

Georganiseerde autodiefstal

Kenmerken en achtergronden van een illegale branche in beeld gebracht

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Summary

The Research and Documentation Centre of the Dutch Ministry of Justice (WODC), department of external academic relations, commissioned Beke Consultancy and Research Group to conduct a study of the characteristics and backgrounds of organized car theft in the Netherlands.

Problem statement, research questions and research activities

This study focuses on the organized stealing and illegal trading of cars. Car theft for personal transportation and car theft in order to commit another crime are not addressed in this study. Central in this study are the following questions: What is the nature (in particular who are the offenders and offender groups and how do they operate) of organized car theft in the Netherlands, to what extent is car theft performed by syndicates (its degree of organisation) and what does this mean for both prevention and repression of this problem?

Five research questions

The aim of this study is to answer five research questions. The *first question* pertains to the nature of organized car theft. The main goal is to gain insight into the chain of demand, supply and market. Special attention is paid to the degree in which organized car theft is a national and/or international phenomenon, how it functions, the links, if any, between legal and illegal lines of business and other categories of (organised) crime. The *second question* focuses on the methods used in organized car theft and any developments and changes therein over time. Of particular interest are the links in the chain, the various functions in the chain and the way of operating (*modus operandi*). The *third question* pertains to the offenders and offender groups actively involved in organized car theft. Attention is paid to the offenders' background characteristics and profiles and the way in which they operate geographically. The *fourth question* addresses the co-operation between offenders and offender groups, in particular the nature of this co-operation, the nature of the relationships and the hierarchic structure (if any) of the organisation. The *fifth question* addresses the (side) effects of organized car theft with regard to the gains for the offenders, the damage inflicted on the victims of organized car theft and the possible (societal) side effects of this type of crime.

In order to answer these questions we have studied the available literature on this subject, analysed criminal investigations, interviewed experts, consulted judicial documentation and performed an overall analysis of the criminal investigations.

Literature

On the basis of the literature available on car theft we have collected some (quantitative) figures. These figures show that there has been a decrease in the number of stolen cars over the past ten years, but the number of relatively new, expensive, luxury cars that is stolen, is growing. Then we looked for some relevant literature on this phenomenon in order to gain more insight. However, not much literature seems to be available about car theft in general and organized car theft in particular, neither in the Netherlands nor in other countries. Bruinsma, a member of the Fijnaut committee, studied the phenomenon of organized car theft in the Netherlands in 1996. Interesting

to our research are the changes over time that Bruinsma described. Apart from the networks in which various offender groups perform their activities separately, Bruinsma stressed the links between these networks and legitimate businesses and the international character of organized car theft. Police investigations provide not only insight into the changes in the modus operandi (break-ins to obtain the car key), but also in the characteristics of the criminal networks and the countries the stolen cars are shipped to.

The WODC monitor not only provides us with a useful methodology for analysis, it also provides us with a touchstone for organised crime in general and organized car theft in particular.

Criminal investigation reports

In order to analyse criminal investigation reports all the Directors of Public Prosecution and chiefs of police in the Netherlands were approached to co-operate with us and provide us with criminal investigation reports regarding organized car theft. Eventually, 23 criminal investigation reports covering the whole country were collected. Of these reports two were combined by us and analysed as being one report. The criminal investigation reports that were collected and analysed were of relatively recent date (completed no longer than two years ago).

National versus international groups

Analysis of the criminal investigation reports provided insight into the offender groups engaged in organized car theft. A distinction can be made between groups that operate within the country and groups that operate internationally. The former groups operate on a local, regional or national level when stealing and selling cars and their parts. The latter groups operate on both a national and international level when stealing and dealing the stolen goods. More than two-thirds of the criminal groups investigated work internationally; their main trading areas are the countries in Northern and Western Africa. Organized car theft may involve complete cars, their parts only or both. The criminal investigation reports indicated that the international syndicates mainly focus on complete cars, in particular very expensive luxury cars. Groups that operate on a national level are more interested in stealing cars for the sake of their parts.

