

organized

CRIME

ELEVENTH EDITION

Howard **Abadinsky**

ORGANIZED CRIME

ELEVENTH EDITION

HOWARD ABADINSKY

St. John's University



Australia • Brazil • Mexico • Singapore • United Kingdom • United States



Organized Crime, Eleventh Edition

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Library of Congress Control Number: 2015951186

ISBN: 978-1-305-63371-1

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Preface

Shortly after being sworn in as a New York State Parole Officer, I was assigned to Red Hook, a waterfront neighborhood in Brooklyn. At the time, there was a violent conflict between two factions of one of the city's five American Mafia (referred to as *La Cosa Nostra* by the FBI) Families. I became acquainted with the colorful nicknames of some of the participants, Crazy Joe, Apples, Blast, and Snake Eyes. At the time, the American Mafia was the preeminent organized crime group in the country, with Families operating in every major city; the first edition of *Organized Crime* reflected that state of affairs. Since that time, the sun has been slowly setting on the American Mafia, its importance dwindling as new criminal organizations emerge.

Outside the United States organized crime is a global concern and in some parts of the world organized crime interacts with terrorists and revolutionaries, the distinction between them often unclear. Criminal organizations operating on a global scale have become more sophisticated and more threatening, and additional crime groups have been added to the pantheon we refer to as organized crime.

The collapse of the Soviet Union was a pivotal historical event that intertwined with the rapid expansion of global markets: "Money, goods and people have circulated with a rapidity and facility which were once unthinkable" (Violante 2000: x). "Whether in the developed or in the developing world, criminal organizations' scope of action and range of capabilities are undergoing a profound change" (Godson and Olson 1995: 19). Furthermore, as Roy Godson and William Olson (1995: 19) noted, the decline in political order and deteriorating economic circumstances have led to a growing underground economy that habituates people to working outside the legal framework. Easy access to arms, the massive flow of emigrants and refugees, and the normal difficulties involved in accomplishing meaningful international cooperation are working to the advantage of criminal organizations. And the "rise of better-organized, internationally based criminal groups with vast financial resources is creating a new threat to the stability and security of international systems" (Godson and Olson

1995: 19). “Many international and transnational criminal organizations are continuing to expand their networks and links with other criminal organizations throughout the world, allowing the larger organizations to become increasingly powerful, technically sophisticated and global in their approach” (*INTERPOL at Work* 2003: 17).

ORGANIZATION

- **Chapter 1.** *Introduction to Organized Crime* discusses the various ways of defining organized crime and elaborates on the elements that determine if a group of criminals can reasonably be characterized as *organized*. There is a discussion of the structures that a criminal group can manifest, their advantages and disadvantages. The chapter examines the similarities and differences between organized crime and terrorism.
- **Chapter 2.** *Explanations for Organized Crime* uses sociological and psychological theory to explain organized crime and expands on the psychopathic personality that often characterizes members of criminal organizations.
- **Chapter 3.** *United States* examines organized crime where the American Mafia is in decline while newer groups such as the Mexican Mafia and *Mara Salvatrucha* (MS-13) are on the ascent.
- **Chapter 4.** *Italy and Albania* looks at the criminal organizations of Italy, the traditional Mafia, Camorra, and *Ndrangheta*, and the more recent *Sacra Corona Unita* with its Albanian connection.
- **Chapter 5.** *Colombia and Mexico* examines the criminal organizations of Colombia and Mexico amid the swirl of politics and savage violence.
- **Chapter 6.** *Russia and the Former Soviet Union* looks at the organized crime that emerged from the breakup of the Soviet Union and the much older but continuing criminal brotherhood known as the *vor a zakone*.
- **Chapter 7.** *Asia* examines organized crime in Japan and the ancient roots and current manifestation of Chinese organized crime.
- **Chapter 8.** *Africa* reviews the organized crime that has emerged from postcolonial Africa.
- **Chapter 9.** *Outlaw Motorcycle Clubs* provides an analysis of the history of outlaw motorcycle clubs and how this peculiarly American phenomenon has become global.
- **Chapter 10.** *Organized Crime: “Goods and Services”* examines the “goods and services” business of organized crime.
- **Chapter 11.** *Organized Crime and Drug Trafficking* reviews the role of organized crime in global drug trafficking.
- **Chapter 12.** *Organized Crime in Labor, Business, and Money Laundering* analyzes the role of organized crime in labor and business racketeering, and money laundering.
- **Chapter 13.** *Organized Crime Statutes* is a review of the statutes used to combat organized crime.
- **Chapter 14.** *Investigating and Prosecuting Organized Crime* looks at the various federal agencies having responsibility for responding to organized crime and the techniques they use.

The *Conclusion* identifies the direction of organized crime in the twenty-first century.

