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Stijn

CONNECTIONS 24(3): 53-65  
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key points:

- 1. organized crime is best viewed as a network
- p. 56 - trying to build up sources made police loose control (cf. Boston mob)
- p. 57 - modern communications benefit criminal organization more than traditional ones.
- p. 60 - network mapping software hampered by poor data quality, multiple names, spellings.

## The Network Paradigm Applied to Criminal Organisations: Theoretical nitpicking or a relevant doctrine for investigators? Recent developments in the Netherlands

insights:

credibility & reputation of traditional orgs matter in a different way in criminal organizations.

going to Afghanistan ~~etc~~ builds network links

Peter Klerks<sup>1</sup>  
Eysink Smeets & Etman  
The Hague, the Netherlands  
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Lindh was able to get high up in AQ very quickly.

p. 63 - Abuses by govt. caused adoption of a new law that made long term investigative difficult. In response, police adopted strategy of "short strikes" which had been surprisingly effective in nailing people high up in food chain of crime org.

unclear if this would work w/ a traditional hierarchical org

The orthodox organized crime doctrine that focuses on more or less stable and hierarchical criminal organizations is slowly giving way to new and more sophisticated paradigms, such as the enterprise metaphor and the concept of fluid social networks. This has certain consequences for control strategies. Thinking about crime more in terms of opportunity, of risk mechanisms, of personal motives, co-optation and seduction demands a willingness to depart from familiar paths and usual suspects. In the Netherlands, an unprecedented crisis of confidence in law enforcement in the mid-1990s produced the organisational and intellectual space for more elaborate approaches to organised crime. As a result at least two dozen academics have started working with and in Dutch law enforcement in some capacity, many of them with a direct involvement in operational matters. A multitude of solid organized crime analyses and studies have appeared, which confirm that the network mode of organisation between people and functional entities is far better adapted to modern modes of collaboration, trading and communication than the traditional hierarchic structures. Sophisticated network analysis methods need to enable investigators to identify positions of power and to attribute these to specific individual traits or to structural roles that these individuals fulfill. A unique position involving certain intermediate contacts for example can allow someone to monopolize the connection between two networks. Social network mapping can show what material resources someone can mobilise and which information he has access to. It can also introduce dynamics into the rigid and 'frozen' understanding of social structures that traditional organisational diagrams convey. Processes of recruitment become clearer by looking at previous connections, as does the transfer of knowledge and criminal innovations. Innovating criminal analysis alone however will not suffice. Ultimately, controlling organized crime can only be done successfully through more flexible modes of organisation and operation, thus creating effective law enforcement and intelligence networks to deal with criminal networks.

### EGGHEAD MEETS GUMSHOE

Does it matter at all what criminologists think that crime looks like? Is there any relation between criminological theories as they develop in academic surroundings and the daily practice of those whose job it is to catch criminals? We criminologists like to think that the stuff that we say and write

<sup>1</sup>The author can be contacted at the Dutch National Police Academy in Apeldoorn. E-mail: p.klerks@xs4all.nl

has some relevance to the real world. When I first started to work as an academic in a law enforcement intelligence department back in 1993, the question that puzzled me most was whether my mostly theoretical knowledge would be of any use to the sceptical practitioners who would become my colleagues.<sup>2</sup> In a way, this 'reality test' to me was of more importance than the recognition I received from my peers at university. I had invested a lot in gaining what I thought was not only interesting, but also useful knowledge. Now I was longing for an appreciative remark, a pat on the back from a detective with a modest formal training but substantial 'street wisdom'.

The appreciation was there soon enough, although it was gained mostly by displaying research skills I picked up in journalism instead of university. My ability to locate information on companies, persons, laws and tools from open sources and odd contacts did earn me some reputation, but did it matter to anyone that I read a pile of books on criminology and organized crime? Not in day-to-day work perhaps, but it did prove useful when I was asked to help thinking out wider strategies of crime control. This brief paper explores some of the possibilities and pitfalls when thinking about new ways to understand and deal with organized crime.

### **A BRIEF HISTORY OF ORGANISED CRIME PARADIGMS**

In the criminology classes I teach to mid-level police officers, the module on organised crime begins with a sheet picturing Joe Barbara's estate in Apalachin, NY where back in 1957 the police broke up what is believed to be one of the rare meetings of top Mafioso representing crime families from all over the United States.<sup>3</sup> The stereotypical faces of Vito Genovese, Joe 'Bananas' and other infamous Mafia hoodlums seem all too familiar to my Dutch students: many of them immediately start to hum the Godfather theme. Now why is this relevant? Because to many western people, organised crime until about a decade ago was something that only existed in the U.S. or Italy. The archetypal images and ideas of what organised crime was all about originated from Hollywood: Al Capone, the fictitious Don Vito Corleone, and more recently the Colombian coke barons set out to poison America. The influence of all this is not limited to the general public: in more than one way, the idea of La Cosa Nostra as the primordial criminal conspiracy has shaped the thinking of generations of law enforcement officers, in the U.S. but also through them in many parts of the western world.<sup>4</sup> This knowledgeable audience doesn't need an extensive treatise on the core elements of this orthodox doctrine: serious crime results from an elaborate nation-wide conspiracy, operating through ethnically monolithic and pyramid-like, strictly hierarchical structures led by 'godfathers' and 'capi' that somewhat resemble military or corporate organisations. While this representation of Italian organised crime may or may not have been true in a distant past, it is certainly far too simplistic to explain most of the recent varieties of organised crime that have sprung up in various countries. It originates from a rigid crime-fighting doctrine that thinks in hierarchical terms, and the law enforcement efforts that such thinking produces concentrate on repression, going for the 'big catch' and 'dismantling' supposedly stable organisations by arresting the major 'bosses'.<sup>5</sup>

<sup>2</sup> From late 1993 to mid-1996, I worked as a researcher in the Research & Analysis department of the The Hague regional police force on a project involving social network analysis of an organised crime group. After a brief period at the Nederlands Politie Instituut (Dutch national police institute) I joined ES&E, Holland's leading specialised security and crime control consultancy firm where most of my work involves research for police organisations.

