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# **FROM PROHIBITION TO RICO: THE RISE AND LEGAL DISMANTLING OF THE AMERICAN MAFIA IN THE UNITED STATES**

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## **Abstract**

This research paper examines the historical evolution, institutional growth, and eventual legal dismantling of the American Mafia in the United States, tracing its trajectory from the Prohibition Era to the enforcement of the Racketeer Influenced and Corrupt Organizations Act (RICO). It argues that the rise of organized crime was not merely a product of criminal ingenuity but a consequence of socio-economic conditions, weak regulatory frameworks, and the opportunities created by prohibition policies. During the early twentieth century, figures such as Al Capone and Charles Lucky Luciano capitalized on illegal liquor trade, establishing highly structured criminal enterprises that extended into gambling, extortion, and political corruption. The paper further explores the consolidation of Mafia power through institutional mechanisms such as "The Commission," which coordinated activities among various crime families and enhanced operational efficiency. However, growing public awareness, particularly following events like the Kefauver Hearings, exposed the depth of organized crime's influence on American society and governance. Despite early law enforcement efforts, traditional legal tools proved inadequate to dismantle these complex criminal networks. The study highlights the transformative impact of RICO legislation, which introduced the concept of prosecuting individuals for participation in an ongoing criminal enterprise rather than isolated offenses. Landmark prosecutions, including the United States v. Commission Trial, demonstrated the effectiveness of this approach in targeting high-ranking Mafia leadership. By enabling broader evidentiary standards and harsher penalties, RICO significantly weakened the structural integrity of organized crime syndicates. Ultimately, the paper concludes that the decline of the American Mafia resulted from a combination of legislative innovation, judicial interpretation, and coordinated law enforcement strategies. It underscores the enduring relevance of RICO as a legal tool in combating organized crime, while also reflecting on the adaptability of criminal enterprises in the face of evolving legal frameworks.

## Keywords

*American Mafia Prohibition Organized Crime RICO Act Racketeering Criminal Networks  
Federal Law Enforcement Illegal Booze*

## 1. Introduction

The emergence of the American Mafia in the early 20th century was deeply intertwined with immigration trends, socio-economic factors, and, most crucially, the Prohibition era (1920–1933). The Mafia's roots can be traced back to Sicilian criminal networks, where these groups initially formed as private protection services that relied on violence and intimidation. Many of these individuals made their way to the United States during the late 19th and early 20th centuries, bringing along their organizational frameworks and criminal customs. In the U.S., these groups started off as small, localized gangs within immigrant neighborhoods. However, the onset of Prohibition, thanks to the 18th Amendment, opened the door to a whole new world for organized crime. With alcohol banned, a vast black market emerged, and Mafia groups jumped at the chance to meet the soaring demand by engaging in bootlegging, smuggling, and the illegal sale of liquor. This era allowed them to amass significant wealth and broaden their activities beyond traditional crimes like extortion and gambling. Prohibition also played a key role in evolving the Mafia into a highly organized and sophisticated criminal enterprise. Competing gangs began consolidating power through violence and strategic partnerships, ultimately leading to the formation of structured crime families. By the early 1930s, figures like Lucky Luciano had restructured the Mafia into a national syndicate, creating a governing body known as “The Commission” to oversee activities among various crime families and minimize internal strife. Moreover, the Mafia's ascent was aided by weak law enforcement, political corruption, and their knack for infiltrating legitimate businesses and labor unions. Through bribery and intimidation, these organizations secured protection from authorities and expanded their reach across major American cities, especially in New York and Chicago. This paper takes a deep dive into the rise, growth, and eventual legal breakdown of the American Mafia in the United States, especially during the game-changing era of Prohibition. It looks at both the historical and legal aspects, tracing the Mafia's journey from its Sicilian beginnings to its expansion into major American cities, where it transformed into a well-organized and powerful criminal organization. The study also delves into how Prohibition opened up economic avenues that allowed Mafia groups to gain strength through illegal activities like bootlegging, extortion, gambling, and labor racketeering, while shedding light on their internal structure and how they operated through entities like “The Commission.”

