

North American Organised Crime

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The Italian–American mafia is one of the most enduring images of organised crime, but separating fictional images of organised crime from the real thing has not been easy. Overall, organised crime is a continuing criminal enterprise that rationally works to profit from illicit activities that are often in great public demand. Its continuing existence is maintained through the use of force, threats, monopoly control, and/or the corruption of public officials. The past 20 years have seen a decline in the influence of Italian–American organised crime in the US, but this has been offset by the rise of other forms of organised crime, not least groups from the former USSR. Meanwhile, the Canadian underworld is dominated by Asian groups, East European groups, Italian groups, and outlaw motorcycle gangs. The major organised crime groups in Mexico are extended networks composed of Mexican nationals living in Mexico, Mexican-Americans, and Mexican immigrants living in the United States, operating as competing networks in the illicit drug business from supply, to transit, to destination and buyers.

Keywords: Organised Crime; United States; Canada; Mexico; Cosa Nostra

The Italian–American mafia is one of the most enduring images of organised crime—and the image often does not distinguish fact from fiction. Consider that the best-selling book about crime in US history is *The Godfather*, a novel, and the movie version is still one of the top grossing films of all time. Likewise, an HBO television program begun in the late 1990s, *The Sopranos*, offered another extremely popular depiction of the life of a mafia family. The show spawned a market for video and DVD versions of old episodes, and a ‘Sopranos Tour’ that takes tourists to cemeteries, docks, and stores featured in the series. A sporting goods store, *Ramsey Outdoor*, was forced into bankruptcy in an episode of the television show, but the real sporting goods store of that name never went out of business. Nonetheless, its business dropped off

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dramatically after the *Sopranos* episode, because viewers apparently believed the television portrayal to be real. The store had to advertise to remind customers that it was still open and that *The Sopranos* was just a TV show[1]. In a similar way, James Gandolfini, one of the featured actors on the show, reported that people claiming to be mobsters occasionally approach him. He said, 'I'd like to think that the smarter mobsters are the ones who don't come up to TV actors'[2].

A Definition of Organised Crime

Separating fictional images of organised crime from the real thing has not been easy. An analysis by criminologist Frank Hagan elicited common elements of the various descriptions of organised crime groups by researchers over time. After discovering that many books failed to provide explicit definitions of organised crime, he found that definitions had been offered by 13 different authors in books and government reports about organised crime written during the previous 15 years[3]. I have updated Hagan's analysis with authors who have attempted to define organised crime in more recent work[4].

Eleven different aspects of organised crime have been included in the definitions of various authors with varying levels of frequency. Table 1 summarises these 11 attributes and how many authors have included them in their definition. As Table 1 indicates, there is great consensus in the literature that organised crime functions as a continuing enterprise that rationally works to make a profit through illicit activities, and that it insures its existence through the use of threats or force and through corruption of public officials to maintain a degree of immunity from law enforcement. There also appears to be some consensus that organised crime tends to be restricted to those illegal goods and services that are in great public demand through monopoly control of an illicit market.

There is considerably less consensus, as Table 1 illustrates, that organised crime has exclusive membership, has ideological or political reasons behind its activities, requires specialisation in planning or carrying out specific activities, or operates

Table 1 Definitions of Organised Crime in the Research Literature

Characteristics	Number of Authors
Organised Hierarchy Continuing	16
Rational Profit through Crime	13
Use of Force or Threat	12
Corruption to Maintain Immunity	11
Public Demand for Services	7
Monopoly over Particular Market	6
Restricted Membership	4
Non-Ideological	4
Specialisation	3
Code of Secrecy	3
Extensive Planning	2

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under a code of secrecy. As a result, it appears that a definition of organised crime, based on a consensus of writers over the course of the last 35 years, reads as follows: ‘Organised crime is a continuing criminal enterprise that rationally works to profit from illicit activities that are often in great public demand. Its continuing existence is maintained through the use of force, threats, monopoly control, and/or the corruption of public officials.’

