

Courtney Evans Oral History Interview –RFK#2, 12/10/1970
Administrative Information

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Biographical Note

Evans, Assistant Director, Special Investigative Division, Federal Bureau of Investigation; Liaison to Attorney General Robert F. Kennedy, discusses organized crime, RFK and J. Edgar Hoover's relationship, and the relationship between the FBI and the Department of Justice, among other issues.

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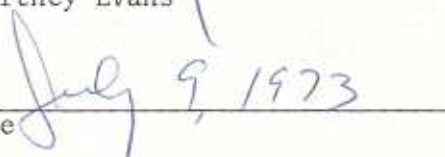
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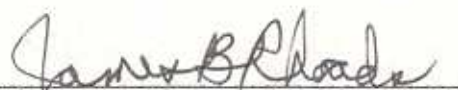
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Courtney Evans



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Courtney Evans – RFK #2

Table of Contents

<u>Page</u>	<u>Topic</u>
23	Organized crime unit
25,30	Publicizing organized crime issues
28	History of trends in crime families
31	Robert F. Kennedy’s [RFK] first steps as Attorney General
33	Edwyn Silberling’s departure as Assistant Attorney General
34,41	Relationship between the FBI and the Department of Justice regarding organized crime and internal security
37,41	RFK and J. Edgar Hoover’s relationship
37	FBI’s workflow regarding handling requests for investigations
40	Strike force concept

Second Oral History Interview

with

COURTNEY EVANS

December 10, 1970
Washington, D.C.

By James A. Oesterle

For the Robert F. Kennedy Oral History Program
of the John F. Kennedy Library

OESTERLE: Mr. Evans, under the Criminal Division's offices, during the administration of Bill Rogers [William P. Rogers], the organized crime unit [Organized Crime and Racketeering Section] had been established. What steps were taken at the outset of the Kennedy [John F. Kennedy] administration to continue, build up, and accelerate efforts in this area?

EVANS: During the Eisenhower [Dwight D. Eisenhower] administration there was a renewed interest in organized crime. To a large extent, I suppose, this interest arose because of activities of the McClellan [John L. McClellan] Committee [Senate Select Committee on Improper Activities in the Labor or Management Field] and the great publicity that ensued from this, the television hearings plus the rather extended press coverage. As the McClellan Committee work proceeded, the great initial emphasis on solely labor racketeering broadened out somewhat, as it naturally would. The activities of organized crime in labor racketeering was a major, but still a relatively small part of the totally activity, and as the McClellan Committee gathered more information and held more hearings, there was this broadened interest in organized crime. This was the period of time, as I recall it, when the action within the Criminal Division of the Department [Department of Justice] increased. The organized crime unit was established. It was also a period of time in which there was intensified activity by the FBI [Federal Bureau of Investigation] itself.

In earlier days, going back ten, fifteen, or twenty years, there had always been within the bureau an interest in crime generally. The theory behind this was that you could not effectively investigate federal crimes unless you were acquainted with the total crime picture within a community. For example, it would be exceedingly difficult to investigate as thoroughly as possible a bank robbery in a given city, unless you were aware of what the armed robbery picture in that city was. So for years the bureau had a so-called "Crime Survey Program" where, I think it was twice a year, they gathered, in report form, the information as to the crime picture in the territory covered by the local FBI field office.

In the late fifties, when activity was increased within the Criminal Division of the department, investigative activity within the FBI also increased. Up until this period of time, the so-called "Crime Survey" type investigation – and they were relatively limited in the early days – was regarded as being solely a matter of concern to the FBI. This information was gathered to enable the FBI's investigative operations to be more efficient. In the late fifties, however, when the organized crime unit was formed, this philosophy began to change. Instead of relying primarily on state and local law enforcement authorities for information as to the crime situation, there was more intensified FBI investigation to establish this for itself. This involved the so-called "Top Hoodlum Program" where active investigation was conducted of notorious hoodlum characters to determine their activity.

This is in contrast to the long philosophy of the FBI that it investigated only when there was a specific allegation of a specific federal crime. It was a beginning of the recognition, I think, that to investigate organized crime you have to do something more than investigate a specific bank robbery or a specific kidnapping. These "Top Hoodlum" investigations were then conducted – and this is in the late fifties. I would estimate that there were several hundred of these; it was an important effort. But once again, the results were held within the bureau. There wasn't any dissemination outside. We were still operating under the theory that we were doing this solely to improve our own investigative operations.

With the great interest that developed, the fact that a presidential election campaign was coming and this would highlight that problem even more, as I recall – and it must have been in 1959 – the bureau suddenly made a decision that all of these "Top Hoodlum" investigations were to be disseminated to the Criminal Division and reports were going to go over. This required a good deal of work, because when the reports were initially prepared only for internal use, perhaps the greatest care wasn't taken to protect the identity

of informants, to insure that the reports didn't contain administrative data. So, there was a problem in disseminating the reports and at the same time protecting the identity of important criminal informants; but it was done.

The volume of material that was suddenly thrust upon the Criminal Division was tremendous in relation to their resources. I assume that this volume is one of the reasons why no immediate action was taken within the Criminal Division. And then it wasn't too long

until it was known there was going to be a change in administration: new faces would be there; new people would have responsibilities. This is generally the background.

It's the first time, to my knowledge, that the FBI did anything in an intensive investigative way relating solely to the organized crime picture as being something separate and apart from individual criminal violations looking toward prosecution of an individual in court rather than just developing intelligence, but only information as to the activities of organized crime. All of this took place at the time prior to my assuming responsibility for the organized crime program in the FBI as an assistant director.

