



Department of Law

Special Topic in Criminal Justice: Organized crime

Course Outline

Classes:	Monday, 6:05pm - 8:55pm	Instructor:	Dr. Barry Leighton
Classroom:	Please check with Carleton Central for current room location	Telephone:	613-234-3293 (home) 7:30pm-9:30pm
Office:	Loeb – C476		613-952-0213 x 5237 (office)
Office Hours:	Electronic or by appointment	Fax:	613-952-6344 (office)
E-mail:	barry.leighton@sympatico.ca	(home) and	barry.leighton@oag-bvg.gc.ca (office)

DESCRIPTION:

This course examines the societal problem of *enterprise crime*, more commonly referred to as *organized crime* (OC). An interdisciplinary perspective is taken, which includes addressing a series of key legal, law enforcement and social issues, with a focus on Canadian OC in comparative perspective as well as from a business or enterprise perspective. Topics covered will include: the concept and definition of OC; a range of disciplinary and theory perspectives; the relationship between OC and white collar crime, individual crime, and non-criminal economic activity; historical origins; ethnic connections; international linkages; models of OC structure; major OC groups; major OC activities; means used to conduct or facilitate OC activities; strategies for combating OC; tools to implement these strategies; and the future of OC. The course *does not* address 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 and key attributes of OC groups;
- ❖ the nature 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 ethnic-based models such as La Cosa Nostra, the “queer ladder of mobility” theory, and 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.

COURSE FORMAT:

- Seminar format, with intensive reading, analysis, and discussion with introductory lecture materials.
- As a course within an interdisciplinary legal studies program, students are expected to: blend social science and legal research methodologies, participate fully in discussions, and make presentations.
- Students *should not place themselves at personal risk* when collecting information on OC.
- Lap tops may only be used for class-related purposes.
- Cell phones must be turned off during class.

LECTURE & PRESENTATION OUTLINE:**PART 1: LECTURE & DISCUSSION TOPICS**

1. **Understanding Organized Crime:** Concepts of OC, enterprise crime and related illegal activities; recent events in Canadian and US OC; legal, UN, police and other official definitions; official statistics and alternative information sources; research strategies, methodologies and limitations; categories of organized criminal activities; models of organized crime groups; links to broader social and economic and political trends; ethnicity/culture, class and gender as key variables; non-traditional and emerging OC activities; transnational OC
2. **Major OC Activities and their Impact:** Typologies of OC activities; illegal drug trafficking; **smuggling illegal tobacco**, firearms; smuggling humans; trafficking in women and children for sex; producing and trafficking in pornography; economic crime; counterfeit goods, fraud, telemarketing fraud; computer assisted crime, e-commerce; money laundering; corruption of public officials.
3. **Theories of OC Individual and Group Behaviour:** Criteria for OC; conspiracy/outsider theories (e.g., newcomers); criminology theories (deviance, control); psychological pathology theories (deviant personality); psychological/sociological learning theories; sociological pathology theories (social disorganization, cultural deviance); conflict theories; economic theories (market, enterprise); political science theories (business, community support, media complicity, corruption).
4. **Major OC Groups and their History:** Key attributes of OC Groups; popular culture and media portrayals; historical antecedents of OC; Irish immigration to the US; Italian/Sicilian immigration to the US; early US drug syndicates; prohibition and the Canadian connection; history of OC in Canada; sea pirates and land pirates colonial/Pre-confederation era; confederation era; prohibition and the rise of major gangs; US mafia invasion and colonization of Canadian OC; the US “branch-plant” model.
5. **Strategies & Tools for Combating OC:** Targeting supply: illegal commodities and services; targeting suppliers: people, groups/networks; targeting incentives/profits; targeting demand (the users); legal tools; financial tools; investigative tools and surveillance; intelligence gathering and sharing; law enforcement partnerships and joint operations; international partnerships, and conventions; public education and information; undercover operations, witness protection; restrictions on tools (e.g., Charter; disclosure); public inquiries.
6. **Facilitators of OC: Money Laundering, Corruption, Violence, Identity Theft**
7. **Case Studies:** *Rizutto* and *Caruna-Cuntrera* crime families; smuggling tobacco

