

IN PURSUIT OF ILLICIT GOALS: STRUCTURE, DYNAMICS, AND COLLAPSE
OF CRIME FACILITATING NETWORKS IN JAMAICA

by

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DEDICATION

I dedicate this dissertation to my loving grandmother.

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LIST OF ABBREVIATIONS

ARA	Asset Recovery Agency
BC	Betweenness Centrality
BCN	Normalized Betweenness Centrality
CFN	Crime Facilitating Network
DC	Degree Centrality
DCN	Normalized Degree Centrality
DTO	Drug Trafficking Organization
EoJ	Electoral Office of Jamaica
FSC	Financial Services Commission of Jamaica
JLP	Jamaica Labour Party
MACMA	Mutual Assistance Criminal Matters Act
MLAT	Mutual Legal Assistant Treaty
MPP	Manatt, Phelps, and Phillips
NCB	National Commercial Bank of Jamaica
NCC	National Contracts Commission of Jamaica
NNPC	Nigerian National Petroleum Corporation
ODPP	Office of the Director of Public Prosecutions of Jamaica
OGC	Office of the Contractor General of Jamaica
PCJ	Petroleum Corporation of Jamaica
PNP	People's National Party
POCA	Proceeds of Crime Act

ABSTRACT

IN PURSUIT OF ILLICIT GOALS: STRUCTURE, DYNAMICS, AND COLLAPSE OF CRIME FACILITATING NETWORKS IN JAMAICA

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Due to the emphasis on major urban areas, studies on the narcotics trade assume that there is very little or no variation in how criminal organizations operate. This dissertation moves beyond this narrow understanding by using multiple cases across Jamaica to examine the structural compositions, and the norms and processes that govern illicit networks. It does so through the concept of crime facilitating networks (CFNs), a new construct that explains how criminals and non-criminals strategically exploit different components of their alliances in order to obtain illegal profits. The study finds that CFN operations vary across geographic contexts and economic sectors.

INTRODUCTION

One of the most notorious drug kingpins in Latin America and the Caribbean had recently gained international attention for his elaborate escape from a penitentiary. On July, 11, 2015, Joaquín “El Chapo” Guzmán, leader of the Sinaloa cartel, vanished from a maximum security prison in Altiplano, Mexico. Surveillance video shows the criminal walking to a shower area in the corner of his cell and then suddenly disappearing. Further investigations revealed that he had escaped through a sophisticated tunnel system that was excavated below his cell and ended next to a construction site. This was not his first escape from a prison facility in Mexico. He exited Puente Grande in a laundry cart in 2001 but was later recaptured on February 22, 2014, more than decade later. The criminal was finally re-apprehended on January 8, 2016.

Guzmán’s escapades with the Mexican prison system intimate that his alliances extend beyond the criminal underground and includes members of the state and possibly the private sector. These types of collaborations are not unique to Guzmán or Mexico, as other powerful organized crime groups in Latin America and elsewhere have also developed and exploited their own criminal and non-criminal alliances as integral strategies in their mode of operations. Classic examples include illicit networks in Colombia, Italy, China, and Japan, among others. The inconclusive debate about the structure and compositions of these networks indicates the importance of unique

environmental factors, such as culture and socioeconomic conditions, in shaping their organizational arrangements.

This dissertation aims to understand these factors and their influence on how illicit networks operate across different locations in Jamaica. It will do so by examining the structure, composition, and dynamics of the alliances that they build across different segments of society in order to survive, and the methods and consequences of their disruptions.

Drug trafficking organizations (DTOs) in Jamaica, as well as the wider Caribbean, are generally understudied compared to other countries in which organized crime is problematic; however, they do fit into the general patterns observed in the wider literature. Like in other cases, they have utilized their enormous profits from the narcotics trade to dominate marginalized communities and build symbiotic alliances with ordinary citizens, and members of the state, private sector, and civil society. These legitimizing relationships have empowered them and facilitated the pursuit of their illicit goals.

On the other hand, Jamaica is much smaller than many other countries studied; yet, it plays such an important role in the transshipment of cocaine between South and North America. This indicates how powerful criminal organizations have become with the support of corrupt individuals and weak institutions. The effects of organized crime may also be intensified in smaller societies, which helps to explain why the country has gained international notoriety for its high homicide rates. Most of these murders have been concentrated in the inner-city communities of Kingston and, as a result, the area has attracted significant attention in the media and in studies on organized crime. The

overwhelming focus on the city is warranted but it has limited the extent to which we can understand how illicit networks operate in other localities and economic sectors.

This emphasis on major urban areas is also reflected in the wider English language literature on organized crime, although there are few important exceptions including studies on the mafia in Italy and criminal organizations in larger Latin American countries like Colombia and Mexico. These exceptions indicate that there may be some diversity in network structures, compositions, and public alliances between criminal networks across rural and urban areas, but this variation is not reflected in the literature on Jamaica. DTOs do exist in rural areas in Jamaica but no study to date has done a thorough investigation into how these networks operate or compare them with the classic examples in Kingston, which this dissertation aims to do.

