

**ESTABLISHMENT
OF THE
ORGANIZED CRIME AGENCY
OF
BRITISH COLUMBIA
(OCABC)**

Attorney General

Briefing #3

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS

Step 1—Attorney General (February 23, 1999)

Task	Action Required	Tab
<ul style="list-style-type: none"> • The Justice Development Commission has decided to make an application to have OCABC become a Designated Policing and Law Enforcement Unit (s. 4.1 and 18.1 <i>Police Act</i>). 	<ul style="list-style-type: none"> • Minute of JDC—The Justice Development Commission (JDC) minutes the decision to make an application for the Organized Crime Agency of British Columbia to become a Designated Policing and Law Enforcement Unit. 	1
<ul style="list-style-type: none"> • The JDC has made an application for OCABC to become a Designated Policing and Law Enforcement Unit (s. 4.1 and 18.1 <i>Police Act</i>). 	<ul style="list-style-type: none"> • Application—JDC applies for OCABC to become a Designated Policing and Law Enforcement Unit. 	2
<ul style="list-style-type: none"> • The Attorney General is authorized to waive the requirements for police forces in British Columbia to endorse the application for OCABC to become a Designated Policing and Law Enforcement Unit 	<ul style="list-style-type: none"> • Memorandum—Attorney General, in a letter, waives the requirements for other police forces in British Columbia to endorse the application for OCABC to become a Designated Policing and Law Enforcement Unit. 	3

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS

Step 2—Cabinet Approval

Task	Action Required	Tab
<ul style="list-style-type: none"> • Under the <i>Police Act</i>, the Lieutenant Governor in Council can prescribe the JDC as an entity that is authorized to make an application for a Designated Policing and Law Enforcement Unit. 	<ul style="list-style-type: none"> • Order in Council—Prescribing the Justice Development Commission as an entity under the <i>Police Act</i> 	4
<ul style="list-style-type: none"> • A number of changes to the composition of the JDC are required; these must be done by Order in Council signed by the Lieutenant Governor in Council. • The Lieutenant Governor in Council must also authorized the JDC to perform the functions of an entity under the <i>Police Act</i>. • The application for OCABC to become a Designated Policing and Law Enforcement Unit can be approved by the Lieutenant Governor in Council 	<ul style="list-style-type: none"> • Order in Council <ol style="list-style-type: none"> a. Rescinding appointment of Peter Engstad as a member and as the executive secretary of the Justice Development Commission; b. Appointing Kevin Begg as executive secretary of the Justice Development Commission; c. Authorizing the Justice Development Commission to perform the functions of an “entity” under the <i>Police Act</i>; and d. Approve the application for OCABC to become a Designated Policing and Law Enforcement Unit 	5
<ul style="list-style-type: none"> • Stephen Stackhouse will replace Ernie Quantz as the chair of the JDC. 	<ul style="list-style-type: none"> • Order in Council <ol style="list-style-type: none"> a. Rescinding appointment of Ernie Quantz as a member and chair of the Justice Development Commission b. Designating Stephen Stackhouse as chair of the Justice Development Commission 	6

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS

Step 3—Establishment of OCABC by Attorney General

Task	Action Required	Tab
<ul style="list-style-type: none"> Once the Order in Council authorizing OCABC to become a Designated Policing and Law Enforcement Unit is signed, the Minister must establish a Designated Policing and Law Enforcement Unit. 	<ul style="list-style-type: none"> Ministerial Order—establishing OCABC as a Designated Policing and Law Enforcement Unit. 	Ministerial Order Being Drafted
<ul style="list-style-type: none"> Once the Order in Council authorizing OCABC to become a Designated Policing and Law Enforcement Unit is signed and the Ministerial Order establishing the OCABC is signed, the Minister must also establish a designated board. 	<ul style="list-style-type: none"> Ministerial Order—establishing the essential powers, duties and functions of the Board of Governance of OCABC. 	7
<ul style="list-style-type: none"> The OCABC Society will become the Designated Policing and Law Enforcement Unit; the OCABC Society Board will become the Board of Governance to the Designated Policing and Law Enforcement Unit. 	<ul style="list-style-type: none"> Instrument of Establishment—Attorney General confirms that <ul style="list-style-type: none"> - the OCABC Society shall be a Designated Policing and Law Enforcement Unit; - the Board of Directors of the OCABC Society shall be the designated board of the OCABC Society. 	8
<ul style="list-style-type: none"> The Minister, after consulting with the entity (JDC), must appoint members and chair of the board (noted above) once the Order in Council is signed. 	<ul style="list-style-type: none"> Ministerial Order—appointing the Board of Governance and Chair for OCABC 	Ministerial Order to be drafted once board members are selected
<ul style="list-style-type: none"> In order for OCABC to investigate and enforce offences under the <i>Controlled Drug and Substance Act</i>, the Minister must designate OCABC as a police force. 	<ul style="list-style-type: none"> Ministerial Order—designating OCABC as a police force pursuant to s. 1.1(c) of the <i>Police Act</i> and the <i>Controlled Drug and Substance Act (Police Enforcement) Regulations</i>. 	9

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS

ATTORNEY GENERAL OF BRITISH COLUMBIA

BRIEFING NOTE

ISSUE:

- Legal framework to create the Organized Crime Agency of British Columbia Society as a Designated Policing and Law Enforcement Unit under the *Police Act*.

BACKGROUND:

- On October 1, 1998, the *Report of the Organized Crime Independent Review Committee* was released publicly.
- A new agency to fight organized crime in British Columbia is being created to replace the Co-ordinated Law Enforcement Unit (CLEU).
- The plan is for the new agency, the Organized Crime Agency of British Columbia, to become a society under the *Society Act* and to become a Designated Policing and Law Enforcement Unit under the *Police Act*.

STEPS TO CREATING THE ORGANIZED CRIME AGENCY OF BRITISH COLUMBIA:

Step 1—Before going to Cabinet

- Establishment of the Organized Crime Agency of British Columbia Society.
- The Justice Development Commission minutes their decision to make an application for the Organized Crime Agency of British Columbia to become a Designated Policing and Law Enforcement Unit under s. 4.1 and 18.1 *Police Act*.
- Application from the entity, the JDC, for OCABC to become a Designated Policing and Law Enforcement Unit.
- Attorney General writes a letter to JDC waiving requirements for endorsement for the application from affected police forces in British Columbia and approving the application.

Step 2—Cabinet Approval

- There will be three Orders in Council required at this time:
 1. **Order in Council** prescribing the JDC as an entity under the *Police Act*.
 2. **Order in Council**
 - a. Rescinding appointment of Peter Engstad as a member and as the executive secretary of the Justice Development Commission;
 - b. Appointing Kevin Begg as executive secretary of the Justice Development Commission;
 - c. Authorizing the Justice Development Commission to perform the functions of an "entity" under the *Police Act*; and
 - d. Giving approval of the application for OCABC to become a Designated Policing and Law Enforcement Unit

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS

3. Order in Council

- a. Rescinding the appointment of Ernie Quantz as member and chair of the Justice Development Commission
 - b. Appointing Stephen Stackhouse as chair of the Justice Development Commission.
- Additional Orders in Council will be required once the OCABC is established

Step 3—After the Order in Council is Approved: Establishment of OCABC by Attorney General

1. **Ministerial Order** will be required to establish OCABC as a Designated Policing and Law Enforcement Unit
2. **Ministerial Order** will be required to appoint the initial five members of Board of Governance and Chair for OCABC. These people will also be members of the board for the society.
3. **Ministerial Order** will be required to establish essential powers, duties and functions of the Board of Governance of OCABC.
4. OCABC Board will submit the name of the proposed Chief Officer to Attorney General for approval.
5. **Ministerial Order** will be required to appoint the Chief Officer, including any conditions to the appointment.
6. **Ministerial Order** will be required designating OCABC as a police force pursuant to s. 1.1(c) of the *Police Act* and the *Controlled Drug and Substance Act (Police Enforcement) Regulations*. This also means that the *Firearms Regulation* will apply to OCABC constables.

CURRENT STATUS:

- Effective April 1, 1999, a civilian designated board of governance can be appointed by Ministerial Order once the Designated Policing and Law Enforcement Unit is approved.
- Recommendation for the Attorney General to appoint the five member Board of the OCABC Society, by way of Ministerial Order, to the designated board of governance for OCABC.
- Effective April 1, 1999, a civilian designated board of governance can be appointed by Ministerial Order once the designated board of governance is appointed.

Date: February 24, 1999

Prepared by: Gerry M. Stearns, Ph.D.
Police Services Division

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS

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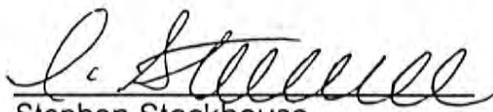
CABINET DOCUMENTS - DISCLOSURE RESTRICTIONSMINUTE OF A DECISION OF THE JUSTICE DEVELOPMENT COMMISSION

In anticipation of approval being given to a regulation under section 5(h) of the *Justice Administration Act* authorizing the Justice Development Commission to assume the functions of an entity under the *Police Act*, the Justice Development Commission members agree to make an application under section 4.1 and 18.1 of the *Police Act* to have a designated policing and law enforcement unit established on behalf of the Commission to be known as the Organized Crime Agency of British Columbia Society.

Signed in Victoria, British Columbia on February 22, 1999.



Ernie Quartz, Q.C.



Stephen Stackhouse



Kevin Begg

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS

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CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS**APPLICATION for:****Designation as a Designated Policing/Designated Law Enforcement Unit**
*Police Act, R.S.B.C., 1996, Chap. 376***ORGANIZED CRIME AGENCY OF BRITISH COLUMBIA**

The Justice Development Commission, a prescribed entity within the meaning of the BC *Police Act*, wishes to establish the Organized Crime Agency of British Columbia (OCABC) to provide designated policing and designated law enforcement services directed at reducing and eliminating organized crime and other significant criminal activity in British Columbia.

I. DESCRIPTION OF SERVICES:

- (a) **Description of all policing and law enforcement services to be provided by the designated policing unit on behalf of the entity, including a description of the geographical area within which the services are to be provided—*Police Act*, section 4.1 (3)(a) and section 18.1(3)(a).**

OCABC is an integrated approach to combating organized crime in British Columbia, combining and coordinating resources from participating federal, provincial and municipal policing and law enforcement agencies.

OCABC will operate in accordance with the principles of police independence and be governed by a Board, described below. A Chief Officer, employed directly by OCABC, will have functional control and operational command over the OCABC.

