



Organized Crime Research Highlights

Number 4

BUILDING A SAFE AND RESILIENT CANADA

Internet-facilitated Counterfeit Crime

The Internet marketplace provides a platform to more efficiently facilitate entrepreneurial petty crime, which used to occur face-to-face in the course of lawful business transactions.

The author interviewed professional offenders involved in the distribution of counterfeit products by using the Internet. This information was used to make general observations on how these routine and mundane forms of organized crime are changing by using accessible Internet technologies. Testimony from active, career offenders engaged in routine forms of cybercrime offered evidence that new technologies have provided the means for lucrative criminal opportunities that have mutated traditional criminal marketplaces, so that current criminal practices involve using a 'third space' (177), namely an Internet platform.

The United Kingdom's (UK) intellectual property (IP) crime strategy recognizes cybercrime and counterfeiting as criminal ventures forming part of a more general pattern of organized crime. The author observed that technically sophisticated cybercriminals and production counterfeiting rarely intersect with the more common and small-scale professional criminal entrepreneurs who retail counterfeit goods, which are the focus of this study.

Sophisticated cybercriminal enterprise tends "to focus on serious online criminality, such as complex online frauds used to secure victims' bank account details, or more organized forms of intellectual property offenses such as the trades in safety critical counterfeits such as automotive components and pharmaceuticals" (177).

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Interviews focused on participants' trading history, use of the Internet, prior offending, criminal history, and ventures. The author began with unstructured interviews and ended with a standard set of questions covering levels of income and length of time trading.

Internet fraud and selling counterfeit goods were usually combined with selling stolen products on e-Bay, evasion of taxation, dealing in contraband tobacco or alcohol, false claiming of welfare benefits, and small scale drug dealing.

The author suggests that many consumers "do not see counterfeiting as a 'real' crime" (180). "The links between the criminality of these individuals and more traditional serious organized crime were not as self-evidently apparent" as has been suggested (181).

The two case studies described in the research are indicative of a new trend in entrepreneurial trading which is "reconfiguring traditional working class enterprise culture" (183). Empirical work on "enterprise crime" in the UK is concerned with working class men, who acquire and sell stolen

counterfeit property and drugs “when doing business” (183). While acting largely as independent agents, they organize their offending opportunistically with others, within a sub-cultural milieu that normalizes their patterns of criminal offending.

This new form of offending is a reflection of wider socio-economic and cultural changes. It incorporates individuals who have acquired the skills to capitalize on new criminal opportunities to more efficiently commit criminal offences once done off-line. Online spaces, such as auction websites like e-Bay, are a trading sphere that is “easily exploited by some criminally connected and minded individuals who have the knowledge to make best use of the current loose regulation (and in this respect there is a commonality with the global banking system and those who have exploited the digital transactions that typify contemporary money markets)” (188). The anonymity may also make it difficult for more entrenched and sophisticated criminal organizations to control the retail-level trade in counterfeit or stolen goods.

Interestingly, a primary concern for offenders was not being sanctioned or apprehended for selling counterfeit goods, but of having their illicit income discovered, resulting in tax assessments or the elimination of fraudulently received social benefits (12).

In conclusion, the study states that although “criminologists might fail to see the third space (Internet) and the new under-regulated online spaces as a prime conduit for criminality, it seems that some offenders at least, have not been so blind to their transformative, and often very lucrative potential” (189).

Treadwell, James.(2011).“From the car boot to booting it up? eBay, online counterfeit crime and the transformation of the criminal marketplace,” *Criminology and Criminal Justice*,12(2)2011:175-191.

Violence and Gang Territories

The location of gang violence usually occurs on the boundary between gang territories. Gang territories form when there is more

competition between gangs than within a gang.

Territoriality and violence are hallmarks of street gangs. While it is known that street gangs supply their members with “money, employment, protection, and social control that legal institutions are unable to provide,” the resources that gangs provide or fight over varies across contexts (853). Results from past research indicate that gangs’ criminal activities may offer economic advantages for local habitants, which may result in the incorporation of the gang into the social and economic structure of the neighborhood. In addition, the ease with which a gang member can leave, withdraw their membership or join another gang depends on whether a gang is “overly predatory or primarily provides protection services to gang members” (854). If gang members are family and friends of local citizens, the gang is more likely to be a source of stability for the local community. Studies show that gangs that use violence as a means to achieve economic goals are strongest in troubled neighborhoods, while those that manifest apparent violence are likely more violent and preponderant in communities under development.

