

Summary

Crossing borders on the trail of thieves

Research on facilitating itinerant crime groups based on fifteen criminal investigation studies in the Netherlands

In recent years, the Minister of Security and Justice has repeatedly expressed his concerns about the broad range of offences against property committed by itinerant crime groups and the resulting damage suffered by citizens and businesses. Dutch policy emphatically focuses on *preventing* mobile banditry, in addition to intensifying investigation efforts. Collecting information about the different 'steps' in the criminal operation of an itinerant crime group will help clarify how such groups are facilitated and which legal actors and opportunities they exploit. The government can consequently use this knowledge to stop or disrupt criminal operations.

The Minister of Security and Justice requested that research be carried out by the Dutch Research and Documentation Centre [WODC] for the purpose of fighting itinerant crime groups. The Research and Documentation Centre study primarily focuses on facilitating itinerant crime groups and has been carried out in two parts. The first part consists of a research synthesis and was carried out in 2014. The synthesis contains findings from current scientific studies on the facilitation of itinerant crime groups. The findings of this research synthesis can be summarised briefly in terms of the three dimensions that offer itinerant crime groups the opportunity to operate. These are legal occupational groups, social ties and convergence settings. These dimensions provide insight into the actors and the circumstances that play a facilitating role in the (continued) existence of itinerant crime groups. They are shown to be dynamic, recurrent dimensions that may play a facilitating role for itinerant crime groups in various phases of the criminal operation.

Aim of the study and research questions

This report contains the findings of the empirical follow-up research. The aim of this study is to collect current information on facilitating itinerant crime groups, specifically with regard to the situation in the Netherlands. In this study, the following questions are key:

- How are itinerant crime groups composed and what crimes do they focus on?
- How are itinerant crime groups facilitated? Which actors and circumstances can be identified?
- How is information exchanged with investigation partners in other regions and other countries during and after a criminal investigation?

Facilitation refers to all actors and circumstances that – consciously or not – enable mobile banditry and create opportunities for this form of crime. Actors may be either persons or businesses. On the one hand, actors are looked at who intentionally cooperate with and provide their services to criminals and, on the other hand, actors are studied who unwittingly provide supporting services. On answering the questions about facilitation, the focus will be on the interrelatedness between legality and illegality.

Methods

For this study, information was gathered from fifteen criminal investigations that were carried out in recent years and have since been closed. The files of these criminal investigations include reports of tapped telephone conversations, reports of police observations and reports of interviews with suspects and witnesses. As a result, criminal files contain detailed information about the everyday life of the itinerant crime groups and the context they operate in. Furthermore, interviews were held with officials from the police and the Public Prosecution Service who were closely involved with the criminal investigations. They were asked about their experience, knowledge and perception of the cases concerned. In selecting criminal cases, we employed the following criteria:

- the criminal investigation was started in 2013 or later and has since been completed and closed by the police;
- the criminal investigation focussed primarily on property crime of itinerant crime groups which was partly or only committed in the Netherlands;
- the investigation focussed on a partnership between two or more suspects who, systematically or otherwise, committed various property crimes;
- the suspects come from another country and have just moved here or are here on a temporary basis.

When selecting cases, we also focussed on variations in the types of crime committed and variations in the regions where the crimes were committed.

No quantitative statements can be made based on this study. Based on the empirical data collected, however, a representative picture can be given of the *nature of itinerant crime groups* as these were active in the Netherlands in recent years and were identified in connection with the study. This concerns a qualitative description of social processes and relationships and the way in which facilitators play a role in the operational processes of itinerant crime groups.

Findings

The fifteen investigation files feature a total of 100 suspects; 79 men and 21 women. Around half of the groups of suspects consist exclusively of men while, in the other half, women are also represented. Seven groups of suspects are primarily from Rumania, two groups are from Lithuania, two from Albania, one from Serbia, one group is mainly from Bulgaria and, lastly, there is one group of Rumanians and Dutch people.

In the cases studied, the suspects were suspected of being involved in shoplifting (five cases), burglaries in homes and businesses (five cases), organised street robbery/pick pocketing (two cases), (attempted) hold-ups (two cases) and organised car theft (one case). The suspects were prosecuted for theft, theft in association with one or more persons or robbery (Sections 310, 311 and 312 of the Dutch Penal Code.) frequently in combination with intentionally handling stolen goods and receiving stolen goods (Sections 416 and 417 of the Dutch Penal Code). In three cases, suspects were also prosecuted for participating in a criminal organisation (Section 140 of the Dutch Penal Code.)