Now, do you want to move on to the period following the inauguration of President Kennedy and Robert Kennedy's assuming the position of attorney general?

OESTERLE: Yes. I have a few questions that....

EVANS: All right. Well, why don't we try and resolve those questions first then?

OESTERLE: Okay. Okay. The organized crime effort seems to have gone through highs and lows. The milestones that come to my mind – and there may be others – are the Kefauver [Estes Kefauver] hearings, the McClellan hearings, and then the Appalachian meeting of the top Cosa Nostra people. In between these high points the efforts seem to have lagged. Can you explain that or would you agree with that interpretation?

EVANS: Oh, I think it all depends on what you mean by "efforts have lagged." You can go back in history and point out specific instances where, in one locality at least, there was a great deal of intensive activity over a long period of time in relation to organized crime. During the period when Dewey [Thomas E. Dewey] was district attorney in New York – he introduced new methods to the district attorney's operation and he devoted a great deal of effort to organized crime – there were a series of important prosecutions.

[-25-]

The matters that you mention, the Kefauver hearings and the McClellan hearings, tended to highlight a situation that existed, to publicize the activities of organized crime, but this is something a little bit different than actual prosecutions.

The Appalachian meeting again was an initial shock for the public to find out that leaders of organized crime from all over the country could hold a secret meeting without this being known to the authorities or without any action being taken in relation to it. Probably if there's one specific instance that motivated a drive against organized crime, I guess it had to be the Appalachian meeting. It's just shocking to think that these overlords could get together and divide territory and business activities, if you can classify some of their activities as business. It just almost defied imagination, I think, of the American public that this kind of thing could happen, and it emphasized the tremendous scope and the tremendous power of organized crime.

I guess it was almost by chance, if my recollection of history is correct, that the meeting was even discovered. Some police officer had occasion to stop a couple of automobiles for one reason or another, and suddenly found out that he had apparently discovered a gathering of prominent organized crime personalities. Then they followed up and took action which showed that there was such a meeting, actually by going to the site and starting to conduct an investigation. That's when we had this tremendous flurry of people trying to disappear so their presence wouldn't be known. This and the publicity of the McClellan Committee are probably the things that started the Department of Justice down this path. And the FBI was responding to these same intense public pressures.

OESTERLE: So from that point of view then, I don't know if we can group, or that it's even useful to group the series of rather well publicized events, the Kefauver hearings, the McClellan hearings, the Appalachian meeting. Would it be useful to say then that the publicity that these events got was responsible for broadening the mandate of the Department of Justice and the bureau? Or was it rather just a kind of frantic, indignant pressure that the public was putting on an understaffed or underfunded Department of Justice and bureau? Did the Department of Justice and the bureau look upon this as an opportunity to do things that they wanted to do anyway in terms of their informational sources and doing their work more effectively?

EVANS: Oh, I think the atmosphere that was created made it possible for the Kennedy administration in its earlier years to get added legislation making offenses aimed at organized crime

[-26-]

activities, federal criminal offenses where this was constitutionally possible, just as the wave of hoodlum activity of a different type in the early thirties – the wave of kidnapping and bank robberies – made it possible to get the federal statutes covering those crimes. So legislation and activity are motivated and made possible because of public measures.

By the same token, when you talk about organized crime and the Appalachian meeting in particular, it points up the need for organized crime to operate, and operate most efficiently, when it's not publicized. Organized crime, if it's going to operate, can do so only to the extent that it can control publicity and, more importantly, the extent to which it can control governmental operations aimed against it. This is almost unheard of at the federal level. Back in history I think there has been a judge or two that got involved and were under control, to an extent, of organized crime, but this was a more common procedure with local government.

One of the major fallacies in the public appraisal of organized crime, as I see it, is that they tend to equate public corruption with police corruption. Now, it's important to organized crime to have influence within police circles so that they can control activities of the police, but this is really only half the picture. It's equally important for organized crime, if they're going to operate in a territory, to have political influence at a much higher level than the police. If there's one thing that this novel The Godfather did in portraying organized crime, it was stressing that the leader of this particular family had control of judges. He was

the grand old man of this organized crime group, and the way he maintained his power was his influence over the judiciary. This is a fictional characterization, but there's a lot of truth behind this. This is a fiction that is predicated on history.

I think it's just awfully important when you're considering organized crime to recognize that without public corruption it's not going to exist. As organized crime grows in power, this is kind of a multiplying effect. They become entrenched. They are wealthy. They can put more money into political control. Once it gets started it just seems to multiply. The difficult thing, I suppose, is how they got started in the beginning. That should have been relatively easy to nip in the bud, but as it grows, then it gets more and more difficult. And this is done with all of the sophistication of a talented corruption effort where secrecy is a major factor. As a consequence, I don't know that historically we're ever going to develop these facts. There's no oral history project that covers the recollections of the leaders of organized crime, and there are no records, no written records. So, as a consequence, history is going

[-27-]

to be silent on this. We're going to be forced, I think, to generalize from the specific facts that have been disclosed in a relatively limited number of cases. It's a major project for a historian to try and develop it, but I think it's there.

OESTERLE: That's very interesting. One of the significant things about American life has been the flexibility of the system to accommodate each new group of immigrants or the disenfranchised in a number of ways. This is often discussed as one of the highlights and benefits of our American system, quite apart from some aspects that perhaps don't work as well for minority groups, especially when they first landed in this country, on these shores. As organized crime moves increasingly into legitimate business areas, into banking and goodness knows how many other areas, is the system, do you think, working once again in much the manner that it worked for the disenfranchised in the past? Is it now making the sons and extended family members who have as part of their tradition the benefits and disadvantages of organized crime – I don't know how to exactly put this. Does it bring them into the system now because they realize that, now that they have the money, it's no longer necessary to take the risks that the godfather took, for instance, or the head of the family?

