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The Mobility of Criminal Groups

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Executive Summary

The present discussion paper will review evidence from past research that offers alternative themes and theories regarding the shifts and patterns in the mobility of criminal groups. Our main objective is to identify push and pull factors that will help us understand how and why criminal groups, organizations, or general organized crime patterns are present across a variety of settings (i.e., geographical locations, criminal markets, and legitimate industries). Push factors refer to forces which drive criminal groups from a setting. Pull factors refer to forces which draw criminal groups to a setting. Aside from reviewing past research in search of such factors, we also apply the general understanding that emerges from our analysis to assessing journalistic case studies that addressed organized crime threats in Canada during recent years. The concluding section of this report identifies the key issues that must be addressed within this area and provides a series of recommendations that law-enforcement officials and policy makers should find relevant for their own experiences with this particular problem.

A distinction is made between contexts in which offenders organize around available opportunities (the strategic context) and contexts in which opportunities create organized offenders (the emergent context). The most general statement that can be formulated from the present exercise is that the opportunities matter more than the group itself. What we will demonstrate in this report is that the problems concerning geographical locations, criminal markets, and legitimate industries that are vulnerable to organized crime are persistent and stable over time. Groups that seize such opportunities, on the other hand, are transient and more than often short-lived. Thus, preventing the environmental problems that persist over time and from one criminal group to the next is a more effective approach than repressing one group at a time.

This general guideline is supported by past research. Our assessment maintains that while many claim that criminal organizations are intentionally or strategically mobilizing themselves to seize opportunities in various geographical locations across the world, empirical demonstrations supporting such claims are lacking, with most restricted to anecdotal illustrations. Empirical research in this area is rare and the few studies that do provide some level of systematic data generally fall in a less strategic image of criminal groups. Instead, criminal groups are the product of offenders' adaptations to the constraints and opportunities surrounding them. Such groups are self-organizing and emergent in settings where there are considerable vulnerabilities to exploit across a variety of cross-border, cross-market, and cross-industry contexts. In short, it appears that there is plenty of hype and little demonstration in favour of the more sensationalist strategic criminal organization. In turn, there is less hype and growing evidence for the less sensationalist emergent organized crime scenario.

This research review probes the multitude of past studies on criminal market settings, the ethnic composition of criminal networks, criminogenic conditions in legitimate settings, and general research on criminal mobility patterns. The principal push and pull factors identified often overlap across each area of research, with some relating to specific contexts.

The main push and pull factors in each area of research may be outlined as follows:

Criminal market research

Push factors:

- Increased law-enforcement
- Increased competition from criminal groups (selection effect)

Pull factors:

- Mass demand
- Access to supply
- Lax law-enforcement
- High impunity / corruption
- Proximity to trafficking routes
- Porous borders
- Presence of brokers and facilitators

Research on ethnic-based criminal groups

Push factors:

- Legitimation of group
- Increased socioeconomic status
- Decreasing cultural marginalization
- Increased enforcement in country of origin or against a specific group

Pull factors:

- Individualist value system
- Legitimation of previous groups (ethnic succession theory)
- New opportunities for cross-border crime (e.g., immigrant diasporas in consuming countries; open borders)
- Ethnic group's criminal reputation
- Local ties and kinship networks

Research on criminogenic conditions in legitimate settings

Push factors:

- Displacement by credible authority

Pull factors:

- Lax security / enforcement / high impunity
- Poorly regulated economic sectors
- Overlaps between upper and underworld actors
- Low skill trade
- Low technology and professionalization
- High number of unemployed disenfranchised workers

- Lack of conventional products and services (emergence of black markets and private protection needs)

Research on the spatial mobility patterns of offenders does not identify push and pull factors *per se*, but it does guide us in suggesting that criminal groups that do mobilize elsewhere are likely specialized in a given market and should be therefore targeted as such. The combination of these two patterns confirms the challenges facing any criminal group that may be intent toward expanding their criminal activities over a wider geographical range. The bottom line is that achieving such an expansion is much more difficult than often believed in popular circles largely because no single criminal group can realistically do everything and be everywhere all the time.

Our recommendations for law-enforcement officials and policy makers address the more consistent problems that were found in our assessment of criminal group mobilization—that being, lax law-enforcement, impunity, ambiguous laws and regulations, and private sector or legitimate industry vulnerabilities. The principal recommendations are as follows:

- In the case of the emergence of criminal groups in legitimate settings, formal displacement efforts to push a criminal group out of a setting have to be followed through with clear and convincing authority to replace the services or products that were being supplied by the group.
- Increased law-enforcement results in more decentralized criminal markets and, thus, greater competition between criminal groups. Keeping the market competitive by assuring systematic checks will keep groups small and ephemeral, making it more difficult for them to expand beyond local settings.
- Law-enforcement officials must guarantee the ethical behaviour of its members.
- A key priority for any law-enforcement agency that is practicing either repressive or preventive methods is to be aware not simply of the criminal group(s) in place, but to foresee which groups are likely to form once the present problem is recognized and targeted in an effective manner.
- A credible authority and an explicit and clear set of regulations are crucial.
- Address stagnant voids and opportunities in port settings and other legitimate industries (e.g., the construction sector).
- Improve private sector quality.
- A greater focus must be devoted to industries that are marked by a high degree of upper/underworld interactions and a high volume of low skilled and minimally professionalized workers.

- Reduce ambiguities in regulatory practices
- Providing the necessary legal and human resource services are needed so as to prevent eventual alternative protection and patron-client systems to emerge
- Creating independent groups of decision-makers within a legitimate industry or private sector is required so as to assure a proper check and balance system.
- Assure work satisfaction for workers and administrators through reasonable salaries and improved benefits
- Understand that a minor change in risk generally results in a major change in crime.

1 The Mobility of Criminal Groups

The idea that criminal groups and organizations migrate or extend their powers across geographical locations has been a recurrent theme in organized crime and general criminological research for over a half century. The Alien Conspiracy Theory that grew out of North Americans' fears of an immigrant threat during the 1950s is arguably the most notorious of these themes. The premise guiding this outlook was that the more prominent criminal groups that were found in North America during these years were transplanted by established criminal organizations in other countries through mass waves of immigration. While research has failed to support such a claim, hints of an alien conspiracy linger well into the 21st century with journalistic accounts of Mafia controls and criminal multinationals taking hold of an increasingly globalized world (Glenny 2008; Nicaso and Lamothe 1995). Remnants of this largely refuted theory have also persisted in some of the broader attempts to explain the structure of serious crime and criminal networks at an international level (Castells 1998/2000).

The present discussion paper will review evidence from past research that offers alternative themes and theories regarding the shifts and patterns in the mobility of criminal groups. Because we lack research on such matters in the Canadian context, the review will be based primarily on what we have learned from European countries and the United States. Our main objective is to identify push and pull factors that will help us understand how and why criminal groups, organizations, or general organized crime patterns are present across a variety of settings (i.e., geographical locations, criminal markets, and legitimate industries). Push factors refer to a force which drives criminal groups away from a setting. Pull factors refer to forces which draw criminal groups to a setting. We will use past research to identify such factors. We will also apply the general understanding that emerges from our analysis to assessing journalistic case studies that addressed organized crime threats in Canada during recent years.

The most general statement that can be formulated from the present exercise is that the setting matters more than the group itself. Such a proposition runs counter to the typical

policy and law-enforcement approach which is generally more concerned with repressing the size, structure, reputation, and nature of the criminal group or organization. What we will demonstrate throughout the subsequent sections is that the problems concerning the settings that are vulnerable to organized crime are persistent and stable over time. Groups that seize such opportunities, on the other hand, are transient. Thus, preventing the problems that persist over time and from one criminal group to the next is a more effective approach than repressing one group at a time. Our suggestion is therefore to address the source of the organized crime problem.

1.1 Strategic versus Emergent Criminal Group Mobility

The search for push and pull factors that explain why and how criminal groups shift across different settings must be as (or more) sensitive to the criminogenic characteristics of a given region, industry, or market as it is to the strategic actions of criminal groups that may feed upon such vulnerabilities. In the former context, a criminogenic environment establishes the pull factors or context in which criminal groups may emerge. For example, a geographical location may be minimally monitored by law-enforcement, display an extensive level of impunity, or offer a high volume of opportunities for crime. The vulnerabilities in such settings allow criminal groups to form and evolve, as well as offering opportunities that may attract established groups in other geographical locations.