PART 2: PRESENTATION TOPICS: Select one of the following OC activities:

8. Drug smuggling/trafficking (<u>one</u> drug only)	14. Economic crime and/or e-commerce
9. People smuggling/trafficking	15. Fraudulent telemarketing
10. Smuggling and/or <u>il</u> legal production of alcohol	16. Counterfeit goods
11. Sex Trade	17. Fraudulent payment cards
12. Auto theft	18. Computer-assisted crime <u>or</u> cyber-crime
13. Gambling	19. 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.**
- Additional readings may be assigned for the topics negotiated.

COURSE PRINCIPLES:

- Students should read the Department of Law *Policy and Procedure Statement* (see pages 11-12).
- 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 colleagues.
- All course work should be sensitive to pluralism and the potential for class, gender and “race” bias.

STUDENTS WITH DISABILITIES: Students with disabilities requiring academic accommodations in this course are required to contact a coordinator at the Paul Menton Centre to complete the necessary *letters of accommodation*. The student must then make an appointment to discuss their needs with me at least two weeks prior to the first class. This is to ensure sufficient time is available to make the necessary accommodation arrangement. Note that there are no in-class or ITV tests in this course. *For further information, please see, http://www.carleton.ca/pmc/students/accom_policy.html*

COURSE OMBUDSPERSON:

- A class representative, mediator or "ombudsperson" will assist in mediating any misunderstandings and monitoring discussions for appropriate language, etc.

COURSE PREREQUISITES:

- Fourth-year standing or permission of the Instructor. Please note that space limitations apply.

CONTACTING THE INSTRUCTOR:

- Because the Instructor works full-time elsewhere and does not have an office on campus, please do not expect the same availability as for full-time faculty members. ***Please use e-mail messages.***
- All ***e-mail messages*** to the Instructor **must be sent to both e-mail addresses noted on page 1 – or use WebCT.** Students are responsible for ensuring their e-mail address is correct on the class list and is in working order. Course work sent by e-mail will be acknowledged by return e-mail; but if one has not been received, then re-send the message until confirmation is received from the Instructor.
- Students are also invited to call the above-noted office or home telephone numbers, 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.
- If students are experiencing difficult personal circumstances, workload pressures, or stress, please let the Instructor know first in case an accommodation may be made..

ASSISTANCE TO STUDENTS:

- 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.

EVALUATION OF ACADEMIC PERFORMANCE:

- 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.**

- Students are encouraged to work in groups for common topic areas but will be **marked individually**.
- Marks for *class participation* are for the level and quality of participation - *not for attendance* - and will reflect a student's identification of key issues and discussion on these 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 satisfied for a final grade to be given** - see Undergraduate Calendar, paragraph 4 of 2.5 (at or near page 37).

SUMMARY OF REQUIREMENTS:		DUE DATE:	MARK
- <u>Topic selection due</u> for #2 & #6 (same topic) and #5, below		SEPT. 21st	-
1. WEEKLY CLASS PARTICIPATION on current OC issues		Ongoing	10%
2. CLASS PRESENTATION on an OC activity		t.b.d.	10%
3. ANALYSIS of the concept of "organized crime"		SEPT. 28TH	15%
4. CRITIQUE of OC Legislation		OCT. 19TH	15%
5. ASSESSMENT of an OC group		NOV. 16TH	30%
6. Take-Home Exam: REPORT on an OC activity (same topic as for #2, above; due date to be determined by the Exam Schedule)		DEC. 14TH	20%
KEY DATES			
SEP. 14	Introduction to the Course & Discussion Topic #1: Understanding OC	NOV. 2	<u>Guest Lecture</u> - RCMP on Topic #6, Money Laundering
21	Discussion Topic #2: OC Activities - Student topic selection due	9	Student presentations (6)
28	Discussion Topic #3: Theories of OC - Concept of OC Paper due	16	Student presentations (6) - Assessment of an OC Group due
OCT. 5	Discussion Topics #4 & 5 : OC Groups and their History	23	Student presentations (6)
12	Statutory Holiday – no class	30	Student Presentations (6)
19	Discussion Topic #6: Combating OC - Critique of OC legislation due	DEC. 7	Student presentations (6) - Last Class
26	<u>Guest Lecture</u> - CISC on Topic #4: OC Groups & Intelligence	14	Report on an OC Activity due during Exam Period