EVANS: Well, I suppose if we want to just philosophize in this area...I don't have enough facts, but it's often occurred to me, for example, how little distinction there was between the activities of organized crime since the turn of the century, and the so-called rugged individualist, the entrepreneurial business type of Civil War and immediate post-Civil war times. I'm not a historian, but I think I've read about profiteering and the strictly "let-the-buyer-beware" attitude of business a hundred to a hundred and fifty years ago, the exploitation of resources, the methods used to acquire forest land and mines, and development of transportation. It just seems to me that my recollection of history is that there were some pretty high-handed and very forceful means used in developing this type of business empire. Slowly, of course, the country has

grown away from this, I guess. Perhaps the anti-trust laws of 1890 were a very important step in controlling this kind of, well, at least shall we say “unethical” business activity. I think there’s a parallel here, and that business has slowly responded to public pressures that condemn exploitation of natural resources for the benefit of a few, for a more equitable distribution of economic gains in the country, for more equitable tax responsibilities. In a hundred years or so we’ve gone a long way in changing what was in the beginning a pretty – to my way of thinking – barbarous business type activity. Now, I think organized crime – it’s,

[-28-]

I guess, an unfortunate parallel, because I don’t want to malign businessmen generally, but it just seems to me that there’s the same type of activities developing here. I suppose it’s the old story that after three generations the fortune is clean money. And maybe in organized crime the old established families that were so vicious in the early days, if they’ve made their money now, they’re looking for security other ways; they want to be respected citizens. Little by little, this same development appears to be occurring.

In World War II it was the patriotic thing for the sons of the respected citizens to go in the army. There was a beginning of this in organized crime. There were two or three instances – and I can’t recall specific names – where these organized crime families took great pride in the fact that a son of a leader served his nation well as a soldier in time of war. Some of these sons have divorced themselves from the family traditions. But it seems to me that it can move in the same direction and seems to be moving there. It will take a long time. What comes along as a substitute is another matter.

You mentioned all of the migrations to this country. Each of these had its own criminal element, its own type of organized crime, and probably it was the economic circumstances that enabled organized crime to have this tremendous growth. The last group that was a major part of an immigrant society that was devoted to crime was able to exploit prohibition, the tremendous demand for liquor. I guess even prior to that there was great profit in prostitution. I’m not certain in the next generation what the organized crime problem is going to be. I don’t think it’s going to be the so-called Sicilian, Mafia type movement. That will pass. Something else is going to take its place.

We could get into the whole relationship of white collar crime because this, too, is a major crime problem in the country. As we have advanced the ethics of business, this has required criminal statutes, but there are some people, even in business, that will not comply. This is not only top officials; it goes all the way down the line. So I don’t know that we’re going to change human nature and the history of the country and eliminate this kind of thing, but all I say is that historically we have been making progress. And I look upon the current crime rate today, 1970 – in excess of five million major crimes – of course, it’s a crime wave, and it may well be moderated only when we ultimately work out this minority, poverty problem that you talk about. But that’s something different than organized crime.

OESTERLE: What factor do you think the complexity of the law plays in encouraging crime or violation of the law? For instance,

prohibition has often been cited as the ground upon which organized crime, to a large extent, was able to organize and fund their coffers so that they might move on to more serious violations of the law. Do you think it's a natural product of a society as it becomes more complex, more technological, as tax laws become more intricate and rely a great deal on individual interpretation of the law – how to get around the law, how to use the law to one's advantage? I think every citizen faces this to at least some minor degree in reading the income tax instruction booklet. For another dollar or two he can buy a few more booklets that help him interpret that basic instruction booklet that the government will supply free. And I think everyone, unless they fill out the short form, feels a little guilty about some of the things that they are claiming in their income tax. I don't know, I may be reading into this.

EVANS: Oh, I think you've got a philosophical question here. Tax-wise, the situation in the United States doesn't begin to compare with what it's been in France for decades where, as I understand it, people regard it as kind of a game as to how much you can take from the government in connection with income tax returns. We've still got a moral standard in this country where, as you point out, at least people worry a little bit, not about getting caught, but whether they're being as honest with the government and with society and with themselves as they should be.

Complexity of law multiplies this problem. It's relatively simple, I think, for the average person to know that to murder somebody is wrong. You don't do that kind of thing. Whether you go fifty miles an hour in a forty mile an hour zone, however, is entirely another matter, not regarded as being serious. And I suppose when you get into an automobile, the complexity of regulations and rules and laws about driving that car are such that the people just don't fully understand. And when you get to income tax, well, then you've really got a matter they don't understand.

I would say, to bring back some relevancy to this project, one factor: namely, that my own thinking in this field was intensified rather sharply because of Robert Kennedy and because of my relationship with him and because of discussions that we had – not that anything I've said as being my view was his view. But prior to the time that I became associated with this rather brilliant and introspective type of man, I perhaps didn't think about these things as much as I have during the time that I was associated with him and subsequent thereto. He had a way of making people think about their problems, and in a broader view than just solving one little facet of the problem that had arisen when there was a necessity for solving that part of. He influenced people to think in a broader way.

OESTERLE: Could we say then that perhaps one of the significant aspects of the publicity that the McClellan Committee received and which Robert Kennedy played a significant role in – not only the committee hearings but in also developing publicity in the series of articles that he wrote and the interviews that he gave....Perhaps all along he realized that publicity was something that was necessary to

develop the legislation that was required to undergird the hand of the law enforcement officers – here meaning the Department of Justice and the bureau and the local...