The English language literature on organized crime also infers that criminal conduct and corruption are only problematic in marginalized communities. To overcome this bias, we need to study various types of criminal activities, other than drug trafficking, in order to get a better understanding of illicit entrepreneurship and how these activities are facilitated by corruption and diverse segments of the population. Such analysis will also provide valuable insights into the evolutionary dynamics of crime and corruption in countries like Jamaica.

To these ends, this dissertation will reframe the conversation on illicit networks in Jamaica and the wider Latin America and Caribbean region through the lens of crime facilitating networks (CFNs). CFNs are informal institutions used to deploy and exploit

power across spaces and markets in order to further the interests of criminals, politicians, members of the state, bureaucracy, civil society, the private sector, and ordinary citizens.

In criminal organizations, some actors function at the operational level of these structures while others provide access to resources through informal exchanges and the use of corruption. Of course, there are some actors whose strategic positions in the system allow them to overlap in these subnetworks. The main objectives of this research are to understand the characteristics of these networks and how they influence their operations. More specifically, it investigates the nature of their CFNs, how they enable their illicit activities, and the processes and consequences of disrupting them.

The research utilizes comparative and social network analyses to examine these relationships across three sectors in Jamaica: drug trafficking, government contracting, and financial services. In the narcotics trade, the study investigated the cases of Christopher “Dudus” Coke, and Leebert Ramcharan and Norris Nembhard. Coke is a classic representative of kingpins in major urban areas, and the latter two were businessmen in one network that operated within and around wealthier localities in rural areas. Outside of the narcotics trade, the research used the case of the Trafigura scandal, which allegedly includes monetary exchanges for contracts, to analyze illicit networks in the government contracting sector. Finally, the research examined David Smith’s Ponzi schemes within Jamaica and the Turks and Caicos Islands to discuss illicit networks in the financial sector.

The study of these four networks reveals that there are variations in structures, compositions, operations, and responses to shocks across and within the sectors

examined. These characteristics are influenced by three factors: 1) the environmental contexts in which the network functions and the socioeconomic backgrounds of the central actors; 2) the central actors' capacity to dominate the spaces or markets in which they operate; and 3) the social class and shared identities of ordinary citizens who support them.

Illicit networks at the community level are influenced by the unique cultural, sociopolitical, and economic characteristics that define the spaces in which they operate such as the extent of poverty, level of unemployment, and the nature of the political culture. Deficits in the delivery of public services in marginalized areas encourage centralized, militant, and powerful DTOs with closer ties to members of the state and ordinary citizens. In contrast, DTOs in wealthier communities located in rural areas have weaker ties to the state, are more horizontal and flexible, and lack the internal capacity for violence. Illicit transactions at the national level are more influenced by macro level factors, such as the pervasiveness of corruption in the country, and have weaker relationships with the state than criminals in urban areas. Their structures are dependent on the complexity of their transactions.

The resilience of CFNs means that actors external to these networks are normally required to disrupt them. This includes influential states in the international system or actors at the local and national levels. However, an actor's willingness to play this role may depend on its incentive structure and ability to coerce compliance. Drug trafficking is a national security threat to the US, and so it has played a major role in policing the narcotics trade and its related crimes like money laundering and weapons trafficking in

the international system. Jamaica, like other countries in the wider Caribbean, is very small and operates within its immediate spheres of influence. This explains why the US was able to force compliance with the extraditions in the two drug trafficking cases, despite the controversies that ensued.

On the other hand, local and national actors will only disrupt networks when it is in their interests to do. Civil society in Jamaica is generally weak and ties between politicians and criminals are the norm, especially in Kingston, so politicians do not attack each other over these networks. They will, however, engage in muckraking when the activity allows them to score political points in the next elections. Therefore, the opposition party in government was willing to reveal the Trafigura scandal because it was close to the 2007 elections. It also appears that neither one of the major parties were willing to pursue David Smith for his crimes because both were compromised by his financial contributions for the same elections. However, US investigations into his wire fraud and money laundering activities provided critical information to law enforcement in the Turks and Caicos Islands, where he also operated, to arrest and charge him for his illicit activities.

The weakening or collapse of CFNs will result in instability regardless of the type of illicit activity. Centralized DTOs in marginalized areas are more vulnerable to disruption but can quickly mobilize their resources to challenge the authority of the state. Horizontally structured DTOs are less vulnerable to disruption but their defense systems are much weaker than their counterparts in urban areas. Consequently, the process of collapse in centralized DTOs will be more violent than those that are flat and more fluid.

This explains why the arrests and extradition of Christopher “Dudus” Coke in Kingston was more violent than Leebert Ramcharan and Norris Nembhard’s on the north coast. Instability also results from the disruption of non-DTOs but they are less likely to be violent because they are not allied with ordinary citizens at the grassroots. In other words, they were non-violent events although the collapse of the Trafigura scandal and Smith’s Ponzi schemes were disruptive to the political and financial sectors.