TOPIC SELECTION for requirements #2, 5 and 6 (below).**DESCRIPTION:**

This topic selection is relevant for your assignments on:

1. OC Activity - Class Presentation (Assignment #2,
2. OC Group - Paper (Assignment #5)
3. OC Activity - Final Paper (Assignment #6)

The purpose of this exercise is - (a) to get approval of your topic and (b) for you to assess whether or not there is enough Canadian literature for you to write the papers.

- Submit **one-page only**, typed, with **student name and number on top right-hand corner**, with one paragraph on each of the following:
 1. the title and a one-paragraph description of **one major organized crime group active in Canada** – but not Italian OC, together with three relevant bibliographic references to the group (not the CISC annual report); and
 2. the title and one-paragraph description of **one major organized criminal activity found in Canada** – but not Money Laundering, together with three relevant bibliographic references to the activity (not the CISC annual report).

REQUIREMENT:

Discuss the topic with the Instructor and obtain approval. It is recommended that students form cooperative groups on similar topics, to be established in class after topics have been submitted.

DUE: Monday, September 21st, 2009 @ 6:00 p.m. in class

ASSESSMENT #1: WEEKLY CLASS PARTICIPATION**DESCRIPTION:**

This 10% mark for weekly class participation (which can end up making a letter-grade difference in the final mark) assumes regular attendance and that students will keep abreast of current issues in organized crime, as presented in course readings, court decisions, academic journals and media reports, and will discuss these in class each week, as follows:

1. Contributing meaningful questions or significant comments during class discussions, especially when related to the required reading.

DUE: Ongoing in all classes

2. Initiating class discussion (at the beginning of each class except for guest lectures) on current key issues on OC found in recent academic journal articles, court decisions, media items, and internet sites, based on a half page written analysis of the issue – not just a description or paraphrasing of the item - submitted in class; note that multiple items may be submitted at each class.

DUE: September 21st to November 2009

VALUE: 10%

ASSESSMENT #2: CLASS PRESENTATION ON AN OC ACTIVITY IN CANADA

DESCRIPTION:

The presentation will be on the same topic chosen for your major paper. It 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. It will also assist you in preparing your outline for the major paper and identifying the key issues

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.

FORMAT:

DO NOT READ YOUR NOTES. Use *MS Powerpoint*. Present 8-10 slides (use a light-coloured or white background), and bullets (not complete sentences). E-mail a copy to the Instructor. You may use the internet connection in the room to access your account but you should also bring a backup (diskette, CD-ROM, memory card/stick) of your slides. You may use other instructional aids, e.g., a 1-2 minute documentary video-clip, if you can access this through your account or using a CD-ROM. **Presentations on similar topics will be done in groups, but will be marked individually.** Each student will have a separate handout (see below). One student will coordinate the presentations. A computer/and projector is available.

HANDOUT:

Prepare a 1 to 2 page (i.e., **one sheet handout, printed both sides**), point-form outline with a clear concise statement of the topic as a problem for Canadian society, together with the six questions and a "starter bibliography" six key references. Provide a copy of the outline for each class member. If photocopying is a cost burden, and the Department office is unable to do so, then please have the instructor arrange for copying at least one week ahead. Submit *Powerpoint* slides by e-mail.

