



eCOMMONS

Loyola University Chicago
Loyola eCommons

Criminal Justice & Criminology: Faculty
Publications & Other Works

Faculty Publications

1990

Asset Forfeiture: Civil Remedies Against Organized Crime

Robert M. Lombardo

Loyola University Chicago, rlombar@luc.edu

Recommended Citation

Lombardo, R. M. (1990). Asset forfeiture: civil remedies against organized crime. In J.R. Buckwalter (Ed.) *International Perspectives on Organized Crime* (pp. 49-62). Chicago, Illinois: Office of International Criminal Justice, University of Illinois at Chicago Press.

This Book Chapter is brought to you for free and open access by the Faculty Publications at Loyola eCommons. It has been accepted for inclusion in Criminal Justice & Criminology: Faculty Publications & Other Works by an authorized administrator of Loyola eCommons. For more information, please contact ecommons@luc.edu.



This work is licensed under a [Creative Commons Attribution-NonCommercial-No Derivative Works 3.0 License](https://creativecommons.org/licenses/by-nc-nd/3.0/).

© 1990 Office of International Criminal Justice (Board of Trustees of the University of Illinois).

ASSET FORFEITURE: Civil Remedies Against Organized Crime

Robert M. Lombardo

This paper discusses the use of civil forfeiture as a tool against organized crime. Both the Organized Crime Control Act of 1970 and Federal Controlled Substances Act provide for the forfeiture of property used in violation of these statutes. This paper briefly reviews these laws and provides current examples of their application to organized crime enforcement.

There has long been a call for civil remedies in the fight against organized crime. The 1967 President's Task Force Report recommended the use of civil proceedings to stop unfair trade practices and antitrust violations by organized crime controlled businesses. These recommendations were codified in the Racketeer Influenced Corrupt Organizations Act (RICO) of 1970 which includes provisions for divesting a person of his interest in an illegal enterprise, the restraint of future activities and the dissolution or reorganization of such enterprises.

The Organized Crime Control Act of 1970 added forfeiture to the list of civil remedies directed against organized crime by making all property used to further an illegal gambling business forfeitable to the United States. Forfeiture is a legal proceeding that enforces obedience to a law by transferring to the government property that has been used in violation of the law. Congress also amended the Controlled Substances Act in 1978 declaring that all assets acquired from the illicit drug trade belong to the United States government and are subject to civil seizure under the forfeiture power. This Act was strengthened in 1984 when Congress again changed the Controlled Substances Act to allow for the forfeiture of real property used to facilitate drug violations.

An important aspect of these laws is that property seized by local and state officers can be transferred to a federal agent who can in effect "adopt" the seizure just as though it had originally been seized by him. Authority to adopt seizures can be traced to the decisions of the Supreme Court (*Dodge v. U.S.*, 47 S.Ct.191 [1926]) and to English common law which held that anyone had the right to seize outlaws and

outlawed property (Hoffman, 1987). State and local officers may thus benefit from the power of these federal statutes when their state does not permit forfeiture or when state law is more restrictive than federal law. This paper will examine the forfeiture provisions of these laws, through a review of several recent Chicago Police Department cases, and demonstrate their potential as weapons against organized crime.

ORGANIZED CRIME CONTROL ACT

The Organized Crime Control Act of 1970 makes it a criminal offense to conduct, finance or manage an illegal gambling business. An "illegal gambling business" is one which is in violation of state law or a political subdivision thereof; involves five or more persons; and has been in substantially continuous operation for more than thirty days or has a gross revenue of more than \$2,000 in any single day. Title 18 Section 1955 (d) of the United States Code states that "Any property, including money, used in violation of the provisions of this section may be seized and forfeited to the United States."

In spite of being the major source of revenue for traditional organized crime, many jurisdictions do not see gambling as a serious crime problem. Law enforcement officers know only too well that the investigation and prosecution of this so-called victimless crime often takes a back seat to crimes of violence and other serious offenses. But gambling is not a victimless crime. The revenue derived from gambling has been used by criminal syndicates to corrupt unions and government, finance narcotics and vice operations and generally destroy the moral fabric of many of the nation's urban areas. As such, society itself is the victim of this crime.

