

"In my more than fifty years as a reporter, there is no journalist whom I've respected more than Selwyn Raab at *The New York Times* in covering New York's criminal justice system. He was tireless and painstaking in investigating the investigators, sometimes helping to prove innocence, but equally fair and conscientious in cases that ended in conviction. His riveting book *Five Families* will be, I'm sure, the definitive history of the Mafia in New York for a long time to come. It is a model of what journalism can be."

—Nat Hentoff, columnist, *The Village Voice*

"A well-researched, well-written historical account of the murderous, double-dealing, and often-sophisticated gangsters who shot their way into American folklore and created a criminal empire that has fleeced Americans and confounded law enforcement for more than hundred years. Raab's work surpasses all the rest."

—Mafia expert Jerry Capeci, Web master, GangLandNews.com;
author, *The Complete Idiot's Guide to the Mafia*

"While the introduction to *Five Families* says the Bonnano, Genovese, Lucchese, Colombo, and Gambino families were among the reigning giants of the underworld, what it doesn't say is that the book about them is by one of the reigning giants of journalism, Selwyn Raab."

—Don Hewitt, creator of *60 Minutes* and author of
Tell Me a Story: Fifty Years and "60 Minutes" in Television

"With vivid characterizations of a cavalcade of thugs, Raab's account is the most lively and informative Mafia history in years."


—Booklist

FIVE FAMILIES

The Rise, Decline, and
Resurgence of America's
Most Powerful Mafia
Empires

Selwyn Raab

THOMAS DUNNE BOOKS

St. Martin's Press  New York

criminal chieftain, and who had reasons to remain on good terms with his successors.

Two years after Lucchese's death, Vito Genovese, who had retained the title of boss during his narcotics-trafficking imprisonment, died of a heart attack in a prison hospital on Valentine's Day in 1969. He was seventy-one. Bonanno's forced exile and the deaths of Lucchese and Genovese catapulted Carlo Gambino to the Mafia's Olympian heights. He emerged as the supreme figure on the Commission and exalted leader of the Mob's largest and most influential family. While the Mafia never acknowledged the rank of "boss of bosses," Gambino in effect assumed the power that went with it.

For New York's unchallenged borgatas, success seemed boundless, and the decade was ending with an inexhaustible supply of wannabes competing to enlist as wiseguys in the enterprise bigger than U.S. Steel. At the time, few police commanders were knowledgeable or concerned about the Mafia's inroads. An exception, Assistant Chief Raymond V. Martin, bluntly assessed Cosa Nostra's alluring appeal in Italian-American neighborhoods in Brooklyn and other parts of New York:

"On so many street corners in Bath Beach, in so many luncheonettes and candy stores in Bensonhurst, boys see the Mob-affiliated bookies operate. They meet the young toughs, the Mob enforcers. They hear the tales of glory recounted—who robbed what, who worked over whom, which showgirl shared which gangster's bed, who got hit by whom, the techniques of the rackets and how easy it all is, how the money rolls in. What wonder is it that some boys look forward to being initiated into these practices with the eagerness of a college freshman hoping to be pledged by the smoothest fraternity on campus. With a little luck and guts, they feel, even they may someday belong to that splendid, high-living band, the Mob."

17

The Birth of RICO

Asked about his ethnicity, George Robert Blakey, as a boy and as an adult always had one answer: "I'm an American."

The reply was not based on inflated patriotism. In his formative years the question of Blakey's ancestral roots was never raised by his parents and relatives. He was born and reared in Burlington, North Carolina, in the 1930s and '40s—in the South an era of intractable Jim Crow racial laws and oppressive segregation of blacks. The prevailing distinctions between families in Burlington, a textile-manufacturing town of about 20,000 in the northern part of the state, was whether they were black or white, whether they were country-club gentry or hardscrabble mill hands. People in the Piedmont region never identified themselves in hyphenated terms as being Irish-American, German-American, or Polish-American. If Italian- or Sicilian-Americans lived in Burlington, young Blakey, who preferred to be called Bob, never met any of them. As for the Mafia—the subject that would dominate Blakey's career—it was a foreign-sounding term that totally escaped his attention until adulthood.