Additionally, the paper examines how the legal system responded, particularly with the introduction of the Racketeer Influenced and Corrupt Organizations Act (RICO Act), which changed the game for prosecuting organized crime by focusing on entire criminal organizations instead of just individual criminals. The aim of this paper is to critically assess how legal innovations, paired with strategic enforcement by agencies like the Federal Bureau of Investigation, played a role in weakening and ultimately dismantling Mafia networks. It also aims to underscore the wider implications of these legal changes on the criminal justice system and to draw insights for tackling modern organized and transnational crime.<sup>1</sup>

## 2. The Rise of the Mafia

The Prohibition era in the United States was a pivotal moment that fueled the rise of organized crime, giving the American Mafia a golden opportunity to grow and solidify its power. With the Eighteenth Amendment and the Volstead Act banning the manufacture, sale, and transportation of alcohol, a massive and lucrative black market sprang up. Organized crime groups quickly jumped in to satisfy the public's thirst for illegal booze, setting up extensive bootlegging, smuggling, and distribution networks that raked in huge profits. This time allowed criminal organizations to transform from small, local gangs into sophisticated, well-funded operations with structured hierarchies and significant territorial control. The fierce competition for dominance in the illegal alcohol trade often led to violent clashes between rival gangs, with infamous incidents like the Saint Valentine's Day Massacre showcasing the brutal reality of organized crime during this period. Meanwhile, notorious figures like Al Capone rose to power, blending violence with savvy business skills to take over illegal markets and even infiltrate legitimate businesses. The explosive growth of organized crime during Prohibition was also fueled by rampant corruption within law enforcement and political circles, allowing Mafia groups to operate with a surprising level of freedom. In the end, the Prohibition era not only bolstered the Mafia's financial and organizational strength but also deepened its roots in American society, paving the way for its ongoing influence until more effective legal measures, like the RICO Act, came into play decades later.

The American Mafia evolved into a well-organized and hierarchical network made up of several influential crime families, with the Five Families of New York standing out—these include the Gambino, Genovese, Lucchese, Bonanno, and Colombo crime families. Lucky

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<sup>1</sup> History.com, "Mafia in the United States"

Luciano was instrumental in this development, establishing “The Commission” to oversee operations, settle disputes, and keep the peace among competing factions. Each family had a clear internal structure featuring a boss, underboss, consigliere, caporegimes, and soldiers, which helped maintain order and manage their criminal activities effectively. Their operations were varied and meticulously organized, encompassing racketeering, extortion, illegal gambling, loan sharking, drug trafficking, and even infiltrating labor unions and legitimate businesses. Outside of New York, powerful Mafia groups also thrived in cities like Chicago, where the Chicago Outfit, led by notorious figures like Al Capone, dominated bootlegging and other illicit ventures. To hold onto their power, these families often resorted to violence, intimidation, and corruption, while also building political ties to dodge law enforcement. As their intricate organizational framework and coordinated criminal efforts grew, they became increasingly hard to prosecute through conventional legal means, which eventually led to the creation of stronger laws like the RICO Act to effectively break down their operations.<sup>2</sup>

The American Mafia's rise and establishment were heavily influenced by key players like Al Capone, Lucky Luciano, and Meyer Lansky. Each of these men played a vital role in turning organized crime into a formidable and organized business. Al Capone, who made his mark mainly in Chicago, became infamous during the Prohibition era, raking in huge profits from bootlegging, illegal gambling, and racketeering, all while showcasing the brutal side of organized crime. On the other hand, Lucky Luciano is often seen as the mastermind behind modern organized crime in the U.S. He restructured the Mafia into a national syndicate by creating “The Commission,” which helped stabilize and coordinate various crime families, cutting down on internal strife. Meanwhile, Meyer Lansky, known as the “financial whiz” of the Mafia, paired his money management skills with Luciano’s organizational prowess, overseeing international operations and launching profitable ventures like casinos and offshore investments. Together, these three not only broadened the reach and profitability of organized crime but also introduced a more corporate and systematic approach to their operations, making the Mafia tougher for law enforcement to take down. Their combined impact set the stage for the Mafia's stronghold in mid-20th-century America, eventually leading to the creation of more robust legal tools, like the RICO Act, to effectively tackle these organized criminal networks.<sup>3</sup>