EVANS: Oh, I'm certain that he recognized this as a part of the education process. People have to know what the situation is before they can take a position; it's just essential. The reason some of the laws we've been talking about – like prohibition – didn't work is because the people didn't want them to work. Organized crime exists only when there is an economic demand for a product. There was a great economic demand for liquor in prohibition times. Kennedy understood that you can't do anything – no government, city, state, even national government, can do anything – unless you first of all, convince a great majority of the people that the law is proper and that it should be obeyed.

This government, from a law enforcement point of view – I'm talking about the whole United States – would collapse if a large, large percentage, 95, 98 percent of the people, didn't voluntarily obey the law. Look what's happened in the last two and a half or three years when we have had an increased number of arrests, an increased number of prosecutions, an increased number of people convicted for violating crimes. The whole system of criminal justice is strained to the point where – it can still function, not very efficiently, but at least it's still functioning. If we had 75 percent of the people that obeyed the law and 25 percent that didn't, the system would collapse. And this is the important thing, of course, in educating the public and getting public support for enforcement of the law. We're not talking about some neighbor calling the police and telling them about something that happened down the street. That's important, but it's far more important to have the people enthusiastically behind obeying the laws first of all, and then in those limited number of instances where they're not obeyed, to cooperating in getting them enforced. Oh yes, Kennedy understood this.

OESTERLE: What were the first steps that he took in his administration that made the mandate clear and set the tone?

EVANS: Oh, I suppose that the first thing he did is to bring in an outsider to head up the organized crime unit in the Criminal

[-31-]

Division. He picked a man from New York who had had a good deal of experience, at least on the local level. It didn't work out and the man didn't stay in the position too long.

OESTERLE: This is Silberling [Edwyn Silberling].

EVANS: Yes, Ed Silberling. It didn't work out because Silberling didn't grasp the nature of the federal beast. His experience having been on the local level, he tried to operate one way. In Washington you have to operate according to the rules and regulations of Washington. They're not all written, but

they're pretty well understood by the veterans here. Not that I say the system is right, but to get started you've got to understand the system; you've got to work within the system, and then slowly you can change it. You can't come into Washington and change things overnight. This is true whether you're president or a newly elected member of Congress or a new civil servant.

This was his first step. It was an effort but not a particularly effective effort. I think more importantly in organized crime, the thing that Bob Kennedy did and where he was most effective was in his series of visits around the country, where he got together a meeting which he himself called and in which he personally participated with leading state and local law enforcement officials – and I use law enforcement in the broad term, not just police, but prosecutors and judges as well – getting these people together. Expressing an interest in the situation in their territory and the problems that they faced, listening for hours on end so that he could be informed, and in turn – of course, this interest alone had a great effect on these people. The chief of police in even a fairly large size city knew that no attorney general had ever come into his department and talked with his men, either individually or in a group. This kind of thing had never happened before, so the mere fact that he did this engendered great interest in improving the fight against organized crime. In a very subtle and clever way, by listening more than talking I think he began to change the attitudes of some of these people about organized crime, that it wasn't an impossible problem, that something could be done. This, I think, was really his greatest contribution. He followed up and he wrote rather extensively and a good deal of it related to organized crime. This had an effect, too.

Also, in my experience with him in his going around the country, he didn't confine himself to just the professionals in organized crime. He was greatly concerned with the young people and made it a point to talk with college students and other young people. Here, I think his motive was broader than just organized crime. He was greatly concerned about citizenship responsibilities generally. Civil

[-32-]

rights was a major topic of concern, but organized crime had its place here, too. It was my impression that Bob Kennedy was looking at this problem from two points of view. He was asking, "What can we do immediately? We have to work with what we have. We have to use the criminal justice system that's established." But looking at the problems on a longer range basis, I think that he realized that it was necessary to change the point of view of the people, and he did this through his contacts with the young.

OESTERLE: You mention as one of the first steps the appointment of Assistant Attorney General Silberling.

EVANS: No, he wasn't an assistant attorney general, if I can be bureaucratic about this.

OESTERLE: I'm sorry.

EVANS: I think he was just the head of a unit.

OESTERLE: Yes. Excuse me. Just while we're on that subject, can you tell me the particulars that centered around his departure and the reappointment of Bill Hundley [William G. Hundley]?

EVANS: Well, not too much. I think Silberling antagonized some people. Certainly he antagonized J. Edgar Hoover.

OESTERLE: Can you remember the specifics of that?

EVANS: No, I really don't, except it was just a series of perhaps unrelated events, things that he said. Hoover, I think, had the impression that Silberling was trying to take over, to dominate activity in relation to organized crime. I guess this wasn't too much just Ed Silberling; Hoover generally seemed to take the position that anybody that came along that looked like a threat to the leadership of the FBI, that might get public credit for some of the things that he felt the FBI should have credit for, became kind of persona non grata. It was a factor. I don't really know all the other relationships.

I should mention as another major contribution here on the part of Bob Kennedy, and an early one, his bringing together other units of federal government and getting them involved in organized crime. Despite the fact that IRS [Internal Revenue Service] put Al Capone in the penitentiary, their activity in the organized crime field had been very limited. As I understood, their philosophy was that their responsibility was to collect taxes, not to put people in the penitentiary. Bob Kennedy changed this. He got IRS involved in the

[-33-]

fight against organized crime, as he did other agencies, but IRS was a principal one.

OESTERLE: How did he go about doing this?

