

Obviously, the possibility cannot be dismissed, although it can hardly be said to have been established. At this point, it is, in your words, Mr. Chairman, perhaps only a little more than a "suspicion suspected," not a "fact found."

The committee decided early in its investigation, as soon as it realized that a Mafia plot to assassinate the President warranted serious consideration, to assemble the most reliable information available on organized crime in the United States. The details of this phase of the committee's investigation will, of course, appear, hopefully in full, in its final report, a report that will consider the background of organized crime in America, the structure of the Mafia in the early 1960's, the effort by the Kennedy administration to suppress the mob, and the evidence that the assassination might have been undertaken in retaliation for those efforts.

To scrutinize the possible role of organized crime in the assassination, the committee early brought on one of the country's leading experts on the subject. He is Ralph Salerno, whose career as an organized crime investigator with the New York City Police Department goes back to 1946. Mr. Salerno has since retired from the New York City Police Department and I would note that on the day of his retirement, the New York Times was moved to comment that he perhaps knew more about the Mafia than any nonmember in the United States.

It would be appropriate at this time, Mr. Chairman, to call Ralph Salerno.

Chairman STOKES. The committee calls Mr. Salerno.

Please stand and raise your right hand. Do you solemnly swear the testimony you will give before this committee is the truth, the whole truth, and nothing but the truth, so help you God?

TESTIMONY OF RALPH SALERNO

Mr. SALERNO. I do.

Chairman STOKES. You may be seated.

The Chair recognizes counsel for the committee, Mr. Gary Cornwell.

Mr. CORNWELL. Thank you, Mr. Chairman.

Mr. Salerno, when did you first become a consultant on organized crime to this committee?

Mr. SALERNO. I began in late October or early November of last year.

Mr. CORNWELL. Prior to that time, what experience or training had you had with respect to organized crime?

Mr. SALERNO. I entered the New York City Police Department in mid-September of 1946. A planned 3-month program of training in the police academy was interrupted in November of 1946 when I became one of a small group of men who were interviewed and selected to be used in an undercover operation involving an organized crime assault which resulted in murder in New York City.

From that time throughout the remaining 20 years that I spent with the New York City Police Department, my entire career I was engaged in investigations relating to organized crime.

Mr. CORNWELL. At the time of your retirement, what was your position?

Mr. SALERNO. I retired as a supervisor of detectives in the Central Investigation Bureau, which is the organized crime investigation unit of the New York City Police Department.

Mr. CORNWELL. During your tenure with the New York City Police Department, did you ever have an occasion to discuss organized crime with any underworld members?

Mr. SALERNO. Yes. That was something that during those years was a common occurrence. We would bring in people so involved into our office for conversations, discussions, interviews, if you will. We would interview them in the hallways of the courthouses, when there was a court appearance that we had caused to occur. We would talk to them in the street. We would talk to them in their neighborhoods, we would talk to them in their homes. So that I can say that literally I have had hundreds of such conversations.

Mr. CORNWELL. During that period did you have a chance to review conversations of such persons that may have been obtained by electronic surveillance?

Mr. SALERNO. Yes. The State of New York has had legal authority for the issuance of ex parte orders for electronic surveillance since 1939. That was a very useful technique which was widely used in the New York City Police Department during the 20 years that I have served.

Mr. CORNWELL. After the 20 years of experience investigating organized crime with the New York City Police Department, you retired in 1966. After that point, did you continue to be in any way involved with the subject matter of organized crime?

Mr. SALERNO. Yes; all of my professional work in the intervening 12 years has been with this subject. I worked largely as a consultant to various bodies. I did return to a more active role in 1973 and 1974. In those 2 years I became the chief racket investigator in the district attorney's office of New York County, one of the five in New York City, and I served in that capacity for 2 years.

My remaining time has been as a consultant. Part of that time is given largely to the training of other law enforcement officers on all levels of government, through some 35 States of the United States and in four Canadian provinces, and in the Commonwealth of Puerto Rico.

In addition to that, I have served as a consultant for government and nongovernment bodies addressing the subject of organized crime.

Mr. CORNWELL. Please give us a brief résumé of the committees or commissions that you have served as a consultant at any time since 1966?

Mr. SALERNO. Yes, sir. I served as consultant to the President's Commission on Violence. My work there was a paper on the use of violence and fear in organized crime activities and matters.

I was a consultant to the President's Commission on Campus Unrest. My work there dealt largely with police intelligence procedures and how they were utilized.

I worked for the National Council on Crime and Delinquency from 1967 through 1969. In 1970 I spent a year consulting with the Hudson Institute in Westchester County, N.Y., which is a policy research center. My work there was as part of a study on the problem of narcotics in the State of New York.

I spent 1976 as a consultant to the Citizens Campaign Against Bootlegged Cigarettes. My work there was in describing the problem caused by the almost total establishment of an illegal distribution system for smuggled or stolen, certainly untaxed, cigarettes and the invasion of the legitimate distribution network in that industry all along the eastern seaboard.

Mr. CORNWELL. In addition to your experiences as a consultant, have you ever qualified as an expert on organized crime in the courts?

Mr. SALERNO. Yes; I have been qualified as an expert for testimony in Federal courts, in the courts of some five States, and these have been in matters of criminal cases and in civil litigation.

I have been accepted as an expert for testimony concerning organized crime in two Canadian provinces, the Province of Alberta and I have testified in the Province of Quebec.

Mr. CORNWELL. You also served at one time on the President's Crime Commission, is that correct?

Mr. SALERNO. Yes; I served on the Organized Crime Task Force of the President's Crime Commission while still a member of the New York City Police Department. That was in 1966.

Mr. CORNWELL. And in addition to testifying as an expert on organized crime in the various Federal and State courts you mentioned, have you ever testified on that subject before any legislative bodies?

Mr. SALERNO. Yes; more than one-half dozen times before legislative committees of the Congress of the United States, in both Houses. I have testified before legislative bodies of some 10 States.

Mr. CORNWELL. Would you simply name some of those?

Mr. SALERNO. Beg pardon?

Mr. CORNWELL. Would you simply identify some of those legislative bodies for us?

Mr. SALERNO. Yes, sir. While still with the New York City Police Department, three detectives and myself were assigned with the Senate Permanent Subcommittee on Investigations, chaired by Senator John McClellan. Over a period of months we prepared for it a presentation on organized crime.

The specific assignment that I had from the New York City Police Department was to look into all matters that would be revealed by Joseph Valachi in his testimony before that Senate committee. We were to independently investigate in an attempt to prove or disprove anything that he might have said that we could gather evidence concerning.

I have also appeared before a committee chaired by Senator Smathers, which was looking into the problem of loansharking.

I have appeared twice before House committees chaired by Mr. Dante Fascell.

I appeared before the Crime Committee that was looking into organized crime, chaired by Mr. Pepper.

I have appeared in legislative bodies in the States of Massachusetts, New York, New Jersey, California, Indiana, and Ohio.

Mr. CORNWELL. Have you ever written any books or articles on this subject?

Mr. SALERNO. Yes; I wrote a book which was entitled, "The Crime Confederation," published by Doubleday in 1969. The subtitle of that

book is "La Cosa Nostra and Other Allied Operations in Organized Crime."

I have done a number of magazine articles for public press as well as for professional journals.

Mr. CORNWELL. Mr. Salerno, this committee has received evidence from and concerning Carlos Marcello and Santos Trafficante. Are you familiar with those individuals?

Mr. SALERNO. Yes; I am familiar with them and I have been for some 21 years.

Mr. CORNWELL. The committee, in part, has received testimony of Mr. Trafficante. For example, among his testimony, he stated that he did not know Jack Ruby or Lee Harvey Oswald, and his testimony, although not directly but at least indirectly, perhaps, bore on the question of whether or not he or his associates may have had the motive or opportunity or means to assassinate the President.

Would you tell us whether or not you have any information which might shed light upon the questions that we just noted?

Mr. SALERNO. Yes. I think I have a considerable amount of evidence for this committee to consider in trying to evaluate both method, means, all three—methods, means or certainly motive on the part of Mr. Trafficante or people known to be associated with him.

Mr. CORNWELL. Tell us what you know about those two individuals which might shed some light upon that subject.

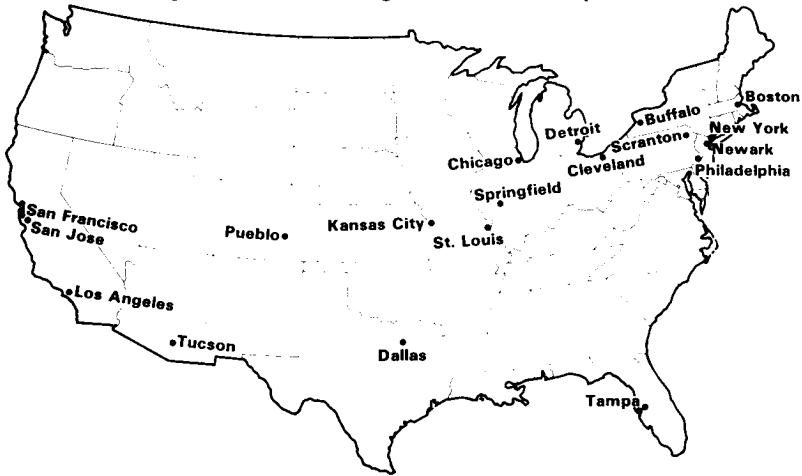
Mr. SALERNO. Well, I indicated that I became aware of Mr. Trafficante some 21 years ago. That particular occurrence was one that took place in the State of New York on November 14, 1957, which I note is the eve of Mr. Trafficante's birthday. He gave it as November 15. At that time, the New York State Police discovered a meeting of a large number of people, some 63 were actually identified at that time. The people involved knew that they had not completely identified all of the people present. If I may, I would like to make use of an exhibit at this time to be able to discuss the Apalachin meeting with you.

Mr. CORNWELL. May we have JFK exhibit F-547A displayed?

Mr. Chairman, may we have JFK F-547A admitted into the record at this time?

Chairman STOKES. Without objection, it may be entered into the record.

[JFK exhibit F-547A follows:]

Apalachin Meeting, November 14, 1957

JFK EXHIBIT F-547A

Mr. SALERNO. That is a map of the United States, Mr. Cornwell, which indicates the areas from which people who were known to have attended came, from—northern California, southern California, State of Arizona, the Rocky Mountain State of Colorado, Missouri, Dallas, Tex., Tampa, Fla., the Middle West, the New England States, the Middle Atlantic States, so that quite candidly it can be labeled a national meeting.

At that time, a great deal of attention was given to it, in an analysis of what was there in an attempt to try to discover why they might have been there. Many of the people who were there fit the phrase "known to the police." They had criminal arrest records, they had criminal conviction records. That record since that time, 21 years ago, has become even more extensive, and I think it is a fair characterization today to say that there is very little doubt that that was a national underworld meeting.

One of the people identified at the location in Apalachin, N.Y., had given the name of Louie Santos and he gave an address of a hotel in Havana. In trying to pursue exactly who this person was, two of the officers of the New York State Police made an identification of Mr. Santos Trafficante from photographs of him as being the person who had given the name of Louie Santos. So that we can then see that he has associated with all of the people who were there. People such as Vito Genovese, a man who died in a Federal prison in the 9th year of a 15-year term for dealing in heroin. Mr. Carmine Galante was at that meeting. He was sentenced to 15 years for dealing in heroin.

Mr. John Ormento, who was at that meeting, is still serving a 40-year sentence for dealing in heroin. Mr. Trafficante, in his testimony today, indicated that he was a partner of Joseph Stassi in a casino in Havana. Mr. Stassi has been sentenced to Federal prison for dealing in heroin. Mr. Trafficante here, in his testimony, acknowledges a long-time friendship over a period of years, one in which the people involved could have great confidence in them-

selves with Sam Giancana. Mr. Sam Giancana has been the victim of a homicide and has been killed. Mr. Trafficante indicated in his testimony here this morning that he knew John Roselli, that he had dinner with that gentleman 3 weeks before he was killed, his body dismembered and stuffed into an oil drum and thrown into the sea only to come up in Biscayne Bay.

My unit in the New York City Police Department on September 22, 1966, interrupted a luncheon in a restaurant known as Stella in Queens County, N.Y. Mr. Marcello was present at that luncheon. Mr. Trafficante was present at that luncheon.

I would like to at this time introduce an exhibit of the seating arrangement of that particular meeting, if I may.

Mr. CORNWELL. I would like to use that exhibit. I would like to have you describe that in more detail in a moment. Let me ask you before we go to the exhibit, if we might, you have indicated this was the point in time in which your attention was focused upon Mr. Trafficante.

Mr. Chairman, I request JFK exhibit F-619, a photograph of Mr. Trafficante, be entered into the record.

Chairman STOKES. Without objection, so ordered.

[JFK exhibit F-619 follows:]



JFK EXHIBIT F-619

Mr. CORNWELL. What subsequently did you determine to be the nature of Mr. Trafficante's relationships with these kinds of people that you have just named?

Mr. SALERNO. Certainly his presence with them classifies him as an associate of such persons. He goes into business with them in a gambling casino. He will be in New York quite some distance from his home with an interesting assemblage of people that we know a great deal about. He is at an underworld meeting, a national underworld meeting in New York so that we came, in the New York City Police Department, to certainly agree with diverse other law enforcement agencies that Mr. Trafficante was an organized crime leader, the leader of a criminal organization in the State of Florida.

Mr. CORNWELL. You state that he is the leader of an organized crime organization in Florida. Before we go further, would you tell us what that term means in the context that you have used it? What is organized crime?

Mr. SALERNO. Organized crime sometimes has many different meanings to different people. There have been some successful attempts in some legal definitions of the phrase "organized crime." The Congress of the United States, in the Organized Crime Control Act of 1970, very clearly defined what would be considered Federal violations of law in terms of organized crime gambling. In that instance, the Congress set forth the standard of five or more people being involved, the volume of the gambling reaching or exceeding \$2,000 per day and requiring that evidence show that the particular gambling operation was in existence for 30 days or more. That is organized crime gambling in its legal definition. In one professional conference that I have attended, organized crime was described as a self-perpetuating, continuing criminal conspiracy for profit and for power using fear and corruption and seeking immunity from law.

I think one of the best ways to describe organized crime or to have it understood is in a way that was described by scholars at Cornell Law School, in an institute where prosecutors from around the United States are trained. In that instance, they set forth three ways in which organized crime can manifest itself and be recognized. The descriptions given are: Organized crime as a venture; organized crime as an enterprise; organized crime as a syndicate. And the different ways in which the manifestation comes are these: An organized crime enterprise is a day-to-day, ongoing business that is illegal in its nature because it is supplying some illegal service or some illegal product.

Two examples of that would be a sizable gambling operation that would meet the Federal definition as legally defined on a day-to-day basis. Offering the illegal service of accepting wagers, a group of criminals who would conspire to do so on an ongoing basis, supply narcotics to procure it, to cut it down to a street level quantity and then enter it into a distribution system. That would be an organized crime enterprise.

Organized crime can also involve itself as a syndicate, a criminal syndicate. As a syndicate, organized crime will exercise various forms of control which are not unlike those of Government. They will set standards. The payoff price on the numbers shall be this and it shall not be higher and it shall not be lower and they impose that standard on their own group and on others in an area where they exercise a sphere of influence. They will collect taxes, if you will, although the legal definition of that collection of taxes would be extortion, but they are playing a quasi-government role.

You can also have an organized crime venture, a single occurrence which, per se, is not organized crime. Bank robbery. Not every bank robbery can be described as organized crime; but where the members of an organized crime syndicate will either inspire, will set the plans for and then participate in the profits from that bank robbery, that particular bank robbery would be an organized crime venture. I think, Mr. Cornwell, I have an even better example for you of an organized crime venture. When Mr. Trafficante joined with Mr. Giancana and joined with Mr. Roselli and joined with representatives in the CIA in a plot to kill Premier Castro, that was an organized crime venture, a single occurrence.

Mr. CORNWELL. Which of the types of organized crime that you just described is it that Santos Trafficante and Carlos Marcello are associated with?

Mr. SALERNO. They are leaders of an organized crime syndicate, each of them, in their home areas. I have some evidence that I would like to offer you now. This is a conversation that was overheard in which Mr. Santos Trafficante was involved and upon which no questions to him have been based. This was found in the FBI file which now is labeled, La Cosa Nostra file. The conversation took place in a restaurant in Florida in 1963 and the quote of Mr. Trafficante reads thus:

Let me tell you this. This is what happens to me. Now, I don't give a (obscene) about the S. & G. I know when I'm beat, you understand?

I got a numbers office in Orlando. They grab everybody, forty or fifty people. Forty or Fifty thousand in bond. They have no evidence, but when they get through, it costs thousands.

I got another office in St. Cloud, Fla. You can't even find St. Cloud on the (obscene) map, but the (obscene) "G" found it.

Kennedy's right-hand man, he goes through the (obscene) nigger town. Must have been 2,000 niggers, and makes a (obscene) big raid over there.

Just a start, any (obscene) place that they found a phone connection in there from Tampa. * * *

Mr. Trafficante in that conversation is describing his interest in an organized crime enterprise.

Mr. CORNWELL. What, if any, real evidence is there that the syndicate that you say Marcello and Trafficante run in their respective areas, exists much less that they are members of it.

Mr. SALERNO. I think at this date the evidence is overwhelming. It is certainly more than sufficient to convince the prudent man that we speak of in legal and court terminology. I think in order to give you an understanding of that, I just have to dip back for a moment, briefly, into history. The particular criminal syndicates that Mr. Marcello and Mr. Trafficante belong to are syndicates which have set a requirement that membership shall be limited to people who are of Italian extraction on both sides of their lineage. In sociological studies that have been made, we do note that the overwhelming majority of population, immigrants who have come to the United States from Italy, came from the southern part of that nation. That's the agricultural part of the nation, the more economically deprived. So that's where we got most of our Italian population. I think there is a very long and a very clear record that many of those people made great contributions to their new country, the United States.

Unfortunately, in mass migration of that type, some people will come in who have a criminal background. We know historically from scholarly studies, that in the southern part of Italy, three secret criminal societies exist in the area around Naples, it had the name of Camora, in what is the heel and the toe of the Italian boot, if you look at a map of Italy. That is the region of Calabria. They had a similar criminal organization very closely akin to the Camora. It had the name of the Honored Society, although the Italian police today will refer to that organization back there in Italy as the Calabrian Mafia today. The word Mafia itself was the name given to criminal societies on the island of Sicily. Some of these people connected with those societies came into the United

States. They began to continue their criminal career. It is almost natural that their first victims were their own fellow Italian immigrants. There's an apocryphal story of the son of one such being accused of that fact, that his father had victimized his own fellow Italian immigrants.

His response is said to have been, "Well, of course it had to have been that way. My father didn't know how to say stick em up in English. Who else could he rob?"

One of the things that played a role, one of the things that played an important role, I believe was the national prohibition era. It called for the expansion in the number of people who would be required to either help import, to manufacture, to distribute and sell so that those Italian immigrants were widely accepted by like criminals who had come from other backgrounds, whether they were Jewish gangs or the Irish gangs that we have established existed back in that time period.

In his testimony in 1963, Joseph Valachi told us that at the end of the prohibition era, in the years 1930 and 1931, among the diverse Italian groups, there were differences that resulted in gang wars, but certainly by 1932, they had all joined together in a single Italian segment for organized crime. Therefore, it's technically, perhaps, incorrect to use the word Mafia. Some people hold that that can only be applied to Sicilians. The group has others than Sicilians in it and that is the organization that the FBI has documented is now called La Cosa Nostra. I would like to point out, I have a copy of an affidavit that was sworn to by an FBI man in the courts of Ohio just last year in December of 1977. This affidavit by special agent Michael Kehoe was one of a number that were filed in court proceedings which resulted in convictions for homicide. The sworn document indicates very clearly that that particular organized crime syndicate as still being extant in the area surrounding Cleveland, I am sorry to say, Mr. Stokes. There are a series of killings there in a gang war, and he indicates terminology and facts, indicating that what I have been describing to you is still something that is current. I suggest perhaps, Mr. Cornwell, I can make that part of the record.

Mr. CORNWELL. We have a copy of that marked for identification as JFK exhibit F-553, Mr. Chairman. May we have that entered into the record at this time?

Chairman STOKES. Without objection, it may be entered into the record at this time.

[JFK exhibit F-553 was marked for identification and entered into the record.]

JFK EXHIBIT F-553

A F F I D A V I T

I, E. MICHAEL KAHOE, Special Agent, Federal Bureau of Investigation, hereinafter referred to as the FBI, being duly sworn, deposes and states as follows:

(1) The Affiant is employed as a Special Agent of the FBI and has been so employed for the past seven and one-half years. As a result of personal participation in this investigation, and as a result of reports made to me by other Special Agents of the FBI, I am thoroughly familiar with all aspects of the investigation.

(2) This affidavit, it is submitted, sets forth probable cause to believe that JAMES T. LICAVOLI, also known as JACK WHITE; JAMES T. FRATIANO^N, also known as "Weasel"; JOHN P. CALANDRA; ANGELO LONARDO; RONALD CARABBIA; PASQUALE J. CISTERNINO, also known as "Butchie"; THOMAS JAMES SINIATO; RAYMOND W. FERRITTO; ALFRED S. CALABRESE, also known as "ALLIE", and others as yet unknown, are associated in fact in an enterprise as defined in Title 18, United States Code, Section 1961 (4), the activities of which affect interstate commerce, to wit: a group associated in fact to control loan sharking and other criminal activities in Northern Ohio and to commit various criminal acts, including murder, threats involving murder, and conspiracy to murder, and participating directly and indirectly in the conduct of the enterprise's affairs through a pattern of racketeering activity, including threats involving aggravated murder and felonious assault, felonies punishable by imprisonment for more than one year under the Ohio Revised Code, Sections 2903.1 and 2903.11, and Mail Fraud, in violation of Title 18, United States Code, Section 1341 and are conspiring to do so in violation of Sections 1962 (c) and (d) of Title 18, United States Code.