DUE: To be determined, **between November 9th & December 2nd 2009**

VALUE: 10%

MARKING CRITERIA:

Format -

- Handout with the key points covered, 6 key references and 6 discussion questions
- Brief verbal outline as an introduction
- Logical organization of presentation
- Good response to questions from class as well as good discussion/debate by the class
- Good delivery style and clarity, i.e., notes not to be read verbatim
- Use of instructional aids - **No U-Tube presentations**

Content -

1. Statement of the criminal activity as a societal problem
2. Definitions of key terms (excluding "organized crime")
3. Relevant legislation and any legal issues
4. Brief historical background to the topic (e.g., key events)
5. Overview of the criminal activity as a business enterprise, incl. steps in the process
6. Brief reference to one OC group in Canada that is linked to this activity and to any partner groups
7. Scope of the criminal activity (size, location, official statistics) and its impact
8. Critique of government strategies used to combat the criminal activity

STYLE & FORMAT FOR WRITTEN WORK:

- **Typed**, letter-size pages, double-spaced, stapled, with each page showing your name plus page number **on every page** - or a mark will be deducted. Use MS Word's "Header" feature, in "View."
- Provide a **cover page** showing your **family name in block letters**, student number, and telephone number on the **top right hand corner**.
- Use section headings.
- 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 & citing US sources, always identify them as such.
- Make reference to material identified on the reading list and to others as appropriate.

COPIES:

- **Submit a copy only**, (1) on paper **AND** (2) as an MS Word attachment to an e-mail to both the Instructor's e-mail addresses.
- You must keep the **original hard-copy** and an **electronic back-up copy** on diskette/memory card/CD-ROM.
- But note that the Department of Law policy is that papers must not be submitted only by e-mail



Google "*advance fee scams*" and "*Nigerian Scams*" - check out some sites such as:

http://www.rcmp-grc.gc.ca/scams/index_e.htm

<http://www.ic3.gov/>

<http://www.crimes-of-persuasion.com/Crimes/Business/nigerian.htm>

http://www.fsa.gov.uk/consumer/01_WARNINGS/scams/mn_advance_catch.html

<http://www.oft.gov.uk/Consumer/Scams/Nigerian+letters.htm>

<http://www.ftc.gov/bcp/online/pubs/tmarkg/loans.htm>

http://travel.state.gov/travel/tips/brochures/brochures_1216.html

ASSESSMENT #3: ANALYSIS OF THE CONCEPT OF "ORGANIZED CRIME"**DESCRIPTION:**

1. Critique (3-4 pages) the **concept** of *organized crime* (OC) from three broad perspectives:
 - a. legal (ex., Criminal Code)
 - b. academic
 - c. government departments/agencies.

Use **at least one definition for each** of these perspectives **and at least one for each of –**

- (i) Canada
- (ii) US (ex., FBI)
- (iii) international organizations (e.g., UN agencies) –

Use a **minimum total of 9 definitions**, with full references in a bibliography.

Quote and present these definitions in a chart in an **Appendix**, grouped by the three broad perspectives. *Cite but do not quote these definitions in your paper.*

2. Then provide your own definition of OC and argue why it is superior to those you critiqued;
3. Demonstrate (2 pages) how an **enterprise crime approach** helps to explain OC, using sources from the reading list in the Course Outline (especially Haller, Smith)

Place an emphasis on critique and analysis. Do not provide a literature review, summarize the material, provide quotes longer than one sentence, refer to popular culture, or provide a broad introduction. But use papers in the course texts, relevant sources cited in the bibliography, and any others you consider to be relevant. Use section headings.

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

FORMAT: See the text box, above, for the requirements for written work.

DUE DATE: **September 28th 2009 @ 6:00 p.m. in class AND by e-mail**

VALUE: 15%

ASSESSMENT #4: CRITIQUE OF LEGISLATION TO COMBAT ORGANIZED CRIME**DESCRIPTION:**

For **each** of the following provisions of the Canadian Criminal Code

- a) s. 467.1 - 467.13 re. *membership in a criminal organization*,
- b) s. 462.31 re. *money laundering*, and
- c) s. 462.32 – 462.39 re. *search, seizure and forfeiture of proceeds of crime* –

1. Identify in what way Parliament intended the provision to combat OC;
2. Discuss the strengths and weaknesses of the provision to achieve this intended outcome; and
3. Raise at least one relevant *Charter* argument for the provision.

