

Reflections: The Robert F. Kennedy I Knew

In a recent addition of Vanity Fair, the publication profiled Robert F. Kennedy and his contributions. This treatment of Kennedy was laudatory as it should be, but it failed to point out a chink in his armor that surrounds the myth of RFK as a crusading crimebuster enforcing the criminal law without fear or favor. The picture painted of RFK as an unbiased law enforcement officer is not entirely accurate. I witnessed the slippage, tried to prevent it, and agonized over his behavior.

RFK was a complex man. Widely thought to be one of the most active, effective attorneys general in history but there is more to the story. During his tenure, RFK's direction brought law enforcement agencies together and pioneered new laws to fight organized crime. However, as one senior Justice Department official remarked: "when it came to making a decision, RFK's first criterion was, is it good for my brother?; his second criterion was, is it good for the democratic party?; and his third criterion was, is it good for the country?"

During his first years heading Justice, he waged a concerted war on organized crime and brought with him the experiences of publicly interrogating Jimmy Hoffa, Sam Giancana, and other mobsters, while serving as Chief Counsel to the McClellan Senate Committee on Labor Racketeering. He was committed to waging a full scale attack on organized crime throughout the country, but there was a major stumbling block in the person of J. Edgar Hoover, who -- despite the revelation of the November 14, 1957 raid on the town of Appalachian, New York, where 100 major mob members were nabbed -- still resisted the notion of a national commission of organized crime members.

There was no FBI organized crime squad when RFK came to Justice. So rudimentary was the government's understanding of the extent of the danger posed by organized crime that the names of suspected members of organized crime were noted on index cards and stored in shoe boxes in the offices of the Assistant Attorney General in charge of the Criminal Division.

RFK's view was certain with respect to the risks posed, and he chose to assemble what has been described as "an elite group of crime fighters." The group was fifteen in number, charged with the responsibility of selecting areas of the country which needed federal intervention in order to expose and prosecute organized crime members and officials corrupted by them.

While our group consisted of former state and federal prosecutors, there were younger members recruited because of their extraordinary intellect, included among them, John E. Sprizzo now a United States District Judge in the Southern District of New York, and G. Robert Blakey the architect of the Racketeer Influenced and Corrupt Organizations Act known as the RICO statute.

Heading the unit was Byron White -- a tough person to say the least -- who was so hardened that a simple anecdote is reflective of his nature. RFK from time to time would hold staff meetings between 5:30 and 6:00 a.m. One such meeting was scheduled at a time when Washington was experiencing a blizzard with temperatures hovering near the zero mark. When one entered the Attorney General's office, the temperature in his office had to be somewhere around 55 degrees. Orders were taken from the shivering attendees.

Most had piping hot coffee, but when White was asked what he wanted he responded, "iced tea." I knew then I was dealing with a no-nonsense person.

The Chicago mob, which was said to have lent great support to the Kennedy campaign, was outraged when RFK launched a full scale effort to eliminate them as a major force. RFK was at his best in pursuing the Chicago mob, as well as corrupt Teamster officials. There, it can be clearly said that politics played no part in his decision to rid the country of these major wrongdoers.

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The goal of rooting out crime and corruption is easy to state, but the mission became more complicated as it intersected with RFK's political agenda. For example, Congressman Eugene Keogh, a close friend of Joseph Kennedy, had a brother who was a State Supreme Court Justice in Brooklyn. A charge had been made that the Justice had accepted money from a mobster in return for trying to influence a United States District Judge in the Eastern District of New York in order to obtain a favorable result in a criminal trial. Rumor had it that there had been Grand Jury testimony that the Congressman had been involved as well. RFK ordered the prosecution of Justice Keogh, with the result that the Justice was convicted and received a prison sentence. However, rumors percolated that in light of Grand Jury testimony implicating the Congressman, politics had intervened to give him a bye.

There was another instance where RFK faltered, and his adherence to political considerations could well have destroyed a key investigation and imperiled the safety of a number of witnesses. I found myself at the center of this unhappy circumstance.

RFK's work on the McClellan Committee brought him into contact with prominent citizens of Gary, Indiana, then the headquarters of United States Steel. Key executives lived in environs such as Hammond, Indiana, notable only because John Dillinger had broken out of its local jail decades before.

Gary, Indiana presented a perfect example of a corruption case in which local officials were so tied in with the mob that only an outside force could hope to clean things up. United States Steel had an interest in bringing safety to the community but it was powerless to remedy the wrongdoing. As it turned out, the entire City Council, the Sheriff, and the District Attorney were behind the criminality that ran rampant in Lake County, which included the cities of Gary and Hammond. Try as he might, RFK could not find a suitable person for the position of United States Attorney, and so, with the approval of the District Judges and RFK, I received an appointment as acting United States Attorney from the Northern District of Indiana.