Blakey's father was a Texan who became the president of the First National Bank of Burlington, after working as a bank examiner. Of English stock, the Blakeys were staunch Baptists who had fought for the Confederacy in the Civil War. Bob Blakey's mother was of Irish descent, and she raised him as a devout

Roman Catholic. His father died of a heart attack in 1945, when Blakey was nine, but providently left him, an older brother, and his mother in reasonably comfortable financial circumstances. Blakey went north for his higher education, graduating with honors from Notre Dame University in South Bend, Indiana. He majored in philosophy, intending to lead a sedate life as a teacher, until he learned of the meager earnings a philosophy professor could command in academia. Hoping to have a large family (he would have eight children), Blakey switched to law as his best bet for a livable income and won a scholarship to Notre Dame's law school. To support himself during these years, he worked in the summers as a bakery-truck driver, and his on-the-job contacts sharpened his interest in labor law. There were practical lessons to be learned outside the classroom by working side by side with flinty unionized teamsters at the bakery. Blakey found these blue-collar workers proud of the economic gains they had won by signing on with a scrappy union; at the same time they felt helpless to reform its undemocratic structure, which limited their right to choose national and regional leaders.

Blakey made the nuances of collective bargaining and union statutes his prime areas of study, and in 1960 he graduated second in his class. Instead of concentrating on labor law as he had planned, Blakey was selected in a national honors program for a modest-salaried \$6,500-a year job as a Special Attorney with the Justice Department in Washington, assigned to the Organized Crime and Racketeering Section.

Joining the department at the tail end of the Eisenhower administration, Blakey spent his first year reading memos and pushing paper through bureaucratic mazes. It was the period when the Justice Department accepted Hoover's views that the big-city Italian-American gangs were an inconsequential, loose collection of criminals. In rare instances, when an informer or a witness tried to volunteer information about the Mafia to Justice Department prosecutors, he was discouraged. "If anyone started talking about the Mafia or using the word, he was told to shut up," Blakey discovered. "The Mafia was not relevant to the case and we only wanted to hear about the specific crime being investigated."

Those conditions and taboos changed dramatically when Robert Kennedy became attorney general in 1961, breathing life into a drive against the Mob and labor racketeering. In law school, Blakey had taken only one course in criminal law, but he had a solid background in applying labor-law statutes to union-corruption cases. As the workload intensified, he quickly cut his teeth on the intricacies of criminal prosecution. He got an eye-opening primer in the

Mafia's pervasive power from the torrent of electronic-spying information that the FBI was suddenly providing the department's organized-crime section. The intelligence was passed on to Blakey and other lawyer-prosecutors by agents who withheld the fact that the evidence originated from illegal bugs.

"There was nothing in my background to prepare me for this rush of information about induction ceremonies, blood rites, *omertà*," he said of the newly opened window into the Mafia. "I was incredulous; it was not part of my consciousness."

Robert Kennedy's resignation as attorney general in 1964 was a signal for Blakey's leave-taking. Inspired by Kennedy, he had committed himself for three years to the unprecedented campaign against mobsters and their infiltration of major labor unions. But it was clear to Blakey that the old lackadaisical thinking had reinfected the Justice Department and that the new administrators would minimize the Mob as a priority. "I was there at the heights with Kennedy and I didn't want to be there at the bottom," Blakey told friends.

Returning to Notre Dame, he spent the next two years as an assistant professor, teaching law and mulling over his exhilarating Justice Department hitch. At the law school, he initiated a popular course on organized crime, which his students irreverently called "the gangbusters class." In retrospect, he wondered about the lasting accomplishments of Robert Kennedy's strategy. "We were a bunch of bright guys working hard but we had minimal impact," he concluded pessimistically to himself. Even the crowning prosecution of Robert Kennedy's campaign—the conviction of Jimmy Hoffa—failed to cleanse the teamsters' union of Mafia control and corruption. Hoffa's imprisonment simply opened opportunities for similarly tainted teamster officials to replace him in illicit deals. "Convicting Hoffa," Blakey reflected, "what difference did it make for the union? Zip."