Space is an important resource for street gangs since they are quite often neighborhood-related. Increased mobility, such as bus transportation, allows gang members to meet in environments distinct from their residence, thus weakening the linkage that can be made between gang territories. A gang’s social and economic activities are often concentrated in a “restricted locale” within the neighborhood, such as at specific street corners, in abandoned buildings or vacant lots (854). An active drug trafficking gang may be more willing to defend their area of operations because it relates closely to the prestige of the gang. Consequently, levels of crime are usually higher in spaces claimed by multiple gangs.

Being a member of a gang can provide “interpersonal resources” such as fellowship, prestige and respect for young men (854). Reputation is frequently built, maintained and restored within a street sub-culture through acts of violence, particularly attacks to demonstrate superiority and retaliatory vengeance for perceived wrongs. For a gang, more “prestige or street cred” can translate into more “money, consumer goods, and attention from the opposite sex.” It will also

often attract more members into the gang, leading to its expansion throughout the space (855).

The authors studied “the relationships among gang rivalry strengths, territory formation, and the distribution of between-gang violent events” using “Lotka-Volterra competition models,” which are “deterministic mathematical models” used extensively in ecology (856). They used data from the Hollenbeck Policing Division of Los Angeles. Specifically, they studied the 6.5 square-mile area of Boyle Heights, which between 1999 and 2002 had 563 between-gang shootings, involving 13 street gangs.

Results from this project indicate that gang boundaries formed midway between the home bases of rival gangs and ran in a perpendicular line between them. Further, there was a direct link between the location of crimes and a gang’s territorial borders. Violent crimes between the 13 gangs in Hollenbeck were grouped on the territorial boundaries of both suspect and victim gangs. While being “consistent with the hypothesis that competition plays a primary role in determining the organization of gang territories,” the authors underlined that gang territorial limits are no different than non-human animals “competing within spatial habitats” (875).

The connection that exists between a gang’s violence and the spatial Lotka-Volterra competition models highlights two important conclusions: 1) to form gang territories, the competitive interactions between gangs must be higher than within a gang; and 2) the stability of a gang territory depends on gangs having relatively similar levels and intensity of violent activity.

It was demonstrated that most local, geographic features in the environment played little part in the explanation of the formation of gang territories and the distribution of gang violence. The largest geographic features around the Boyle Heights study area, including freeways and a river, did appear to restrict the entire realm of gang activity to a degree that would need to be assessed in future research (877).

Unlike Lotka-Volterra models applied to aggression in animal populations, gangs tended to display the greatest degree of violence towards neighboring gangs and not gangs at a farther distance.

The authors suggest that “modeling gang violence in terms of ecological processes” may have interesting implications for law enforcement and policing (878). The formation of gang territories requires that competition between gangs be only marginally greater than competition within a gang and that this competition does not need to be extreme (852). It is observed that gang territoriality is largely a by-product of gang aggression towards one another rather than of territoriality leading to violence (878). Intelligence about the scope or severity of competition between gangs can be inferred by the overlap of activities between gangs; by knowing where inter-gang violence occurs, gang territories and structures can be estimated.

It is often assumed that “reducing the intensity of gang rivalries is the best approach to reducing gang violence” (878). However, the authors suggest that although the “one-on-one impact of single interaction may be reduced by such an action” the rate of “between-gang violent crime may increase overall simply because of the greater volume of interactions brought on by greater territorial overlap” (878). If more competition equals less violence, then increased competition between gangs could minimize (but not eliminate) between-gang violence.

Brantingham, Jeffrey P., Tita, George E., Short, Martin B. and Shannon E. Reid. “The ecology of gang territorial boundaries.” *Criminology*, 50: 3 (2012): 851-885.

Measuring Police Impact on Organized Crime

Police should focus on measuring their impact on the harms caused by organized crime, rather than against past levels of successful activity.