The national organisations are relatively small (three to five people). The members of these groups are Dutch by birth and have often known each other for quite some time. The international syndicates are larger (five to twenty-five people) and are characterised by some form of hierarchy: one or more people co-ordinate the supply and demand regarding the stolen goods. The members of the international groups have different ethnic backgrounds. The relationships between these groups are often based on family relationships or close friendships.

Functions and function groups

Within organized car theft a chain of functions and function groups can be distinguished starting with the theft of the car and ending with marketing or selling of the stolen cars or their parts. The functions and function groups that we have distinguished are: thieves, carriers/couriers, rebirthers (people who change the identification numbers of the stolen cars), choppers, shredders, brokers/fencers/sellers, stashers, forgers of documents, suppliers of keys and principals/buyers. The first group, the thieves, operate in various guises. There are thieves who operate on their own and can be characterized as car thieves. Then there are thieves who not only steal cars but burgle as well. Many fencers get their cars from different types of thieves. Criminal investigators should be aware of this, because if one group of thieves is caught, another group of thieves will just fill the gap. That is the reason why criminal networks are only temporarily put to a standstill. The people

who change the identification numbers of the cars pop up in many of the reports analysed, but their exact role has not become very clear, unfortunately. Many groups who operate on a national level take care of it themselves in a barn, shed or even in a legal garage. In 21 out of the 23 cases some insight was gained into the persons who play a co-ordinating or intermediary role in the chain of supply and demand regarding stolen cars. They hold the position of broker, fencer or seller and can be regarded as the "connecting links" that see to it that the right car will be delivered in the right place.

There is a distinct difference in age between the different functions in a group. In line with the expectations, the thieves are (on average) significantly younger than the people in the other functions.

Within the national groups the same people often have more than one task, whereas the international groups are often made up of separate smaller groups that each have a specific function. Certain functions or function groups turn out to be related to specific ethnic groups; groups of former Yugoslavs in particular turn out to be the thieves. The overall network analysis has revealed that most of the groups that are already known to the police do not operate independently, but are linked to several other groups mentioned in the other criminal investigations. Brokers and fencers often turn out to be the links between the investigations, but thieves also appear to play that role quite frequently. Groups in which everyone performs a specific task change "personnel" from job to job. These people know how to find each other. It turns out that national groups also team up with international groups, if necessary.

Judicial documentation

On inquiry it appeared that the names of nearly all offenders occurred in the Central Judicial Documentation (Centrale Justitiële Documentatie or CJD) database. These offenders had on average been charged with seventeen crimes and more than half of this group can be characterized as repeat offenders. Their average (registered) criminal career appears to be ten years. These crimes mostly involved offences of property, traffic offences and violent crimes.

Co-operation and financial gains

When the relationships within the groups are analysed, it turns out that most groups are bound together by financial ties. In other words, the main motive to work together is the expected financial gain. It was not easy to get an idea of the sums of money the offenders rake in with their criminal activities. Most offenders do not exhibit extreme spending patterns, whereas the financial gains per group can be huge (thousands of euros). Obviously, the financial damage inflicted can also be huge. Apart from the immediate financial damage there are other kinds of (financial) damage. Examples are the disruption of the legal market, the damage caused to the image of car dealers, material damage as a result of breaking and entering and ram raids, and the toll this takes on the budgets of police and judicial authorities to tackle this sort of crime. Within nearly all groups there appears to be a connection with legal business, either bona fide or mala fide businesses or employees or bona fide or mala fide (government) officials. In the latter cases we can speak of corrupt civil servants.