Those convicted of syndicated gambling and other serious gambling offenses at the local level usually receive no more than probation in criminal court. Even at the federal level, the most sophisticated gambling prosecutions usually result in short prison terms. Criminal sanctions, therefore, may provide little deterrent to illegal gambling. Thus gamblers, even more than narcotic dealers, are willing to risk arrest and prosecution because of the profits derived from this offense. Forfeiture law is designed to attack this motive by taking illegal profits from criminal organizations and diverting them to the very society that they have harmed.

A classic example of the application of civil forfeiture to gambling is the recent Reuben/Linda lottery investigation conducted by the Chicago police and the U. S. Attorney's Office. In this investigation, seven homes, a condominium, an eight-unit apartment building and a liquor store were seized for facilitating a multimillion-dollar illegal

lottery. Each of the offenses predicated the seizures in the Reuben/Linda investigation resulted in the arrest of the owner of the property and the recovery of more than \$200,000 in wagers and other incriminating evidence. These seizures were in addition to more than 40 arrests, on 26 separate occasions, for violation of Illinois state gambling laws.

Lotteries are as old as America itself. Henry Chafetz (1960) notes that a lottery was used to help finance the Revolutionary War. During the 19th century, lotteries sponsored under state license were found throughout the United States. It was not until 1890, when problems surrounded the Louisiana Lottery, that Congress enacted legislation limiting lotteries by precluding them from using the United States mail. This prohibition, according to Abadinsky (1985), opened the way for the illegal lottery in the form of numbers and policy.

In numbers and policy a player selects one, two or three digit numbers from zero to nine and places a bet upon them. There are several schemes for determining the winning numbers including daily and weekly drawings, tabulating the results of the first three races at a local racetrack and using the results of legal state-run lotteries.

During the 1960s and 1970s, states faced with increasing budget demands looked to the lottery to supply badly needed revenue. It was also thought that the legalization of the lottery would deprive organized crime of a valuable source of income. Policy, numbers and bolita, its Latin American equivalent, have long been tied to traditional organized crime. Lawmakers hoped that state control of lottery gambling would divert funds from the underworld to such worthy causes as education. During the early history of the nation, many of the finest institutions of higher learning were in fact supported through the use of lotteries. Chafetz (1960) notes that Brown, Columbia, Yale and Harvard Universities all sponsored lotteries to supplement their budgets.

Though state lotteries have been successful in raising money, their impact upon organized crime is unclear. Susan Sharp, director of the Illinois State Lottery, states that an estimated \$2.8 billion is spent each year on illegal lotteries nationwide (Tribune, 1989). She estimates that in Illinois alone, the Reuben/Linda lottery has deprived the state of \$18 million in the six years that it has been known to exist. In Illinois, lottery revenue is used to fund the educational system. For each dollar spent in the Illinois lottery, the state education fund receives 41 cents. This so-called victimless crime has, therefore, deprived Illinois schoolchildren of \$7.38 million.

The investigation of the Reuben/Linda lottery began in 1988 when Chicago police began piecing together information from various lottery

arrests. Evidence revealed that bookies were hired to work in bars, restaurants, barber shops and other key locations to take bets ranging from 25 cents to \$50 on the Illinois daily lottery. These bets were called into locations where teams of up to eight people would take the wagers. These conversations were even tape-recorded to resolve possible future disputes. Heavily played numbers were "laid off" through the purchase of thousands of dollars worth of legitimate Illinois State Lottery tickets. Finally, the records of the bets were delivered to the heads of the gambling organization.

One may ask why an individual would play an illegal game when they could effectively gamble in the same manner with the legal lottery. The answer is simple. The illegal lottery pays more. In the illegal lottery, you can play on credit and if you win there is no income tax. An advantage that the newer illegal lottery has over policy, numbers and bolita is that bettors can see the results displayed on television and printed in the newspapers unlike these older games where the results were occasionally rigged to cheat big winners.