CHAPTER ONE

SOCIAL NETWORKS AND ORGANIZED CRIME

Scholars generally agree that the weaknesses of states, often manifested by their failure to consolidate control over their territories, inability to provide public goods to their citizens, and the prevalence of corrupt institutions, are major factors that have contributed to the rise of organized crime in many countries.¹ Globalization and the end of the Cold War have exacerbated these problems. Political uncertainty and instability increased in the 1990s as states struggled to manage regime transitions, ethnic conflicts, and other local problems that came to the fore after the end of the Cold War.² Structural reforms, fiscal tightening, and the “retreat of the state”³ associated with globalization have also weakened their capacities to manage complex problems like crime, poverty, and satisfying the demands of their citizens.⁴

¹ See, for example, Letizia Paoli, “The Determinants of Organized Crime: Some Initial Reflections,” *Behemoth. A Journal on Civilisation* 6, no. 10 (2013); Louise I. Shelley, *Dirty Entanglements: Corruption, Crime, and Terrorism* (Cambridge University Press, 2014); Susan Strange, *The Retreat of the State: The Diffusion of Power in the World Economy* (New York: Cambridge University Press, 1996).

² Godson, Roy, *Menace to Society: Political-Criminal Collaboration Around the World* (New Brunswick, N.J: Transaction Publishers, 2003); Vares, Frederico, *The Russian Mafia: Private Protection in a New Market Economy*, (Oxford: Oxford University Press, 2005).

³ Strange, *The Retreat of the State*.

⁴ *Ibid.*; Enrique Desmond Arias and Daniel M. Goldstein, *Violent Democracies in Latin America* (Durham: Duke University Press, 2010); Clunan, Anne and Trinkunas, Harold, *Ungoverned Spaces*; Thachuk, *Transnational Threats*; Guillermo O’Donnell, “On the State, Democratization and Some Conceptual Problems: A Latin American View with Glances at Some Postcommunist Countries,” *World Development*, Special Issue, 21, no. 8 (1993).

Organized crime groups have taken advantage of the opportunities that these changes provide while simultaneously exploiting the weaknesses of the state.⁵ The profits earned from their illicit activities have allowed them to develop multiple relationships across different levels of society and become important non-state actors in many countries. Recently, there has been an increase in the number of research applying a social network perspective to the study of organized crime because of the opportunities it provides to systematically compare their characteristics and learn more about how they work. The following section will review this literature, with an emphasis on drug trafficking, in order to understand how illicit networks operate, develop relationships with actors beyond the criminal underworld in order to survive, and are weakened or collapse.

The literature can be divided into two broad subtopics: 1) studies investigating the structure, composition, and resilience of the criminal networks themselves; and 2) studies on their relationships with non-criminal actors, particularly members of the state, who facilitate these illicit organizations and provide them with safe havens.

Structure, Composition, and Resilience of Criminal Networks

From a public policy perspective, understanding how illicit networks are configured can provide significant insights that can be used to target them strategically. Knowledge accumulated over decades of research indicates that these structures may range from those that are centralized and hierarchical, which are characteristics of the traditional form of organized crime, to those that are more modern with fluid and

⁵ Ibid.; Louise I. Shelley, "Transnational Organized Crime: The New Authoritarianism," in *The Illicit Global Economy and State Power*, ed. H Richard Friman and Peter Andreas. (Lanham: Rowman and Littlefield, 1999).

decentralized arrangements.⁶ Some criminal organizations in countries such as China, Italy, and Japan resemble the classic form,⁷ albeit with some variations. For example, there are several illicit networks in China with multiple organizational structures resulting in some groups being more hierarchical and centralized than others.⁸

Extensive research on Italy also indicates that these structural variations can exist in one country.⁹ Mafia organizations have vertically integrated structures, although there are some differences in the organizational cultures and operations of the Cosa Nostra and ‘Ndrangheta in Sicily and Calabria, respectively.¹⁰ Both originated in rural areas and became pseudo-government institutions because of the state’s inability to penetrate the remote countryside. The Camorra, on the other hand, is a more horizontal and loosely structured criminal organization that originated in the region of Campania, particularly in the city of Naples.¹¹ Unlike the mafia with its cohesive structure, the Camorra consists of multiple independent organized crime groups that sometimes conflict violently with each other.¹² These disparities indicate that the extent and nature of state penetration and other

⁶ Michael Kenney, *From Pablo to Osama: Trafficking and Terrorist Networks, Government Bureaucracies, and Competitive Adaptation* (University Park: Pennsylvania State University Press, 2007); Letizia Paoli, *Mafia Brotherhoods: Organized Crime, Italian Style* (New York: Oxford University Press, 2003); Shelley, *Dirty Entanglements*; Phil Williams, “The Nature of Drug-Trafficking Networks,” *Current History-New York then Philadelphia* 97 (1998).

⁷ Chin, Ko-Lin, “Chinese Organized Crime,” in *The Oxford Handbook of Organized Crime*, The Oxford Handbooks in Criminology and Criminal Justice (New York: Oxford University Press, 2014); Paoli, *Mafia Brotherhoods*; Hill, Peter B. E., *The Japanese Mafia: Yakuza, Law, and the State* (Oxford: Oxford University Press, 2006).