This emergent process is quite distinct from the more strategic features that often underlie claims that criminal organizations are taking control of a given market or expanding into new territories. Indeed, popular images of organized crime generally perceive participants to be strategic (or intentional) in their actions. More often, such claims are preceded by the premise that mobility is an effortless task for any group or organization.

Organizations and groups are often believed to move, with little or no constraint, from one geographic location to the next into another group's territory or into legitimate industries.

Past research leads us to ask whether such mobility can be so simple. What such research has taught us is that there is no such thing as ‘little constraint’ because participants in criminal networks are forced to adapt to the hostile constraints of the criminal market and law-enforcement targeting. The main point here is that for any group to be able to mobilize in a given setting, the features of that new environment must be favourable to receiving such a transfer of power. The criminogenic or contextual factors are generally overlooked in popular and mainstream depictions of organized crime, while the rational strategies of criminal groups are often exaggerated.

For example, in most journalistic accounts of organized crime phenomena, both the strategic capacities of groups and the vulnerable opportunities surrounding the settings are identified to varying extents. The problem with much of this research is that, regardless of what is found in regard to the vulnerable setting, the strategic group almost always receives most of the attention. Glenny (2008)’s journalistic account of the world’s organized crime “hotspots” is one of the more recent studies to emphasize groups over settings. Glenny conducted an impressive amount of fieldwork that included more than 100 in situ interviews with (active and ‘retired’) criminal trade participants, government officials, businessmen, and law enforcement agents. The book assesses the impact of post-Soviet trends on the internationalization of organized crime. Contrary to what one would assume when reading the title of the book (*McMafia*), Glenny remains skeptical toward the simplistic global conspiracy argument. His argument stresses the capitalistic nature of all organized crime groups who, like legitimate firms, were trying to take advantage of globalization and the transition to the market economy. His explanation for the rise of post-Soviet organized crime in Russia and beyond pointed to traditional factors generally emphasized by scholars of the private protection market (see Varese 2001 for the Russian context): many former state employees found themselves out of work following the collapse of the Soviet Union; poor economic policies in a context of severe economic sanctions and restrictions (quotas and tariffs); an increase in legitimate businesses and individuals who become increasingly attracted by smuggling and criminal market opportunities; and the deregulation of financial markets. According to Glenny (2008), the demand for the products and services provided by organized crime is what

allows organized crime groups to flourish. Glenny also addresses cannabis trafficking in Canada and human trafficking in Asia within the same globalization parameters. Thus, Glenny, like most researchers in this area, does come across a series of key factors that explain why organized crime is firmly entrenched in certain settings. However, when discussing the problem after revealing such tangible vulnerabilities, the author distances himself from what such lingering opportunities represent for the sustainment of organized crime, preferring instead to highlight overly strategic and anecdotally-supported claims of powerful criminal organizations who are increasingly subcontracting the more risky aspects of their business to other groups.

This overly strategic view of organized crime groups may be recognized in many ways. Dupont (1999) warns us of a certain research style: “Unfortunately, many of these accounts play fast and loose with the facts, relying on sensationalist or exaggerated reporting to create the impression of a looming disaster when the evidence presented is less than compelling” (p.433). There are many essays and scholarly articles that represent this strand. Leps’ (1997) article on the threat of transnational organized crime in Russia and Estonia is a straightforward example. While the author claims that Russian crime groups are highly strategic and deliberately transplanting themselves in Estonia to seize growing opportunities, such statements are generally supported with weak demonstrations, in the guise of statements such as “in the opinion of experts” or “according to counter-intelligence services”. Once again, Leps also argues that such groups are exploiting existing criminogenic conditions in Estonia, but Russian organized crime is presented as a colonization effort and pushed to the point that such groups are establishing a stronghold within the legitimate workforce. As with Glenny’s book, the problematic environmental conditions following the transition to a market system are identified. Economic and legislative ambiguities, the presence of a trained military personnel from the former Soviet Union, and the influx of foreign capital were all identified, but the concern was primarily with which groups would profit from such opportunities, expand their influence, and develop more efficient techniques.

In many ways, the groups and organizations that are identified in criminal local and transnational networks are not the product of intentional organizing by offenders. Instead, offenders are as reactive as law-enforcement agents. The forms and sizes of criminal groups are the product of offenders' adaptation to the constraints surrounding them. They are self-organizing and emergent in settings where there are ample vulnerable opportunities to seize and interact across a variety of cross-border, cross-market, and cross-industry settings.

This distinction between the strategic and emergent processes that shape the structure and mobility patterns of organized crime groups will be the main focus point in our research review. This angle is a rich cut-off point that allows us to identify the group, market, and environmental factors that account for criminal group mobility across a variety of geographical locations, criminal markets, and legitimate industries. This outlook is consistent with Albanese's (2008) appraisal of the threat of organized crime penetration across a variety of settings. His model is argued to be effective only if used in specific settings, rather than to assess a global threat. Furthermore, he notes that each product or activity supplied across settings must be assessed separately, even if occurring in the same location. Our review and search for push and pull factors will also be sensitive to the local nature of organized crime problems and cover the multitude of past studies in areas such as the plight of groups that operate in criminal markets, the ethnic composition of criminal networks, the organizing crime and private protection frameworks, and general research on criminal mobility patterns.

In sum, our assessment of past research maintains that while many claim that criminal organizations are intentionally or strategically mobilizing themselves to seize opportunities in various geographical locations across the world, empirical demonstrations supporting such claims are lacking, with most restricted to anecdotal illustrations. Empirical research in this area is rare and the few studies that do provide some level of systematic data generally fall in the emergent organized crime framework. In short, it appears that there is plenty of hype and little demonstration in favour of the more sensationalist strategic criminal organization. In turn, there is less hype and growing evidence for the less sensationalist emergent organized crime scenario.

1.2 Situating the Mobility of Criminal Groups within Criminal Market Constraints

Probably the most important factors to consider when thinking in terms of the push and pull factors that shape the mobility of criminal groups are those relating to the criminal market itself. Research in this area has demonstrated how challenging it is for any group to survive and prosper within such a hostile environment. The features extending from this area of research concern factors that constrain groups from forming and expanding into formidable entities. This framework was first formulated by Reuter (1983) in his appraisal of the consequences of product illegality. Reuter argued that whereas common opinion was quick to claim the rise of sophisticated and monopolistic criminal organizations, criminal market dynamics pointed to an altogether different argument. In geographical locations where law-enforcement controls are consistent and effective, the criminal market is more likely to be competitive, thus creating important barriers to growth for criminal groups who are kept in constant check not only by law-enforcement monitoring, but also by their competitors within the criminal market. Such barriers to organizational growth affect a group's ability to expand geographically. Because contracts in this 'beyond-the-law' setting were not legally bound and systematic violence was a problematic attractor to law-enforcement monitoring, Reuter demonstrated that groups were limited in their geographical expansion because they would not be able to control participants who were working for them in extended territories and also because size and distance generally attracted unwanted attention from law-enforcement and competing criminal groups.

Tremblay, Cusson, and Morselli (1998) extended from Reuter's analysis of criminal market constraints and demonstrated that criminal groups were subject to open expansion only when the necessary pull factors were in place. Such factors included not simply supply and demand opportunities within a given criminal market, but also systematic impunity regarding participation in such markets. In geographical locations where impunity is prevalent, the more powerful criminal groups are more likely to evolve into extensive criminal organizations that are able to branch out across a wider territory. This

research, like others following the same line of analysis, maintained that such impunity is not typical in most industrialized nations. In addition, the strategic displacement of criminal groups from geographical locations with high impunity to those with low impunity (or high law-enforcement controls) is more difficult to achieve than commonly believed.

Although Reuter's thesis is a dominant analytical framework in research on organized crime, some research has illustrated how particular criminal organizations were able to survive by consistently regenerating themselves through the recruitment of new members and expansion into new territories and criminal markets. Case studies on the Quebec Hells Angels (Tremblay et al. 1989; Tremblay et al. 2009), for example, have demonstrated that even within the hostile contingencies of the criminal market, some groups do appear to be strategically mobile.