The criminal operational process of itinerant crime groups

Based on the data from the fifteen studied cases, the report unravels the different steps involved in the criminal operational process of criminal gangs. We will summarise the main findings here.

Preparation and execution

Suspects generally travel to the Netherlands by passenger car or minibus. They may sometimes also come by public transport (bus company) and, in a few cases, by plane. In most cases, the majority of suspects spend a few weeks to a few months in the Netherlands. Most itinerant crime groups stay temporarily at a recreational park or at somebody's home. The persons who arrange the temporary accommodation will have been in the Netherlands longer and will know about the itinerant crime group's criminal activities. In a few cases, suspects stay the night at a hotel, boarding house or in a car.

During their stay in the Netherlands, some of the suspects travel to and from their country of origin or other European countries, e.g. for holidays or visiting family. Suspects are mobile within Europe and the Netherlands. The personal composition of itinerant crime groups is also mobile. Groups are scarcely permanent, but are generally temporary associations. The fast changes that occur within the group impede investigations, as suspects may quickly be lost sight of. There are, however, many cases of a person or a small 'core group' of a few persons who, each time after changes have occurred, seek to cooperate with new people.

Group members who return to their country of origin or who are arrested by the police are replaced by the main suspect or the 'core' of the group by others; this was at least the case in part of the investigation files. The initiative to join an itinerant crime group is not always with group members who are already active here, but can also be taken by people who consider coming here to take part in criminal activities. They volunteer and hold tentative talks with group members in the Netherlands. Persons who join groups or who are recruited generally come from the homeland of the relevant group and frequently even from the same village or region. Judging by the case material, it is likely that the itinerant crime groups form part of an international criminal group.

Groups of suspects use various protective methods to stay out of sight of the police. In some cases, we see suspects who use various different names and identities. Using straw men for the purchase or leasing of cars is, furthermore, a much-used method to stay out of sight of the police. Various cases feature persons with many different cars in their name. In addition to straw men who have cars in their name, there are also residential addresses that turn up time after time in different police files. These are addresses that are given by suspects when they are arrested by the police.

Group members keeping silent after having been arrested is an important way of protecting themselves. Within the group, members seem to be put under pressure not to talk to the police. Various statements made by suspects describe them being threatened with reprisals if they talk to the police. Statements have also shown that people are scared of other group members. What is especially noticeable is that some of the suspects are eventually prepared to talk to the police, despite the threats. In six cases, suspects ultimately made statements about the group's working method, the crimes committed, co-suspects and the threats made. The cases studied, furthermore, show that, although the use of external violence by itinerant crime groups is not usual, it is sometimes, nevertheless, employed. This may be the case where something unexpected happens when the crime is taking place.

The investigation files contain little information on communication that takes place through online communication channels such as Whatsapp or Skype as investigations are unable or scarcely able to decrypt the content of such digital communication. On the other hand, the files show that there is a fair amount of information on the use of Facebook. Many suspects use Facebook to communicate with people in their country of origin and with group members here. Facebook is also used to display stolen goods to potential buyers. Some suspects fail to make the effort to protect their own Facebook account from outsiders, making it easy for police teams to follow group members. Detectives make a great deal of use of Facebook in investigations; to identify people through photos, to investigate relationships between people and to find out where people stay. If people fail to protect their account and have enabled place recognition, it is also possible to see their whereabouts and where they have been.

Processing stolen goods

Itinerant crime groups generally bring the loot to the residence or recreational park where they are temporarily staying. Recreational parks also serve as locations where goods are sold on, with stolen goods receivers visiting the parks to do business. The stolen goods receivers identified in the investigation files are mainly market stallholders who sell their goods in a legal market. When market salespeople are arrested or searched, it often becomes apparent that they use different storage places. In addition to their own homes and market stalls, stolen goods are also kept in rented storage boxes. Stolen goods are also sometimes found in market stallholders' delivery vans. In one case, a car garage and a shed were also used as a storage place for stolen cars and car parts. In this case, stolen cars had been brought to the Netherlands from other countries, and handled and disassembled by a car business here.

