



Grell on RICO: A Practical Guide to the Racketeering Influenced and Corrupt Organizations Act

Jeffrey E. Grell

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This book was updated in December 2014. In 1970, Congress passed the Racketeer Influenced and Corrupt Organizations (RICO) Act, Title 18, United States Code, Sections 1961-1968. At the time, Congress' goal was to eliminate the ill-effects of organized crime on the nation's economy. Throughout the 1970's, RICO was seldom used outside of the context of the Mafia. In the 1980's, however, civil lawyers noticed section 1964(c) of the RICO Act, which allows victims of racketeering to bring civil claims and recover three times their actual damages. The financial windfall available under RICO inspired the creativity of lawyers across the nation, and by the late 1980's, RICO was a (if not the most) commonly asserted claim in federal court. RICO's broad application was the result of Congress' inclusion of mail and wire fraud as two crimes upon which a RICO claim can be brought. During the 1990's, the federal courts, guided by the United States Supreme Court, engaged in a concerted effort to limit the scope of RICO in the civil context. As a result of this effort, RICO has become one of the most complicated and unpredictable areas of the law. Today, RICO is almost never applied to the Mafia. Instead, it is applied to individuals, businesses, political protest groups, and terrorist organizations. The purpose of Grell on RICO is to simplify this very complicated area of the law and to articulate and make more predictable the legal standards that govern such claims.

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