Personnel who are employed by, or assigned to OCABC will include:

Designated Constables and Designated Enforcement Officers

- Employed directly by OCABC;
- Appointed by the Board, subject to the Minister's approval.

Sworn Municipal Police Officers

- Continue to be employees of the Municipal Police Department;
- Subject to the BC *Police Act*;
- Assigned to OCABC for a specified term or project.

Sworn RCMP Officers

- Continue to be employees of the RCMP;
- Subject to the *RCMP Act*;
- Assigned to OCABC for a specified term or project.

Federal/Provincial Enforcement Officers

- Continue to be employees of the Federal/Provincial agency;

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- Assigned to OCABC for a specified term or project (e.g., Customs and Immigration officers, investigators from Gaming, Liquor Distribution, Environment).

Civilian Personnel

- Employed directly by OCABC board;
- Public Servants assigned for specific projects.

OCABC is requesting province-wide jurisdiction.

II. QUALIFICATIONS OF DESIGNATED CONSTABLES AND ENFORCEMENT OFFICERS

- (b) a description of the qualifications required of the designated constables and designated enforcement officers—*Police Act*, section 4.1(3)(b) and section 18.1(3)(b).

Designated Constables

- Designated Constables will be appointed only for purposes related to the mandate of OCABC, and only when it is necessary that a candidate be granted full policing power and authority to enforce all criminal laws and statutes.
- Candidates for appointment as designated constables must undergo an evaluation by the Police Academy of the Justice Institute of British Columbia to ensure they meet current police training standards. Candidates will be required to take remedial or upgrading training, as recommended by the Police Academy, prior to be deployed in an operational capacity.
- Appointment of Designated Constables will be limited to circumstances when a candidate possesses specialized policing skills, knowledge and ability that are required in support of OCABC's mandate and which are not available by secondment from a participating police agency.

Designated Enforcement Officers

- Designated Enforcement Officers will be appointed for purposes related to the mandate of OCABC only when it is necessary that a candidate be granted limited peace officer authority in order to perform a specific task or fulfill a specific function.
- Candidates for designated officer appointments must meet training standards relevant to the limited purposes of their appointment, as recommended by the Justice Institute of British Columbia. Candidates will be required to take training as recommended by the Justice Institute prior to undertaking the duties of a designated enforcement officer.
- Appointment of Designated Enforcement Officers will be limited to circumstances when a candidate possesses specialized policing skills, knowledge and ability that are required in support of OCABC's mandate.

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III. GOVERNANCE OF LAW ENFORCEMENT UNIT

(c) Description of the governance of the designated policing/designated law enforcement unit, including:

- (i) the identification or proposed establishment of a Board whose function it will be to govern, administer and operate the designated policing/designated law enforcement unit; and
- (ii) the proposed membership of the Board. (Police Act, section 4.1(3)(c) and section 18.1(3)(c).

The designated policing/designated law enforcement unit will be governed by the OCABC Board, which will perform all duties as may be required with respect to providing advice and assisting the Chief Officer with the establishment of goals for OCABC.

In addition, the Board will perform all relevant duties as an employer of the Chief Officer, Deputy Chief Officer, designated constables, designated law enforcement officers and civilians. The Board will also be the disciplinary authority for the Chief Officer and Deputy Chief Officer. The Board will not be involved in making operational decisions.

The mandate of the board includes:

1. Acting as the employer for OCABC staff (i.e., civilians, Chief Officer, Deputy Chief Officer, s. 4.1 designated constables and s. 18.1 enforcement officers).
2. Subject to the Attorney General's approval,
 - a. Appoint a Chief Officer and Deputy Chief Officer; and
 - b. Appoint, on the recommendation of the Chief Officer, those designated constables and enforcement officers the Board considers necessary—s. 4.2(2)(c)(iv) and 18.2(d)(iii).
3. Overseeing the management of OCABC.
4. Ensuring that OCABC performs the following:
 - a. enforces, within British Columbia, the bylaws of local governments, the criminal law, and the laws of British Columbia—s. 4.2(2)(c)(i)(A) *Police Act*,
 - b. generally maintains law and order in British Columbia—s. 4.2(2)(c)(i)(B) *Police Act*,
 - c. prevents crime—s. 4.2(2)(c)(i)(C) *Police Act*, and
 - d. provides designated policing and law enforcement directed at reducing and eliminating organized crime and other significant criminal activity in British Columbia.
5. Performing the duties of a Board consistent with the *Police Act* and applicable regulations which define municipal Boards, including but not limited to the following:
 - a. In consultation with the Chief Officer of OCABC, the Board must determine the priorities, goals and objectives of OCABC—s. 26(4) *Police Act*.
 - b. In consultation with the Chief Officer, the Board must report to the Attorney General on:

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS

- the implementation of programs and strategies to achieve the priorities, goals and objectives in section 3a above—s. 4.2(2)(c)(iii)(B) *Police Act*.
- c. Make rules consistent with the *Police Act* and regulations respecting the following:
- the standards, guidelines, and policies for the administration of OCABC—s. 28(1)(a) *Police Act*;
 - the prevention of neglect and abuse by its designated constables and designated law enforcement officers—s. 28(1)(b) *Police Act*;
 - the efficient discharge of duties and functions by OCABC—s. 28(1)(c) *Police Act*.
6. Receiving, addressing and reviewing responses to service and policy complaints as per the *Police Act* and regulations as appropriate—s. 63.1 *Police Act*
7. In consultation with agencies that are seconding officers to OCABC, establishing guidelines with respect to the selection of officers assigned to OCABC from federal, provincial, and municipal police and law enforcement agencies.

Complaints About Seconded Officers

Complaints about the conduct of members of the RCMP assigned to OCABC will be processed in accordance with the RCMP Public Complaints Commission.

Complaints about the conduct of members of BC Municipal Police Departments assigned to OCABC and Designated Constables will be processed in accordance with Part 9 of the BC *Police Act*.

Complaints About Designated Law Enforcement Officers

Complaints about the conduct of Designated Law Enforcement Officers will be processed in accordance with a process that is consistent with the Police Act Regulation governing complaints against Special Provincial Constables.

Governance

OCACA Board will be comprised of civilian members appointed by the Attorney General. OCABC will be subject to Part 8 (Director of Police Services) of the BC *Police Act*.

IV. Coordination of Services

- (d) Explanation as to how the services are to be coordinated with the police and law Enforcement otherwise provided in the geographical area within which the designated constables and designated enforcement officers are to execute their jurisdiction. *Police Act*, section 4.1(3)(d) and section 18.1(3)(d).

OCABC's mandate is fulfilled through the coordinated efforts of Federal, Provincial and Municipal policing and law enforcement agencies.

Designated Constables and Designated Enforcement Officers employed by OCABC will perform their duties as part of joint operations involving police officers and/or enforcement officers assigned from Federal, Provincial and/or Municipal agencies.

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS**V. Endorsement**

- (e) **Written endorsement from the Chief Constables and Commissioner of the provincial police force—*Police Act*, section 4.1(3)(e) and section 18.1(3)(e).**

OCABC is being established pursuant to a provincial initiative supported by BC Municipal Chiefs Constables and the Commissioner of the provincial police force, who will participate in the development of OCABC. For this reason, it is respectfully requested that the attorney General waive the formal process for obtaining police endorsement with respect to this application.

Submitted on behalf of the Justice Development Commission by:



Stephen Stackhouse, Justice Development Commission



Ernie Quantz, Q.C., Justice Development Commission



Kevin Begg, Justice Development Commission

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FEB 24 1999

Justice Development Commission Members
c/o Ministry of Attorney General

Re: Application to establish the British Columbia Organized
Crime Agency

- as a designated policing unit and a designated law
enforcement unit under the Police Act

- waiving the requirements under sections 4.1(3)(e) and
18.1(3)(e)

As the Justice Development Commission is an entity under the
Police Act and, in that capacity, it employs special provincial
constables, sections 4.1(4) and 18.1(4) of the Police Act
provide for the Minister to waive certain requirements of the
application process.

This memorandum serves to confirm that the requirements under
sections 4.1(3)(e) and 18.1(3)(e) of the Police Act are waived
as part of the Justice Development Commission's application and
confirms that the application dated February 22, 1999, is
approved. The application will now be referred to the
Lieutenant Governor in Council for approval.

Ujjal Dosanjh, Q.C.
Attorney General

POLICE SERVICES BEGG/TATCHELL/COWAN/STEARNS/LOGIE/BB C/79951

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONSJustice Development Commission

Ernie Quantz, Q.C.
Assistant Deputy Attorney General
Criminal Justice Branch

Stephen Stackhouse
Assistant Deputy Minister
Public Safety and Regulatory Branch

Kevin Begg
Director
Police Services Division
Public Safety and Regulatory Branch

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CABINET DOCUMENTS DISCLOSURE RESTRICTIONS

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

, Approved and Ordered

Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Justice Development Commission established under the *Justice Administration Act* is a prescribed entity for the purposes of the definition of "entity" in section 1 of the *Police Act*.

Attorney General and Minister Responsible for
Multiculturalism, Human Rights and Immigration_____
Presiding Member of the Executive Council*(This part is for administrative purposes only and is not part of the Order.)*

Authority under which Order is made:

Act and section:- Police Act, definition of "entity" in section 1

Other (specify):- _____

February 17, 1999

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~~PROVINCE OF BRITISH COLUMBIA
CABINET DOCUMENTS DISCLOSURE RESTRICTIONS~~

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. _____

_____, Approved and Ordered

Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

- (a) the appointments of Peter Engstad as a member and as executive secretary of the Justice Development Commission are rescinded,
- (b) Kevin Begg is appointed executive secretary of the Justice Development Commission,
- (c) the Justice Development Commission may perform the functions of an "entity" as defined in section 1 of the *Police Act*, and
- (d) approval is given to the application dated February 22, 1998 made under sections 4.1 and 18.1 of the *Police Act* by the Justice Development Commission.

*Attorney General and Minister Responsible for
Multiculturalism, Human Rights and Immigration*

Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:- Police Act, sections 4.1 and 18.1; Justice Administration Act, sections 4 and 5 (h)

Other (specify):- _____

February 17, 1999

re-sub, 17/19/98/13b2

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~~CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS~~PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order In Council No.

, Approved and Ordered

Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

- (a) the appointment of Ernie Quantz as a member, and his designation as chair, of the Justice Development Commission are rescinded, and
- (b) Stephen Stackhouse is designated as chair of the Justice Development Commission.