Most, however, would agree that a group's emergence in a criminal market hinges on a series of factors that represent this competitive arena. Such factors are not simply represented by the supply and demand dynamics that are at the core of the market framework. The internal make-up of the market and the extent of government control are also key factors accounting for which criminal groups emerge in different settings. Broude and Teichmann (2009), for example, address the general movement of crime across borders by emphasizing regulatory variations across states. Crime is argued to be outsourced (pushed) in states where sentences and enforcement are more stringent. In turn, crime is insourced (pulled) in states where controls are lacking.

In as much as formal controls are pivotal for understanding the push and pull factors that shape the mobility of criminal groups within and across borders, several additional factors also come into play. In his analysis of the heroin and cocaine trades, Williams (1995) identified five critical issues: the extent of rivalry among existing firms; the number and kind of potential entrants; the bargaining power of the buyers or consumers; the bargaining power of suppliers; and the threat of substitute products. Even on the transnational crime scene, market contingencies are key elements for understanding

group mobility. In a study of heroin and cocaine trafficking in East Asia during the 1990s, Dupont (1999) focused on tactical alliances between groups within and across different countries. The main factors accounting for a group's prominence in the heroin market within and beyond national borders were corruption and the creation of a tacit agreement passed between insurgents (former communist party members) and the military government in Burma that assured that private business ventures in heroin production would be tolerated by the government as long as insurgents did not present any threat toward the government. Alliances between criminal groups were not strategic, but tactical, short-lived, and ever changing as conflicts arose and the political climate changed. The variety of organizational types in this trade ranged "from highly organized transnational criminal groups to traditional tribal producers, small-scale family business operations, and ephemeral, entrepreneurial marriages of convenience between individuals and groups" (p.450). Thus, no single criminal group emerged as a dominant force and the capacity to form tactical ties beyond a country was made possible by reduced border restrictions, new market opportunities, ineffective enforcement, and economic downturns.

The ease with which a group may move across national borders is also a key factor to consider when thinking in terms of criminal mobility. Probably the most representative case for this was provided by Jamieson (1999), who studied illicit cross-border trading in the context of "contested jurisdiction border communities". Jamieson turns to the Akwensasne Mohawk community to illustrate that transnational crime markets or activities are essentially a local problem and must be analyzed as such. She argues that groups in such a context emerge from a specific combination of factors and conditions that she refers to as "local contextualities" (p.362). The context is unique because the communities under analysis are involved in disputes over sovereignty and jurisdiction ambiguity. This context is therefore distinct from the European context in regard to the cross-border issue. The analysis illustrates that the Mohawks consider that they are free to travel across the border, engage in transactions, and not pay taxes. Such rights are established in a number of treaties. Such mobility creates a number of opportunities. The Canadian-American border is porous and the differences between tax regulations create occasions to smuggle.

Criminal markets also require a variety of participants beyond the mere buyer and supplier roles. Criminal groups are more likely to emerge when they have access to the multitude of people who are needed to facilitate and coordinate criminal operations in a given setting. Chin, Zhang, and Kelly (2001) identify such roles in their study of heroin trafficking and human smuggling between China and the United States. The authors argue that criminal actors engaged in such transnational criminal activities are based on flexible and international networks that operate as service providers in both countries. In order to remain highly adaptable to market constraints, participants work in small groups, with informal-referrals and minimal bureaucratic structures. What emerges is a lack of connections between these small entrepreneurs and the traditional Chinese organized crime organizations. Instead, non-Triad Chinese offenders emerge as key players in the global crime scene. The authors observed the development of a different criminal subculture (not linked to the rigid Triad norms) in Chinese communities across the world (in the United States, but also in Canada, Australia, and Europe). Members of this subculture include import-export businessmen, community leaders, restaurant owners, workers, housewives, and other members of the community who facilitate contacts within the network by linking clients with suppliers. Such informal networks (which are often mistaken as Triad groups) are responsible for the bulk of the heroin imported into the United States as well as for most illegal entries of Chinese citizens. The authors do argue that such trafficking/smuggling groups are resilient because most participants have no prior criminal records and because no reputed organization may be identified. However, the main factors they turn to when explaining why participants in such networks are able to evade most law-enforcement efforts include the presence of discrete trafficking routes, the absence of clearly defined regulations on how to intervene in such circumstances, and the presence of ordinary citizens who help broker and facilitate relationships between those found in either the supply or demand segments of these markets.

In sum, research on criminal markets has downplayed the presence of formidable and reputed criminal organizations across diverse countries and settings. Much of this absence has less to do with the organization itself and more to do with the constraints of

dealing within an illegal market. Groups that intentionally move or circumstantially emerge within any given criminal market are forced to deal with a number of contingencies at the same time. The most important of these push and pull factors are outlined as follows:

Push factors:

- Increased law-enforcement
- Increased competition from criminal groups (selection effect)

Pull factors:

- Mass demand
- Access to supply
- Lax law-enforcement
- High impunity / corruption
- Proximity to trafficking routes
- Porous borders
- Presence of brokers and facilitators

1.3 Ethnic Succession and Multiethnic Mixes

The mobility of criminal groups is often a function of ethnic minority migration. Indeed, the first arguments against claims to an alien conspiracy were based on the fact that most immigrants were not involved in any form of crime more than any other group. Other arguments against the conspiracy claim demonstrated that the presence of ethnic minorities and fractionalization in a geographical location were key factors in accounting for the rise and movement of organized crime groups, but the main explanation lay within, rather than beyond, that setting. As early as the late 1960s, researchers were sensitive to the high proportion of ethnic minorities in organized crime. Although several claimed that established criminal organizations in emigrant countries, such as Italy, were transplanting satellite groups in immigrant countries, such as the United States or Canada, few were able to demonstrate such a strategic mobility pattern. Wortley (2009), for example, reviews recent studies finding no (or even a negative) relationship between immigration and crime. He also notes that the alien conspiracy theory is still quite

present, but the focus has changed from German, Irish, Polish and Jewish groups to African, Caribbean, Asian, Russian and Middle Eastern groups (p.351). Ubah (2007) assesses similar research and argues that a deprivation model of organized crime, in which the problem essentially emerges from strain-like factors, is better supported from past evidence than the more traditional importation model. Those researchers who were able to demonstrate a mobility pattern centered on the host nations themselves and the various points of vulnerability that made them susceptible to the creation of criminal groups. Probably the most important of these demonstrations came from Donald Cressey himself, who explained the rise of the Cosa Nostra in North America as a direct product of American values (Cressey 1969) and not the transplantation or colonization of a foreign criminal organization in a new land. Decker, Gemert and Pyrooz (2009) would add that “immigration, ethnicity, and culture matter insofar as fear, mistrust, threat, and conflict are present in the areas where ethnic groups are arriving and that these specific elements combined with structural conditions such as those described in social disorganization and strain theories will be particularly favourable to gang formation and expansion” (p. 395). Mastrofski and Potter (1987) also reviewed past research in this area and established that: “Ultimately, to the extent that organized crime groups show ethnic homogeneity, it does not reflect the machinations of a secret brotherhood of ethnics consciously recruiting only from their own and excluding all others. Ethnic homogeneity derives from the already demonstrated need of most illicit enterprises to remain geographically limited and the nature of urban demography where such enterprises are undertaken” (p.280).

Subsequent researchers provided empirical evidence for such statements. Ethnic succession theorists, for example, argued that as one minority-based criminal group rose, the previous group was generally forced out. Ianni (1972) was at the forefront of this explanation after studying the family history of a reputed Italian-American crime family over four generations. He found that by the the second generation, fewer members of the family had gone on to pursue criminal careers, illustrating a declining role of Italians in the criminal underworld. This was the legitimation process which explained why some criminal groups stray from crime over time. Acknowledging the drop of Italian groups

who were involved in crime, Ianni also identified the emergence of new ethnic groups who were ready to pursue where the former group had left off. He explained this process as an ethnic succession process and argued that there is no exclusive domain belonging to any particular ethnic group in organized crime. Instead, ethnic-based criminal groups moved in and out of organized crime. The argument is consistent with Adler's (1993/1985) shifts and oscillations process in individual criminal careers in drug trafficking. Once a certain status and optimal economic conditions are obtained, individual offenders and criminal groups abandon crime and turn increasingly to legal activities. Hence, a group's place in organized crime came and went, determining the progressive shift of foreign criminal groups from illegitimate to legitimate markets. Such succession was either due to shifts toward legitimation or mobility toward more lucrative criminal markets by earlier groups. In either direction, the problem was a natural and systematic transition that emerged from push and pull factors that brought a new group into gaining a more prominent position in criminal markets, while moving the former group into a different direction.