The Mafia reentered Blakey's life indirectly through Lyndon Johnson's landslide victory as a full-term president over Arizona's Republican Senator Barry Goldwater in 1964. Goldwater touched upon a sensitive area in the campaign by lacerating Johnson and the Democrats for being soft on crime. After the election, violent felony rates soared and arrests dropped, bolstering the Republicans and jeopardizing the Democrats' prospects in future national elections. To blunt the GOP's damaging attacks on his crime-control policies, and perhaps to divert attention from the accelerating war in Vietnam, Johnson did what most politicians do to douse political fires: he formed a study group. Titled the President's Commission on Law Enforcement and Administration of

Justice and headed by Attorney General Nicholas de B. Katzenbach, the commission's stated goal was developing new crime-prevention strategies.

In 1966 nine task forces were established to search for answers, and Blakey signed on as a consultant to one that analyzed organized crime. After two years of research and hard thinking with other commission members, Blakey hit upon a legislative and law-enforcement plan to cripple the Mafia. His theories did not arise from any stunning epiphany but grew during a lengthy analytical process of osmosis in brainstorming sessions with two other consultants, Donald R. Cressey, a sociologist, and Thomas C. Schelling, an economics professor.

Cressey provided him with insight on the organizational composition of each Mob family—the blueprint in place since Lucky Luciano's 1931 revisions. That structure insulated the Mafia's leadership from arrests and virtually ensured each borgata's longevity through steady hierarchical replacements. Blakey saw that the blood and cultural ties of Mafia members enhanced bonding and loyalty, transforming criminal associations into true extended families. These were defining factors that distinguished the Mafia from the Jewish and Irish ragtag ethnic gangs that had been extinguished by divisive internal disputes and by law-enforcement efforts. The Mafia's unique attributes enabled it to resist traditional police tactics and encroachment and destruction.

From Schelling's research, Blakey obtained a clearer understanding of the Mob's diversified system of plunder and profits that also set it apart from other criminal bands. The Mafia families, Blakey decided, were comparable to well-managed, complex industrial corporations. "They were the mirror image of American capitalism. They were aping it." Meyer Lansky, who proudly estimated that the Mob's revenues were larger than U.S. Steel's, would have agreed with him.

Like all lawyers of his generation, Blakey had been trained to focus on an individual prosecution for a specific act or crime—not in large organizational terms. "It blew my mind," Blakey said of Cressey and Schelling's analysis of the Mob's organizational and financial underpinnings. "I started seeing things I had not seen before."

Instead of prosecutions that focused on an individual mobster and one criminal violation, Blakey began thinking in a spectacularly larger dimension: a law or series of statutes that could destroy in a mass conviction an entire organization—a Mafia crime family. Before his ideas could gel, the Katzenbach commission disbanded in 1967, issuing a list of suggestions and legislative proposals for solving the nation's crime woes. The task-force pundits on organized

crime, fully recognizing the menace posed by the Mafia, recommended more federal funds and manpower to uproot mobsters in big cities. They also endorsed one of Blakey's pet proposals: legalizing electronic surveillance as a basic tool for properly investigating mobsters.

Blakey considered himself a liberal Democrat, but in 1968 he became an adviser on crime issues to Richard M. Nixon, the Republican candidate who won the presidency that year. A Republican administration, Blakey thought, would be harder on crime than the Democrats and more receptive to his innovative views on the Mob. Offered a high post in the Justice Department, Blakey turned it down for the chance of working with Senator John McClellan and getting his radical concepts on assaulting the Mafia written into law. In the decade after the Apalachin raid, McClellan, a conservative southern Democrat from Arkansas, had been Congress's most persistent advocate for harsher laws against organized crime and labor racketeering.

Following his work on the Katzenbach commission, Blakey had helped McClellan draft a groundbreaking law in 1968 on wiretapping and bugging. Known as Title III, the statute for the first time gave Congressional authorization to electronic eavesdropping. Previously under ambiguous laws and court rulings, federal agents could intercept but not disclose or use as evidence information obtained through wiretaps. Because of these restraints, the clandestine electronic spying of the FBI and federal narcotics agents was probably unconstitutional and illegal. The ban on wiretaps and bugs undoubtedly handicapped federal investigations of many crimes, not just those committed by the Mafia.