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(3) The Affiant has learned through numerous conversations with other Agents of the FBI and through a comprehensive review of confidential information furnished by reliable informants to Agents of the FBI in Cleveland, Ohio, and elsewhere, that there exists within the United States an organized crime conspiracy which is controlled nationally by a membership which is exclusively Italian. Geographical areas of the United States are apportioned to the members of this conspiracy for the conduct of illegal activities. Within this organized criminal conspiracy there are "families" in charge of certain criminal activity in each geographical area. Each "family" is headed by a "capo" or boss; the second in command is the "sotto-capo" or underboss. A "consiglieri" or counselor is typically an elder member who serves as an adviser. Various members of the "family" are controlled by an individual referred to as a "caporegima" or captain, who is responsible to the capo. The said criminal organization in the United States is controlled by a policy group known as the "commission". The "commission" members are actually the various bosses of the "families". This criminal organization is engaged in the conduct of gambling, loan sharking, extortion, murder, labor racketeering, and other violations of federal and state law.

(4) The Affiant knows through information received from numerous FBI Agents, who received said information from confidential sources, that this organized crime organization, referred to herein, is sometimes known as "The Outfit", "La Cosa Nostra" (LCN), or "our thing".

(5) The descriptive information of the following individuals, whose names appear herein, has been obtained by the Affiant through a review of reports of the FBI. Contained within these reports are confirmations regarding

the addresses and other descriptive information of the individuals mentioned herein. This information was obtained through checks with the Identification Division of the FBI, with direct contact with officers of the Cleveland, Ohio, Police Department and other law enforcement agencies, and through contact with the Ohio Bell Telephone Company and the Cleveland Electric Illuminating Company.

(6) The following individuals are referred to herein:

ALFRED CALABRESE, also known as ALLIE, age 34, was last known to reside at 107 Evangeline Road, Cleveland, Ohio. ALFRED CALABRESE's arrest record shows convictions for Breaking and Entering (three convictions) and Armed Bank Robbery.

RONALD DAVID CARABIA, born April 8, 1929, at Struthers, Ohio, 5'11", 180 pounds, brown hair, Social Security Number 301-22-3250, residence: 2277 Knollwood, Poland, Ohio, business: Crown Vending, 2719 Midlothian Boulevard, Struthers, Ohio.

PASQUALE CISTERNINO, also known as "Butchie", age 38, resides at 924 London Road, Cleveland, Ohio. PASQUALE CISTERNINO's arrest record shows three convictions on Burglary charges.

TONY DELSANTER, also known as "Dope", deceased, resided at 373 Central Parkway, Warren, Ohio. TONY DELSANTER's arrest record has convictions for Burglary and Larceny and Robbery.

JAMES T. FRATIANO, born ALADENA T. FRATIANO, also known as "Weasel", on November 13, 1913, at Ripalimosani Campobassi, Italy, residence: 400 California Avenue, Moss Beach, California.

JAMES LICAVOLI, also known as JACK WHITE, age 73, resides at 12301 Fairview Court, Cleveland, Ohio, with PAUL CIRICILLO, also known as PAUL LISH. JAMES LICAVOLI's arrest record shows a conviction for Blackmail.

ANGELO LONARDO, age 66, resides at 3121 Bremerton Road, Pepper Pike, Ohio. ANGELO LONARDO is married to a sister of JOHN T. SCALISH. ANGELO LONARDO has been convicted of Blackmail.

THOMAS JAMES SINITO, born September 18, 1938, at Cleveland, Ohio; 5'7", 175 pounds, black hair, brown eyes, Social Security Number 273-32-8371, residence: Garfield Heights, Ohio, arrested for Assault, Felonious Assault, Resisting Arrest.

(7) Confidential Source #1, named herein, has been a reliable source of the FBI in excess of ten years and has provided accurate and reliable information to Special Agents of the FBI concerning illegal activities of known criminals in the Cleveland Ohio, area, and elsewhere, on at least two hundred occasions. This information has proven to be accurate and reliable in that it has been substantiated by independent investigation of the FBI and through information furnished by other confidential sources of the FBI.

(8) Confidential Source #1 became aware of the activities of JAMES LICAVOLI, also known as JACK WHITE, and others, through his personal association with, and hearing statements made by, JAMES LICAVOLI, also known as JACK WHITE, LEO MOCERI, TONY DELSANTER, and ANTHONY MILANO.

(9) Confidential Source #1, who has admitted being a member of La Cosa Nostra, advised Special Agents of the FBI in July of 1967, he had learned through direct statements made by other members of La Cosa Nostra that JOHN T. SCALISH was the boss of the Cleveland organized crime family, and JAMES LICAVOLI, also known as JACK WHITE, LEO MOCERI, ANTHONY MILANO, and TONY DELSANTER were members.

(10) As early as December of 1967, Confidential Source identified ANTHONY MILANO as the underboss of the Cleveland organized crime family.

(11) In March of 1971, Confidential Source #1 learned through statements made by LEO MOCERI in March of 1971 that LEO MOCERI, TONY DELSANTER and JAMES LICAVOLI, also known as JACK WHITE, were all involved in loan sharking activities in Ohio, and are in partnership with "BUTCHIE" CISTERNINO and EUGENE CIASULLO. LEO MOCERI expressed concern to Confidential Source #1 that Cleveland boss JOHN SCALISH had refused LEO MOCERI's request to approve assassination of potential witnesses against LEO MOCERI.

(12) In August of 1973, Confidential Source #1 advised he learned through statements made by LEO MOCERI in August of 1973 that ANTHONY MILANO, Cleveland underboss, was anxious to get his son, PETER JOHN MILANO, to return to Cleveland from Los Angeles and work with ANTHONY MILANO's nephew, Cleveland La Cosa Nostra member JOHN NARDI. According to LEO MOCERI, JOHN NARDI had five criminal associates who were killing people by putting bombs in their cars. JOHN NARDI appeared to be making a play for leadership in the Cleveland organized crime family.

(13) In December of 1973, Confidential Source #1 advised that during the course of a discussion with LEO MOCERI, he learned that LEO MOCERI had \$100,000 on the street in loan shark loans.

(14) In October of 1976, Confidential Source #1 advised that in October of 1976, he learned through statements made by JAMES LICAVOLI, also known as JACK WHITE, that TONY DELSANTER was avoiding as many people as possible. Confidential Source #1 advised that during the course of a conversation with JAMES LICAVOLI, also known as JACK WHITE, he learned that four Cleveland family members, who were not further identified, had aligned themselves with the "Irish mob" headed by DANNY GREENE. JAMES LICAVOLI, also known as JACK WHITE, described DANNY GREENE

and his associates as a tightly-knit group who were utilizing explosives and other sophisticated weapons to attempt to gain control of criminal activities in Cleveland. JAMES LICAVOLI, also known as JACK WHITE, further stated that he and TONY DELSANTER are now convinced that they have to kill DANNY GREENE if they hope to remain in power.

(15) Confidential Source #2 has been a reliable source of the Cleveland Division of the FBI for more than ten years and has provided accurate and reliable information concerning illegal activities of known criminals in the Cleveland, Ohio, area, and elsewhere, on at least one hundred occasions. The information has proven to be accurate and reliable in that it was substantiated and corroborated by other confidential source information and by independent investigation by Special Agents of the FBI.

(16) Confidential Source #2, who resides in Northern Ohio, became aware of the illegal activities of JAMES LICAVOLI, also known as JACK WHITE, and others through personal association with, and through hearing statements made by, JOHN NARDI, ANTHONY PANZARELLA, DANIEL GREENE, and others. Information furnished by Confidential Source #2 has resulted in more than ten federal and local felony convictions.

(17) On September 15, 1976, Confidential Source #2 advised a Special Agent of the FBI, who in turn advised the Affiant, that during conversations with JOHN NARDI as recently as the week ending September 15, 1976, source determined that during the late evening of September 10, 1976, JOHN NARDI, while exiting the Italian American Brotherhood Club on Mayfield Road, Cleveland, Ohio, was shot at from two cars; each car containing two individuals. Confidential Source #2 advised that at least five shots had been fired at JOHN NARDI; however, he (NARDI) was not hurt.

(18) Affiant knows from personal investigation conducted by Special Agents of the FBI on May 17, 1977, results of which were made known to the Affiant, that on May 17, 1977, JOHN NARDI was killed at approximately 3:00 PM when a bomb contained in a vehicle parked next to JOHN NARDI's vehicle exploded as JOHN NARDI was attempting to enter his vehicle.

(19) The affidavit of Special Agent ROBERT S. FRIEDRICK of the FBI, executed November 7, 1977, in support of a complaint for the arrest of RAYMOND W. FERRITTO for a violation of Title 18, United States Code, Section 844 (h) (i), and the affidavit of FBI Special Agent ROBERT S. FRIEDRICK, executed October 28, 1977, in support of a search warrant of 3316 Greengarden Boulevard, Erie, Pennsylvania, and other locations, are hereby incorporated by reference herein as if set forth fully in this affidavit.

(20) On November 11, 1977, RAYMOND W. FERRITTO surrendered in Pittsburgh, Pennsylvania, to the offense charged in the complaint referred to above.

(21) On December 3, 1977, and December 4, 1977, RAYMOND WILLIAM FERRITTO advised Special Agents of the FBI, who in turn have advised the Affiant of the following:

(22) RAYMOND WILLIAM FERRITTO advised that he is a long-time associate of JAMES "THE WEASEL" FRATIANO^N from California, who, according to FERRITTO, is an LCN member. FERRITTO met with FRATIANO in a downtown Cleveland, Ohio, hotel in the late summer of 1976. During dinner, FRATIANO^N discussed in detail with FERRITTO the problems the Cleveland family of the LCN was having in controlling the town and the fight that the Cleveland LCN family and JAMES LICAVOLI, also known as JACK WHITE, was having with the JOHN NARDI-DANIEL GREENE group. FERRITTO was told by FRATIANO^N that LCN MEMBER ANTHONY "THE DOPE" DELSANTER had a "job" for FERRITTO. FRATIANO told

FERRITTO that he was leaving town in the morning, but that he would be coming back through Cleveland on his way to the West Coast in a short time and that he would arrange a meeting between FERRITTO and TONY "THE DOPE" DELSANTER.

(23) Approximately two weeks later (late summer of 1976), FERRITTO was telephonically contacted at his residence in Erie, Pennsylvania, by FRATIANO^N and told to drive to Warren, Ohio. That evening, FRATIANO^N, FERRITTO, and ANTHONY DELSANTER met at Cherry's Restaurant and Lounge in Warren, Ohio, to discuss the "job" that DELSANTER had for FERRITTO. FRATIANO^N left the company of FERRITTO and DELSANTER after stating, "You two got business to take care of. I'll see you later." DELSANTER told FERRITTO that the NARDI-GREENE faction was attempting to take over, that the "family" was being hurt both physically and in reputation by the violence in Cleveland, and that NARDI and GREENE must be killed. DELSANTER told FERRITTO that the "contract" would have to be okayed by the boss, JACK WHITE, but that FRATIANO^N had vouched for FERRITTO with DELSANTER. DELSANTER told FERRITTO at this meeting that he would be back in touch with him.

(24) Approximately one month later, believed to be September of 1976, FERRITTO was called to Warren, Ohio, by his close associate, RONALD CARABBIA, also known as R.C., of Youngstown, Ohio. A meeting was again held at Cherry's Restaurant and Lounge. Attending this meeting were ANTHONY DELSANTER, JAMES LICAVOLI, also known as JACK WHITE, RAYMOND FERRITTO, PASQUALE CISTERNINO, also known as "BUTCHIE", and RONALD CARABBIA. At this meeting, the "contract" for the "hit" on JOHN NARDI and DANIEL GREEN was given by JAMES LICAVOLI, also known as JACK WHITE, to RAYMOND FERRITTO. No specific fee was discussed except that LICAVOLI told FERRITTO, "You'd have all the money you need for a lifetime."

(25) Following this meeting with DELSANTER, LICAVOLI, CISTERNINO, and CARABBIA, FERRITTO spent the next several months attempting to find the right opportunity to kill both JOHN NARDI and DANIEL GREENE. During these attempts, FERRITTO found that both NARDI and GREENE were extremely cautious because of other attempts made on their lives. FERRITTO learned that at least three attempts on NARDI's life, two by gunfire and one attempt to bomb the car at the Cleveland Airport, were unsuccessful. These attempts, however, had made both NARDI and GREENE wary of any stranger. FERRITTO also learned that they were both now carrying guns. FERRITTO advised that he had learned of these attempts on the lives of NARDI and GREENE through conversation with PASQUALE J. CISTERNINO.

(26) FERRITTO demanded a "sit-down" to discuss his situation and "his contract" on NARDI and GREENE. In the spring, believed to be April 1977, FERRITTO met with the top LICAVOLI lieutenant, JOHN CALANDRA, RONALD CARABBIA, and PASQUALE CISTERNINO in Warren, Ohio. At this meeting, JOHN CALANDRA stated that he was speaking for LICAVOLI and told FERRITTO that they wanted NARDI and GREENE killed more than ever, and that FERRITTO still had the "contract" but that so did others and whoever got them first would be paid. FERRITTO was told that he would receive \$20,000 for either hit or that he would be taken to Detroit by WHITE and made a member of "our thing", and given a 25 per cent cut of racket proceeds (including barbut, gambling and loan sharking) in the Warren-Youngstown-Cleveland area.

(27) FERRITTO advised that he had learned that JOHN NARDI had been killed in a bomb blast in May of 1977 and asked RONALD CARABBIA if the job had been done by "BUTCHIE" CISTERNINO, and CARABBIA told him that "Naw, 'BUTCHIE' belonged to 'the gang that couldn't shoot straight'."

(28) FERRITTO continued through the summer of 1977 to attempt to locate the perfect opportunity to kill DANIEL GREENE, but that due to circumstances, the perfect opportunity did not present itself. In August 1977, FERRITTO attended the funeral of ANTHONY "THE DOPE" DELSANTER and sought out the opportunity to discuss the situation with JACK WHITE. JACK WHITE reaffirmed the contract on GREENE and told FERRITTO that JOHN CALANDRA had been speaking for him and the offer to join "our thing" by being sponsored by WHITE was bona fide. FERRITTO complained of the lack of cooperation and assistance that he was receiving in his search for GREENE and was told by WHITE that he should contact JOHN CALANDRA whenever he needed anything as CALANDRA was WHITE's right-hand man.

(29) Over the course of the summer of 1977, FERRITTO met between 20 and 25 times with JOHN CALANDRA, and CALANDRA provided the following help per instructions of JACK WHITE. CALANDRA had the telephone at the DANIEL J. GREENE residence taped for lead purposes. FERRITTO often complained that the tapes were too old to help him as it took two or three days for the tapes to get in FERRITTO's hands. When FERRITTO complained to CALANDRA or to "BUTCHIE" CISTERNINO, both of whom provided the tapes to him, he was told that the tapes came through ANGELO LONARDO, also known as "BIG ANGE", from THOMAS SINITO.

(30) During May of 1977, PASQUALE CISTERNINO and ALFRED CALABRESE provided an automobile to FERRITTO, which was a 1973 blue Plymouth. This car was given to FERRITTO with the explanation that he could have it because it had been seen in the Cleveland area on several occasions while CISTERNINO was going after NARDI or GREENE.

(31) In June of 1977, FERRITTO complained to JOHN CALANDRA about his out-of-pocket expenses and insisted that he needed some expense money. Two days after this conversation with CALANDRA, RONALD CARABIA gave FERRITTO \$5,000 in cash and told him, "Here is the money CALANDRA gave me to give to you."

32. In August of 1977, FERRITTO and CISTERNINO placed a "bomb box" in the bushes in front of DANIEL GREENE's apartment building. This box was made out of approximately 3/8 inch metal. The purpose of the box, according to FERRITTO, was that if they spotted GREENE coming or going from the apartment, that a bomb package could be placed in this metal container which was to serve as a blast director, as FERRITTO was told by CISTERNINO that dynamite blasts must be directed toward the victim.

33. On December 4, 1977, affiant was advised by Lieutenant EDWARD KOVACIC, Cleveland Police Department, that during the week of November 21, 1977, officers of the Cleveland Police Department found in the bushes outside the front door of the apartment building at 15500 Lake Shore Boulevard, Cleveland, Ohio, a box made of approximately 3/8 inch metal, closed on five sides, which had legs composed of 6 inch spikes, welded to the box. A plastic container containing nuts and bolts was found inside this box. Lieutenant KOVACIC indicated that such a box could be utilized to direct the force of explosives.

Affiant was advised by another Special Agent of the FBI on December 4, 1977, that, the Special Agent of the FBI knows through statements made by DANIEL GREENE and personal observation that for approximately two years prior to his death, DANIEL GREENE resided at 15500 Lake Shore Boulevard, Cleveland, Ohio.

34. RAYMOND WILLIAM FERRITTO continued to advise that on Monday or Tuesday, the first week in October, 1977, FERRITTO received a telephone call from RONALD CARABRIA insisting that he come to Struthers, Ohio, to CARABRIA's vending company, as something very important was up. FERRITTO drove to Struthers, Ohio, and was taken by CARABRIA to a lake, believed to be Mosquito Lake, near Warren, Ohio. FERRITTO stated that this was an exclusive area and that you needed a plastic card to get through the gate and had boats and yachts along dockside. FERRITTO was taken to a boat believed to belong to a doctor where he met with JAMES LICAVOLI, aka

Jack White, JOHN CALABRESE, RONALD CARABEIA, aka., R.C., PASQUALE CISTERNINO, aka., Butchie, and ANGELO LONARDO, aka., Big Ange.

35. FERRITTO advised that although the name of ANGELO LONARDO was familiar to him, this was the first time he had met LONARDO. On the boat, which was not taken out into the lake, a full discussion about the need to kill DANIEL GREENE took place with all those on the boat actively participating. Further, FERRITTO stated that he advised all those in attendance that he was dissatisfied with the lack of support he was receiving and that he did not wish to continue in his attempts to locate and kill DANIEL GREENE. In response to this, all those in attendance including ANGELO LONARDO advised him to continue his efforts and attempt to satisfy the contract. A tape recording taken from the GREENE wiretap was played, and it was noted that GREENE was to have a dental appointment with a dentist on Thursday, October 6, 1977. FERRITTO agreed to attempt to kill GREENE if he kept his dental appointment.

36. On October 6, 1977, Special Agents of the FBI were advised by Doctor ALFONSO A. ROSSI, 29001 Cedar Road, Lyndhurst, Ohio, that DANIEL GREENE kept a dentist appointment with Doctor Rossi at 2:00 PM on October 6, 1977.

37. FERRITTO further advised that on Wednesday, October 5, 1977 FERRITTO drove the 1973 blue Plymouth previously furnished him by PASQUALE CISTERNINO and ALFRED CALABRESE to Cleveland, Ohio, where he was met by CISTERNINO and taken to an apartment located near the Bishop Road exit off Interstate 90. This apartment building was described by FERRITTO as a high-rise with a fountain in the entrance way and the apartment number was 333. This apartment building was near a Cold Circle Department Store.

38. On December 1, 1977, affiant was advised by Special Agent TED BAKER, FBI, that on December 4, 1977, he proceeded to Winchester Hills Apartments, 27425 Chardon Road, Willoughby Hills, Ohio, which is located near the Bishop Road exit off I-90. Located at this address is a 12-story apartment building with a fountain in the lobby. Personal observation by Special Agent BAKER revealed that apartment number 333 in that building is listed to Z. KALMAN.

Special Agent BAKER further advised that a Gold Circle Department Store is located less than a half mile from the location of the apartment.

A review of records of the FBI, Cleveland Division, revealed that on September 17, 1975, PASQUALE J. CISTERNINO also known as "Butchie", and ZOLTON KALMAN, aka., Zolt, were both convicted in Federal District Court, Northern District of Ohio,

before Federal District Court Judge THOMAS LAMBROS in connection with the operation of a gambling business located at the Library Club, Murray Hill Road, Cleveland, Ohio.

39. FERRITTO further advised that PASQUALE CISTERNINO left FERRITTO in this apartment over the night of October 5, 1977. CISTERNINO returned to this apartment on Thursday, October 6, 1977, with dynamite, switches, and other electronic equipment. CISTERNINO assembled a bomb in the presence of FERRITTO and explained in a step-by-step procedure how the "package" would be detonated by a remote control switch. FERRITTO and CISTERNINO left the apartment and CISTERNINO showed FERRITTO a Chevrolet Nova which had the door altered by someone who had welded a thick metal box in the door. CISTERNINO explained that this would work as a blast director similar to the box previously placed in front of the GREENE apartment building. The bomb package was carried in a shopping bag, and CISTERNINO drove the Nova and led FERRITTO and the Plymouth to the parking area of the office building which housed GREENE's dentist.

40. The Chevrolet Nova was parked nearby, and CISTERNINO and FERRITTO watched for GREENE to enter the parking area. GREENE was not seen driving into the parking area, but was observed exiting an automobile and walking into the building where the dentist's office was located. FERRITTO drove the Nova and parked it in an adjacent spot to the automobile GREENE had been observed exiting. CISTERNINO and FERRITTO loaded the bomb package into the welded box in the door of the Nova and armed the bomb by switching a switch to the on position.

41. FERRITTO then drove the 1973 blue Plymouth adjacent to a telephone booth where CISTERNINO pretended to be using the telephone. From that vantage point, FERRITTO and CISTERNINO observed the parking area waiting for GREENE to exit the building. When GREENE was observed approaching his car, CISTERNINO entered the back seat of the 1973 Plymouth and FERRITTO slowly pulled out into traffic. As GREENE entered his automobile, CISTERNINO detonated the bomb contained in the door of the Nova by activating

the area and returned to the apartment where CISTERMINO was "dropped off" and FERRITTO returned to Erie, Pennsylvania.

42. On Saturday, October 8, 1977, FERRITTO met with JACK WHITE in Warren, Ohio, where WHITE's promise of making FERRITTO a "member" was reiterated and WHITE said, "Now things maybe will settle down and we can make a buck."

43. During July, August, September and early October, 1977, on four or five separate occasions FERRITTO met with THOMAS SINITO at the Denny's Restaurant located on Euclid Avenue, adjacent to Interstate 90. On these occasions, according to FERRITTO, he and SINITO discussed the tape recordings being furnished to him by JOHN CALANDRA and PASQUALE CISTERMINO. FERRITTO advised that he complained to SINITO that the tape recordings made from DANIEL GREENE's telephone were ineffective since they were coming to him (FERRITTO) late, and he was unable to utilize them in his efforts to locate and kill DANIEL GREENE. In response SINITO advised FERRITTO that the tapes were under the control of ANGELO LONARDO and it was only after LONARDO listened to them that they were released for FERRITTO's use. According to FERRITTO he told THOMAS SINITO on an occasion shortly before the GREENE bombing that he did not want to do the job since he was getting no support, and he was unable to formulate a suitable plan to locate and murder GREENE. On this occasion, SINITO insisted that FERRITTO continue his efforts since, according to SINITO, DANIEL GREENE was attempting to locate and kill SINITO.

no tapes in July

According to tapes

44. RAYMOND WILLIAM FERRITTO further advised that in early August, 1977, he attended the funeral of ANTHONY DELSANTER in Warren, Ohio. There he met and conversed with JIMMY FRATIANO, who was also in attendance. FRATIANO asked FERRITTO how he was progressing in helping to solve Cleveland's problem. FERRITTO advised FRATIANO that things were not going well. Specifically, he told FRATIANO that he (FERRITTO) was not receiving the support from the Cleveland family that he had been told would be given.