⁸ Chin, “Chinese Organized Crime.”

⁹ See, for example, Tom Behan, *See Naples and Die: The Camorra and Organised Crime* (New York: Tauris Parke Paperbacks, 2002); Paoli, *Mafia Brotherhoods*; Attilio Scaglione, “Cosa Nostra and Camorra: Illegal Activities and Organisational Structures,” *Global Crime* 17, no. 1 (2016).

¹⁰ Paoli, *Mafia Brotherhoods*.

¹¹ Felia Allum, “Becoming a Camorrista : Criminal Culture and Life Choices in Naples,” *Journal of Modern Italian Studies* 6, no. 3 (January 1, 2001); Behan, *See Naples and Die*.

¹² *Ibid.*

influences organic to the local environments have impacted the characteristics of criminal organizations in particular localities.

Illicit networks are not static organizations, so they will evolve in response to stimulants like changes in culture, socioeconomic and political circumstances, the illicit markets in which they operate, and law enforcement strategies.¹³ For example, the Cosa Nostra evolved in response to widespread anti-mafia campaigns in the 1990s by adopting a more democratic organizational structure, developing secret roles only known by a few individuals, and communicating through brokers, among other adjustments.¹⁴ In addition, with men as the leaders and target of law enforcement, women were no longer relegated to traditional roles and became more instrumental to its survival.¹⁵

A recent study of two ‘Ndrangheta drug trafficking groups also suggest some degree of modernization. Evidence of centralization was discovered, which is a legacy of the larger network, but with some noticeable adaptations.¹⁶ The leaders are usually the central actors in centralized arrangements but, in this instance, the results of the analysis show that this was not the case.¹⁷ This modification is likely to reduce the visibility of “high status” actors and the probability that they would be targeted by law enforcement.¹⁸

¹³ Ibid.; David A. Bright and Jordan J. Delaney, “Evolution of a Drug Trafficking Network: Mapping Changes in Network Structure,” *Global Crime* 14, no. 2-3 (2013); Mangai Natarajan, “Understanding the Structure of a Large Heroin Distribution Network: A Quantitative Analysis of Qualitative Data,” *Journal of Quantitative Criminology* 22, no. 2 (2006); Letizia Paoli, “The Illegal Drugs Market,” *Journal of Modern Italian Studies* 9, no. 2 (2004).

¹⁴ Scaglione, “Cosa Nostra and Camorra.”

¹⁵ Ibid.

¹⁶ Francesco Calderoni, “The Structure of Drug Trafficking Mafias: The ‘Ndrangheta and Cocaine,” *Crime, Law and Social Change* 58, no. 3 (2012).

¹⁷ Ibid.

¹⁸ Ibid.

The structural changes observed in Italy are part of a larger trend in the transition of illicit networks from the traditional structures to those that are more modern.¹⁹ Indeed, this shift towards decentralization is also observed in Latin America. Some scholars have even repudiated the notion of the vertically integrated and hierarchical cartel models imposed on DTOs in the region.²⁰ While this may be true to some extent, this observation may be an over-exaggeration of the extent to which they have evolved. Investigations into Hernan Prada's DTO in Colombia found evidence of diffused decision-making processes but with a centralized core.²¹ This indicates that illicit networks in the region may still retain some traditional features while making smaller adaptations to become more efficient.

Research on DTOs in the region is also problematic because a majority of the studies in the English language literature are focused on major cities which suggests, unlike in Italy, that the local environment has no effect on how these illicit networks operate. There are a few insightful studies on the narcotics trade in the rural areas of larger states like Colombia and Mexico;²² however, these studies usually ignore how

¹⁹ Bright and Delaney, "Evolution of a Drug Trafficking Network;" Michael Kenney, *From Pablo to Osama: Trafficking and Terrorist Networks, Government Bureaucracies, and Competitive Adaptation* (Penn State Press, 2007); Jörg Raab and H. Brinton Milward, "Dark Networks as Problems," *Journal of Public Administration Research and Theory* 13, no. 4 (2003); Shelley, *Dirty Entanglements*; Williams, "The Nature of Drug-Trafficking Networks."

²⁰ Enrique Desmond Arias, *Drugs and Democracy in Rio de Janeiro: Trafficking, Social Networks, and Public Security*, (Chapel Hill: The University of North Carolina Press, 2006); Kenney, *From Pablo to Osama*; Williams, "The Nature of Drug-Trafficking Networks."

²¹ David C. Hofmann and Owen Gallupe, "Leadership Protection in Drug-Trafficking Networks," *Global Crime* 16, no. 2 (2015).

²² Salvador Maldonado Aranda, "Stories of Drug Trafficking in Rural Mexico: Territories, Drugs and Cartels in Michoacán," *European Review of Latin American and Caribbean Studies* 94 (2013); Victoria Malkin, "Narcotrafficking, Migration, and Modernity in Rural Mexico," *Latin American Perspectives* 28, no. 4 (2001); James H. McDonald, "The Narcoeconomy and Small-Town, Rural Mexico," *Human Organization* 64, no. 2 (2005); Alfredo Molano, "The Evolution of the FARC: A Guerrilla Group's Long History," *NACLA Report on the Americas* 34, no. 2 (2000).