*Attorney General and Minister Responsible for
Multiculturalism, Human Rights and Immigration*_____
*Presiding Member of the Executive Council**(This part is for administrative purposes only and is not part of the Order.)*

Authority under which Order is made:

Act and section:- Justice Administration Act, section 2Other (specify):- o.c. 396/97

November 23, 1998

1746/98/13/sak

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PROVINCE OF BRITISH COLUMBIA

ORDER OF THE

Act

I, Ujjal Dosanjh, Attorney General and Minister Responsible for Multiculturalism, Human Rights and Immigration, order that the Organized Crime Agency of British Columbia Regulation attached to this order is made.

 Date: February 22, 1999

 Attorney General and Minister Responsible for
 Multiculturalism, Human Rights and Immigration

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:- Police Act, sections 4.2 and 18.2

Other (specify):- _____

February 22, 1999

267 /99/13/bh

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS**The Organized Crime Agency of British Columbia Regulation****Powers, duties and functions of the board of the Organized Crime Agency of British Columbia**

- 1 The powers, duties and functions of the board of the Organized Crime Agency of British Columbia include
 - (a) those set out in sections 4.2 (c) and 18.2 (d) of the *Police Act*, and
 - (b) providing designated policing and designated law enforcement to reduce and eliminate organized crime and other significant criminal activity in British Columbia.

Powers, duties and functions of the chief officer of the Organized Crime Agency of British Columbia

- 2 The powers, duties and functions of the chief officer of the Organized Crime Agency of British Columbia include to report to the board of the Organized Crime Agency of British Columbia each year on the implementation of programs and strategies to achieve the priorities, goals and objectives the board has set for the Organized Crime Agency of British Columbia in consultation with the chief officer.

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CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS**INSTRUMENT OF ESTABLISHMENT**

WHEREAS the application of the Justice Development Commission for the establishment of the Organized Crime Agency of British Columbia dated the 22nd day of February, 1999, was approved by the Lieutenant Governor in Council on the ____ day of _____, 1999.

AND WHEREAS the Organized Crime Agency of British Columbia Society will be able to fulfill the mandate of the Organized Crime Agency of British Columbia as set out in the application.

NOW THEREFORE, I, Ujjal Dosanjh, Attorney General of British Columbia hereby confirm:

1. that the Organized Crime Agency of British Columbia Society shall be a designated policing and law enforcement unit to be known as the Organized Crime Agency of British Columbia Society, and
2. that the board of directors of the Organized Crime Agency of British Columbia Society shall be the designated board of the Organized Crime Agency of British Columbia Society.

DATED this ____ day of _____, 1999.

Ujjal Dosanjh
Attorney General of British Columbia

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS**DESIGNATION OF POLICE FORCE****PURSUANT TO*****Controlled Drugs and Substance Act (Police Enforcement) Regulations***

I, Ujjal Dosanjh, Attorney General of British Columbia, **HEREBY DESIGNATE** the Organized Crime Agency of British Columbia, a police force in British Columbia, pursuant to and for the purposes of all the provisions of the *Controlled Drugs and Substance Act (Police Enforcement) Regulations*.

This designation shall come into effect immediately for an indefinite term.

DATED this ____ day of _____, 1999.

Ujjal Dosanjh
Attorney General of British Columbia



Statistics Canada
CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS
Canadian Centre for Justice Statistics

Organized Crime Activity in Canada, 1998: Results of a "Pilot" Survey of 16 Police Services

file
27000-01

Prepared by : Julie Sauvé

Published by authority of the Minister responsible for Statistics Canada

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Note of appreciation

Canada owes the success of its statistical system to a long-standing partnership between Statistics Canada, the citizens of Canada, its businesses and governments. Accurate and timely statistical information could not be produced without their continued cooperation and goodwill.

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS

Organized Crime Activity in Canada: Results of a Pilot Survey of 16 Police Services

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Organized Crime Activity in Canada: Results of a "Pilot" Survey of 16 Police Services

Executive Summary

Combating organized crime has become one of the major priorities of police not only in Canada, but around the world. Despite this high profile, there is very little quantitative information available to actually measure the magnitude and scope of organized crime activities. To specifically address this lack of data, the United Nations developed a "pilot" survey to attempt the collection of quantitative information on organized crime at the international level.

The Canadian Centre for Justice Statistics undertook this Special Study on Organized Crime with the goal of examining the feasibility of collecting quantitative data on organized crime in Canada. As part of this study, it was decided to distribute the United Nations "pilot" survey on organized crime to 16 major police forces in the country. All of these forces agreed to participate and were asked to complete one survey form for each organized crime group operating in their jurisdiction.

Although there are many different definitions of organized crime, respondents were asked to use the *Canadian Criminal Code* definition, excluding "street gangs" which tend to be loosely defined and of a short-term duration. Using this definition, the 16 forces completed a total of 72 surveys, with most of the identified organized crime groups falling into the five major organized crime groups known to operate in Canada: Asian-based organized crime groups, outlaw motorcycle gangs, Italian-based organized crime groups, East European-based organized crime groups, and Aboriginal-based organized crime groups.

Responses indicated that, not surprisingly, the primary characteristic for organized crime groups in Canada was the pursuit of profit and power. Other common characteristics included having their activities carried out over a prolonged period of time, the use of violence, and the commission of serious criminal offences. These groups tended to be assisted by other organized crime groups to facilitate their commission of illegal activities and exchange of goods and services. Many of these links were international in scope, although this was true to a lesser degree for Aboriginal crime groups, whose ties were mainly at the national level.

The 16 police forces surveyed indicated that drug trafficking was still the most common crime perpetrated by the majority of organized crime groups in Canada. Even then, there were some differences among the major groups. For example, Asian crime groups tended to concentrate on the trafficking of heroin, while motorcycle gangs were more involved in cocaine and cannabis. The majority of these criminal organizations were believed to be heavily involved in money laundering. Other common illegal activities included prostitution and motor vehicle theft.

There were some differences among the five major organized crime groups in terms of their illegal activities outside of drug trafficking. For example, Eastern European crime groups were found to be more involved in counterfeiting and fraud activities than other groups; outlaw motorcycle gangs were heavily involved in firearms and explosive trafficking; Asian-based crime groups were more involved in extortion than other organized crime groups; Italian-based crime groups were involved in illegal schemes; while Aboriginal crime groups were involved in firearms trafficking.

Most of the activities mentioned above can be described as "traditional" illegal activities of organized crime groups. Today, criminal organizations are changing their focus somewhat. While the pursuit of profit remains a central theme, the types of crimes in which organized crime is involved are diversifying and adapting to new technologies. Even though these organizations are still involved in "street crime", police must now

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target new types of crimes. For example, money laundering was reported to be an increasing new crime identified by police forces. The Internet also facilitates certain types of crimes by allowing easy communication across the planet. Modern technology is making it much more difficult for police to detect and investigate illegal organized criminal activities.

The U.N. survey, while only a draft "pilot" survey, proved to be an important instrument for such data collection by allowing for the initial collection of quantitative data on organized crime according to the knowledge of Canadian police services. These data confirmed a need for further research and should provide a benchmark for future studies in this area.

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Acknowledgements

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Finally, the CCJS would like to thank the representatives of the United Nations for allowing us to use the results from this "draft" survey, even though it was being distributed on a "pilot" basis only to selected countries.

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Introduction

Combating organized crime is one of the major priorities of police not only in Canada, but around the world. With recent media attention to this problem, organized crime has now also become a public concern. Most Canadians now view organized crime as being on the rise and feel that government efforts to combat organized crime should be increased.

Despite this high profile, there is very little quantitative information available to actually measure the magnitude and scope of organized crime activities. Statistical data are required to provide indicators of evolving trends in this area, as well as to guide decisions on policy and legislation and make them more effective in the fight against organized crime.

To this extent, the Canadian Centre for Justice Statistics (CCJS) undertook a special study to examine the feasibility of collecting quantitative data on organized crime. At about the same time, the United Nations, equally concerned over this lack of data, was developing a "pilot" survey on organized crime at the international level. This survey was distributed to a number of countries for "testing", including Canada.

Having received the survey, the CCJS decided to make use of it for this study. Even though this survey was a draft "pilot" survey, it represented an opportunity to gather "benchmark" data on organized crime in Canada. It is against this background that the present study has been undertaken.

Perceptions and concerns regarding organized crime

The public perception of organized crime has been changing considerably for some time, due partly to the heavy media coverage of this subject. In 1998, Solicitor General Canada requested the Angus Reid polling group to ask five questions related to organized crime in their public perceptions survey. The 1,500 respondents of the sample were questioned about their perception of the scope of organized crime, the activities of criminal organizations, and the role of government in the fight against organized crime. The results showed that citizens believe that the activities of organized crime are on the rise and that 9 out of 10 Canadians consider organized crime a problem (50% see it as a serious one). Also, 77% of those questioned felt that government efforts to fight organized crime should be increased.

Canada is not the only place where this concern about organized crime has been observed. In fact, the U.N. has announced that organized crime will be one of its priorities for the new millennium. In 1975, the U.N. officially recognized that crime was beginning to assume much more organized forms, similar to legal organizations or businesses. Since then, organized crime has continued to be one of the U.N.'s major topics of discussion. In 1994, the World Ministerial Conference on Organized Transnational Crime was held to examine the problems and dangers posed by organized crime, to identify the measures taken to combat it, and to consider the possibilities for international co-operation in the struggle against it. The member States of the U.N. were asked to declare this form of crime "public enemy No. 1". In 1998, the U.N. co-sponsored an international conference on Surveying Crime. During this conference, transnational organized crime was again identified as a major issue which is of growing concern.

Few people are unaware of the existence of organized crime, and now an effort is being made to define this increasingly feared phenomenon.

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS**Organized Crime Activity in Canada: Results of a Pilot Survey of 16 Police Services****What is organized crime?**

Organized crime should be recognized as a phenomenon rather than a criminal activity in itself (Adamoli et al., 1998). It encompasses a whole series of behaviours, situations, criminal activities, and consequences that result from people belonging to a criminal organization.

Criminal organizations form a veritable criminal subculture operating within a society, with their own leaders and their own rules. These organizations maintain relations with one another, which helps to ensure the survival of each organization. They build ties with each other not only to reduce the risk of being caught committing criminal acts, but also to carry on a continuous exchange of goods and services (Ibid).

Similar to the activities of legitimate organizations, those of criminal organizations are motivated primarily by the prospect of gain. Criminal organizations differ from legitimate ones, however, in the nature of the opportunities and risks that they are prepared to take. Violence, intimidation, and corruption are among what they consider effective means of achieving their objectives (Ibid).

