

OLA LAW & JUSTICE PROGRAM

THE HISTORY OF ORGANIZED CRIME



Essential Questions

- What is the RICO Act?
- What is organized crime?
- What are the known gangs and hate groups in America considered to be organized crime?
- How does law enforcement investigate organized crime?

What is Organized Crime?

A continuing, structured collectivity of persons who utilize criminality, violence, and a willingness to corrupt in order to gain and maintain power and profit!

Organized Crime Groups

- La Cosa Nostra
- Hispanic Crime Groups
- Jamaican Posses
- Asian Crime Groups
- Russian Mafia
- Street Gangs
- Outlaw Motorcycle Gangs

La Cosa Nostra

The Mafia

- Best known organized crime group operating in the United States
- Origins in southern Italy and Sicily
- Most active in New York City, parts of New Jersey, Philadelphia, Detroit, and Chicago

Hispanic Crime Groups

- Early start with the influence of Columbian drug rings
- Major drug cartels (Medellin and Cali)
- Hispanic neighborhoods in major cities

Jamaican Posses

Originated in the capital city Kingston, Jamaica

- Grew to power by pressuring the Jamaican
- government to distribute welfare to the needy
- The needy saw the posses as being helpful

Rival gangs would be hired to influence elections

- Thus influencing the “power” and distribution of
- government aid
- The prime minister elected in 1980 tried to gain
- control of the posses (gangs)



Jamaican Posses

- The corrupt Jamaican police were given directives to get rid of the gangs
- As a result of the increasing violence, posse members fled Jamaica
- By 1984, many had moved to New York City and Miami
- Their penchant for violence gave them an advantage over local drug dealers
- Today's Jamaican posse has a sophisticated organization often compared to the Mafia.



Asian Crime Groups

- Most Asian gangs grew out of a response to political disorder
- They provide social, political and economic stability and support.
- They are secretive organizations with elaborate rituals and very strict codes that must be adhered to.
 - Triads
 - Tongs
 - Yakuza
 - Viet Ching



Asian Crime Groups

Triads

- Oldest organized crime groups (1600's)
- Secret societies that formed after China was invaded by the Manchus
- Mongolian dynasty that ruled China from 1644 to 1911
- Triads members were bound by an intricate system of rituals, oaths, passwords and other things; some of which are still used today



Asian Crime Groups

- Tongs
- Began as charitable societies in major American cities with large Chinese populations
- The word “tong” means “meeting place” in Chinese
- Chinese immigrants were coming to the United States with the promise of high pay and quick fortunes
- Business owners would help them find jobs or places to live as well as act as a liason



Asian Crime Groups

- Tongs
- As Chinese immigrants moved east, tongs would compete, or fight, for control of territory of gambling or prostitution, which were very profitable
- With increasing growth in the Chinese population, and the inability of the immigrants to speak English, tongs began using extortion, robbery and other crimes against the immigrant population as a means of “business”
- Drug trafficking is the primary focus of the tongs today, although they remain active in other crimes, including gambling, prostitution and smuggling illegal aliens.



Asian Crime Groups

- Yakuza
- Set up to reflect the Japanese tradition of having a strong father figure with obedient children
- Took over the Japanese black market after World War II
- Involved in casinos, gunrunning, loan-sharking, drug trafficking and money laundering
- The Japanese peoples were very concerned with how they are perceived by others
- Yakuza used this to their advantage and would extort money from corporate executives who would want to save the image of the company



Asian Crime Groups

Viet Ching

- Vietnamese immigrants who had Chinese ancestry
- Immigrated to the United States following the Vietnam War
- Preyed on Asian communities
- Offered “protection” to Asian merchants
- Involved in drug trade



Russian Mafia

- Emerged during the political chaos resulting from the collapse of the former Soviet Union in 1991
- Early groups in the United States were located in New York, Los Angeles and Toronto, Canada
- Loose knit organization known as the Organizatsiya (Organization)
- Involved in drug dealing, extortion, bank fraud, counterfeiting, contract murders, and trafficking in dangerous weapons and components.