<sup>3</sup> This event is immortalised in several Hollywood movies, most recently in *Analyze This* featuring Robert DeNiro as a 1990s Godfather suffering of anxieties and depressions.

<sup>4</sup> The export of US crime-fighting doctrine in this respect was detailed by Ethan Nadelmann in his study *Cops Across Borders* (University Park, PA: Pennsylvania State UP, 1993).

<sup>5</sup> In the intelligence literature, this phenomenon of thinking about the adversary in terms of similarity to your own culture and form of organisation is referred to as 'mirror imaging' (cf. Robert B. Bathurst, *Intelligence and the Mirror*. Oslo: PRIO, 1993).

Now of course, I am oversimplifying and in a way misrepresenting the orthodox organisation-oriented crime-fighting doctrines: their rigidness of the 1970s and 1980s has not remained untouched by more modern insights. Also new and more sophisticated paradigmata of organised crime, such as the enterprise metaphor, have entered the field.<sup>6</sup> Some other scholars and researchers have suggested alternative views, such as the anthropologically-oriented Ianni's, whose ideas hold the potential of coming up with a more empirically-based and fine-grained image of organised crime. However they have shown themselves susceptible to the reproach that they are naïve, since they seem to have largely ignored the more hideous (and hidden) elements of the social phenomenon they have been studying.<sup>7</sup>

But be all that as it may, my conclusion is still that many law enforcement practitioners that I have encountered and whose reports I have read both at home and abroad appear to hold rather simplistic views of their adversaries: they often think in rigid terms of leaders, chains of command, bag carriers, and stable criminal infrastructures where I observe mostly improvisation, fluid networks and ad hoc coalitions, opportunistic and very flexible individual entrepreneurs, criminal omnivores and organisational chaos. To some extent this no doubt has to do with our differing objectives: officers of the law are paid to come up with proof of concrete criminal acts and responsibilities, and (if possible) with conspiracies, since a good criminal scheme with a leader and members adds a firm percentage on the final verdict in years behind bars. Social scientists such as myself on the other hand are more interested in the motives, choices, causes and relationships behind the acts. The question is whether this curiosity can contribute anything to an effective controlling of criminal phenomena such as the ones we are dealing with here.

### SOME CONSEQUENCES OF THE WAY WE LOOK AT ORGANISED CRIME

The preconceived ideas that we hold about social phenomena shape the things we see, and subsequently what we perceive influences what we do about it.<sup>8</sup> No perception is possible without a theory behind it. This holds true for detectives investigating a group of drug smugglers, but it also applies to policy makers who design the strategies in which society deals with forms of organised crime. To once again put it in simple terms: for far more than a decade, detectives in Holland have explained organised crime to their superiors and later to concerned policy makers in terms of conspiracies, ring leaders, more or less stable and familiar organisations, and mega-profits. This process has decisively influenced the way in which counter strategies took shape, and it has in particular created the nearly unlimited leeway that covert policing until recently was allowed to operate in. All this came to an abrupt end in the period 1994 to 1996, when the heat finally came down and the largest scandal ever to affect the Dutch judicial system struck fear in every covert investigator's heart. But apart from this dramatic climax, the conventional wisdom about serious crime also precluded the introduction of all sorts of more prudent, preventive measures that could have limited the opportunities for such crime to expand in the first place.

Thinking about crime more in terms of opportunity, of risk mechanisms, of personal motives, co-optation and seduction demands a willingness to depart from the familiar paths and the usual suspects. This is not an easy thing to promote in a world that has more than enough crime to keep all the coppers busy all day long. No wonder putoffs abound: "We have no time to contemplate ethical niceties and come up with subtle theories of why criminals behave the way they do: there's virtually a war going on, and if we don't catch the bad guys soon they become invulnerable and we will have lost

<sup>6</sup> Limited space does not allow me to go into the virtues and pitfalls of the criminal enterprise paradigm, which I dealt with in more detail elsewhere (P. Klerks, dissertation, in print).

<sup>7</sup> My dissertation, which I hope to present coming February, goes into more detail on the development of competing organised crime doctrines.

<sup>8</sup> One of the first things many students of sociology are taught is the so-called Thomas theorem: 'If men define situations as real, they are real in their consequences.'

for good.”<sup>9</sup> It took a confidence crisis of unprecedented magnitude to produce the organisational and intellectual space for more elaborate approaches to organised crime to come up. Over the last five years, at least two dozen academics have started working in Dutch law enforcement in some capacity, many of them with a direct involvement in operational matters. One can expect tactics and strategies to benefit from this, in spite of the much more rigid system of legal checks and balances that has recently been set up and which in itself seriously restricts the operational capabilities of investigative squads.