Note: cite, but do not quote, the Code or the Charter

LENGTH: 5 letter-size pages (excluding footnotes/endnotes, appendices).

FORMAT: See the text box on page 7 for the requirements for written work.

DUE DATE: **October 19th 2009 @ 6:00pm in class AND by e-mail**

VALUE: 15%

ASSESSMENT #5: ASSESSMENT OF AN OC GROUP IN CANADA**DESCRIPTION:**

Compare and contrast (a) **one organized crime group active in Canada** (not Italian/Sicilian-based OC) and (b) the Rizzuto crime family (as described in the course text, **The Sixth Family**).

REQUIRED OUTLINE:

1. **Introduction:** (a) identify a specific OC group and state why it and the Rizzuto Crime Family pose a threat to Canadian society, and (b) define key terms.
2. **History:** (a) briefly describe when and why the two group came to Canada (unless Aboriginal OC), and (b) briefly describe how they became established in Canada.
3. **Current Status:** (a) briefly describe the current status of the two groups (including size and location), (b) disclose any issues with estimates of their size, (c) state their main criminal activities in Canada.
4. **Group Attributes:** (a) Briefly identify the two OC groups' key attributes (excluding group structure) which are essential for pursuing its key OC activity (ex., duration, ethnicity, etc), and (b) identify their respective competitive advantage over other OC groups in Canada.
5. **Group structure:** (a) Describe their group structure, (b) briefly explain which structural model best applies to each and why it is best suited for their main activity, and (b) suggest a type of legal enterprise that this group resembles and offer an example.
6. **Market-Share & Links:** (a) explain why each of the two OC groups is dominant in this activity, (b) identify their competition, and (c) show any working links they have with other OC groups and with legitimate consumers/businesses (i.e., use the Enterprise Crime Approach).
7. **Government Response:** (a) identify the strategic problems presented by these groups for law enforcement agencies and (b) critique the key law enforcement strategies used to combat these groups, including anti-gang legislation.

Note: Compare Contrast: **Throughout your analysis**, contrast your OC group with the Rizzuto Crime Family.

- LENGTH:** 10 letter-size pages (excluding footnotes/endnotes, appendices). Use section headings.
- FORMAT:** See the text box on page 7 for the requirements for written work.
- MARKING:** The instructor will keep the submitted copy and return comments **only** along with the mark.
- DUE DATE:** **November 16th 2009** @ 6:00pm in class AND by e-mail
- VALUE:** 30%

ASSESSMENT #6: REPORT ON AN OC ACTIVITY IN CANADA**DESCRIPTION:**

Provide a review of *one OC activity* (i.e., the same topic as your class presentation; not *money laundering*) and of the appropriate public policy instruments to combat this problem.

REQUIRED OUTLINE:

1. **Introduction:** (a) Clearly and concisely state the specific organized crime activity as a problem for Canadian society; and (b) define key terms..
2. **Nature:** (a) Describe the nature of the problem, starting with a sound definition of the activity, (b) identify the stages in the process of the activity; and (c) then explain how it differs from a parallel “legitimate” activity.”
3. **Legislation:** Identify (a) the relevant legislation which specifically prohibits the activity and (b) any relevant international agreements or treaties.
4. **Scope:** (a) Describe the scope of the problem from official sources and from the social science literature (incl. statistics); (b) critique these sources (incl. reliability of statistics) and say why we might still be able to use them; (c) identify any OC “hot spots” in Canada; and then (d) identify the direct and indirect impacts of this activity on Canadian society
5. **Necessary Group Attributes:** (a) Identify one key OC group associated with this activity; and (b) describe the attributes essential for an OC group to pursue this activity successfully as a *business process*, including group structure, internal group specialization, inter-group specialization, the means used, and transnational linkages.
6. **Theory:** **Apply the *enterprise approach* to help explain why this criminal activity exists and flourishes, including economic and political explanations (ex., rogue state, black market supply).**
7. **Debates:** Identify (a) any diverging views/debates in the literature, including Charter issues; and (b) what we need to know or what must be done in order to resolve any debates.
8. **Government Response:** (a) Identify (but do not describe) current government strategies to combat this activity; (b) provide a robust *critique of its effectiveness*, including any practical problems for the criminal justice system (e.g., Charter, legislation, investigation, prosecutorial and sentencing barriers) i.e., do not uncritically present government rhetoric and PR.
9. **Conclusion:** Briefly assess whether this activity will continue to grow or whether the government response will be successful in reducing the activity.