Stolen goods may either be used personally or be sold. Some of the stolen goods are sent to the family in the country of origin. By sending stolen goods to their country of origin, suspects contribute towards the living expenses of their family there. Stolen goods are, nevertheless, generally sold on. With organised shoplifting, we see a strong orientation towards certain kinds of products; groups focus on cosmetics, clothing brands or tools and seem to anticipate that a market or one or more stolen goods receivers will be available to sell their items. This also applies with regard to the studied groups of suspects of car theft (luxury cars) and street robbery (mobile phones and jewellery). In respect of groups of suspects involved in organised shoplifting, supply and demand of stolen goods are intensively coordinated. This applies both to goods that are sold here and to goods that are transported to the country of origin. Stolen goods receivers pass on orders and maintain contact with gangs of thieves regarding products in demand. Itinerant crime groups involved in burglary appear to work less based on orders and the market to sell their goods seems to be less well organised.

In a few cases, other actors are identified where the destination of the loot is concerned, namely telecom shops in a case in which street robbery was key and a car breaker's yards in a case concerning car theft.

Transport to the country of origin takes place in different ways. Suspects take goods with them by car when (temporarily) returning home. Furthermore, postal companies that send packages with stolen goods abroad were, in particular, identified. Some of the groups of suspects regularly send packages to their country of origin. For transport to Romania, a parcel service is used to which attention has been drawn to in various criminal investigations due to intensive contact with the groups of suspects. In these cases, it has also come to the fore that drivers of the parcel service come to campsites and recreational parks to pick up parcels.

Facilitation

Occupational groups

A legal occupational group that draws particular attention is the market stall sector. Market stallholders who come to the fore in the files studied play a key role in the receipt of stolen goods from shops. They maintain intensive contact with group members concerning the supply and demand of products and provide continuity in organised shoplifting. While groups of suspects only stay here for a brief period and circulate quickly, market stallholders ensure by their intermediation that there is a continuous supply of stolen products. They are locally embedded persons, Dutch citizens, who form a link between itinerant crime groups from abroad and local markets. They provide interrelatedness between legitimate society and the underworld and continuously arrange access to local legal markets and also sometimes arrange temporary housing for group members. Other occupational groups also draw attention although they are less prominent. These are storage businesses, telephone shops, estate agents and car rental companies. Cars are also leased to straw men using the names of persons who the person who leases the vehicle does not personally meet. Car breaker's yards play a role by buying up parts of stolen cars. The car sector explicitly features in connection with car theft, serving as a storage place for stolen cars and for car part processing and a seller of stolen cars.

Social ties

In the cases studied, no relationships were found to job migrants from the suspects' country of origin. There appears to be no existence of ethnic communities that act as a stepping stone in the Netherlands and play a facilitating role for itinerant crime groups. Most itinerant crime groups do, however, have relationships with one or more persons already living here who are locally embedded. These locally embedded persons will have been actively involved in criminality for some time and will actively aid the suspects, for example, by obtaining accommodation or transport. They, therefore, form a link between itinerant crime groups and Dutch society. They are often, but not always, people from the group members' country of origin.

Itinerant crime groups, furthermore, maintain social contact with people from their country of origin who live or stay elsewhere in Europe and who are criminally active. The cases show that group members form part of an international criminal group where information is exchanged about local markets, local contacts and possibilities for new cooperation. New group members are not so much recruited here, but mainly internationally and in the country of origin. For the handling of stolen goods too, international social contacts of group members and ties with the country of origin play a role.

Convergence settings (meeting places)

Recreational parks in particular seem to serve as meeting places for itinerant crime groups. These are semi-public legal spots where people from the same country meet up, new cooperative ventures are put in place, goods are stored, stolen goods receivers visit to do business and where international postal businesses stop off to pick up packages. Recreational parks form a fixed structure for numerous steps that itinerant crime groups have to take, providing opportunities for different phases of the criminal operational process. If groups of individual group members leave again after a brief period, the recreational parks remain a constant factor for new groups and for the locally operating stolen goods receivers. Here too, locally embedded actors who act as links between legality and illegality are evident.

Furthermore, social media form a virtual meeting place for gang members. The investigation files focus, in particular, on the social network site Facebook. Through

Facebook, national and international communication between group members takes place, with the site being used to, for example, inform each other of their whereabouts, criminal activities and travel plans. Facebook is also used to display stolen goods and to manage the supply and demand of these stolen goods. Other meeting places have also been identified, although these are less prominent; in some cases we see dwellings being used as 'transit houses' and a few criminal files have identified hotels and boarding houses where group members are staying and members meet up. Lastly, in one case, the public library of a large city was used as the regular meeting place for gang members.