Criminal organizations are involved in a wide variety of illicit activities. These organizations are skilled in adapting to the new technologies made available to society, which allows them to increase the sophistication of their unlawful activities even further.

Definitions

It is possible to describe organized crime by listing characteristics as above. However, providing a precise definition is much more difficult. Throughout the world, a wide variety of definitions have been provided by various agencies involved in the war against organized crime. For example, the United States Federal Bureau of Investigation (FBI) proposes two complementary definitions (Cretin, 1997: 137) :

- *Organized crime is a permanent criminal enterprise. Its structure is organized; it is based on fear and corruption, and its motive is the pursuit of profit.*
- *International organized crime groups are criminal businesses whose illegal activities and influence stretch beyond national borders.*

To be considered an organized crime organization by the European Union, an organization must possess at least six of the following characteristics, including the first three (Ibid):

- 1) co-operation among more than two persons;
- 2) members are suspected of having committed serious criminal offences;
- 3) acting for profit and/or power;
- 4) each person in the group has specialized tasks;
- 5) existing over a fairly long or indeterminate period;
- 6) some form of discipline and control;
- 7) acting internationally;
- 8) having recourse to violence or other means of intimidation;
- 9) using business or business-like structures;
- 10) participating in money-laundering;
- 11) exercising influence over politics, the media, the government, the courts, or the economy.

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The *Criminal Code* of Canada says that a criminal organization must have five or more members. Its definition of a criminal organization is as follows:

"Criminal organization" means any group, association or other body consisting of five or more persons, whether formally or informally organized:

- (a) *having as one of its primary activities the commission of an indictable offence under this or any other Act of Parliament for which the maximum punishment is imprisonment for five years or more, and*
- (b) *any or all of the members of which engage in or have, within the preceding five years, engaged in the commission of a series of such offences.*

For the purpose of this study, the *Criminal Code* definition was used with the following additions: police respondents were asked to include only those criminal organizations which fell under one of the five major groups operating in Canada. These groups were identified by the Criminal Intelligence Service Canada (CISC)¹ and include: outlaw motorcycle gangs, Asian-based organized crime groups, Italian-based organized crime groups, Aboriginal-based organized crime groups and Eastern European-based organized crime groups. Therefore, "street gangs", which tend to be local in scope and exist for a relatively short period of time, were not to be included.

The need for quantitative data

Trying to estimate the size and extent of organized crime is even harder than trying to define it. The shortage of statistical data was discussed at the 1994 and 1998 U.N. conferences. In fact, in its 1994 Global Action Plan against Organized Crime, the U.N. reported this urgent need for statistics on organized crime that could help to fight it and to prevent it.

Similar proposals have also been made in Canada. The Organized Crime Independent Review Committee (1998) of the Ministry of Attorney General of British Columbia has suggested that statistics on organized crime should be compiled, because they would provide good indicators of evolving trends in this area. Similar observations were also made in the 1998 study by Solicitor General Canada. Such statistics could help to guide decisions on policy and legislation and make them more effective in the fight against organized crime in Canada.

Objectives of this study

1. *To explore the availability of quantitative data on organized crime in Canada.*

The first objective in this study is to gather quantitative information on organized crime and determine the feasibility of compiling and analyzing these data. To gather such data, a survey was distributed to a sample of police agencies, as it is the police who are in closest contact with criminal organizations.

2. *To statistically analyze and describe the organized-crime phenomenon.*

The second objective is to analyze the information obtained from the police agencies so as to identify the characteristics of organized crime in Canada. The first part of this analysis will describe organized crime in general, while the second part will focus on the five major organized crime groups operating in Canada and the distinctive characteristics of each of them.

¹ *These categories are based on the annual report published by CISC. The report presents analyses according to five broad categories of criminal organizations in Canada.*

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Methodology

In March 1998 at the United Nations conference on "National Capacities for the Collection of Criminal Justice Information and Statistics" in Veldhoven, Netherlands, the CCJS was asked to distribute an international survey on organized crime for completion within Canada. This questionnaire was distributed to a number of countries on a "pilot" basis to evaluate the utility of the survey for future data collection in this area.

As the Centre's study on the feasibility of collecting existing quantitative information on organized crime was just underway when this survey arrived, it seemed appropriate to consider making use of the survey. After consulting with experts in the field, it was determined that the U.N. survey would be a good starting point for the collection of data directly from the police community.

Coverage

It was decided to implement the survey on a sample basis. Since organized crime is generally felt to be concentrated in major urban areas, the overall strategy was to focus on major urban police services as well as the main federal and provincial forces.

The Police Information & Statistics (POLIS) Committee of the Canadian Association of Chiefs of Police was consulted on the distribution of the survey and agreed that the police community would support this "pilot" survey. The POLIS members also volunteered their services to act as survey respondents. These 12 services included:

- Calgary Police
- Edmonton Police
- Halifax Regional Police
- Toronto Police
- Montréal Urban Community Police
- Ontario Provincial Police
- Royal Canadian Mounted Police (RCMP)
- Sudbury Regional Police
- Sûreté du Québec
- Vancouver Police
- Waterloo Regional Police
- Winnipeg Police

In addition, it was felt that a few other police services were necessary in order to ensure both improved regional representation, as well as greater coverage of other large cities:

- Hamilton-Wentworth Regional Police
- Ottawa-Carleton Regional Police
- Regina Police
- Service de police de Québec

Although these 16 police services represent 69% of the annual national volume of *Criminal Code* offences in Canada, the data from the organized crime survey cannot be said to be representative at the national or any regional level. Each responding police force was asked to complete one questionnaire for each organized crime group operating in their jurisdiction. All 16 services responded, sending a total of 72 survey forms.

Survey content / timeframe

Surveys were distributed to respondents in July 1998, to be completed by the end of August. Respondents were asked to provide answers to the seven main questions for their experiences with organized crime groups during 1997 and 1998.

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The seven questions covered areas such as the characteristics of the organized crime group and its members, the main activities for which each group was believed to be involved in, and the links with other organized crime groups.

Data analysis

All 72 returned survey forms were used in the first section of the report, which presents an analysis of all groups as a whole. Of the 72 survey forms, 64 were used in the second part of the analysis, which focused on each of the five major organized crime groups known to operate on Canadian territory: outlaw motorcycle gangs, Asian-based organized crime groups, Italian-based organized crime groups, Aboriginal-based organized crime groups and finally, Eastern European-based organized crime groups.

For the second section, the five forms from the RCMP were not used so as to avoid possible duplication with some of the municipal force respondents. The other three forms included information on unique organized crime groups that did not belong to the five major groups. Due to the different nature of these three groups, they could not be combined for analysis, nor could they be analyzed individually due to Statistics Canada confidentiality requirements.

Throughout the analysis of the survey data, for confidentiality reasons, the groups were identified by their general category (eg. motorcycle gangs) rather than by their specific gang name. Similarly, individual police force respondents were not identified nor were regional breakdowns possible so as to preserve confidentiality.

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Limits of the Study

The results of the study suggest that the collection of quantitative data may be feasible. However, certain problems identified during this exploratory study had an impact on the quality of data collected.

Sensitivity of the topic

Although organized crime may be a very current topic, it also involves many issues surrounding confidentiality. This confidentiality not only applies to those belonging to criminal organizations, but also to those working to combat such groups. Police agencies are often hesitant, if not reluctant, to reveal detailed information in this area. This study was faced with that problem. At the start of the project, certain police departments initially refused to participate, stating that they were "concerned" about the confidentiality of information sought in the questionnaire. Police agencies feared they could compromise their investigations by revealing information on these organizations.

Meetings were arranged with these police departments to discuss their concerns. The CCJS advised respondents during these meetings that all data collection conducted by the Centre would be treated confidentially. Respondents felt that questions seeking names of groups or their leaders to be their biggest concern. Police departments that were still reluctant to participate were given the option of not answering the questions they believed required overly confidential responses, rather than not responding at all to the survey. All police agencies that had initially refused to participate in the survey agreed to this compromise.

Obscurity of criminal organizations

One limit of the study was the difficulty of obtaining a full inventory of criminal organizations operating in Canada. For example, the Canadian Security Intelligence Service (CSIS) lists 18 international criminal organizations in Canada (CSIS, 1998) and the CISC reports a total of 38 outlaw motorcycle gangs operating throughout the country (CISC, 1998). It is quite possible that there are additional criminal organizations unknown to the authorities.

As mentioned earlier, criminal organizations in Canada fall into five major categories. This breakdown excludes organizations that are more regional than national or international in their operations, and thus underestimates the total number of organized criminal groups.

Size of sample

Results of this analysis are not statistically representative of the organized crime situation in Canada. As the study was designed to check the feasibility of amassing statistics on organized crime, not all Canadian police services were asked to participate. Certain provinces and territories (New Brunswick, Prince Edward Island, Newfoundland, Yukon, and the Northwest Territories) are not represented, although the RCMP response basically represents the national picture of organized crime.

The sample size and protection of confidentiality confined the analysis somewhat. Interregional comparisons were not possible, nor was analysis between variables, as this would have resulted in the identification of respondents.

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Survey quality and content

The primary purpose of the United Nations distributing this "pilot" survey was to obtain feedback on the quality of the survey document as well as the appropriateness of each question. Feedback was received directly from each participating police service and forwarded back to the U.N. In addition, a detailed data quality analysis done at CCJS revealed other data quality problems; these were also passed on to the U.N. This feedback from all participating countries should allow the U.N. to produce an even higher-quality survey for official data collection in this area in the future.

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Analysis

The analysis is divided into two parts. The first part presents a general picture of organized crime using all surveys returned. The second part presents organized crime according to the five major categories of criminal organizations operating in Canada. Throughout the analysis, the data will be compared with information from three reports on organized crime in Canada. These reports include *The Organized Crime Impact Study* conducted by Solicitor General Canada in 1998, the *1998 Annual Report on Organized Crime* published by CISC, and the *British Columbia's Response to Organized Crime Report, 1998*.

I. Overview of Organized Crime in Canada

Criminal organizations in Canada are motivated by the pursuit of profit and power

According to police respondents, the most prevalent characteristic of criminal organizations in Canada was the pursuit of profit and/or power (96% of criminal organizations). This characteristic seems inherent in Canadian criminal organizations, since the definition included in the report published by Solicitor General Canada indicates that the lure of gain is the driving force behind organized crime (SGC, 1998). The measures taken to combat organized crime and disrupt criminal organizations quite often focus on curbing the profits that are their cornerstone.