Describing Organised Crime in North America

Organised crime can be described either by the activities it engages in or by the groups that are involved. There are advantages and disadvantages to each approach. The offences are finite in any given historical period, and they always involve some variation of provision of illicit goods (e.g. stolen property, drugs), provision of illicit services (e.g. prostitution, gambling, loansharking), and/or the infiltration of business (e.g. extortion and protection rackets). This typology is depicted in Table 2. The essential difference between the major categories of organised crime activity lies in whether or not the activity is consensual or non-consensual, which determines whether or not violence or threats are essential to the crimes, as shown in Table 2.

What changes by region are the kinds of groups that engage in these activities. The history of criminality in a region, its economic standing, geographic location, national and ethnic customs and beliefs, and political climate are all important factors in shaping the kinds of organised criminal groups that develop in a country or region[5].

North American History of Organised Crime

North America includes the countries of Canada, the United States, and Mexico—all geographically large countries with long land borders on the north and south, and massive coastlines providing access to both the Atlantic and Pacific Oceans. Therefore, the countries of North America are accessible to each other by land and also from many locations around the world into multiple cities and border crossings by sea and air. Mexico is strategically positioned, linking South and Central America to the United States. The long Mexican land and water borders make a desirable

Table 2 A Typology of Organised Crime

Type of Activity	Nature of Activity	Harm
Provision of illicit goods and services	Gambling, lending, sex, narcotics, stolen property	Consensual activities No inherent violence Economic harm
Infiltration of legitimate business	Coercive use of legal businesses for purposes of exploitation	Non-consensual activities Threats, violence, extortion Economic harm

launching point for smuggling people and products to the United States and Canada, which have large consumer populations that enjoy a high standard of living and income. As a result, North America's geographic location, land and water border access, links to Central and South America, and high standard of living combine to form a desirable location for organised crime activity.

Organised crime in North America has always been comprised of a variety of groups, both large and small, that emerged to exploit particular criminal opportunities. If the terminology had been in use 200 years ago, early European settlers in North America might have been accused of involvement in organised crime activity for avoiding European taxes, engaging in planned thefts from trains and stagecoaches, and bribing government officials to secure favours. Organised crime, therefore, is characterised by planned illegal acts involving multiple offenders that are ongoing or recurrent, rather than isolated incidents.

Organised Crime in the United States

Public and government attention to organised crime in the US have been dominated by the Italian-American groups since the late 1800s. This attention corresponded to a large immigration wave from Italy during the late nineteenth century, and Italians were blamed for the crime problem a century ago in the US, in much the same way as the newest immigrants are blamed today in many countries for a variety of social and criminal problems. This phenomenon is called the ethnicity trap, in which organised crime is explained in terms of the ethnicity of its members, rather than by the organised criminal conduct itself. This narrow view leads to unwarranted stereotypes of ethnic groups, ignores the fact that organised crime is committed by groups of many different ethnicities, and that the public demand for illicit goods and services drives most organised crime activity regardless of time and place—accounting for the rich variety of groups and conspiracies involved in organised crime over the course of history. Thus, ethnicity does not help explain the presence or absence of organised crime.

A small number of significant events served to reinforce the connection between 'mafia' and organised crime in the United States. In 1890, the police chief of the City of New Orleans was shot, and he implicated Italians in his shooting. No evidence was produced, however, and the Italian immigrants arrested for the shooting were acquitted. A group of citizens stormed the jail, and publicly hanged many of the Italian defendants, illustrating the intense hatred and blame placed on the US's newest immigrants at that time. It was widely believed then that the US somehow imported a mafia from Italy and that many immigrants were criminals.

After the Hennessey incident, however, the term 'mafia' dropped from public view. The term rarely appears again in American newspapers until after World War II. During the 'gangster era' of the early 1900s, which featured such notable figures as Lucky Luciano and Al Capone, the term 'mafia' was not used. These notorious figures, and their contemporaries, were considered city-based gangsters, but the connections among them were not a major concern. America's prohibition of alcoholic beverages

during this period was the single most important event during the early 1900s to cause organised crime groups to become more organised and competitive to meet the demand for illegal liquor, despite the legal prohibition. Prohibition combined with the lack of professionalised law enforcement to result in large criminal smuggling and distribution enterprises that were protected by corrupt police and public officials[6].

