

Course Outline

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<b>COURSE:</b>	<b>LAWS 4306B –Criminal Law Issues: SOCIO-LEGAL APPROACHES TO ORGANIZED CRIME</b>
<b>TERM:</b>	<b>Winter 2015</b>
<b>PREREQUISITES:</b>	<b>Fourth-year Honours standing and LAWS 2301, LAWS 2302</b>
<b>CLASS:</b>	<b>Day &amp; Time: Monday, 6:05 pm – 8:55 pm</b> <b>Room: Please check with Carleton Central for current room location</b>
<b>INSTRUCTOR:</b>	<b>Dr. B. Leighton, Adjunct Professor</b>
<b>CONTACT:</b>	<b>Office: Loeb B442</b> <b>Office Hrs: tbd</b> <b>Telephone: 613-314-7170 (mobile) 8:00am – 8:00 pm</b> <b>Email: barry.leighton@sympatico.ca</b>

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**Academic Accommodations**

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

**Pregnancy obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

**Religious obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

**Academic Accommodations for Students with Disabilities:** The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

**Other Accommodations:** If you are sitting LSAT exams this semester, please see the Instructor about a possible accommodation for paper submission dates.

**Academic Integrity**

**Plagiarism:** Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of

others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:  
<http://www.carleton.ca/studentaffairs/academic-integrity/>

### ***Department Policy***

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://www.carleton.ca/law/student-resources/department-policies/>

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## **COURSE DESCRIPTION**

**SUMMARY:** This course examines the societal problem of *enterprise crime*, more commonly referred to as *organized crime* (OC). The interdisciplinary perspective of socio-legal studies is taken, with a focus on Canadian OC in comparative perspective and from a business/enterprise perspective. Topics covered will include: the concept and definition of OC; a range of disciplinary and theory perspectives; the relationship between OC and individual crime and parallel non-criminal economic activities; historical origins of OC in Canada and the US; international linkages and transnational crime; models of OC structure; major OC groups in Canada; major criminal markets in Canada; means used to conduct or facilitate OC activities; strategies and tools for combating OC; and the future of OC. Note that, while this course covers a very few sections of the C.C.C (ex. s. 467), it *does not* address substantive law issues or law reform (e.g., decriminalizing illegal drugs).

### **LEARNING OBJECTIVE:**

The course objective is to advance our understanding of OC in five key areas:

- ❖ the definition, scope and impact of OC on Canadian society;
- ❖ the nature of and key attributes of OC groups;
- ❖ the nature of and operations of OC enterprises profiting from illegal goods and services;
- ❖ explanations for OC, including how illegal market opportunities are created and operate; and
- ❖ major public policy and law enforcement strategies and tools to combat OC.

### **LEARNING STRATEGIES:**

- ◆ critically analyzing some key theories about OC, especially political/economic explanations;
- ◆ using an historical and comparative approach to OC in Canada, especially in relation to the US;
- ◆ analyzing OC as business enterprises that have been determined by the state to be illegal; and
- ◆ critiquing public policy strategies and instruments used in government responses to OC

**LECTURE & PRESENTATION OUTLINE:**

**PART 1: LECTURE & DISCUSSION TOPICS**

1. **Understanding Organized Crime:** Concepts of OC, enterprise crime, corporate crime, and white collar crime; recent OC events in Canada; popular culture and media portrayals; the reality of OC; debunking popular myths through empirical research; critique of official statistics; alternative information sources; research strategies and methods.
2. **Defining OC:** Legal, state agency, UN, and other definitions; OC activities to fund terrorism; categories of organized criminal activities; models of organized crime groups; links to broader social, economic and political trends; non-traditional and emerging OC activities; transnational OC.
3. **Explaining OC:** Sources of explanations; criteria for sound theories of OC; conspiracy/outsider theories; criminology theories (deviance, control); psychological pathology theories (deviant personality); psychological/sociological learning theories; sociological pathology theories (deviant groups/society, social disorganization, cultural deviance); conflict theories; market/enterprise theories.
4. **OC Groups and their Evolution:** Key attributes of OC Groups, including organizational structure; sea pirates and land pirates; historical antecedents of OC; Irish immigration to the US; Italian/Sicilian immigration to the US; prohibition and the Canadian connection; history of OC in Canada; colonial/pre-confederation era; confederation era; prohibition and the rise of major gangs; US mafia invasion and re-colonization of Canadian OC; the US “branch-plant” model.
5. **The Business of OC as Criminal Markets:** Typologies of OC criminal markets; drug trafficking; smuggling illegal tobacco, smuggling illegal alcohol, smuggling firearms; smuggling humans; trafficking in women and children for sex; economic crime; counterfeit goods, counterfeit money and other financial instruments; financial fraud, corporate crime; telemarketing fraud; computer assisted crime, e-commerce. Key facilitators of OC, including money laundering, corruption, violence, identity theft, computer-assisted crime.
6. **Combating OC:** Targeting the supply of illegal commodities and services; targeting the suppliers targeting incentives/profits; targeting demand (the users); legal tools; financial tools; investigative tools and surveillance; intelligence gathering and sharing; law enforcement partnerships; international partnerships, treaties, and conventions; public education and information; undercover operations, witness protection; restrictions on tools (e.g., Charter; disclosure); public inquiries.
7. **Case Study:** *Rizzuto* crime family

**PART 2: PRESENTATION TOPICS: Select one of the following OC criminal market activities in Canada:**

1. Drug trafficking [Note: Choose <u>ONE</u> drug]	7. Fraudulent telemarketing
2. Human smuggling OR human trafficking (Note: Choose one source country)	8. Counterfeit consumer goods
	9. Intellectual property theft
3. Domestic sex trade	10. Counterfeit currency/financial instruments
4. Smuggling consumer goods	11. Fraudulent payment cards
5. Illegal gambling	12. Cyber-crime
6. Corporate crime	13. Environmental crime

- Students are required to discuss their topics in detail with the instructor and **obtain approval – a maximum of 6 students may select each topic.**

### COURSE FORMAT - SEMINAR:

- The course is in Seminar format. Accordingly, students are required to -
  - a) **attend class** each week – if students are absent from two or more classes then they must provide a compelling reason (ex. illness, family crisis) *and* an acceptable explanation provided in writing or by e-mail; otherwise your final grade will be penalized by 10%. Accommodations may be made prior to absences when discussed with the instructor.
  - b) **participate fully in discussions during each class** about the introductory lecture materials on each topic and on required readings.
  - c) make a **class presentation**, and
  - d) **write papers**, as specified, at 4<sup>th</sup>-year level of scholarship.
- Students are expected to demonstrate their knowledge of the required readings and to recognize that not all information about OC can be found through the Internet. Students are expected to also use hard-copy materials, including sources from the university library.

