

Organized Crime

From the mob to transnational
organized crime

Seventh Edition

Jay S. Albanese

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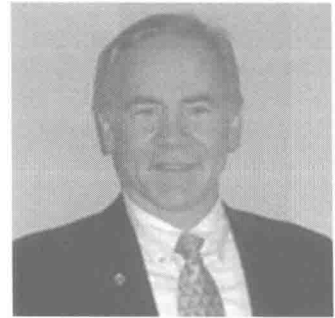
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Dedication

**To
Leslie E. King
who also knows quite a bit about organized crime—
for her encouragement and support over many years.**

About the Author

Jay S. Albanese is a professor and criminologist in the Wilder School of Government & Public Affairs at Virginia Commonwealth University. He served as Chief of the International Center at the National Institute of Justice (NIJ), the research arm of the U.S. Department of Justice. Albanese received Ph.D. and M.A. degrees from Rutgers University and a B.A. from Niagara University. He was the first Ph.D. recipient from the Rutgers School of Criminal Justice. Albanese is author or editor of 16 books, including *Criminal Justice* (5th ed., Prentice Hall, 2013), *Professional Ethics in Criminal Justice: Being Ethical When No One Is Looking* (3rd ed., Prentice Hall, 2012), *Comparative Criminal Justice Systems* (with H. Dammer) (5th ed., Wadsworth, 2014), *Transnational Crime and the 21st Century* (Oxford University Press, 2011), and *Handbook on Transnational Crime and Justice* (with P. Reichel) (2nd ed., Sage Publications, 2014). Albanese is a recipient of the Elske Smith Distinguished Lecturer Award from Virginia Commonwealth University and the Teaching Excellence Award from Niagara University. He received the Gerhard Mueller Award from the International Section of the Academy of Criminal Justice Sciences. He has served as Executive Director of the International Association for the Study of Organized Crime and is a past president and fellow of the Academy of Criminal Justice Sciences. He currently serves on the Executive Board of the American Society of Criminology.



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Leslie King provided a knowledgeable sounding board for ideas about organized crime for many years while serving in her role as an investigator for the New York State Organized Crime Task Force and doing subsequent work for the FBI and State Department. Judge James W. Bachman deserves special thanks for his careful review of the previous edition and his many useful suggestions. Dave Whelan also contributed good ideas for this new edition, and his background and experience in the field were a helpful sounding board. Sara Scott of Elsevier Publishing encouraged the proposal for this book and deserves thanks for seeing it through. Ellen S. Boyne, my editor, did a magnificent editorial job and is always wonderful to work with.

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Introduction

Organized crime remains one of the most fascinating manifestations of criminal behavior, yet it remains one of the least understood. There have been many important convictions of organized crime figures, new transnational links have been found, and new attention has been given to human smuggling, Internet crimes, and other modern manifestations of organized criminal activity. This book reports on these and other significant developments in organized crime in recent years.

This book conveys in a concise manner the nature, history, and theories of organized crime, together with the criminal justice response. It includes an assessment of the investigation, prosecution, defense, and sentencing of organized criminals to date. In addition, a review of alternative futures in the prevention of organized crime is presented. This book is designed, therefore, to provide a synthesis of important developments in the understanding, prevention, and criminal justice response to organized crime.

There are several features that distinguish this book from others:

- Numerous critical thinking exercises that help students apply and evaluate concepts using actual case examples. Additional exercises are available online
- A legal analysis of the offenses that underlie organized crime
- Specific attention to new forms of organized crime activity
- Application of ethics to understanding the causes of organized crime
- The nature of implications of transnational organized crime operations
- Four separate chapters on the criminal justice response to organized crime: investigation, prosecution, defense, and sentencing
- An *Organized Crime Biography* is included in each chapter, summarizing recent popular books on organized crime figures and groups
- An *Organized Crime at the Movies* special insert in every chapter, relating portrayals of organized crime in the media to organized crime in practice
- Figures in each chapter to illustrate the connections among organized crime concepts

- A glossary with definitions of key terms related to organized crime
- A time line of major events in the history of organized crime in the United States

An instructor's resource manual is available that provides answers to the critical thinking exercises, as well as several hundred questions and answers that can be used to test students' understanding of the contents of the book. Additional exercises are available online.

The careful reader of this book will come away with a clear understanding of the definition of organized crime, how it is categorized under law (as a number of distinct crimes), the individual causes of organized crime, models explaining its persistence, the history of the Mafia, Presidential investigations, nontraditional and transnational groups, and the investigation, prosecution, defense, sentencing, and prevention of organized crime. Rather than merely summarizing the existing literature in encyclopedic fashion, this book *organizes* information into a meaningful way. This will empower the student to separate the fact from fiction of organized crime. The incorporation of critical thinking exercises throughout the book will reinforce the student's ability to apply the important principles of organized crime in new fact situations and to anticipate consequences for the future.

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What Is Organized Crime?

There's something inherently more dangerous about crimes committed by two or more people.