Such trends in ethnic stratification have been more recently documented by researchers across various settings, and most notably in Italy (Varese 2006a; Becucci 2004), the UK (Ruggiero 2010), the Netherlands (Bovenkerk et al. 2003), and the United States (Finckenauer and Waring 1998). Rather than revealing a strategic displacement of satellite groups that colonize criminal markets in new countries, research in this area has demonstrated how new groups emerge, often with great difficulty, to find their place in an ongoing criminal market setting.

Distinctions with Ianni's initial formulation are noteworthy. McIllwain (1999) also analyzed the role of ethnicity and culture in organized crime. From an historical standpoint, his study emphasized the importance of the common heritage that is shared with overseas offenders due to social mobility and migration. These links with the diaspora provide the chance to develop extended networks. McIllwain focused particularly on how criminal groups within Chinese communities succeeded over other criminal groups. The success of Chinese criminal enterprises was due mainly to the

particular web of social relations and bonding structures based on cultural assets. Zhang (2008) elaborates further on such cultural features by emphasizing the importance of the *guanxi* exchange system, which he refers to as both a positive and criminogenic factor across Chinese communities. The positive aspect is represented by the strong social bonds that are created within kinship and more extended networks. The criminogenic aspect is found in such network extensions that are often the root of illegal activity facilitation across a global scale. Like McIllwain, Zhang also argues that such informal and longstanding networks are more important to understanding the shaping of transnational criminal operations than any claim to Triad dominance in a given territory.

Becucci (2004) examined crime and ethnicity trends in three Italian cities (Milan, Florence, and Naples) and found different positions held by foreigners in local drug markets. The shift in criminal activity from Italians to foreigners had not progressed homogeneously across Italy. Rather it was affected by the presence or absence of local criminal organizations capable of exercising pervasive forms of control over the local context. But, in the three case studies, several foreign criminal groups held important positions in the international drug trade, often supplying Mafia groups and potentially negotiating with them on an equal footing. Varese (2006a) analyzed the attempts of a Russian crime group (the Solntsevo) to open a branch in Rome in the mid-nineties. In this case, the emergence of a new group would never come to be. Varese reported a network that was divided along definite ethnic lines (Russian and Italian) which failed to integrate over time. In many ways, the shift to relocate in Rome was too quick. The Solntsevo group was not sufficiently developed in Italy and was mainly engaged toward investing money in the legal economy rather than acquiring resources for its criminal activities. This Russian group showed itself to be particularly vulnerable and was relatively easy to eliminate. An explanation of this is based on the fact that the group was not offering any particular service to the local criminal markets. Also, the Carabinieri were aware of the operation from its inception and arrested the key players after a 3-year undercover operation.

Ruggiero (2010) proposed a “reverse ethnic succession” process in which indigenous criminal entrepreneurs emerged to replace previously established foreign criminal groups. Analyzing the British South Asian drug networks in the UK, Ruggiero argued how mobility can be constrained within criminal economies and how law enforcement efforts toward certain ethnic minority crime groups may produce unintended consequences. These consequences are of two types. First, they reduce the possibility for South Asian drug entrepreneurs to embark on other criminal activities or expand their connections within the legitimate economy. Second, they leave voids within the criminal market creating new opportunities for the emergence of other groups. As the reverse qualification implies, those groups who benefitted the most from the targeting of South Asian groups were the small groups of local dealers who became increasingly prominent.

Additional research on specific communities in the UK and Europe has provided more details in regard to the rise of criminal groups. Once again, the shifts in task assignment for members of a specific community are revealed. Silverstone and Savage (2010), for example, explored the relationship between (mostly illegal) migration of Vietnamese citizens in the UK and the presence of groups from this community in the cannabis cultivation industry, which is assumed to be controlled by Vietnamese groups in this country. The authors conducted interviews with legal and illegal Vietnamese residents in the UK and law-enforcement agents in Vietnam and the UK. Newcomers were found to integrate the cannabis cultivation business primarily as farmers in order to pay their debts to the smuggling networks. Furthermore, as farmers became better integrated in the country and local community, some farmers became investors in the cannabis production trade, while others became increasingly involved in tending the cannabis factories and overseeing production. In a separate research, Nožina (2009) focused instead on the role of Vietnamese communities in the Czech Republic. His findings were similar to those of Silverstone and Savage and both studies stressed the important overlap between legal and illegal activities in Vietnamese communities.

Friman (2004) follows a similar analytical line and investigates the impact of law enforcement efforts on opportunities for mobility through case studies of illegal drug

markets in Chicago and Osaka. He argues that law enforcement operations and efforts can have the unintended effect of creating voids (“vacancy-chains”) in the criminal economy, but the extent and precise impact of law enforcement efforts will depend on the type of law enforcement tactics used. Although the author did find that law enforcement efforts created vacancy-chains in the criminal economy of both cities, conflicts among criminal groups were much more decisive in explaining the mobility patterns observed.

Paoli (2004) followed similar voids in her explanation for the “internationalization” and “ethnicisation” of illegal markets in Italy since the 1980s also introduces a succession process, but was more concerned with the impact of the European integration process and the abolition of border controls. She also emphasized the influence that successful law-enforcement operations had during the 1990s in dismantling the more consolidated mafia-type groups active in the country (‘Ndrangheta and Cosa Nostra). The voids created by such destabilization across illegal markets were filled by groups of different ethnic origins. As a result, the provision of illegal goods and services and the illegal provision of legal goods and services were increasingly operated by a “multiethnic variety of people”.

This argument was further developed in Paoli and Reuter’s (2008) inquiry of why particular ethnic minorities have come to dominate some segments of the European drug supply. They examined the factors that push members of some ethnic groups to engage in such criminal activities. Key factors identified within this explanation included a group’s low socioeconomic status, cultural marginalization, contacts with immigrant diasporas in consuming countries, strong family and local ties, geographical proximity to production or to trafficking routes, and lax enforcement in home countries.

The importance of multiethnic mixes was also identified by the Netherlands Police Agency and Dutch National Crime Squad (2005) in a study that examined the synthetic drug market in the Netherlands. The description is based primarily on official data (arrests and seizures) regarding this market. A significant portion of the information contained in the report was also obtained through an analysis of criminal investigation

files and interviews with experts and analysts in specialized squads. Ethnicity plays a major role in this market as different functions along the supply-chain fall under the supervision of less mobile and ethnically homogeneous groups. Findings indicate that the groups involved in smuggling basic (precursory) elements necessary to produce synthetic drugs are mostly Chinese and Eastern European. Dutch groups take care of the production itself, while exportation is generally organized by groups from Belgium, Germany, Croatia, and Turkey. The presence of each ethnic group is based on their proximity to the required elements along the supply-chain (e.g., precursors are produced in Asia; chemicals used for production can only be accessed by locals). The groups implicated in this distribution chain are small and since the production and tableting of such drugs require specific skills, many tasks along the chain are sub-contracted to independent specialists. Dutch groups seem to play a major role in this market as they control the production and conspire with foreign groups to export the products.

Another study of the Dutch context adds that a group's prominence in a given setting is not simply task oriented. Bovenkerk, Siegel, and Zaitch (2003) found that the reputation associated to an ethnic-based criminal group may be used to gain a foothold, status, and power in a new country. The authors provide a series of examples of how in the Netherlands individuals or entire groups that originate from other countries have used ethnic reputation to increase power, protect themselves, and justify or promote themselves in their ventures in illicit and legitimate settings. For example, Colombians would exploit their reputation in the cocaine trade to open new businesses. Similarly, Russian businessmen often turned to the reputations of their connections in reputed Russian criminal groups to improve their positions in the metal trade. Thus, even though the group itself was not directly governed by or affiliated to a reputed criminal organization, many participants did use their ethnic link with that organization to create their own benefits in their own personal ventures.