Under Title III, a provision in the broader Omnibus Crime Control and Safe Streets Act, a bill endorsed by President Johnson, federal and state prosecutors could seek court approval to wiretap and plant listening devices under strict guidelines. To install the equipment, prosecutors and agents first must get authorization from a judge by presenting evidence that there is probable cause, or sufficient facts, to believe that a crime has been committed or is being planned. The judge has to be further persuaded that electronic surveillance is indispensable and that other investigative methods are unlikely to succeed or are too dangerous. Additionally, the judicial order for intercepting conversations terminates after thirty days unless prosecutors can show incriminating results from the first order and prove that its continuance is vital for an ongoing investigation.

Title III was opposed by the American Civil Liberties Union as a violation of

the Bill of Rights and portrayed as an Orwellian Big Brother expansion of the government's police powers. Blakey, an ACLU member, considered the organization's unbending position illogical. He argued that the legislation did not infringe on the civil liberties of the law-abiding public and was a long-overdue weapon for dealing with organized crime. "Our objective was to take illegal wiretaps and bugs out of the back alleys and let the courts decide if there were lawful and sufficient reasons for the surveillance. We imposed severe restrictions on the government and that is pro-civil liberties."

Championing electronic surveillance, Blakey emphasized another telling point: evidence from a defendant's own lips obtained through a bug or a wiretap was infinitely more reliable and accurate than testimony from informers who might lie to get lenient sentences for their own crimes.

The thirty-two-year-old Blakey was bristling in 1968 to enact a legislative blockbuster against the Mob when McClellan, as chairman, appointed him as chief counsel of the Senate Subcommittee on Criminal Laws and Procedures. Earlier, as a consultant to McClellan on Title III, Blakey had urged the senator to sponsor a larger package of anti-Mafia statutes. With Congress wrestling that year with the Omnibus Crime Control act and the electronic-surveillance controversy, McClellan felt the timing was unfavorable for debate and passage of a larger package of laws to disrupt the Mafia. "Half a loaf now is better than none," he said after the Title III victory.

John McClellan was seventy-three, Blakey's senior by more than forty years, when they began molding the latter's proposals into legislative language. For fifteen years, since the mid-1950's, McClellan had firsthand exposure to mobsters, presiding as he did over numerous inquiries into union corruption, rackets, and other Mafia misdeeds. At these hearings, the senator's face was usually an impassive mask. Inwardly he seethed, exasperated at the uncooperative, brazen mobsters who openly defied the government and considered themselves a law unto themselves. A rock-hard Christian fundamentalist, McClellan possessed an Old Testament sense of righteousness and was generally portrayed as a kind and considerate man, but one who truly believed in right and wrong and punishment for evildoers.

Shepherding the first specific anti-Mafia measure presented to Congress, McClellan expressed to other legislators his view that its passage was an absolute moral necessity. Anticipating a fierce civil-liberties fight over expanding the government's investigative powers, McClellan had a ready rebuttal: "The public is demanding that we recognize that the right of society to be

safe transcends the right of the criminal to be free. When the forces of right and peace clash against the forces of evil and violence, something has to give."

An adroit lawmaker, McClellan tucked the measures aimed squarely at the Mafia into one statute or section of a larger, widely supported anticrime bill. It was a tactic intended to increase the survival chances of the organized-crime statute in the whipsaw process of amendments and political compromise in both houses of Congress. The overall legislation was titled the Organized Crime Control Act of 1970. For McClellan and Blakey, the essence of the act, the heart of their game plan, were provisions labeled the Racketeer Influenced and Corrupt Organizations section. The law's abbreviated title was RICO and its strange name was intentional. Blakey refuses to explain the reason for the RICO acronym. But he is a crime-film buff and admits that one of his favorite movies is *Little Caesar*, a 1931 production loosely modeled on Al Capone's life. Edward G. Robinson portrayed the central character, a merciless mobster, whose fictional nickname—serendipitously for Blakey—was Rico. Robinson's snarling characterization of the rise and fall of Rico became the prototype for movie gangsters. Dying in an alley after a gun battle with the police, *Little Caesar* gasps one of Hollywood's famous closing lines—also Blakey's implied message to the Mob: "Mother of Mercy—is this the end of Rico?"

Before RICO was conceived, the vast majority of Mafia bosses, underbosses, consiglieri, and capos were effectively insulated from arrest. Once in command positions, they gave orders but never personally committed crimes. Proving in court that these leaders were implicated in acts carried out by their underlings was virtually impossible under existing federal and state conspiracy statutes. It was the subordinates—the soldiers, the associates, the wannabes—who did the dirty work, and they were the ones who occasionally got caught on murder raps, dealing in drugs, shaking down loan-shark victims, bookmaking, hijacking, and other crimes. With the code of *omertà* inviolable, successful prosecutions of high-ranking mafiosi was a daunting if not impossible undertaking.