LENGTH: **12 letter-size pages** (excluding footnotes/endnotes, appendices). The above section headings are required.

FORMAT: See the text box on page 7 for the requirements for written work.

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

DUE DATE: ***Take-Home Exam*, due during Exam Period, December 14th 2009;**
Paper to be submitted via e-mail and COPY to the Department essay drop slot.

VALUE: **20%**

READING & OTHER RESOURCES:

The material listed is mostly books available through the main Carleton library. Articles and further resource material will be identified as the course progresses, depending on the issues selected by students. Students should use resources identified on the course Internet site when it is available (e.g., the on-line bibliography of the Nathanson Centre - see below). Please note that most of the literature is on organized crime in the US and therefore may have a bias.

COURSE TEXTS - REQUIRED:

Albanese, Jay. S. 2007. *Organized Crime for our Times* (5th edn). Anderson/Matthew Bender/LexisNexis, ISBN 9781593455095 (PB)

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)

Leighton, Barry (ed.) *COURSEPACK for LAWS 4306A, Fall 2008 - available on Course WebCT site*

REQUIRED FOR REVIEW OF OC LEGISLATION:

Bill C-24, *An Act to amend the Criminal Code (organized crime and law enforcement) and to make consequential amendments to other Acts*, as passed by the House of Commons, June 12, 2001

http://www.parl.gc.ca/37/1/parlbus/chambus/house/bills/government/C-24/C-24_3/C-24_cover-E.html

READING FOR LECTURE/DISCUSSION TOPICS -

Library reserve material - <http://catalogue.library.carleton.ca/search/r> (search for LAWS 4306)

Nathanson Centre *Organized Crime Searchable Database (to 2006)* -

<http://nathanson.osgoode.yorku.ca/databases/organized-crime-searchable-database/>

1. Understanding Organized Crime:**Required Reading**

Albanese, Jay. S. 2007. *Organized Crime for our Times* (5th edn). Anderson/Matthew Bender/LexisNexis [COURSE TEXT] - **Ch. 1 (pp.1-24)**

Albanese, Jay S. 1994. "Models of organized crime." pp. 77-90 in Robert J. Kelly, Ko-lin Chin & Rufus Schatzberg (eds.). 1994. *Handbook of Organized Crime in the United States*. Westport, Con.: Greenwood Press [COURSEPACK]

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

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]

- 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]
- Maas**, Peter. 1968. *The Valachi papers*. New York: Putnam [HV6789.M29.1968]
- 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]
- 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]
- 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]
- 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>
- Von Lampe**, Klaus. <http://www.organized-crime.de/OCDEF1.htm>
- 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]

2. Major OC Activities and their Impact:

Required Reading

- Albanese**, Jay. S. 2007. *Organized Crime for our Times* (5th edn). Anderson/Matthew Bender/LexisNexis [COURSE TEXT] **Ch. 2, 3 & 7 (pp. 25 – 84, 175-203)**

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5. Strategies & Tools for Combating Organized Crime:

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- Canadian Border Services Agency:** link - <http://www.cbsa-asfc.gc.ca/publications/menu-eng.html>
- FINTRAC:** link - <http://www.fintrac-canafe.gc.ca/publications/pub-eng.asp>
- PS&EPC:** link - <http://www.psepc.gc.ca/prg/le/oc/index-en.asp>
- 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
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- 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 Relevant Legislation: House of Commons & The Senate