NEW TO THE ELEVENTH EDITION

- Each chapter opens with learning objectives and ends with an extensive summary and comprehensive review questions.
- The number of chapters has been reduced from fifteen to fourteen and information in each has been updated.
- Chapter 1 extends the comparison between organized crime and terrorism.
- The extensive historical review of politics and organized crime in the nineteenth and early twentieth centuries has been deleted.
- A new Chapter 3 examines the American Mafia in its last stronghold, the Northeast, and two of the most important American organized

crime groups, the Mexican Mafia and *Mara Salvatrucha* (MS-13).

- Chapter 2 uses sociological, psychological, and biological theory to explain organized crime and has an extended examination of the psychopathic personality.
- There is an expanded Chapter 4 on the criminal organizations of Italy as the Calabrian *'Ndrangheta* extends its global influence and a greater examination of Albanian ties to Italy and the spread of Albanian organized crime across Europe and into the United States.
- In Chapter 5 there is an expanded examination of the ties between drug trafficking and politics in Colombia and the savagery of Mexican cartels as they continue to break apart, reorganize, and engage in competitive violence.
- There is a new Chapter 8 on the organized crime that has emerged from postcolonial Africa and the lawless exploitation of natural resources and wildlife.
- Chapter 9 on outlaw motorcycle clubs has been expanded to cover what federal authorities refer to as the "Big Six."
- Chapter 13 adds to the federal statutes used in response to organized crime.

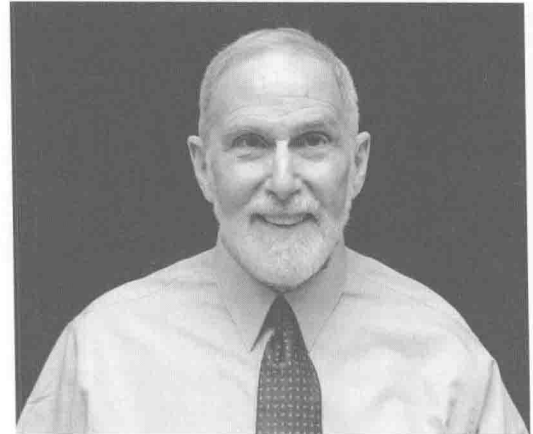
DEDICATION

This book is dedicated to the memory of Joseph Albini, Mark Haller, and Francis Ianni, colleagues and pioneers in the study of organized crime.

ABOUT THE AUTHOR

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Biker bar, Sturgis, South Dakota. Andrew Woodley/Alamy

CHAPTER 1

CHAPTER 1 WILL ENABLE THE READER TO UNDERSTAND:

- The problem of defining organized crime
- The characteristics of organized crime
- Salient features of a bureaucracy
- The concepts of *franchising* and *credentialing*
- The importance of points of convergence
- The features of a criminal network
- The role of a broker in criminal endeavors
- Transnational organized crime
- Similarities and differences between organized crime and terrorism
- The connection between organized crime and terrorism

Introduction to Organized Crime

Organized crime—what is it? How can we distinguish organized crime from groups of criminals who, although they may be organized, do not fit the phenomenon we are addressing in this book? So what is it? What is organized crime?

It's not terrorism; it's not street gangs—topics we will address later in this chapter. The "criminality of persons in organized crime differs from that of conventional criminals because their organization allows them to commit crimes of a different variety [labor racketeering, for example] and on a larger scale [smuggling planeloads of cocaine, for example] than their less organized colleagues" (Moore 1987: 51). Organization permits a scope of activities unavailable to conventional criminals, while providing a vehicle for criminal interaction and coordination on a regional, national, and international level.

DEFINING "ORGANIZED CRIME"

The criminal organizations examined in this book have historical origins that date back many decades, if not centuries. In contrast, as far as we know, the gang headed by Jesse James was devoid of global connections, their crime portfolio limited to bank and train robbery, and they failed to survive Jesse's death in 1882. While there is a great deal of discussion about organized crime groups and their activities, a review of the subject in law enforcement and academic literature reveals it is difficult to determine what exactly is being discussed (Loree 2002). Indeed, the federal Organized Crime Act of 1970 (which contains the RICO section discussed in later chapters) fails to define the subject of its concern. The Federal Bureau of Investigation (FBI) defines organized crime "as any group having some manner of a formalized structure and whose primary objective is to obtain money through illegal activities. Such groups maintain their position through the use of actual or threatened violence, corrupt public officials, graft, or extortion, and generally have a significant impact on the people in their locales, region, or the country as a whole." The United Nations Convention Against Transnational Organized Crime (Article 2(a)) states that an "organised criminal group shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit."

Although there is no generally accepted definition of organized crime, there are a number of characteristics identified by law enforcement agencies and researchers as indicative of the phenomenon. Offering them has a practical dimension: they provide a basis for determining if a particular group of criminals constitutes *organized crime* and, therefore, needs to be addressed in a way different from the way one would approach terrorists or groups of conventional criminals or a group of persons that forms for the immediate commission of a single offense.