Almost as prevalent was the use of violence and other means of intimidation, according to 93% of surveys returned. Solicitor General Canada describes this use of violence as a deplorable consequence of organized crime (SGC, 1998). Organized crime groups also have difficulty in solving their conflicts with other groups in a legitimate fashion, often resulting in self-regulation as a means of control (Black, 1983).

Table 1

Most Common Characteristics of Criminal Organizations in Canada, 1997-1998

Characteristics	N*	%
Pursuit of profit and/or power	69	96
Use of violence	67	93
Longevity of activities	66	92
Serious criminal offences	66	92
Discipline over members	63	88
Operates at national level	60	83
Money laundering	58	80
International activities	53	74
Use of legitimate businesses	51	71
Specialized tasks	49	68
Influence / Corruption	36	50

* out of 72 questionnaires

Source: Canadian Centre for Justice Statistics

According to the sample of police departments, other common characteristics included the commission of serious criminal offences or offences which, taken as a whole, are of considerable importance, and the carrying on of criminal activity over a prolonged or indefinite period of time (92% each).

One half of organized crime groups were believed to exert influence/corruption in the areas of politics, the media, public administration, judicial authorities or the economy.

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS**Organized Crime Activity in Canada: Results of a Pilot Survey of 16 Police Services****Nearly half of criminal organizations have an exclusively male membership**

Criminal organizations in Canada are very male-dominated: nearly half (44%) are made up exclusively of males. In just over three-quarters of the groups, more than 90% of the members are male.

Most large criminal organizations are made up of principal members and associate members. The two differ as to their role within the organization. Motorcycle gangs represent a good example of this distinction. In these gangs, associate members are new prospects. They must be sponsored by one of the principal members of the group, a member who already "wears the colours"² of the organization. Associates must go through an entire initiation process in which they must prove themselves. Often they have to take on the hardest tasks and the most risky criminal offences. The principal members, for their part, enjoy voting rights, seniority and influence within their group (RCMP, 1994).

In Canada, most criminal organizations described by respondents have more than fifteen principal members (56%) and more than fifteen associate members (71%).

Table 2

Percentage distribution of members of criminal organizations in Canada by number and status, 1997-1998

Number of members	Principal	Associate
	%	%
Fewer than 5	11	8
5 to 9	21	8
10 to 14	11	10
15 or more	56	71
Unknown	1	3

Source: Canadian Centre for Justice Statistics

Organized criminal groups are usually involved in drug trafficking

A large majority of criminal organizations (86%) were identified by police as being the subject of an investigation during the first seven months of 1998. In the same year, charges were laid against members of almost two-thirds of all identified criminal organizations. Over one-third (36%) of all charges were drug-related, 18% were for assault and 7% were for homicides.

In the previous year, 1997 (12 months), charges were laid against members of over half (54%) of these criminal organizations: 44% were drug-related, 23% were for homicide, and 18% were for assault.

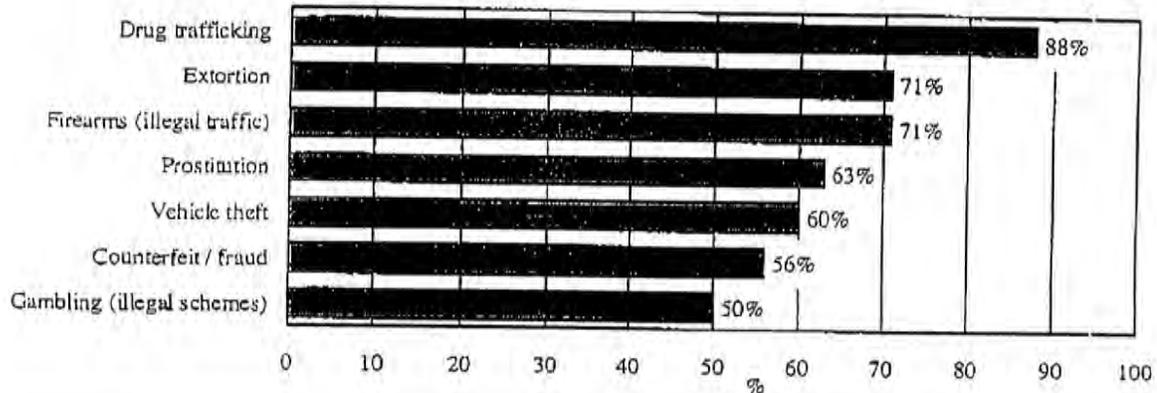
The survey listed 18 offences believed to be most common for involvement by organized crime. The results tend to corroborate those of various studies on organized crime, with drug trafficking being identified by police as the most frequent illegal activity (SGC, 1998; CISC, 1998). According to police, nearly nine organizations in ten (88%) were involved in drug trafficking, of which 87% were engaged in cocaine trafficking.

Extortion and illegal trafficking in firearms were the next most frequently identified criminal offences, each committed by seven criminal organizations in ten. The creation of the *Firearms Act* resulted in the establishment of a centralized database of all firearms registered in Canada: the Canadian Firearms Register System (CFRC). Police services will be able to access this database directly, which will facilitate their

² The term "colours" refers to the club's crest and members' most prized possession (RCMP, 1998).

CABINET DOCUMENTS - DISCLOSURE RESTRICTIONS**Organized Crime Activity in Canada: Results of a "Pilot" Survey of 16 Police Services**

Figure 1

Crimes Most Frequently Committed by Organized Crime Groups in Canada

Source: Canadian Centre for Justice Statistics.

investigations and their efforts to combat the illegal trafficking of firearms. As well, the origin of weapons associated with criminal offences will be easier to trace (CISC, 1998).

Prostitution continues to be a major activity of organized crime groups (63%). It has long been recognized as highly lucrative. Within some criminal organizations, prostitution is also considered a means for new immigrants entering Canada illegally to pay their debts to those who enabled them to enter their new country (Adamoli et al., 1998). It is reported that these debts are typically owed for false identification papers (CISC, 1998).

Police respondents indicated that 60% of organized crime groups were involved in motor vehicle thefts. As noted in the 1998 Solicitor General Canada study, "representatives of Canada's Insurance Crime Prevention Bureau (ICPB) claim that organized auto theft is increasing in this country." Organized motor vehicle theft is easy to identify, since it can be concluded that the vast majority of stolen vehicles that are never recovered represent the number of vehicles trafficked by criminal organizations (SGC, 1998; Talon, 1996). According to the ICPB quoted in the study published by Solicitor General Canada (1998), in 1996, 26% of stolen motor vehicles were not recovered. This type of theft is international in scope. Vehicles are shipped throughout the Americas and to Asia, Europe and Africa.

Among the offences listed in the survey, the illicit traffic in endangered species (8%) and the illicit disposal of waste (7%) were the least frequent activities engaged in by criminal organizations. However, it should be noted that just over half of respondents did not know whether the organizations described were involved in these types of activities. Although these offences do not, according to respondents, appear to be a common practice among criminal organizations operating in Canada, the study published by the Solicitor General Canada (1998) estimates that their impact on society is considerable.

Environmental crimes, including illicit trafficking in endangered species and hazardous wastes, were identified as having the second greatest impact on Canadian society (after drug trafficking), or more specifically on public health and the environment in general (SGC, 1998). Furthermore, a report issued by British Columbia's Organized Crime Independent Review Committee supports the idea that environmental crime appears to be on the increase in Canada (1998).

According to survey respondents, of all the offences listed, child pornography is least often engaged in by organized crime groups (an estimated 3% of criminal organizations are involved in this). Nevertheless, this offence is a top priority for police services. The increasingly frequent use of technologies such as the

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Internet makes policing much more difficult while making it easier for criminal organizations to commit offences. Child pornography is one of those criminal activities that is easily carried on via the Internet (BC, 1998; CISC, 1998).

Certain respondents identified other criminal offences in addition to those listed. Of those that cited additional offences, money laundering was most frequently mentioned. According to the definition provided in the Solicitor General Canada report, money laundering is "any act or attempted act to conceal or disguise the identity of illegally obtained proceeds so that they appear to have originated from legitimate sources." According to the same study, the amount of money laundered in a country can be estimated by calculating 2% of its Gross Domestic Product (GDP). This would indicate that the amount of money laundered in Canada is approximately \$17 billion (SGC, 1998).

Homicide was identified as the second "other" crime most frequently committed by criminal organizations (7% of survey forms). Also identified were assault, smuggling (of immigrants, liquor, cigarettes, consumer goods, jewellery) and fraud (insurance, casino, credit card).

Police services responding to the survey were asked to estimate the total annual income of the criminal organizations that they were investigating. The illicit income was unknown by police respondents for 81% of the criminal groups. Due to this low response rate, this information could not be analyzed.

Criminal organizations generally operate within a network

Criminal organizations establish links with each other so as to increase the gains from their criminal activities and also to reduce the attendant risks (Adamoli, 1998). The links existing between criminal organizations can be seen as a social network in which the members of these organizations maintain direct or indirect links and pursue a similar goal, namely to increase the scope of their criminal activities (Cusson, 1998; Adamoli, 1998).

In the survey, police services were asked to indicate whether the organizations investigated maintained links with other criminal groups. For more than nine criminal organizations in ten (93%), respondents confirmed links with other groups. Of these, 85% were at the national level and 81% at the international level.

The Organized Crime Independent Review Committee (1998) refers to this affiliation between criminal organizations as an "organized crime pie" in which organizations get together to divide up the goods rather than to divide up the territory (1998). The survey shows that nearly nine organizations in ten (88%) are in contact with other organized groups in order to promote co-operation in criminal activities and exchange goods and services that each undertakes to provide. Other reasons given as to why organizations maintain links with other groups included using their expertise and skills (58%), their personnel (51%) and their facilities (43%).

The international links are somewhat more diverse in nature than the national links. Most of the links are still maintained primarily in order to promote co-operation and the exchange of goods and services (89%); however, international links are also maintained for the purposes of using other organizations' expertise (69%), personnel (62%) and facilities (52%).

Criminal organizations tend to operate in large urban centres such as Montreal, Toronto and Vancouver, since they afford greater anonymity and an abundance of resources and opportunities. On the international scale, groups most often maintain links with criminal organizations located in North and South America (51%) and in Europe (26%).

This statistical profile is a general description of organized crime based on the information provided by Canadian police services that participated in the study. Undoubtedly, profiles will vary depending on the organized crime group studied. The following analysis will compare the characteristics of each of the five large organized crime groups in Canada.

