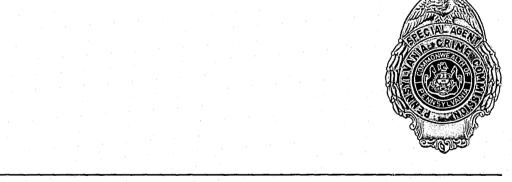


### Pennsylvania Crime Commission

# 1981 Annual Report



April 1982



### COMMONWEALTH OF PENNSYLVANIA

## Pennsylvania Crime Commission 1981 ANNUAL REPORT

NCJRS MAY 18 1982 ACQUISITIONS

ISBN 0-937972-02-9

Printed in the Commonwealth of Pennsylvania 259 Radnor-Chester Road St. Davids, Pa. 19087 215-687-6500

U.S. Department of Justice National Institute of Justice

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This report is published pursuant to the Act of October 4, 1978, P. L. 876 No. 169, which mandates that an annual report on the status of organized crime in the Commonwealth be presented to the Legislature by the Crime Commission each April.



Alvin B. Lewis Jr., Chairman, Lancaster, Pa. A graduate of the Choate School, Connecticut, he received a B. A. from Lehigh University in 1954, and received an LL. B. from the Dickinson School of Law in 1957. He was District Attorney of Lebanon County for two terms beginning in 1961. In 1976, he was appointed Special Counsel to the House of Representatives' Select Committee on Assassinations investigating the murders of President John F. Kennedy and Dr. Martin Luther King. In 1977 he was appointed the Committee's Acting Chief Counsel, directing investigations. He currently is with the law firm of Hartman, Underhill & Brubaker in Lancaster. He has been active in many community and state affairs, both civic and of a charitable nature. During 1967 he served as president of the Pennsylvania District Attorneys Association.

Dean Wm Roach, Commissioner, Wayne, Pa. An alumnus of Assumption College, Windsor, Canada, he is a business executive who also is active in supporting educational institutions, including Villanova University, the Catholic University of America and Valley Forge Military Academy. Mr. Roach served with the U. S. Army in Korea as a first lieutenant in the infantry. He is special executive for Planning and Development, Office of the State Attorney General, and recently was appointed by President Reagan to the National Institute of Justice.



Thomas F. Lamb, Commissioner, Pittsburgh. He is an attorney in practice with the firm of Beck, McGinnis & Jarvis in Pittsburgh and is Director of Governmental Relations for the University of Pittsburgh. He was elected to the Pennsylvania House of Representatives 1959 through 1964, and to the State Senate in 1966. He was educated at St. James Elementary and High School, graduated from Duquesne University, and received an LL. B. from Duquesne University Law School. Mr. Lamb served in the U.S. Navy from 1942 through 1946.



Donald E. Johnson, Deputy Executive Director/Chief Counsel, Media, Pa. A graduate of LaSalle College and Villanova Law School, he joined the Commission in the fall of 1981. Prior to that, he served as a Deputy Attorney General in Harrisburg, handling grand jury and trial work. He also was employed as a trial attorney and special prosecutor with the District Attorney's Office in Delaware County.



Malcom L. Lazin, Commissioner, Philadelphia. He is a partner in the Philadelphia law firm of Fell, Spalding, Goff and Rubin. He graduated from Lebanon Valley College in 1965 and received a J. D. from Boston University School of Law in 1968. He served as an assistant U.S. Attorney in the U.S. Department of Justice in Philadelphia from 1970 through 1974. Mr. Lazin received the U.S. Attorney General's Distinguished Service Award in 1972. A U. S. Army veteran, he is active in community affairs.



Wallace P. Hay, Executive Director, Southampton, Bucks County. A veteran of the Bureau of Alcohol, Tobacco and Firearms, he was appointed Executive Director on Nov. 3, 1980. He is a native of New York City and holds a degree in accounting from the University of Buffalo. Mr. Hay was with ATF for 26 years, serving in New York, Atlanta, Washington and Philadelphia, where as Special Agent in Charge he directed operations in the Bureau's six Pennsylvania offices. He also served in the Office of Special Investigations in the United States Air Force.



Clifford C. Cooper, Commis sioner, Pittsburgh. An attorney, Mr. Cooper is a 1973 graduate of the University of Pittsburgh Law School and also received his bachelor's degree in political science at Pitt. His experience includes work as an Allegheny County Assistant Solicitor and as former director of the county's Department of Community Services. He has served on the boards of the Y.M.C.A., the Greater Pittsburgh Development Corporation and the NAACP State Conference. He currently is Legal Redress Chairman for the State Conference of NAACP Branches.



Christopher M. Roberts, Special Assistant for Communications, Wayne, Pa. He joined the Commission in January, 1982, after serving 16 years as a writer and editor with The Associated Press. He began his AP career in New Orleans, and later served as the wire service's News Editor in Iowa and as Correspondent in Cleveland. He joined AP's Philadelphia staff in 1971. He is a graduate of Wake Forest University.



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### The Challenge

The Pennsylvania Crime Commission is mandated by statute to investigate organized crime. Their task is not only to find the facts, but more importantly to convince the general public that organized crime is not a mythic, film land story line. The public seems ambivalent in their belief in the existence of an organized, orderly, efficient family of men, devoted to crime.

Immense fortunes from every type of crime are laundered into the fabric of our economic lives. The Crime Commission can report, seek prosecution and hope that technical rules that strangle our judicial machinery will not yield further disrespect and therefore disbelief in the existence of what is now a product of our lives.

Political corruption, white collar crime, must be prosecuted and punished without exception if we are to maintain the inherent respect and social sanction necessary for our courts. Organized families of crime must be pursued through every avenue that nourishes its existence, both foreign and domestic.

There is unhappily, no better cure than long imprisonment for those convicted. We have too frequently experienced that fines, probation and attempted economic sanctions have failed. Society cannot expect that such profitable crime will banish and desist by any method short of long isolation from the society they corrupt. The Crime Commission is to be commended for persistence and growing skill

James T. McDermott Justice, Supreme Court of Pennsylvania

### The Past

The Pennsylvania Crime Commission was created by the General Assembly in 1968 and restructured a decade later as an agency independent from the executive branch of state government.

The change took place on October 4, 1978. The reformed Commission still has five members, but their appointment method differs. Now one Commissioner is appointed by the Governor, the President Pro Tem of the Senate, the Speaker of the House, the Minority Leader of the Senate and Minority Leader of the House.

The new statute directs that no Commissioner may hold elected public office and that not more than three Commissioners may be members of the same political party. Commissioners now serve for three-year terms and may succeed themselves.

The new Commission became functional in May of 1979 when its new members were appointed. After this reformation, the Commission's staff was restructured and plans for expansion were drawn so it could fulfill its duties as an independent state agency.

The Pennsylvania Crime Commission Act of 1978 (P. L. 876, No. 169) became effective on December 4, 1978. It gave the Crime Commission several powers and duties including:

- inquiring into the activities of persons engaged in or associated with organized crime.
- 2. inquiring into public corruption.
- making a detailed written report of every completed investigation.
- 4. submitting each April an annual report on the status of organized crime at a joint public hearing of the House and Senate Judiciary Committees. Investigative reports should be presented at public hearings of the appropriate House and Senate committees.
- requiring the attendance and testimony of witnesses and the production of documentary evidence relative to any investigation by subpoena.

The Commission is also allowed to directly request an immunity order from any judge of the Commonwealth Court to grant immunity to witnesses whose testimony is necessary to the public interest.

Once witness immunity has been granted, if the witness still refuses to testify, he or she will be in civil contempt and may be jalled until he or she agrees to testify.

Other provisions of the law include the declaration that all statements and disclosures made by the Commission are privileged and, as such, they are immune from legal action.

During 1981, a comprehensive review of the structure, functions and operations of the Pennsylvania Crime Commission was made. This review resulted from the Commission's recognition that budgetary constraints necessitated optimal usage of existing personnel to maximize the agency's effectiveness.

After careful analysis, the Commission decided to alter the current structure of its staff to include a centralized investigative group. This group is comprised of technically specialized personnel including accountants, analysts, covert operators, etc. It will concentrate its efforts on the investigation of selected statewide or sectional organized crime and public corruption situations. The central group is located at the Commission's headquarters in suburban Philadelphia, and is headed by an Assistant Director for Investigations.

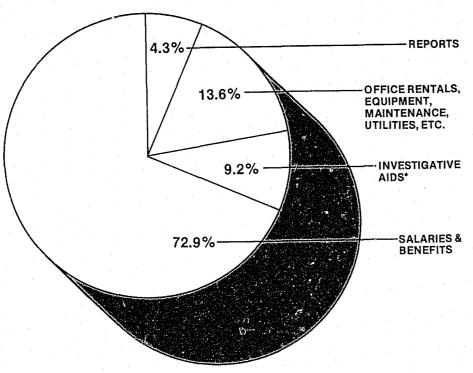
The Commission is, however, continuing the operations of its regional offices. Those offices, located in Pittsburgh, Harrisburg, Scranton and suburban Philadelphia, will conduct localized investigations, maintain liaison with other law enforcement agencies, and participate in combined investigations with other offices. They are each headed by a Special Agent-in-Charge.

The headquarters staffing will remain basically unchanged. It includes an intelligence unit, legal department, communications office and administrative offices.

### Fiscal 1981 Expenditures

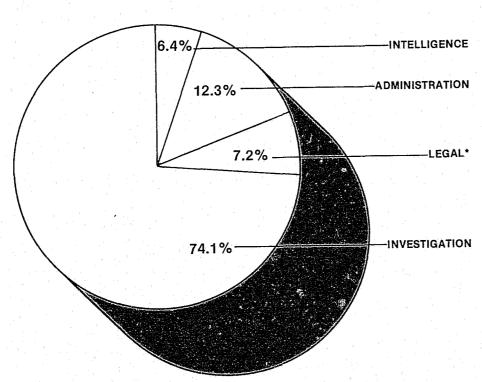
The Pennsylvania Crime Commission completed its second full fiscal year under the new Act on June 30, 1981. The two charts on this page give percentage breakdowns of expenditures for fiscal year 1981.

Chart one shows the percentages of overall expenditures in relation to an actual amount of total expenses. The second shows a breakdown of salary expenses by type of function within the Commission.



Expenditures Fiscal 1981 Total Expended \$1,831,774.78

\*Court reporter services, travel, automobiles, surveillance equipment, research materials, etc.



**Base Salaries Fiscal 1981** 

\*Legal personnel worked as part of the investigative team to develop and analyze investigative leads in the

### Crime Assessment

Burglary, both residential and commercial, was ranked by local law enforcement agencies as the major crime problem in Pennsylvania in 1981. The burglary problem is supported and encouraged by the disposition and fencing of stolen goods, most notably precious metals, and by trafficking in illegal narcotics.

Other crimes, given high rankings, were: theft (including auto), robbery, assault, rape and homicide.

It was generally acknowledged by many of the law enforcement agencies surveyed that organized crime has had, and continues to have, an influence in their communities, either directly or indirectly.

Areas of Major Organized Crime Influence and Control in the Commonwealth:

 Illegal gambling—a traditional organized crime moneymaker, still extensively controlled by organized crime.

Involvement in the purchase, fencing and disposition of stolen property, particularly precious metals and gems.

a. Traditional organized crime
 b. Motorcycle gangs

3. Infiltration of legitimate business

4. Financing narcotics operations and trafficking

Loansharking/collection of debts by extortion.

6. Arson

7. Murder

In addition to the traditional organized crime groups, outlaw motorcycle gangs appear to be becoming a more substantial and visible organized crime concern. They appear to influence, and in many cases control, pornography, prostitution, illegal trafficking in firearms, auto thefts and chop shops. And today, many of them have abandoned their bikes for vans, or luxury cars.

While organized crime in the public mind appears to be gangster-related, state law gives it a broader scope: "The unlawful activity of an association trafficking in illegal goods or services, including, but not limited to, gambling, prostitution, loansharking, controlled substances, labor racketeering or other unlawful activities."

Also, the term relates to "any continuing criminal conspiracy or other unlawful practice which has as its objective large economic gain through fraud or coercive practices or improper governmental influence."

Unfortunately, Pennsylvania must be ranked near the top when it comes to states afflicted by organized crime. The syndicate has reached out to strangle the free enterprise system. Pennsylvanians have been destroyed financially, maimed, burned or murdered with such frequency that in some cities these terrors have become a way of life.

And it is the violence, or the mere threat of it, that makes organized crime so effective. It is swift, absolute, with no room for appeal.

Aladena "Jimmy the Weasel" Fratianno, a self-styled La Cosa Nostra member and hitman who has been in the Federal Witness Protection program since 1977, talked about violence as a weapon at a Pennsylvania Crime Commission hearing in July of 1981.

Excerpts from the hearing transcript:

Q: They (La Cosa Nostra) control everything, is what you're saying?

Fratianno: They control it. That's correct. One family controls the trucking industry, another family controls the garment industry. It's different things. So in a period of years you, you accumulate a lot of money.

Q: How do they maintain and protect that enterprise? How do they control that inflow of money?

Fratianno: What do you mean, how do they control it?

Q: How do they protect or continue it on constantly, generally speaking?

Fratianno: Well, who's going to bother them? If somebody bothers them, they'll find themselves in the lake, in the ocean, you know.

Q: So violence does become the ways and the means, is the bottom line, so to speak?

Fratianno: I say, if they have to. But people know what they're doing. You know, they ain't going to buck anybody. They know what's going to happen to them.

Estimates of gross income pocketed nationally by organized crime rival the auto industry in size and influence. Yet organized crime generates little or no tax revenue.

Organized crime is big business. Big money. The federal government found out just how big in the fall of 1981 when it implemented a new idea for nailing the kingpins of narcotics—forget the drugs and follow the money.

In September, federal agents in a narcotics raid seized \$3.6 million in small bills in an office building in Miami. Then, ten agents had to spend eight hours counting the money—and they were using the kind of bill-counting machines that banks use.

They later discovered that the drug underworld uses the same kind of machines.

Like many firms and institutions, organized crime is diversifying. Some of the money is going back into crimical activities. But an increasing amount is being put into legitimate business.

