attempting to withdraw with an extra supply of narcotics. This is where interpretation should be reevaluated.

I publicly acclaim these narcotics agents who go out all over the world to risk their lives with the most ruthless thugs to protect us from this narcotic plague. If more of us who sit back and criticize so readily and do nothing constructive would press for more agents perhaps we might be able to get more of the contraband which they know is coming in. They are limited by such a small number of truly dedicated men.

DOES THE HARRISON ACT HARASS MEDICINE?

There is nothing in the Harrison Act which prohibits doctors from treating drug addicts on an ambulatory basis, providing one does not employ narcotics. This is a godsend. There are certainly enough medicines in the physicians' armamentarium to forestall withdrawal symptoms in a drug addict. There are nonnarcotic medications which stop the nausea, vomiting, and diarrhea, and minimize the hot-and-cold sweats. There are medications which are vitamins and anabolic hormones for building up the drug addict, and he will not be discomforted any more than his institutional withdrawal with the use of methadon and decreasing dosages of morphine or the long, possibly addictive hypnotics. In fact, the physical withdrawal can be done in 3 to 4 days. We in medicine have always accepted the challenge of a disease thought to be hopeless, and have come up with a solution. Need I mention smallpox, syphilis, polio, and now measles. Here were diseases and we had to seek out different solutions. If a patient develops pneumonia and does not react to penicillin, we don't give up and shrug our shoulders, we develop another antibiotic. Many of us remember the historical treatment of syphilis with arsenic and the silver bullet. Then followed the great advent of penicillin and the eradication of syphilis. Many of

1230 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

us in medicine have failed to take up the torch of medical resourcefulness and carry it aloft so that it might light up the dark night of drug addiction. In fact, it is distressing to me as a physician because it makes many of us in medicine, law, and legislation think like the totally unsophisticated medically oriented drug addict that the answer to this problem is more narcotics.

Let us analyze a few of the theories that have beleaguered us and found their own advocates and let us see their shortcomings:

THE "ENGLISH SYSTEM"

There is no "English system." Drug addiction exists there despite the fact that we Americans here say England has no problem, and the English doctors themselves deny they have a system. Why cannot the therapy applied to England apply to us in America? I have brought a few exhibits to attempt to graphically illustrate differences:

(1) *The racial background of the two countries.*—England is a homogenic group of Anglo-Saxons with a predominantly unilateral church. We here in America have a heterogenic group of white, black, and yellow people with multilateral religious backgrounds. The significance of this is that various minorities set themselves aside from the majority of the people. This, in turn, develops inner social tensions manifested by anxieties and frustrations which are sublimated by the development of neuroses with external manifestations of alcoholism, gambling, and drug addiction. I predict by 1970 there will be a tremendous increase of reported cases of narcotics addiction in England due to the influx of minority groups from the English possessions.

(2) *Natural inclination.*—The people of England simply do not take to narcotics as we do in America. They are aware of narcotics but do not have the curiosity or interest in trying it. This may be likened to our being aware of the sport in England called rugby. We have no desire to perpetuate this sport in our country.

(3) *Psychologic background.*—The demeanor of the English people is far more reserved than that of the Americans and more rigidly regimented than our rather casual mores here. This is evidenced by the fact that our police wear guns but in England there is no need to use guns.

Can you imagine the police in America keeping crime down without implementation of weapons? In England, if a police officer gets killed, it is front-line news. It has been several years since a police officer has been killed there.

However, in the past year of 1963, in New York City, it has been reported by the Department of Justice that 764 policemen were wounded and 6 officers slain in the line of duty. In addition, compare the murders in London which range between 40 and 50 a year and those in New York City of 646.

(4) *Mores.*—The alcoholic rate in England per 100,000 people is approximately 1,000. In the United States, it is 4,000 and we at the last compilation of alcoholic statistics have 5 million in this country.

The divorce rate is approximately 300 per 100,000, and in America 2,500 per 100,000, nearly 8 times as much, showing there is a certain unstable factor.

(5) *England's "model addict."*—England has a peculiar type of addict. Apparently all 547 have become medically addicted. This is in contrast to ours who are addicted on the street level from a drug-laden environment. It is seldom brought up but England uses twice as much narcotics as we in America, 14,000 dosages against our 7,000 per thousand population. Does this mean the English have more heart disease, more lung pathology, less pain tolerance than the Americans? The answer is no. They have more addicts than are reported. I am sure that in a year or two from now when England has a better method of narcotic policing the statistics will meteorically rise and suddenly they will be aware of 3,000 to 4,000 addicts. Will this be new? No. They are there now but unwittingly not reported or hidden in statistics.

If one observes the rising statistics, in 1957, 350 addicts, in 1959, 450, in 1961, 547, one wonders what is happening to the system.

(6) *The professional intellectual addict.*—About 25 percent of those are doctors, dentists, and nurses. This is a rather bizarre situation peculiar to England when one considers the greater percentage of our addicts are individuals who have never completed 2 years of high school. This would reflect a rather mentally disturbed professionalism in England which I seriously doubt. It would seem the more intellectual, the more vulnerable.

(7) *Ratio of male and female addicts.*—It is reported that England has more women than men addicts. This is the reverse of American addicts where the male addict is in the ratio of approximately 4 or 5 to 1.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1231

(8) *Incorrect premise.*—If all we have been saying about England is incorrect, that they are not medically addicted, how did these addicts first develop their habit in England and where did the narcotics to supply this habit come from? It has been reported in 1959, 373 pounds of hemp were discovered and also raw opium.

(9) *Increased consumption of illicit drugs.*—Another reason for not believing the English system is the answer, is the increased consumption of barbiturates, dexedrine, and cough preparations in that country. It has been my own experience that wherever you have a narcotics problem you have an attending drug problem as observed by the increased consumption of sleep medications, barbiturates, stimulants, amphetamine derivatives, and cough medicines.

This is because the mentally disturbed mind of the addict is always looking for something different. To our loyal friends across the sea, the day will occur when they will be aware that their addict population has deceived them, like the wife who is last to find that her husband has been indiscreet.

(9a) *Age differential.*—In England the age of the addict is over 30 years. In the United States the age of the average addict is under 30. As one approaches 40 there is a maturation out factor of drug addiction which will markedly decrease the incidence.

(10) *Medical reasons for using narcotics.*—The English method sets three premises for treatment:

(a) Patients under treatment for withdrawal with the view toward cure.

(b) Patients who while undergoing withdrawal have such severe symptoms that it would threaten the safety and health of the individual and narcotics are needed for maintenance.

(c) Patients who cannot function physically and mentally normal without jeopardizing their health without the constant maintenance dose of narcotics.

This actually leaves the addict being the doctor because he knows his subjective feelings and also how normal he should feel. What is England's followup of the normal function? There is none. In fact, there are no true statistics on how many of these drug addicts are working and functioning in the community. To cite an example of the English system, I have a 68-year-old male patient who has been on drugs of all kinds from smoking opium to eating it, shooting heroin and morphine and taking cough medicines for 45 years. Last October he left for England because he had heard of the "famed system." He left the United States with a 2-grain habit and returned 4 months later to America with a 20-grain habit.

When he arrived in Liverpool, he made a drug connection and got mud—raw opium, for \$3 a bag on the street. This he swallowed. He became greedy and built up a habit and one day took too much and was rendered unconscious, was brought to a hospital in Liverpool and while there detoxified. The last 2 weeks of a 6-week sojourn he relates he met a Chinese chap who was getting raw opium and it was supplied to him in the hospital for the 2 weeks. He was again re-addicted and the medical people were unaware of this and to add to the confusion he was given a 1-day pass. While out in the street, he bought some raw opium and came back again into the hospital under the influence of it and no one knew about it. He left the hospital because he recognized his futility and went to see a narcotics specialist. He told the doctor he was on morphine and was asked how much. He said 15 grains. The doctor gave him the 15 grains. Now remember, he had been on only 2 grains while in America. He states he increased his habit within a few days and the medication did not last him for more than 2 to 3 days. He mentioned how little effort was made to control him and he had to leave England because he said it would have been his death. He states he lost approximately 20 pounds during this time. I asked why his dosage went up so quickly and he said: "Doctor, there was so much around that I could get for a few pennies that I couldn't get my hands on enough. The doctor would give me a 4- to 5-day supply but I would use it up in 2 or 3 days." Here is simple evidence that the patient's compulsive factor was so great and unbridled because of no medical restriction.

An interesting feature about this is that the physician who treated him sent him a letter stating that he owed quite a bit of money for service rendered him while in England. This very doctor was involved in a recent death of a patient in England from an overdose of narcotics because the patient received a supply of drugs too great in anticipation of his needs. The doctor believed the drug addict's demands and was unaware that the tolerance had dropped down. (I might suggest that this type of lying by addicts would be repeated here in

1232 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

America thousands and thousands of times over since the drug addict is so used to lying and prefabricating while under the influence of narcotics.)

(11) *Maintenance dose*.—An interesting aspect of the "English system" is the alleged maintenance dose. By maintenance dose is meant that amount of narcotic which will keep the addict in a homeostatic physiologic-psychologic equilibrium so he has no discomfort. This seems uniquely peculiar to the addict in England. I have seen hundreds upon hundreds of addicts and have observed their tolerance build up from where one shot a day might be sufficient, at the end of several weeks or months this is insufficient and before they know it they are taking two and three bags three and four times a day. Tolerance is a definite part and package of drug addiction. It would only be a matter of time before the drug addict would have to take larger doses. I recall one addict who was taking 90 grains of morphine daily.

(12) *Compulsory registration*.—England has no compulsory law for registering the addicts nor central agencies for such administration of keeping check on the number of addicts. They have no treatment centers. The patient may drift from one doctor to another doctor like a psychologic rudderless ship in a sea of hedonism buffeted by seas of his own unawareness and abject despair.

(13) *Marihuana and opium problem*.—Apparently England does not consider this a major problem but we know that marihuana is a dangerous drug and it is the key that opens the door to heroin addiction. The psychology of the drug addict's addictive personality is always to seek a reaction that is bizarre. Perhaps because it is a problem endemic to some minority groups that have migrated to the British Isles, nevertheless it is still to be contended with.

(14) *Hong Kong debacle*.—Here is an open market where opium is given to the narcotic addict by the Government. At last count supposedly there are a thousand registered addicts, but there are now anywhere from 150,000 to 200,000 addicts not registered. There has been a change from smoking opium to shooting heroin.

This concludes some of the story of the "English system."

THE "AMERICAN CLINIC SYSTEM"

The next system to be discussed is the American clinic system. There are many champions in our country who are advocating this policy. They are well-intentioned individuals truly convinced that the solution to this problem is to allocate narcotics to take the profit out of addiction. If this ever were to be employed, it would culminate in sheer disaster to our youth and to hundreds of thousands of people. Suppose we were to yield to the pressures of those people with this type of reasoning. I will attempt to show why from a medical point of view this would not be feasible.

(1) *Motivation*.—There would be a lack of motivation in so many people to give up the drug if it is so readily available. When it is more difficult to procure it acts as a deterrent to many to keep their habit down.

(2) *Increased recidivism*.—There would be an increased relapse rate of those who had abstained from drugs because these individuals when they see others around them on the nod brings back selective memories of the euphoric reaction of yesterday and not the adverse discomfort.

(3) *Added illicit supplies*.—The problem of making sure the addict doesn't get an illicit supply of drugs plus his "be good candy 2-for-1 fix" from the Government would be difficult to check. This would mean the utilization of costly urine and blood tests and would get to be a psychologic thrill game with the addicts to see if they could beat the authorities and the doctors.

(4) *Tolerance*.—This is as I have mentioned before in the English system is the problem of addiction and the dosage would have to go up especially with youngsters where compulsion plays an extremely important role.

(5) *Work capacity*.—It is true that some people may function on it but at a definite decreased output. To the addict since he is so deluded by the drug he thinks he is producing far more than normal. No matter how much propaganda is put out, there is definite impairment since the very nature of the pharmacologic reaction of the drug is that it is a depressant. The old hand-me-down story of the M.D. who functions on drugs is not acceptable. In practically all our medical societies if they find out a physician is addicted, the board will temporarily suspend his license until he gives up drugs. I certainly would not advocate a doctor who is addicted to operate on a patient of mine.

To these people who say a drug addict can function normally on narcotics I would like to propose two situations. Can any of you imagine boarding a

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1233

jet plane going to England and seeing the pilot injecting himself with some narcotics. How would you feel? In this modern world of aerodynamics where planes can travel 15 miles a minute, a brief 30 seconds on the nod would bring death to all passengers since the plane could go off its course 8 miles in that 30 seconds and crash into the side of a mountain or into a skyscraper. What about a bus driver on the overnight rides on a rain-slicked highway? A brief second and sheer destruction to so many innocent people.

(6) *GI liability*.—The Government's attitude toward the drug addict in Selective Service is that of a liability. If those advocates of the free dispensation of drugs would look at the greatest medical service we have, that in the armed services where one gets doctor and medical supplies free, here the addict could get his narcotics, be fed and clothed and, according to their advocacy, should function well because he is in a psychologically good environment. I daresay if we had a battalion of 50,000 loyal American addicts fighting for us and if the enemy were to intercept a supply of narcotics, this battalion would be besieged by withdrawal, not by guns. Within 24 to 48 hours, the enemy would get a total surrender merely by offering them narcotics if they would throw down their arms. This is one time where not bearing arms for the addicts would give them rewards. How many of us would feel secure if their country were being protected by such a contingent.

(7) *Legal liability*.—In this age of lawsuits involving millions and millions of dollars, would deaths due to a drug addict falling asleep be called negligence on the part of the company or would it fall into the same category of the individual in a responsible position who dies of a heart attack. I hardly think so.

(8) *The fate of the teenage addict*.—According to this system, what would be the outlook for the thousands of the teenagers who are on narcotics now and to whom continuation of narcotic addiction would be acceptable and perpetuated? This would be a lost generation of youngsters. If they were not easily available they would not occur. If one were to see 9- and 11-year-old addicts, one would realize the odious situation.

(9) *Social and economic retrogression*.—Another point to think about is the fact that our Nation in its young 350 years of existence has made tremendous strides economically and socially. One needs only to look at those countries with their problem of addiction to see the economic and sociologic deprivation that exists in those cultures that are over 2,000 and 3,000 years old.

I refer specifically to India, China, Africa, Burma, Thailand, Laos, and Vietnam. This ought to awaken us to the end result of the inability to shake the yoke of addiction. In fact, we send green dollar bills to these countries and they in return send us white powder to destroy our economy and youth.

(10) *Morality*.—Many people say no changes in morals are involved. This is sheer nonsense and those people who believe that, have absolutely no conception of the impact of narcotics on the moral fiber and perhaps they have only seen the narcotic addict on the late, late show where everything turns out good in the long run. Do you recall recently the episode where a husband-wife addict team went out to get a fix and while taking the drug saw the fire going in their apartment and figured they had a minute to spare when they could run back and rescue their children, only to return to find the children had been burned to death. In their deluded sense of timing it was not a mere minute but some time had gone by. What happens to the moral fiber of an addict who would give an injection of heroin to a 2- or 3-year-old child to keep the child quiet so that she can go out and get a fix? In the meanwhile, this innocent 2-year-old has become addicted to drugs. What about the drug addict who sends his wife out to prostitute so the money realized can be used for drugs and paying rent and food. He states he is broadminded and doesn't consider this promiscuity. His rationale is that he is too sick to work and also he doesn't want to bring disgrace to his family and have to rob. In fact, he doesn't say anything about going out to work. If the addicts remain long enough on narcotics, they lie and pre-fabricate and have no true values of life.

(11) *Homosexuality and Lesbianism*.—There is an increased incidence of this among addicts. This is due to basic underlying psychopathology which caused them to become addicts as well as the decreased mental reserves to resist immoral attitudes of the homosexual deviate. This situation is aggravated by the perpetuation of their habit of drugs.

(12) *Newborn addiction*.—This fact alone should be one of the most strong arguments to prohibit the development of ambulatory narcotic treatment.

1234 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

There occurs in the realm of addiction the plight of the newborn child who is born addicted. This is the most pathetic and heart rending situation of them all where two for the price of one become enslaved to the torture of narcotics. Mothers not withdrawn before term will have the strong possibility of having newborn children born addicted. The child comes into this world not as well prepared as his normal brother, physiologically or psychologically. He is generally underweight about 5 pounds, extremely nervous, has no appetite, has diarrhea, vomiting, convulsions, and dehydration. In fact, within a few hours he has signs of severe withdrawal. If the child gets no medication within 12 to 24 hours he will succumb within 48 hours. It takes a period of 10 days to 3 weeks to withdraw this innocent infant. Are we to continue a pregnant woman on a course of drug addiction? Are we also to threaten future children with the possibility of being born to a woman who is addicted because she has a habit and in order to function she must have narcotics. This is a grave moral responsibility upon the medical profession and in all those peripheral branches who advocate giving narcotics away.

(13) *Dropouts*.—In this day and age when we are attempting to solve the problem of dropouts in school, this situation will even be aggravated. If one allows narcotics to be given, this is a further deterrent to education since the side effects of narcotics is that the individual loses his powers of concentration and lives in a world of unreality where he feels his education is just as good as anyone else's.

The incentive for further education would be destroyed and social relief rolls for taking care of these indigent people would be increased manifold.

(14) *Inherent disease dangers*.—Many people say there are no diseases from the use of heroin. They are concerned whether these are primary or secondary effects. What is the difference if a man in a house that is on fire is burned to death or is suffocated to death? The one situation is the primary cause of death, the flames; the secondary cause of death is the lack of oxygen and suffocation. The end result is the same—death. The same holds true in drug addiction. Some of the diseases that are associated with drug addiction with increased frequency are hepatitis, a disease of the liver which in its fulminating stages can claim the life of its victim, tetanus, malaria, tuberculosis, venereal diseases, bacterial endocarditis, septicemia, malnutrition, endocrine disturbances, and death. Yes, these are all the end result of taking narcotics. Are we to look to the resurgence of all these diseases by the legalization of narcotics? We know this will occur because many drug addicts like the company of other addicts taking off together and undoubtedly use one syringe and needle.

(15) *The masked syndrome*.—This is a situation which I call the masked syndrome. That is a disease whereby the addict is oblivious to the fact that he has the disease. We know that drug addicts when under the influence of narcotics their tolerance to pain has been increased so that nature's normal warnings of pain, hurt and observation have been destroyed.

Patients with bleeding or ruptured ulcers, kidney stones, bladder infections, ruptured appendix, venereal diseases, tuberculosis, pneumonia, these particular situations where the cough reflex has been depressed are not aware of having a lung disease until too late, have their lives threatened by the destruction of nature's governor of warning—pain.

(16) *External physical harm*.—This has claimed the life of many addicts such as fire. The addict falls asleep with a cigarette in his hand. He doesn't feel it burning.

Mattress goes on fire and he suffers burns and worse than that the threat to the family and community with a fiery holocaust. Driving a car proves a hazard because he may fall asleep at the wheel and kill someone. There are individuals who like to take an injection on a hot summer day along a riverbank, or piers, and fall into the water and drown.

(17) *OD*.—To the thousands of "addicts," this is a dreaded word. It means overdose. This is a dangerous situation with many addicts who shoot too much narcotics into their veins or to the narcotic addict who has been released from the hospital or prison and whose tolerance has been decreased. He takes an injection which before just managed to keep him from getting sick and this time the same dosage kills him. In Los Angeles in 1960-61 the fatalities were 263 deaths.

(18) *Detection*.—If one legalizes narcotics one would have the most difficult time of checking up on the addict if he had taken an illicit injection of heroin in addition to that supplied by the clinic whether it be in the injectable or oral form.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1235

I have seen addicts who inject themselves underneath a scab and replace the scab. When the doctor looks at the site, he finds no trace. There have been situations where the addict has burned himself deliberately with a cigarette to cover up the injection site and even those who cut themselves with a wire or a nick from a blade so that the laceration would cover up the area of injection. To run constant urinalyses and blood tests would be expensive and time consuming and also to check all over their bodies for this would be most difficult. We must spend more of our energies toward the underlying problem that is ailing the addict and take away the drug which is prolonging the agony. At this particular time, in the field of narcotics we seem to have arrived at a situation where we have "paralysis by analysis."

(19) *Counterfeit medications.*—If some individuals require taking injectables this would open many avenues more of the syndicate putting counterfeit ampules out like the ones supplied by the Government. Another situation could arise whereby the addicts would buy an illicit supply of heroin, put it in the ampule the Government supplies and if the addict were apprehended by authorities he could tell them he obtained it from the clinic. Other addicts might sell dummy ampules with distilled water or perhaps sell their supply.

(20) *The clinic system of the 1920's.*—The clinics were tried in 1919 to 1925 and were dismal failures with an increase in addiction. Many people would say those doctors did not have the knowledge or the dedication. These doctors were just as dedicated and highly motivated as our present-day physicians. I hope this situation is not repeated all over again.

(21) *Take the profit out of addiction.*—This school has so many advocates and they are so concerned about profit and justifiably so. However, I am concerned about the poverty of poor health, social decay, irresponsibility, and decadency of the addicts when they are on drugs. Ironically enough the syndicate has its greatest allies in those protagonists of those giveaway narcotics to the addicts. Why? Because more people would go on drugs. The psychology of a youngster is most interesting. When a youngster knows that someone is getting something which has a purportedly phsyic bizarre reaction and gets it for nothing, he will try it. What is more heinous is that it has the Government's stamp of approval and this gives a certain respectable sanction with rationalization by the child that if the Government says it is all right then it must be all right. The syndicate would have more addicts on drugs if this program were tried and we would have to awaken one day to its futility. I can just hear the story given by a pusher. "Don't worry, son. If you can't afford the habit, the Government will give you a free supply and if that supply isn't enough every now and then you can afford to buy one from us."

(2) The syndicate would still operate since so many individuals would not want to go to doctors or to clinics since their normal mental setup is to distrust anything that represents authority and there is a strong percentage of this type of individual with the addictive personality. (3) There would still be the syndicate with the strong profit motive as evidenced by the fact that individuals receiving narcotics at the various hospitals dealing with withdrawal programs have had cases recorded of smuggling of heroin into the withdrawal wards. Why should this be? They are getting their narcotics from the institution. There is simply tremendous greed which drug addicts have which is potentiated by the narcotics augmenting the hedonistic drive. (4) There will be many individuals who will sell their narcotics to other individuals which is being done right now where a naive doctor in good faith would give a prescription of 30 or 40 methadone tablets and they would sell the pills for \$1 to \$3 each. What must be done? Every effort to cut off the supply completely, this is a case of supply and demand and we do not want to make it demand and supply. Very simply, you will recall during World War II when silk stockings were at a premium and difficult to secure we found a substitute, nylon stockings.

Medical research must find a different solution and there is no holding back despite the old cliché of the Harrison Act and harassment by the Narcotic Bureau. I just read recently where a grant of \$100,000 was given to one of our leading institutions to study the effect of narcotics on body function: "To probe the relation between the use of narcotics and the apparently widespread lack of sex drive among addicts." I certainly wish that this amount of money would be spent on the families psychologic genetic setup and that of the youngsters rather than to worry about why the sex drive is at a low ebb. It's a God-given gift to me to have these addicts have their drive depressed otherwise how many unwanted children would be born into an unwanted

1236 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

environment by parents who have no moral scruples and care less. I think that if one weighs the merits of the possible ambulatory narcotic supported program against those not using narcotics, we will find that the scales don't tip but fall heavily to the side of "no narcotics to be dispensed to support a habit except in those far few cases which would be under strict medical supervision with hospitalization."

(22) *Maintenance dose.*—This is an extremely difficult psychological homeostatic plane to attain. All one has to do is think of the thousands upon thousands of addicts who in an area of drugs do not keep the habit down to \$3 a day and are unable to exist without the necessity of going out to rob.

However, they continue to take more and more because of the strong compulsion that surrounds them. I cannot possibly see where the ambulatory setup dealing with doling out narcotics will all of a sudden give these people the strong mental capacity to say: "This is all I take today until I see my doctor tomorrow."

(23) *Costs.*—The cost of maintaining this narcotics program would be a most extreme taxation of professional and financial resources if narcotics are utilized. Let us set up the example that we have only 25,000 addicts in the city which I believe is really 30 percent of the actual count. Each one of these addicts should be seen daily by a doctor for consultation and counseling to make sure that he is not getting more drugs. The average doctor would see about 25 patients a day, at least 15 minutes to a patient in an 8-hour day outside of his other responsibilities, clinics, talks, making hospital rounds, etc. This would take a minimum of 1,000 doctors a day working around the clock and approximately 325 doctors in an 8-hour shift just to dole out narcotics and checking up on these people. If the patients were to pay for the service a minimum of \$5, where would they get the money for this? Sixty-five percent can't work, 25 percent utilize prostitution, the other 5 percent would have to augment their habit by stealing and 5 percent can afford it. If the city were to pay the doctor the program would not be good because giving therapy to patients on opiates or drugs whose powers of concentration are decreased would be a waste of the doctor's time and psychotherapy. In addition, the utilization of the other ancillary services, laboratory, nurses, social service workers, would add up to prohibitive cost amounting easily to a million dollars a day. So, why not circumvent all of this and not deal with the dispensation of narcotics.

(24) What is the difference between the doctor and the professional drug pusher? Both advocate maintenance doses. I hate to think that a doctor with his 25 years of formal education would think along the same lines as a hoodlum racketeer with his 10 years of schooling because the final equation is the same—supplying drugs. Doctors must develop new techniques and new approaches to the understanding of the drug addicts and their families and attempts to set prophylactic programs that will stay the development of the addictive personalities as well as treatment with the end in sight of cure.

(25) *Addicts' research.*—Another situation arises which is rather ironical in the research of narcotics. We in medicine have traveled slowly but here in the world of addiction these addicts keep up to date with the modern advances. They know the combinations of heroin and cocaine, the speedball, the combinations with amphetamines.

They know how to prolong the effects of heroin with barbiturates and Doriden. They know how to isolate opium from paregoric and how to make Percodan available in injectable form. Giving them narcotics will just perpetuate further drug abuse.

The cold turkey approach.—This can be dismissed with a few words since its withdrawal is sickening and the symptoms of convulsions and all forms of complication can terminate with a fatality.

A DIFFERENT, PRACTICAL APPROACH

I, as a practicing physician, have one more theory to be discussed which I hope will not be confusing but which can graphically demonstrate a new approach. I humbly submit these arguments with all due respect to my more experienced and older medical colleagues. With an office in Harlem and admittedly with the limited experience of 12 years, I have observed narcotic addiction from the street level. I have learned the hard way from hundreds upon hundreds of addicts because when I went to medical college there was no formal institutional training on drug addiction. From these individuals I have learned painfully the story

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1237

of addiction, how opium and heroin and marihuana get here, the various ways they get it on the street, the various avenues of getting illicit moneys, the various combinations of drugs and the various ways to beat the authorities and to con doctors out of narcotics. After having seen a 9-year-old youngster on narcotics, I realized that I, as a physician, should make a concerted effort in my area to come up with some little program to help eradicate some of this problem. Out of this evolved the clinic which I conduct called the HAVEN Clinic (Help Addicts Voluntarily End Narcotics) which is supported solely by myself. The clinic operates from 10 p.m. until 4 a.m. and when necessary on Saturdays and Sundays. We have a little higher success than normally because the motivation is here with many of the addicts. They voluntarily seek aid and they want to give up the habit, not to want to want to give up the habit.

I have realized the small facilities I have are not sufficient and have initiated a campaign to see if funds can be raised for a narcotics hospital in New York City with outpatient clinics throughout the five boroughs which would operate free and on a 24-hour basis. Drug addiction does not work on the hours of 9 to 5 nor are there any holidays like Christmas or New Year. Every hour, every day, the drug addict needs help more than any other type of patient. The outline of our goal is:

(1) To procure a hospital in which to place drug addicts for a period of detoxification using other drugs rather than narcotics, except in the few recalcitrant cases and to have ambulatory narcotics clinics not using narcotics for withdrawal. During this hospital stay they should receive intensive counseling and psychotherapy.

(2) After the period of detoxification in the hospital, to get the cooperation of unions, school systems, to help teach and train these men and women to some vocation such as plasterers, carpenters, porters—practical application of job interest. This should be a time of not sitting in the hospital watching television, playing checkers, and making ceramics all day because this just potentiates their pleasure-seeking mechanisms of no responsibility.

(3) After this period of training, 6 to 8 months, during which time they are still at this hospital but in an informal setup, not wearing pajamas and bathrobes which reinforces the idea that you're sick and you start to believe it.

They would then be allowed an afternoon or evening a week out, then to return to the hospital at night, gradually giving them more and more liberties after they have proven themselves.

(4) If this period of 1 day a week has been successful, allow them a weekend at home so that the temptation to take drugs could be overcome and transition made easier.

(5) During this time, if training has been successful or if they already have a vocation, we would then procure a job for them. We would try to get the cooperation of industry and big department stores to help hire them. At the end of the day they would return to the HAVEN center to sleep. The idea would be to gradually get them to have confidence in themselves and be able to withstand the temptation of the community.

(6) Clinics would be established throughout the various communities on a 24-hour basis, open at night so that an addict if he should suddenly develop a compulsive craving or desire to return to the use of narcotics, could talk it over with someone and in this way help to get over the rough period. These should not be 9-to-5 clinics. Addicts do not take drugs or develop problems on a 9-to-5 basis. Personnel for these clinics would be recruited from the mother hospital and would attend weekly meetings so that rapport would be established with the narcotic addicts who would be going to the various community clinics. This would preclude the possibility of the addict feeling that he is going to a strange therapist or group of people who really do not know the problem. It is so important to individualize therapy with drug addicts.

(7) To employ hospital personnel who are dynamic and driving and whose appearance and demeanor are smart, bright, and alert so that the addict can look up to these people as leaders and make some identification.

Drug addicts are keenly perceptive to those therapists and those people who are helping them and many of them have commented on the apathy and lack of interest, careless dress of those who should be the epitome of hope and inspiration.

(8) To further research in the fields of drugs and the causes for taking them and to encourage training in medical schools, nursing schools, and all other schools associated with narcotics problems.

1238 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

(9) To disseminate the education of narcotics and its ramifications to all concerned, public schools, churches, philanthropic organizations, parent groups, etc., by competent lecturers. The adverse reactions of narcotics must be vilified and not glorified. This has been a grave mistake in education.

(10) Treatment must be free because otherwise we would encourage them to go out and rob and steal. They also develop a moral responsibility and they know people are devoting time and effort to them.

CONTEMPLATED LEGISLATION

(1) Make illegal any cough medicine preparations containing codeine or any derivative of opium unless prescribed by a doctor. This should be a Federal statute. (Too many addicts get cough preparations containing codeine and consume twenty-five 4-ounce bottles daily.)

(2) Make illegal any barbiturates, hypnotics, stimulants, without the prescription of a doctor. This, too, should fall under Federal statute. (There is a tremendous illicit market of this in our country.)

(3) Unannounced physical examinations of all elementary, high school, and college students in September, January, and June of each year to check for early addiction by inspecting various sites such as arms, nose, and fingers.

(4) Increased punishment of a minimum of 30 years imprisonment for the professional nonaddict pusher. At the time of apprehension, photographs of pushers' arms and legs should be taken, urine and blood tests for opiates and confinement to a hospital for observation of withdrawal and subsequent blood and urine analyses. Too many times these individuals get out of their sentencing because of the little awareness of the marked ramifications of the impact of drug addiction in our country. A mandatory sentence of 30 years is a good punitive approach to these people with no parole.

(5) Levy a fine against the mode of transportation (ships, planes) in which the narcotics came, as well as a fine against unions who vouch for said individual. This would further more thorough screening of all personnel by employers and unions.

(6) Impose economic sanctions on countries to whom we give foreign aid and who in turn then send us illicit exports of heroin. They would then make an attempt to maintain better narcotics traffic control.

(7) Inspection of all personnel, commercial, and armed services, coming in and out of our country for possible heroin addiction. It has come to my attention many of our GI's returning from the Orient have been able to get illicit supplies from Korea, Japan, Hong Kong, Morocco, France, Italy, and Greece. This is disturbing to me since it could prove a tremendous black market to ship to the United States.

(8) Legislation to the effect that all diplomatic personnel have baggage inspection by dual inspectors, country of his origin or his embassy plus our customs officers.

(9) Compulsory hospitalization of drug addicts. If we go on the premise that is acceptable now, that drug addicts are sick, we should carry this logic to its successful conclusion. Too many drug addicts go into a hospital and after 3 or 4 days there decide they don't want it and they sign out. I feel since they are sick we should not allow them to perpetuate their illness and should keep them in a hospital. We might send them to another narcotic hospital, but they require hospitalization because they contaminate a community and get new devotees.

(10) Development of a new type of doctor who would have the authority, like a parole officer when a drug addict has violated parole, to send him back to the hospital for further treatment. A drug addict gets better results if he knows that if he goes astray certain restraints will be put on him. This will prevent so many addicts from thinking they can go back on drugs and get away with it because "I'm a sick personality."

(11) Compulsory probationary period of 5 years. The addict would be seen weekly with periodic checks. If relapse occurs during this time, patient would be remanded to the hospital, staying there for the amount of time depending upon the length of time he had been off drugs to be subtracted from the total probationary period. This would not be a prison and not a punitive measure but a reinforcement of a way of living that drugs are not the answer to one's problems. The time would be directed toward profound therapy and reassurance.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1239

Gentlemen, we all realize how vast the problem of addiction is with its multitudinous ramifications. We need the help of all avenues, but one avenue we do not want is that where we will give drugs to the addicts.

Let us perpetuate the eradication of illicit supplies into this country, inspire those who are interested in this field, encompass new legislation which will bring this problem under control. This can come about only through leadership of dynamic, knowledgeable people.

Thank you.

Senator JACKSON. Mr. Wood?

Do you solemnly swear the testimony you are about to give before this subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Wood. I do.

TESTIMONY OF ROLAND W. WOOD

Senator JACKSON. Mr. Wood, will you give your address?

Mr. Wood. My name is Roland W. Wood. I am superintendent of the California Rehabilitation Center, a part of the Department of Corrections of the State of California.

Senator JACKSON. Located where?

Mr. Wood. At Corona, Calif.

Senator JACKSON. You have a statement, do you?

Mr. Wood. Yes, sir; I have a statement and I would like to have the statement included as a part of the record.

Senator JACKSON. And the statement, to the best of your ability, is true?

Mr. Wood. Yes, sir.

Senator JACKSON. It will be included at this point in the record.

Are there any exhibits or other pertinent data?

Mr. Wood. They are attached to the statement.

Senator JACKSON. Those will be included at this point in the record.
(The full statement of Mr. Wood follows:)

STATEMENT OF ROLAND W. WOOD

It is a personal pleasure and privilege to appear before you and to discuss the program, problems, plans, and findings of the program for the treatment of the narcotic addict under civil commitment to the California Rehabilitation Center, Corona, Calif. This facility in the Youth and Adult Corrections Agency, State of California, and under the administrative direction of the director of corrections, has been in operation just less than 3 years, having been created by the 1961 legislature and activated on September 15, 1961.

During this period, we have had committed to this civil addict program over 3,300 commitments, 2,831 men and 544 women. Our present (July 20, 1964), population at the center is 1,365 men and 227 women, and a felon work crew of 132 men who are engaged in the physical rehabilitation of the former surplus naval hospital buildings and grounds which was acquired for the permanent facility for the center on March 30, 1963.

It is my firm belief that in this 3-year period we have demonstrated that:

The addict can be successfully treated in nonpunitive setting; yes, even one which does control his freedom and does not permit him to leave the program when it becomes painful for him to look at himself.

We can return individuals for additional treatment where relapse into narcotic use has occurred but prior to serious readdiction or criminal activity.

We can successfully control the addict to prevent the spread of addiction by the contagious effect of the addiction process.

We recognize that a great deal must be learned about the addict through research; what makes him "tick," how can we best help him to help himself, and how can we best work with the families and dependents of the addicts.

1240 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

The return to the community under close and careful supervision is an integral step in the treatment process; when carefully supervised by competent, trained, and experienced agents coupled with antinarcotic testing, the individual can readjust to society and live drug free in the community.

Effort to treat the problem of addiction on a purely voluntary basis is not considered too successful treatment of the addict nor protection of society.

Perhaps, though, I am summarizing too quickly the results of our experience and you would appreciate a more detailed discussion concerning California's approach to the narcotic problem. Let me, therefore, discuss the various aspects of the program with you.

A great deal of concern was expressed, particularly in southern California, during the early part of 1961 about the increasing incidence of narcotic use, the need for stiffer penalties for users and sellers of narcotics, and the pressing need to provide a treatment program for those addicted. This new and research-based effort to control addiction was activated September 15, 1961. It provided for a program of civil commitments of addicts as recommended by Gov. Edmund G. Brown to the 1961 legislature.

CALIFORNIA LEGISLATURE ESTABLISHES CIVIL ADDICT PROGRAM

The legislation as finally enacted drew on experience in the NTCP and provided—

1. A civil commitment for treatment.
2. The California Rehabilitation Center.
3. A mandatory aftercare program, including reduced caseloads, antinarcotic testing to determine narcotics use, and authorization for a halfway house.
4. A mandate for research into the rehabilitation of narcotic addicts.¹

The program was made compulsory and a long period of legal control was provided for therapeutic reasons and after carefully evaluating experience here and elsewhere. Without a legal, enforceable commitment, a very large percentage of addicts will not undertake treatment. Given the opportunity, an extremely high percentage of addicts will leave treatment before this is medically indicated.

Without legal, enforceable commitment, there is no way postinstitutional treatment can be insured. The lack of such treatment has been widely blamed for the high rate of failure in other efforts to control and treat addiction.

The commitment proceedings are essentially those employed for the commitment of the mentally ill.

Once the person is committed, he is committed for a definite period even though he may have actually volunteered himself for treatment. The law now provides for a 2½-year commitment for volunteers, and a 7-year commitment for those committed following a misdemeanor or felony conviction.

The first 6 months, however, must be spent as an inpatient. The former addict may then be placed in outpatient status. If he abstains from the use of narcotics for 3 consecutive years, he is discharged from his commitment and the criminal charges against him, if any, may be dropped.

The law provides return to inpatient status upon detection of narcotic use. It also provides that if the person is ineligible for discharge from the program, he shall be returned to court for imposition of the original sentence or, perhaps, for recommitment to the program. A graphic presentation of this is presented in the attached chart.

THE PROGRAM BEGINS

When the addict is committed, he is received directly at the rehabilitation center and immediately assigned to a group of 60 residents where he will remain until he is returned to the community. Females are received in a separately fenced area of the center. Programing for the women residents is identical but it is completely separate and apart from the men's programing.

The initial diagnosis is undertaken by the psychologists and counselors who will continue to work with the residents. A variety of tests are administered, including IQ, educational achievement, vocational aptitude, and personality tests. The addict's social and criminal history is compiled. The counseling staff makes a special effort to develop his narcotic history. From this the staff develops a recommended treatment program.

¹ Ch. IV, title 7, pt. 3, California Penal Code, amended 1963.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1241

The program for the nonfelon addicts is based on a continuous effort on both an in- and out-patient basis by trained staff to provide enough control to avoid damage either to the patient or society, but also leave opportunity for growth. The emphasis within the institution is upon the group or community living. This includes an effort to involve as much staff as possible as part of this community.

The living units, composed of 60 men, are the basic treatment groups. Transfer between units, is discouraged. Individuals function and learn to live in their own unit—facing and working out problems as they occur. Large group meetings are held daily, 5 days per week and include all residents plus staff. This is patterned after the techniques found successful by Drs. Maxwell Jones and Harry Wilmer and discussed more in detail in their writings on the therapeutic community as it was applied to patients in mental hospitals.²

These large groups begin by discussing everyday problems of living in an institution. Gradually, the groups begin to consider such things as pilfering, informing, and other problems which might exist in the unit. They also eventually consider relationships with friends and family on the outside, and often come to grips with feelings about themselves and others. The large daily meeting is followed by a smaller meeting of staff to evaluate what happened and provide feedback to the next large group meeting. Two or three times a week, in addition to the daily large group meeting, the 60-man group breaks into four 15-man group sessions for an hour of more intensive group work.

For some residents the second half of the day is devoted to what might generally be classed as work therapy.

Others are assigned to school or to vocational training. There is a full academic program through the elementary and high school level.

The institutional treatment is only the first phase. The test comes in the community and only in the community. I should emphasize that we are not expecting to "cure" the addict. We are looking for signs that he has gained sufficient control of himself that he is worthy of an opportunity to test the strengths that he has gained. We will never know if he is not given the opportunity to test himself and certainly our experience has shown that excessive time in confinement does not bring about this desirable change.

CHARACTERISTICS OF CALIFORNIA REHABILITATION CENTER ADMISSION IN 1963—MALE

1. *A young group.*—A median age of 26 establishes the California Rehabilitation Center residents as being about 4 years younger than felony offenders committed to California correctional institutions. Those under 21 account for 12.4 percent of those received.

2. *Intelligent.*—The measured intelligence of the California Rehabilitation Center residents is on the whole, slightly above that of the general population with most falling in the "normal" and "high average" categories.

3. *Need education.*—Over 50 percent of the population measures below the 8th-grade level. Twenty-three percent have a grade placement of 9.5 or better.

4. *Marihuana and drugs—Then opiates.*—Between the ages of 16 to 18 a large majority of the California Rehabilitation Center commitments experimented with marihuana and dangerous drugs. The use of opiates, especially heroin, occurred at about 20 years of age.

5. *Not necessarily delinquent prior to drug use.*—One-half of the California Rehabilitation Center group had no indication of an arrest prior to their first experimentation with drugs; 98 percent had no prior prison commitment before first drug use.

6. *Mostly felony convictions.*—Sixty-seven percent of the admissions to the California Rehabilitation Center were committed following conviction on felony charges; 22 percent following conviction on misdemeanor charges; and 11 percent were committed without criminal charge; 82 percent had no prior prison commitments.

7. *Narcotic convictions predominate.*—Seventy-one percent of the California Rehabilitation Center commitments followed conviction on a narcotic offense; 18 percent were convicted of crimes against property or persons; 11 percent had no criminal charge.

² Jones, Maxwell, "The Therapeutic Community," a new treatment method in psychiatry, Basic Books, New York, 1953 (53-7402). Wilmer, Harry A., "Social Psychiatry in Action," a therapeutic community, Thomas, Illinois, 1958 (58-8436).

1242 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

8. *Most commitments from Los Angeles County.*—Over 65 percent of the California Rehabilitation Center commitments were from Los Angeles County. Eighty-six percent were from southern California.

9. *Basically a California problem.*—More than one-half of the California Rehabilitation Center residents were born in California and 87 percent have lived in California 10 years or more.

CHARACTERISTICS OF CALIFORNIA REHABILITATION CENTER ADMISSION
IN 1963—FEMALE

Data on California Rehabilitation Center female residents is still being compiled and analyzed. There is some evidence that there are somewhat fewer felony convictions preceding commitment and a somewhat larger number of voluntary commitments for the women as contrasted with the men. Also, the women are slightly older than the men with a median age of 28. They do differ significantly with respect to ethnic background with the largest group composed of the Caucasian white as compared to the males where those of Mexican-American ancestry predominate.

CASEWORK CONTINUES IN THE COMMUNITY

The field (community) staff becomes involved with the resident soon after his commitment. The caseworker contributes an extensive review of the resident's home environment, family feelings and attitudes, work record and prospects to the case history while the initial summary is being compiled. The caseworker may at this time make his first contact with the resident. When the institution staff feels the resident is ready to leave, the caseworker to whom he will be assigned in the field contacts him. Together they work out release plans and begin to build a constructive relationship.

The caseworker is specially trained to work with addicts and his caseload of 30 are all addicts. The troop work with addicts continues while the former resident is on outpatient status in the community. Each caseworker meets weekly with his caseload as a group. Counseling attendance is regarded as particularly important for those who are unemployed. Use is also made of the parole and community services division's outpatient psychiatric clinics where indicated.

The caseworker meets individually with each releasee weekly at his home or at his job. He also contacts others in a position to evaluate the progress being made—his family, his employer, the police.

In addition, each outpatient is chemically tested five times a month for at least the first 6 months. Four of these "nalline" tests are given on a regular basis and one is a surprise test. If all the indications are good, this test schedule may be cut to two surprise tests a month after the first 6 months.

Test failure or other indication of relapse to narcotic use results in return to inpatient status. We have recently added the use of urinalysis in the testing procedure and our research is continuing to determine the best possible methods of early detection of reuse. On the other hand, many of our returnees are returned, not because they were using narcotics, but because they started drinking heavily or because they failed to maintain adequate employment or violated other conditions of their release. We look at some beginning delinquent behavior as a danger sign and we bring him right back. The point is that a man's return to the center is not failure. When a man goes out of the hospital after a pneumonia case, the doctor keeps his eyes open. If he sees a sign of relapse coming, he gets him back to the hospital. That is what we are doing. A doctor never really considers a tubercular patient cured. When they release them after hospitalization, they keep checking back, usually every 3 months, then every 6 months and then every year. It is the same kind of control that we think we are dealing with, in terms of the addict, and consequently a person who relapses is not seen as any more of a failure than a person who has to have further treatment for a tubercular condition.

Some of those who have returned have gone out convinced they "had it made." They encountered unexpected problems and reverted to narcotics use.

On return, instead of the bitterness and blaming of others that might be expected, counselors found an attitude of new appreciation of their problems and a new determination to lick them.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1243

WHAT HAS BEEN OUR EXPERIENCE WITH THE ADDICT WHEN RELEASED?

So far, far too few residents have been returned to the community to afford any measure of the program's effect. Needless to say, those released also have been the better prospects. And most of them have not been out very long. But we do have some positive indications that the program is working and are encouraged at this point that we can make headway in returning men and women to the community where they can live responsible drug-free lives.

Since the beginning of the program in September 1961, there have been over 3,300 men and women committed. As of July 20, 1964, there were 1,365 males and 227 females in the center. By June 1, 1964, 914 men and 306 women have been released to outpatient status in the community. Of those released to outpatient status 326 men and 110 women have been returned to the center for additional treatment. It is quite significant that of those males returned to the center only 6.7 percent were convicted of a new charge, while 93.3 percent were returned on the original commitment. With respect to the women, only 2.7 percent were returned with new charges. While it is too early to make any predictions based upon these small numbers, the results are encouraging when it is recognized that some of the women have been out since June 1962, and some of the men since July 1962.

We do have preliminary studies on those released from the California Rehabilitation Center on outpatient status and although they do involve only a small number to report major findings, some preliminary facts are available.

A report on the first releases during 1962 and covering 6 months of experience in the community, a total of 108 addicts, 52 men and 56 women, indicates that only 2 men have been convicted of a felony offense; that about half the men and women remained in the community with no evidence of drug use. That of the group returned to the California Rehabilitation Center, Corona, for further inpatient care, a little less than one-half of them were charged with opiate use and the remaining returnees were split 50-50 between no drug use and use of marijuana and dangerous drugs.

We as staff and society must learn to recognize that a return to the center for an additional period of treatment, perhaps once, twice, or three or more times should not be looked upon as failure. We must continue to offer the addict intensive, probing programs of counseling, psychotherapy, and psychiatry. And our programs should not and do not stop when he leaves the center. We must continue to supervise, help, yes, even control the addict in the community; we must provide enough aid to bolster him over periods when society again, as it will, appears about to overwhelm him.

And when the addict has begun the reuse of narcotics we must promptly return him for further treatment aimed at making him fit for another opportunity back in the community. As Mr. Richard A. McGee, administrator, Youth and Adult Corrections Agency, has aptly put it:

"If society naively expects today's techniques to turn off addiction with a flick of a needle or a single dose of treatment, society is due for disillusionment. Society has to learn that an addict's problems are so varied and so deeply seated that repeated treatment may be necessary before he ultimately is free of his addiction."

NEED FOR AGGRESSIVE RESEARCH

Although there has been a great deal of interest and concern in research about addicting drugs, little is still known about the addict himself and we are prepared to undertake research along these lines. At the California Rehabilitation Center we have the unique advantage of having a specific mandate in the law for research. We are beginning to make some gains with the recent appointment of Edmund C. Gaulden, M.D., as chief of research, a man well qualified in medicine as well as research.

We see the need for well-structured research in the medical, physiological, psychiatric, psychological, and sociological aspects of narcotics addiction. Some of the questions we are prepared to ask ourselves sound like this:

1. Is there a specific physiological process which develops in narcotics addiction and is this process subject to control?
2. What is the nature of addiction, independent of the addicting agent?
3. Is there an addiction-prone personality and, if so, what are its dimensions?
4. What are the sociological factors in addiction; why do some social groups tend to have a higher addiction rate than others?
5. What is the relationship between narcotics addiction and various forms of social maladjustment generally described as criminal?

1244 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

6. What happens as a result of our community group approach?

What is the nature of the process itself and what are its outcomes?

These and many other questions need answers before we can hope to "cure" narcotics addiction. An important part of our task at the California Rehabilitation Center is to start answering some of these questions and to exploit the interest of others in an attempt to answer them. Our research budget, as such, is not tremendous, and we are going to have to rely on the interest of the major universities, the National Institutes of Health, and the large research foundations to undertake much of the needed research. Our grant applications are now being reviewed by NIMH.

RECOMMENDATIONS FOR FEDERAL ASSISTANCE OF NEEDED LEGISLATION

I have been asked to comment regarding the needs which I see concerning changes in legislation or Federal assistance needed. I am cognizant of the fact that I must limit my remarks to those related to the control and treatment of the addict rather than to the enforcement of the narcotic laws and its many ramifications of which I am not competent to speak. Law enforcement in its many subdivisions has been and must continue to carry out another very important phase of the control program for addicts. Efforts need to continue to control major suppliers of drugs coming into the United States and the Federal Government plays an important role in this aspect. There are other areas, however, that I should like to comment on quite briefly.

1. Treatment centers should be developed with a nonpunitive atmosphere where the individual is under treatment and he is not permitted to leave at will, but must remain until such time as it can be reasonably assured that he will not immediately return to drug use.

Certainly our experience has shown us that for the most part, men and women will not volunteer for treatment if they are free to leave as soon as the initial discomfort of withdrawal has passed. In the California Rehabilitation Center program, one may volunteer, but after entry into treatment it is no longer voluntary. At the present time about 5 percent of the population are voluntary commitments. Treatment should be something more than an opportunity to reduce one's habit and then immediately be free to go back and pursue a course which leads to more severe addiction and criminal activity to support the habit.

2. Supportive supervision upon return to the community with return to the center for additional treatment if reuse of drugs is begun should be an integral part of the process.

There is no easy solution to the problem of narcotic addiction and as I have previously mentioned, we cannot expect that an individual with evidence of serious maladjustment may be able to refrain from reuse when he again faces the pressures in the community after a short period of confinement and treatment. Like the alcoholic—and there are many similarities—he may relapse a number of times before he can become a useful citizen, husband, and father.

3. Modify the Federal statutes to permit a civil commitment procedure for addicts and eliminate the mandatory sentences.

It is impossible, or at least unlikely, to combine a punitive and treatment program in the same kind of treatment climate. Staff and those confined respond to the atmosphere created. California Rehabilitation Center is not a hospital nor is it a traditional prison; men and women are in a controlled drug-free environment but in an atmosphere which is conducive to change in previous behavior patterns. An opportunity is afforded for him to look at himself, to examine attitudes, beliefs, feelings, and to be prepared to learn from mistakes so that ultimately he can make wise decisions about himself.

There have been a number of both men and women who have been committed to the California Rehabilitation Center who were under Federal commitment. Had it not been for the legal status requiring excessive mandatory terms, these individuals could have been assisted and released to the community under supervision. The research that has been conducted concerning the length of term indicates there is little relationship to lengthy sentences and the possibility of successful adjustment in the community.

The experience gained thus far with the stiffer penalty imposed by the changes in the laws in 1961 indicates the district attorneys and judges are most reluctant to see 10- and 15-year minimums imposed and there is a tendency to accept alternate dispositions.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1245

Without going into extensive discussion here, the merits of the indeterminate sentence with the judgment of the suitability for return to the community left to the judgment of a competent releasing authority far outweighs the sought-for protection to society that is hoped for with mandatory fixed sentences. Readiness for return to society must be based upon changes that have been made in the individual rather than merely the expiration of a stated period of time.

4. A comprehensive plan of research should be developed covering all aspects of narcotic and drug abuse. Some agency such as the National Institute of Mental Health should be provided with the necessary funds and the authorization to assist governmental agencies, universities, and competent researchers in a continuing, systematic evaluation of treatment programs, to seek out better treatment techniques, more scientific detection programs, and new ways of ending the traffic in narcotics. There is nothing small about the narcotics problem. No half-hearted program will solve it. The modest amounts that are included in the present State budget will cover only the barest of essentials. There is a vast warehouse of knowledge available if funds can be appropriated for this purpose.

It boils down to this: Do we want to spend the funds for research and seek solutions or do we want to continue to pay the price in human suffering, crime, and programs of detention?

5. Increased programs of prevention aimed at the community where sources of infection are prevalent. Provide the public and professionals involved with accurate and factual knowledge on narcotic and drug abuse to combat the misinformation that is often prevalent. Perhaps here again funds could be made available to NIMH to assist State, local, and private nonprofit agencies for demonstration projects looking exclusively to the development of informational and educational materials.