The concept of mafia returned to the headlines for good with separate events in 1950, 1957, and 1963. In 1950, US Senator Estes Kefauver held televised hearings (at a time when there were only three TV channels to choose from) claiming that organised crime was nationally organised. Although he conducted no actual investigation, and no proof of his claims was offered, the hearings raised public and political awareness of possible connections among local organised crime groups in cities around the United States [7]. In 1957, a group of Italian-Americans were arrested in rural upstate New York in an alleged meeting to discuss leadership after the assassination of Albert Anastasia. Once again, no evidence was produced that such a meeting took place or was even planned, but the possibility resulted in headlines around the US about a 'meeting of the mob', leading to speculation about a mafia organisation [8]. Finally, in 1963, Joseph Valachi became the first 'insider' to testify publicly about the existence of a national conspiracy of organised crime groups. He called it 'Cosa Nostra', a term that police officials at the time admitted they had not heard before. A President's Commission report a few years later concluded that the organisation had changed its name from 'mafia' to 'Cosa Nostra' (an idea since discounted) but whatever the name, Valachi's testimony identified the now familiar family hierarchy of 'bosses', 'underbosses', 'soldiers', and so forth. A close reading of Valachi's testimony reveals that the 'Cosa Nostra' was not as centralised as later accounts claimed [9]. Essentially, organised crime groups were local in nature, activities were chosen at the local level, and members benefited from their association/reputation with the larger group, and had to pay a percentage of their profits to leaders for permission to operate their illegal enterprises unchallenged. This system remains intact today, although on a smaller scale.

After Valachi's testimony, and its subsequent repetition in national government reports, new laws were passed that permitted the use of wiretap evidence in court against suspects, created a new crime called 'racketeering' which subjected those found to engage in a pattern of criminal activity to prison terms of up to 20 years, and developed witness immunity for testifying, the witness security program, and related tools to make it easier to investigate and prosecute those involved in organised crime activity.

These new legal tools were not widely used until the 1980s and 1990s, when the political will developed to engage in long-term investigations and to seek prosecution of major organised leaders, rather than larger numbers of arrests of lower-level figures. The result of these investigations were the 'mob trials' of the 1980s and 1990s, and became the most significant organised crime prosecution effort in US history. The leaders of many of the more than 20 Italian-American Cosa Nostra groups were successfully prosecuted, and most received significant prison terms [10]. The result has been a decline in the influence of Italian-American organised crime in the US over the last 20 years.

This decline of mafia groups has been offset by the many political, social, and economic changes that occurred worldwide beginning in the 1990s. Migration related to the fall of the Soviet Union, ease of travel and communication, combined with the decline of traditional mafia groups to create new opportunities for organised crime activity. Organised crime in the United States today is a multi-ethnic enterprise, comprised of many different groups, most of them quite small, which emerge to exploit criminal opportunities (e.g. frauds, smuggling, stolen property distribution, and so on). Many of these groups are short-lived, comprised of career criminals who form temporary networks of individuals with desired skills (e.g. forgery, smuggling connections, border and bribery connections, etc.) to exploit a criminal opportunity. These networks often dissolve after the opportunity has been exploited, as the criminals seek new opportunities that may employ different combinations of criminals. For example, an inquiry by the New Jersey State Commission of Investigation found that Cosa Nostra groups have been joined, and in some cases replaced, by ‘a chaotic, violent array of ethnic and transnational criminal entities that function under new and different rules.’ [11]. Law enforcement officials testify that underworld activities such as gambling, loansharking, and labour racketeering were being supplemented by financial frauds, identity theft, and global money-laundering operations. As a result, organised crime in the US is now the province of more groups than ever before working from both within and outside the US to exploit new criminal opportunities.