EVANS: I don't really know. I have no personal knowledge of how he went about it. I've heard that this was a condition precedent to the appointment of the director of the Internal Revenue Service, Mortimer Caplin. I don't know whether that's true or not, but I've heard that.

OESTERLE: I believe the attorney general actually told employees of the Internal Revenue Service that in a kind of joking fashion. This is the way he opened his remarks at one meeting that he had with Internal Revenue Service employees.

EVANS: To the effect that the director...

OESTERLE: He said that one of the conditions of his accepting the appointment was that he would cooperate in every way with this major effort of the new administration in terms of organized crime.

EVANS: Well, maybe there is substance to the story then, but I didn't want to infer that I had any personal knowledge of it. I think when you talk with Herbert J. Miller you will be developing a great deal of detail as to how this came about, because that was his responsibility. It was part of his division, and he, of course, played a very material role in it.

OESTERLE: Did the bureau's efforts respond almost automatically, in terms of the effort against organized crime? Or how did the relationship between the Department of Justice and the bureau develop?

EVANS: This was at a time – and we're talking now about early 1961 – when the director responded. He created a new division within the bureau. A part of the responsibility of this new division was organized crime. He named a new assistant director to head it – I was that man – and we were under a mandate to intensify. We held special training classes for agents who were directly involved in the organized crime investigations in the field. We developed new programs. Yes, there was a response, an increase in activity on the part of the FBI in this instance. I did a good deal of work with the individual field offices when I was traveling around the country. They would be involved in the attorney general's conferences with other law enforcement agencies. And then individually,

[-34-]

while the attorney general was doing other things, I would be involved directly with the FBI agents, holding further conferences that related to our work. Oh, there was response, and there was a material response.

Of course, part of the difficulty that existed – and I don't think it was so much in organized crime as it was in civil rights – is a difference of opinion between Hoover and Kennedy as to the extent of the response. Kennedy had the feeling that too much manpower was being used on internal security type investigations to the detriment of civil rights and organized crime investigations.

In this regard, it was a completely new area for Bob Kennedy when he became attorney general. I don't think that he knew anything at all about espionage, subversion, sabotage, and internal security generally. He learned fast. I think the only holdover assistant attorney general was Walter Yeagley in the Internal Security Division. I guess the head of the Administrative Division was held over too, but that's not a policy-making position. I'm sure that that Internal Security was the only division of the department, policy-making division, where the man who had been assistant attorney general in the Eisenhower administration was kept on. I had known Walter Yeagley from his earlier days in the FBI. He at one time was an FBI agent and a supervisor, a very capable man. To my mind this meant that Bob Kennedy didn't anticipate immediate redirection of internal security efforts. He had lived

through the McCarthy [Joseph R. McCarthy] era as a young man. I think he knew a good deal of the more recent internal security history in the United States, and he cooperated fully with the FBI and the CIA [Central Intelligence Agency] with the military, and with the State Department insofar as security matters were concerned.

BEGIN SIDE II TAPE I

EVANS: Insofar as internal security matters are concerned, this was essentially a new field which Bob Kennedy mastered at least the essentials of in a hurry. But it was not a field in which, I think, he had strong commitments for change. I mention it in relation to the organized crime matter that we're discussing only to the extent that as months passed and as he felt there was such a growing need for additional manpower in civil rights and in organized crime, he realized – and his trips around the country educated him a bit in this regard, too – that large numbers of FBI agents were being devoted to internal security type cases. Bob Kennedy never quarreled with an investigation in espionage matters. I can't recall his ever even suggesting any kind of a change. All of the technical surveillances that were requested were automatically approved, granted he

[-35-]

was given enough information upon which to predicate a judgment. He always concurred, at least insofar as the FBI is concerned, but he did get the impression that too many agents were still investigating the Communist party of the United States and some of the front groups. I don't think he ever said this wasn't important, but he thought the other areas were more important.

OESTERLE: Did his appreciation grow? Did his thinking change at all along with his increasing understanding of internal security matters and investigations?

EVANS: Oh yes. In this period of time he learned a great deal. Because of the volume of work that was being done by the FBI in the internal security field, there was a continuous flow of memoranda and short reports to him. He'd take these home at night and read them and absorb information. Then his involvement in security cases, I think, was also being enlarged through contacts with CIA, the military, and the State Department. Without this rather intensive development in the period of two years, I don't know that he would ever have been as incisive and played as important a part as he did in the Cuban missile crisis.

I didn't have any direct involvement in the Cuban missile crisis other than several occasions when Bob Kennedy would call me from the White House and want to know something very specific – where we might have this type of intelligence data – which I would get for him. But from the published reports of his involvement in this crisis, I personally think that the education and the experience that he had as to security problems, following his becoming attorney general, played a major role.

OESTERLE: Did this not lead then to greater appreciation for the emphasis that the bureau placed on this area of their investigative work?

EVANS: Maybe somewhat. As I said, I think his appreciation of espionage grew. This type of investigation requires a great investment, time, manpower – this he understood; this, I think, he appreciated. But when it came to a large investment of manpower to investigate domestic internal security problems, I feel that he believed there were higher priorities. The big question, I suppose, is the relationship between the domestic, so-called subversive type organizations and foreign directed operations. The judgment here, I presume, has to be predicated to some extent on the split between Russia and China, the disproving of a theory that has been held for years that international communism was one big movement, thoroughly coordinated and concerted.

[-36-]

OESTERLE: Monolith.

EVANS: The monolith, right. But I guess the question gets down to just how much an expenditure of manpower this problem warranted in relation to the civil rights and organized crime problems. Here it's my impression that Bob Kennedy's emphasis and Mr. Hoover's emphasis were not the same.