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<sup>2</sup> Encyclopaedia Britannica, “American Mafia”

<sup>3</sup> FBI, “Italian Organized Crime”

## I. The Mafia at Its Height

The creation of “The Commission” was a game changer for the American Mafia, turning it into a more organized and centralized criminal operation. Established in the early 1930s by Lucky Luciano after the bloody Castellammarese War, The Commission served as a governing body made up of the leaders of the major crime families, especially the Five Families of New York. Its main goal was to oversee Mafia activities, settle disputes between rival families, and prevent internal conflicts that could draw unwanted attention from law enforcement. This new system brought a level of coordination and stability that allowed organized crime to function more smoothly across various parts of the United States. Alongside The Commission, the Mafia also built a strict hierarchy within each family, which included the boss (the leader), underboss (the second-in-command), consigliere (the advisor), caporegimes (the captains), and soldiers, each with specific roles and responsibilities. This chain of command ensured discipline, secrecy, and effective control over various criminal activities like racketeering, extortion, and illegal gambling. Loyalty and a strict code of conduct were also emphasized, often enforced through the oath of silence, or *omertà*. This well-organized and hierarchical system made the Mafia tough to infiltrate, creating significant challenges for law enforcement agencies like the FBI. In the end, the establishment of The Commission and the formalization of the Mafia's structure not only bolstered organized crime but also led to the need for more advanced legal tools, such as the RICO Act, to effectively take down these entrenched criminal networks.<sup>4</sup>

The rise and growth of the American Mafia were heavily fueled by its engagement in a variety of organized crime activities, with bootlegging, gambling, extortion, and murder taking center stage. During Prohibition in the United States, bootlegging emerged as the Mafia's main source of income, as they illegally produced, smuggled, and sold alcohol to satisfy the public's insatiable thirst, raking in huge profits and solidifying their financial power. In addition to this, illegal gambling ventures—like casinos, betting rings, and numbers games—created a reliable flow of income, often operating with the backing of corrupt officials. Extortion also played a significant role, typically executed through protection rackets where businesses were coerced into paying for safety and the right to keep their doors open, allowing Mafia families to tighten their grip on local economies. Violence, including murder, was often wielded as a means to enforce order, eliminate competition, and assert dominance within and among crime families, as illustrated by notorious events like the Saint Valentine's Day Massacre. Figures like Al

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<sup>4</sup> U.S. DOJ, “RICO Overview”

Capone embodied the blend of these activities, merging business acumen with intimidation and violence to control organized crime networks. These intertwined criminal enterprises not only amassed staggering wealth but also entrenched the Mafia as a formidable institution, ultimately leading to the need for sweeping legal actions like the RICO Act to curb its influence.<sup>5</sup>

The American Mafia's reach went well beyond just crime; it seeped into the very fabric of politics and law enforcement, which played a huge role in its enduring power. Back during and after Prohibition in the U.S., Mafia groups relied on bribery, intimidation, and corruption to forge strong ties with politicians, police, and public officials. This ensured they had protection from the law and could keep their illegal activities running smoothly. With this kind of influence, they could manipulate legal systems, dodge arrests, and even get favorable verdicts in court. In many cities, notorious figures like Al Capone operated with impunity, thanks to a web of corrupt officials who either supported them or simply looked the other way. Their grip extended into labor unions and political institutions, which further solidified their control over economic and civic life, allowing them to sway elections, secure public contracts, and shape policy decisions. However, this entrenched corruption eventually sparked a stronger response from federal authorities, especially the FBI, which began to implement more coordinated and intelligence-led strategies to tackle organized crime. As investigations and congressional hearings unveiled the Mafia's influence, public perception and policy began to shift, ultimately leading to the creation of powerful legal tools like the RICO Act, designed to dismantle not just individual criminals but the entire corrupt network that supported organized crime.