Facilitating and investigations

The aforementioned facilitating actors are often 'legal' actors in a formal sense who cooperate with itinerant crime groups. They provide support services and the question is whether they are consciously cooperating or whether they play a supporting role without being aware of this. Based on the case material, this report divides the way in which investigators have dealt with this question into three categories. In the first place, investigators have explicitly included some professionals as suspects in criminal investigations if they are suspected of forming part of the group of suspects and information is available showing their active participation. This may be the case with persons involved in market trading and the car sector. In the second place, in some cases, the police suspect businesses or persons involved of knowing about the criminal activities, but do not, however, characterise them as suspects due to the specific demarcation of the investigation. This is, for example, the case for certain hotels and boarding houses, and employees at telecom shops and car breaker's yards. One problem mentioned in this context by many investigating officials is that it is difficult to collect enough evidence on a facilitator. When considering whether or not to start a criminal investigation into a facilitator, the question of whether it can be proven that the business or the person knew about the criminal activities is always in the background. Such doubts are often mentioned as the reason not to include the facilitator in the criminal investigation. A choice is made for the demarcation and manageability of the criminal investigation, but also because of the available capacity.

In the third place, there are legal actors with regard to whom investigators suspect that they are not deliberately cooperating with criminal practices and have no knowledge of them. These may be, for example, house owners in recreational parks. Park owners are not seen by the police and the Public Prosecution Service as suspects but more as partners with whom they can work together with in order to convict.

Interregional and international information exchange

Itinerant crime groups move fast both in the Netherlands and within Europe. Their composition, moreover, changes quickly. Investigations are impeded because of the fast displacements and changes since it is easy to lose sight of suspects. The interregional and international exchange of information is, therefore, essential and its absence enables itinerant crime groups to evade investigators or to be labelled a 'first offender' every time. This report brings to light the fact that information on suspects is not automatically distributed across different regions and, as a result, the systematic and operational working methods of suspects can often not be mapped. In the event of accelerated settlements, there is generally no time to request information on cases in other regions and to identify the suspects' working method. It is, furthermore, not common practice to share information from your own criminal investigation with other regions.

The sharing of information with other countries does not take place automatically either and, in many of the cases studied, there was no active cooperation with other

countries. If active information is shared between countries, this takes place through various channels, depending on the preference of the investigating teams concerned. The absence of a uniform standardised working method means that knowledge about suspects and groups of suspects is not collected at one place. Information streams do not run through Europol as standard while this is now the preferred channel for European information exchange. Practice shows that each investigating service and each detective chooses its/their own way of sharing information at a European level. Information is sometimes exchanged through Europol, but this is often not the case.

The role of municipalities and private parties

This report brings to light the fact that itinerant crime groups are supported in their criminal operational process by locally embedded actors who take up a legal position in 'legitimate society'. From the point of view of situational crime prevention, the question is, furthermore, whether local authorities and private parties have been able to make a contribution towards fighting itinerant crime groups. The idea is, after all, that the information collected on facilitating will lead to something being done about the opportunity structure enabling crime. In the case of the market stallholders, the police and the Public Prosecution Service have indeed exchanged information with relevant administrative and private parties concerning illegal practices. Such information from criminal investigations can offer leads for preventive measures. By taking administrative measures, for example, closing certain parts of markets, revoking licences, issuing warnings or exercising control and supervision, the municipality can act preventatively. However, until now, the local authorities do not seem to have taken any administrative action. Indeed, the police and involved officials are astonished at the lack of action that has been taken. Officials also have the view that the body that manages the market takes little action against individual market stallholders with a view to stopping illegal practices. As long as the opportunity structure of the market remains unchanged and information from recent criminal cases fails to motivate administrative and private parties to put anything into motion, itinerant crime groups will be able to continue their criminal activities. Recreational parks also act as a link between legal and illegal activities. The police and the Public Prosecution Service have not passed on any information on the parks concerned to the municipalities. From the point of view of overall cooperation, this is remarkable since municipalities could be given the resources to obtain a firmer grasp of the illegal practices in the parks. Park owners can be made more aware of what may be going on by providing them with information, and they can be made to assume their responsibility, for instance, to monitor and supervise their guests when they check in. The question in this context is the extent to which park owners can make a contribution towards removing the interrelatedness between legal and illegal practices. More generally, possibilities for administrative and private parties can be looked at to use the information in the investigation files in a preventative sense. As long as the parks and markets form a fixed opportunity structure for itinerant crime groups, group members who have been arrested or who leave the country can be easily replaced by others.