OESTERLE: The bureau then, over a period of time, helped to educate Robert Kennedy in terms of their emphasis on internal security matters. Did Robert Kennedy's emphasis on organized crime, civil rights, also play a role in educating the bureau or redirecting their emphasis in these areas? Did the director of the FBI change to some degree, or reorder to some degree some of the priorities that the attorney general had, on the one hand? And then, on the other hand, did the attorney general redirect some of the priorities of the bureau?

EVANS: I think this is a question of rather subtle influence. Certainly, there were no direct orders from the attorney general to the FBI to do this, that, or the other thing. It was a reasoned response to a situation where a new attorney general is young enough to be the son of the director of the FBI, whose father, Ambassador Kennedy [Joseph P. Kennedy, Sr.] was a contemporary and at one time a social friend of the director of the FBI. Now, under those circumstances, Bob Kennedy is much too intelligent to try and dictate. Certainly, I think he had influence. As I've pointed out, there was a response from the FBI to increase activity in organized crime. There was a response – more reluctant but a response – in the civil rights area, but I don't think there was ever a changing of total priorities on the part of the bureau. I don't think he ever convinced Mr. Hoover that there should be less attention paid to internal security type investigations in contrast to these other matters, and this was one of the reasons for differences between them. We managed to keep those differences at a minimal level, at least for the first couple of years.

It's often been charged publicly that the FBI is very jealous of its public relations posture, that they want all of the credit for something that's done, that they're the leaders in the crime field. And there's some truth to these allegations. One of the problems, I think, really between Hoover and Kennedy is the fact that suddenly the attorney general becomes a nationally known figure in these very areas.

There was an old joke told for decades around the Justice Department about some new attorney general wanted to come in the

[-37-]

building on the weekend and he couldn't get in unless J. Edgar Hoover said it was all right. I suppose there are all kinds of variations of this story that have circulated over the years. There's something behind the story. I know another version was that tourists talked about touring the FBI building and they never talked about touring the Justice building. The point is that here is a new, young aggressive, able attorney general who is defying all tradition insofar as the bureau was concerned. He's going out, and he's talking with individual agents. He's visiting field installations. He's becoming directly concerned and involved in some investigative activity. He's beginning to get public credit and his position is becoming nationally known. So instead of a man who is running the Department of Justice as though it were a Wall Street law firm everything was changed. The public response that Robert Kennedy got was a factor in the relationship between Hoover and Kennedy.

OESTERLE: With the addition of a number of new attorneys in the organized crime area, on the part of justice, there must have been many more requests on the bureau for investigative research information. How was this handled? Did this present any problems at the outset, organizational problems?

EVANS: Oh, I suppose a little bit, mainly because of Hoover's desire that the requests for investigation come to the bureau in written form. Routinely, I think you have to agree there's some justification for having requests in writing so that there could be no misunderstanding as to what's desired and to be done. It fixes responsibility; this is a great part of Hoover's philosophy, that responsibility always has to be fixed. I personally think that as a general rule this is a good administrative practice.

If a person is going to do a good job, he has to know what's expected of him. But in the organized crime field, here it's not always possible to give very explicit instructions as to what's wanted; it's an area that requires initiative and follow-through. If question number one is answered in a certain way, this will logically require that ten other questions be answered. For an investigation to proceed efficiently, the man who asked the first question has to know all of the implications and have all of the background so that he, on his own, can immediately follow through with these other ten questions that have to be asked to round out the picture. And part – a good part – of the bureau's success is predicated on the theory that the bureau is responsible for investigative activity. Its agents have been trained and are experienced in, on their own, developing a case up to the point that prosecution is either to go forward or the matter is not to be prosecuted for one of any number of reasons.

In the routine criminal type case, the FBI, on its own, goes out and conducts all of the investigation. All of the reports are written and submitted, and, ordinarily, they will go to a United States attorney who will then make a decision whether or not, as a matter of policy, the case should be prosecuted. Organized crime is in a different category. There are other types of cases that are in a different category. For example, antitrust. The FBI never took the position that it had responsibility for initiating action or for following through in an antitrust investigation – and with some justification. There are economic factors. There are social factors that influence whether or not a set of conditions represents a possible violation of the antitrust laws. In order to fully understand a complicated situation involving a whole industry, you need economists and political scientists and other specialists. These the Antitrust Division has. Therefore, all responsibility for investigating antitrust cases is in the hands of the Antitrust Division. They will do some of the investigation through grand jury proceedings. They will do some of it by attorneys questioning witnesses. In other instances, they will ask the FBI to do certain work. In that kind of a situation the request for investigation is spelled out very specifically and it's clearly understood what the FBI will do which is exactly what they're asked to do and nothing more. This works fine in the antitrust field. This is the extreme opposite of the situation in the ordinary criminal case where the FBI does everything without any advice, guidance, counsel. Organized crime was someplace between these two, and, as a consequence, it was difficult at times for the organized crime unit in the department to specifically spell out on paper exactly what they wanted. Many of these attorneys that were hired – most of them, in fact – were relatively new in the area. They didn't have the background that agents had who'd been working in this field for a number of years. As a consequence, they had a great desire to be able to sit down with agents, talk about cases, and between the two of them decide what was going to be done. This didn't fall in with Hoover's method of administration, so that caused some problems.

Secondly, I think there was an overall jockeying for position as to the prime responsibility for organized crime. I think without question that if the bureau had had a firm desire that, "We want this; we're going to do it; we're going to devote the necessary manpower," if they had been willing to handle those cases as they handled routine criminal cases, and if, on the other hand, the department had been willing to say, "Well, we're going to confine our activities to the legal aspects of organized crime," then there would not have been a conflict. The conflict arose because of this jockeying for position as to leadership and responsibility for this.