Organized crime:

- Is devoid of political goals
- Is hierarchical
- Has a limited or exclusive membership
- Constitutes a unique subculture
- Perpetuates itself
- Exhibits a willingness to use illegal violence
- Is monopolistic
- Is governed by explicit rules and regulations

Let us examine each of these characteristics.

1. *Absence of political goals.* The goals of an organized crime group are money and power whose procurement is not limited by legal or moral concerns. An organized crime group is not motivated by social doctrine, political beliefs, or ideological concerns. While political involvement may be part of the group's activities, the purpose is usually to gain protection or immunity for its illegal activities. This distinguishes organized crime from groups of persons who are organized and violating the law to further their political agenda, such as nationalist or terrorist groups. Organized crime members are not potential suicide bombers. Indeed, they typically find terrorism incomprehensible: Why would anyone take extreme risks without the prospect of personal financial gain? Why confront authorities instead of evading or corrupting them? (Bovenkerk and Chakra 2004). But a criminal group with a political agenda may metastasize into organized crime.

A group whose primary goal is political or ideological may consider their mission no longer relevant and, rather than disband, become an organized crime group. A group, or simply some of its members, may find personal and pecuniary goals outweighing ideology and drift across the amorphous divide between political and organized crime, for example, groups in Northern Ireland supporting (loyalists) and opposing (republicans) British rule, or Marxist guerillas in Latin America. Like cars that can run on gas or electricity, a criminal organization may also be a hybrid; that is, combine pecuniary crime with ideologically driven

behavior (Dishman 2005) as seen with criminal organizations originating in the Chechnya region of the former Soviet Union.

2. *Hierarchical.* An organized crime group has a vertical power structure with at least three permanent ranks—not just a leader and followers—each with authority over the level beneath. The authority is inherent in the position and does not depend on who happens to be occupying it at any given time. However, as we shall see, the structure of some criminal organizations is flexible, changing with the nature of the enterprise in which they are currently engaged. In some criminal organizations, the power structure is primarily that of a traditional familial hierarchy.

3. *Limited or exclusive membership.* An organized crime group significantly limits membership. Qualifications may include ethnic background, kinship, race, criminal record, or similar considerations. Those who meet the basic qualification(s) for membership usually require a sponsor, typically a ranking member, and must also prove qualified for membership by their behavior—for example, willingness to commit criminal acts, obey rules, follow orders, and maintain secrets. There is a period of apprenticeship that may range from several months to several years. If the group is to remain viable, there must be considerably more persons who desire membership than the organized crime group is willing to accept. Exclusivity of membership serves to indicate that belonging is indeed something to be valued.

While *membership* can refer to being part of a specific group, such as the Genovese Family or the Hell's Angels, it can also entail a more amorphous attachment to a criminal network (*underworld*), such as that which characterizes much Russian organized crime in the United States (discussed in Chapter 6). Membership indicators include bonding rituals such as initiation ceremonies and distinctive group icons on clothing, jewelry, and tattoos. In the absence of specific indicators, the question of membership can be viewed subjectively: Does the person view himself as being part of a particular criminal organization? Do others in the criminal underworld recognize the person as part of a criminal organization?

Membership provides a basis for *credentialing*, discussed later.

In British Columbia, electronic surveillance revealed the well-established Hell's Angels (HA) expressing concern over a loosely organized criminal group called the “UN,” as in United Nations, an apparent reference to its diverse membership. The HA wanted to know if the UN had any specific identifying markers, such as jackets or tattoos, indicating membership. If they did, in the opinion of the HA, that would make the UN a more formidable competitor in the drug business. A UN logo eventually appeared on clothing and jewelry of members with a motto: “Honor, Loyalty, and Respect.” In 2009, the founder of the UN was sentenced in a Seattle federal court to thirty years' imprisonment for a massive cross-border drug trafficking operation.

4. *Constitutes a unique subculture.* Members of organized crime frequently view themselves as distinct from conventional society, which they typically view with derision if not contempt, and therefore not subject to its rules. A group structured around various, not necessarily criminal, dynamics (e.g., military, athletic) may develop into a criminal organization when members come to realize that the application of their resources, such as instrumental violence, offers a source of considerable income.

There is a “chicken-or-the-egg, which came first?” dimension. For example, during Prohibition (1920–1933), did a criminal subculture develop around bootlegging, or did members of an existing criminal subculture enter the trade? Or both? In either event, a subcultural base provides the flexibility necessary for criminals to switch enterprises. For example, after repeal of Prohibition, bootleggers moved to drug trafficking and labor racketeering.

5. *Perpetuates itself.* An organized crime group constitutes an ongoing conspiracy designed to persist through time, that is, beyond the life of the current membership. The members assume permanence, and this provides an important basis for attracting qualified persons, thus perpetuating the group's existence. The strength of this attribute often depends on the depth of the subcultural