### WHAT DOES IT MEAN WHEN WE REFER TO ORGANISED CRIME IN TERMS OF SOCIAL NETWORKS?

The paradigm of organised crime as social networks has become widely accepted among Dutch criminologists within just a few years. This in itself is remarkable, because until the early 1990s there was hardly anyone in academia who gave any serious attention to organised crime: such shady domains belonged exclusively to dangerous crooks and secretive police operatives, and almost no one else felt the need to get involved or ask questions. The usefulness of the network approach in studying serious crime is by now not only appreciated among researchers in Holland, but also in the UK (where Dr. Dick Hobbs has recently done interesting ethnographic work on serious crime networks) and in the US (where Prof. Phil Williams among others has applied the concept to transnational drug trafficking).

In 1995, a group of four leading criminologists referred to as the ‘Fijnaut Group’ worked for a year to draw up an extensive panorama and threat analysis of organised crime in the Netherlands.<sup>10</sup> On the whole, they criticised the orthodox idea of semi-stable criminal structures with fixed leaders and some form of coordination between gangs. Instead they emphasized the fluidity of organised crime, the importance of improvisation and the fact that especially the drug trade allows for relatively small operators to expand like a comet on the basis of a few successful drug imports and become criminal ‘top dogs’ almost overnight.<sup>11</sup> This unprecedented study of organised crime in the Netherlands was based on a detailed analysis of many hundreds of confidential police intelligence reports from all over the country, and its conclusions gained authoritative status overnight. Policy makers, investigating magistrates and police chiefs were forced to reconsider their strategies and reorient their efforts. This new criminological orthodoxy, together with the introduction of a much stricter set of judicial controls on intrusive police methods, drastically changed the atmosphere in Dutch law enforcement in the second half of the 1990s.

<sup>9</sup> This idea of being involved in a ‘war on drugs’ is what in the end caused the ‘Van Traa crisis’, named after the chairman who presided over the parliamentary commission that in 1995 investigated covert policing practices. During the preceding decade, police operatives at the lowest levels had been allowed to operate in a judicial and command vacuum, applying all sorts of intrusive tactics at will and making decisions almost entirely on their own. Individual detectives had been called upon to do the dirty work, while senior officers and public prosecutors either pretended not to know in order to avoid responsibility, or joined in the fight with even more cowboyish eagerness, ignoring a good part of the penal code in the process. At one point, the Van Traa commission established that the police had been instrumental in bringing 285 tonnes of softdrugs and 100 kilo of cocaine on the market. Such incredible decisions had been made in naïve attempts to ‘build up informants’ who had to establish credibility with major criminal organisations but who later turned out to have been ‘double agents’ who became major traffickers on their own account under police protection.

<sup>10</sup> Their report to the parliamentary Van Traa commission was later translated and published as C. Fijnaut, F. Bovenkerk, G. Bruinsma and H. van de Bunt, *Organized Crime in the Netherlands* (The Hague: Kluwer Law International, 1998).

<sup>11</sup> The Fijnaut Group defined organised crime as: “If and when groups of individuals join for financial reasons to systematically commit crimes that can adversely affect society. And are capable of relatively effectively shielding these crimes from targeted intervention of the authorities, in particular by way of their willingness to use physical violence or eliminate individuals by means of corruption.”

The Fijnaut Group's findings were more or less confirmed by a later report by the ministry of Justice research centre (the WODC), which again looked into the dossiers of over a hundred organised crime cases and confidential investigations dating between roughly 1995 and 1998.<sup>12</sup> However, this study emphasised even more the need to look at "criminal cooperatives" (the term they propose instead of 'organisation', 'group' or 'structure') in terms of fluid network relations with occasional 'nodes' representing the more successful and enterprising operators. The WODC researchers point out that while extensive and prolonged investigations will remain necessary, their observations need to result in a substantial re-targeting of law enforcement intervention efforts toward more 'short strike' missions intended to take out 'facilitators' and clandestine service providers, as these form essential elements in the networks that allow many others to successfully perform their criminal acts. So far, such 'small-time' service providers nearly always remained at the fringes of criminal investigations, with detectives often not being aware that these 'minor' characters surfaced in many of the supposedly different criminal organisations that they attempted to investigate. Another interesting observation is that the supposed ethnic homogeneity of criminal groups that supposedly caused the participating individuals to cooperate and obey is in fact now largely a thing of the past. Also, specific groups are much less likely to restrict themselves solely to one particular drug or criminal activity. Opportunism and ad hoc coalitions, but also relationships based on friendship and even amorous ties now much more than before lay the basis for criminal projects. Women too, it seems, play a very important role in establishing contacts and reinforcing mutual bonds. In short, social ties much more than business relations of formal command structures form the basis for criminal cooperation. Pyramid-like criminal authority structures are increasingly rare, although within separate smaller cells such as nuclear families the more traditional father-son-like authority relations can still be found. (Semi-)independent criminal operators often work in pairs of two, teaming up with several different 'criminal cooperations' instead of belonging to only one group. The WODC researchers and other criminologists have now retrospectively demonstrated that the 'conspiracies' and mega-hierarchies that the police had identified in the past among Dutch and Turkish organised crime were in fact constructions that can not stand up to close scrutiny. What seemed like awesome mammoth organisations were in fact strings of interlinked smaller groups that lacked a central leader but coordinated their activities along logistic trails and through bonds of friendship.