The money flows where the investment is easiest, where the growth is. It moves from vending machine companies into casinos, from narcotics into brokerage houses.

Organized crime figures become "made" members not to ride around in big black cars or practice their marksmanship, but to make money. The difference is they don't worry about whether their operation is legal.

Violence, or threat of violence, may be the main difference between legitimate and illegitimate business. But it is only a means to an end, a management tool, like inventory controls, discounted cash flow calculations, or advertising.

Daniel F. Dunn, Pennsylvania State Police Commissioner, points out that "present socio-economic factors are not conducive to crime reduction and there is always an increased demand for the services offered by organized crime during periods of economic depression."

However, Dunn feels that if continuous enforcement pressure is exerted at all levels of the organized crime hierarchy, its growth can be impeded.

And J. Alan Johnson, U.S. Attorney, Western District of Pennsylvania, notes that "tremendous benefits can be realized when state and federal agencies cooperate with respect to significant organized criminal activity"

### Public Hearings Health Care Fraud

In July of 1981, the Pennsylvania Crime Commission held three days of hearings into the influence of organized crime in the field of prepaid health care services and the questionable business activities engaged in by some health care plan providers. The hearings were the result of a three-year investigation by the Commission, which looked into three companies: Labor Health Plans, Inc., of Chicago; the A.M.M.A. Health Center, Inc., in Philadelphia; and American Health Programs, Inc., located in Trevose, Bucks County.

The Commission's investigation found links between traditional organized criminals and two of the companies—Labor Health Plans and A.M.M.A.

The investigation into American Health Programs (AHP) inc., showed no links to traditional organized crime.

In the case of A.M.M.A., the Commission obtained records from participating doctors and clinics. These reports showed that, in relation to a contract with Teamsters Local 837, A.M.M.A. over-reported the value of services received by union members by \$254,715.

AHP had several large contracts with local unions including AFSCME District Council 33 and the Retail Clerks Union, Delaware Valley Health and Welfare Fund. The Commission obtained worksheets prepared by an AHP employee which showed wide discrepancies between actual and reported usage of services of these two unions. In all, AHP reported over \$2 million in value of services to the unions which were never received.

While the Commission was unable to determine the actual profits garnered by either company, there are some indications that the companies had money readily available for some questionable investments.

A.M.M.A., for example, was able to loan nearly \$160,000 to companies which had close ties to its owners over a three-year period. In some cases, these loans were interest-free and were not repaid.

#### Conclusions

As a result of the Crime Commission's investigation, the following conclusions were reached:

- 1. Traditional and non-traditional organized criminals have infiltrated pre-paid health and dental care plan organizations throughout the country. These organized criminals and their associates have diverted millions of dollars from union health and welfare trust funds through these organizations.
- 2. Various union health and welfare fund trustees and administrators have neglected their fiduciary responsibility in the award and administration of health care benefits. Such contracts are sometimes awarded on the basis of favoritism rather than cost-effectiveness. While the contracts are inforce, the unions may neglect to require the health plan organizations to provide them with detailed accountings of services rendered, actual costs and profits made.
- 3. Some Pennsylvania-based prepaid health care plan organizations have submitted misleading and deceptive reports to union health and welfare fund trustees regarding benefit utilization by union members. These reports have contained figures inflated to as much as 600 percent of actual services rendered and have resulted in contract renewals which might not have been given if the actual number of services had been reported.
- 4. Some pre-paid health care plan organizations have utilized questionable marketing techniques. Payments have been made to individuals who were in some way associated with the awarding of health care plan contracts. Substantial commissions and consulting fees have been paid to individuals in return for minimal services.

- 5. Pennsylvania-based health care plan organizations have been involved in financial transactions which reduced the financial soundness of the organization. Several of these transactions involved loans to or through individuals with close ties to the health care plan organizations.
- 6. Pennsylvania law does not regulate profit making pre-paid health care plan organizations. Loopholes in the current law encourage the types of questionable activities found in this report.

7. Municipalities in the Commonwealth have no authority over the award and administration of health care benefit contracts for public sector or municipal employees.

8. These findings are not unique to health care plan organizations in the Commonwealth. Similar activities have been uncovered in other jurisdictions.

#### Recommendations

- A. The Professional Health Services Corporations Act in Pennsylvania should be amended to include the following provisions to regulate profitmaking health care plan providers:
- the submission of clear and complete statements of benefit coverage
- limitations on the amount that these companies can spend on marketing and administration
- the filing of detailed annual reports
- the regulation of investments
- a certification of authority to transact business
- the disclosure of the identity of consultants to the company, particularly those used for marketing
- yearly audits and certification by a Certified Public Accountant
- that incorporators must be competent and trustworthy
- a strict conflict of interest provision
- B. The Employee Retirement and Income Security Act (ERISA), should be amended to cover trustees and administrators of public employee health and welfare funds.
- C. Municipalities should be allowed to audit health and welfare funds for which they provide funding and should be part of the benefit provider selection process.
- D. The U.S. Department of Labor should conduct periodic and random audits of union health and welfare and pension funds.

E. Union members should have the ability to initiate a civil action to recover trust fund money that has been lost through either criminal or negligent conduct of the trust fund trustees or

administrator.

F. In the case of public sector unions, the governmental unit that supplies the funds for the purchase of benefit programs should have the ability to initiate a civil action to recover health and welfare fund money that has been lost through criminal or negligent conduct by trust fund trustees or administrators.

G. The government should have the ability to recover on behalf of union trust funds, excess commis-

sions or finders' fees.

H. Trustees and administrators should be liable for treble damages for losses resulting from their willful misconduct.

#### Results

Crime Commission personnel are working with a committee empowered to draft new legislation that would effectively curb the type of abuses outlined at the hearings. One piece of legislation has been drafted by State Senator John Hopper. Other members of the committee include representatives from the State Insurance Department, the State Health Department, along with representatives of health plan programs currently regulated by the Commonwealth.

In addition, the three cases have been referred to law enforcement agencies with prosecutorial powers.

### **Liquor Licensing**

The Pennsylvania Crime Commission spent considerable time in 1981 investigating organized crime's infiltration of bars and restaurants in the Commonwealth.

A series of hearings were held in early 1982 in Pittsburgh, Philadelphia and Scranton and other hearings were planned. Through these hearings, the Crime Commission was able to show how underworld figures and associates are able to circumvent state laws in obtaining liquor licenses.

Ownership of a bar or restaurant by an organized crime figure is attractive because it serves as a kind of insulation or buffer which is hard for law enforcement to penetrate.

They can be used to obtain a line of credit, or to provide wages for criminal associates. Or to skim profits for investment in criminal activities, or to launder illegal funds.

And sometimes, they become magnets for violence, turning neighborhoods into gangland battlefields as we have seen in Philadelphia over the past two years.

A separate report will be issued on the liquor licensing investigations at the conclusion of the hearings.

### **Crime Statistics**

Annually, local police agencies in the Commonwealth report on the occurrence of specific types of criminal offenses to state and federal officials. These statistics, known as Uniform Crime Reports (UCR), are compiled and published by the Pennsylvania State Police and the Federal Bureau of Investigation.

The Pennsylvania Crime Commission, using the Pennsylvania State Police UCR reports, has analyzed statistics relating to the following crimes in an attempt to determine the impact of common organized crime on various Pennsylvania counties:

Arson
Forgery and Counterfeiting
Fraud
Embezzlement
Receiving Stolen Property
Prostitution
Illegal drug violations
Gambling
Larceny
Motor Vehicle theft

This process was begun last year in the Commission's 1980 Annual Report and continues in an effort to determine emerging patterns in criminal movement and activity. By bringing this data to the attention of police agencies and the public, the Commission hopes to encourage preventative measures to stem the tide of these criminal activities.

In its analysis, the Commission used the population figures in each county and divided those figures by the number of the above specific crimes reported in each case. The result is a figure which reflects one crime per "x" number of residents in the particular county.

(It should be noted that a substantial increase or decrease in crime in a sparsely-populated county could cause a significant change in that county's overall standings statewide.)

0

To determine an overall rating of the counties, the aggregate figure of the ten selected crimes was divided into the population of each county. These figures are reflected on the first map, which shows the 67 counties ranked according to their crime/residents ratio. In this and the other maps, a ranking of "1" is the highest ratio of crime per residents and the ranking of "67" is the lowest.

Dauphin County leads the others with the highest aggregate of crime per residents. This is the second year in a row that Dauphin has held this position. It attained it this year with a ratio of one crime (of the ten used) per 22.1 residents.

Juniata County ranked the lowest in the aggregate crime ratios, with one crime per 133.2 residents. Juniata, also, holds this position for the second year in a row.

Other counties showed much greater variation in rank from 1979 to 1980. The largest fluctuation was in Centre County, which ranked third in 1979 and forty-eighth in 1980. Berks County experienced the sharpest increase. It was ranked thirty-fourth in 1979 and twentieth in 1980.

Other counties with a greater than moderate increase in crime included:

Clinton Washington Franklin Huntingdon Sullivan Armstrong Lehigh

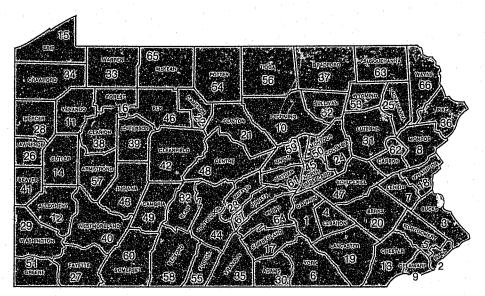
Beaver Counties with a larger than moderate decrease in crime from 1979 to

1980 included:
Erie
Forest
Warren
Clearfield
Indiana
Wyoming
Bedford
Snyder
Perry

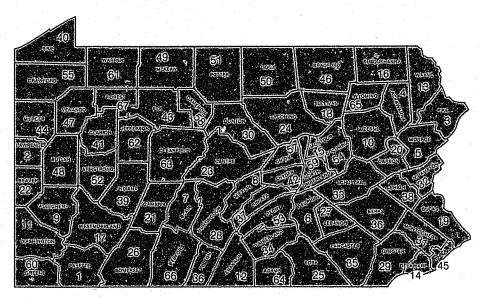
The Commission further analyzed the occurrence of specific crimes in each of the counties. The accompanying maps reflect the occurrence of arsons, narcotics cases and frauds.

The map of arsons shows that Fayette County ranks in first place with a crime/residents ratio of one arson per 848 residents. Forest County ranks sixty-seventh with no arsons during 1980.

Fayette County also held first place in 1979. Forest County had been ranked forty-fourth in 1979.



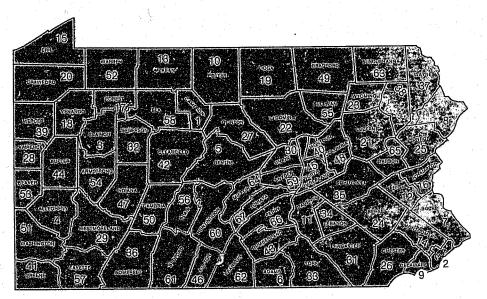
Distribution of Ten Selected Crimes Reported in 1980\*



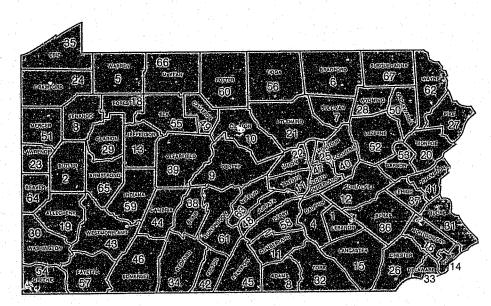
Distribution of Reported Arsons in 1980

Distribution of crime per residents ratio. High ratio is '1'; the lesser crime areas approach '67'.

Data Source: Pennsylvania State Police Uniform Crime Report 1980



Distribution of Reported Narcotics Cases in 1980



Distribution of Reported Fraud in 1980

The occurrence of arsons in the counties differed dramatically from 1979 to 1980. Dauphin and Wayne Counties, for example, increased by 53 places in 1980 over their 1979 standings. Potter County decreased by thirty-eight places in 1980.

Other counties with a larger than moderate increase in arson included:

Franklin
Mifflin
Susquehanna
Pike
Carbon
Beaver
Cambria
Northampton
Clarion
Somerset
Perry

Venango Montour Juniata McKean

Counties with a greater than moderate decrease in arson included:

Lebanon Westmoreland Lycoming Chester Lancaster Cumberland Montgomery Tioga Mercer Butler Jefferson Northumberland Clearfield Bradford Warren Forest Adams

Clinton
The map of illegal narcotic cases indicates that Cameron County had the highest radio of narcotics cases per residents with an average of one case per 290 residents. Cameron is in first place for the second year in a row.

Juniata County, with no reported narcotics cases, was ranked sixty-seventh. Juniata, ranked twenty-ninth in 1979, had a marked decrease in narcotics cases.

As was evidenced in the arson cases reported, there is a vast fluctuation in the impact of narcotics cases between 1979 and 1980 in the Commonwealth. Forty-eight of Pennsylvania's 67 counties had a greater than moderate increase or decrease in the crime per resident ratios.

<sup>\*</sup> Arson, Embezzlement, Forgery, Fraud, Gambling, Larceny, Motor Vehicle Theft, Narcotics Cases, Prostitution, Receiving Stolen Property.

Two predominantly rural counties, Potter and Perry, experienced the greatest changes in narcotics case/residents ratio rankings. Potter County, which had been ranked fifty-ninth in 1979, jumped to tenth place in 1980. Perry County, conversely, dropped from fourth place in 1979 to sixty-sixth place in 1980.

Other counties with very substantial increases in ranking included:

Adams
Pike
McKean
Venango
Tioga
Union
Wayne
Lawrence

Counties which dropped greatly in ranking in 1980 included:

Juniata
Mifflin
Sullivan
Bradford
Indiana
Clearfield
Jefferson

Fraud cases which have risen faster than any of the other analyzed crime rates, were also focused upon at the county level. The ranking results of fraud per residents in each county can be seen in the accompanying map.