### COURSE PRINCIPLES:

- Students working full-time (35-40 hours per week) will have significant challenges if they are also have a full-time course-load and also expect to earn an acceptable grade.
- Students should read the Department of Law and Legal Studies *Policy and Procedure Statement*.
- Principles on and/or regulations for issues such as: gender appropriate language; pluralism in teaching; criteria and review of assessment of students; plagiarism, cheating and other student instructional offenses; and the level of scholarship will follow those articulated in the Department *Sessional Lecturers' Handbook* with the Chair of the Department being the appropriate next step for interpretation, review or appeal.
- Discussions with the Instructor will be held only in public places or in the presence of student peers.
- Course work should be sensitive to pluralism and class, gender and “race” (i.e., *racialized groups*) bias.
- An **ombudsperson** (volunteer class representative, or mediator) will assist in mediating any misunderstandings and monitoring discussions for appropriate language, gender and “race” bias, etc.
- Students benefiting from information and other assistance from police or other professional sources for their major paper are expected to send a letter of thanks (copied to the Instructor) together with a copy of their paper.
- Students are encouraged to work with a study partner and, when criminal activities are selected, to work in groups.
- As a course within an interdisciplinary legal studies program, students are expected to blend social science and legal research methods.
- Students *should not place themselves at personal risk* when collecting information on OC.
- Lap-tops/tablets are encouraged but may only be used in class for purposes related to this course.
- Cell-phones should only be used *for emergency purposes*

### CONTACTING THE INSTRUCTOR:

- Because the Instructor works off-campus and does not have a permanent Department office, students should not expect the same availability as for full-time faculty members.
- In lieu of fixed Office Hours, the Instructor will meet students at a mutually-convenient time and at a mutually-convenient public place on campus (ex. Loeb B442, McOdrum Library coffee shop)
- All **e-mail messages** to the Instructor **must be sent to both the e-mail address noted on page 1 AND to the course cuLearn mailbox.**
- Students may call the Instructor’s above-noted mobile/cell number, if possible within the hours preferred above. If you have not had a reply within two days, please assume the Instructor has tried to reply and been unable to contact the caller, so please call again.
- Students who become ill or who are experiencing difficult personal circumstances, workload pressures, or stress, please let the Instructor know by e-mail as soon as possible to discuss an accommodation, if possible before a class is missed or assignment is overdue. Students may also text the instructor at the mobile/cell number. Students with on-going challenges are expected to contact the Paul Menton Centre.

## REQUIRED MATERIALS

1. **LYMAN, Michael D. & Gary W. POTTER, 2014. *Organized Crime*, 6<sup>th</sup> edn. Toronto: Pearson Education/Prentice Hall Canada, ISBN: 9780-0-13-357173-8, in paperback**
2. **CEDILOT, Andre & Andre NOEL. 2011. *Mafia Inc*, Toronto: Random House, ISBN; 978-0-307-360403**
3. Electronic “course-pack” readings, available on the course cuLearn site

Note: The above textbooks may be purchased on campus from the Carleton University Bookstore

## READINGS FOR LECTURE/DISCUSSION TOPICS

The material listed is mainly books available through the McOdrum Library. Under Library Reserve, search for LAWS 4306 at <http://catalogue.library.carleton.ca/search/r>

Articles and further resource material will be identified as the course progresses, depending on the issues selected by students. See, especially, *Trends in Organized Crime*, an on-line electronic journal.

Students should use resources identified on the course Internet site when it is available; ex, the on-line bibliography of the Nathanson Centre on Organized Crime and Corruption: *Organized Crime Searchable Database (to 2006)* - <http://nathanson.osgoode.yorku.ca/databases/organized-crime-searchable-database/>

### 1. UNDERSTANDING ORGANIZED CRIME:

#### Required Reading

**LYMAN & POTTER, 2014. Chapter 1, pp. 1-4, 23-24, 36-44, 56-59; & Chapter 10, pp. 347-368**

#### Recommended Reading

- Cressey, Donald R.** 1967. “Methodological problems in the study of organized crime as a social problem.” *Annals of the American Academy of Political and Social Science*, 374:102-112. Reprinted pp.3-14 in Nikos Passas (ed.). 1995. *Organized Crime*. Brookfield, Vt.: Dartmouth (Ashgate) [ON RESERVE: HV6441.O738]
- Inciardi, James A., Alan A. Block & Lyle A. Hollowell.** 1977. *Historical approaches to crime: Research strategies and issues*. Beverly Hills, CA: Sage Publications [ON RESERVE:HV6021.I58]
- Maas, Peter.** 1968. *The Valachi papers*. New York: Putnam [HV6789.M29.1968]
- Pistone, Joseph D.** 1997. *Donnie Brasco: Deep Cover*. New York: Penguin [ISBN 9780451192578]
- Reuter, Peter.** 1994. “Research on American organized crime.” pp.91-120 in Robert J. Kelly, Ko-lin Chin & Rufus Schatzberg (eds.). 1994. *Handbook of Organized Crime in the United States*. Westport, Con.: Greenwood Press [ON RESERVE: HV6446.H345]
- Statistics Canada.** 2002. *Organized crime in Canada: An investigation into the feasibility of collecting police-level data*. Ottawa: Canadian Centre for Justice Statistics, Statistics Canada.  
<http://www.statcan.ca/bsolc/english/bsolc?catno=85-556-X>
- Zhang, Ting.** 2008. *Costs of crime in Canada, 2008*. Ottawa: Justice Canada, rr10-05E  
[http://www.justice.gc.ca/eng/pi/rs/rep-rap/2011/rr10\\_5/rr10\\_5.pdf](http://www.justice.gc.ca/eng/pi/rs/rep-rap/2011/rr10_5/rr10_5.pdf)

