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Organized Crime in Canada: An Investigation into the Feasibility of Collecting Police-Level Data



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Organized Crime in Canada: An Investigation into the Feasibility of Collecting Police-Level Data

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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, governments and other institutions. Accurate and timely statistical information could not be produced without their continued co-operation and goodwill.

TABLE OF CONTENTS

| | |
|--|-----------|
| Executive Summary | 5 |
| Acknowledgements..... | 7 |
| Introduction..... | 8 |
| Objectives of the Feasibility Study..... | 8 |
| Background | 8 |
| Chapter One: Site Visit Consultations | 11 |
| Purpose of the Site Visits | 11 |
| Who was Consulted..... | 11 |
| Chapter Two: Results of the Consultations | 12 |
| Working Definitions of Organized Crime..... | 12 |
| Street Gangs | 13 |
| Policies and Procedures | 14 |
| Data Availability | 14 |
| National Priorities | 15 |
| Emerging Issues..... | 15 |
| Proposed Data Elements..... | 16 |
| Organized Crime Groups | 17 |
| Data Accessibility..... | 18 |
| Respondent Burden..... | 19 |
| Terrorism..... | 20 |
| Chapter Three: Summary of Findings | 21 |
| Towards Defining Organized Crime..... | 21 |
| Police Intelligence Data Systems | 21 |
| Data Availability and Data Quality Issues | 22 |
| Chapter Four: Data Collection Options..... | 23 |
| Use Existing UCR2 Crime Statistics..... | 24 |
| CCJS Homicide Survey..... | 24 |
| Corrections Data..... | 25 |
| Adult Criminal Court Data | 25 |
| Repeat the United Nations Survey | 26 |
| Special Study..... | 27 |
| Abbreviated Pilot Survey | 28 |
| Resources Expended on Organized Crime..... | 29 |
| Criminal Intelligence Service Canada Data..... | 30 |
| Modify the UCR2 Survey..... | 31 |
| Victimization Survey..... | 33 |
| POLIS Recommendations..... | 34 |
| Chapter Five: Conclusion | 35 |
| Appendix A..... | 36 |

EXECUTIVE SUMMARY

The Canadian Centre for Justice Statistics was contracted to support and assist the Federal-Provincial-Territorial Working Group on Organized Crime Research and Analysis in developing a strategy to collect quantitative data on organized crime. The results of the feasibility study will help guide the development of ongoing data collection to gather baseline data on the nature and extent of organized crime in Canada.

The impetus for this feasibility study stems from earlier work commissioned by the FPT Working Group. The report entitled *Organized Crime Data Collection and Impact Assessment Framework* by the Nathanson Centre for the Study of Organized Crime and Corruption at York University (March 2001) recommended that a pilot survey of law enforcement agencies be developed and implemented.

At the meeting of the Police Information and Statistics (POLIS) Committee of the Canadian Association of Chiefs of Police in October 2001, it was recommended that a “traditional” approach to collecting crime statistics (i.e., pilot survey) would not work in the area of organized crime. Instead, the committee recommended that the CCJS undertake site visits with intelligence units of major police services. Site visits would help determine: the types of information currently available and accessible on organized crime; how the data are collected and stored; and, the respondent burden that collection would impose on respondents. The CCJS agreed to undertake this approach.

The results of these site visits revealed that:

There is still a significant problem in terms of an accepted uniform definition of what constitutes ‘organized crime’. In order to determine if an incident was related to ‘organized crime’, most forces found the *Criminal Code* definition to be too broad and use supplementary criteria. One key issue is whether or not street gangs or youth gangs should be included in the definition of organized crime.

- Distinguishing between organized crime groups is becoming more difficult. In some instances, organized crime groups are forging new alliances and are working collaboratively together. In addition, there is an increasing number of multi-cultural criminal organizations.
- The data collected by intelligence units are stored in a qualitative, text format rather than in a quantitative format, which makes it difficult to analyze and collect statistics. The intelligence information is also stored in separate systems from the Records Management Systems which feed crime statistics.
- It would be a “major” respondent burden for intelligence personnel to complete any type of annual survey due to the confidential nature of the data combined with the difficulty in information retrieval from these systems.
- Police Intelligence files contain information that has not been verified and may not be accurate. Sources of the information include informants/agents. This causes additional sensitivity to the release of any information that may put investigations or undercover officers at risk.

As a result of the consultations with police, a number of options were identified for the collection of organized crime data. These options were presented for discussion to the POLIS committee in March 2002. In the shorter term, the POLIS committee recommended continuing with special studies, as long as they were one-time studies and very specific (i.e. drug trafficking, marijuana grow operations, outlaw motorcycle gangs).

The committee recommended as a long-term solution that the Centre pursue the feasibility of amending the incident-based Uniform Crime Reporting Survey (UCR2) by adding a new variable, essentially, to ask whether or not an incident is “suspected” to be related to organized crime. If so, police would then be asked to specify which major criminal group is responsible (e.g. outlaw motorcycle gang). To be successful, this option would require a clear definition and appropriate criteria for police to use in making this determination.

They were unanimous in recommending that the idea of a “pilot” survey would not be successful in addressing the issues and priorities surrounding organized crime. The greatest concern was that a ‘pilot’ survey, under the broad umbrella title of organized crime, would greatly underestimate the nature and scope of organized crime in Canada due to under-reporting to police, and the lack of co-ordinated and comprehensive data collection currently available from police agencies.

Quantifying organized criminal activity presents a great challenge. A combination of factors ranging from the lack of standard definitions and guidelines, the under-reporting of organized crime, the current design of intelligence databases and security of the information sought, all place challenges on efforts to quantify organized crime. Nevertheless, sound statistics are necessary to provide quality information to Ministers responsible for justice, governments, the police community and the general public about the extent and impact of organized crime in Canada.

Based on the results of this feasibility study combined with discussions with the POLIS Committee, it is recommended that two data collection options have the greatest potential to generate useful and reliable organized crime statistics: (1) the short-term option of conducting issue-driven special studies, and (2) the long-term option of modifying the incident-based Uniform Crime Reporting Survey (UCR2). In addition, it is suggested that further discussions be held with the Criminal Intelligence Service Canada concerning the accessibility of their information on organized criminal activity in Canada.

This report provides a preliminary look into the feasibility of quantifying organized crime. Even though additional questions have emerged, this report offers some practical options for the collection of organized crime statistics. The next phase of this project will depend upon the options recommended by the FPT Working Group on Research and Analysis and the availability of funding to proceed.

ACKNOWLEDGEMENTS

The Canadian Centre for Justice Statistics (CCJS) wishes to thank Solicitor General Canada for their financial support and the Federal-Provincial-Territorial Working Group on Organized Crime, Research and Analysis for their guidance and expertise throughout this study.

The CCJS gratefully acknowledges the assistance and support of the Police Information and Statistics (POLIS) Committee of the Canadian Association of Chiefs of Police and the co-operation of various Canadian police agencies.

INTRODUCTION

Organized crime has recently attracted increased interest and concern in Canada as well as abroad. While many studies have focused on assessing the impacts of organized crime and others have described the organized crime groups operating in Canada, relatively little attention has been paid to measuring the volume and extent of organized criminal activity in Canada.

The Canadian Centre for Justice Statistics (CCJS) was contracted to support and assist the Federal-Provincial-Territorial Working Group on Organized Crime Research and Analysis in developing a strategy to collect quantitative data on organized crime. The findings of this feasibility study will be used to inform future discussions on the collection of organized crime data.

This report is divided into 5 chapters. The first introductory section provides a brief summary on the objectives and background to this project. Chapter 1 outlines the purpose of the site visit consultations, followed by Chapter 2 which summarizes their results. Chapter 3 presents the lessons learned regarding the challenges and limitations in attempting to collect police data on organized crime. Chapter 4 proposes a number of short and long-term data collection options, and the final section, Chapter 5 presents the conclusion.