One man appeared to head the entire criminal syndicate, George Chacharis, the Mayor of Gary, the equal partner of Richard Daly in shepherding through JFK's nomination, and the next United States Ambassador to Greece. To a young member of RFK's crime fighting unit, free of any political experience, I did not care what positions Chacheris held. He was fair game for prosecution just like any other suspected criminal. But how naive was this assessment?

With great difficulty a case was developed against the Mayor. Witnesses had decided to step forward at great risk to themselves, as Gary, Indiana had the largest *per capita* murder rate in the nation.

Chacheris' chances for Senate confirmation as our Ambassador to Greece would have been crushed with an indictment. With the Grand Jury scheduled to meet the following day, I received a call from RFK that went, as best as I can recall, the following way:

RFK: I understand that you are presenting a case to the Grand Jury tomorrow.

JG: That's right. I have assembled some 35 witnesses to testify to the Mayor's involvement and expect that he will be indicted.

RFK: I think in fairness you should have the Mayor in, give him a chance to go over the evidence, tell him of the witnesses, for they may have some ulterior motive to implicate him.

JG: I can't allow the Mayor this kind of inspection. It would jeopardize the case and the safety of the witnesses. I just can't do it.

RFK: I am not asking you to do it, I am directing you to do it.

JG: I am sorry. It may be insubordinate but it would be contrary to the way I believe a prosecutor should act. I am sorry.

RFK: Then you will have to put the Grand Jury off and come back to Washington this evening.

Remarkably, during this conversation I was able to hear RFK say, despite the fact that he had apparently put his hand over the mouthpiece of the phone, "George, he won't let you see the papers or tell you about the witnesses." The target of the investigation, the wrongdoer, was there in the Attorney General's office. This experience astounded me. Where was the commitment to the no holds effort to root out crime and corruption?

I flew to Washington that night, met with RFK, who not only had Chacheris in his office, but also Alexander Campbell the Democratic National Committeeman from Indiana. I met privately with RFK and convinced him that compliance with his direction could result in serious harm to government witnesses. He withdrew the order that he had given me. As I left his anteroom I encountered Henry Petersen, a career Deputy at Justice, and inquired

that it did not seem to me that RFK appreciated what I had accomplished. He responded, “this is true. How would you feel if somebody locked up your friends?” He also said to me that it was a mistake not to have followed the order of RFK.² IRS internal memoranda later accused the Justice Department of leaking evidence to Chacheris without my knowledge.

I returned to Gary, but before the Grand Jury could be reassembled I received notice that RFK was removing me and recalling me to Washington. After I made that saddened trip back, a Justice Department official showed me a communication from Kenneth O’Donnell, then President Kennedy’s special assistant, which stated that Congressman Ray Madden from Gary, the ranking member of the House Rules Committee, had threatened that unless I were removed, the President’s farm bill would not be allowed to leave the Committee for a vote on the floor of Congress.

Time passed, and disillusionment with the thought of resignation loomed prominently until the White House advised that citizens of Gary, no doubt led by officials of United States Steel, had contracted with a Chicago company to send 100 coconuts to the White House on which the word “help” was engraved, a take off on the PT-109 experience, with the plea that I be sent back to resume my duties. The President resolved the dispute with Congressman Madden and the farm bill was allowed to reach the floor of Congress.

Weeks later, after the Grand Jury was convened and heard testimony, the Mayor was indicted along with every member of the City Council, the Sheriff, and the District Attorney. Following their pleas of guilty and their sentence to prison,³ I left Gary and met with the Attorney General in Washington, who had this to say:

RFK: I note everyone who was indicted was a democrat. My brother said if I don’t stop locking up democrats he’s going to have to put me on the Supreme Court.

This was light spirited, but the comment took no note of the fact that our mission had been to prosecute wrongdoing, and whether the offender was a democrat or republican it would matter not in the decision to go forward. The luster associated with the “elite crime fighters” wore off, and I resigned.

Years later, the Senator from New York hosted a celebration at a penthouse apartment in New York in honor of Richard Hatcher, who had then been elected as the

²Petersen, years later was required to resign when it was disclosed during Watergate that despite the law protecting the secrecy of Grand Jury proceedings, he had complied with President Nixon’s request for a copy of Grand Jury minutes.

³Arthur M. Schlesinger, Jr., in his treatment of JFK’s administration, *A Thousand Days: John F. Kennedy in the White House* (Houghton Mifflin, 1965), wrongly ascribes Chacheris’ demise to the work of an “overzealous prosecutor.”

second black mayor of a major city, Gary, Indiana. While RFK was receiving plaudits for all that he had accomplished, he turned to me and told the guests what he had failed to say in the intervening years: "The credit goes not to me, but to my assistant." RFK was not only gracious, but he showed a degree of warmth that had been missing in the early days of his tenure as the Attorney General. He was now on his way, hopefully, to be nominated for the Presidency. Weeks later, everything ended -- that night in the Ambassador Hotel.

To say that the man was complex is an understatement. His role as the nation's chief law enforcement officer, given his commitment to politics and to his brother, left him with conflicts which he obviously found not easy to resolve.

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