DTOs are structured. Thus, it is unclear whether illicit networks in rural areas have adopted traditional structures or have evolved like those in major urban areas.

The strong urban bias²³ in the English language literature is also reflected in studies on the Caribbean. Organized crime in the region is generally understudied compared to Latin America but research,²⁴ news media, and popular narratives indicate that drug trafficking and its related crimes are major security imperatives in the Bahamas, Jamaica, Trinidad and Tobago, and St. Kitts, among others. They infer that the illicit networks fit into the general pattern of how traditional organized crime groups operate and are structured. However, these states are much smaller in terms of geographic size, relatively less influential in the international system, and their proximities and dependency on powerful states make them more amenable to pressure from dominant actors like the US.

Among Caribbean states, however, Jamaica has attracted more attention because of the high level of violence, especially in Kingston – the most densely populated urban area in the country. The literature suggests that organized crime groups in the marginalized neighborhoods of the city are centralized with rigid core network structures.²⁵ None of the studies indicate a drastic restructuring of how they are organized despite being exposed to multiple stimuli like illicit networks in other regions of the

²³ For more on this, see Stathis N. Kalyvas, “The Urban Bias in Research on Civil Wars,” *Security Studies* 13, no. 3 (2004).

²⁴ See, for example, Anthony Harriott and Charles M. Katz, eds., *Gangs in the Caribbean: Responses of State and Society* (Kingston: University of the West Indies Press, 2015).

²⁵ See, for example, Laurie Gunst, *Born Fi’ Dead: A Journey Through the Yardie Underworld*, 3rd edition (Edinburgh: Canongate Books Ltd, 2003); Anthony Harriott, *Organized Crime and Politics in Jamaica: Breaking the Nexus* (Jamaica: Canoe Press, 2008); Horace Levy, “Inner-City: Killing Streets, Reviving Community,” (Kingston: Arawak Publications, 2009); Amanda Sives, *Elections, Violence and the Democratic Process in Jamaica 1944-2007* (Kingston: Ian Randle Publishers, 2010).

world. Furthermore, drug traffickers have been apprehended in areas outside of the city but there has been no significant attempt to understand their networks and how they operate. This leads to the assumption that all DTOs in the country have the same structures based on studies in Kingston.

Scholars infer that the transition from centralization and hierarchical networks to decentralized and fluid structures have made criminal organizations more stable, resilient against detection, apprehension, and disruption.²⁶ This intimates that the failure to evolve makes centralized networks in Kingston more vulnerable to disruption. However, this perspective discounts the importance of non-criminals in illicit networks who can help to decrease this vulnerability. The failure to incorporate a more detailed discussion of this perspective in the literature shows the limitations of just focusing on the criminals in to understand how illicit networks operate.

Different empirical findings also suggest that the increased protection that modern organizational arrangements provide is still debatable. Simply dissociating central from high status actors, as was the case with the ‘Ndrangheta drug trafficking networks,²⁷ can have a major influence on network stability because it reduces the visibility of the drug kingpins. On the other hand, the disruption of the Hernan Prada organization in Colombia indicates that leaders may be vulnerable in networks with diffused decision-making structures because they do not have central control over the vetting processes used for

²⁶ René M. Bakker, Jörg Raab, and H. Brinton Milward, “A Preliminary Theory of Dark Network Resilience,” *Journal of Policy Analysis and Management* 31, no. 1 (2012); Bright and Delaney, “Evolution of a Drug Trafficking Network”; Kenney, *From Pablo to Osama*; Carlo Morselli, “Assessing Vulnerable and Strategic Positions in a Criminal Network,” *Journal of Contemporary Criminal Justice* 26, no. 4 (2010).

²⁷ Calderoni, “The Structure of Drug Trafficking Mafias.”

recruiting new smugglers.²⁸ Moreover, the fluidity of decentralized organizations means that the traffickers on the periphery of DTOs work for multiple inter-connected networks.²⁹ If one of these DTOs is infiltrated by law enforcement, then the others are also vulnerable to detection and disruption.

Despite their resilience, these networks can be disrupted and the consequences can be limited by formalizing organizational structure and maintaining legitimacy. Research on the Arellano Felix Organization in Mexico intimates that implementing leadership succession rules can help to maintain stability in a criminal organization over time if leaders are toppled or exterminated.³⁰ This outcome may also be influenced by the ability of the new leader to maintain the bonds within his criminal network as well as with citizens and other actors outside of the organization. More importantly, it reflects the importance of internal and external legitimacy to the stability and survival of criminal organizations.³¹

Criminogenic environments that may result from persistent state weaknesses could also affect DTOs' resurgence.³² Thus, understanding resilience also requires accounting for various factors including the socioeconomic, cultural, political, and legal influences that may encourage the development or regeneration of criminal groups. For example, mafia organizations in Italy have been weakened by repressive law enforcement tactics in the 1990s but the problems of corruption, unemployment, and the decline in

²⁸ Hofmann and Gallupe, "Leadership Protection in Drug-Trafficking Networks."

