

# HOUSE . . . . . No. 118

By Messrs. O'Loughlin of Boston and Mullen of Milton, petition of Joseph M. O'Loughlin and James G. Mullen for an investigation by a special commission (including members of the General Court) of the existence and extent of organized crime and gambling and other related matters within the Commonwealth. The Judiciary.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty.

RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION OF THE EXISTENCE AND EXTENT OF ORGANIZED CRIME AND GAMBLING, AND OTHER RELATED MATTERS, WITHIN THE COMMONWEALTH.

1 *Resolved*, That a special unpaid commission to consist of two  
2 members of the senate to be designated by the president thereof,  
3 three members of the house of representatives to be designated  
4 by the speaker thereof, two persons, neither of whom shall hold  
5 either elective or appointive political office, to be appointed by  
6 the governor, one of whom shall be designated by him as chair-  
7 man, all members of said commission to be chosen as nearly as  
8 may be on a bi-partisan political basis, is hereby established to  
9 investigate, as a basis for legislative action, the existence and  
10 extent of organized crime and organized gambling within the  
11 commonwealth, the existence of conditions which tend or may  
12 tend to prevent or interfere with the proper enforcement of the  
13 laws relating thereto, the existence of physical, legal and policy  
14 limitations on the powers and functions of those charged with  
15 the duty of enforcement of said laws, the extent to which the  
16 power of the government of the commonwealth in relation to  
17 the enforcement of said law may or should be properly exer-  
18 cised at state and local levels, the desirability of establishing  
19 any new state agency which would have the power at any and

20 all times to examine the activities, papers and records of those,  
21 on both the state and local levels, charged with the enforcement  
22 of said laws, with the added power to initiate such action, in  
23 such instances as may so require, which may reasonably insure  
24 the proper and expeditious enforcement of said laws.

25 Said commission may request the commissioner of public  
26 safety to assist it in its investigation, and he shall furnish such  
27 information in his possession as requested, and assign such as-  
28 sistants and investigators as may be requested, and said com-  
29 mission may require co-operation from all agencies of state and  
30 local governments. Said commission may employ such legal,  
31 expert, clerical and other assistants as it deems necessary.

32 Said commission may require by summons the attendance and  
33 testimony of witnesses and the production of books and papers  
34 before it relating to any matter investigated by it in pursuance  
35 of this resolve. Such a summons may be issued by the commis-  
36 sion upon a vote of said commission and shall be served in the  
37 same manner as summonses for witnesses in criminal cases issued  
38 in behalf of the commonwealth, and all provisions of law rela-  
39 tive to summonses issued in such cases shall apply to summonses  
40 issued under authority of this resolve, so far as they are appli-  
41 cable. Such witnesses shall, before testifying, be sworn. Any  
42 justice of the supreme judicial or of the superior court may,  
43 upon application of the commission, compel the attendance of  
44 witnesses summoned as aforesaid and the giving of testimony  
45 before said commission in furtherance of any investigation un-  
46 der this resolve, in the same manner and to the same extent as  
47 before said courts. No person shall be excused from attending  
48 and testifying in the course of such investigation, or from pro-  
49 ducing any books, papers or documents, on the ground that his  
50 testimony or evidence, documentary or otherwise, may tend to  
51 criminate him or subject him to a penalty or forfeiture; but he  
52 shall not be prosecuted or subjected to penalty or forfeiture for  
53 or on account of any action, matter or thing concerning which  
54 he may be required to testify or produce evidence, documentary  
55 or otherwise, in the course of such investigation, except for per-  
56 jury committed in such testimony.

57 The taking of motion pictures or broadcasting by radio or  
58 television of any proceeding in connection with any meeting  
59 or hearing of said commission is hereby prohibited.

60 Said commission is hereby further directed to report to the  
61 general court the results of its investigations and its recommen-  
62 dations, if any, together with drafts of legislation necessary to  
63 carry such recommendations into effect, by filing the same with  
64 the clerk of the senate from time to time but not later than the  
65 first Wednesday in March, nineteen hundred and sixty-one.

66 For the purposes of such investigation there may be expended  
67 the sum of ten thousand dollars, which is hereby appropriated  
68 therefor.

