

money from an area that they would be prejudiced against, some type of criminal activity about which they might have a strong feeling. And it takes a little bit of effort in their dialog to get them to admit they actually had such an awareness. They prefer not to know some of the "dirty areas," this is how he would describe it, that some of the money is coming from.

The CHAIRMAN. What finally happened to the antique dealer? Did he have to go out of business, was he able to survive because of this kind of operation?

Mr. SALERNO. Well, he was in business at the time of the arrest, and the prosecution did not come about until 1 year later. He was still in business. I don't know what other mediums he employed. But he was still in business, even though the loan shark had been arrested and was convicted.

The CHAIRMAN. The loan shark was arrested for a violation of a State statute?

Mr. SALERNO. Yes.

The CHAIRMAN. Charging usurious rates of interest.

Mr. SALERNO. Yes, sir. This was in the Commonwealth of Pennsylvania. There is some discussion about revising their laws. They have two statutes which might apply under the Small Loans Act of that State. One of them is a very, very difficult one for which to bring about a successful prosecution. One of the two statutes could not be utilized in this case, because that particular statute requires that it must be proven, not only that the amount charged was in excess of that allowed by law, but that the funds were needed for daily family needs, which would not have been the case in that of a businessman. There were other witnesses who were able to testify that they had borrowed the sums of money to pay their rent, pay for their groceries, pay for medical bills. And this is an actual requirement in one of the statutes in the Commonwealth of Pennsylvania, which makes it very difficult. It could not be applied in the case of this businessman who was using it in his business, rather than in his personal needs.

One further very important area which may be of interest to this committee. The use of electronic surveillance as a legal weapon in the evidence gathering process must be considered. It points to the single greatest need in law enforcement in the United States today. The greatest burden carried by law enforcers is the ability to obtain evidence in a form which can be presented in court in accordance with recognized rules of evidence.

Legislation permitting such electronic surveillance is perhaps the single greatest weapon which can be employed. It is my opinion that legislation now before the Senate would afford this legal weapon and at the same time afford sufficient safeguards to the right of privacy well within guidelines established by the Supreme Court. The National Council on Crime and Delinquency endorses the use of carefully controlled electronic surveillance.

The CHAIRMAN. Just as a matter of information, could you tell us what type of electronic surveillance you are talking about?

Mr. SALERNO. I mean primarily bugs and wiretapping.

The CHAIRMAN. The bill which we now have on the floor, the safe streets and crime bill—do you believe that it is necessary insofar as law enforcement is concerned—that it is a necessary adjunct to law enforcement?