



Organized Crime Research Highlights

Number 6

BUILDING A SAFE AND RESILIENT CANADA

Deterrence and Criminal Lifestyles

People living a criminal lifestyle are relatively undeterred by imprisonment.

Criminals are incarcerated for a number of reasons: to denounce unlawful conduct (“denunciation”); to separate offenders from society (“incapacitation”); to assist in their rehabilitation (“rehabilitation”); to promote a sense of responsibility in offenders and acknowledgement of the harm done to victims and the community (“recognition”); and to deter the offender and other persons from committing other offences (“deterrence”).

Imprisonment is assumed to be amongst the worst punishments the state can impose due to the negative aspects of the experience: “the challenge of dealing with other inmates, the threat of violent victimization, loss of freedom, limited contact with family and friends, and other deprivations” (782). It is presumed that people are deterred from committing crime due to these negative aspects of imprisonment, yet research has identified “substantial individual-level variation in the perceived severity of prison” (782).

A criminal lifestyle describes an offender who is committed to crime as a way of life or “career.” “The criminal lifestyle emphasizes pleasure-seeking behaviours, the pursuit of excitement and autonomy, masculinity (power, control, and domination), and involves chronic violations of society’s laws and rules” (786). Members of many criminal organizations, particularly members of street gangs, outlaw motorcycle gangs, and certain mafia-type organizations, participate in a criminal lifestyle. There are a number of reasons a criminal lifestyle “effectively neutralizes the intended punitive effect of prison” (787). “Given their heightened disdain for conventional roles and routines, lifestyle criminals are more willing than

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others to accept prison as a potential cost of committing crime, especially if the perceived alternative is a dull conventional life” (787). The subculture of prison inmates can also be seen as an extension of the criminal subculture on the street. “As a result, lifestyle criminals view prison as less threatening and adjust more readily to the prison environment” (787). In fact, within the subculture of lifestyle criminals, time spent in prison – especially “hard time” – is often viewed positively and may enhance the offender’s status or street credibility, as well their network of criminal associates. Essentially, for these types of offenders, imprisonment can actually be an opportunity to validate their identity and to improve their subcultural social capital.

Past qualitative and small sample research has found that “many offenders would actually prefer serving a year in prison over alternative sanctions, such as a few months in a county jail or boot camp” (May and Wood 2010 in 782). In another study (Petersilia 1990), one third of offenders opted for prison over intensive supervision in the community. Crouch (1993) found that a third of prisoners would rather spend a year in prison than three years on probation. Further, “some offenders do not view incarceration as a punishment at all”

and consider it “easier than being on the street” (Laub and Sampson 2003 in 782, 784).

In this study the authors undertook a quantitative analysis of several large data sets of offenders’ views of incarceration, including data from the *Colorado Inmate Survey* (1988-1989), the *Second RAND Inmate Survey* (1979) and the *Nebraska Inmate Survey* (1989-1990). The researchers used logistic regression to conduct multivariate analyses of the data. They examined the perceived severity of prison, commitment to a criminal lifestyle, number of prison terms served, intent to desist from criminal offending, as well as various demographic and control variables.

The analysis found that imprisonment was seen as being more negative by offenders who were married, and the odds of finding the prison experience hard was twice as high among married offenders. Age also had some impact, as “for every year increase in age, the odds of perceiving prison time as hard increase[d] by 4%” (794). This study did not see any difference amongst offenders’ views of the punitivity of imprisonment due to race or sex. Most telling was the analysis of the “Commitment to Crime” scale that the researchers developed to measure how closely the offender identified with, and lived, a criminal lifestyle. For each unit increase on the “Commitment to Crime” scale, there was a 45% decrease in the odds of the offender viewing prison time as hard. When a stepwise analysis was done, more than half of “the explained variance in perceived prison severity” (794) was due to criminal lifestyle, making it vastly more important than any other variable. The more committed a person was to a criminal lifestyle the less difficult they found imprisonment.