Objectives of the Feasibility Study

The feasibility study had three major objectives:

1. to consult on the feasibility of collecting police-level data on organized crime;
2. to identify the issues and challenges the police community is currently facing in their effort to compile data on organized crime; and
3. to propose viable options for data collection.

Background

Recognizing the need for better information and statistics on organized crime and for methodologies to measure its impact on Canadians, Federal-Provincial-Territorial (FPT) Ministers responsible for Justice endorsed a plan to begin addressing Canada's data gaps in the area of organized crime. In September 2000, FPT Ministers responsible for Justice declared organized crime a national priority to be dealt with at all levels of government and endorsed a *National Agenda on Organized Crime*.

FPT Ministers of Justice directed government officials to work together on a shared plan of action that acknowledged a necessity for timely research to ensure that the government and the public have an accurate view of organized crime, its negative effects on our communities, and to develop preventative strategies.

Ministers of Justice agreed to address organized crime on a number of fronts and identified six priorities:

- illegal drugs,
- outlaw motorcycle gangs,
- economic crime (particularly fraud),
- money laundering,
- high-tech crimes and crime on the Internet, and
- illegal migration and trafficking in human beings.

In addition, Ministers identified a number of emerging issues and concerns for which information is sought:

- street gangs,
- intimidation of criminal justice personnel,
- illegal gaming,
- auto theft,
- illegal diamond trade, and
- corruption as an international concern.

A number of Federal-Provincial-Territorial (FPT) Working Groups on Organized Crime were struck, each focusing on a different aspect in the development of various strategies including research and analysis, legislative and regulatory tools, communications and public education. The FPT Working Group on Organized Crime Research and Analysis includes representatives from the major federal departments responsible for justice, most of their provincial counterparts, the Canadian Centre for Justice Statistics (CCJS), and the police community.

The FPT Working Group on Organized Crime Research and Analysis, co-chaired by Solicitor General Canada and the Ministry of the Attorney General of British Columbia, sought information and direction on how it can most accurately collect data on the extent and nature of organized crime and its impact on society. As a first step, the Working Group commissioned a consultant from the Nathanson Centre for the Study of Organized Crime and Corruption (York University) to carry out a study entitled *Organized Crime Data Priorities and Impact Assessment*. The primary goals of this study were to identify the various data sources available on organized crime in Canada, and to develop options for a national framework for collecting and assessing organized crime statistics on an ongoing basis.

This study confirmed that only limited statistical data on organized crime currently exist, but suggested that there are potential data sources that could be tapped to gather quantitative information on the majority of the Ministers' priorities as identified in the National Agenda. In spite of its data gaps related to organized crime, Canada is not lagging behind other countries in this area. The Nathanson results show that no national statistical data collection regimes on organized crime currently exist.

Upon completion of the Nathanson report, Solicitor General Canada, on behalf of the FPT Working Group contracted the CCJS (in June 2001) to investigate the feasibility of collecting quantitative police-reported data on organized crime. The CCJS was asked to develop a 'pilot' survey instrument and administer it to a number of police services. The results of this 'pilot' survey would help guide the development of an ongoing survey to collect baseline data on the nature and extent of organized crime in Canada for the purpose of monitoring trends over time.

The CCJS developed *Survey Objectives* (July 2001) and *Information Requirements* (September – October 2001). Consultations were undertaken with the FPT Working Group and the policing community through the Police Information and Statistics (POLIS) Committee. POLIS members unanimously agreed that the proposed 'pilot survey' approach would not be feasible in the organized crime field. POLIS members felt that survey results would not be able to provide a full picture of the organized crime problem in Canada. A number of concerns were raised including the fact that information about organized crime resides within intelligence units which are not set up for statistical purposes, the high degree of under-reporting and undetected incidents of organized crime, issues of confidentiality, the lack of a common definition, and significant respondent burden on the part of police. Instead, POLIS members suggested that site visits be undertaken with major police services across Canada to determine: the types of information that are currently available and accessible on organized crime; how the data are collected and stored; and, the impact or respondent burden that data collection and reporting would impose upon respondents.

It was suggested that individual site visits, although representing a change to the initial pilot survey approach, would yield a much richer source of information. Despite this change in strategy, the end result remains unchanged: to report back to Solicitor General Canada and the FPT Working Group on the feasibility of collecting police-level data on organized crime.

Immediately following the POLIS Committee meeting, this change in strategy was presented to, and supported by the FPT Working Group on Organized Crime.

A discussion at the October 2001 Liaison Officers Committee (LOC)¹ meeting focused on the results of the consultations with the POLIS committee. Feedback was sought from LOC members on the proposed data elements, the problems in attempting to define organized crime, and suggestions for other data sources and mechanisms for data collection.

In light of the recently introduced anti-terrorism legislation (Bill C-36) and the requirement for annual reporting, the Counter-Terrorism Section, National Security Directorate of Solicitor General Canada requested that a series of terrorism-related questions also be added to the site visit consultations (see last page of Appendix A).

¹ *The LOC oversees the work of the CCJS and is composed of federal, provincial and territorial justice officials and a representative of the Canadian Association of Chiefs of Police.*

CHAPTER ONE: SITE VISIT CONSULTATIONS

Purpose of the site visits

The overall purpose of the site visits was to assess the feasibility of collecting police-reported data on organized crime. The site visits sought input and advice from police working within Intelligence units responsible for organized crime. Before site visits were conducted, the CCJS, with input and direction from Solicitor General Canada and the FPT Working Group on Organized Crime Research and Analysis, developed a consultation document (see Appendix A).

Topics of discussion included:

- working definitions of organized crime;
- availability of data on the national priorities and emerging issues;
- availability of data on the proposed data elements;
- data accessibility;
- limitations and constraints; and
- respondent burden.

Who was consulted

A total of 11 site visit consultations were conducted across Canada between November 2001 and January 2002. A combination of police intelligence units from both larger and smaller police forces, as well as a number of provincial and federal agencies were consulted. Three of the eleven police forces submitted written responses by mid-February 2002. Fredericton Police and Kingston Police were also contacted for consultation but, due to workload commitments were unable to participate.

Participants included:

Halifax Regional Police
Sûreté du Québec
Ontario Provincial Police
Vancouver Police
Cornwall Police
Organized Crime Agency of British Columbia

City of Montreal Police Service
Toronto Police
Royal Canadian Mounted Police
Winnipeg Police
Criminal Intelligence Service Canada

CHAPTER TWO: RESULTS OF THE CONSULTATIONS

The information presented in this report should not be considered to be representative of all police forces investigating organized crime in Canada. These results therefore must be viewed as exploratory. Nevertheless, the findings provide some insight into the types of organized crime data that are collected by police forces, as well as highlighting issues of data quality, accessibility and data collection.

Working Definitions of Organized Crime

The major stumbling block to gathering data on organized crime is the imprecise definitions of its key concepts. During the site visit consultations, the CCJS asked 11 individual police agencies how they define organized crime for their purposes.

The majority of police agencies consulted (10/11) reported that they use the definition of 'criminal organization' as defined by the *Criminal Code*. (The exception being the Criminal Intelligence Service Canada (CISC) which has developed its own operational definition of organized crime.) These respondents spoke of the difficulties in attempting to quantify organized crime. The term 'organized crime' poses problems for measurement as it is seen as too broad and subject to interpretation, and can be applied to many criminal situations that are not necessarily organized crime. Arguably, any three or more persons can organize to commit a crime for profit, thus satisfying the *Criminal Code* definition of a 'criminal organization'.

Over half of the respondents (6 / 11) reported applying supplementary definitions or criteria to the existing *Criminal Code* definition:

- three respondents reported using the CISC definition,
- two respondents follow the United Nations definition, and
- one respondent developed a schema to aid in determining and ranking the relative threat posed by organized crime groups.

The remaining five respondents indicated that their Intelligence Unit does not currently have a working definition of organized crime.