45. FERRITTO further advised that on August 24, 1977, he came to Cleveland, Ohio, and met with JIMMY FRATIANO, THOMAS RICCIARDI, MICHAEL RIZZITELLI, also known as Mike Rizzo, MILTON HOLT, and ARCHIE ANDRIANO at a motel which he believes to be the Ramada Inn on Brookpark Road near Cleveland Hopkins International Airport. FERRITTO advised that this was primarily a social meeting; however, there was some discussion of JACK WHITE's "problem."

45a. On December 4, 1977, RAYMOND FERRITTO advised a Special Agent of the FBI, who in turn advised the affiant, that in order to listen to the cassette tape recordings furnished to him by JOHN CALANDRA and BUTCHIE CISTERNINO, he purchased a cassette tape recorder sometime subsequent to the early part of August, 1977. FERRITTO advised that he purchased this tape recorder, manufacturer unknown, at what he believed to be the Uncle Bill's discount store on Lake Shore Boulevard, approximately seven or eight blocks east of the residence of a girl friend of DANNY GREENE. FERRITTO advised that he paid between \$23 and \$33 for this unit and recalled that it was black and measured approximately 6"x8"x2". He further advised that this unit could be operated on both standard AC current and batteries. FERRITTO further advised that after receiving several of the tape recordings he was unable to determine what was being said on these recordings through this machine as the speed of the recording was not compatible with the playback on his machine. FERRITTO stated that he discussed this problem with BUTCHIE CISTERNINO who subsequently advised him that he would discuss the problem with ~~CHAS~~ MARCONI to "see what the problem is."

FERRITTO advised that sometime later he met BUTCHIE CISTERNINO at the residence of RONALD CARABBI^a in Struthers, Ohio, at which time CISTERNINO gave him another tape recorder similar in size, but he recalled that this one was manufactured by Sony. FERRITTO further stated that he utilized this tape recorder through the AC current at his hotel rooms which he utilized at the Ramada Inn, the Sheraton Inn, and the Holiday Inn, all in the vicinity of Euclid Avenue and Interstate 90 on the eastern outskirts of Cleveland, Ohio.

45(b) FERRITTO further advised that he was told by JOHN CALANDRA that JACK WHITE would review some of the tapes at his (JACK WHITE's) brother's house at Warren, Ohio. *nd* Investigation conducted by other special agents of the FBI, who in turn have advised the affiant, that JACK WHITE's brother, JOHN LICAVALI, lives at 1365 Westwood Avenue, Warren, Ohio. . Special Agents of the FBI have seen JACK WHITE at his brother's residence as recently as October 13, 1977.

46. On December 4, 1977, affiant was advised by other Special Agents of the FBI that on August 10, 1977, United States District Court Judge ROBERT SCHNACKE, Northern District of California, entered an order authorizing the interception of wire communications over telephone number (415) 441-9580 for a thirty day period.

47. Pursuant to that Order, agents of the San Francisco, California Division of the Federal Bureau of Investigation monitored telephone calls to and from telephone number (415) 441-9580.

On August 23, 1977, at 5:48 PM, Pacific Daylight Time, the following telephone conversation was monitored. The individual referred to as FRANK in the following transcription has been identified by Special Agents of the FBI, San Francisco Division, as FRANK VELOTTA and the individual referred to as JIMMY in the following transcription has been identified by Special Agents of the San Francisco Division as JIMMY FRATIANO.

FRANK Nothing. We're just talking. Where am I at--
 I'm in Cleveland, where do you think I'm at?
 RON (unintelligible) how's the weather?
 FRANK How's the weather, it's always nice over here.
 RON How's business?
 FRANK Huh?
 RON How's business?
 FRANK How's business? Bad.
 RON (unintelligible)
 FRANK Huh? All right, why?
 RON (unintelligible)
 FRANK Jesus Christ, my my, hey that guy's coming in, uh,
 wait a second.
 JIMMY How's it going?
 RON All right.
 JIMMY (laughs) How's everything going?
 RON All right
 JIMMY Huh?
 RON All right.
 JIMMY Yeah.

RON Yeah.

JIMMY Listen, I'm going to be in tomorrow night at 5:10.

RON Up above.

JIMMY Tell Archie to pick me up.

RON Does he know where?

JIMMY Well, he knows where, yeah, you know that, that airport over there.

RON Yeah.

JIMMY The big one.

RON Oh, yeah.

JIMMY At 5:10. Tell him I'm coming in United.

RON United, 5:10, tomorrow afternoon.

JIMMY Yeah.

RON Okay

JIMMY All right

RON Yeah, that's fine.

JIMMY Get a hold of that friend, you know.

RON (unintelligible) yeah, well, he'll be there.

JIMMY The dark guy.

RON Huh?

JIMMY The dark guy.

RON Yeah.

JIMMY Will he be there?

RON Yeah.

JIMMY All right. He'll be there and we'll go right to his place.

RON (unintelligible)

JIMMY To his house, you understand?

RON Right

JIMMY Oh, okay. I'm going to have somebody with me.

RON (unintelligible)

JIMMY All right?

RON Yeah.

JIMMY Okay. Where is our friend from Erie?

RON He'll be with me tomorrow.

JIMMY Will he?

RON Yeah.

JIMMY Okay, then, uh...

RON (unintelligible) ARCHIE'll let you know, you know?

JIMMY Okay, then, we'll get a hold of you sometime tomorrow night.

RON He'll know where we're at.

JIMMY Well, why don't, why don't he come in town?

RON He is.

JIMMY Huh?

RON He is.

JIMMY Tomorrow?

RON Yeah

JIMMY Okay, then, I'll be over there then.

RON Okay.

JIMMY All right, buddy.

RON All right.

JIMMY Bye.

48. The above telephone call was outgoing from (415) 441-9580.

The individual on the receiving end of the call referred to in the transcript as RON, is believed to be RONALD CARABBIA. The telephone number called, according to a mechanical device which was installed pursuant to an order of Judge SCHNACKE on August 10, 1977, the purpose of which was to identify the telephone numbers called from the monitored telephone, was (216) 755-9585. Records of the Ohio Bell telephone Company and independent investigation by the Federal Bureau of Investigation indicate that (216) 755-9585 is a non-published listing to RONALD CARABBIA, 2277 Knollwood Drive, Struthers, Ohio, formerly 124 Knollwood Drive, Struthers, Ohio.

49. On August 24, 1977, a physical surveillance conducted by Special Agents of the FBI, the results of which were made known to the affiant, revealed that JAMES FRATIANO arrived at Cleveland, Ohio, from San Francisco, California via United

Airlines flight number 72. FRATIANO was accompanied by other individuals and was met by ARCHIE ANDREANO. 1 .

50. Affiant states that from August 24, 1977, until October 10, 1977, a twenty-four hour surveillance was conducted in the vicinity of 12301 Fairview Court, Cleveland, Ohio, by Special Agents of the Federal Bureau of Investigation, the results of which were made known to affiant which revealed the following:
September 2, 1977

10:58 p.m. - JAMES LICAVOLI, aka., Jack White, arrives at 12301 Fairview Court, Cleveland, Ohio, on foot from the direction of Murray Hill Avenue and enters the side door of that residence.

11:47 p.m. - A white male, balding, driving a white vinyl over light blue General Motors product, bearing current Ohio license DZ 653, parks in the driveway of 12301 Fairview Court. The driver exits the vehicle and enters the residence.

September 3, 1977

12:10 a.m. - White male driver of DZ 653 exits the residence, enters DZ 653 and exits the area.

September 4, 1977

12:22 p.m., - A white over blue Cadillac, current Ohio license DZ 653, parks in the driveway of 12301 Fairview Court. A white male, white hair, balding with a red shirt, believed from previous observation of photographs to be identical to JOHN CALANDRA, exits DZ 653 and enters the residence.

12:31 p.m. - JAMES LICAVOLI, aka., Jack White, exits 12301 Fairview Court, Cleveland, Ohio, and enters the passenger side of DZ 653 at the same time the individual believed to be JOHN CALANDRA exits the residence and enters the driver's side of DZ 653. CALANDRA and LICAVOLI are observed exiting the area. A check of the Law Enforcement Automated Data System by Special Agent GEORGE E. GROTZ on September 4, 1977, revealed that current Ohio license DZ 653 is listed to the Royal Machine Tool Company, 700 East 163rd Street, Cleveland, Ohio, on a 1976 Cadillac, four-door sedan. Investigation conducted by

other Special Agents in the FBI, who in turn have advised Special Agent GROTZ, who has advised affiant, revealed that the President of Royal Machine and Tool Company is JOHN PHILLIP CALANDRA who, according to the most recent published records, resides at 700 Quilliams, Cleveland Heights, Ohio. Further, Special Agent GROTZ advised affiant that a spot check of the residence at 700 Quilliams conducted by other Special Agents of the FBI, who in turn advised Special Agent GROTZ, revealed that between the hours of 4:20 p.m. and 5:30 p.m., on September 4, 1977, the white over blue Cadillac, bearing current Ohio license DZ 653, was observed parked in the driveway of the residence at 700 Quilliams, Cleveland Heights, Ohio.

October 7, 1977

12:50 p.m. - JACK WHITE is observed to enter the residence of
12301 Fairview Court, Cleveland, Ohio.

1:36 p.m. - JOHN CALANDRA arrives at 12301 Fairview Court on foot.

4:45 p.m. - CALANDRA exits 12301 Fairview Court.

October 8, 1977

10:53 p.m. - JACK WHITE is observed to enter the residence of
12301 Fairview Court.

11:45 a.m. - JOHN CALANDRA is observed to enter the residence.

2:28 p.m. - CALANDRA is observed to leave the residence.

October 9, 1977

10:43 a.m. - JACK WHITE is observed to enter the residence of 12301
Fairview Court.

11:29 a.m. - JOHN CALANDRA is observed to enter the residence.

3:52 p.m. - JOHN CALANDRA is observed to exit the residence.

31. On August 26, 1977, Chief Judge FRANK J. BATTISTI, United States District Court, Northern District of Ohio, entered an order authorizing interception of oral communications occurring in the premises located at 12301 Fairview Court, Cleveland, Ohio, for a thirty-day period.

52. At 1:35 p.m., September 24, 1977, JAMES T. LICAVOLI, also known as Jack White, was observed in front of the residence at 12301 Fairview Court, Cleveland, Ohio, exiting a yellow Cadillac automobile bearing current Ohio license plates NK 860. He was then immediately observed entering the residence of 12301 Fairview Court, Cleveland, Ohio, by the side entrance. On September 24, 1977, according to other Special Agents of the Federal Bureau of Investigation, who in turn advised the affiant, at 7:17 p.m., a white male entered the residence of 12301 Fairview Court, Cleveland, Ohio. This individual was described as being approximately 55 years old, 5'8" to 5'9", 150 pounds, thin, gray hair. At 7:19 p.m., a white male, identified by the surveilling Agents as STEVE CALA, departed the residence of 12301 Fairview Court, Cleveland, Ohio. At 7:38 p.m., PAUL A. CIRICILLO, also known as Paul Lish, departed the residence of 12301 Fairview Court, Cleveland, Ohio, and entered a white Ford LD, current Ohio license AD 7047, which at the time was parked in the driveway of the residence. LISH was observed exiting the area in this vehicle.

53. On September 24, 1977, between the hours of 7:31 p.m. and 8:17 p.m., the following conversation between two individuals was intercepted at 12301 Fairview Court, Cleveland, Ohio. Special Agent GEORGE E. GROTZ states that he has reviewed this conversation in excess of 25 times and advises the affiant that the following is the truest account of that conversation:

"JOHNNY NARDI...that cocksucker...if the guy...is good, you know we'll send a letter to the police department telling them what do you want...best forget about it. You know, the only mistake I made is when I left my man out at the Innerbelt...I should never have told JOHNNY about it...I shoulda gone ahead and done it myself and...who the hell is gonna hassle a cop? Nobody. Kids. That's the way...you wanna be honest and ah...how the hell did this guy ever come in the picture...you can't get near him...they got permits to carry guns...you know the Irish. If he says I'll be there at

three o'clock...who gives a shit. You wait, you wait and wait and you get tired of waiting. He don't keep no time...he goes down... in the wintertime he goes to...Oh, he's gotta make a mistake. He gotta go sometime. I hope he goes back to Texas so they can kill him. Where? Texas...cocksuckers on the West Side, they all go with him. You know them...MC TAGGART and all. That guy who used to work for you at the barbut game.. He don't go with 'em. You know that guy... that you're the one who give the job. No he was working with us. I mean you're the one who give the job out...what's his name...yeah... he used to work for FRANK...he used to work for the barbut game... JOHN NARDI's the one who opened the barbut game. He said, boy, the Irishman wanted to give me a piece...I don't want nothing. You get the idea the lie they was...you know when he was talking to you...NARDI...he would never look at you. He was a phoney motherfucker...He got to smirking. He never did try to get in touch with them little what's his name, TONY...tells me you want anything done, you get a hold of JACK. TONY DELSANTER...before he used to play golf he was a phoney mother-fucker...yeah, it all comes back to you...what are you gonna do with any kind of guy...he coulda, he was going to get in, too. He had something on his mind...I don't know what he had on his mind. He had something on his fuckin mind. Maybe it was not the bombing...shook everybody down...killed a lot of people..."

54. On September 29, 1977, Special Agent THOMAS J. WILSON observed a photograph of JOHN PHILLIP CALANDRA and advised that the individual identified as JOHN PHILLIP CALANDRA in the photograph, to the best of his knowledge, appears to be identical to the individual who entered the residence of 12301 Fairview Court, Cleveland, Ohio, at 7:17 p.m., on September 24, 1977.

55. Affiant further states that he has reviewed the surveillance log containing the above information and, based upon a review of that log, states that JAMES T. LICAVOLI, also known as Jack White, and the individual identified as JOHN PHILLIP CALANDRA were the only individuals in the residence at the time the above-described conversations took place.

56. Special Agent GEORGE E. GROTZ advised the affiant that based upon personal investigation and investigation conducted by other Special Agents of the Federal Bureau of Investigation, who have in turn advised Special Agent GROTZ, that the following statements summarize the above conversation set out in paragraph 53.

JAMES T. LICAVOLI, also known as Jack White, and the individual identified as JOHN PHILLIP CALANDRA are initially discussing JOHN NARDI, both of them speaking in derogatory terms of NARDI. There is reason to believe they are discussing their involvement in the bombing of JOHN NARDI on May 17, 1977, when the conversation, "You know the only mistake I made is when I left my man out at the Innerbelt. I should never have told JOHNNY about it...I shoulda gone ahead and done it myself and...who the hell is gonna hassle a cop?" is overheard. Both JAMES T. LICAVOLI, also known as Jack White, and the individual identified as JOHN PHILLIP CALANDRA then discuss "the Irishman" and that they believe that "the Irish" have permits to carry guns. It is also clear to the affiant that JAMES T. LICAVOLI, also known as Jack White, and the individual identified as JOHN PHILLIP CALANDRA are discussing the possibility that "the Irishman" will "make a mistake" and "he gotta go sometime." These statements are believed by the affiant to be a reference to an anticipated trip by "the Irishman" to Texas, and the phrase, "I hope he goes back to Texas so they can kill him" is heard and is believed to refer to associates of JAMES T. LICAVOLI.

The preceding paragraphs, it is submitted, sets forth probable cause to believe that JAMES T. LICAVOLI, also known as Jack White; JAMES T. FRATIANNI, also known as "Weasel"; JOHN P. CALANDRA; ANGELO LOMBARDO; RONALD CAMPBELL; PASCAL J. CISTERNO, also known as "Butchie"; THOMAS JAMES SINITO; RAYMOND W. FERRITTO, and ALFRED S. CALABRESE, also known as "Allie" and others as yet unknown, are associated in fact in an enterprise as defined in Title 18, United States Code, Section 1961 (4), the activities of which affect

Mr. CORNWELL. Much of what you told us, Mr. Salerno, relates to the prohibition era, which, of course, we may be familiar with from television, Al Capone, Elliot Ness, that sort of thing. You also mentioned the FBI just last year filed an affidavit indicating the existence then of the same phenomenon. However, we are most interested in the 1960's, the early 1960's. What evidence is there during that period that the La Cosa Nostra was a viable entity?

Mr. SALERNO. Well, the Apalachin meeting that I mentioned certainly raised some 1,000 questions in the minds of the public, the press, in the minds of the police and in the minds of other Government officials. I think in the 20 years since that occurrence we have answered many of those questions. One of the reactions that took place in Government as a result of the Apalachin meeting was a reaction within the FBI. At the suggestion of Mr. Clyde Tolson, Director Hoover commissioned their research unit to prepare two monographs, one on the Mafia in Sicily; the second on the Mafia within the United States.

Mr. Hoover also caused to be created within the FBI something that came to be known as the top hoodlum program. The first targets were the people at the Apalachin meeting, but it was not restricted to them; it was expanded to include many of their criminal associates. That was an ongoing program in which the various field offices of the FBI throughout the United States were required to assign personnel to keep abreast of these criminals, their activities, of course, with a point of view of possible prosecution, but certainly with an intelligence gathering operation to find out more about them, what they were doing and what could be done about it.

Mr. CORNWELL. By 1963, had the FBI reached any conclusions as to the scope of La Cosa Nostra on a national level?

Mr. SALERNO. Yes; very definitely. The top hoodlum program in 1961 with the advent of the Kennedy administration under the leadership of Robert Kennedy as the Attorney General, somewhat escalated programs throughout the Department of Justice and in other Federal agencies.

In the files of the FBI, you will note that it is at that time period where the top hoodlum program becomes something else, it is then labeled the criminal intelligence program. There is in the file under the date of June 21, 1961, a directive from Mr. Hoover to 10 field offices of the FBI to create special squads where the total assignments of the agents will be to the development of informants, people who can tell them about this particular criminal organization.

The FBI had, under its top hoodlum program in 1959, begun the installation of some electronic surveillances. The files of the FBI reflect that on such an electronic surveillance where the target was Sam Giancana in Chicago that he is making some reference back to this Apalachin meeting. He indicates that there is in existence a small control group that establishes policy and makes decisions. The electronic surveillance indicates that he, himself, is a member of that group. He uses the term "the commission," to describe that group. He names a number of other people who have membership in the commission. That caused the opening of a file in the FBI which was initially labeled "The Commission, et al." That is the same file that I have made reference to under its current title La

Cosa Nostra file. That file was begun in 1959. So we have some 20 years of evidence gathering, a great deal of escalation, more electronic surveillances in 1961 than there may have been prior to that. Certainly the application of greater resources of manpower are manifest in the files of the FBI.

Confidential sources of information in FBI files are labeled by numbers, CH-T-1. CH designates the field office of Chicago. T-1 would be an important and principal source of information in that file in the Chicago area. You can see a great expansion of the T numbers, the number of sources that the FBI is getting information from in that file expands greatly in 1961. So that by 1963, the FBI has a very complete and a very accurate picture of who is doing what and where they are doing it. I would suggest to you, and for the consideration of this committee, that the picture that the FBI had and could have in 1963 is greater than that which we probably have today.

Mr. CORNWELL. You have caused an exhibit to be made so that you can illustrate the conclusions that the FBI had reached by 1963; is that correct?

Mr. SALERNO. Yes; I do.

Mr. CORNWELL. We have marked that as JFK exhibit F-547B for identification. May we have that displayed and admitted into the record at this time, Mr. Chairman?

Chairman STOKES. Without objection, it may be entered into the record.

[JFK exhibit F-547B was marked for identification and entered into the record.]



JFK EXHIBIT F-547B

Mr. SALERNO. Mr. Cornwell, could we have the other one, the La Stella meeting?

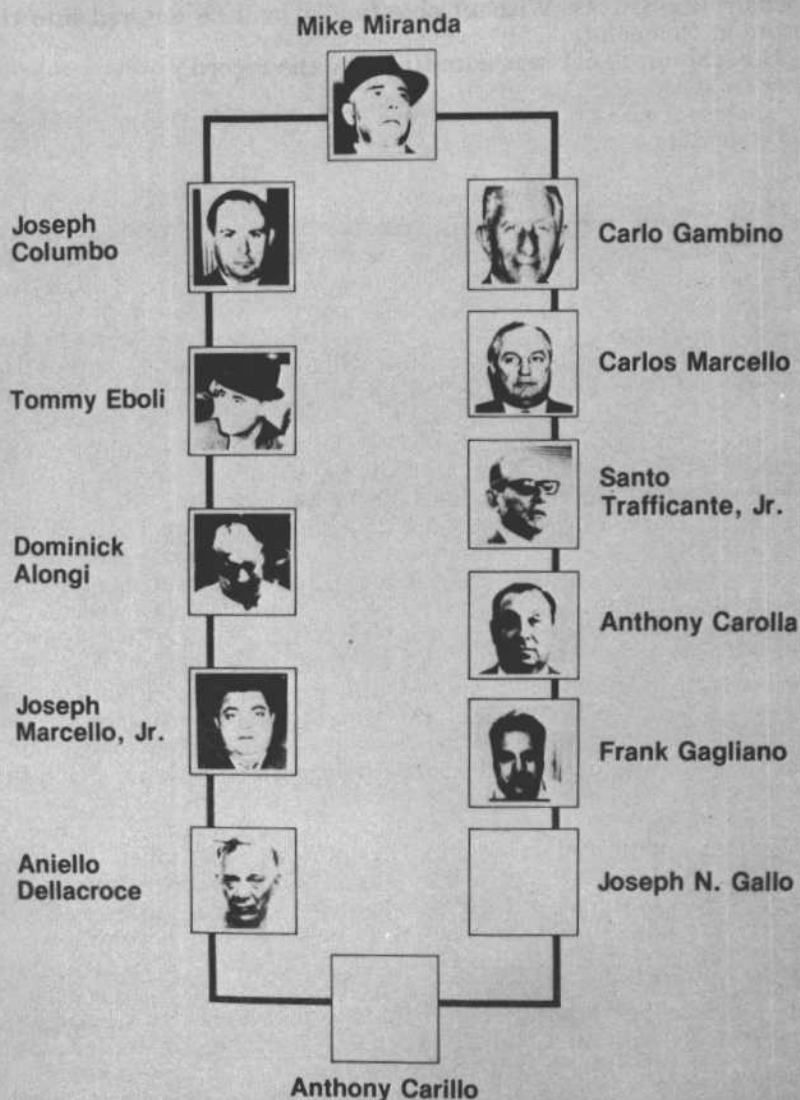
Mr. CORNWELL. May we have JFK exhibit F-550 also admitted into the record at this time?