The authors point out that “if offenders do not view prison as punitive, then it cannot serve as a specific deterrent” (797). This research also found that those inmates, who thought doing prison time was hard, were twice as likely to plan to stop committing crimes when freed. This research has identified a particular type of offender – the offender with a criminal lifestyle – who is relatively undeterred by incarceration, for whom other types of sanction (such as restrictive parole conditions or intensively supervised rehabilitation programs) might prove to be relatively more of a deterrent. The authors also suggest that more effort be made to disrupt the formation of the attitudes and values

associated with lifestyle criminality. There are possible implications for the structuring of effective rehabilitation programs for offenders, as well as sentencing practices.

Crank, Beverly R. and Timothy Brezina. (2013) “Prison Will Either Make Ya or Break Ya’: Punishment, Deterrence, and the Criminal Lifestyle.” *Deviant Behaviour*, 34:10, 782-802.

Related sources:

Crouch, Ben M. (1993) “Is Incarceration Really Worse? Analysis of Offenders’ Preferences for Prison over Probation.” *Justice Quarterly* 10:67-88.

Laub, John and Robert Sampson. (2003) *Shared Beginnings, Divergent Lives*. Cambridge, MA: Harvard University Press.

May, David C. and Peter B. Wood. (2010) *Ranking Correctional Punishments: Views from Offenders, Practitioners, and the Public*. Durham, NC: Carolina Academic Press.

Petersilia, Joan. (1990) “When Probation Becomes More Dreaded than Prison.” *Federal Probation* 54:23-28.

Drug Market Money-launderers

Specialist money-launderers are not central players in organized crime drug networks. Individuals usually self-launder their profits.

The United Nations estimates that about one percent of the global Gross Domestic Product (GDP) is produced by the illicit drug market, with about two-thirds of those funds “cleaned through a process of money-laundering that involves introducing the illicit funds into the financial system, distancing the funds from the criminal(s) and converting the money into legitimate business earnings” (1,2).

Anti-money laundering (AML) controls have been set up around the world. The logic underlying AML is that criminals and organized crime groups can be identified by their financial activity – termed “following the money.” A key reason for AML efforts is to disrupt organized crime networks by disrupting their financial activities. In particular, “one of the primary targets of AML is the professional class of launderers (lawyers, bankers, accountants, etc.)” which exclusively provides this service to one or more criminal networks, and which is difficult to punish under drug laws (2). In previous research, Van Duyne (2003) found 1% of money laundering cases involved professional laundering, the Council of Europe (2006) found

one-third of cases in 2004 did, and a US study by Reuter and Truman (2004) found that “16% of people in prison for drug money-laundering had no other drug involvement” (4). Aside from *professional laundering*, laundering also includes *opportunistic laundering* that “involves individuals exclusively helping or working for someone they know,” often through a connection of kinship or friendship (4), and *self-laundering*, where individual law breakers launder their own illicit funds.

In this study, the researchers analysed data from the Royal Canadian Mounted Police (RCMP) Provincial Threat Assessment for “E” Division, which included information on criminal organization activity covering the years 2004 to 2006. In all, “129 crime groups and 2,197 individuals were identified,” with information on “the organized crime group members, co-offending information, demographic characteristics, description of criminal activity, associates, and the nature of each relationship, including legitimate business activities and ties” (6). From this sample, all drug market activity was extracted: 919 individuals, with 2,246 links among them. This data was used to generate a network formed using a binary, symmetric matrix network, upon which social network analysis was undertaken. The researchers used police intelligence information on individuals who were “hiding money, transforming money, and/or advising on money matters” (8) to identify all the individuals who were money-launderers.

The researchers found that, when compared to other criminals involved in the drug market, launderers were “more likely to be female, older, and [members of] ethnically-based organized crime groups” (8). The majority of individuals conducting money-laundering in the BC drug market were self-laundering: 80% self-launder, 12% were opportunistic launderers, and 8% were professionals. Laundering was divided between retail level drug dealing (41%), suppliers (36%), smugglers (12%), and producers (11%). No couriers or parasites were found to have laundered their money.