CONCLUSIONS

Controlling narcotics addicts is possible and a reasonably good job is being done in California with this phase of the problem. A description of the elements of the control and treatment program in the California Department of Corrections and the California Rehabilitation Center as well as the legal basis for the program has been given.

Much is being said today about control of narcotics addicts, but little with any finality about cures. Experience within the department of corrections in handling narcotics addicts has supplied no cures, but has not been completely negative.

The department of corrections, in the regular facilities of the department and in the California Rehabilitation Center, has thousands of narcotics addicts in its care. They must be handled now in the "best way possible" within the limitations of budget, physical facilities, and staff skills. Addicts who end up in prison and in the center have embraced a way of life which is largely foreign to you and me. In some cases, they may be escaping a situation they can no longer accept; in others, they may be seeking acceptance and companionship in the only place and circumstances where it is available.

When mixed with other prisoners, addicts are generally looked down upon in the prison community. If allowed to meet together without proper leadership, they tend to discuss in great detail and relive their narcotics experiences on the outside. The "best way possible" to work with the addict in a controlled situation is first, to insure a drug-free environment; second, to provide some structured experiences that utilize and capitalize upon his interests as soon as they become evident so that he begins to find new and hopeful directions to life.

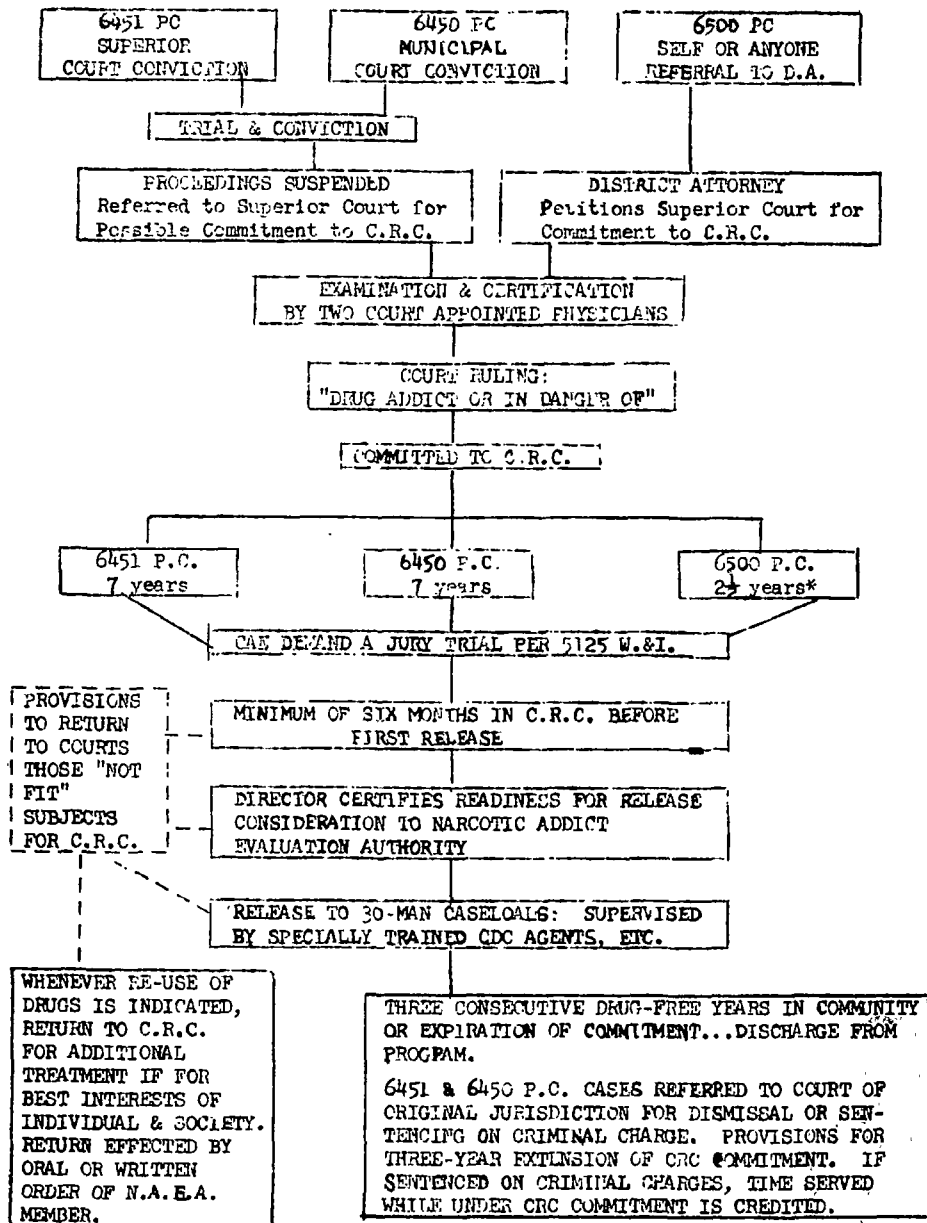
Somewhere along this trial is the honest encounter with himself, the desire and effort to hold a job, the discovery of some concern and feelings for others, and the thousand and one other characteristics which develop self-respect and make life worth living.

In effect then, the California program is specifically designed to—

1. Get the addict off the street. Reduce their chances of contaminating other men and women with the same infection. Dries up the market for heroin peddlers.
2. Provides treatment for addicts.
3. Controls them when released to the community through intensive supervision and testing for drug use.
4. Returns them to the center for retreatment if they cannot adjust to the community.
5. Provides protection for society.

1246 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

CALIFORNIA REHABILITATION CENTER - CIVIL ADDICT PROGRAM

LEGAL PROCESS

*Commitment is 2½ years for those who volunteer themselves for commitment;
7 years for those committed under this section upon the initiative of others.

Senator JACKSON. Thank you very much, Mr. Wood.

Mr. Milton Rector.

Do you solemnly swear the testimony you are about to give before this subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1247

TESTIMONY OF MILTON G. RECTOR

Dr. RECTOR. I do.

Senator JACKSON. State your name and official capacity.

Dr. RECTOR. Milton G. Rector, executive director of the National Council on Crime and Delinquency.

Senator JACKSON. Where is that located?

Dr. RECTOR. 44 East 23d Street, New York City.

Senator JACKSON. And you have a statement for the committee?

Dr. RECTOR. I have, sir.

Senator JACKSON. To the best of your ability and knowledge, the statement is true and correct?

Dr. RECTOR. It is; yes.

Senator JACKSON. The statement will be included at this point in the record.

Do you have any other exhibits?

Dr. RECTOR. I have two exhibits, Senator. One is a full report, of which my statement is a summary, and the second is a model sentencing act, which contains a recommended penal code revision, relating to the sentencing of racketeers and those who traffic in narcotics.

Senator JACKSON. The committee will receive those exhibits and will defer until later the appropriate disposition.

Thank you very much.

Dr. RECTOR. Thank you.

(Dr. Rector's statement follows:)

STATEMENT OF DR. MILTON G. RECTOR

The policy statement of the Advisory Council of Judges of the National Council on Crime and Delinquency, copies of which have been supplied the Senate subcommittee, would go far toward solving, certainly ameliorating, a serious part of our crime problem—narcotics drug addiction, crimes by addicts, and the business of organized crime in drug addiction. The advisory council of judges, which includes 50 distinguished jurists from Federal and State courts, is an arm of the National Council on Crime and Delinquency that has been providing leadership in judicial administration in juvenile, family, and criminal courts through published guides of which the present report is the latest. Chairman of the advisory council of judges is Chief Judge Alfred P. Murrah of the U.S. Court of Appeals for the 10th Circuit. Chairman of the special study committee which prepared the draft of the narcotics report was the late Judge John W. McIlvaine of the U.S. District Court of Pittsburgh.

Our report reviews the history of administration of the Harrison Act and points up that the regulations as enforced by the Federal Bureau of Narcotics are in conflict with the rulings of the Supreme Court as stated in 1925 in the case of *Linder v. United States* (268 U.S. 5) and the U.S. court of appeals in 1937 in the case of *Hawkins v. United States* (90 F. 2d 551). These rulings clearly would allow doctors to treat addicts today, even to administer maintenance doses of drugs if medically indicated. The regulations and enforcement policy of the Bureau have deterred doctors from doing this by providing that they shall be prosecuted for issuing prescriptions for narcotics sufficient to keep an addict or habitual user comfortable by maintaining his customary use. In the post-war period, the extent of addiction has increased, and crimes by addicts are a serious part of our crime problem. Their crimes are committed to sustain their expensive addiction. At present, it is pushers and racketeers who are "treating" addicts rather than the medical profession, which should have the primary responsibility both for treatment of addiction and research to find the ultimate cure and prevention.

Our policy statement supports these points:

1. The narcotic drug addict is a sick person, physically and psychologically, and as such is entitled to qualified medical attention just as are other sick people. We do not advocate that addicts be sustained on maintenance doses, but that if

1248 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

in a doctor's opinion such doses are necessary for treatment of the illness, they should be administered for such time as the doctor thinks necessary. As a sick person, the addict should receive whatever medical care he may need, as an outpatient of a clinic or private physician, or, when necessary, in a hospital as any private citizen might obtain admission to a hospital for a serious illness. Sick persons do not need criminal or civil process for medical care to be available to them. We, therefore, question the need for a civil commitment procedure and for hospitals specially built to confine and to treat addicts.

Civil commitment of addicts is supported by advocates of special hospitals or institutions. Such an approach seems to envision little more than the institutionalization of all drugs addicts under an illusory pretense of noncriminal procedure, noncriminal in phraseology only, and at a time when experience with special institutions for addicts have proved unsuccessful. At a time when the most promising research and experimentation with the mentally ill, and even with the criminal offender, points up the need for more treatment resources at the community level and less institutional confinement, we suggest that more funds be directed to strengthen community and medical treatment resources and research and less for institutionalization of the addict.

2. The traffic in narcotic drugs is properly controlled by legislation and effective penal sanctions. Since the illegal handling of narcotic drugs today is a big business of organized crime, State and Federal law enforcement efforts should concentrate on reaching the criminals at the upper administrative level. The addict should be directed to medical help and should not be criminally prosecuted unless, of course, he has committed a crime, the nature of which requires that his addiction be considered a secondary matter. We commend to the attention of legislative bodies the Model Sentencing Act which categorizes racketeers who traffic in narcotics as dangerous offenders who should be subject to prison terms of up to 30 years.

3. In recent years the penalties for narcotics crimes have become more and more severe, the theory of the legislation evidently being that the greater the penalty, the greater deterrence. The result in practice has been to glut the penal institutions with small-fry pushers and addicts serving long terms, without any deterrent effect on the racket, but with deteriorating effect on the prisoners and the correctional institutions. We oppose mandatory terms in narcotics cases, and the exclusion of narcotics offenders from eligibility for probation or parole. The U.S. Bureau of Prisoners has reported that narcotics violators made up 15 percent of the Federal prison population in 1960, as compared with 4.3 percent in 1946 as a direct result of longer sentences and mandatory minimum sentences without parole.

A research project in New York with the parole of criminal offenders who were addicts proves that parole can be helpful. Almost without exception, those who have experimented with institutional treatment of addicts have the need for more aftercare (parole) assistance after return to the community. For the criminal offender who is primarily an addict and secondarily a criminal, probation supervision would be more promising than institutionalization if medical treatment were available.

The National Council on Crime and Delinquency, and our Advisory Council of Judges, will welcome opportunities to cooperate with judicial, bar, and medical groups whose programs are substantially in accord with our policy statement and will encourage studies of the methods used here and abroad in the treatment of drug addicts in correctional institutions, in hospitals, and in the community. We hope to achieve:

(1) A change in the regulations of the Narcotics Bureau to support the community treatment of addiction as an illness; (2) the setting up by doctors and medical groups of treatment centers, including clinics, and the freedom of individual doctors to treat addicts.

(Booklets submitted by Dr. Rector entitled "Narcotics Law Violation (A Policy Statement)" and Model Sentencing Act" published by the National Council on Crime and Delinquency may be found in the files of the subcommittee.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1249

INTERROGATORY OF DR. MILTON RECTOR

A staff interrogation of Dr. Milton Rector, director, Advisory Council of Judges of the National Council on Crime and Delinquency, was held at 12:37 p.m., in room 101, Senate Office Building, Washington, D.C.

Staff members present: Jerome S. Adlerman, general counsel; and Eugene J. Marshall, consultant to the subcommittee.

Also present: Charles J. Reynolds, a shorthand reporter from Alderson Reporting Co.

Mr. ADLERMAN. This will be the interrogatory of Milton G. Rector, being conducted in accordance with the statements of Senator Jackson, acting chairman of the Senate Permanent Subcommittee on Investigations.

Dr. Rector is executive director of the National Council on Crime and Delinquency.

How many judges are in the National Council of Crime and Delinquency?

Dr. RECTOR. The membership list contains approximately 50. They have a provision requiring a maximum of 50.

Mr. ADLERMAN. By whom was the report of the National Council on Crime and Delinquency drawn?

Dr. RECTOR. The report was drawn by a committee of the criminal court section, which was chaired by the late Judge McIlvaine, U.S. district court judge from Pittsburgh. That was with the staff service of the national council's legal counsel, Sol Rubin.

Mr. ADLERMAN. And I presume the report was written by Mr. Rubin?

Dr. RECTOR. Technically, I guess it is.

Mr. ADLERMAN. With the consultation of some of the judges?

Dr. RECTOR. Well, the entire report is reviewed in rough draft by all of the judges, whose comments are then considered by the committee and then Mr. Rubin redrafts in accordance with their consensus, agreements, and so on.

Mr. ADLERMAN. Do any of the judges disagree with your interpretation of the problem and the opinion that the Bureau of Narcotics regulations concerning the treatment of medical addicts by doctors is in contravention of the Linden decision?

Dr. RECTOR. This question could probably best go to Mr. Rubin, who will be glad to pull the file. I am not acquainted with the correspondence.

Mr. ADLERMAN. I mention this only because Judge William F. Smith has indicated a disapproval of the findings contained in the report and has requested permission to submit a statement.

Dr. RECTOR. I hope Judge Smith will be given an opportunity to submit such a statement. To my knowledge, Judge Smith did, at the time of the circulation of a rough draft of the report by the committee, submit a letter in which he—I can't say it was critical or took issue, but I do remember seeing a somewhat lengthy letter.

To my knowledge, I can't say whether his objections were dealt with in the final report to his satisfaction. I have seen no letter from Judge Smith since the report was published stating his disagreement. I am not sure whether such a letter has gone to Chief Judge Mura, the chairman of the council.

1250 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

I am sure Sol Rubin would also be glad to submit copies of correspondence to this effect, if we did receive any.

Mr. ADLERMAN. I noticed that you state on the bottom of page 1 of your prepared statement that the regulations and the policy of the Bureau of Narcotics have deterred doctors from furnishing narcotics sufficient to keep an addict comfortable by maintaining their customary use. Is that a fair statement?

Dr. RECTOR. Yes.

Mr. ADLERMAN. A few lines later you say:

We do not advocate that addicts be sustained on maintenance doses.

Can you tell me, if that is so, where does your stand differ from that of the law enforcement agencies, such as the Bureau of Narcotics?

Dr. RECTOR. There is a fine line of distinction, I think, between the advocates of longtime sustaining of addicts on maintenance doses as though the maintenance, itself, would accomplish the purpose. As I interpret the statement of our council of judges, they recommend maintenance doses only as a part of treatment for such period as the doctor, himself, deems necessary. It might be a short term or a long term.

I think the statement here is to indicate that we are not saying that long-term maintenance doses of addicts is the panacea.

Mr. ADLERMAN. I think this report of yours has led to a great deal of misconception. For example, I speak of the newspaper editorials. Even today, if I am not mistaken, the Saturday Evening Post had an article by Nathan Strauss. Are you familiar with it?

Dr. RECTOR. There is a Dr. Strauss whose name I am familiar with. I haven't seen the article.

Mr. MARSHALL. This is not Dr. Strauss.

Mr. ADLERMAN. Mr. Strauss states in the article in Saturday Evening Post, that he advocates giving free medication to the addict, and thus taking away the motive of profit in peddling narcotics and doing away with the racket of narcotics.

I think this was similar to your report, and I think the tenor of the report of the National Council on Crime and Delinquency was that they advocated maintenance of the addict by doctors, giving the drug by prescription, and so on. Am I mistaken about that?

Dr. RECTOR. They do advocate that doctors be permitted to give drugs by prescription.

Mr. ADLERMAN. On a general maintenance basis, to take away the profit from narcotic addiction and so forth?

Dr. RECTOR. I don't believe we have such a statement in our report, that the goal is to sustain over long periods of time. But if a doctor would feel that for a given patient a maintenance dose were an essential part of treatment for—to take any period out of the air—a year, I think the intent of our judges was to support the doctors' opinion.

I think, in other words, the attitude of the judges could be summarized as feeling that the experimentation, research, and treatment into the problem of addiction is a medical problem, and that the doctors should have a free hand in prescribing narcotics as a part of treatment, and that the *Linder* decision of the Supreme Court supports this.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1251

Mr. ADLERMAN. If I recall correctly, page 14 of your report states:

Meanwhile, extending medical care to addicts and administering drugs as necessary would deprive organized crime of a constantly increasing percentage of its customers and would weaken the foundation of narcotics syndicates which came into existence only after the drug addict was criminalized.

That would indicate to me that you feel that the treatment should be widespread and that supplying of the drugs would be applicable to all the addicts. I think in many ways you also advocate the so-called British system, where drugs are given to addicts by the doctors on a maintenance basis.

Dr. RECTOR. I would say that is a fair interpretation.

Mr. ADLERMAN. So, in effect, you do advocate the ambulatory treatment of addicts by doctors, and this would go for all addicts, I assume?

Dr. RECTOR. Yes.

Mr. ADLERMAN. Thus taking away the profit motive from the narcotic peddler.

Dr. RECTOR. Yes, sir.

Mr. ADLERMAN. Are you familiar with the stand taken by the American Medical Association, their committee on addiction as to the ambulatory treatment by doctors?

Dr. RECTOR. I am not personally familiar with it; no, sir.

Mr. ADLERMAN. Let me call to your attention that in 1963, June 1963, the American Medical Association and National Research Council say:

The ambulatory clinic programs for withdrawal of narcotic addicts are generally inadequate and medically unsound, and the maintenance of stable dosage levels is generally inadequate and medically unsound.

Would you care to comment on that?

Dr. RECTOR. No, I wouldn't.

Mr. ADLERMAN. Do you feel that the judges should substitute their legal opinions on these things, or their medical opinions, in place of those of the trained physicians and of an organization such as the American Medical Association?

Dr. RECTOR. No, I do not believe the judges intended to substitute their opinion for medical opinion. I think the intent of the judges is to support the medical profession. My guess is that you will find opposition within the medical profession.

Mr. ADLERMAN. For example, would you rely on Dr. Kolb's answer to this?

Dr. RECTOR. I am not able to—

Mr. ADLERMAN. Dr. Kolb has taken the position that he does not advocate ambulatory treatment on a general level for all addicts on an out-patient basis by physicians. I realize you are not a physician and neither am I.

Dr. RECTOR. No, I am not.

Mr. ADLERMAN. I would like to ask you: Have you given any consideration to the question of tolerance of drugs, particularly of the narcotic drugs, by addicts? Are you familiar with it?

Dr. RECTOR. I am not. I am not an expert on addiction of any kind.

Mr. ADLERMAN. Do you know whether any consideration was given to this, to the question of tolerance, by Mr. Rubin when he wrote the report or by the judges when they approved the report?

1252 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Dr. RECTOR. I don't know whether this was one of the many reports, or this was included in one of the many reports, reviewed by the judges or not. The judges reviewed a great many expressions of opinion in different reports in adopting their position.

Mr. ADLERMAN. The medical testimony we have received tells us that heroin is one of the drugs which builds up a certain tolerance in an addict in a short period of time. After a while the amount of drug that the addict previously got cannot give him the sense of euphoria or the craving that he has, and it has to be taken at an ever-increasing level; whereas, the person who takes a low dose of the drug, in time will build his tolerance up so that some addicts who may start off with a \$5 a day habit may develop one costing hundreds of dollars.

Dr. RECTOR. This I understand; yes.

Mr. ADLERMAN. And I think the testimony yesterday was from one doctor's experience that the tolerance had been built up to 64 grains a day. The street level market for example, in New York, provides about three-twentieths of a grain in a \$5 bag.

I wonder if this report took into consideration the problem of requiring ever-increasing dosages of the drug that would have to be given on a maintenance basis?

Dr. RECTOR. Again, this is a supposition, but in fairness to the judges, I think their intent was to focus the responsibility upon the medical profession.

Mr. ADLERMAN. They advocated that the doctors be allowed to do this?

Dr. RECTOR. Yes.

Mr. ADLERMAN. Did they get any medical advice on the writing of this report?

Dr. RECTOR. They read a great number of reports by medical groups and organizations.

Mr. ADLERMAN. Did they get any consultants? Did they consult with any medical authorities on this?

Dr. RECTOR. This I can't tell you.

I infer from your questions that the medical testimony that you are receiving does not support ambulatory treatment.

Mr. ADLERMAN. That is the position taken by the National Research Council and the American Medical Association both. They have both condemned or criticized this. They say it is not good medical practice.

Dr. RECTOR. May I ask if that is with reference to all narcotics or just heroin?

Mr. ADLERMAN. I am not too sure, but I think it talks about general narcotics meaning the opiates. I would like to call to your attention the fact that the American Medical Association said it was not good professional practice for a physician to place drugs in the hands of an addict for self-administration. This is what happened in the *Linder* case, I believe.

Dr. RECTOR. Yes.

Mr. ADLERMAN. Let me ask about the proposition of giving the drugs to the addicts by prescription to remove the profit motive of narcotics from the racketeer. Would this be on stabilized dosages, or would it be on the ever-increasing tolerance dosages?

Dr. RECTOR. I couldn't answer your question.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1253

Mr. ADLERMAN. Have you considered at all the mechanical problems that would be involved? I think Dr. Hess, the assistant commissioner of health in New York City, pointed out that in New York City, with the estimated 30,000 addicts to be placed on a maintenance basis, even if it is a stabilized basis, facilities would be required to give 30,000 shots of heroin a day, if it were only 1 shot a day, and most addicts require anywhere from 3 to 4 shots a day. That would run the mechanical thing up from 30,000 to maybe 120,000 shots a day, unless you would give it to them to apply themselves.

Again, the American Medical Association thinks this is very unsound medical practice.

Dr. RECTOR. What would be their solution?

Mr. ADLERMAN. What would be their solution?

Dr. RECTOR. Yes.

Mr. ADLERMAN. I don't know. I am not holding a brief for anyone in this thing.

Dr. RECTOR. I know that. The reason I asked the question is the alternative——

Mr. ADLERMAN. I wonder whether or not civil commitment isn't the best answer.

Dr. RECTOR. The alternative proposal I have heard for New York, and 30,000, if anyone actually knows there are 30,000 heroin addicts, has been civil commitment to an institution. I think when you consider the mechanics involved in institutionalizing 30,000 addicts, and also seeing that it is more than a pseudocivil procedure, and is in fact not a criminal procedure, that it is a treatment program, it is a tremendous thing.

Mr. ADLERMAN. Are you familiar with the California operation?

Dr. RECTOR. Vaguely, I am. I was familiar with the turning over of certain correctional institutions and labeling them as narcotic hospitals to receive civil commitments.

Mr. ADLERMAN. From my point of view, that seems to be the most promising proposition so far that I have seen in narcotics treatment. Mr. Roland Wood submitted a statement and statistics.

Dr. RECTOR. It is quite high in success, as I remember.

Mr. ADLERMAN. Very high, but nowhere near the height of the experience in the hospitals in New York, or with the outpatient treatment in New York, or in Lexington or anyplace else. California shows a percentage of relapse of only 50 percent over the period of 2 years that they have been working, which is a much more promising number than most programs show. Most of them show 90 percent relapse.

So if you ask me for the alternative, I think their Corona project and their Chino project both seem to hold great promise.

Dr. RECTOR. I think so. I think another part of it is good parole service and aftercare.

Mr. ADLERMAN. There is no question about that.

Dr. RECTOR. I think that is probably, not being medical experts, where our judges are on sounder ground in criticizing some of the mandatory sentencing provisions, and exclusions from both probation and parole.

Mr. ADLERMAN. Are you aware, for example, of the FBI statistics which show that 73 percent of the addicts have had prior criminal records before their first convictions as addicts?

1254 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Dr. RECTOR. Seventy-three percent?

Mr. ADLERMAN. Yes. Were the prior criminal tendencies of the addicts taken into consideration the time this report was written?

Dr. RECTOR. Prior to any knowledge of addiction?

Mr. ADLERMAN. Yes.

Dr. RECTOR. I don't know.

Mr. ADLERMAN. I wondered whether the question of tolerance was taken into consideration. Would you know whether they considered the reports of the Council on Mental Health of the American Medical Association and the findings that they made, that drugs supplied by a doctor—

Dr. RECTOR. Again, just by your reference to the title of the report, I would have to get that answered for you, as to whether or not that was one they considered. I don't know.

Mr. ADLERMAN. I will just take this quote:

The degree of tolerance which can be developed into the opiate drug seems almost boundless. Authentic cases have been recorded in which addicts took as much as 78 grains of morphine intravenously in less than 24 hours without incurring any untoward effects. What the final upper limit would be is unknown as are the physical effects of long, continued taking of large amounts of opium.

That is pages 11 and 12 of the report of 1957.

Did you give any consideration in your report to whether or not the drug addict who is on drugs could maintain himself, keep his job, operate a school bus, drive a car, work in a factory where there is machinery around, and so forth? Has any consideration been given to that?

Dr. RECTOR. Again, I couldn't speak for the committee on exactly what it considered. However, I, myself, have discussed with doctors the ability of addicts to maintain themselves on jobs while undergoing treatment.

Mr. ADLERMAN. Isn't that the very rare exception?

Dr. RECTOR. This I don't know.

Mr. ADLERMAN. Wouldn't that be an addict with a high level of intelligence, not the average addict by a long shot?

Dr. RECTOR. This I don't know. How seriously is he addicted, too, would be a matter of consideration, in my guess.

Mr. ADLERMAN. Since you are a spokesman for the organization, I would like to find out what the organization's opinion would be about who should make a determination whether narcotic activities of a physician constitute sound medical practice?

Dr. RECTOR. We would recommend that this be done by the medical profession, as it makes such determinations in other areas of medical practice.

Mr. ADLERMAN. The greater majority of the medical profession is represented by the AMA, which takes the position that ambulatory treatment of narcotics on a maintenance basis is unsound medical practice.

Dr. RECTOR. Then I would bow to the American Medical Association. I understood your question as to who should make such a determination.

Mr. ADLERMAN. If you do bow, if your organization bows to it, doesn't that mean that it vitiates your entire report?

Dr. RECTOR. No, I don't think so.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1255

Mr. ADLERMAN. All right, that phase of the report.

Dr. RECTOR. Not the entire report by any means.

Mr. ADLERMAN. That phase of the report which advocates treatment by the doctors on an ambulatory outpatient maintenance basis.

Dr. RECTOR. The policies adopted by the Council of Judges relating to medical care has as its first statement that the narcotic drug addict is a sick person and, as such, is entitled to qualified medical attention just as are other sick people.

This doesn't get into the technicalities of what is ambulatory care and what is not ambulatory care, and the degrees of tolerance and who could be treated by such degrees of tolerance.

Again, as I say, the intent of the judges is to encourage the medical profession to get headlong into the treatment of addicts, and from the various reports and persons with whom they conferred, their impressions were, and I believe I am being fair to them in this, that doctors had been discouraged from taking the initiative in treatment of addicts by the regulations of the Bureau of Narcotics.

Mr. ADLERMAN. How about the first report? Didn't they say that they thought that there should be an ambulatory treatment? I think you just confirmed that a little while ago: that doctors should feel free to give ambulatory treatment.

Dr. RECTOR. Yes, I said ambulatory treatment, to the degree that an addict should feel free to consult his physician and ask for treatment without requesting commitment to an institution to receive it.

Mr. ADLERMAN. On a maintenance basis.

Dr. RECTOR. I was trying to examine your question as to why the statement of the American Medical Association would discredit the—

Mr. ADLERMAN. Let me ask you this: Are you familiar with the fact that the statement of the AMA and National Research Council sets forth a code for the handling of addicts?

Dr. RECTOR. I am familiar with the fact that it has. I am not familiar with the code or the statement with it.

Mr. ADLERMAN. This code definitely states, for example:

Ambulatory clinic plans for the withdrawal of narcotic addicts are generally inadequate and medically unsound.

In the joint statement:

The maintenance of stable dosage levels is generally inadequate and medically unsound.

As a result of these conclusions, the American Medical Association and the National Research Council oppose on the basis of present knowledge such ambulatory treatment plans.

Dr. RECTOR. Acquaint me with the terms. Is my inference right, then, that they are recommending that any addict must be committed for hospital care?

Mr. ADLERMAN. I think that they advocate that all withdrawal and all treatment of an addict, particularly the withdrawal, should be done under drug-free atmosphere, in an institution.

Mr. MARSHALL. With rehabilitation, aftercare, on an outpatient basis.

Mr. ADLERMAN. With the aftercare treatment; right.

Dr. RECTOR. But that if there is another usage of narcotics during the aftercare, that he be returned to the institution?

Mr. ADLERMAN. What was that, again?

1256 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Dr. RECTOR. That if he again goes on narcotics after release during the period of aftercare, that he be returned to the institution?

Mr. ADLERMAN. They just discuss the question of treatment by doctors. They say that any withdrawal should be done in closed institutions. They generally advocate, I believe, that addicts should be treated in an institutionalized atmosphere, rather than by individual doctors on the outside. They definitely state, however, that when a man is sick, a terminal case of cancer, painful conditions, and so forth, that the doctors are free to prescribe without any hindrance whatsoever the use of narcotics.

They also state that in the interval between the time when a doctor first sees a patient and the time when he is to go to a hospital, a period of a week or 10 days, the doctor can prescribe an opiate to cover the addict for that period of time until he gets to the hospital to withdraw.

Does your organization disagree with those propositions?

Dr. RECTOR. We would have no basis for disagreeing.

Mr. ADLERMAN. I thought when you came to testify that you would be the one who had knowledge of the subject. We asked Mr. Rubin to testify originally. However, he advised us that you would appear; that you would be able to answer all our questions.

Dr. RECTOR. I can't answer any of your questions regarding the various proposals of the medical profession. As director of the organization, I have not been involved in the staff work with the committee to the degree of knowing what reports they considered, who they consulted, and who they didn't.

I do regret that the appearance here couldn't have been delayed. Mr. Rubin, I believe, told your person he would return from vacation next week. He asked if I would appear. I was on vacation at the time your staff called at our office. They communicated with me and I said I would be glad to appear to submit for the record the statement of the judges.

Mr. ADLERMAN. I didn't speak to Mr. Rubin about the appearance before the subcommittee, but as I understood it, it was believed that you as executive director would have better knowledge of the entire situation and would speak with more authority for the advisory council.

Dr. RECTOR. No; I do not staff the advisory council. I deal with the policy matters and so on. But when it gets down to the staff work, what was involved in the work of the committee, in the reports they reviewed and summarized, that is not me.

Mr. ADLERMAN. I was going to ask some more detailed questions about the basis upon which the report was written, but I see that it would be just running up against the same proposition, that you would have no knowledge of it.

Dr. RECTOR. It would. I am embarrassed that I am putting you up to this. But if you would care to do what was suggested earlier and send your questions, I would be glad to see that they were given full attention and full response. We certainly want to cooperate in every way possible.

Mr. ADLERMAN. I don't know how I can arrange that now, about sending interrogatories to Mr. Rubin. Perhaps we might be able to do that and perhaps I can get the Senator's consent to submit Mr. Rubin's statements into the record. That might be a better way to do it. I will consult him. He should be sworn. He will have to be sworn up there. (See p. 1259.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1257

Dr. RECTOR. You can send them to me and I will certainly consult with the staff to see that you got thorough answers, if they came under my signature.

Mr. ADLERMAN. Maybe that would be the best way. I don't like to put you on the spot on this thing.

Dr. RECTOR. I know you are not trying to put me on the spot at all. You are asking me questions about the committee work which I really am not in a position to answer.

Mr. ADLERMAN. I realize you don't know the answers to the questions that I wanted to know. There is no use in my asking continuous questions and having you say, "I don't know." I realize it is embarrassing.

Dr. RECTOR. It is that, and I am certainly not one to try to bluff on what I don't know. I know the judges are a group of very competent persons who spent a period of about 3 years, and they reviewed a great deal of material. They didn't attempt to pretend that they were speaking with the knowledge of the doctor or someone who understood the medical aspects of narcotics.

Mr. ADLERMAN. I will tell you frankly that when I first heard about this plan, I was very much concerned because it sounded like a very plausible argument which had a great deal of merit to it—to take away the profit motive from the heroin peddler and give it to the addict on a prescription basis.

It sounded very attractive. But I think as you get into it deeper and deeper you become less certain as to the merits. I am not trying to prejudge it.

Dr. RECTOR. I understand.

Mr. ADLERMAN. I am only counsel in the thing, but I cannot help forming some opinions on the subject. On the other hand, I am not closing my mind.

Dr. RECTOR. I understand.

Mr. ADLERMAN. There is some part of the statement, which I cannot put my finger on now, that gives the implication that only small-fry pushers and addicts were caught. This is not a medical question. Maybe you can handle it.

Dr. RECTOR. This, I believe, is not to imply that only small-fry pushers, but that in the main those who are being committed to the institutions are the small pushers and users, and few of the top echelon in the rackets.

Mr. ADLERMAN. Do you realize, or have you had any firsthand knowledge of the fact, that the 20 major conspiracy cases involving more than 200 top-level racketeers which have been developed in recent years were developed by the Bureau of Narcotics? Can you refer the subcommittee to any other law enforcement agency which has equaled the efforts of the Bureau of Narcotics in developing evidence against the organized crime groups?

Dr. RECTOR. From the Federal level, I doubt that we could. The implication is not that the Bureau of Narcotics is not doing its job, by any means. The intent of the judges is that the offenders who, in their impression, make up the majority of those convicted, who are primarily offenders because they are seeking to get funds to feed the habit—

Mr. ADLERMAN. Are you talking now on the Federal level or the State level?

1258 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Dr. RECTOR. We are talking about both. We would have to be, because many of the judges in their experience have only been State judges.

Mr. ADLERMAN. I think you would have the same thing on the State level and the Federal level. For example, in New York City you have a large narcotic squad, a police department narcotic squad, and you have the same in Chicago and Los Angeles. The breakdown of the jurisdiction generally is that the Federal authorities take the big cases and the interstate cases, and the local police departments take the street peddlers and the possession cases.

I don't know of any State that has a law—I know it is not in the Federal law—that says an addict is a criminal, or that addiction is a crime. I think California tried to state that and it was knocked out.

Dr. RECTOR. Yes; the supreme court knocked it out in California.

Mr. ADLERMAN. But I don't think the Federal law ever stated that addiction was a crime, and so far as I know no other State has said addiction was a crime.

Dr. RECTOR. I was under the impression that they had, but I cannot name them.

Mr. ADLERMAN. There is a possibility in Texas, but I am not too sure.

Dr. RECTOR. I would be glad to have that researched for you, if it would be of any help.

Mr. ADLERMAN. That would be, of course, on a State level, and there really isn't much we can do about it.

Dr. RECTOR. Yes.

Mr. ADLERMAN. On the Federal level, it is not a crime, but possession is a crime. That brings me to the question of mandatory sentences. I gather that the council has taken the position condemning the present system of mandatory sentencing.

Dr. RECTOR. Yes.

Mr. ADLERMAN. What do they offer in substitution?

Dr. RECTOR. The substitution is to deal within the present criminal law with the offense which the person committed.

Mr. ADLERMAN. What part of the mandatory sentences do they criticize? Is it the whole statute or is it part of the statute?

Dr. RECTOR. It is the provision of the mandatory minimum.

Mr. ADLERMAN. There is mandatory sentencing for possession and mandatory sentencing for selling and for manufacturing, which are much more severe than possession.

Dr. RECTOR. Yes.

Mr. ADLERMAN. Do they criticize the mandatory sentencing of large-scale narcotic felons or traders, importers, wholesalers?

Dr. RECTOR. The policy of both the Advisory Council of Judges and, of course, the National Council on Crime and Delinquency, is opposition to any mandatory minimum sentence for any kind of offender. I submitted in evidence this morning a copy of our Model Sentencing Act.

Mr. ADLERMAN. In other words, it is against the general proposition of mandatory sentencing, per se?

Dr. RECTOR. Yes.

Mr. ADLERMAN. It isn't that you pick the possession cases out of the others, or anything of the sort?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1259

Dr. RECTOR. No. We would pick certain kinds of possession cases. As you will see in the Model Sentencing Act, again with a great deal of work and consultation, we have tried to arrive at some sound legal definitions of dangerous offenders which, after the conviction for the criminal charge, whatever it might be, then we recommend that the sentence be imposed on a finding of whether the person is or is not a dangerous offender. So a dangerous offender——

Mr. ADLERMAN. Would this apply to all criminal sentencing?

Dr. RECTOR. This would apply to all criminal sentencing.

Mr. ADLERMAN. Whether it is narcotics or otherwise?

Dr. RECTOR. Yes. And we specify with reference to racketeers and those involved in traffic in narcotics, who are involved in various crimes in the rackets, so that they would come into the definition of dangerous. The maximum sentence recommended there is indeterminate at up to 30 years. It is not even a mandatory sentence in that case.

Mr. ADLERMAN. Thank you very much, Mr. Rector.

Is there anything you would like to add?

Dr. RECTOR. No; I can't add anything beyond what is in the report. I hope that the Model Sentencing Act will receive attention by the committee. I know Justice Edwards included that with his reference in his testimony some time ago with reference to organized crime.

Mr. ADLERMAN. Who did?

Dr. RECTOR. Judge Edwards, then police commissioner of Detroit.

Mr. ADLERMAN. Was that in our hearings?

Dr. RECTOR. Yes.

Mr. ADLERMAN. That was on the Valachi case?

Dr. RECTOR. Following that, in the operations of the Mafia in Detroit, and as a means of dealing with them in the courts.

Mr. ADLERMAN. I don't recall that particular phase. I wonder whether or not he may have testified before the Judiciary Committee. I think they are considering something in that connection.

Dr. RECTOR. It is in one of your sets of hearings, No. 2, I believe.

Mr. ADLERMAN. We have not written a report yet on it. That will really be part of this, too.

(Whereupon, at 1:35 p.m. the staff interrogation of Milton Rector was concluded.)

INTERROGATORY OF SOL RUBIN

A staff interrogation of Sol Rubin was held at 10:30 a.m., Monday, October 5, 1964, in room 9, Federal Court House Building, Foley Square, New York, N.Y.

Staff member present: Jerome S. Adlerman, general counsel.

Mr. ADLERMAN. This will be an interrogatory of Mr. Sol Rubin conducted in accordance with the directive of Senator Jackson, acting chairman of the Senate Permanent Subcommittee on Investigations.

Mr. Sol Rubin is counsel to the National Council on Crime and Delinquency and, by extension, counsel to the Advisory Council of Judges.

Mr. Rubin, you are familiar with the intent and purpose of our subcommittee in its investigation into narcotics?

1260 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. RUBIN. That is right; I am.

Mr. ADLERMAN. We wished to examine addiction, treatment, legal remedies, and legislative changes that may be necessary.

Mr. RUBIN. Yes.

Mr. ADLERMAN. You also understand that we have interrogated Mr. Milton G. Rector, director of the National Council on Crime and Delinquency on August 5, 1964?

Mr. RUBIN. Yes.

Mr. ADLERMAN. And you understand that during discussion of the report or the policy statement on narcotics law violation issued by the Advisory Council of Judges of the National Council of Crime and Delinquency, Mr. Rector recommended that we interrogate you as being a person who is more familiar with the formulation of this policy statement?

Mr. RUBIN. Yes.

Mr. ADLERMAN. And you are willing to answer all the questions freely and without hesitation?

Mr. RUBIN. By all means, so far as I can anticipate.

Mr. ADLERMAN. I believe that this report, on this policy statement, is a matter of record with our subcommittee.

There are many aspects of this which are extremely interesting to the subcommittee, expressing viewpoints which we have to respect. At the same time there are some controversial matters included, and there seem to be many different opinions concerning the report.

Although I may ask you some questions which may appear to be controversial, I believe this is necessary in order to clear up some of the facts.

Mr. RUBIN. We are well aware that some of the points we are making are controversial.

Mr. ADLERMAN. I am sure of that. And I also am aware of the letter that you sent to the Commissioner on Narcotics, with a copy addressed to me. I thank you for it. I think it was sent by Mr. Rector.

Mr. RUBIN. Yes.

Mr. ADLERMAN. Mr. Rubin, were you responsible primarily for the preparation of the policy statement on narcotics law violations issued by the advisory council?

Mr. RUBIN. I was the principal staff member who worked with the committee and the ACJ; these are the initials of the Advisory Council of Judges.

Mr. ADLERMAN. There are some 50 judges of the various courts in the United States who make up this council. Is that correct?

Mr. RUBIN. The maximum number is 50; it varies from time to time. It is never more than 2 or 3 below 50.

Mr. ADLERMAN. At the time this policy statement was issued, Chief Judge Alfred Murrah, U.S. Court of Appeals of Oklahoma City, Okla., was the chairman.

Mr. RUBIN. Correct.

Mr. ADLERMAN. Do you mind if I call the report a policy statement?

Mr. RUBIN. Anything you want.

Mr. ADLERMAN. Was this report or policy statement submitted to all of the 50 judges for their consideration and approval?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1261

Mr. RUBIN. Oh, it was submitted to them not only in this form but it was submitted to them in every form in which the previous materials appeared.

For example, originally there was, as you would imagine, a committee report, and then after that there was a draft, and another draft.

Of course, all of these documents went to all the members of the Advisory Council of Judges.

Mr. ADLERMAN. In other words, as I understand it, there were several preliminary drafts that were made before approval was obtained.

Mr. RUBIN. Well, this is not a question of how the before-and-after approval was obtained; this is the way in which we produce all kinds of documents that our Advisory Council of Judges is the author of.

We start with a problem, sometimes this is discussed at an annual meeting rather than informally, a committee is appointed, and the committee renders a report, the report is considered and so on and so forth.

Mr. ADLERMAN. Was this report approved by all of the 50 judges?

Mr. RUBIN. Well, yes, except as noted in the report.

Mr. ADLERMAN. And where was it noted in the report?

Mr. RUBIN. For example, there is one limited dissenting view at page 13 where the question called for civil commitment of drug addicts. It is discussed and Judge Sanders has a somewhat different position from that of the report.

Mr. ADLERMAN. Is this the only instance where there was a reservation as to approval?

Mr. RUBIN. Yes; with respect to the final report.

In other words, all kinds of discussions and comments were addressed to previous materials that the committee produced. But as to the final report, that is the only one.

Mr. ADLERMAN. I did not hear that.

Mr. RUBIN. As to the final report, Judge Sanders is the only judge who expressed a reservation.

Mr. ADLERMAN. Did any of the judges disagree with the full report itself and advise that it should not be published?

Mr. RUBIN. No.

Mr. ADLERMAN. Do you know whether William F. Smith strongly objected to its publication in the form in which it was published?

Mr. RUBIN. He did not, very definitely. I would like to make the comment for the record also with respect to this line of questioning.

Mr. ADLERMAN. Yes.

Mr. RUBIN. I think that the nature of the report and the nature of its sponsorship is such that the report speaks for itself in quite simple terms. We do not have newspaper people or outside reporters, although we have visitors at our working meetings.

All of this is an interfamily discussion until a final report is issued.

Judge Smith had comments on an early report, other judges did all kinds of extended verbal discussions that occurred at our annual meetings, and at our lay meetings.

All of these were taken into account and although we are very proud of the process through which we go in producing these documents, it is a peculiar kind of inquiry so far as I can see when it

1262 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

explores the attitude of a letter of Judge Smith, and things of this kind.

Mr. ADLERMAN. Of course you must realize that there have been questions raised as to this report, questions about whether or not this report really had the approval of the majority of the judges.

Mr. RUBIN. I hardly think that judges like Murrah, whom you cited, and the other people, eminent and distinguished judges whose names appear here, would ever allow their names to appear unless they were in accord.

Mr. ADLERMAN. Was this report signed by each of the 50 judges?

Mr. RUBIN. Actual signature?

Mr. ADLERMAN. Yes.

Mr. RUBIN. No.

Mr. ADLERMAN. How was it finally approved? How did you get the final approval?

Mr. RUBIN. Yes; this was approved in its substance at a working committee meeting taking place at our annual meeting in 1963.

We have an annual meeting.

Mr. ADLERMAN. Is this by voice vote or something of that sort?

Mr. RUBIN. This is by voice vote. Now, it so happens that at that session I was not the staff person present, but typically this may be a formal vote or it may be an obvious expression of approval.

Mr. ADLERMAN. Is this approval by the full 50 members of the Advisory Council of Judges or is it by a committee?

Mr. RUBIN. No; we have two sections comprising our Advisory Council of Judges. One section is the criminal court section and the other is the juvenile and family court section. More or slightly more than half the judges are in the criminal court section, however.

Mr. ADLERMAN. Would this be the criminal court section?

Mr. RUBIN. This would be the criminal court section. But again I want to say that all of the materials at all times went to all members of the ACJ.

Mr. ADLERMAN. Continue.

Mr. RUBIN. Now, then, after this meeting, since you want to know how approval occurred—

Mr. ADLERMAN. Explain it as fully as you wish.

Mr. RUBIN. Because although I do have an opinion about the nature of this inquiry, not only by you—and this is not a judgment about your giving me questions—but about related inquiries—as I say, I think that we adopt a very effective and democratic procedure to do this.

And although the approval occurred at the point of the discussion at the annual meeting, nevertheless there were various suggestions that came out.

These suggestions were then reflected in a revision. That revision then was mailed to all of the judges of the ACJ. And it was indicated then and there that this was a covering memo of mine, it was indicated then that subject to any changes that would come out of such correspondence, this is the form in which it would be published.

That draft, by the way, went to the Federal Bureau of Narcotics and Mr. Giordano had a copy and gave us material, and his material also went to all members of the Advisory Council of Judges.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1263

That occurred after the annual meeting. We actually received inquiries from a number of judges. This resulted in quite a number of changes and as you are aware, Judge Smith was one of those who wrote a letter about it. As a matter of fact, Judge Smith wrote several letters about it because we were in correspondence.

And as the staff person responsible, even though I was not at that meeting, I conferred—I had the minutes written by the man who was present—I met with Judge Smith at his chambers and we had quite a lengthy discussion one morning at which time every consideration was given to Judge Smith to express any dissenting view or any reservations.

I must say that to my surprise he then said:

No; I have decided that I do not want to dissent or express any reservations.

And that is the way it was. So his view as present in that earlier letter is not reflected here for this reason.

MR. ADLERMAN. I think that covers the thing pretty adequately.

MR. RUBIN. Yes.

MR. ADLERMAN. Coming back to the preparation of the basis for this report, what authorities were consulted in drawing up this report? I mean medical authorities?

MR. RUBIN. We did not have a doctor present. Actually what occurred here was that after some preliminary discussion at a meeting of the Advisory Council of Judges, again at an annual meeting in 1959, it was obvious that we could not put out a policy statement without the labors of the committee.

The committee that was appointed consisted of Judge McIlvane who is or was—he has died since then—who was the United States—

MR. ADLERMAN. Who is that?

MR. RUBIN. Judge McIlvane; he died. Yes; this was a great loss to our ACJ, and a personal loss. Judge McIlvane was chairman of the committee.

The members of the committee consisted, besides Judge McIlvane, of Judge Sobeloff who, as you know, was in the U.S. Court of Appeals, and Judge George Ravel, who is a district court judge in the State of Washington, and ex officio member of the committee was the chairman of the section; namely, Chief Justice Cooper, now a U.S. district court judge, then of the court of special sessions.

Now, I myself consulted various materials, both legal and sociological and medical. I am sure that I know that the judges consulted their own materials because they came armed with documents that they themselves had brought.

They came armed with their vast amounts of experience, more than I ever had or ever will have. As I say, there was no doctor present.

I myself read some medical materials thereafter, even before then, but not very much, more afterward as the report was being done. I have no idea how much medical material the others read.

MR. ADLERMAN. You did not have, I take it, any consultant, any medical consultant concerned with it then?

MR. RUBIN. Correct.

MR. ADLERMAN. Did you consider, among other things, the code that was issued—I would call it a code, I may be wrong in my terminology—the code that was issued by the American Medical Associa-

1264 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

tion in conjunction with the National Research Council—I believe I am a little bit vague in my terms.

Mr. RUBIN. I have it here. Actually there were two reports.

Mr. ADLERMAN. I think there was a report in 1963, if I am not mistaken.

Mr. RUBIN. Yes; that is the report.

Mr. ADLERMAN. Are you familiar with the report of the Alcoholism and Drug Addiction Committee of the Council of Mental Health of the American Medical Association of 1963?

Mr. RUBIN. I think that that is a report published in June 1963. The copy I have, and which I have had since it was published, is entitled, I believe, "The Use of Narcotic Drugs in Medical Management of Narcotic Addicts."

Yes; we have had that.

Mr. ADLERMAN. Was that considered at the time you were making the report?

Mr. RUBIN. No; not at the time we wrote the report. This was published in June 1963. However, it was prior to the final publication, although not much prior.

Actually, the final adoption came just prior to the publication.

Mr. ADLERMAN. Was it considered in preparing the final report?

Mr. RUBIN. Well, now, I had this available to me when I took the minutes of the annual meeting and prepared the proposed final version, which again was amended. The others on the council, I imagine, must have known about this report also. But this report was actually issued—

Mr. ADLERMAN. I would like to get what happened pretty clear in my mind. Was this recommendation or was this code that was set out by the American Medical Association, regarding what is good medical practice in the treatment of narcotics addiction, considered at the time this narcotics law violation policy statement was issued?

Mr. RUBIN. Well, the American Medical Association has put out more than one statement on narcotics. They put out a rather substantial one produced by their committee prior to the time our group started consideration of it, and that of course was considered, very much so.

Mr. ADLERMAN. At the time your council statement was issued, you were aware of the fact that the American Medical Association council had taken a position regarding the code of good medical practice concerning addiction?

Mr. RUBIN. Well, I would say that the thing we were most familiar with was the report of the joint committee of the American Medical Association and the American Bar Association.

Mr. ADLERMAN. Were you familiar with the later one that was issued in 1963?

Mr. RUBIN. I personally was familiar with it.

Mr. ADLERMAN. Not with the report issued in conjunction with American Bar Association?

Mr. RUBIN. No; I personally was familiar with this one that you just referred to, the statement of the American Medical Association Council on Mental Health and the National Academy of Sciences, National Research Council, yes.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1265

I was familiar with this one, and as I say, I don't know whether the others were, the members of the council.

Mr. ADLERMAN. This was issued subsequent to the time the American Medical Association had made a statement with the American Bar Association?

Mr. RUBIN. This was issued subsequent to the publication of that report of the American Medical Association and the American Bar Association.

Mr. ADLERMAN. Let me just cite a few points here. This report issued by the American Medical Association Council on Mental Health in conjunction with the National Academy of Sciences, National Research Council, dated June 1963, contains certain statements to which I would like to call your attention.

On page 4, in discussing what is "good medical practice," they state:

*** continued administration of drugs for maintenance of addiction is not a bona fide attempt as a cure, nor is it ethical treatment except in the few unusual circumstances discussed later.

And further—I am referring now to page 5 and I am taking excerpts of this report. Item 21 here:

Withdrawal on an ambulatory basis generally medically unsound and not recommended on the basis of present knowledge.

On page 6, item 27:

Ambulatory clinic plans for withdrawal of narcotics from addiction are *** generally inadequate and medically unsound.

Further on page 6, item 28:

The maintenance of stable dosage levels is generally inadequate and medically unsound.

Without going into details, of course there is a summary on page 9. I would like to ask whether or not these findings, these statements, these pronouncements of the American Medical Association and its subcommittees, and the National Research Council, were considered and deliberated upon when this report or policy statement was issued.

Mr. RUBIN. As I explained before, the report that you have just quoted from was published in June of 1963.

Mr. ADLERMAN. That is right, and your report was published in 1964.

Mr. RUBIN. The annual meeting at which the report was adopted by the Advisory Council of Judges came in May of 1963.

Mr. ADLERMAN. I am sorry.

Mr. RUBIN. Although subsequently there was correspondence that I have already described. The actual action of the ACJ occurred prior to the issuance of this June report.

Mr. ADLERMAN. In other words, you did not have the advantage of having this document of the American Medical Association in front of you before you had your meeting in May of 1963?

Mr. RUBIN. We did not have this in the May meeting.

Mr. ADLERMAN. You may have been able to consider part of it and had some discussion of it between May and the time you printed your own report?

Mr. RUBIN. Yes; except these views were common currency even before June and we had this in other reports.

Before you leave that, however, I think that——

1266 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. Let me say this—at any time if you feel that you want to expand at length fully, feel free to do so, regardless whether or not you feel my question brings out the need.

Mr. RUBIN. Thank you very much. Actually, I only want to add to the answer.

