

Course Outline

COURSE: LAWS 4306A – Criminal Law Issues: SOCIO-LEGAL APPROACHES TO ORGANIZED CRIME

TERM: Fall 2016

PREREQUISITES: Fourth-year Honours standing and LAWS 2301, LAWS 2302

CLASS: Day & Monday, 6:05 pm – 8:55 pm
Time:
Room: SP 400 - Please confirm with Carleton Central for room location

INSTRUCTOR: Dr. B. Leighton, Adjunct Professor

CONTACT: Office: Loeb B442 or elsewhere on campus
Office Hrs: Tbd
Telephone: 613-314-7170 (mobile) 8:00am – 8:00 pm
Email: barry.leighton@sympatico.ca

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://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://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 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://carleton.ca/pmc/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://carleton.ca/equity/>

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://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. See -
<http://carleton.ca/law/current-students/>

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 evidence and information sources; social science 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, land, and cyber 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; counterfeit goods, illegal gambling; environmental crime; 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.
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 and their competitors.

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:

- 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 (ex. sitting LSATs).
 - **participate fully in discussions during each class** about the introductory lecture materials on each topic and on required readings.
 - make a **class presentation**, and
 - **write papers**, as specified, at 4th-year level of scholarship.
- Students are expected to demonstrate their knowledge of the required readings and to fully appreciate that not all research evidence and other relevant information about OC can be found online.
- Students are expected to also use hard-copy materials, including sources from MacOdrum library that may, or may not, be available electronically.

COURSE PRINCIPLES:

- Students working full-time (35-40 hours per week) will have significant challenges, especially if they 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 apply 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 enterprise crime activities are selected, to work in groups.
- As a course within an interdisciplinary legal studies program, students are expected to use both 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*. Respect must be shown to fellow students and the Instructor by being courteous, and by not multi-tasking for other courses, playing computer games, or engaging in other forms of distraction.

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.
- 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, 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 READING

- **LYMAN, Michael D. & Gary W. POTTER**, 2014. *Organized Crime, 6th edition*. Toronto: Pearson Education/Prentice Hall Canada, ISBN: 9780-0-13-357173-8, in paperback. Available from the Carleton University Bookstore (arrival may be delayed)
- **CEDILOT, Andre & Andre NOEL**. 2011. *Mafia Inc*, Toronto: Random House, ISBN: 978-0-307-360403. Available from the Carleton University Bookstore (arrival may be delayed)
- Electronic “course-pack” readings, available on the course cuLearn site

READINGS READING 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.

If you can find a copy, I also highly recommend –

Wainwright, Tom. 2016. ***Narconomics: How to run a drug cartel (What big business taught the drug lords)***. London: Ebury Press (A division of Penguin Random House, UK). TPB ISBN 9781785030413

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. **Hallowell**. 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

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 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). *Report on Organized Crime.* Ottawa: Criminal Intelligence Service Canada. http://www.cisc.gc.ca/products_services/products_services_e.html (may not be 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]

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]

V. 1996. *The Mafia Manager: A Guide to the Corporate Machiavellie.* New York: St.Martin's Griffin

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, Conn.: Greenwood Press 1994. [ON RESERVE: HV6446.H345]

Selected Canadian Government Responses to Organized Crime

- 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
- 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 On-line Sources:

Web Links	Location
Public Safety Canada Canadian Border Services Agency Financial Transactions & Reporting Analysis Centre of Canada (FINTRAC) Justice Canada Royal Canadian Mounted Police Canadian Anti-Fraud Centre Criminal Intelligence Service Canada	www.publicsafety.gc.ca www.cbsa-asfc.gc.ca www.fintrac-canafe.gc.ca www.justice.gc.ca www.rcmp-grc.gc.ca/fs-fd/org-eng.htm http://www.antifraudcentre-centreantifraude.ca www.cisc.gc.ca
Justice Canada – Laws Criminal Code House of Commons & Senate – legislation, progress	http://laws-lois.justice.gc.ca/eng/ http://laws-lois.justice.gc.ca/PDF/C-46.pdf http://www.parl.gc.ca/LegisInfo/Home.aspx?Language=E&ParliamentSession=42-1
U.S. DOJ National Institute of Justice International Centre for Criminal Law Reform and Criminal Justice Policy Interpol UN Office on Drugs and Crime UN Actions for Cooperation Against Trafficking in Persons	http://www.nij.gov/Pages/welcome.aspx http://icclr.law.ubc.ca www.interpol.int/ unodc.org/unodc/en/organized-crime/index.html http://un-act.org
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	nathanson.osgoode.yorku.ca/ http://www.judicalis.org/iasoc.html http://www.ciroc.nl/en/home.html http://www.organized-crime.de
<i>Crime, Law and Social Change</i> <i>Global Crime (Transnational Organized Crime)</i> <i>Trends in Organized Crime</i>	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.
- 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.