Organized crimes are not always visible criminal activities and are not easily determined as organized crimes. Front-line officers will seldom recognize that an offence is related to organized crime until further investigation reveals such linkages. While some organized criminal activity is relatively obvious (i.e., outlaw motorcycle gangs), other realms of organized crime are not as easily identifiable. For example, an officer investigating a motor vehicle theft may not know that it was committed by a street gang on behalf of a larger criminal organization for export. It is typically the officer in charge of the Criminal Investigation Unit who determines whether an incident is related to organized crime given the circumstances of the incident, information about the accused, and the modus operandi.

Criminal Code of Canada

Section 467.1

A 'criminal organization' means a group, however organized, that is:

- composed of three or more persons, and
- that has as one of its main purposes or main activities the facilitation or commission of one or more serious offences that,
- if committed, would likely result in the direct or indirect receipt of a material benefit, including a financial benefit, by the group or by any of the persons who constitute the group.

It does not include a group of persons that forms randomly for the immediate commission of a single offence.

Criminal Intelligence Service Canada

Organized crime means two or more persons concerting together on a continuing basis to participate in illegal activities either directly or indirectly for gain.

United Nations

A structured group of three or more persons existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established pursuant to this Convention, in order to obtain, directly or indirectly, a financial or other material benefit.

Respondents were asked for their views regarding the need for a standard national definition of organized crime. The key issues raised are listed below:

- A consensus existed among respondents in support of developing a clear, consistent and simple definition, or set of criteria to help distinguish organized criminal offences from other types of offences. Without standard definitions or guidelines, data quality would be jeopardized.
- While it is understood that a standard definition of organized crime would need to be specific for coding purposes, it was pointed out that too rigid a definition may eliminate new emerging organized crime groups or crimes which don't quite fit the set profile. A standard definition would therefore need to take the fluidity of organized crime into account.
- One way to define organized crime may be to include an assessment of a criminal organization's ability or potential to generate large amounts of money, in effect, their net worth or potential worth in conjunction with an ability to fund other criminal enterprises. A national definition could also include the ability to fund, to corrupt, and to intimidate politicians, the media, financial institutions, etc.

Street gangs

As part of the discussions surrounding definitional issues, respondents were asked whether street gangs or youth gangs are included within the scope of organized crime. Over half (6 / 11) of the respondents reported that street gangs or youth gangs are considered to fall within the parameters of organized crime if they meet the 'criminal organization' criteria as defined in the *Criminal Code*.

Respondents offered the following reasons for including street and youth gangs:

- Street gangs have real consequences at the local level. Street gangs are usually highly visible within their community and use intimidation tactics through increased gang presence, and the perpetration of violent incidents. The presence of street gangs undermines a community's sense of security by increasing fear of crime.

- Street gangs may be tasked to carry out criminal acts (e.g., drug running) on behalf of an organized crime group. This is done as a means of 'insulating' the organized crime group from the commission of an offence. Organized crime groups view street gangs as trainees or potential recruits.
- Respondents view youth gang members as having the potential to embark on serious criminal careers, and making the transition to hard core, adult organized crime.
- Respondents cautioned however, that not all street gangs are necessarily criminal organizations. Given the variability in the level of organization within a street gang, it cannot be assumed that all street gangs are necessarily linked to organized crime. Respondents provided the following examples of the different types of street gangs:

Some street gangs are very well organized, having a sophisticated hierarchy, others are semi-structured groups of youth, with a more fluid hierarchy (i.e., sometimes having a leader and other times not). These groups of youths and young adults are usually geographically centered (i.e., control a certain block radius in a downtown area), engage in organized violence against rival gangs, and engage in planned and profitable criminal behaviour. At the other end of the spectrum, a group of youth may join together sporadically for a short period of time and dissolve shortly thereafter. These loosely knit gangs do not have true gang affiliations. They come together for a specific, spontaneous criminal activity, perhaps motivated by thrill seeking (e.g., collective violence against other youths - swarming).

Policies and Procedures

Respondents were asked whether specific policies or procedures exist with regards to the collection and storage of information related to organized criminal activity in their jurisdiction. Over half of the respondents (6 / 11) reported in the affirmative: two police forces follow the guidelines as set out by the CISC for reporting, and four forces have developed their own guidelines.

Although some respondents have policies and procedures concerning organized crime, few were able to share further details due to the confidential nature of this information. Obtaining additional documentation about variations in policies and procedures would provide a fuller understanding of the issues surrounding data quality, comparability, coverage and reliability.

Data Availability

The main objective of the site visit consultations was to assess the availability and accessibility of police-level data on organized crime. Two tiers of questions were posed:

1. Does the police agency or intelligence unit collect organized crime statistics that would address the national priorities and emerging issues as set by FPT Ministers responsible for Justice? and
2. Are incident-based micro data collected on organized crime?

National Priorities

Results of the site visit consultations indicate that over half of the police agencies consulted collect information for the majority of the identified National priorities.

However, only 2 of the 11 respondents track offences related to illegal migration and trafficking in human beings. Municipal police forces typically refer these cases to federal agencies that have responsibility in this area (e.g., the RCMP and Citizenship and Immigration Canada).

| National Priorities | Number of respondents collecting data (Total = 11) |
|---|---|
| Illegal drugs | 8 |
| Outlaw Motorcycle Gangs | 8 |
| Economic Crime | 7 |
| Money Laundering | 7 |
| High-tech and Internet-based crimes | 6 |
| Illegal migration and trafficking in human beings | 2 |

During the discussions, police respondents raised the following comments regarding the National priorities:

Some respondents felt that too many priorities and emerging issues have been identified (12 in total). Furthermore, the priorities and emerging issues represent a mix of offences, organized crime groups and other concerns. It was felt that the focus should be limited to fewer key areas of concern.

All respondents commented that the National priorities are vague and need to be clearly defined, particularly 'Economic crime' and 'High-tech and Internet crime'. Economic crime may include a variety of offences, which may become problematic when attempting to classify violations. For example, in the case of money laundering occurring via the Internet, it was questioned whether this offence would be categorized as an economic crime, as money laundering or as an Internet crime?

One respondent suggested that it may be important to break out illegal drugs by different types of drugs. This added level of detail might highlight regional patterns that may exist.

All of the police agencies stated that information concerning these National priorities would only be available after charges have been laid or recommended. That is, respondents cannot report data that is based on the suspicion or allegation of individuals involved in organized criminal activities.

Emerging Issues

In addition to these six National priorities, FPT Ministers of Justice identified a set of emerging issues and concerns. Consultations revealed that only two of the emerging issues and concerns (auto theft and intimidation of persons in the justice system) can be addressed by most of the agencies consulted.

| Emerging Issues | Number of respondents collecting data (Total = 11) |
|---|--|
| Auto theft | 9 |
| Intimidation of persons in the justice system | 7 |
| Street gangs | 5 |
| Illegal gaming | 5 |
| Corruption as an international concern | 5 |
| Illegal trading in diamonds | 3 |

Fewer than half of the respondents collect data on the remaining emerging issues. Respondents offered the following reasons why data may be lacking in these areas:

Illegal gaming is not a priority in all of the jurisdictions consulted. However, one respondent suspects that more focus will be afforded to illegal gaming as its presence on the Internet increases.

Very few police agencies collect data on the illegal diamond trade (3 / 11 respondents), as this relatively recent phenomenon is more prevalent in some jurisdictions than others.

Due to decisions concerning resource allocation and priority setting, certain organized crime groups or commodities may or may not be the focus in any given year.

Proposed Data Elements

The CCJS, with input and direction from Solicitor General Canada and the FPT Working Group on Organized Crime, developed a set of data elements that could be used to measure the nature and extent of organized criminal activity in Canada. These data elements were raised during the consultations as examples of the types of incident-based micro data that potentially could be collected on organized crime.

The proposed data elements fall into three categories:

- (i) Incident characteristics
(e.g., criminal violations, incident date, location, weapon used, status of the investigation, number of charges laid, date incident cleared);
- (ii) Accused characteristics
(e.g., number of persons charged, sex, age, affiliation with which organized crime group, country of residence, province/territory of residence); and
- (iii) Victim characteristics
(e.g., type of victim, number of victims, sex, age, affiliation with an organized crime group, level of injury, country of residence and province/territory of residence).