### 2. DEFINING ORGANIZED CRIME:

#### Required Reading

- LYMAN & POTTER, 2014. Chapter 1, pp. 4-11, 26-28.**
- Maltz, Michael D.** 1994. “Defining organized crime” pp. 21-37 in Robert J. Kelly, Ko-lin Chin & Rufus Schatzberg (eds.). 1994. *Handbook of Organized Crime in the United States*. Westport, Con.: Greenwood Press [COURSEPACK]
- Hagan, Frank. E.** 2006. “‘Organized crime’ and ‘organized crime’: Indeterminate problems of definition.” *Trends in Organized Crime*. Vol.9 (4):127-137. [COURSEPACK]
- Smith, Dwight C. Jr.** 1971. “Some things that may be more important to understand about organized crime the Cosa Nostra.” *University of Florida Law Review*. Vol.24 (1): 1-30. [COURSEPACK]

**Recommended Reading**

- Maltz**, Michael D. 1976. "On defining 'organized crime': The development of a definition and a typology." *Crime and Delinquency*, 22: 338-346. Reprinted pp.....in Nikos Passas (ed.) 1995. *Organized Crime*. Brookfield, Vt.: Dartmouth (Ashgate) [ON RESERVE: HV6446.H345]
- Mitsilegas**, Valsamis. 2003. "From national to global, from empirical to legal: The ambivalent concept of transnational organized crime." pp. 55-87 in Margaret E. Beare (ed.). 2003. *Critical Reflections on Organized Crime, Money Laundering, and Corruption*. Toronto: University of Toronto Press [ON RESERVE: HV6252 .C75 2003]
- Sheptycki**, James. 2003. "Against transnational organized crime." pp. 120-144 in Margaret E. Beare (ed.). 2003. *Critical Reflections on Organized Crime, Money Laundering, and Corruption*. Toronto: University of Toronto Press [ON RESERVE: HV6252 .C75 2003]
- Smith**, Dwight C. Jr. 1975. *The Mafia Mystique*. New York: Basic Books
- Von Lampe, Klaus**. <http://www.organized-crime.de/OCDEF1.htm> (use only as a source for OC definitions, cite the original sources, but do not cite Von Lampe)
- Woodiwiss**, Michael. 2003. "Transnational organized crime: The strange case of an American concept." pp. 3-34 in Margaret E. Beare (ed.). 2003. *Critical Reflections on Organized Crime, Money Laundering, and Corruption*. Toronto: University of Toronto Press. Press [ON RESERVE: HV6252 .C75 2003]
- Woodiwiss**, Michael. 2005. *Gangster Capitalism: The United States and the Global Rise of Organized Crime*. New York: Carroll & Graf [ON RESERVE: HV6441.W66 2005]

**3. EXPLAINING ORGANIZED CRIME:****Required Reading**

- LYMAN & POTTER, 2014. Chapters 1, pp. 44-56) & Chapter 2.**
- Bell**, Daniel. 1953. "Crime as an American way of life." *The Antioch Review*. Vol. 13 (2):131-154. [COURSEPACK]
- Haller**, Mark H. 1990. "Illegal enterprise: A theoretical and historical interpretation." *Criminology* Vol.28 (2):207-235. [COURSEPACK]
- Naylor**, Thomas. 2003. "Towards a Theory of Profit-Driven Drug Crime." *British Journal of Criminology* Vol.43: 81-101.
- Smith**, Dwight C. Jr. 1980. "Paradigms, Pariahs, and pirates: A spectrum-based theory of enterprise crime." *Crime and Delinquency* Vol.26 (3): 358-386 [COURSEPACK]
- \_\_\_\_\_ 1994. "Illicit Enterprise: An organized crime paradigm for the Nineties." p. 121-150 in Robert J. Kelly, Ko-lin Chin & Rufus Schatzberg (eds.). 1994. *Handbook of Organized Crime in the United States*. Westport, Con.: Greenwood Press [COURSEPACK]

**Recommended Reading**

- Levitt**, Steven D. & Dubner, Stephen J. 2005. Chapter 3, "Why do drug dealers still live with their Moms?" *Freakonomics*. Toronto: HarperCollins.
- Lupsha**, Peter A. 1981. "Individual choice, material culture, and organized crime." *Criminology*. 19:3-24. Reprinted pp. ....in Nikos Passas (ed.) 1995. *Organized Crime*. Brookfield, Vt.: Dartmouth (Ashgate) [ON RESERVE: HV6441.O738]
- Naylor**, R.T. 2002. *The Wages of Crime*. Montreal & Kingston: McGill-Queen's University Press. [ON RESERVE: HV6791.N34]
- Naylor**, R.T. 2003. "Predators, parasites, or free-market pioneers: reflections on the nature and analysis of profit-driven crime." pp. 35-54 in Margaret E. Beare (ed.). 2003. *Critical Reflections on Transnational Organized Crime, Money Laundering, and Corruption*. Toronto: University of Toronto Press. Press [ON RESERVE: HV6252 .C75 2003]
- Reuter**, Peter. 1983. *Disorganized Crime: The Economics of the Visible Hand*. Cambridge, Mass: MIT Press [ON RESERVE: HV6446.R48]