Lebanon County ranks first in 1980 fraud per residents, with a ratio of one fraud reported for every 132 residents. It was in second place in 1979, with one fraud per 139 residents.

Three counties—Armstrong, Mc-Kean and Susquehanna, share the honor of no fraud cases reported in 1980. McKean and Perry tied for lowest rate in 1979.

Bradford County had the sharpest increase in ranking from 1979 to 1980. It was ranked forty-first in 1979 and jumped to sixth in 1980. This reflected a change from one fraud for every 5,406 residents to one fraud for every 481 residents.

Columbia County experienced the sharpest drop in fraud per residents. It was ranked eighteenth in 1979 and fortieth in 1980.

Other counties with major increases in fraud reporting were:

Sullivan
Cumberland
Forest
Pike
Bedford
Washington
Wyoming
Cambria
Northumberland

Counties with sharp decreases in fraud per residents included:

Lawrence
Clarion
Elk
Mercer
Indiana
Huntingdon
Monroe
Berks
Lehigh
Carbon

The regional nature of the occurrence of crime is evidenced by the distribution of the counties with sharp increases or decreases. In the area of arson, for example, neighboring counties such as Susquehanna, Wayne and Pike; Mifflin, Juniata and Perry; and Somerset and Cambria experienced sharp increases.

Conversely, the neighboring counties of Potter, Tioga, Bradford, Lycoming and Clinton; and Montgomery, Chester, Lancaster and Lebanon experienced sharp decreases in arson per residents.

Reported narcotic case ratio increases and decreases also seem to show geographic groupings. Neighboring counties Pike and Wayne, and McKean, Potter and Tioga all showed increases. Decreases were seen in neighbors Jefferson, Indiana and Clearfield, as well as Mifflin, Juniata and Perry.

Reported fraud case increases display clustering in only one area—Bradford, Sullivan and Wyoming Counties. The one cluster of counties with decreases includes Monroe, Carbon, Lehigh and Pike Counties.

### **Crime Trends**

The Pennsylvania State Police UCR reports were again analyzed to determine the trends of specific criminal activity in the Commonwealth.

The crime per residents ratio method explained in the previous section was again utilized, taking the total number of specific crimes reported and dividing that into statewide population figures.

The 1981 figures are projected on the basis of State Police third quarter preliminary reports. All other figures are based on published State Police reports.

The chart shows that eight of the ten reported crimes showed increases from 1978 to 1981. The reporting of two crimes, prostitution and gambling, decreased during the period.

These decreases may be a continuation of a trend noted by the Commission last year—a de-emphasis on reporting "victimless" crimes.

From 1980 to the projected 1981 figures, four crimes decreased in crime/residents ratio, while six increased.

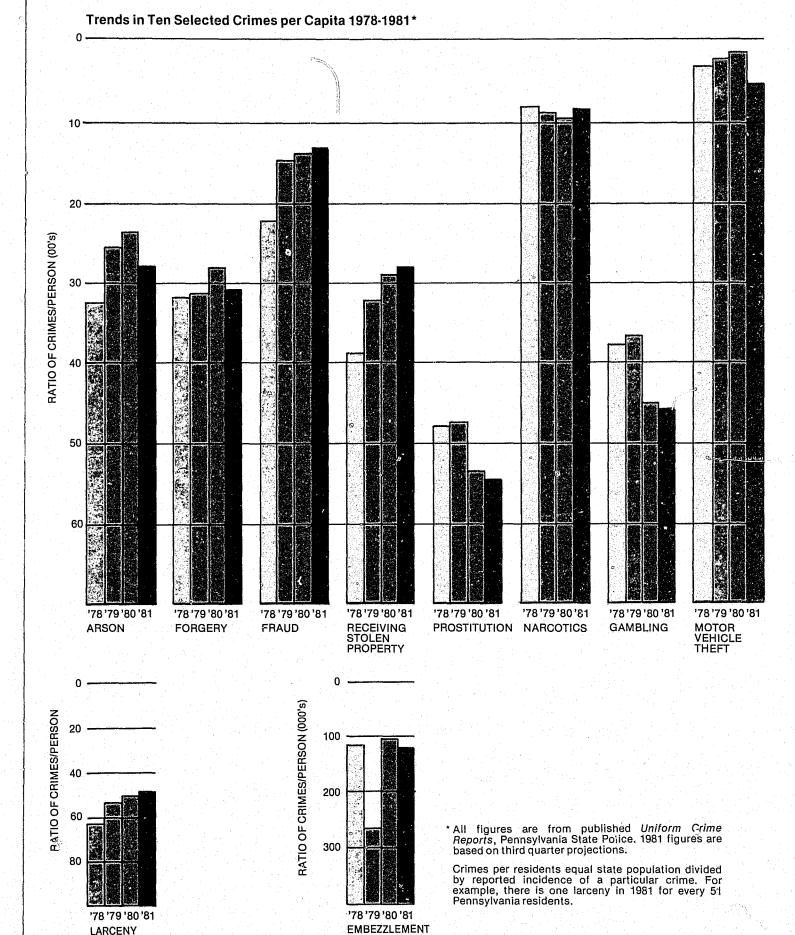
Reported arsons decreased in occurrence for the first time in several years, according to the projections. Motor vehicle theft also slightly decreased, reversing a former trend.

Reported narcotics cases, conversely, increased for the first time in recent years.

The most prevalent crime of the ten in the Commonwealth continues to be larceny, with one larceny reported for every 51 residents in the state in 1981. Motor vehicle theft is the second most common, with one motor vehicle theft per 256 Pennsylvania residents. The third most common crime reported in 1981 was narcotics violations, with one for every 818 residents.

The highest increase over the 1978-81 period was in reported cases of fraud, which went up by 35% over those years. Larceny increased by 19% and forgery/counterfeiting by 17%. Arsons have increased by 16.7%, and motor vehicle theft by 15%. Embezzlement increased by 9% over the period, and narcotics cases by only 2.5%.

Decreases in reported occurrence were seen in prostitution (down 15%) and illegal gambling (down 15.6%).





### Investigative Follow-through

The Pennsylvania Crime Commission referred for prosecution or other action 59 criminal investigations to various federal, state and local law enforcement agencies during the 18month period that ended January 1,

The majority of cases involved some form of organized crime activity and, in many instances, involved major organized crime figures. Also referred were several investigations concerning public corruption.

As of February 23, 1982, 12 prosecutions or administrative actions have resulted from the referrals. Active investigations have continued regarding other referrals and have resulted in 35 arrests. Additionally, some referrals are currently being pursued by investigative grand juries.

Investigations referred consisted of the following types of criminal activities:

Narcotics Distribution Arson for Profit Tax Evasion Theft Bribery Pornography Infiltration of Legitimate Business by Organized Crime Figures Misconduct by Public Official Illegal Insurance Practices Fraudulent Coal Partnerships Loansharking Liquor Violations Gambling Tax Fraud Skimming Profits from Businesses Labor Racketeering and Extortion Violation of Mine Subsidence Stat-Counterfeiting Dumping of Hazardous Waste Welfare Fraud Immigration Violations Illegal Weapons Trafficking

Referrals were made to: Delaware County District Attorney Kings County District Attorney, Brooklyn, N. Y. New York Organized Crime Task Force, White Plains, N. Y. Internal Revenue Service **Drug Enforcement Administration** U. S. Attorney, Philadelphia Pennsylvania State Police New York State Organized Crime Task Force Federal Bureau of Investigation U. S. Customs

Royal Canadian Mounted Police Federal Bureau of Investigation, Scranton Immigration and Naturalization

Services Pennsylvania Inspector General

Pennsylvania Liquor Control Board Delaware State Police Luzerne County District Attorney Federal Bureau of Investigation,

Wilkes-Barre, Pa. New York State Organized Crime Task Force

Pennsylvania Department of Rev-

Pennsylvania Bureau of Drug Con-

Mercer County District Attorney Pennsylvania Insurance Commis-

Philadelphia Police Department United States Strike Force, Philadelphia, Pa.

United States Secret Service (Pittsburgh)

Birmingham, Ala., Police Department Federal Bureau of Investigation,

Williamsport, Pa. Georgia Bureau of Investigation Pennsylvania Attorney General's Office

Federal Bureau of Investigation. Lansdale

Lycoming County District Attorney Indiana Security Commission Nassau County, N.Y., Police De-

partment Lancaster County District Attorney Lancaster Police Department U. S. Attorney (Middle District) Pennsylvania Department of En-

vironmental Resources Pennsylvania Insurance Commission

Philadelphia District Attorney U.S. Department of Labor (Civil

Section) New Jersey State Police Internal Revenue Service, Wilmington, Del.

U.S. Environmental Protection Agency, Philadelphia Internal Revenue Service, Philadelphia

New Jersey Attorney General U. S. Attorney, Baltimore, Md.

### The Task Force Approach

More and more, law enforcement officials are adopting task force approaches in combatting organized crime, realizing they must use specialized experts in related fields to impact effectively.

In Pennsylvania, for instance, there are 1,176 municipal police departments, most with 15 employees or less. Many law enforcement jurisdictions overlap. Such fragmentation is ineffective in fighting organized crime. which has no respect for boundaries, and which often uses sophisticated management techniques to subvert and nullify social, economic and political institutions.

One such task force is the Interagency Committee on Arson, created on February 18, 1981, by Governor Dick Thornburgh, Arson is estimated to result in 500 to 1,000 deaths and 10,000 to 15,000 injuries per year nationally, and destroy between \$1.2 and \$4 billion of property.

In Pennsylvania, the number of arsons reported to the State Police has increased 65 percent over the past five years, according to figures submitted by the committee to the Governor. At the same time, the clearance by arrest rate decreased 13.4 percent. Pennsylvania's reported dollar loss due to arson was \$78.4 million in 1980. Also, last year, according to committee figures, 30 murders were committed with arson and an additional 245 deaths occurred in arson fires.

Membership of the Interagency Committee on Arson reflects the complex nature of the crime and the multiple skills and resources needed to combat it. The State Fire Commissioner serves as Chairman, Members are the Attorney General, the Secretary

of Labor and Industry, the Insurance Commissioner, the State Police Commissioner, the Secretary of Banking. and the Executive Director of the Pennsylvania Commission on Crime and Delinquency.

An advisory board also was appointed to assist the committee. Committee members represent:

• The Pennsylvania Crime Commission

• The Insurance Federation of Pennsylvania

• The Pennsylvania Association of Mutual insurance Companies

• The Philadelphia Fire Department • The Philadelphia District Attorney's Office

• The Pittsburgh Fire Department • The Allegheny County Fire Marshal's Office

• The Wilkes-Barre Police Department

· Insurance companies and private arson investigators

Task forces often cross state lines and include representatives from federal agencies. An example is the Task Force on Violent Crime, an eightmember panel which in a recent letter to Attorney General William French Smith summed up its philosophy:

We wish to emphasize that the federal government's first priority should be to provide adequate resources to its own offices which are involved in fighting violent crime and to assure that its policies are clear and sound in all matters which impact on state and local law enforcement. In this way the states and local governments can better deploy their resources to carry out their responsibilities.

We do not believe that the federal government should subsidize the ongoing operations of state and local criminal justice systems. But we do believe that, within the context of each level of government exercising its own authority and bearing its unique responsibilities, much can be done to improve the coordinated federal-statelocal fight against violent crime.

### La Cosa Nostra The Philadelphia Family

Philip Charles Testa ruled as head of Philadelphia's La Cosa Nostra family for just under a year. He succeeded Angelo Bruno who was killed gangland-style on March 21, 1980.

Testa was assassinated by a remote control bomb, packed with finishing nails, as he entered his South Philadelphia home at 2117 Porter Street before dawn on the morning of March 15, 1981.

Under Bruno, who was head of the Philadelphia family for some 20 years, there had been stability and relative gangland peace. But his death, and Testa's, left a fragmented family structure, resulting in a frantic, often violent, scramble for power.

The new boss appears to be Nicodemo Domenic Scarfo who has been active in loansharking, gambling and business ventures in the Atlantic City-Philadelphia area. Mentioned as highranking members are:

 Salvatore Merlino, a.k.a. "Chuck" or "Sonny," a gambler, loanshark and suspected hitman who was a close friend of L.C.N. member Frank Sindone (killed October 30, 1980).

 Nicholas Piccolo, an important associate of the Bruno crime family, who is Scarfo's uncle.

• Joseph "Chickie" Ciancaglini. Sindone's onetime bodyguard who has been active as a gambler and loan shark enforcer.