Chairman STOKES. Without objection, it will be entered into the record at this point.

[JFK exhibit F-550 was admitted into the record.]

Seating Arrangement at La Stella

September 22, 1966



JFK EXHIBIT F-550

Mr. CORNWELL. Perhaps, Mr. Salerno, if you could, would you explain what conclusions the FBI came to by 1963 based upon the

extensive program of surveillance, physical, and electronic that you just described?

Mr. SALERNO. Yes; this is the map of the United States. The various locations show where the FBI established that organized crime families, which is the term used for the particular subdivisions within this criminal syndicate and representing in themselves criminal syndicates. The people whose names and photographs appear across the top are the people serving on the control body known as the commission in 1963.

Thomas Lucchese in New York City; Joseph Zerilli in Detroit, Raymond Patriarca in Providence; Joseph Bonnano of New York City; Stefano Maggadino of Buffalo; Carlo Gambino of New York City; Sam Giancana of Chicago; Vito Genovese of New York City; and Mr. Trafficante's associate, Angelo Bruno of Philadelphia.

The other photos are those of family leaders. You will note Mr. Carlos Marcello here in New Orleans. Mr. Santos Trafficante given as the leader of La Cosa Nostra family in Tampa. I call to your attention the fact that every one of the areas represented at the Apalachin meeting is an area from whence they came.

Mr. Cerrito of San Jose is known to have been at the Apalachin meeting. Mr. Licata's predecessor in Los Angeles, De Simone, was at that meeting. Mr. Colletti of Colorado was at that meeting. Mr. Civella of Kansas City was at that meeting. Mr. Civello of Dallas was at that meeting. Mr. Giardano of St. Louis was at that meeting. Mr. Marcello was not identified as being at that meeting. Later FBI intelligence indicates that he was represented in that instance by his brother whose photograph is on the next exhibit.

Mr. Trafficante, using the name of Louis Santos was at that meeting. Mr. Scalish was at that meeting. Mr. La Rocca was at that meeting. Mr. Bufalino was at that meeting. Mr. Colombo's predecessor, dead by 1963, was at that meeting. Mr. Bruno's predecessor, Joseph Ida of Philadelphia was at that meeting, but shortly thereafter he couldn't take the heat and he decided to get out of the kitchen and moved to Italy for permanent residence, therefore, making a seat open and Mr. Bruno succeeded him in that position.

Mr. Genovese was at that meeting. Mr. Giancana described his attendance at that meeting; Mr. Gambino was at that meeting; Mr. Maggadino of Buffalo, although that is some distance from Apalachin, N.Y., his sphere of influence reaches there and he was considered to be the host of that particular meeting. Mr. Bonnano was at that meeting. Mr. Patriarca was at that meeting. Mr. Zerilli never got to the meeting. He got as far as Binghamton, N.Y., where the FBI established that he rented an automobile. It was his drivers license that was used, it was his signature that rented the automobile. He probably heard of the aborting of the meeting while en route and did not return to Binghamton but returned the car to a Hertz office in Brooklyn and then went back home. So there is no question that it is this organization that was having a meeting back in 1957, by 1963, that's an established fact that I don't consider debatable. They established that there were families, that this was the ruling body of the commission, that those families that do not have a leader who is on the commission can have their interests represented for them before the commission.

The Milwaukee family, Madison, Rockford are really considered to be satellites to the Chicago organization. So it is the leader from Chicago who would represent their interests. On the far west coast we know that the southern California family would be represented on the commission through Mr. Lucchese; San Francisco and San Jose represented on the commission by Mr. Bonnano.

The FBI's knowledge was very, very complete. Their establishment of the group, hierarchical structure and methodology was complete. I mentioned the La Stella restaurant. I would like to point out for the committee that the seating arrangement here—there were, of course, no seating cards on that luncheon table—yet, the seating arrangement is as formal as it could be if the Chief of Protocol for the State Department had, in fact, put place cards there. Mr. Mike Miranda is at the top—

Mr. CORNWELL. Mr. Salerno, before you tell us about the particular seating arrangement, the committee may not be familiar with the background of that meeting and how it was discovered and the extent it was discovered. Would you just give them a brief background?

Mr. SALERNO. I think that meeting was discovered and how it was discovered is a very fine example of good police intelligence work. Mr. Lucchese one of the leaders of one of the five families located in the city of New York had been stricken and taken ill. We were able to learn that the prognosis was very bad for him, that he had an inoperable brain cancer and could not be expected to live more than 3 to 6 months, which turned out to be the case in fact. The assignment given within my unit was "OK, if what we believe is true and he is, in fact, the leader of a Cosa Nostra family, what should happen next?" We felt that we could determine that some people would have to do different things, the people who ordinarily, the very limited number of people who would meet with and report to the family leader would now have to report to someone else. So one intelligence target was who will that next person be. And we were able to come up with a very well educated guess which, over a period of years, was a sound one.

We established that Mr. Carmine Tramunti would be the leader of that family. I might add Mr. Tramunti is now in Federal prison doing a 15-year term for dealing in heroin.

The second prognosis that was made, the projection from analysis was that if, as the FBI and other law enforcement agencies had determined, that the methodology is that when one family leader passes on or is no longer the family leader, that the person who will be nominated from within his family group must have the advice and consent of this board before that nomination is, in fact, confirmed, that there would have to be a meeting of top leadership people in La Cosa Nostra. What we did in the New York City Police Department was target several people who would most likely attend such a meeting.

One of them was the host here, Mike Miranda. He was at that time one of the troika who was minding the store for Vito Genovese doing time for heroin. We decided to watch Mike. It was while we were in the process of doing that, that we saw him go to this restaurant. We saw Mr. Carlo Gambino arrive with an associate, Joseph Gallo. Fortunately, one of the young officers assigned to

that had seen Mr. Trafficante on one occasion and knew him by sight. When he saw an out of town leader he immediately did what all good cops do, you call the boss and find out what you should do. We contacted the prosecutor who indicated that he had a current matter before a grand jury where these people could very well offer some evidence or advice to the deliberations of that grand jury.

He instructed us to bring them all in so that they could be made material witnesses, and that was done.

I recall that the court fixed the sum of \$100,000 bail for each of the 13, and a bail bondsman came in in very short order and posted \$1.3 million bail. He was asked to inform the court for the record what collateral, if any, he had obtained and he said that he was out on the limb for \$1.3 million on the basis of their promise to pay.

Mr. CORNWELL. So after feeling there must have been a meeting coming, you went to the restaurant and you found the individuals inside seated in a pattern that is demonstrated by the exhibit?

Mr. SALERNO. Exactly as it is shown here, he is an acting family leader and was the host, so he sits at the top of the table. Those people on his immediate right and left, Carlos Marcello, Santos Trafficante, Tommy Eboli, Joseph Columbo, Carlo Gambino are family leaders. It would appear those on the next level of hierarchy sit at the other end of the table. This is Anthony Carolla.

In all likelihood he is the person who would pick up the check. The bosses never pay when these people get together. It is always the henchmen. This man is the underboss to Carlo Gambino. This man is the counselor to Carlo Gambino. Those peers are sitting together here.

This is Anthony Carolla and a complaint that he might have had with Mr. Marcello is one of the best educated guesses as to the reason for the meeting. This gentleman is from New Orleans and this is Mr. Marcello's brother. Dominick Alongi usually drives Tommy Eboli. He is probably here because he is Frank Gagliano's cousin and this is an opportunity for him to reunite.

Mr. CORNWELL. You told us what the conclusions were of the FBI by 1963 as to the national configuration of the Cosa Nostra, and you told us that the conclusions appear to you to be very reliable, having been based on physical and electronic surveillance. Would you tell us in more detail what the nature of that electronic surveillance was?

Mr. SALERNO. Yes, sir. In the staff work that was done for the committee we know that the electronic surveillance was national in scope. We know that there were electronic surveillances in the State of California. We know that there were electronic surveillances in the Middle West. We know that there were electronic surveillances in New England and a great many in the New York and New Jersey areas, as well as the one that I read to you, which shows coverage of some kind in the State of Florida.

The electronic surveillance was national in scope.

There is a development of live informants, that program became known as the TE informants—top echelon informants. I have been able to determine from my analysis of the records in which it is indicated that a top echelon informant would be considered to be a person who was in fact himself a member of the organization. So

that the FBI was able in a relatively short period of time to "turn around" people, was the professional expression used, and their information was coming from directly within the organization by people who were themselves members.

In addition to that, I think we would add that the FBI maintained liaison with other Federal agencies that had interests in these individuals and the many local police departments, so that there was an accumulation of a great deal of data upon which they could establish their findings.

Mr. CORNWELL. With respect to the electronic surveillances, are you aware of any official statement that the Department of Justice or the FBI had made concerning the scope and use of an electronic surveillance during that period?

Mr. SALERNO. Yes, sir. I have an excerpt from a submission that was made by the Department of Justice in a legal matter. The case was *Black v. The United States*, which was being heard by the Supreme Court. At that time, it was indicated in a memorandum filed by the Department of Justice, I am quoting now:

Under departmental practice in effect for a period of years prior to 1963, and continuing into 1965, the Director of the Federal Bureau of Investigation was given authority to approve the installation of devices such as that in question for intelligence and not evidentiary purposes, when required in the interests of internal security, including organized crime, kidnappings and matters wherein human life might be at stake.

Mr. CORNWELL. You told us about the extent of the surveillance and the conclusions of the FBI, but more specifically, is there direct evidence which was obtained from the surveillance which would specifically confirm the existence of La Cosa Nostra during the time period?

Mr. SALERNO. Yes; I think what was then a unique occurrence that took place in 1963, enabled us in our research work to see that very clearly.

In April of 1963, there was a member of the Carlo Gambino La Cosa Nostra family named Carmine Lombardozzi. His father had passed away, and as was not unusual in those days, law enforcement people were going to cover the wake and the funeral to see what kind of intelligence they might gather from who came, who opened the car door for whom, who jumped up and gave his seat to the other guy, and that type of thing.

As the funeral cortege was entering the church for appropriate services, one FBI man, who was present on the scene, with an attaché case, that was in fact a camera, was assaulted by two young men, or three young men, who broke from the funeral cortege. The FBI man was assaulted while he lay on the ground with both fists and feet. His weapon was taken from him and the youths joined the group of people walking into the church.

There were some negotiations with the pastor of that church, and he asked for 10 minutes to look into the matter and he came out with the FBI man's pistol, which was returned to proper authority.

That occurrence was rather unique. It seems to be a break in well-established, understood, though never spoken or written rules. The rule seemed to be between law enforcement and people in organized crime that we were all total professionals and that no

feelings were to be personalized. Therefore, law enforcement involved in that field would consider it an abrogation of the rules if some personal animosity were directed at themselves, members of their family, and organized crime expected the same thing. They expected their wives and their children not to be bothered in any way by law enforcement unless they were engaged in criminal activity. That was a détente. It was an understanding which seemed to have been broken.

That was a matter of some concern to people in the FBI and other law enforcement people, that were aware of the thing.

What followed I think we can get right from the lips of people involved in organized crime.

I have three electronic surveillances which will indicate what resulted therefrom, and more important, it will show you a communications network around the United States. That single occurrence and what followed is going to be described to you now from three electronic surveillances, one in Brooklyn, one in the city of Philadelphia, and one as far away as Buffalo.

I think this is a good time to put into the record the caveat that in looking at electronic surveillances one must deal with them professionally. You just have to understand that it is human beings talking. Some human beings brag, some human beings will escalate a story in the retelling. You will see that happening here in one instance.

So I think there has to be a great deal of care, caution, and responsibility exhibited in reviewing electronic surveillances of this type. The first was from an electronic surveillance pursuant to a court order which was executed by the members of the New York City Police Department in May 1963. The occurrence had taken place in the third week of April. This is within a matter of weeks. The people involved, Peter Ferara, who was a Capo, and the Carlo Gambino LCN family, and Michael Scandifia, who at that time is an acting Capo.

MIKE. He was told specifically * * *

PETE. To come and see me?

MIKE. You're a captain. No, they don't want to come to you. They don't want to come to you to embarrass you with your daughter.

PETE. Who did they tell that to?

MIKE. They told that to Freddy.

PETE. Yeah.

MIKE. They don't want to embarrass you. Three of them called. To him. They said, "We don't want to go to Petey Pumps, we don't want to embarrass him with his daughter."

PETE. They already did.

MIKE. They already went to you * * * er * * * this week * * * this is the bullshit.

PETE. Yeah.

MIKE. They don't want to give you no * * * in other words, they are telling you they don't want to embarrass you. In other words, they won't go to the convent. Well, I would say, right now, they are giving you the zing. You want us to go to the convent? You want us to embarrass you? Well, then, see that the right thing is done.

PETE. Yeah.

MIKE. Actually, what it boils down to, they're looking to use a stick. "But now we'll go on midnight raids. We'll do this, we'll do that, we'll do the other thing. You're a Captain. You belong to Carl's Family".

PETE. Well, previous to that he hands me Carlo's picture. "You know him?" I said, "Sure I know him". "How long you know him?" "I know him twenty, thirty years".

MIKE. They didn't expect you to say nothing.

PETE. "Can you tell us anything about him?" "The only thing I could tell you about him is that he is a business man, been in business all his life. Brought up four kids. They had a good education. They're all in business. They all went to college and married a profession. I said, what else could you ask for? He's got a nice family".

See what they do * * * they want to get a message through. I mean get a message through someplace. There's no question about it.

MIKE. They want to put the heat on you, me.

PETE. Yeah.

MIKE. Because here's the proof of it. They've gone to every Captain.

PETE. Yeah.

MIKE. And they call them "Captains". One guy said, "Foreman". And the other guy said "Capo Regina". I mean they're going right to each head. To the head of everybody they're going to. But for them to say this, when he told me this, I said "Jimmy, I think he already saw them".

PETE. Yeah.

MIKE. "I think he already saw them", I said. Now to put the heat on him to go to his daughter, I said, this don't make sense to me. I said, "Where the (obscene) does this come into the picture?" Now they don't want to embarrass you.

PETE. What are they going to embarrass me for? What can they do? Go up there?

MIKE. Well, God forbid! They can't * * * they can't throw her out.

PETE. No.

MIKE. They couldn't throw Albert's brother out. How are they going to throw her out?

PETE. Nah. They can't throw her out.

MIKE. Embarrassment, that your daughter is a nun. I mean, Jesus Christ! it's supposed to be an honor.

PETE. They can't do nothing. They won't do nothing.

MIKE. Dirty (obscene)! Now that they bring out everything Pete, the Cosa Nostra is a wide open thing.

PETE. Yeah.

MIKE. It's an open book.

PETE. It's an open book.

MIKE. Pete, you know as well as I do, familiarity with anything whatsoever breeds contempt. We've had nothing but familiarity with our Cosa Nostra * * * if it brings up sides what the hell are we supposed to do? I only know one thing Pete. The Cosa Nostra is the Cosa Nostra. You just do what the (obscene) bosses tell you!

May 20, 1963, and the target of the electronic surveillance by FBI is Angelo Bruno in Philadelphia. He is attending a meeting with Joseph Magliocco, who is at that time trying to take over a family after the death of his brother-in-law, as well as with Sal Profaci, Peter Maggio, and Salvatore Maggio. The two Maggios are related to Angelo Bruno.

Bruno describes FBI tactics used on Carlo Gambino, indicates that they named all of his, Gambino's, Capos for him. They named Joe Biondo as the underboss, Joseph Riccobono as family counselor, and they said:

These are your amici nostri, you are the Representante, you are the boss.

The F.B.I. asked, "Did you change the laws in your Family, that you could hit F.B.I. men, punch and kick them? Well, this is the test, that if you change the laws, and now you are going to hit F.B.I. men, every time we pick up one of your people we are going to break their heads for them".

And really they picked up one guy, they almost killed him, the F.B.I. They don't do that, you know. But they picked up one of his fellows and they crippled him.

They said, "This is an example. Now, the next time anybody lays a hand on an F.B.I. man, that's just a warning. There is nothing else we have got to tell you.

And they went away.

On June 3, 1963, in Buffalo, N.Y., Stefano Maggadino is speaking on an FBI electronic surveillance. Present are Stefano Maggadino and several top ranking members of his La Cosa Nostra family. Mr. Maggadino is speaking:

They know everybody's name. They know who's Boss. They know who is on the Commission. They know Amici Nostro [the Password, Our Friend].

The FBI said, "What was your caporegime doing here?" "What did he come to tell you?"

11, 12, 13, were massaged [beaten up].

To Carlo Gambino they said "This is your underboss, this is your caporegime, this is your consiglieri.

And one of the other persons present says: "They talk as if they belonged."

There is an escalation from one person—a Carlo Gambino adherent beaten to 11, 12, and 13. I don't think that is explainable by the passage of time. It was only one I have on somewhat reliable authority.

We also have other types of conversations. Frank Nicoletti speaking to Angelo Bruno, December 22, 1962: "It is a wonderful thing, La Cosa Nostra."

To give you an inside view of organized crime and its totality and its size. Meyer Lansky and his wife, on May 27, 1962, were watching a TV show in which one of the panelists referred to organized crime as second only in size to the U.S. Government, and Meyer Lansky turns to his wife and says, "It is bigger than United States Steel."

I think the best evaluation of the FBI's electronic surveillance program is in a memorandum which was written by Mr. Courtney Evans. At that time Mr. Courtney Evans was in charge of the Special Investigation Division of the FBI which concerned itself directly with organized crime, and Mr. Evans on August 21, 1964, wrote a memorandum to Al Belmont, who was the Associate Director of the FBI, his superior in rank, and who covered in his authority the entire General Investigative Division of the FBI. It reads thus:

Milwaukee, Madison, Springfield, Rockford, Kansas City, and St. Louis, are strictly answerable to the leadership of the Chicago family in any major policy decisions or significant problems. Frank Balistrieri of Milwaukee did a favor for Joe Bonnano and this angered Sam Giancana when he learns of it because of the commission's disfavor with Bonnano.

We are probably in the unique position of better understanding Giancana's reaction than was Balistrieri.

That is actually a fact. Mr. Bonnano at this time was in some difficulty with his peers on the commission. Mr. Balistrieri, though a family leader in Milwaukee, was not aware of everything being discussed and considered by the commission at that time, but the FBI was. So they were actually in a position to literally be able to say they knew more about what was happening within La Cosa Nostra than a family leader in Milwaukee.

Mr. Evans goes on to say, "Our recent expansion in the development of intelligence on the existence and activity of La Cosa Nostra in Wisconsin tends to confirm that there is no adequate substitute for," and then the description of an electronic surveillance is deleted—"for the development of accurate information on this underworld phenomenon."

We have further descriptions of how La Cosa Nostra works and how the authority within a family discipline is demonstrated in this conversation. Anthony Zerilli, a Capo in Detroit, is speaking to Nick Ditta on December 4, 1963:

You are a friend of ours and you belong to my Regime. If I tell you to jump off a 20-story building, you jump off and you jump off any time I tell you to.

We have a conversation which describes the hierarchical structure. Again, Anthony Zerilli speaking in Detroit on December 4, 1963. He states that it is the obligation of a friend of ours to go to the caporegime and tell him the reason for this is. The Capo Regima is the confessor and he must be told whether he wants to know or not, because he is the one who decided whether a person should tell or should not tell.

According to Zerilli, one of the main requirements of a friend of ours is that he cannot tell a lie to another friend of ours. The informant stated Zerilli had indicated that one of the first things you are taught is that you cannot lie to a friend of ours.

September 3, 1964, Stephano Maggadino, family leader in Buffalo, states:

But these are secondary things. The commission has nothing to do with it. When the commission takes up a matter the whole of America is involved because we enjoy their full confidence, they have faith in us that we will do things honestly and justly.

Mr. CORNWELL. It appears quite evident from what you have just recited that by 1963 the FBI knew, as you put it, perhaps more about the scope and nature of organized crime in this country, through their surveillance program, than many of its members did. They knew the terminology, the positions, who held the positions.

When you were retained as a consultant for this committee you were specifically asked to review various portions of that surveillance, and I would like for you to describe how you went about that task.

Mr. SALERNO. When I began to work for the committee I sat down with the chief counsel and we designed an approach to the problem. We thought that the time period which should be of concern to us should be from January 1, 1963, through the entire year of 1963 and ending at June 30, 1964. That was an 18-month period. It would be a period for approximately 11 months before the death of the President and for some 8 months following his death.

We did expand that briefly in looking at the La Cosa Nostra file for a similar period surrounding the assassination of Dr. King just to see if that was a matter of any interest, concern, or commentary by anyone in organized crime.

From the examination of the La Cosa Nostra files and the study of the organization as a whole there were natural leads that took us to the next steps in progression.

We obtained for the committee and its staff individual files on principals who came within the scope of the investigation. We looked not only at individual files but for these people that were important to us. We asked the FBI if they had electronic surveillances and they made those available to us.

There came a time when in order to meet deadlines and complete the assigned tasks, two persons, Miss Leslie Wizelman, and Mr. Mark Flanagan, were brought into a conference with Professor Blakey and I and we directed and instructed and trained them in what our approach was, what we were looking for and how we were looking for it, and they participated in this with me.

In all, we covered more than 300 volumes of electronic surveillances that the FBI made available to us, more than 36 volumes of La Cosa Nostra for the period 1962 to 1964, and another figure which brought it beyond 50 for the period surrounding the death of Dr. King.

Mr. CORNWELL. I think it would be helpful, in order for the committee again to get the greatest insight into the possibility of whether men like Trafficante and Marcello would have had the motive or means to assassinate the President, for you to tell us, from the surveillance what the nature of the Cosa Nostra was during the early 1960's, what its objectives were and how it ran its business affairs.

Mr. SALERNO. Yes; I put together methodologies employed by organized crime, goals, purposes, methods of achieving them, and this is entirely based upon the material that we obtained from the FBI in its intelligence program.