McClellan and Blakey wanted to change the equation and simplify the task of piercing the protective walls surrounding Mafia rulers. The thrust of the RICO law centered on two words: pattern and enterprise. Prosecutors could indict and convict large groups of mobsters by proving they were engaged in a "pattern" of crimes conducted in behalf of an organization, an "enterprise." A "pattern" was defined as two or more specified federal or state offenses related to the "enterprise" and committed over a substantial period of time. "Enter-

prise" was broadly defined to include illicit associations, like Mafia families or crews, as well as corrupt unions and corporations.

Thus, RICO empowered prosecutors to dismantle the hierarchy of a family with one sweeping indictment, instead of concentrating on low-level strays picked up on relatively minor charges. More important, under RICO for the first time a boss could be convicted if it was proved that he was linked to the criminal enterprise. Evidence that a boss or capo got a cut of the loot or was heard arranging the enterprise's activities was sufficient for conviction. Anyone planning or receiving a report about a crime involving the enterprise was as guilty as the perpetrator.

In effect, the statute outlawed the Mafia's fundamental and ingrained operating procedures. RICO mandated that committing or being an accomplice in any two of twenty itemized felonies, even over a period longer than ten years, could convict a defendant of participating as a member of an enterprise, a racket organization. The crime categories covered involvement in almost every conceivable illegal infraction or conspiracy: murder, kidnapping, drug trafficking, robbery, loan-sharking, gambling, bribery, extortion, embezzlement from union funds, fraud, arson, and counterfeiting.

There were other groundbreaking provisions for prosecutors. Normally, except for the crime of murder, a suspect must be charged within a five-year time period after the commission of most federal crimes. RICO expanded the five-year statute of limitations almost indefinitely, depending on when the last—not the first—crimes were committed for the enterprise. Another boost for prosecutors was authorization to use previous convictions in state courts as part of federal charges against a defendant. This weapon was applied under the theory that the old crime was now being punished under the "enterprise" and "pattern of racketeering" elements of the federal law and was exempt from double jeopardy, being tried twice for the same crime. And RICO imposed draconian punishment, essentially up to forty years for bosses and others in leadership positions, and a maximum of life without parole where murder was committed to aid the enterprise.

To destroy the Mob's economic foundations, RICO's long arm extended into civil and antitrust areas. The law allowed the government to seize loot and assets squirreled away by gangsters and, through forfeitures, obtain their homes, property, and bank accounts if they were the fruit of crimes. In short, the objective was to take the profits out of organized crime. In a revolutionary step toward breaking the Mob's control or influence in unions, RICO contained an

antitrust provision for civil suits by the government. Without the necessity of a criminal trial, the Justice Department could file a petition in federal court seeking to have an entire national union or a local (a branch of the union) placed under federal supervision and its leaders ousted. In order to clean up racket-plagued unions, the government would first have to prove to a judge that the unions or locals were linked to organized-crime figures.

Finally, as a means of cracking the code of *omertà*, McClellan and Blakey designed a trailblazing witness-protection program that offered immunity from prosecution for cooperating witnesses. Blakey believed that mafiosi and Mob associates, facing RICO's long prison sentences, could be converted into witnesses and informers. Potential defectors would be more likely to change sides, aid, and testify for the prosecution once the threat of Mob retaliation was removed or at least diminished. Through a witness-protection program, the government could encourage turncoats by safeguarding them and their close relatives and helping them start new lives, far from their old environment.

To overcome vigorous opposition to the proposals as anti-labor, anti-civil rights, and excessively punitive, McClellan garnered widespread support from both conservative and moderate Republicans and Democrats. A selling point to them was that RICO's main goals were expelling the Mob from legitimate businesses and unions. Senate approval of the entire bill, including RICO, was relatively easy. The biggest obstacle was Representative Emanuel Celler, a liberal Democrat from New York City, who was chairman of the House of Representatives Judiciary Committee, and leading the fight against RICO. Celler expected to weaken and emasculate the RICO section of the omnibus legislation through the parliamentary device of conference sessions. When different versions of a bill are passed by the House and by the Senate, representatives of both bodies meet in "conference" to iron out disagreements by agreeing on identical language and a single version.