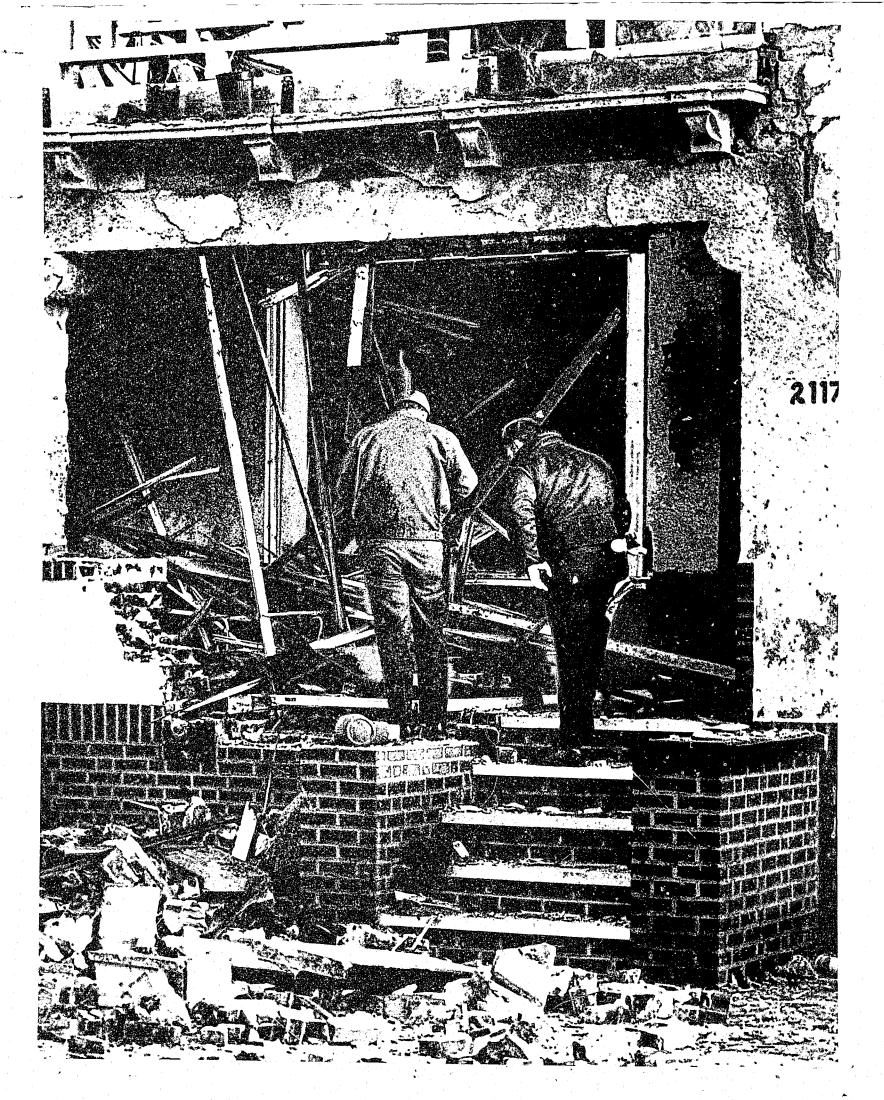
In the spring of 1981, Frank Narducci, who headed the family's gambling operation and who was a capodecina under Testa, fell out of favor with Scarfo, Narducci's gambling network was placed under the control of Ciancaglini, who had inherited Sindone's loan sharking operation after Sindone's death.

On February 21, 1981, Testa, Narducci, Ciancaglini, Carl Ippolito, Harry Riccobene (all L.C.N. members) and five others were indicated on federal racketeering charges. Narducci was slain on January 7, 1982, with jury selection underway.

### The Bufalino Family

Russell Bufalino, 304 E. Dorrance Street, Kingston, Pa., boss of organized crime in Northeastern Pennsylvania, was released from federal incarceration in May of 1981. Prior to his release, however, he was indicted (December 30, 1980) by a federal grand jury in the Southern District of New York for conspiring with Michael Rizzitello and Aladena "Jimmy the Weasel" Fratianno to murder Jack Napoli, a protected federal witness. Napoli testified against Bufalino in his 1977 federal extortion trial. Indicted with Bufalino was Los Angeles organized crime figure Michael Rizzitello.

During October, 1981, Bufalino and Rizzitello stood trial in New York City. On October 23, 1981, Bufalino was found quilty of conspiring to violate Napoli's civil rights and obstruction of justice. Rizzitello was acquitted. On November 17, 1981, Bufalino was sentenced to ten years incarceration for conspiracy, and five years for obstruction of justice, the terms to run concurrently. He was also fined \$15,000. Bufalino, who recently was hospitalized with heart trouble, is out on bail pending disposition of his appeal of the conviction.



Bufalino also faced deportation to Italy by the United States Immigration and Naturalization Service.

Edward Sciandra, 2340 Centre Avenue, Bellmore, N. Y., (Underboss), who allegedly acted as boss of the family while Bufalino was incarcerated, was indicted by a federal grand jury sitting in the Southern District of New York on November 9, 1981. Sciandra was charged with violations of the Internal Revenue Code, Charged with Sciandra were Bufalino family associate Vincent Foti, Sr., along with New York City businessman Yale Kroloff and Peter Cardaisis, On January 15, 1982, Sciandra, Foti and Cardaisis entered guilty pleas—Sciandra to two felony counts, punishable by a maximum of five years imprisonment, and/or a \$10,000 fine for each count; Foti to one felony count; and Cardaisis to three misdemeanor counts.

Frank Sheeran, a Russell Bufalino Crime Family Associate and a Teamster official from Philadelphia, stood trial in Wilmington, Del., during October, 1981. Sheeran, Eugene Boffa, Sr., and others had been indicted for labor racketeering, conspiracy to commit labor racketeering, mail fraud and two counts of taking bribes. Sheeran was sentenced on December 11, 1981, to 18 years imprisonment and fined \$22,000.

Andrew Russo, Brooklyn, N. Y., another Russell Bufalino Crime Family associate and a member of the Colombo Organized Crime Family, surrendered to federal authorities in New York City on Nov. 16, 1981. Russo was arraigned on charges including six counts of bribery, five counts of obstruction of justice, and one count of conspiracy. He also was charged by Nassau County, New York, authorities with attempting to evade New York income tax.

The Bufalino organized crime family is primarily involved in loansharking, jewel theft and gambling. The family also appears to be involved on the fringes of the motion picture industry. Russell Bufalino appeared before a United States Senate Permanent Sub-Committee in Washington, D. C., during February, 1981. Evidence gathered by that sub-committee included statements made by Russell Bufalino associate David Rosen, in which he indicates that he and Bufalino were involved in the distribution of pornographic motion pictures. That same sub-committee developed information that Bufalino had helped Rosen with labor problems he was experiencing at his newspaper distribution company in New York City.

On or about August 11, 1981, Joseph Nicholas Muruca, a Bufalino organized crime family associate, was gunned down in Agawam, Mass. Muruca is originally from the Endicott, N. Y. area, and currently lives in Endwell, N. Y. He was shot by unknown assailants, being struck five times with slugs from a small caliber weapon, but survived the gangland-style hit. No arrests were made.

Angelo Son, a member of the Russell Bufalino organized crime family, died of natural causes during June, 1981.

During the past year, the Pennsylvania Crime Commission subpoenaed Russell Bufalino and family members James "Dave" Osticco, William D'Elia, Edward Sciandra, Angelo Bufalino, and Anthony Frank Guarnieri to appear before the Commission to answer questions relating to their legitimate business interests and alleged illegal activities. They were also questioned concerning their involvement with the Italian American Civil Rights League (IACRL), Chapter 34, located in Pittston, Pa. D'Elia and Angelo Bufalino are officers of the IACRL, while Russell Bufalino reportedly was instrumental in its formation. Each of the above invoked his Fifth Amendment rights in refusing to answer questions.

The League held its 1981 dinner dance in September of 1981, presenting Russell Bufalino with an award. It was the first IACRL dinner dance he had attended since his release from prison.

The Crime Commission currently is conducting an investigation of the Italian American Civil Rights League. The Commission has determined that the League has failed to file any non-profit income tax records with either the Pennsylvania Department of Revenue, or the United States Internal Revenue Service for years 1971 through 1980. In addition, it was not until September of 1980 that the League registered with the Pennsylvania Department of State, Bureau of Charitable Solicitations as required by state regulation.

Crime Commission surveillance and other law enforcement reports show that numerous organized crime members are or have been members of the organization.

### The LaRocca Family

John LaRocca continued to head the Southwestern Pennsylvania La Cosa Nostra family in 1981—a position he has held since 1956.

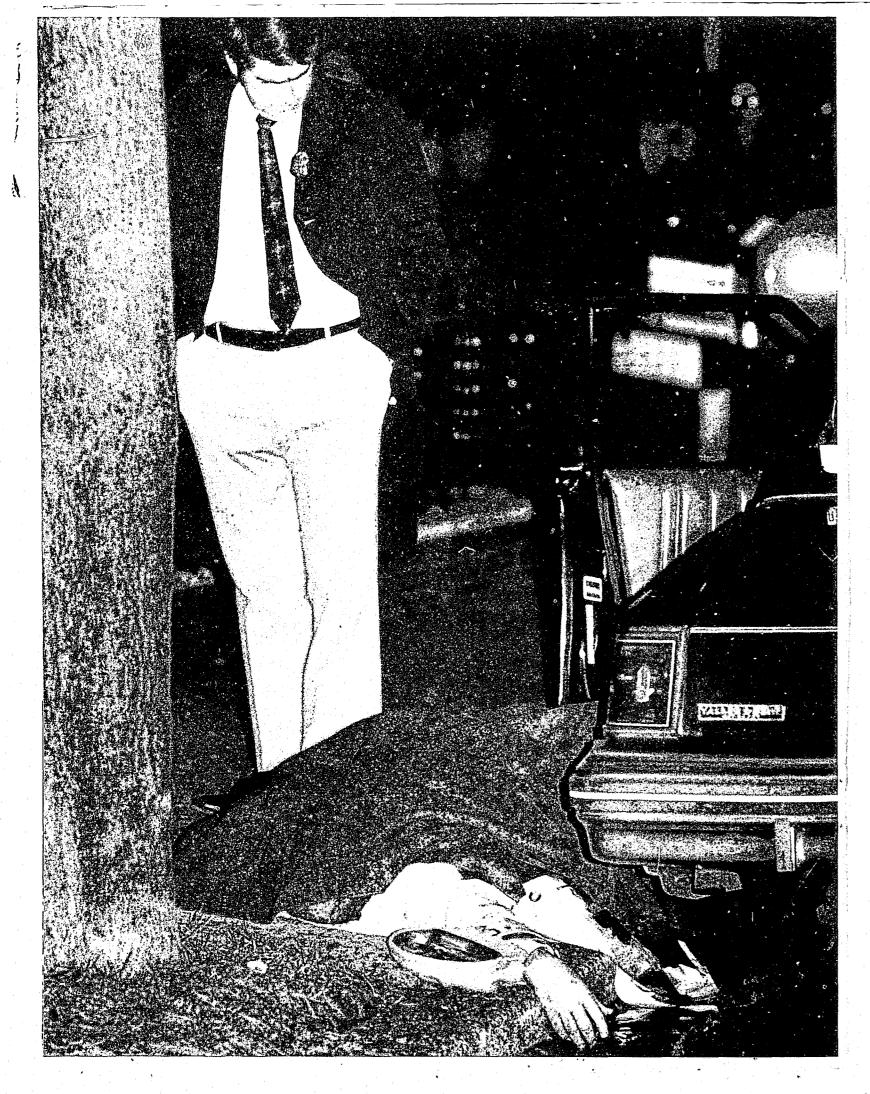
In 1957, LaRocca attended the Appalachin meeting of major organized crime figures in New York with his chief lieutenants, Michael Genovese and Gabriel Mannarino. Mannarino died in 1980, and as of early 1982, no one had been named to replace him

Antonio Ripepi, a capo in the family, has retained control of gambling activity in Washington and Fayette counties, and also still has an interest in Keystone Music Co., a multi-million dollar coin vending business.

Ripepi's son-in-law, John Bazzano, Jr., was released from a federal prison in Danbury, Conn., in early 1981, and as a condition of his parole, is employed by a coal company in Washington County.

Bazzano, son of Western Pennsylvania's first crime leader, had been serving a sentence stemming from a 1975 conviction on charges of operating a large scale gambling business in the Mon-Valley area of Pittsburgh.

Two police officers examine debris left by a remote controlled bomb that blew the front off the home of Philip C. Testa, killing the organized crime leader before dawn, the morning of March 15, 1981. The bomb was packed with finishing nails.



### Gangland Violence: The War Continues

On March 21, 1980, Angelo Bruno, who for two decades had ruled as the orderly boss of the Philadelphia La Cosa Nostra family, was assassinated in front of his South Philadelphia home, triggering a gangland war that has spilled over into 1982.

Bruno had been driven to Cous' Little Italy restaurant that night by L.C.N. member Raymond "Long John" Martorano, and was chauffeured home by John Stanfa, another L.C.N. member who on January 1, 1981, was convicted of perjury and sentenced to eight years in prison in connection with false testimony he gave after the killing

Bruno's death marked the beginning of a series of gangland hits that brutally illustrate organized crime's violent side. On April 17, 1980, Antonio Rocco Caponigro, a.k.a. "Tony Bananas," a newly appointed consiglieri (counselor) in the Bruno family, and Caponigro's brother-in-law, Alfred Salerno, were found murdered in New York City. Police said they were tortured.

Caponigro's naked body was found in the trunk of a stolen car. Salerno's body, also naked, was stuffed in a funeral director's body bag which was dumped on a deserted street. Both men had been beaten, stabbed, garroted, and shot.

On September 19, 1980, Bruno's cousin, L.C.N. capodecina (capo) John Simone, was found murdered in a Staten Island junkyard. He had been shot in the head, and his shoes and socks were missing.

On October 30, 1980, the body of Frank Gaetano Sindone was found stuffed in two trash bags that had been dumped behind a five-and-dime store in South Philadelphia. Sindone, Bruno's protege and the family loan shark, also had been shot in the head, his hands tied behind his back.

On December 16, 1980, John J. McCullough, president of Local 30 of the Roofers Union, was gunned down in his home in front of his wife by a man posing as a flower delivery man. Two men, Dale Young and Willard Moran, Jr., have been charged in connection with the killing. McCullough was a personal friend and business associate of Bruno's, and served as a representative for Bruno's labor interests in Atlantic City.

On March 15, 1981, Philip Charles Testa, who had succeeded Bruno as head of the Philadelphia family, was killed by a bomb packed with finishing nails as he entered his South Philadelphia home. There is speculation among some law enforcement officials that Testa was assassinated because he had either okayed or ordered the hit on McCullough.

On May 27, 1981, Steve Bouras, a loan shark who law enforcement officials said also was active in drug dealing, was gunned down in a Philadelphia restaurant in the company of Raymond Martorano. Authorities described Bouras as an LCN associate

On October 6, 1981, John Calabrese, another LCN associate who made a living as a gambler and loan shark, was found shot to death on a sidewalk near Cous' Little Italy restaurant. Calabrese had owned and operated a bar in New Jersey.

The killings continued in 1982. Among those executed was LCN member Frank "Chickie" Narducci, who was gunned down on January 7, the same day a jury was in the process of being selected to try him on federal racketeering charges. Testa also had been named as a defendant in that case, along with three other LCN members.

During the two decades that Bruno served as head of the Philadelphia La Cosa Nostra there were no murders within the family. Since his death (through Jan. 7), there have been six family members murdered, three in Philadelphia.