The extract that you have read to me represents one medical view. You know very well that there are other medical views, and you also know that the only elements of medical opinion that the Advisory Council of Judges has expressed in this report is that the drug addict is a sick person, physically and psychologically, and now I have just read from the statement of the report.

So that a number of points made in the material you have read were not involved in our report.

Mr. ADLERMAN. Off the record.

(Discussion off the record.)

Mr. ADLERMAN. There was considerable discussion relating to the *Linder* decision in the report?

Mr. RUBIN. Yes.

Mr. ADLERMAN. I assume that you have made a study of the legal aspects of the thing to quite an extent, because your statements essentially are a legalistic treatise on the matter?

Mr. RUBIN. Yes. I have read the *Linder* case and a number of other cases.

Mr. ADLERMAN. Is it your belief that the Supreme Court decision gave approval of the principle that doctors can furnish addicts with narcotic drugs when the sole purpose is to sustain addiction?

Mr. RUBIN. I think that all of the cases and up to the proposition that under the present holdings a doctor may give a maintenance dose to a bona fide patient, the question of whether this is exclusively for maintenance without an attempted cure is really an artificial question.

For example, just take one illness like arthritis or take another one, diabetes.

Now the medical profession——

Mr. ADLERMAN. Now you are discussing another aspect.

Mr. RUBIN. No; I am trying to make a point.

Mr. ADLERMAN. There is no question. I think we ought to clarify it right now. I know of no case and I don't believe that you could cite any case either—I think this is in fairness to the Bureau of Narcotics—in which any doctor would ever be prosecuted or any attempt be made to prosecute any doctor for treating a patient who is inflicted with any painful condition, such as a case of cancer or anything of that sort, by giving him heavy doses or very heavy doses of narcotics.

There has never been any attempt to prosecute any doctor for that practice.

Mr. RUBIN. That is not the issue.

Mr. ADLERMAN. That is correct; I agree with you.

Mr. RUBIN. The issue is, suppose a doctor has under his care a person who is addicted to narcotic drugs. You grant—the Bureau grants—we believe, and I think this is what the medical field is in accord on—that this is an illness.

It is an illness to which the cure today is not known, just as that is likewise true of some other illnesses. In an illness of that kind the doctors give medication according to the best knowledge that they have

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1267

to relieve the person, hopefully that they will latch on to a cure sooner or later.

To my way of thinking, what this report is saying and what the decisions of the U.S. Supreme Court and the court of appeals have said that a doctor——

Mr. ADLERMAN. When you say the U.S. Supreme Court and court of appeals, are you discussing the *Linder* case?

Mr. RUBIN. Correct. What they are saying is that a doctor who has such a patient may give narcotic drugs to ease that condition even though at the moment he does not have a cure.

Mr. ADLERMAN. It is your position, then, that under the *Linder* decision doctors can treat narcotic addicts and put them on maintenance dosages?

Mr. RUBIN. Correct.

Mr. ADLERMAN. In your research on the legal problems, have you come across any cases since the *Linder* case in which the same position has been taken?

Mr. RUBIN. Yes. We cited one in the report.

Mr. ADLERMAN. What case is that?

Mr. RUBIN. Here at page 13 of the report, we cite *Hawkins v. the United States*, 1937, and *Bush v. the United States* in 1927, and we quote from *Hawkins v. the United States* as follows:

There is no doubt that the *Linder* case ruled that a physician may lawfully prescribe narcotics—may lawfully prescribe narcotics for an addict purely because of his addiction, provided the amount is not large as to put the No. 1 power of the addict to sell part of the drug in violation of the Harrison Act.

Mr. ADLERMAN. I cannot verify the statistics given to me, but they show some 1,600 cases involving doctors since the 1925 case. These two cases that you cited were 1927, I believe.

Mr. RUBIN. One was 1927, and one was 1937.

Mr. ADLERMAN. Have there been any other similar decisions arising out of the 1,600 convictions? I refer to cases that have gone to the Supreme Court or have been taken up on appeal?

Mr. RUBIN. I don't know that.

Mr. ADLERMAN. Off the record.

(Discussion off the record.)

Mr. ADLERMAN. There have been a great number of convictions of doctors since the *Linder* decision in 1925. I have been informed there may be as many as 1,600 such cases. I believe you refer to two or three cases in 1927 and 1937——

Mr. RUBIN. That is right.

Mr. ADLERMAN (continuing). Which have gone up on appeal and which have restated the proposition of the *Linder* case. Does the advisory council or do you as counsel to the advisory council believe that there has been a successful contravention of the ruling of the Supreme Court in the *Linder* case during the past 25 or 30 years by Government agencies, particularly by the Bureau of Narcotics?

Mr. RUBIN. As a practical matter, yes. In other words, this has been the effect of the policy of the Bureau and of its regulations.

Mr. ADLERMAN. Mr. Rubin, don't you feel that if there were 1,600 convictions of doctors of the violations of the Narcotics Act in the past 40 years, and there has been this dearth of decisions since the *Linder* case, that the law should be considered adequate at the present time in regard to the physician's right to prescribe drugs?

1268 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. RUBIN. I don't think that is the conclusion that one would arrive at at all in the light of those prosecutions. I think the doctors today have certain things in front of their eyes; No. 1 is the *Linder* case. Another is the fact that there have been 1,600 prosecutions, and another is that the regulations of the Bureau of Narcotics take a certain form.

Now, no matter what the Supreme Court says, the average doctor will be extremely reluctant to treat an addict because of the nature of the regulations, because there are prosecutions and also because drug addicts have become involved in criminality. They keep away from it.

This is one of the tragedies of the administrative practice.

Mr. ADLERMAN. And it would then follow that you believe that the doctors have avoided treating addicts because of fear of violating the regulations of the Bureau of Narcotics and that these regulations, in your mind, are contrary to the *Linder* decision?

Mr. RUBIN. Correct.

Mr. ADLERMAN. It may well be, then, that the 1,600 convictions which have been cited, may well be convictions of doctors for other illegal activities involved in narcotics.

Mr. RUBIN. I guess it would be that some of these doctors were definitely in violation of the Harrison Act as well as of the regulations.

Mr. ADLERMAN. Coming to the advocacy of maintenance dosage treatment in the council's report—

Mr. RUBIN. Excuse me, we do not advocate maintenance dosage treatment. I think that this is an implication in a great deal that has been said, but this is not our position.

Mr. ADLERMAN. Would you state your position?

Mr. RUBIN. Yes. Our position is that a doctor should be free to treat an addict according to concepts of sound medical practice.

It is true that we have said here:

As the Supreme Court pointed out in the *Linder v. the United States*, the present law is interpreted—and should be so interpreted and enforced by the Narcotics Bureau or any other Government agency—as allowing prescription of medicine including narcotic drugs for relief of conditions incident to addiction.

As I see it, this is about as close as the statement comes to a reference to maintenance dosage, except in the quotation from the *Hawkins v. the United States*.

Mr. ADLERMAN. Do I take it your position is that the Advisory Council of Judges would support a doctor who wished to give maintenance dosages to a patient?

Mr. RUBIN. If a doctor has a bona fide patient who is a drug addict, he should be free to do that, if in his judgment this is what is indicated for this patient.

Mr. ADLERMAN. I questioned Mr. Rector about this and he advises that he felt the report—

advocates maintenance dosages only as a part of treatment for such period as the doctor himself deems necessary. It might be short term or a long term.

Do you agree with the statement of Mr. Rector?

Mr. RUBIN. I think that that statement is consistent with what is in the published statement.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1269

Mr. ADLERMAN. Does this report advocate ambulatory treatment, that is, outpatient treatment of narcotic addicts?

Mr. RUBIN. If this is what a particular doctor thinks is suitable for a particular patient, and there would be drug addicts of that kind, then we say he should be allowed to provide ambulatory treatment.

Mr. ADLERMAN. As you know, the American Medical Association and the National Research Council have taken the position that it is not good ethical practice to give patients maintenance dosages. Would you say that any individual doctor should be able to treat a patient in the way he feels is good practice, even though the great body of medical opinion may be against it?

Mr. RUBIN. Well, I am not so sure that the great body of medical opinion is against maintenance doses in a situation that we are talking about.

There isn't a great body of medical opinion. However, with the record of failure of treatment in this country of addicts, it is our view that bona fide doctors and bona fide relationships with a drug addict should have this freedom and even though that doctor is not doing what the average run of doctors is doing.

I would feel the same way about any other illness. In fact—

Mr. ADLERMAN. Off the record.

(Discussion off the record.)

Mr. ADLERMAN. Mr. Rubin, I think we have to consider another thing. As you answer these questions, of course I expected that you would be giving us not only your own opinion, but you are expressing the viewpoint of the council.

Mr. RUBIN. I believe that up to this point I have been expressing the opinion of the ACJ as well as my own. There is no difference.

Mr. ADLERMAN. Dr. Hess, assistant commissioner of the New York City Department of Health, estimates there are 30,000 narcotic addicts in New York City.

Dr. Hess pointed out that the ambulatory treatment of narcotic addicts in New York City would involve over 30,000 addicts who would need at least one injection of heroin a day. Some of them need more and some would need as many as four a day.

Were the logistics of such ambulatory treatment considered? Did you consider the practicality of giving heroin injections daily to 30,000 narcotic addicts in varying dosages?

Mr. RUBIN. I might say that the judges, in my opinion, would not undertake to set up a structure for treating 30,000 people.

But in my own opinion this is not a realistic question because, if as we would like to see it happen, the regulations were amended or the doctors undertook to treat in a way in which we are suggesting, there would not be 30,000 people being at the doors of doctors. There would be a number of people.

It would be a problem for individual doctors. It would be a problem for the medical societies. We ourselves plan to bring together doctors who are specialists in the treatment of addicts to get their advice on some of these very problems.

But I think this is a problem for the doctors. I have no doubt that among all of these addicts—

Mr. ADLERMAN. If I might interject, and this is not part of our interrogatory, but I might suggest that at that point you ought to

1270 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

consult with Dr. Hess and let her advise you of the headaches of logistics that might be involved.

Mr. RUBIN. We will certainly consider consulting with Dr. Hess.

Mr. ADLERMAN. She evidently is a very well informed physician on the narcotic question.

Mr. RUBIN. I might say that although the problem of logistics here is difficult, it is not one as difficult as the logistical problem of confining drug addicts in institutions where the penal or so-called hospital—

Mr. ADLERMAN. I agree with you.

Mr. RUBIN. Is that on the record?

Mr. ADLERMAN. Of course. I read your report with a great deal of interest and you do cover certain medical aspects of the treatment. We have talked about maintenance dosages. I would like to know if any attention was given to the question of tolerance. Are you familiar with the problems of tolerance of drugs in narcotic usage?

Mr. RUBIN. I certainly have no depth of knowledge on this subject. I assume that a number of our judges have some knowledge of the subject, perhaps probably greater than mine.

But we did not undertake to provide answers to this question. It is a question that the doctors cannot answer; it is something that can only be answered as the doctors have more experience with treating addicts.

Mr. ADLERMAN. I have to take exception to your statement that the doctors cannot answer the question, because from my conversations and from the testimony we have had, we find that one of the principal problems in medical treatment of addicts is the question of tolerance.

If an addict gets a dose of, say, one-half grain he soon builds up a tolerance for that one-half grain and then, in order to get the same euphoria, the same kick, he requires an increased dose of maybe 1 grain a day, continuing in that progression.

I was told about a case where the tolerance was built up to 70 grains a day, an almost incredible amount of heroin for an addict in 1 day.

This is an ever-increasing demand in order to maintain them on the habit and to satisfy them.

If the doctor gives him a maintenance dosage of one-quarter, one-half, 1 grain, 2 grains a day, this could only last a very short time and would not satisfy the addict.

When the addict is dissatisfied with his failure to obtain his state of euphoria, he then goes to the illicit market to get the additional drugs.

Was this question of tolerance considered in any way whatsoever in the drafting of this policy statement of the Advisory Council of Judges?

Mr. RUBIN. As you see, the statement does not go into this question specifically because this is a medical question. If you want my own response to the situation you described, we do not visualize that the medical profession is interested in giving maintenance doses.

On the contrary, the goal of doctors would be to cure the addict or to reduce the requirement.

As I recall, some of the material that I read, the effort of the doctors would be to apply psychological and social assistance of their patients so that the cure or the reduction of dosage would be achieved,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1271

and that is why Mr. Rector said the direction of maintenance dose might involve a very short period of time.

Mr. ADLERMAN. Actually, from what I have been able to learn, withdrawal can be made without too much discomfort to the patient in a period of 2 weeks, and for some patients within a period of a week. There are some doctors who are treating narcotic addicts on withdrawal without giving them any methodone or any narcotics whatsoever in New York City.

There is one in particular who is doing that, but these are patients who are motivated with a desire to be cured, which is an extremely rare motivation in a drug addict.

Mr. RUBIN. I think you are making a very good point. The problem involves all kinds of psychological aspects besides the addiction, and the point I have just made is that there are undoubtedly addicts who are not motivated to give up the addiction immediately but who, under care, could become motivated. Whether this would take a month or 2 months or more, I don't know.

Mr. ADLERMAN. Off the record.

(Discussion off the record.)

Mr. ADLERMAN. I take it your position is that the American Medical Association National Research Council statement that ambulatory clinic programs for withdrawal of narcotic addicts are generally inadequate and medically unsound and that the maintenance of stable doses is generally inadequate and medically unsound, is not accepted by the Advisory Council of Judges as a statement by the great body of medical opinion?

Mr. RUBIN. Well, I don't know whether it represents the great body of medical opinion. I know that there is respectable medical opinion the other way. In other words, this is not the total statement of the medical situation.

Mr. ADLERMAN. Off the record.

(Discussion off the record.)

Mr. ADLERMAN. In view of my previous question I would like to ask this question: Why does the report of the advisory council, on page 13, declare that—

the weight of medical opinion support the view that the British program has been successful.

Mr. RUBIN. Well, the complete statement is as follows:

Although some believe that the British experience is not applicable here, the weight of medical opinion supports the view that the British program has been successful in avoiding a rise in addiction, in keeping the addict from turning to crime, and in preventing racketeering in narcotics.

Mr. ADLERMAN. Can you tell me where you get that "weight of medical opinion"?

Mr. RUBIN. As a matter of fact, I think that very few people would disagree, doctors or anybody else.

Mr. ADLERMAN. I am not asking you that question, I am asking where did you get that "weight of medical opinion," because I have not found that to be true.

Mr. RUBIN. At this point and in support of the statement I have just read, we cite Brill and Larrimore, "The British Narcotics System," 1960 New York State Journal of Medicine, 107, published in 1960, and we refer also to the New York Academy Report No. 39, "Report on Drug Addiction," volume 2, page 417, of 1963.

1272 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. You say that gives you the justification of saying that is the weight of medical opinion?

Mr. RUBIN. Yes.

Mr. ADLERMAN. Do you know that Dr. Brill takes an opposite view on that?

Mr. RUBIN. Dr. Brill?

Mr. ADLERMAN. Yes.

Mr. RUBIN. I don't recall at this moment.

Mr. ADLERMAN. And the British doctors themselves will not subscribe to that.

Mr. RUBIN. Well, may I have the booklet again? It would surprise me very much if the British doctors did not in fact boast that under their system they have been successful—

in avoiding a rise in addiction, in keeping the addict from turning to crime, and in preventing racketeering in narcotics.

Mr. ADLERMAN. In the report of the American Advisory Council it states that—

the addict should be directed to medical help and should not be criminally prosecuted.

I take it that you do not mean that they should not be held accountable for their acts under criminal law?

Mr. RUBIN. Oh, of course, if an addict commits a crime he should be subject to all the regular prosecution processes.

Mr. ADLERMAN. You believe that an addict who steals to finance his habits or who sells narcotics to finance his habit, should be held accountable?

Mr. RUBIN. Well, in general, an addict who commits a crime should be subject to the process of criminal law in that connection.

But on the other hand—

Mr. ADLERMAN. I think I would like to hear your comment.

Mr. RUBIN. On the other hand, if an addict is not at all of a criminal bent, and in order to maintain his habit he must turn to theft, I think that if the policy were what we suggest it to be, such an addict might well be placed on probation, for example, for the criminal charge, or perhaps even avoid the prosecution altogether, if by referring him to a doctor who could treat him freely as we suggest, and we think the law authorizes, his criminal career will obviously come to an end.

Mr. ADLERMAN. Did the advisory council in the preparation of its report consider the high percentage of addicts or known addicts who have been involved in nonnarcotic criminal activity prior to addiction?

Mr. RUBIN. I don't think we had a specific report along those lines. However, the individual members of the committee and the members of the ACJ may well have been familiar with such material.

Mr. ADLERMAN. I think we already touched upon the report of the Federal Bureau of Investigation, which is in the record, which reported that 73 percent of arrested addicts were engaged in criminal activity prior to their first arrest for narcotics.

Were you aware of these statistics during the preparation of the report?

Mr. RUBIN. I was personally not aware of those statistics, although I was aware of material of that kind. As I say, the other members of the ACJ may well have been aware of such things.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1273

Mr. ADLERMAN. Did the judges of the advisory council consider, in the preparation of the report, the ability of the addict to engage in the ordinary pursuit of everyday life while being maintained on an ambulatory basis as an outpatient?

The question is, Could he work? Could he drive a vehicle? Is he able to maintain himself?

Mr. RUBIN. This is the belief of our group——

Mr. ADLERMAN. Do you know whether or not this is a belief of the judges or whether it is a medical belief?

Mr. RUBIN. I think that the answers I have given you earlier elaborate this very point.

It is our belief—again I can only take what is in the report—that doctors treating addicts will exercise ethical judgment the same way they do in other respects, and that they can usefully treat other selected addicts with maintenance doses on an outpatient basis and have these addicts lead successful, law-abiding lives.

Mr. ADLERMAN. One doctor with whom I talked took the same position, but he agreed that these intellectual addicts would constitute a very small percentage, much smaller than 10 percent of all addicts, who would probably be able to maintain themselves in some degree.

Do you know whether the judges would feel that these addicts would be able to maintain themselves in stable employment?

Could they be truckdrivers? Could they be locomotive engineers? Could they operate any machinery with safety?

Mr. RUBIN. Well, I myself have no knowledge.

Mr. ADLERMAN. Was that given consideration by the judges in their advocacy of ambulatory treatment?

Mr. RUBIN. The judges are advocating that addicts, that the doctors be free to give addicts all the medical care they need, including outpatient maintenance doses as indicated.

I am sure that there are members of our group who have a more intimate idea as to the kind of patient to which this would be applicable than is reflected in the report.

The report is a generalization.

Mr. ADLERMAN. One final question on something I touched on before in the record.

There has been previous experience with outpatient clinics in New York City. I think that was touched on in testimony either by Dr. Hess or some of the other doctors. It proved to be unsuccessful and there have been various reasons advanced.

Mr. RUBIN. So far as I know, the judgment that they proved to be unsuccessful is not without explanation. They may have been successful to some extent.

Mr. ADLERMAN. This is a matter of record and we have testimony on it. However, I would like to call your attention to the fact that it is common knowledge—we can substantiate it with figures—that the addiction problem in the United States was a very much larger problem 30, 40 years ago and that it was prevalent all over the United States. Today addiction is confined almost entirely to the very large centers of population such as New York, Los Angeles, Chicago, with a smattering in some of the other large cities. But the great bulk of addicts, probably 90 percent or more, are located in these big centers where organized criminal activities make narcotics available to the users.

1274 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

We have statistics in the record showing that many States do not have a single narcotic addict, and that 40 of the 50 States have less than 500 addicts in the whole State.

One of two reasons advanced for the heavy addiction in the big cities is the criminal activity in the big cities and the fact that organized crime does not get out to the small villages and towns or rural areas in the United States. But if the law was changed to permit doctors to freely prescribe to addicts, we well might revert to the situation that took place 30 or 40 years ago, prior to the Harrison Act, when doctors were allowed to prescribe drugs freely, when narcotics were accessible and addiction was a problem in every town and village in the United States.

Now, if the Advisory Council of Judges position were accepted and made part of the law, would not the addiction problem revert to what it was 40 years ago?

Mr. RUBIN. Definitely not, in my opinion. I think that if you take a view of history in just slightly different terms you have quite a different picture.

The period you refer to should not be 30 or 40 years ago but it should be 70 years ago. This was a period when, in fact, there were a great many addicts as you say, but this was a period when doctors were ignorant of the existing nature of the drugs and so drugs were obtainable in medicine and given to children, medicine prescribed for casual illnesses.

The real pushing back of the addiction problem came before the Harrison Act, as I understand it, when the doctors discovered the dangers in prescribing the drugs.

Now, then, come to the period since the Harrison Act where, as previously these people were living law-abiding lives, since the Harrison Act and especially since the end of World War II the addict group is a criminal group.

It is our view that the problem—

Mr. ADLERMAN. Have addicts become more numerous since that time?

Mr. RUBIN. In my understanding—

Mr. ADLERMAN. Since the enforcement of the Harrison Act.

Mr. RUBIN. In my understanding since the end of World War II the problem has definitely increased.

Mr. ADLERMAN. Let us be fair. During World War II there was no access for the transportation of drugs from the Near East or the Far East to the United States because shipping was so tightly controlled and narcotics could not come in through the military channels.

There was a complete cutoff of the supply of narcotics.

I think that when you say since World War II, that is not a correct assessment. If you were to say for the period excepting World War II, then I could say this is a fair way of approaching it. But if you say that, then you cannot use those figures because there was practically a termination of the use of narcotics during World War II.

Mr. RUBIN. The main contrast that I want to make is between the period of 70, 80 years ago when the drug addicts—

Mr. ADLERMAN. Let us take the period before the Harrison Act and after the Harrison Act.

Mr. RUBIN. That is basically what I am doing. Before the Harrison Act the drug addicts were by and large not the criminal group.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1275

Mr. ADLERMAN. How many were there in the United States?

Mr. RUBIN. I am not sure; I don't think I know.

Mr. ADLERMAN. I think the statistics will be in the record on that. I can tell you this, there were very, very many more than there are at the present time and our population growth has been enormous since that time, as you know.

Mr. RUBIN. Do you consider the Harrison Act administration up to the present time to be a success?

Mr. ADLERMAN. I would say pretty much of a success, even though we still have 60,000 addicts in the United States. I think they have registered 50,000 but I'm willing to say it is more like 60,000.

Mr. RUBIN. Well, I think that if you asked a cross section of knowledgeable people the same question, my guess is that most of them would say that the present situation is far from a successful one, and if you looked at the proceedings of the White House Conference on Narcotics, this is certainly the picture you would get.

Mr. ADLERMAN. I am well aware of that; I attended that conference.

I want to thank you very much for coming, Mr. Rubin. I will see to it that you get a printed copy of the record as soon as we have it.

(Whereupon, at 12:15 p.m., the interrogatory concluded.)

AFFIDAVIT OF WILLIAM F. SMITH

STATE OF NEW JERSEY

County of Essex, ss:

William F. Smith, being duly sworn according to law, deposes and says:

That he is a judge of the U.S. Court of Appeals for the Third Circuit and prior to his appointment to the court of appeals was a judge of the U.S. District Court for the District of New Jersey for more than 20 years.

He further deposes and says that the annexed statement was written by him and that the opinions therein expressed, except those supported by court decisions or other cited references, are his own.

WILLIAM F. SMITH.

Sworn and subscribed to before me this 2d day of November 1964.

ANGELO W. LOCASCIO.

STATEMENT OF WILLIAM F. SMITH

To the Senate Permanent Subcommittee on Investigations:

This statement is submitted in response to a request by Jerome S. Adlerman, Esq., general counsel to the committee. The statement is purposely confined to a review of the existing narcotics laws in the light of the recognized objectives of the penal statutes, the means by which these objectives are best achieved, and the effect the narcotics laws have on the attainment of these objectives. The views herein expressed are my own, but I am confident that they are shared by a majority of the judges who have had any experience in the administration of the narcotics laws.

NARCOTIC OFFENDERS

The narcotic offenders may be classified as follows: (1) The wholesale or retail distributor engaged in the illicit traffic; (2) the peddler engaged in the illegal retail sale to the consumer; and (3) the addict or user whose violations may be incidental to his habitual use of narcotics. The nature of their offenses are distinct as to the circumstances of their commission and the gravity of public injury. However, under present laws the offenders must be treated alike. A fair appraisal of mandatory criminal sanctions as a means to combat narcotic abuses requires a consideration of the objectives of the penal laws and the means by which these objectives are best achieved.

OBJECTIVES OF CRIMINAL JUSTICE

The ultimate objective of the penal statutes is the protection of society against the antisocial behavior of its derelict members. We have learned from experi-

1276 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

ence that this objective can best be achieved by the rehabilitation of the offender and his return to the community as a useful citizen. The primary function of the imposition of criminal sanctions, whether probation or imprisonment, should be rehabilitation. It was observed by the Supreme Court in the case of *Williams v. New York* (337 U.S. 241, 248): "Retribution is no longer the dominant objective of the criminal law. Reformation and rehabilitation of offenders have become the important goals of criminal jurisprudence."

There are many offenders whose criminal activities and social attitudes have been such as to indicate that correctional treatment can be best accomplished under institutional supervision. The commitment of such offenders is appropriate as an intermediate means to reformation and deterrence. The term of imprisonment imposed upon such an offender should be consistent not only with the nature and gravity of the offense but also with the needs of the offender; the terms should be no longer than necessary to achieve the rehabilitation of the offender and the protection of society. The prognosis may be difficult but there should be a conscientious effort to make it. The sentence that is excessively severe is retribution in disguise and frequently a barrier to effective rehabilitation. What has been said here is particularly applicable in the majority of cases involving user-offenders whose criminal activities are usually incidental to the maintenance of their habits.

The conscientious judge is fully aware that his choice of the appropriate sentence should be based upon an informed judgment and not upon a cursory evaluation of either the offense or the gravity of public injury. The factors which enter into his determination are: (1) The nature of the offense; (2) the gravity of public injury; (3) the general behavior patterns of the offender, including his personal characteristics and attitudes; (4) the significant facts in the life of the offender; and (5) the family environment in which the offender has lived. The third, fourth, and fifth factors frequently prove more significant than the nature of the crime in which the offender was involved. The existing narcotics laws preclude their consideration in the case of the narcotic offender. The present laws deprive the courts of almost all discretion and have had discernible adverse effects.

The legislation enacted by Congress since 1948, when the Federal Juvenile Delinquency Act was passed, has made available a wide range of expedients adaptable to the individualized treatment of criminal offenders. These expedients are consistent with our advanced knowledge of the social sciences and the modern concepts of criminal jurisprudence. However, the Narcotics Control Act of 1956 (26 U.S.C. 7237) divested the courts of the authority to employ these expedients in cases involving narcotics offenders (*United States v. Lane*, 284 F. 2d 935 (9th Cir.); *United States v. Gibbs*, 285 F. 2d 225 (9th Cir.)).

We direct our attention to the Federal Youth Corrections Act (18 U.S.C. 5005 et seq.) the provisions of which are applicable in the case of a youthful offender who is therein defined as "a person under the age of 22 years at the time of conviction." Thereunder " * * * the court may, in lieu of the penalty of imprisonment otherwise provided by law, sentence the youth offender to the custody of the Attorney General for *treatment and supervision* * * *." [Emphasis supplied.] The discretionary authority to discharge such an offender is vested in the Youth Correction Division (18 U.S.C. 5017). It should be noted further that under the act the court may, prior to the imposition of sentence, commit the offender for observation and study. The report of the study serves as a guide in the choice of the appropriate sentence.

The purpose of the legislation, in the language of the House report, was: " * * * to substitute for *retributive punishment methods of training and treatment designed to correct and prevent antisocial tendencies*. It departs from the mere punitive idea of dealing with criminals and *looks primarily to the objective idea of rehabilitation*." [Emphasis supplied.] In view of the stated purpose of the act, is there any valid reason why its salutary provisions should not be applicable in the case of a youthful addict or addiction-prone user? It is my considered view that the commitment of such an offender to an appropriate treatment center, followed by his conditional release under supervision, would, in many cases, effect his rehabilitation. As an inducement to his cooperation in a program of rehabilitation, his conviction could be set aside, as provided in 18 U.S.C. 5021(a).

The enactment of August 25, 1958 (18 U.S.C. 4209), made the provisions of the act applicable to a "young adult offender," a person under the age of 26 years, upon a determination by the court "that there is reasonable ground to believe that the defendant will benefit from the treatment provided under" the

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1277

act. The optional sentencing procedures available in the case of a "youth offender" were made available in the case of a young adult offender, with one rather important exception. The salutary provisions of the act are not applicable in the case of a "young adult offender" convicted of a violation of the narcotic laws; he is not eligible for either probation or parole (sec. 7 of Public Law 85-752). What has heretofore been said about the "youthful offender" is also true of the "young adult offender."

We direct our attention to section 3 of Public Law 85-752 (18 U.S.C.A. 4208) which introduced the principle of the indeterminate sentence of imprisonment. The cited section provides: "* * *, when in its opinion the ends of justice and best interests of the public require that the defendant be sentenced to imprisonment for a term exceeding one year," the court "may (1) designate in the sentence of imprisonment imposed a minimum term at the expiration of which the prisoner shall become eligible for parole, * * *, or (2) the court may fix the maximum term of imprisonment to be served, in which event the court may specify that the prisoner may become eligible for parole at such time as the board of parole may determine." [Emphasis supplied.] We have taken some liberty with the language of the statute but this we have done in the interest of clarity.

It is generally recognized by the courts, and in fact by others, that the duration of the term of imprisonment, whether determinate or indeterminate, must fit not only the offense but also the particular needs of the offender. The indeterminate sentence is sufficiently flexible to meet both requirements. The particular advantage of the indeterminate sentence, however, lies in the fact that it affords the flexibility necessary to individualized reformatory treatment. This is an advantage not found in a system of rigid and arbitrary statutory standards. The dominant objective of the indeterminate sentence is treatment and rehabilitation under institutional supervision. However, the provisions of the statute may not be invoked by the court in the case of the narcotic offender, even though he may be an addict or an addiction-prone user.

We have heretofore discussed sections 5005 and 4209 of title 18, United States Code, the objectives of which are correctional treatment and rehabilitation. There is now pending in Congress a bill, S. 863, which will make the optional sentencing procedures available under section 5010 applicable in cases involving violations of the narcotics laws. This bill was introduced by Senator Keating, joined by Senators Javits, Case, Kuchel, Long, and Scott. The proposed legislation was approved by the Judicial Conference of the United States on the recommendation of its Committee on the Administration of Criminal Law, of which I am Chairman.

It should be noted further that corrective legislation (S. 2619, 87th Cong.) was introduced by Senator Hruska in 1961. The introduction of the bill was accompanied by a comprehensive report (Congressional Report, Sept. 22, 1961), in which Senator Hruska stated:

"* * * the present statutory requirement of a mandatory sentence of imprisonment, with no provision for parole, not only frustrates the search for reasonable justice; it ignores the real problem which the drug addicts represent. An addict imprisoned under the Narcotic Control Act is certainly kept away from drugs over a long period of time; but the very length of his term leaves him with very little basis or motivation to rehabilitate himself. The medico-psychological problems which his addiction really involve are largely unmet, because his imprisonment postpones for too long the essential final phase of his treatment which must be undertaken in the community.

MANDATORY TERMS OF IMPRISONMENT

The purpose of the Narcotic Control Act was to strengthen the narcotic laws "to more effectively combat drug addiction and illicit drug traffic" (House report). We can agree that criminal sanctions, including long terms of imprisonment, may be essential to the enforcement of the narcotic laws and the eradication of illicit traffic. However, we must recognize a distinction between the commercial purveyor and the offender user. The available information clearly indicates that mandatory imprisonment as a remedy for narcotic abuse is open to serious question.

We agree that drug addiction, in and of itself, is not a criminal offense and cannot be made such by legislation (*Robinson v. California*, 370 U.S. 660 (1962)). However, the addict who is found guilty of the violation of a narcotic law should not be exempt from the applicable criminal sanctions solely because of his addiction. The criminal sanction imposed, including any term of imprisonment,

1278 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

should be commensurate not only with the nature and gravity of the offense but also with the individual needs of the offender. This is one of several reasons why we recommend the abolition of mandatory terms of imprisonment and the restoration of the discretionary authority of the courts to make a determination as to the appropriate sentence.

There are many conscientious and responsible law enforcement officials who adhere to the opinion that the imposition of mandatory terms of imprisonment is essential to the effective elimination of the underground traffic in narcotics. They argue that prior to the enactment of the Narcotics Control Act of 1956 (26 U.S.C. 7327), and its predecessor, the Boggs Act of 1951, terms of imprisonment imposed on narcotic offenders were not severe enough. What they really mean is that the sentences imposed did not comport with their views as to what the sentences should have been.

The argument overlooks the well-recognized distinction between the function of the law enforcement agency and that of the courts in the administration of our criminal laws. It has been the usual and customary responsibility of the agency to investigate criminal activity and bring the offenders to justice; it has been the usual and customary function of the courts to administer the laws in accordance with acceptable standards of fairness. The Narcotics Control Act deprives the court of this function.

The annexed tabulations, taken from official records, would indicate a significant increase in the number of narcotic offenders now confined in the Federal prisons and an insignificant decrease in the number of narcotic offenders prosecuted and convicted under the federal laws. There were 1,168 narcotic offenders convicted in the federal courts in 1960, and of this number approximately 650 were found to be users. The ratio in earlier years has probably been the same. As of June 30, 1962, there were 4,814 narcotic offenders incarcerated in the federal prisons at an annual cost of approximately ten million dollars.

Since 1952, the number of narcotic offenders confined in federal prisons has increased by over two thousand. It seems reasonable to assume that this alarming increase is attributable to the indiscriminate imposition of mandatory terms of imprisonment on all offenders. This is at least some evidence that the purpose of the Narcotics Control Act has not been achieved.

The indiscriminate imposition of mandatory terms of imprisonment on all offenders, regardless of the nature of the offense, the circumstances of its commission and the gravity of public injury, gives rise to sentence disparity and inequality in the determination of criminal justice. Such disparity and inequality are unavoidable consequences in the administration of our existing narcotics laws.

POLICY STATEMENT ISSUED BY THE ADVISORY COUNCIL OF JUDGES OF THE NATIONAL COUNCIL ON CRIME AND DELINQUENCY

The National Council on Crime and Delinquency has placed before the Committee a policy statement issued by the Advisory Council of Judges, of which I am a member. I do not know how many of the judges actually endorsed the statement but I do know that I did not. The statement, in preliminary form, first came to my attention in the latter part of 1963. At that time I objected to its issuance on the grounds, among others, that it was superficial and lacked "depth and objectivity." It is my opinion that the statement is nothing more than an attack on the validity of a Bureau of Narcotics regulation (26 CFR 151.392, as amended) and a defense of a policy apparently espoused by the New York Academy of Medicine ("Report on Drug Addiction," New York State Journal of Medicine, July 1963).

The attack is leveled against that portion of the regulation which reads as follows:

"An order purporting to be a prescription issued to an addict or habitual user of narcotics, *not in the course of professional treatment but for the purpose of providing the user of narcotics sufficient to keep him comfortable* by maintaining his customary use, is not a prescription within the meaning or intent of section 4705(c) (2) * * *." [Emphasis supplied.]

It is the position of the council that the regulation is in conflict with the decision of the Supreme Court in *Linder v. United States* (268 U.S. 5 (1925)). The council maintains that under the law, except for the prohibition of the regulation, a registered physician may dispense or prescribe narcotics, even though his sole purpose is to satisfy an addict's habit. I must respectfully disagree.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1279

The regulation, as I interpret it, is in accord with the existing statutory provisions (26 U.S.C. 4705(c) (1) (2)) and the decisions of the courts. The decision of the Court in the *Linder* case must be construed in the light of the two earlier decisions: *Jin Fuey Moy v. United States* (254 U.S. 189 (1920)) and *United States v. Behrman* (258 U.S. 280 (1922)). It seems unnecessary to summarize the facts in each case.

In the *Behrman* case the Court was called upon to construe section 2 of the Narcotic Drug Act of December 17, 1914 (38 Stat. 785, 786). Thereunder a physician who dispensed narcotic drugs to a "patient" in the course of his professional practice was exempt from the prohibitions of the act. The Court held that the exemption was limited in its application to a physician who dispensed or prescribed narcotic drugs in the course of his professional practice and for medical purposes.

The Court stated, at pages 287 and 288:

"Former decisions of this Court have held that the purpose of the exception is to confine the distribution of these drugs to the regular and lawful course of professional practice, and that not everything called a prescription is necessarily such (*Webb v. United States* (249 U.S. 96); *Jin Fuey Moy v. United States* (254 U.S. 189)). Of this phase of the act this Court said in the *Jin Fuey Moy* case, p. 194:

"Manifestly the phrases 'to a patient' and 'in the course of his professional practice only' are intended to confine the immunity of a registered physician, in dispensing the narcotic drugs mentioned in the act, strictly within the appropriate bounds of a physician's professional practice, and not to extend it to include a sale to a dealer or a *distribution intended to cater to the appetite or satisfy the craving of one addicted to the use of the drug*. A 'prescription' issued for either of the latter purposes protects neither the physician who issues it nor the dealer who knowingly accepts and fills it." [Emphasis supplied.]

The *Linder* case is clearly not to the contrary. Therein the defendant, a registered physician, was convicted on an indictment which charged that he had dispensed a moderate quantity of narcotic drugs to a known addict with the intent that the addict would use the same by self-administration. The Court reversed the conviction of the physician on the grounds that: first, the indictment failed to charge that the defendant had not acted in good faith and in the course of his professional practice; second, that the evidence was insufficient to sustain such a charge if it had, in fact, been made. The decision sustained the right of a physician to dispense narcotic drugs, even to an addict, in the course of his professional practice and for medical purposes.

The Court stated, at page 18:

"They [narcotic addicts] are diseased and proper subjects for such treatment, and we cannot possibly conclude that a physician acted improperly or unwisely or for other than medical purposes solely because he had dispensed to one of them, in the ordinary course and in good faith, four small tablets of morphine or cocaine for relief of *conditions incident to addiction*. * * * Mere pretense of such practice, of course, cannot legalize forbidden sales, or otherwise nullify valid provisions of the statute, or defeat such regulations as may be fairly appropriate to its enforcement within the proper limitations of a revenue measure." [Emphasis supplied.]

The Court was careful to distinguish the *Linder* case from the *Behrman* case. Referring to the *Behrman* case, it stated, at page 22:

"The opinion cannot be accepted as authority for holding that a physician, who acts bona fide and according to fair medical standards, may never give an addict moderate amounts of drugs for self-administration in order to relieve conditions incident to addiction." [Emphasis supplied.]

It should be emphasized that the Court did not reverse any of its earlier decisions.

There is nothing in the decision in the *Linder* case which supports the position taken by the council. The decision upheld the right of a physician in the course of his professional practice to dispense or prescribe narcotics to alleviate "conditions incident to addiction." The quoted phrase undoubtedly refers to the frequently serious symptoms which accompany withdrawal of the drug—pain, cold perspiration, chills, nervous instability, etc. These are symptoms of a medical condition for which the administration of narcotics is indicated.

The council seems to rely rather heavily on what purports to be an interpretation of the *Linder* case adopted by the U.S. Court of Appeals for the Fifth Circuit in *Hawkins v. United States* (90 F. 2d 551). It is therein stated, at page 553:

1280 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

"There is no doubt that the case ruled that a physician may lawfully prescribe narcotics for an addict *purely because of his addiction*, provided the amount is not so large as to put it within the power of the addict to sell part of the drug in violation of the Harrison Act." [Emphasis supplied.]

The phrase "purely because of his addiction" is ambiguous. If the quotation is construed as meaning that a physician may dispense or prescribe narcotics solely to satisfy the habit of an addict, it is in conflict with the *Linder* case and other cases since decided.

Since the decisions of the Supreme Court in the *Linder* and *Behrman* cases the courts of appeals have uniformly held that a registered physician in the course of his professional practice may dispense and prescribe narcotics for medical purposes. This would include the treatment of an addict (*Needleman v. United States* (261 F. 2d 802 (5th Cir. 1958); *United States v. Brandenburg* (153 F. 2d 110 (3d Cir. 1946)). The same courts have held that a physician may not, except in the course of his professional practice and for medical purposes, dispense narcotics to an addict either directly or by written prescription (*ibid.*). This was also the holding in *Hawkins v. United States, supra*, and *Bush v. United States* (16 F. 2d 709) cited in the statement of policy.

The statement of policy suggests that many physicians are reluctant to undertake treatment of addicts because of fear of prosecution. This suggestion is open to serious question. The majority of responsible physicians are reluctant to undertake the ambulatory treatment of addicts because they recognize that absent control conditions essential to effective cure such treatment is not medically feasible. Absent such conditions there would be nothing to prevent an addict from going to two or more physicians, each unaware that he was under treatment by another or others. There would likewise be nothing to prevent his seeking an additional supply from an underground market. Under the policy recommended by the council a physician could be made an additional source of supply.

In 1921, a committee of the American Medical Association stated in a report:

"* * * The only proper and scientific method of treating narcotic drug addiction is under *such conditions of control* that any administration of any habit-forming narcotic drug must be by or under the direct personal authority of the physician with no chance of any distribution of the drug of addiction to others, or opportunity for the same person to procure any of the drug from any source other than from the physician directly responsible for the addict's treatment (76 JMA 669, June 1921). [Emphasis supplied.]

This statement was made the subject of a resolution adopted by the house of delegates of the American Medical Association in June of 1924 (82 JMA, 1938). Since that time the association has adhered to substantially the same position.

The statement of policy issued by the council recommends an ambulatory clinic plan under which addicts could receive treatment as outpatients. Such plans were criticized as "generally inadequate and medically unsound" in a joint statement issued by the AMA and the NRC in 1962 (18 New York Journal of Medicine 561). The statement read in part as follows:

"The maintenance of stable dosage levels is generally inadequate and medically unsound and ambulatory clinic plans for the withdrawal of narcotics from addicts are likewise generally inadequate and medically unsound.

"As a result of these conclusions the American Medical Association and the National Research Council oppose on the basis of present knowledge such ambulatory treatment plans." [Emphasis supplied.]

We cite as an additional reference 182 JAMA 30, October 1962.

The statement of policy refers only to the clinic plans established in the early 1920's in approximately forty cities. The statement reads in pertinent part as follows:

"Some of them appeared to be *fairly successful*, although many took insufficient precautions to assure that addicts would not obtain drugs from more than one source or failed to ascertain that they were treating actual addicts, so that sometimes peddlers came and sold the drugs they received from the clinics." [Emphasis supplied.]

That these plans were "fairly successful" is an understatement; the plans were dismal failures, because under them the clinics were unable to maintain adequate conditions of control (Brown, "The Enigma of Drug Addiction," pp. 170-183). By the end of 1925 all of the clinics had been closed (*ibid.*).

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1281

The statement of policy contains the following observation :

"Although some believe that the British experience is not applicable here, the weight of medical opinion supports the view that the British program has been successful in avoiding a rise in addiction, in keeping the addict from turning to crime, and in preventing racketeering in narcotics."

The adaptability of the "experience" to the solution of the serious narcotics problems which exist in this country was questioned by the medical experts at the White House Conference on Narcotics and Drug Abuse. However, any evaluation of the "experience" would require a consideration of two important factors: first, the low incidence of narcotic addiction in England; and second, the control conditions implicit in the governmental regulation of the practice of medicine in England.

Respectfully submitted.

WILLIAM F. SMITH,
Judge, U.S. Court of Appeals.

Narcotic offenders prosecuted in Federal courts

[District of Columbia not included]

	1957	1958	1959	1960	1961
Marihuana.....	741	527	481	591	455
Narcotics.....	1,294	1,455	1,409	1,318	1,297
Total.....	2,005	1,982	1,800	1,909	1,752

Narcotic offenders received in Federal prisons

	1950	1952	1954	1956	1958	1960
Marihuana.....	878	654	509	325	303	288
Narcotics.....	1,151	1,278	1,366	1,189	1,264	1,168
Total.....	2,029	1,932	1,875	1,514	1,567	1,456

Narcotic offenders confined in Federal prisons

	1950	1952	1954	1956	1958	1960
Marihuana.....	731	842	877	679	624	686
Narcotics.....	1,286	1,871	2,307	2,502	2,876	3,501
Total.....	2,017	2,713	3,184	3,181	3,500	4,187

Senator JACKSON. Dr. Henry Brill?

He is not here.

Dr. Lawrence C. Kolb?

Do you solemnly swear that the testimony you are about to give before this subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

TESTIMONY OF LAWRENCE C. KOLB, M.D.

Dr. KOLB. I do.

Senator JACKSON. State your name, please.

Dr. KOLB. Dr. Lawrence Kolb, director of the New York Psychiatric Institute and the Psychiatric Service of the Presbyterian Hospital, and chairman of the Department of Psychiatry at Columbia University. My address is 722 West 168th Street, New York City.

1282 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Senator JACKSON. Thank you, Doctor. You have a statement, do you not?

Dr. KOLB. Yes, sir.

Senator JACKSON. To the best of your ability, the statement is true and correct?

Dr. KOLB. That is correct.

Mr. ADLERMAN. Appended to your statement is a report, I believe.

Senator JACKSON. Is that the report on drug addiction?

Dr. KOLB. We have two committee reports. I have copies of those if they are not immediately available to you.

Senator JACKSON. The committee will receive the reports. We will decide as to whether they shall be included as an exhibit or printed at this point in the record.

I have No. II before me.

Dr. KOLB. I have No. I. I will give it to you.

Senator JACKSON. Thank you, Doctor.

Dr. KOLB. Thank you.

STATEMENT OF LAWRENCE C. KOLB, M.D.

The New York Academy of Medicine Committee on Public Health, recognizing the unsatisfactory results of treatment of the narcotic addict and control of narcotic addiction, has studied and issued two reports on the subject, the first in 1955 and the second in 1963. The academy committee concluded that the outcome of 25 years of experience in this country with the restrictive and punitive approach to the treatment of the narcotic addict had demonstrated its inadequacy. A comprehensive program was put forward following the original report, as outlined below:

1. That a national policy be formulated with a central thesis that the addict is a sick person.

2. That this thesis should be a guiding principle in the policies, program, and practices or actions of all the various agencies and bodies dealing with the narcotics problem, including medicine, legislation, enforcement, parole, and probation.

3. That the medical approach to the narcotics and addiction problems should be allowed application and fulfillment by rescission of the present threatening regulation which denies to the physician freedom to treat addiction according to his clinical judgment. This step is necessary in order to encourage the physician to return to and permit him to reassume his professional responsibility in this area.

This step could be achieved most directly and expeditiously if the Narcotics Bureau, subscribing to the new policy, would gracefully remove itself from the practice of medicine, cease placing its own interpretation on what are legitimate medical purposes for narcotic addicts, and remove the existing unwarranted restriction now specified in section 151.392 of regulations No. 5.

4. That all addicts should come under medical supervision or treatment. As a result, one source of spread will be reduced; another source, illicit traffic with its profit, will cease; and sick persons will be restored to health.

5. That a national program for the eradication of addiction reflecting the new policy be designed and put into effect. It should be comprehensive in scope. Planning and execution of it should call for the combined activity of all the various bodies working in unity and harmony, but each staying within its own province.

The reaction to the 1955 report was focused largely on point No. 3, to the neglect of the overall statement. Indeed, what was more regrettable, the academy's program was misunderstood and misinterpreted by many organizations and persons. For these reasons, a second report was issued in 1963.

It should be clearly stated that the academy's position and program in 1963 is the same as that of 1955. This second report, issued this past year, was for clarification, recording of advances, highlighting of remaining obstacles and how they may be removed, and some recommendations on organizational framework for an all-out attack on addiction.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1283

This is the situation today :

1. There has been progress in recognizing that the addict is a sick person.
2. Unfortunately, there has developed a tendency to ignore or play down the role of profit in the spread of addiction.

3. The regulation of the Bureau of Narcotics controlling the treatment of addicts still stands. Physicians are not permitted to exercise clinical judgment in the treatment of the addict. Rather, they must follow strictly a mode of treatment that is imposed upon them. In a program of treatment, the physician is the key person, but as a result of dictation by a regulation of the Narcotics Bureau, the physician is not permitted to exercise his clinical judgment in the treatment of addicts. Instead, he must adhere to a narrow course laid down by the Bureau. Any deviation from it might mean arrest, even imprisonment and loss of license to practice medicine. Many were arrested and jailed for practices that were the accepted order of the day.

Method of treatment is the crux of the matter. The only method approved in the Bureau's regulation represents the longstanding attitude of the Bureau of Narcotics and the American Medical Association and, more recently, the National Research Council. The academy thinks that this method and the philosophy upon which it is founded is incorrect for these reasons :

The only method of treatment, that of immediate withdrawal or detoxification, is outmoded. It is, therefore, representative of poor medical practice. The regulation compels physicians to use an archaic and unsound approach to treatment for all addicts. The consequences of this regulation on treatment have been little short of disastrous. Physicians have departed en masse from the field of addiction. As might be expected with a restrictive regulation and little progress by the way of research, the record of success in treatment is not what it might have been. The academy recognizes now that addiction contains a large psychological as well as physical element. Every addict is different. Therefore, the treatment must not be stereotyped, but, rather, individualized and tailored to the particular addict. Accordingly, there are therapeutic decisions in which the physician must exercise his clinical judgment : whether to institute withdrawal or recommend maintenance; when to start withdrawal and the choice of mode. These decisions require a complete study of the addict-patient and complete freedom for the physician to exercise his critical judgment.

There are stages in the therapeutic course where the Bureau's regulations are inadequate, restrictive, or prohibitive. One is the preadmission period. What is to happen to the addict who must await admission to the hospital? There is no provision for the physician to maintain an addict still on the outside during this waiting period. To supply him, the physician must violate the regulations. A second stage of jeopardy for the physician is the postadmission, but pre-withdrawal period, that interval in which the addict must be studied for a therapeutic decision. It may be long, and the addict must be maintained on his customary drug during this time. Again, there is no provision for maintenance of the addict during this period. The third occasion for risk is the choice of treatment and the timing. Among the several therapeutic procedures to be considered is the reduction method on which the Bureau frowns; or in a small proportion of selected cases, it may be maintenance, a legitimate and proper method for some addicts. Yet this procedure is definitely prohibited by the Bureau, although any other therapeutic course at that time may leave the addict worse. Two other situations are also potentially hazardous. The presumed immunity or exemption of the hospital or of research from the Bureau's encroachment is not supported by literal interpretation of the regulations. Belief that there is clinical freedom in either situation is pinned upon false security.

To properly perform his professional duties the physician must be free to exercise his clinical judgment on therapeutic procedure. He must not feel uncertain, hampered, or outright in jeopardy from a governmental agency such as the Narcotics Bureau. Furthermore, he must not be in a position of depending on the personal whims, forbearance, or oral reassurance of enforcement agents.

INTERROGATORY OF DR. LAWRENCE C. KOLB

A staff interrogation of Dr. Lawrence C. Kolb, of the New York Academy of Medicine, was held at 11:30 a.m. in room 101, Senate Office Building, Washington, D.C.

Staff members present: Jerome S. Adlerman, general counsel, and Eugene J. Marshall, consultant to the subcommittee.

1284 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Also present: Charles J. Reynolds, a shorthand reporter from Alderson Reporting Co.

Mr. ADLERMAN. These are interrogatories taken the 5th day of August 1964, at 11:30 a.m., pursuant to the permission granted by the committee at a hearing conducted this same date.

Present: Dr. Lawrence C. Kolb, Jerome S. Adlerman, counsel, and Eugene J. Marshall.

Dr. Kolb, I propose to ask you a few questions in the hope that you will explain the position of the New York Academy of Medicine, as well as your own views on the subject of treatment of the addict.

At the outset, I would like to know, if it is your view that the joint statement released by the American Medical Association and the National Research Council in June 1963 states, provides or denies that a physician has any freedom to treat addiction according to his clinical judgment?

Dr. KOLB. Let me say that the academy met with representatives of the AMA group and we are not in agreement with their statement. We feel that it is still a restrictive presentation of the method of dealing with the addict; and also, I think we had some feeling—well, that is enough of that.

We are not in agreement with the statement. We feel that it doesn't recognize the full problem of addiction in the sense that those who become involved with drugs represent a multitude of personality types and a treatment needs to be individualized.

Their statement does not allow the physician to approach treatment in a particular, specialized way for the individual person. It is some improvement over the statement provided in the regulations of the Bureau of Narcotics, but we don't feel it provides for full practice of medicine in the treatment of the addict.

Mr. ADLERMAN. Would you explain what you mean by the statement that a physician is not permitted to exercise clinical judgment in the treatment of an addict?

Dr. KOLB. Yes. Perhaps it would be best to do this by providing some examples.

First of all, the clinician should make a diagnostic evaluation of the patient and in the group of addicts he will find people generally falling into three or four large categories. From the psychiatric standpoint, some of these people will be psychopathic, perhaps the vast majority; others will be neurotic; others will be psychotic; and then there will be a group of persons who become addicted in the course of medical treatment for special illnesses.

The decision as to use, say, the cold withdrawal method, which most medical people say is allowed under the existing regulations, is not compatible with modern knowledge of the treatment of people in these various categories.

It might be very advisable, say, in treating a neurotic individual, for him to be maintained on the drug for a period of some months in order to establish a working therapeutic relationship with the physician and then withdrawal to take place only at a later date.