“The opportunistic group show[ed] the highest percentage of females. Closer inspection reveals that [these] females laundered for their boyfriends, who were influential members of organized crime groups. Results show a trend for both opportunistic

and professional launderers to be slightly older than self-launderers. It is also notable that, for the most part, professional launderers are not known members of organized crime groups” (10).

Two centrality measures used in social network analysis were used in this analysis. *Betweenness centrality* was used to measure “the number of times an individual is located on the shortest path between a pair of other people” which reflects the extent to which a “person mediates connections between people” (8,9). *Eigenvector centrality* was used to measure “the degree to which an individual is connected to other highly connected individuals” to identify who has most “opportunity to interact with key players” in a criminal network (9). The analysis determined that launderers had higher betweenness scores and lower eigenvector scores than other people in the drug networks, which means that although they were well-positioned to control the key flow of information or materials in the criminal enterprise, they were not well-connected to other important players. On the other hand, when examining the different types of launderers, professional and opportunistic launderers were found to be much more peripheral in the drug networks and had few direct ties to key players in the drug network, when compared to the more well-connected self-launderers.

A qualitative, circumstantial review of the threat assessments indicated that the buying, selling and developing of real estate was used by professional, opportunistic and self-launderers. Professional launderers, such as accountants, could also be brought into cash-heavy companies to assist with laundering. Self-launderers often used corporate layering to conceal sources of illicit funds, while opportunistic launderers were “quite often the nominees for these companies” (10). “Loan backs” were a common laundering technique used by all launderers, where “the offender gives their criminal proceeds to an associate or company” which “then loan the money back to the offender” (10).

This research found that only about 20% of money-launderers are professional or opportunistic, indicating that “professional launderers do not hold a particularly important place in the drug market” (13). It appears that the “pulling power of the social environment” of criminal networks is critical, as most launders are not professionals and that it is “likely that several

of the professional launderers entered the drug market through prior social ties” (12).

The authors believe that this research provides evidence that two key arguments for AML regulation are not supported. They feel that it is untrue that “most money-launderers would not be detected through criminal investigations or predicate crimes and organized crime groups” and that the facts do not support the assumption that “professional money-launderers play an important role in illicit markets and criminal networks” (13). The researchers suggest that “targeting money-laundering as a crime unto itself does not necessarily broaden the net when fishing for criminal actors” (13). Rather than eliminating AML regulations they instead suggest that AML regimes “switch from being rule-based to [being] risk-based” (13). Since most individuals are self-launderers and investigations “are often already underway prior to allegations of money-laundering,” the authors suggest that “by increasing the ease [with] which the police intelligence community can access suspicious activity reports (SARs) from [Financial Intelligence Units] FIUs once an investigation has been launched through other sources, more self-launderers might be successfully prosecuted” (14). A further conclusion of the researchers is that “if social ties of organized criminals are used for laundering ... then the social circle of known criminals would be a high-risk group for money-laundering. A possible policy application of this finding includes increasing the ease [with] which police investigators can review financial suspicious activity reports (SIRs) for the associates of criminals” (14). Another technical suggestion of the researchers is that “Markov-chain Monte Carlo simulation procedures” be applied by organizations holding financial intelligence data to “see how organized crime networks respond to ADM policy shifts” (14).

Malm, Aili and Gisela Bichler. (2013). “Using Friends for Money: The Positional Importance of Money-launderers in Organized Crime.” *Trends in Organized Crime*, June 16, 2013. Accessed December 16, 2013 from <http://link.springer.com/article/10.1007%2Fs12117-013-9205-5#page-1>.

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C. van Duyne, Klaus von Lampe, and James L. Newell. Nijmegen, Netherlands: Wolf Legal.

Evaluation of U.S. Anti-Gang Initiatives

Intensive law enforcement strategies reduce violent crime. Better gang crime data is required.