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Street Gangs

- In the 1950's and 1960's, primarily a problem only in large American cities
- Mainly fought each other and involved in petty crimes
- Most expansive and best organized:
 - Bloods and Crips
 - African American street gangs of Los Angeles
 - National organizations
 - Recruit in potential territories
 - Criminal Activity includes:
 - Manufacture and distribute crack cocaine
 - Murder for hire
 - Sale of illegal firearms



Outlaw Motorcycle Gangs

- Originated with American soldiers returning from World War II
- Established and organized as a para-military group
- Today there are approximately 1000 motorcycle gangs in the United States
 - Hell's Angels
 - Outlaws
 - Pagans
 - Bandidos
- Criminal activities include:
 - Drug trafficking
 - Illegal firearms trafficking



Investigating Organized Crime

- Enterprise Theory of Investigation
- Investigative Techniques
- Law to Combat Organized Crime



Enterprise Theory of Investigation

- General Provisions of the RICO Statute

- An entire crime organization is targeted under the RICO Act
- List federal and state crimes that form the basis of a RICO offense
 - Gambling
 - Bribery
 - Dealing in obscene material
 - Dealing in narcotics or other dangerous drugs
 - Mail fraud
 - Witness tampering
 - Obstruction of justice



Enterprise Theory of Investigation

•Additional Provisions of the RICO Statute

- Provides for the forfeiture of assets acquired directly or indirectly from racketeering activities
- Individuals who are victimized by RICO violations can sue the violators.
 - Well-being
 - Property
 - Reputations



Investigative Techniques

- Organized Crime Task Forces
 - Combine resources of federal, state and local law enforcement
- Electronic surveillance
 - Wiretaps
 - Concealed video and audio-taping



Investigative Techniques

- Other covert strategies
 - Informers
 - Existing members of criminal syndicates
 - Provide information leading to indictments
 - Provide evidence and testimony during trials
- Undercover Operations
 - Infiltrating organized crime organizations
 - Effective and dangerous



Laws to Combat Organized Crime

- The Hobbs Act
- The Controlled Substance Act of 1970
- The Organized Crime Control Act of 1970
- The Bank Secrecy Act of 1970
- The Comprehensive Crime Control Act of 1984
- The Money Laundering Control Act of 1986
- The Anti-Drug Abuse Act of 1986
- The Anti-Drug Abuse Act of 1988
- Asset Seizure and Forfeiture Laws
- Conspiracy Laws



The Hobbs Act

- Passed in the 1940's
- Focus on activities that interfere with
- interstate commerce



The Controlled Substance Act of 1970

- Actual name: The Comprehensive Drug Abuse and Control Act of 1970
- Created a coordinated and codified system of drug control
- Classify all narcotics and dangerous drugs
- Created a system for the legitimate handling of controlled drugs by physicians, pharmacists and companies that manufacture pharmaceuticals.



The Organized Crime Control Act of 1970

- Purpose was to fight organized crime by strengthening legal tools
- Provided stiffer penalties for violations
- Extended ways evidence could be gathered
- To encourage witness participation, it created:
 - Absolute immunity
 - Recalcitrant witness
 - Protection for witnesses who may be threatened for testifying
 - Made stiffer penalties for perjury



The Bank Secrecy Act of 1970

- Addressed money laundering
- Requires banks to report any transaction of \$10,000 or more
- Requires banks to report if \$10,000 or leaves or enters the country
- Citizens must report on their annual tax return any foreign bank accounts



The Comprehensive Crime Control Act of 1984

- Focus was drug and organized crime activities
- Reformed bail and sentencing
- Expanded forfeiture authority
- Aided the investigation of money laundering



The Money Laundering Control Act of 1986

- Addressed money laundering
- Illegal to cause domestic financial institution to fail to report transactions of \$10,000 or more
- Have the institution make false statements by providing them with wrong or misleading information



The Anti-Drug Abuse Act of 1986

- Expanded federal, state and local drug abuse control efforts
- Created mandatory sentencing for certain drug-related offenses
- Made it a crime to involved juveniles in drug distribution or sales
- Made it illegal to distribute drugs within 1,000 feet of a school



The Anti-Drug Abuse Act of 1988

- Compliments the Anti-Drug Abuse Act of 1986
- Established a cabinet level position (U.S. President's Cabinet)
- Increased penalties for a number of drug offenses
- Created mandatory minimum sentences for certain drug-related offenses involving children



Asset Seizure and Forfeiture Laws

- Intent is to remove the financial rewards of criminal activity
- Extends law enforcement's authority to seize profits and property resulting from drug trafficking
- Provides legal means for seizing cash connected with money laundering activities
- Proceeds from forfeitures are funneled back to continue the fight against crime
- Seized vehicles used by the law enforcement agencies
- Seized money used to purchase equipment



Conspiracy Laws

- Conspiracy-an agreement between two or more people to commit a crime
- At the point of the agreement, everyone involved is a co-conspirator
- Backing out of the act will not exempt them from charges



Questions?

- Review for exam (22 March 2019)