## II. The Beginning of the Crackdown

Early attempts by law enforcement to tackle the American Mafia were pretty scattered and often fell short, thanks to legal hurdles and rampant corruption. This environment allowed organized crime to thrive in the early 20th century. During Prohibition, law enforcement mainly zeroed in on arresting people involved in illegal activities like bootlegging and gambling, rather than going after the larger criminal organizations pulling the strings. This strategy just didn't cut it, as Mafia groups operated with intricate hierarchies that kept their leaders shielded from direct criminal involvement. On top of that, local police were frequently compromised by bribery and intimidation, which made it even harder to enforce the law and let notorious figures like Al Capone slip through the cracks for years without facing serious charges. One major

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<sup>5</sup> James B. Jacobs, "The Rise and Fall of Organized Crime in the United States," *Crime and Justice*, Vol. 49 (2020),

obstacle was the lack of legal tools to prosecute organized crime as a whole, which meant prosecutors had to rely on piecemeal charges that rarely took down entire networks. Still, there were some early wins, like Capone's conviction for tax evasion, which highlighted how effective financial investigations could be in fighting organized crime. Over time, federal agencies, especially the FBI, started to adopt more coordinated and intelligence-driven strategies, using tactics like surveillance, informants, and collaboration between agencies. While these early efforts had their limitations, they set the stage for more robust legal frameworks, eventually leading to the creation of the RICO Act, which allowed authorities to go after entire criminal enterprises instead of just individual criminals.<sup>6</sup>

A significant moment in the battle against organized crime unfolded during the Kefauver Hearings, which were instrumental in bringing the American Mafia's activities into the public eye. Spearheaded by Estes Kefauver, the Senate Special Committee to Investigate Crime in Interstate Commerce held a series of nationally televised hearings from 1950 to 1951. For the first time on such a grand scale, these hearings unveiled the existence of a well-organized, nationwide criminal network engaged in illegal activities like gambling, racketeering, and the corruption of public officials. The extensive media coverage brought the reality of organized crime right into American homes, heightening public awareness and concern about the Mafia's grip on politics and law enforcement. Testimonies from witnesses and investigative findings underscored how deeply criminal organizations had penetrated legitimate institutions, challenging the earlier belief that crime was just a local problem. While the hearings didn't immediately dismantle Mafia operations, they represented a crucial shift in government policy, highlighting the necessity for stronger federal intervention and coordinated enforcement efforts. The exposure generated by the Kefauver Hearings also set the stage for future legislative and investigative actions, ultimately leading to the creation of more effective legal tools, such as the RICO Act, aimed at tackling organized crime on a structural level.<sup>7</sup>

The gradual success in taking down the American Mafia was greatly shaped by new investigative techniques that allowed law enforcement to break through the secrecy and complexity of organized crime networks. Traditional methods, which often focused on making individual arrests, just weren't cutting it against the Mafia's tightly-knit and secretive structure. This pushed agencies like the Federal Bureau of Investigation to embrace more advanced

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<sup>6</sup> U.S. Department of Justice (DOJ) Official Website," available at: <https://www.justice.gov>

<sup>7</sup> *Special Committee to Investigate Crime in Interstate Commerce* (1950–1951).

strategies. They started using electronic surveillance, wiretapping, undercover operations, and building relationships with informants and cooperating witnesses—often referred to as “turning insiders.” By leaning more on intelligence gathering, authorities could map out how crime families operated and link their leaders to various criminal activities. A major turning point came with informants like Joe Valachi, whose testimony in the early 1960s publicly confirmed the Mafia's existence, structure, and operations, giving a rare glimpse into its hidden world. On top of that, financial investigation techniques emerged to trace illegal profits and expose money laundering schemes, targeting the economic backbone of organized crime. These innovations represented a shift from reactive policing to a more proactive and strategic approach, ultimately boosting the government's ability to build solid cases against entire criminal organizations. Such advancements laid the crucial groundwork for the effective use of the RICO Act, which depended heavily on detailed evidence of ongoing criminal enterprises to secure convictions against top Mafia leaders.<sup>8</sup>