There is a national conspiratorial criminal organization within the United States whose members refer to as La Cosa Nostra. The organization is made up of groups known to the members as families. The families are headed by a leader who is referred to as a boss or the Italian word capo is used. The families have a second in command, executive officer to the leader, who is referred to as the underboss, and they use the Italian word sottocapo.

The families have a position known as counselor, or they use the Italian word consigliere, who is considered to be an adviser and who is available to all of the members of the family.

The family has within it subunits, known originally as Decina. That was the name used when the numbers of the subunit was limited to 10 in number. When that no longer became a fixed limit the title was changed to regime.

The subunits are headed by a person with a title of caporegime, or the head of the regime. This position is often referred to in the anglicized word captain. The individual members of the family are referred to as members, soldiers, or as a made man or as a button man.

The families are governed in matters of import of policy and in matters arising between families by the national commission whose numbers can vary, which is made up of the leaders of the major families. Those families whose leaders do not serve on the commission may have their interests represented by a commission member.

Other terms for the organization or its individual families, often used by outsiders, are the Mafia, the organization, the clique, the boys, the office, the arm.

There are rules which are known to members, though not written anywhere. They use relatives and friends as couriers. They use relatives and friends as mail drops. They use friends and relatives as message centers. They have elaborate systems of prearranged times and telephone numbers in order to communicate with each other and to thus avoid electronic surveillance.

They engage in political activity to an inordinate degree. They make direct political contributions. They engage in fundraising in obtaining contributions from others for political purposes.

They will support controlled or friendly candidates. They will help control appointment of positions in government. They will hold elective and appointive positions at all levels of government. They will help relatives achieve elected and/or appointed positions at all levels of government. They will try to influence the outcome of government decisions. They will lobby in favor of legislation they consider in their best interests. They will lobby against legislation they consider not in their best interests.

They will engage in dispensing political patronage. They will campaign against candidates considered to be inimical to their best interests. They will assassinate other family leaders in order to replace them. They will employ public relations efforts, such as protesting Italian defamation, when the term Mafia or La Cosa Nostra are ever used.

They will make illegal deals with high and lower level labor leaders. They will get finders fees for arranging union loans. They will get percentages for helping someone obtain Government loans.

They will operate an intelligence-gathering capability. They will operate a counterintelligence capability. They will analyze the extent of law enforcement knowledge concerning themselves and their activities. They will intimidate or kill informants and witnesses. They will fake illnesses, and once even a kidnapping, in order to avoid legal process. They will utilize bribery as a tactic. They will utilize other forms of corruption. They will engage in blackmail. They will try to influence media stories.

They will avoid taking a position within the family if the demands of such will compromise their usefulness to the family and the organization in the underworld.

Two examples, John Montana gave up the family leadership in Buffalo to Stephano Maggadino in order to run for political office and he was in fact elected to the city council in that city.

Joe Caminici, the Milwaukee underboss, will not run the family if leader Frank Balistrieri goes to jail, so as to not jeopardize his position with the International Brotherhood of Teamsters.

Mr. CORNWELL. Part of the information that you have just described as being derived from the surveillance indicates a hierarchical type of organization, discipline, rules, and regulations. The committee has received evidence that Jack Ruby may have had some contact with people who have been associated with organized crime. Of course, the committee explored one such example in the form of taking testimony from Lewis McWillie.

We also, as we noted earlier, heard Santos Trafficante testify that he did not know Jack Ruby or Lee Harvey Oswald. In order to allow the committee to assess with greater precision the relevancy or impact of that kind of evidence, I wonder if you could explain to us in more detail, the nature of the hierarchical design of organized crime. I understand you do have a chart which you can use for that purpose; is that correct?

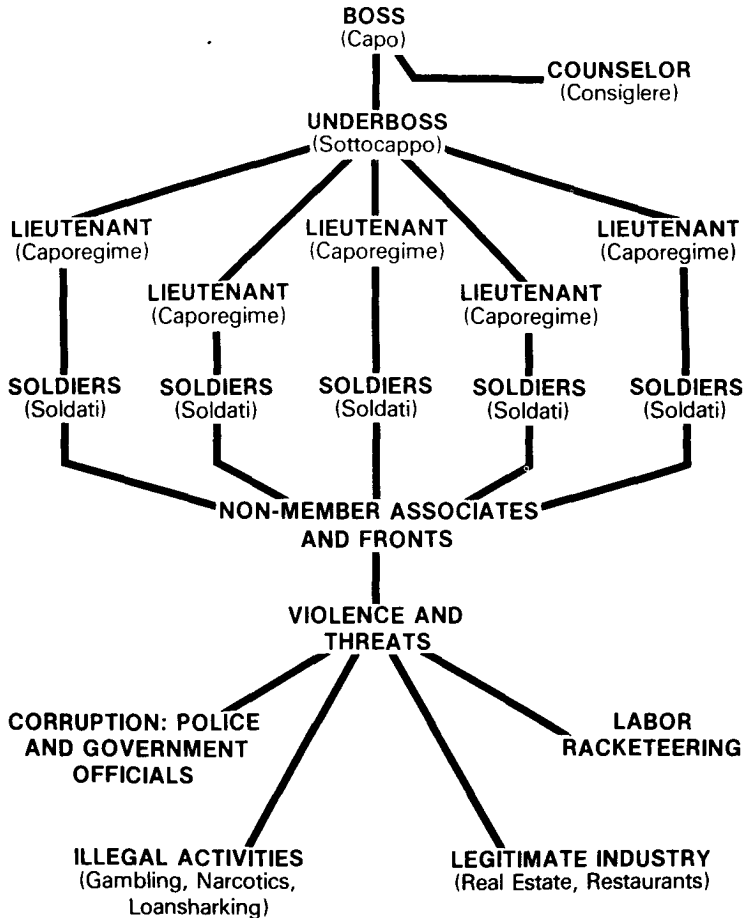
Mr. SALERNO. Yes; I do, sir.

Mr. CORNWELL. May we have JFK exhibit F-548 admitted into evidence at this time, Mr. Chairman?

Chairman STOKES. Without objection, it may be entered into the record at this point.

[JFK exhibit F-548 was admitted into evidence.]

An Organized Crime Family



JFK EXHIBIT F-548

Mr. SALERNO. This is an example representative of an organized crime family. The positions that I have named for you are shown. The boss at the very top. The second in command is the underboss or sottocapito. The counselor is not in the direct chain of command. He is an adviser. He is usually an older member. To a large extent, he is an historian. He will base his advice on things that happened in the past, whether they worked out well or not. While he is supposed to advise and be available to any member of the family, the fact of the matter de facto comes out that he is usually a very close friend of the boss and most of the advice he gives is to the boss's advantage rather than anyone else.

The next level of command are the lieutenants, captains, and the anglicized word taken from caporegime. Then you have the individual units of soldiers who are governed by a capo. The interesting thing here is that all of the soldiers are not of equal importance,

all of the soldiers do not have the same kind of income. It is entirely dependent upon their own abilities to create and to get involved in illegal activity. One soldier may simply have as his income a sinecure. He has a job with a construction company and he couldn't find the offices of the construction company or any building sites, but he gets a check which keeps him.

The next soldier in an alphabetical listing might very well be a multimillionaire who would have 20, 40, or 50 people working for him in different operations. So that beyond soldier, it goes out of the family or parallel to the family and they can have associates who are not necessarily of Italian origin. They can be of any race or color or religious affiliation. They will participate in violence and threats in many types of activities, in labor racketeering, to intimidate legitimate industry, they may invest in legitimate industry, they have illegal activities, gambling, narcotics, loan sharking, are always on such a laundry list and there will also be a constant methodology of attempting to corrupt police, prosecutors, any person in government who might be harmful to them or helpful to them if his efforts can be negated.

Mr. CORNWELL. What, if any, is the purpose for the layering or number of positions between the boss and the ultimate activities that are affected by organized crime at the bottom of the chart?

Mr. SALERNO. Well, this was stated in his testimony by Joseph Valachi and is confirmed by everything that law enforcement people have been able to find. The real main purpose for this hierarchical structure is to protect the boss. All of the responsibility, all of the risk in the activities flows down from the boss and the farther away he can get from the illegal activities that are committed down here, the less likely anyone is to get evidence which can be used in a court of law and convict him of a violation of law. So the responsibility and the risk is all down here at this end of the chart and most of the money flows upward toward that end of the chart. It is a form of protection, and insulation of the people on the higher level.

Mr. CORNWELL. With that being the case, what would you assess as the significance of the testimony then from Santos Trafficante that he did not know Jack Ruby if the committee wishes to explore the issue of whether there could be any connection between Ruby's activities and Trafficante?

Mr. SALERNO. That could be a truthful statement without it having any particular significance. It is quite possible for a leader of a family, such as Mr. Trafficante is, to have people engaging way down here in some illegal activity, the two never having met, the two not even being aware of the other's existence or names.

Mr. CORNWELL. Similarly, let me ask you what, if any, significance might be derived from the evidence, if it is to be believed, that the contact between a person such as McWillie and Trafficante was not close or intimate?

Mr. SALERNO. I think I would give the same answer that it is not necessary for someone up at this end of the chart to be personally acquainted with a nonmember associate in order to have that person discharging the wishes of the man at the top of the chart. That can be handled through intermediaries.

Mr. CORNWELL. What, if any, fact would you expect with respect to the knowledge of a person, such as McWillie, or anyone else that might be similarly situated, with respect to Trafficante? How much knowledge would you expect that type of individual to have?

Mr. SALERNO. I would say in view of the testimony that I have heard, that Mr. McWillie was engaged in the casino gambling industry in Havana as a manager and that Mr. Trafficante was an entrepreneur in three or four such establishments, they are in the same field, I am certain that they would know each other.

Mr. CORNWELL. With La Cosa Nostra, would you expect that all of the positions in that chart would be occupied by Italians?

Mr. SALERNO. The positions within the family; yes. But in an enterprise or in a venture, they would not be restricted to working with other Italians who are members of that family. They might be working with anyone from any kind of national background or religious affiliation.

Mr. CORNWELL. The bottom portion of the chart reflects that the organization crime family you have been describing will use violence and threats. Will you tell us in more detail what in your experience, the nature of such violence and threats consist of?

Mr. SALERNO. Yes; there is such a thing as a typical or representative gangland homicide. I would like to point out that killing someone is an ultimate weapon that is used by organized crime. If it is possible to achieve that which they seek to achieve with a warning, with a threat, with a slap in the face, with some lesser violence, they will utilize that. Violence is restricted. Peter Ferraro, that was mentioned earlier in my testimony, one time on electronic surveillance, felt that America should take note of the fact that if it wasn't for us, these are his words, "If it weren't for us, there could have been 20 Chicagos." He is talking about, apparently, the St. Valentine's Day homicide—seven people killed all at one time. The fact of the matter is, and I put this in my paper for the President's Commission on Violence, that as crime got better organized, gang wars certainly diminished. I would think that homicides in toto probably were less following the prohibition era than they were during the prohibition era.

However, the definition of the President's Commission on Violence also included fear, and I think that the fear of organized crime has been on a constant increase in the United States for the last 50 years, and you can see that fear, as against the actual violence of homicide, working against each other. If the fear is sufficient to achieve their goals, you don't find that many homicides. It is when the fear will not work that the homicide will be engaged in.

Now, with regard to organized crime murders, I am sure, one logical question is, how do you know so much about organized crime murders? How does the FBI know so much about organized crime murders?

Well, we know a great deal about them in many, many ways. For example, one way in which we have learned about organized crime killings are from the killers themselves, people who have confessed their participation and are even going beyond that and willing to testify against others who were involved. Abe Relis, in "Murder, Inc.," described a number of murders committed in and around the

city of New York and at least one in the city of Los Angeles. Joseph Valachi, in his long recitation before a congressional committee, included the details of a number of murders. Joseph Luferelli in New York City confessed the details of his own participation in the murder of Joey Gallo. We have the court testimony of Joseph Barboza regarding homicides that he committed and the evidence was given against Raymond Patriarca and others in New England. The FBI affidavit that I mentioned in a Cleveland case was substantiated in great part by the confession of one Raymond Ferito of Erie, Pa., who was brought into Cleveland to participate in a bombing, and he implicated others, including James Fratiano who himself is now in the care, custody, and control of the Federal Government while he is divulging a great deal of his knowledge about organized crime, including a number of homicides.

We had a man named Harold Koenigsberg who told the FBI about a great number of murders that he had been involved in and even drove with them to a chicken farm in New Jersey where he buried the bodies. And several bodies were disinterred and identified. We have a case in Kansas City where four young men were hired to do a contract hit and they confessed their guilt and implicated the others who were involved. So we have a great deal of knowledge about killings and right from the lips of the killer.

We also, through electronic surveillance, have been able to hear the confessions, if you will.

It seems that people who might be planning at this moment to do a homicide, while they are waiting for their opportunity, will engage in reminiscences of the past in which they discuss other homicides. The FBI got one exactly like that in the city of Miami from an electronic surveillance put in on Jackie Cerone, David Yaris, and other Chicago hit men who were planning a murder down there but began to discuss a homicide that they had committed back in the city of Chicago. Exactly the same type of thing has happened on an electronic surveillance in New Jersey on Angelo "Gyp" DeCarlo which was put into a court record and is now in the public domain. Peter Ferraro, once again, was planning one homicide and while discussing that went into a recital of past jobs they had done. There are many examples of that.

Mr. CORNWELL. From such sources of information, would you simply tell us the basic characteristics of organized crime's use of violence and very briefly illustrate that with a few examples.

Mr. SALERNO. Well, an organized crime hit is used for a number of reasons. It may be used to maintain internal discipline and loyalty to the leadership within the group. It may be used to limit evidence gathering possibilities through the intimidation of informers, witnesses, and victims of their crimes. It may be used to influence the outcome of a criminal justice matter, if they can induce fear in a witness, in the jurors, in court officers, in the police, or prosecutors. Homicides will be used in guaranteeing the success of some illegal operations.

Gambling; gambling is an illegal business engaged in by organized crime where a great deal of credit is extended. That business could not exist unless debtors knew that they were expected to pay. Loan sharking is based entirely upon "your body is the collateral,"

as one loan shark put it. Extortion, labor racketeering are also conditioned upon fear.

These are the characteristics that will be found in a representative gangland homicide. No. 1, it must have approval and authorization of people of some rank. Now, such a person is faced with something of a dilemma. I think he enjoys the power that is thus vested in him, the power of life and death, if you will, but he does appreciate that in legal terms he will be just as guilty as the actual killers, and thus, when he approves of the issuance of what is known as a contract to kill, he will very probably be seeking to limit the vulnerability that he might feel and, therefore, he will most likely limit his role to giving that authorization to one close trusted person. We have come to call that person the expeditor. He is responsible for seeing to it that the murder is accomplished, and he is given the widest latitudes in how this is done. No. 1, he could do it himself if he elected to. He could recruit others and he could join with the others in accomplishing the desired act. Although the expeditor has the option of doing it himself, and that would limit the conspiracy to just two persons, the authorizer and the expeditor, this is the least likely possibility that he would follow. He is not entirely impervious to the fact that layers of insulation can be used as a valid form of protection against direct evidence.

The most likely thing is that he will pass the contract on to others. He cannot divest himself of the responsibility for the ultimate success or failure. He may subcontract the matter out to a subexpeditor to carry it still further or he may directly recruit the "hit" team himself.

Now, you have the hit men, these are the actual killers. They will be recruited, if possible, from felons who have demonstrated some successful ability in the past. Within the archives of organized crime, doing a successful hit was always considered to be a way of "earning your bones." And that's an expression that means you will be welcomed into membership in the criminal organization or, if you are already involved, you earn a position of trust from a grateful leadership.

Persons who will be doing their first hit will more than likely be part of the team where there are some more experienced members. The method that is employed may vary although the most popular is murder by gunshot fire from handguns. In recent years, it has been noted by people who professionally deal with organized crime, that a new type of handgun seems to have come into popular and frequent use and that is a .22-caliber pistol with a silencer. There has been some speculation that maybe a single hit team that likes .22-caliber pistols was being widely employed throughout the country. My own opinion is that gangland killers have simply learned what other assassins have known for a long time. And that is, that if you get close enough, a .22-caliber pistol will kill just as effectively as a shotgun and a magnum and it is much quieter about doing it.

In addition to handguns, there are sometimes variances you will find dependent upon individual tastes, local customs are perhaps dictated by special circumstances. Killers in Chicago have traditionally favored the use of a shotgun. Youngstown, Ohio, in the past, and Cleveland in the mid-1970's, utilized dynamite and other

explosives. Rifles have been employed when conditions made it difficult to get close to the victim. This is often the case during a gang war. Knives, ice picks, strangulation by garroting have also been employed.

Then in addition to the weaponry that is used, you will find that there is usually more than one executioner; most likely two. If they are using handguns, they will decide whether they are going to act simultaneously in their gunshot fire or one may be the covering backup man for the other, and after reviewing hundreds of these cases, the record shows very clearly that the imported, out-of-town killers is overwhelmingly the exception rather than the rule.

Mr. CORNWELL. Mr. Chairman, at this point, I think that we might want to break for lunch and come back and continue at a later point.

Chairman STOKES. The committee at this time will stand in recess until 1:30 this afternoon.

[Whereupon, at 12:25 p.m. the committee recessed, to reconvene at 1:30 p.m.]

AFTERNOON SESSION

Chairman STOKES. The committee will come to order.

Counsel, Mr. Cornwell, may proceed.

Mr. CORNWELL. Thank you, Mr. Chairman.

Mr. Salerno, prior to the lunch break you had described for us what the FBI had learned through their program of physical and electronic surveillance in the early sixties, and the broad outlines of La Cosa Nostra in this country as it existed during that period of time, together with a description of the way it operated, its discipline, its hierarchical structure, and its use of violence, and the means that it used to carry out such violence.

Let me direct your attention at this time to the question of motive. If the organization was such that it could have carried out an assassination, did it, nevertheless, have the motive to do so in 1963?

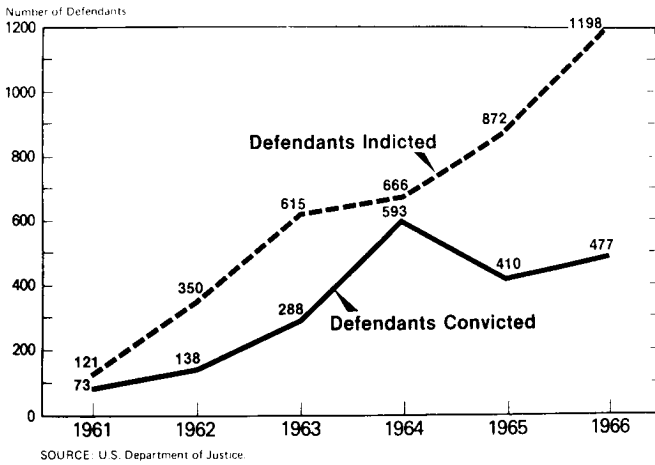
Mr. SALERNO. Yes sir. We have obtained some data in which we can actually quantify that and I can show it to you with the help of an exhibit I made.

Mr. CORNWELL. At this time, Mr. Chairman, may we have admitted into the record two exhibits which have been marked for identification as JFK F-551 and F-552.

Chairman STOKES. Without objection, they may be entered into the record at this point.

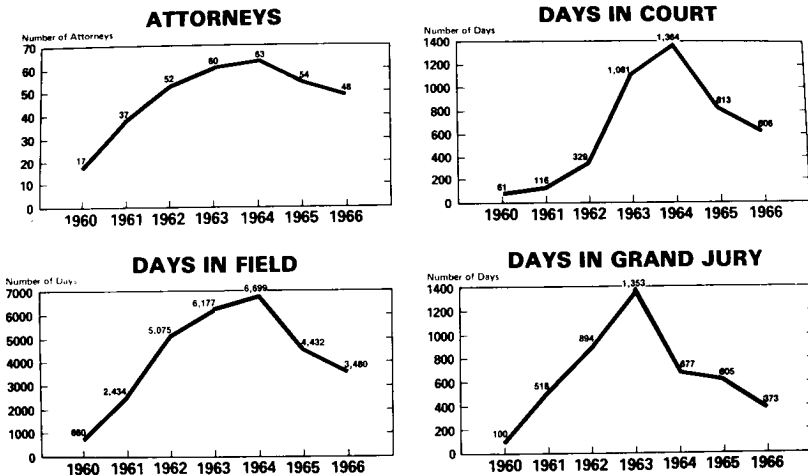
[The above referred to JFK exhibits F-551 and F-552 follow:]

Organized Crime Indictments and Convictions



JFK EXHIBIT F-551

Organized Crime Program



JFK EXHIBIT F-552

Mr. SALERNO. In addition, sir, what is shown on these charts, the intelligence gathering confirms their reactions to what is demonstrated here.

You see the chart is just about self-explanatory. The first one indicates organized crime indictments and convictions, and with the advent of the Kennedy administration, there is an almost constant rise up through 1963.

The charts here are the Organized Crime Section of the Department of Justice. This relates to the number of attorneys in the Organized Crime Section of the Department of Justice, the number of days they spent in field work, the number of days before grand juries in the presentation of evidence, and the number of days in court and legal litigation.

Mr. CORNWELL. You have told us that the electronic surveillance confirms this. Very briefly, would you summarize for us, if you can, what was learned from that surveillance about just how bad the Kennedy administration's organized crime program was hurting La Cosa Nostra during these years?

Mr. SALERNO. It manifests itself in the strongest language against President Kennedy and Robert Kennedy. I would describe it as being antagonistic and very unhappy with the President of the United States. With regard to the Attorney General, it is bare hatred.

Mr. CORNWELL. The prosecution, the pressure, was disrupting their operations, was it?

Mr. SALERNO. Yes, to a considerable degree. I will give you just a few examples. Electronic surveillance in casinos in Nevada. Four casinos had been skimming. One casino \$700,000 per year. The others were averaging well beyond \$1 million per year skimmed out, not declared for tax purposes, either to the Federal government or to the State of Nevada. That was realized to be in jeopardy when they discovered some electronic surveillance in the accounting offices of those casinos.

To give it very briefly, Mr. Cornwell, the end of an era had come and they recognized it. If you were an organized crime leader of an organization that many people did not believe existed, very few priorities were being directed toward you, if your activities criminally stayed close to what people call victimless crimes, you had almost the perfect crime accomplished. You are the leader of a group that no one believes exists and you are making millions of dollars from operations that not too many people complain about. That was coming to an end.