In sum, the emergence of successive ethnic-based criminal groups are documented in four distinct ways in past research: from one minority group to the next; from minority to majority-based groups; as a successive subordinate to traditional majority-based criminal

organizations; and across an arms-length division of labour along a distribution chain. Research of this succession process across time and space and in a variety of illegal and legitimate settings has emphasized and provided empirical support for the following factors:

Push factors:

- Legitimation of group
- Increased socioeconomic status
- Decreasing cultural marginalization
- Increased enforcement in country of origin or against a specific group

Pull factors:

- Individualist value system
- Legitimation of previous groups (ethnic succession theory)
- New opportunities for cross-border crime (e.g., immigrant diasporas in consuming countries; open borders)
- Ethnic group's criminal reputation
- Local ties and kinship networks

1.4 Organizing Crime and Criminogenic Facilitators

The search for push and pull factors that explain why and how criminal groups emerge in or intentionally move toward specific geographical locations, criminal markets, or legitimate industries is also the central focus of a wide range of research falling within the *organizing* crime and criminogenic environment frameworks (Block 1991). Research in the organizing crime tradition is more concerned with the pull factors that attract criminal group formation and mobility. These pull factors vary from vulnerable communities, poorly regulated economic sectors, overlaps between upper and underworld actors, a lack of protection services from legitimate protection providers, and less vigorous anti-organized crime policy and law-enforcement approaches. The latter factor is consistent with the impunity feature that was discussed earlier. These factors are consistently identified across research on private protection in organized crime (Hill 2003; Varese 2001; Milhaupt and West 2000; Gambetta 1993) and more general research

on the prevention of organized crime (Van Dijk 2007; Van de Bunt and van de Schoot 2003; Jacobs 1999). More specific studies in this area have focused on a comparative approach with commonalities in pull factors emerging between New York City and Palermo (Gambetta and Reuter 1995) and distinctions emerging between Italian cities (Varese 2006b).

Albanese (1987) developed a framework to understand the extent to which a sector is vulnerable to organized crime infiltration. The most important factors accounting for why an industry is at a high risk of being infiltrated includes straightforward market components (e.g., elasticity of demand for the product in question; supply of small and financially weak businesses; extent of regulation or ease of entry into the market; number of competitors), but also the professionalism of entrepreneurs and the prior history of organized crime presence in that market. In a reanalysis of previous case studies, Albanese (2000) provided two separate explanations for the presence of organized crime groups in a given setting. These explanations are consistent with the strategic/emergent distinction that underlies our argument in this report. Albanese distinguishes between contexts in which offenders organize around available opportunities (the strategic context) and contexts in which opportunities create organized offenders (the organizing crime or emergent context). His model is aimed at predicting the emergence of organized crime and is demonstrated with a reanalysis of five previously published case studies on organized crime presence in illegal and legitimate settings. Three sets of factors are found to be important in predicting the emergence of organized crime groups. First, macro opportunity factors are emphasized (i.e., economic conditions; government regulation; enforcement effectiveness; demand for product or service; new product or service opportunity created by the criminal group; and significant social or technological change). Second, criminal environment conditions are identified as key factors. Such factors account for the extent to which individual offenders and preexisting criminal groups are able to exploit available opportunities. The third set of factors is an extension of the second and account for the skills or access required by a group to carry out a criminal activity. Aside from these three sets of factors, the ineffectiveness of

enforcement is present across all cases. This factor, however, may take distinct forms (e.g., authorities may be indifferent; reporting of crime may be inconsistent).

Additional case studies focus more particularly on the type of industries that are most likely to attract and cultivate criminal group formation. Lavezzi (2008) examines the relationship between the structure of the economy in Sicily and the diffusion of organized crime groups. Sicily is compared to Italy's centre-north regions, Lombardy, average southern regions, and southern regions where organized crime is not pervasive. Findings indicate the importance of low technological level and a large public sector as factors accounting for both extortion and cartel formation. Thus, settings, such as Sicily's construction sector, with a high number of traditional sectors and many small firms, are highly vulnerable to the organizing capacities of criminal groups. Note that such factors are not restricted to Sicily's construction sector, but are relevant for construction sectors (and parallel industries) in general.

Other industries are also vulnerable to the emergence of criminal groups. Szasz (1986) examines the conditions that allowed some groups to colonize the hazardous waste disposal industry in the United States during the 1970s. The focus of the study is directly on how a new regulatory system may be "crime-facilitative". Szasz demonstrates that a new regulatory act was not effectively enforced and that its implementation was lax in general, thus leaving ample opportunities and time for criminal groups to emerge and organize considerably. Similar patterns are also found in other settings as a result of specific policies. At times, the policy is aimed at the deportation of criminal groups themselves. Often, migration patterns are too quickly identified as the principal cause for criminal group mobilization in a specific industry or setting. Varese (2006b) took on this claim and demonstrated that migration, in itself, does not explain the translocation of criminal groups. Other factors must be coupled in order for migration to have an impact on the emergence of new criminal groups. Varese's study centres on Italy's *soggiorno obbligato* policy which resulted in the deportation of convicted mafiosi from the south to the north of Italy. The logic underlying such a policy was based on the effects of displacing key members of groups. The expectations were that creating such a

distance would lead to an acculturation process in which resettled Mafiosi would substitute their criminal lifestyles with northern civic virtues. Such distance and shifts in lifestyle were also expected to break the ties that individuals had with their groups and destabilize the group itself. The perverse effects of such a deportation policy were clearly identified as mafia-based groups began sprouting in northern Italy. Varese acknowledged such unintended consequences, but nuances the matter by comparing two cities—one in which a mafia group emerged (Bardonecchia) and one in which a mafia group did not emerge (Verona). Findings demonstrate that the emergence of a criminal group takes place in settings that are conducive to their presence. The factors that facilitated the transplantation of mafia groups in new areas included supply side variables, such as increased migration, the *soggiorno obbligato* policy, the presence of mafia wars and conflicts, explicit strategies for mafia groups to expand, and kin-based recruitment prior to moving in the new setting. Demand-side factors were based on the need for mafia protection in the new setting and included lack of trust in conventional authority figures, the state's inability to clearly define and protect property rights, incentive toward cartel agreements in the legal sector, and the presence of large illegal markets. Settings which proved vulnerable to such transplantation were those which contained a significant number of unemployed migrant workers, a growing localized market (rather than an export-based market), and where the need for criminal protection was evident. Thus, regardless of the strategic wills of a criminal organization, only when supply combines with the presence of a local demand for criminal protection can mafias create new branches outside their original territory. Such a demand emerges as a consequence of specific features of the local economy and the inability of the state to govern economic and social change.

Similarly to Varese, Weinstein (2008) examines the penetration of organized crime groups in Mumbai during the mid-1990s, a period when the city became the most expensive real estate market in the world (p. 22). The aim of this study was to identify conditions that led to this penetration, which was conceived both as a move from traditional organized crime activities and a shift from local criminal groups to global criminal organizations. The focus was on informal governance as a key resource supplied

by criminal groups to establish their position, seize new opportunities, and eventually participate in shaping legal markets. This position was important enough that they relocated a segment of the homeless population in slums and squatter quarters and subsequently acted as intermediaries for the newly relocated population, notably by settling disputes. In such a capacity, they also acted as power brokers for the authorities. Through such relations, criminal groups created deep connections with both politicians and local communities, thus creating the symbiotic environment that is necessary for a criminal group to establish a stronghold in a particular setting.

Bagley (2004) also addresses the pull factors that explain why criminal groups emerged in certain settings. His article addresses the possible involvement of Russian criminal groups in illicit activities in a number of Latin American and Caribbean countries. Two findings are relevant. First, the presence of Russian organized crime groups in diverse countries illustrates the importance of local contextualities. Opportunities (or pull factors) vary from one country to the next. Central America provides a workforce (poverty); Colombia provides a product; Mexico provides connections to influential individuals involved in drug trafficking; Brazil provides a strong demand. A second finding concerns Cuba. Russian criminal groups were incapable of seizing illicit market opportunities even after the illicit drug market emerged and the Cuban navy could not afford to effectively patrol their waters. Bagley attributes this to the highly centralised regime, embargo issues, and resentment toward Russians in Cuba. The author states: “Cuba’s repressive state security apparatus has, however, been quite successful both in preventing the rise of powerful domestic organised crime groups and in disrupting efforts by Russian or other transnational criminal organisations to use Cuban territory as a transit point for large scale drug trafficking into Europe” (p.42).

In sum, the emergence of criminal groups in legitimate settings and across a multitude of countries is marked above all by the absence of a solid government and the presence of several structural problems that require the parallel services of such groups to informally govern a portion of a population. Because government is weak in such settings, these groups are able to crystallize their position and become fixtures in the environment.