OESTERLE: In retrospect, do you think that it was a mistake for Justice to try to move into an area that the bureau was prepared to operate in, in this sense?

EVANS: Oh, I don't think it was a mistake, because certainly nobody in the FBI could ever have interested Internal Revenue or other agencies of government to get involved. This was a beginning of the strike force concept that I think really came along after Bob Kennedy's death. But the movement was going in this direction, wherein close cooperation did not depend on a headquarters operation. In the field, the Department of Justice, the postal inspectors, and IRS agents and local authorities all operate as a team in an effort to develop prosecutable cases against organized crime figures. I don't know of any other way to do it because organized crime does involve all of these areas. The very nature of organized crime tends to operate against close cooperation within units of government because so much information comes from informants. If organized crime finds out that an informant is located within their midst, they have their own way of executing summary judgment in a hurry. As a consequence, everybody tries to protect his own sources of information. This makes them reluctant to pass information along to other people. It's almost a question of personal trust, whether one police officer who has an informant, particularly in the organized crime area, will tell another police officer what he knows. And this is why the strike force concept is good, because people get to know each other on a local level and develop this degree of trust. They will often say things they would never write down for this very reason: they don't know about the steno who types it or somebody who files it.

OESTERLE: Does the strike force concept that has been recently developed represent a precedent in terms of the cooperation of the bureau special agents participating?

EVANS: I don't know what's happened since I left the bureau. My impression from the public press is that the FBI is still not involved in these strike forces.

OESTERLE: Oh. Is that so? So nothing really has changed that much?

EVANS: Not as far as the FBI is concerned. As a concept and as a development of the departmental processes, it represents a more recent step, but it all got started back in the Kennedy era when he set up field offices. He'd have attorneys who were assigned to the organized crime unit actually stationed in cities around the country. He was beginning to develop this local grouping together of people. Part of Bob Kennedy's purpose as he went around

[-40-]

the country meeting with these groups was to try and help his representative -- the attorney assigned to the organized crime unit -- bring all of these forces together. It's only as a formal concept with particular emphasis on prosecution of individual cases that the strike force is something new. It's expanded, enlarged, operates more efficiently today, but essentially it was what was started out under Robert Kennedy.

OESTERLE: Was the attempt on the part of the people – many of the new attorneys that you mentioned – in the organized crime area to work on a more informal basis to break this paper barrier with the special agents and people at the bureau perhaps a factor in the strained relationship between Edwyn Silberling and the director of the bureau?

EVANS: Oh, it may have been a factor. I don't know that Silberling was around long enough, that this had developed to a great extent. For example, I don't think when he left there were very many of his attorneys that were actually assigned in the field in various cities. I guess it was a factor but it hadn't developed into a major one.

OESTERLE: I'm trying to understand on a philosophical level and also a factual level some of the strains that developed between the bureau and the Department of Justice. This is why I keep going back and forth in some of these areas.

EVANS: I don't know. I'm trying to pinpoint when strains, differences began between Hoover and Kennedy. It's hard to know. I think I may have said earlier that one of the first things that Robert Kennedy did before he ever became attorney general was to make an appointment to see Hoover and to tell him that he was being considered for the position, which was, of course, a highly confidential fact at the time, and seeking Hoover's advice. I suppose this was a way that Robert Kennedy had of trying to get cooperation from Hoover. Kennedy was sharp enough to know that he faced a problem here because of Hoover's public position, because of his support on the Hill [Capitol Hill]. In relation to the broad programs that the Kennedy administration envisioned Hoover played a small part in the overall picture. I don't think either President Kennedy or Robert Kennedy wanted to create a problem for themselves with differences with Hoover, because of its possible effect on their broader goals.

Soon after Robert Kennedy was sworn in as attorney general, on two or three occasions that I knew about, he asked Hoover to accompany him to meetings with other high level government officials. One I

[-41-]

remember was the Secretary of the Treasury. It being close by, the attorney general suggested that he and the director walk over to the Treasury Department. Afterwards I heard some facetious remarks that it was like a father leading his son someplace. And I'd say Kennedy tried this a couple of other times. It just didn't work out. Hoover wasn't taking second place. Then Bob Kennedy tried other things.

I don't know to this day whether Hoover knows it or not, but Bob Kennedy would set up appointments for Hoover to come to the White House and have lunch with the president, or at least to have a private conversation with the president in his office. As a consequence, Hoover developed the idea that President Kennedy was a pretty capable man in contrast to his younger brother. I was never a party to any of those meetings; I don't know what

happened. The only thing I'd do is about every four months I'd go into Bob Kennedy's office and say, "The way things are going, it's about time your brother asked the man back over to see him." And sure enough, within a week Hoover would get an invitation to come to the White House. That's the extent of my participation, but I just gather that there were never any problems in these meetings. Hoover got a chance to say whatever he wanted to say and the president was very agreeable. He didn't raise any issues or problem areas. So, as a consequence, Hoover thought this was great. But quite frankly, it was a tactic that Bob Kennedy used to try and keep things in line. And it worked; it worked for awhile. They used the director just as every other administration has used him in recent times. If they would have a ceremony at the White House – when, for example, crime legislation was to be signed into law – they would invite Mr. Hoover to come to the ceremony.