The common thread in all these recent studies is that the network mode of organisation between people and functional entities has proven to be far better adapted to modern modes of collaboration, trading and communication than the traditional hierarchic structures. This is quite obvious to anyone familiar with 1990s economics, but it is even more true for present-day sub-legal activities such as producing and trafficking illicit products and delivering clandestine services. Such activities exist in a hostile environment and thus they need the capacity of rapid innovation, adaptation and avoidance in response to possible law enforcement interventions. According to simple Darwinist reasoning, in a continuously changing world the more flexible 'social life-forms' stand the best chance of survival.

Looking at criminal structures in terms of networks means that certain questions need to be asked, such as what constitutes the bonding mechanisms that tie people together in different constellations? Greed is perhaps the most common motivator among criminals, but the lust for money certainly can not explain all the activities that we observe. Other social mechanisms are equally important, such as ethnic or tribal ties, family relations or common backgrounds in a geographical (neighbourhood) or institutional (prison) sense. A common interest in certain cultural or consumer habits (music, consumption, cars) can also form the fabric for cooperation. The social network perspective allows for a greater or lesser concentration on the importance of such social mechanisms, as we shall see later on.

Another typical trait of network structures that makes them rather hard to dismantle is their resilience against damage. The term 'dismantling' used to be quite popular among law enforcement officials in

<sup>12</sup> Published as: E.R. Kleemans, E.A.I.M. vanden Berg, H.G. vande Bunt, *Georganiseerde criminaliteit in Nederland. Rapportage op basis van de WODC-monitor*. The Hague: WODC, 1998.

Holland in reference to criminal structures. The way to put an end to a criminal organisation traditionally was to arrest the leaders, thereby incapacitating the remaining bad guys that did most of the leg work. These were somehow considered to be too stupid to initiate any substantial criminal activities by themselves. The official working programmes of many police organisations had until recently as their target for a given year the "dismantling" of at least an x number of criminal organisations. Nowadays, the awareness that a compromised network can often limit the damage by developing other latent functional connections in a short while and thus rebuild most of its original operational potential before long, has made the police a lot more modest in its claims.<sup>13</sup>

## VARIETIES IN NETWORK ANALYSIS

In itself, the application of the social network paradigm is not altogether unproblematic. Originating from a long tradition in ethnography and sociometrics, the idea to use the network metaphor to describe and explain social structures has been put into practice by a number of different scholars in a variety of ways. This implies that there isn't such a thing as 'the' social network analysis approach: about the only common element among the different varieties is the conviction that it is useless to explain human behaviour or social processes solely through categorical properties and norms of individual actors. Instead, the emphasis is on their functioning within structured social relations. Individual behaviour is always seen in relation to the behaviour of the groups which a person is part of. In brief, a person manifests itself in a socially relevant way primarily in his or her relationship to others, and therefore these relations deserve careful and systematic scrutiny.

In social network studies, first there are those who work in the 'strictly sociometric' tradition: they are the mathematically-oriented sociologists who revel in the prospect of being able to calculate the exact 'denseness' and 'centrality' of human network relations in any given empirical setting. Researchers of this breed will approach an empirical situation armed with questionnaires for participants to fill out, in which respondents are asked to state exactly who they favour, appreciate or detest and under what circumstances. The results are entered in a computer, which then produces a detailed map representing the entire set of social relations and mutual feelings. This research tradition has spawned a number of quite interesting studies on school classes, hospital settings et cetera, which provided new insights in how people co-operate and realise certain goals, how they resolve conflicts and how they for instance find a new job. Unfortunately, criminals in their natural habitat seldom fill in researchers' questionnaires.

It will be clear that although such methods can offer certain insights in social structures, there are obvious limits to what can be achieved. Measuring and counting presupposes that there is something to be counted, and people who prefer to operate in surreptitious ways seldom expose themselves voluntarily to a sociologist's curious gaze. One can of course attempt to use other ways of collecting data, such as analysing telephone taps and surveillance logs, but in such cases it should be realized that data collection is very partial and certainly biased, since not every actor is exposed to an equal extent and therefore some of those observed (perhaps the 'usual suspects') contribute far more to the data set than others. Any calculations, diagrams and conclusions that are subsequently drawn from such incomplete data sets are by definition unreliable. To perform a network analysis in the traditional way, one needs to know the boundaries of the 'data universe' under study. Empirical experience shows that in the real world of serious criminality, it is all but impossible to agree on a static boundary which includes some while excluding all others.<sup>14</sup>

<sup>13</sup> The very existence of the Internet is a result of the awareness of the US Department of Defense in the 1960s that the redundancy of a network would be needed to allow for strategic communications after a major nuclear attack.

<sup>14</sup> There are only a few examples to be found in the open literature of analysts who have attempted to describe criminal networks using the regular set of instruments (methodology, algorithms and software). A Dutch PhD student with full access to police resources and data and support from leading experts in the network analysis field gave up the project within a year for lack of prospects (J. Herbrink, "Netwerkanalyse. Nieuw vangnet voor de