Respondents were asked whether this level of detail on organized criminal offences is currently being collected in their respective jurisdictions. The results indicate that fewer than half of the respondents (5 /11) collect detailed information about incidents of organized crime. These respondents noted that details about all offences within the incident are tracked, and not only the most serious offence within the incident.

These same five respondents also collect information about the accused and their link to organized crime. These respondents track tombstone information on all persons accused in the

incident and not only for the primary person accused. However, only three of the 11 respondents collect details about victims of organized crime.

Throughout these discussions, a number of key issues were raised with respect to the reliability and quality of organized crime data:

One of the major issues raised was that of under-reporting organized crimes. Respondents pointed out that due to their elusive nature, organized crimes often go undetected and unreported. Ultimately, it will be very difficult to get a true picture of organized crime since so much goes undetected.

Furthermore, it was expressed that a count of offences or even the number of investigations would undercount the volume of organized crime activity in Canada.

All respondents raised the need for standard definitions and guidelines for the purpose of coding organized criminal offences in a consistent and complete manner. Data quality would be jeopardized without consensus on, and implementation of uniform guidelines.

Organized Crime Groups

The CCJS proposed a list of seven broad categories (based on those used by the CISC) as a means of collapsing the different organized crime groups into a manageable number. Respondents were asked whether these categories correspond to the way in which their intelligence units classify organized crime groups.

These categories include:

- Outlaw Motorcycle gangs
- Asian-based organized crime groups
- Italian-based (or Traditional) organized crime groups
- Aboriginal-based organized crime groups
- Eastern European-based organized crime groups
- Other (specify)
- Street gangs

The majority of respondents (10 / 11) reported that these standard categories are in line with the way in which police typically classify organized crime groups. However, police agencies noted that two relatively recent phenomenon with respect to the way in which organized criminals form alliances may have implications for data gathering.

- i) Of particular importance is the relatively recent phenomenon involving the collaborative working arrangements that exist between some organized crime groups. Organized crime groups are no longer operating strictly in competition with each other, but have demonstrated a willingness and an ability to work collaboratively, sharing roles and responsibilities towards a common goal. For example, one group may be responsible for the importation of illegal drugs, while another may handle its distribution. These new alliances being forged between organized crime groups may create difficulties for coding criminal offences to any one particular organized crime group.
- ii) Another trend is the increasing number of organized crime groups of multi-cultural composition. Although there are organized crime groups composed of members drawn predominantly from one particular ethnic group, there are other groups of multi-cultural composition. The POLIS Committee alerted the CCJS to the possible difficulties that may be encountered in trying to code these blended ethno-cultural groups.

Respondents offered a number of additional organized crime groups that may not fall within the categories identified:

| | |
|---------------------------------|-----------------------|
| Colombian | Quebecois traditional |
| Latinos | Indo-Canadian |
| Haitian | Nigerian |
| Lebanese | Jamaican |
| South American | Somali |
| Japanese (Yakuza) organizations | |

Data Accessibility

A number of questions were posed during the consultations to gain a better understanding of how police agencies compile and store information on organized crime.

- *Does your intelligence unit compile and store data on organized crime?*
- *Is it housed on a separate intelligence database?*
- *Does intelligence data get sent to and captured by a central records management system? If yes, at what stage (e.g., once the file / case is closed)?*

All eleven respondents stated that their Police Intelligence Units collect, store and compile information on organized crime. This information is stored in electronic format on a separate, specialized information system specifically designed for intelligence gathering and analysis.

In general terms, police intelligence units collect strategic information concerning the activities of organized crime individuals and groups. Intelligence units attempt to anticipate, monitor and prevent criminal activities with respect to an identifiable person or group involved in organized crime by investigating source information and collecting, analyzing and disseminating intelligence information.

The intelligence information stored is typically narrative and not statistical in nature. Intelligence information systems go well beyond simply counting offences committed by organized crime. A host of different types of intelligence information about individuals, their movements, relationships, offences, suspected involvement, communications through wiretaps, photographs, etc. are stored.

Intelligence information is not always substantiated, some information may be anecdotal in nature and is not necessarily supported by fact. Intelligence files contain information that has not been verified and may not be accurate. Sources of the information may include informants or agents. This causes additional sensitivities to the release of any information that may put investigations or undercover officers at risk.

Intelligence information is used to further progress in the investigation and analysis of organized criminal activity, but this is not the type of information captured in a records management system. Information captured in police records management systems (RMS) is substantiated, fact-based information. Intelligence information is not input into police records management systems, but remains stored in a separate, very secure data system with limited internal access.

Typically, intelligence information is not forwarded to the police agency's central records management system (RMS) unless charges are laid or recommended. However, once transferred to the general RMS system, the information is not necessarily identified as organized crime – that is, no designation or coding is assigned to identify and distinguish them as organized crimes. Only those charged under section 467.1 and 423.1 of the *Criminal Code* can be identified as criminal organization offences.

Security is a vital consideration for criminal intelligence information systems. This information is extremely sensitive in nature and is highly protected. In order to ensure this high level of security, individual police agencies have developed a series of separate, stand-alone specialized database systems. Furthermore, these stand-alone silos of intelligence information are restricted in their capability to share information with other data systems.

While police services recognize the importance of sharing critical intelligence information accurately and in a timely fashion, there are diverse interests at play including confidentiality and security which impede efforts at total collaboration and disclosure.

Respondent Burden

Another component of data collection that must be assessed is respondent burden. Respondents were asked to comment on the level of respondent burden that an annual survey on organized crime would impose upon their unit. The unanimous response was that the annual collection of data on organized crime would have a major impact on their workload. The following reasons were cited:

- Collating data on organized crime would entail a manual search of the information, or a computer search through queries, and then transcribing the textual information into usable data points.
- To do this type of across-the-board search would require accessing multiple data systems. Information pertaining to organized crime is not only housed in the organized crime intelligence units, but is also housed in many other units (i.e., Major crimes unit, Auto theft unit, Fraud unit, etc.).
- A number of different individuals would be involved in compiling the required data. That is, only those persons having the appropriate security level can access secure intelligence information. This could introduce the potential for error (e.g., missing information, coding errors).
- The categorization of crimes as directly or indirectly related to organized crime is viewed as subjective. It may be difficult to discern whether some types of offences are linked to organized crime (e.g., the possession, distribution and creation of child pornography on the Internet).
- An electronic format for data collection is viewed as less burdensome than a paper survey.
- Respondents indicated that the survey would need to be very simple with clearly defined scoring instructions. A few respondents raised the example of VICLAS (Violent Crime Linkage Analysis System) as a very burdensome system requiring one designated full-time employee, as well as requiring the divisional crime co-ordinators to keep on top of the front-line members to complete reports.
- Aggregate data would be more easily collected than micro data. It was indicated that some aggregate numbers may be obtained from reports that are already compiled.

Terrorism

In light of the recent anti-terrorism legislation (Bill C-36) and the requirement for annual reporting, the Counter-Terrorism Section, National Security Directorate of Solicitor General Canada requested that a few terrorism-related questions be asked during the site visit consultations (See end of Appendix A).

Six of the 11 police respondents reported that either their Intelligence Unit or a specialized unit within their police force tracks terrorism-related offences. However, the creation of anti-terrorist units, and the investigation and gathering of these data is a relatively new endeavour. For the most part, municipal police services engaging in strategic intelligence gathering supply intelligence on terrorism to the appropriate federal agencies. Another three respondents do not have specialized anti-terrorism units. In these cases, any terrorism-related offences are reported to the RCMP.

Intelligence information on terrorism is typically maintained in a separate, totally self-contained and very secure data system. Due to the secure nature of the subject matter, this was the extent of information that was shared.