Research in this area is much more concerned with the pull factors (the opportunities) that are at the base of this process.

Push factors:

- Displacement by credible authority

Pull factors:

- Lax security / enforcement / high impunity
- Poorly regulated economic sectors
- Overlaps between upper and underworld actors
- Low skill trade
- Low technology and professionalization
- High number of unemployed disenfranchised workers
- Lack of conventional products and services (emergence of black markets and private protection needs)

1.5 Local/Generalized versus Cosmopolitan/Specialized Crime Participation

A final area of research that will be covered addresses general criminal mobility and spatial patterns of offending. Research on criminal groups in this area is scant and not necessarily concerned with push and pull factors, but those few studies that are available do help identify some key and relevant features for the present purpose. Snook (2004) suggested that co-offenders could combine their resources to increase the scope of their awareness space and range of criminal opportunities. The causality orienting this relationship, however, remains ambiguous in that it remains unclear whether an offender's network of co-offenders extends the geographical space that s/he could physically travel or whether this criminal network provides an alternative that replaces the need to travel. Law-enforcement controls must also be taken into consideration. Wood et al. (2004) investigated the impact of a 2003 police crackdown on drug users in the Vancouver's eastside. Results revealed that the crackdown had no visible impact on the quantity and type of drug used, drug use frequency, and drug prices. A greater number of subjects interviewed during the post-crackdown period, however, did report

using in public spaces and experiencing difficulties in acquiring drugs. These results may suggest a possible physical displacement of dealers.

What is known is that while predatory offenders (robbers, burglars, etc.) increase their criminal earnings by expanding the perimeter of their offending space, criminal market offenders (drug trade participants, for example) do not make significant gains from lengthier travels. For the criminal market participant, gains increased with a greater focus on local settings (Morselli and Royer 2008). Additional research on drug market settings has confirmed that drug dealers are less reliant on physical mobility and more reliant on straightforward network extensions (Eck 1992). However, for criminal groups functioning in a non-market environment (predatory crime), an explanation for the benefits of mobility was suggested by Lacoste and Tremblay (2003) who found that the more successful groups of cheque fraudsters in their sample were more likely to travel widely. This must be considered in assessments of criminal groups. Cosmopolitanism (or mobility) is often associated with specialized behaviour, whereas a localization of crimes (immobility) is often associated with more polymorphic behaviour. Such cosmopolitanism often proves to be a key asset for offending, but closer analyses must look into the origins of the groups in question and the specificities of a crime. For example, Mativat and Tremblay (1997) found that almost half of the offenders who were responsible for an increase in counterfeit credit card frauds in Montreal between 1992 and 1994 were not city residents, whereas all known offenders involved in altered credit card frauds were residing in the city. This result led the authors to conclude that the crime wave in question could not reasonably be conceived as the result of crime displacement from more traditional forms of credit card frauds.

Previous case studies that compared long-term criminal careers tapped into this phenomenon and illustrated how offenders with localized criminal networks strived by engaging in a wide variety of crimes in that confined setting. The alternative pattern identified offenders with a more cosmopolitan and mobile approach to their crimes. Kleemans and Van de Bunt (2008) examined individual pathways into organized crime and found that international contacts and travel movements provide important criminal

opportunities and access to potential co-offenders. Such mobility is not necessarily intended for criminal purposes and is often rooted in legitimate work obligations and relationships, particularly in the case of independent entrepreneurs. In a study of individual criminal careers in the international cannabis trade and in racketeering in New York City, offenders were more likely to specialize in a single criminal market over a wider geographical surface (Morselli 2005).

In short, criminal groups that do mobilize elsewhere are likely specialized in a given market and should be therefore targeted as such. The combination of these two patterns confirms the challenges facing any criminal group that may be intent toward expanding their criminal activities over a wider geographical range. The bottom line is that achieving such an expansion is much more difficult than often believed in popular circles largely because no single criminal group can realistically do everything and be everywhere all the time.

2 Re-analyzing Popular Case Studies on the Canadian Context

This final section extends what we learned from the review of past research and re-assesses some of the more popular accounts of external and internal organized crime threats to Canada. A common thread across such accounts by journalists and law-enforcement agencies is the persistence in placing the main focus of the problem on the strategic group even after considerable evidence is compiled in regard to the environmental problems that underlie the emergence of such groups. In both cases that will be re-assessed here, the repression of overpowering and ambitious criminal groups overshadows the more realistic avenues of addressing and preventing many vulnerable opportunities across the settings themselves.

2.1 Case 1: Canada within the Globalized World

While there are many books, articles, and essays that argue that Canada is at the center of a global criminal conspiracy, none was as explicitly based on such a claim than Nicaso

and Lamothe's (1995) *Global Mafia*. The authors claim that the "franchising" of international drug trafficking routes has led many reputed criminal organizations to set up satellite groups in Canada. Their approach reflects the difference that such accounts have in comparison with the scholarly research that was reviewed throughout previous sections in the present discussion paper. The authors state their intentions early on in their book: "rather than examine theories in the abstract, we felt it important to personalize and localize the globalization of crime, to examine anecdotally the cross-pollination of the underworld" (p.xiv)

That evidence is largely anecdotal and that abstract or aggregate representations of the problem at hand are largely dismissed is not a problem in itself. Indeed, much may be obtained from straightforward descriptive accounts of any phenomenon. The problem, however, is that once it is clear that such accounts rely on such methods, the strength of their claims must be brought under considerable scrutiny—and such accounts are clearly not lacking in sensationalist claims. In the case of Nicaso and Lamothe's description of Canada's place in the criminal underworld, the focus is primarily on the growing presence of "foreign criminal groups on the Canadian scene". The authors identify a number of groups from Russia, Italy, Colombia, Vietnam, China, Korea, Japan, and Nigeria. Each of the groups from such nations is described as well-organized, firmly entrenched in one or more criminal markets, and involved in cooperative interactions with other criminal groups. "Canada", the authors argue, "operates as a free-for-all zone, a kind of underworld laboratory where groups of various nationalities plan conspiracies and work, if not together, then, with a few exceptions, in harmony" (p.23)

Such is the strategic outlook on the criminal group that is typical in much of this popular research on organized crime. Canada is presented as a paradise for organized crime, "a sanctuary for criminals to run to..." (p.193), "as the underworld's country of choice..." (p.25). While no attempt is made to compare the state of criminal group presence in Canada with other countries, the authors consistently argue that Canada is more attractive than most countries, such as the United States. Evidence for such statements is never provided.

What remains most curious in such descriptions of organized crime in Canada is that within the midst of the many claims to the many criminal group that threaten the country, there are occasional efforts made to identify the criminogenic factors that reflect why criminal groups are attracted to (or emerge in) the country. Nicaso and Lamothe point to several key points that reflect the vulnerabilities in Canada's infrastructure. These include: insecure borders; poor legislation; soft immigration; weak banking laws; lack of an organized-crime policy¹; and a lenient criminal justice system. Such criminogenic factors, however, are never addressed with the same detail and passion as the descriptions of the criminal groups that flourish around them. Thus, while the authors are sensitive to such issues, they nevertheless keep the focus of their description on the groups, with no mention whatsoever in regard to how and why criminal groups take advantage of which vulnerable points. Lacking an analytical framework, such accounts recall Dupont's earlier statement and warning that most of these descriptions are fast, loose, sensationalist, and exaggerated in their claim to a looming or already existing disaster.

2.2 Case 2: Homegrown Organized Crime Threats in Canada

Whereas most threats from criminal groups are identified as emerging from foreign countries or from ethnic communities within Canada, the most mediatized criminal group over the past decades grew from the majority population across Canadian provinces. Whether in French-speaking Quebec or in any of the other Canadian provinces, the Hells Angels have succeeded in regenerating themselves by using the majority population to build the necessary local ties and outsider status that are generally associated with criminal groups. Regardless of this unique feature, the Hells Angels have been treated with the same alarmist interpretation as any other criminal group that has found itself at the centre of law-enforcement and popular attention at any given period in time. In the case of this biker club, of course, much of the attention was indeed warranted.

¹ Recall that Nicaso and Lamothe's book was published before 1997.