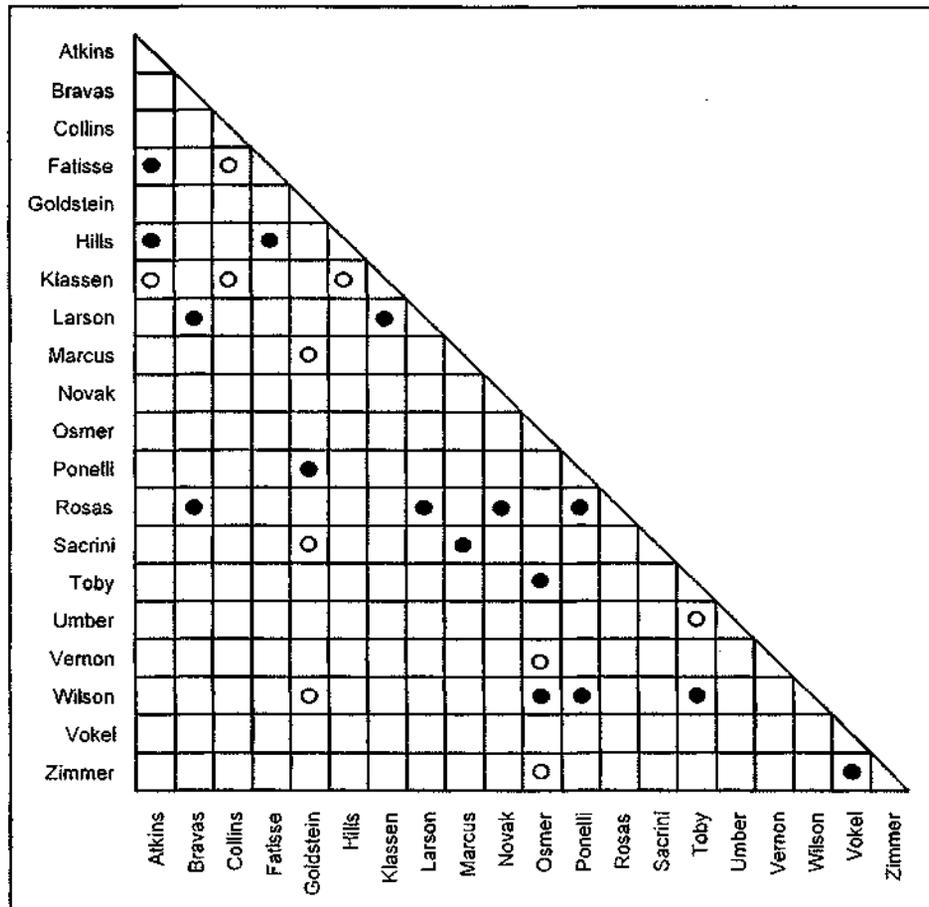


Figure 1. Data matrix (source: Anacapa Sciences, Inc.)

Crime analysts using mapping tools to depict relationships between suspects usually do not bother too much about the exact mathematical density and proportions. Their aim is mainly to visualise who does what to whom, and with what frequency. In spite of all the visual gimmicks, the basic technique behind such link analysis software is quite straightforward: one counts the number of established contacts, and based upon that figure, a stronger or weaker link is assumed. The data thus assembled can be entered in a data matrix (cf. fig. 1). Based upon these data, a drawing can be made of the various entities and their contacts (fig. 2).<sup>15</sup>

The use of analytic linking software in making sense of massive amounts of data is now common among practitioners around the world. In spite of the theoretical and methodological problems with creating sociodiagrams of criminal structures that are outlined above, the availability of such rather sophisticated network analysis software such as i2's *Analyst's Notebook* package and Active Analysis's

politie?" *Modus* Vol. 4 (1995) No. 3: 2-6). Since then, no serious attempt has been made to apply such sociometric techniques in crime analysis.

<sup>15</sup>Of course, newer generations of analysis software can make all sorts of distinctions between e.g. command links, financial links and logistical (such as drug transport) links. Also, the direction of the relation can be indicated by arrowheads, and the reliability of specific bits of information can be taken into account by drawing unconfirmed relations with a dotted link.

*Netmap* has motivated some to attempt experiments with 'traditional' network analysis tools. Based on these practices, the use of less familiar analytical techniques such as cluster analysis and the smallest space algorithm is being pioneered by academics and law enforcement analysts alike.<sup>16</sup>