CHAPTER THREE: SUMMARY OF FINDINGS

The following section highlights some of the lessons learned during the site visit consultations with respect to the feasibility of collecting police data on organized crime. The types of lessons learned range from the need for definitions and guidelines, the configuration and limitations of police information systems, data availability and data quality issues. Each of these issues present challenges to the collection of valid and reliable data on organized crime.

Towards Defining Organized Crime

The majority of respondents spoke of the difficulties in attempting to quantify organized crime. The term 'organized crime' poses problems for tracking purposes as it is seen as too broad and subject to interpretation, and can be applied to many criminal situations that are not necessarily organized crime.

To simply count the number of offences where criminal organization charges are laid or recommended would seriously under-estimate the extent of organized criminal activity occurring in Canada. This method would only capture those offences coming to the attention of the police, categorized as organized criminal activities and charged under sections 467.1 and 423.1 of the *Criminal Code*. The activities and workings of criminal organizations are by their nature elusive and often hidden from the everyday world. It is extremely difficult to assess the volume of organized crime that goes unreported.

During the site visits, police respondents expressed that a national definition or guidelines for organized crime would need to be developed for coding purposes. However, it was also noted that too rigid a definition may unknowingly eliminate some of the new and emerging trends in organized crime. One respondent expressed that an enormous amount of time and energy could be expended in debating the definition of organized crime and gaining consensus on a national definition of organized crime. One alternative used by the CCJS Homicide Survey is to request the police officer investigating the homicide to make the determination as to whether or not the homicide was 'gang-related'. This decision is based on both the facts revealed during the investigation of the case and the investigating officer's expertise in this area.

Both the POLIS Committee and the FPT Working Group pointed to the need to clearly define the concepts for the purpose of data collection. The need for clear, standardized and accepted definitions and guidelines is crucial to any effective research and ultimately, to sound policy-making. Decisions have yet to be made as to how these definitional issues are to be resolved.

Police Intelligence Data Systems

Even though all eleven respondents stated that their Intelligence units collect, store and compile information on organized crime, the format in which the intelligence is stored poses problems for data collection. That is, the information stored is typically narrative and not statistical in nature.

Furthermore, the need for a secure database environment for the storage of intelligence on organized crime has led to the development of multiple, separate, stand-alone silos of information. These stand-alone silos of intelligence information are restricted in their capability to share information with other data systems.

Intelligence information is not forwarded to the police agency's central records management system (RMS) unless charges are laid or recommended. However, once transferred to the general RMS system, no designation or coding is assigned to identify and distinguish them as organized crimes.

While police services recognize the importance of sharing critical information accurately and in a timely fashion, there are diverse interests at play including confidentiality and security of the information which may impede efforts of collaboration and disclosure.

Data Availability and Data Quality Issues

During the site visit consultations, respondents provided an overview of data availability and effectively highlighted the current gaps in information on organized crime as well as key data quality issues.

Obtaining reliable data on the activities of criminal organizations is complicated by the following factors:

- First, by their very nature, criminal organizations tend to operate in secrecy. Many of their criminal activities probably never come to the attention of the police. One of the major limitations to collecting information or data on organized criminal activities is their inherent hidden nature.
- The under-reporting of organized criminal offences is also due to the nature of the offences. That is, vice-type offences (i.e., prostitution, gambling, drugs) generate few if any complainants or witnesses, therefore are less likely to be reported to police.
- Another issue raised by police agencies was that there is a 'disconnect' between detecting an offence and linking it to organized crime. That is, front line officers may be unaware that an offence is related to organized crime until further investigation confirms the link.
- The amount of intelligence gathering and analysis that is undertaken by any police agency varies with the resources allocated, and with the priorities or focus set in any given year. That is, decisions are made as to which organized crime groups, individuals or commodities are to be monitored, and these priorities differ across the country. For example, while Asian-based organized crime and marijuana grow operations are the two major concerns in British Columbia, crime in marine ports is the focus in the east, and outlaw motorcycle gangs are among the current priorities in both Ontario and Quebec.
- Police typically collect information about 'complainants' or 'witnesses' and not about victims. Should victim information prove to be a requirement, sources other than police data would need to be pursued.
- Investigations of organized criminal activity are often complex, time consuming and resource-intensive.
- All respondents indicated that to achieve the level of detail proposed, a considerable amount of manual record searching or customized data queries would be required.
- Workload considerations will affect the amount of information that police can provide.
- Two police agencies are in the process of implementing a new intelligence information system, and a third will be embarking on development within the next 12 to 18 months. The degree to which these police agencies will be able to extract information will be contingent upon the capabilities of these new intelligence systems.

CHAPTER FOUR: DATA COLLECTION OPTIONS

Based on the findings of the site visit consultations, a number of options for the collection of police-level data on organized crime are identified. Each of the options is presented along with their respective advantages, disadvantages, a cost estimate where applicable and a recommendation.

Use existing data

1. Incident-based crime statistics (UCR2)
2. Homicide data
3. Corrections data
4. Adult Criminal Court data

Short-term options (1-2 years)

5. Repeat the United Nations Survey
6. Special study
7. Abbreviated pilot survey
8. Collect resources expended on organized crime
9. Criminal Intelligence Service Canada

Long-term options (2 years +)

10. Modify the UCR2 survey
11. Victimization survey

USE EXISTING DATA

Incident-based Crime Statistics (UCR2)

Additional violation codes were recently added to the UCR2 survey to capture the new criminal organization offences under sections 467.1 and 423.1 of the *Criminal Code*. Specifically, the following 4 sections have been added:

| | |
|--------------------|--|
| Section 467.13 (1) | <i>Instruct the commission of an offence for a criminal organization</i> |
| Section 467.12 (1) | <i>Commit an offence for a criminal organization</i> |
| Section 467.11 (3) | <i>Participate in activities of a criminal organization</i> |
| Section 423.1 (3) | <i>Intimidation of justice system participant</i> |

Commencing January 1, 2002, police forces reporting to the UCR2 will report on the number of occurrences of these criminal organization offences. The UCR2 captures up to four criminal violations per incident, as well as details about the accused and victim.

Advantages of using existing data:

- Data are currently collected through the UCR2 Survey.
- No additional burden is imposed on respondents.
- No additional costs (i.e., for systems development or data collection).

Disadvantages:

- The UCR2 survey does not have full national coverage. The data are not representative of any region in Canada, nor of Canada as a whole.
- Offences committed by organized crime are not necessarily charged with one of the 'criminal organization' offences. Therefore, not all offences committed by criminal organizations are identified.
- Currently, there is no designation or coding assigned on the UCR2 to identify organized crimes.
- Unable to link criminal incidents with an organized crime group.

Homicide Survey

One of the new fields added to the CCJS Homicide Survey in 1991 was a check box indicating whether the homicide was 'gang-related' (involving street, motorcycle, youth gangs, etc). It is the investigating officer who determines whether or not the homicide is gang-related based on the information gathered for each case. Detailed information about 'gang-related' homicides is available through this survey.

The Homicide in Canada, 2000 *Juristat* reported that:

Between 1991 and 1995, there was an average of 20 gang-related homicides each year. Since 1995, the number of such homicides has more than tripled, from 21 in 1995 to 71 in 2000².

Disadvantages:

- No criteria or definition is specified for 'gang-related' homicides. Determination is left to the investigating officer.
- Only homicide data are collected.

² *Homicide in Canada, 2000, Canadian Centre for Justice Statistics. October 2001, pg. 6.*

Corrections Data

Provincial/ territorial and federal correctional agencies collect detailed information about their offender populations including current offences, criminal history, prior sentences, etc.

One of the data elements that has potential for identifying persons involved in organized crime falls under “security concern”. This field identifies inmates with security concerns such as violent behavior, substance abuse, mental illness, escape risk, suicide risk and gang affiliation or organized crime. Information on gang affiliation or organized crime could then be used in combination with other variables (e.g., adult/ youth indicator, offence, province sentenced, sex, birth date, and citizenship).

Disadvantages:

- The target population is limited to those already convicted of a criminal offence and sentenced to time in a correctional facility.