The continued investigation into the Reuben/Linda lottery showed this organization to be very large and highly organized, employing dozens of workers in various capacities at a variety of locations in the Chicagoland area. These locations were used as centers for the collection and tabulation of wager information. At each of the locations raided by the Chicago police, officers routinely found multiple telephone lines, tape recordings of wagers, adding machines and betting slips reflecting thousands of dollars in wagers. For example, in the condominium owned by Reuben, Chicago police found seven telephone lines, six tape recorders, six calculators, and 30 cassettes containing \$340,000 in tape-recorded bets.

During their search of a liquor store owned by Reuben, police uncovered telephone and utility bills for most of the "wire room" locations raided. Invoices were found reflecting the purchase of numerous calculators and other equipment of the type found in the searches of the wager collection centers. Personnel records were found for many of the gambling workers who had been arrested in the previous raids of the collection centers. Also recovered were thousands of Illinois State Lottery tickets that were purchased to "lay off" the heavily played lottery numbers. By purchasing large numbers of legitimate state lottery tickets, the managers of the Reuben/Linda lottery were able to reduce the amount that would have to be paid to the winners of a heavily played number should it be chosen. The more people who have a winning number the smaller the amount that would have to be paid.

As an indication of the high level of sophistication of this gambling organization, police found copies of formal rules setting forth regulations for operating hours, paid vacations, company loans and penalties for misrecorded bets. These rules also included prohibitions against talking back to supervisors and not keeping the work area clean. In one raid, officers recovered a payroll schedule listing 37 employees. A search of Reuben's luxury residence also uncovered gambling records, including "daily sheets" summarizing each day's gambling activity, and a large paper-shredding machine which was used to destroy the records of the bets. While officers were searching the Reuben residence, a runner for the organization arrived delivering a cassette tape containing betting records. A total of approximately \$1.75 million in gambling wagers were recovered by the Chicago police in raids against the Reuben/Linda organization.

What is unique about the action taken against the Reuben/Linda lottery organization, and other similar forfeitures, is that the actions are civil in nature. It is not necessary to prove that the defendant committed a crime. The prosecution is against the property, not the defendant. Such forfeitures are based upon the "relation back" doctrine which vests title to property in the United States government as of the moment a criminal act is committed. At that instant all rights and legal title to the property pass to the government. Seizure and formal proceedings simply confirm the forfeiture that has already taken place.

They also provide owners with an opportunity to be heard as required by the due process clauses of the Fifth and Fourteenth Amendments to the Constitution.

Because of the relation back doctrine, the innocent owner of seized property traditionally has had no defense against its seizure. In other words, property whose owner was in no way responsible for its illegal use could still be forfeited. This position was upheld by the Supreme Court in 1974 by the Calero-Toledo v. Pearson Yacht Leasing Co. case (416 U.S. 663, 680). The origin of this harsh legal position is frequently traced to the Bible (Finklestein, 1973). Chapter 21 of the book of Exodus states:

"If an ox gore a man or a woman, that they die, then the ox shall be surely stoned, and his flesh shall not be eaten; but the owner of the ox shall be quit."

The forfeiture of the ox does not depend on the guilt or innocence of the owner but only on the simple fact that the ox transgressed.

Innocent parties are, however, protected by remission procedures and in some instances by statute. Those who own or purchase property subject to forfeiture who do not have knowledge of the prohibited activity or tainted nature of the property may petition the government to pardon the property. The filing of a petition for remission of forfeiture does not deny that the property was involved in a violation of law but asks the attorney general to pardon the property because of the involvement of innocent parties.

Civil forfeiture actions are "in rem" proceedings against property that are used to determine ownership. This is in contrast to criminal forfeitures which are "in personam" and refer to actions directed against individuals to determine their obligations and liabilities. Unless a forfeiture statute expressly requires a conviction, it is considered a civil action against property, totally independent of any criminal action against anyone. Even an acquittal on the related criminal charge will not bar the civil forfeiture. Civil forfeiture differs from criminal forfeiture in that punishment is not the intention of the law. The purpose of civil forfeiture is to return property to its rightful owner. If Congress passes a law that makes all property used in violation of a statute forfeitable, once the crime is committed the property no longer belongs to the defendant but to the government.