### **III. The RICO Act and the Fall of the Mafia**

The Racketeer Influenced and Corrupt Organizations Act, better known as the RICO Act, was introduced in 1970 and represented a groundbreaking change in how the U.S. tackled organized crime, especially the powerful American Mafia. Before RICO came along, law enforcement had a tough time going after top Mafia figures because existing laws demanded direct evidence linking them to specific crimes. This loophole allowed Mafia bosses to dodge accountability by hiding behind their underlings. RICO, part of the Organized Crime Control Act of 1970, changed the game by introducing “enterprise liability.” This meant that prosecutors could hold individuals responsible for their role in a pattern of racketeering activities tied to an organization, even if they weren't directly involved in every crime. The Act covered a broad spectrum of offenses, from bribery and fraud to extortion and drug trafficking, and it imposed serious penalties, including lengthy prison sentences, hefty fines, and the confiscation of illegally gained assets. With RICO in their toolkit, agencies like the FBI could build solid cases against entire Mafia families instead of just targeting lone criminals. Consequently, RICO emerged as a powerful weapon in the fight against organized crime, reshaping the criminal justice landscape and signaling the beginning of the end for Mafia supremacy in the United States.

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<sup>8</sup> Federal Bureau of Investigation, “Organized Crime in the United States,” available at: <https://www.fbi.gov>

The Racketeer Influenced and Corrupt Organizations Act, better known as the RICO Act, really showed its power through a series of groundbreaking cases and major convictions that dealt a serious blow to the American Mafia's influence. One of the standout cases was the United States v. Anthony Salerno, often referred to as the Mafia Commission Trial. In this case, the top leaders of New York's Five Families were found guilty of running extensive racketeering operations that included heinous crimes like murder, extortion, and labor racketeering. This trial highlighted how effective RICO could be in holding powerful mob bosses accountable for the crimes happening under their watch. Notable figures like Anthony Salerno and Paul Castellano were specifically targeted, marking a significant setback for organized crime leadership. Moreover, throughout the 1980s and 1990s, the convictions of various Mafia members and leaders further illustrated the Act's wide-ranging impact and its ability to deter criminal activity. These prosecutions leaned heavily on insider testimonies, surveillance, and financial records to paint a clear picture of racketeering, meeting RICO's stringent requirements. The success of these cases not only dismantled crucial Mafia hierarchies but also created a climate of fear and uncertainty within organized crime circles, prompting more informants to come forward. All in all, these major convictions highlighted how transformative RICO has been as a prosecutorial weapon, fundamentally changing how law enforcement agencies like the FBI tackle and break down complex criminal organizations.

The introduction and enforcement of the Racketeer Influenced and Corrupt Organizations Act, commonly known as the RICO Act, had a significant and transformative effect on taking down the American Mafia. It marked the start of a long-term decline in their power and influence. Unlike previous legal strategies that focused on prosecuting individuals for specific crimes, RICO allowed prosecutors to tackle the collective nature of organized crime by holding entire criminal organizations accountable for a series of illegal activities. This change empowered law enforcement agencies, especially the FBI, to successfully go after high-ranking Mafia leaders who had previously managed to stay out of the spotlight of direct criminal involvement. The looming threat of harsh penalties, such as lengthy prison sentences and asset seizures, weakened the Mafia's hierarchical structure and disrupted their financial stability. Moreover, RICO encouraged lower-level members to turn informant, leading to a surge in insider testimonies that further revealed the inner workings of these crime networks. High-profile convictions in the 1980s and 1990s, particularly after the Mafia Commission Trial, showcased how effective RICO was in dismantling leadership hierarchies and creating chaos within crime families. Consequently, the Mafia's grip on traditional activities like labor racketeering,

gambling, and extortion saw a significant decline. In summary, RICO not only transformed the legal landscape for fighting organized crime but also played a crucial role in undermining the institutional strength of the American Mafia, setting a benchmark for tackling complex criminal organizations both in the U.S. and around the world.<sup>9</sup>