A closer look at the criminal investigations

Various aspects of the criminal investigations have been listed. It can be said that in general organized car theft is given little priority by police and judicial authorities. The *reason* why a criminal investigation is initiated, is when the damage inflicted in some district is so high that police

and Council for the Prosecution are obliged to look into it. As to the *scope of the investigating team* it was striking that, although in all criminal investigations at least one criminal group was national – i.e. not confined to a district –, in less than one-third of the criminal investigations there was some kind of interregional co-operation that was co-ordinated in advance in the form of supraregional criminal investigation teams. It turns out that in the police force there is in general little expertise on the subject of organized car theft. The *duration of the criminal investigations* is five to six months on average. In practice this is too short a time to deal successfully with an entire criminal group. Characteristic of organized car theft is its supraregional and often international character. This requires close national and international co-operation. This co-operation often falls short because of a lack of manpower and the absence of a sense of priority.

If we consider the effectivity and functionality of the different *investigation methods*, then it is clear that tapping telephones, although timeconsuming, can be very useful in getting information about imminent actions. Besides telephone taps frequent use was made of observation teams. On the basis of the information the police obtains from the taps, the observation teams can be deployed to observe certain locations and to tail certain persons or goods. Finally, searches of houses and testimonies of witnesses and suspects have also provided useful information in some of the criminal investigations.

Talking to experts

In the various phases of our study we have used the knowledge of experts from three different fields: government officials, people from the car industry (every line of business from sales to scrap dealers), and insurance companies. We have also personally visited and talked to the harbour team (Haventeam) of the Zeeland police force and two technical vehicle specialists in the police force.

The overall picture these experts sketched of organized car theft is that there has been an increase in the theft of new, expensive luxury cars. Furthermore, the experts believe the markets for stolen vehicles are no longer the same. Ten years ago the former Eastern bloc was the main target market; nowadays the overseas export of stolen vehicles to countries in Northern and Western Africa is rampant. These observations are in line with the findings of the criminal investigations. The experts believe that the criminal groups are international in character and consist of several groups and that each group performs a specific task or has a specific function. These groups often consist of young boys who work for various clients. A new development in organized car theft is that in the last few years many cars have been stolen in the Netherlands after the car key had been obtained by burgling a house. The experts warn against a possible increase in violence during burglaries. Violence is not commonly used in the Netherlands as yet. But in Belgium, on the other hand, there have been more incidents of so-called home and car jackings.

The improved security measures for vehicles and improved criminal investigation methods, however, have a downside and may even be counterproductive. Criminals professionalise their methods because they learn from the measures taken. For the sake of (personal) safety, it seems to be better to look for solutions to this type of crime in another direction. From the site visits and the meetings with the experts the following key words arise for effectively tackling organized car theft: strong multidisciplinary national and international co-operation and mutual information, furthering know-how and securing expertise of the police force and judicial authorities, independent technical security measures, tighter rules and inspections in the car industry and on transportation routes.

Central processes and degree of organisation

The processes that are central to the phenomenon of organized car theft are 'acquisition', 'processing', 'mediation' and 'sales'. Characteristic of these processes is that cars or their parts are passed on or have their identities changed. At the acquisition stage, the cars or parts are stolen, at the processing stage they are stripped of their identities, at the mediation stage demand and supply meet, and the selling stage has to do with the transfer of stolen goods to new owners. The criminal investigation reports have shed some light on the acquisition stage in particular and to a lesser extent on the processing stage. Due to the nature of the criminal investigations it was impossible to gain a clear understanding of the remaining two processes.

The analyses and the sources consulted are the basis of the description of the degree of organisation of organized car theft and the extent to which organized car theft is a form of organised crime. For the sake of clarity we distinguish criminal groups, criminal associations and criminal networks in our study. All of them can be both nationally and internationally oriented. Groups, associations and networks cannot always be clearly distinguished from one another, but frequently merge. Criminal groups consist of two or more people who have been shown to be involved in car theft and have become suspects. A criminal association consists of two criminal groups that co-operate in organized car theft. This co-operation often comes into existence when they are dependent on one another for the performance of certain functions in the chain from theft to sales. When two or more criminal associations work together we call it a criminal network. These forms of co-operation among people, groups and associations can be characterized as highly dynamic. Because of certain limitations in detection the police know more about criminal groups and less about criminal networks.