In the case of certain other persons, the physician might come to a judgment that the drug should be withdrawn in short order after he has seen the patient. There are some instances where it might be advisable to maintain the individual on the drug for even much longer

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1285

periods of time. I would think this would be unlikely, but certainly those who have a physical ailment in which the symptoms of withdrawal might impair their health, one would need to make this judgment.

In other words, we have on the books, as presently interpreted and understood, a limitation in the sense that the physician does not feel entirely free to design a therapeutic procedure in the treatment of a specific addict. He cannot exercise what we speak of as clinical judgment.

MR. ADLERMAN. Do I understand that you feel that in a case, for example, where an addict is suffering from some physical disability—when I say “physical” I mean other than addiction—that the doctor cannot exercise his judgment to prescribe drugs?

DR. KOLB. I have used that as an example. I don’t think that is where our problem is. I think our problem really comes in the group of individuals who are taking drugs in connection with one of these psychiatric disorders.

MR. ADLERMAN. For example, if a man has an illness such as cancer or some painful illness, can you not prescribe drugs at the present time?

DR. KOLB. You can do so, but you may be questioned as a physician by representatives of the law enforcement agency. This has happened.

MR. ADLERMAN. Do you know of any doctors who have been questioned?

DR. KOLB. Dr. Raskin will give you an example when he comes in. He was telling us of such a case.

MR. ADLERMAN. What was that?

DR. KOLB. Dr. Raskin will give you such an example when he comes in here. He was telling of a recent case; yes.

MR. ADLERMAN. Have you ever been questioned?

DR. KOLB. I haven’t, because I haven’t been involved in that area.

MR. ADLERMAN. It is my understanding, and I may be wrong, that the regulations provide that when a person is ill, requiring drugs to relieve him of a painful condition or a terminal case of cancer, or something like that, that there is no question that the doctor can prescribe these drugs freely without any hindrance or questioning from any law enforcement agency.

DR. KOLB. Unfortunately, they are questioned from time to time and I think this is where some of the problem comes that points up the position of the academy. Why should he be questioned at all? Why should he have to have, if he is filing his drug returns—why should he be questioned about his clinical judgment in such cases and have officers come into his—

MR. ADLERMAN. I don’t want to argue the point.

DR. KOLB. The only reason I bring this up is we have a feeling that this is one of the reasons that many physicians are frightened into withdrawing from dealing with the drug addict.

MR. ADLERMAN. What is there in the regulations that makes them frightened, that makes them feel that they are restricted? Is there any particular part of the regulation?

DR. KOLB. Yes. We mentioned one area of the regulation carried by the Bureau of Narcotics under article V that we feel defines a method of treatment for the drug addict. I am not sure whether you

1286 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

have that. It is mentioned in my formal statement, regulation No. 5, article 167, 1922.

Mr. MARSHALL. That is at page 77, "Prescriptions, Retail Dealers, Practitioners, Exempt Corporations, and Laboratories."

Mr. ADLERMAN. This is the position, I think, taken by the AMA—that it is not considered good medical practice to provide the user with narcotics to keep him comfortable. I think this is very much akin to the position taken by the AMA, which you disagree with; is that it?

Dr. KOLB. Our feeling is that any statements about how a physician should prescribe in an official document of an enforcing agency is restrictive to the practice of medicine, and driving physicians away from the practice.

Mr. ADLERMAN. Is there any other part of the regulation which you feel to be confusing or restrictive?

Dr. KOLB. No.

Mr. ADLERMAN. It comes down to the one question. It is not a question of whether you can prescribe drugs for a person who is ill with cancer or some other condition. The only point at issue under this regulation is whether or not the doctor can provide the user with narcotics sufficient to keep him comfortable by maintaining his customary use, which is not a prescription within the meaning and intent of this act. Is that it?

Dr. KOLB. That is the interpretation of that sentence, for the purpose of providing users with narcotics sufficient to keep them comfortable by maintaining their customary use, not a prescription in the meaning and intent of the act.

Unfortunately, it is and has been often interpreted in a very narrow way, and in the face of the problem of hospitalization, the ability to get a patient into a hospital, the need sometimes to carry a patient on the outside, the wisdom on occasion of maintaining a person over a longer period of time in order to establish a working therapeutic relationship, we find and believe that the limited interpretation put upon this phrase is felt to be restrictive by the medical profession.

Mr. ADLERMAN. You are head of the New York Psychiatric Institute?

Dr. KOLB. Yes.

Mr. ADLERMAN. That is connected with the Presbyterian Hospital and the Columbian Medical Center?

Dr. KOLB. In the Columbian Presbyterian Medical Center; that is correct.

Mr. ADLERMAN. Can you tell me how many addicts you treat in that clinic?

Dr. KOLB. We may have 100 patients, and we may have 1 or 2 in at a time. We don't treat him. I am also in charge of the psychiatric service at the Presbyterian Hospital and formerly at the Mayo Clinic. I have seen addicts in the wards and private rooms of these institutions from time to time, although not many.

I mention this because most of the testimony that is given comes from those who treat the large proportion of addicts who are seen in our public hospitals, people who come from deprived and socio-economic groups, and they represent a different order of persons than those you see in the private institutions. I don't think you should generalize entirely from the bulk of all individuals.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1287

Mr. ADLERMAN. That brings up another point. What proportion of the addicts do you think could be treated on an ambulatory basis by a doctor? Are these exceptions to the average? Is it a 10-percent group, a 15-percent group, or can all of them be treated that way?

Dr. KOLB. I don't think anyone could give you a percentage statement. There are a certain proportion of addicts that, it seems to me, could not possibly be commenced in treatment unless they were certified or confined in some way. My personal belief is that very many of the people we label as psychopaths, or personality disorders, today, are best treated by commencing their withdrawal under some form of hospital confinement.

On the other hand, with the group of neurotic individuals you find in some of the ward situations I have mentioned—

Mr. ADLERMAN. Would these be persons perhaps higher in intellect and background?

Dr. KOLB. They are often professional people.

Mr. ADLERMAN. Addicts in the medical profession?

Dr. KOLB. Yes; such as a nurse.

Mr. ADLERMAN. Isn't this rather a limited group?

Dr. KOLB. It is a limited group.

Mr. ADLERMAN. So the proposal of the New York Academy of Medicine would really be limited to a comparatively small group?

Dr. KOLB. This is incorrect, because the proposal goes further. There are certain problems about treating the addict today, even the psychopathic addict. Suppose you have such a person who comes to you in your office and you want to get him into a hospital bed to treat him. Well, you know the hospitals are crowded.

The doctor really doesn't know under this regulation how long he can carry that person and relieve him outside before he takes him in and withdraws him. This is not clear.

Many doctors raise questions about this. He is not able to time the period of withdrawal. The problem, say, of handling the patient after a period of hospitalization in the outpatient department, I think is rather unclear to physicians as well. There may be periods where once again it would be necessary to make it wise to prescribe a drug to the person.

Mr. ADLERMAN. Do you then subscribe to the theory that the patients, the addicts, should be given prescriptions for narcotics on an ambulatory basis to take by themselves or inject by themselves?

Dr. KOLB. No.

Mr. ADLERMAN. Under the supervision of a doctor, I mean.

Dr. KOLB. I think under certain circumstances I would say it would be possible to treat persons like this, but a generalized ambulatory patient; no.

Mr. ADLERMAN. In other words, again I come back to the proposition that this would be suitable perhaps for a very limited number; is that right?

Dr. KOLB. Yes; I think that is correct.

Mr. ADLERMAN. So that the general addict—the adolescent addict, perhaps—particularly those who are not highly motivated with the desire to be cured, would not really be benefited by this ambulatory treatment?

Dr. KOLB. It would be inadvisable in any group of psychopaths, I agree thoroughly.

1288 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. So it would perhaps be limited to a comparatively few of the highly motivated addicts who are generally of a different economic level, different intellectual level, and so on.

Dr. KOLB. And with a different type of personality.

Mr. ADLERMAN. And with a different type of personality, who are neurotic rather than psychotic?

Dr. KOLB. Than psychopathic.

Mr. ADLERMAN. Do you feel that there is any restriction on giving any amount of narcotics to a patient who is waiting treatment in a hospital or an institution? Is there any restriction now in the regulations which prohibits giving an addict something to maintain him until he can get to a hospital, for a period of maybe 2, 3, or 4 weeks?

Dr. KOLB. I think the feeling is this: that there is an element of doubt in the mind of the physician as to whether he is dealing in a way with his patient that prevents him from being accused of malpractice. This stems from the fact that this regulation exists.

I would say it would be better not to have it on the books. I don't know of any instance of a patient in a hospital where such questioning has taken place but, nevertheless, I think the very fact that an enforcement agency carries this, suggests or places the element of doubt in the minds of physicians and makes many of them rather indifferent to engaging in the care of these people.

Mr. ADLERMAN. I have made some study of the regulations and it occurs to me that maybe there is a problem of communication here. I have, for example, Pamphlet No. 56, Revised September 1963, by the Treasury Department. It concerns prescribing and dispensing narcotics under the Harrison Act.

On page 18 there is a clause "Interim treatment of an addict on a waiting list for admission to a narcotic facility." It agrees with the proposition that an addict can be given treatment by an attending physician which consists of dosages of Methadone for a period of 10 days to 2 weeks, pending his admission or pending observation of response to medication.

Dr. KOLB. And there may be times when you couldn't get a patient into a hospital in this period of time, and there may be some patients you wouldn't want to take off.

Mr. ADLERMAN. The point is, though, that under the regulations you can do that.

Dr. KOLB. I understand.

Mr. ADLERMAN. I thought you said you could not do that.

Dr. KOLB. No; I didn't say that. I said that in the minds of the profession, there is an element of doubt as to how long they can maintain a patient and be considered operative.

Mr. ADLERMAN. Pending admission to a hospital?

Dr. KOLB. Yes; or pending his judgment as to when withdrawal should take place.

Mr. ADLERMAN. If these facts were disclosed to the doctors, the regulation and pamphlet No. 56, don't you think they would go a long way toward clarifying it?

Dr. KOLB. I doubt it, because I think there has been a great deal of anxiety aroused in the medical profession since the Harrison Narcotic Act was passed in relation to interference with the practice of physicians leading to widely publicized, within the medical profession,

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1289

bringing of physicians into court or questioning them about their practice.

I would like to make a recommendation as to what we think could be done. We have situations like this in other areas of medicine where the medical profession polices its own profession in the following way:

Let's take the area of therapeutic abortion. Therapeutic abortion is a highly problematical matter. There are many people who attempt to get abortions through legitimate means who, under the laws of the various States, certainly don't qualify. This is an area where there is a lot of illegitimate practice, as you people undoubtedly are aware.

In the larger hospitals, where this question comes up frequently, committees of physicians have been established who hear the request of any physician who believes he has a patient who deserves a therapeutic abortion. If his request is one, after he states his case and gives his reasons, where they believe that this particular patient needs a therapeutic abortion in order to preserve her life, it will be done. If not, the request is rejected.

I know that these committees have worked very effectively since my own department is involved in one, and I do know that as soon as that committee was established, the pattern of doing therapeutic abortions was modified in the hospital.

Mr. ADLERMAN. I am in agreement with you on that point, although whether I am in agreement with you makes no difference. I think we face a little different problem here.

Dr. KOLB. I think the problem is the same.

Mr. ADLERMAN. You talk about the big hospitals where they have such committees. How about the occasional doctor without ethics? With a profession so large—probably well over 100,000 doctors in the United States, I am sure you will find quite a few, unfortunately, who may not have the highest ethical standards, who would be willing to sell prescriptions.

Dr. KOLB. Let me take that up. I hold no brief for these people. If the various States would establish professional committees who would be charged with the responsibility of receiving from each physician a statement of the addict that he had in treatment and the reasons for the form of treatment that he were to give that individual, and if approval were given in this way, I think we would engage many more physicians in taking up this very difficult problem, and at the same time would relieve our enforcement agencies from a lot of accusations and difficulties.

Mr. ADLERMAN. Briefly, I take it that you feel that this should be a self-policing matter among the medical profession.

Dr. KOLB. Up to a certain limit.

Mr. ADLERMAN. And that the law enforcement agencies should not interfere with any illegal activities of physicians in connection with narcotic addiction.

Dr. KOLB. No; you carry it too far. In the case of an addict treated by a physician, who had not presented his case to such committees, in those instances I would think the law enforcement agency should quite properly raise some questions, but they might better raise the question through the professional committee or in relation to that committee.

1290 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Mr. ADLERMAN. This raises a point in my mind. Do you know of any physicians who have been prosecuted in the course of their bona fide medical practice where they prescribed drugs in good faith?

Dr. KOLB. I know of one who has been questioned, where a colleague and I had to see his patient and confirm the statements he made about the status of that addict. He attempted, and successfully, withdrew a patient, the wife of a physician, on an outpatient therapeutic regime.

Mr. ADLERMAN. He got the patient to withdraw?

Dr. KOLB. Yes.

Mr. ADLERMAN. He was never prosecuted?

Dr. KOLB. He had officers come to his office, though, and also report him to the medical society. It was necessary for him to bring in several of us as consultants in order to define the facts of his case.

Mr. ADLERMAN. Is that considered improper by the AMA?

Dr. KOLB. Pardon?

Mr. ADLERMAN. Is that considered improper by the AMA, to withdraw a patient—

Dr. KOLB. At the present time, I would say that a physician who operated this way under the statements made will be considered to be operating in a somewhat dubious way. Most physicians wouldn't dare to make this attempt.

Mr. ADLERMAN. Is there anything in the law—and I am very curious about this—that says a doctor cannot treat a patient and try to cure him by withdrawing him from drugs, prescribing drugs and diminishing them?

Dr. KOLB. In this particular instance, the doctor carried the woman for about 6 months on an outpatient basis and successfully withdrew the patient. I think he would be seriously questioned by both his professional colleagues and the enforcing agency. I think their questioning under present circumstances was correct. I think this young man probably operated within an area of judgment. But let's point out that his area of judgment under both areas of regulations proved to be correct, because he was successful in treating the patient.

Mr. ADLERMAN. But that would not be considered good medical practice by the American Medical Association, would it? I think they frown on ambulatory withdrawal.

Dr. KOLB. They would look with disfavor on anything except quick withdrawal.

Mr. ADLERMAN. What is the usual time of withdrawal? I think we had testimony that even heavily addicted patients can be safely and humanely withdrawn in the course of about 10 days or 2 weeks.

Dr. KOLB. That is correct. But there is one point that is continually left out here. That is the working relationship between the physician and the patient which may sustain this person from becoming re-addicted. We in our field do not believe that if you are dealing with any of the addicted groups that you withdraw the sustaining drug, or whatever it might be—an obese person, in a sense, is addicted to food—you do not immediately withdraw the agent which those individuals use to relieve anxiety until you have established some sort of a substitute.

Part of that substitution is the personal relationship that can be set up between physician and patient, or a rearrangement of their

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1291

living conditions that makes it possible for them to accept the anxiety of withdrawal.

Mr. ADLERMAN. Do you think if you were to communicate with the Bureau of Narcotics, the Attorney General's Office, or whoever it may be, that you are treating a patient and that you intend to give him a drug over an extended period of time because you are trying to effect a cure, that any doctor would be disturbed doing that?

Dr. KOLB. That any doctor would be disturbed?

Mr. ADLERMAN. Yes. When I say "disturbed," I mean questioned or condemned or criticized for doing that.

Dr. KOLB. If there was a reasonable officer who understood his physician, perhaps things would go well. There are such circumstances. But I don't think them generally attainable and the profession doesn't believe them.

Mr. ADLERMAN. I am a layman on the subject and, of course, I have to go from what I have been able to pick up and absorb. I would like to ask you this question: Do you feel that the average medical man who has had really no experience with addicts is capable of treating an addict on an outpatient basis?

Dr. KOLB. Not at the present time. I would say, if circumstances were changed, and the indication of the profession was modified so that they could get at the addict and learn something about him, he might be able to do so.

Mr. ADLERMAN. That brings up another question.

Dr. KOLB. Very few doctors today are interested in the addict. As you point out, there are very few of them who have experience.

Mr. ADLERMAN. The addict is a rather difficult person to deal with, I understand. He is quite a con man. He knows how to wheedle a doctor into giving him drugs if the doctor is not really experienced, and he knows how to cheat and do a lot of things in order to get the drug. I understand he is a very, very difficult type of patient.

Dr. KOLB. There is no question about it.

Mr. ADLERMAN. You don't feel that the average doctor, unless he has received a lot of training, can handle an addict as a patient?

Dr. KOLB. I would feel that the average doctor, without experience, would have a great deal of difficulty.

There is one other area that generally gets overlooked. Shall I mention it here, or wait?

Mr. ADLERMAN. Surely.

Dr. KOLB. We think that the present arrangements are such that really crime is being produced through continuing to treat the addict as a criminal rather than as a medical problem. We think the situation is not dissimilar to the situation in this country under the Volstead Act.

Mr. ADLERMAN. I have heard the analogy before. The difference, as I see it, is that the vast majority of people may indulge in alcohol on occasion, perhaps with some form of regularity, but are able to handle themselves pretty well without becoming alcoholics.

Dr. KOLB. This is one of the mistakes made. There is very good evidence to show that most people do better on a narcotic than they do on alcohol. The narcotics are more likely to keep their thinking processes as clear as they can be. Alcohol on the other hand is a confusing agent.

1292 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

In studies, careful studies, of large numbers of addicts, they would suggest that people adapted better when they were on drugs. Some alcoholics have been on drugs and alcohol. It has been shown that they get better on drugs than alcohol.

Mr. ADLERMAN. I am not an expert in the field, but I have to rely on my ordinary powers of observation and say that I doubt very much whether the average person who takes a drink becomes an alcoholic or can't stay away from it.

Dr. KOLB. The average person who takes a single shot of a drug doesn't become a drug addict. These things are given in hospitals every day.

Mr. ADLERMAN. How many people take a single shot of heroin and then leave it and don't take another one for a week or so?

Dr. KOLB. There are many. There are many. Do you know that heroin is used in the medical profession in England as the best agent to prevent a cough? This is being given all the time in England.

Mr. ADLERMAN. I spoke to some of the doctors in England and they advised me that most of the doctors in England are loath to prescribe heroin because of its great addictive quality and they preferred giving morphine, but they resent anyone telling them not to prescribe any. But they, themselves, limit the use of heroin to a very large extent because it is so highly addictive.

Dr. KOLB. It is, but it is still used in cases, because I have a friend who went to England and got virus pneumonia last year and was given heroin.

Mr. ADLERMAN. Earlier in the hearings I drew an analogy between different types of addiction, stating that we do have physical dependency and a psychological dependency on the drug; that during the war, for example, there were thousands, and perhaps hundreds of thousands of soldiers who were badly wounded who were given narcotics, morphine in most cases, while on the field of battle and back in the battle hospitals. These men withdrew on the physical dependency basis and never went back and never had any desire to go back for more morphine.

Dr. KOLB. That is true.

Mr. ADLERMAN. This is the formal, well-settled individual. But there are others, on the other hand—and I call them narcotic-prone since I don't know any other term to use—who need the drug as a crutch for their personalities.

Dr. KOLB. That is right.

Mr. ADLERMAN. These people, if subjected to narcotics in a medical hospital, may when they are through continue as addicts. But this is a small percentage, as I understand.

Dr. KOLB. I think these people are a small percentage of the patients going to general hospitals for treatment, but they are the same kind of personalities as a group of the people who are seen today as addicts.

The person who becomes addicted, whether he is in a hospital or out of a hospital, is certainly an individual, as you point out, with a peculiar personality.

Mr. ADLERMAN. There are very few addicts who become addicted because of medical treatment.

Dr. KOLB. That is not the primary problem, you are quite right. The medical treatment was imposed on a prone personality.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1293

Mr. ADLERMAN. I have heard it said that addicts make addicts, and then I have heard that peddlers make addicts. In your opinion, how does an addict become an addict? By what means?

Dr. KOLB. I think the addict is exposed to the drug through the environment in which he lives. He is associating with other people who may be addicted, or are addicted, who encourage him to have the same sort of experience or thrill that they have had.

The differentiation between these two groups seems to me somewhat erroneous. Someone in the group is getting the drugs from somewhere, and how to define who may be pushing drugs or not pushing drugs, I don't think anyone can do.

Mr. ADLERMAN. We have had some testimony——

Dr. KOLB. The drug has to come from some source.

Mr. ADLERMAN. It has to be available to him.

Dr. KOLB. That is right.

Mr. ADLERMAN. If it is not available to him, he does not become an addict.

Dr. KOLB. That is right.

Mr. ADLERMAN. The situation in the United States is such that, for example, in the State of Vermont, there is not a single addict. In probably 20 out of the 50 States there are less than 100 addicts per State. In maybe 40 out of 50 States there are less than 500 addicts per State. The concentration of addiction is confined to the areas of large cities where there is organized crime, where the narcotic is available because of organized criminals in the narcotic field.

That brings another problem to my mind. If you are to broaden the powers of doctors to treat patients on an ambulatory basis and on a maintenance level, will this not be applicable to Kansas, to Iowa, to Vermont, to Georgia, to Utah—places where they have very little addiction now, but where the doctors will be given the same right to prescribe to an addict?

There are a great many in that population area who would be prone to addiction if narcotic drugs were made available to them. Would that not possibly contribute to the spread of addiction if the addict knows that he can get drugs from doctors throughout the United States?

Dr. KOLB. First of all, let me say that our position is that we are not advocating ambulatory treatment or outpatient treatment. We are advocating a situation in which one could practice medicine in relation to the addict.

Mr. ADLERMAN. Maybe I misunderstood your 1955 report which I thought clearly indicated the advocacy of ambulatory treatment.

Dr. KOLB. It was misunderstood and has been misunderstood.

Mr. ADLERMAN. And the 1963 report, if I understood it correctly, reaffirmed the position of the 1955 report.

Dr. KOLB. We never advocated that. We have said that under certain circumstances some people could be treated, as I indicated earlier, under these circumstances, but not all of them. Let me go——

Mr. ADLERMAN. Could you define the circumstances and tell us which addicts or percentage of addicts? I don't want to keep you too long, Doctor.

Dr. KOLB. That is all right. I am not in a rush.

1294 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

There is a certain group of neurotic individuals with a good working relationship with a physician that I can see being treated as ambulatory outpatients. This would be a small percentage, probably not more than 10 percent, and that might be high. As a matter of fact, I think these people are not being reported.

Mr. ADLERMAN. What was that?

Dr. KOLB. I suspect these people are not even being reported. I think I know where they go, who treats them, and I don't think they get reported.

Mr. ADLERMAN. These are mostly medical addicts?

Dr. KOLB. Medical addicts, nursing groups.

Mr. ADLERMAN. Physicians' wives, and so forth?

Dr. KOLB. Yes; and laboratory technicians.

Mr. ADLERMAN. So there is just a small percentage of the addicts discussed by the New York Academy of Medicine report that ambulatory treatment would apply to?

Dr. KOLB. Probably so; yes.

Mr. ADLERMAN. Ambulatory treatment would apply only to this group of maybe 10 percent of the total?

Dr. KOLB. Possibly.

Mr. ADLERMAN. Am I right on that?

Dr. KOLB. I would say that is right.

Mr. ADLERMAN. And your second proposition is——

Dr. KOLB. The one about spread. I think we are considering the narcotic addiction problem in a too narrow way, just as we are considering the alcohol addiction problem, the barbiturate addiction problem, in too narrow a way, or the amphetamine problem. They are all addiction problems. The whole thing needs to be looked at as a unity.

Mr. ADLERMAN. I don't mind if you want to discuss that. I didn't want to get into the barbiturate thing, but it is perfectly all right if you want to discuss it. Go right ahead.

Dr. KOLB. I would like to say that where narcotics are not used, you will probably find, although no one has ever done a study, but it might be very likely that you would find, the number of addicted persons—by addicted persons those using one of these various drugs to the point where they are functioning poorly—that it might be the same percentage throughout. I wouldn't know how much liquor is taken in Minnesota or Iowa against barbiturates, amphetamines, and so forth.

Mr. ADLERMAN. I think Dr. Cameron raised the point that the problem of alcoholism is a far greater problem than the one of addiction to narcotics. I think also we have had testimony to the effect that in addition to taking narcotics, many a narcotic addict will supplement his narcotic with some form of barbiturates or some other medication.

Of course, you find addicts who even drink terpin hydrate to get the codeine content, or those who cook cough medications to get the codeine from them.

Mr. MARSHALL. Going further into that point, my main basis was that Dr. Kolb said that today there were very few doctors, psychiatrists or M.D.'s, who are qualified, who have the interest in addiction. We were speaking of primarily narcotic addiction.

Wouldn't these same people be equally less qualified in the overall picture when you get into amphetamines and barbiturates?

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1295

Dr. KOLB. The biggest addictive problem is alcohol.

Mr. MARSHALL. It would be the same thing then.

Dr. KOLB. We see a lot of alcoholics and they are struggling with it.

Let me put one more point in this. I think you will find the highest rates of all addictive forms are in the metropolitan areas because we find the highest rates of psychiatric disabilities in the metropolitan areas, and these things go together. I feel a little less doubtful about Iowa and Nebraska than I do New York.

Mr. ADLERMAN. These people with the psychiatric problems who become addicts—I am not talking about the medical addicts—are they able to maintain themselves and live a useful life, support themselves, support their families, if they become addicts?

Dr. KOLB. Some people on drugs will do better than off drugs.

Mr. ADLERMAN. I am talking about the general average. Take, for example, the Harlem addict, who probably is a member of the largest group in the city of New York. Can he support himself, maintain himself, hold a job, while he is on the drug?

Dr. KOLB. I think the record shows in the last followup study of the Public Health Service that the ones that had become voluntarily absent were doing much better as a group, in terms of their ability to perform socially and hold a job, than those who would not do without the drug.

Mr. ADLERMAN. Let us consider the 60,000 addicts, taking the 10 percent off the top and leaving the other 90 percent. Most of them have a mental weakness of some kind, whether you call it neurotic, psychotic, or whatever it is. Would they be able to hold jobs? Could they be pilots in airplanes? Could they work around machinery in factories? Could they drive trucks safely without endangering their own lives and other people's lives? Could they do any of the hundreds of jobs that are ordinarily performed by people in the normal way of life?

Dr. KOLB. If they could be motivated to do it; yes.

Mr. ADLERMAN. While they are under the influence of the drug?

Dr. KOLB. Yes. There have been many distinguished people who functioned while they were taking drugs.

Mr. ADLERMAN. Are you talking about the top 10 percent?

Dr. KOLB. No. Others. You have a group of people here some of whom will never be motivated to do anything, whether they are on drugs or off drugs. But many of them are just as capable one way or the other.

Mr. ADLERMAN. Do you think they could drive cars while under the influence of drugs?

Dr. KOLB. At a moderate level of addiction; yes.

Mr. ADLERMAN. I would, for example, hate to have a judge judge my case—

Dr. KOLB. We are talking about the drugs of the morphine analog; is that correct?

Mr. ADLERMAN. That is right. I would hate to have a judge who is taking heroin rule on a case where I am defending a criminal or where I am prosecuting a criminal. I would hate to have my child driven to school in a schoolbus driven by a driver who might be taking heroin. I don't think you would either.

1296 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Dr. KOLB. I would rather have a person taking heroin than a man who is taking alcohol, amphetamines, or barbiturates. All of those——

Mr. ADLERMAN. I don't think a truckdriver taking heroin should be allowed to drive. I don't think the man who is drinking alcohol should be allowed to drive. And I don't think the heroin addict who is taking drugs should be allowed to drive.

Dr. KOLB. He would be a much safer guy than the others.

Mr. ADLERMAN. The question is, can they maintain themselves and hold jobs. I interviewed, in one of the doctors' offices a young fellow who was a roofer. His wife brought him in. She is an addict and he is an addict. They have been off it for about 6 months and they got back on again. The wife said to the doctor, "Tell him to stay away from his job, because if he gets on a roof he is going to kill himself." The doctor said to this addict who was a roofer getting \$4 an hour, "How do you feel about it?" He said, "Doctor, I was up there yesterday and I got dizzy, I got very dizzy. I don't think I can stay on the job."

I am talking about that type of thing. Can a man who is addicted and who is on drugs keep a job of that sort?

Dr. KOLB. He is not going to function as well as a man who is not addicted, that is for sure. I am not for addiction, I can assure you of that.

Mr. ADLERMAN. Finally, I think the question that arises in my mind, one of the final questions, is, What, if anything, would deter addiction if an addiction-prone person realized that society would not frown upon addiction? What would deter an addict who could obtain his drugs by going to a doctor and confessing to being an addict? Wouldn't he have a steady source of supply at a very reasonable price?

What would deter anybody from becoming an addict, or, say, the addiction-prone person from becoming an addict?

Dr. KOLB. I would assume that the person who turned up for treatment had some interest in changing. The motivation is for modification.

Mr. ADLERMAN. A motivation may be, "I will be able to get drugs freely, without heavy expense. I don't have to steal."

Dr. KOLB. That could be a second motivation. But you can be trapped in this motivation into establishing a treatment relationship which can lead to the withdrawal of the drug. There would be a third group who would never turn up, even under these circumstances, because they would be afraid of just that thing happening. This group of individuals, I think, will continue to have to be certified for treatment in some way, and they won't come off well.

Two of the motivations leading to addiction will be undercut. There is a group of people who get addicted today as a means of defying the law as they see it coming to them through their families. They start on the basis of getting some thrill and proving themselves.

We have made this, in some sense, a source of commitment by publicizing it so much to our young people, in my opinion, and my opinion comes from seeing some of these youngsters in treatment at our hospital. I think we would undercut that type of interest by removing it from the realm of being a defiant or criminal act.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1297

The other thing is that if drugs were made more freely obtainable through the medical profession, the need to have a person sustain his habit through criminal act would lessen.

Mr. ADLERMAN. Are you familiar with the recent report of the FBI which has been submitted for the record?

Dr. KOLB. I have not seen that.

Mr. ADLERMAN. The FBI report showed that 73 percent of the persons who are addicts had an arrest record or some criminal charge prior to their first arrest as an addict. So you do have a large criminal element in this thing.

Dr. KOLB. That is right.

Mr. ADLERMAN. If drugs were easily obtainable, would they become free of their propensity to stealing or crime? They were already criminals before they got the drugs.

Dr. KOLB. I am quite certain that is so.

Mr. ADLERMAN. I would like to call your attention to something else. In Dr. Hess' prepared statement she discusses the ambulatory type of treatment for the addicts in New York City who are estimated to number from 22,000 up to 30,000, and I think you can get other estimates.

Her statement notes the mechanical difficulties in administering to the wants of the addict by physicians. How many physicians would it take to treat these 30,000, if the doctors were to give free medication to addicts? How many shots would have to be given a day? Would it be a minimum of 30,000 shots a day or maybe even double that amount?

Dr. KOLB. The assumption is, of course, that the medical profession would keep them all on drugs. But that is not what they do.

Mr. ADLERMAN. Maybe I misunderstand. It is probably emphasized more in the American Council of Judges report, which goes much further, I think, than the New York Academy of Medicine in advocating this ambulatory treatment of narcotics.

Dr. KOLB. Dr. Hess produces an interesting logistical problem. I would like to think about this. Here is a city of 5 million people, and there must be 500 hospitals. I think with a little thought, you might be able to solve that. I wonder how many patients would come to individual hospitals. I know that the large number congregate in the Harlem area. But even around the Harlem area there are a half-dozen very fine hospitals.

Mr. ADLERMAN. If you took the Harlem area alone and concentrated right in Harlem, I think you would find two-thirds of the 30,000 drug addicts in the Harlem area. That would be 20,000 people getting either 20,000 or 40,000 shots a day.

Dr. KOLB. Let's do a little talking about this further. The addicts that we are seeing at the moment are not addicts in the old sense at all. Many people come in talking about being addicts, but the amount of drug they are taking is so little that they hardly show any withdrawal symptoms.

Mr. ADLERMAN. That has been referred to in the testimony, that the addict is getting a very highly adulterated bag of heroin today, adulterated one-twentieth of pure heroin which is 80 percent pure. It is now down to one-twentieth of 80 percent.

Dr. KOLB. So it has become stylish in certain areas to claim that.

Mr. ADLERMAN. A bag of heroin contains one-twentieth of a grain or two-twentieths of a grain, and it doesn't give them a big habit.

1298 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Dr. KOLB. That is true.

Mr. ADLERMAN. I have been to Dr. Baird's office and I have watched treatment there. He doesn't prescribe any narcotics at all, even in withdrawal. He takes them off with the use of antispasmodic drugs, the muscle relaxers.

Dr. KOLB. Tranquilizers.

Mr. ADLERMAN. Tranquilizers and medication for their stomachs. He has been successful in taking them off. But persons are, I think, unusual types of addicts because they are highly motivated. They come in voluntarily and want to be cured. They are willing to be treated without any drugs whatsoever. He had some that I spoke to who have been off a year.

But the problem, of course, is also aftercare. However, they don't have the withdrawal symptoms.

Dr. KOLB. So they don't think in the oldtime case of the 1920's—

Mr. ADLERMAN. When they have real strong withdrawal symptoms he sends them to the hospital. But he says that is not the usual thing. He gets a different class of addicts. He doesn't like to say so, but I have observed it.

Well, I think that about covers it. Are there any other statements that you would like to add?

Dr. KOLB. No, Mr. Adlerman. I appreciate the opportunity of coming down and talking to you.

Mr. ADLERMAN. I appreciate your coming down. This is a highly controversial subject, and the tenor of my questions doesn't necessarily mean that I have a feeling one way or the other. This has been very interesting. Thank you very much.

(Whereupon, at 12:35 p.m. the staff interrogation of Dr. Kolb was concluded.)

Senator JACKSON. Dr. Herbert A. Raskin.

You do solemnly swear that the testimony you are about to give before this subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

TESTIMONY OF HERBERT A. RASKIN, M.D.

Dr. RASKIN. I do.

Senator JACKSON. State your professional business.

Dr. RASKIN. Dr. Herbert A. Raskin, clinical associate professor of psychiatry, School of Medicine, Wayne State University, Detroit, Mich.

Senator JACKSON. You have a statement, Doctor, which you have prepared?

Dr. RASKIN. It has been submitted to the committee; yes, sir.

Senator JACKSON. And to the best of your knowledge it is true and correct?

Dr. RASKIN. Yes, sir.

Senator JACKSON. Do you have any exhibits that you would like to submit?

Dr. RASKIN. Nothing additional.

Senator JACKSON. Your statement will be included at this point in the record. Thank you very much for your cooperation.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1299

STATEMENT OF HERBERT A. RASKIN, M.D.

In a way, it is regrettable that this Senate hearing need be held at all. Had organized medicine, many years ago, not abrogated its responsibility toward one group of ill persons, even though it seemed valid at the time, this hearing would hold but academic interest. Only in very recent years, have we begun to work toward a somewhat radical reorientation of policy and reorganization of efforts to meet the individual and community problems of drug addiction. This hearing can perform an invaluable service in furthering these efforts.

Official reaffirmation by organized medicine of its legal and ethical responsibilities in the care, treatment, and rehabilitation of the drug addict appeared in June 1963. The combined statement of the American Medical Association and the National Research Council, "The Use of Narcotic Drugs in Medical Practice and the Medical Management of Narcotic Addicts," was a major step toward revised policy and the establishment of more effective practices of care and control. Contrary to 40 years ago, however, it would appear that we now have the active support and participation of the Federal Bureau of Narcotics. There exists an interdigitation of law enforcement and medical care that is vital to the successful handling of addiction problems. Our working relationship is still in a state of gradual evolution but already is at a level never before attained. As our knowledge and experience accrue, it can become even more well defined and effective.

We are currently in a period of transition. There is much about the phenomenon of addiction and the narcotic addict that we do not know. It is a very complex and multiphasic clinicopathologic and sociopathologic situation. The AMA-NRC report represents a "review of current medical opinion to the end of developing a tentative code defining proper ethical medical practice with respect to narcotics and narcotic addicts." [Emphasis supplied.]

All recommendations have been made on the basis of present knowledge. Our research programs must be rapidly expanded in many directions of basic studies and applied field experience before we can take the next step in the development of controls, medical or legal.

The story of attempts to meet with the problem of drug addiction in Detroit has been one of continuing frustration and a conspicuous lack of success. Pacing our abortive efforts has been the constant element of financial crisis binding governmental hands, smothering the expansion of existing services and precluding the introduction of new ones. And, of course, greatly complicating and confounding our efforts has been the age-old social apathy, condemnation, and antagonism toward "these junkies," met in both overt and insidiously covert ways in all areas and levels of society.

In March 1951, the city of Detroit organized a citizen's committee, the Mayor's Committee for the Rehabilitation of Narcotic Addicts. It was directed to work along lines of law enforcement, rehabilitation, research, and education. The committee included representatives of psychiatry, general medicine, public health, law, judiciary, law enforcement, penology, education, religion, social agencies, and citizen's groups. The rate of attrition and turnover among committee members has been high; levels of motivation and endurance have been variable. A basic membership nucleus, however, has remained intact, including the committee's original chairman.

An outgrowth of the early work of the mayor's committee was the establishment of the narcotics clinic as part of the Detroit Department of Health in late 1952. It was organized as an administrative and clinical division of the department, totally unrelated to any police function. It served as a voluntary outpatient unit, staffed by one psychiatrist, one social worker, and a secretary. The clinic utilized the psychiatric wards and staff of Receiving Hospital, Detroit's emergency hospital, for inpatient clinical facilities and developed an active working relationship with many community social agencies. Its director was a faculty member of the Department of Psychiatry of Wayne State University and also a member of the mayor's committee. Thusly was created a fusion of interests and services that remains rather unique.

Study of the first 510 patients seen in the clinic by the end of 1955 gave rise to a proposed program of community control of the problem of drug addiction in Detroit. It was our first meeting with the Bureau of the Budget. We lost. It was amazing how many different reasons there were why the program could not be implemented—program priorities, budget deficits, and whose responsibility is the care of addicts anyway, city, county, State, or Federal Government?

1300 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Late in 1958, a directive from the mayor to all city department heads ordered a cutback in all services. The narcotics clinic was one of the first to feel the budgetary ax. It was discontinued as an independent unit and its function was absorbed by the psychiatric outpatient clinic of Receiving Hospital. Its services have remained essentially the same but, perforce of the change, fewer patients could be seen.

At the same time, we structured the program in the context of a "demonstration project" and through Wayne State University made application for grant funds to the National Institute of Mental Health. The National Advisory Mental Health Council did not recommend approval of our application. They indicated that "The Council was concerned that there was no financial support forthcoming from the city or the community for the project."

They did invite resubmission of the application with special reference to the outpatient and followup aspects of the program, suggesting that the local community support the hospitalization program. It took us 4 years to gain such support.

Special commendation must be paid to Mr. Ross Ellis, area supervisor of the Federal Bureau of Narcotics, who, on direct orders of Mr. Harry Anslinger and later Mr. Henry Giordano, invested many hours of labor and legwork and performed a magnificently persuasive piece of work on local sources of funds. He paved the way for the mayor's committee and finally in 1962 sufficient money was procured for the addiction hospital. Financial commitment of \$125,000 per year has been made for a 16-bed hospital unit. Participating in this contribution are the Detroit Department of Health, the United Foundation, the McGregor Fund, the Kresge Foundation, the Weber-Hudson Fund, and the Ford Motor Co. Fund. The health department is also paying for all alterations required for the new hospital unit and will make space available immediately adjacent to the hospital for the outpatient facility of the proposed program. In June 1963, application was again made for Federal mental health grant funds. But more of that later.

The experience of the Detroit Narcotics Clinic in processing almost 2,000 addicted persons, coupled with my own experience in the private practice of psychiatry, points to the following impressions of the addict and the phenomenon of addiction and provides the basis for our proposed program:

Item I.—The mere use of a narcotic drug and/or narcotic law violation cannot be equated with addiction even if the use is periodic or intermittent. A specific medical diagnosis is always required.

Item II.—Addiction is a medical syndrome, a symptom complex, invariably reflecting some form of underlying mental disorder. The addict is a person suffering from a serious mental or emotional disturbance and manifests this disturbance in great part through his craving for and his relationship to the drug.

The meaning of taking drugs will vary from addict to addict and may even serve different functions at different times for the same addict. Addiction will be seen to operate in dealing with anxiety, guilt, aggression, inadequacy, depression, sexual urges, perversions, physical pain, psychoses, neuroses, and character problems.

The symptom of addiction, however, always represents a mode of adaption, perhaps the sole adjustive mechanism to living problems the addict has available at the moment. It is a symptom representation of some form of psychological stress functioning, an attempt to meet, deal with, or master some form of intra-psychic imbalance, conflict, or excitation.

It is a kind of last-grasping toward something so as to forestall the horror of inevitable disintegration, of psychic disorganization that spells the doom of helplessness. The addict has found something that he knows will give him relief from unbearable tensions and anxieties.

Even a strong wish to be rid of the drug is complicated by an even stronger fear of his real ability to function without it. To suddenly deprive him of this mechanism without replacing it with something at least almost as effective is inflicting harm in the name of help. It is a refined form of cruelty.

Item III.—The addicted person knows that deprivation of his drug is likely to give rise to the suffering of extremely painful symptoms of the withdrawal syndrome. He has experienced it himself or has seen it take place in others. He remains very suspicious and apprehensive even in the face of calm reassurance by the physician that he can be withdrawn with comparative ease and comfort. Under these circumstances alone, the addict is one of the most frightened persons the physician will be called upon to treat.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1301

Item IV.—Pervading the clinical picture of the addicted person is an insidious, inexorable helplessness to deal with his addiction by himself. Through every stage of the development of the addiction, during his preaddiction state through the addiction itself to the postaddiction state, the person we are dealing with is helpless to make an adequate adjustment by himself. His personality is characterized by serious defects in its development and pathological tendencies inherent in its structure. He is intolerant of anxiety. He avoids or escapes experiencing it through impulsive action. Before discovering the effects of drugs, his sense of security and well-being are dependent upon the immediate gratification of his needs and wants. The ordinary delays and inconveniences of daily living are experienced by him as intolerable frustrations. If through some kind of action he cannot escape them, unbearable tensions are experienced which he feels the environment should relieve. When the relief is not forthcoming, he feels that his inalienable right to happiness as a human being has been abrogated.

Thus, simultaneously confronted with the irresistible need for immediate gratification and an ungratifying environment, it is inevitable that he will feel justified in employing any measure to rectify his deprivation. It is the psychological structure of the individual rather than the effects of the drug that determines the etiology of the addiction. Even if this person did not turn to the use of the narcotic drug to relieve his tension, he would need help anyway.

Once introduced to the drug, however, such a person will never forget its effects. The initial use of the drug produces an incomparable sense of well-being, self-sufficiency, and security. Problems no longer exist, decisions do not have to be made. The drug is the decision. The memory of this experience beckons as a panacea for all the unbearable frustrations of daily living. Once the alluring invitation is accepted, addiction is almost inevitable.

Item V.—As is the case in practically all instances of clinical pathology, addiction to narcotic drugs is not merely an "either/or" condition. A person is not just "either addicted or not addicted"; he is not just "either an addict or not an addict." Addiction is a phenomenon that courses through a graduated continuum of degree of involvement or intensity from extremely mild to extremely severe.

There are also different types of addicts. Variable factors coexist in various combinations as degree of craving, psychological pathology, physiological dependence, and what Dr. Isidor Chein, of New York, terms "degree of total personal involvement with narcotics." Each type will pose different problems of treatment and are quite likely to have different etiological histories and prognoses.

Variations also exist from addict to addict as regards level of motivation to live without the drug, to be rid of it. Still further variations exist in the ability of the addict, the so-called degree of ego-organization, to work toward such an aim, to be able to relate to a treatment staff, to be able even to accept any help that might be made available to him. Again, these variations run the gamut of possible degrees.

For example, there are "full-blown addicts" who have no desire whatsoever to live without narcotics, who will never be content with or even consider such a thing as maintenance doses that will only prevent the withdrawal symptoms. They crave the experience of getting "high," feeling the "kick" or "bang," or reaching a state of "oblivion" and will go to any lengths to achieve it. And even this characteristic is not a constant and a consistent thing. It will come and go at different times within the same person.

By the same token, there are addicts who can be greatly benefited by a maintenance dose schedule while certain psychological, physical, or environmental problems are being worked with and then an active treatment program instituted aimed toward abstinence.

And finally there are those rather rare exceptions, cases where with a regular and readily accessible source of supply of the drug the individual may be employed quite constructively in work and creative expression and make an adequate living adjustment. He is not at all interested in procuring the "kick" and it seems he has never heard of physical tolerance where the dose has to be constantly increased or the withdrawal sickness sets in. A problem develops only when his regular minimal drug intake is threatened.

Obviously, it is meaningless simply to identify an individual as an addict. It is completely erroneous to believe that addicts constitute any kind of homogeneous group.

1302 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Item VI.—Reliance upon rehabilitative and control efforts on a voluntary basis is generally ineffectual, if not wholly futile. Strict and enforced supervision is usually required.

Exceptions do exist. In both private and clinic practice I have treated addicted persons whose addiction was completely unknown to anyone other than the patient and myself. They sought psychiatric care because they perceived their own emotional illness and recognized that their addiction must somehow be related to it. Their motivation, sincerity, and cooperation were good and the therapeutic results were excellent. In some instances, the patient actually withdrew himself through self-controlled administration of a gradually decreasing dosage of his own supply of drugs. Some cases required no specific withdrawal program because of the low level of physiological dependence. Other cases were withdrawn on an ambulatory, outpatient basis. In still others, hospitalization was required and the withdrawal was accomplished on the open medical ward of a general hospital. I must stress that these addicted patients are far in the minority but not the inconsequential rarity as is so often posed.

A more typical representation of the addict population within a community is reflected by some of the experiences of the Detroit Narcotics Clinic. It was stated above that the clinic operated on a voluntary basis; that is, all patients referred to the clinic were free to come or not, to continue attendance or not as they saw fit.

The concept of voluntary patient was viewed simply to mean a motivation that excluded any sort of overt external coercion, civil or criminal. Insight by the addicted person of an emotional problem or an expressed need for psychiatric care were intentionally excluded from this definition. But even with such a broad interpretation of voluntary motivation, only 34 addicts out of 510 studies, 6.7 percent, could be so classified. And even among these 34 persons, 20 came to the clinic solely for the purpose of being "cured" only by being withdrawn from the drug. They clearly indicated that they had no desire and felt no need to continue contact following withdrawal. Most of these persons were seeking only to regain a state of increased susceptibility to the drug effect so that they could once more experience the "kick" long since gone with increased tolerance to the drug.

The other categories of motivation for clinic visit, which we would not term especially voluntary, were as follows:

	Percent
1. Pressure of family or friend.....	21.2
2. Cost of unavailability of drug.....	19.0
3. Police prisoner (hospital).....	19.4
4. Referred by probation department.....	12.4
5. Fear of police apprehension.....	4.7
6. Danger of losing job.....	4.1
7. Pressure by physician.....	3.7
8. Referred after police investigation.....	2.7
9. Drug overdose or medical emergency.....	2.7
10. No drug history.....	1.4
11. Not noted in early records.....	2.0

Among these 510 persons who approached the clinic presumably in search of aid voluntarily were 164 who were admitted to Detroit Receiving Hospital for acute withdrawal treatment on their first clinic visit. While in the hospital, these patients were in contact with clinic personnel and specific clinic appointments were made postdischarge. Despite this, following discharge from the hospital 80 percent did not return to the clinic unless they had relapsed and entered a read addiction state.

The Detroit Police Department Narcotic Squad at that time was providing the clinic with a carbon copy of their arrest record of all individuals arrested because of addiction. The clinic contacted these persons by mail. It identified itself and explained its function and facilities in such a manner as to preserve the anonymity of the person as an addict but yet so the addicted person could hardly misunderstand its intent. In a period of 1½ years such letters were sent to 714 persons offering to them the facilities of the clinic as an opportunity to help themselves with their problem. Only 28 individuals, 3.9 percent, replied by making even a first visit to the clinic.

Also among these 510 patients were 87 who applied through the clinic to the USPHS hospital at Lexington, Ky., and were accepted for admission. These

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1303

were persons with whom such hospitalization had been discussed in great detail and who seriously agreed that it was indicated and of potential benefit to them.

It seems that a 2-week wait for a bed was too much; only 52 patients actually reported to the hospital. And of these 52 patients, 30 left the institution against medical advice shortly after admission; 10 patients completed only the minimal hospital stay. Of these 40 patients, 36 did not resume contact with the clinic, as previously arranged, unless they had become readdicted.

Finally, review of the manner in which appointments were kept, or rather not kept, both at the clinic and with agencies recruited to aid in the work at hand also served to point out the addict's inability to help himself. His dependency, passivity, narcissism, low-frustration tolerance, disregard of time and general irresponsibility, all characteristic of his personality structure, almost always prevented him from relying upon himself to provide his own help.

The experience in subsequent years has only served to substantiate and emphasize these findings.

Item VII.—In any community program of control of the problem of narcotic addiction, we believe that civil court commitment has a vital role to play in a great majority of cases. But this does not mean that the patient is to be sentenced to a hospital for being mentally ill in lieu of going to jail for violation of the narcotics laws. As a matter of fact, it is our belief that a purely institutional setting, hospitalization on either a court committed or voluntary basis, by itself, especially for a prolonged period of time, promises little in the direction of success. Hospitalization must be viewed as but one facet of a total treatment program.

It has a very specific role to play but by no means constitutes the treatment of addiction. The instrument of civil commitment is viewed as just that, an instrument. It is another tool available to the treatment staff in its effort to help the addict to help himself. It is a tool to be used where indicated and to be applied throughout phases of rehabilitative efforts, hospital, outpatient clinic and community followup social casework.

But here again we are speaking only empirically. We do not know with any scientific validity that civil commitment holds the answer we are seeking. It has never been used in any addiction treatment program to any extent, especially in combination with all the various facets of treatment and rehabilitation we now recognize to be required. It has never been subjected to any kind of scientific research under a strictly controlled experimental protocol.

I mentioned above that in June 1963, the Department of Psychiatry of Wayne State University resubmitted its application to the National Institute of Mental Health for grant funds. We sought money to support the out-patient and community activities which would be integrated with the locally supported addiction hospital. The proposed project was a demonstration-research-training project devised, for one thing, to test under controlled conditions the validity of the hypothesis that civil commitment constitutes an effective method in the treatment and rehabilitation of drug addicts. The National Mental Health Advisory Council recommended our application for approval but apparently Congress had not appropriated sufficient funds to finance all approved applications. The money was not available. It is true that \$400,000 per year represents a great deal of money.

Such a research project is costly. But human lives are very costly also, so we are starting over and resubmitting our application this year. Frustration tolerance can be increased through the practice of deprivation.

Item VIII.—From all that has gone above, it is clear that we can state a general principle of operation in the treatment of drug addiction. Each addict is entitled to acknowledgment of his individual being and should be availed of complete medical, psychological, and sociological assessment. He should also be provided the best available treatment in terms of his own particular psychological, medical, and sociological needs.

Where the private physician has the necessary training and experience in dealing with problems of addiction, he can be extremely valuable and must be permitted to utilize his medical discretion in determining the specific course of treatment in a given case. The AMA-NRC statement of policy lays down certain ground rules. These will be subject to a continuing review and evaluation and changed where experience dictates.

But not all physicians are trained or equipped to treat cases of addiction even if they want to and a great many physicians do not want to. It is under-

1304 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

standable how ungratifying it is to treat a chronic relapsing condition in an extremely demanding, frequently petulant, infantile, and manipulative patient. Also, many physicians do not have any understanding as to just who the addict is and what really constitutes addiction. Teaching and training programs must be developed.

Of even greater significance is the fact that in most instances the private physician is beyond the financial reach of the addict. A public facility is required in each major metropolitan area in which drug addiction constitutes a problem.

Item IX.—Any community control program must be a multifaceted operation. It will require inpatient hospital facilities, an outpatient clinic, and community and neighborhood social casework services. All facets should be under a single, central administration with the same professional and ancillary personnel retaining continuing contact with the patient through all phases of program operation. Innumerable community resources, medical and social, must be recruited into a community project.

The hospital itself must be a specialized treatment facility insuring an environment free of contraband drugs. Its staff must be especially trained and oriented to meet with the innumerable problems of acute withdrawal, physiological and physical rehabilitation, and psychological and social reorientation.

The basic goal of hospitalization is to initiate the restoration and facilitate the maintenance of physical and mental health. The patient must be returned to the community in as short a time as is possible, usually feasible within 4 to 6 weeks. Its role in the total program is:

- (a) Effectuate an involuntary status where indicated.
- (b) Provide withdrawal and any other medical care indicated.
- (c) Secure psychiatric and sociological studies and an understanding of the functioning personality of each patient.
- (d) In terms of this understanding, develop a patient-specific posthospital treatment and rehabilitation program in terms of the requirements of the individual patient. All preliminary steps of implementation of his program must be accomplished prior to his discharge from the hospital.
- (e) Opportunity for immediate readmission must be available.

Most usually, once the drug has been successfully withdrawn, in 1 day to a week, the previously addicted person is frequently overwhelmed by a surging sense of confidence and optimism. In the protected environment of the hospital, with minimal instinctual tensions, and free of the physiological dependence upon the drug, the memories of the pain and anguish precipitated by the frustrations of daily living become too dim and hazy to have real significance or to be the basis for the lesson that experience should have taught. Now sincere in the belief that he is able to take care of himself and tolerate ordinary frustrations like other people, he presses for release from the hospital. Usually neither logic nor reason can persuade him to remain in the hospital long enough to prepare himself for the inevitable trauma of emergence into the outside. It is just such an instance, which represents the preponderance of addict patients, that the instrument of civil commitment can be of much value to the addict.