Canadian Organised Crime

The primary organised crime groups in Canada are of four types: Asian groups, East European groups, Italian groups, and outlaw motorcycle gangs. Like the United States and Mexico, Canada is a large country, so there is tremendous variation within its borders—from a number of very large metropolitan areas to expanses of rural areas that are hundred of miles across.

Asian organised crime groups have been identified in British Columbia, Ontario, and Quebec, the provinces that contain Canada’s largest cities: Vancouver, Toronto, and Montreal. Some of the Asian groups are actually street gangs that engage in drug trafficking or perform criminal activities for more sophisticated organised crime groups. Asian groups on Canada’s west coast have been found to be involved in trafficking drugs, firearms, and human beings. The primary drugs trafficked are heroin, cocaine, and ecstasy. Most major heroin seizures involve Asian-based crime groups [12]. Some of these drugs have been subsequently smuggled into the United States by individuals of Chinese descent. Vietnamese-based groups have been found to be extensively involved in large-scale cultivation of marijuana across Canada. In one operation, organised crime members of Chinese descent bought marijuana from Vietnamese-based drug trafficking gangs to transport in the United States [13].

Since a high profile case in 1999 involving four ships and 600 illegal Chinese migrants attempting to enter Canada, there have not been any large-scale human smuggling attempts into Canada by boat. Instead, commercial airplanes are

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the transport of choice. In one case, two Canadian citizens of Chinese descent were caught trying to smuggle four Chinese nationals across the Niagara River into the US. The Chinese nationals had arrived in Canada via Vancouver airport [14].

Motorcycle gangs continue to be a problem in Canada. In 2003, nine members of the Hell's Angels motorcycle gang were sentenced to prison terms of 10 to 15 years for drug trafficking and conspiracy to commit murder. Four of those sentenced were part of the Nomads branch of the gang. The charges stem from a violent turf war during the 1990s over the control of Quebec's illegal drug market [15].

Like the US, and a growing number of other countries, Canada has established a specialised agency to track financial transactions to uncover money-laundering activities that are designed to cover up the source of illicit income [16]. The immense size of this task is illustrated by the fact that Canada produced an average of 5,700 financial transactions per day during the year 2002–03.

Mexican Organised Crime

The US–Mexican border is crossed illegally by thousands of Mexican nationals going north in search of work. Most are people looking for legitimate opportunities to better themselves and their families, but some are criminals. The major organised crime groups in Mexico are centrally organised, although they operate as competing networks in the illicit drug business from supply, to transit, to destination and buyers. These extended networks are composed of Mexican nationals living in Mexico, Mexican–Americans, and Mexican immigrants living in the United States. They operate primarily in ethnic enclaves in major cities, including Chicago, New York, Los Angeles, and Houston.

There is evidence that Mexican groups cooperate with Colombian, Dominican, Cosa Nostra groups, and others involved in trafficking illegal narcotics. The primary consumers are in the United States and, to a lesser extent, in Canada. Money earned from this activity has been traced to money-laundering enterprises in the Caribbean and several Latin American countries.

Another significant organised crime activity in Mexico is kidnapping for ransom. There have been a number of cases where corporate executives, government officials, and tourists have been kidnapped, and in some cases killed. In most cases it appears that the kidnapping/extortion activity is used as a fund-raising mechanism to support ongoing criminal group activity. According to one estimate Mexico is second only to Colombia in the incidence of kidnappings for ransom [17]. Related to kidnapping is the role of Mexico in the trafficking of human beings from Asia, through Mexico, into the United States. Groups in Mexico, some consisting of non-Mexicans, have been identified in transporting men, women, and children from China and other Asian countries into the US for purposes of prostitution and sweatshop labour [18].