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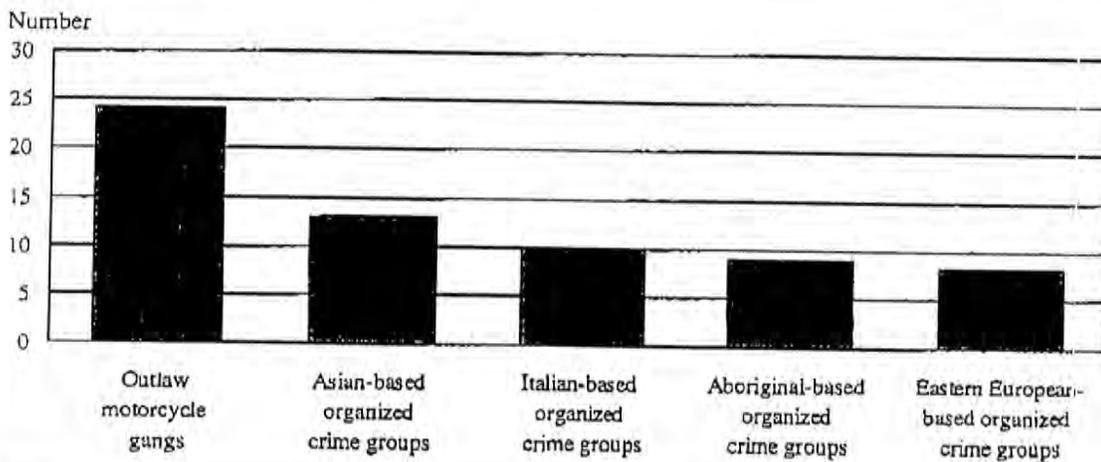
II. Major Criminal Organizations in Canada

For the purposes of this analysis, 64 completed questionnaires have been grouped according to the five major categories of criminal organizations known to exist in Canada:

- 24 were for outlaw motorcycle gangs;
- 13 were for Asian-based organized crime groups;
- 10 were for Italian-based organized crime groups;
- 9 were for Aboriginal-based organized crime groups; and,
- 8 were for Eastern European-based organized crime groups.

The five major categories of criminal organizations are covered annually in a report published by CISC. That report is drafted in such a way as to provide the reader with details on the members of those organizations, their criminal activities and the regions of Canada in which they operate. Thus, this analysis will be done in such a way that the results obtained from the survey can be compared with those contained in CISC reports.

Figure 2
Major Criminal Organizations in Canada



Source: Canadian Centre for Justice Statistics.

Table 3 presents a summary of the most common characteristics of criminal organizations. It appears that certain characteristics are common to virtually all of these organizations:

- the organization is motivated by the pursuit of profit and/or power;
- the organization uses violence or other means of intimidation to achieve its goals;
- the organization operates at the national level; and
- the organization carries out its activities over a prolonged period of time.

Of the characteristics listed on the survey, the least common to organized crime groups in Canada is exerting influence on politics, the media, public administration, judicial authorities or the economy/corruption (although still common to 50% of these organizations).

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Table 3
Characteristics of the Five Major Criminal Organizations in Canada, 1997-1998

	Motorcycle Gangs	Asian Groups	Italian Groups	Aboriginal Groups	Eastern-European Groups
Specialized tasks	***	***	***	.	.
Longevity of activities	****	***	****	***	****
Discipline over members	****	****	****	***	**
Serious criminal offences	****	****	****	**	***
International activities	***	****	****	.	***
National activities	***	****	****	***	***
Use of violence	****	****	****	****	***
Use of legitimate businesses	***	***	****	.	***
Money laundering	****	***	****	.	***
Influence / corruption	**	**	.	.	**
Pursuit of profit or power	****	****	****	***	****

Legend
 **** 90% or more
 *** 70% to 89%
 ** 50% to 69%
 * 30% to 49%
 . less than 30%

Source: Canadian Centre for Justice Statistics

1. Outlaw motorcycle gangs

More than a third (24 of 64) of the criminal organizations identified by respondents were outlaw motorcycle gangs. The latter are often identified as "one percenters" (RCMP, 1998). This term means that, among all the motorcycle associations, only 1% fall into the underworld of organized crime. At present, they are greatly feared because of their highly publicized criminal activities, particularly when they are violent in nature. For example, the Hells Angels received considerable media coverage owing to their war against the Rock Machine for the control of the drug trade in Québec (RCMP, 1998). According to the CISC, the Hells Angels are undoubtedly the most feared, powerful and organized of the gangs (CISC, 1998).

The one feature of motorcycle gangs which distinguishes them from many other organized crime groups in Canada is their money laundering involvement. Similarly to Italian groups, the vast majority of motorcycle gangs identified by respondents were believed to be involved in this activity.

Members

Motorcycle gangs usually have branches in several provinces, known in the organized crime world as "chapters". In 1997, the Hells Angels, one of the largest gangs, had 123 chapters throughout the world (RCMP, 1998). The hierarchy in motorcycle gangs is based on the tasks performed by each member. These gangs are headed by a president, who is assisted by a number of other members. Under the president is the vice-president, the sergeant at arms, the secretary-treasurer and road captains. All are considered to be principal members. These gangs also have associates, who take on the most risky tasks within the organization. Their role as associates is to protect the principal members from the police (RCMP, 1998).

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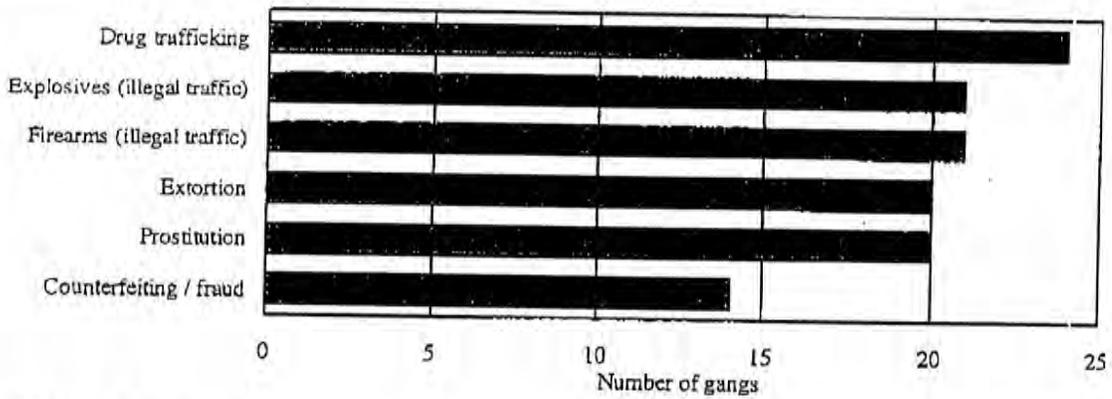
According to survey respondents, it appears that about three-quarters (19 of 24) of Canadian outlaw motorcycle gangs have more than fifteen principal members. This proportion is much higher than the corresponding proportion for criminal organizations in general (42%). The same proportion (three quarters) of gangs are also thought to have more than fifteen associate members. It is not unusual for a single motorcycle gang to have more than a hundred principal and associate members.

Outlaw motorcycle gangs are mainly involved in cocaine trafficking

Outlaw motorcycle gangs engage in a great variety of criminal activities, the most common of which is drug trafficking, specifically in the trafficking of cocaine and cannabis. The Hell's Angels appear to be heavily involved in the hydroponic cultivation of marijuana, a drug that they also export (CISC, 1998).

Compared to other criminal organizations in Canada, motorcycle gangs are more involved in the illegal trafficking of firearms and explosives (21 out of the 24 surveys). Again according to the CISC, in October 1997, a major seizure of firearms, grenades and explosives was connected to the well-known war between the Hells Angels and the Rock Machine in Quebec (CISC, 1998).

Figure 3
Crimes Most Frequently Committed by Outlaw Motorcycle Gangs in Canada, 1997-1998



Source: Canadian Centre for Justice Statistics.

Extortion and prostitution are also activities in which motorcycle gangs are involved, according to respondents. Twenty of the 24 motorcycle gangs were believed to have been involved in these activities during 1997-98.

Links with other criminal organizations

The links between the different chapters of a given criminal organization are very strong. Several motorcycle gangs are linked together through "chapters" located in different regions of Canada. For example, the Hells Angels have a number of puppet clubs (going by names other than Hells Angels) which are affiliated with them and which perform the most difficult tasks (RCMP, 1998). According to the survey findings, all outlaw motorcycle gangs maintain links with other criminal organizations. These links are maintained at both the national level and the international level.

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Motorcycle gangs are "criminals without borders." They are known and feared the world over. At the international level, more than a third of the links are with criminal organizations in the United States (35%). According to respondents, the most common reason why outlaw motorcycle gangs maintain links with other criminal organizations is to achieve co-operation for the carrying out of criminal activities (78%).

Summary

Criminal motorcycle gangs are, similar to the majority of criminal organizations in Canada, organizations characterized by violence and are motivated primarily by the pursuit of profit. Their most distinguishable feature from other crime groups in Canada is their heavy involvement in money laundering and trafficking of cocaine. They are also more involved in the illegal trafficking of firearms and explosives than other crime groups in this country.

2. Asian-based organized crime groups

Asian-based crime groups represent one of the greatest threats in the world of organized crime, and they take care to protect themselves from individuals who may represent a threat or obstacle to their criminal pursuits (Nicaso and Lamothe, 1996). Asian-based crime groups were the second most common organized crime group identified by respondents, representing 13 questionnaires.

Asian criminal groups exhibit the same basic characteristics that apply to organized crime in general. However, Asian crime groups are reported to operate on an international scale (12 out of the 13 surveys) more frequently than other organized crime groups.

This crime group is also characterized by using licit commercial or business-like structures (ie. front companies) more frequently than other organized crime groups. Another characteristic that is more common to Asian crime groups than to other crime groups is that each person in the group tends to have specialized tasks.

Members

Asian crime groups follow the general trend as to their size, since over half (8 of 13) have more than fifteen principal members, and nearly 40% (5 of 13) have five to nine principal members. More than three-quarters of Asian crime groups (10 in 13) have more than fifteen associate members.

According to the 1998 CISC annual report, a number of Asian crime groups have hundreds of members. For example, some Vietnamese crime groups have from 200 to 300 members (CISC, 1998).