Adult Criminal Court Data

The Adult Criminal Court Survey (ACCS) conducted by the CCJS is another possible source of data on organized crime. Specifically, the ACCS collects information on federal statute charges dealt with in provincial/territorial adult criminal courts and three Superior Court jurisdictions.

In addition to identifying specific criminal organization charges heard before the courts, the ACCS collects the age and sex of persons appearing in court, the median elapsed time from first to last court appearance, the case outcome (e.g., conviction, dismissed, acquittal) and sentence type (e.g., fine, probation, restitution, prison, other).

The individuals included in the ACCS are persons 18 years or older at the time of the offence, youths who have been transferred to adult criminal court and companies.

In terms of coverage, the adult criminal courts in seven provinces and one territory currently report to the ACCS. These eight jurisdictions represent approximately 80% of the national adult criminal court caseload. British Columbia and New Brunswick will be reporting data for the 2001-2002 reference period.

Disadvantages:

- The ACCS does not as yet have full national coverage.
- The use of the ‘most serious offence’ rule generally masks the presence of less serious offences; however, special tabulations can be requested which generate counts of all charges within a case.
- Offences committed by members of organized crime groups are not necessarily charged with ‘criminal organization’ offences.
- No code exists designating an offence as organized crime related.

SHORT-TERM OPTIONS (1 – 2 YEARS)

Repeat the United Nations Survey

In 1998 the CCJS distributed a United Nations “pilot” survey on organized crime to 16 major police forces across the country. The survey requested details about each organized crime group operating in their respective jurisdictions. The questions covered areas such as the characteristics of the organized crime groups and their members, the main criminal activities each group was believed to be involved in, and any links with other organized crime groups. All 16 police forces participated in the study. The resulting data collection and analysis was compiled and released in a report entitled: *Organized Crime Activity in Canada, 1998: Results of a “Pilot” Survey of 16 police Services*.

Advantages:

- Undertaking a second round of data collection using a modified version of the United Nations survey would permit comparisons with the 1998 study.
- Minimal training required
- Developmental costs would be minimized since the survey already exists.

Disadvantages:

- Selected police forces would participate. The resulting data would not be representative of Canada as a whole.
- Some respondent burden will be imposed on respondents; however, it is seen as minimal (turn around time for completing the survey in 1998 was 2 months).
- Limited level of detail, coverage, etc. would severely limit data utility.

Cost Estimate:

Duration would be one fiscal year at an estimated cost of \$75,000.

Recommendation:

The information collected through the United Nations Survey did not reveal anything particularly new about activities of organized crime groups operating in Canada that is not already collected by Criminal Intelligence Service Canada and therefore, is not a preferred option.

Special Study

One option that was suggested during the site visit consultations was the idea of conducting special studies to collect detailed information from police agencies on one or two key national priorities (e.g., illegal drugs, money laundering or economic crime). Participating police departments would be asked to review their intelligence files relating to a key priority, and transcribe the information to produce a data set.

The types of information that could be collected include:

- the types and circumstances of the organized crime incident (e.g., number and type of offences, incident date and clearance date, location, weapon used, status of the investigation);
- characteristics of the accused (e.g., number of persons charged, age, sex, types of charges laid or recommended, organized crime group affiliation);
- and victim information (e.g., number of victims, type of victim, age, sex, organized crime group affiliation, level of injury).

Furthermore, a special one-shot study could delve into more detail about the key priority area. For example, if illegal drugs were the focus, questions about the estimated dollar value and types of drugs seized could be added. This focused approach could provide an in-depth view of one or two major areas of concern.

Advantages:

- A special study could delve into more detail about a key priority area.
- Focus could change over time to reflect changing priorities.

Disadvantages:

- No trend information
- Only one or two priority areas would be addressed at a time.
- Not all police forces would likely participate. The resulting data would not be representative of Canada as a whole.
- Training and/or developing coding instructions would be required.
- Some respondent burden would be imposed; however, burden would be minimized, as it would entail searching only those files falling within the key priority area.
- Developmental costs would be required.

Cost Estimate:

It is difficult to provide time and cost estimates for a range of special studies since each study could involve a different approach depending upon the focus issue, number and types of questions asked, time frame, target population and deliverables. The cost of carrying out a special study would start at a minimum of \$100,000.

Recommendation:

The CCJS concurs with the POLIS committee in their support for the special studies option. These special studies need to be issue-driven, for example, specific to a particular type of organized criminal activity (i.e., drug trafficking, marijuana grow operations), or to a particular organized crime group (outlaw motorcycle gangs) and should be one-time studies.

Abbreviated Pilot Survey

In light of the limitations reported during the site visits, it is proposed that the original pilot survey be abbreviated. The survey would be limited to asking only basic questions about the characteristics of the incident and of the accused. Questions about victims of organized crimes would be eliminated. A sample of police agencies would be asked to provide the data to the best of their ability.

Admittedly, the resulting data will allow only a preliminary, limited examination of organized crime. Nevertheless, embarking on a pilot survey will take the first steps towards addressing measurement issues, and aid in the refinement and elaboration of future data collection efforts.

Advantages:

- Data on organized crime would begin to be collected.
- Would produce some data to inform Ministers of Justice, the police community and the general public about the extent of, and trends in organized criminal activity in Canada.
- Would provide a starting point for future refinements to the survey and the types of data collected on organized crime.

Disadvantages:

- Would require time and resources on the part of police to compile and report on an annual basis.
- Training and/or coding materials required.
- Selected police forces would likely participate. The resulting data would not be representative of Canada as a whole.
- Developmental costs, testing costs would be required.

Cost Estimate: \$180,000 to \$200,000

Recommendation:

Given the limitations and concerns revealed through the site visits and through discussions with the POLIS Committee, it is recommended that a pilot survey to collect police-level data on organized crime is not a feasible option.

Resources Expended on Organized Crime

The notion of tracking the resources expended on organized criminal investigations, particularly the long-term, complex cases, is another way of viewing the impact of organized crime on the police sector.

The CCJS currently collects information on police personnel and expenditures from all municipal and provincial police forces, as well as the RCMP on an annual basis through *The Police Administration Annual Survey*. One option may be to enhance this survey by adding a field(s) to capture the number of resources expended on organized crime (personnel and days/ hours) on an annual basis.

Advantages:

- Provides an indication of the total police resources expended to fight organized crime.
- Measures of resource investments/ requirements need to be quantified.

Disadvantages:

- Difficult to isolate resources unless they were 100% 'dedicated' to organized crime.
- Would require time and funding to re-design the survey, the data capture system and edit procedures at the CCJS and reporting police agencies.
- New scoring instruction, coding manuals and training would be required.
- Additional respondent burden

Cost Estimate:

\$40,000 to \$50,000

Data generated through the additional questions or fields would be available approximately one fiscal year after implementation.

Recommendation:

Adding a field to the Police Administration Annual Survey may prove to be more difficult than it appears. In addition to definitional issues, POLIS members raised the issue of whether police agencies may have difficulty isolating all resources dedicated to organized crime. Previous attempts at collecting police resources by function proved unsuccessful; therefore, this is not a preferred option.

Criminal Intelligence Service Canada (CISC) Data

Criminal Intelligence Service Canada (CISC) collects and compiles valuable information about the major organized crime groups currently operating in Canada. CISC monitors and reports on targeted groups including Asian-based, East-European-based, Outlaw motorcycle gangs, and Traditional (Italian-based) organized crime groups. As well, CISC reports on the sexual exploitation of children, the illegal movement of firearms, organized crime in marine ports and technology and crime.

This information is gathered annually from more than 120 police services across Canada. CISC has developed an Automated Criminal Intelligence Information System (ACIIS), a national, on-line databank and link analysis system designed to maintain information on all major organized crime groups in Canada.

Advantages:

- CISC information could be used to inform Ministers about certain National Priorities (e.g., outlaw motorcycle gangs).
- Mining CISC data would avoid the duplication of effort and expense in the development of another separate data collection instrument.
- No additional burden would be imposed on participating police agencies.
- No additional costs to police.