A weak economy has combined with a weak government and weak police presence to create widespread corruption, which has served to insulate organised crime groups from greater disruption. In early 2003, the Mexican Drug Task Force was closed by

the President due to allegations of rampant corruption among its officers [19]. Corruption has hampered international efforts to assist Mexico in improving its law-enforcement response to organised crime. Nevertheless, progress has been made in recent years, and Mexican Federal Police killed drug trafficker Ramon Arellano Felix and arrested his brother in 2002. Other important Mexican and joint-US enforcement efforts also have been undertaken [20]. The long-term impact of this and other attempts to thwart Mexican organised crime remains to be seen.

Future of Organised Crime

Organised crime in North America is shaped by the presence of three geographically large countries that share very long land borders, as well as extensive ocean borders along the Atlantic and Pacific Oceans. Therefore, there is great variation within each country of North America, and their land and water access promotes them as routes for trafficking illicit goods and services, and human smuggling.

Organised crime historically has been strongly influenced by the presence of Cosa Nostra groups. Many successful prosecutions of these groups in the late twentieth century corresponded with global political changes around the world that included the fall of the Soviet Union, the emergence of the newly independent states of Eastern Europe, and a growing ease of international travel and communication all over the world.

What might have been localised organised crime problems 100 years ago, have become manifestations of transnational organised crime as criminal groups from Eastern Europe and Asia have found North America to be a desirable market for the provision of illicit goods and services that support organised crime enterprise. Criminal groups within North America also have exploited new opportunities for crime. The growing recognition of the size and importance of organised crime operations emanating from a variety of foreign countries distinguishes concern about organised crime today from the more local concerns about Cosa Nostra groups and other city gangs in years past. For example, an indictment in the US in 2003 describes a sophisticated heroin-trafficking enterprise that linked conspirators in Pakistan, Thailand, Canada, California, and the Washington, DC area of the US. The indictment charged that heroin was shipped into the US and Canada via London from Pakistan and Thailand in a crate of soccer balls and other athletic equipment. Payments for the shipments were made through an underground paperless banking system, known as 'hawala'. In this system money is deposited in one country with a trusted broker and withdrawn the same day from a broker in another country. The system keeps no records and relies upon mutual trust [21]. The transnational nature of this scheme and the manner in which it overlaps legitimate and illicit businesses and launders profits illustrates the growing complexity and transnational nature of organised crime today.

Traditional crimes associated with organised crime include illegal gambling, prostitution, loansharking, drug trafficking, selling stolen property, and extorting money from business owners, but this list is expanding with changes in the global economy, technology, and communications. For example, there are an estimated 1,800

internet gambling sites worldwide that generate a total of \$4.2 billion. These sites permit betting from jurisdictions where various types of gambling are not legal, and they provide a forum for money laundering and fraud [22]. Arrests made outside New York City found that a modest home was used to produce 10,000 bootlegged CDs each week and that the owners were connected to known organised crime groups who allegedly helped in the illegal distribution of these CD copies [23]. In another case, the head of a Boston real-estate firm was sentenced to jail for laundering the criminal proceeds of organised crime figure Stephen ‘The Rifleman’ Flemmi by investing his criminal proceeds in a commercial condominium at the corner of Massachusetts and Commonwealth Avenues in Boston [24]. Therefore, the types of offences associated with organised crime change as opportunities and circumstances change, and they frequently use legitimate businesses to operate their illegal enterprises. It can be said that easy access to the internet and ease of international air travel are as important to the expansion of human trafficking and fraud, as was the invention of the automobile 100 years ago in creating new opportunities for smuggling goods by land across jurisdictions and various types of registration and ownership frauds.

Table 3 illustrates how organised crime has changed in recent years with the advent of globalisation, and ease of communication and travel. Historically, organised crime has been dominated by locally-based activities, whereas now the same underlying activities have increased in scale and in difficulty of detection due to improvements in technology and communication. Intervention and prevention efforts much keep pace in order to limit the opportunities for organised crime groups to form and be successful.