Two or three times Bob Kennedy asked me to come to this kind of a ceremony, and I always backed out gracefully saying, "What good does it do for me to come over there? Why don't you get Hoover to go?" He would reply, "Oh, we're going to ask him." I then said, "Well, that's fine. Let him go alone." Because I was playing a rather delicate position with Hoover and I could have gotten in the same position as Bob Kennedy if I got too much personal publicity, if it looked like I was developing positions somewhat apart from that of the FBI. One occasion – I think it was in relation to an espionage case where some arrests were being made – it was my job to tell Bob Kennedy, "This is being done now," or "At 10 o'clock they're going to be arrested," or whatever the facts were. He tried to call the president two or three times and just couldn't get him. Because Bob Kennedy had to go someplace, he asked me if I would call the president. Ordinarily, when I had anything for the White House, I dealt with O'Donnell [Kenneth P. O'Donnell] or Larry O'Brien [Lawrence F. O'Brien] or somebody like that; I didn't call the president. But he asked me to

[-42-]

call the president, so I called him. This created a bit of a problem in my relationship with Hoover. I'm not supposed to talk to the president. He's the only one to contact the president.

To get back, this was a way that Bob Kennedy had in trying to eliminate the problem. He wanted to get things done, and he was perfectly willing to go through this kind of a procedure just to try and neutralize Hoover and keep things at an even keel. But despite all of these efforts, things continued to get worse. In a very few months after he became attorney general Robert Kennedy developed from being almost an unknown – not quite; he did have a national reputation as counsel to the McClellan Committee, but that was in a very limited area – because of his writing and because of his public appearances, because of his involvement in things on a government-wide basis, began to develop a very substantial reputation in his own right.

In the very beginning there was a good deal of comment that he was too young and inexperienced to be an attorney general of the United States. He dissipated this kind of feeling almost immediately. But because of this, his increased position, the fact that when Robert Kennedy went down the street he was instantly recognized and this hadn't happened to an attorney general in Hoover's history, because of a lot of little things that irritated Hoover as an old line administrator.... Well, for example, Kennedy called in all of his U.S.

attorneys, but instead of bringing in all fifty-four of them at one time. . . . It's more than fifty-four. Some states have as many as four U.S. attorneys, so I can't tell you how many, but there was a large group. But instead of bringing them in all together for a two-day conference, which had been the situation in the past, he brought them in in relatively small groups, like ten, twelve at a time. One of the things that he did was he always wanted the U.S. attorneys to go out to Hickory Hill for lunch. Robert Kennedy was very clever in using his home environment to promote his causes. So we have a transportation problem. How do you get twelve U.S. attorneys and ten or twelve departmental representatives out to his house for lunch and back without wasting too much time? The Department of Justice proper just doesn't have that many automobiles, but the FBI does have a fleet of buses. The buses are used regularly to transport agents from Washington to the training school at Quantico. So Hoover was asked through me by Bob Kennedy if it would be possible to use one of these buses during the lunch hour to take the U.S. attorneys and staff members out to Hickory Hill and bring them back, no real problem. All the buses are not ordinarily used at that time of day anyhow. But it was just irritating to Hoover that Kennedy would think that as the attorney general he could use one of these FBI buses.

[-43-]

Now, these are a lot of little things. The bus incident is very minor. The fact that Kennedy was receiving more public attention is a minor thing. But adding all of them together, the relationship just deteriorated.

The civil rights situation probably aggravated it as much as anything. There was public criticism of the FBI for not intervening in certain situations. Kennedy insisted on having immediate personal reports from the scene of major events. He sent Byron White, as the deputy attorney general, down, I think to Montgomery, Alabama or one of the other incidents. They established an open telephone line so that White and the people under him could make direct, personal telephonic reports to the attorney general. A good deal of the information that was being reported, of course, was being developed by agents on the scene and, in turn, given orally to one of the departmental representatives. This went around Hoover's direct control as to what information went to the department. This was a cause of friction, that direct involvement. It just developed in this fashion and seemed to get worse as time went on. There may have been some lessening in deference on the part of Bob Kennedy. I don't know that he ever asked Hoover to come to his office. Kennedy was an activist, and with or without a suit coat, he'd walk down the hall, walk into Hoover's office and ask to see him. Well, this disrupted the schedule; Hoover's a very meticulous man and he had everything scheduled out for each day. Lots of times Hoover was taken by surprise and didn't have a chance to be briefed on a problem ahead of time. Kennedy had more information, which might have embarrassed Hoover. It was a method of operation that just didn't jive with Hoover's long history in the Department of Justice.

OESTERLE: Did the director ever express himself in this regard to you?

EVANS: Oh, yes. He didn't put it in quite this way, but there wasn't any doubt from what he said that he disapproved of the way the department was being operated under Robert Kennedy. And, I suppose, if the files of the FBI are ever opened up to historians, you will find all kinds of written comments in Hoover's handwriting supporting this very thesis.

[-44-]

Courtney Evans Oral History Transcript – RFK #2
Name List

C

Caplin, Mortimer M. 34
Capone, Al 33

D

Dewey, Thomas E. 25

E

Eisenhower, Dwight D. 23,35

H

Hoover, J. Edgar 33,37,38,41,43,44
Hundley, William G. 33

K

Kefauver, Estes 25,26
Kennedy, John F. 23,25,26,41
Kennedy, Joseph P., Sr. 37
Kennedy, Robert F. 25,30,31-33,35-38,40,41,43,44

M

McCarthy, Joseph R. 35
McClellan, John L. 23,26,31,43
Miller, Herbert J., Jr. 34

O

O'Brien, Lawrence F. 42
O'Donnell, Kenneth P. 42

R

Rogers, William P. 23

S

Silberling, Edwyn 32,33,41

W

White, Bryon R. 44

Y

Yeagley, J. Walter 35