Disadvantages:

- Not all police services currently report to CISC. Coverage is not national.
- Limited to the data elements currently collected by CISC.
- Much of the information collected may not be accessible due to the confidential and sensitive nature of the information.

Cost Estimate:

No additional cost to individual police services currently reporting to CISC.

Recommendation:

The CISC houses a wide range of information on organized criminal activity in Canada. However, given the confidential nature of the information this may not be a feasible option at the present time, but should be explored further with CISC.

LONG-TERM OPTIONS (2 YEARS +)

Modify the UCR2 Survey

The UCR2 survey could be modified to capture additional detail on organized criminal offences coming to the attention of the police. A field identifying whether or not an incident is related to organized crime could potentially be added to the UCR2. The following suggestion came out of the site visits:

- No, incident is not related to organized crime
- Yes, incident is related to organized crime (criminal organization charges were laid or recommended)
- Suspect organized crime involvement
- Do not know

In addition, within the Accused characteristic section, the following questions could be added in an effort to link the criminal incident with an organized crime group:

- Is the accused affiliated with an organized crime group? Yes / No
- If yes, which group?
 - Outlaw Motorcycle gang
 - Asian-based organized crime group
 - Italian-based (or Traditional organized crime group)
 - Aboriginal-based organized crime group
 - Eastern European-based organized crime group
 - Other (specify)
 - Street gang

Similarly, under Victim characteristics:

- Is the victim affiliated with an organized crime group? Yes / No
- If yes, which group?

Advantages:

- The inclusion of an organized crime indicator on the UCR2 would mean that a wide variety of characteristics for each incident of organized crime would be captured.
- Would collect detailed data about organized criminal offences and would link these offences to an organized crime group.
- Would provide potential to report incidence of organized crime in Canada on an annual basis.
- Minimal respondent burden.

Disadvantages:

- Would impact on how police agencies report information to UCR2, including information systems and interfaces in the jurisdictions.
- Would require the re-design of data capture and edit systems internal to the CCJS and in each of the police jurisdictions currently reporting to UCR2.
- UCR2 currently does not provide national coverage. This will improve as more police forces convert to UCR2 (RCMP 2004 – 2006).
- Requires training of police agencies on the coding rules for any new fields.

- A revised version of the UCR2 survey (2.1) was implemented only a few years ago and many police forces are still reporting using the original version (2.0). Having a third version in operation at the same time would be problematic and expensive to maintain over time.

Implications:

Implementing changes to the UCR2 survey is a complex process implicating a number of different parties including (but not limited to) the CCJS, the LOC and POLIS Committees. As well, changes to UCR2 would impact on approximately 170 individual police services who are currently reporting to the UCR2 survey and their vendors who are responsible for the development and implementation of their police reporting systems.

The range of tasks involved in modifying the UCR2 survey include:

- identification and development of national information requirements
- approval from POLIS Committee, LOC and JIC
- securing appropriate funding
- designing new questions, data elements, definitions or criteria, scoring rules
- writing specifications for re-programming the data processing systems and the edit and imputations (E & I) systems
- testing prototype questions, new fields through the creation of micro-level test data
- testing and de-bugging the information processing , E & I programs and the DAO (Derived Aggregate Offence) program
- informing and aiding police agencies and vendors of changes required
- revising specifications for program interfaces with police agencies
- updating manuals
- revising and testing the tolerance edit and outlier report programs
- revising report tables
- preparing system documentation

Introducing this type of revision to the UCR2 survey at the moment would result in three different versions of the survey functioning at the same time, considerably complicating survey processing and data timeliness.

Cost Estimate:

It is estimated that \$400,000 would be the minimum amount required by CCJS. This cost estimate is independent of any costs that would need to be absorbed by individual police services or vendors.

Recommendation:

The CCJS concurs with the POLIS committee in recommending the long-term solution of adding a new variable to the incident-based Uniform Crime Reporting Survey (UCR2) when the next version of the survey is ready to be implemented.

Victimization Survey

The Nathanson report (March 2001) suggested collecting further information about organized crime through a household victimization survey. It was proposed that this may be one way to estimate the extent of unreported organized criminal activity.

Household victimization surveys are undertaken by Statistics Canada on a cyclical basis through the General Social Survey (GSS). The GSS collects information on the nature and extent of criminal victimization in Canada, as well as its impact and consequences on the victim, and reasons why victims reported or did not report the incident to police. The target population includes all persons aged 15 years and older residing in the 10 provinces. The GSS does not capture information on crimes where the victim is a business or institution. The GSS contacts approximately 25,000 respondents by telephone.

Advantages:

- Statistics Canada would administer the survey through the currently established vehicle of the General Social Survey (GSS).
- Adding questions to this ongoing survey would require resources; however, the cost of re-designing a current survey would be lower than the creation of a new victimization survey from scratch.

Disadvantages:

- Most victims of crime may not be aware that they were victimized by organized crime.
- Victimization surveys do not capture information on crimes that have no obvious victim (e.g. prostitution). This may prove to be difficult since some of the crimes associated with organized crime are consensual in nature, that is, the person is a willing partner in the offence (i.e., gambling, drugs, corruption). These respondents may not view themselves as being a victim of a crime.
- Victimization surveys do not capture information on crimes where the victim is a business, institution or where the victim is a child (under 15 years of age).
- Substantial costs would be involved in the development, testing and implementation of new questions.
- The GSS collects victimization data only periodically – once every 5 years.

Cost Estimate:

The cost for adding questions to the GSS is \$10,000 per question.

Consultations for the GSS survey cycle begin in the fall of 2002, with questionnaire development occurring in the winter of 2002. The GSS cycle is scheduled for testing in the fall of 2003 and to go into the field in January/February of 2004. Collection is for 11 months and data would be released in the spring/summer of 2005.

Recommendation:

It is recommended that a victimization survey is not the most appropriate data collection method for measuring total organized criminal activity in Canada. In addition to the disadvantages listed above, this method risks obtaining low counts since the general public may not be aware that they have been victimized by organized crime.

POLIS Recommendations

Data collection options were presented for discussion at the March 2002 POLIS committee meeting. Weighing the need for quantitative data on organized crime, against the limitations reported during the site visits, the committee made the following recommendations.

The POLIS committee was unanimous in stating that a pilot survey would not be successful in addressing the issues and priorities surrounding organized crime. The greatest concern expressed was that a pilot survey, under the broad umbrella of organized crime, would greatly under-estimate the nature and scope of organized crime in Canada due to under-reporting to police, and the lack of co-ordinated and comprehensive data collection currently available from police agencies.

In the shorter term, the POLIS committee recommended undertaking special studies, as long as they were one-time studies and very specific to a particular type of organized criminal activity (i.e., drug trafficking, marijuana grow operations), or to a particular organized crime group (outlaw motorcycle gangs). POLIS members stressed that because organized crime is a very broad concept covering an array of different criminal activities, it is difficult to understand as a whole. Committee members cautioned against the over-simplification of the problem. Special studies were deemed as having merit in that they would provide different views, albeit small glimpses into the whole organized crime picture. These studies could be used to create the individual building blocks towards a more complete understanding of organized crime.

The committee recommended as a long-term solution, that the Centre pursue the feasibility of amending the UCR2 survey to capture organized criminal activity. Essentially, a new variable would be added to the incident-based UCR2 survey and police would be asked to report whether or not each criminal incident is related to organized crime. If so, police would then be asked to specify which major criminal group is responsible (e.g. outlaw motorcycle gang). For this option to be successful, it is essential that a valid and reliable definition of what constitutes organized crime be developed and is accepted by the policing community.

CHAPTER FIVE: CONCLUSION

Quantifying organized criminal activity presents a great challenge. Factors impeding a precise statistical assessment of organized crime are diverse. A combination of factors ranging from the lack of standard definitions and guidelines, the under-reporting of organized crime, the current design of intelligence databases and security of the information sought, all place challenges on efforts to quantify organized crime.