The U.S. Department of Justice funded the Comprehensive Anti-Gang Initiative (CAGI) to support communities in 18 cities around the U.S. in their efforts to prevent and control gang crime.

“Multiple methods were used to evaluate the process and impact of CAGI. These included site visits, phone interviews, mail surveys, video conference calls with project staff, and review of the progress reports submitted to the Department of Justice. Local crime data were gathered from five of the CAGI cities and city level crime data were collected from all the jurisdictions as well as from comparable cities nationwide” (2).

CAGI resulted in positive new partnerships between criminal justice agencies. “The four most common enforcement strategies included federal prosecution, increased state and local prosecution, joint case prosecution screening, and directed police patrols. The most common prevention strategies included education and outreach, school-based prevention, ex-offender outreach, and substance abuse treatment” (2). Re-entry programs provided to gang-involved convicts was the most challenging to implement because it was very difficult to enroll enough willing participants in the programs.

Most of the CAGI “could not provide consistent and reliable measures of gang crime,” making direct evaluation of program performance difficult (2). Instead, violent crime rates were used as a substitute measure. The researchers found that cities with CAGI programs had larger declines in violent crimes than matched comparison cities that did not have CAGI programs, but when researchers statistically controlled for concentrated disadvantage and population density, there was no real difference. The researchers did find that “high enforcement” was definitely associated with a 15% decline in violent crime. “High enforcement” was

defined as the cities that most intensively and thoroughly applied the “law enforcement strategies (identification of gangs, intelligence gathering and increased presence, creation of an information sharing system, information entered into an accessible database, targeted prosecution, and hiring of an Assistant District Attorney)” (18). When researchers tried to determine if CAGI neighborhoods within cities did better than other parts of the same city, the results were inconclusive because they could not be statistically separated from declines in violent crime in other areas of the same city.

The researchers concluded, consistent with previous findings, that the results of “large-scale, comprehensive anti-gang programs” are “mixed, and at best [have a] modest, impact on violent crime” (2) and that “much greater attention needs to be given to effective implementation” (2). For adequate future research and evaluation to proceed, it was suggested that “much greater attention needs to be given to developing reliable measures of gang crime at the local level” (2). It was recommended that “federal funding agencies may wish to make gang crime data availability a prerequisite for the investment of federal funding for anti-gang programs” (2).

McGarrell, Edmund F., Nicholas Corsaro, Chris Melde, Natalie Hipple, Jennifer Corbina, Timothy Bynum, and Heather Perez. (2013) *An Assessment of the Comprehensive Anti-Gang Initiative: Final Project Report*. Washington: U.S. Department of Justice, National Institute of Justice. Accessed on December 17, 2013 from <https://www.ncjrs.gov/pdffiles1/nij/grants/240757.pdf>.

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Co-offending Patterns and Organized Crime

Committing crime in groups is associated with violence, serious crimes, and not being

charged. Street gang and criminal organization offending is three to four times more likely to involve group offending.

In the Uniform Crime Reporting Survey (UCR2), Canadian police services report the crimes that have occurred in their jurisdictions during the year. The UCR2 does not yet report statistically reliable data on which of these incidents are connected to criminal organizations (i.e., organized crime or street gangs).

The authors of this report analysed crime data from 2011 to examine the characteristics of incidents where it was recorded that offenders committed their offence with another offender or group of offenders. This summary focuses on analysis of the “group” co-offenders, those who committed offences in groups of three or more. This is because the *Criminal Code* definition of “criminal organization” (section 467.1(1)) includes a group of three or more persons who commit “serious offences” for material benefit. Because the analysis did not distinguish the elements of seriousness and material benefit at the same time as group size and only limited information from a criminal incident is reported in UCR2 crime statistics, a direct comparison to ‘criminal organizations’ cannot be made. However, there are probably illustrative parallels between the “group co-offending” of this analysis and the “criminal organizations” of the *Criminal Code*.