Using data from the Scottish Crime and Drug Enforcement Agency (SCDEA), the authors analyzed and critiqued the Key Performance Indicators (KPIs) as a method for measuring the impacts of policing on organized crime. KPIs in law enforcement experience two main deficits: 1) they tend to be unambitious and easily reachable,

thus reducing their capability of stretching policing efforts; and 2) they do not reflect what officers feel is important about the work they do and how they accomplish it.

Performance evaluation in the policing of organized crime in the UK has been hampered by a lack of clarity on the definition of organized crime and a lack of reliable quantitative data on the topic in the criminal justice system. The establishment of a UK Organized Crime Notification scheme in the 1990s provided a mechanism for policing agencies to enhance the collection of data around “identity, characteristics, status, and official response to, organized crime” (10). There had been an initial focus on collecting data regarding arrests, convictions and group disruptions which can provide performance measures for concerned agencies. The authors contend that this initiative was undermined because output indicators of the volume of police work, such as the quantity of convicted offenders and illicit products seized, came to predominate.

Quantitative indicators can be easily comprehensible and unambiguous in terms of an agency’s performance and success (e.g., goals were achieved or not). Rather than taking into account the social impact of policing on organized crime, success is usually recorded if an agency is effective when compared to their past levels of performance. This is called the “phenomenon of self-reference in organized crime policing”, where more action is taken towards known threats so that knowledge on them can be sharpened, but nothing is done to address unknown threats. While senior managers agreed that numeric targets based on past performances were achievable, they were “seen as meaningless and irrelevant by Agency staff in failing to reflect the actual value of what they were doing, capturing neither the complex impacts nor contexts of their work” (12).

The authors examined the link between police performance and the harm of crime in respect to: 1) drug markets; 2) asset recovery; and 3) other organized crime. First, while drugs and their illegal markets can cause harm to communities, research generally shows that law enforcement activities have minimal impact on illicit drug markets overall in areas such as drug price, purity, or availability. Nevertheless, studies point out that both optimized intelligence and the disruption of key specialists within emerging groups or open markets rather

than traditional surveillance and seizure strategies can disrupt drug marketing and change how drug dealers and the wider community interact, thereby decreasing certain harms of the illicit drug market. Second, quantifiable asset recovery performance indicators, which provide an estimate of the criminal economy, are recorded in the UK. The problem with the current asset recovery performance indicators is that the estimates of the size of the criminal economy are precarious, “untested and unpublished” calculations by public sector economists (15). Amplifying policing under-performance in asset recovery, those exaggerated estimates do not realistically indicate the amount of money ‘out there,’ or how it is spent or laundered. The researchers recommend that suspicious financial transactions should be matched with police records to understand the whereabouts, as well as the size and extent of the illegal activity. Third, there are deficiencies in monitoring performance in other areas of organised crime due to a lack of existing data. Direct and indirect measures can be used to identify the extent of criminal activity related to the other types of organized crime. Direct measures by law enforcement should include analysing offences by cross-referencing offences under the *Proceeds of Crime Act 2002* with some indictable-only offences. Indirect measures can be obtained in regards to certain type of offences, such as firearm discharge, kidnapping, and “higher level” intelligence-based warnings given by law enforcement to persons they believe are at serious risk of violent victimization.

The authors propose a performance management framework that addresses law enforcement responses to organized crime that must be able to deal with the incomplete evidence on both harm and efficient strategies available to control organized crime. Moreover, by considering the complex contexts where problems and solutions of organized crime take place, any framework must also promote collaboration between agencies. Finally, frameworks should consider the idea that anti-organized crime activities can vary significantly in their duration.

The process of refining KPIs for an agency that deals with organized crime must take place within a framework of performance management that includes: 1) program logic; 2) a pathway model; and 3) evaluation panels. A program logic model defines inputs, activities, outputs, outcomes and

context. The program logic model should clearly articulate the agency's activities, what they are measuring, and why. The pathway model is a crime reduction approach where success depends on a series of milestones for each year of the program; if the operation does not meet its targets overall, the first years could still record measurable success by meeting a certain number of milestones. The authors believe the best forms of evaluation, however, are panels. Regional force satisfaction and success can be recorded in respect to the agency's support regardless of the time it took to achieve the end results. This way, "customer satisfaction" would be built into the KPIs, enhancing both feedback and communication throughout the agency and amongst police forces.