See <http://laws.justice.gc.ca/en/index.html> & <http://www.parl.gc.ca/common/bills.asp?Language=E>

Bills in progress -

- Bill C-14, An Act to amend the Criminal Code (organized crime and protection of justice system participants)
- Bill C-15, An Act to amend the Controlled Drugs and Substances Act and to make related and consequential amendments to other Acts
- Bill C-26, An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime)
- Bill C-31, An Act to amend the Criminal Code, the Corruption of Foreign Public Officials Act and the Identification of Criminals Act and to make a consequential amendment to another Act
- Bill S-4, An Act to amend the Criminal Code (identity theft and related misconduct)
- Bill S-226, An Act to amend the Criminal Code (lottery schemes)

Legislation enacted -

- Bill C-25, Act to Amend the ***Proceeds of Crime (Money Laundering) and Terrorist Financing Act***, passed by the House of Commons on 10 November, 2006, and Assented to on 14 December 2006.
http://www2.parl.gc.ca/content/hoc/Bills/391/Government/C-25/C-25_4/C-25_4.PDF
- Bill C-53, ***Proceeds of Crime Act***, enacted in 2005, provided that once an offender has been convicted of either a criminal organization offence, or certain drug offences, the court can order the offender's property to be forfeited unless the offender proves (i.e., reverse onus) on a balance of probabilities, that the property is

not the proceeds of crime; and that for the reverse onus to apply then the Crown must prove on a balance of probabilities, either that the offender engaged in a pattern of criminal activity for the purposes of receiving material benefit *or* that the legitimate income of the offender cannot reasonably account for all the offender's property. http://www.parl.gc.ca/38/1/parlbus/chambus/house/bills/government/C-53/C-53_3/C-53_cover-E.html

- Bill C-24, ***An Act to amend the Criminal Code (organized crime and law enforcement) and to make consequential amendments to other Acts***, enacted in June 2001. http://www.parl.gc.ca/37/1/parlbus/chambus/house/bills/government/C-24/C-24_3/C-24_cover-E.html
- Bill C-11, the ***Immigration and Refugee Protection Act***, introduced by the Minister of Citizenship and Immigration in February 2001, proposes fines up to \$1 million and up to life imprisonment for people-smugglers and traffickers of human beings. Under C-11, it will be an offence to possess or launder property or proceeds resulting from immigration offences such as people-smuggling and trafficking. Foreign nationals will continue to be inadmissible to Canada on grounds of organized criminality.
- Bill C-22, the ***Proceeds of Crime (Money Laundering) Act***, enacted in 2000, made mandatory the reporting of suspicious financial transactions by financial entities and intermediaries and cross-border movements of currency. The legislation also created the Financial Transactions Reports Analysis Centre of Canada to receive and manage reported information.
- Bill C-40, the ***Extradition Act***, enacted in June 1999, simplified Canada's extradition procedures, taking into account factors that are commonplace today such as enhanced communications technology and the increased mobility of individuals. The act expanded Canada's power to extradite, responding to the problem of borderless crimes such as organized crime, deceptive telemarketing and Internet fraud.
- Bill C-20, ***An Act to amend the Competition Act and to make consequential and related amendments to other Acts***, enacted in March 1999, created new offences for deceptive telemarketing. A further amendment defined the new offences as enterprise crimes, which brought them within the scope of the *Criminal Code* scheme for seizure and forfeiture proceeds. The amendments recognize the seriousness of telemarketing offences that can generate very large proceeds because of the large number of victims who can be targeted.
- Bill C-51, ***An Act to amend the Criminal Code, the Controlled Drugs and Substances Act and the Corrections and Conditional Release Act***, enacted in 1999, barred those convicted of offences related to organized crime from access to accelerated parole review.
- Bill C-8, ***Controlled Drugs and Substances Act***, also enacted in 1997, modernized Canada's drug laws and together with ***Police Enforcement Regulations***, provided exemptions from liability for police involved in drug investigations and provided for the restraint and forfeiture of offence-related property.
- Bill C-95, ***An Act to amend the Criminal Code (criminal organizations) and to amend other Acts in consequence***, enacted in 1997, implemented a number of important anti-gang measures, including making participation in a criminal organization an indictable offence, punishable by up to 14 years in prison. The bill enhanced police investigative powers, for example, by facilitating the use of electronic surveillance by law enforcement authorities, and improved public safety by providing a reverse onus for persons charged with a criminal organization offence seeking bail. A new peace bond was also introduced which may be issued against any person where there are reasonable grounds to fear that the person will commit a criminal organization offence. http://www.parl.gc.ca/37/1/parlbus/chambus/house/bills/government/C-24/C-24_3/C-24_cover-E.html
- Bill C-17, ***Criminal Law Improvement Act***, enacted in 1997, enhanced police search powers and provided for more restrictive bail provisions.