Nevertheless, sound statistics are necessary to provide quality information to governments, the police community and the general public about the extent and impact of organized crime in Canada. Without ongoing data to update Canadians on the state of organized crime in Canada, it will be difficult for government, policy makers, and the police to set priorities, and make policy decisions regarding the fight against organized crime.

Based on the results of this feasibility study and through discussions with the POLIS Committee, it is recommended that two data collection options have the potential to generate useful and reliable organized crime statistics:

- (1) the short-term option of conducting issue-driven special studies, and
- (2) the long-term option of modifying the incident-based Uniform Crime Reporting Survey (UCR2).

In addition, it is suggested that further discussions be held with Criminal Intelligence Service Canada.

Ultimately, the next phase of this project will depend upon the options recommended by the FPT Working Group on Research and Analysis.

Appendix A.



CCJS CONSULTATION DOCUMENT

AN INVESTIGATION INTO THE FEASIBILITY OF COLLECTING POLICE-REPORTED DATA ON ORGANIZED CRIME

Site Visits

November, 2001

Lucie Ogrodnik
Canadian Centre for Justice Statistics (CCJS)
Statistics Canada

The CCJS has prepared the following set of questions to assist in the site visit consultations.

1. Working Definition of Organized Crime

Organized crime is not an easy phenomenon to measure. Currently in Canada there is no common definition of organized crime. CCJS will be asking individual investigation units how they define organized crime for their purposes.

- *How does your unit determine whether an incident is related to organized crime?*
- *Is a set of criteria used for determining whether an offence is linked to organized crime?*

Where does your intelligence unit draw the line in terms of involvement in organized crime? – How far is the net cast in determining whether or not an offence is linked to organized crime? For example, the drug pusher on the street is ultimately linked to organized crime- would your service include this person?

- *Does your unit have a working definition of organized crime?*
- *If so, does it include street gangs, youth gangs? Should street gangs/ youth gangs be included?*
- *In your opinion, how broadly should organized crime be defined for the purpose of a standard national survey?*
- *What would you suggest as a standard definition of organized crime?*

2. Policies or Procedures on Organized Crime

- *Does your investigation / intelligence unit or police service have any written policies, procedures concerning organized crime? Can these be provided to CCJS?*

3. Availability of Data on National Priorities

Ministers of Justice identified a number of priority areas as well as other emerging and pressing issues in the realm of organized crime for which data is required.

- *Does your investigation/ intelligence unit collect the following types of information to address these national priorities?*
- *If a data collection instrument is implemented, would your unit be able to report this data to CCJS on an annual basis?*
- *Are there any policies or other issues that may limit reporting this information (in terms of quality or completeness) to CCJS?*

Availability of National Priorities

| National Priorities | Description | Availability Yes / no | Limitations |
|--|-------------|--------------------------|-------------|
| Illegal drugs Outlaw motorcycle gangs Economic crime, particularly fraud Money laundering High-tech and Internet-based crimes Illegal immigration (prostitution, trafficking in humans) | | | |
| Other Emerging Issues | Description | Availability Yes / no | Limitations |
| Street gangs Intimidation of persons in the Criminal Justice System Illegal gaming Auto theft Illegal trading in diamonds Threat of corruption as an international concern | | | |

4. Proposed Data Elements

These core data elements are suggestions put forward to help facilitate discussions about the possible types of information to collect about organized crime.

- *Does your intelligence / investigation unit collect the proposed data elements?*
- *Are there any policies or other issues that may limit reporting this information to CCJS on an annual basis?*
- *Are there other data elements that your unit collects that should be considered for inclusion in a national survey on organized crime?*

Proposed Data Elements

| | Description | Availability Yes / no | Limitations |
|--|-------------|--------------------------|-------------|
| Respondent code | | | |
| Incident file number/ occurrence number | | | |
| Incident Characteristics | | | |
| Criminal violation(s) | | | |
| Incident date (year-month-day) | | | |
| Location of incident (city, town, village, etc.) | | | |
| Weapon used | | | |
| Status of investigation (ongoing, charges laid, cleared otherwise) | | | |
| Number of charges laid or recommended | | | |
| Date incident cleared | | | |
| Accused/ Suspect Characteristics | | | |
| Number of persons charged/ suspected | | | |
| Sex | | | |
| Age (in years) | | | |
| Affiliation with which Organized Crime group | | | |
| Outlaw motorcycle gang | | | |
| Asian-based | | | |
| Italian-based | | | |
| Aboriginal-based | | | |
| Eastern-European based | | | |
| Other (specify) | | | |
| Street gang | | | |
| Country of residence (Canada, USA, other (specify), unknown) | | | |
| Province/ territory of residence | | | |
| Victim Characteristics | | | |
| Type of victim | | | |
| Person | | | |
| Company/ commercial establishment | | | |
| Bank/ financial institution | | | |
| Other (specify) | | | |
| Number of victims | | | |
| Sex | | | |
| Age (in years) | | | |
| Affiliated with an Organized Crime Group? (Yes/ No) | | | |
| If yes, which group? | | | |
| Outlaw motorcycle gang | | | |
| Asian-based | | | |
| Italian-based | | | |
| Aboriginal-based | | | |
| Eastern-European based | | | |
| Other (specify) | | | |
| Street gang | | | |
| Level of injury | | | |
| Country of residence (Canada, USA, other (specify), unknown) | | | |
| Province/ territory of residence | | | |

5. Organized Crime Groups

The following seven broad categories to describe the different organized crime groups were proposed to POLIS:

- Outlaw motorcycle gang
- Asian-based Organized crime group
- Italian-based (or Traditional Organized Crime group)
- Aboriginal-based
- Eastern-European based
- Other (specify)
- Street gang

- *Would these categories work with respect to how your intelligence/ investigation unit classifies organized crime groups?*
- *Does your unit view street gangs/ youth gangs as part of organized crime?*
- *If not, how does your unit categorize organized crime groups?*

6. Data Availability and Accessibility

In order to assess the level of respondent burden involved in answering a survey on organized crime, CCJS would like to ask about the extent of information that is stored, how it is stored (paper copies or electronically) and whether this information is easily retrievable.

- *Does your intelligence/ investigation unit compile and store data on organized crime?*
- *How is the information stored (paper or automated)?*
- *Is it a separate intelligence database? With data residing in a specialized unit separate from the central records management system?*
- *Does intelligence data get sent to/ captured by a records management system? If yes, at what stage (e.g. once file / case is closed)?*
- *Is detailed micro data kept? For how long (2 years, 5 years, indefinitely)? What period of time is covered by the data (back to 1995, 1990)?*
- *Can data be readily extracted from the separate intelligence database or the RMS? Could the data be extracted with the construction of the appropriate interface?
Can you estimate the time and human resources that would be required to provide basic data on organized crime on an annual basis?*
- *Can you provide CCJS with documentation about your information system?*
- *Can you provide a listing of the fields / variables collected?
If a data collection instrument were implemented, would these variables be difficult to provide to CCJS on an annual basis?*

7. Limitations / Constraints

- *What is your opinion about the feasibility of collecting police-reported data on organized crime?*
- *Are there any other limitations or constraints that may impact the utility of a national survey on organized crime?*

Appendix: Terrorism

In light of Bill C-36, the Anti-Terrorism Bill, I would like to ask a few questions regarding the collection and documentation of offences related to terrorism.

- *Does your unit handle terrorism-related offences as well as organized crime?*
- *If yes, how does your unit differentiate between criminal acts associated with organized crime and terrorism?*
- *In what format does your organization store information related to terrorism? Is your system able to distinguish between terrorist offences and organized crime (e.g. by a flag or a separate database)?*
- *How accessible is the data? Can it easily be extracted?*
- *Can you provide a listing of the fields/ variables that are currently collected relating to terrorism?*
- *What is your opinion on the feasibility of collecting terrorism-related data?*
- *What limitations/ constraints do you foresee in reporting data on terrorism?*