In the Reuben/Linda case, the property was seized upon the government's demonstration that there was probable cause to believe that the property was used in violation of the government's prohibition against establishing an illegal gambling business.

This probable cause is the same as probable cause used to effect an arrest. It exists when the facts and circumstances justify a person of reasonable caution to conclude that the property was used in violation of the law. A determination of probable cause is always necessary for the forfeiture of seized property. If the forfeiture is contested, the government must present sufficient facts and circumstances at trial to meet the probable cause standard. Though forfeiture proceedings are civil in form, they are quasi-criminal in nature. The exclusionary rule does apply and evidence obtained in violation of an individual's constitutional rights cannot be considered in establishing probable cause. The fact that there is illegally obtained evidence, however, does not preclude forfeiture of property if there is other sufficient evidence to prove the violation of law.

Once probable cause is established, the burden of proof in a civil forfeiture prosecution shifts to the defendant. He must demonstrate to the court by a preponderance of the evidence that the property is not subject to forfeiture. The court must simply decide whose position is

probably true, the government's or the claimant's. This shift in the burden of proof diminishes the Fifth Amendment privilege against self-incrimination. In effect, a defendant cannot pursue his claim to seized property without explaining ownership of the property. One can readily see the value of this in cases where the property is being seized as the proceeds of some illegal act.

CONTROLLED SUBSTANCES ACT

While virtually unheard of a few years ago, the seizure of property for narcotic violations is now a common event in the war on drugs. What is not a common event is the seizure of property without the arrest of the offender. Yet the Controlled Substances Act clearly provides for such seizures if money or property are the proceeds of drug trafficking or are used to facilitate a narcotic crime.

The word "proceeds" refers to property derived from money directly exchanged for drugs: that is, the profits of drug trafficking. A classic example of a civil proceeds forfeiture is the recent Rufus Sims case in which Chicago police seized two luxury homes, an apartment building, a Rolls-Royce automobile and \$389,000 in cash from a drug kingpin. This case is an important example of the power of civil sanctions against organized criminal groups, particularly considering the fact that the target was never arrested and only 23 grams of heroin were recovered.

The Sims investigation began when Chicago police confiscated heroin and 50 firearms, including machine guns, rifles, semiautomatic handguns and 10 hand grenades from his home. These firearms were reportedly purchased by Sims to protect his narcotic business. Also recovered were titles to four luxury automobiles including a 1987 Rolls-Royce, five safety deposit box keys and the title to another home with an inground swimming pool. According to information received by Chicago police, Sims was a major drug dealer who specialized in selling cocaine and heroin in \$10 and \$20 packets. Documents recovered in an earlier arrest of Sims, and analyzed by the F.B.I. laboratory, estimated that Sims was distributing \$225,000 to \$430,000 worth of narcotics a month.

Based upon this information, the Chicago police began a civil forfeiture investigation of the assets identified in the raid on the Sims residence. Shortly after identifying the origins of the recovered bank box keys, Chicago police learned that Sims had made appointments to drill open each of the safety deposit boxes. A subsequent interview of the informant, that provided the information upon which the original search warrant was based, revealed that Sims was known to conceal drug proceeds in area banks. Armed with this information, Chicago

police began a surveillance of the first scheduled drilling and observed Sims' common-law wife, who had been arrested in the earlier raid, and Sims' mother arrive carrying a folded leather satchel. A short time later they were observed exiting the bank, barely able to carry the now full satchel.

Believing that the two women were removing drug proceeds from the bank, they were approached and questioned by Chicago police. As the police came forward, one of the women threw a small cloth bag to the ground. An examination of the bag revealed that it contained approximately \$5,000 in small denominations. Both women denied ownership of the bag and the larger satchel that they were carrying. When asked what was in the larger satchel, Sims' common-law wife stated that if the contents were money it was not hers. The satchel was searched by the police and found to contain \$113,553. This money was then seized as drug proceeds because of the totality of the circumstances.