²⁹ Ibid.

³⁰ Nathan Jones, "The Unintended Consequences of Kingpin Strategies: Kidnap Rates and the Arellano-Félix Organization," *Trends in Organized Crime* 16, no. 2 (January 16, 2013).

³¹ Bakker, Raab, and Milward, "A Preliminary Theory of Dark Network Resilience."

³² Julie Ayling, "Criminal Organizations and Resilience," *International Journal of Law, Crime and Justice* 37, no. 4 (2009).

popular support for anti-mafia campaigns are some of the main factors that explain their ability to survive.³³

In terms of their compositions, illicit networks may have similar roles while others develop positions unique to themselves and their circumstances. Although some functions may be highly specialized, network flexibility infers that multiple actors would be able to perform various overlapping roles.³⁴ This means that if one actor is removed or eliminated, another actor would be able to replace him without severely affecting the operations of the DTO. The violence associated with drug trafficking, whether monopolized or not, suggests that the major organized crime groups are militarized to a large extent. This assumes that all DTOs have the capacity for violence and are able to mobilize these resources for their own defense at any moment in time.

Other typical roles scholars have found include individuals who supply, transport, and sell the drugs. There may even be secret roles which only leaders are aware of in order to limit the extent to which law enforcement may be able to penetrate an illicit organization.³⁵ Different coding schemes have captured other types of responsibilities, including some with more bureaucratic functions such as supervisors and managers.³⁶ This suggests that a fairly large DTO may be organized in multiple ways with some degree of hierarchy as well as fluidity based on the environment in which it functions.

³³ Paoli, *Mafia Brotherhoods*.

³⁴ Jana S. Benson and Scott H. Decker, "The Organizational Structure of International Drug Smuggling," *Journal of Criminal Justice* 38, no. 2 (2010); Bright and Delaney, "Evolution of a Drug Trafficking Network"; David A. Bright, Caitlin E. Hughes, and Jenny Chalmers, "Illuminating Dark Networks: A Social Network Analysis of an Australian Drug Trafficking Syndicate," *Crime, Law and Social Change* 57, no. 2 (2012).

³⁵ Scaglione, "Cosa Nostra and Camorra."

³⁶ *Ibid.*

Facilitators of Organized Crime

As in the research on the structure of illicit networks, most studies in the English language literature on the relationships between illicit networks and non-criminal actors are focused on criminal organizations in major urban areas. This is reasonable, to some extent, as these are the most globalized spaces as well as the location of political and economic power within a country. They also experience unique problems associated with urbanization and historically have been the focus of economic growth policies, despite recent efforts in stimulating agricultural development. As such, these localities normally coincide with important centers of influence, licit markets where non-criminal businesses operate, and activism in civil society. This provides multiple opportunities for the convergence between organized crime and corruption across different segments of society.

On the other hand, analyses on the mafia in Italy and the few studies on drug trafficking in Mexico illustrate that these relationships also exist in rural areas.³⁷ Except for issues associated with urbanization and slum development in major urban areas,³⁸ these spaces do also experience problems with corruption, state neglect, poverty, and crime, among other issues. This indicates that there are multiple opportunities for collaborations between illicit and non-criminal actors like in primary cities. Some

³⁷ Paoli, *Mafia Brotherhoods*; Aranda, "Stories of Drug Trafficking in Rural Mexico"; McDonald, "The Narcoeconomy and Small-Town, Rural Mexico"; Malkin, "Narcotrafficking, Migration, and Modernity in Rural Mexico."

³⁸ See, for example, Mike Davis, *Planet of Slums*, Reprint edition (New York: Verso, 2007); UN-HABITAT, *The Challenge of Slums: Global Report on Human Settlements 2003* (Sterling, VA: Earthscan, 2003), <http://unhabitat.org/books/the-challenge-of-slums-global-report-on-human-settlements-2003/>; UN-HABITAT, *State of the World's Cities 2010/2011: Bridging the Urban Divide* (Sterling, VA: Earthscan, 2010), <http://unhabitat.org/books/state-of-the-worlds-cities-20102011-cities-for-all-bridging-the-urban-divide/>.

localities outside of capital cities may also contain “growth poles,” which are sites of economic activities linked to the global economy such as the tourism sector.³⁹ Detailed analysis of drug trafficking is usually lacking in the research on tourism, so our understanding of the nature of the relationships between organized crime groups and non-criminal actors in these areas is very limited.

Studies on criminals’ alliances with public actors often emphasize the state,⁴⁰ although a few have highlighted the role of the private sector and civil society organizations in facilitating the survival and expansion of organized crime.⁴¹ State-criminal collaborations operate at different levels of political and bureaucratic hierarchies, so the dynamics of the alliances may vary.⁴² Nevertheless, these networks are usually based on informal agreements in which the criminals provide votes and maintain order, among other resources, in exchange for officials allowing them to receive access to and protection from the state.⁴³ These informal arrangements allow the state to overcome some of its weaknesses in the provision of public goods in neglected areas. They also

³⁹ Saskia Sassen, *Cities in a World Economy* (Thousand Oaks: Sage Publications, 2011).