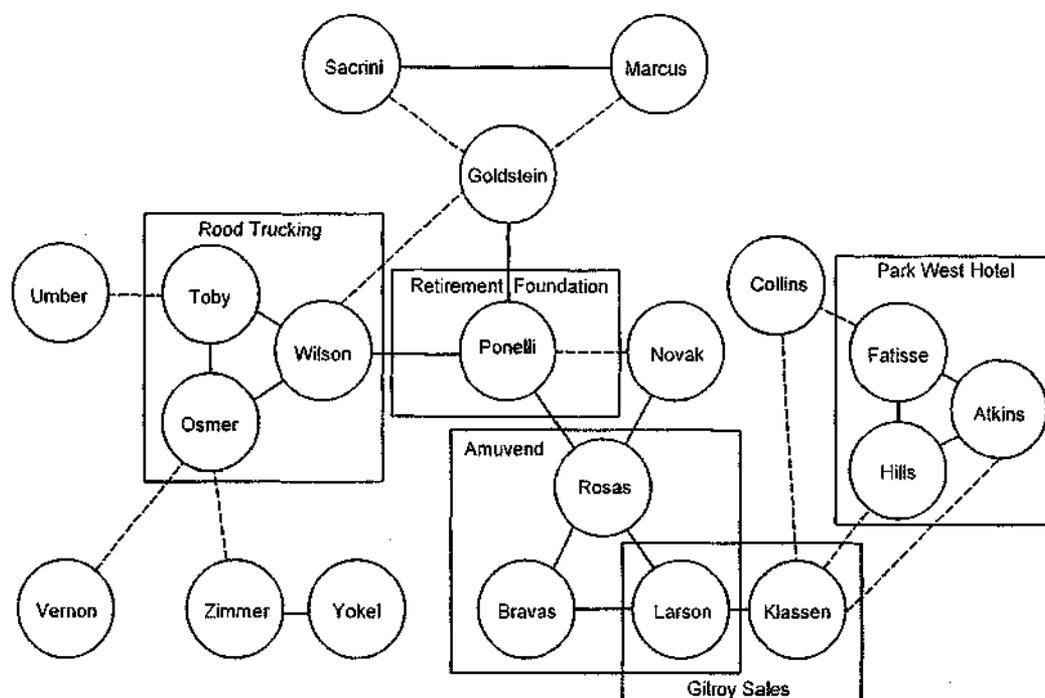


Figure 2. Link diagram (source: Anacapa)

The usefulness of second-generation analytical tools (the first generation being the hand-drawn Anacapa charts and maps with coloured pins) such as *i2's Analyst's Notebook* software is also widely accepted in Dutch law enforcement, with many dozens of analysts trained in their operational use. The level of sophistication however remains modest, as many analysts use such network mapping software merely to provide graphic representations of the simple raw data obtained from phone taps and physical surveillance reports: A calls B, and B subsequently meets with C an x number of times. The actual content, let alone meaning of such contacts is analysed only in a very crude way. Social network analysis of the sort that we could call 'third generation' would focus much more intensely on the content of the contacts, on the social context, and on the interpretation of such information.

My first experiences with such mapping software dates back to 1994, when I had the opportunity to re-examine the raw data that formed the basis of several link diagrams. I soon found out that the almost completely automated generation of such maps disguises certain risks that are inherent to using any data set drawn up by relatively inexperienced personnel. A number of errors were sometimes made in registering and encoding the data. First of all, specific individuals were registered multiple times, e.g. under different spellings of their names. Also, phone calls made to certain persons such as bartenders

<sup>16</sup> Two examples: Dr. Malcolm K. Sparrow of Harvard University explored several analytical techniques in relation to social network analysis in a number of open and closed publications (e.g. 'Network Vulnerabilities and Strategic Intelligence in Law Enforcement', *International Journal of Intelligence and Counterintelligence* Vol. 5 (1991) # 3); more recently and closer to home, Detective Superintendent Andrew Rennison presented a 'smallest space' analysis based on itemised telephone bills in his paper *Social network analysis of a group of criminals* (Manuscript, 1999).

or girlfriends of suspects were sometimes encoded with the name of that bartender or girlfriend at the receiving end, and on other occasions the suspect who soon after came on the phone was identified as being the receiver. In short, the data proved to be rather unreliable. I decided to re-encode a part of the enormous amount of data, and the link diagrams that I subsequently produced were rather different from the original ones. Strictly speaking, the original data were correct when it came to the technical contact between certain phone numbers, but in a sociographic sense, different people were often involved on both sides of the wire.

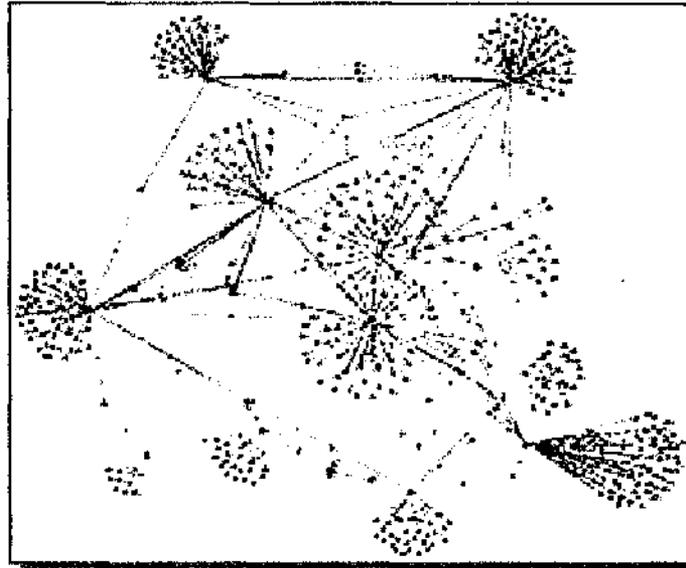


Figure 3: Example of a graphic representation of a large data set consisting of individuals and business entities with connecting links. (Source: i2's Analyst's Link Notebook).

My objective at the time was to attempt to use 'third generation' social network analysis on an operational data set. That meant going beyond the mere drawing of links, to registering the more subtle aspects of contacts and relationships, and ultimately to interpreting such data in order to better understand in a qualitative way the behavior, motivations and choices of the individuals concerned. This ambition could never be achieved by merely using the encoded data as they were originally registered. It meant going back to the original telephone and surveillance logs to check each conversation and observation line by line, encoding what occurred there and in the end bringing all those insights in the final analysis of the crime network that I was studying. This is a quite cumbersome exercise, one that in the course of most normal criminal investigations would simply not be feasible. I had drawn up a set of questions to be asked of the data I was analysing. Those were partly simple questions on e.g. the use of threatening or intimidating language, the amount and direction of authority in a conversation and similar aspects. Some other questions were more complicated, such as who talks about which other persons in what way during conversations with third persons. It is not possible to go into too much detail on methods here, but the idea behind it is that through such forms of qualitative content analysis the study of social networks can contribute to a better understanding of vital social processes, power and affinity structures. It would of course be a gross waste of time and resources to go through so much trouble to unravel a simple heroin transport, but considering that the Dutch police has spend tens of millions of guilders during seven or more years of extensive investigations on certain major criminal networks, it could be worthwhile to get to know such persons in a structured way and by tested methods that do not depend on the skills or biases of individual detectives or analysts.