Civil seizures, just as an arrest, are based upon probable cause. In the Sims case, Chicago police believed that the seized money was the proceeds of drug trafficking. This belief was based upon the following: information received from an informant that Sims kept drug money in local banks; all concerned, including Sims' mother, had arrests for narcotic violations; the suspicious scheduled drillings at five different banks; the denial of ownership of the \$113,553; the lack of employment by the possessor and the fact that Sims' mother was on welfare; a positive alert on the money by a drug detector dog; and a signed statement by the mother that she had no knowledge of the source of the money.

As a result of the information, search warrants were obtained for the remaining bank boxes and on the following day an additional \$218,941 was recovered. In all, currency totaling \$339,304 was recovered from bank boxes for which keys had been kept at the Sims' residence. Among the financial papers also recovered in one of the bank boxes was a deed to a 14-unit apartment building.

The continued investigation also allowed Chicago police and F.B.I. agents to seize Sims' Rolls-Royce and two other luxury automobiles identified in the raid on his residence. A review of the sales records at the automobile dealer revealed that Sims paid \$176,681 for the Rolls-Royce, of which \$129,461 was paid in cash and the remainder from a trade-in of a 1981 Rolls. The dealer's records also revealed that Sims had purchased two Cadillacs, one for \$57,000 and the other for \$26,800. All totaled, Sims had purchased three automobiles worth more than \$200,000 from this dealer in two years. An interview of the

car salesman revealed that Sims had paid cash in small denominations for each of these autos. Not bad for a man who was unemployed and had not filed tax returns!

Also recovered in the search of the Sims residence were documents relating to the appraisal of a suburban home with an inground swimming pool. A title search showed that the residence was currently held in trust. An interview of the last owner of record revealed that he had sold the property to Sims for \$230,000. The previous owner thought Sims strange in that he had brought \$200,000 cash in small bills to the closing. An investigation of Sims' apartment building revealed that he and his mother had paid \$185,772 for the building, \$90,000 of which was paid immediately and the remaining \$70,000 paid within one year of the closing. In addition, it was discovered that Sims had contracted \$120,000 worth of work on the apartment building in two years of which he had paid \$97,000 in cash. His total cash expenditure on this property came to \$282,772.

The government is able to forfeit these monies and other assets using the net worth method of proof. In a typical net worth case, the government shows that a drug trafficker has acquired substantial assets but has no legitimate or tax-declared source of income that could account for the accumulated wealth. Because the burden of proof in a civil forfeiture case is upon the defendant, he must prove that seized property is not subject to forfeiture once the government demonstrates probable cause to believe that the property is the proceeds of an illegal drug exchange. The defendant must show, by a preponderance of the evidence, that the property was purchased with money not derived from narcotics traffic.

In a proceeds case, it is not necessary to trace assets to some specific illegal act. The courts have construed the proceeds provision in a manner that permits the tracing of wealth to general, as opposed to specific acts of, narcotic trafficking. The government need only show some connection or "nexus" between the defendant and the narcotics trade. This connection can be established through the use of circumstantial evidence. In the case of Rufus Sims, the nexus was established by hearsay informant information and the fact that heroin was recovered at his residence.

Facilitation of a narcotic crime, according to the controlled Substances Act, means that property is used to make a violation of law easier. It is not the intention of the law, however, to take property from people merely because an offense was committed on the premises. Courts have interpreted "facilitation" to mean a significant connection between the property and an offense. As such, it is used sparingly. It is

federal policy to proceed only against real property that has been substantially used to facilitate a violation of law as opposed to a remote or incidental use of such property.

A substantial violation occurs when large quantities of narcotics are recovered such as multiple kilograms of heroin or cocaine. Large estates, farms and ranches have been forfeited for containing clandestine drug laboratories and aircraft landing strips used to transship plane loads of marijuana and other controlled substances. Substantial violations also occur when property is repeatedly used in violation of the Controlled Substance Act. For example, five buildings were seized from Melvin Clay, a known drug dealer, by Chicago police: three for facilitating the distribution of narcotics, and two as the proceeds of illegal drug sales. These seizures were based upon 40 documented instances of minor narcotic trafficking occurring on or about the five adjacent buildings during a two-year period.