**4. OC GROUPS AND THEIR EVOLUTION:****Required Reading**

**LYMAN & POTTER, 2014. Chapters 1, pp. 12-23, 28-30; & Chapters 3, 4, 7, 8.**

**Recommended Reading**

- Block, Alan A.** 1994. "Organized crime: History and historiography." pp.39-74 in Robert J.Kelly, Ko-lin Chin & Rufus Schatzberg (eds). 1994. *Handbook of Organized Crime in the United States*. Westport, Con.: Greenwood Press [ON RESERVE: HV6446.H345]
- Dubro, James.** 1992. *Dragons of Crime: Asian Mobs in Canada*. Markham, Ont.: Octopus Publishing Group Canada [ON RESERVE: HV6453.C23T734]
- Edwards, Peter.** 2010. *The Bandido Massacre: A true story of bikers, brotherhood and betrayal*. Toronto: HarperCollins Canada
- Glenny, Misha.** 2008. *McMafia*. Toronto : Anansi (Knopf/Random House) [LIBRARY RESERVE REQUESTED HV6441 .G54 2008]
- Humphreys, Adrian.** 1999. *The Enforcer: Johnny Paps Papalia - A Life and Death in the Mafia*. Toronto: Harper Collins.[ON RESERVE: HV6453.C22.O55]
- Lamothe, Lee & Antonio Nicaso.** 2001. *Bloodlines: The Rise and Fall of the Mafia's Royal Family*. Toronto: Harper Collins. [ON RESERVE: HV6453.I82 S6235 2001]
- Lamothe, Lee & Adrian Humphreys.** 2006. *The Sixth Family: The Collapse of the New York Mafia and the Rise of Vito Rizzuto*. Mississauga: John Wiley & Sons Canada, ISBN100470837535 (PB)
- Lavigne, Yves.** 1987. *Hells Angels: Taking Care of Business*. Toronto: Deneau & Wayne [ON RESERVE: HV6489.C2.L39]
- \_\_\_\_\_. 1996. *Hells Angels: Into the Abyss*. Toronto: Harper Collins.[ON RESERVE: HV6488.L39]
- \_\_\_\_\_. 1999. *Hells Angels at War*. Toronto: HarperCollins. [ON RESERVE: HV6488.L39]
- \_\_\_\_\_. 1999. *Death dealers: Cocaine from Columbia, heroin from Asia, crack cocaine from the kid next door : the true story of how drugs hit the streets and who pays the price*. HarperCollins Canada
- Nicaso, Antonio & Lee Lamothe.** 2005. *Angels, Mobsters and Narco-Terrorists: The Rising Menace of Global Criminal Empires* . Toronto: John Wiley & Sons Canada [ON RESERVE: HV6441 .N52 2005]
- Sher, Julian & William Marsden.** *The Road to Hell: How the Biker Gangs Are Conquering Canada*. Toronto : A.A. Knopf Canada, c2003. [RESERVE REQUESTED HV6491.C2 S46 2003]
- Woodiwiss, Michael.** 1988. *Crimes, Crusades and Corruption: Prohibition in the United States, 1900-1987*. London: Pinter [ON RESERVE: HV6707.V5W66]

**5. THE BUSINESS OF ORGANIZED CRIME:****Required Reading**

**LYMAN & POTTER, 2014. Chapters 1. pp. 24-26; Chapters, 5, 6, 9 & 10, pp. 368-375.**

**Recommended Reading**

- Criminal Intelligence Service Canada (CISC).** 2011. *Report on Organized Crime*. Ottawa: Criminal Intelligence Service Canada. [http://www.cisc.gc.ca/products\\_services/products\\_services\\_e.html](http://www.cisc.gc.ca/products_services/products_services_e.html) (may not be still available on the CISC web site)
- Desroches, Frederick J.** 2003. "Drug trafficking and organized crime in Canada: A study of high-level drug networks." pp. 237-255 in Margaret E. Beare (ed.). 2003. *Critical Reflections on Organized Crime, Money Laundering, and Corruption*. Toronto: University of Toronto Press. Press [ON RESERVE: HV6252 .C75 2003]
- Morselli, Carlo.** 2009. *Inside Criminal Networks*. New York: Springer
- Nicaso, Antonio & Lee Lamothe.** 1995. *Global Mafia: The New World Order of Organized Crime*. Toronto: Macmillan Canada. [ON RESERVE: HV6441.N53]
- \_\_\_\_\_. 2005. *Angels, Mobsters and Narco-Terrorists: The Rising Menace of Global Criminal Empires* . Toronto: John Wiley & Sons [ON RESERVE: HV6441 .N52 2005]
- Robinson, Jeffrey.** 1999. *The Merger: How Organized Crime is Taking Over Canada*. Toronto: McClelland & Stewart. [ON RESERVE: HV6252.R63]
- Ruggiero, Vincenzo.** 2003. "Global markets and crime." pp. 171-182 in Margaret E. Beare (ed.). 2003. *Critical Reflections on Organized Crime, Money Laundering, and Corruption*. Toronto: University of Toronto Press. Press [ON RESERVE: HV6252 .C75 2003]
- Woodiwiss, Michael.** 2001. *Organized Crime and American Power*. Toronto: University of Toronto Press. [ON RESERVE: HV6446 .W66 2001]

**6. COMBATING ORGANIZED CRIME:****Required Reading****LYMAN & POTTER, 2014. Chapter 11.****Recommended Reading**

- Beare, Margaret E. & Schneider, Stephen.** 2007. *Money Laundering: Chasing Dirty Money and Dangerous Dollars*. Toronto: University of Toronto Press. [ON RESERVE: HV6771.C2 B43 2006].
- Dombrink, John & John Huey-Long Song.** 1994. "Policing emerging organized crime groups." pp. 415-430 in Robert J. Kelly, Ko-lin Chin & Rufus Schatzberg (eds). 1994. *Handbook of Organized Crime in the United States*. Westport, Con.: Greenwood Press [ON RESERVE: HV6446.H345]
- Kelly, Robert J., Ko-lin Chin & Rufus Schatzberg** (eds). 1994. Part IV. *Handbook of organized crime in the United States*. Westport, Con.: Greenwood Press [ON RESERVE: HV6446.H345]
- Manzer, Alison.** 2004. *A Guide to Canadian Money Laundering Legislation, 2005*. Markham, Ontario: LexisNexis Canada [ON RESERVE KE1024.R42 M36 2002]
- Mathers, Chris.** 2004. *Crime School Money Laundering*. Westport, Ct.: Firefly Books. [ON RESERVE HV6768 .M27 2004]
- Naylor, R.T.** 2003. "Follow-the-money methods in crime control policy." pp. 256-290 in Margaret E. Beare (ed). 2003. *Critical Reflections on Transnational Organized Crime, Money Laundering, and Corruption*. Toronto: University of Toronto Press. Press [ON RESERVE: HV6252 .C75 2003]
- Pearce, Frank & Michael Woodiwiss.** 1993. *Global crime connections: dynamics and control*. Toronto : University of Toronto Press. [ON RESERVE: HV6441.G59]
- Robinson, Jeffrey.** 1996. *The Laundrymen: Inside money laundering, the world's third-largest business*. New York: Arcade Pub. (Little Brown). [ON RESERVE: HV6768.R63]
- Ryan, Patrick J.** 1994. "A history of organized crime control: Federal strike forces."pp. 334-358 in Robert J. Kelly, Ko-lin Chin & Rufus Schatzberg (eds). *Handbook of Organized Crime in the United States*. Westport, Con.: Greenwood Press 1994. [ON RESERVE: HV6446.H345]