So a tremendous financial empire was being very seriously threatened.

Mr. CORNWELL. You mentioned that you had a number of specific instances where this phenomenon was discussed over the electronic surveillances.

Mr. Chairman, we have marked those, or some of those examples for JFK exhibits F-604 to F-618, F-620 to F-622, and F-625 to F-643. May we have those admitted into the record?

Chairman STOKES. Without objection, they may be entered into the record at this point.

[The above referred to JFK exhibits F-604 to F-618, F-620 to F-622, and F-625 to F-643 follow:]

JFK EXHIBIT F-604

F.B.I. electronic surveillance of Sam Giancana, in discussion with Gus Alex and Edward D. Vogel, two associates. January 31, 1962.

Conversation indicates that the Chicago syndicate, insofar as its gambling activities are concerned, for all practical purposes has come to an end, primarily from the intense pressure placed upon the organization by the "G", meaning the Federal government.

This fact, coupled with the fact that the state and local police have been forced to move against the syndicate, has brought Giancana et al. to the realization that for the time being "everyone is on his own", meaning that they will no longer receive support from the organization nor can anyone expect influence to be brought to bear on their behalf.

JFK EXHIBIT F-605

La Cosa Nostra File January, 1962

Sam Giancana and John D'Arco, (Sam's political henchman), discuss the fact that Mayor Daley wants to put a former F.B.I. man named Spencer in as a candidate for Sheriff of Cook County on the Democratic ticket against Ogilvie, the Republican candidate.

Giancana: (of Spencer) He's like Kennedy, he'll get what he wants out of you, but you won't get anything out of him.

Tells D'Arco that it may have been a tactical error for him to have let his antipathy toward Spencer be made known.

D'Arco: I had to Moe, I was desperate. You told me to get the guy out. You gave me a (obscene) order.

Giancana: Well, the Mayor.....

D'Arco: Well, this guy (Daley) is the Almighty. As powerful as you are with us, he's as powerful with them. You say, 'Do this!' What the (obscene), we don't even ask 'Why?' we just do it, right? It's the same thing with him (Daley). When you gave me that order to get him off, I got desperate.

Giancana: Well, it's happened, so there's nothing you can do about it. Well, as far as the city is concerned we're out, and as far as the county is concerned, we're out, so it looks like we'll just have to go into Indiana and run this thing from Hammond. We'll put up whorehouses and everything else.

JFK EXHIBIT F-606

Feb. 27, 1962 Frank Ferraro and Hy Godfrey, two members of the Chicago criminal organization, discuss Special Agent August Kempff and another F.B.I. man who are giving them a hard time in the Top Hood Program and the Criminal Intelligence Program.

Ralph Pierce (a high-ranking member of the Chicago criminal organization) "is closed down and he is going to be closed down from now on".

JFK EXHIBIT F-607

Jan. 15, 1963. Airtel from SAC Chicago to The Director.

Chuek English bemoans the fact that the Federal government is closing in on the organization and apparently nothing can be done about it. Makes various and sundry inflammatory remarks about the Kennedy administration.

JFK EXHIBIT F-608

F.B.I. La Cosa Nostra Summary, January 31, 1963.

Permission is being sought for retaliation against Federal investigators, newsmen and politicians who expose La Cosa Nostra.

JFK EXHIBIT F-609

N.Y.C. Police Department Intelligence Bulletin #10
June 7, 1963

An analysis of police intelligence work. A conversation
between 2 Brooklyn hoodlums. They curse the police.

"They know a lot...they know everything. They put
everything together, lots of things. Where we take
it for granted it don't mean nothing.

"These people (the police) have been gathering and
gathering. They go here! They go there! See,
before it was a different story. If you had the
locals, they knew the information, but they kept it
for themselves. Today, they are all working together.
We got a big problem.

"These people are united. Everything they collect,
they concentrate. And now everything goes into
one office. Before, every squad kept the information
for themselves. You take this cop on the corner,
you've been paying him for 20 years, maybe. They get
the information. Someone comes in from New York and
asks if he knows so and so. 'Oh, he's a bookmaker'.
And you've been paying him for 20 years!! That's
the condition you got today".

JFK EXHIBIT F-610

Buffalo Div. Elsur on Stefano Magaddino June 11, 1963.

He is talking to an underling from Syracuse, Anthony deStefano.

"You see, the Cosa Nostra. The other day they made
me become frightened. They know our business
better than us. They know the heads of the families,
the Capodecina, the F.B.I. does.

"Therefore, that's why, the other day, I say,
'Be careful before you open your mouth'.

"Because sometime somebody could be a spy (law
officer) and you might think he is an amico
nostro (a friend of ours and a member)."

JFK EXHIBIT F-611

Airtel August 7, 1963

Gus Alex, a Giancana henchman in Chicago, states that the F.B.I. has been following Giancana everywhere he went, even on a golf course. Alex stated that no one can contact Giancana because of the F.B.I. surveillance.

JFK EXHIBIT F-612

La Cosa Nostra File August 8, 1963

Joe "Beck" DiPalermo asked Vito Genovese for permission to retaliate against Federal narcotic agents that he claimed were framing members. Vito said something would be done about it.

JFK EXHIBIT F-613

La Cosa Nostra File October 15, 1963

Buddy Jacobson and Pat Marcy, political front men for Sam Giancana.

Jacobson stated that he had never seen conditions so bad as they are in Chicago at this time. Jacobson states that Paul Ricca (former leader of the Chicago criminal organization) advised him that the organization must be patient and wait for the pressure to lift. Jacobson tells Marcy he has never seen a time when they had so little going for them.

JFK EXHIBIT F-614

F.B.I. electronic surveillance in the residence of Charles Costello in Florida. Costello is a relative and associate of Angelo Bruno, L.C.N. leader in Philadelphia, Penna. Bruno is a frequent winter visitor to this residence.

Oct. 24, 1963 Madeline (Mrs. Charles) Costello in conversation with Unidentified Male.

Madeline: "I won't talk in this house, that's the way things are, alright? I want to talk, I'll take a walk outside. You know there's got to be something in this house".

Continues, saying the house is vacant so much there is ample time and opportunity for installation of a "mike". She has expressed similar thoughts in the past.

Madeline: "I'll tell you the things they are doing to that man (Angelo Bruno) are awful, just terrible...."

U.M. "They are crucifying him."

JFK EXHIBIT F-615

1963 Elsur on Santo Trafficante in a Miami restaurant.

Trafficante: "Let me tell you this. This is what happens to me. Now, I don't give a (obscene) about the S. & G. I know when I'm beat, you understand?

"I got a numbers office in Orlando. They grab everybody, forty or fifty people. Forty or fifty thousand in bond. They have no evidence, but when they get through it costs thousands.

"I got another office in St. Cloud, Florida. You can't even find St. Cloud on the (obscene) map, but the (obscene) 'G' found it.

"Kennedy's right-hand man, he goes through the (obscene) nigger town. Must have been 2,000 niggers, and makes a (obscene) big raid over there.

"Just a start, any (obscene) place that they found a phone connection in there from Tampa....."

JFK EXHIBIT F-616

Miami, Fla. 1963

F.B.I. electronic surveillance on Johnny "Dee" Palmisano in Florida. He is in conversation with an associate, Ralph Petillo, discussing the F.B.I. and Attorney General's fight against organized crime.

Johnny Dee says that Hoover is not heard of anymore because of the Kennedys.

JFK EXHIBIT F-617

F.B.I. La Cosa Nostra File 1963.

Angelo Bruno expected an I.R.S. indictment and was prepared to leave the country to live in Italy. He also recommended to Gerry Catena (of New Jersey) that he prepare to depart. Gerry said it would be very difficult for him to do so because of his family.

JFK EXHIBIT F-618

2. On February 8, 1962, Angelo Bruno and Willie Weisburg discussed the Kennedys. Angelo Bruno at that time was the leader of organized crime in the city of Philadelphia. Bruno was also a member of the Commission. Weisburg is a business associate of Bruno's. Weisburg is complaining about the FBI and the Kennedys.

Weisburg: See what Kennedy done. With Kennedy, a guy should take a knife, like one of them other guys, and stab and kill the (obscurity), where he is now. Somebody should kill the (obscurity). I mean it. This is true. Honest to God. It's about time to go. But I tell you something. I hope I get a week's notice. I'll kill. Right in the (obscurity) in the White House. Somebody's got to get rid of this (obscurity).

Bruno responds to Weisburg's statements with the following story:

"Look, Willie, do you see there was a King, do you understand. And he found out that everybody was saying that he was a bad king. This is an old Italian story. So, there was an old wise woman about 140 years old. So, he figured. Let me go talk to the old wise woman. She knows everything. So he went to the old wise woman. So he says to her. I came here because I want your opinion. He says, do you think I'm a bad king. She says, no, I think you are a good king. He says, well how come everybody says I'm a bad king? She says because they are stupid. They don't know. He says, well how come, why do you say I'm a good king. Well, she said, I knew your great grandfather. He was a bad king. I knew your grandfather. He was worse. I knew your father. He was worse than them. You, you are worse than all of them, but your son, if you die, your son is going to be worse than you. So it's better to be with you. (All laugh) So Brownell (former Attorney General) was bad. He was no (obscurity) good. He was this and that.

Weisurg: Do you know what this man is going to do? He ain't going to leave nobody alone.

Bruno: I know he ain't. But you see, everybody in there was bad. The other guy was good because the other guy was worse. Do you understand? Brownell came. He was no good. He was worse than the guy before.

Weisburg: Not like this one.

--continued--

Bruno: Not like this one. This one is worse. Right? If something happens to this guy. (Laughs)

Weisburg: Let me tell you something. The FBI always hated the IR. Always. The IR never checked with the Treasury men. They went separate ways. They wouldn't give each other information. They wanted the credit themselves. He made it with local authorities. He made it ring-around-the rosy, pal.

Bruno: Oh, yeah. This guy is an accountant, see. So, now, he had to do something worse. So what? He started to think, what can I do more than the other guy. The other guy made the anti-racketeering law, gambling laws, he did this and he did that. What can I do. He says, I know what I can do. Anybody that has a record that is police property, when he gets pinched, no bail. (Bruno then compares the Italian process of not allowing bail and incarcerating individuals until proven innocent.)

Weisburg: It's still America, though.

Bruno: So, it's still America. They are trying to pass a Federal law that you can't take the Fifth (amendment). When they grant you immunity you can't take the Fifth.

Weisburg: They are not going to pass that law.

Bruno: But they might.

JFK EXHIBIT F-620

4. On February 17, 1962, the following conversation was held between Angelo Bruno, previously identified as a Commission member and leader of the Philadelphia family, and Mario Maggio, and Peter Maggio. The latter two individuals are in-laws and associates of Bruno's.

Maggio: ...Kennedy is going to leave, they are going to make him a special assistant (to the President) out of him. They want him out of the way, he is too much, he is starting to hurt too many people, like unions. He is not only hurting the racket guys, but others, anti-trust...I think that he is going to leave. But the only reason he won't leave, which I heard before, you see he wants Edgar Hoover out of that.

Bruno: Edgar Hoover.

Maggio: He wants Edgar Hoover out of the FBI because he is a fairy, you know he is a fairy, I heard this before...

Bruno: Who?

Maggio: Edgar Hoover is a fairy...

Bruno: Who would ever listen to that bullshit...

Maggio: Listen to this. Edgar Hoover is not married and neither is his assistant, read back in his history...

Bruno: His assistant?

Maggio: I heard a story about Kennedy being a fairy...

Maggio then relates a story about a Boston newspaper talking about Kennedy going to a party dressed as a girl and concludes, "I can't see Kennedy getting out of this job, I told Paul. They are going to make this a family affair and he wants to be President."

JFK EXHIBIT F-621

5. On April 22, 1962 a memorandum from the Director of the FBI to the Attorney General states that Mr. Celano and Ralph Pierce referred to Robert Kennedy as "vicious" for ordering the Illinois Bell Telephone Company to cut off telephone service to Illinois Sport News. Both of these individuals are top echelon associates of Sam Giancana.

JFK EXHIBIT F-622

6. On May 2, 1962 two New York LCN members, Sal Profaci and Michelino Clements, and a third unidentified individual named Bob, had the following conversation:

Clemente: "Bob Kennedy won't stop today until he puts us all in jail all over the country. Until the Commission meets and puts its foot down, things will be at a standstill. When we meet, we all got to shake hands, and sit down and talk, and, if there is any trouble with a particular regime, it's got to be kept secret, and only the heads are to know about it, otherwise some broad finds out, and finally the newspapers."

Later in the conversation, Clemente states that things are not like they were years ago, when the Commission would meet once a month, and there were no cops around to spy on them.

Clemente stated that today, in order to have a meeting, you have to tell each one individually about the meeting, without letting them know who else will be present, or what the meeting is going to be about, so that there will be no chance of any information leaking out.

JFK EXHIBIT F-625

October 23, 1962

Pat Marcy, John D'Arco and Congressman Roland Libonati

Libonati gave them a Cuba-China-India war briefing. Indicates he doesn't even know who is running against him because any opposition is laughable.

"Last time, you guys built me up to 98,000 votes and the other guy got 23,000. Who ran against me last time?" His Republican opponent in the current election will be Joseph D. Day.

Libonati on Robert F. Kennedy:

"I killed six of his bills. That wiretapping bill, the intimidating informers bill...."

Libonati thinks that John Kennedy is a sweetheart, but Robert F. Kennedy is cruel.

Libonati describes how he opposed a Robert Kennedy bill and then got a call from Mayor Daley. Libonati told John F. Kennedy to stop Robert Kennedy from calling Daley on such matters. Bobby said on TV that his brother wants him to stay out of politics because he is the Attorney General. Libonati takes credit for this, saying, "That was me."

JFK EXHIBIT F-626

13. On January 17, 1963, Raymond Patriarca, Gennaro Angiulo and Peter Limone had a conversation regarding Robert Kennedy. Patriarca is the Boston LCN leader and a Commission member. The following is a summary of his statement.

Raymond states that things are not too good as long as Attorney General Kennedy is in Washington, D. C. Relates an argument he had with Robert Kennedy when called before a Congressional committee three or four years ago.

JFK EXHIBIT F-627

14. On February 28, 1963 Sam Giancana stated, referring to the outcome of a recent local election:

"That will teach that little (obscenity) Kennedy, who runs Chiago."

JFK EXHIBIT F-628

Chicago Div. FBI Elsur

October 14, 1963

Sam Giancana, Charles "Chuck" English, Tony Accardo and Butch Blasi are present.

They discuss Robert Kennedy not being available for a Columbus Day Parade, but coming to Chicago on October 13th for a B'nai B'rith affair. The Jews downtown were beaming.

Discuss the Bobby Baker scandal. He just resigned his job; they didn't do anything to him. He must have come out with a ton of money.

Discuss Police Superintendent O. W. Wilson's chart (presented before the McClellan Committee at the Valachi Hearings). "On top he had an Italian organization."

Joe Glimco (an associate) appeared on CITY DESK a Sunday media talk show and said that if they checked out Police Superintendent O. W. Wilson as thoroughly as they have checked Glimco, Wilson would be in jail, and Bobby Kennedy too!!

Chuck English speaks of the possibility of the Teamsters Union going back into the AFL. It would hurt Kennedy if they were to take Hoffa back.

They discuss golf. Someone asks if Bobby Kennedy plays golf, they know that John Kennedy does. Suggest putting a bomb in his golf bag. (hey all laugh.)

JFK EXHIBIT F-629

F.B.I. electronic surveillance of Stefano Magaddino
May 23, 1963.

Magaddino: "We are in a bad situation in Cosa Nostra.
When Profaci died, the Borgata broke up"

"They know everything under the sun. They know who's
back of it, they know Amici, they know Capodecina,
they know there is a Commission. We got to watch
right now, this thing, where it goes and stay as
quiet as possible".

Magaddino expresses a bitter hate for Attorney
General Robert Kennedy.

JFK EXHIBIT F-630

F.B.I. Buffalo Division Elsur on Stefano Magaddino.

October 31, 1963. Peter A. Magaddino during a discussion
of President Kennedy states,

"He should drop dead."

Stefano Maggadino adds, "They should kill the whole
family, the mother and father too"!! "When he talks
he talks like a mad dog, he says, 'My brother the
Attorney General'. Why he never won a case. He
never tried a case".

This comment is followed by many obscenities by
Stefano Magaddino.

JFK EXHIBIT F-631

May 22, 1963 F.B.I. interoffice memo from Courtney
Evans to Al Belmont discussing the
Saturday Evening Post article on
Joseph Valachi that is being written by Peter Maas.

"The foregoing clearly indicates that the
Department is motivated strictly by political
considerations. While they have apparently
yielded to our view that Valachi should not
be interviewed by the magazine writer, they
are, nevertheless, exploiting this whole
situation for their own benefit.

"Under the circumstances, we should not get
involved, but you will be advised of any
further information we can develop as to
Departmental action."

Handwritten: "I concur. I never saw so much skulduggery,
the sanctity of Department files, including
Bureau reports is a thing of the past."

"H" (for Hoover)

JFK EXHIBIT F-632

F.B.I. Elsur on James Lanza, leader of the L.C.N. Family in San Francisco. August 12, 1963. Lanza is in discussion with an associate Vito Bruno.

V.B.:-- Talks about reading of Cosa Nostra in the paper.

Lanza: Yeah, this guy Joe Valachi is the guy who is telling about it.

V.B.:--- Cosa Nostra. Cosa Nostra.

Lanza: This guy is in jail. Vito Genovese is in jail too. This guy gave information to the federales. He attacked a man with a rock and killed him, and the prison officials didn't know why he killed him. Anyway, this guy thought the Mafia, the Cosa Nostra had sent the guy in to kill him.

This thing has come out now in the papers but he has been telling about it for the past year.

V.B. They know everything.

Lanza: Yeah.

JFK EXHIBIT F-633

Buffalo Div. Elsur on Stefano Magaddino Sept. 17, 1963

After a lengthy discussion about Joseph Valachi, Magaddino states, "we passed laws that this guy has got to die".

JFK EXHIBIT F-634

F.B.I. Elsur in the Pittsburg area.

Sept. 27, 1963 Advised that John Sebastian LaRocca's remaining in the Pittsburg area during the months of October and November, 1963 will be contingent on the testimony of Joseph Valachi. If his testimony should "hit closer to home", La Rocca would take a short vacation at his Bel Aire, Florida residence. La Rocca is extremely annoyed about Valachi's testimony and will not allow it to be discussed in his presence. He claims, "Valachi hasn't done a decent thing since he was born, and never did a good thing in his life."

La Rocca departs for Florida on Oct. 10, 1963.

JFK EXHIBIT F-635

N.Y.C. Police Dept. Elsur on John Masiello

(Masiello has since been convicted of defrauding the U.S. government when he was a contractor to deliver the U.S. mail. He later testified against Congressman Frank Brasco when that worthy was convicted of accepting bribes from Masiello).

Sept. 27, 1963. John Masiello and his close associate Anthony "Hickey" DiLorenzo are talking about Joseph Valachi's testimony.

Masiello is upset because Valachi mentioned the secret code.

DiLorenzo believes Valachi is going to scramble up a lot of people because he is speaking so freely. Says that Steve Buffalo, one of the names mentioned, is a friend of theirs.

Masiello: He is going to make it hot for everybody.

DiLorenzo: They (Law enforcement) are going to harass people and are definitely going to try to pass that wire tapping law. If they ever get that law passed, forget about it. They probably have miles of tape that they put together. They'll say well, this is what we got, then they'll start indicting guys.

Masiello: It isn't a free country anymore.

Oct. 4, 1963 Al Chieco asks John Masiello if he is going to be sucked into this Valachi testimony, and if he knew Valachi.

Masiello states he knew Valachi but will not be sucked into anything. Chieco suggests Valachi should have been killed years ago, for having an affair with his sister-in-law

Masiello says it is bad enough he mentions all those names but he should not have mentioned how a guy is made, how a guy is proposed, because those are things you die with.

They both hope that Valachi cracks up because then everything can be charged off to his insanity.

JFK EXHIBIT F-636

Buffalo Elsur on Stefano Maggadino

Sept. 28, 1963 Stefano Magaddino, Peter A. Magaddino
and Sam Rangatore.

They are discussing newspaper coverage of Joseph Valachi's testimony. Magaddino is concerned over the fact that some time in the past he had told Valachi about a murder that he, Magaddino, had committed.

The participants in the conversation characterize Valachi's testimony as "fairy tales".

Magaddino says that Vito Genovese should have killed Valachi.

JFK EXHIBIT F-637

Oct. 1, 1963. Listening to Joseph Valachi's testimony on T.V.

F.B.I. Florida Elsur in restaurant operated by
Vincent James Palmisano, alias Jimmy Dee.

Palmisano states facetiously that they should go to the Army-Navy store and buy up all the Italian and American flags they can find and put them around the restaurant to counteract slurs on Italians.

Discuss the present administration, saying it is setting up a Nazi type government, seizing control of television and radio stations. Discuss Sam Giancana's association with Frank Sinatra.

Palmisano: "Robert F. Kennedy will never get ALL the bookmakers. Valachi is living like a king, he has his own army. They are probably furnishing him his own woman".

Oct. 7, 1963 Jimmy Dee says, "There's going to be a lot
of killings as a result of this hearing".

JFK EXHIBIT F-638

F.B.I. La Cosa Nostra File.

October 9, 1963 Sam Giancana (LCN leader in Chicago)
is extremely apprehensive of being
subpoenaed before the McClellan
Committee hearings on organized crime.

October 16, 1963 Sam Giancana has issued instructions
to all political associates to
discontinue their practice of attending weddings and
funerals of hoodlum families.

JFK EXHIBIT F-639

Teletype from Chicago Div. F.B.I. to The Director Oct. 10, 1963.

Giancana and Charles "Chuck" English discuss Joseph Valachi's testimony. They agree that he is unable to hurt the Chicago organization, but feel that he is doing a great deal of harm to New York mobsters. English's biggest fear is that the government will be able to capitalize on this type of situation in the future by obtaining other informants, by showing that they went along with Valachi and did not hold him accountable for his own crimes.

JFK EXHIBIT F-640

La Cosa Nostra File, F.B.I.

October 25, 1963. Joseph Zerilli has ordered all
Detroit Italian Syndicate numbers operations closed
and as of December 13, they are still closed. This
order came as a result of the Valachi Hearings
testimony and an I.R.S. raid in Toledo, Ohio.