The civil forfeiture investigation of these properties began when district police asked the Chicago Asset Forfeiture Unit to assist them in abating a persistent narcotic problem. A contingent of the Vice Lords street gang had taken possession of a number of buildings at the intersection of Willard Court and Augusta Boulevard in Chicago. The "Headquarters," as they called the area, was located on a dead-end street that backed-up to a railroad overpass. Access to this area was strictly controlled by the gang members. According to Chicago police records, narcotic trafficking had been going on at this location for approximately 15 years.

The forfeiture unit began its investigation of the Headquarters through a computer analysis of all crimes occurring at the concerned addresses in the previous two years. They were able to identify 20 narcotics arrests occurring in or adjacent to the five buildings controlled by Clay in the Headquarters area. These arrests were the result of "drop cases," search warrant raids and undercover buys by informants and police officers. All of these arrests were for small amounts of drugs, usually no more than one or two grams. Each of these unrelated incidents became part of the civil forfeiture case in that they documented the existence of narcotic trafficking on these properties and, due to their large number, showed how the property was used substantially to violate the law.

Because of the nature of forfeiture proceedings, such hearsay evidence as informant information is admissible. This is an often misunderstood practice. The confusion arises out of the nature of forfeiture cases. The law does not require the government to make a prima facie case for forfeiture but only a mere showing that probable

cause exists to believe that the property is subject to forfeiture. Hearsay, therefore, is admissible as probable cause in forfeiture seizures just as it is admissible in showing probable cause for an arrest or other criminal search and seizure.

In order to prevent the remission of the property upon seizure under the innocent owner exception, it was necessary to establish a connection between Clay, as the owner of record, and narcotic activity. This was done in a number of ways. The first was through his arrest record which reflected a number of narcotic arrests. Because the trier of fact's standard in civil proceedings is the preponderance of the evidence and not proof beyond a reasonable doubt, it was not necessary for Clay to have been convicted of any of these offenses. The fact that he had been arrested for narcotic violations was sufficient to tie him to narcotic activity.

Clay was further tied to narcotic trafficking through an informant buy that was used to obtain probable cause for a search warrant. Though Clay was never arrested for this drug sale, the evidence was admissible to establish probable cause for seizure. It should be mentioned that because of civil discovery, all witnesses including informants are subject to deposition and, therefore, disclosure of their identity. One can readily see the problems that this could entail for informants. Clay was also tied to narcotic trafficking through his own statements. He once boasted to local police, who were astute enough to record his statements, that law enforcement activity was hurting his drug operations. Clay also taunted the officers by saying that he had bought the concerned buildings with the profits of his drug sales.

All of the above information was gathered by the forfeiture unit from existing police department records. Legally it was enough in and of itself to seize Clay's property. In order to gather current information on drug violations at the Headquarters properties and strengthen the case, forfeiture unit personnel began a five-day video surveillance of the location. During this time countless numbers of people were observed arriving and leaving the Clay properties. Twice each day, for a total of 10 times, Chicago police stopped one of these people and searched them for narcotics. Each time a one-gram packet of cocaine or heroin was recovered. Statements were also taken, from those willing to cooperate, about narcotic trafficking at the Headquarters location and Clay's involvement.

Clay maintained a real estate office in one of these buildings. Acting in an undercover capacity, Chicago police met with Clay and asked him about the ownership of property in the area. Clay walked the police officers down the street and pointed to each of the buildings that he

owned. While Clay was escorting the officers around his neighborhood, a woman actually approached Clay and asked him where she could purchase drugs. Clay sent her down the block to meet with one of his workers. When police stated to Clay that the neighborhood looked dangerous, the boastful Clay told police not to worry because he controlled all of the activity in the area.