**Selected Canadian Government Responses to Organized Crime**

- Gabor, Thomas,** 2005. *Assessing the Effectiveness of Crime Control Strategies*. Ottawa, Department of Justice Canada - [http://www.justice.gc.ca/eng/pi/rs/rep-rap/2005/rr05\\_5/index.html](http://www.justice.gc.ca/eng/pi/rs/rep-rap/2005/rr05_5/index.html)
- Naylor, R.T.** 2003. "Economic and Organized Crime: Challenges for Criminal Justice." Ottawa, Justice Canada. [www.justice.gc.ca/eng/pi/rs/rep-rap/2002/rp02\\_12-dr02\\_12/index.html](http://www.justice.gc.ca/eng/pi/rs/rep-rap/2002/rp02_12-dr02_12/index.html)
- Schneider, Stephen.** 2000. "Organized contraband smuggling and its enforcement in Canada. *Trends in Organized Crime*. Vol.6 (2):3-31
- Schneider, Stephen, Margaret Beare, & Jeremy Hill.** 2000. *Alternative Approaches to Combating Transnational Crime*. Ottawa: Solicitor General Canada (Public Safety Canada).



**Selected Sources:**

<b>Web Links</b>	<b>Location</b>
Public Safety Canada formerly Canadian Border Services Agency Financial Transactions & Reporting Analysis Centre of Canada (FINTRAC) Justice Canada Royal Canadian Mounted Police Phonebusters (re Fraud) Criminal Intelligence Service Canada	<a href="http://www.publicsafety.gc.ca/prg/le/oc/index-eng.aspx">www.publicsafety.gc.ca/prg/le/oc/index-eng.aspx</a> <a href="http://www.cbsa-asfc.gc.ca/menu-eng.html">www.cbsa-asfc.gc.ca/menu-eng.html</a> <a href="http://www.fintrac-canafe.gc.ca/intro-eng.asp">www.fintrac-canafe.gc.ca/intro-eng.asp</a> <a href="http://www.justice.gc.ca/eng/pi/rs/title-titre.cfm#n">www.justice.gc.ca/eng/pi/rs/title-titre.cfm#n</a> <a href="http://www.rcmp-grc.gc.ca/fs-fd/org-eng.htm">www.rcmp-grc.gc.ca/fs-fd/org-eng.htm</a> <a href="http://www.phonebusters.com/english/index.html">www.phonebusters.com/english/index.html</a> <a href="http://www.cisc.gc.ca/index_e.html">www.cisc.gc.ca/index_e.html</a>
Justice Canada – Laws Criminal Code House of Commons & Senate – legislation, progress	<a href="http://laws.justice.gc.ca/en/index.html">laws.justice.gc.ca/en/index.html</a> <a href="http://canada.justice.gc.ca/en/showtdm/cs/C-46">canada.justice.gc.ca/en/showtdm/cs/C-46</a> <a href="http://www.parl.gc.ca/common/bills.asp?Language=E">www.parl.gc.ca/common/bills.asp?Language=E</a>
U.S. DOJ National Institute of Justice US DOJ NIJ organized crime page International Centre for Criminal Law Reform and Criminal Justice Policy  Interpol UN Office on Drugs and Crime UN Inter-agency Project on Human Trafficking	<a href="http://www.ojp.usdoj.gov/nij/">www.ojp.usdoj.gov/nij/</a> <a href="http://www.ojp.usdoj.gov/nij/topics/crime/transnational-organized-crime/welcome.htm">www.ojp.usdoj.gov/nij/topics/crime/transnational-organized-crime/welcome.htm</a> <a href="http://www.icclr.law.ubc.ca/Site%20Map/Programs/Transnational_Org_Crime.htm">www.icclr.law.ubc.ca/Site%20Map/Programs/Transnational_Org_Crime.htm</a> <a href="http://www.interpol.int/">www.interpol.int/</a> <a href="http://unodc.org/unodc/en/organized-crime/index.html">unodc.org/unodc/en/organized-crime/index.html</a> <a href="http://www.no-trafficking.org/">www.no-trafficking.org/</a>
Nathanson Centre for Organized Crime & Corruption  International Assoc. for the Study of Organized Crime Centre for Information & Research on Organized Crime (CIROC) Klaus von Lampe's organized crime home page	<a href="http://nathanson.osgoode.yorku.ca/">nathanson.osgoode.yorku.ca/</a> & <a href="http://nathanson.osgoode.yorku.ca/databases/">nathanson.osgoode.yorku.ca/databases/</a>  <a href="http://www.iasoc.net/">www.iasoc.net/</a> <a href="http://www.ciroc.org/">www.ciroc.org/</a> <a href="http://people.freenet.de/kvlampe/index.html">people.freenet.de/kvlampe/index.html</a>
<b>Crime, Law and Social Change</b> <b>Global Crime (Transnational Organized Crime)</b> <b>Trends in Organized Crime</b>	Electronic journal (H6001.C362 to 2001) Electronic journal Electronic journal
<i>Please report any links that no longer work - and advise of any new useful links</i>	