Outpatient clinic activity must include psychotherapeutic services and social casework with the patient and, in most cases, with his family. Psychotherapy must be available in whatever form and on whatever level is determined to be required by the individual patient.

Social rehabilitation must be a community, even a neighborhood centered function. This activity cannot be served in the hospital or the offices of an outpatient clinic. On-the-spot, neighborhood contact is deemed to be essential. Many different community and social agencies will have to be utilized to meet the many ramifications of living problems. An organization of Big Brothers on a 1-to-1 ratio with the addict patient to act in assistance to the social service staff would be extremely valuable. I must reemphasize the importance of all such planning being accomplished prior to discharge from the hospital and a kind of reaching out social casework technique developed in order to maintain contact between program personnel and the addict. It is in this instance also that civil commitment process can be effective.

These combined efforts will work with the patient in living areas as employment and job placement, financial support, family care, vocational counseling and job training, academic education, marital and family guidance, recreational and social interests, minority group relationships and acceptance of community obligations and responsibilities.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1305

CONCLUSION

Item X.—Our experience dictates that the addicted person can be helped, but only with an enormous expenditure of energy by the community resources, of all professional and social groups. That punitive community, as experienced by the addicted person, that depriving environment which had made the addiction necessary, must now assume the role of the benevolent but firm communal parent. The community must become cognizant of the severe emotional sickness and the helplessness of the addicted person. The community must recognize his total inability to provide help for himself with his problem of addiction and his incapacity even to cope with the myriad of unpleasant realities of routine living even without the drug. The community dare no longer disregard its responsibility toward the care of its own problem of addiction, and, perhaps, its own responsibility in the creation of this problem. It is a financial burden, a costly one. But so is its cost in terms of self-degradation, family disintegration, and social disorganization.

INTERROGATORY OF DR. HERBERT A. RASKIN

A staff interrogation of Dr. Herbert A. Raskin, associate professor, department of psychiatry, Wayne University, was held at 2:47 p.m. in room 101, Senate Office Building, Washington, D.C.

Staff members present: Jerome S. Adlerman, general counsel; and Eugene J. Marshall, consultant to the subcommittee.

Also present: Charles J. Reynolds, a shorthand reporter from Alderson Reporting Co.

Mr. ADLERMAN. These are interrogatories taken the 5th day of August 1964, pursuant to the direction of the acting chairman of the Senate Investigations Subcommittee at hearings held on August 5, 1964.

Present is Dr. Herbert A. Raskin, clinical associate professor, department of psychiatry, Wayne State University.

Doctor, will you state your qualifications and experience in the treatment of drug addicts?

Dr. RASKIN. My first contact with the problem of drug addiction goes back to 1947 as a medical student and externe at Detroit Emergency Receiving Hospital, followed by psychiatric residency at the same hospital which takes care of all of the drug addiction problems within the city of Detroit, both on a hospital and out-patient basis; followed in 1954 with appointment as director of the Detroit Narcotics Clinic, which post I held until the middle of 1958.

I have been a member of the mayor's committee for the rehabilitation of narcotics addicts since 1953, and currently continue in such a position.

My own private practice of psychiatry, because of the work that I have done over the years with problems of addiction, has included many clinical treatment cases because of the high referral of such cases to me in private practice.

Mr. ADLERMAN. Doctor, are you affiliated with the American Medical Association?

Dr. RASKIN. Yes, sir.

Mr. ADLERMAN. And are you on any of the committees of the American Medical Association?

Dr. RASKIN. The Committee on Alcoholism and Drug Addiction of the Council on Mental Health of the AMA.

Mr. ADLERMAN. Are you also on the Committee on Narcotic Addiction?

1306 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Dr. RASKIN. Of the American Medical Association?

Mr. ADLERMAN. Yes.

Dr. RASKIN. It is now the Committee on Alcoholism and Drug Addiction. Formerly it was the Committee on Drug Addiction.

Mr. ADLERMAN. I will address myself principally to the question of ambulatory maintenance treatment which has been advocated by the New York Academy of Medicine, and by the Advisory Council of Judges of the National Council on Crime and Delinquency.

Has the Committee on Alcoholism and Drug Addiction considered the question of ambulatory maintenance?

Dr. RASKIN. Yes, sir. The committee has issued its findings in the report of June 1963, as approved by the house of delegates and the Executive Council of the American Medical Association, and printed in the Journal of the American Medical Association in September 1963.

Mr. ADLERMAN. Does this committee represent the largest body of medical opinion in the United States?

Dr. RASKIN. It is the official representation of the American Medical Association, which is recognized as organized medicine.

Mr. ADLERMAN. And, as such, the American Medical Association has taken a position on what it considers to be proper medical treatment?

Dr. RASKIN. Proper, ethical, legitimate, legal medical practice in relation to the physician and his treatment of drug addiction, the drug addict, and the use of narcotic drugs in the general practice of medicine.

Mr. ADLERMAN. And the association lays down a sort of guideline to be followed by the medical profession?

Dr. RASKIN. It is a kind of tentative code, as indicated in the statement, provide guidelines, lay the groundwork, the limitations which we feel are applicable at the present time under current knowledge, so to speak, in terms of the field of medicine dealing with the general problem of addiction and the addict, yes.

Mr. ADLERMAN. The American Medical Association's Committee on Alcoholism and Narcotics has issued several reports on narcotic addiction?

Dr. RASKIN. Over the years, the council on mental health has issued reports, yes. The report to which I referred was the first of the committee on narcotics, within my knowledge.

Mr. ADLERMAN. And is your committee part of the group that prepared this report?

Dr. RASKIN. Yes, sir. It was a combined statement of the American Medical Association and the National Research Council of the National Academy of Sciences.

Mr. ADLERMAN. When this report was drawn up, were the conclusions, findings, and statements of fact drawn up by physicians who are experienced in the field of narcotic treatment in various aspects of medicine as affected by narcotics?

Dr. RASKIN. Yes, sir. All the members of the AMA committee are physicians who either currently or within the recent past have had some relationship with the problem of drug addiction and the care and treatment and rehabilitation of addicts in one direction or another.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1307

Mr. ADLERMAN. Did you take an active part in preparing this report?

Dr. RASKIN. Yes, sir. I was in on the original draft of the report.

Mr. ADLERMAN. In a report on narcotic addiction of 1963, did you review the operation of narcotic clinics between 1919 and 1923?

Dr. RASKIN. As best we could from whatever written records or personal recall of individuals with whom we consulted.

Mr. ADLERMAN. As a result of this study, was it concluded by the association that the operation of narcotic clinics in those years had been a failure, and were the operations condemned by the then members of the American Medical Association, who urged the Attorney General to close these clinics?

Dr. RASKIN. Yes, I think that is a matter of record.

Mr. ADLERMAN. And generally, has the American Medical Association condemned ambulatory maintenance treatment of addicts as poor medical practice?

Dr. RASKIN. No; the American Medical Association has never endorsed or even suggested this means of approach to the problem of addiction, and at the current moment the most recent statement also does not endorse it. It is considered to be medically unsound and unfeasible at the current moment, especially in terms of what we know about addiction now, and most especially in terms of trying to gain a means of working with the total problem of addiction, and the total addict population.

Actually, the statement of 1963 revolves in this kind of orientation: What we are trying to do is set down general rules and regulations, so to speak, recognizing that there are going to exist particular exceptions, both in terms of individual addicts and various aspects of addiction problems.

First of all, this is why we label it a tentative code; secondly, we label it as a kind of general guideline to the field of medicine in general in dealing with the general question of how to treat the narcotic addict.

Mr. ADLERMAN. Have you found in your own experience, and has the American Medical Association found in its report, that the chief drug of addiction in the United States is heroin?

Dr. RASKIN. Among the opiate groups, heroin; yes, sir.

Mr. ADLERMAN. Again, in discussing the problem of ambulatory maintenance treatment, is not one of the prime factors which inhibits the use of ambulatory maintenance treatment the tolerance factor which makes it almost impossible to treat addicts on an ambulatory basis?

Dr. RASKIN. If you phrase your question again, in the sense of a general medicinewide application of measures to deal with the problem of addiction, yes, the question of tolerance becomes a very important factor, because in general, and in the majority of addiction problems, the increasing physiological and physical dependence upon the drug, the increasing chemical and physiological need by the individual for the drug in order to maintain his own particular response to the drug, physiologically, his own psychological reaction in terms of his need expression for the drug, the amount of drug will increase as time goes on, and his intake continues.

1308 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Again, we can cite exceptions to this as a general rule, and there will be instances that can be cited where the factor of tolerance will not be extremely important and would be able to be controlled on a maintenance basis.

So, I think we have to clarify, firstly, if we are going to discuss individual case control, that is, medical measures applicable to a specific patient, or if we are going to speak in terms of how is medicine going to meet with the problem of addiction in any given community.

Mr. ADLERMAN. I notice that in your report, tolerance is defined in the last paragraph. I would like to read this into the record and ask whether or not you are in agreement with the statements made in this report.

Dr. RASKIN. This is the 1957 AMA statement.

Mr. ADLERMAN. I would also like to read into the record from page 12 the chapter on "Emotional Dependence and Physical Dependence."

Tolerance is defined as a diminishing effect on the repetition of the same dose of the drug or, conversely, as a need to increase the dose in order to obtain the original degree of effect. Despite intensive research, the mechanism of tolerance is still unknown. The degree of tolerance which can be developed to the opiate drug seems almost boundless.

Authentic cases have been recorded in which addicts took as much as 5 grams (78 grains) of morphine intravenously in less than 24 hours without incurring any untoward effects. Some facts about tolerance are important to the consideration of the "clinic" plans.

Tolerance inevitably follows repeated administration of the opiates. It develops most intensively and in the highest degree when drugs are given on a regular schedule. Tolerance is manifested both by decrease in the intensity of the effect induced by a given dose of the drug and by decrease in the duration of observable action of the drug.

If the dose of morphine the addict is taking is held constant for a period of weeks or months and the drugs are given at intervals of 6 hours, signs of mild abstinence ultimately appear 4 or 5 hours after each injection. This means that most patients receiving drugs in clinics would periodically wish to have their doses adjusted upward. What the final upper limit would be is unknown as are the physical effects of long-continued taking of large amounts of opiates.

Emotional dependence refers to the psychological meanings of the use of drugs and the effects of drugs. Psychological dependence is, of course, related to the effects opiates create within the central nervous system. These drugs have the peculiar property of depressing "primary" drives.

They diminish hunger, thirst, fear of pain, and sexual urges. They allay anxiety, create a sense of pleasant relaxation, freedom from worry, and enable the user to engage in fantasy. The development of physical dependence creates a new biological need, the satisfaction of hunger or thirst. The addict tends to discard the usual methods of adaptation to life situations. Taking the drug often becomes the answer for all of life's problems. This creates a tendency of an indolent parasitic existence in many addicts which can be effectively countered by a high degree of motivation to work and to produce depending on the personality of the addict.

Physical dependence is defined as the development of an altered physiological state which is brought about by the repeated administration of the drug and which necessitates continued administration of the drug to prevent the appearance of the characteristic illness which is termed an "abstinence syndrome."

When an addict says that he has a habit, he means that he is physically dependent on a drug. When he says that one drug is habit forming and another is not, he means that the first drug is one on which physical dependence can be developed and that the second is a drug on which physical dependence cannot be developed.

Physical dependence is a real physiological disturbance. It is associated with the development of hyperexcitability in reflexes mediated through multi-neurone arcs. It can be induced in animals, it has been shown to occur in the paralyzed hind limbs of addicted chronic spinal dogs, and also has been produced in dogs whose cerebral cortex has been removed.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1309

Physical dependence is important in that it tends to make chronic opiate intoxication continuous rather than intermittent. It forces the addict to seek his drugs by any and all means. The first concern of many addicts becomes obtaining and maintaining an adequate supply of drugs.

Although physical dependence on opiates is a real entity, the illness which follows withdrawal is not as severe as many persons believe. Even abrupt withdrawal seldom results in death in a person who has no serious complicating organic illness. The rate of recovery from the withdrawal illness is relatively rapid. The severe symptoms largely abate after 3 to 7 days, but some physiological changes with mild symptoms persist for several months. It is not unusual for addicts to discontinue the use of drugs (kick the habit on the street) without medical help.

Many addicts, while dreading drug deprivation, have no overwhelming fear of the withdrawal illness any more than the alcoholic has any great fear of the "hangover."

Why do addicts continue to take drugs? There are several ideas. The most common view is that addicts take drugs merely to prevent the appearance of the withdrawal illness. A less well-known, and possibly more accurate, idea is that the addict continues to take the drugs because he obtains direct positive pleasure from satisfaction of a new and artificial biological need.

It seems most likely that a combination of both reasons is the most logical explanation. Many addicts strive to overcome tolerance and to recapture the initial sensations induced by the drugs. It should be noted that complete tolerance to the orgasmic sensations produced by intravenous injections of drugs does not develop. This is one of the main reasons for the intravenous use of drugs.

In the light of these statements and findings by the American Medical Association, don't you feel that a general proposition for ambulatory maintenance of drug addicts would face its administrators with the impossibility of maintaining an addict on a stable dosage basis except in rare instances?

Dr. RASKIN. I would agree with that completely. There are other factors of psychiatric aspects, of the individual who becomes the addict, that lends even more strength to the conclusion that ambulatory maintenance doses does not constitute a means of either treatment of the addiction state, treatment of the addict himself, or any kind of control of addiction within a community.

Mr. ADLERMAN. Doctor, there have been some statements and some testimony to the effect that doctors should be allowed to maintain addicts for an indefinite time on dosages of narcotics because a psychiatrist, for example, would be able to treat the addict and obtain his cooperation and establish a position from which he can treat the patient. Am I stating that correctly?

Dr. RASKIN. If I understand correctly, it is my feeling that unless the therapeutic aim is very clearly defined and mutually understood by both, the addict patient and the physician, be he psychiatrist or not, that the aim of the whole professional relationship is to help the addicted person deal with his own addiction and all of the various psychological and physiological concomitants of what we call addiction, in such a manner so that the individual is able to live his life without the drug, that this does not constitute treatment.

Every treatment situation requires a goal. If it is even implied to the addict that the physician is going to help him to maintain his drug intake and perhaps learn to live with the drug "better," assuming there is such a thing, the therapeutic situation is doomed to failure, the demands, requirements, that the patient is going to be making upon the physician within a length of time is going to become of such a nature that the physician, himself, I am afraid, will

1310 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

have to withdraw from the treatment situation because it will be impossible for him to meet with the demands.

Our experience in dealing with drug addicts and various other clinical pathological conditions and cases very similar to the drug addict, indicates that the requirements, the demands, the physical manipulations that the individual is going to attempt anyway, all of the various ruses that he is going to attempt under the best of circumstances, makes it sufficiently difficult for really the patient or the physician to work in a treatment situation, and I am afraid that unless there is a very clear understanding as to why the patient is seeing the physician—is treating the patient in the first place—it will not be able to work feasibly. Again, I can picture, and actually recall, certain instances where drugs can be provided to the patient in a treatment situation, but there is a very definitive understanding that this is a temporary kind of situation in terms of meeting some specific kind of problem, whether it be medical or psychiatric, recognizing that the duration of the administration of the opiate drug is going to be as minimal as possible, and that the definitive aim of the treatment situation continues to remain, coming off the drug at the earliest moment and working with whatever problems exist within the individual so as to perpetuate and make as permanent as possible his living without the drug.

Mr. ADLERMAN. I noticed that on page 57 of the report, paragraphs 27, 28, and 29 cover ambulatory withdrawal clinics and ambulatory maintenance and continued ministrations, and that the AMA considers ambulatory withdrawal clinics to be generally inadequate and medically unsound, and that the maintenance of stable dosage levels is generally inadequate and medically unsound.

Further, as a result of these conclusions, the American Medical Association and the National Research Council oppose such ambulatory treatment plans on the basis of present knowledge.

Are you in agreement with that?

Dr. RASKIN. Complete agreement with both of these AMA and NRC statements, which is why we repeated it in the current June 1963 statement.

Again, I have to bring special note to the word “generally,” both as regards the ambulatory clinic plans and especially regarding the maintenance of stable dosage. Here, again, we are trying to deal in terms of meeting the general problem of addiction and not speaking in terms of dealing with any specific individual addict, because in another part of the report we indicate where, under exceptional circumstances, on page 56, paragraph 21, it is proper to attempt withdrawal and treatment in an ambulatory basis.

There are specific exceptions to the general rule, but the specific exceptions cannot dictate general medical practice as far as the total problem of addiction is concerned.

Mr. ADLERMAN. Is it possible to have an ambulatory system work for any of the narcotic addicts?

Dr. RASKIN. Yes. It will work for certain narcotic addicts. The number or percentage of such narcotic addicts, when compared with the total addict population, is in the greatest minority. As a matter of fact, they do not even represent a significant number in terms of the total addict population.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1311

Mr. ADLERMAN. Is this the group that happens to be of somewhat superior intelligence, of higher social and economic level than the average addict?

Dr. RASKIN. No, not necessarily. Actually, I think it is more a matter of psychopathology, the mental-emotional disturbance that underlies the use of the drug, the personality construction of the addict rather than intelligence or socioeconomic levels, as such.

Mr. ADLERMAN. We have heard one of the other doctors say that there is a small, very small, group who are perhaps intellectually superior, economically and socially superior, such as medical addicts, who might be aided by an ambulatory treatment.

Dr. RASKIN. I think statistically maybe the likelihood or the statistical probability of finding these individuals to be more intelligent, to have accomplished more in a socioeconomic way, will be true, because these are the individuals whose psychological function has been of such a nature so that they will have been able to accomplish, attain, adjust better.

Mr. ADLERMAN. You say this would be a very small minority as compared to the whole?

Dr. RASKIN. Very, very small.

Mr. ADLERMAN. The average addict—I'm not talking about the small group—and I don't know whether you can identify an average addict, as I suppose that is almost an impossible——

Dr. RASKIN. You can't.

Mr. ADLERMAN. Can jobs be held by the greater number of addicts while they are on addiction? Can they be truck drivers, busdrivers, machineshop operators, and so on, while they are under addiction?

Dr. RASKIN. Most generally speaking, the individual who has a significant degree of physical dependence, psychological dependence, on a regular intake of any of the opiate drugs, the greatest likelihood is that they are incapable, they cannot hold down responsible positions that require any kind of complicated, motivated thought action or physical action.

Mr. ADLERMAN. Coming again to the ambulatory maintenance treatment, let us consider large population areas such as New York, Chicago, and Los Angeles. Would it not be a physical impossibility to find the number of doctors to administer to, for example, the 30,000 addicts in New York City, on a maintenance basis, giving them anywhere from one to three shots per day?

Dr. RASKIN. Well, my own opinion, and this comes actually from many, many informal surveys and contact with addicted people, is that if we were to have a clinic available and we were to indicate to the addict that we will provide them with a predetermined dose of, let's say, morphine, they would have to come to the clinic for each individual dose, that we would practically see no patients.

First of all, these individuals are not going to come to the clinic because it is too much trouble. That sounds perhaps rather silly, to think that when an individual needs a substance as much as the addict needs his drug, and we keep saying that he will go to any lengths to procure it, to ask and expect the addict to set up this kind of self-organization so that he will meet with clinic schedules, and he will regulate himself in this kind of an organized fashion, the usual addict with whom we will meet very firmly denies it, that it would

1312 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

be much more to his interest to procure his own illegal source of drug rather than to pursue this kind of structured existence.

Mr. ADLERMAN. Even if he had to go out and steal the money to buy the drugs?

Dr. RASKIN. This is of no consequence. We are dealing with a kind of psychological dictation and self-organization where the stealing of money is of little consequence. The value systems involved in the psychology of the usual addict does not cover this particular social attribute, "thou shalt not steal," nor many other moral standard codes, by the same nature.

Secondly, there is another aspect to this clinic. You notice that I mentioned that if we administered the drug morphine, we have all recognized that in the greatest majority, the opium addict wants heroin. Unless we did a complete turnabout as far as all concepts of Federal law, medical usage, tradition are concerned, we would not be able to provide the addict with the heroin that he is seeking.

Again, from the surveys, most of these addicts are not interested in getting morphine, even for nothing; they want heroin. Even if we were able to revolutionize our whole social structure and give them heroin, again the individual addict, unless you gave them, say, a bulk amount, and provided it to them for their own self-administration, only under these circumstances do I believe that we would get the cooperation of the addict to begin with.

But here, again, if we are going to direct and expect the individual addict to set up a self-scheduled administration program, where, say, we give him a week supply and ask him to prorate this mutually agreed upon amount over the week, he will take so much per day for 7 days, the addict who honestly reports to you will indicate that it is an absurdity, because by the end of the second day, if it lasts that long, the total amount prorated for the week would be gone.

Here, again, the psychology of the individual addict comes into play because if the individual had what we call the degree and type of ego organization, if he had the degree of self-direction and self-discipline to cooperate in this kind of a self-administration program, the greatest likelihood is that he would not be an addict in the first place, and that we would not be seeing him in this kind of clinical situation.

Mr. ADLERMAN. So in order really to have an ambulatory maintenance system work with the heroin addict, we would have to revise our own laws in order to obtain heroin to give to the doctors.

Dr. RASKIN. Even if we did, it is my personal feeling out of experience in Detroit that such a clinic would not work.

Mr. ADLERMAN. Are you familiar with the problems they had in Israel recently on that type of clinic?

Dr. RASKIN. Not enough to discuss it; no.

Mr. ADLERMAN. It was reported in the United Nations bulletin.

Dr. RASKIN. No; I did not see the report.

Mr. ADLERMAN. This is a matter that is in the record now.

Dr. RASKIN. Let me add to my answer in terms of these ambulatory clinics. There is another factor involved, and you hear it spoken of so very, very frequently, that if the drug were made legal that "a large proportion of addicts" would no longer feel that they wanted the drug because their primary motivation for taking the drug is the acting out

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1313

or the expression of a psychological disorder, of an antisocial nature, and the mere fact that it is an illegal act is what constitutes their main drive for the drug.

Now, it is true that there are certain individuals, we used to call them constitutional psychopaths, and then psychopathic personalities, and now antisocial character disorders, where the mere illegality of the drug and the pitting of themselves in an antisocial fashion against authority, plays a very important role in their acquisition and use of the drug.

But here, again, we are dealing with a very small minority of the addict population, and actually I believe the contrary to be true, that if the drugs were made legally accessible merely for the asking, even if we put in a qualification that the individual could not get the drug unless he demonstrated that he was an addict, I feel that we would be recruiting into the ranks of the addict population many new individuals, that actually the illegality to a certain extent does act as a deterrent, and actually frightens certain individuals away from the drug because of the legal dangers inherent in using the drug.

Mr. ADLERMAN. Have you read the reports of the New York Academy of Medicine?

Dr. RASKIN. Yes, both reports.

Mr. ADLERMAN. Are you familiar with the report that has been issued by the National Council on Crime and Delinquency?

Dr. RASKIN. Yes, sir.

Mr. ADLERMAN. Are you in agreement with the conclusions and findings of those reports?

Dr. RASKIN. Dealing with the New York Academy of Medicine, especially in the terms of their recommendations, it is extremely difficult to disagree with any of their recommendations, if it is taken literally as stated in the report and properly interpreted.

My own personal opinion was that the recommendations did not completely grow out of the material that precedes the recommendations, at least some of the material, because I don't think anybody can disagree that a national policy having a central thesis that the addict is a sick person, or that this thesis should guide any and all agencies in dealing with the narcotics problem in the addict, and that the medical approach to narcotics and addiction should be allowed application.

The question of fulfillment by rescission of the present threatening regulation which denies to the physician freedom to treat addiction according to his "clinical judgment" I don't think is a completely accurate statement, and especially now in terms of the American Medical Association-National Research Council's statement that particular objection has even less credence.

As to whether the Narcotics Bureau shall pull out of the regulations No. 5, the specific statement regarding what constitutes a prescription, I don't see where it makes any difference as to whether that particular regulation is pulled out because as they indicate in the legitimate practice of medicine, and it is my belief that the Federal Bureau of Narcotics will leave the interpretation of what constitutes proper, legitimate, ethical, legal medical practice to the physicians. I think this was demonstrated by the support given to the American Medical Association by the Federal Bureau in terms of their cooperation in the distribution of our particular statement. I think we are going to get even more cooperation from them.

1314 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

All addicts should come under medical supervision or treatment—I don't think we can argue with that—or that a national program for eradication of addiction be designed and put into effect. We are all working toward that.

As far as the New York Academy's statements in terms of the general application of maintenance programs or ambulatory clinic programs, on a voluntary basis, I think my own opinion has already been stated, and it runs contrary to the feelings of the New York Academy.

I think we have to recognize another element in this whole situation. I don't think that medicine right now is really in a position to state the final definitive word as to how medicine can deal with the problem of addiction. I think we are in a state of transition; we are in a state of learning and change. The AMA-NRC statement of 1963 represents this kind of stepwise progress that is being made.

I think all the physicians recognize that we need far more research in terms of scientifically testing some of the hypotheses that have grown out of our experience with addiction, and that until we have conducted some of this work, it would not be reasonable to try establishing further definitive methods, either medical or legal.

Mr. ADLERMAN. Let me ask you one more question: Doctor, this is one of the principal arguments that has been advanced for the ambulatory maintenance treatment—an addict under the care of a physician will presumably get a stabilized dosage of narcotics, to maintain him to the best of the doctor's ability and this allows the addict to get his drugs for a very nominal cost by way of a prescription. Thus the profit motive will be removed for the narcotic racketeer.

Do you think that giving the drugs to addicts at a nominal cost or no cost while they are under the care of physicians would eliminate the narcotic racketeer?

Dr. RASKIN. I think we can answer that question "No," with two illustrations, one of which is when you ask any individual addict, "How much drug do you need, how much drug do you require?" his answer almost invariably is going to be "As much as I can get."

The confirmed, addicted person has no minimal and no maximal amount of drugs that he wants or will use if he can get his hands on it. I feel that no matter how much drug we were to provide the individual at cost or free in a clinic situation for self-administration or for clinic administration, this would serve as part of his total drug supply and he would seek and probably maintain his same purchase level outside of the clinic as he had previously, and actually his total drug intake would be increased by as much as he was able to provide himself, outside of the clinic atmosphere.

Secondly, if we look at the problem of addiction among doctors and nurses, to a much lesser extent pharmacists, we find that this is exactly the kind of situation that exists. Here there is no profit motive, there is no cost involved, actually. The individual has as much drug available to himself as he wishes, and the same kind of situation holds true. He will provide himself with as much drug, actually, as he can divert to his own use, again recognizing there are differences in extent and degree of addiction, and there are physicians that I have seen who are constantly in a far advanced state of opiate intoxication, extremely sedated, simply because the drug is immediately and readily available to them.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1315

(Whereupon, at 3:30 the staff interrogation of Dr. Herbert A. Raskin was concluded.)

Senator JACKSON. Has Dr. Brill arrived?

Evidently not.

Mr. ADLERMAN. Would it be all right, Mr. Chairman, if we had Dr. Brill's statement sworn to and submit that for the record as a sworn statement?

Senator JACKSON. If there is no objection, Dr. Brill's statement, accompanied by a proper affidavit or other sworn statement accompanying it, will be included in the record at this point as if sworn to during this session.

(Dr. Brill's affidavit and statement follows:)

AFFIDAVIT

Dr. Henry Brill, being duly sworn, desposes and says that he is director of Pilgrim State Hospital, West Brentwood, Long Island, N.Y. He has prepared a statement which he intended to deliver before the Permanent Subcommittee on Investigations of the U.S. Senate Government Operations Committee. Because of conflicting schedules, it is impossible to so deliver this statement and he requests that this statement, which is attached hereto, be incorporated into the transcript of the hearings concerning illicit traffic in narcotics which are being conducted by that subcommittee.

(Signed) HENRY BRILL,
*Director, Pilgrim State Hospital,
West Brentwood, Long Island, N.Y.*

Sworn and subscribed before me in Washington D.C., this 5th day of August 1964.

(Signed) ROBERT A. BRENTWOOD,
Notary Public, District of Columbia.

My commission expires November 30, 1967.

STATEMENT OF DR. HENRY BRILL

It is a personal pleasure and privilege to appear before this subcommittee and discuss the problem of narcotic addiction and especially the areas described in the following paragraph:

"Much has been written in recent years about the problem of narcotic addiction. Numerous 'solutions' have been advanced. One such solution which has had a number of proponents is the so-called clinic plan, which proposes, under various schemes, to provide narcotic drugs without cost to addicts on demand under the premise that an available supply would deter addicts from committing crimes and would remove from the scene the pusher and the peddler of illicit narcotics."¹

THE BRITISH SYSTEM: FACT OR FICTION

I would like to outline for you today certain experiences, observations, and conclusions which relate to the so-called British system and the narcotic question generally in Britain.

THE "SYSTEM" IN AMERICAN REPORTS

In 1958, the department of mental hygiene in New York had become vitally interested in a number of aspects of the British system, and the specific technical practices which it involved. If there was in operation some sort of plan for regular issue of narcotics, it would be important to observe its conditions to find out how much was given, in what form, under what precautions, and how the service was organized.

We were particularly interested because this so-called system was so often cited here as having demonstrated a special effectiveness for prevention, treatment, and cure and also because it appeared to represent an active operating organization from which we might learn to apply some proven principles or procedures:

¹ Larimore, G.; and Brill, H.: "The British Narcotic System." *New York State J. Med.*, 60: 1, 1960.

1316 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

At that time, one widely accepted U.S. version was that in Britain:

1. Any person addicted to a drug was expected to register with an official governmental agency where the fact of addiction was confirmed.

2. Narcotic clinics were maintained, at least in the larger centers of population, where a registered addict could get his necessary supply of drugs at a nominal cost.

Other versions were less definite as to administrative mechanisms but in spite of differences all proponents of the "British system" agreed that, with or without registry or clinics, the British practice achieved its aim by permitting the addict access to narcotics under a benign series of medically oriented regulations. The logic was that by taking the profit out of the traffic a vicious circle was interrupted and thus if we did the same there would be no longer any incentive for the underworld to maintain and extend the market. It was argued that without such support addiction would die out as it had in Britain. It was also urged that once relieved of the need to pay extortionate prices the addict would live within the law. It was claimed that half the crime in New York was related to narcotics and that hundreds of millions of dollars went into underworld channels annually maintaining an underworld system of supply and corruption.

SILENCE OF THE BRITISH MEDICAL LITERATURE ON THE "BRITISH SYSTEM"

When we attempted to pinpoint various important questions about the "British system," we found that while there were voluminous though vague references in the American literature, there was an unaccountable lack of British technical reports of the kind which we needed and which are ordinarily found on such subjects. The British appeared to have nothing to say about their own accomplishments in the field and this was all the more surprising in view of their very large and important literature in social psychiatry and public health matters generally. In conducting our review, we were in addition struck by the scarcity of British technical literature on narcotic addiction generally even in the last century.

THE SITE VISIT

It was apparent that a number of important questions would have to be answered before we could decide what aspects of the British experience might be carried over to New York State and exactly how we might go about the task. A site visit would in any event have been highly desirable, but under the circumstances it was essential that we should have an opportunity to see the clinics and other facilities in action and have the opportunity to consult with administrative and medical personnel who were directly involved in this work.

A visit was accordingly organized with Dr. Granville Larrimore, of the Department of Health of New York State, which is directly concerned with the medical use of narcotics in New York State and has long had a broad interest in the problem of addiction. We went to England during the summer of 1958 and subsequently reported in our observations and conclusions and a copy of the report is attached herewith.

The findings may be summarized as follows:

1. There were no narcotic clinics in England nor had there ever been any as far as we could determine.

2. There was no system of compulsory legal registration although physicians were encouraged to report the names of addicted persons who came to them.

3. There was no formal system of official issue of drugs which would entitle the addict to receive a regular supply from a clinic or a physician or any other sources.

4. The names of some 350 addicted persons were known to the medical authorities but heroin addicts were a small minority and virtually all the cases had characteristics of age, sex, and addiction pattern that marked them as essentially medical addicts; many were older women with chronic painful conditions.

It was quite obvious that any generalizations based on such cases would have no application to the criminal addiction problem which creates the New York situation.

5. The channels of supply were medical and there was no underworld organization such as we have to deal with but there was a small well-known illicit market.

6. The wording of British regulations appears to permit a physician to administer narcotics to a patient who in his judgment needs to be maintained but

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1317

we were led to understand that these rules are virtually nullified by others which forbid the giving of narcotics to maintain addiction; informal discussion with numerous psychiatrists and other physicians made it clear that the British practice is much the same as our own. We did not succeed in locating any physician who could describe a significant experience with maintenance of the kind so widely quoted in America nor could we locate medical reports which described such a procedure or its results. If there was a right, it was exercised in such a way that the actual practice was like our own.

On the contrary, we were consistently told by psychiatrists and other physicians that they would not become involved with prescribing maintenance for addicts for legal and administrative as well as ethical reasons.

It appeared clear that the British have never had a significant problem, and this coupled with the fact that they possess other and characteristically indirect methods of control has made it possible to retain the flexible sounding regulations. This was carefully done because of professional sensitivity with respect to the broader implications of increased Government control in other areas of practice. As far as narcotic addiction itself was concerned, their attitude was quite similar to that of American physicians. There was not the slightest evidence that the present low rate of addiction was the result of any "system"; in fact, very low rates of addiction are reported from other European countries whose regulations are quite stringent.

Following the publication of our paper on this subject and its rather wide circulation in Britain, Dr. Larrimore and I received a number of very favorable comments from British sources, and in no case has there been any claim from England that this represents a misstatement or a misunderstanding on our part.

SUBSEQUENT OBSERVATIONS AND ADDITIONAL DATA RELATING TO THE "BRITISH SYSTEM"

Following the 1958 site visit, I have been in England several times and have had other occasions to extend and amplify our observations, and to reexamine the impressions already recorded. The result has been to confirm the position taken in the site visit report and to add some very interesting facts. British physicians leave no reasonable doubt that their practice with respect to narcotic addiction closely parallels our own and their treatment results are publicly stated as being no better. The question is, of course, dominated by the simple fact that the total number of their cases is very small, although it has risen from 350 at the time of our visit to about 470 in 1961, and that only a small minority of the addicts take heroin and only a few of these are nonmedical addicts.

It may be worthy of note that the number of these nonmedical addicts and the percentage of the total has been rising during the last few years and the latest information available to me indicates that a narcotic treatment center for the London area is being publicly discussed.

Meanwhile the British have become concerned about erroneous and misleading accounts of a "British narcotic system" and have published comments to clarify the matter. Perhaps the most important is a part of the report of the committee headed by Sir Russel Brain. This report, presented to the Government in 1961, is essentially a position paper designed to bring up to date the 1926 Rolleston Report which had provided the technical foundation for British regulations for over 25 years.

The Brain Committee expresses regret at "The unfortunate and persistent misunderstanding * * * that addicts are entitled to receive supplies of dangerous drugs on prescription and that this involves the registration of the addict with some central authority," and goes on to say that there never has been such a system or such an intent on the part of the Government.

This type of clarification has merely narrowed the ground for subsequent controversy (in this country) and has not disposed of it because, granting that there is no formal "British system," those who feel that our problem is due to our legal structure and social attitudes still insist that the British do have a far more liberal policy since physicians have the right to prescribe for addicts. Some see in this policy the reason why Britain has never had an addiction problem, others feel that there was once a problem which was overcome by the liberal policy, and still others claim that treatment results are better because the physician can follow his own judgment without concern about legal questions.

A part of this discussion is based on logic alone and is very difficult to handle without becoming involved in arguments and counterarguments as to why such a

1318 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

system would or would not be expected to work in this country. Such discussions in the abstract seem to have relatively little meaning from a direct operational viewpoint. However, some parts of this discussion are open to exploration as to facts. Perhaps the simplest is the question whether there ever was an addiction problem in Britain. Since no one could claim to have overcome a problem which never existed, it would settle the issue as to whether the liberal policy had overcome a situation in the past.

STATEMENTS FROM BRITISH MEDICAL LITERATURE ON EXTENT OF ADDICTION

The 1892-93 edition of Tuke's famous "Dictionary of Psychological Medicine" (J. & A. Churchill, London, 1892) apparently found it necessary to go to Germany to find an author who could write on "morphinomania" and this author states, "The history of morphinomania begins with the year 1864. Great Britain has contributed very little indeed to the literature of this subject which is very extensive." One can assume from the subsequent course of events and from what we know of the genesis of medical literature that the British had contributed so little because they had so little addiction to describe, at least up to 1892.

In 1926, the Rolleston report, already mentioned above, states with respect to the prevalence of addiction " * * * evidence has all tended in the same direction and is remarkably strong in support of the conclusion that, in this country addiction to morphine or heroin is rare.

"Some experienced general practitioners have stated that they had never been called upon to treat such cases, others that they have only seen two or three such cases in the course of 20 to 30 years' practice * * * there is also a general concurrence of testimony to the effect that addiction has diminished in recent years, most witnesses attributing the decline * * * to the operation of the Dangerous Drugs Acts which made it difficult to obtain the drugs otherwise than from, or through, doctors.

"Although sources of illegitimate supply exist, it appears that those who might, in other circumstances have obtained the drugs from nonmedical sources are usually lacking in the determination and ingenuity necessary for overcoming the obstacles which the law now places in their way. Thus the diminution of the number of addicts may be regarded as mainly due to the fact that the new addicts are not being created as they were under former conditions."

From the point of view of the Rolleston report, the addiction problems was small, was preponderantly due to morphine, and the further reduction of the small number was traced directly to restrictive legislation which had cut off sources of illegal supply. Nowhere is there any suggestion of a problem which had been solved by liberalization of policy. The report throughout reflects the reluctance of physicians to be subjected to governmental controls and the section entitled "Circumstances in Which Morphine or Heroin May Legitimately Be Administered to Addicts" outlines two such types of conditions:

Exception 1.—Where complete withdrawal produces serious symptoms, etc.

Exception 2.—The patient while capable of leading a useful and fairly normal life so long as he takes a certain nonprogressive quantity, usually small, of the drug of addiction, ceases to be able to do so when the regular allowance is withdrawn.

Anyone who has had much to do with American addicts in public treatment facilities will recognize that applied to them the wording of this statement would be tantamount to a complete prohibition of maintenance therapy. Unfortunately British reports are not clear as to the actual application of the rules and regulations and one must depend on the type of direct communication and observation which formed the substance of our site visit report. The cases which have been described in the recent American literature as examples of British maintenance methods are clearly not within the limits of the Rolleston recommendations.

The course of events between 1926 and 1961 falls within the period covered by the personal recollection of the British experts who provided our material and they were unanimous in stating that there had been no significant problem during this time, a statement which is supported by the 1935 report of His Majesty's Government that there were then 700 known addicts in the country.

In 1961, the Brain report says "The incidence of addiction to dangerous drugs * * * morphine and heroin * * * is still very small." The Brain report incidentally casts a shadow of doubt on exception I of Rolleston and indicates that this can and should be overcome by institutional treatment. Both of these papers constitute semiofficial documents which summarize contemporary pro-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1319

fessional knowledge and opinion in Britain, and as such are worth a close and careful scrutiny. Neither report makes the slightest claim that the liberality of the rules had had a restraining influence on the spread of addiction and there is no mention of any possible value in reducing the problem. The most that is claimed is that the liberal wording of the rules and the way in which they have been applied "has not contributed to any increase in the total number * * * receiving regular supplies in this way."

Documentation from British sources thus gives fairly clear evidence that there was never any significant narcotic problem in Britain. The silence in the British literature is based on the simple fact that there never was anything which justified recording, and they have remained aware of the problem chiefly through the experience of other countries, especially the United States, and to a lesser extent that of Germany.

Under the circumstances it appears pointless to argue whether anything which was done in Britain brought about a reduction of a few hundred cases; a fluctuation of this magnitude in a country of some 53 million is of little significance in view of the notorious uncertainty of narcotics reporting.

When we come to the question of treatment results, and the claim that they are superior in Britain because of a better social attitude and climate, one can only say that any claim of superiority is directly contrary to the observations of the British themselves.

Finally it remains to review the claim that the existence of a liberal climate has prevented the spread of addiction. This hypothesis does not lend itself to any direct testing though it might be examined by comparing the rates of addiction in various countries which have various types of policy with respect to narcotics and here diametrically opposite conclusions have been drawn depending on the selection of examples. At best the hypothesis of control or spread remains completely unproved and is a claim that appears to have originated outside of England; at worst it seems to fly in the face of a rather imposing set of contrary data from many countries and many States.

WHAT WAS THE ORIGINAL BASIS OF THE STORY ABOUT THE BRITISH NARCOTIC SYSTEM?

While at least some accounts of the British narcotic system represent monumental examples of grossly inaccurate communication, the suspicion will still remain in many minds "Was there any fire where there was so much smoke?" It might serve a useful purpose if we could trace the original source of the story. The Brain Committee assumed that it began as an overinterpretation of the "exceptions" quoted from the Rolleston document but it remains unclear how such a specific and circumstantial account of a system of operation could have been built around nothing more than several purposefully vague statements in an official report. An additional source has been thought to be the American clinic system which persisted briefly during the early 1920's when the Harrison Act first began to be applied but it would be hard to understand how this could be attributed to the British or how the details were elaborated.

An interesting possibility which has never had much attention lies in a British system which was fully documented and which operated much along the lines described but this has to do with the British colonies and never was operative in the home country.

The system is described by Mukerji in the *Journal of the Indian Medical Profession* of August 1959 in the following terms (p. 2765) (Treatment of Addicts of the Opium Treatment Center, Singapore) "Before the Second World War in Malaya in 1941 use and sale of opium was controlled as Government monopoly and an addict having been examined by a medical officer and duly certified was registered and then permitted to purchase an allowance of opium from a Government shop. It was the policy of the monopoly to bring about a gradual reduction of the consumption of opium."

Could it be that this is the British system which gives rise to the elaborate accounts which finally reached us with some error of geography? It is an interesting possibility, but perhaps a better explanation can be found.

RECENT NEW YORK EXPERIENCE IN RELATION TO THE DISCUSSION ABOUT PRESCRIBING OF NARCOTICS TO ADDICTS

As operating experience with thousands of addicts has accumulated in the New York metropolitan area, and as more technically trained personnel have become

1320 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

directly acquainted with the problem, the various elements in the old clinic discussion have begun to fall into a clearer perspective and differences of opinion have been markedly narrowed.

It is abundantly clear that to establish large scale heroin or other narcotic clinics or any other general method of legal supply in New York would be a disastrous experiment, and there are few who would propose it.

The addict as we have come to know him is facile, demanding, dependent, young, impatient, unreliable, manipulative, and intolerant of frustration. The instability of his personality structure is such that any overall "clinic" system is now generally considered to be utterly impracticable. The analogy which has been drawn between alcohol and narcotics is misleading since the addict with whom we have to deal does not correspond to the social drinker who created the main prohibition problem, rather the relation of the addict to drugs is that of the pathological alcoholic to alcohol, and for both complete abstinence is the only course. This is a matter of clinical fact based on extensive observations by many workers with direct experience.

The question of prescribing thus begins to resolve itself into a theoretical discussion about professional freedom to prescribe, and whether any patients exist who would fulfill the criteria posed by both the British Commissions; namely, that they would be able to be maintained on a fixed dosage of drugs and would on such a dosage be able to carry on useful and reasonably satisfactory existence, etc.

This entire question was reviewed recently by representatives of the Mental Hygiene Council of the American Medical Association jointly with a committee of the National Research Council and after careful consideration of all available evidence they decided that such maintenance was not to be recommended and did not constitute ethical medical practice.

CONCLUSION: A FALSE AND DANGEROUS SHORT CUT IDENTIFIED

It appears that various systems for providing narcotics to addicts including the so-called British System are based on a dangerous oversimplification of the problem of drug addiction and constitute a false short cut toward solution. It is now becoming clear that the more costly and complex conditions for development of a narcotic service, such as those developed for New York State, are necessary and in addition they have proved practicable. This can be said from the vantage point of several years of operating experience and while the idea of solving a large part of the problem by the simple device of providing drugs to these persons is a very attractive one, the accounts of the supposed situation in Britain presented in support of such a scheme are very misleading being based on no demonstrable facts as to the very existence of such a system in Britain, nor on any demonstration that the British practices in this field are significantly different from our own or more effective, or that their treatments produce better results than ours. Careful investigation and repeated contact with their practicing specialists as well as examination of their literature serves only to provide further evidence that the so-called British System is an American invention and that the British themselves make no claim of a superior method in the prevention or treatment of narcotic addiction.

Their medical literature is very clear that there has never been more than a miniscule problem in this area and their relaxed attitude and liberal sounding regulations are the consequences of the favorable situation and not the cause of it.

Senator JACKSON. We want to thank you, ladies and gentlemen. We deeply regret that we operate under these procedures, but don't think for one moment that we will not be following up on this very important problem.

The Chair will receive a letter addressed to the President by the chairman of the subcommittee, and a response by Dean F. Markham, Special Assistant on Drug Abuse, The White House. They will be printed in the record at this point.

(The letters referred to follow:)

JUNE 12, 1964.

THE PRESIDENT OF THE UNITED STATES.

MY DEAR MR. PRESIDENT: This subcommittee, in pursuit of its responsibility to check into the field of organized crime, has conducted hearings into various facets of criminal activity. Late in 1963 we began to hear testimony concerning illicit

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1321

narcotics traffic. We suspended hearings then at the request of the Department of Justice because of the risk of prejudicing the outcome of several criminal prosecutions which were pending at that time. These trials are now completed and we are advised by the Department of Justice that there is no further reason for delay.

After our hearings were suspended, the President's Advisory Commission on Narcotic and Drug Abuse, which was previously appointed by President John F. Kennedy, made its final report. We plan to resume public hearings at the earliest opportunity. It would be very helpful to the subcommittee to have the benefit of the experience and study of this group. I know we would profit from the findings as well as the recommendations of the Commission. Accordingly, I ask that a representative of the Commission be made available to testify on this subject when hearings are scheduled again.

I shall appreciate any consideration you are able to give this request.

With every good wish, I am,

Sincerely yours,

JOHN L. McCLELLAN, *Chairman.*

THE WHITE HOUSE,
Washington, June 17, 1964.

DEAR SENATOR McCLELLAN: The President has received your letter of June 12 and has asked me to reply.

We note that you are planning to resume hearings within the near future on the illicit narcotics traffic and that it would be helpful to your subcommittee to be able to draw upon the experience and work of the President's Advisory Commission on Narcotic and Drug Abuse.

Actually, the life of that Commission ended on December 31, 1963, following submission of its final report, as specified by Executive Order 11076. However, this office will be pleased to work with you in any way that it may be of service. I am sure that the members of the Commission would also welcome any opportunity to be of assistance in your most vital work in this field. Therefore, please feel free to call upon me and the resources of this office in whatever way we may be of help.

No action has been taken as of this time toward the implementation of the various recommendations in the final report due to the fact that it is still under study by the Bureau of the Budget, who will submit their views to the White House.

I trust the above information will prove to be of help.

Sincerely yours,

DEAN F. MARKHAM,
Special Consultant on Drug Abuse.

(Excerpts from the President's Advisory Commission on Narcotics and Drug Abuse, Final Report, November 1963, follows:)

EXCERPTS FROM THE PRESIDENT'S ADVISORY COMMISSION ON NARCOTIC AND DRUG ABUSE, FINAL REPORT, NOVEMBER 1963

From the Commission's review, four observations emerge:

1. The drug abuser, both the addict and the nonaddict, cannot be cured simply by withdrawal. His hold on abstinence will be tenuous, particularly in the case of the addict. To assume a responsible role in society, he must be led by stages through a long and difficult process of treatment. The confirmed drug abuser may relapse more than once, as in a recurrent illness, but relapse should not be taken as an indication that he cannot be rehabilitated. It may well be that treatment cannot create a mature adult out of the confirmed drug abuser. But it is clear that without prolonged extensive aftercare following withdrawal, there is little hope that total abstinence will ever be attained. On the basis of present evidence, the confirmed drug abuser must be brought into a rehabilitation program wherever possible.

2. The services and facilities for the treatment and rehabilitation of the drug abuser should be in or near his own community. If the goal of treatment is that he learn to make his way in the community, then the services that support him should be readily available in his neighborhood.

3. The treatment and rehabilitation of the drug abuser requires an interdisciplinary approach. Physicians, including psychiatrists, can play a large

1322 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

role in treatment, but treatment and rehabilitation are more than a medical problem. The psychologist, the lawyer, the penologist, the teacher, the criminologist, the clergymen, the social worker, and others all have roles to play.

4. For the purpose of considering methods of treatment, drug addicts and habitual users fall into certain broad categories:

(a) Those confined and subject to prison discipline. The necessities of life in penal institutions require that they be taken off their drugs, and many want to be taken off. Here, in the custody and under the control of government officials, is a large group of drug abusers.

(b) Those who detest their drug habit and hail any opportunity to be rid of it. These people welcome therapy which produces relief and will cooperate willingly. Their prime difficulty is an inability to combat the precipitating causes of their affliction following return to community life. Assistance from friendly interested individuals and organizations can be of value here. It should be noted that the preventive effectiveness of this type of help is great.

(c) Those drug users who can be rehabilitated, but who do not wish to be rehabilitated except during brief intervals of remorse or distress at their plight. This is a most difficult category and includes those who succumb to the habit because of mental defects, personal maladjustment, or economic or social conditions. No effective treatment of these people is known. They are the ones for whom halfway houses, part-time release, supervised probation, and similar measures should be tried. The rehabilitation of these people constitutes a vast social problem.

(d) The "incurables." These are the people whose dependence upon drugs has gone so far and become so fixed as to be impossible to change except at severe risk to life or health. It also includes those whose habit has been of such long duration that the education of the victim or his training to pursue a useful vocation has become impossible. What to do with these people is a difficult moral and social problem.

THE MEDICAL USE OF NARCOTIC DRUGS

Since the passage of the Harrison Act in 1914, the Federal narcotic laws have expressly permitted a physician to prescribe narcotic drugs for a patient in the course of "professional practice only" and for "legitimate medical uses" and "legitimate medical purposes." Under this statutory language there is no doubt that a physician may prescribe narcotic drugs for a patient suffering acute pain or from a painful and incurable disease. But a controversy has existed for 50 years over the extent to which narcotic drugs may be administered to an addict solely because he is an addict.

During the first 10 years following enactment of the Harrison Act, the Supreme Court affirmed several convictions under the act involving the indiscriminate prescribing of narcotic drugs for addicts. In 1925, however, in *Linder v. United States*, 268 U.S. 5, the Court indicated that the dispensing of narcotic drugs by a physician for the purpose of relieving conditions incident to addiction was not in every instance a violation of the act. The case concerned a doctor who had given one tablet of morphine and three tablets of cocaine to an addict. The Harrison Act, said the Court, "says nothing of 'addicts' and does not undertake to prescribe methods for their medical treatment. They are diseased and proper subjects for such treatment, and we cannot possibly conclude that a physician acted improperly or unwisely or for other than medical purpose solely because he has dispensed to one of them, in the ordinary course and in good faith, four small tablets of morphine or cocaine for relief of conditions incident to addiction."

The regulations of the Bureau of Narcotics, however, do not seem to be in accord with that language. The current regulations state: "An order purporting to be a prescription issued to an addict or habitual user of narcotics, not in the course of professional treatment but for the purpose of providing the user with narcotics sufficient to keep him comfortable by maintaining his customary use, is not a prescription within the meaning and intent of the [Harrison] Act; and the person filling such an order, as well as the person issuing it, may be charged with violation of the law."¹

The practicing physician has thus been confused as to when he may prescribe narcotic drugs for an addict. Out of a fear of prosecution many physicians refuse to use narcotics in the treatment of addicts except occasionally in a withdrawal regimen lasting no longer than a few weeks. In most instances they shun addicts as patients.

¹ Code of Federal Regulations, title 26, sec. 151.392.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1323

Drug abuse is not a uniform problem throughout the country, and even in the areas of highest incidence few medical practitioners come into contact with the afflicted. It is estimated that most medical practitioners never see a habitual drug abuser. Nevertheless, spokesmen for the profession have a responsibility to speak for the physicians who are concerned.

The Commission recommends that Federal regulations be amended to reflect the general principle that the definition of legitimate medical use of narcotic drugs and legitimate medical treatment of a narcotic addict are primarily to be determined by the medical profession. [Italic supplied.]

The American Medical Association (AMA) has for many years had committees on this subject. This Commission requested the AMA on January 30, 1963, and the National Academy of Sciences-National Research Council (NRC) on February 20, 1963, to submit a joint statement as to what, in their opinion, constitutes the legitimate medical treatment of a narcotic addict, both in and out of institutions. In June 1963, the two organizations, acting through their appropriate committees, submitted a joint statement in response to the Commission's request. The statement has been adopted by the board of trustees and the house of delegates of the AMA.²

The joint statement points out that narcotic drugs may be properly administered over prolonged periods to patients suffering chronic painful diseases and to patients in terminal conditions. It cautions that in such cases the physician should not act alone, but should consult other medical opinion. It also cautions the physician to maintain adequate records and guard against any diversion to illicit channels. The statement advises that narcotics may also be administered to aged and infirm addicts and to severely ill addicts when abrupt withdrawal might be dangerous to life. Here, too, the physician should consult other medical opinion, maintain adequate records, and guard against diversion.