Statistics Canada collects some information on street gangs in Canada through the UCR2 Survey. “Of the 993,994 cleared incidents reported by police in 2011, 1,086 were believed to have involved street gangs. In this small sample, 13% of incidents involving known or suspected street gang members were pair offences and 10% were group crimes, compared with 6% and 3% of incidents involving offenders not known or suspected to be gang members” (19). Thus, even when a member of a criminal organization commits a crime, it may not be as a group offence. In this example, 90% of street gang offences were not committed in groups. However, it does appear that street gang members are at least three times more likely to commit group co-offences than offenders generally.

“In 2011, co-offending accounted for 11% of cleared incidents reported by police. As seen with crime rates overall, the prevalence of co-offending

has declined over time, falling 2.3% between 1995 and 2006, with little change after that year. Most co-offences in 2011 were pair crimes, involving just 2 accused. Group crimes involving numerous offenders (i.e., 6 or more persons) were found to be somewhat rare, comprising less than 2% of all co-offences” (21).

“Victims of violent group crimes were the most likely to have incurred a minor or major injury (61%), followed by victims of pair crimes (57%). This compares to 48% of victims of lone offences. This trend was consistent among almost all types of violent offences, with the exception of kidnapping and abduction, where victims of lone offences were slightly more likely to have been injured in comparison to victims of co-offences” (19).

The *Criminal Code* defines “serious offences” as indictable offences punishable with sentences five years or more, or by statute. Among “serious offences,” 17% were pair crimes and 8% were committed by groups of 3 or more. In comparison, for crimes that were not “serious offences,” only 8% were pair crimes and 2% were committed by groups of 3 or more. Thus, serious offences, as used in the definition of criminal organization, were four times more likely to be group co-offending crimes, than crime in general.

Seriousness can also be calculated using average sentence lengths. Statistics Canada uses these seriousness weights to calculate the Crime Severity Index. Crimes committed by groups had “considerably higher” seriousness weights than offences committed by pair or lone offenders (76,55). Crimes committed by groups composed of youths and adults were more serious than crimes committed by all adult or all youth groups.

Offenders who commit their crimes in pairs or groups are less likely to be charged than offenders accused of lone offences: “63% of lone offenders were charged, compared with 49% of pair offenders and 47% of accused in group crimes” (21).

Carrington, Peter J., Shannon Brennan, Anthony Matarazzo and Marian Radulescu. (2013) *Co-offending in Canada, 2011*. Ottawa: Statistics Canada, Canadian Centre for Justice Statistics.

Production of Synthetic Drugs in Quebec

Criminals in Quebec export the vast majority of methamphetamine and ecstasy they produce. It is estimated that 1% of Quebec’s synthetic drugs were seized.

Researchers from the Sûreté du Québec (Chartrand and Thibault-Vézina, 2013) have analysed police and legal data from more than a decade of investigations into the production of synthetic drugs in Quebec. Their work takes “into account the performance of the instruments at the [clandestine] chemists’ disposal, preparation time depending on the type of synthesis process ..., the operators’ habits with respect to production cycles and the average lifespan of the facilities before they were neutralized by the police” (1). Although slightly different methods were used in this study than previous studies of this kind (Bouchard et al 2012), there were some similarities in the findings.

Data for the analysis was derived from operational files of all police departments within the province of Québec for the period 2000 to 2010. The data includes 46 different sites, 10 that were used solely for the storage of precursor chemicals, 10 used for pressing of tablets, three for the extraction of ephedrine, and 23 locations housing the equipment and instruments required to synthesize the final amphetamine-type stimulant (ATS) or MDMA (i.e., 3,4-methylenedioxy-N-methylamphetamine; a.k.a., ecstasy) drug.

The production of these types of synthetic drugs in Quebec is dominated by large “superlabs” or sophisticated medium-scale facilities, producing illicit drugs in tablet form. Users of illicit drugs in Quebec tend not to consume the drugs in powdered form. It is observed that small “kitchen” labs using over-the-counter precursors do not appear to be common. The authors note that there is “ready accessibility” and a “low price” for these drugs already (2). Since there is an established consumption pattern of illicit drug users trusting and using tablets, users and producers are disinclined to establish small scale production.