SUMMARY OF REQUIREMENTS:	DUE DATE	LENGTH	MARK
- <u>Topic selection due</u> for #3 & 5 (same topic)	SEPT. 20		-
1. CLASS PARTICIPATION (<i>seminar discussion, contributions and questions</i>)	ongoing	-	10%
2. Critique of Criminal Code Provisions for and Definitions of Organized Crime	OCT. 11	6-8 pages	20%
3. PRESENTATION on a Criminal Market Business Process (i.e., the same topic as for #5)	t.b.d. (NOV.15 – DEC.6)	-	10%
4. THREAT ASSESSMENT of the <i>Rizzuto Crime Family</i>	NOV. 8	8 pages	25%
5. REPORT on a CRIMINAL MARKET (i.e., the same topic as for #3)	DEC. 6	10-12 pages	35%

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 a1 - 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: September 20, 2016 @ 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 4th 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. Marks are not awarded for just attending class (and staying awake).

REQIREMENTS:

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

DUE: all classes, Sept. 20 – Nov. 8, 2016

- 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: Sept. 20 - Dec. 6, 2016

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: 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 the outcome/impact intended by Parliament* - do not just summarize or describe each provision,
 - b) *discuss the relative 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* (identify the strengths & weaknesses) of the following official definitions of OC
 - a. a Canadian federal government department/agency (ex., RCMP, CSIS, CSC);
 - b. a UN definition – see the Selected On-line Sources page
 - c. the US FBI definition – see the Selected On-line Sources page
3. **Academic:** *Critique* (identify the strengths & weaknesses) of the following academic definitions -
 - i. Albini (1971) - see the course text at page 7,
 - ii. Smith (1974) – see thecourse 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 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. See the text box (page 16) for the requirements for written work.

DUE DATE: **October 11, 2016** @ 6:00pm in class (paper copy) AND to the relevant assignment folder in *cuLearn*.

VALUE: **20%**

ASSESSMENT #3: 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 that can be easily read from the rear of the classroom.
- Use brief, point-form bullets rather than complete sentences.
- 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 a group presentation 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 10-15 copies to share among class members.
- 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 choose to use the classroom internet connection to access your Carleton account containing your slide presentation, you should also bring a physical backup of your slides (ex., on a memory/URL stick).

DUE: To be determined, between **November 15 and December 6, 2016**

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

VALUE: **10%**

ASSESSMENT #4: 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 estimated 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 its 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: 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: November 8, 2016 @ 6:05 pm in class (paper copy) AND to the OC Group assignment folder in *cuLearn*.

VALUE: 25%

ASSESSMENT #5: 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 (incl. statistics); (b) critique these sources (incl. 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: 10-12 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: December 6, 2016 @ 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, December 9, 2016 to (1) the Department of Law Essay Drop Box and (2) the relevant cuLearn assignment folder.

VALUE: 35%

STYLE & FORMAT FOR WRITTEN WORK:

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

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

- 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 internet site and date of downloading/access.
 - Cite but do not quote from the *Criminal Code* and the *Charter*.
 - Use footnotes and a bibliography. i.e., standard Canadian legal reference style OR social science 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 your **original hard-copy** and an **electronic back-up copy** on diskette/memory card/CD-ROM.

SCHEDULE

DATE:	TOPIC:	ASSIGNMENTS DUE:
Sept. 13	Topic #1 - Understanding OC	
Sept. 20	Topic #2: Defining OC	• <i>Topic Requests</i>
Sept. 27	Topic #3: Explaining OC – Theories	
Oct. 4	Topic #4: OC Groups & their Evolution	
Oct. 11	Topic #5: The Business of OC - Criminal Markets	• <i>Critique of Criminal Code Provisions for and Definitions of OC</i>
Oct. 18	Topic #6: Combatting OC	
Oct. 25	Fall Break – No class	
Nov. 1	Guest Lecture on Topic #6:Criminal Intelligence (tbc)	
Nov. 8	Guest Lecture on Topic # 6: Money Laundering (tbc)	• <i>Threat Assessment of the Rizzuto Crime Family</i>
Nov. 15	Student Presentations (8)	
Nov. 22	Student Presentations (8)	
Nov. 29	Student Presentations (8)	
Dec. 6	Student Presentations (8) - <i>Last day of class</i>	• <i>Report on a Criminal Market</i> - Students presenting on this date <i>may</i> hand in their final paper on Friday, December 9, 2016