Before presenting his bill to the Senate, the canny McClellan allowed Celler to introduce amendments in the House's bill modifying controversial parts of the act unrelated to RICO. The disputes over other aspects of the legislation served as lightning rods, distracting Celler's attention from substantially altering RICO in his proposed House bill. Celler anticipated that his non-RICO objections would force McClellan to call for a conference, which would give him the opportunity to block or substantially modify RICO to his satisfaction. But McClellan surprised him by accepting the amended House version. Since the approved Senate and House bills were identical, there was no need for the

conference that Celler had counted on. He had been outwitted by the senator from Arkansas.

In 1970 the entire Organized Crime Control Act was enacted without further amendments. After two years of public hearings, deft negotiations, and fine tuning, RICO was intact and became the law of the land.

"I was the draftsman but McClellan was the architect," Blakey recalled. "Without his finesse, political understanding, and zeal, it never would have happened."

Blakey had his law but he found himself in confounding limbo. No one in federal law enforcement wanted to use RICO. Cautious prosecutors were hesitant to be the first to apply an untested statute, fearing that it would be declared unconstitutional and their convictions reversed. No prosecutor wanted to give up easy cases and almost certain guilty verdicts under existing laws by experimenting with RICO's criminal provisions. The civil portions of RICO were equally unpalatable to prosecutors and FBI agents. "They were all gunslingers; for them civil litigation was for sissies," Blakey realized. "They wanted to make arrests, not serve subpoenas." Like an itinerant, optimistic evangelist of a new religion, Blakey brought the promise of RICO to FBI agents and officials and to prosecutors in U.S. Attorney's offices throughout the country. Everywhere, the reception was the same: he was looked upon as a fuzzy-minded college professor, an out-of-touch Washington-style bureaucrat peddling an impractical panacea. "We passed the bill and thought it would be implemented," Blakey complained. "But when I explain how to lawfully use it, they look at me as if I'm crazy."

His most disappointing rejection and most embarrassing encounter came at the prestigious U.S. Attorney's office in Manhattan. At least there he anticipated support because every alert prosecutor understood that the New York metropolitan area had long been the bedrock of the Mafia. On the morning of November 1, 1972, he was in the midst of his pep talk about the virtues of RICO when Whitney North Seymour Jr., the U.S. Attorney for the region, rose to his feet. A descendant of a New York patrician family, and the area's highest federal law-enforcement official, Seymour summarily ordered Blakey to leave the conference room. "You don't know what you're talking about," Blakey recalled Seymour belittling him. "You're wasting my time and my assistants'. Get out."

Years later, Seymour conceded that he and many of his senior prosecutors were dubious about the value and constitutionality of RICO. "In hindsight we

were one hundred percent wrong," he acknowledged. "This is what happens when you're confronted with something new, I guess." But Seymour insisted that while disagreeing with the law professor, he had treated him courteously.

Blakey attributed those bitter experiences partly to the fact that RICO was the brainchild of advisers outside the Justice Department. "It was elitist thinking in New York and elsewhere in the Justice Department that they were the best and the brightest when it came to law-enforcement innovations, and superior to outsiders. Most of them felt they knew everything."

To his further dismay, Blakey, still the chief counsel of McClellan's subcommittee, found that neither prosecutors nor the FBI were effectively using Title III, their new electronic-surveillance powers enacted by Congress. After ceasing its legally questionable bugging program in the mid-1960s, the FBI in the early 1970s resumed using wiretaps and listening devices with judicial authorization, but it was on a limited basis, mainly confined to quickie gambling cases. Bookie investigations were easy, resulting in multiple arrests and meaningless conviction statistics; but everyone knowledgeable in law enforcement knew that convicting low-level gamblers had minimal effect on weakening the Mafia.

Obsessed with arrest numbers, FBI officialdom objected to lengthy electronic surveillance of mobsters as costly, time-consuming and statistically unproductive. Running a wire or a bug could tie up six agents on three shifts daily for thirty or more days, without guaranteed results. Taking the easy road, supervisors encouraged agents to concentrate on bank robbers. The efforts sometimes bordered on absurd parodies of the Keystone Kops. In New York and other cities, FBI agents would race the local police to bank holdups to establish jurisdictional rights in cases that usually were easy to solve.