It remains to be seen whether North America can reduce its high demand for illicit products and services, secure its borders from outsiders interested in exploiting the region, and prosecute those individuals and organised crime groups already inside North America. The long-term solution to organised crime is a reduction in demand for

Table 3 The Correspondence between Traditional Organised Crime Activity and Newer Manifestations

Original Activity	Modern Version
Local number gambling Heroin, cocaine trafficking	Internet gambling (at international websites) Synthetic drugs (e.g. methamphetamine and Ecstasy—less vulnerable to interruption of supply)
Street prostitution	Internet-based prostitution and trafficking in human beings
Extortion of local businesses for ‘protection’ Loansharking (usury)	Extortion of larger businesses, corporations, and kidnapping of executives Money laundering in cash, precious stones, commodities
Fencing stolen property	Theft of intellectual property, forgery of CDs, software, DVDs

the products and services that fund it, but in the short term, greater efforts in detection and prosecution will be necessary to disrupt more effectively both foreign and North American organised crime groups.

Notes

- [1] Sloan, 'Bada Bing's the Real Thing on Sopranos Tour'; 'Neighborhood Report: Little Italy; Looking for Wiseguys in the Land of Checked Tablecloths,' *The New York Times*, 1 December.
- [2] 'Family Matters,' *USA Today*, 21 January 2000, p. 4E.
- [3] Hagan, 'The Organised Crime Continuum: A Further Specification of a New Conceptual Model'.
- [4] Lyman & Potter, *Organised Crime*; Abadinsky, *Organised Crime*; Maltz, 'On Defining Organised Crime'.
- [5] Albanese et al. (eds), *Organised Crime: World Perspectives*.
- [6] Albanese, *Organised Crime in Our Times*.
- [7] Moore, *The Kefauver Committee and the Politics of Crime, 1950–1952*.
- [8] New York State Temporary Commission of Investigation, *The Appalachian Meeting; US v. Buffalino et al.*
- [9] Maas, *The Valachi Papers*; US Senate Committee on Government Operations Permanent Subcommittee on Investigations, *Organised Crime and Illicit Traffic in Narcotics*.
- [10] For a summary of the major mob cases of the 1980s and 1990s, see Albanese, *Organised Crime in Our Times*; Jacobs et al., *Gotham Unbound: How New York City was Liberated from the Grip of Organised Crime*; Cowan & Century, *Takedown: The Fall of the Last Mafia Empire*.
- [11] Della Santo, 'SCI Says "Nontraditional" Gangs Enter New Jersey Organised Crime'.
- [12] Criminal Intelligence Service Canada, *Annual Report on Organised Crime in Canada 2002*.
- [13] Organised Crime Agency of British Columbia, *Annual Report 2001*.
- [14] 'Immigrant Smugglers Caught in Broad Daylight,' *Edmonton Journal*, 6 May 2002.
- [15] 'Hell's Angels Convictions,' *Associated Press*, 25 September 2003.
- [16] Financial Transactions and Reports Analysis Centre of Canada, *FINTRAC Annual Report 2003*.
- [17] 'Mexico is Run by Organised Crime,' *Agence France Presse*, 1 August 2003.
- [18] Zhang & Chin, 'Entering the Dragon: Inside Chinese Human Smuggling Organisations'.
- [19] Sandoval, 'Mexican Drug Agency Closed; Agents Suspected of Corruption'; Moloeznik, 'The Challenges to Mexico in Times of Political Change'; Zamora Jimenez, 'Criminal Justice and the Law in Mexico'.
- [20] Sandoval, 'Drug Operation between US, Mexico Leads to 176 Arrests This Week'; Weissert, 'Mexico's New No. 1 Drug Kingpin Rose by Eliminating Rivals'.
- [21] Gibson, 'Arrests Break International Heroin Ring'.
- [22] Malcolm, 'Testimony: Internet Gambling'.
- [23] Holloway, 'Arrests Illustrate a Growing Concern over Bootlegged Recordings'.
- [24] 'Boston Realtor Sentenced for Laundering Money for Convicted Organised Crime Leader Stephen Flemmi,' *PR Newswire*, 20 December 2002.

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