JFK EXHIBIT F-641

Autumn, 1963. S.F. T-1 (who is a "live" informant of the San Francisco Division of the F.B.I. indicates:

There will be a change in the initiation ceremony of La Cosa Nostra as a result of Valachi's testimony and the publicity concerning it.

JFK EXHIBIT F-642

March 2, 1964 Director John Edgar Hoover speaks on the telephone to Senator John McClellan.

Tells him that the Valachi Hearings, "shook them all up".

Senator McClellan suggests that Mr. Hoover write him a letter to that effect.

March 6, 1964. Letter from Director Hoover to Senator McClellan states in part:-

"In pursuing this purpose your committee has placed on the record information concerning conditions most citizens did not realize existed. There is no doubt that attention across the Nation was focused on Joseph Valachi's testimony regarding La Cosa Nostra as well as on the testimony of other witnesses who appeared at these hearings. Public opinion was moved against the forces of evil."

JFK EXHIBIT F-643

F.B.I. Intelligence Bulletin, March 11, 1964

Charles Locicero (Counselor of a Brooklyn L.C.N. family) tells an F.B.I. informant that money was being gathered to fight Valachi's testimony and the Senate hearings. They are getting in touch with people in the news media and political figures to hold up any legislation which may result.

Mr. CORNWELL. Apart from, I take it, the fear that the organized crime element in this country had that the Kennedy administration was destroying them, as demonstrated by this surveillance, was there any realistic expectation if they had done something so drastic as to kill the President, and there I take it, by doing so remove his brother from the position of Attorney General, and take the two of them out together, would that have in any way helped them? What realistic expectation was there that the pressure to prosecute the Cosa Nostra would have diminished by such an act?

Mr. SALERNO. Two things which we learned toward the answer. No. 1, was their expectation; they from time to time advised that, but I think more to the point is the actual record of what transpired in this effort following the assassinations. We will add some data to the existing charts and you will be able to see exactly what did happen following the assassination of President Kennedy.

All of the lines which you saw in a growing and radical increase up to 1963 go into decline, some of them a radical decline, following the assassination of the President.

Mr. CORNWELL. If then there were facts which could have created a motive, if there were means in the control of organized crime, can you tell us was the electronic surveillance of the FBI, which you received, adequate to give some answers to the question of whether or not La Cosa Nostra as an institution, in other words. La Cosa Nostra at the commission level, at the governing body level, could have considered or sanctioned the assassination of the President or of Lee Harvey Oswald?

Mr. SALERNO. My professional opinion, based on the electronic surveillances and other evidence available, is that it is more than sufficient to give a reasonable answer to that question. The question is that all of that evidence gives no indication at all that the national commission of La Cosa Nostra directed, approved or in any way was concerned with the assassination of President Kennedy.

Mr. CORNWELL. Would it be possible that some member, some leader, may have undertaken such a thing without the Commission's approval?

Mr. SALERNO. Yes; it is very possible and as a matter of fact, at that particular moment, in November of 1963, there was an example of it. At that time the national commission was having a great deal of difficulty with one of its peers, Mr. Joseph Bonnano. He was violating, probably for the first time, the authority of that commission. He had been ordered to appear before it three times to explain his actions. He was refusing to do so.

He had taken action which would have required commission approval without having that commission approval. They were asking him to account for this and he was totally ignoring their authority.

So there was an actual example of one such family leader violating what has been the rule up to that time, and unilaterally taking some serious actions which were of concern to them.

Mr. CORNWELL. Very briefly, if you are able to, will you tell us how it is that in the early 1960's an organization which, according to your testimony, is characterized by discipline, strict control, rules, and regulations, and has at its disposal violence, could have

been in such a condition that one of its members could be uncontrollable or could do things which were not sanctioned by the commission?

Mr. SALERNO. I believe that the conditions that existed in 1963 were reflective of the effectiveness of the Federal drive during 1961, 1962 and for most of 1963. The normal smooth operation, which had existed for more than 30 years, were interrupted. The cracks were beginning to show in many, many ways. There was a gang war for the first time in many years in New York—the Gallo-Profaci war. You had the actions of Joseph Bonnano, which I have mentioned. You had a plan on the part of one leader, Joseph Magliocho, to assassinate two of his fellows, Carlo Gambino and Thomas Lucchese.

So that the smooth functioning machinery of a well-oiled machine that had been in high gear for more than 30 years was beginning to show cracks, sluggishness, interruption of its normal activities.

Mr. CORNWELL. What was the predominant reason that these events occurred in the early 1960's, that there was this sort of crack in the discipline in organization?

Mr. SALERNO. You had the total penetration of the organization, informants from within the ranks that they had become aware of. I indicated that in 1963 bugs were discovered in Las Vegas. This gave rise to their expectation that there probably were many, many more throughout the United States.

You had some other things that were pertinent and relate to that—the gang war which had begun. One highlight, which took place in the congressional halls here in Washington, just 6 weeks before the President's assassination, was the public testimony of Joseph Valachi, something which Attorney General Robert Kennedy characterized as the greatest intelligence breakthrough in the history of organized crime in the United States.

Mr. Valachi's testimony had been preceded by that of the Attorney General. He was asking the Congress to consider more effective laws to be used against organized crime.

As bad as their condition was then, it would appear that it could get worse. He had asked the Congress to authorize an electronic surveillance law, he had asked the Congress to authorize an immunity statute which would compel testimony.

So that in November of 1963 the picture was a very bleak one for them.

Mr. CORNWELL. If then the pressures of Bobby Kennedy and the President during those years had created such conditions within La Cosa Nostra they found themselves unable to control the various families, the question then arises, could a member of that organization, such as Trafficante or Marcello, or perhaps even an associate such as James Hoffa, have been involved with the ELSURS, the electronic surveillances which were conducted, adequate to answer the question of the possible involvement of men like that?

Mr. SALERNO. No. The electronic surveillances would not have been helpful in the cases that you cite, sir. The intelligence program was a laudable one. I would even use the word magnificent. But as in any intelligence program, while the overall effort may be very good, there are some weak spots, and in the three cases that

you mentioned, Mr. Trafficante was never in that time period the direct target of an electronic surveillance for an extended period. He did show up in conversations a few times where someone else was the target.

There was no electronic surveillance on Carlos Marcello. There was no electronic surveillance on James Riddle Hoffa.

Mr. CORNWELL. Thank you. I have no further questions.

Chairman STOKES. Mr. Salerno, you were here this morning and heard Mr. Trafficante testify that his role in the assassination plot upon Fidel Castro was that of being an interpreter. Would you tell us please, whether a man who holds the position that you have described here so eloquently and articulately would perform the role of an interpreter in that type of assassination plot?

Mr. SALERNO. No sir; he would not.

Chairman STOKES. What then would his role be in such a plot?

Mr. SALERNO. Sir, based on my knowledge of the three individuals who were working with the CIA, I believe that the first approach was in fact made to Mr. Roselli. Mr. Roselli could not and would not have entertained agreeing to work for the CIA or taking any action with the CIA without the permission of his superior, who was Sam Giancana. I think Sam Giancana's role was to approve Mr. Roselli proceeding further.

Mr. Roselli would not have been in a position to go to someone of the rank of Mr. Trafficante without the intercession, without the permission of Giancana.

I believe Giancana's real role was, No. 1, to approve Roselli's working with the CIA, No. 2, to approach his peer, Mr. Trafficante, and ask for his cooperation.

Chairman STOKES. Now, also you heard Mr. Trafficante's testimony this morning with reference to what his relationship was with these two men, Roselli and Giancana, over the period of years, did you?

Mr. SALERNO. Yes, I did.

Chairman STOKES. And based upon what you heard, is that the true relationship that he had with those two men?

Mr. SALERNO. No; not at all. I think it would be true that he may not have engaged in any one particular organized crime venture with them, but he was part of the organized crime syndicate that they were a part of.

Chairman STOKES. Would his role have been as he described here today, that he performed these acts out of his patriotism for the country?

Mr. SALERNO. No. I think Mr. Trafficante's testimony here has got to be evaluated in the light of so much other evidence. If you were going to believe Mr. Trafficante, then Mr. Aleman is mistaken or he is a liar. If you are going to believe Mr. Trafficante, then the official from the CIA, who has given a sworn deposition, is either mistaken or a liar.

If you are going to believe Mr. Trafficante, then his associate, John Roselli, and what he has revealed about that particular enterprise, is a liar.

It would be necessary to believe that the Government of Spain will waste 12 men per day and the resources necessary to follow

and keep Mr. Trafficante under surveillance when there is no need to do that.

You would have to believe that various levels of government in the United States have wasted taxpayers' money in trying to follow Mr. Trafficante night and day when there is no need for that.

So, I think that you have to evaluate his testimony in view of all of the other evidence, and I think it would be at least naive to accept it at face value.

Chairman STOKES. Moving over to another area for a moment, when I look at the chart there with reference to organized crime program, where immediately after the President's death there is this sharp decline in terms of the program under Attorney General Robert Kennedy, it just strikes you that this is a very striking type of thing. Can you comment further and tell us to what do you attribute that fact and the program just fell apart?

Mr. SALERNO. I think all of those charts, and my own personal recollections of what happened then, reflect that the success that you see manifested there was not only the work of the individual policemen and the agents but the leadership position that Robert Kennedy took and afforded the entire program.

Following the death of the President, my unit in the New York City Police Department was not reduced. FBI men were not transferred en masse to do something else, but the leadership was not there, the driving force was not there, the commitment in government at a very high level was not there, and I believe that is reflected in those charts more than anything else.

Chairman STOKES. Thank you. My time has expired.

The gentleman from North Carolina, Mr. Preyer.

Mr. PREYER. Thank you, Mr. Chairman.

As I understand it, Mr. Salerno, you have testified that the Cosa Nostra had the means to carry out something like the assassination and you have given us a description of those means and its organization, and you have also indicated that you thought it has the motive to carry it out. You introduced a number of exhibits into evidence which we haven't had the opportunity to go over in detail. But looking through the exhibits that I have here, there is just one which I would like to call attention to, which seems to me related strongly to the motive angle, and I would like to ask you to give us a little description of it.

It is the one that states on February 8, 1962, Angelo Bruno and Willie Weisburg discussed the Kennedys. This is at page 1 under tab ELSURS re Kennedy.

Mr. SALERNO. Yes sir.

Mr. PREYER. At that meeting Weisburg says this:

See what Kennedy done. With Kennedy a guy should take a knife, like one of the other guys, and stab and kill the (———) where he is now. Somebody should kill the (———). I mean it. This is true, honest to God, it is about time to go. But I tell you something, I hope I get a week's notice, I will kill, right in the (———), in the White House. Somebody has got to get rid of this (———).

And then Bruno responds to Weisburg's statement with the following story.

What I would like to ask you is to briefly tell us who Angelo Bruno was at the time, who Weisburg is—incidentally this is JFK exhibit F-618—and then if you would, give us Bruno's response to

Weisburg's statement, that somebody's got to get rid of this (——) and just explain to us what your understanding of his response is.

Mr. SALERNO. Yes, sir, Mr. Bruno at that point in time was, as shown on that chart, the head of the La Cosa Nostra family in Philadelphia.

His response basically is a very philosophical one. He tells an old story. You don't want it verbatim do you?

Mr. PREYER. No; if you could just describe it.

Mr. SALERNO. Yes; he said when things are bad under one king, some people might view him as being a bad king. However, another point of view is that he is a good king because you think things are bad now and when there is a succession things get worse. And when there is a succession things get worse, so the man that you think is a bad king is really a good king, because if anything happens to him, then his son will succeed and things will get still worse.

It is a very philosophical point of view, but as I indicated earlier today, I think you have to read these ELSURS because there is another one in that packet which is 1 year later and Mr. Bruno 1 year later, in early 1963, is not very philosophical at all. He describes himself as being crucified and Mr. Bruno is making very serious plans to follow his predecessor and go to Italy for permanent residence and he is not coming back.

Mr. Bruno expresses that point of view to a colleague in New Jersey, Jerry Catena, in which he said, "It is all over for us; I am going to Italy, and you should go too, Jerry," and Mr. Catena responds that Bruno is probably right but because his family would be unhappy there, that he is unlikely to follow the same lead.

One year later Bruno has stopped being philosophical and he is getting ready to leave the United States.

Mr. PREYER. So that to Weisburg's statement, somebody ought to get rid of Robert Kennedy, Bruno, in effect, answers, we shouldn't get rid of him because whoever succeeds him will be even worse than he was from the mob's point of view.

Mr. SALERNO. That is what the philosophical story reflects.

Mr. PREYER. So his motive was not to get rid of him because something worse might happen. When he later decided to go to Italy and became more disillusioned with Kennedy, he still decided to go to Italy rather than change his mind about his motive; that is, he didn't say in that later exhibit, did he, we should kill him; he said, I will go to Italy?

Mr. SALERNO. No; the indications are that when things got very, very bad that Bruno would have made the choice to leave the country; that would not necessarily be the choice that all his peer group made.

Mr. PREYER. I think I used my 5 minutes.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. Thank you, Mr. Chairman. Thank you, Mr. Salerno, for an exceptionally fine description and detail. I have several questions I would like to ask. First of all this morning, Mr. Trafficante testified that "they lived with me" in terms of their surveillance. That seems to be at variance with your testimony. Would

you care to elaborate or substantiate or negate Mr. Trafficante or perhaps adjust—

Mr. SALERNO. I think there is always a tendency to slightly exaggerate when people come to feel they are getting some law enforcement attention. However, we do have his associate, Mr. Giancana, who actually went into Federal court and indicated that he was under the same kind of intense surveillance—bumper to bumper tail it's referred to, with one car immediately behind the other. He actually got a Federal judge to order the FBI, that if they were going to follow Mr. Giancana on a golf course, as they did, that the FBI would be required to leave a foursome between their golf playing group and his group. That ruling was overturned on appeal.

Mr. FITHIAN. So it is your testimony then that Mr. Trafficante was not sufficiently, carefully monitored as to tell us one way or the other whether or not he might have been involved in any plot against President Kennedy?

Mr. SALERNO. I would answer that this way, sir: I personally was a little bit disappointed to learn that in that time period, he had not been the subject of an electronic surveillance. I would like to also point out, however, that being able to place someone under electronic surveillance is subject to so many conditions: The type of movements the man engages in, the actual physical circumstances of where he spends his time; this kind of work is not as easily done as nonprofessionals who have not engaged in it sometimes assume.

Mr. FITHIAN. Are you then directing your assessment of either omission or insufficient coverage so as to give us the story, primarily on the lack of electronic surveillance, telephonic monitoring?

Mr. SALERNO. I would say that created a big void in the total coverage that was being given.

Mr. FITHIAN. Can you explain why, if Trafficante is in the place that you put him in organized crime, that such an electronic surveillance activity would be somehow overlooked?

Mr. SALERNO. No; I can't answer that question, sir.

Mr. FITHIAN. You said that, and have apparently, a very high regard for the level of governmental activity in 1963 and you show us charts, and the like, apparently a great deal of pressure was, as we know, put on La Cosa Nostra in those days. I know this is a little outside the purview of this committee, but it is a rare opportunity for a Member of the House to have a chance to ask you a question like this. How would you suggest that we try to recoup the good old days of 1963?

Mr. SALERNO. I think we should take a look at why it was successful and try to duplicate the circumstances as much as we can within our constitutional framework of law. There is no question that the Federal agencies were coordinated. Cooperation between agencies is not enough in this kind of an effort. They have to be coordinated. Recent evidence by Mr. Civiletti of the Department of Justice before a congressional committee indicated that he was somewhat disappointed in the level of willingness of the U.S. Department of Labor to be more aggressive in organized crime in labor matters. That testimony was given in April of this year. I think it is a lot easier for an Attorney General whose brother is

the President to make sure that all of the agencies of the Federal Government that should be playing a role are.

In other words, you have to go beyond the Attorney General. There has to be that kind of commitment in the White House, is really what is necessary.

Mr. FITHIAN. Is it your impression that the statutory changes since 1963 or 1964 with regard to wiretaps and with regard to certain kinds of activities has contributed, or is it just a lack of willingness that has contributed to our present state of pretty much doing nothing, as far as I can see.

Mr. SALERNO. No; I think the statute law is actually better and stronger today that it was in 1963. In those days, that electronic surveillance which took place was for intelligence purposes only. Now under title III of the Organized Crime Bill and Safe Streets Act, not only can you get the authorization from the court, but now you can bring the results into court and use it as evidence, something that was not possible in 1963.

In my home State of New York, for example, the law, as interpreted at that time by the Supreme Court, said, fine, you in New York State have a State wiretap law. You get authority from a judge, fine. The authority is given to the police department of the city of New York, so you, Ralph Salerno, can execute the court order; you can tell your commander about it; he can tell his commander about it; and he can tell the police commissioner about it because you are all part of a single entity known as the police department of the city of New York. But if I took that evidence to Mr. Klein in the prosecutor's office in New York County, and we proceeded to tell a judge and jury about it, the Supreme Court had said that we would be in violation of 605. So I would much prefer the current status of carefully controlled wiretapping but that amount which you can do, you can use as evidence in court, which we could not do.

The confessions of murder that we listened to could not be used for the purposes of evidence. The legislation that Robert Kennedy requested in 1963 was some time in coming, but it has arrived. We have the wiretap law that he recommended; we have the immunity law. So I have no argument with current statutory law. I think it is there. I don't think the commitment is there.

Mr. FITHIAN. Thank you.

Chairman STOKES. The time of the gentleman has expired.

Mr. FITHIAN. I ask unanimous consent to proceed for 3 additional minutes.

Chairman STOKES. Without objection, the gentleman is recognized.

Mr. FITHIAN. I believe a little bit ago you said that Roselli, by the structure of things, had to get permission from Giancana.

Mr. SALERNO. Yes, sir.

Mr. FITHIAN. To proceed. And that Giancana would, I believe you said, ask his peer, Trafficante, about proceeding. Is that because of a regional jurisdictional thing or is it because of a personal relationship that you have perceived between Giancana and Trafficante.

Mr. SALERNO. A combination of both. They were peers but the activity, the initial activity would take place with the Cuban com-

munity that was in exile from Cuba. Mr. Trafficante had the best contacts there, and it would be—although Miami is generally referred to as an open city, southern Florida is generally considered to be within Mr. Trafficante's sphere of influence. So it would be a combination of he had the best contacts to the Cubans, plus the fact you would be operating in south Florida where he could be extremely helpful.

Mr. FITHIAN. And Giancana's territory—

Mr. SALERNO. Chicago.

Mr. FITHIAN. In just Chicago, he didn't have any other?

Mr. SALERNO. He had interests elsewhere. He would have had interests in Nevada, that's to a certainty.

Mr. FITHIAN. Is the machine or the commission as smoothly functioning now as it was prior to the RFK pressure 1962 and 1963?

Mr. SALERNO. It is functioning much better than it was in 1963, and I must add, as I indicated in my testimony, I don't believe that our level of knowledge is as good today as it was in 1963 because of the limits that do exist for electronic surveillance. In other words, electronic surveillance—solely for the purpose of intelligence gathering—it is forbidden by the law. You must specify the specific crime, and the law goes further than that. Even if you have not used up your entire time period of authority, if you have made an allegation as to a certain crime, as soon as you have received the evidence of that crime, you are expected to sign off.

I don't know if that implies that criminals 5 minutes later will not commit a second crime, but that is the requirement of the law.

Mr. FITHIAN. Finally, if everything seems to be functioning smoothly, how then do we account for Roselli's violent death and Giancana's death which, in the minds of many, are related rather specifically to what we are doing here?

Mr. SALERNO. I think there is a great deal of speculation as to the actual causes of both Mr. Roselli's and Mr. Giancana's deaths. I don't think anybody, except the people who were responsible for it, know whether it was because of their involvement with the CIA, whether it was because of testimony they had given or were prepared to give, or whether it was a local organized crime matter that we may not even be aware of.

I have my own hypothesis about the method of Mr. Roselli's death. Mr. Roselli was cut up and put into an oil drum and his automobile was found at the International Airport. My hypothesis is that being put in an oil drum and buried at sea, his body was not supposed to be found. So if it had been successful, we would have had the absence, the unexplained absence of Mr. Roselli with the red herring of his automobile being at the airport suggesting the possibility that he was voluntarily a fugitive who had left the country before he would be deported somewhere that he didn't want to go.

Chairman STOKES. The time of the gentleman has again expired. The gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Thank you, Mr. Chairman.

I apologize for not being here during the full extent of your testimony, but I do have a few questions I would like to put to you. You indicate in the charts the high level of activity of the Justice

Department during the period of 1962, 1963, and 1964 in moving out against organized crime figures; is that not correct?

Mr. SALERNO. Yes, sir.

Mr. EDGAR. And you indicated to Mr. Fithian's question that you felt, as part of where we ought to go from here, is to try to recapture the same skills and tools that we had in those years; is that not correct?

Mr. SALERNO. Not so much the skills and the tools, sir, as the dedication and commitment.

Mr. EDGAR. I wonder if you could explain then why it seems to me, as one member of this committee, that there was a great deal of confusion, mistakes, in terms of the sharing of the surveillance or the secret information between the Secret Service, the FBI, the CIA and whether or not you would go so far as to say that the Justice Department and agencies of this Nation did a good job in coordinating with each other?

Mr. SALERNO. I think that if one were to inspect whatever the official level of sharing and cooperation is, you would get a distorted and mistaken picture as against what actually happened between working agents on different levels of government.

The Federal agencies are just that, Federal agencies. They have to deal with local and State police departments all over the United States. Therefore, the official position of a Federal agency has to be similar to that of a convoy that we used in World War II; 300 ships are going to move together for protection. The maximum speed of the convoy has got to be the speed of the slowest ship otherwise you will leave him behind. Therefore, what Federal agencies are willing to share as a matter of policy has got to be the speed of the slowest ship. How much information will you give to the most corrupt police department or the most suspect police department in the United States.

It has been my experience that de facto, the FBI particularly and other Federal—

Mr. EDGAR. Could the photographers move so I can see the witness.

Mr. SALERNO. The FBI particularly and other Federal agencies very carefully determine different levels of confidence that they can extend and then are very generous in extending cooperation, information and even engaging in coordinated efforts in joint operations together.

Mr. EDGAR. I don't want to pursue this any further, but I do note for the record that 17 FBI agents were reprimanded privately because Oswald didn't make the security index and, yet, information was available to many of those agents to put him on that list. The Secret Service had information about Oswald that was different from the FBI's information, and I would suggest that if we move back to that level that there be some way that there could be coordination and collaboration between agencies so that as we move toward aggressive action, that aggressive action is a coordinated effort.