**EVALUATION****(All components must be completed in order to get a passing grade)**

- In recognition that any one form of evaluation is inadequate, a variety of student contributions will be used to assess student performance in this course. There will be no examinations – just two short quizzes on the required readings.
- Students are encouraged to work in groups for common topic areas but will be **marked individually**.
- Students should identify a study partner to assist them, especially in case of illness.
- Marks for *class participation* are for the level and quality of participation - *not for attendance* - and will reflect a student's questions and discussion of issues.
- A penalty of one per cent per day MAY be imposed against the mark for late submission of papers or delay of presentation UNLESS a reasonable excuse, preferably in writing (e.g., a physician's note), is provided and, if possible, provided in advance. If in doubt, send the Instructor an e-mail.
- **There are no supplemental or Grade Raising examinations available in this course.**
- **All requirements must be completed in order to get a passing grade.**
- Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean

<b>SUMMARY OF REQUIREMENTS:</b>	<b>DUE DATE</b>	<b>LENGTH</b>	<b>MARK</b>
- <b><u>Topic selection due</u></b> for #2 & #4 (same topic)	<b>JAN. 12</b>		-
<b>1. CLASS PARTICIPATION (seminar discussion, contributions and questions)</b>	<b>ongoing</b>	-	10%
<b>2.a. Quiz on Required Readings about OC Definitions</b>	<b>JAN. 12</b>		5%
<b>2.b. Quiz on Required Readings about Explaining OC.</b>	<b>JAN. 19</b>		5%
<b>3. Critique of Criminal Code Provisions for and Definitions of Organized Crime</b>	<b>FEB. 2</b>	<b>6-8 pages</b>	20%
<b>4. PRESENTATION on a Criminal Market Business Process</b> (i.e., the same topic as for #6)	<b>t.b.d.</b>	-	10%
<b>5. THREAT ASSESSMENT of the Rizzuto Crime Family</b>	<b>MAR. 2</b>	<b>6-8 pages</b>	20%
<b>6. REPORT on a CRIMINAL MARKET</b> (i.e., the same topic as for #4)	<b>MAR. 30</b>	<b>8-10 pages</b>	30%

## PAPER TOPIC REQUESTS

### DESCRIPTION:

These topics are for your assignments on: OC Criminal Activity - Class Presentation (Assignment #4) AND your Final Paper on the same criminal activity (Assignment #6)

### REQUIREMENTS:

- a) **Provide a single, one-sided**, typed, double-spaced page.
- b) Place your **family/surname and student number on the top right-hand corner**.
- c) **Do not** provide a cover page.
- d) Place the title of the criminal market requested for approval on the top of the page.
- e) Prepare a 1 - 2 paragraph description of **one major organized criminal market found in Canada** –
  - but not Money Laundering or other facilitators of crime
- f) Provide at least three relevant academic references to demonstrate that there is sufficient body of academic literature to support your topic as a paper.

2. Discuss your topic with the Instructor and obtain approval.

Note: Students are encouraged to form cooperative groups on similar topics, to be established in class after topics have been established. Student work will be marked separately.

**DUE:** January 12<sup>th</sup> 2015 @ 6:05 pm in class (paper copy) & via the relevant course *cuLearn* assignment folder (electronic copy)

## ASSESSMENT #1: CLASS PARTICIPATION

### DESCRIPTION:

The purpose of this requirement is to engage students directly in class participation, which is a key expectation of students performing at a 4<sup>th</sup> year level, and for students to demonstrate that they are keeping abreast of current issues in organized crime as presented in the media, court cases, and in relevant academic journals

### REQUIREMENTS:

- a) **Contribute meaningful questions**, comments, and comments during all class discussions.

**DUE:** all classes, January 12 – May 30<sup>th</sup>, 2015

- b) **Initiate class discussion** at the beginning of each class up until Winter Break, based on, for example –
  - an event or case involving organized crime groups or markets **in Canada** that challenges whether or not it fits under a definition of organized crime or membership in a criminal enterprise. Note that you can set up **Google Alerts** to receive a daily e-zine on current events (ex. on “organized crime in Canada”) as well as Google Scholar Alerts academic publications (ex., on organized crime, human trafficking, drug smuggling, etc.)

**DUE:** January 12 to February 9<sup>th</sup>, 2015

**VALUE:** 10% “*Frequent Flyer*” points will be given for verbal contributions during each class, with the 10% allocated in proportion to the overall number of contributions. For example, if a student makes 50 contributions, then they might receive the full 10%, and those making 25 contributions might receive 5%.

## ASSESSMENT #2: MINI-TESTS ON REQUIRED READINGS

2a. **Quiz on Required Readings about Definitions of “organized crime.”**

**DUE:** January 12<sup>th</sup>, 2015

2b. **Quiz on Required Readings about Theories of OC**

**DUE:** January 19<sup>th</sup>, 2015

**ASSESSMENT #3: CRITIQUE OF CRIMINAL CODE PROVISIONS FOR AND DEFINITIONS OF "ORGANIZED CRIME"**

**DESCRIPTION:**

**Critique** three categories of definitions of the concept of "organized crime" (OC) -

1. **Legal:** For *each* of the following four provisions of the *Canadian Criminal Code* -
  - i. s. 467.1 – 467.13 re. **membership in a criminal organization**
  - ii. s. 462.31 re. **money laundering**
  - iii. s. 462.32 (1) re. **search and seizure of proceeds of crime**
  - iv. s. 462.37 (1) & (2) re. **forfeiture of proceeds of crime**
  - a) identify their intended outcome/impact [do not just summarize/describe the provision],
  - b) discuss the strengths and weaknesses of the provision to achieve their intended outcome, and
  - c) raise at least one relevant *Charter* argument that might form the basis of a challenge to the provision.
2. **Official:** Critique (i.e., identify their strengths and weaknesses) of the following official definitions of OC -
  - a. a Canadian federal government department/agency (ex., RCMP, CSIS, CSC);
  - b. a UN definition (2013) – see the course text at page 7; and
  - c. the US FBI definition – see the course text at page 6.
3. **Academic:** Critique (i.e., identify their strengths and weaknesses) of the following academic definitions -
  - i. Albini (1971) - see the course text at page 7,
  - ii. Smith (1974) – see the course text at page 8
  - iii. Woodiwiss (2003)
  - iv. Beare (1996) –
  - v. Schulte-Bockholt (2006) – see the course text at page 8.
4. **Conclusion:**

On the basis of your review and critique of these definitions, propose your own practical definition of OC.