"Respect" was the linchpin of the old La Cosa Nostra. The younger members followed orders without question. But in time, the "young turks" tired of being held down while taking all the risks. They wanted a chunk of the growing methamphetamine and cocaine trade and a bigger piece of the Atlantic City action.

In 1975, the FBI uncovered a split in the Bruno family. A year later it became even more apparent when Testa, Narducci and Nicodemo Scarfo, an L.C.N. member from Atlantic City, began holding meetings apart from Bruno, Simone and Sindone.

In May of 1978, the first casino opened on the Jersey shore, and the fight for control of the lucrative new markets spawned by legalized gambling was underway.

(Footnote: Harry Peetros, a known loan shark, was found dead in the trunk of his gold Cadillac in East Lansdowne, Pa., on May 25, 1981. Law enforcement officials believe he operated on the fringe of traditional organized crime.)

A police officer examines the blanketdraped body of organized crime figure Frank Narducci, who was gunned down Jan. 7, 1982. He died the same day a jury was being selected to try him on federal racketeering charges.

### **Gangland Deaths**



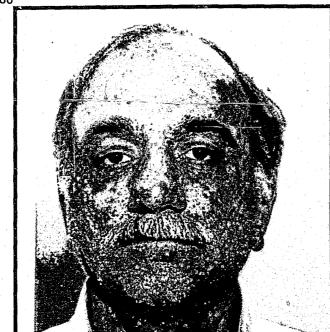
Angelo Bruno March 21, 1980



John McCullough Dec. 16, 1980



Antonio Caponigro April 17, 1980



Philip Testa March 15, 1981



Alfred Salerno April 17, 1980



John Simone Sept. 19, 1980



Frank Sindone Oct. 30, 1980



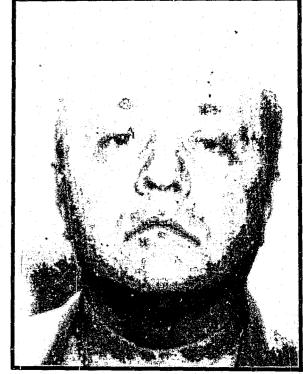
Harry Peetros May 25, 1981



Steve Bouras May 27, 1981



John Calabrese Oct. 6, 1981



Frank Narducci Jan. 7, 1982

### MAGLOCLEN

The Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLEN) is an association of major law enforcement agencies in an eight-state area including Delaware, Indiana, Maryland, Michigan, New York, New Jersey, Ohio and Pennsylvania. As of January 1, 1982, the MAGLOCLEN Association had eighteen member agencies: five state police departments, three state crime commissions, seven city police departments and three county investigative units.

The Pennsylvania Crime Commission is the grantee agency for this project which is fully funded through a line-item in the United States Department of Justice budget. The Commission was responsible for the development of the association and has a continuing administrative oversight role in the project's operations.

The objective of MAGLOCLEN is to provide services which will enable member agencies to identify conspiracies and apprehend criminals who operate on an interstate basis within the eight-state region.

To accomplish this goal, MAGLOCLEN provides a centralized index of identified organized criminals, analytical services, liaison officers, training funds, funds for interstate investigations by member agencies and investigative equipment on loan

Communications among the agencies is effected by toll-free WATS lines into MAGLOCLEN headquarters, bimonthly bulletins and special bulletins on an as-needed basis.

The Commission was awarded a \$230,329 grant by the U. S. Department of Justice in July of 1980 to develop the project. A supplemental grant of \$200,000 was approved in 1981. The project currently has an authorized staff of eleven, and is applying for a \$395,000 grant to continue operations from July 1 through December, 1982.

The Association is directed by a Policy Board composed of representa-

tives from each state with member agencies. The board meets at least four times a year.

Membership in the MAGLOCLEN Association is limited to state and local criminal justice agencies with a demonstrated capability in organized crime investigation and/or prosecution. All agencies joining must be sponsored by an original member agency and must agree to abide by strict regulations in regard to the security of information obtained through the project.

MAGLOCLEN maintains contact with non-member agencies at the federal, state and local levels to effect liaison between these agencies and their members. In addition, the Association interrelates to five other similar projects which encompass varied geographic areas covering the nation. The concept behind these regional information sharing systems was to fill the gap between the jurisdictions and capabilities of existing law enforcement agencies, and to foster cooperation among those agencies.

MAGLOCLEN member agencies:
Cincinnati (OH) Police Division
Cleveland (OH) Police Department
Columbus (OH) Police Department
Delaware County (PA) District Attorney's Office

Delaware State Police Indiana State Police Indianapolis (IND) Police Department

Maryland State Police
New Albany (IND) Police Department
New Jersey State Commission of

Investigation

New York County District Attorney's Office

New York Organized Crime Task Force

New York State Police
Ocean City (MD) Police Department
Pennsylvania Crime Commission
Pennsylvania State Police
Rochester (NY) Police Department
Suffolk County (NY) Police Department
ment

### Leviticus

The Leviticus Project Association is a seven-state, fourteen-agency coordinated investigation of crime in the Appalachian coal industry. It includes agencies in Alabama, Georgia, Indiana, Kentucky, New York, Pennsylvania and Virginia.

The Project formally began when it received a \$1 million grant from the federal Law Enforcement Assistance Administration in February of 1980. A \$250,000 supplemental grant was awarded in June of 1980 to fund an information management system.

Prior to the formation of the Leviticus Project Association, the Pennsylvania Crime Commission and agencies in other states were investigating coal fraud and it became apparent that these frauds were often multi-state in nature and would be most successfully combatted through a coordinated and focused effort.

When the Association was formed, the Crime Commission became the Pennsylvania host agency for coal fraud investigation. With its portion of the LEAA funds, the Commission hired three special agents, an attorney and a clerk-typist to work on coal fraud. These persons were supervised by the Special-Agent-in-Charge of the Central Regional Office in Harrisburg.

The types of criminal activity observed by Leviticus members has included grand larceny, securities, tax, bank and insurance frauds, corruption, homicide, extortion, theft of equipment, loansharking, advance fee loan schemes, narcotics trafficking and price fixing. These criminal activities have the aim of acquiring coal reserves, mineral leases and mining companies.

Leviticus investigators have seen evidence indicating that hundreds to thousands of fraudulent coal tax shelter schemes have been syndicated in recent years. It is estimated that these schemes have resulted in a loss of tax revenue to the government of between \$5 and \$10 billion.

As a result of its investigations into fraudulent coal tax shelters, Leviticus has referred cases representing over \$80 million in improper tax deductions to the Internal Revenue Service,

Within the last year, over 154 cases were being handled by Leviticus Project members. In Pennsylvania, the Commission initiated seven coal investigations in that year and several other preliminary investigations.

In addition, Leviticus investigators in Pennsylvania work closely with other member agency investigators on several multi-jurisdictional coal cases.

Because of its knowledge in the coal fraud area, the Commission was invited to testify in October of 1980 before the United States House of Representatives Sub-Committee on Energy Developments and Applications of the Committee on Science and Technology. Commission Chairman Alvin B. Lewis, Jr. presented that testimony.

Further, on February 24, 1982, the Commission held public hearings in Harrisburg at which several staff persons and experts testified regarding the nature and methods of fradulent coal tax shelter schemes.

The Leviticus Project Association is headquartered in the New York County District Attorney's Office. The Association is currently funded through November 30, 1982 with a grant of \$1.84 million.

### Investigations Drug Smuggling

In the summer of 1980, the Pennsylvania Crime Commission received informant information that various illegal drugs were being smuggled into the Westmoreland County Detention Center by an inmate, Daniel Christopher Constantine, Jr. The Commission and the Pennsylvania Bureau of Drug Law Enforcement (Pennsylvania State Police) met on August 22, 1980, and an undercover, female trooper was assigned to the investigation.

Three days later, the informant advised the Commission that Constantine furnished the informant with telephone numbers and a code phrase to contact Constantine's brother. James Anthony Constantine, to purchase illegal drugs. The information was given to the State Police and as a result, three cocaine purchases were made by the female trooper from James Constantine on August 27, 1980; September 11, 1980; and September 12, 1980. Total purchase price for some 20 grams of cocaine was \$1,425. On October 9, 1980, arrest warrants were served upon James Constantine, at his residence, and Daniel Constantine, in the Westmoreland County Detention Center. James was charged with Violation of the Controlled Substance, Drug, Device, Cosmetic Act (VCSDDCA) and criminal conspiracy and Daniel with criminal conspiracy. On October 20, 1980, the brothers were bound over to the Westmoreland County Court of Common Pleas. On

March 16, 1981, a Pennsylvania Crime Commission special agent and the Pennsylvania State Police testified at the jury trial of James Anthony Constantine; and on March 17, 1981, he was found guilty of all charges.

On September 8, 1981, charges against Daniel Constantine were dropped.

A spin-off investigation resulted in May, 1981, when the Crime Commission received information that approximately seven tons of marijuana were stored in a warehouse and in a house in McKees Rocks, Allegheny County. The Pennsylvania Bureau of Drug Control was alerted. On May 13, 1981, search warrants were executed at a warehouse in Kutz Industrial Park, Pittsburgh, resulting in the seizure of 6.5 tons of marijuana and at 225 Sagamore Drive, Pittsburgh, the residence of Alma McCaffrey and her daughter, Emily, where 960 pounds of marijuana were confiscated. The McCaffreys were arrested and charged with Violation of the Controlled Substance. Drug, Device, Cosmetic Act. Alma McCaffrey stated that the room containing the 960 pounds of marijuana was rented by James Constantine.

Investigation disclosed that the warehouse was leased by Dean Kevin Felton, 611 Third Street, Pitcairn, Pa., doing business as Freelance Liquidators. Felton was arrested on May 14, 1981, and charged with VCSDDCA.

(Felton has been identified by state and federal law enforcement authorities as an alleged major dealer of illegal drugs. On June 4, 1979, Felton was arrested in Allegheny County by the Drug Enforcement Administration in possession of 400 pounds of marijuana and was later found guilty of criminal conspiracy and possession with intent to deliver. Arrested with Felton was Gary Golden of Lower Burrell Township and New Kensington, Pa., a cousin and associate of LaRocca LCN family member Thomas Clancutti.)

When further investigation revealed that James Constantine was implicated in operations at both the warehouse and at the Sagamore Drive address, he was charged with VCSDDCA on May 15, 1981, upon surrender to State Police in Greensburg.

(On May 27, 1981, Robert Wilson, 20 Mt. Pleasant St., Greensburg, as associate of both Felton and James Constantine, was found dead by carbon monoxide poisoning in an auto repair garage in Greensburg. Greensburg Police list the death as accidental under questionable circumstances.)

On June 24, 1981, it was determined that Felton rented warehouse space at Rent-a-Space, Plum Boro, Pa. On June 25, 1981, the Pennsylvania Bureau of Drug Control executed a search warrant and found suspected marijuana residue.

On July 7, 1981, the bureau obtained a search warrant for stall No. 334, Rest-a-Spot, Routes 228 and Interstate 79, Eutler County, and seized additional marijuana residue and boxes similar to those confiscated at 225 Sagamore Drive, Pittsburgh.

(On September 26, 1981, Marion Denard, Hudson Street, Greensburg, an associate of James Constantine, was arrested by Fort Lauderdale, Fla., police and charged with conspiracy to deliver one pound of cocaine.)

The Westmoreland County Detention Center investigation revealed that former inmates who were interviewed by Pennsylvania Crime Commission special agents acknowledged that illegal drugs were present in the facility and they identified Daniel Constantine as the supplier. None of the Westmoreland County Detention Center employees—guards and/or civilians—was determined to be involved in the smuggling of drugs into the institution.

Daniel Constantine testified at a Pennsylvania Crime Commission hearing on October 2, 1981, conducted inside the State Correctional Institute. Pittsburgh, that he had used marijuana at the Westmoreland County Detention Center but denied smuggling drugs into the institution, James Constantine was interviewed by Crime Commission agents in December, 1981, and admitted smuggling marijuana into the Detention Center for his brother on two occasions in 1979. Daniel Constantine later acknowledged these two deliveries and also admitted to receiving deliveries of marijuana and other drugs smuggled in by inmates who were serving weekend sentences. Daniel stated the drugs were for his own use.

Procedural recommendations to improve security at the Westmoreland County Detention Center have been referred to the Westmoreland County Prison Board.

### Narcotics-Prostitution

James Talbot "Chimsey" Williams, who was listed in the Pennsylvania Crime Commission 1980 Report on Organized Crime as a convicted counterfeiter, was arrested after a 53-count federal indictment was issued June 9, 1981, charging him with receiving \$5,889 in Social Security benefits during a period when he collected more than \$40,000 from the operation of a prostitution ring.

Ernest Preate, Jr., Lackawanna Ccunty District Attorney, described Williams as the "Kingpin of Drugs" in northeast Pennsylvania, when Williams was arrested on June 15, 1981 by Pennsylvania State Police officers and charged with five counts of trafficking in cocaine.

During Williams' federal trial, a 15year-old girl testified that she had turned over more than \$9,000 in prostitution income to the defendant.

Williams was convicted on all counts and sentenced to five years in prison, followed by three years probation, and ordered to make restitution to the Social Security Administration.

His trial on drug dealing charges was scheduled to begin in Lackawanna County in 1982.

On November 30, 1981, Vito Buzzetta, 301 West Street, Wind Gap, Pa.; Enrico Termini, 27 S. Watson St., Palmer Township, Pa.; and Benito, Giacomo and Francesco Davi, all of Queens, New York, were arrested in Ackermanville, Pa., Northampton County, on charges of conspiracy, possession and delivery of heroin. The arrest was a result of an undercover investigation by the Pennsylvania State Police and Drug Enforcement Agency agents, in which the defendants sold the undercover agents a kilo (2.2. pounds) of heroin for \$190,000. The heroin had an estimated street value of \$2 million.

Buzzetta has been identified by Italian law enforcement officials as an influential member of the Sicilian Mafia for decades. Buzzetta immigrated to the United States in the 1970s, and owned both Vesuvio's Pizza, 25th St., Shopping Center, Palmer Township, Pa., and Two Brothers Pizzeria, Eagle Valley Mall, East Stroudsburg, Pa.