Current KPIs do not actively motivate officers or give proper credit for good work. They do, however, encourage officers to generate performance statistics at the expense of demonstrating effective activities that actually reduced the harmful impacts of organized crime. The authors contend that current KPIs simply measure professional standards instead of promoting policing that has an impact on organized crime.

Mackenzie, Simon and Hamilton-Smith, Niall. "Measuring police impact on organized crime: Performance management and harm reduction." *Policing: An International Journal of Police Strategies & Management*, 34:1 (2011): 7-30.

Locating Meth Labs

The best way to predict where to find meth labs is to know where previous labs were located; community factors like poverty, ethnic diversity, or social cohesion matter little.

Globally, methamphetamine is rated second in usage after marijuana. It is a powerful substance that can be produced relatively easily, at low cost, with little equipment and few ingredients. Locating meth labs can be troublesome due to the mom-and-pop, small-scale nature of many production facilities.

The authors focused on the question of why some communities have meth labs while others do not. In order to answer the question, classic

criminological theories of offending were examined, which included theories of economic strain/deprivation, social disorder, and civic engagement. The determinants of crime examined included: economic resources; residential mobility; community growth or change; ethnic diversity; residential segregation; civic community; and social capital. In addition, the authors created a "spatial lag index," which is a compound variable that measures the average meth lab seizure rate in counties adjacent to the target county.

The study analysed data on all of the meth labs seized between 2004 and 2010 (N = 17,720) by the Drug Enforcement Administration (DEA) in all of the counties in the U.S. (N = 3,055). Three types of multivariate methods of regression were applied to the data to explain the presence of meth labs in some counties and not in others.

The results of the analysis revealed that the spatial lag index is the best predictor of the presence of meth labs, with all other predictors derived from classic criminological theories of negligible impact. The best way to predict a presence of a meth lab in a particular county seems to be to observe the past or current presence of meth labs around that county.

The authors went further and applied the same model of classic criminological predictors of criminal activity plus spatial lag index on two more sets of data; the Uniform Crime Reports (UCR) Index Crime rate (crimes reported by the police), and the UCR Drug Arrest Rate. Results of the second analysis revealed that the spatial lag index, while still statistically significant, did a much poorer job predicting criminal activity or drug-related arrests than in predicting the presence of meth labs. On the other hand, the typical predictors of criminal activity were able to predict crimes other than running meth labs.

This stark contrast, the authors argue, portrays the unique nature of the criminal activity of producing methamphetamine. Classical criminological theory alone does not explain where meth labs are located. Preparation of methamphetamine, although relatively simple, requires some basic knowledge of chemistry and/or a set of acquired skills and is very much a learned behaviour. The classic theory of differential association, or learned criminal behaviour, and the fact that most meth

“cooks” are also users of meth might explain why meth labs are geographical clustered.

There are two policy implications resulting from the current study. First, efforts to disrupt the formation of meth labs should focus on preventing the formation and breaking up the social networks of methamphetamine users. Second, efforts to prevent the spread of meth labs should perhaps focus less on the social and economic conditions of the communities in which meth labs are to be found, and more on early detection of knowledgeable meth users and “cooks” and the subsequent disruption of their criminal social networks.

Wells, Edward L., and Weisheit, Ralph A. “Crime and Place: Proximity and the Location of Methamphetamine Laboratories” *Journal of Drug Issues*, 42:2 (2012): 178-196.

Strategic Intelligence and Transnational Organized Crime

Strategic intelligence should focus on uncovering areas of criminal opportunity rather than tracking groups.

The complex structure and fast-paced expansion of transnational organized crime (TOC) is characterized as a growing threat to national security and the stability of communities. Academics, professionals, and politicians had TOC under scrutiny long before the terrorist attack of 9/11, but this attack revealed the complexity of decision-making when governments deal with emerging “non-state threats such as TOC” and the “important role of strategic intelligence” (61).

In academic discourse, the notion of intelligence and its ability to enhance law enforcement performance has overtaken the discussion of the methods underlying police management. Where once police managed their activities in a reactive manner with a high degree of subjectivity, now the public expects law enforcement organizations to make proactive, objective, and strategic decisions regarding policing and enforcement activities. “Strategic intelligence in law enforcement has been viewed by some as the means by which decision-making on strategy settings and policy” is more impartial and unbiased, which can be used to

make sense of information gaps and to reduce impacts from both evolving criminal threats and environmental changes (61).