Drug trafficking and extortion are most common criminal activities of Asian crime groups

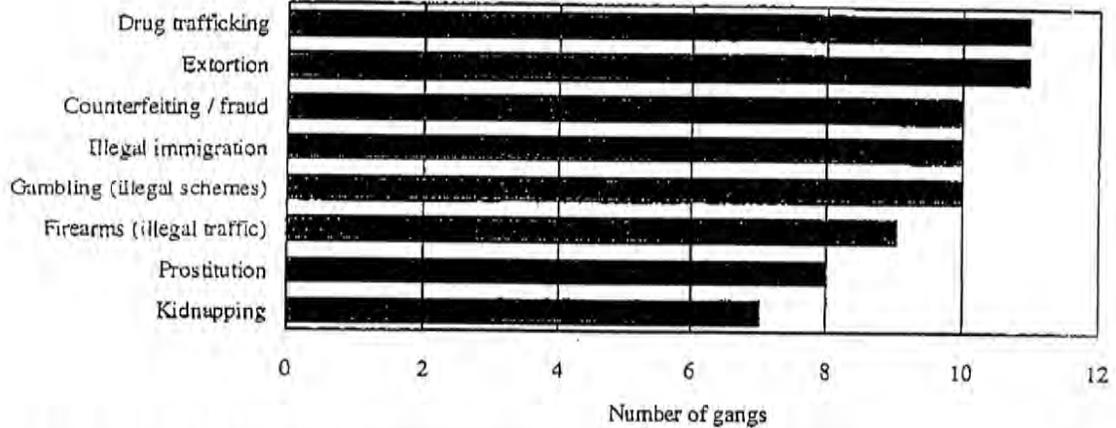
Heading the list of activities that Asian criminal organizations most commonly engage in are drug trafficking and extortion, each committed by 11 of the 13 identified organizations. These organizations are mainly involved in trafficking of opiates and cocaine. As indicated in the 1998 CISC report, it appears that Asian groups dominate the Canadian heroin trade, from importation down to street-level distribution.

Police services also identified counterfeiting, illegal smuggling in immigrants and illegal schemes as being frequently perpetrated by these groups. In fact, three-quarters of Asian criminal organizations are engaged in these activities (10 of the 13 organizations). The CISC reports that Asian groups are thought to be responsible for a sizeable trade in counterfeit credit cards. In fact, a network that cost Canadian banking institutions more than \$16 million was recently dismantled (CISC, 1998). Illegal smuggling in immigrants is frequently linked to prostitution, which according to respondents, is a favourite sphere of activity for 8 of the

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Figure 4
Crimes Most Frequently Committed by Asian-based Organized Crime Groups in Canada, 1997-1998



Source: Canadian Centre for Justice Statistics.

13 identified Asian crime groups. It should be noted that prostitution is often considered as a means of payment to the criminal organization who smuggled the person into the country.

Respondents were asked to name all other criminal activities with which Asian organizations could be associated. Some of those listed included money laundering, credit card fraud, insurance fraud and casino fraud.

Summary

Asian crime groups operate more frequently at the international level than other organized crime groups in Canada, and are characterized by their frequent use of licit commercial or business-like structures (eg. front companies) to launder their illicit money.

Compared to outlaw motorcycle gangs who are highly involved in cocaine trafficking, Asian-based organized groups prefer heroin trafficking. Also, more so than other criminal organizations, Asian crime groups are frequently involved in extortion.

3. Italian-based organized crime groups

Italian-based crime groups are undeniably the best known in the organized crime underworld and are primarily associated with the Mafia. These crime groups are also described as "traditional" (RCMP, 1998). Some of them are especially well-known in Canada such as the Cosa Nostra, the Ndrangheta and the Sicilian Mafia, with the latter being recognized as the most influential of the three (CISC, 1998). In the study sample, 10 of the completed questionnaires concerned Italian crime groups.

Traditional criminal groups appear to be highly organized. According to respondents, all Italian-based organizations have carried on their activities over a long period. Traditional organizations have been operating in the Canada since the early 1900s: the Black Hands were operating in Hamilton in 1909, and in the 1930s, the era of Al Capone and prohibition ushered in a crime wave in Canada (Gomme, 1993).

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Similar to the Asian crime groups, Italian criminal groups are distinguished by their frequent use of licit commercial structures (10 out of 10). Italian organizations have used their sizeable gains from crime to purchase many legitimate businesses (CISC, 1998). Also, all these organizations are involved in money laundering, which has been identified as now being one of their priorities (CISC, 1998).

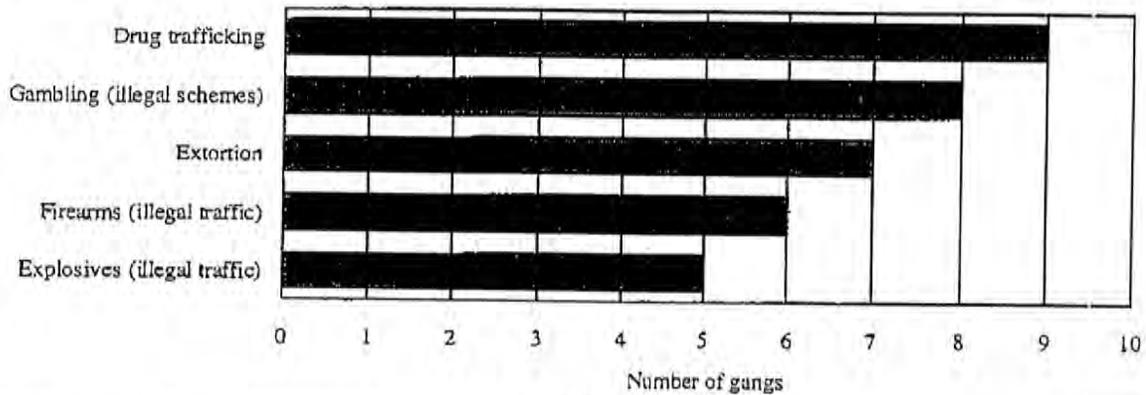
Members

Many Italian organizations are made up of members of the same family. According to respondents, four out of ten Italian organizations in Canada have more than fifteen principal members, while 9 organizations have more than fifteen associate members.

Traditional crime groups are more often involved in illegal gambling than other groups

According to respondents, traditional groups are involved in a great variety of criminal activities. The most common activity is drug trafficking (9 out of the 10 organizations were involved in this activity), of which the trafficking of cocaine is predominant. Italian crime groups have not always been involved in the drug trade (Cretin, 1997). In fact, it is only since about the last forty years that they have been involved in such activity (Nicaso and Lamothe, 1996).

Figure 5
Crimes Most Frequently Committed by Italian-based Organized Crime Groups in Canada, 1997-1998



Source: Canadian Centre for Justice Statistics

Illegal gambling is the next most common criminal activity of Italian crime groups (8 in 10) (CISC, 1993; BC, 1998). Traditional groups operating legitimate businesses such as restaurants often possess illegal gaming machines, etc. (CISC, 1998). Other criminal activities committed by these traditional crime groups include extortion (7 in 10) and illegal trafficking in firearms (6 in 10).

Traditional organizations are part of national or international networks

According to respondents, all Italian organizations are part of crime networks. In fact, 9 of the 10 identified organizations maintain links both at the national and the international levels.

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At the international level, five respondents identified the United States as a location of the other groups, followed by Italy (4 out of 9). For example, the Cuntrera-Caruana clan in Canada is involved in drug trafficking in the province of Quebec, and it maintains links with traditional organizations in Toronto, New York City and Sicily (CISC, 1998).

According to police services, all the links between organizations are maintained for the purpose of co-operating to carry on criminal activities.

Summary

All Italian traditional criminal organizations make use of legitimate businesses and are heavily involved in money laundering. These traditional organizations are also involved in illegal gambling, confirming their primary motivation of the pursuit of profit.

4. Aboriginal-based organized crime groups

Of all surveys returned, 9 out of 64 were identified by police as being aboriginal-based crime groups. Linking the birth of aboriginal organized crime with cigarette smuggling, Beare (1996) states that Aboriginal-based crime groups profited from their exemption from taxes and the rise in Canadian cigarette prices compared to those in the United States to traffic cigarettes from Canada (ibid.). Since then, their criminal activities have steadily expanded and diversified (Gomme, 1993).

Geographic factors facilitate illegal activities on the part of Aboriginal groups. For example, the geographic location of reserves in certain provinces lends itself to the trafficking of goods and services. The location of these reserves along the Canada-U.S. border allows for easy cross-border exchange.

Some of the characteristics of Aboriginal criminal organizations differ from those of organized crime in general. For example, Aboriginal groups are believed to have little involvement in money laundering activities (1 in 9). Respondents believe that only two-thirds of aboriginal crime groups commit serious offences, compared to over 91% of all other organized crime groups.

Respondents identified the longevity of aboriginal organized crime groups as an important characteristic. Although Aboriginal crime groups appear to be newcomers to the world of organized crime (Beare, 1996), respondents apparently believe that they will remain in existence for some time (8 out of 9 surveys).

Members – greater presence of females

According to respondents, nearly half (4 of 9) of aboriginal criminal organizations have more than fifteen principal members. More than two-thirds of these groups have more than fifteen associate members.

Women have a greater presence in aboriginal crime groups than in other criminal organizations in Canada. Of the 9 Aboriginal groups, 14% of the members were female, whereas in the other criminal groups reported in surveys, females comprised on average, 5% of the members. In fact, one of the nine identified Aboriginal groups was believed to have as many female members as male members.

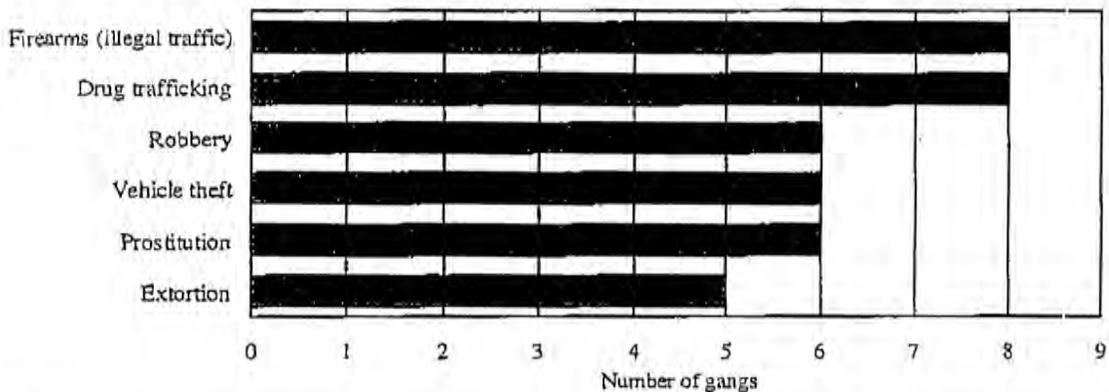
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Drug and firearms trafficking are the most common activities of aboriginal crime organizations

Respondents identified drug trafficking and illegal firearms trafficking as aboriginal criminal organizations' most common criminal activities (8 out of 9 groups). Trafficking in firearms has only recently become an increased priority for the authorities because of its growth. Police services are closely watching some aboriginal reserves which, because of their geographic location, are an ideal gateway for weapons from the United States (CISC, 1998).