Termini, who acted as Buzzetta's interpreter, is an Easton real estate agent. He previously worked as a marketing agent for Towemensing Trails Development, Carbon County; an assistant broker at Bear Creek Lakes; and a salesman for Pocono Mountain Woodland Lakes, Pike County and Lake Winona, Monroe County. He also was part owner of Lo-Jo, Inc., a corporation which purchased tax sale properties in Carbon County. Law enforcement sources believe the arrest will put a major dent in the East Coast heroin supply, and termed the investigation "The Sicilian Connection."

In October of 1980, the New Jersey State Police Narcotics unit received information that Earl Stocker and Harry Stocker brothers from Philadelphia, and unknown associates, were operating a clandestine methamphetamine (speed) lab in the Pocono Mountains.

The Stockers have prior convictions by New Jersey and federal authorities for the manufacture of methamphetamines. Also, the Stockers are close associates of John Berkery, all mentioned in the Pennsylvania Crime Commission's 1980 report on organized crime.

Subsequent surveillances by New Jersey State Police, Pennsylvania State Police and Drugs Enforcement Agency investigators revealed that the lab was being operated out of a rented garage and house in Skyview Lake Development, Greene Township, Pike County. Further, the house was rented by a Martha O'Connell, who indicated to a realtor that she would occupy the house periodically, along with a chemist who would be there for the manufacture and processing of perfume.

On October 27, 1980, a search was conducted of the residence, at which time 15 pounds of methamphetamine (speed), a small amount of other drugs and various drug manufacture paraphernalia were seized. Arrested at that time were Rudolph Bors, James MacKenzie, and Carl L. Jackson, all from the Philadelphia area.

The trial for Bors, MacKenzie and Jackson began on March 16, 1981, and ended with their conviction on charges of possession of methamphetamines. The more serious charge of manufacture of methamphetamines was dismissed. As of February 1982, the defendants were free on bail while appealing the conviction.

During 1981, agents of the Attorney General's Office, Bureau of Drug Control, were instrumental in uncovering three clandestine methamphetamine (speed) labs operating in rural Columbia and Luzerne Counties. On September 16, 1981, William Millard of Bloomsburg, a chemist, was arrested and charged with manufacturing speed, in addition to conspiracy and delivery of controlled substance.

I. Kenneth Gardner of rural Orange-ville was arrested on December 11, 1981 and on January 25, 1982, and charged with possession and manufacture of marijuana, and possession with intent to manufacture methamphetamines. Gardner, like Millard, has been involved in the manufacture of methamphetamines for a number of years.

On January 15, 1982, Howard J. Norman II and his wife, Debra J. of Ross Township, were arrested and charged with possession of methamphetamine and possession with intent to manufacture methamphetamine.

Drug authorities believe these clandestine labs appear to be linked. The major portion of the "speed" manufactured in northeast Pennsylvania is being sold in Philadelphia and in the states of Delaware and New Jersey. The speed, which is of high quality, is being handled in New Jersey by members of the Pagan motorcycle gang.

### Pornography

The North American Man Boy Lovers Association (NAMBLA), an international organization headquartered in New York City, was founded in 1978 in Boston, to promote sex between men and boys.

In April of 1981, the Nassau County, N. Y., Police Department began an investigation of the activities of Martin Swithinbank, 664 Lincoln Street, Baldwin Harbor, Long Island, N. Y. On July 11, 1981, Swithinbank, a trustee of NAMBLA, was arrested for second degree sodomy and Jerry Richard Fox, 291 Wright Ave., Kingston, Pa., was arrested for sexual abuse, second degree (a misdemeanor). At the time of arrest, police seized more than 300 videotape cassettes and more than 50 rects of 8mm film, some described as hard core, homosexual child pornography.

The Pennsylvania Crime Commission entered the investigation at the request of Nassau County authorities on June 2, 1981. The Pennsylvania State Police, Troop P, Wyoming, Pa., worked in conjunction with the Pennsylvania

sylvania Crime Commission conducting joint surveillances and developing background on Jerry Richard Fox, then chairman of the Department of Social Work, Kings College, Wilkes-Barre, Pa. The Pennsylvania Crime Commission and State Police provided the information on Fox, who was active in NAMBLA, to Nassau County authorities.

It was also determined during this investigation that Stuart Geller, 3215 Bainbridge Ave., Bronx, N.Y., NAMBLA's recording secretary, was employed as a counselor in a youth camp in Northeastern Pennsylvania. Fox had visited Geller at this camp. After the arrest of Swithinbank, Geller left the camp and returned to New York. As of February, 1982, Geller was a federal fugitive and Fox and Swithinbank's cases had not gone to trial.

NAMBLA has a chapter in Philadelphia, Pa. Fox, at one time, was employed as a teaching assistant at the University of Pennsylvania in Philadelphia and at West Chester State College in West Chester, Pa. At one time, he was active in youth movements in New York City.

### **Outlaw Motorcycle Gangs**

Pagans

Franklin Kiefer, former president of the Pagan motorcycle gang, was a key government witness in the 1981 federal arson for profit trial of pornography king Allen Morrow.

Kiefer was indicted in 1980 by a federal grand jury in Harrisburg on charges of firebombing a building there. Subsequent to this, Kiefer, who said he was manager of Morrow's chain of adult bookstores in Eastern Pennsylvania, became a government witness. At the time he was manager, Kiefer testified that Morrow, of Harveys Lake, Pa., wanted his Johnstown, Pa., adult bookstore burned, so that he (Morrow) could collect the insurance on it.

Kiefer, who noted that he had been committing arsons for "15 to 20 years," testified that Morrow promised to pay him \$3,000 for torching the bookstore, but that he was paid only \$1,500 because Morrow was dissatisfied with the job.

In exchange for his cooperation with the government, Kiefer was allowed to plead guilty to one count of conspiracy.

#### Warlocks

Robert R. "Mudman" Simon, a Warlock motorcycle gang member from Drexel Hill, Pa., was arrested in 1981, and subsequently convicted in Carbon County of the 1974 murder of his exgirlfriend, Beth Jeanne (Smith) Dusenberg.

Warlock gang members Walter "Mountainman" Rodriguez, Leslie "Skraggs" Smith, and Thomas "T-Bone" Elskamp provided testimony that resulted in the second degree murder conviction. On January 13, 1974, Simon brought Dusenberg to the Warlock's club house in Jim Thorpe, Pa., which he shared with Rodriguez and Smith. After Dusenberg refused to have sex with the motorcycle gang members, Simon pulled a .38 caliber revolver from his pants and shot her in the head. Then Rodriguez and Simon put the woman's bleeding body in a sleeping bag and dumped it in a flooded strip mining pit near Lattimer Mines in Luzerne County. Elskamp testified that in 1975, while standing on the steps of the Warlock's Philadelphia club house, Simon told him that he blew a girl's head off.

At the time of his arrest and conviction, Simon was serving a five-to-tenyear sentence at Graterford State Prison for burglary and armed robbery. Simon refused to verbally attack the testimony provided by Rodriguez, Smith and Elskamp. Instead, he adhered to the Warlocks' "code of ethics" which forbids informing on a fellow gang member.

#### Hells Angels

Phillip A. DiOrio, a former member of the Hells Angels and a one-time resident of Endicott, N. Y., was convicted on September 23, 1981, after pleading guilty to one count of criminal possession of a controlled substance, second degree. He was sentenced to eight years to life imprisonment with no right of appeal.

Convicted and sentenced on related charges was Stephen Cudo of rural Factoryville, Pa., a Hells Angels associate.

#### Murder

Crescent J. Roselle was shot to death gangland-style in Elizabeth, New Jersey, on December 22, 1980. Roselle operated Waste Disposal, Inc., a waste hauling business and a subsidiary of SCA Services, Inc. of Boston. He also was a member of the Municipal Sanitary Landfill Authority in Kearney, New Jersey.

Roselle, who owned a residence and a resort doing business as Cres-Rose, Inc., in Paradise Township, Monroe County, had been observed meeting with members of the Genovese organized crime family from Bayonne, New Jersey prior to his death. Several of the family members are suspects in the slaying.

In 1956, Tom Viola, president of SCA, and Roselle were arrested in New Jersey for bid rigging. However, the key witness, a business agent for Teamsters Local 945, disappeared the day before he was to testify at their trial.

Roselle also had contacts with John Zuccarelli, Jr., recently linked through trash collection payoffs to Sam DeCavalcante, New Jersey crime family boss. At the time of the alleged payoffs, Zuccarelli was president of Interstate Waste Removal Company, Inc., another subsidiary of SCA. Anthony Tassone, a close associate of Gambino family member Nicholas Russo, was Zuccarelli's partner in 1950, when Interstate Waste Removal was formed.

The Pennsylvania Crime Commission has provided background information on Roselle to New Jersey authorities, Pennsylvania authorities and the U.S. House of Representatives' Oversight Sub-Committee on Energy and Crime. It also continues to assist other law enforcement agencies in the on-going investigations of Philadelphia's gangland slayings.

### Arson

During much of 1981, the Pennsylvania Crime Commission was involved in a joint investigation with the State Attorney General's Office and the Lycoming County District Attorney's Office looking into a series of arsons in Northcentral Pennsylvania.

Numerous interviews and records' checks were conducted and the telephone records of several individuals, including La Cosa Nostra associates, were subpoenaed.

Because of the prosecutorial nature of its findings, the Crime Commission has referred all pertinent data to the Attorney General's Office which is utilizing a statewide grand jury to carry on the probe.

On June 9, 1981, Allen Charles Morrow, Harveys Lake, Pa., was indicted in U. S. Middle District Court, Scranton, Pa., on three counts of conspiracy and 38 counts of mail fraud stemming from an arson for profit scheme. Indicted with Morrow were his wife, Sarah, his daughter, Sheila Morrow, West Palm Beach, Fla., and her former husband, Terry Ruger, Dallas, Pa. Morrow's business firm, Al-Star Realty, Inc., was also indicted. The arrests were a result of a year-long investigation by U. S. Postal Inspectors and Alcohol, Tobacco and Firearms agents.

Morrow was named as a major pornography figure in the Crime Commission's 1980 Report on Organized Crime.

The indictments were based on the arson and subsequent insurance claims for three structures, a home located on Morrow's Harveys Lake property, the Ruger's former home in Quakertown, Pa., and an Adult World Bookstore in Johnstown, Pa.

The chief government witnesses used were Pagan motorcycle gang member, Franklin Kiefer, a.k.a. "The Torch or Heat," and Morrow's former son-in-law, Terry Ruger.

The first trial, which ended on September 18, 1981, resulted in a hung jury. A subsequent trial found Morrow and his wife guilty of one count of conspiracy and 12 counts of mail fraud in connection with the arson of Adult World. On January 11, 1982, Morrow was sentenced to six years in prison and fined \$18,000. His wife, Sarah, was sentenced to six months in prison and fined \$10,000. Morrow still faced charges on the other two fires as of January, 1982.

In addition to the arson related charges, Morrow was indicted in U. S. Court, Pittsburgh, on October 15, 1981, for receipt of a firearm by a felon, and making false statements in purchasing a firearm. The charges were the result of Morrow's purchase of a 12-gauge shotgun in November of 1976 from Export Sporting Goods, Export, Pa. Morrow had a previous conviction for a felony charge in January of 1975. Federal law prohibits a felon from possessing or receiving any firearms.

On December 14, 1981, Morrow pleaded guilty to the charges in a plea bargain agreement, in which his sentence for the gun charges would run concurrently with his sentence for the arson-related charges in Scranton.

### Burglary

From January until May of 1981, the Pennsylvania Crime Commission was engaged in an investigation of a series of burglaries and the fencing of stolen and/cr illegal firearms in the Lancaster County area. The investigation was coordinated by the Lancaster County District Attorney's Office, along with the Bureau of Alcohol, Tobacco and Firearms, Reading; and police departments in Lancaster and several other communities.

In May, three individuals were arrested. Two allegedly had sold stolen or unregistered weapons to an informant, and the third allegedly put the informant in touch with buyers and sellers of stolen firearms and other stolen property.

Subsequently, charges were dropped against Charles Richardson of Columbia, Pa. Ralph D. Clemens of East Petersburg, Pa., and Arthur A. Mumie, aiso of Columbia, pleaded guilty to receiving stolen property. Clemens was given three years probation and fined \$1,000. Mumie received four years probation and was fined \$500.

Burglary is the biggest crime problem in Pennsylvania. And the disposition and fencing of stolen goods, particularly precious metals and gems, is a well-organized criminal activity.

Law enforcement officials agree that the influence of illegal narcotics has a direct relationship to the number of burglaries committed.

In Northeastern Pennsylvania, burglaries and robberies account for 71 percent of all crimes committed. And in the rural, resort areas of the Poconos, the burglary-rate figure jumps to 78 percent.

Law enforcement officials attribute the high figure in the Poconos to the large number of second homes, which are unoccupied for long periods of time, and a highly transient population.

Often precious metals are melted down immediately after being stolen, making identification impossible.

### Gambling

In 1981, the Pennsylvania Attorney General's Office, along with the Pennsylvania State Police, conducted a statewide investigation into illegal gambling activities. A precedent was set by Attorney General LeRoy Zimmerman, in that investigators from his office used wiretaps for the first time to gain 51 presentments from a statewide grand jury hearing the case.

As of January, 1982, further legal action against those named was being held in abeyance pending the results of ongoing investigation.

The Pennsylvania State Police estimate that the annual gross income through gambling of those involved was in excess of \$2 million.

Among those implicated were Matthew Whitaker of Pottsville, once considered the largest independent bookmaker in Pennsylvania; and Frank Masterana of Las Vegas, Nev., described by State Police officials as an alleged associate of reputed mobster Anthony Spilotro.

Although the general public often sees gambling as a "victimless" crime, law enforcement agencies view it as a serious problem because they realize the profits often are used to fuel other illicit activities and to infiltrate legitimate business.

### Investigative Highlights

### From the Attorney General

During 1981, the first statewide Investigating Grand Jury empaneled under the provisions of the Investigating Grand Jury Act, concluded its term of service. This Grand Jury, which operated under the direction of the Attorney General's Office, issued 32 separate presentments—18 in the area of public corruption and 14 in the area of organized crime.