The authors highlight that there is now a common understanding between academics and professionals regarding the abilities of TOC: they have their own network structure; they move rapidly to exploit opportunities and prevent risks; and they tend to obscure the boundaries between licit and illicit activities in such a way as to enhance asset maximization.

TOC has the advantage of access to open source intelligence (OSI) on police tactics and activities, the capacity to buy and use up-to-date technology more rapidly than law enforcement and, given their flexibility, they can alter operations and activities to cope with opportunities and risks as they occur.

To better assess TOC and law enforcement reaction to it, this research suggests that police have three major roles: 1) produce threat assessments; 2) act as global police; and 3) increase police capability worldwide (72). Within these roles, the authors indicate that when police develop quantitative analyses of TOC threats, the intelligence information is too imprecise to be useful for strategic decision-making.

According to the authors, the imprecision of current TOC threat assessments stems from two sources. First, law enforcement tends to concentrate their efforts on “recorded crime and evidence” at the expense of what is not known (72). Second, the politicization of TOC as national security threats by western governments has seen the consequence of establishing numerous “task force and structural arrangements”, which adds complexity to the structure of law enforcement responses (72).

While some assert that intelligence is irrelevant for the development of policing strategies, others posit that a multifaceted model that points to a problem with policy personnel is more relevant and effective. Multifaceted approaches have benefits if they are sustained by strategic intelligence that is generally anticipative rather than specifically predictive. Studying TOC behaviors and environments provides informed understandings that can be employed to develop proactive strategies to prevent and mitigate TOC. Integrated responses and shared intelligence can be beneficial.

The authors indicate that when establishing proactive solutions to constrain TOC opportunities, the challenges for strategic intelligence are: 1) to “create assessments that capture risks and opportunities from a TOC perspective;” and, 2) to be able to find those “factors that can disrupt or prevent TOC opportunities” (73). In so doing, this strategic intelligence could reduce the time between deciding on a law enforcement strategy or action and implementing an effective operation to disrupt the TOC.

According to the authors, intelligence-led policing (ILP) lacks long-term effectiveness in addressing TOC because it often focuses on “recidivist offenders” and groups, diffusing criminal opportunities, and the structures that allow patterns of criminal offending to become entrenched (73). In standard ILP, the approach typically centers analysis on an individual criminal, leaving aside the proactive strategy that deals with the environment in which conflicts between non-state actors and law enforcement take place. The authors argue that the current ILP does not put enough focus on examining areas where broader strategic opportunities are more likely to be realized.

Research shows that ILP could be more strategic in terms of ‘detecting’ TOC opportunities and fragilities rather than ‘targeting’ groups. It is argued that strategic intelligence in law enforcement should look further than the police data to assess what is still unknown in terms of TOC threats. The authors state that to have an effective “imaginative entrepreneurial response to TOC,” law enforcement must concentrate on markets rather than groups, utilize a larger number of data sources, and enhance partnerships in law enforcement and collaboration with stakeholders outside the law enforcement community (73).

Coyne, John William and Bell, Peter. “The role of strategic intelligence in anticipating transnational crime: A Literary review.” *International Journal of Law, Crime and Justice*, 39 (2011): 60-78.

Sizing Drug Markets using Sewage

There is a method to estimate the usage of methamphetamine, MDMA (ecstasy) and

cocaine by testing waste water, which can also estimate the cash value of the market in these illicit drugs.

Waste Water Analysis (WWA) has been used in Europe, North America, and Australia to estimate the size of the markets for cocaine, methamphetamine, and MDMA. It involves the chemical analysis of sewage water and calculations based on how the body processes illicit drugs and common patterns of use by drug users. The method can estimate the volume of illicit drugs consumed by people in a municipal area, as well as the value of those drugs. This can be used to uncover the trends in drug use, as well as the performance of measures to suppress or minimize the harm of illicit drugs.