During the 1990s, the level of violence that surrounded the Hells Angels had escalated to such important heights and for such an extended period that the criminal justice system dramatically changed as a response. To address the growing violence, new forms of specialized law-enforcement investigative squads were formed to tackle the bikers. The first generation of such squads was coined with equally aggressive names (e.g., the Wolverines) and combined the efforts of police agencies from federal, provincial, and municipal jurisdictions. When the violence dragged on and spilled over into the general population with the accidental deaths of citizens who were unfortunate enough to find themselves in proximity to detonated bombs or stray bullets, the response grew to even more formidable heights. In 1997, the country drafted its first anti-gang legislation and what was perceived as an American criminal justice instrument for almost three decades had suddenly become a Canadian necessity. The specialized law-enforcement investigative squad also took matters a step further as six teams of investigators were established across Quebec regions to match the presence of the six Hells Angels chapter in the province—the police were now mirroring the biker club to better monitor and control its members and affiliates. In 2001, the immense efforts of these investigative squads came together in what was then the largest law-enforcement crackdown in Canadian history, Operation Springtime. This was followed by the first judicial process that would apply the new and already amended anti-gang legislation. This criminal trial, the most elaborate in the country's history, would last over three years, would require a new courthouse, and would lead to the convictions of over forty Hells Angels members and affiliates who would subsequently flood and likely transform the federal penitentiary population. With already a sizeable portion of Hells Angels members in prison after this first trial, the investigative squads remained in place and in close proximity to the club's chapters with the single objective of eradicating the group from the Quebec landscape. This day would come in 2009 with the arrests and onset of court proceedings against those Hells Angels members who escaped the first sweep eight years earlier, an initiative called Project Sharcq.

While scholarly attention toward the Hells Angels was minimal during this period, the number of newspaper articles, criminal biographies, and journalistic books on the biker

club grew in accordance with the hype surrounding it. Sher and Marsden's (2003) book, *The Road to Hell*, is arguably the most thorough of these accounts. Based on conversation bits from police wiretaps, key clips from police surveillance videos, selective material from court transcripts and informant notes, and interviews with dozens of eyewitnesses (primarily law-enforcement officials), the authors compiled an argument that claimed what many others had claimed before them—namely that the bikers were rapidly expanding their empire across the provinces. Their book provided a detailed account of how the Hells Angels had “conquered Canada’s crime world” (p.9) and how the Canadian law-enforcement community had come together through innovative resource-sharing, informant use, tandem team investigations, and firm perseverance to tackle the problem.

As with Nicaso and Lamothe's book on Canada's place in the globalization of crime, Sher and Marsden never stray from the thesis that the Hells Angels had a master plan in place to expand across the country and take control of criminal markets. That “the Hells were determined to dominate organized crime throughout the country” (p.364) was supported primarily by the views of law-enforcement officials who had no qualms in stating that “the bikers have a national strategy” (p.365). This national strategy to control criminal markets is often confused with the Hells Angels' intentions to expand by recruiting new members or annexing smaller biker gangs. Increasing the club's membership and prestige through such recruitment was cited as being a key quest for some of the main Canadian members (e.g., Walter Stadnick, who served as national president for six years). However, whether the expansion of the organization was a premise for expanding the organization's stake in criminal markets across a wider geographic setting remains to be proven, and is currently the subject of interpretation and speculation. Interestingly, in as much as statements claiming that the Hells Angels were intent on dominating organized crime were taken without any critical assessment, the same cannot be said about those arguments that were revealed in the rare interviews that the authors conducted with biker members. For example, on one occasion, the Manitoba president of the Hells Angels, Ernie Dew, is being interviewed by one of the authors in regard to his own experiences with police and the overall reputation of the Hells Angels.

Dew provides the nuances that reflect those put forward by many researchers who have questioned the quick and sweeping claims of dominant criminal groups. In this exchange, a critical assessment is introduced by the interviewer:

Dew: “We’ve got a bad reputation, I’ll tell you that. (...) But it’s a lot better these days that it has been. We want to be recognized as the same as everybody else. We are a motorcycle club.”

Author: “But what about the drive-by shootings, the turf war for drugs. (...) Can you see why people say: ‘These people control the drug trade, this is not your regular Saturday night club?’”

Dew: “I don’t see where you get off saying we ‘control’ the drug trade. I don’t agree with that.”

Author: “Do you just disagree with the verb ‘control’?”

Dew: “I’m not saying that we have any part in it. There are probably people in the Hells Angels that do deal drugs. It’s not just one group of people.” (Sher and Marsden: p.302)

Once again, the focus on the overly strategic criminal group overshadows alternative explanations that may account for group presence and prominence in a given setting. That more than one group is involved intensely in a drug market at any given time is not simply an attempt by a drug trade participant to diminish his group’s presence in that market. That many groups are involved and that illegal markets are more decentralized than commonly believed is precisely what empirical researchers have been finding and arguing for almost three decades.

Similarly to Nicaso and Lamothe, Sher and Marsden also outline the many criminogenic factors that underlie the emergence of criminal groups that contained Hells Angels members and affiliates across Canada. Aside from a general conclusion that highlighted the “downright stupidity” that seemingly guides law-enforcement efforts in such matters and the fact that “police and politicians ignored the bikers for too long”, the list in itself is consistent with the pull factors that we have identified across our research review: corruption, porous/vulnerable ports, squabbling police, disorganized intelligence, “dithering” politicians, overworked prosecutors, judicial errors, and a complacent justice system (p. 363). Such problems, unfortunately, are lost in the more sensationalist claim to a winner-take-all criminal organization.

3 Conclusions and Recommendations

This discussion paper is intended to show the potential usefulness of knowledge about push and pull factors for assisting investigators and policy makers in their efforts to prevent organized crime from moving into new settings, and possibly help them identify settings at risk. This exercise is a first step in helping to facilitate the regular gathering and use of intelligence information on a variety of push and pull factors. At the moment, the explicit identification and analysis of such push and pull factors are not among the principal foci of criminal intelligence gathering or law enforcement operations against organized crime. Information on how and why criminal groups establish themselves in new areas could potentially make a direct contribution to the development of strategies for the prevention and suppression of organized crime.

Any country is challenged with a considerable number of vulnerabilities that are the source of criminal group emergence across a number of settings. Confronted with such a perpetual pool of problems, policy makers or law-enforcement official must not ask what should be done, but what could be done. Thus, the first step is recognizing that policy makers and law-enforcement officials cannot realistically avoid all pull factors and they must be aware of the potentially detrimental effects of their attempts to do so. In the Canadian context, there is no realistic way to eliminate all opportunities that are available for the movement of criminal groups across our porous border. Mass demand for drugs and other criminal market products and services cannot be countered. Proximity to countless trafficking routes and the endless number of adaptations that criminal groups may have to keep their networks flowing are too formidable a task for even the most organized of law-enforcement agencies. Indeed, we may refer it as a War on Drugs, but the fact remains that neither the police nor any policy maker ever stood a chance of winning this conflict. Even *formal displacement efforts to push a group out of a setting have to be followed through with clear and convincing authority to replace the services or products that were being supplied*. This, of course, is not possible in prohibition contexts in that the legitimate authority cannot assure that the sought after

commodity is supplied. The result is thus inevitable in that if such follow-ups are not assured, new groups will form and, worse, the displaced group will likely take on a new position (e.g., an importation group within the country's border becomes an exportation or transit group after deportation). The bottom line is that organized crime forms when something is lacking and no control tactic or policy will be able to counter all the voids that are exploitable.

Once we accept the evident—that organized crime fills the gaps in society—the second step toward addressing the criminal group mobility problem is acknowledging that, at least in the Canadian context, it is not as threatening as commonly portrayed. A common thread across all research and case studies assessed in this discussion paper was the identification of criminogenic factors that increase the opportunities available to organized crime participants across criminal markets and vulnerable legitimate sectors. However, the most important distinction between evidence-based research on organized crime and the more popular accounts of organized crime is that, even though criminogenic factors emerge as a key part of their discussion, the strategic group remains the prominent focus in the more popular accounts. The claim is always that offenders have a master plan to expand. The reality is that many factors have to be in place for criminal groups to successfully move or emerge. Expansion may be an ambition shared by any criminal group, but what past research has demonstrated is that the mobility or transplantation of criminal groups across settings (i.e., geographical, industrial, etc.) is easier said than done.