Let's move to another issue. In terms of your expertise, is there a likelihood that someone of the nature of Jack Ruby would be helped with his labor problems by someone in the underworld, and,

further, is it unreasonable to expect that the underworld might use someone like Jack Ruby to do a job for them?

Mr. SALERNO. Well, I think Jack Ruby turning to someone in the underworld for help in a labor matter is not unrealistic. Many people do that every day. Many businessmen will buy labor peace, they will ignore collective bargaining; they will ignore all the agencies of government; and if they really want something done, they hire the Godfather.

Carlo Gambino, not in the underworld but in the upper world, was a labor consultant, business firms paid him as much as \$40,000 for help in one labor matter. I can tell you that Carlo Gambino doesn't know the difference between Samuel Gompers and Ringo Starr. That is how much he knows about labor but he is a Godfather and he has interjected himself in labor matter where miraculously the strike is headed off, or if it is already ongoing, it has come to an end. So Jack Ruby turning to someone in the underworld for help is not unrealistic at all.

There was a second part to your question.

Mr. EDGAR. If they did that, would they expect anything in return or would it be likely for them to go to someone who, just a few days ago a captain from the Dallas Police Department described as a buffoon and would suggest the underworld would never hire someone like that to do anything for them.

In your experience, would the underworld ever use someone like a Jack Ruby to do an action for them?

Mr. SALERNO. I went through the typical representative gangland slaying and nothing in what I had to say fits the assassination of the President. I didn't have an opportunity to give you three exceptions to that rule. The acid blinding of Victor Riesel in New York City was an organized crime motivated crime. It was an exception to the rule. They didn't keep it with trusted professionals. That was a contract offered for \$2,000, and someone took \$1,000 off that and offered \$1,000 to a second man who offered \$500 of it to a low level burglar in the city of New York who was an addict at that time.

That is anathema in organized crime, to have anything to do, particularly in 1955, with a drug addict. What happened there was, the young man who did the actual blinding of Mr. Riesel, didn't know the organized crime figure that had sponsored it; never met him. He was himself burned with acid. He got his \$500. He went to gambling casinos in Youngstown, Ohio, came back broke, needed more money and then became a potential threat. And the best indication is that he was killed—he was killed—the best indication is he was killed by the middleman who had worked between he and organized crime.

If he becomes a problem back to the organized crime figure, they would be in jeopardy. So he was killed.

We have another example in the shooting of Joseph Columbo before 85,000 people in Columbus Circle in New York. That homicide was committed by a black man named Jerome Johnson who was himself immediately killed probably by a Columbo bodyguard. A number of people jumped on Mr. Johnson. A crowd of bodies went down and shots went off. There is no question in my mind—I was one block away—when I heard that a black man had shot

Joseph Columbo, I said Joseph Gallo did that. We knew that Joseph Gallo had been entering into alliances with black criminals that he had met in prison. But once again, an unhappy ending when there is a violation that goes away from the rule.

We have one in Kansas City, four young black men were hired to kill a witness in a Federal gambling case, and they were told by the low level La Cosa Nostra figure who was going to pay them \$1,000 to do that, that Mr. Landi, the victim, had to be killed because he was a witness in a Federal case. Those four young men were caught. So we have some exceptions where it appears to be a mistake, at least for the people who engaged in the crime because they are either caught or are themselves killed.

The death of President Kennedy does not fit a typical gangland homicide, but there are some dramatic parallels to the exceptions where low level figures, nondependable, nondescript people are used.

Mr. EDGAR. Mr. Chairman, I ask unanimous consent for 3 additional minutes. I have some very brief questions I would like to ask.

Chairman STOKES. Without objection, the gentleman is recognized for an additional 3 minutes.

Mr. EDGAR. Just to clarify that previous question, the question was, would they use someone like Ruby to kill Oswald, and not so much the Oswald personality as it would be to use a person like Jack Ruby, after getting a favor from the underworld to kill—

Mr. SALERNO. It fits the Riesel case, yes.

Mr. EDGAR. Let me ask a couple of questions about Mr. Oswald. In your opinion, is it enough for Oswald to have had an uncle by the name of Charles Moret, who is a bookie, to in any way link Oswald to organized crime?

Mr. SALERNO. I think it is a single fact on which you cannot base any serious premise. If it can be joined with other facts in a preponderance of evidence, then you might be able to come up with a responsible conclusion.

Mr. EDGAR. Well, then, let me raise the second possible connection, and that is with David Ferrie, who worked in the same building that Oswald was in for a time, at least it is alleged that that occurred.

Would that have been enough of a connection?

Mr. SALERNO. By itself no, but again in concert with many, many other facts it might.

Mr. EDGAR. Moving to the question again about Mr. Ruby, it is interesting for us to examine the relationship, if any, between a Mr. Trafficante and a Jack Ruby. Would it have been the custom for somebody like Trafficante, who is at one level, to have any association with somebody like Ruby? Would that be a custom or a norm?

Mr. SALERNO. Without any intermediary who might have known them both and introduced one to the other, it would be very, very unlikely. Jack Ruby cannot be characterized as an organized crime figure in any way in my estimation. Jack Ruby would not have made a pimple on the back of the neck of a real organized crime figure.

Mr. EDGAR. One final question then. Mr. Aleman yesterday raised in a final question that there was no doubt in his mind that it would be possible for organized crime to have worked with rather than against, but with Fidel Castro, to turn around and go after someone like the President of the United States.

In your opinion, would it have been the custom, or is it the custom, of organized crime, to at some point work violently against someone, in this case the regime of Fidel Castro, and at other times for expediency work with someone, and in this case Fidel Castro, for their ends?

Mr. SALERNO. Yes; I have seen that done. I have seen that done in a gang war where some people switch sides more than once and totally reversed their loyalties.

Mr. EDGAR. You recall the Aleman testimony from yesterday. What is the likelihood of Mr. Trafficante, in your opinion, ever making that kind of statement to Mr. Aleman?

Mr. SALERNO. I would have to know more about their relationship. If it was as limited as Mr. Trafficante says, I would say no. If it was to the extent that Mr. Aleman described, it would be believable.

Mr. EDGAR. Thank you.

No further questions, Mr. Chairman.

Chairman STOKES. Time of the gentleman has expired.

Mr. Salerno, can you tell us—I believe you said earlier this morning, in response to something that was said on television about organized crime being larger than, as big as United States Steel, something of that sort, the comment was made it is bigger than United States Steel. Was that the comment?

Mr. SALERNO. Yes, sir, it was made by Meyer Lansky to his wife.

Chairman STOKES. Well, is that statement true?

Mr. SALERNO. I don't know the value of United States Steel. I do know this, sir: That if one takes hard data, hard numbers, such as the records that are seized in gambling raids, take the information that we do have, what is the price of heroin, what is the price of cocaine, we know that because undercover men are making such purchases.

If we take those records which have been seized in loan sharking cases, if we take those records where there have been convictions for kickbacks that were paid in obtaining loans from the Teamsters Union, I think if you take hard data and from them make the most conservative national projections, organized crime in the United States is an industry that is grossing billions of dollars per year and I think the net profit is extremely significant. There are some operations where the net profit is comparatively small. In book-making, you are making, $4\frac{1}{2}$ percent of your total gross as your gross profit. In narcotics you are talking on the importation level of the importer making five times his investment.

You are also talking, when you are talking about heroin, you are talking about a product which on the street is selling for between 150 and 200 times the value of gold per ounce even at today's figure for gold. So the numbers that we do know about—we know that it takes 6 tons of heroin to supply every addict in the United States, or something in that range. You start taking it per ounce on the street level and going through the most conservative projec-

tions you are talking about a multibillion dollar industry which has never been adequately studied by economists who can write books about what happens if the prime interest rate goes up 1½ percent, what happens if unemployment goes down 2 percent, and here is a multibillion dollar industry and they have never studied it simply because the data is not easily available, and you cannot get a mountain of empirical data with three graduate students mailing out 2,000 questionnaires and conducting 200 interviews in a summer.

Chairman STOKES. You mentioned Meyer Lansky. Who is Meyer Lansky?

Mr. SALERNO. Meyer Lansky was a young person who came over to the United States at a very young age, he came over at the age of 6 or 9 from Poland, with Jewish parents. He lives on the lower East Side of Manhattan, which at that time was a Jewish ghetto. Mr. Lansky demonstrated with some Jewish criminals what these Italian criminals have demonstrated, what is demonstrated today in what is beginning to be referred to as the Black Mafia what is being witnessed out in California, with a group that names itself the Mexican Mafia; that there are times when immigrant groups, and I mentioned Blacks because some sociologists say they are the most recent immigrants to the urban areas of our country.

Unfortunately in the United States, we give the greatest upward mobility to those immigrants who are willing to go into a life of crime as against what we offer immigrants who will be dutiful citizens and work hard.

In other words, what I am saying, sir, is that the name of the game called organized crime has remained constant. Over the years we changed the names of the players, their skin color or language spoken.

Meyer Lansky became a very wealthy man during the prohibition era when what we were calling 2 years ago, during our Bicentennial year, what we call today, the sacred document, that is the Constitution of the United States was being sneered at, ignored, and made a travesty of by so many American citizens and even a larger number simply ignored all that.

Meyer Lansky was a bright man who learned that if you engage in a life of crime and select your crime carefully and insulate your role you can become a very, very wealthy man. Meyer Lansky had interests in Cuba. You heard Mr. Trafficante mention the name of his brother Jake Lansky.

Meyer Lansky has dealt with heads of government. Mr. Batista in one case, with the governing council in the Bahamas, to where he moved some of his gambling operations. He is a brilliant man in the shrewd sense of the word, who has made an awful lot of money, who has kind of thumbd his nose at the law.

He fled the United States when three indictments were coming down against him. He went to Israel. He used the Jewish Law of Return, which says any person born of Jewish mother can go to Israel and file for citizenship. He did that. It was resisted by the Attorney General in Israel. The case was argued before the Supreme Court of Israel.

There is one exception to the Jewish Law of Return and that is if the person's residence or citizenship in Israel can be considered to

be a threat to the State, he can be denied the application for citizenship, and he can be put out of Israel, as happened to Meyer Lansky.

I think they stretched the law a little bit. If they had let Meyer Lansky stay there and bring all his money there, 20 years from now there would be two statutes in Jerusalem, one would be Moshe Dayan and the other one would be Meyer Lansky, because he might have helped them buy up the Arabs.

Chairman STOKES. You mentioned earlier, the victims of organized crime. Who are the victims of organized crime?

Mr. SALERNO. The victims of organized crime are many. They come from all walks of life. You can be victimized, if you are a prominent businessman, that they might like to move in on, but I think the people from whom they make money and who they victimize in one form or another come from all walks of life.

I am looking for something that I put among my notes and I am very happy for the opportunity to be allowed to look for it, because it was stated much more eloquently than I can by Dr. Martin Luther King.

This is what Dr. Martin Luther King wrote eloquently in an article entitled "Beyond the Los Angeles Riots, Next Stop the North," in the Saturday Review, November 13, 1965:

The most grievous charge against municipal police is not brutality, although it exists. Permissive crime in the ghettos is the nightmare of the slum family. Permissive crime is the name for the organized crime that flourishes in the ghettos, designed, directed, and activated by the white national crime syndicates operating numbers, narcotics, and prostitution rackets freely in protective sanctuaries of the ghettos.

Because no one, including the police, cares particularly about ghetto crime, it pervades every area of life.

I think what Dr. King recognizes in that comment is something that is not easily demonstrated in charts.

The Kennedy administration had an entire program of policies. The fight against organized crime was one. The improvement of the civil rights of all citizens was another. An attempt to help the poor was a third. But those were not three separate and unrelated programs, they were all part of the same drive that the Kennedys were trying to achieve.

Chairman STOKES. I just have one further question.

Lewis McWillie testified in these hearings yesterday, I believe, or the day before, that after he left Cuba and came back to the States he worked at the Cal-Nevada Lodge. Who owns the Cal-Nevada Lodge?

Mr. SALERNO. I don't know who owns it today. In 1963, Frank Sinatra was a 50 percent partner. He also had nine points in the Sands Hotel in 1963. That became a matter of record in the press because in 1963 he got into a little bit of trouble with the Nevada Gambling Commission. Mr. Giancana had been his guest at the Lodge and at his home and the licensing authorities were threatening to suspend the licenses at both institutions if Mr. Sinatra did not promise in writing to break off his friendship with Mr. Giancana.

Mr. Sinatra elected not to break off his friendship, not to jeopardize his partners, and he divested himself of his interests.

Chairman STOKES. My time has expired.

The gentleman from Connecticut, Mr. McKinney.

Mr. McKINNEY. Just one brief area following through on the questioning of my friend from Pennsylvania, Mr. Edgar.

It has sometime been suggested that Premier Castro was only too aware of the attempts, or at least aware of the theory that the Cosa Nostra could be used because of their gambling losses resulting from his takeover of Cuba to dispose of him. It has been suggested that Mr. Castro appealed to reason, and may have said all you have lost is a few gambling casinos, whereas I run Cuba, which is only 90 miles from the most unprotected coastline in the United States and, therefore, is the most logical place from which to supply drugs to this Nation, so don't fight me, join me.

Do you have any information or any feeling as to whether or not the Cuban Government or the Premier of Cuba actually are involved with the Mafia in any way in supplying drugs to this country?

Mr. SALERNO. I have no direct evidence of that; no, sir.

Mr. McKINNEY. Thank you.

Chairman STOKES. The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. I just have one more question, Mr. Chairman.

During his testimony yesterday Mr. Aleman suggested that Trafficante, at least I thought he did, suggested Trafficante was perhaps working in cooperation with Castro in the 1960's. From what you know about the Cosa Nostra, how likely is it that a situation like this, that is, Trafficante, a Cosa Nostra leader, who had lost very considerable amounts of money and property, with the rise of Castro to power, would be working with him in any way?

Mr. SALERNO. The entire name of the game in organized crime is to make money. If Mr. Aleman had added to his opinion some indication, some evidence, showing where and how Santos Trafficante might benefit in terms of money, I think his argument would become much more believable.

If we could join a different answer to Mr. McKinney's question, if there were some evidence that Santos Trafficante is using Cuba in fact as a base for narcotics and profiting greatly from that, then he would certainly be able to be considered as being guilty of what Mr. Aleman set forth, but he is not doing it for a reason where he doesn't see some gain.

Mr. FITHIAN. Well, now, would this have been the kind of activity that was sufficiently important that the commission approval would be required?

Mr. SALERNO. What kind of activity specifically, sir?

Mr. FITHIAN. In other words, if Trafficante were going to be working with Castro on any number of things, would that, the fact he is working with another head of state, would that be important enough in and of itself?

Mr. SALERNO. No; people in organized crime have dealt on very high levels with other officials.

Mr. FITHIAN. So it would be the nature of the activity that would determine—

Mr. SALERNO. And only if it put him in conflict with some vested interest that some other leader in organized crime would have. If no conflict, he is free to do that.

Mr. FITHIAN. Then the size and the scope of the project is not really what requires commission approval, it is whether or not that might somehow impinge upon somebody else's turf?

Mr. SALERNO. Yes, sir.

Mr. FITHIAN. Thank you, Mr. Chairman.

Thank you, Mr. Salerno.

Chairman STOKES. Time of the gentleman has expired.

Mr. EDGAR. I just have one clarifying question.

Chairman STOKES. The gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Earlier we talked about the possibility of whether or not Aleman's recollection was accurate or whether Trafficante's understanding of his statements were accurate, and you indicated that if the meetings were as frequent as Aleman had suggested it might have been a possibility that Trafficante would have divulged statements indicating what Aleman alleges, but it was rare.

We got information yesterday from Aleman that no more than three meetings occurred. You would not describe that as frequent?

Mr. SALERNO. No; I didn't mean to mislead you. I don't think I said it was the frequency of the meetings, it would be the nature of the meetings. If they are in fact going to be business partners, if Mr. Aleman is going to get a sizable loan from the Teamsters Union, for which Mr. Trafficante would have gotten a kickback—if Mr. Aleman is going to be for Mr. Trafficante and his friend Angelo Bruno the medium to an open door into relationships at high levels of the Dominican Government, where they can become involved in business activities which would accrue to their sharing a great deal of wealth between them, now he would be talking to a business partner, somebody with whom he is going to make a great deal of money, then I would expect that he might have made such a statement.

If it was, well, I met the fellow and he asked about a loan, and that was kind of straightened out, and we talked a little bit about possibilities, if you take the impression that Mr. Trafficante wants to put on the nature of their meetings, then I would discount the possibility that it was said. But if they are going to make a great deal of money together, if they are going to be business partners, he might have shared such a thought with him.

Mr. EDGAR. But I think it is accurate to say that Trafficante would have been aware of Aleman's previous testimony, well, his relationship may be in giving testimony in Chicago against some other witnesses, and it seemed to me wouldn't it have been natural for somebody in the Cosa Nostra not to discuss such things with someone who may have been involved?

Mr. SALERNO. No, not at all. If we are going to infer that this man testified against Norman Rothman and Mr. Mannarino, you might think that if that were going to be the consideration, Mr. Trafficante would not even have found himself in the same room with that man. The overriding consideration was "Forget my friend Norman Rothman, forget my colleague Mannarino, if I can make a lot of money with this cat, I will meet him once, twice or a 100 times."

Mr. EDGAR. And your earlier comment was that it was the quality of the content of the meeting and not the quantity of the meetings?

Mr. SALERNO. Yes sir. The fact that they were together, Mr. Trafficante makes admission to that, and we know that that took place even after he had given testimony against some of Mr. Trafficante's friends, I think suggests that money is the overriding consideration.

Mr. EDGAR. Thank you. I appreciate the response.

Chairman STOKES. Time of the gentleman has expired.

Mr. Salerno, as a witness before our committee, at the conclusion of your testimony you are entitled to 5 minutes. During that 5-minute period you may in any way expand upon your testimony or comment upon it, and I would extend to you at this time 5 minutes for that purpose, if you so desire.

Mr. SALERNO. Thank you, Mr. Chairman. I just want to mention two things and it won't take 5 minutes.

No. 1, I would like to, through this committee, thank Attorney General Bell and the people in the FBI with whom I, and my colleagues on the staff dealt, for their grand cooperation, their kindness and their courtesies.

The second thing I would like to say to this committee and for the record is this. That from time to time when the Mafia, the Cosa Nostra, has to be discussed, some Americans are angered by that fact. I would like the record to show that I am one of the Americans who is greatly angered when the necessity arises.

I resent the fact that some criminals have formed an organization where they require that membership be limited to people of Italian background, where they apply Italian words as a name to a criminal organization, where they apply an Italian word for ranks within that organization.

As I sit here looking at the committee, you are members of the Congress, and that together with many other things, I am sure, makes each of you proud of your roots and from whence you came.

I would just like to say that I am equally proud of mine. Thank you, sir.

Chairman STOKES. Mr. Salerno, I would just like to say on behalf of the committee you are obviously an eminently qualified expert in this field. You have given some very articulate and eloquent testimony before the committee and we want to thank you for the services you have rendered to us.

Mr. SALERNO. Thank you, sir.

Chairman STOKES. The Chair would like to take a 3 minute in-place recess before we proceed further.

Chairman STOKES. The committee will come to order.

The Chair recognizes Professor Blakey.

Mr. BLAKEY. Thank you, Mr. Chairman. It could be said that the committee has now come full circle. It began with the question "could organized crime have been involved in the plot to murder President Kennedy?" It has run an exhaustive check of the possible conspiratorial associations of one figure involved in the assassination, Jack Ruby. The committee obviously has more work to do on Ruby's associates as well as Lee Harvey Oswald's, and it will have the opportunity to say more about them in its final report in December.

Nevertheless, it is fair to say the committee's investigation into the possible involvement into organized crime has been more com-

plete than that of the FBI or the Warren Commission in 1963 and 1964. It is also fair to comment that had this sort of investigation taken place at that time when the evidence was fresh, it is possible, though hardly a sure thing, that a lot more information might have been forthcoming. But the committee must face this fact. The question of organized crime involvement is still and open one. Nothing that has been uncovered excludes it and much that is new points toward it. Yet frustration may be the result of this committee's efforts too.

To address the issues raised by this frank recognition of the possibility of ultimate frustration and comment on the investigation of the Warren Commission and this committee, as well as the future, the committee has invited the Hon. Burt W. Griffin to appear here today. Judge Griffin was an assistant counsel for the Warren Commission. As such, he shared responsibility for the investigation of Jack Ruby and the shooting of Lee Harvey Oswald. Judge Griffin received a B.A. cum laude from Amherst College in 1954 and an LL.B. degree from Yale in 1959. Judge Griffin has served as the Director of the Cleveland Office of Economic Opportunity, Legal Service Program, as well as the Director of the Legal Aid Society.

In January 3, 1975, he was appointed judge of the Court of Common Pleas of Cuyahoga County, Ohio. It would be appropriate at this time, Mr. Chairman, to call Judge Griffin.

Chairman STOKES. Judge, I ask you to stand, please, and be sworn. Do you solemnly swear the testimony you will give before this committee is the truth, the whole truth and nothing but the truth, so help you God?

Judge GRIFFIN. I do.

Chairman STOKES. Thank you, you may be seated.

Judge Griffin, it is a real pleasure to welcome you here. Mr. Blakey, Judge Griffin happens to be not only a long-time close friend, but one of Cleveland's most distinguished jurists. We welcome you here this afternoon, Judge.

TESTIMONY OF JUDGE BURT W. GRIFFIN, FORMER ASSISTANT COUNSEL FOR THE WARREN COMMISSION AND JUDGE OF THE COURT OF COMMON PLEAS, CUYAHOGA COUNTY, OHIO

Judge GRIFFIN. Mr. Chairman, and my good friend, Louis Stokes. Let me say it is a pleasure for me to be here before your committee. I say it with only one reservation, and I think, Mr. McKinney, this may bring back some memories to you because the last time that I had an opportunity to appear before this committee in executive session, I was about an hour late because I found deficiencies in the Metro transportation system. Last night, your committee was very kind and offered to spare me that indignity and sent Mr. Mathews with Mr. Blakey's car to the airport to pick me up.

I regret to say that when we got out to Mr. Blakey's car, it didn't work. And I found myself behind the car trying to push Mr. Mathews to get it started. So I would suggest that if there are any other areas of investigation for this committee to undertake that there might be some in the field of transportation.

Mr. EDGAR. Would the gentleman yield at that point?