Research methods to estimate the size of the market for illicit substances usually rely on a combination of national, self-reported surveys on: drug usage; drug-related arrest and seizure data; hospital data; interviews with drug users and experts from the fields of health and law enforcement; and, in Australia, periodic urine testing and questioning of drug-related arrestees. The self-reported data underestimate the true rate of drug use. Arrest, seizure, and urinalysis data typically miss people who are wealthy or whose only criminal offending is drug use. Seizure data is problematic because seizures are tied to the amount of law enforcement resources that are dedicated to enforcing drug laws.

The authors point out that none of the traditional methods are able to reliably estimate the rate of drug usage in a particular population. WWA provides an objective estimate of drug usage in a selected community, using a very different approach. Through a process of separating chemicals found in municipal sewage, the authors demonstrate that it is possible to back-calculate the amount of drugs that was consumed in a community that is serviced by the sewage system.

The municipality chosen for the study has approximately 150,000 inhabitants and is located in Queensland, Australia. Samples of waste water were collected in November 2009 and again in November 2010. Lab analysis looked for both the chemical traces of the illicit drug, as well as the waste chemicals the body produces when the illicit drug is consumed (called *metabolites*).

The focus in this paper was on only 3 types of illicit drugs: methamphetamine; MDMA (ecstasy); and cocaine. Other drugs like cannabis or heroin were omitted from analysis because their chemical signatures were too difficult to detect, the human body stores and releases their chemicals differently, or their chemical signatures are too easily confused with legally-prescribed medicines.

Following the measurement of the amount of chemicals of illicit drugs and their metabolites in municipal waste water, the authors used information about the flow rate of waste water and population size to arrive at an estimation of the rate of drug consumption in a selected municipality. By dividing the detected amount of illicit drugs by the standard dose of each of the three drug types, the authors estimated the rate of consumption of the drugs per 1,000 habitants.

Results indicate a significant drop in the rate of consumption of cocaine between 2009 and 2010, from an average of 221mg per 1,000 people to 52mg per 1,000 people. However, the rate of consumption of methamphetamine increased from 158mg per 1,000 to 228mg per 1,000 over the same time period. The rate of consumption of MDMA (ecstasy) remained relatively similar between the two years, going from 131mg per 1,000 to 139mg per 1,000.

Further, it was found that the amount consumed for all three drugs increased on the weekends, peaking on Sundays, and decreased in the middle of the week. Since the waste water samples were collected at 06:00am, the peak on Sunday likely reflects a higher rate of drug usage on Saturday. This pattern of use applied in both 2009 and 2010.

More importantly, the authors estimated the amount of money that was spent on drugs in the selected municipality on a daily basis by multiplying the number of doses per 1,000 habitants represented by the volume of chemical signatures they detected in the waste water by an average street price per dose for each of the three

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drugs analysed in this paper. For instance, in 2009, the authors found that about AUD\$237 was spent per 1,000 people per day on cocaine, AUD\$347 was spent per 1,000 people per day on methamphetamine, and AUD\$26 was spent per 1,000 people per day on MDMA. This works out to retail cocaine sales of approximately AUD\$13 million for this city in a year, retail methamphetamine sales of approximately AUD\$19 million in a year, and MDMA sales of AUD\$1.5 million a year.

The decline of the rate at which cocaine was used and the subsequent increase in the rate of methamphetamine use between 2009 and 2010 could be an indication that these two drugs are substitutes for one another. It could also be an indication of a disruption in the supply of cocaine in the selected municipality.

The findings from this study have some important policy, operational, and research implications. Through the monitoring of waste water, the authors demonstrate that it is possible to estimate the rate at which illicit drugs are penetrating certain municipalities, the supply and demand for certain illicit drugs, as well as the monetary value of the market for drugs in a community. All of these carry important implications for law enforcement and drug control efforts. With these numbers police have data on drug market fluctuations that can be combined with intelligence to better strategize on enforcement and suppression strategies and targeting, as well as demonstrate the degree to which their efforts are changing the level of drug consumption or the fraction of the drug market represented by their seizures.

Prichard, Jeremy, Foon, Yin Lai, Kirkbride, Paul, Bruno, Raimondo, Ort, Christoph, Carter, Steve, Hall, Wayne, Gartner, Coral, Thai Phoong K., and Jochen F. Mueller. "Measuring drug use patterns in Queensland through wastewater analysis." *Trends & Issues in Crime and Justice* (Australian Institute of Criminology) 442 (2012).

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