Third generation social network analysis is intended to enable investigators to identify positions of power and to attribute them to specific individual traits or to structural roles that these individuals fulfill. A unique position of intermediate contacts for example can allow someone to monopolize the connection between two networks. Such a position is worth guarding, as it brings possibilities of selective information management, blackmail and what not. Being the sole supplier of certain goods or services, or the unique channel into a supplier country (perhaps because of language skills) makes one a very interesting person, to fellow criminals but certainly to investigators as well. Social network mapping can show what material resources someone can mobilise and which information he has access to. Such access and power is highly relevant in manipulating social structures as any manager can testify. Social network analysis can also introduce dynamics into the rigid and 'frozen' understanding of social structures that traditional organisational diagrams convey. Processes of recruitment become clearer by looking at previous connections, and the transfer of knowledge and criminal innovations can also be traced.

A traditional crime analysis can fail to identify the informal 'cliques' by limiting itself to relationships between individuals and 'hard' organisations. Thus it may seem that in a certain field only few enduring structures exist, when a more intense analysis may indicate that among the seemingly transient contacts indirect links exist when people from certain 'pools' (such as sporting schools, coffeeshops or neighbourhoods) are shown to be working together. Social network analysis not only draws attention to established contacts, but also to relationships to appear not to exist and are oddly missing. Conflicts for example may never result in actual contacts and thus never show up in traditional diagrams, but third generation social network analysis will register adversaries and their hostilities, and will thus visualise 'silent' conflicts as well. By paying attention to 'structural holes' (remarkable white spots and hard-to-fill positions in a network), hypothesis-building can be supported. Blind spots in a 'social floor plan' are noticed soon. By looking at a criminal structure from the angle of social network analysis, certain persons and roles draw attention that otherwise would easily go unnoticed. In the case of the specific group that I was analysing, it became apparent that a number of seemingly insignificant characters always showed up at the right moment and at the right spot to help establishing crucial contacts. Those usually independently operating 'social bridge builders' I refer to as 'criminal contact brokers'.

From the annals of organised crime it is quite easy to illustrate the value of social network analysis over the simplistic 'focussing on the leaders'. Interesting figures who by themselves are no 'heavyweights', but who have access to much vital information through their social functioning quickly draw the analyst's attention. One good example from the U.S. Cosa Nostra literature is Willie Boy Johnson, at one time an FBI-informant from Queens, New York who for personal reasons would play a key role in the demise of Gambino family chief John Gotti.<sup>17</sup> Johnson was a much-wanted 'strong-arm man', who could never formally become a mafioso because he was only half-Italian. He was what both the FBI and Cosa Nostra refer to as a *floater*, someone who is assigned to a specific crew, yet loaned out to other crews for various assignments because of a particular speciality. As a consequence, Johnson had a panoramic view of the entire New York Cosa Nostra. In Holland, such *floaters* have on occasion also been identified.

It will by no means be easy to develop the 'third-generation' social network analysis into an established methodology that can be taught and applied uniformly. Although some progress has been made, a lot more empirical work based on 'learning by doing' needs to be done. Preferably, those doing such analysis must be thoroughly familiar with both regular criminal analysis and social science methodologies, which means that such method development costs a lot of time and money. The more ambitious and sophisticated criminal intelligence analysts could probably contribute a lot as well, but the problem here is that Dutch analysts often are merely used as administrators for the investigative teams

<sup>17</sup>J. Cummings and E. Volkman, *Goombata: The Improbable Rise and Fall of John Gotti and His Gang*. New York: Avon Books, 1992: 148.

and as post-hoc presenters of complex criminal cases to the public prosecutor and the top brass in order to secure funds and continuity of the investigation. This is now improving somewhat, but the analyst's role is still seen by many LE managers as a supporting one, used to interpret data after they have been collected instead of a proactive involvement in setting out investigative and control strategies.

### THE CURRENT SITUATION IN THE NETHERLANDS

With all the new insights available to them, have the prosecutors' strategies changed, do investigators now go about their daily work in a different way, have their aims and tactics been adapted to new insights and if so, how and with what results? As the lessons learned are still quite recent, it is not that easy to identify a trend. In Holland, running investigations against organised crime networks is a demanding job at the best of times. At the moment according to many investigators it is all but impossible. Most prosecutors now maintain a hands-on management role in keeping police investigators on a very short leash, and under new law permission has to be asked to a national oversight body for every application of many of the more intrusive and all innovative tactics and techniques. If for example a telephone intercept records information on an upcoming drug transport, chances are high that the police have to intervene without hesitation to avoid the drugs coming on the market. Allowing any "harmful goods" to go through with the police knowing about it is nearly unthinkable these days. The result is often a 'blown case', since all operational details as well as the immediate cause of the intervention have to be disclosed in court. All this makes it much more difficult to run major investigations over a prolonged period. In a way, this almost forces police teams to adapt their strategies and focus on more intermediate goals instead, an approach favoured by many advocates of the social network approach. On the negative side, the new legal restrictions seem to have a 'chilling effect' which to some extent paralyses certainly those investigators who have to operate in a region where an over-cautious district attorney refuses to allow even mildly intrepid initiatives.