Civil forfeitures allow the government to impose sanctions against people that are beyond the reach of the criminal law as was demonstrated by the Melvin Clay investigation. Because of his self proclaimed position as a "general" in the Vice Lords street gang, Clay did not routinely handle drugs himself. This was left to gang members. Clay was the boss of the narcotic operation. He provided the drugs which were sold by his underlings and controlled the use of the profits. Some of these profits were used to buy property in the area which, because of its proximity to downtown Chicago, was becoming very valuable.

Many criminals, such as Clay, are never prosecuted because there is not enough admissible evidence to make a strong criminal case against them. Such people and their criminal activity can be attacked through the use of the forfeiture laws. Because the government's burden of proof in a civil forfeiture action is much less than in a criminal case, and the property owner's innocence is generally not a defense, the criminal who escapes prosecution can be penalized financially through a civil forfeiture action by divesting him of the proceeds of his illegal activity.

Civil forfeiture could also be used to sanction people who make their property available for criminal endeavors but who are not sufficiently involved in the criminal scheme to be seriously sanctioned. This was the case in the Reuben/Linda investigation. Though all were charged with gambling violations, their penalties are likely to be no more than probation. Only the heads of the organization are likely to be incarcerated for any period of time.

Civil forfeiture is a rapidly evolving area in the field of law enforcement that holds great promise in society's efforts against organized criminal activity. Though often criticized as being a draconian remedy, civil forfeiture has continually withstood constitutional challenges. The use of both civil and criminal forfeiture is expanding especially in the field of narcotic enforcement. Forfeiture is being extended to other offenses as well. For example, the state of Florida has already extended forfeiture to the proceeds of any criminal offense that are obtained under a pattern of racketeering. When planning an investigation of organized crime, remember the power of the civil side.

BIBLIOGRAPHY

Abadinsky, Howard *Organized Crime*. Chicago: Nelson Hall, 1985.

Chafetz Henry. *Play the Devil: A History of Gambling in the U.S. from 1492 to 1955*. New York: Clark N. Potter, 1990.

Blau, Robert and John Gorman "5 Buildings Seized in Drug Crackdown" *Chicago Tribune*. September 14, 1988.

Gorman, John "U.S. Moves in on Drug Suspect". *Chicago Tribune*. April 20, 1989.

Gorman, John "10 Properties Seized in Raids on Sites Tied to Illegal Lottery." *Chicago Tribune*. June 1, 1989.

Federal Bureau of Investigation. *Forfeiture and Abandoned Property Manual* Washington D.C.: Federal Bureau of Investigation, 1986.

Myers, Harry L. and Joseph Brzostowski. *Drug Agent's Guide to Forfeiture of Assets*. Drug Enforcement Administration. Washington D.C.: U.S. Government Printing Office, 1987.

National Association of Attorneys General. *The Use of Civil Remedies in Organized Crime Control*. Raleigh, North Carolina: National Association of Attorneys General, 1976.

President's Commission on Law Enforcement and the Administration of Justice. *Task Force Report: Organized Crime* Washington D.C.: U.S. Government Printing Office, 1967.

Smith, David B. *Prosecution and Defense of Forfeiture Cases*. New York: Matthew Bender and Co., 1986.

Valukas, Anton R. and Thomas P. Walsh. "Forfeiture: When Uncle Sam Says You Can't Take It With You." *Litigation* 14-2: 31-37, 1988.

ROBERT M. LOMBARDO

Robert M. Lombardo has been a member of the Chicago Police Department for the past 20 years. He received his B.A. from the University of Illinois at Chicago (UIC); M.A. from DePaul University, where his thesis was "Narcotic Use and the Criminal Career"; he is currently at UIC working on his Doctorate in Sociology titled "Organized Crime and the Defendant Neighborhood." He is the commanding officer for the Asset Forfeiture Unit at the Chicago Police Department. He is a graduate of the FBI Academy. He has also served with the organized crime division of the Illinois Bureau of Investigation, Metropolitan Enforcement Group (MEG) and the narcotics and organized crime divisions of the Chicago Police Department.