Selected "Starter" Sources:

Web Links	Location
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Public Safety Canada (was Solicitor General Canada) Canadian Border Services Agency Financial Transactions & Reports Analysis Centre of Canada (FINTRAC) Justice Canada Royal Canadian Mounted Police Criminal Intelligence Service Canada	http://www.publicsafety.gc.ca/index-en.asp http://www.cbsa-asfc.gc.ca/menu-eng.html http://www.fintrac-canafe.gc.ca/intro-eng.asp http://canada.justice.gc.ca/eng/ http://www.rcmp-grc.gc.ca/fs-fd/org-eng.htm http://www.cisc.gc.ca/index_e.html
Justice Canada – Laws Criminal Code House of Commons & Senate – legislation, progress	http://laws.justice.gc.ca/en/index.html http://canada.justice.gc.ca/en/showtdm/cs/C-46 http://www.parl.gc.ca/common/bills.asp?Language=E
US 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	www.ojp.usdoj.gov/nij/ www.ojp.usdoj.gov/nij/topics/crime/transnational-organized-crime/welcome.htm http://www.icclr.law.ubc.ca/Site%20Map/Programs/Transnational_Org_Crime.htm http://www.interpol.int/ http://www.unodc.org/unodc/en/organized-crime/index.html http://www.no-trafficking.org/
Nathanson Centre for Organized Crime & Corruption International Assoc. for the Study of Organized Crime Transnational Crime and Corruption Center Centre for Information & Research on Organized Crime (CIROC) Klaus von Lampe's organized crime home page	http://nathanson.osgoode.yorku.ca/ & http://nathanson.osgoode.yorku.ca/databases/ http://www.iasoc.net/ http://www.american.edu/traccc/ http://www.ciroc.org/ http://people.freenet.de/kvlampe/index.html
Crime, Law and Social Change Global Crime (Transnational Organized Crime) Trends in Organized Crime	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>	

A frequently asked question: Why is this Course Outline so long?

Answer: Because the Instructor is not a full-time faculty member who is available on a daily basis to answer students' questions, this Outline is designed for the convenience of students by answering all those questions that have previously been asked about the course and by anticipating many others. During the last class of the course, the Instructor will discuss the course Learning Objectives and ask for student feedback so that the course will continue to be improved to meet student needs while maintaining the high academic standards of the Department.

First Name:.....

Family Name:.....

(BLOCK LETTERS)

Ottawa Address:.....

(# & street)

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(Apartment#)

(City)

(Postal code)

Phone:..... (residence/local)(other/work)

..... (permanent) Student Number:.....

e-mail address:

MAJOR/SPECIALIZATION:.....

RELEVANT COURSES: (Title and year - not calendar number)

CAREER GOALS:

REASON FOR INTEREST IN ORGANIZED CRIME:

PARTICULAR INTEREST IN AN ORGANIZED CRIME GROUP:

PARTICULAR INTEREST IN AN ORGANIZED CRIME ACTIVITY:

**** PLEASE DETACH AND RETURN TO THE INSTRUCTOR - *NOW* ****