Over the last months, we do see an increasing number of cases in which the police target supposedly major narcotics networks through 'short strike' tactics rather than through the 'long haul' approach, waiting for 'ultimate catch' of a large shipment of drugs. To some extent, this is no doubt the result of the new judicial doctrine that requires the police to intervene almost immediately once a drug shipment is traced. But insiders claim that police managers are really beginning to realise that waiting for the major catch is not all that efficient in terms of return on investment. After all, arrests for transporting a modest amount of cocaine can already result in many years imprisonment, and the extra 400 kilos that you could perhaps catch one day do not justify allowing the criminals to carry on with all their endeavours for many months or even years, building up a reputation of invulnerability in the process and thus presenting a bad example to those susceptible for the seemingly profitable lurings of crime.

Perhaps one could say that an increasing number of analysts begin to see the utility of social network analysis and 'short strikes'. Many tactical investigators however are still hesitant. Perhaps understandably so: they *do* see bosses and hierarchies, as they are conditioned to see them because of the legal requirements of proving that a (semi-)formal organisation exists and that there are identifiable leaders. Besides, criminal structures differ. There is authority certainly in the smaller groups, and occasionally an investigation may even run into *Mr. Big*, the genuine 'Man with the Plan'. So some doubts about the omnipresence of fluid social networks are justified. The concept of the 'criminal broker' and the facilitator is more readily accepted among investigators, especially in the context of 'upper world' contacts in relation to e.g. synthetic drugs and financial and juridical services.

The council of chiefs of police (a body somewhat similar to the UK's ACPO) has recently decided to endorse the 'short strikes' strategy, but several leading public prosecutors are not at all happy with this new policy. They claim that the social network paradigm may hold true for Dutch and -more in general- Western European criminal operators, but in their opinion the much tougher Turkish,

Similar to  
Sullivan  
"total enforcement"  
in NYC.

Kurdish and Pakistani heroin traders are of a different breed entirely: dealing with these groups requires a more prolonged and fiercer approach. This scepticism regarding the new strategies and even the network perspective in general is not limited to some gung-ho prosecutors. A follow-up enquiry by a second parliamentary commission looking into the implementation of the Van Traa recommendations this summer concluded that the 'short strikes' strategy is generally not supported in the police and the judiciary.<sup>18</sup> It is widely interpreted as "catching the small fry while allowing the big guys to walk." The concept of affecting networks by targeting crucial facilitators has not been explored in any detail, and the commission found that apart from some individual creativity among the ranks of law enforcement, there is very little in the way of systematic thinking about new investigative strategies. It therefore recommends to establish a new centre of expertise for the development of investigative strategies.

Meanwhile, in the field, some creative detectives are already experimenting with applying the new insights. Over coffee, this author heard several recent examples of relatively 'heavy' and notorious criminals who were lured from their relative insulation because they felt they had to become involved once a relatively small drug shipment had been intercepted. The necessary maintenance of their reputation, but also the urge to 'help out their friends' simply didn't allow them to keep a low profile and avoid all risks. They used their (supposedly safe) anonymous cell phones, and showed up on the scene to check what happened and/or to provide comfort. This allowed the police to tie them to the narcotics trafficking and thus via an indirect tactic brought them in the dock. Once such tales of success find their ways to more police canteens, they will provide the best mouth-to-mouth advertisement for such innovations. And of course, introducing them into formal courses and establishing a centre of expertise helps as well.

### **SOME THOUGHTS ON THE FUTURE**

Where does all this lead us? Do police investigators suddenly need to become trained social scientists with a keen eye for affinity bonds? Not really: the majority of criminal investigations will continue to be run largely as they are now, without much more sophisticated analysis support than the familiar link diagrams. It is only the most complicated, prolonged and sensitive kind of projects that could use these new insights. Meanwhile, criminologists still need to ask the deeper question about the usefulness of theory for practical applications: If we as researchers come up with 'better' knowledge and explanations of empirical phenomena, does this have consequences for the practitioners? Does such criminological research have any relevance and influence on the 'real' world?

Closer involvement of trained social scientists and economists in the investigative process will benefit both domains: the cops get more clever and the academics more realistic about what can be achieved. In Holland for example, the process of establishing priorities for the allocation of the many hundreds of specialized organised crime investigators working in large permanent teams has been overhauled with the input of universities and consultants' expertise. Periodical and more objective monitoring 'scans' of the magnitude and nature of organised crime have replaced the old back channels through which gloomy detective chiefs indoctrinated ministers and politicians. In this sense, criminologists certainly can play a role by interpreting information as objectively and intelligently as possible.

Realistic assessments of criminal threats are needed to avoid overkill and unwanted invasions of privacy. In the recent past, the threat of organised crime in some ways have been exaggerated, especially when the alarm was sounded over the "immediate threat" that organised crime was said to pose to democratic institutions such as the courts, local councils and parliament. Any substantial infiltration attempts in 'upper world' power structures have yet to be proven, and the criminals are not out to take over state power in western Europe. But on the other hand, failing to appreciate organised

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<sup>18</sup> Handelingen Tweede Kamer 1998-1999, Bijlagen 26269 Nrs 4-5: 201.