**Important Notes:**

- ☛ Do not provide a literature review, summarize the material, provide quotes longer than one sentence, refer to popular culture, or provide an introduction. Place an emphasis on critique and analysis.
- ☛ **Cite, but do not quote** the Code, the Charter, or the official and academic definitions. You may wish to present these definitions in an Appendix. You do not need to cite case law or use any additional sources.
- ☛ re. the C.C.C., do not summarize or describe each sub-section but critique the provisions for each. Rather than thinking like a lawyer who is prosecuting an alleged member of an OC group, think like a Minister of Justice who is planning to revise the Criminal Code to make this legislative instrument more effective in responding to the problem of OC.
- ☛ You should use and refer to the course readings.

**LENGTH:** 6-8 letter-size pages (excluding footnotes/endnotes, appendices).

**FORMAT:** Use section headings. And see the text box (page 16) for the requirements for written work.

**DUE DATE:** **February 2<sup>nd</sup>, 2015** @ 6:00pm in class (paper copy) AND to the relevant assignment folder in *cuLearn*.

**VALUE:** 20%

## **ASSESSMENT #4: CLASS PRESENTATION ON A CRIMINAL MARKET BUSINESS PROCESS**

### **DESCRIPTION:**

This is an opportunity for you to make a short verbal presentation to your colleagues and to receive the benefit of their feedback, academic support, and suggestions for literature and approaches to the topic to assist you in preparing your final paper.

### **REQUIREMENTS:**

The presentation will be on the same OC Criminal Market topic chosen for your major paper, consisting of:  
a) an analysis and description of the *business process* for your selected criminal market in Canada; and  
b) the application of *Enterprise Crime theory* to help explain this criminal market.

### **LENGTH:**

**10-minute presentation** followed by 10 minutes chairing a discussion based on questions from the class and, if necessary, on the six questions you will provide. Time limits will be strictly observed - students are advised to rehearse the presentation and tailor the content to the 10-minute limit. Students presenting in groups on the same or similar topics will have the same time allocated to each and will be marked individually.

### **FORMAT:**

- Present **6-8 slides each**. DO NOT READ YOUR NOTES.
- Use *MS Powerpoint*. Good practices include using a light-coloured background and point-form bullets.
- E-mail a copy to the Instructor before the class.
- You may use other instructional aids, e.g., a *1-minute* documentary video.
- Presentations on similar topics will be done in groups but will be marked individually. Students in the group should divide up the topic so as to avoid duplication. One student should coordinate the presentations for the group and collate the slides.
- Provide a 1-2 page (i.e., **one sheet, preferably printed on both sides**), point-form, **outline** of your presentation as described above, together with the six questions and a "starter bibliography" of six key references. Provide a copy of the outline to the Instructor and 10 copies to share among class members. E-mail the outline to class members the night before so that they can print their own copies.
- Each student - even in groups - will have a separate handout with their key points covered, 6 key references, and 6 discussion questions.
- While you may use the internet connection in the room to access your account, you should also bring a backup of your presentation slides (ex., memory/URL stick).

**DUE:** To be determined, between March 9<sup>th</sup> & March 30<sup>th</sup>, **2015**.

Submit slides via e-mail to the Instructor **and** to the **cuLearn** assignment folder.

**VALUE: 10%**

**ASSESSMENT #5: THREAT ASSESSMENT OF THE RIZZUTO CRIME FAMILY****DESCRIPTION:**

Analyze the threat posed to Canadians by the Rizzuto Family, as described in *Mafia Inc.* (see also, *The Sixth Family* and *Bloodlines*).

**REQUIRED OUTLINE:**

1. **Brief Introduction:** State why the Rizzuto Family poses a threat to Canadian society.
2. **Current Status:** (a) Briefly describe the current status of the Rizzuto Family including a rough estimate of its size according to *McMafia Inc.* and *The Sixth Family* as at the year of their publication, (b) disclose any issues with estimates of its size, and (c) state it's main criminal activities in Canada.
3. **Group structure:** (a) Briefly describe the group structure, (b) briefly explain which structural/organizational model best applies and why it is best suited for the group's main activity, and (c) suggest a type of legal enterprise that this group resembles and offer an example.
4. **Competition & Cooperation:** (a) Explain why this OC group has a competitive advantage over other groups in their market activity (ex., skills, location, membership), (b) identify the competition, and (c) identify other OC groups with which this group cooperates (ex., legitimate consumers/businesses, other Canadian OC groups, transnational OC groups).
5. **Conclusion:** Provide an overall assessment about the current threat posed to Canadians by the Rizzuto Family.

**REQUIRED SOURCES:**

Cedilot, Andre & Andre Noel. 2011. *Mafia Inc.*, Toronto: Random House

**STRONGLY RECOMMENDED:**

Lamothe, Lee & Antonio Nicaso. 2001. *Bloodlines: The Rise and Fall of the Mafia's Royal Family*. Toronto: Harper Collins

Lamothe, Lee & Adrian Humphreys. 2006. *The Sixth Family: The Collapse of the New York Mafia and the Rise of Vito Rizzuto*. Mississauga: John Wiley & Sons Canada

**LENGTH:** 6-8 letter-size pages (excluding footnotes/endnotes, appendices).  
The above section headings are required.

**FORMAT:** See the text box on page 16 for the requirements for written work.

**MARKING:** The instructor will keep the submitted copy and return comments **only** along with the mark.

**DUE DATE:** March 2<sup>nd</sup>, 2015 @ 6:05 pm in class (paper copy) AND to the OC Group assignment folder in *cuLearn*.