⁴⁰ See, for example, Julie Marie Bunck, *Bribes, Bullets, and Intimidation: Drug Trafficking and the Law in Central America* (University Park: Pennsylvania State University Press, 2012); Luis J. Garay-Salamanca, Eduardo Salcedo-Albaran, and Isaac De Leon-Beltran, *Illicit Networks Reconfiguring States: Social Network Analysis of Colombian and Mexican Cases* (Bogotá: Metodo Foundation, 2010); Godson, *Menace to Society*; Harriott, *Organized Crime and Politics in Jamaica*.

⁴¹ Arias, *Drugs and Democracy in Rio de Janeiro*; Donatella Della Porta and Alberto Vannucci, *Corrupt Exchanges: Actors, Resources, and Mechanisms of Political Corruption* (New York: Aldine de Gruyter, 1999); David Middleton and Michael Levi, “Let Sleeping Lawyers Lie: Organized Crime, Lawyers and the Regulation of Legal Services,” *British Journal of Criminology*, 2015.

⁴² Godson, Roy, *Menace to Society*.

⁴³ Bunck, *Bribes, Bullets, and Intimidation*; Clunan, Anne and Trinkunas, Harold, *Ungoverned Spaces*; Della Porta and Vannucci, *Corrupt Exchanges*; Juan Carlos Garzón, *Mafia & Co.: The Criminal Networks in Mexico, Brazil, and Colombia* (Washington, DC: Woodrow Wilson International Center for Scholars 2008); Godson, Roy, *Menace to Society*; Harriott, *Organized Crime and Politics in Jamaica*; Hill, *The Japanese Mafia*; Snyder, Richard and Angelica Duran-Martinez, “Does Illegality Breed Violence? Drug Trafficking and State-Sponsored Protection Rackets,” *Crime, Law and Social Change* 52, no. 3 (2009); Shelley, *Dirty Entanglements*; Behan, *See Naples and Die*; Paoli, *Mafia Brotherhoods*.

provide the opportunity for criminals to become influential non-state actors in localities where the state has very limited presence.⁴⁴ Profits from their criminal activities have allowed some groups to become modern examples of Robin Hoods or “social bandits,”⁴⁵ defined as individuals who are criminals according to the law but represent a form of resistance and are heroes to ordinary citizens.

The literature further explains that a DTOs’ monopolies on violence in the spaces they control give the “appearance” of stability due to their selective use of violence.⁴⁶ Stability also invites less interference from the state and further enables the expansion of their illicit enterprises.⁴⁷ This literature assumes that all DTOs are interested in politically dominating the spaces in which they operate but a recent study⁴⁸ suggests that this is not necessarily the case. Furthermore, the emphasis on the more militarized illicit networks in urban as well as in rural areas restricts our understanding of other less capable structures, and the impact of their limitations on their ability to develop relationships with members of the public. How do these organizations thrive if they do not have the internal capacity to monopolize violence?

As for their disruption, the increase in law enforcement activities by security officials acting on behalf of the state, and not criminal organization, could pressure state-

⁴⁴ Ibid.

⁴⁵ Eric J. Hobsbawm, *Primitive Rebels: Studies in Archaic Forms of Social Movement in the 19th and 20th Centuries* (Manchester University Press, 1971); Nicholas A. Currott and Alexander Fink, “Bandit Heroes: Social, Mythical, or Rational?” *American Journal of Economics and Sociology* 71, no. 2 (2012); Mark C. Edberg, “Drug Traffickers as Social Bandits: Culture and Drug Trafficking in Northern Mexico and the Border Region,” *Journal of Contemporary Criminal Justice* 17, no. 3 (2001).

⁴⁶ John Bailey and Matthew M. Taylor, “Evade, Corrupt, or Confront? Organized Crime and the State in Brazil and Mexico,” *Journal of Politics and Latin America* 1, no. 2 (2009); Harriott, *Organized Crime and Politics in Jamaica*; John Rapley, “Jamaica: Negotiating Law and Order with the Dons,” *NACLA Report on the Americas* 37, no. 2 (2003); Snyder and Duran-Martinez, “Does Illegality Breed Violence?”

⁴⁷ Ibid.

⁴⁸ Shelley, *Dirty Entanglements*.

criminal relationships to collapse and create instability in dominated spaces.⁴⁹ Case studies on Mexico show that after decades of colluding with DTOs, political reforms in the state and increased enforcement under the “war on drugs” escalated violence during Felipe Calderón’s administration.⁵⁰ These studies, along with others, also indicate that the foreign policies of influential states like the US can be instrumental to the weakening or collapse of these relationships in some circumstances. However, understanding the criminogenic environment may be important in determining whether these bonds can be repaired or new ones formed at a later period of time, as mentioned in the previous section.