Our study has made clear that organized car theft relies on a kind of organisation indeed. The question is to what extent organized car theft is also a kind of organized crime. That this may be the case is indicated by the fact that in more than fifty percent of the cases investigated the suspects are labelled "members of a criminal organisation" – according to article 140 of the Dutch criminal code. Following Fijnaut's definition of organized crime (1996) and the more recent definition of the National Criminal Intelligence Service (DNRI) of the National Police Agency (KLPD) (2004), the methods used by many of the criminal organisations investigated can be characterized as forms of organized crime. The evidence of illegal gains, the systematic perpetration of crimes, the serious consequences for society at large, and the indications for the existence of criminal associations and networks all point in that direction. The groups involved in organized car theft are also characterized by a rather flat organizational (hierarchical) structure and by a fluid and dynamic co-operation. Within these associations and networks there are (small groups of) suspects who are the hubs in the organisation.

Developments in organized car theft

If we take a closer look at the developments in organized car theft, it turns out that – in line with Bruinsma's conclusions in 1996 – this is still a crime committed by groups of native Dutch people who operate on a local and regional level. However, they tend to start operating on a national level and these groups seem to be able to join other criminal groups that operate internationally. In the 1990s organized car theft was to a large extent dominated by offender groups from Eastern Europe; nowadays these international gangs are more mixed, consisting of people of various nationalities. This may have to do with the new markets, in particular North and West Africa, where expensive cars such as Sports Utility Vehicles are in great demand. That is also the reason why more stolen cars leave the country via the ports. Whereas in the mid-1990s the majority of stolen

cars disappeared to Eastern Europe, nowadays most of the time car parts are sold on the Eastern European market.

A development of a different kind is the shift in the nature of the crime: organized car theft has increasingly changed from an object crime into a crime against people, because the cars are increasingly better protected. The experts in particular warn against the risk of an increase in the number of home and car jackings.

Tackling organized car theft

Key terms in tackling organized car theft are registration, prevention, information, furthering of expertise, analysis, procedures, regulations, inspection and law enforcement. These key terms can be divided into offender-related and object-related measures.

With a view to the swift tracing of the stolen cars and car parts a joint national and international registration system and exchange of information are essential. As to prevention, technical measures in particular play an important role. The car industry offers many new opportunities in this field. With regard to the safety of consumers it is vital that these measures are subject-independent. In addition clear and strict procedures within the legal car industry and the enforcement of these measures are also of vital importance. Other important measures include the exchange of information and the furthering of expertise, not only within the police force and the judicial authorities, but also of other partners, such as customs officers and port officials that have to deal with organized car theft. As part of these measures it is recommended to streamline the group of technical transport specialists within the police force.

When using the key term 'analysis' we do not just refer to regular strategic (and tactical) analyses that uncover hotbeds of organized car theft in a certain period and place. We also refer to elaborate network analyses of offender groups in order to get a better understanding of criminal associations and/or networks, if any, and to tackle them in a strategic way.

The procedures and regulations with respect to car registration – and especially damaged cars, by among others the Dutch Centre for Vehicle Technology and Information (RDW), and with stripping and shredder companies, is another important matter of concern in tackling the problem. Suspects of organized car theft appear to take advantage of the loopholes in the system. Finally, in line with the previous recommendations, inspection and enforcement of the rules and procedures are essential when tackling organized car theft. By this we mean improved control by means of co-operation of law enforcers, such as the police, judicial and local authorities. As to law enforcement it is important that organized car theft is given higher priority by the police force and judicial authorities, not in the least because organized car theft often goes hand in hand with many other serious crimes. Given the supraregional and often also international character of organized car theft it would also be desirable that a national team of specialists would focus on this phenomenon. The previous recommendations with regard to tackling the problem, such as analysis and furthering of expertise, could also be the responsibility of such a team of experts.