The statement opposes abrupt withdrawal and favors the administration of limited quantities of methadone, a substitute narcotic, in constantly reduced dosage during gradual withdrawal. It advises that withdrawal be carried out in a drug-free institutional setting.

The statement considers ambulatory withdrawal medically unsound as a general policy at this time. While it says that ambulatory withdrawal may be proper in exceptional individual cases, it should be attempted only where the physician has special skill and training in the management of addicts. It cautions that even in such cases the physician should dispense only a day's supply of oral methadone at a time, and no more than enough to reduce the distress or withdrawal to a mild level. While the AMA and the NRC do not completely close the door to ambulatory withdrawal, they do oppose clinics for this purpose.

These organizations also hold that narcotics may be dispensed to an addict awaiting admission to a narcotics withdrawal facility. The physician should see the addict daily and dispense no more than a day's supply of oral methadone at a time. Such a period should last no more than 10 days to 2 weeks.

The most controversial subject with which the joint statement deals is the oft-heard proposal that physicians be permitted to maintain addicts on drugs. According to this proposal, the drugs would be available through legal channels at relatively low prices. Those favoring the proposal argue that addicts would not have to turn to illicit sources for their drugs, and without buyers, the illicit traffic would dry up. Moreover, addicts would not turn to crime to support an expensive drug habit and could lead moderately productive lives.

The AMA and the NRC both state—on the basis of present knowledge—that the continuous administration of maintenance doses to addicts as treatment is medically unsound. The preponderance of evidence presented by experts at the first White House Conference on Narcotic and Drug Abuse and to this Commission confirms this position.

There is no certainty that an addict can be maintained at a stable level. A confirmed addict builds up a tolerance to his drug, and to offset the effects of withdrawal the dosage must be continually increased. Moreover, it would be an unwarranted admission of failure to resort to maintenance doses when research is just beginning to indicate more promising developments in the treatment and rehabilitation of addicts and habitual users.

The joint AMA-NRC statement affirms that further research is needed, pointing out that current concepts of what constitutes ethical medical practice

² The full text of the statement appears in the appendix of this report. It has also been reprinted in the Journal of the American Medical Association, Sept. 21, 1963, CLXXXV, 976-982.

1324 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

in the treatment of narcotic addicts will be subject to continual revision as the findings of research become known. The Commission endorses this call for further research. It strongly believes that properly designed experiments should be initiated to explore whether ambulatory clinics for the dispensing of maintenance doses to addicts are feasible. Ambulatory clinics were tried briefly in the early 1920's, but they maintained inadequate controls over the drugs that were dispensed. Because of inadequate supervision they were discontinued without any conclusive findings being obtained. In addition, there has never been carefully controlled research to determine whether addicts can or cannot be withdrawn from drugs by an outpatient facility.

The joint AMA-NRC statement makes clear that many restrictions on the use of narcotics in regular clinical practice may be relaxed in the conduct of a research project. A psychiatrist treating addicts may wish to experiment with maintaining an addict over a course of months until a positive working relationship can be established. The statement recognizes that the psychiatrist on a research project should be able to do so, provided he remains within the bounds of proper medical ethics.

The experience of Great Britain with its addicts has been cited—mistakenly, in the opinion of the Commission—to support the feasibility of maintaining the American addict. Under the so-called "British system," a physician may prescribe narcotics to an addict as part of a process of gradual withdrawal, or when an addict cannot safely be detoxified because of the severity of the resulting symptoms, or when the patient is considered to be capable of leading a useful life only when a minimum dose is regularly administered.

Under that "system," as this Commission understands it, narcotics may not be prescribed or dispensed solely to gratify an addiction. Before a drug addict may be so maintained, every effort must have been made to cure the addiction. Great Britain has no maintenance clinics, and each case is handled by the individual practitioner. The point of dissimilarity between the "British system" and the American practice lies in the authority taken by the individual British physician to treat the addict as he deems best in his medical judgment.

The greater freedom of the British physician reflects the pattern of addiction in Great Britain. Many British addicts, unlike their American counterparts, would be classified as "medical addicts." Medical addiction occurs when the drug is originally prescribed in the course of medical treatment for a physical or mental illness, and the addict cannot thereafter abandon it. The British addict appears to have sufficient motivation to pursue an ordinary life.

The American addict is quite different. In most instances, he has little motivation and his vocational and economic handicaps limit his ability to lead a normal life. There is no reason to believe that his dosage level can be stabilized. It is often pointed out that Great Britain has a few drug addicts. In 1962 the United Kingdom reported to the United Nations that it had 532 known addicts. But the reason appears to lie outside the "British system." In the view of most experts, this low incidence of addiction is due to the British abhorrence of narcotic drugs and the lack of a cultural susceptibility to drugtaking. With the recent influx of other cultural groups into Great Britain, the number of drug offenses, particularly marihuana, has almost doubled. In 1961, there was a total of 357 convictions for drug offenses; in 1962, there were 675 convictions.

Finally, the joint AMA-NRC statement advocates the establishment of a national medical group to keep current a code of ethical medical practice with regard to narcotics and narcotic addiction and to act in an advisory capacity to the Federal authorities on this matter. The Commission favors the establishment of such a group and its designation to advise the proper Federal authorities on ethical medical practice in the use of narcotic drugs and in the treatment of narcotic addicts. In individual cases in which a physician is alleged to have prescribed or dispensed narcotic drugs in violation of Federal law, the Commission is of the view that the Federal authorities should seek the assistance and collaboration of the appropriate State medical body.

Senator JACKSON. Also to be included at this point in the record will be excerpts from the Bulletin on Narcotics, volume 14, No. 2, April-June 1962, page 11, and other pertinent excerpts.

(See p. 840, pt. 3.)

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1325

Senator JACKSON. The Chair will also receive the following documents and they will be found in the files of the subcommittee:

"Duties of Doctors and Dentists Under the Dangerous Drug Act and Regulations," Home Office, England, February 1956.

One from the "United Nations Laws and Regulations" promulgated to give effect to the provisions of the Convention of July 13, 1931, for limiting the manufacture and regulating the distribution of narcotic drugs as amended by the Protocol, December 11, 1946, with pertinent excerpts.

Also, the interrogatory taken on August 4 of Dr. Harold Meiselas, director of the Division of Narcotics, New York State Mental Hygiene Department.

(See page 1205.)

Senator JACKSON. Also the pertinent excerpts from the President's Advisory Commission on Narcotics and Drug Abuse, final report, November 1963 (see page 1321) and a similar one dated September 27 and 28, 1962 (see page 1352).

Senator JACKSON. Also included will be the statement of Dr. Harris Isbell, a doctor of medicine and a graduate of Tulane Medical School, head of the Lexington Hospital, U.S. Public Health Service Hospital, Lexington, Ky.

This statement has been properly sworn to and will be included in the record.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
PUBLIC HEALTH SERVICE,
August 4, 1964.

DEAR MR. ADLERMAN: I am enclosing copies of the statement that you wished. I had difficulty in preparing it since I was very pressed for time and could not give the matter as much attention as I would like to have.

I do believe I have covered most of the points mentioned in our conversation, with the exception of the differing patterns of drug use in the Southern and Northern States. I believe that Dr. Martin has sent you copies of the work of the Social Science Unit here, so that information is available to you.

Sincerely,

HARRIS ISBELL, M.D.

STATEMENT OF HARRIS ISBELL, M.D.

My name is Harris Isbell. I am a doctor of medicine. I graduated from Tulane University Medical School in 1934. I am a member of the American Medical Association, the American Society for Pharmacology and Experimental Therapeutics, and a member of the American College of Physicians. For 20 years I carried on research in narcotic addiction at the National Institute of Mental Health Addiction Research Center, U.S. Public Health Service Hospital in Lexington, Ky., and directed the activities of that unit for 18 years. I have been a member and chairman of the Council on Mental Health and Committee on Narcotic Addiction of the AMA, and am a member of the Expert Panel on Drugs Liable to Produce Addiction of the World Health Organization.

I have been asked to make some comments on the following issues:

1. Advisability of maintaining addicts on narcotics.
2. Laws relating to the handling and treatment of addicts.
3. Problems of drug abuse other than narcotics.
4. The need for additional research on problems of drug abuse.

MAINTENANCE OF ADDICTS ON OPIATES

Whether or not addicts should be given rations of opiates has created a great deal of controversy. Actually, all statements on this subject are made on the basis of opinion and not on the basis of fact, because the facts to resolve whether such a system is desirable or undesirable do not exist.

1326 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Those who believe that supplying drugs to addicts would have favorable effects base their opinion on the following assumptions:

The antisocial behavior of addicts is due only to the need to obtain drugs to prevent the appearance of withdrawal distress. If drugs were supplied, the addicts would have no need for large amounts of money to buy drugs and their antisocial behavior would cease.

Supplying drugs to addicts would eliminate the illicit market and would tend to reduce addiction, because recruiting by peddlers to expand the market would be eliminated. Secondary gain would be abolition of a traffic that is very profitable to the underworld.

The addiction problem in Great Britain is very small. Doctors in Great Britain are permitted to supply drugs to addicts on a continuing basis. The small addiction problem in England is due to this mechanism.

Supplying drugs to addicts would bring them into the open and would permit the medical profession and other persons to rehabilitate and eventually withdraw them from narcotics.

These ideas have been advanced by reputable, ethical, and reasonable people, not by deluded "crackpots" who are out to undermine the morality of the country or to promote communism. The people who have advocated these systems sincerely believe that they represent the answer to the problem of opiate addiction in this country.

While the facts necessary to evaluate objectively these ideas do not exist, the assumptions on which these views are based need to be examined. It can be argued that supplying opiates will not eliminate or even reduce the antisocial behavior of the average U.S. addict. While there are all kinds of addicts, and while it is dangerous to speak of an ordinary or average addict, I think most people who have studied the problem carefully would admit that the U.S. addict is a person who does not subscribe to the usual mores and morals of the majority of his fellow men. The addict in the United States is generally an impulsive, egotistical person who has difficulty in assessing the probable results of his actions. He is an individual who acts first, thinks later, and is unable to defer satisfaction for a longer goal. The psychiatric histories of most U.S. addicts reveal deep social, familial, and behavioral pathology which antedates the beginning of drug use by many years. Most addicts are individuals who dropped out of school at an early age, who have no skills other than criminal skills, and who have extremely low degrees of motivation to conform to usual social customs. Fortunately, most addicts are not dangerous, aggressive criminals; rather, most are passive-dependent characters who generally do not engage in strong-arm crimes.

Psychiatric and psychological studies show that the personalities of most U.S. addicts are similar to those of other types of offenders who are incarcerated in penal institutions. Behavior of this sort is extremely difficult to modify by any techniques currently known to psychiatry, psychology, and penology. The search for new techniques for modifying this kind of behavior represents a pressing problem in many areas other than addiction.

Since the personalities of the average addict are as they are, it seems unlikely that supplying drugs to addicts would significantly alter their behavior. The basic personality disturbance would be unaltered by giving drugs, and there is no reason to think that the addicts would not continue their antisocial pursuits. Whether the amount of theft attributable to addicts would even be reduced is debatable. Addicts would still have needs other than for drugs, and desires for things other than drugs and might very likely continue to steal in order to obtain their desires. In addition, the problem is confounded by the fact that addicts, on the whole, have little education and few skills. They know of no way to earn a living other than in criminal pursuits, and many are poorly motivated to acquire education and skills of an ordinary kind. They are, therefore, difficult to place in jobs and present a difficult problem of education and vocational rehabilitation.

This part of the problem might not be insoluble, but certainly there would be no reason to expect quick miracles by simply supplying drugs to the addicts.

In addition, all schemes proposed for supplying drugs to addicts involve limitations on the kind of drug, the amounts given, and the time when drugs will be available. Since addicts are by definition persons who have lost the power of self-control with reference to drug use, and since they are psychiatrically impulsive people who act without considering the consequences of their actions, differences of opinion are bound to arise between the addicts and those who decide the quality of drug, et cetera. Many addicts might, therefore, take what

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1327

drugs they are given and go out and buy more. Further dangers include the registration in more than one clinic, registration of nonaddicts who then sell part of their supplies to other addicts, reluctance of addicts to go to the clinics because attendance makes them "visible" to the public and to law-enforcement officers. These difficulties are more than theoretical. They occurred when clinics were operated in the United States in the 1920's. In recent years, the State of Israel has operated clinics that dispensed drugs to addicts and had problems similar to those described above. (Jerumlowicz, Z. W., and Tunan, A.: "Control and Treatment of Addicts in Israel," *Bulletin on Narcotics* 14: 11, 1962; Wislicki, L.: "Drug Addiction in Israel," *British Journal of Addiction* 59: 37, 1963.)

According to Wislicki, "The number of criminal addicts on the register therefore increased rapidly. They applied for treatment in a certain knowledge that beds were not available to them and that they would receive an allocation [of drugs]. Naturally, they were very keen to get the maximum amount, and unpleasant scenes and dangerous threats became frequent in their health offices, even to the extent that a police guard was required. Another unwelcome result was that many of the opium users transferred injections of morphine, a development indicating a severe form of addiction."

There is no real reason to believe that supplying drugs to addicts will make rehabilitation in these difficult cases any easier. In the drug the addict believes he has the answer to all of his problems. He is content to take the drug, to sit and to dream, and let the world go by. Generally speaking, he does not feel that he has a personality problem and does not believe that he needs treatment. For this reason, most psychiatrists reject the notion of attempting to treat addicts while they are on narcotics. Certainly employers would be reluctant to accept individuals who were still receiving drugs and who were patronizing drug clinics.

Would supplying drugs to addicts eliminate the illicit market? Again, we do not have the facts to resolve the question, but there is certainly no assurance that it would. On the contrary, it might increase addiction. The evidence indicates that currently drug peddlers do not actively proselyte new customers. If the peddlers' market were eliminated by supplying drugs to addicts, it is quite possible that the peddlers might then actively begin to proselyte, with the result being a spread of addiction. It should be pointed out that there are large numbers of people with the same personality characteristics, who live in the same kinds of social circumstances that are associated with addiction, but who are not users of drugs. In other words, a pool of potentially susceptible individuals exists. Why they are not drug users is unknown, but certainly availability of drug is one factor. The effect of supplying drugs might be to increase availability and, therefore, increase the addiction problem.

The argument that the "English system" has reduced or contained the problem in Great Britain and would be applicable to the United States is not valid. England never had a problem of opiate addiction either before or after the British narcotic laws and regulations were put into effect in 1924. The "problem" in Great Britain is about the same size now as it was when these laws were passed.

The probable reasons for the difference in incidence of addiction in the United States than in England have been commented on at length by many people. The true reasons are probably historical and sociological. In addition, it should be pointed out that the average British addict is not an antisocial delinquent as is the average U.S. addict. Addicts in England generally are middle-aged individuals who graduated from school, worked, raised a family, and contributed to the community. They became addicted in middle life usually because of some physical disease or some sort of psychiatric problem. They have never stolen; they do not sell drugs; they are not social problems. The same sort of persons exist in the United States. In every State one can find individuals in middle age or later life who are receiving narcotics from one doctor. These cases are well known to the narcotic authorities, and no action is taken as long as such patients get their drugs from one source and do not sell them. In effect, the United States has the British system.

In summary, my feeling is essentially that contained in the joint statement of the American Medical Association and the National Research Council of the National Academy of Sciences: "Narcotics Addiction: Official Actions of the American Medical Association," Chicago, 1963. On page 57, item 28, the following statement is found:

1328 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

"The joint statement covers much of this debated issue as follows: 'The maintenance of stable dosage levels is generally inadequate and medically unsound, and ambulatory clinic plans for the withdrawal of narcotics from addicts are likewise generally inadequate and medically unsound.' As a result of these conclusions, the American Medical Association and the National Research Council oppose, on the basis of present knowledge, such ambulatory treatment plans."

I also subscribe to the position further stated by the AMA-NRC committee that the position is intended to cover current clinical practice in the management of addicts and is not intended to obstruct bona fide research of a limited sort designed to obtain answers to the questions arising from schemes that would supply drugs to addicts.

PRESENT NATIONAL LAWS

The present national laws are, I believe, harsh, barbaric, excessively punitive, and unjust. Sentences are excessively long and hamper efforts of treatment and rehabilitation of addicts. Further, even though the addiction problems may have been reduced by the passage and strict enforcement of the narcotic laws, the laws have certainly not eliminated addiction completely. I feel that the laws dealing with addiction should, in the interest of justice, be altered.

I believe that the criminal penalties for illegal possession of drugs should be abolished and replaced by provision for some type of civil commitment. At least there should be a provision for a choice between civil and penal type of commitments on charges of simply possession of drugs. Regardless of the legal type of commitment for illegal possession of drugs, I would favor commitments of indefinite length rather than fixed terms. These ideas are based on the following:

The addict is usually guilty of illegal possession of drugs, however, generally speaking, he has bought these for his own use and is harming no one except himself. Furthermore, the drugs he is taking create far less harm to himself and to society than do other types of drugs that are not controlled so strictly.

To punish the opiate user so severely is, therefore, unjust. To make a commitment a fixed term, obviously, carries a connotation of punishment rather than rehabilitation and treatment. It is a difficult thing to tell an individual that he is under treatment for narcotic addiction when he knows that he has to stay in an institution for 10 years.

If the commitments were indefinite, the patients could be returned to society as soon as it was felt that they had received maximal benefit from treatment, and because of the commitment of indefinite length they could be picked up and returned for further treatment if they relapsed or did not do well in the community.

Illegal sale of narcotics, like illegal sale of any other kind of drugs, should always carry a criminal penalty. Fixed sentences, however, are unjust and barbarous. How is it possible to equate the sale of a small amount of narcotics by an addict to a friend whom he feels is sick with the sale of several kilos of heroin? Yet both would draw the same kind of sentence. The only way in which justice could be carried out in favor of sale would be to abolish the present mandatory minimal sentences and restore opportunities for probation and parole for all narcotic offenders.

If we know anything about addiction, we now know that institutional treatment is not the entire answer to the problem. There is no point in withdrawing an individual from drugs, getting him in good shape, giving him some kind of psychotherapy, and then having to send him out to the same environment that was associated with the addiction in the first place. A patient returning to this environment has no job; he has few skills; he is rejected by employers and even by the social agencies. Institutional treatments should be supplemented by intensive followup care. Services would include trials of such things as halfway houses, intensive parole supervision for indefinite periods, vocational rehabilitation and training, economic assistance, etc.

Since it is unknown whether such intensive followup treatment would really improve results, the laws dealing with the treatment of addicts should be very flexible to permit all sorts of experimentation with various schemes.

There should be also, it seems to me, a definite charge to appropriate Federal agencies to set up controlled experiments with various treatment methods. In order to do this, sufficient money would have to be appropriated to establish proper followup facilities and to set up procedures for evaluating their results of different forms of treatment.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1329

PROBLEMS OF OTHER TYPES OF DRUG ABUSE

Addiction to opiates is only one of the problems of drug abuse that face the country. The largest problem that we have is alcoholism, which is not covered in this statement. In addition to alcoholism, there exists the problem of abuse of a large number of different sedative and hypnotic drugs, including barbiturates, chloral hydrate, paraldehyde, meprobamate, and others. In addition, there is a problem of abuse of stimulant drugs such as the amphetamines and the hallucinogens (LSD, mescaline, psilocybin, etc.). Marihuana and cocaine, which are both controlled by narcotic and marihuana laws, really fall in the latter group. Our ignorance of the problems of drug abuse is even greater than our ignorance of the problems of narcotic drug addiction. We do know that addiction to hypnotic and sedative drugs is more dangerous to the user and to society than addiction to narcotics. Descriptions of the manifestations of hypnotic and stimulant drug abuse have been presented to other congressional committees and have been published in many medical journals, so they need not be repeated here.

At the moment, we are completely in the dark as to the extent of abuse of these drugs. It is known that there is some illicit traffic in these agents, particularly in southern California, but other than this we know very little. There is also little knowledge with respect to the incidence of abuse of the amphetamines and the hallucinogens—very little is known about marihuana, and even less about cocaine. The major need here, it seems to me, is to stimulate research on these problems.

The need for additional research on problems of drug abuse would appear to me to be an area in which additional vigorous Federal action is needed. Our ignorance of many aspects of opiate addiction is great, and our ignorance about other types of drug abuse is truly abysmal. We are continuously in the position of having to give statements about possible legislation and possible programs aiming at these problems when the facts to make rational decisions or to make rational plans do not exist. The only way in which the facts necessary to good programs can be obtained is through the medium of research. Currently the amounts of money expended by the Federal Government on research are rather small. This, I do not believe, has been due to any lack of money. The National Institutes of Health has funds which they would have been very glad to allocate to properly designed research on opiate addiction, and other funds are available. The problem is one of stimulating interest in addiction and drug abuse among researchers. Presently there is a shortage of trained personnel and research in drug abuse has to compete in the market with research of all kinds.

There are very few centers that offer training in this sort of work. The two major ones where training is available are located at the Addiction Research Center, Public Health Service Hospital, Lexington, Ky., and in the Department of Pharmacology at the University of Michigan, Ann Arbor.

The best way to interest researchers in an area is to give them training on the problem. We must convince scientists that drug abuse is not a narrow area or limited in scientific interest. They must be persuaded that drug abuse is a broad area that deals with fundamental problems of adaptation of people to their environment, with the problems of adaptation to foreign chemicals in the environment, and with fundamental problems of human behavior. I feel that the most progress would be made if two or three centers attached to university medical schools could be set up.

The activities of the University of Michigan could be expanded to include activities other than research on the pharmacological aspects of addiction, and the association of the Addiction Research Center with the University of Kentucky could be enlarged.

The object of such a program, of course, would be to develop a pool of scientists interested and expert in areas pertinent to drug abuse.

There is also a need for immediate action. Most people recommend setting up programs of intensive postinstitutional care for addicts. Whether such a program would have any significant effect on the addiction problem is unknown.

The Federal Government should take the lead and should immediately require agencies that deal with addicts to set up various intensive followup treatment programs, such as the use of halfway houses, long continued parole, probation supervision, and the appropriate agencies should be provided with the necessary funds and facilities to carry out these programs. Since the problems of addiction are so similar to the problems of delinquency, knowledge gained about addiction

1337 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

almost certainly would be applicable to the larger problem of managing delinquency. The knowledge gained from studying the problems of delinquency should be equally applicable to the management of drug addiction.

Mr. ADLERMAN. There are some other documents which, from time to time during the proceedings, the Bureau of Narcotics is supposed to supply. They have asked the right to submit some additional materials. We ask that that material be included.

Senator JACKSON. Without objection, the documents that the Commissioner of Narcotics will supply to the committee will be included in the appendix.

If there is no other business at this time, the committee will stand adjourned, subject to the call of the Chair.

Thank you, ladies and gentlemen.

(Members present at time of recess: Senator Jackson and Muskie.)

(Whereupon, at 11:12 a.m. the subcommittee adjourned subject to call of the Chair.)

APPENDIX

EXHIBIT A

EPIDEMIOLOGIC DATA OF 9,012 INDIVIDUALS REPORTED TO THE NARCOTICS REGISTER AS HABITUAL USERS FROM JANUARY 1, 1963, TO DECEMBER 31, 1963

New York City Department of Health, Office of Narcotics Coordinator, Catherine B. Hess, M.D., Assistant Commissioner, Narcotics Coordinator; George James, M.D., Commissioner of Health

The New York City health code instituted a new regulation No. 11.05 January 1, 1963, which states "Reports of cases of narcotics addiction as prescribed by section 11.03 (physician reports) shall also be made by a person in charge of a correctional institution, social agency, or any other person who has knowledge of or gives care to a narcotics addict."

As a result of this regulation a central registry in the office of narcotics coordinator in the New York City Health Department was established. Full reporting has not as yet been accomplished but all groups are being encouraged to participate. From January 1, 1963, to December 31, 1963, 9,012 reports on new cases were received.

Table IV shows that nearly three out of four (73 percent) of reports to the register come from hospitals. An additional 11 percent come from health department rehabilitation centers. The lower end of the table certainly indicates scant coverage of the addiction problem. We can only speculate about the effects of this underreporting. Here again, because of this, we have to qualify our statements about addicts. It would certainly seem that our figures would have a built-in bias—whether upward or downward cannot be determined. The problem of underreporting certainly leaves a lot of unanswered questions. Some that come to mind are:

1. There are very few reports from the women's house of detention. Would the ratio of three men to one woman hold with more reporting from this source?

2. There is a heavy concentration of Puerto Ricans on the Lower East Side; yet only 9 percent of the Puerto Ricans are reported as living in that area. Would the race pattern hold?

3. We have very few reports from private physicians and private voluntary agencies. It is from such sources as these that we might know something of the "medical addicts." And information on this group of addicts could conceivably change the age, sex, race pattern.

Because this is the first attempt in New York City of voluntary reporting, no comparative figures are available. There is no way of knowing whether this year's figures are typical of the addict population as a whole. Several more years of collecting data will be needed so that some parameters could be checked and comparisons made.

Table I, the summary table, shows that over three out of four (77 percent) reported addicts are male and further that one-third (33 percent) of the addicts are Negro males. Nearly one-half of the addicts (46 percent) are Negro. Not surprising perhaps is the fact that over two-fifths (44 percent) of the addicts are in the age group 25 to 34. We can speculate that this would be the age group that comes to our attention due to the fact that their addiction has probably been established long enough (contrary to the younger age groups) for them to seek help.

Although the largest proportion of males and females both fall into the 25 to 34 age group, a greater percentage of females than males fall into this age group—50 percent of the females and 42 percent of the males. The higher percentage holds for this age group—both male and female—when we look at the figures for race (see table II). Here again for race by sex we find the age group 25 to 34 getting the largest percentages across the board, and the percentage of females is

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

1332 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

larger for each race than the percentage of males. The highest percentage is for Negro females, 55 percent being 25 to 34. The next highest percentage is for Negro males, 47 percent being in this age group. Both of these percentages exceed the averages for total males and total females respectively.

The younger age groups show an interesting pattern. Both whites and Puerto Ricans have greater proportions of their numbers in these younger groups than do Negroes. This is particularly true of the males. Of white males 36 percent are 20 to 24 and of Puerto Rican males 28 percent are 20 to 24. Ten percent of each of these two race, sex groups are 15 to 19. This pattern could be due to several factors. There is some evidence pointing to the fact that addiction has been with the Negro longer so that the proportion of Negro users who are teenagers or slightly older has tended to level off. Statistics of 10 years ago, for example, might have shown a different picture. Conversely white and Puerto Rican teenagers have more recently entered the addiction picture. In other words, although Negro addicts most probably represent the largest proportion of addicts (and this is true of the younger age groups as well), the rate of increase among white and Puerto Rican addicts at these younger ages is probably greater. In graphic terms, the Negro curve, while higher, may have tended to be less skewed and have plateaued, while the white-Puerto Rican curve may be quite steep at this point in time. Five years or so from now it will be interesting to see if this latter curve has leveled off.

An interesting note is the sharp drop in the proportion of addicts from the 25 to 34 age group to the 35 to 44 age group. This drop occurs across the board—for total, and by age, sex, and race. Overall, the number of addicts in the 35 to 44 group is 65 percent smaller than in the 25 to 34 group. When we look at the percentage differences by race and sex, it would appear significant comparisons can be made for these two age categories.

Percent drop between 25 to 34 and 35 to 44 age group

	Percent		Percent
White.....	75	Puerto Rican.....	73
Male.....	79	Male.....	73
Female.....	63	Female.....	76
Negro.....	59	Others and N.A.....	49
Male.....	56	Male.....	45
Female.....	66	Female.....	59

The most outstanding point evident in the age picture is the overwhelming preponderance of the younger age groups. Three out of four (76 percent) of the reported addicts are under 35 while 20 percent are over 35, and 4.5 percent are over 44 years.

NARCOTICS REGISTER (CHECKED FOR DUPLICATION)

TABLE I.—*New reported users of narcotics by sex, race, and age, 1963*

	Number	Percent		Number	Percent
Total new cases.....	9,012	100.0	Age:		
Sex:			Under 14.....	25	0.3
Male.....	6,938	77.0	15 to 19.....	567	6.3
Female.....	2,074	23.0	20.....	321	3.7
Race:			21 to 24.....	1,941	21.5
White.....	2,513	27.9	25 to 34.....	3,956	43.8
Negro.....	4,108	45.6	35 to 44.....	1,389	15.4
Puerto Rican.....	1,708	19.0	45 to 64.....	365	4.1
Others and not reported..	683	7.5	65 and over.....	40	.4
			Not reported.....	408	4.5

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1333

NARCOTICS REGISTER—NEW CASES, 1963

TABLE II.—Age by sex and race

Age	White						Negro					
	Total		Male		Female		Total		Male		Female	
	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent
Total.....	2, 513	100. 0	2, 046	100. 0	467	100. 0	4, 108	100. 0	2, 974	100. 0	1, 134	100. 0
Under 14.....	9	. 4	9	. 4	—	—	2	(¹)	2	. 1	—	—
15 to 19.....	238	9. 5	208	10. 2	30	6. 4	135	3. 3	115	3. 9	20	1. 8
20.....	144	5. 7	121	5. 9	23	4. 9	86	2. 1	73	2. 4	13	1. 1
21 to 24.....	707	28. 1	606	29. 6	101	21. 6	753	18. 3	553	18. 6	200	17. 6
25 to 34.....	920	36. 6	738	36. 1	182	39. 0	2, 015	49. 0	1, 394	46. 9	621	54. 8
35 to 44.....	227	9. 0	159	7. 8	68	14. 6	824	20. 1	613	20. 6	211	18. 6
45 to 64.....	129	5. 1	95	4. 6	34	7. 3	134	3. 3	110	3. 7	24	2. 1
65 plus.....	29	1. 2	26	1. 3	3	. 6	—	—	—	—	—	—
Not reported.....	110	4. 4	84	4. 1	26	5. 6	159	3. 9	114	4. 8	45	4. 0

Age	Puerto Rican						Other and not reported					
	Total		Male		Female		Total		Male		Female	
	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent
Total.....	1, 708	100. 0	1, 413	100. 0	295	100. 0	683	100. 0	505	100. 0	178	100. 0
Under 14.....	6	. 4	5	. 4	1	. 3	8	1. 2	8	1. 6	—	—
15 to 19.....	151	8. 8	142	10. 1	9	3. 1	43	6. 3	36	7. 1	7	3. 9
20.....	83	4. 9	71	5. 0	12	4. 1	8	1. 2	7	1. 4	1	. 6
21 to 24.....	395	23. 1	328	23. 2	67	22. 7	86	12. 6	63	12. 5	23	12. 9
25 to 34.....	751	44. 0	609	43. 1	142	48. 1	270	39. 5	184	36. 4	86	48. 3
35 to 44.....	201	11. 8	167	11. 8	34	11. 5	137	20. 0	102	20. 2	35	19. 7
45 to 64.....	38	2. 2	33	2. 3	5	1. 7	64	9. 4	56	11. 1	8	4. 5
65 plus.....	2	. 1	2	. 1	—	—	9	1. 3	6	1. 2	3	1. 4
Not reported.....	81	4. 7	56	4. 0	25	8. 5	58	8. 5	43	8. 5	15	8. 7

¹ Less than 0.1 percent.

NARCOTICS REGISTER (CHECKED FOR DUPLICATION)

TABLE III.—New reported users of narcotics by race and sex, 1963

Race and sex	Number	Percent	Race and sex	Number	Percent
Total.....	9, 012	100. 0	Puerto Rican:		
White:			Male.....	1, 413	15. 7
Male.....	2, 046	22. 6	Female.....	295	3. 3
Female.....	467	5. 2	Other:		
Negro:			Male.....	505	5. 6
Male.....	2, 974	33. 0	Female.....	178	2. 0
Female.....	1, 134	12. 6			

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

1334 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

NARCOTICS REGISTER (CHECKED FOR DUPLICATION)

TABLE IV.—*New reported users of narcotics by age and sex, 1963*

Age	Male		Female	
	Number	Percent	Number	Percent
Total.....	6,938	100.0	2,074	100.0
Under 14.....	24	.3	1	(¹)
15 to 19.....	501	7.2	66	3.2
20.....	272	3.9	49	2.4
21 to 24.....	1,350	22.4	391	18.9
25 to 34.....	2,925	42.2	1,031	49.7
35 to 44.....	1,041	15.0	348	16.8
45 to 64.....	294	4.2	71	3.4
65 plus.....	34	.5	6	.3
Not reported.....	297	4.3	111	5.3

¹ Less than 0.1 percent.

EXHIBIT B

CHARACTERISTICS OF 433 NARCOTIC ADDICTS PRESENTING THEMSELVES FOR HOSPITALIZATION TO MANHATTAN GENERAL HOSPITAL FROM JANUARY 14, 1964, TO APRIL 14, 1964

New York City Department of Health, Office of Narcotics Coordinator, Catherine B. Hess, M.D., Assistant Commissioner, Narcotics Coordinator; George James, M.D., Commissioner of Health

CENTRAL HARLEM INTAKE FOR HEALTH DEPARTMENT

During the first quarter of the year, January 14, 1964, to April 14, 1964, approximately 455 persons registered at the centralized intake center. The primary interest expressed by most of these patients was for detoxification at hospitals in the New York City area. Few applications were requested or distributed for the U.S. Public Health Service Hospital, at Lexington, Ky.

In the appended tables, general epidemiologic data has been tabulated for 443 patients.

One notes that adolescents comprise 7.7 percent of the group, even when considered by sex distribution. The percent of adolescents in the Negro group is much lower than in the white or Puerto Rican groups, but there is also a higher percent of patients over 35 years of age in this Negro group.

The sex distribution and ethnic distribution of the patients seen at the rehabilitation center are as follows: 73.8 percent male and 26.2 percent female; 8.1 percent are white, 80.27 percent Negro, and 11.7 percent Puerto Rican. (See table I.)

Most of the patients seeking detoxification have been users of drugs for 5 years or more (64.1 percent). Only 10.2 percent of the patients were addicted for less than 1 year. There is a tendency to note the greater percent of patients seeking services at an earlier stage in the addiction process amongst both addicted females, and addicted Puerto Ricans. (See table IV.)

There appears to be no male-female differences in the amount of education that this group has. Almost 70 percent of the patients have not completed their high school education. Amongst the Puerto Rican group, 99.5 percent had not completed high school, and this includes 38.5 percent who had not even completed their eighth grade schooling. Of the 19 patients (4.3 percent) who had some college exposure, there were 8 who were white (22.2 percent of the white group) and 10 who were Negro (2.8 percent of the Negro group). (Table VI.)

Although the patients seen at the Central Harlem Rehabilitation Center apply predominantly for detoxification services, there seems to be a high attrition rate, between the center and hospitalization (about 30 to 50 percent) and between detoxification and their further involvement in the health department rehabilitation program. The extent to which the patients follow through on their initial apparent interest in rehabilitation is very poor.

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1335

CENTRAL HARLEM REHABILITATION CENTER INTAKE FOR HOSPITALIZATION,
JAN. 14, 1964, TO APR. 14, 1964

TABLE I.—443 cases by sex and by race

	Number	Percent		Number	Percent
Total cases.....	443	100.0	Race:		
Sex:			White.....	36	8.1
Male.....	327	73.8	Negro.....	355	80.2
Female.....	116	26.2	Puerto Rican.....	52	11.7

TABLE II.—Age, sex, and race

Age	Total		Sex				Race					
			Male		Female		White		Negro		Puerto Rican	
	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent
Under 20.....	16	3.4	11	3.4	5	4.3	2	5.6	13	3.7	1	1.9
21.....	18	4.1	14	4.3	4	3.4	3	8.3	10	2.8	5	9.6
22 to 24.....	54	12.2	40	12.2	14	12.1	4	11.1	40	11.3	10	19.2
25 to 29.....	119	26.9	82	25.1	37	31.9	17	47.2	92	25.9	10	19.2
30 to 34.....	97	21.9	66	20.2	31	26.7	2	5.6	85	23.9	10	19.2
35 to 39.....	79	17.8	61	18.6	18	15.5	3	8.3	65	18.3	11	21.3
40 to 44.....	40	9.0	35	10.7	5	4.3	2	5.6	33	9.3	5	9.6
45 or more.....	19	4.3	18	5.5	1	.9	3	8.3	16	4.5	0	-----
Not stated.....	1	.2	0	-----	1	.9	0	-----	1	.3	0	-----
Total.....	443	100.0	327	100.0	116	100.0	36	100.0	355	100.0	52	100.0

TABLE III.—Religion by sex and race

	Total		Catholic		Protestant		Jewish		Not stated	
	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent
Total.....	443	100.0	149	33.6	267	60.3	12	2.7	15	3.4
Sex:										
Male.....	327	100.0	112	34.3	197	60.2	5	1.5	13	4.0
Female.....	116	100.0	37	31.9	70	60.4	7	6.0	2	1.7
Race:										
White.....	36	100.0	20	55.5	2	5.6	11	30.6	3	8.3
Negro.....	355	100.0	81	22.8	261	73.5	1	0.3	12	3.4
Puerto Rican.....	52	100.0	48	92.3	4	7.7	0	-----	0	-----

TABLE IV.—Age and years addicted to drugs

Age	Total		Under 1 year		13 months to 4 years		5 to 9 years		10 years plus	
	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent
Under 20.....	16	3.6	7	15.6	7	6.2	2	1.9	0	-----
21.....	18	4.1	4	8.9	8	7.1	6	5.7	0	-----
22 to 24.....	54	12.2	7	15.6	28	24.8	17	16.0	2	1.1
25 to 29.....	119	26.9	12	26.6	39	34.5	41	38.7	27	15.2
30 to 34.....	97	21.9	8	17.8	11	9.7	17	16.0	60	33.7
35 to 39.....	79	17.8	4	8.9	8	7.1	15	14.2	52	29.2
40 to 44.....	40	9.0	2	4.4	8	7.1	5	4.7	25	14.1
45 plus.....	19	4.3	0	-----	4	3.5	3	2.8	12	6.7
Not stated.....	1	0.2	1	2.2	0	-----	0	-----	0	-----
Total.....	443	100.0	45	100.0	113	100.0	106	100.0	178	100.0

¹ Length of addiction process not stated by 1 patient.

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

1336 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

TABLE V.—*Years addicted to drugs by sex and race*

Years addicted	Total		Sex				Race					
			Males		Females		White		Negro		Puerto Rican	
	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent
Under 1 year.....	45	10.2	26	8.0	19	16.4	2	5.6	35	9.9	8	15.4
13 months to 4 years..	113	25.5	84	25.7	29	25.0	10	27.8	84	23.7	19	36.5
5 to 9 years.....	106	23.9	79	24.1	27	23.3	11	30.6	81	22.8	14	26.9
10 years and more.....	178	40.2	138	42.2	40	34.5	13	36.0	154	43.3	11	21.2
Not stated.....	1	.2	0	-----	1	.8	0	-----	1	.3	0	-----
Total.....	443	100.0	327	100.0	116	100.0	36	100.0	355	100.0	52	100.0

TABLE VI.—*Educational status by sex and race*

	Total		Educational status									
			Under 8th grade		Some high school 9th to 11th grade		Finished high school 12th grade		Some college		Not stated	
	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent	Num- ber	Per- cent
Total cases.....	443	100	59	13.3	243	54.9	121	27.3	19	4.3	1	0.2
Sex:												
Males.....	327	100	47	14.4	179	54.8	86	26.3	14	4.3	1	.2
Females.....	116	100	12	10.3	64	55.2	35	30.2	5	4.3	0	-----
Race:												
White.....	36	100	2	5.6	12	33.3	14	38.9	8	22.2	0	-----
Negro.....	355	100	37	10.4	205	57.8	102	28.7	10	2.8	1	.3
Puerto Rican.....	52	100	20	38.5	26	50.0	5	9.6	1	1.9	0	-----

EXHIBIT C

POSITION OF THE OFFICE OF NARCOTICS COORDINATOR FOR NEW YORK CITY ON THE SUPPLYING OF DRUGS TO THE NARCOTICS ADDICT IN A CLINIC OR PRIVATE SETTING

Catherine B. Hess, M.D., Assistant Commissioner; George James, M.D., Commissioner of Health

SUPPLYING OF DRUGS ON A CLINIC BASIS

The reasons for advocating this procedure of supplying the addict with medication is the assumption that there would be less crime committed by narcotic addicts, and thus less violence and less loss of material possessions to the general public. It cannot be denied that the addict maintains his habit through stealing and robbery, whether supplying of drugs will eliminate this practice is very questionable.

Precedence for this method being successful is the much quoted "British system." The differences between Britain's problem and New York City's problem are so great that they can never be comparable.

Populations under consideration are widely different

1. The majority (80 percent) of Britain's addicts are medical addicts. They were given narcotics by physicians originally for relief of pain and became addicted. This individual does not have extensive psychiatric problems nor does he suffer from character immaturity, or from split homes, nor does he live in a poor socioeconomic environment to the degree that is found here in New York City with our "street addicts." He had finished school in the past and had been

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1337

trained to do a job. As an addict, to some degree, he can hold a job not too demanding or stressful. He was not from a minority group and therefore did not feel the pressures of society around him. He does not have the same demands for increasing dosage as the "street addict," and can be maintained on one standard dose for longer periods of time.

It can therefore be said that England's small incidence of drug addiction results from having fewer susceptible hosts rather than from its method of handling narcotic addicts.

2. The New York City addict has never been able to identify with any authority in his life. Most addicts never knew a father, they are immature individuals having many psychiatric problems. The majority are school dropouts and have never received any job training: 45.6 percent are Negroes, 19 percent are Puerto Ricans, 27.9 percent are whites, and 7.5 percent are other.

There are so many they travel together and become addicted not only to the drug but the ceremony of stealing to get money, hunting the pusher, collecting the equipment to shoot up, and finding friends to do it with them. The addict gets great pleasure in involving a friend and spreading addiction.

3. The latest estimate of the number of addicts in England is less than 2,000 compared with the estimated number of 30,000 in New York City alone. The official number reported to the United Nations in 1962 was 175.

Methods of administration

1. There is no known drug suitable to give to the addict at the present time in the United States. Heroin, the drug bought by the addict on the "black market" is illegal here in the United States because of its high addictive qualities even for use by the medical profession. This is exactly how England produced its current addict population.

An adequate substitute for heroin has not been found. Medication such as Methadon prevents withdrawal symptoms from developing but does not give the satisfactory sensation of flush and exuberance and of feeling out of contact with reality. His problems when on heroin all disappear, when on Methadon they are still ever present.

2. If an adequate substitute drug could be found to fill the above needs of the addict and could be administered only once a day instead of the now 4 to 6 hour schedule, a trial research project with a small number should be tried. The following precautions would have to be taken. In order to eliminate the possibility of the addict dividing the medication received at the clinic or on prescription (because it is undiluted and pure) and creating his own "black market," the medication will have to be given hypodermically under supervision.

The addicts compulsion to possess as much as possible would continue. In this case drugs from the clinic and from his old pusher contacts would be utilized daily. He would try to get the drugs from innumerable clinics and physicians to use for himself and then to sell to the newer less experienced addict. For this reason a compulsory registry where all addicts must register within a short period of time would have to be established, so he could receive proper identification. At the end of this period the registry is closed and no new individuals are ever added except medical addicts so certified by a physician. If such a check is not established and drugs continue to be given to anyone presenting himself at a clinic, the addiction problem will grow at alarming rates. However, with such a check the one danger is the likelihood of the addict splitting his supply now gotten from several sources to a group of unregistered illegal addicts with a new "black market" established by the addict instead of a big dealer and pusher "black market."

3. The difficulty in managing an identification system upon registration involving 30,000 addicts, 18,000 physicians, and possibly a dozen clinics is tremendous, if not impossible. In England where an addict usually receives his prescription from only one physician under the National Medical Care System, it makes control quite simple. In spite of this and the small addict population they admit to the fact that it takes a year to get reports back to the central registry office.

4. Addicts because of increasing tolerance attempt to have their doses increased constantly. If they cannot get what they think is enough from the clinic they would get it from the black market. This known dose compounded onto an unknown quantity received on the black market may in many instances prove fatal to the individual receiving an overdose in this manner. The uncertainty of the amount of heroin in packs now on the market in New York City results in approximately 230 deaths per year.

1338 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

No assurance the addict will come to a clinic

In Hong Kong where there are approximately 150,000 addicts some 700 to 800 obtain their drugs through legal avenues. The addict may prefer to continue his supply from the black market because of—

Waste of time waiting.

Fear of law.

Fear of institutions.

Fear of how he will be treated.

Enjoys the stealing and the ceremony.

More satisfying to deal with his friend the pusher.

The addict will continue to be an economic drain to society

1. No incentive to get off the drug if it is supplied: 5,000 cases a year present themselves voluntarily in New York City for hospitalization. Something has motivated them to want to stop the habit. When we find some better answers to therapy and rehabilitation a larger number of these will be cured. In England in 1958 out of 442 addicts, 11 were cured from their medical addiction. Supplying the drug will never offer any motivation to the street addict to stop. The availability of tranquilizing drugs, the amphetamines (pep pills) and the barbiturates has neither stopped their usage nor kept this population at a static level. It continues to grow at an alarming and frightening rate.

England has its own "black market." In a recent study by Cameron of 30 addicts followed in 1 year, 10 were rearrested and convicted.

2. Maintaining an addict on drugs precludes his ability to work. Few addicts can function satisfactory in an occupation when using drugs. He is obviously accident prone and a high risk to any employer. Therefore he will continue to be supported by welfare.

No real foundation that the black market will disappear

The addict will spread addiction to his friends by sharing his legally secured drugs who will then have to continue to obtain the drugs illegally.

The dealer now having a large supply on hand will actively push the material to more groups, particularly to the younger generation and in areas outside New York City.

In an era of excessiveness of all sorts—sex, alcohol, cigarette smoking, and indulgence in drugs of many sorts—it seems incomprehensible that a society would condone such an antisocial addiction of an egocentric few. It would place a stamp of approval on this demoralizing activity of destruction for both the patient, his family, and the community wherein he moves and operates. There is no easy answer to the treatment of drug addiction and as long as slums exist and individuals feel oppressed and rejected, the weak inadequate individual who cannot face reality will attempt to solve their problems with drugs of any type. Giving drugs won't solve this problem but decent places to live, love, and consideration, job training and its resultant security may.

EXHIBIT D

DIRECTORY OF NARCOTICS ADDICTION SERVICE AGENCIES

MAY 1964 REVISION

The City of New York Department of Health, Office of Narcotics Coordinator, Catherine B. Hess, M.D., Assistant Commissioner, Narcotics Coordinator, and George James, M.D., Commissioner of Health

For information, advice, and guidance on problems relating to narcotics addiction and drug abuse, apply to the office of narcotics coordinator. For educational programs, films, speakers, literature, or other materials, apply either to the office of narcotics coordinator or to your local district health center.

The health department maintains a number of neighborhood counseling referral and rehabilitation centers which are listed in this directory.

Under two recent amendments to the New York City health code, effective January 1, 1963, and June 17, 1963, reports are required by section 11.03 (narcotics addiction, habitual, and compulsive use of a narcotic drug as defined in sec. 3301 of the public health law), by a physician in charge of a hospital, dispensary, clinic, other institution providing care or treatment, clinical laboratory, vessel,

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1339

or aircraft. Reports of cases of narcotics addiction as prescribed by section 11.03 shall also be made by a person in charge of a correctional institution, social agency, or any other person who has knowledge of or gives care to a narcotic addict.

These reports and records are confidential and not subject to subpoena or inspection by persons other than authorized personnel of the department of health.

The person to whom any such record relates or his legal representative may, however, by signing a written consent, authorize the commissioner to open the record to inspection.

Report forms may be obtained from the office of narcotics coordinator. The completed report should be sent to the above address. Failure to so report is a violation of the law.

The information contained in this directory is presented as reported by the agencies. Listing of facilities does not necessarily indicate official approval of the programs involved.

CONTENTS

Hospitals:

Federal: USPHS Hospital at Lexington, Ky.

State:

Central Islip.

Manhattan State.

Middletown.

Pilgrim.

Mental hygiene aftercare clinics (State).

Municipal hospitals:

Department of hospitals.

Metropolitan.

Manhattan General (under contract to department hospitals).

Proprietary hospitals:

Gracie Square.

Charles P. Towns.

New York City Department of Health service programs:

Astoria Rehabilitation Center.

Central Harlem Rehabilitation Center.

Washington Heights Rehabilitation Center.

West Side Rehabilitation Center.

Public, private, and voluntary service agencies:

Catholic Charities (Department of Youth Counseling).

Catholic Charities Diocese of Brooklyn.

Civic Center Clinic, Inc. (formerly BARO).

Damascus Christian Church.

East Harlem Protestant Parish Narcotics Committee.

The Emergency Shelter, Inc.

Good Shepherd Society of Convent Avenue Baptist Church.

Greenwich House Counseling Center.

HAVEN (Clinic of Dr. Robert W. Baird).

Jewish Community Service of Long Island.

Legion of Mary.

Lowest East Side Information and Service Center for Narcotics Addiction, Inc.

Manhattan Christian Reformed Church.

Mobilization for Youth.

Narcotics Anonymous Groups.

National Family Council on Drug Addiction, Inc.

Postgraduate Center for Mental Health.

The Quaker Committee on Social Rehabilitation, Inc.

The Salvation Army.

Teen Challenge.

Trinity Parish Counseling Service.

Upper Park Avenue Baptist Church—Rev. O. B. Dempsey House of Hope of the

Anti-Crime and Anti-Narcotic Committee.

Vocational Foundation, Inc.

Other public service agencies:

New York State Division of Vocational Rehabilitation, Department of Education.

New York State Employment Service.

Law enforcement agencies.

Other relevant public agencies.

Welfare centers.

FEDERAL

U.S. Public Health Service Hospital, Post Office Box 2000, Lexington, Ky., 40501.

Address official correspondence to Medical Officer in Charge.

Type of facility: 1,042-bed hospital—90 percent of these beds are for narcotic addicts.

Eligibility: Male and female addicts who are American citizens who are using a drug which is listed under the Federal Narcotics Act, and who the hospital feels can be helped by hospitalization. Addicts under 21, living at home and supported by parents or guardian need signature of parent or guardian on application form. Parent or guardian will have to present a written request for discharge against medical advice for these unemancipated minors. (Alcoholics, people addicted to the addicting sedatives (including barbiturates), or to addicting tranquilizers, are not admissible unless they also are narcotic addicts.)

1340 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Service: Detoxification, psychiatric treatment, vocational and recreational therapies, and religious service and counseling.

Referral sources and admission procedures: Prisoner patients are sent from Federal courts and Federal prisons. Volunteers must mail to the hospital a completed application form, obtainable from the Medical Officer in Charge, Box 2000, Lexington, Ky., 40501, or from a U.S. narcotic agent, or from the Office of Narcotics Coordinator, 325 Broadway, New York, N.Y., 10007. The addict will be notified when a bed is available. There is usually a waiting list. The length of stay is indefinite; usually 5 to 6 months.

Fee: Currently \$11 per day; no charge for indigent patients.

Staff: Psychiatrists, psychologists, social workers, nurses, occupational and educational personnel, and research investigators.

STATE PROGRAMS

The information listed below covers all voluntary admissions and civil commitment of narcotics addicts deemed to be suitable candidates for treatment and rehabilitation. Court commitments are detailed in chapter 204 of the Laws of 1962 (Metcalf-Volker legislation.)

Central Islip State Hospital, Carlton Avenue, Central Islip, Long Island. Dr. Leslie Eber, supervising psychiatrist.

Type of facility: State hospital—80-bed narcotics unit.

Eligibility: Male addicts over 21. New York State residence.

Service: Inpatient detoxification, psychotherapy, casework, psychological services, vocational counseling, family counseling, occupational therapy, recreational therapy, religion, informational, referral to community agencies for special service (e.g., welfare assistance, job placement), aftercare by referral to department of mental hygiene narcotic aftercare clinic.

Referral sources and admission procedure: Contact through division of narcotics, Dr. Harold Maiselas, director. Call Mrs. Gallo, EN 9-0500, extension 508. Patients stay 90 days minimum. There is a waiting list, with a waiting period of about 14 days.

Fee: None if medically indigent.

Staff: Psychiatrists, social workers, psychologists, occupational therapist, recreational therapist, psychiatric nurses, nurses' aids.

Manhattan State Hospital, Ward's Island, N.Y. Dr. Harold Meiselas, director, division of narcotics.

Type of facility: State hospital—190-bed narcotics unit.

Eligibility: Male addicts, adolescent and adult. New York State residence.

Service: Inpatient detoxification, psychotherapy, casework, psychological services, vocational counseling, family counseling, occupational therapy, recreational therapy, religion, informational referral to community agencies for special service (e.g., welfare assistance, job placement), aftercare by referral to department of mental hygiene, narcotic aftercare clinic.

Referral sources and admission procedure: Contact through division of narcotics, Dr. Harold Meiselas, director. Call Mrs. Gallo, EN 9-0500, extension 508. Patients stay 90 days minimum. There is a waiting period of about 14 days.

Fee: None if medically indigent.