#### IV. Conclusion

The story of the American Mafia is one of incredible highs and sobering lows, influenced by social and economic factors, political dynamics, and changing legal landscapes. It all kicked off in the early 20th century, really taking off during Prohibition when the illegal booze trade opened up a goldmine for making money and expanding operations. During this time, organized crime groups evolved into well-oiled machines, led by notorious figures like Al Capone and Lucky Luciano, who set up centralized systems like “The Commission” to keep everything running smoothly and under control. The Mafia thrived well into the mid-1900s, thanks to its involvement in various criminal activities and its grip on politics and law enforcement. But then things started to shift. Increased public scrutiny, highlighted by events like the Kefauver Hearings, and advancements in investigative techniques gave authorities a clearer view of how the Mafia operated. The real game-changer came with the introduction of the Racketeer Influenced and Corrupt Organizations Act (RICO Act), which empowered prosecutors to go after entire crime syndicates instead of just individual players. This legal shift, along with the concerted efforts of agencies like the FBI, led to significant convictions of Mafia leaders and the gradual dismantling of their operations. In the end, the rise and fall of the Mafia serves as a powerful reminder of how organized crime can flourish in the right conditions but can also be effectively dismantled through robust legal measures and strategic enforcement. The legacy of the American Mafia is woven into the fabric of organized crime and has played a crucial role in shaping modern criminal justice systems. It offers valuable insights for law enforcement and policymakers alike. The Mafia showed us how organized crime can take advantage of economic opportunities, especially during the Prohibition era in the United States, thriving in environments where regulation is weak and corruption runs rampant. Its intricate structure, centralized coordination, and knack for infiltrating legitimate businesses exposed the shortcomings of traditional law enforcement methods that focused only on individual criminals. The introduction of the Racketeer Influenced and Corrupt Organizations Act (RICO Act) was a game changer, highlighting the need for legal innovation

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<sup>9</sup> James B. Jacobs, “The Rise and Fall of Organized Crime in the United States,” Crime and Justice.

to tackle complex organized crime. The success of agencies like the FBI in breaking down Mafia networks demonstrated the power of coordinated, intelligence-driven strategies, which included using informants, surveillance, and tracking financial activities. Moreover, the Mafia's history serves as a stark reminder of the risks posed by corruption within political and legal systems, underscoring the necessity for transparency, accountability, and robust governance. The lessons learned from the Mafia's rise and fall continue to shape current efforts to fight organized crime, terrorism, and transnational criminal networks, proving that adaptable legal frameworks and relentless enforcement are vital for upholding the rule of law. The battle against organized crime didn't just fizzle out with the decline of the American Mafia; it's constantly evolving to tackle new and more sophisticated criminal networks. Sure, the Racketeer Influenced and Corrupt Organizations Act (RICO Act) dealt a serious blow to traditional Mafia operations, but organized crime has found ways to adapt, branching out into areas like cybercrime, human trafficking, drug smuggling, and financial fraud. Nowadays, law enforcement agencies, especially the FBI, have stepped up their game by embracing international collaboration, cutting-edge surveillance tech, and data-driven intelligence systems to tackle these new threats head-on. The history of our fight against organized crime—from the days of Prohibition to the introduction of RICO—shows that this issue is always changing, and our legal and institutional responses need to keep pace. Governments are now working together across borders through international organizations and treaties to take on transnational criminal enterprises that operate outside the reach of any one nation. Even with the strides we've made, challenges like corruption, rapid technological advancements, and globalization still make enforcement a tough nut to crack. This ongoing struggle against organized crime highlights the importance of robust legal frameworks, global teamwork, and continuous innovation in investigative methods to effectively prevent and dismantle these complex criminal organizations in today's world.