Sammy Gravano and his son were sentenced to prison terms on charges they conspired to distribute the drug ecstasy in the New York City area. Gravano was once underboss to John Gotti and later became an informer against him, serving 5 years in prison. He ultimately moved to Arizona in the Witness Protection Program, resuming his criminal career under an assumed name. For most people, Sammy Gravano characterizes the true nature of organized crime. But is organized crime simply groups of career criminals who engage in criminal activity or are the groups and activities more systematically organized? This chapter presents the state of our knowledge regarding the nature, definition, and characteristics of organized crime.

THE FASCINATION WITH ORGANIZED CRIME

Organized crime is perhaps the most interesting form of criminal behavior. Public fascination with the "Mafia," the "Mob," the "Syndicate," and other suggestive descriptions has remained strong for more than a century. *The Godfather*, a novel, was originally published in 1969 and is the most popular book about crime ever published, and one of the best-selling novels in history.¹ More than 15 million copies have been sold. When a movie version was released in 1972, it grossed more than \$200 million, making it one of the most successful movies ever made.²

The HBO television series "The Sopranos" first aired in the late 1990s to huge audiences. The series portrayed a fictional Italian-American organized crime family in New Jersey. The show spawned a market for video and DVD versions of old episodes and a "Sopranos Tour" that takes tourists to locations featured in the series, such as cemeteries, docks, and stores. A sporting goods store, Ramsey Outdoor, was forced into bankruptcy on the television show, but as the tour

guide said, "people have trouble distinguishing between reality and fiction," especially when it comes to organized crime. The real sporting goods store never went out of business, but its business dropped off dramatically after the episode, as viewers apparently believed the television portrayal to be real. The real store had to take out ads reminding customers that it was still open and that "The Sopranos" was just a TV show.³ In a similar way, James Gandolfini, one of the featured actors on the show, reported that people claiming to be mobsters occasionally approached him. He said, "I'd like to think that the smarter mobsters are the ones who don't come up to TV actors."⁴

This peculiar fascination with organized crime has often made it difficult to separate fact from fiction, however, and it has discouraged many criminologists from seriously studying the problem. Furthermore, its complexity, mystique, and apparent success have made reliable information difficult to come by. It has only been during the past 50 years that serious efforts to study organized crime objectively have flourished. For example, the President's Crime Commission established a task force in 1967 to investigate organized crime specifically. Its conclusions about the state of knowledge at that time were quite candid.

Our knowledge of the structure which makes "organized crime" organized is somewhat comparable to the knowledge of Standard Oil which could be gleaned from interviews with gasoline station attendants. Detailed knowledge of the formal and informal structure of the confederation of Sicilian-Italian "families" in the United States would represent one of the greatest criminological advances ever made, even if it were universally recognized that this knowledge was not synonymous with knowledge about all organized crime in America.⁵

Investigators attempting to analyze the structure and functioning of particular organized criminal groups have pointed to the need for additional case studies, which would help confirm or deny their findings in individual circumstances.⁶ Researcher Annelise Anderson has argued that there is a need for information, "about organized criminal activity itself, by which the government's new legislation and its expanding level of effort can be evaluated."⁷ The U.S. Government Accountability Office, the investigative arm of Congress (formerly named the General Accounting Office), concluded that the absence of a consensus in the Justice Department about the fundamental definition of organized crime has hampered the potential success of crime control programs designed to combat it.⁸ The President's Commission on Organized Crime, appointed by Ronald Reagan during the 1980s, also did not offer any clear definition of organized crime. Rather, it described a series of characteristics of "criminal groups," "protectors," and "specialist support" necessary for organized crime.⁹

This apparent confusion over what constitutes organized crime is puzzling, given the long history of interest in the subject. Key words such as "Mafia,"

"mob," "syndicate," "gang," and "outfit" are often used to characterize it, but the precise meaning of these terms is often lost in discussions of the "appearances" and "earmarks" of organized crime. Nevertheless, there's something inherently more dangerous about crimes committed by two or more people, in terms of the organization involved and potential for harm, so the fact that some crimes are "organized" makes them worthy of careful analysis.

DEFINING ORGANIZED CRIME

U.S. Supreme Court Justice Potter Stewart once said he did not know precisely what it is, but "I know it when I see it."¹⁰ He was talking about obscenity, but he may as well have been speaking of organized crime. By synthesizing all the research of the past 50 years, however, it is possible to arrive at a consensus definition of organized crime.

An analysis by criminologist Frank Hagan attempted to elicit common elements of the various descriptions of organized crime. After discovering that many books failed to provide explicit definitions of organized crime, he found that definitions had been offered by 13 different authors in books and government reports about organized crime written during the previous 15 years.¹¹ I have updated Hagan's analysis with authors who have attempted to define organized crime more recently.¹²

The good news is that there is an emerging consensus about what actually constitutes organized crime. The bad news is that 11 different aspects of organized crime have been included in the definitions of various authors with varying levels of frequency. Table 1.1 summarizes these 11 attributes and how many authors have included them in their definition.

Table 1.1 Definitions of Organized Crime in the Literature

Characteristics	Number of Authors
Organized hierarchy continuing	16
Rational profit through crime	13
Use of force or threat	12
Corruption of public officials to maintain immunity	11
Public demand for services	7
Monopoly over particular market	6
Restricted membership	4
Nonideological	4
Specialization	3
Code of secrecy	3
Extensive planning	2