In stump speeches about RICO to agents and supervisors in training sessions at the FBI's academy in Quantico, Virginia, Blakey's pitch that Title III was intended as a tool for long, penetrative investigations went unheeded. "They thought simplistically like cops solving individual crimes, not about systematically destroying Mob families."

The FBI's atrophied mind-set regarding investigative priorities irritated many federal prosecutors in the 1970s, but none was willing to challenge the publicly esteemed and potentially vindictive agency. A lone dissenter appeared in July 1976, when a high federal official in New York, David G. Trager, described the bureau as "suffering from arteriosclerosis" and of being "out of step" with the major goals of federal prosecutors. Trager was the U.S. Attorney for the

Eastern District of New York State, which comprises Brooklyn, Queens, Staten Island, and Long Island. His views largely echoed Blakey's critiques of the bureau's overall competence although organized crime was not one of Trager's top concerns. "Most of the cases they [the FBI] bring us are insignificant," he told the *New York Times*. "They are wasting resources on trivia, and I don't think they have the ability or the people to do the job in the areas we consider priorities—official corruption and white-collar crime."

As for the Cosa Nostra, Trager contended that the government was doing a poor job. He laid the blame on special independent units, the Organized Crime Strike Forces that had been established in major cities by the Justice Department to coordinate and spearhead Mob prosecutions. These strike forces, Trager claimed, were staffed largely with inexperienced attorneys and were "dying" without making a dent in combating the Mafia.

The government's own statistics clearly illuminated the ineffectiveness of the early strike forces. In the late 1970s, after a decade of existence, strike force prosecutors had yet to indict or convict a high-ranking Mob figure. Who were the strike forces and the FBI going after? Mainly small-time gamblers and loan sharks. Here, too, the results were pitiful. A congressional review found that 52 percent of the convictions resulted in no jail time. And, almost 60 percent of those convicted—overwhelmingly minor soldiers and associates—got soft sentences of less than two years.

Blakey had a similar low opinion of most of the heads of these new strike forces whose stated priority and goal was to prosecute the Mafia. He lectured, cajoled, and implored strike force attorneys to employ RICO as their main weapon. The responses to him were uniformly negative. "Sounds good," prosecutors would say. "but I don't want to take a chance by trying something new and blowing a good case."

As the Eastern District's U.S. Attorney, Trager supervised one of the Justice Department's largest jurisdictions, an area of New York that was teeming with mafiosi. Yet he too declined to use his prosecutorial powers to crack down on mobsters by experimenting with RICO. Nevertheless, Trager, a maverick prosecutor, tried through the country's most influential newspaper, the *New York Times*, to sound off about the FBI's outdated anticrime and anti-Mafia strategies. Like Blakey's, Trager's warnings were totally ignored by the decision-makers at the Justice Department and the FBI.

Before Bob Blakey set out on his frustrating road trips to sell RICO, he had an immensely proud moment on October 15, 1970. On that date, he was at the

White House when President Nixon signed the Organized Crime Control Act and RICO into law. Years later, Blakey grasped the surrealistic consequences of that ceremonial signing. An obscure clause of the bill enlarged the scope and type of immunity from prosecution Congress could give witnesses testifying at Senate and House of Representative hearings. Because of that uncontroversial, barely noticed provision, John W. Dean III, the former counsel to President Nixon, agreed to testify before a Senate committee in 1973 that was investigating the president. Dean disclosed that Nixon had been aware of efforts to conceal the White House's involvement in the 1972 break-in at Democratic party headquarters at the Watergate complex in Washington. Enjoying only limited immunity, Dean later was convicted of obstruction of justice for his part in the coverup. But his revelations to the Senate committee were instrumental in compelling Nixon to resign as president in 1974, rather than face impeachment by Congress over the Watergate scandal.

The irony of RICO's first triumph was not lost on Blakey.

"When Nixon signed the bill, he handed the document to John Mitchell, the attorney general, and said, 'Go get the crooks,'" Blakey remembered. "And who were the most prominent people brought down by the act—Richard Nixon and John N. Mitchell."