Busting the Mob

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Preface

The purpose of this book is to put the extraordinary law enforcement attack on Cosa Nostra since the late 1970s "on the record" for present and future generations of students, scholars, and others interested in organized crime in America. Despite, or perhaps because of, the magnitude of this attack, few scholars have immersed themselves in the most important period of organized crime control in the history of the United States. Mining the trial transcripts, affidavits, depositions, legal briefs, and court opinions generated in the hundreds of mob trials that have taken place in the past fifteen years could consume the full-time energies of a platoon of researchers for years. This massive data base has a potential to reveal the history, structure, social organization, operations, conflicts, norms, economics, and politics of the mob. Moreover, it contains rich material on the organization and operation of federal law enforcement.

We intend this book to be a contribution to the contemporary history of organized-crime control in the late twentieth century.* We hope that it will

stimulate others to take advantage of the tremendous opportunities for research in this area. There are hundreds of cases and major investigations that have escaped the attention of scholars. Historians, sociologists, criminologists, lawyers, political scientists, and economists ought to bring their respective disciplines to bear on these data.

A word of caution—a history based upon court documents, even depositions and trial testimony, is a story written from "above." "The record" is constructed by the government through its witnesses, experts, and physical evidence. To be sure, some of the most important government witnesses are mobsters who chose to testify for the government in exchange for promises of protection and/or leniency. Their descriptions of Cosa Nostra's organization and operations provide the best "data" we have ever had on the secret society of organized crime. Nevertheless, their testimonies have been extracted through direct questioning by government prosecutors bent on persuading juries of a definite reality. We do not mean to imply that the prosecutors' view is false or inaccurate, only that it is constructed from a perspective that emphasizes Cosa Nostra's strength, power, wealth, ruthlessness, and organizational efficiency.

Part 1 provides a general overview of the law enforcement attack on Cosa Nostra since the late 1970s. It aims to provide the reader with a picture of what took place during the past fifteen years (1978–1993). It documents the number of investigations, prosecutions, and convictions, explains the legal tools and organizational strategies that the FBI and federal prosecutors used, and speculates on why the government's efforts came together at this point in history. This chapter does not purport to provide a comprehensive history of the massive law enforcement effort during the contemporary period; such a history would require a multivolume work. In our view, this book will have achieved its purpose if it makes a significant start on the formidable task of documenting what happened, how it happened, and why it happened. We do not attempt to answer, although we do address, the question of whether this unprecedented law enforcement attack on Cosa Nostra was "successful"—it is too soon to tell.

Part 2 consists of five chapters, each devoted to one of the following notorious organized crime cases—the Teamsters Local 560 case, the Pizza Connection case, the Commission case, the Teamsters International case, and the John Gotti case. Each of these cases was based upon months or years of investigation. Each has generated a mass of legal materials, including pretrial motions, affidavits, depositions, trial transcripts, appeals, and remedial-phase litigation. Each would justify a book-long case study in its own right; all except the Local 560 case have generated journalistic or true-crime type books.
Each chapter consists of an introductory essay and original source materials drawn from the indictment, trial, appeal, or other stages of the litigation. These primary source documents are included not only to provide information about the case but also to acquaint the reader with the diverse documents that constitute the public record. Such materials offer a wealth of opportunities for researchers at all levels. (In presenting these primary documents, we have taken the liberty of deleting nonessential material. Only where substantial portions of the original document have been deleted is the deletion indicated by asterisks.)

Admittedly, there is an element of arbitrariness in our selection of five cases. We could have selected many others that were extremely important for what they reveal about Cosa Nostra and the government’s ability to investigate and prosecute organized crime. Nevertheless, while some people might have different nominees for inclusion in the “top five,” we think anyone knowledgeable about organized crime would agree that our choices are reasonable.

Teamsters Local 560 for decades had been one of the most, if not the most, notoriously mob-controlled major union local in the United States. United States v. Local 560, a civil racketeering suit, marked the government’s first effort to place a mobbed-up union under court-imposed trusteeship. The litigation has lasted a decade and, at the time of this writing, is still not complete. United States v. Badalamenti (“The Pizza Connection”) deserves its place in our book and in American history, if for no other reason than that it was based on a massive worldwide investigation and involved a seventeen-month-long megatrial of twenty-two defendants. United States v. Salerno (“The Commission case”) is extraordinary for its creativity and audacity in jointly prosecuting four Cosa Nostra crime-family bosses for conducting the affairs of “the commission,” a kind of board of directors for the mob. The case demonstrated once and for all that the Cosa Nostra organized-crime families have for decades been joined together in a kind of loose federation that delegates to a commission of family bosses certain (if vague) authority to deal with interfamily disputes and other matters of common concern. United States v. International Brotherhood of Teamsters is the most ambitious labor racketeering suit ever filed. It charged Cosa Nostra members and Teamster officials with having entered into a “devil’s pact” whereby organized crime would support the union’s leadership in exchange for the leadership’s grant of benefits and favors to organized crime. We chose United States v. Gotti for inclusion because the charismatic Gotti is the most notorious American mafioso of this generation. His success in defeating three previous prosecutions had created an aura of invincibility that was magnified by the publicity he attracted in the national newspapers and news magazines.
Part 3 consists of a post-1980 bibliography of organized-crime books, articles, and prosecutions. We hope that the availability of this bibliography, especially the case citations, will encourage future research. It is surprising and unfortunate that so few criminologists and criminal law scholars are significantly involved in studying organized crime. If this bibliography and this book encourage just a few more, our efforts will have been rewarded.