Staff: Psychiatrists, social workers, psychologists, occupational therapist, recreational therapist, psychiatric nurses, nurses' aids, teachers.

Middletown State Hospital, Middletown, N.Y. Dr. Luigi Pellegrini, supervising psychiatrist in charge of unit.

Type of facility: State hospital—35-bed narcotic unit.

Eligibility: Female addicts, adolescent and adult. New York State residence.

Service: Inpatient detoxification, psychotherapy, casework, psychological services, vocational counseling, family counseling, occupational therapy, recreational therapy, religion, informational, referral to community agencies for special services (e.g., welfare assistance, job placement), aftercare by referral to department of mental hygiene narcotic aftercare clinic.

Referral sources and admission procedure: Contact through division of narcotics, Dr. Harold Meiselas, director. Call Mrs. Gallo, EN 9-0500, extension 508. Patients stay 90 days minimum. There is a waiting period of about 14 days.

Fee: None if medically indigent.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1341

Staff: Psychiatrists, social workers, psychologist, occupational therapist, recreational therapist, psychiatric nurses, nurses' aids, teacher.
Pilgrim State Hospital, West Brentwood, N.Y. Dr. Joseph C. Clifford, assistant director in charge of unit.

Type of facility: State hospital—105-bed narcotic unit.

Eligibility: Male adults only. New York State residence.

Service: Inpatient detoxification, psychotherapy, casework, psychological services, vocational counseling, family counseling, occupational therapy, recreational therapy, religion, informational, referral to community agencies for special services (e.g., welfare assistance, job placement), aftercare by referral to department of mental hygiene narcotic aftercare clinic.

Referral sources and admission procedure: Contact through division of narcotics, Dr. Harold Meiselas, director. Call Mrs. Gallo, EN 9-0500, extension 508. Patients stay 90 days minimum. There is a waiting period of about 14 days.

Fee: None if medically indigent.

Staff: Psychiatrists, social workers, psychologists, occupational therapist, recreational therapist, psychiatric nurses, nurses' aids, teacher.

Department of Mental Hygiene Aftercare Clinic, Manhattan State Hospital, Ward's Island, N.Y. Dr. Harold Meiselas, director, division of narcotics.

Type of facility: After-care clinic.

Eligibility: Patients hospitalized at department of mental hygiene facility and subsequently placed on convalescent care status.

Service: Psychiatric treatment, casework therapy, family counseling, vocational counseling, and other community resources.

Referral sources: Department of mental hygiene hospitals.

Fee: None if medically indigent.

Department of Mental Hygiene Aftercare Clinic, 39 East 17th Street, New York, N.Y. Dr. Harold Meiselas, director; Dr. Myron Dexter, assistant director in charge.

Type of facility: After-care clinic.

Eligibility: Patients hospitalized at department of mental hygiene facility and subsequently placed on convalescent care status.

Service: Psychiatric treatment, casework therapy, family counseling, vocational counseling, and other community resources.

Referral sources: Department of mental hygiene hospitals.

Fee: None if medically indigent.

MUNICIPAL—THE CITY OF NEW YORK, DEPARTMENT OF HOSPITALS

Manhattan General Hospital, 307 Second Avenue, New York, N.Y. (proprietary hospital under contract with department of hospitals). Edward L. Richman, associate director.

Type of facility: 215-bed narcotic unit operated by New York City Department of Hospitals.

Eligibility: Adult addicts of both sexes (over 21). New York City residents.

Service: (Inpatient), medical treatment, detoxification, counseling or referral, social, job referral, recreational, and informational.

Referral sources and admission procedures: Applicant must be referred by accredited agency, city hospitals' mental hygiene clinics, neighborhood social service clinics, other public or private agencies. Application is made to admission clerk 8:30 a.m.—4:30 p.m., daily (Monday–Friday). Usually 3–7 days' waiting period. For all information and admission procedures, call Miss Bowles, Ordway 7-2911.

Fee: None if medically indigent. Must undergo a means test to determine ability to pay.

Duration of service: Inpatient, 3–4 weeks.

Staff: Psychiatrist, social worker, physicians, sociologists.

Metropolitan Hospital, 1901 First Avenue, New York, N.Y. Dr. Carl Easton, chief psychiatrist.

Type of facility: New York City hospital, 50-bed narcotic unit.

Eligibility: Male addicts, adolescent and adult. New York City residents.

Service: (Inpatient and outpatient), detoxification, psychiatric, medical, social, vocational training, job placement, recreational, religious, informational.

1342 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Referral sources and admission procedures: Voluntary application from all boroughs, referrals from all accredited community agencies. Apply to registration bureau in mental hygiene clinic, 8-10 a.m., 12-2 p.m., daily. After registration, applicant is evaluated by clinic staff. Average waiting period between application and admission is 2-3 weeks. Average length of stay for inpatients is 1 month (2 weeks on withdrawal, 2 weeks convalescence).

Fee: None for the medically indigent.

Clinic (outpatient): Open from 8 a.m. to 5 p.m., daily.

Staff: Psychiatrists, psychologists, caseworkers, recreation leaders, rehabilitation workers.

General municipal hospitals (as follows: Bellevue, Metropolitan, Harlem, Morrisania, Coney Island, City Hospital at Elmhurst, Queens General).

For withdrawal treatment of "adult females only." New York City residents.

For information as to vacancies and admission procedures, call Worth 4-3958 (only on weekdays, 10 a.m. to 4 p.m.).

Should addicts require emergency treatment for any complicated condition (including an acute withdrawal syndrome) he or she should apply to the emergency admitting unit of any of the municipal general hospitals as is the case with an acutely ill person.

Mental hygiene clinics (municipal hospital):

Bellevue: 448 First Avenue, New York, N.Y.

Bronx Municipal: Pelham Parkway and Eastchester Road, Bronx, N.Y.

Coney Island: Ocean Parkway and Avenue Z, Brooklyn, N.Y.

Cumberland: 39 Auburn Street, Brooklyn, N.Y.

Elmhurst: 79-01 Broadway, Elmhurst, N.Y.

Harlem: 136th Street and Lenox Avenue, New York, N.Y.

Kings County: 451 Clarkson Avenue, Brooklyn, N.Y.

Metropolitan: 1901 First Avenue, New York, N.Y.

Morrisania: Walton Avenue and 168th Street, Bronx, N.Y.

Queens General: 82-68 164th Street, Jamaica, N.Y.

PROPRIETARY HOSPITALS

Charles B. Towns Hospital, 293 Central Park West, New York, N.Y. Edward B. Towns, director

Type of facility: Proprietary hospital, 46 beds available.

Eligibility: Addicts of either sex, no age or residence requirements.

Service: Inpatient medical treatment and detoxification.

Referral sources and admission procedure: By doctor's referral or direct application of patient to the admitting office. (Open 24 hours a day.) No waiting list.

Fee: Drug addiction, \$240 per week; alcoholic (private) \$225 per week; alcoholic (semiprivate), \$205 per week; AA referral, \$125 (5 days).

Duration of service: Narcotics, 3 weeks recommended, 2 weeks minimum; barbiturates, etc., 2 weeks; alcoholics, 1 week.

Staff: Full time: 2 resident physicians, 2 registered nurses, 12 licensed practical nurses.

Gracie Square Hospital, 420 East 76th Street, New York, N.Y. Stephen M. Smith, M.D., director

Type of facility: Proprietary hospital, approved capacity 220 beds in general psychiatry and medicine.

Eligibility: Male and female addicts 16 and over, no residence requirements.

Service: Inpatient detoxification, medical, psychiatric, social, counseling and referral, recreational, informational.

Referral sources and admission procedure: Call Mrs. Eve Clayton, director of social service, or Miss Gloria Mandelbaum, secretary to director. Open 24 hours daily, prefer Monday to Friday, 10 a.m. to 3 p.m. (1) Admission office interview; (2) interview of patient and family by staff psychiatrist; (3) checking in of patient on floor. No waiting list, same-day service.

Fee: \$35 per day plus laboratory work and special medication. Deposit of \$515 required at admission.

Duration of service: Minimum stay, 2 weeks.

Staff: Director, M.D., clinical director, M.D., 5 staff psychiatrists, 2 staff generalists (all full time).

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1343

NEW YORK CITY DEPARTMENT OF HEALTH SERVICE PROGRAMS

Astoria Rehabilitation Center, 12-26 31st Avenue, Long Island City, N.Y. William H. Shepperson, director public health social work consultant.

Type of facility: New York City Department of Health District Health Center.

Eligibility: Addicts ("using" or "clean") of both sexes and/or families of addicts. No age requirements. Queens residence required.

Service: Outpatient, arrange hospitalization, counseling and referral, consultation, psychiatric, medical, social, informational, educational (phone information, speakers, films, literature), community council cooperation, followup, and rehabilitation.

Referral sources and admission procedure: Call Astoria Rehabilitation Center, Astoria 8-5520 between 9 a.m. and 5 p.m., Monday to Friday. Patient, family or referral source should first contact center for appointment for initial interview (by phone or in person). No waiting list.

Fee: None.

Duration of service: Depends on patient's needs and circumstances.

Staff: (Full time) social work consultant, stenographer, clerk. (Part time) public health team, psychiatric consultation.

Central Harlem Rehabilitation Center, 2238 Fifth Avenue, New York, N.Y. Miss Ursula D. Magagna, director/public health social work consultant.

Type of facility: Central intake center for the New York City Department of Health.

Eligibility: Addicts of both sexes and their families. No age requirements. City residence for referrals to city hospitals and State residence only for State hospitals addiction centers.

Service: Outpatient, arrange hospitalization, counseling and referral, informational (phone), education (through district health educator), participation in community education, consultation to individuals, community, and agencies.

Referral sources and admission procedures: Patient, family, etc., may come to office any weekday, 9 a.m. to 5 p.m. Referrals made to Manhattan General Hospital, Manhattan State Hospital, and Metropolitan Hospital or any other appropriate agency depending on program chosen by patient.

Duration of service: Short-term intake and referral.

Fee: None.

Staff: (Director) consultant, public health social work, case aids.

Washington Heights Rehabilitation Center, 540 West 135th Street, New York, N.Y. Leon Brill, project director.

Type of facility: New York City Department of Health District Center, jointly sponsored by New York City Department of Health, New York City Community Mental Health Board, and National Institute of Mental Health.

Eligibility: Addicts and families of addicts of both sexes, 18 years old and over, living in Washington Heights district health area.

Service: Outpatient, arrange hospitalization, counseling, and referral, psychiatric, medical, social, informational, referral for: vocational training, job placement, religious, recreational; educational: phone information, speakers, literature; consultation on narcotic addiction problems.

Referral sources and admission procedure: Call intake worker, 9 a.m. to 5 p.m., weekdays, one or two evenings weekly, as long as intake is open. No waiting list. Service is immediate if accepted.

Fee: None.

Duration of service: From 2 to 5 years.

Staff: Project director, supervisor, three staff social workers, nursing supervision, three public health nurses, medical doctor and psychiatrist (part time), social scientist, statistician.

West Side Rehabilitation Center, 2555 Broadway (at 96th Street), New York, N.Y. Sherman W. Patrick, director.

Type of facility: New York City Department of Health District Center.

Eligibility: Addicts ("clean") and families of addicts. No age or sex requirements. Must apply within 48 hours of hospital discharge.

Service: Counseling and referral, psychiatric, medical, social, job counseling, prevocational training, recreational therapy, educational.

Referral sources and admission procedure: Referrals accepted through Central Harlem Rehabilitation Center and from Manhattan General Hospital. Monday

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

1344 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

to Friday, 9 a.m. to 5 p.m. Apply within 48 hours after receiving medical discharge from Manhattan General or city hospitals. No waiting list. Same day service.

Fee: None.

Staff: Director-sociologist, social workers, practical nurse, public health nurses' aids, psychiatrist and medical specialist (part time), psychologist, vocational rehabilitation counselor, therapeutic recreational counselor, laboratory aid, rehabilitation counselor (case aids).

PRIVATE AND VOLUNTARY SERVICE AGENCIES

Catholic Charities (Department of Youth Counseling): 122 East 22d Street, New York, N.Y., 478 East Tremont Avenue, Bronx, N.Y. Very Rev. Msgr. Robert E. Gallagher, director.

Type of facility: Voluntary religiously affiliated service agency.

Eligibility: Addicts and families of addicts (age 7 to 18), Manhattan, Bronx, or Richmond residence.

Service: Arrange hospitalization, counseling, and referral, psychiatric, educational, literature, and speakers; clergy conferences.

Referral sources and admission procedure: Self-referrals through parish priests and accredited community agencies. Contact is made through intake worker who screens patient. Hours are from 9 a.m. to 5 p.m., Monday through Friday. Service is immediate.

Fee: None.

Duration of service: Referral—diagnostic only.

Staff: Manhattan and Bronx Clinic: Psychiatrists, 3 full time, 9 part time; psychologists, 1 full time, 6 part time; social workers, 12 full time, 10 part time.

Catholic Charities Diocese of Brooklyn, family service, 191 Joralemon Street, Brooklyn, N.Y. Rev. Mathew F. Foley and Rev. Rena A. Valero, directors.

Type of facility: Private social agency.

Eligibility: Family of addicts of both sexes, no age requirements, residents of Brooklyn and Queens.

Service: Outpatient, counseling and referral, religious and informational.

Referral sources and admission procedure: Contact is made through supervisory of intake, 9 a.m. to 5 p.m., Monday to Friday and evenings by appointment. Referral to field when indicated, after intake study. There is no waiting list for applications; however, the average length of time between application and service is 1 month.

Fee: None.

Duration of service: Approximately 1 year, depending on many variables.

Staff: 5 supervisors, 11 caseworkers, 10 case aids, and 15 homemakers, all full time.

Civic Center Clinic, Inc. (formerly known as B.A.R.O.), 44 Willoughby Street, Brooklyn, N.Y. Ralph S. Banay, M.D., medical director.

Type of facility: Voluntary, private, social outpatient agency.

Eligibility: Clean addicts of both sexes, 16 years old and over, New York City residence.

Service: Counseling, referral, psychiatric, medical, social, and vocational training.

Referral sources and admission procedure: Patient telephones or writes for appointment. Social history summaries required on referrals from voluntary and public agencies. Day and hours for admission arranged by appointment. Mr. Edwin H. Busby is the supervising psychiatric social worker. The waiting list is not too long. The average length of time between application and service is about 10 days to 2 weeks.

Fee: None.

Duration of service: Depends on patient's needs, motivation, and desire for assistance.

Staff: One full-time social worker (psychiatric); part time: five psychiatrists, nine psychologists, five social workers.

Damascus Christian Church (Youth Crusade), 861 East 162d Street, Bronx, N.Y. Rev. Leonica Rosado, director.

Type of facility: Male addicts using and clean. No age or residence requirements. Minors are accepted only with consent of parent or guardian.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1345

Service: Inpatient and outpatient counseling and referral, social, recreational, religious therapy aimed at rehabilitation and education, informational and speakers. Provide food, clothing, shelter, and dental care. Job placement assistance also given. Church office is open daily.

Referral sources and admission procedure: Call or write director or assistant director. Voluntary application or referral by public or private agencies accepted. There is a waiting list. Average waiting period between application and service is immediate if accommodations are available.

Fee: None.

Duration of service: 6 months to 1 year. Longer if necessary.

Staff: Two full-time and three part-time staff members. Volunteer workers—addicts are withdrawn without the use of drugs, otherwise referred to a city hospital. Program utilizes services of a private physician in emergencies.

East Harlem Protestant Parish Narcotics Committee, 306 East 103d Street, New York, N.Y. Rev. Lynn L. Hageman, director.

Type of facility: Voluntary neighborhood group and private social agency, religiously sponsored.

Eligibility: Addicts, "clean" and using and families of addicts, of both sexes, no age requirements. District residence requirements. East Harlem community (East 89th Street to East 119th Street, 5th Avenue to East River).

Service: Arrange hospitalization, counseling and referral, psychiatric, social, vocational training, job placement, recreational, religious, and informational. Speakers, literature, and films provided.

Referral sources and admission procedures: Voluntary and from private and public agencies. Application may be made in person to receptionist. Interview with sociologist and minister. Open for admission 9 to 9:30 a.m. and 1 to 5 p.m., Monday through Friday. There is no waiting list.

Fee: None.

Duration of service: Indefinite or as need requires.

Staff: Two full-time members of the clergy, one full-time sociologist, two part-time psychiatrists, two full-time social caseworkers, and other lay and professional volunteers.

The Emergency Shelter, Inc. (St. Marks Shelter for Men), 69 St. Marks Place, New York, N.Y. Rev. Leonard A. Schneider, director.

Type of facility: Private social agency.

Eligibility: Male addicts (clean) 16 years and over. No district residence requirements. Destitute and with no visible means of support. Must be able and willing to work.

Service: Counseling and referral, job placement, religious, informational, social, and recreational on a limited basis. Temporary residence, food, and guidance.

Referral sources and admission procedure: Referral through public or private agencies and on a voluntary or walk-in basis. Service is immediate if space is available. Office open from 7 a.m. to 6 p.m. daily or call Spring 7-1234.

Fee: None.

Duration of service: Temporary; emergency housing.

Staff: Two intake counselors, one ministerial counselor, and one employment counselor.

Good Shepherd Society of Convent Avenue Baptist Church, 420 West 145th Street, New York, N.Y. Rev. Henry R. Griffin, director.

Type of facility: Church-sponsored voluntary group.

Eligibility: Male and female addicts, no age or residence requirements; family of addict.

Service: Arrange hospitalization, counseling and referral, religious, informational, phone, speakers.

Referral sources and admission procedures: Call Reverend Griffin, Audubon 6-0340. Referrals from social agencies. Open Wednesday to Saturday, 9 a.m. to 5 p.m. No waiting list for appointment or service.

Fee: None.

Duration of service: Unlimited.

Staff: Rev. Henry Griffin, director; part time: social workers, recreational consultant, registered nurse.

1346 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Greenwich House Counseling Center, 27 Barrow Street, New York, N.Y. Dr. Robert Osnos, director.

Type of facility: Voluntary neighborhood group sponsored jointly by Greenwich House and New York University Graduate School of Social Work.

Eligibility: Male and female addicts and families of addicts residing below 14th Street, west of 4th Avenue, addicted to opiates, narcotics, barbiturates, stimulants, etc.

Service: Outpatient, counseling and referral, psychiatric, social, informational, educational, and recreational in selected cases.

Referral sources and admission procedure: Patient, family, or agency may call center 9:30 a.m. to 5:30 p.m., Monday to Friday. (Tuesday and Thursday, 6 p.m. to 9 p.m. call Chelsea 2-3929 number only.) There is no waiting period. Length of service is indefinite.

Fee: None.

Staff: Psychiatrist, psychologist, public health nurse, group worker, case-workers.

HAVEN (Help Addicts Voluntarily End Narcotics), 222 East 116th Street, New York, N.Y. Robert W. Baird, M.D., medical director.

Type of facility: Outpatient, voluntary neighborhood group.

Eligibility: Addicts, family of addicts of both sexes, no age or residence requirements.

Service: Medical, informational, counseling, speakers and literature. Addicts withdrawn with symptomatic drugs.

Referral sources and admission procedure: Attend group meetings and Friday night lectures and then nightly visits from 10 p.m. to 4 a.m. Waiting period is from 4-6 weeks between application and service.

Fee: None.

Duration of service: Indefinite—seen weekly as long as deemed necessary.

Staff: Physician, nurse, case aid and volunteers.

Jewish Community Service of Long Island, 89-31 161st Street, Jamaica, N.Y. George Rothman, executive director.

Type of facility: Private family service agency.

Eligibility: No age or sex requirements. Residence restricted to Queens, Nassau, and Suffolk.

Service: Counseling, referral and informational.

Referral sources and admission procedure: Voluntary and other agencies. Apply to Mrs. Ruth Golden. Applications accepted 9 a.m. to 5 p.m., Monday to Friday. Waiting period between application and service is about 2 months.

Fee: Yes—sliding scale, according to ability to pay.

Duration of service: Until referral effected or counseling no longer needed.

Staff: Psychiatrist, psychologist and social caseworkers. Dr. Robert Navarro is director of psychiatric services.

Lower East Side Information & Service Center for Narcotics Addiction, Inc., 165 East Broadway, New York, N.Y. Rev. Edward M. Brown, director.

Type of facility: Voluntary neighborhood group.

Eligibility: Male and female addicts and family of addicts. No age requirements, lower East Side residence required on open intake basis.

Service: Outpatient counseling and referral, psychiatric, medical, social. Vocational training, job placement, recreational, informational and arrange hospitalization, speakers, film and literature. Services also include professional committee, citizen committee, volunteer program.

Referral sources and admission procedure: Registration through intake or social worker, 9 a.m. to 5 p.m. daily, Monday to Friday. (Referral through any agency or on a voluntary walk-in basis.) There is no waiting list, service available within an hour.

Fee: None.

Duration of service: Indefinite and up to the patient.

Staff: Director, supervisor, three social workers and secretarial staff—full time. Psychiatrist, psychologist, anthropologist and social worker—part time.

Legion of Mary, care of Helper of the Holy Soul Convent, 112 East 86th Street, New York, N.Y. Rev. Lawrence Becker, O.P., spiritual director.

Type of facility: Private social agency—Catholic laymen, self-supported voluntary organization.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1347

Eligibility: Drug addicts of both sexes and family of addicts, no age requirements. Residents of Manhattan, Bronx, and Brooklyn.

Service: Counseling and referral, social, job placement, recreational, religious and informational. Hospital and prison visits. Home visitation; volunteer work at rehabilitation center.

Referral sources and admission procedure: Messages taken by Helpers of Holy Souls Convent, 112 East 86th Street, New York City, telephone EN 9-4750. Meetings held Monday evenings 6:30 p.m. to 8 p.m. Average length of time between application and service is 1 to 2 weeks.

Fee: None.

Duration of service: Indefinite, or as need requires.

Staff: Spiritual director, 15 volunteers (female) including a program director.

Manhattan Christian Reformed Church—Narcotics Rehabilitation Program, 2044 Seventh Avenue, New York, N.Y. James Allen, director.

Type of facility: Nonprofit, church-sponsored, church-supervised program.

Eligibility: All addicts (male and female, no age requirements) who show a sincere desire to overcome drug addiction. No residence requirements but prefer mid-Harlem residents.

Service: Arrange hospitalization, counseling and referral, recreational, religious, social, visitation to relatives, hospitals, prisons, etc., informational, phone, speakers, conditional: housing, job placement, one meal daily ("clean" addicts).

Referral sources and admission procedure: Referral from agencies by written appointment stating specifically what is needed. Schedule: 10 a.m. to 4 p.m. (Monday–Friday). Meal 4:30 p.m. (Monday–Saturday), open meeting, 8–10 p.m. (Wednesday). No waiting list.

Fee: None.

Duration of service: Indefinite.

Staff: Director, case aid, plus "clean" addicts as general help.

Mobilization for Youth, 214 East Second Street, New York, N.Y. George Brager, director of action programs.

Type of facility: Private and governmental social agency. Large-scale demonstration project.

Eligibility: Addicts 16–21 years old and family of addicts of both sexes—New York City lower East Side residents with certain boundary restrictions.

Service: Outpatient—vocational training, job placement and recreational. Most services of Mobilization for Youth are available to addicts and their families. Rehabilitative program; i.e., a communitywide organization drive, street work with addicts and preaddicts, and a small group abstinence program does not have open admission. These programs serve specific youngsters chosen to facilitate the research demonstration effort.

Referral sources and admission procedure: Contact made through Mrs. Sylvia Morris, referral coordinator—Monday to Friday, 9 a.m. to 5 p.m. Service is immediate and depending on service.

Fee: None.

Duration of service: Generally brief contact.

NARCOTICS ANONYMOUS GROUPS

East Harlem Narcotics Anonymous Group, 94 East 111th Street, New York, N.Y. Monday, 8–10 p.m.

Fellowship House, 836 East 165th Street Bronx, N.Y., Tuesday, 8–10 p.m.

Narcotics Anonymous, in care of YMCA, 215 West 23d Street, New York, N.Y., Wednesday, 8–10 p.m.

St. John Crysostom's, 985 East 167th Street at Hoe Avenue, Bronx, N.Y., Thursday, 8–10 p.m. Mrs. Rae Lopez, executive secretary.

Type of facility: Nonprofit therapeutic group.

Eligibility: No age, sex or residence requirements. Applicants need only have a desire to stop using drugs.

Service: Group discussion, counseling and referral, informational.

Referral sources and admission procedure: All referrals accepted. Attend meeting and see chairman (open meetings—Wednesday—8–10 p.m., 215 West 23d Street). No waiting period. No restrictions on length of service.

1348 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

Fee: None. Group financed through collections at meeting, benefits and contributions.

Staff: Chaplain, one professional worker, two voluntary workers.

National Family Council on Drug Addiction, Inc., 401 West End Avenue, New York, N.Y. Mr. Nathan S. Zucker, director.

Type of facility: Private social agency.

Eligibility: Addicts, family of addicts of both sexes, no residence or age requirements. Anyone sincere in their desire and efforts.

Service: Outpatient, arrange hospitalization, aftercare, counseling and referral, psychiatric, medical, social, job placement, religious and informational. Speakers, films, and literature provided.

Referral sources and admission procedure: Through office or contacting Mr. Nathan S. Zucker, SU 7-7202 or Brigadier Dorothy Berry, Salvation Army, CH 3-8700, ext. 407. Open daily by appointment only. On first visit, addict must be accompanied by some member of family. There is no waiting list for the first interview. Service for counseling usually without delay. Hospitalization arrangements dependent on availability of bed.

Fee: Yes, if there is ability to pay. No, if medically indigent.

Duration of service: According to individual need.

Staff: Psychiatrists, psychologists, physicians, and counselors. After screening, the addicts may be seen at agency office or at the private office of therapists affiliated with program.

Postgraduate Center for Mental Health, 124 East 28th Street, New York, N.Y. Lewis R. Wolberg, M.D., dean and medical director; Irwin Gould, Ph. D., director, drug addiction project.

Type of facility: Private social agency—school and community mental health center.

Service: Education, consultation and research, counseling, referral and informational, speakers.

Referral sources and admission procedure: Individual, public and private agencies. Contact made through Dr. Irwin Gould. Will consider selected cases only at this time. No clinical service offered addicts.

Staff: Extensive staff of mental health consultants who, in addition, have completed psychoanalytic training.

The Quaker Committee on Social Rehabilitation, Inc., 130 Christopher Street, New York, N.Y.—Office at the house of detention for women. Jane S. Droutman, chairman and executive director.

Type of facility: Nonprofit voluntary social agency.

Eligibility: Women sentenced or in detention at the house of detention for women. No age requirements.

Service: Inside prison: vocational training in typing, shorthand and English; job placement, counseling. Cases accepted while at the house of detention receive services there followed by postrelease care. At Christopher Street office: additional counseling, clothing, financial assistance, psychotherapy, medical help provided. Referrals arranged, including detoxification to New York City hospitals with same postcare facilities. Duration of services varies. Public meetings and symposia on narcotics addiction sponsored by committee. Speakers available.

Referral sources and admission procedure: Following interviews with social workers, cases accepted at house of detention. Christopher Street office open weekdays, 9:30 a.m. to 5 p.m., except Thursday (9:30 a.m. to 9:30 p.m.).

Fee: None.

Duration of service: Indefinite.

Staff: Five staff members correlate the work of a large number of volunteers, many of them professionals.

The Salvation Army, 546 Avenue of the Americas, New York, N.Y. Brig. Dorothy Berry, director.

Type of facility: Private social agency.

Eligibility: Addicts, family of addict—no age, sex, or residence requirements.

Service: Arrange hospitalization, counseling and referral, social job placement, religious, informational, phone, speakers, films, and literature.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1349

Referral sources and admission procedure: Call Chelsea 3-8700, extension 407; 24-hour telephone service. Office: Monday to Friday, 9 a.m. to 4:30 p.m. Immediate service.

Fee: None.

Duration of service: As long as sought.

Staff: Director, assistant director, and caseworkers.

Teen Challenge, 416 Clinton Avenue, Brooklyn, N.Y. Rev. David R. Wilkerson, director.

Type of facility: Voluntary church related group.

Eligibility: Male and female addicts, ages 15 to 35. No residence requirements.

Service: Inpatient and outpatient, 60 beds available. Arrange hospitalization, counseling and referral, social, vocational training, job placement, recreational, religious, informational, phone, speakers, films, literature, and workers training center.

Referral sources and admission procedures: Voluntary application or referral by accredited community agencies, hospitals, and prisons. Call any member of executive staff (all of whom are ministers) for interview. Open 24 hours a day. One day average length of time between application and service.

Fee: None.

Duration of service: As long as individual desires, subject to staff recommendation.

Staff: Nine full-time ministers, 21 full-time staffworkers (Bible college graduates).

Trinity Parish Counseling Service, 48 Henry Street, New York, N.Y.

Type of facility: Counseling and referral. Cases referred to Lower East Side Information and Service Center for Narcotics Addiction, 165 East Broadway, New York City.

Vocational Foundation, Inc., 242 West 41st Street, New York, N.Y. Mrs. Betty Falek, director.

Type of facility: Private social agency for job counseling and job placement.

Eligibility: Male and female addicts age 16 to 21 who are employable and under followup care and are residents of Greater New York.

Service: Job placement. Employment services, always including intensive individual counseling.

Referral sources and admission procedure: Worker at referring agency telephones for the initial appointment. A preregistration letter giving pertinent background information is a requirement. Open Monday to Friday, 8:30 a.m. to 5 p.m., evenings by appointment. There is a waiting list of 3 to 4 weeks for initial appointment.

Fee: None.

Duration of service: Through age 21.

Staff: Director and three full-time counselors.

Upper Park Avenue Baptist Church, Rev. O. B. Dempsey, House of Hope of the Anti-Crime and Anti-Narcotic Committee, 85 East 125th Street, New York, N.Y. Rev. O. B. Dempsey, director.

Type of facility: Voluntary neighborhood group and private social agency.

Eligibility: Addicts "clean" and "using" of both sexes. No age or residence requirements.

Service: Arrange hospitalization, counseling and referral, social, vocational training, job placement, recreational, religious, and informational. Food is provided and housing arranged.

Referral sources and admission procedure: Call Rev. O. B. Dempsey, Templeton 1-9528. Patient must be anxious and willing to withdraw from drugs on a voluntary basis. Open for admission 8 a.m. to 10 p.m., at the church. Immediate initial interview. Other services contingent upon existing conditions.

Duration of service: Indefinite.

Staff: Director (full time); part-time assistant director, counselor, assistant counselor, 15 church staff volunteers, nurses, social workers, physicians, etc.

LEGISLATURA VIII — DISEGNI DI LEGGE E RELAZIONI - DOCUMENTI

1350 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

OTHER PUBLIC SERVICE AGENCIES

New York State Division of Vocational Rehabilitation, Department of Education, 200 Park Avenue South, New York, N.Y. Nelson A. Voorhees, district supervisor.

Type of facility: New York State agency.

Eligibility: Male and female over 14 years. Detoxified, at least 1 month. Also based upon existence of substantial employment handicap, not because of drug addiction. Medical or psychiatric diagnosis is required indicating such handicap.

Service: Vocational rehabilitation under conditions of limitations mentioned. Does not provide service to the drug addict as such.

Referral sources and admission procedure: Through intake department any weekday morning between 9 a.m. and 12 m. Public or private agency referrals accepted, 9 a.m. to 5 p.m., daily (Monday to Friday).

New York State Employment Service, 370 Seventh Avenue, New York, N.Y.

Anne Altman, New York City consultant.

Type of facility: New York State agency.

Eligibility: Legal working age.

Service: Counseling and placement service.

Referral sources and admission procedure: Through Lexington Hospital, Metropolitan Hospital, Manhattan General Hospital, etc. Rehabilitation required for placement. Referral to be made by social worker or rehabilitation counselor in the hospital as determined by previous cooperative agreement between treatment facility and employment service.

Fee: None.

Staff: Selective placement interviews in local employment service offices.

LAW ENFORCEMENT AGENCIES

New York City Department of Corrections, 100 Centre Street, New York, N.Y.

New York City Parole Commission, 100 Centre Street, New York, N.Y.

New York City Police Department, Narcotics Squad, Old Slip and Front Street, New York, N.Y.

New York State Department of Corrections, 270 Broadway, New York, N.Y.

New York State Division of Parole, 320 Broadway, New York, N.Y.

New York State Department of Health, Division of Narcotics, 80 Centre Street, New York, N.Y.

U.S. Treasury Department, Narcotics Bureau, 90 Church Street, New York, N.Y.

New York City criminal courts:

New York County: 100 Centre Street, New York, N.Y.

Bronx County: 161th Street and Third Avenue, New York, N.Y.

Kings County: 120 Schermerhorn Street, Brooklyn, N.Y.

Queens County: 125-01 Queens Boulevard, Kew Gardens, N.Y.

Richmond County: 67 Targee Street, Staten Island, N.Y.

OTHER RELEVANT PUBLIC AGENCIES

New York City Department of Health (main office), 125 Worth Street, New York, N.Y.

Borough offices, Department of Health:

Bronx: 1826 Arthur Avenue, Bronx, N.Y.

Brooklyn: 295 Flatbush Avenue Extended, Brooklyn, N.Y.

Queens: 90-37 Parsons Boulevard, Jamaica, N.Y.

Richmond: 51 Stuyvesant Place, St. George, Staten Island, N.Y.

District offices, Department of Health:

Central Harlem: 2238 Fifth Avenue, New York, N.Y.

East Harlem-Kips Bay: 158 East 115th Street, New York, N.Y.

Lower East Side: 341 East 25th Street, New York, N.Y.

Lower West Side: 303 Ninth Avenue, New York, N.Y.

Riverside: 160 West 100th Street, New York, N.Y.

Washington Heights: 600 West 168th Street, New York, N.Y.

Morrisania: 1309 Fulton Avenue, Bronx, N.Y.

Mott Haven: 349 East 140th Street, Bronx, N.Y.

Westchester-Pelham: 2527 Glebe Avenue, Bronx, N.Y.

Bedford: 485 Throop Avenue, Brooklyn, N.Y.

Brownsville: 259 Bristol Street, Brooklyn, N.Y.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1351

Bushwick : 335 Central Avenue, Brooklyn, N.Y.
Flatbush-Gravesend : 1601 Avenue S, Brooklyn, N.Y.
Red Hook-Gowanus : 250 Baltic Street, Brooklyn, N.Y.
Bay Ridge-Sunset Park : 514 49th Street, Brooklyn, N.Y.
Williamsburg-Greenpoint : 151 Maujer Street, Brooklyn, N.Y.
Astoria-Maspeth : 1226 31st Avenue, Long Island City, N.Y.
Corona-Flushing : 34-33 Junction Boulevard, Jackson Heights, N.Y.
Bureau of Health Education available for films, information, education and program help.
Public Health social work consultants also available for referral and counseling service in all district offices.
New York City Department of Hospitals, narcotics program, 125 Worth Street, New York, N.Y.
New York City Department of Welfare, 250 Church Street, New York, N.Y.
New York City Community Mental Health Board, 93 Worth Street, New York, N.Y.
New York State Department of Mental Hygiene, 270 Broadway, New York, N.Y. (119 Washington Avenue, Albany, N.Y.)
New York State Department of Health, 80 Centre Street, New York, N.Y. (84 Holland Avenue, Albany, N.Y.)

SCHOOL REFERRALS

Any pupil suspected of using narcotic drugs should be referred by the principal to the school nurse for examination by the school physician. If the school medical services are not immediately available, the principal should telephone the Director of the Bureau of School Health, 125 Worth Street, New York, N.Y., Worth 4-3800, extension 254. A physician, usually a supervising physician, will be sent at once to the school. Further referral procedures are outlined in service order No. 18, school health No. 448, PHN No. 1496, March 18, 1964.

WELFARE CENTERS

Manhattan :

Lower Manhattan Welfare Center, No. 11, 330 East Fifth Street, New York.
Yorkville Welfare Center, No. 19, 154 East 68th Street, New York.
East End Welfare Center, No. 23, 309 East 108th Street, New York.
Amsterdam Welfare Center, No. 24, 260 West 30th Street, New York.
St. Nicholas Welfare Center, No. 26, 149 West 124th Street, New York.
Harlem Welfare Center, No. 32, 1951 Park Avenue, New York.

Bronx :

Tremont Welfare Center, No. 41, 1918 Arthur Avenue, New York.
Melrose Welfare Center, No. 40, 847 Morris Avenue, New York.
Kingsbridge Welfare Center, No. 43, 248 East 161st Street, New York.

Queens : Queens Welfare Center, No. 53, 3220 Northern Boulevard, Long Island City.

Brooklyn :

Borough Hall Welfare Center, No. 60, 330 Jay Street, Brooklyn.
Brownsville Welfare Center, No. 73, 163 Bradford Avenue, Brooklyn.
Bushwick Welfare Center, No. 66, 44 Court Street, Brooklyn.
Fort Greene Welfare Center, No. 80, 147 Prince Street, Brooklyn.
Greenwood Welfare Center, No. 65, 100 Lawrence Street, Brooklyn.
Williamsburg Welfare Center, No. 84, 749 Atlantic Avenue, Brooklyn.

Richmond : Richmond Welfare Center, No. 99, 95 Central Avenue, St. George, Staten Island.

Nonresidence : Nonresidence Welfare Center, No. 90, 157 East 67th Street, New York.

Special service : Special Service Welfare Center, Nos. 74 and 75, 42 Franklin Street, New York.

Veterans service : Veterans Assistance Welfare Center, No. 05, 630 Ninth Avenue, New York.

Chelsea Welfare Center :

Chelsea Welfare Center, No. 77, 400 Eighth Avenue, New York.
Women's shelter (emergency), 324 East Fifth Street, New York.
Family shelter (emergency), 324 East Fifth Street, New York.
Men's shelter (emergency), 8 East Third Street, New York.

1352 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

EXCERPTS FROM THE PROCEEDINGS OF THE WHITE HOUSE CONFERENCE ON NARCOTIC AND DRUG ABUSE, SEPTEMBER 27 AND 28, 1962

CONCLUSIONS

These conclusions are drawn from the body of the report, and fall generally into its major categories of history, pharmacology, incidence and prevalence of drug abuse, characteristics of the drug abuser, treatment, and rehabilitation. However, many are based on information derived from more than one section, and thus it is not possible to reference their narrative explanations to a particular page of the text. We have tried, nevertheless, to group them by subject as closely as possible so that the transition from one to another will not be too abrupt.

1. The compulsive drug abuser may be rehabilitated to a legal and, in some cases, productive place in society. A decision either to place this offender in prison for long periods, or to maintain his addiction by continued drug dosage, is a tacit denial of this possibility.

2. The terms "addiction" and "addict" have become divorced from their original association with physical dependence and habitual use, and have come to be synonymous with illicit use. This widespread misinterpretation is now an established part of the vernacular, and there is no evident advantage in seeking to correct it. However, these words should be kept out of legislation, if possible, and drugs should be described according to the class of effects they actually produce.

3. Almost all of the drugs presently abused are extremely valuable in normal medical practice. Their abuse represents a prostitution of their legitimate function.

4. There is a widespread misconception that heroin has effects significantly different from those of morphine. It does not, and this misconception should be dispelled permanently.

5. Although there are reports which indicate a decrease in the abuse of opiates, a lessened severity of physical dependence of individual addicts, and an increase in the illicit and compulsive abuse of nonopiate drugs such as the amphetamines and barbiturates, our national statistics on illicit drug use are not sufficiently reliable to justify a firm conclusion regarding these suggested trends.

6. There is increasing recognition of "spree" use of a number of drugs in rotation, without development of physical dependence to any, but with the production of dangerous physical and psychotoxic side effects.

7. The present records maintained by various agencies connected with drug abuse are frequently inaccurate, incomplete, and uncoordinated with the records of other cooperating agencies. There is a marked need for a standard core of information, common to all record systems, which would enable proper and efficient cooperation, and, at the same time, enable each agency to add any other information necessary for its particular purposes.

8. Evidence available from all sources indicates that drug abuse spreads from user to user, and only rarely is initiated by the pusher with economic motive in mind. Thus, the spread of addiction is primarily through social forces and motivation rather than through the economic ambitions of the nonaddict peddler. Furthermore, elimination of the peddler by itself would not significantly alter the supply of susceptible individuals.

9. Drug abuse can be regarded as a disease, but observed characteristics of compulsive drug abusers suggest that in these cases it might better be regarded as a manifestation of underlying psychologic or physiologic disorders about which we have little knowledge and no "cure" at present. As a result:

(a) Withdrawal of the drug alone will not eliminate the underlying disorders, which often reappear in the same or another manifestation.

(b) Abuse of drugs, except insofar as it is initiated secondary to the development of physical dependence, is not an illness to which all members of society are equally susceptible. Instead, it usually appears in those persons with the prerequisite disorders: individuals who would not otherwise be normal, productive members of society.

10. The drug abuser, especially the person using heroin or any other narcotic, commits crimes which are primarily against property, rather than against persons. The narcotics themselves characteristically induce a somnolent state ("on the nod"), accompanied by markedly decreased sexual interest and ability.

11. Drug abusers frequently congregate in groups, and often rotate the responsibility for obtaining the drugs among them. As a result, almost all act

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1353

as peddlers at one time or another, and the distinction between a user and a peddler may not be a clear one.

12. Following withdrawal, the most critical component of treatment and rehabilitation appears to be a long, strictly supervised, highly controlled parole period, with legal and practical measures to assure that the parolee remains drug free. Such a parole period is essential for both civil or criminal commitments, and should be just as strict for either one. The cost of such supervision where tried has been \$350 per year as compared with \$2,000 to maintain a Federal prisoner for an equal time.

13. Any system of parole must have available an accurate and safe means of detecting any drug used by the parolee. Because new technologies continue to produce more sophisticated methods for such analysis, legislation specifying the use of such a test should not restrict its method or type (e.g., "morphine antagonist").

14. There is widespread misinformation among professionals connected with the treatment and rehabilitation of compulsive drug abusers and a surprising disinterest in either altering these misconceptions or in learning what has been found out from other experimental programs and from the large body of research results already available.

15. Since the Harrison Narcotic Act restricts specifically the availability of drugs under its control to professional use in the course of legitimate medical (including dental and veterinarian) practice and does not propose regulation of such practice, the medical profession should at last develop a code defining legitimate medical practice, around which enforcement policies could reasonably be built.

16. The physician and the law enforcement officer, to whom most of the responsibility for treatment and rehabilitation has previously been given, can actually participate in only a small segment of a prolonged rehabilitation and followup program (i.e., the apprehension, withdrawal from drugs, and limited psychotherapy). Correctional and parole agencies, as well as established community groups serving to aid other types of inadequate persons, should occupy a most important role, but traditionally have been rarely utilized.

17. Because we do not understand the etiology of the character disorders which underlie many cases of compulsive abuse, we have no means yet for cure or prevention. Thus, we must encourage all types of experimental treatment methods with the stipulation that they be carefully monitored, with frequent and critical evaluation during the program.

18. The apparent decrease in both incidence and prevalence of drug abusers after the age of 35 to 40 represents a major epidemiological clue which should be confirmed and then investigated carefully.

19. Since the number of persons exposed to drug abuse through physical proximity or actual experimentation is far greater than the number who actually go on to be compulsive users, we may fruitfully investigate the critical factors in those who manage to remain free of the habit, as well as in those who do not. The frequently cited environmental factors of poverty, low education, crowding, etc., apply also to many millions who never use drugs nor perform other anti-social acts.

20. The general public has not been informed of most of the important facts related to drug abuse and, therefore, has many misconceptions which are frightening and destructive. This situation is due to many causes, among which are the failure of our schools to recognize the problem and provide instruction of equal quantity and quality with that provided for other health hazards; the distortion and exploitation of this public issue for political purposes or as a promotion for mass media sales; and the failure of the responsible people in all professions connected with this problem to make available the large body of information which has already been obtained.

At the request of Senator Jacob K. Javits of New York, the following sworn statement of the Rev. O. D. Dempsey of New York City is included in the record of these hearings. Reverend Dempsey is chairman of the Anti-Crime and Anti-Narcotic Committee of the Upper Park Avenue Baptist Church in the Harlem section of New York City, and is the founder and director of the House of Hope, which is an organization devoted to the rehabilitation of narcotics addicts.

1354 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

SWORN STATEMENT OF REV. O. D. DEMPSEY

A. THE GENERAL SITUATION

Out of the drug traffic situation in the United States and in our Harlem here in New York City and in the little Harlems throughout America the Negro is subjected to unlimited poverty and crime. Drug addiction in the Negro communities of this Nation is either affected directly or indirectly by this scourge leading to obsession and evil. No single problem throughout Harlem and America is as serious as that of dope. I state categorically that unless this country moves at once to face up to the narcotics overlord, the pusher and the roaming addict in our streets—then the very sinew of our life's blood will be severed. The most sordid crimes including all forms of robbery and even murder are being committed by addicts in all sections of New York City in their quest for funds for fixes.

Over the past 18 years, I have watched dope invade the homes of poor but respectable people whereby their teenagers were introduced to narcotics at the school gate. As a minister, I have had to counsel those parents and their children, seeing hard-earned dollars go down the drain to the crime syndicate. Hundreds of millions of dollars leave our Negro communities yearly making these disaster areas—and in more up-to-date dramatic terms "pockets of poverty." In addition to the hundreds of millions of dollars spent directly on drugs there are millions of dollars wasted as a result of narcotics in related areas. Those include:

1. Physical injuries and often death.
2. Damage to property.
3. Broken homes (loss of earning power; separation of husband and wife—parents and children).
4. Robbery of individuals, stores, and homes.

There can be no effective poverty program in New York City without the inclusion of both private and public efforts to control narcotics through law enforcement, exposure of the narcotics syndicate, the pusher, and an intensified program of treatment and rehabilitation of the addict.

The Harlem riots and narcotics

As a rehabilitation center dealing with 20 to 25 addicts or former addicts daily, I have proof that addicts played a major role in the looting of stores and physical violence. This is not to minimize the basic grievances and aspirations of Negroes in Harlem, in Jersey City, in Rochester, and in other northern ghettos: But the power structure in these cities have ignored these legitimate demands and this, plus not facing up to the realities, the problem of narcotics has made an intolerable situation for Negroes.

There are approximately 60,000 addicts in Harlem alone—almost 20 percent of the entire population here. There are approximately 40,000 teenagers on the borderline of addiction, making a total of 100,000 Negroes directly affected by drugs in New York City.

This figure is phenomenal because as a total one it represents over 27 percent of the Negro population. I might caution that this figure is increasing because the narcotics boys upstairs are using modern methods of protecting marketing and distribution. They also see to it that their customers are retained through many forms of violence and intimidation: a ready supply of drugs easily obtained; excellent locations for storing and distribution; and the cooperation of certain corrupt public officials. On top of this, they have a juvenile contact and distribution system that also assures them a growing market for the future.

B. NARCOTICS IS RELATED TO COMMUNISM

The Communists are using known addicts to stir up trouble in the Negro ghettos of New York City. Here again the recent riots in Harlem bear evidence of this. Some addicts have been given guns and ammunition for future trouble. The unaided addict will do anything to obtain drugs. I state strongly that the crime syndicate in New York City, in collusion with the Communists, will, unless

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1355

stopped, make future riots worse. The crime syndicate is also using Harlem addicts to undermine the Police Department of New York City and to create a disrespect for law enforcement everywhere. That is why the law enforcement agencies of this city must stamp out corruption in their own ranks. They must not be pawns of the Communists who are in collusion with organized crime.

Plight of Negro plus burden of narcotics too much to bear

I repeat that the basic poverty of Negroes in Harlem and elsewhere when coupled with this deliberate narcotics traffic thrust upon them is too much for the Negro leadership to cope with.

I am not against demonstrations of the Negro civil rights leaders. I am in favor of their objectives. But fundamental to our goals is the realism that a program with help of our local, State, and Federal governments centered on the narcotics problem would go a long way in solving our social and economic problems as an ethnic group.

I urge that private foundations, private philanthropy, donations by business, and the funds of our various levels of government help unburden us, the Negro, of narcotics. With adequate financial help, this can be done with both private and public agencies—such as our House of Hope.

There is too much misery and hardship in Harlem that can be attributed directly to narcotics. Freedom from narcotics means freedom from poverty.

C. MY RECOMMENDATIONS ON THE NARCOTICS PROBLEM

1. Since there is no known cure for addicts it is recommended that all known addicts be picked up off the streets and carried through a thorough rehabilitation program including most of all job training or retraining for job placement. This means that all known addicts with or without criminal records must be registered.

2. That the Federal Government set up a series of conservation camps especially for the treatment of addicts and their replacement back in society with the skills and inspiration to work.

3. That at least 500 additional agents be hired by the Federal Narcotics Bureau with a majority of these being Negroes—who could help ferret out pushers and known addicts and the kingpins of the narcotics traffic.

4. That the known areas where addicts congregate be rehabilitated and new improved housing be built so as to physically break up these habitats.

5. That known drug smugglers be shot by a firing squad or be given the death penalty.

6. That the Federal Narcotics Bureau immediately appoint a community relations director fully devoted to informing the various communities of the public's role in narcotics control. That similar positions be attached to local police departments.

7. That greater vigilance be exercised by the Customs Bureau—that here again more men be hired to stop the narcotics traffic. I have just returned from London where I looked thoroughly into the sources of narcotics. I have proof that most drugs come in legitimately, while Communist Cuba and Iran lead in the illegal smuggling traffic. My information also reveals that the Communists are using narcotics as their trojan horse to bring our Nation down. I warn that this could very well happen unless we confront the whole spectrum of narcotics.

D. \$1,000,000 NEEDED NOW FOR NEW YORK CITY

No poverty program can be devised unless a section dealing with narcotics is set up. Therefore, we demand that \$1 million be turned over to us in Harlem immediately to fight from a private base this whole narcotics situation. We need \$100,000 within the next 10 days.

I ask for this money:

- (1) To offset the Communist infiltration of Harlem with their dope and guns;
- (2) As a bulwark to riots and disorders;

1356 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

(3) As a means of getting the addict off the streets and into meaningful pursuits; and

(4) As a means of improving our facilities here at Halfway House and to hire staff.

Separate approach

Since there is a lack of a tried and true and intensive rehabilitation program for addicts anywhere my knowledge of the narcotics racket and its criminal operations has enabled me to provide the Federal Narcotics Bureau of New York City, the narcotics squad of the New York City Police Department, and law enforcement in general with information that led to the apprehension and conviction of small hoodlums in the narcotics traffic—and the big ones as well. I have worked hand in hand with these agencies to—

(1) Prevent traffic and addiction among the citizens of the United States of America.

(2) Also with medical and other institutions for the rehabilitation and cure and employment of former addicts.

I urge that a separate approach to the narcotics problem be initiated as a part of poverty funds now pending before the Government.

I herewith attest to the facts in this statement to be true accurate and can be substantiated further if needed.

OBERIA D. DEMPSEY.

Sworn to and acknowledged before me this 7th day of August 1964.

TERRY L. NICHOLS,

Notary Public, State of New York.

No. 31-8140000. Qualified in New York County. Commission expires March 30, 1966.

UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL, THIRTY-SIXTH SESSION,
4 JUNE 1963

COMMISSION ON NARCOTIC DRUGS—REPORT OF THE EIGHTEENTH SESSION,
29 APRIL—17 MAY 1963

(Submitted by Harry J. Anslinger, Member of Commission)

CHAPTER III. ILLICIT TRAFFIC ⁴²

INTRODUCTION

79. The Commission's Committee on Illicit Traffic, consisting of the representatives of Brazil, Canada, China, the Federal Republic of Germany, France, Hungary, India, Iran, Japan, Mexico, Morocco, Peru, Poland, the Republic of Korea, Switzerland, Turkey, the United Arab Republic, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, met in closed session at the Palais des Nations, Geneva, on 23 April 1963.⁴³ The Committee unanimously elected Mr. R. E. Curran, Q.C. (Canada) as Chairman. The Committee held a total of eight meetings on 23, 24 and 25 April and 3 May 1963.

80. Observers for Argentina, Bolivia, Burma, Cuba, the Federation of Malaya, Greece,⁴⁴ Israel, Italy, Lebanon, the Netherlands,⁴⁵ Portugal, Somalia and Thailand, and representatives of the International Criminal Police Organization/INTERPOL (ICPO) and of the Permanent Anti-Narcotics Bureau of the League of Arab States attended meetings of the Illicit Traffic Committee as well as of the Commission.

81. The Committee and the Commission expressed appreciation of the assistance and information given by the representatives and observers who were present at the meetings.

REVIEW OF THE ILLICIT TRAFFIC

A. Reports and documents

82. The Commission had before it documents prepared by the Secretary-General and ICPO and copies of chapter XI (Illicit Traffic) of the annual re-

⁴² Agenda item 4; (E/CN.7/SR.512, 513, 521, and 522).

⁴³ Report, seventeenth session, paras. 20 and 21.

⁴⁴ These invitations were extended by the Committee at its first and third meetings on 23 and 24 April.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1357

ports of governments for 1962 on the working of the treaties which had been sent to the Secretary-General in advance of the rest of the annual report.

83. It was noted that reporting by governments on the illicit traffic has improved, enabling information from a larger number of countries to be included in the annual review. By 31 March 1963, reports had reached the Secretariat for forty-four States and eight territories, as compared with reports for thirty-five and thirty-three States, and for five and one territories, respectively, received by that date in the two preceding years.