In these presentments, charges were recommended against 132 individual defendants.

One Grand Jury presentment outlined the activities of a large scale, statewide gambling organization. It was recommended that criminal charges be brought against 51 professional gamblers and bookmakers located throughout Pennsylvania, and in Maryland and Nevada. (See preceding section on gambling for more detail.)

The Office of the Attorney General also successfully prosecuted persons charged in connection with the rigging of the April 24, 1980 Pennsylvania Daily Lottery Game drawing. Again, these charges were filed pursuant to recommendations contained in presentments returned by the Investigative Grand Jury. Of those charged, four entered guilty pleas and the Daily Number Game announcer, Nick Perry, and a Pennsylvania Bureau of Lottery security official, Edward Plevel, were tried and convicted by a Dauphin County jury. Through the efforts of the Attorney General's Office and the Pennsylvania State Police, practically all of the wrongfully obtained money derived by the co-conspirators in this case (in excess of \$1 million) has been recovered by the Commonwealth.

### From the State Police

Assisted by the Attorney General's Office and the FBI, the Pennsylvania State Police played an active role in the investigation into an interstate illegal gambling conspiracy which operated throughout the commonwealth. (See section on Gambling Investigations for more detail.)

Other State Police investigations:
Members of one of the force's
White Collar Crime Units, working with
the Federal Bureau of Investigation
and the Attorney General's Office, apprehended an innovative Philadelphiabased computer fraud ring which
caused an estimated \$212,000 revenue
loss to telecommunication companies
in the Philadelphia area. In addition,

members of this group stole over \$100,000 worth of electronic and recreational equipment by using mail drops in Philadelphia and Montgomery counties.

For the first ten months of 1981, the State Police's two Anti-Fraud Units were responsible for making 309 arrests, assisted 88 law enforcement agencies and recovered over \$1,106,140 worth of stolen property. The unit located in eastern Pennsylvania was responsible for providing information and purchasing evidence that led to the solution of numerous gold and silver thefts which were primarily directed at churches, synagogues and private residences. These burglaries exceeded 150 in number with a direct loss of over \$2 million. Twelve persons were arrested.

The Anti-Fraud Unit located in the western part of the state commenced an investigation in Fayette and Washington counties which resulted in the arrest of 23 people in May of 1981. These individuals were involved in an automobile theft and insurance fraud scheme involving property valued at \$200,000. This was a cooperative effort on the part of the State Police, the local District Attorney's Office, County Detectives and the Federal Bureau of Investigation.

Investigation.

Another joint investigation produced positive results when members of the Pennsylvania State Police assigned to the Region I Strike Force of the Drug Law Enforcement Division and D.E.A. agents arrested five individuals near Easton after they sold 2.2 pounds of eight percent pure heroin to undercover agents. These arrests climaxed a six-month investigation into the heroin traffic between New York and Pennsylvania.

### From the U.S. Attorney

Major organized crime cases prosecuted by the U.S. Attorney's Office, Western District of Pennsylvania, in

Charles Kellington/Gerald Walls. Pleas of guilty were entered to federal racketeering charges in connection with plea agreements calling for the cooperation of these individuals with state, county and city investigators in connection with a series of contract murders which had occurred from 1974 through 1979. Walls and Kellington received sentences of 20 years incarceration in connection with these plea agreements and have since testified in the Court of Common Pleas, Allegheny County, in connection with a number of state homicide prosecutions. Robert Bricker has already been convicted in connection with one of these

prosecutions and has been sentenced to death. It is anticipated that further state charges will arise out of the cooperation of these individuals.

John Scalzitti. Reputed organized crime associate convicted of federal narcotics charges in connection with a conspiracy and delivery of a quantity of cocaine to an FBI informant. Scalzitti received a sentence of 10 years incarceration and currently is out on bond pending appeal.

Ghassan Ammar. Major prosecution of an international heroin ring centered in Erie. This prosecution was conducted jointly by the Pittsburgh Office of the Drug Enforcement Administration and the Pennsylvania Bureau of Drug Law Enforcement. It resulted in the seizure of approximately six pounds of high grade heroin and the conviction of the major figures in the scheme. Sentences up to 15 years imprisonment were given in connection with these convictions.

Martin Mangino/Charles Nolan. International morphine smuggling and distribution ring whose activities ultimately centered in the Fayette County area. Successfully prosecuted with sentences of up to 20 years in prison imposed.

Thomas J. Long et al. Prosecution of a major international marijuana smuggling ring whose activities centered in the Armstrong County area of Western Pennsylvania. Most of the principals in the scheme were successfully prosecuted but Thomas Long remained a fugitive at the end of 1081

Anthony "Cy" Ciotti. Reputed organized crime associate successfully prosecuted in Erie in connection with a conspiracy to distribute, marijuana, and other drugs. Ciotti was sentenced to a term of imprisonment of 15

Kelly/Deep. Sports betting prosecution resulting in the guilty pleas of a multiple number of individuals. Fines and jail sentences were imposed.

Charles Parks/Oscar Rapp, Sports betting operation under indictment with trial scheduled for mid-1982.

Daniel Brickley et al. Several indictments resulting from an investigation into cocaine distribution by a variety of individuals. Convictions have so far been obtained on a number of these individuals. Further trials are pending.

George Kirby. The last of the defendants in the Raymond Jackson conspiracy case to be prosecuted. Kirby was convicted as the alleged New York source of supply for the Jackson heroin ring which had operated for several years in the Hill District section of Pittsburgh. Kirby was sentenced to 30 years imprisonment.

Ralph Lanzino. Brother of reputed organized crime figure in New Kensington, prosecuted for interstate transportation of stolen property in connection with a substantial fencing operation. Defendant pleaded guilty and received a jail sentence.

### From ATF

Highlights of the Bureau of Alcohol, Tobacco and Firearms' enforcement efforts against organized crime in 1981:

Nicodemo Scarfo, Neil Ferber, Anthony Trignani, Anthony "Mad Dog" Dipasquale, all convicted of being felons in possession of firearms (Title 18, USC, Sec. 1202).

Rocco Pizzo and Michael Ferretti indicted for violation of the Explosive Control Act, 1970

Patsy Napatano convicted of making false statements when acquiring firearms and ammunition.

Michael Newman—indicted for violation of Title 18 USC, Section 1202.

John Calabrese—indicted under federal racketeering statutes before he was murdered.

### Pizza and Cheese

In March of 1980, the Pennsylvania Crime Commission issued a report on organized crime's infiltration of the pizza and cheese industry. The Commission found links between cheese manufacturers, distributors and retail pizza stores and traditional organized crime groups, including the Colombo, Gambino and Bonanno factions. It also uncovered patterns of fraud, skimming and arson.

In October of 1981, a special grand jury in Baltimore, Md., confirmed, in part, the Commission's findings, returning a 27-count indictment against three pizza restaurant owners on charges of conspiring to defraud the federal government of unspecified amounts of personal and corporate income taxes.

One of those named in the indictment, Victor F. DiVivo, was a subject of the Crime Commission's investigation.

In addition, the Internal Revenue Service currently is conducting an extensive probe of the pizza and cheese industry searching for unreported tax dollars. The Pennsylvania Crime Commission is assisting in the investigation and has turned over evidence.

### Public Appearances

In addition to participating in numerous judicial proceedings in 1981, personnel of the Pennsylvania Crime Commission testified at congressional hearings in Washington, D. C., and at legislative hearings in Harrisburg.

The testimony regarded the Commission's health care fraud investigation which terminated in hearings in July.

On November 4, 1981, Commission Chairman Alvin B. Lewis, Jr., and Commission Executive Director Wallace P. Hay, accompanied by a Commission support team, appeared before the U.S. House Select Committee on Aging to report their findings.

On September 9, 1981, Commission personnel testified before the Pennsylvania House Committee on Consumer Affairs. On November 19, 1981, Commission staffers, led by Commissioner Malcolm L. Lazin, presented findings on the health plans investigations to state trustees of the American Federation of State, County and Municipal Employees union. And on September 4, 1981, another presentation was made to representatives of the State Department of Health and the State Insurance Department, as well as to representatives of health plans that are under state regulation.

### Recommendations

In both the Crime Commission's 1980 report, A Decade of Organized Crime, and the 1981 Annual Report, lists of recommendations aimed at curbing organized crime were published. We restate them here in hopes they will be reconsidered and that some positive action will be taken:

The Pennsylvania Crime Commission recommends:

1. The consolidation and restructuring of local law enforcement agencies.

There are 1,176 municipal police departments in Pennsylvania. The bulk have 15 sworn officers or less. Such small departments are not capable of, and should not be expected to deal with, complicated matters. Yet organized crime has its roots in community participation. Consolidation and/or restructuring local police would give them the size and strength to deal with these criminals.

Sentencing for organized crime figures should take into account their long involvement in criminal activities.

The Commission has neither the right nor the desire to instruct sentencing judges on the exercise of judicial discretion. Nevertheless, a successful prosecution of an organized criminal is the result of an intense and prolonged effort accomplished against almost insurmountable odds. When finally convicted, the sentence should reflect their long-time involvement in criminal activities.

3. The development of a close relationship between the 67 Pennsylvania District Attorneys and the state's prosecution, investigation and enforcement agencies.

We have recommended to the Pennsylvania District Attorney's Association that they form a task force to coordinate and act as a clearing house for organized crime prosecution. Their initial reaction was favorable. But many county District Attorneys do not have the staffing to deal with local organized crime prosecution. A healthy interchange of information and personnel between permanent state agencies, such as the Pennsylvania Crime Commission, and front-line prosecutors should provide substantial results.

4. The Pennsylvania Corrupt Organizations Act of 1970 should be used more often.

This law prohibits the investment of money, made from a pattern of racketeering activity, in legitimate business. Since its passage in the early 1970s, it is believed that there have been only two prosecutions under this state law.

The federal (RICO) statute on which it was patterned has proved to be a useful and effective tool for federal prosecutors. There is no reason this tool cannot be used by state prosecutors.

Wiretapping within careful legal safeguards must be used more extensively and effectively.

The state now has model legislation concerning communications interception which includes appropriate legal safeguards. However, this tool has hardly been used. The Commission supported the passage of this legislation and it supports the implementation of it. This avenue of investigation must be more vigorously pursued by law enforcement.

6. The U.S. Immigration and Naturalization Service must be restructured so that it can work more vigorously and effectively.

Illegal aliens have moved freely into the United States to do the bidding of organized crime bosses. We have identified many examples of this in the pizza and cheese industries. The INS should be more vigilant to recognize organized crime's relationship with illegal aliens.

7. Law enforcement must redirect its investigative focus toward the fence along with the thief.

If the thief were not sure that there were profitable ways to dispose of stolen goods, he might well not steal. Prosecuting fences would cut the profit link.

8. The Commonwealth should enact a witness protection program.

Securing witnesses to testify to organized, spontaneous or violent conspiratorial crimes is growing more difficult every day. The federal Witness Protection Plan, while it has weaknesses, has provided extremely important witnesses. We need this tool in Pennsylvania. We suggest that it could be most effectively administered by the State Attorney General's Office utilizing the aid of the U. S. Department of Justice.

 State agencies which award licenses and concessions to citizens should have better access to records and background material to identify possible organized crime associations

Agencies of the Commonwealth provide liquor licenses, corporate registrations, banking and insurance certificates, and utility rights. We find little or no coordination between such agencies and ourselves in collecting criminal records or information prior to making such decisions. This is an example of organized crime and a disorganized government.

10. The Crime Commission will hold more frequent public hearings.

Public disclosure and revelation will aid the citizen in knowing the identity and methods of organized crime. Therefore, we will hold hearings promptly in the major population centers of the state. They will focus on the localized activity and degree of control exercised in that area by organized criminals.

11. Leaders of labor, commerce, industry, legal and accounting fields should join the attack on organized crime by supplying staff and experts to the Crime Commission on a temporary basis.

There is now no concerted effort to augment law enforcement agencies' professional staffs by the loan of private sector experts. The initiation of such a program would provide a public service to all the Commonwealth's citizens

12. The career prosecutor should be encouraged.

The limited compensation and career potential present in District Attorney, Justice Department and U. S. Attorney offices are not conducive to developing personnel with years of experience in prosecution.

Often, inexperienced public prosecutors are faced with able and expensive defense attorneys. There are many dedicated young prosecutors who would spend their careers in the public sector, for the common good, if there were significant incentives to remain.

13. The passage of Senate Bill 424, which will extend the statute of limitations on certain crimes from two to five years in the Commonwealth.

The enactment of this amendment to Title 42 will give investigative and prosecutorial agencies more time to investigate and prepare cases against persons involved in several types of criminal violations, many of which are often perpetrated by organized criminals. The complexity of modern day criminal actions requires an adequate amount of time to catch these criminals. This bill would increase the likelihood of prosecution and conviction of more organized criminals.

14. The passage of legislation to allow for the civil seizure of all monies used in and all assets acquired from the illegal drug trade.

Federal law (21 U.S.C. 881) provides for forfeiture in response to federal violations.

15. Amendments to the law governing the pay and status of District Attorneys in fourth, fifth, sixth and seventh class counties.

State law mandates that District Attorneys in these counties be part-time personnel and currently sets their salaries at \$18,000. The District Attorney is the chief law enforcement officer of the county and should work full-time and be paid accordingly.

16. Amendments to the corporate registration procedures law to provide for more detailed reporting.

Organized criminals use various fronts, third parties and privileged transactions to invest their illegal income into legitimate businesses. The current reporting procedures for corporations and partnerships allow these criminals to control businesses without ever appearing on corporate or partnership records.

### Recommendations From Others

- Establishment of a witness protection program at the state level in hopes of easing past difficulties in obtaining voluntary testimony against major organized crime figures. Proposed by State Police Commissioner Daniel F. Dunn.
- Enactment of a funding program by the General Assembly to make grants available to local district attorney's offices for career criminal programs and investigative grand juries. The fund would cover the cost of court stenographers and transcript fees, reimbursement for staffing costs, witness fees and other related expenses. Intent: to maximize the use of investigative grand juries as weapons against organized crime and corruption. Proposed by Ernest P. Preate, Jr., District Attorney of Lackawanna County, who also recommends allocation of more money to the Attorney General's Office and to the Bureau of Criminal Investigations in the State Police.