**VALUE:** 20%

**ASSESSMENT #6: REPORT ON A CRIMINAL MARKET IN CANADA****DESCRIPTION:**

Provide a review of *one OC criminal market in Canada* (i.e., the same topic as your class presentation; not money laundering or other activities that facilitate or enable OC).

**REQUIRED OUTLINE:**

1. **Introduction:** (a) Clearly and concisely state the criminal market as a problem for Canadian society; and (b) define any key terms, if any, that are specific to your OC criminal activity and which are necessary to understand this criminal market.
2. **Legislation:** Identify (a) the relevant federal legislation which specifically prohibits the criminal market activity and (b) any relevant international agreements or treaties.
3. **Scope:** (a) Describe the scope of the problem from official sources (including statistics); (b) critique these sources (including the reliability of statistics) and assess whether or not we can use them; and (c) identify any geographical OC “hot spots” for this activity in Canada.
4. **Business Process:** (a) Identify the stages and specializations in the process of the criminal market (ex. production, importation, distribution at various levels, street sales, money laundering); and (b) explain how it differs from a parallel example of a “legitimate” market enterprise.
5. **Group Attributes:** Describe the attributes essential for an OC group to pursue this criminal market activity successfully as a *business process*, including group structure, internal group specialization, inter-group specialization, the means used, and any transnational linkages.
6. **Theory:** Summarize the *enterprise crime theory using the required readings (not just the text book)* and then apply it to help explain why this criminal activity exists and continues to flourish.
7. **State Response Strategies:** Identify (a) the key law enforcement strategies used by the state at all levels of government to combat this criminal market activity, (b) assess the relative success of these strategies, and (c) recommend additional steps that should be taken to reduce the threat and impact of this criminal market on Canadian society.
8. **Conclusion:** Provide an assessment of the likely trend in this criminal market in Canada over the next three to five years.

**LENGTH:** 8-10 letter-size pages (excluding footnotes/endnotes, appendices).  
The above section headings are required.

**FORMAT:** See the text box on page 16 for the requirements for written work.

**MARKING:** The instructor will keep the submitted copy and return comments **only**.

**DUE DATE:** March 30<sup>th</sup>, **2015 @ 6:05 pm in class (paper copy) AND post to the OC Criminal Markets assignment folder in cuLearn.**

**Students making a class presentation on this date may submit their paper on Friday, April 3, 2015 to (1) the Department of Law Essay Drop Box and (2) the relevant **cuLearn** assignment folder.**

**VALUE:** 30%

**STYLE & FORMAT FOR WRITTEN WORK:**

- **Typed**, letter-size pages, double-spaced, stapled.
- Provide a **cover page** that looks like this:

<b>FAMILY NAME</b> #100123123
<b>Assessment #....</b> <b>Threat Assessment of an OC Group in Canada –</b> <b>[insert name of the OC Group]</b>  <b>by Joe Student</b> <b>for</b> <b>Prof. B. Leighton</b> <b>LAWS 4306 B</b> <b>date</b>

- Each page must show (you can use the Header-Footer feature in MS Word):
  - your **FAMILY NAME** in capital/block letters on the top right hand corner, and
  - the **page number** at the bottom of the page.
- Section headings are required.
- From an interdisciplinary legal studies perspective, it is not sufficient to just identify, describe and apply legislation and case law – it is also necessary to critique them and to bring social science research evidence and theory to your discussions.
- Use Canadian English spelling and reputable academic sources for definitions - **not Wikipedia.**

**REFERENCES:**

- **No more than half the sources cited should be available only on the Internet** (the others may be published as books, periodicals and printed reports but can also be available on the Internet).
  - Use subheadings for - books & articles; laws/statutes; internet sources; media reports
  - Internet citations must include the site and date of downloading.
  - Cite but do not quote from the *Criminal Code* and the *Charter*.
  - Use footnotes and a bibliography. i.e., standard Canadian legal reference style.
- Also see The Department of Law “**Legal Style Sheet for Term Papers.**”
- Use **Canadian spelling** for Canadian sources.
- When discussing US sources, always identify them as such.
- Make reference to material identified on the reading list and to others as appropriate.

**SUBMISSION OF PAPERS:**

- **Submit a copy only:** One paper copy must be handed to the instructor in class **AND** an electronic version must be submitted to the relevant assignment folder in *cuLearn*.
- You must keep the **original hard-copy** and an **electronic back-up copy** on diskette/memory card/CD-ROM.



**SCHEDULE**

<b>DATE:</b>	<b>TOPIC:</b>	<b>ASSIGNMENTS DUE:</b>
Jan. 5	Topic #1 - Understanding OC	
Jan. 12	Topic #2: Defining OC	<ul style="list-style-type: none"> <li>• <i>Topic Requests</i></li> <li>• <i>Quiz on Defining OC</i></li> </ul>
Jan. 19	Topic #3: Explaining OC – Theories	<ul style="list-style-type: none"> <li>• <i>Quiz on Theories of OC</i></li> </ul>
Jan. 26	Topic #4: OC Groups & their Evolution	
Feb. 2	Topic #5: The Business of OC - Criminal Markets	<ul style="list-style-type: none"> <li>• <i>Critique of Criminal Code Provisions for and Definitions of OC</i></li> </ul>
Feb. 9	Topic #6: Combatting OC	
Feb. 16	Winter Break – No class	
Feb. 23	Guest Lecture on Topic #6: Criminal Intelligence	
Mar. 2	Guest Lecture on Topic # 6: Money Laundering	<ul style="list-style-type: none"> <li>• <i>Threat Assessment of the Rizzuto Crime Family</i></li> </ul>
Mar. 9	Student Presentations (8)	
Mar. 16	Student Presentations (8)	
Mar. 23	Student Presentations (8)	
Mar. 30	Student Presentations (8) - <b><i>Last day of class</i></b>	<ul style="list-style-type: none"> <li>• <b><i>Report on a Criminal Market</i></b> (Students presenting on this date <i>may</i> hand in their paper on Friday, April 3<sup>rd</sup>, 2015)</li> </ul>