84. It was nevertheless considered that more and better reports were needed, and at an earlier date, to enable the Commission to make a satisfactory study of the illicit traffic each year. The Commission asked the Secretary-General to remind governments of their obligations as regards reporting and once more to request that copies of chapter XI of annual reports should be dispatched in advance of the rest of the reports so as to reach the Secretariat by 1 March.

85. The ICPO representative introduced to the Commission his organization's annual memorandum on the illicit traffic, explaining that changes had been made in the light of discussions at the previous session. It was hoped that these changes would increase the usefulness of the study.

86. As decided at its previous session, the Commission gave special attention to the illicit traffic in the Far East.

B. Opium and the opiates

(1) THE FAR EAST

87. The representative of the United Kingdom described the situation in Hong Kong, where problems of trafficking and addiction continued to be serious despite the sustained and energetic programme of prevention and suppression which the authorities had been carrying out in the past years. The colony occupied a small area: 391 square miles of land, and 600 square miles of water in which lay some 200 islands. The population was 3½ million, of whom 98 percent were Chinese. Hong Kong did not produce opium, and the manufactured drugs or raw materials for local illicit use and manufacture came from outside. The fact that Hong Kong's existence depended largely on its free port facilities complicated the problem of dealing with the illicit import of narcotics. Hong Kong's land frontier of 26 miles raised no trafficking problem, but the port attracted shipping from all over the world and traffickers exploited the freedom of movement permitted to goods. Those various circumstances made the Government's work of prevention and detection more difficult than would otherwise be the case. In 1962, nearly 6,000 ocean-going vessels and over 14,000 other craft visited the port. Smuggling was accomplished by the concealment of drugs in legitimate cargo, on the persons of the crew-members of vessels and in small craft which picked up supplies outside colony waters. The Special Narcotics Section of the Prevention Service was responsible in particular for the guarding and searching of vessels and the examination of cargo. Six hundred and eighteen ships had been guarded in 1962; of fifty-six narcotics seizures made by this branch of the Service, twenty-six had been on board vessels. Six hundred and ten aircraft had also been inspected. The domestic side of the traffic was dealt with by the police force, one of whose functions was to maintain liaison, through its narcotics bureau, is with enforcement services in other countries. There was regular communication with many of the twenty countries with which the bureau had established relations since its establishment in 1955. The enforcement services were in constant operation throughout the year. Between twelve and fifteen thousand raids a year were made to detect narcotics and their illicit use; 1,300 cases were discovered and over 1,000 persons prosecuted every month, and at the present time (early 1963) an average of forty seizures a day were being made. There had been 9,934 seizures in 1962, of which 7,343 were of heroin. Three or four hundred heroin peddlers were apprehended every year. Hong Kong's intensified campaign against the illicit traffic, launched in 1959, and described in the Government's White Paper, had been reported to the Commission at previous sessions, and activities in connexion with it, co-ordinated by the narcotics advisory committee, were constantly being pursued. The direct Bangkok-Hong Kong route continued to be the one most favoured by traffickers, but recently there had been a tendency to increase use of other south-east Asian ports (particularly North Borneo ports and Singapore) as points for trans-shipment. Earlier reports had now been confirmed that large quantities of drugs were being air-dropped in the Gulf of Siam—South China Sea area and then brought by boat to Hong Kong. One consignment handled by a syndicate operating in Hong Kong, Thailand and the Republic of Viet-nam had

1358 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

comprised over 900 kg of opium and morphine. Some aircraft used in those operations were reported to be piloted by French nationals resident in Laos. Most opium entering Hong Kong was in the raw state; seizures had amounted to over 372 kg in 1962, the number being 2,139. Illicit import of morphine, usually in compressed blocks, was also a feature of the traffic from Bangkok; over 90 kg had been seized in 1962. Some morphine was believed to move through Hong Kong to other destinations. Relatively little knowledge had yet been gained of the sources of the morphine base in which there was such a heavy traffic in south-east Asia, but it was generally accepted that production must take place close to many of the opium-growing areas. It was the "999" brand that was most commonly seized in Hong Kong, although at least eight different trademarks had been seen among various seizures. There was some evidence from wrappings and other features of the blocks that "999" morphine might come from more than one source; it was reported that as many as twenty different organizations had at one time or another produced such blocks. As for heroin, which continued to be the main drug of addiction in Hong Kong, 8,456 offences had been recorded in 1962. Fifty-seven kg had been seized. Clandestine laboratories continued to operate, seven having been detected and destroyed in the past year. Traffickers in Hong Kong, Macao and Bangkok worked in close association. In the past two years, there had been reports of illicit imports of heroin from Thailand, whereas local markets had previously been supplied within the colony or from Macao. In August 1962, the existence of a heroin manufacturing and trafficking syndicate with connexions in Hong Kong, Bangkok, Singapore and Malaya had been disclosed after the arrest in Hong Kong of an important heroin maker and trafficker. A clandestine factory had been set up near Penang, the first indication of illicit manufacture in Malaya. The syndicate was said to have direct connexions with morphine supplies in the Laos-Thailand border area. It seemed clear from the evidence of manufacture in Malaya and from that of a recent seizure in Hong Kong of heroin direct from Bangkok that the pattern of trafficking in southeast Asia was widening.

88. The representative of the United States of America expressed appreciation of the informative report on Hong Kong and observed that the problem of the Triad organizations (Chinese groups involved in the illicit traffic in the Far East and Europe) appeared to be significant in recent trafficking developments. The representative of the United Kingdom stated that Triad organizations, of which there were many, were illegal in Hong Kong. They had a long historical background, and members of such societies had in the past had a great influence on criminal activity of all kinds, including the drug traffic. Many heroin traffickers apprehended and dealt with in the past had Triad backgrounds. The influence of the Triad organizations had been greatly reduced through sustained action by the authorities. Hong Kong had notified ICPO that two or three Triad traffickers had made trips to Europe in recent years. The ICPO representative informed the Commission that those traffickers had been traced in the Federal Republic of Germany, Spain, and Switzerland; they had been attempting to organize an international trafficking network while posing as clothing manufacturers.

89. The representative of the Republic of Korea stated that his Government considered it a primary task to join with other countries in the work of suppressing the illicit traffic through close and effective international co-operation. Such humanitarian efforts were an appropriate part of the work being done by his Government in the social, economic, and political fields. He referred to information given in his country's annual report for 1962. The illicit traffic was mainly in raw opium, morphine, and heroin supplied by illicit cultivation and intended for the domestic market. There had been 4,221 prosecutions for narcotics offences. Investigations to detect illicit poppy cultivation, which occurred in sparsely populated mountain areas, were made during the growing and harvesting periods by provincial and national agencies. Illicit import of drugs was also a problem. Smuggling was reported from the northern part of Korea and from Hong Kong. He believed that periodic regional meetings in the Far East and the continuous exchange of information on the traffic would assist materially in bringing trafficking under control.

90. The representative of China stated that the traffic in the Province of Taiwan was not supplied by any illicit cultivation or manufacture, and that all drugs were smuggled into the country, particularly from Hong Kong. Only small quantities of opium, morphine, and heroin had been seized, but enforcement measures were vigorously applied and much effective work was carried out in co-operation with the Hong Kong authorities. Four hundred and sixty-

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1359

one cases of trafficking had been detected in 1962—about the same number as in 1961. Five-year terms of imprisonment had been imposed in 401 cases, and in other cases there had been sentences of ten years and even life imprisonment. With reference to the traffic in opium from Yunnan Province, he recalled his statements at earlier sessions of the Commission. In his opinion, the Yunnan area must be considered a source of illicit supplies, probably consisting of increasing amounts of morphine, rather than of opium alone. In a case of trafficking at Taipei in 1962, the offender had confessed to handling 2 kg of opium which had come from the Yunnan border area.

91. The representative of Japan said that owing to strict enforcement measures carried out under the Narcotics Control Act, traffickers in his country had not attempted the clandestine manufacture of narcotics. Abuse of heroin was, however, a serious problem in Japan, and foreign traffickers were engaged in organized smuggling on a considerable scale, operating from Bangkok, Hong Kong, and Korea. The quantities of heroin seized in 1962 (8 kg) had been double the 1961 total. There had however, been a considerable decrease in the number of narcotics offences detected during the year, although 2,418 persons had been arrested. Of those, 1,797 had been involved in offences concerning heroin. Every effort was being made by the Japanese Government to deal with narcotics problems; amendments to existing laws were before the Diet, which intended to raise the maximum penalties to life imprisonment and also provide facilities for the effective treatment of addicts. It seemed, however, that the problems of international smuggling could be dealt with only by international co-operation, and it was to be hoped that closer relationships between governments could be developed for the implementation of control measures. In that connexion, valuable work seemed to have been done by the seminar on prevention of narcotic offences in south-east Asia which had been held in Tokyo in 1962 under the "Colombo Plan." In reply to a request from the representative of the United States for information, he told the Commission that some cases in which teen-agers were involved had been reported in Kobe and Osaka and that educational campaigns were being undertaken to prevent young persons from being victimized by traffickers.

92. The ICPO representative said his organization had made a comprehensive study of the question of the extradition of narcotics offenders and that it was now engaged in further detailed study, at the request of the Government of Japan in particular. Unfortunately, there were lacunae in many extradition treaties, especially so far as concerned the illicit traffic and traffickers in drugs. He hoped the study would help governments to cope with that aspect of the problem of intra-regional and international co-operation in dealing with traffickers. He wished to congratulate the Japanese Government for the contribution it had made to the seminar on prevention of narcotic offences, which his organization regretted not having been able to attend. He appealed for the help of all the governments concerned in developing to the fullest possible extent the regional radio communications network which his organization was setting up in connexion with the Manila station. There could be no doubt that such a facility for the constant rapid exchange of information would be of great use to governments in the area.

93. The observer for Thailand referred to the annual report of his Government and stated that seizures of over six tons of opium in 1962, as compared with about four tons in each of the two preceding years, were evidence of the continued very heavy traffic. As the geographical centre of south-east Asia, Thailand was easily accessible from all directions. There were forty-two possible routes for smuggling from Burma and Laos, but Amphur Chiangsan, the Pang Kway district and the Mae Sai district seemed to be the three border areas of Thailand mostly used for trafficking toward Bangkok, or in some cases into the Huey Sai district of Laos for trans-shipment by air to ships off the coast. Two seizures of opium of over one ton each, and a case concerning reports of fourteen tons awaiting shipment from beyond the border, were cited in particular. The bulk of the traffic was intended for Hong Kong or Singapore. In 1962 offences against the Opium Act, consisting mainly of smoking or illicit possession, had been committed by 2,117 persons of whom 1,673 had been convicted. Terms of imprisonment of from six months to five years, and in some cases of 15 years, had been imposed. The control of chemicals and intensive enforcement measures against illicit manufacture had resulted in the removal of illicit laboratories from their former sites in Bangkok, and the replacement of drug production by packaging work. Only one clandestine manufacturing centre had been destroyed in 1962, compared with three in 1961; three packaging plants had been discovered in Bangkok. There had been cases of heroin smuggling over the northern borders of Thailand, and

1360 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

information had been sent in regarding the situation of a factory in the mountains outside Thailand; heroin and manufacturing equipment had been discovered in a hill-tribe village. The total quantity (138 kg) seized in 1962 had been more than twice that seized in 1961, and nine times the total for 1960. Most of the cases, involving 7,434 persons convicted under the Harmful Habit Forming Drugs Act, had been in connexion with offences concerning diacetylmorphine. From reports that had been received, it was reasonable to believe that there were at least two factories for converting opium into morphine situated near the frontier close to Mae Sai. There was strong evidence to suggest that the areas beyond the northern borders of Thailand were the place of origin of "999" morphine. When the Lampang police seized 88 blocks of "999," the smugglers had admitted that the drug had come into Mae Sai from the north. Moreover, in May 1962, the provincial police of Chiangrai had found two "999" moulds among morphine- and heroin-producing equipment which had been brought into Thailand by Chinese hill-tribesmen disguised as refugees from Laos, during the civil war in that country. The Thai hill-tribes were responding increasingly to the Government's programs of resettlement and crop substitution. A development and aid centre, partly consisting of travelling advisory units, had been established. No reasonable estimates could be made of the amount of opium produced by the hill-tribes. Much additional study of the situation was required, and until that could be accomplished he felt it would be premature for the Commission to discuss the "Social and Economic Survey of the Hill-Tribes in Northern Thailand" (E/CN.7/450).

94. The representative of the United States of America said he wished to commend the Government of Thailand for the progress it had made, in the face of a difficult and complex situation, in suppressing the illicit traffic. The co-operation extended to the United States Government was appreciated. With reference to the question of the origin of "999" morphine, he drew the Commission's attention to the importance of any assistance which governments might be able to give in collecting evidence. The observer for Burma stated that "999" blocks had been seized in his country, but that the source could only be presumed to be the Burma-mainland China-Laos-Thailand border area. The representatives of Canada and France remarked that in view of the opinion expressed by the ICPO representative that manufacture of morphine did not require highly specialized laboratory equipment, there was some possibility that clandestine factories might be fairly mobile.

95. Commenting on the traffic in south-east Asia, the representative of the United States of America informed the Commission that in the late summer of 1962 reports had been received by his Government to the effect that a huge quantity (40,000 pounds, or about 18 tons) of raw opium, in leaf wrappers, had been smuggled from the Yunnan region through the Shan State of Burma for sale in Laos and Thailand and for smuggling to the United States. That shipment was reported to have been handled by the Kokang Opium Syndicate of Burma. In addition, he cited a report dated 23 May 1962 which his Government had received from the United Nations Laboratory concerning a sample of opium submitted on 25 November 1958. The United States Bureau of Narcotics had requested the Secretariat of the United Nations to determine the origin of a sample of raw opium removed from a seizure made by the Republic of Korea ("Case FE(KCZ-21) 54-57, Report Nos. C-5402, 5404, 5408"). The Korean authorities, through their delegation in Geneva, had associated themselves with the United States' request for a determination of origin. The report of the examination carried out by the United Nations Laboratory stated that the findings "indicate that this seizure very probably originates from mainland China. It is, however, not possible to be more definite in view of the fewness of the authenticated samples from the Chinese mainland."

96. The representative of Hungary observed that clandestine manufacture, local consumption of white drugs and illicit export all appeared to be constantly on the increase in the Far East. There was evidence also that increasingly effective enforcement measures were being brought into play. However, insinuations about the People's Republic of China were being made with growing frequency; and in the absence of a representative of the Republic, the suggestion that that great country was supplying the illicit traffic in order to finance activities abroad and to purchase strategic materials must be rejected. Furthermore, such a suggestion was refuted by the situation in the Far East, for it could not be logically maintained that the People's Republic of China would engage in the opium traffic when trafficking in morphine and heroin

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1361

would be so much more advantageous owing to the high price and small volume (about one-tenth that of opium) of those drugs. Moreover, the evidence went to show that, despite the undeniable risks, clandestine manufacture was widespread in various countries, and such manufacture would not be profitable if drugs were being supplied to illicit markets by the People's Republic of China. He protested against the procedure whereby cases of trafficking were called in evidence without there having been any communication on the matter between the governments concerned, evidently because concrete proof was lacking. It should be remembered that information had been communicated to the Commission at earlier sessions concerning radical measures taken by the People's Republic of China for dealing with narcotics problems that had existed for centuries. He also alluded to the practice of using terms indicative of nationality when naming offenders in reports on illicit traffic. "Nationality" should be used only in its true sense, and it was necessary to know whether offenders were, in fact, nationals of particular countries; otherwise, people would be classified by race and not by place of residence. He was of the opinion that trafficking and addiction were not problems of any one race as such, but rather the scourge of society in general.

97. Referring to the quantities of morphine and heroin seized in recent years, the representative of Poland drew the Commission's attention to the enormous amount of opium which appeared to be involved in the illicit traffic. He feared that such a volume of raw material might further aggravate the illicit traffic in and use of "white drugs." He also expressed the view that the term "Yunnan opium" used in some reports of governments on the illicit traffic and also in some summaries prepared by the Secretariat, was at best misleading, and that its use, while convenient, was unnecessarily harmful because it publicized the name of a province of the People's Republic of China in connexion with information on illicit traffic that was not well founded. In his opinion, therefore, the use of the term should be discontinued.

98. In reply to a question by the representative of Hungary concerning the identification of the sample of opium referred to by the representative of the United States of America, the representative of the Secretary-General explained that in the determination of the origin of a sample of seized opium, the analytical data for the seizure were compared with the data obtained for all the authenticated samples in the United Nations Laboratory. The basis for the determination of origin was therefore the range and number of authenticated samples available. The Laboratory had large numbers of such samples from some regions, while from others there were only a few. The firmness of a conclusion as to the origin of a seizure was thus dependent upon the number of authenticated samples available from the particular region in question. In the case of the mainland of China, there were only four authenticated samples, which were received in 1951 from the National Government of China. If further authenticated samples could be obtained from the region, it would greatly facilitate the work of the United Nations Laboratory. The representative of Hungary thanked the representative of the Secretary-General for his explanation, but said he did not consider it entirely satisfactory, because, so far as he knew, only the legal authorities of countries were authorized to send samples of opium to the United Nations Laboratory. In the present case, the Laboratory had accepted, as authenticated, samples provided by a Government which in 1951 no longer had authority over the country in question.

99. The representative of the Union of Soviet Socialist Republics said that it was inadmissible that questions relating to the People's Republic of China should be discussed in the absence of that country's representatives in the Committee on Illicit Traffic and in the Commission itself. Under resolution VI adopted by the Commission at its tenth session, "The Commission on Narcotic Drugs . . . *Recommends* that Governments should communicate, either directly or through the International Criminal Police Commission, to the countries from which the seized narcotics drugs would seem to come, all such information as would enable those countries to conduct an inquiry into the origin of the narcotic drugs; *Recommends* that in official documents Governments should refer to the origin of a seized narcotic drug as being 'certain' or 'suspected' only after previous consultation with the Government concerned." By including in its report one-sided accusations against the People's Republic of China, the Commission was therefore acting contrary to that resolution. For many years the same representatives had been trying to attack a great

1362 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

country, the People's Republic of China, by repeating unverified and unfounded accusations against it; their aims in doing so were, of course, primarily political. So far as the actual position in the People's Republic of China was concerned, a decree strictly prohibiting opium and other narcotic drugs had been issued by the State Administrative Council of the Republic as early as February 1950. The decree also prohibited the cultivation and smoking of opium; throughout the country, "the import, processing and sale of opium and other narcotic drugs are prohibited. Where this decree has been infringed, the opium and other narcotic drugs concerned shall be seized, and the offenders, whoever they may be, shall be severely punished." The decree also provided for the treatment of opium smokers. "Treatment of impecunious opium smokers must be provided free or at reduced rates. In cities in which opium smoking is relatively widespread, opium smokers' treatment centres shall be established. The supply of pharmaceutical products used for the treatment of opium smokers shall be controlled entirely by the public health authorities. The above authorities shall not permit the preparation of opium substitutes." It was therefore regrettable that, despite the actual position with regard to narcotic drugs in the People's Republic of China, and in violation of the relevant resolutions of the Commission, unfounded accusations were being made against the Republic. The Commission should approach the problem objectively and without bias, so as to promote fruitful co-operation between States on the subject of narcotic drugs, and not make such co-operation more difficult by introducing political elements into the discussion.

100. In reply to the statements by the representatives of the Union of Soviet Socialist Republics, Hungary and Poland, the United States representative affirmed that his references to Communist China in connexion with certain cases and seizures which he had cited were intended to bring to the attention of the Commission facts concerning the traffic as it affected the United States of America. There could be no doubt that every effort should be made to locate the source of raw opium and morphine base in south-east Asia, for the good of peoples throughout the world. All possible locations of the source of supply in the Burma-mainland China-Laos-Thailand border areas, where Yunnan Province of mainland China, in particular, had been an opium-producing area for centuries past; should be examined. Much could be accomplished among the countries of south-east Asia by close co-operation and the rapid exchange of information by enforcement services, as in the case, for example, of Hong Kong, Japan and Thailand. The observer for Burma reported that information was exchanged by his country with Hong Kong and Thailand, but not with Japan.

101. The representative of China pointed out that it was on scientific grounds that mainland China had been considered to be the probable place of origin of the sample of opium seized in the Republic of Korea, to which the United States representative had referred. At previous sessions, he had repeatedly drawn the Commission's attention to the fact that opium was produced and morphine and heroin manufactured on the mainland of China, especially in the Province of Yunnan. Seizures of opium and heroin originating in mainland China had been mentioned in the annual reports of the United States of America and in the statements made by the United States representative to the Commission; and according to the annual reports of a number of governments in the Far East, large quantities of opium and opiates presumed to have come from the Yunnan-Burma-Laos-Thailand area, and in some cases explicitly from Yunnan, had been seized. At the Commission's seventeenth session, reference had been made to an estimate which placed the total amount of opium alone produced in the region at approximately 1,000 tons per year. He mentioned reports by various governments to the effect that the illicit traffic had not abated in the Far East and that seizures represented only a very small fraction of the total actually involved. Yunnan could in his opinion be regarded as one of the possible sources of opium and opiates (morphine and heroin); and he again emphasized the importance to be attached to the scientific evidence of origin for the sample of opium from a seizure made by the Republic of Korea.

102. The representative of India presented a comprehensive statement: *Licit* production of opium had increased gradually without any appreciable increase in illicit traffic. In 1962, there had been 2,643 cases of trafficking; about 6½ tons of opium had been seized, but that was a negligible quantity compared with the total production of 969,419 kg (nearly 1,000 tons) from the 44,589 hectares used for cultivation. In that connexion, he said it would be useful if other producer countries should supply similar details of the total areas under cultivation and the total produced. The issue of strict licences to every individual

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1363

cultivator and the measurement of all poppy fields by cadastral survey and ground measurement were basic features of the control of cultivation in India. Illicit traffic was for the most part internal, and such import and export traffic as there was seemed to be decreasing. In addition to general anti-smuggling measures, special steps had been taken to prevent illicit export. In suspected cases of smuggling, there was a prompt exchange of information with other countries which might be interested. In 1962, only ten attempts had been made at illegal export; there had been eight cases of illegal import. Very strict control measures by India and Pakistan had practically eliminated cases of traffic involving Pakistan. He referred to the accounts which had been given to the Commission in previous years of the elaborate and efficient apparatus for prevention and enforcement established in his country under the Central Narcotics Organization. The Government of India wished to record its appreciation of the co-operation extended by the control authorities in Burma, Ceylon, Malaya, Pakistan and Singapore, and by ICPO.

103. The observer for Burma referred to the statement he had made regarding his country at the Commission's preceding session (E/CN.7/L.244). Without repeating the detailed information that had thus been available, he would briefly refer to the question of opium cultivation. The presumed area of opium production was divided by the Salween river into areas west of the river where cultivation was prohibited and those to the east where, in the Shan State, cultivation was still permitted. Illicit production undoubtedly did occur in the Kachin State, but it was mostly for local consumption, particularly in quasi-medical use and in connexion with the observance of customary rites in some forms of worship. It was estimated that there were some 45,000 addicts in the Kachin State among a population numbering 525,000. Enforcement problems were complicated by legal difficulties and the inaccessibility of much of the area. Surveys were being carried out in the Hukawng valley area to promote a better understanding of the local problems and to facilitate the treatment of addicts. As to estimates of opium production in his country, no sufficiently accurate figures were at present available. His Government would appreciate receiving from the Government of the United States of America some further information concerning the report that the Kokang Opium Syndicate of Burma had handled a shipment of some 20,000 kg of opium smuggled from Yunnan through the Shan State in 1962.

104. The Commission heard with interest a statement by the representative of the United Kingdom reviewing the situation in south-east Asia. To the question where the opium involved in the traffic came from, and where conversion into morphine and heroin took place, the evidence accumulating before the Commission confirmed what had previously been suspected to be the answer—the Burma-mainland China-Laos-Thailand border area. Opium from that border area had been traditionally described as "Yunnan" opium, and there seemed to be no point in trying to find a substitute for an expression that was so well-established and had been used for so long. Though the Commission was gradually achieving a better understanding of the illicit traffic, too little was yet known about it, and much work remained to be done. Governments in the area were making vigorous attempts to deal with narcotics problems. The statements by the observers for Burma and Thailand were appreciated and every encouragement should be given to the efforts that were being made in their countries, despite the difficulties of forested mountain terrain, where there were few communications, and where ethnographic, cultural and political differences among the inhabitants created complex problems so far as concerned the illicit manufacture of "white drugs", no part of the region could be regarded as beyond suspicion: evidence concerning Malaya, for example, had come to light in 1962. It seemed improbable, however, that factories were mobile, since in the areas in question it would be difficult or too troublesome to move the necessary apparatus, whereas the laboratory in the junks at Macau could be moved around quite easily. Some information was available as to the manner in which the drugs travelled, but the routes were frequently changed and the enforcement services had to be constantly alert in the designs and vagaries of highly organized traffickers. The final question that had to be asked was what action must be taken that was likely to be effective against the illicit traffic. More information was needed, and that need could be met through better reporting by governments and through special studies by individual countries. So far as concerned the Kachin State, for example, technical assistance might help to solve the problem of traditional cultivation of opium by the hill tribes, who needed education and an alternative means of livelihood. A long-term effort was needed, but the volume

1364 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

and pace of the work should be increased. Many countries might also strengthen their ability to deal with control problems and fulfil their obligations under the treaties by adopting new legislation. Vigorous enforcement of laws had, of course, to follow. Then, too, steps could be taken to improve control of acetic anhydride since all possible approaches to the suppression of the traffickers' activities should be exploited. In general, closer co-operation between governments was essential. Conferences and joint work on special studies enabled useful knowledge to be shared and also made for closer and confident working relationships by providing valuable opportunities for experts from various parts of the world to meet each other. Finally, all possible measures should be taken by governments to provide treatment for addicts; any progress made in reducing and preventing addiction had far-reaching beneficial effects and was at the same time a means of attack on the underlying reasons for the existence of the illicit traffic in drugs.

105. The representative of Canada, who stressed the importance of free and frank discussions on the illicit traffic, commended the review of problems in the Far East as being carried out in this spirit. There could be no doubt that one of the Commission's main objectives and a primary need in the struggle against the illicit traffic was clear identification of the problems to be dealt with and of the areas of the world where those problems had to be met.

106. The representative of France congratulated the representative of the United Kingdom on his account of the situation in south-east Asia, with which he wished to express his full agreement. The most important requirement was obviously that governments should make a maximum effort in the areas of cultivation, not only so far as possible to prevent the production of raw materials, but also to deal with the illicit morphine-base and heroin manufacture which each year was observed to take place in close proximity to the growing areas. An important point in connexion with manufacture—and one which seemed to require more attention—was the question how traffickers obtained adequate supplies of the chemicals required for the transformation of drugs. He expressed appreciation of the operational services which ICPO provided, and of which governments, in their efforts to strengthen their programs and means of enforcement, would do well to make greater use. There were, however, two sides to the question how progress was to be made through ever-closer collaboration among governments: on the one hand, difficulties might exist because of differences in approach and in needs; but on the other hand, the advantages to be derived from diversity were not to be overlooked. So far as concerned the pattern of activities by the international organizations, for example, it was to be hoped the time was near when much more work in the field of narcotics control would be undertaken directly by FAO, WHO and UNESCO within the framework of larger concerted programmes than it had as yet been possible to organize against the basic causes of addiction and the illicit traffic.

107. Finally, the Commission adopted by 17 votes to none, with 1 abstention, the following resolution submitted by Canada, India and the United Kingdom:

"2(XVIII)

"ILLICIT TRAFFIC IN THE FAR EAST

"The Commission on Narcotic Drugs,

"a. Having made a special study, at its eighteenth session, of the situation regarding illicit traffic in narcotic drugs in the Far East;

"b. Noting that the opium poppy is cultivated illicitly in some parts of the area for the production of opium; that illicit laboratories exist there for the manufacture of morphine and heroin; and that there is a highly organized traffic in the area in all these drugs;

"c. Noting also that, although Governments have intensified their efforts to deal with illicit production, manufacture and traffic, the problem remains very serious;

"1. Urges that the Governments concerned take all necessary measures to deal with the situation, in particular by—

"(i) obtaining more precise information about the areas in which the opium poppy is illicitly cultivated and about the location of illicit laboratories for the manufacture of morphine and heroin;

"(ii) registering opium smokers, where such smoking is still permitted, with a view to the eventual elimination of the practice;

"(iii) strengthening wherever necessary their enforcement services and improving the training and methods of operation of those services so that

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1365

they may be able to deal more effectively with the illicit cultivation of the opium poppy, the illicit manufacture of morphine and heroin, and illicit traffic in these drugs;

"(iv) controlling to the extent necessary and practicable the import and internal distribution of acetic anhydride and acetyl chloride;

"(v) studying the problem of eliminating the cultivation of the opium poppy by hill tribes or other less-developed groups as a means of livelihood, and taking any necessary measures to achieve that end;

"(vi) co-operating closely with other countries in the area in the direct and co-ordinated exchange of information useful in countering the illicit traffic;

"(vii) including in their applications for technical assistance provision for appropriate assistance which may be required with a view to facilitating the implementation of plans for countering the illicit traffic, whether by way of training personnel, obtaining expert advice or for any other purposes."

(II) AMERICA

108. The Commission took note of data on seizures of opium and opiates in countries of the Americas, observing that the situation, particularly in respect of the heroin traffic in the United States and Canada, continued to be as serious as in previous years.

109. The representative of the United States of America outlined the problem facing his country and cited significant seizures made in 1962. The total quantity of about 88 kg of heroin seized in 1962 was more than twice that seized in 1961. All heroin used in the United States, accounting for over 95 per cent of addiction, came from smuggling the largest proportion of it originating in Europe and the Far East and entering the country at all frontiers. Traffic from Mexico as well supplied areas of the West coast and Texas, but not all heroin coming from Mexico was the result of illicit manufacture there. From France and Italy heroin was illicitly imported into the United States directly and also by way of both Mexico and Canada, and considerable quantities of heroin from the Far East were smuggled through West coast ports. To illustrate the complexities of the traffic, he described two seizures in detail. Chan Way, a well-known seaman-smuggler, was arrested on 2 January 1962, when he transferred a package of 15 grammes of heroin to another trafficker. Sixty-eight grammes of heroin were seized from Chan Way, who admitted that he had smuggled it into the United States from Hong Kong. Chan Way, who had recently been released from prison after serving a five-year sentence for violation of the narcotic laws, was sentenced to five years' imprisonment. His associate, who was not implicated in the case owing to insufficient evidence, alleged that the heroin had originated in mainland China. Another case was the arrest at Miami, Florida, on May 24, 1962, of José Francisco Zavala Manrique. Zavala had arrived at Miami from Peru, by air, the same day and was delivering 500 grammes of heroin to an undercover agent of the United States Bureau of Narcotics when he was arrested. The undercover officer had previously made two evidential purchases from this trafficker, who admitted that he had bought the heroin from a "Chinese Communist" in Lima, Peru. Zabala was sentenced to five years' imprisonment.

110. The representative of Canada stated that there had been no major seizures of international interest in his country in 1962. Heroin was the drug primarily concerned in the illicit traffic, being involved in some 86 per cent of the cases in which convictions were obtained. The market was supplied by illegal import. As in previous years, no evidence of local manufacture had been discovered. There was reason to assume that a traffic was operated to and from the United States, a factor in this problem being the long frontier between the two countries and their long coastlines on both the Atlantic and Pacific Oceans. Despite the difficulties, however, the continuously increased enforcement activity seemed to have resulted in a substantial reduction in the number of cases tried under the Narcotics Control Act in 1962. There had been 313 convictions, as compared with 478 in 1961.

111. In reply to a question by the representative of France, who stated that he appreciated the thoroughness of the annual reviews made by the United States of America, the representative of the United States confirmed that wholesale prices of heroin in the New York area had risen during the last four years from about \$10,000 or \$12,000 to \$18,000 and \$20,000 per kg. That might be a significant result of the heavy seizures during the period on the East coast, and an indication of the salutary effects of the valuable work accomplished by close

1366 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

collaboration between the enforcement authorities of Canada, France, Italy and the United States. The representative of Canada pointed out that the price of heroin in Vancouver had also risen considerably, from \$5.00 a capsule to \$15.000 or \$20.000, as a result of intensive enforcement measures in that part of his country.

112. The Commission heard a detailed statement by the representative of Mexico, referring particularly to the persistent efforts being made by his country to stamp out illicit poppy cultivation and the illicit traffic in heroin and marihuana. Intensive campaigns for that purpose were being carried out by all the authorities responsible for enforcing the law, including the Police and the Army; progress had also been made in the education of the rural population and in crop substitution, giving good cause for hope that the situation would materially improve. The illicit traffic appeared to be diminishing; illicit cultivation was less extensive and had been totally eradicated in some states of the Mexican Union. The zone of continued illicit activity seemed to be confined to the north-western part of the country, and the close collaboration between the Mexican and United States authorities in co-ordinating their suppressive measures was a notable factor in the success which had been achieved. He recognized that the high prices paid for heroin and cocaine in the United States provided a powerful incentive to traffickers; and the whole frontier was being vigilantly guarded to prevent illicit exports. The following seizures of narcotic drugs had been made in 1962: 16,144 kg of marihuana; 4 kg 050 g of cocaine; 3 kg 795 g of morphine; 1 kg 883 g of heroin and 9 kg 649 g of raw opium. An area of 273,000 square meters of marihuana plantations, with a total of 1,593,000 plants, had been destroyed; 8 kg 520 g of marihuana seed and 37 kg of poppy seed had been seized; and 233 poppy plantations, covering an area of 1,433,335 square metres and containing about 8,592,000 plants, had been destroyed. During the year 1962, 1,514 men and 235 women had been prosecuted for offences against public health, and court proceedings in 1,146 cases had been initiated. In addition, the following quantities of narcotic drugs had been destroyed in the course of 1962 by burning:

Indian hemp (marihuana)-----	kilograms--	1,998
Opium and its preparations-----	do-----	134
Opium poppy (<i>Papaver somniferum</i> L. Var Album)-----	do-----	89
Coca leaves (<i>Erythroxylon Coca</i>)-----	do-----	45
Morphine and its salts-----	do-----	14
Codeine-----	do-----	10
Meperidine, methadone and their derivatives-----	do-----	6
Cocaine-----	grams--	940

The outstanding success of this campaign by the Government of Mexico had unfortunately been achieved at a tragic cost in human life: Mr. Rosendo Ortiz Islas and Mr. Alfredo Miller Flores, of the Secret Service of the Police, had been shot dead by marihuana traffickers in a Mexico City street in an incident in which 67 kg of marihuana were seized; the murderers had managed to escape.

113. The representative of the United States of America commended the Mexican Government for the excellent co-operation given to the United States enforcement authorities, and for its efforts to eradicate illicit cultivation of the opium poppy in Mexico. Again with reference to Europe, he expressed his Government's appreciation of the action taken by the Government of Italy in arresting Settimo Accardi, an important fugitive from the United States, whose extradition it was hoped would be arranged as soon as possible by the Italian Government.

114. Referring to the indication by the Government of the Union of Soviet Socialist Republics in chapter XI of its annual report for 1962 that there had been no illicit traffic in the country, the representative of the United States of America drew attention to Press reports published in 1962 concerning cases of narcotics offenses and trafficking in the USSR. The representative of the Union of Soviet Socialist Republics informed the Commission that the case in question had come to light only after her Government's annual report on illicit traffic for 1962 had been submitted. The two persons involved had served prison sentences and, not wishing to work, had decided to engage in illicit traffic in narcotic drugs (hashish). They were detected and severely punished. In publishing the account referred to, the Soviet Press aimed at mobilizing public opinion against such abnormal occurrences in the Soviet Union. The case was deemed to be of only internal interest but would be included in the next annual report on illicit traffic.

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1367

(III) THE NEAR AND MIDDLE EAST

115. The Commission heard a detailed description by the representative of Iran of the present situation in his country, where continued progress towards the total elimination of opium cultivation seemed to be accompanied by increasing activity on the part of international traffickers. Since the cultivation of the opium poppy had been prohibited in 1955, appreciable headway in enforcement had been made, but the existence of what might now be termed a hard core of addiction provided a market for drugs which international traffickers were exploiting. Surpluses in Turkey and clandestine cultivation in Afghanistan facilitated the smuggling of opium into Iran, where a lucrative market was available. The total quantity of opium seized had increased by more than 74 per cent, from 8,274 kg in 1961 to 14,423 kg in 1962. That increase was considered to be due, not to heavier traffic, but rather to the improved enforcement techniques introduced by the Gendarmerie and the police. Of the seizures made during the year, 5,379 kg had been intercepted near the Afghan border, 5,823 kg near the Turkish border and the balance of 3,211 kg in the interior of Iran, either on roads leading from the eastern and western frontiers or from hiding places on the way. All the opium had been pronounced by experienced officials to be of foreign origin. Within the country, there was an increasing tendency to convert opium into heroin by methods which, though crude initially, had become more and more refined as the year advanced. Nine heroin factories had been discovered, as compared with two in 1961. There had been very few interceptions of foreign heroin or morphine base, but several consignments were believed to have reached Iran from abroad. Because of the extensive use of acetic anhydride in the local manufacture of heroin, imports of this chemical and of acetyl chloride had been placed under restriction. Most of the heroin factories had been found in Teheran, but one had been located in West Azarbaijan, near the Turkish border. The operator, a citizen of Teheran, and his two local accomplices had chosen the place on account of its isolation and to avoid transportation costs on large consignments of raw opium which would otherwise have had to be dispatched to Teheran for conversion. Smugglers were well organized and equipped, and the problem would obviously be solved only by international co-operation in maintaining a close control at the frontiers and in building up forces at strategic points. A frontier control conference between narcotics enforcement representatives of the Governments of Pakistan and Iran had been held at Teheran in July, and the Governments of Turkey, Pakistan, the United Kingdom, the United States and Iran had participated in a Central Treaty Organization conference on narcotics control at Ankara in October.

116. The representative of France expressed the opinion that the statement by the representative of Iran was of particular interest, and he commented on that country's achievement in suppressing nine clandestine heroin factories during the past year. The existence of those factories was another illustration of the fact that traffickers were engaging in illicit manufacture closer to the producing areas, which in consequence were tending to become target areas for the distribution of white drugs.

117. The representative of the League of Arab States made a statement concerning the Near and Middle Eastern region based on reports submitted to him as Director of the League's Permanent Anti-Narcotics Bureau and on his observations from work in the field. There was no legal cultivation of the poppy or production of opium in any of the countries with which he was concerned, and illicit cultivation in Syria and the United Arab Republic was negligible. Smuggling into Syria continued on a large scale, primarily of drugs for transshipment by various routes to Jordan, Lebanon and Israel, and eventually to the United Arab Republic. It was presumed that most of the opium came from Turkey, and there was no doubt that stricter control at the Turkish-Syrian frontier would help to improve the situation. Syria had reported the seizure of 578 kg of opium in 1962. Lebanon had seized 5 kg 617 g in transit. Seizures in Iraq had amounted to 599 kg. The traffic through Jordan and Iraq seemed to have consisted of opium from foreign countries. The illicit production of white drugs in Syria and Lebanon was a very serious problem. Morphine base manufactured in Syria was smuggled into Lebanon and converted into heroin both for export and for local markets. During 1962, seizures in Lebanon had amounted to 1 kg 462 g of heroin and 4 kg 140 g of morphine base. In January 1963, the Lebanese authorities had seized 4 kg 305 g of morphine base from Syria. He thought it important for the Commission to note that vigorous steps needed to be taken in the region to prevent a situation that was already serious from becoming worse as the years went by.

1368 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

118. The representative of the United Arab Republic drew the Commission's attention to the difficulties his country faced so far as opium was concerned. Despite all possible measures of legislation and enforcement, the United Arab Republic was the primary target for the opium traffic in the Near and Middle East. Although seizures in 1962 had amounted to only 976 kg, which was 50 per cent less than in 1961, that could not be regarded as indicating an improvement in the situation, since the number of prosecutions for opium offences had risen from about 2,000 in 1961 to 2,800 in 1962. Nor was the United Arab Republic a producer of opium. Successive improvements in legislation, beginning with the prohibition of cultivation in 1926, had presented increasingly severe penalties for all kinds of offences involving opium. Law 182 of 1960 provided for life sentences with hard labour. There had been 1,535 convictions; sentences of imprisonment had amounted to a total of 3,803 years and 6 months, and there had been fines of 500 to 5,000 Egyptian pounds. It was significant that only 365 poppy plants had been confiscated in 1962, and that those plants had not reached maturity. During the last ten years the total area on which illicit cultivation had been detected was about 2 hectares. The regrettable fact was that the opium supplying the United Arab Republic came from Turkey, but it was also a fact that more effective regional arrangements in the Near and Middle East might give grounds to hope for improved frontier control and for some improvement in the situation as a whole. Meanwhile, the opium in the illicit traffic could be said to be of Turkish origin on the basis of evidence from four sources: the results of analyses of the United Nations Narcotics Laboratory of thirty-eight samples of opium seized in the United Arab Republic in 1960 and 1961; statements by the Middle East Survey Mission in the report on its work in 1959; reports made to the Permanent Anti-Narcotics Bureau of the LAS, particularly regarding traffic over the Syrian frontier with Turkey; and reports by the Turkish Government on seizures from the traffic within the country itself.

119. The Commission heard a statement by the representative of Turkey giving his country's views on the situation and describing his Government's efforts in the field of narcotics control. Everything possible was being done, from the point of view both of internal administration and of international co-operation. Law 7368 placed opium cultivation under a system of control conforming to the 1953 Protocol, and that treaty was now about to be ratified by Parliament. Law 2313 prohibited cultivation of cannabis and the extraction of its resin. Turkey was already a party to all the other international treaties now in force. Enforcement measures were strictly applied, and had resulted, for example, in seizures of opium amounting to 6 tons in 1962. Sixty-three kg of morphine base had also been seized, as well as 330 kg of hashish and 53 tons of cannabis plants. Prosecutions had numbered 897, involving 862 offenders, and convictions were accompanied by severe sentences of imprisonment and fines. The terms of imprisonment imposed had amounted to a total of 1,463 years and the fines to about 28 million Turkish pounds, or 3 million US dollars. He particularly wished to inform the Commission that the Government had decreed a reduction in the area to be used for cultivation of opium; about 5,000 hectares had been withdrawn from cultivation, and from the autumn of 1963 cultivation would no longer be authorized in any area east of Ankara. The possibility of further restrictions was being studied, and a project for co-ordinating the activities of all government agencies dealing with narcotics matters was being developed. Furthermore, the Government was looking forward to receiving the visit of the United Nations Technical Assistance mission on narcotics control later in 1963. In view of the work done in his country and, at the same time, in view of the reports made each year to the Commission by other countries in the region concerning urgent problems of control and the heavy traffic which continued in the Near and Middle East, he was convinced of the need for co-ordinating and applying the most stringent remedies on an international basis. The first necessary step was that countries in the Near and Middle East should exchange the most detailed information on all cases of trafficking as rapidly as possible, so that effective action could be taken. Furthermore, it was absolutely necessary for countries to have agreements with each other concerning the control of frontiers and that those agreements should be properly observed. It should be said in that connexion that the frontier agreement between Turkey, and Iran would become increasingly effective as an instrument of control only if

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1369

it was enforced by the Iranian authorities. In all those matters, it should be emphasized that the problem was not a lack of good will; it was rather a matter of securing the most effective use of the means of collaboration between governments at all levels. He cited examples of his Government's receiving very inadequate information—and that more than a year late—concerning illicit traffic on the common frontier. As to the allegations in the statement by the LAS representative, they were a repetition of things that had been said by the representative of the United Arab Republic. To the charge that the opium in the illicit traffic was all of Turkish origin, he replied that quantities greater than the total Turkish production would be necessary to supply the 160,000 opium addicts in the United Arab Republic. That such supplies could cross the well-guarded Turkish frontiers was inconceivable; it was, rather, necessary to look for sources within the United Arab Republic itself. As to the results of analyses made by the United Nations Laboratory, he pointed out that the only authenticated samples of opium which had come to the Laboratory from the Near and Middle East were those sent by Turkey. Results of analyses depended on comparison, and it was entirely possible that opium illicitly cultivated in other areas of the region would have the same characteristics as the Turkish opium had. As for the declarations made by the Middle East Survey Mission, they had been taken up in due course; and it was unnecessary to lose time discussing the reports of the LAS. Turning again to the problem of exchange of information, he referred to the resolution adopted by the Commission at its tenth session which, among other matters, called on governments to make detailed reports on cases as fully and quickly as possible. It was to be regretted that more countries in the region did not avail themselves of the services of ICPO, which to his country were of great value. He wished particularly to express his Government's appreciation of the close co-operation it had received from the enforcement services of the United States of America.

120. The observer for Lebanon expressed his Government's regret that internal administrative difficulties had prevented its being represented by an observer at the last three sessions of the Commission. The Lebanese Government had been glad to accept the invitations of the Commission and the Council to be represented at the present session, and it had been glad to be represented at meetings of the Social Committee of the Council at its recent thirty-fourth session. He reviewed his country's position on problems of narcotics control, emphasizing the firm determination of its efforts to suppress the production and use of drugs and the illicit traffic. Lebanon was not only a party to the principal international treaties, but it strove to fulfil its obligations with the utmost good faith. For example, all the required general and seizure reports were made regularly to the United Nations and to ICPO. Lebanon was one of several countries in the Near and Middle East to have set up a direct radio link with ICPO, as part of that organization's network. This facility had been put into service in 1961 and was at the disposal of other Arab countries, ensuring quick communication with ICPO by the region. Lebanon also maintained close association with the Permanent Anti-Narcotics Bureau of LAS. Measures within the country had been intensified in recent years. The regular internal security and Customs services had been supplemented by special anti-narcotics enforcement units in both the police and the Customs. Furthermore, the legislation relating to narcotics offences had been strengthened, and more severe penalties, which were rigorously applied, had been provided. As an example of work by the enforcement agencies, he reported that six clandestine laboratories for the manufacture of heroin had been discovered and destroyed during the last four years.

121. The representative of the United States of America expressed his Government's appreciation of the full co-operation extended by the governments of Lebanon, Syria and Turkey to enforcement agencies of the United States. He commended the action taken by Turkey in reducing by 5,000 hectares the area authorized for opium cultivation. The destruction of clandestine laboratories in Lebanon was also to be commended.

122. The ICPO representative expressed his organization's thanks for the remarks of the Turkish representative concerning the value of ICPO's services. The constant fruitful exchange of information carried out through the ICPO office in Turkey was an example of the important work which could be accomplished, as was the operation of the radio station set up by the Government of Lebanon to serve the needs of ICPO.

123. The observer for Israel suggested that more attention should be given to the practical aspects of combatting the illicit traffic. It seemed to him that

1370 ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS

enforcement measures were by far the most important means of coming to grips with the problem, which was basically one of organized crime on a large scale. Legislation was of no value unless it was applied, and campaigns against addiction were not in themselves effective weapons against crime. The facts and figures available from year to year showed only too well that the traffic was increasing, and that the criminal operators were consistently ahead of the enforcement agencies. The only possible conclusion to be drawn was that repressive measures by police and associated law enforcement authorities should be intensified in all the countries concerned and that furthermore their work should be carried out within a framework of close international co-operation, using to the fullest advantage the services of the United Nations and ICPO as well as every possible means of bilateral and intra-regional co-ordination. Israel could not be regarded as having any responsibility for the problems of illicit traffic which existed in the region; it was part of an area through which the traffic was conducted and the police acted with the utmost vigilance in taking all possible measures to suppress that traffic. Contrary to what had been suggested by the representatives of the United Arab Republic and LAS, it was the continuing refusal of Israel's neighbours to co-operate with Israel which caused opportunities for improved control and suppressive action to be missed. His Government, which operated through the Israel police force, its law enforcement agency, had never failed to respond to any request for assistance made to it directly or through ICPO, and if co-operation existed in the region instead of being refused, smuggling operations could be stamped out.

124. The Commission took note of the very large seizure of raw opium reported by the Government of Cyprus. 1,500 kg had been seized from a Turkish vessel which put into Famagusta, possibly with the intention of transferring the contraband to Lebanese vessels in the harbour. The opium was presumed to be of Turkish origin. The master of the ship, a Turkish national, had been sentenced to imprisonment for two years and fined the equivalent of US \$28,000.

C. Cocaine

125. The Commission noted that the total quantities of cocaine reported seized in 1962 were larger than in 1961 and that both years showed a considerable increase over 1960. Furthermore, nearly half the world total of about 25 kg., for 1962, had been seized in the United States of America (10 kg. 636 g). Mexico (4 kg. 050 g) and Switzerland had also reported large seizures of cocaine, and close to 10 tons of coca leaf had been seized by Argentina and Chile alone, the origin of the leaf being reported to be Bolivia. Reports from Bolivia and Peru had not been received. The representative of Peru informed the Commission, however, that every effort would be made by his Government to send full reports in future. The Commission again repeated its regret and dissatisfaction that so few reports on illicit traffic in cocaine and coca leaf were available from Latin American countries.

126. The representative of the United States of America drew the Commission's attention to the fact that the Consultative Group on Coca Leaf Problems, which met at Lima from 26 November to 7 December 1962, had repeated statements made at the 1960 and 1961 Inter-American regional meetings at Rio de Janeiro to the effect that the illicit traffic in cocaine was caused by the over-production of coca leaves in Bolivia and Peru. At the above-mentioned 1962 meeting, the representative of Bolivia had mentioned 12,000 tons as the estimated annual production of coca leaf in his country. One half of that production he had stated, went into the illicit traffic. Bolivia's report on the traffic for 1960-61 (E/CN.7/R.12/Add.82) cited seizures of about 140 kg of "substances said to contain cocaine" and stated that "clandestine factories were set up for the manufacture of cocaine, the coca leaf produced in the country being used as raw material. . . ." The representative of the United States of America said that, assuming the proportion of cocaine extracted to be some 75 per cent of the total alkaloid content, which represented 0.5-1.5 per cent of the leaf by weight, the quantity of cocaine which could, at a conservative estimate, be produced from the 6,000 tons in question would amount to the enormous total of some 45 tons (45,000 kg), as compared with the 1½ tons (1,300 kg) which represented the average annual requirements for medical purposes throughout the world.

127. The representative of the United States of America stated that the increase in the cocaine traffic indicated the existence of an alarming situation which the facts showed to be primarily associated with Cuban criminal elements. There had been no less than 63 separate seizures of cocaine in the United States in

ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS 1371

1962, and 112 offenders had been arrested. Considerable quantities of cocaine had been smuggled into the United States direct from Cuba, from Cuba through other Caribbean countries, and through Cuban gangsters operating from Latin American countries. Those smuggling organizations were closely associated with criminal groups within the United States, principally Cuban criminal elements, who virtually controlled the illicit traffic in cocaine throughout the country. Cuba had been the source of supply for two of the largest seizures made in the United States. Arturo Rodriguez and four other Cubans had been arrested on 14 March 1962, at Miami, Florida, and two ounces of cocaine had been seized. The undercover narcotics agent had discovered that the cocaine had been smuggled into the Miami area directly from Cuba. On 28 June 1962, at New York City, two Cubans had been arrested for the sale and possession of 403 grammes of cocaine. Two revolvers, together with adulterating and packaging paraphernalia, had been seized. The cocaine, of Cuban origin, had been brought into the United States at Miami. Miami and New York City were being used by the highly organized Cuban traffickers not only as centres for the distribution of cocaine to local underworld markets, but also as bases of operation for interstate traffic to consumer markets in the midwest and on the Pacific coast.

128. The representative of the United States of America affirmed that the evidence was incontrovertible, and that it was difficult to see how the Cuban Government could state in chapter XI of its annual report (E/CN.7/R.13/Add.43), that the illicit traffic had been eradicated and that there had been no seizures in 1962. He further stated that a Press report published at Lima in September 1962 had given an account of the discovery in Peru of a clandestine factory, using modern laboratory equipment and operated by persons with a knowledge of chemistry. As a result of that discovery, a ten-man ring of traffickers, with Cuban affiliations, had been broken up.

129. The observer for Cuba expressed regret that his Government had been unable to be represented by an observer at the meetings of the Committee on Illicit Traffic on 23-25 April. The statement regarding an illicit traffic in Cuba were unfounded; he objected to procedures which did not conform to resolution VI of the tenth session of the Commission and to the use of statements by offenders living in the United States as a basis of information on the illicit traffic. He wished to confirm the statements contained in chapter XI of his Government's annual report.

130. The representative of Hungary said it was preferable for questions to be discussed in the presence of representatives of the countries involved. He wished to refer again to the point he had made concerning the attribution of nationality status to offenders in cases where possession of the nationality in question might not be clearly established. He considered that evidence of residence was in any case of more importance.

131. The representative of Poland referred to reports by the representative of the United States of America concerning the cocaine traffic and the alleged involvement of Cuban nationals. While he wished it to be understood that he sympathized with the United States in its efforts to overcome the illicit traffic, he objected strongly to the emphasis placed on the part allegedly played by Cubans, and expressed the view that the part played by nationals of many other countries should be equally stressed, for otherwise the declarations by the United States representative might be regarded as expressing a special prejudice against Cuban nationals. He also wished to associate himself with the statements by the observer for Cuba.

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PAGINA BIANCA