Figure 6
Crimes Most Frequently Committed by Aboriginal-based Organized Crime Groups in Canada, 1997-1998



Source: Canadian Centre for Justice Statistics

Robbery, prostitution and motor vehicle theft are also perpetrated by two-thirds of the aboriginal crime organizations, according to police respondents. Although not included on the survey for respondents to select from, liquor and tobacco smuggling was specifically mentioned as an aboriginal organized crime activity (2 of 9). This activity is more common on reserves in Quebec (CISC, 1998; BC, 1998).

Aboriginal criminal organizations are affiliated with other criminal groups within Canada

All Aboriginal crime groups maintain links at the national level. What characterizes these crime groups is the lack of links at the international level. These few links are usually in the United-States, and are generally related to the theft of motor vehicles and smuggling.

Summary

Compared to other organized crime groups in Canada, Aboriginal crime groups tend to be more involved in areas such as the smuggling of firearms, cigarettes and alcohol. They also tend to be linked more at the national than at the international level. These crime groups are also characterized by a greater presence of female members.

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5. Eastern European-based organized crime groups

Some feel that Eastern European-based crime groups will be the next wave in the world of organized crime (RCMP, 1998; Nicaso and Lamothe, 1996). However, these organizations have existed for hundreds of years. Organized crime has existed in Russia and Eastern Europe since the seventeenth century (CSIS, 1998). The CSIS states that in 1998, some 5,000 to 8,000 criminal organizations control between 25% and 40% of Russia's GDP. This control is exerted in both private and state-owned enterprises as well as in the banks (ibid.).

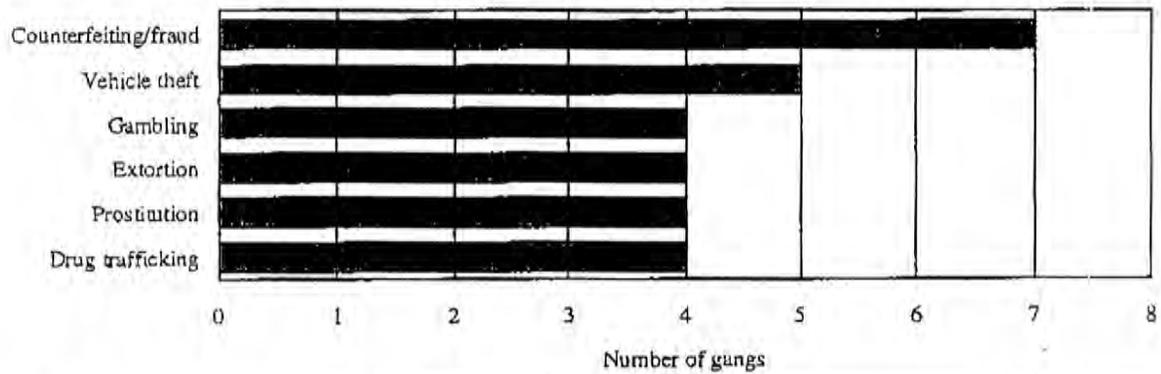
Eight of the survey questionnaires received identified Eastern European-based organizations as being operative in Canada.

According to the survey, Eastern European organized crime groups exert less discipline and control over their members than other organized crime groups operating in Canada. Only half (4 of 8) of these organizations were believed to exert this type of influence on their members, compared to 95% of all other criminal groups. Further, these groups are less prone to using violence or other means of intimidation than other criminal organizations (2 out of 8).

Members

As stated above, in Russia alone there are between 5,000 and 8,000 criminal organizations, and together they have approximately 100,000 members. In Canada, however, it appears that the organizations have much smaller memberships. According to Canadian police services, nearly two-thirds (5 of 8) of them have between five and nine principal members. In more than a third (3 of 8) of the organizations there are fifteen or more associate members.

Figure 7
Crimes Most Frequently Committed by Eastern European-based Organized Crime Groups in Canada, 1997-1998



Source: Canadian Centre for Justice Statistics

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Organized Crime Activity in Canada: Results of a Pilot Survey of 6 Police Services

Eastern European organizations are primarily engaged in counterfeiting activities

According to respondents, the activities most favoured by these groups are counterfeiting and motor vehicle theft. It appears that one of the preferred activities of these organizations is the smuggling of consumer goods, usually motor vehicles destined for Eastern Europe (CISC, 1998).

Drug trafficking, prostitution and extortion are also common activities for these crime groups. Following the dismantling of the Soviet Union, Russian criminal organizations have expanded their criminal activities on the international scene. These new "criminals without borders" threaten to introduce a new form of smuggling into the crime world, namely the smuggling of radioactive materials (Nicaso and Lamothe, 1996).

Eastern European organizations maintain more links with criminal groups outside Canada

Six of eight Eastern European criminal organizations in Canada are known to maintain links with other organizations. Of these, three maintain links at the national level.

Five of the six organizations maintain links with other organized groups at the international level, mainly in Russia and the U.S.A. These international links with Russia, Eastern European countries and the United States are an advance indicator of increasingly sophisticated activities on the part of Eastern European organizations in Canada (CISC, 1998).

The links that Eastern European-based crime groups maintain with other organized groups are mainly for the purposes of co-operation and mutual assistance in carrying on their criminal activities (5 out of 6). Another reason for maintaining links with such groups is to use their expertise.

Summary

Although most organized crime groups in Canada are primarily involved in drug trafficking, Eastern European crime groups are heavily involved in counterfeiting. Following the dismantling of the Soviet Union, Russian criminal organizations have expanded their criminal activities on the international scene.

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Organized Crime Activity in Canada: Results of a "Pilot" Survey of 16 Police Services

Summary of the Analysis

As noted in the analysis, most criminal organizations in Canada were under police investigation during 1997 and 1998. Police forces in Canada are obviously continuing their battle against these groups.

Survey responses indicated that the majority of organized crime groups are male dominated. The Aboriginal crime groups tend to have a greater presence of women in their criminal organizations.

Police forces confirmed that the pursuit of profit and power was known to be the primary characteristic for organized crime groups in Canada. Other common characteristics included having their activities carried out over a prolonged period of time, the use of violence, and the commission of serious criminal offences.

The five major groups of criminal organizations in Canada were often assisted by other organized crime groups to facilitate their commission of illegal activities and exchange of goods and services. Many of these links were international in scope, although this was true to a lesser degree for Aboriginal crime groups, whose ties were mainly at the national level.

The 16 police forces indicated that drug trafficking was still the most common crime perpetrated by the majority of organized crime groups in Canada. Even then, there were some differences among the major groups. For example, Asian crime groups tended to concentrate on the trafficking of heroin, while motorcycle gangs were more involved in cocaine and cannabis.

All these criminal organizations were believed to be heavily involved in money laundering. Other common illegal activities included prostitution and motor vehicle theft.

Eastern European crime groups were found to be more involved in counterfeiting and fraud activities than other groups; outlaw motorcycle gangs were heavily involved in firearms and explosive trafficking; Asian-based crime groups were more involved in extortion than other organized crime groups; Italian-based crime groups were involved in illegal schemes; while Aboriginal crime groups were involved in firearms trafficking.

Most of the activities mentioned above can be described as "traditional" illegal activities of organized crime groups. Today, criminal organizations are changing their focus somewhat. While the pursuit of profit remains a central theme, the types of crimes in which organized crime is involved are diversifying and adapting to new technologies. Police must now target new types of crimes. They have identified money laundering and fraud (telemarketing) as types of crime which are growing among crime groups. The Internet facilitates the commission of certain types of crimes by allowing easy communication across the planet. Modern technology is making it much more difficult for police to detect and investigate illegal organized criminal activities.

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Conclusion

This study was conducted to respond to the need for quantitative data on the state of organized crime in Canada. The arrival of the "pilot" United Nations survey presented an opportunity to collect quantitative data on organized crime groups operating within the jurisdiction of a sample of major police services in Canada. While this sample is not statistically representative at the national level, the fact that organized crime tends to be most visible in major urban areas means that the data collected do provide an accurate picture of organized crime in major cities as encountered by police services.

Obtaining data on the activities of criminal organizations is not an easy thing to accomplish for a number of reasons. First, by their nature, criminal organizations try to operate in the strictest secrecy (Cusson, 1998). Many activities of these organizations probably never come to the attention of the police. Second, the police are naturally cautious to share too much information on these organizations so as not to compromise their ongoing investigations. Finally, it is difficult to come up with a definition of organized crime groups and their activities that will be accepted and used by police and government.

Overall, the analysis of survey data did not reveal anything particularly new to the current knowledge-base of the activities of organized crime groups operating in Canada. However, the study did enable the quantification of qualitative information that has previously been published. Throughout the report, the results from the survey were compared to data from previous studies. For example, the survey results confirmed the findings of the Solicitor General study (1998) that trafficking in narcotics was the one activity committed by organized crime groups having the strongest impact on society.

The study showed that it is feasible to collect quantitative data on organized crime in Canada, although there are certain limitations. The U.N. "pilot survey" represented a good starting point for the initial round of data collection. However, part of the study involved evaluating the questionnaire itself. The comments received from respondents, combined with the subsequent detailed data quality analysis, allowed the identification of weak questions or overly-sensitive areas.

Most importantly, the police community, as represented by the respondents to the survey and by the forces represented on the Police Information and Statistics (POLIS) Committee of the CACP, displayed their interest to the collection of data on organized crime by agreeing to participate in this study. Once some initial reluctance related to confidentiality concerns was overcome, these police agencies were extremely cooperative in providing data and answering follow-up questions, where necessary.

Although the U.N. questionnaire was only a "pilot" survey, the results from this study confirmed the need for further research and should provide a benchmark for measuring the activities of organized crime groups in Canada in the future.