

# HOUSE . . . . . No. 641

By Mr. Kennedy of Everett, petition of John P. Kennedy 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 in the Commonwealth. The Judiciary.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Two.

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 and two persons, neither of whom shall  
5 hold either elective or appointive political office, to be appointed  
6 by the governor, one of whom shall be designated by him as  
7 chairman; all members of said commission, as nearly as may be,  
8 to be chosen on a bi-partisan political basis, is hereby established  
9 to 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 the  
17 enforcement of said law may or should be properly exercised at  
18 state and local levels, review all tax laws of the commonwealth  
19 and enforcement programs pertaining to persons engaged in  
20 illegal activities and the contents of the report of the special

21 commission (senate, 700) made in April, nineteen hundred and  
22 fifty-seven, under authority of chapter one hundred and forty-  
23 seven of the resolves of nineteen hundred and fifty-five.

24 The commission or, on the authorization of the commission,  
25 any subcommittee or member thereof, may hold such hearings  
26 and sit and act at such times and places, administer such oaths,  
27 and require by subpoena or otherwise, the attendance and testi-  
28 mony of such witnesses and the productions of such books, rec-  
29 ords, correspondence, memoranda, papers and documents as the  
30 commission or such subcommittee or member may deem advis-  
31 able. Subpoena may be issued under the signature of the chair-  
32 man of the commission, of such subcommittee, or any duly  
33 designated member, and may be served by any person desig-  
34 nated by such chairman or member. The provisions of section  
35 ten of chapter two hundred and thirty-three of the General Laws  
36 shall apply in the case of any failure of any witness to comply  
37 with any subpoena or to testify when summoned under authority  
38 of this section.

39 No person shall be excused from attending and testifying in  
40 the course of such investigation, or from producing any books,  
41 papers or documents, on the ground that his testimony or evi-  
42 dence, documentary or otherwise, may tend to incriminate him  
43 or subject him to a penalty or forfeiture; but he shall not be  
44 prosecuted or subjected to penalty or forfeiture for or on account  
45 of any action, matter or thing concerning which he may be re-  
46 quired to testify or produce evidence, documentary or otherwise,  
47 in the course of such investigation, except for perjury com-  
48 mitted in such testimony.

49 The commission may request the commissioner of public  
50 safety to assist in its investigation, and he shall furnish such  
51 information in his possession as requested, and assign such  
52 assistants and investigators as may reasonably be requested.  
53 Every officer, department, commission, board and agency of the  
54 commonwealth or any subdivision thereof shall provide the  
55 commission with every assistance, facility and co-operation  
56 which may be proper or desirable for the accomplishment of the  
57 purpose of the commission. Said commission may expend for  
58 legal, expert, clerical and other assistants such sums as may be  
59 appropriated therefor.

60 The commission shall report on or before the third Wednesday

61 in March in the year nineteen hundred and sixty-two to the  
62 governor and council of the results of its study and investigation,  
63 and may include therein recommendations for legislative action.  
64 The commission shall from time to time refer to the attorney  
65 general and the appropriate law enforcement agencies for presen-  
66 tation to a grand jury any results of its investigation which it  
67 feels warrants action by said officials.

68 For the purpose of such investigation there may be expended  
69 the sum of                                  dollars.