- · Enactment of a state law that would parallel the federal Special Dangerous Offenders Statute, Title 18 USC Section 3575. The federal statute is designed to be used against organized crime members/career criminals. If the defendant meets certain criteria, the judge, upon conviction of a defendant. can lengthen the prison term up to 25 years. Proposed by Donald E. Cox, Special Agent-in-Charge, Bureau of Alcohol, Tobacco and Firearms, Philadelphia.
- Enactment of legislation that would permit local police departments the option to utilize eavesdropping and electronic surveillance/wiretapping equipment, naturally under court order. Proposed by Morton B. Solomon, Commissioner, Philadelphia Police Department.
- Extend the State Statute of Limitations to five years with respect to certain enumerated crimes. Sophisticated criminal activity, such as white collar and organized crime, demands extensive and prolonged investigation before criminal charges are in a posture to be brought against even the "lowest level" of those engaged in this type of wrongdoing. A race to complete a complicated criminal investigation and bring charges within a period of two years after the commission of an offense (which is the period applicable to most crimes) is a race which is frequently lost. Proposed by the State Office of the Attorney General.

### **Assisting Other** Agencies

In its regular course of business, the Pennsylvania Crime Commission maintains liaison with most major federal, state and local agencies both in Pennsylvania and in surrounding states. The Crime Commission receives about 200 calls a month for assistance.

in 1981, the Crime Commission provided assistance to the following agencies:

Pennsylvania Agencies:

Allegheny County Police Department Carlisle Police Department Delaware County District Attorney's Office

Easton Police Department Harrisburg Police Department Lancaster County District Attorney's Office

Lancaster Police Department Montgomery County District Attorney's Office

North Huntingdon Police Department Pennsylvania Board of Pardons Pennsylvania Department of Banking Pennsylvania Department of Environmental Resources

Pennsylvania Attorney General's Office

- · Bureau of Criminal Investigations
- · Bureau of Drug Law Enforce-

Pennsylvania Department of Transportation

 Office of Inspector General Pennsylvania Department of Revenue Pennsylvania Insurance Department Pennsylvania Lieutenant Governor's Office

Pennsylvania Liquor Control Board Pennsylvania Securities Commission Pennsylvania State Police Philadelphia Police Department Phoenixville Police Department Pocono Township Police Department West Hempfield Township Police Department

Westmoreland County Investigating Grand Jury York City Police Department

Federal Agencies:

Federal Bank Examiners Federal Bureau of Investigation U. S. Attorney's Office

U. S. Bureau of Alcohol. Tobacco and Firearms

U. S. Department of Justice

U. S. Department of Justice

 Anti-Trust Division U.S. Department of Labor

U.S. Department of State

U.S. Drug Enforcement Agency

U. S. House of Representatives U.S. Immigration and Naturalization

Service

U. S. Internal Revenue Service U. S. Marshal Service

U. S. Organized Crime Strike Forces U. S. Postal Inspection Service

U. S. Probation and Parole Offices

U. S. Secret Service

U.S. Securities and Exchange Commission

U.S. Senate

Out-of-State Agencies:

Alabama Securities Commission Alabama State Police Atlantic County, New Jersey Prosecutor's Office

Arizona Attorney General's Office Arizona Drug Control District Arizona Organized Crime Intelligence

Division Baltimore City, Maryland Police Department

Baltimore County, Maryland Police Department

Boone, North Carolina Police Department Burlington County, New Jersey Prose-

cutor's Office California Department of Justice Colorado State Organized Crime Task

Delaware State Police Florida Department of Agriculture Florida Department of Law Enforce-

ment Florida State Comptroller's Office Indiana Securities Commission Iowa Division of Criminal Investigation Kentucky Attorney General's Office Kentucky State Police Kings County, New York District Attor-

ney's Office Los Angeles, California Police Depart-

ment Los Angeles County, California

Sheriff's Office Memphis, Tennessee Regional Organ-

ized Crime Information Center Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network

Mississippi Bureau of Narcotics Morris County, New Jersey Probation Department

Nassau County, New York Police Department Nassau County, New York District At-

tornev's Office Nevada State Department of Law Enforcement

New Jersey Alcohol Beverage Control New Jersey Attorney General's Office New Jersey Casino Control Commission

New Jersey Division of Gaming Enforcement

New Jersey State Commission of Investigation

New Jersey State Police New York City Police Department New York County District Attorney's

New York Organized Crime Task Force New York State Commission of Investigation

New York State Police New York State Probation Department Oregon Securities Commission Phoenix, Arizona Police Department Riverside County, California Sheriff's

Royal Canadian Mounted Police Scotland Yard, U. K. Stone Harbor, New Jersey Police De-

Department

partment Tampa, Florida Police Department Virginia Attorney General's Office Virginia Bureau of Criminal Investiga-

Virginia Securities Commission Virginia State Police

Wilmington, Delaware Police Depart-

### Help In Return

In 1981, the following agencies provided assistance to the Pennsylvania Crime Commission:

Pennsylvania Agencies:

Allegheny County District Attorney's Office Allegheny County Police Department Allentown Police Department Beaver County District Attorney's Of-

Berks County District Attorney's Of-

fice Bucks County District Attorney's Of-

fice Butler County Sheriff's Office **Butler Police Department** Carlisle Police Department **Chester County Detectives Office** Chester County District Attorney's Office

Delaware County Criminal Investigation Division Delaware County District Attorney's

Office Delaware County Major Crime Task Force

District Attorneys Association of Pennsylvania Greensburg Police Department

Greene County District Attorney's Office

Hanover Police Department Harrisburg Police Department Hazleton Police Department Lancaster County District Attorney's Office Lancaster Police Department

Lebanon County District Attorney's Office

Lebanon Police Department Lock Haven Police Department Luzerne County District Attorney's Of-

Lycoming County District Attorney's Office

Manheim Police Department Manheim Township Police Department Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network

Monroe County District Attorney's Office

Montgomery County District Attorney's Office

Moon Township Police Department North Huntingdon Police Department Pennsylvania Board of Probation and Parole

Pennsylvania Bureau of Drug Control Pennsylvania Bureau of Professional and Occupational Affairs

Pennsylvania Commission on Crime and Delinquency Pennsylvania Department of the Audi-

tor General Pennsylvania Department of Banking Pennsylvania Department of Health

 Division of Vital Statistics Pennsylvania Department of Environmental Resources

Pennsylvania Attorney General's

- Bureau of Criminal Investiga-
- · Bureau of Drug Law Enforcement

Pennsylvania Department of Labor and Industry Pennsylvania Department of Revenue

Pennsylvania Department of State

• Corporation Bureau Pennsylvania Department of Transportation

Bureau of Motor Vehicles

 Office of Inspector General Pennsylvania Fish Commission Pennsylvania Insurance Department Pennsylvania Lieutenant Governor's

Pennsylvania Liquor Control Board Pennsylvania Medicaid Fraud Unit Pennsylvania Pardons Board Pennsylvania Public Utilities Commission

Pennsylvania Real Estate License Bureau

Pennsylvania Securities Commission Pennsylvania State Police Pennsylvania Supreme Court Discipli-

nary Board Philadelphia District Attorney's Office Philadelphia Police Department

 Organized Crime Unit Pike County District Attorney's Office Pike County Special Prosecutor's Of-

Pittsburgh Police Department

Pottstown Police Department Robinson Township Police Depart-Scranton Police Department State College Police Department

Washington County Sheriff's Office Washington (Pa.) Police Department Wayne County District Attorney's Of-

Westmoreland County District Attorney's Office

Williamsport Police Department York County District Attorney's Office York City Police Department

Federal Agencies:

Commodity Futures Trading Commis-

Federal Bank Examiners Federal Bureau of Investigation

 Field Offices in Pennsylvania. New York, New Jersey, and

U. S. Army Corps of Engineers United States Attorney Offices

> Charleston, West Virginia New York City, New York

Philadelphia, Pennsylvania

• Pittsburgh, Pennsylvania Scranton, Pennsylvania

· Wheeling, West Virginia U. S. Bureau of Alcohol, Tobacco and Firearms

U. S. Bureau of Mines

U. S. Customs Bureau

U.S. Department of Housing and Urban Development

U.S. Department of Justice-Organized Crime Strike Forces

 Brooklyn, New York • Newark, New Jersey

Philadelphia, Pennsylvania

· Cleveland, Ohio

• Miami, Florida

U.S. Department of Labor

U.S. Drug Enforcement Administra-

U.S. Farm and Home Administration U.S. Immigration and Naturalization Service

U. S. Internal Revenue Service

U. S. Marshal's Office

U. S. Postal Inspector Office

U. S. Penitentiary—Lewisburg

U. S. Postal Service

U. S. Probation and Parole Offices

U. S. Secret Services

U.S. Securities and Exchange Com-

Other Agencies:

Akron, Ohio, Police Department Alabama Securities Commission Alabama State Police Arizona Drug Control District-Narcotics Strike Force

Atlantic County, New Jersey, Prosecutor's Office

Baltimore City, Maryland, Police Department

Baltimore County, Maryland, Police Department

Birmingham, Alabama, Police Department California Department of Justice-Or-

ganized Crime Intelligence Unit Colorado Organized Crime Strike Force

Colorado Securities Commission Conrail Police

Dade County, Florida, Police Department

Dade County, Florida, Sheriff's Office Delaware State Police Florida Department of Law Enforce-

ment—Criminal Division Florida State Attorney General's Office

Fort Lauderdale, Florida, Police Department Georgia Securities Commission

Illinois Legislative Investigating Commission Indiana Securities Commission

Indiana State Police Kings County (Brooklyn), New York District Attorney's Office

Kentucky State Police Knoxville, Tennessee, Police Depart-

Manhattan (New York City) District Attorney's Office

Maryland State Police

Miami Beach, Florida, Police Department

Miami, Florida, State Attorney's Office Montana Securities Commission Nassau County, New York Nevada Gaming Commission New Jersey Alcohol Beverage Control New Jersey Attorney General's Office

New Jersey Casino Control Commis-New Jersey Division of Gaming En-

forcement New Jersey Securities Commission New Jersey State Commission of In-

New Jersey State Police New Mexico Crime Commission New York Commission on Investigation

New York City Police Department New York State Liquor Authority New York State Organized Crime Task Force

New York State Police Niles, Ohio, Police Department North Miami Beach, Florida, Police Department

Ohio Bureau of Criminal Identification and Investigation Ohio State Highway Patrol Quad State Project

Richmond County (Staten Island), New York District Attorney's Office Riverside County, California, Sheriff's Office

Royal Canadian Mounted Police Scotland Yard, Metropolitan and City Police

Trumbell City, Ohio, Sheriff's Office Virginia State Police Warren, Ohio, Police Department Washington, D. C., Metropolitan Po-

lice Department

**Pennsylvania Crime Commission Published Reports 1969-1981** 

Task Force Report: Goals for Justice

Task Force Report: Assessment of Crime and Criminal Justice in Pennsylvania (1969)

Task Force Report: Corrections in Pennsylvania (1969)

Task Force Report: Alcohol and the Criminal Justice System (1969) A Report on the Inquiry into Gang Violence in Philadelphia (1969)

Criminal Justice Planning and Action in Pennsylvania (1969)

Comprehensive Plan for the Improvement of Criminal Justice in Pennsylvania (1969)

Report on Organized Crime (1970)

Report on the Conditions of Organized Gambling and the Administration of Criminal Justice in Johnstown, Pennsylvania: 1970-1971 (1971)

Report on the Investigation in Delaware County, Pennsylvania, with Particular Reference to Abuses in Bail Bonding: 1970-1971 (1971)

Criminal Infiltration of Legitimate Business in the Philadelphia Area

Report on Professional Crime in Pennsylvania (1972)

Report on an Investigation of Liquor and Penal Code Violations and Enforcement Policies in the Locust Street "Strip" Section of Philadelphia (1972)

Report on an Investigation into the Alleged Fixing of Certain Harness Races at Pocono Downs Track in 1971 (1972)

Gambling and Corruption in Phoenixville (1973)

Corruption in the Philadelphia Police Department (1973)

A Case Study of the Second Class Township Code—Chartiers Township (1973)

Investigations in Delaware County—Macing and Corruption (1973) Corruption in the York Police Depart-

ment (1974)

A Case Study of the Pennsylvania Election Code (1974)

Migration of Organized Crime Figures from New Jersey into Pennsylvania; A Case Study of Syndicated Gambling in Bucks County (1976)

Conflict of Interest and Self Dealing by Local Public Officials and Employees: Pocono Township, Monroe County and Marple Township, Delaware County (1977)

The Administration of the Criminal Justice System-Liberty Borough and West Mifflin Borough (1977)

Gambling and Its Effect Upon the Criminal Justice System—Patterns of Sentencing in Allegheny County Gambling Cases (1977)

Absentee Voting Irregularities in Delaware County (1977)

Fraudulent 'Cents-Off' Coupon Redemption Schemes (1977)

Abuses and Criminality in the Bail Bond Business in Pennsylvania

A Chester City Racketeer: Hidden Interests Revealed (1978)

Interstate Shipment of Gambling Paraphernalia and its Distribution and Sale Within the Commonwealth (1978)

Racketeering in the Casualty Insurance Industry (1978)

Macing and Extortion in the Pennsylvania Department of Transportation

Voting Irregularities in Philadelphia (1978)

The Penn State Group: A Study in White Collar Crime (1978)

Racketeering in the Commercial Loan Brokerage Industry (1980) A Report of the Study of Organized

Crime's Infiltration of the Pizza and Cheese Industry (1980) A Decade of Organized Crime (1980) Annual Report (1981)

Health Care Fraud: A Rising Threat (1981)

All the publications prior to the 1980 Report are no longer in print. Members of the public may obtain a copy of the 1980 Report, at a nominal cost, through the State Bookstore, 10th and Market Streets, Harrisburg, PA 17125.