The researchers applied a Zelterman capture-recapture technique to estimate the number of

individuals involved with the production of these types of synthetic drugs. Capture-recapture methods are used to estimate hidden populations from information about known populations, and were originally used to estimate wild animal populations. The authors “estimate that the number of individuals in Québec directly or indirectly involved in the production of the synthetic substances studied varies between a minimum of 770 (2006-2010) and a maximum of 1,299 (2008-2012)” (2). A separate qualitative analysis estimated that a core of “no more than 30” people with the chemical “knowledge, experience and skills required to run [sophisticated] clandestine operations synthesizing one of these substances” existed in Québec over the decade (3).

After a detailed analysis, “involving the standardization and conversion of all substances seized” at various synthesis, pressing and warehousing sites, it was estimated that, between 2000 and 2010, direct police actions seized the equivalent of 713 kg of ATS and 199 kg of ecstasy (3). There were no clear year-to-year trends, however, police seizures were twice as high in the later 2000s than in the earlier 2000s. The authors “suggest that the networks of clandestine lab operators seem to have increased their production capacity in addition to striving for hybrid production, despite the legislative control measures limiting access to precursors that took effect during this period” (3).

The researchers identified two main categories of laboratories amongst the cases. A medium-scale clandestine lab produced on average 1.25 kg of ATS and 2.0 kg of ecstasy-group substances per production cycle, of which there were four cycles monthly. Each of these types of labs was active about 7.5 months before being shut down by police. Between 2000 and 2010 the researchers estimate these labs likely “produced 502.5 kg of synthetic drugs (262.5 kg ATS/240 kg ecstasy) before they were dismantled” (4). A high-yield clandestine lab produced an average of 10 kg per cycle for the ecstasy group and 7 kg for ATS, with one to two production cycles per month. These labs

were active about 19.5 months prior to police detection. Over the ten year period these labs likely produced 1,560 kg of ecstasy-group substances and 4,095 kg of ATS.

The researchers used previous work on seizure rates in the illicit cannabis market and suppositions drawn from police experience with investigating different types of illicit drugs to arrive at a likely seizure rate scenario of 4.6% for synthetic drugs. “Given the hypothesis of 56 active clandestine laboratories [operating at a given time], the total annual production capacity in Québec is [around] 8,470 kg (6,310 kg of ATS and 2,160 kg of ecstasy). ... According to 2009 estimates, the equivalent of 75.5 kg of ATS and 321 kg of ecstasy is consumed annually in Québec. (5)”

Thus, using these 2009 provincial consumption rates and the estimated average annual production volumes, up to 98% of Québec’s production of illicit amphetamine-type stimulants, and up to 85% of illicit ecstasy production, may be available to be exported to other provinces or countries.

When the authors’ figures regarding the actual amount of synthetic drugs seized and neutralized through direct police intervention between 2000 and 2010 and the amount of production estimated from possible existing clandestine laboratory capacity, over the decade, are compared, it appears that approximately one percent of Québec’s synthetic drugs of this type were interdicted by the authorities.

Chartrand E. and M. Thibault-Vézina. (2013) *Le marché québécois des drogues de synthèse : un déséquilibre entre l'offre et la demande. Étude sur le fonctionnement et la productivité des laboratoires québécois de drogues de synthèse vus à travers plus d'une décennie d'enquêtes policières*. Montréal : Service recherche, qualité et planification stratégique, Sûreté du Québec.

Related sources:

Bouchard, M., Morselli, C., Gallupe, O., Easton, S., Descormiers, K., Turcotte, M., and Boivin, R. (2012) *Estimating the Size of the Canadian Illicit Meth and MDMA Markets: A Multi-Method Approach*. Ottawa: Public Safety Canada.

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