Indeed, the level of organization and freedom to colonize or transplant elsewhere are not easy to achieve on a short term basis and even more challenging to achieve on the long term. There are constraints that all criminal firms must confront when expanding their organizational parameters. Reuter (1983) outlined a series of obstacles that must be understood in order to appreciate the difficulties facing any criminal group. Expansion over a wider geographical landscape requires that the criminal group is able to control the actions of its more distant employees. While this may seem rather straightforward for most people assessing a criminal group's expansion, who often turn to the same perceptions they would if assessing a legitimate group's expansion, an increase in the number of employees over a

greater distance creates two problems for the main criminal entrepreneur: these employees increase the main entrepreneur's exposure over a greater distance and greater monitoring is required to assure that the new employees remain loyal. In terms of countering trust and loyalty issues, the rise of informant and witness protection programs throughout Western nations over recent decades is already an indication that the apparent ease for a criminal group to expand must be scrutinized further (Turcotte 2008). Also, it is not because a group has network extensions that this group has mobilized itself elsewhere. This is more likely the product of typical arms-length transactions that require sharing between contacts across a wider geographical landscape. Furthermore, research on spatial mobility demonstrates that not all offenders are mobile and that the benefits of mobility remain contested, particularly for criminal market participants who are more likely to rely on their network extensions to branch out beyond their local settings. Cosmopolitanism, however, is a key factor accounting for mobility and likely an indication that an offender or group is specializing in one criminal activity.

A second step toward addressing the criminal group mobility problem reflects the common outlook that emerged from both our research review and our re-assessment of journalistic case studies: *the main push factor is systematic law-enforcement* regarding a specific problem; inversely, *the main pull factor is lax law-enforcement*. Most who have studied in this area would agree that the principal mistake that any policy maker or law-enforcement agent could do is to ignore a serious problem for an extended period. In this sense, law-enforcement is at the heart of its own solution. The importance of such a factor is stated across all areas of research, but its basic logic is best demonstrated when thinking in terms of criminal market constraints. *Increased law-enforcement results in more decentralized criminal markets and, thus, greater competition between criminal groups. Keeping the market competitive by assuring systematic checks will keep groups small and ephemeral, making it more difficult for them to expand beyond local settings.*

Two objectives must be assured by law-enforcement officials. The first point may appear obvious, but judging from past research, must nevertheless be stated. *Law-enforcement officials must guarantee the ethical behaviour of its members* by eradicating any form of

discretionary decisions that may lead to impunity and corruption opportunities. The second point stresses that the challenge is not to advise law-enforcement officials to be more aware of the problems that may be addressed, but to assure that there is an agreement throughout all ranks and divisions of a law-enforcement agency in regard to what problems are going to be targeted. Thus, if the higher brass of a police agency establishes a strategic plan to address an organized crime problem, such as the closer monitoring of an expanding criminal market (e.g., synthetic drugs), this agency must assure that this directive is followed through across its ranks and particularly amongst its investigators who are more likely to follow their own investigative paths and continue to target the more reputed criminal groups (Manning 2004; Erickson 1981). Such group-targeting efforts have generally resulted in short-term destabilization of criminal groups and wider networks. Furthermore, research on problem-oriented policing has also raised awareness in regard to the multiple ways that displacement may emerge as a function of police interventions. The criminal group mobility problem, however, introduces a new variant to this already extensive inventory. While displacement may be assessed in terms of spatial (offenders switch location), temporal (offenders switch the time at which they commit crime), target (offenders change target), tactical (offenders alter their methods), and offense (offenders switch crime) adjustments (Guerette 2009, p. 3), the problem addressed in this paper concerns the displacement of the group or set of offenders itself. Unlike the five traditional displacement effects, group displacement occurs when the offenders are removed, but the opportunities persist. In the area of organized crime, where prevention is only minimally adhered to, the opportunities are more likely to outlive the groups themselves. Thus, *a key priority for any law-enforcement agency that is practicing either repressive or preventive methods is to be aware not simply of the criminal group(s) in place, but to foresee which groups are likely to form once the present problem is recognized and targeted in an effective manner.*

A third point that must be emphasized is that criminal group mobilization, while difficult, is not new and is not the product of an increasingly globalized world. What past research has suggested is that the types of transnational and extensive criminal networks that have been documented have been there for quite some time. Following a similar study by McIntosh (1975), McMullan (1982) identified the same overlaps between criminal group opportunities

and economic conditions, immigration flows, and environmental contingencies in London's early industrial period. Van Duyne (1993) points out that highly mobile crime groups were already active two hundred years ago when borders were not secured. He also argues that criminal entrepreneurs do not make decisions based on physical borders, but rather on money, supply, and people they can trust. Such factors were raised in a number of studies on the succession or overlapping across ethnic-based criminal groups. Cross-border opportunities and the presence of trusting ties based on kinship and diaspora links are often (but not always) the root of criminal group resilience. The push factors or remedies to such a problem are well beyond the reach of policy makers and law-enforcement officials. Some ethnic-based criminal groups legitimize only after years of involvement in a number of criminal markets. Such legitimation is consistent with other push factors such as increased social status and decreased cultural marginalization. All of these "solutions" require a generation before they set in and even when that takes place, new ethnic-based criminal groups emerge to meet the perennial criminal market demand.

Indeed, the challenge facing law-enforcement officials and policy makers who are determined to eradicate the criminal groups that respond to the demand for illicit goods and services is daunting. However, within the context of such a pessimistic horizon, many realistic controls may be applied. In the context of legitimate industries that may be vulnerable to the emergence of criminal group presence, *a credible authority and an explicit and clear set of regulations remain the more important push factors*. Many opportunities at the root of the emergence of criminal groups in a specific sector fall beyond the jurisdiction of traditional police controls. *Addressing stagnant voids and opportunities in ports and other legitimate industries (e.g., the construction sector)* becomes the responsibility of the specific authorities who are in place to monitor such settings. While more pessimistic to traditional law-enforcement repression methods and community-based controls, Levi and Maguire (2004) stress that organized crime cannot be prevented without *improving private sector quality*. Within such vulnerable private sector settings, *greater focus must be devoted to industries that are marked by a high degree of upper/underworld interactions and a high volume of low skilled and minimally professionalized workers*. As with the lax law-enforcement, leaving such opportunities

open and undetected for extended periods is the source of organizing crime and, thus, the basis of the creation of an organized criminal group in a specific sector. *Reducing ambiguities in regulatory practices* within such industries is also an important area to invest time and efforts. Too often, contracting arrangements and employee assignments fall in considerable grey-area matter, leaving possible decisions to deviate a personal discretionary issue. Over the long term, such grey areas are the pool in which individual deviations come together to form an eventual group phenomenon. *Providing the necessary legal and human resource services are also crucial so as to prevent eventual alternative protection and patron-client systems to emerge*—such parallel services have been the traditional areas in which the most reputed of the criminal organizations thrived. *Creating independent groups of decision-makers within a legitimate industry or private sector is also required so as to assure a proper check and balance system.* Too often, criminal groups form when a single legitimate group (e.g., employee union) gathers substantial powers. Penetrating that group thus becomes the single avenue toward emerging as a formidable organizing force within that industry. Finally, *assuring work satisfaction for workers and administrators through reasonable salaries and improved benefits* is also a key incentive to keeping participants in the industry in line and making them feel like they have something to lose if tempted by the urge to deviate.

At times, a new mind frame is required for addressing a specific problem. For example, the vulnerabilities extending from the difficulties of monitoring containers in maritime port settings is probably the most important source for the emergence of smuggling groups over an extended period. Once it is acknowledged that no problem or group starts big and that they only become big when they are ignored and allowed to freely seize and organize around criminal opportunities, port authorities must come to *understand that a minor change in risk generally results in a major change in crime.* Hence, an increase of two to five percent in container monitoring will deter much more than two to five percent of potential offenders. Understanding that the relationship between controls and criminal action is not a straightforward linear connection, but rather consists of a set of complex interactions, will create the selection effect that will remove the more hesitant individuals who find themselves in proximity to such criminal opportunities. And it is

precisely the most hesitant who benefit the most from the long-term avoidance of their actions. In such impunitive contexts, the hesitant have the chance to practice their new trade, learn more discrete ways to seize available criminal opportunities, and organize themselves in more effective and efficient groups so as to minimize the risks of their acts even further and expand in accordance. It is at this point that we are faced with a criminal group problem that is much less sensational than we commonly believe.

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