Conceptualizing Crime Facilitating Networks

The overwhelming focus on marginalized communities, particularly in major urban areas, in analyses on organized crime in the English language literature leads to the assumptions that all criminals are from lower socioeconomic backgrounds, and are militarized and capable of dominating territory. They also infer that drug trafficking and state-criminal alliances are mostly problematic in these localities. These biases have limited the extent to which we can understand the conditions that may encourage a particular type of criminal network in one area, its relationship with multiple actors above the underworld, and how these different linkages are exploited to enable their illicit goals.

⁴⁹ Arias, Enrique Desmond, “The Impacts of Differential Armed Dominance of Politics in Rio de Janeiro,” *Studies in Comparative International Development* 48, no. 3 (2013); Bailey and Taylor, “Evade, Corrupt, or Confront?”; Bunck, *Bribes, Bullets, and Intimidation*; Snyder and Duran-Martinez, “Does Illegality Breed Violence?”

⁵⁰ David Shirk and Joel Wallman, “Understanding Mexico’s Drug Violence,” *Journal of Conflict Resolution*, 2015; Viridiana Rios, “Why Did Mexico Become so Violent? A Self-Reinforcing Violent Equilibrium Caused by Competition and Enforcement,” *Trends in Organized Crime* 16, no. 2 (2012); Snyder and Duran-Martinez, “Does Illegality Breed Violence?”

The purpose of this dissertation is to understand these dynamics by asking the following questions: 1) what factors determine the variations in the structure, composition, and dynamics of illicit networks across multiple spaces in one country?; 2) how do these characteristics affect their susceptibility to disruption as well as influence the nature and extent of instability after they collapse?; and 3) to what extent do actors external to the networks play a role in disrupting them?

The study aims to answer these questions by reframing the conversation on social networks and organized crime. It will do so through the lens of crime facilitating networks (CFNs), a construct that allows us to grasp how different components of these networks interact as an integrated system as well as their unique strengths and vulnerabilities within their own environments. CFNs are informal institutions used to deploy and exploit power in the spaces and markets where these actors operate in order to further the interests of criminal organizations, politicians, members of state, bureaucracy, civil society, and private sector, and ordinary citizens. These networks are more likely to develop where there are deficiencies in a system, such as gaps in the provision of public goods, extensive corruption, and institutional weaknesses in the criminal justice system, procurement systems, and campaign finance laws, among others.

CFNs can be classified into two broad components: active and supportive networks. The structure, operations, strengths and weaknesses, and consequences of their disruptions are determined by the compositions and relationships within and across these subnetworks.

Active Network

The active network includes individuals who function at the operational level of the CFN and would be determined by the nature of the illicit enterprise and the needs of the organization. This indicates that there should be some degree of divergence in network structure across and within the economic sectors in which the illicit activity takes place, since the nature of the environment would vary and influence these factors. The cases of Italy and Mexico illustrate that these conditions may vary across localities depending on multiple factors including the nature of state neglect as well as the socio-political, economic, cultural, and legal circumstances within these spaces. There may be a core network but different individuals may move in and out the periphery of the organization based on its needs at particular moments in time.⁵¹ For example, a DTO may need additional couriers or skilled navigators to captain boats during periods of high demand.

The literature infers that illicit networks in marginalized areas are territorial and have more opportunities for domination, and so they may need to develop the capacity for violence within their organizations.⁵² As such, most of the members in the active network would be armed men from in and around these communities. Monopolizing violence indicate some degree of centralization and vertical integration within the network. This capability would be used selectively as a means of control within the

⁵¹ See, for example, Benson and Decker, "The Organizational Structure of International Drug Smuggling"; Bright and Delaney, "Evolution of a Drug Trafficking Network"; Hofmann and Gallupe, "Leadership Protection in Drug-Trafficking Networks."; Kenney, *From Pablo to Osama*; Williams, "The Nature of Drug-Trafficking Networks."

⁵² Arias, "The Impacts of Differential Armed Dominance of Politics in Rio de Janeiro, Brazil"; Harriott, *Organized Crime and Politics in Jamaica*; Anthony Harriott and Charles M. Katz, eds., *Gangs in the Caribbean*.

neighborhood and the illicit organization itself.⁵³ Criminal actors usually become powerful non-state actors in the spaces they control through their informal governance structures.⁵⁴ The armed men would form the backbone of these systems through their responsibilities to protect and defend their territories. Their overwhelming presence in the network intimates that they may also perform other functions in the DTO.

On the other hand, there may be very limited or no opportunity for criminals in wealthier communities to dominate since the state is more likely to be present. These traffickers are non-territorial, since they are more economically motivated to participate in the illicit activity.⁵⁵ This means that they would not have developed the capacity for violence internally and must outsource these resources to others such as police officers and gangs from poor neighborhoods.⁵⁶ These arrangements would be especially beneficial to businessmen who utilize their elite status to hide their involvement in the drug trade. Their main interests would be to transship the illicit goods as quickly as possible to their destinations in order to receive their profits, so most of the roles in this network should include actors with the capacity to transport the goods whenever the need arises. These characteristics indicate that the network should be less militant and more flexible, fluid, and flat compared to those in spaces neglected by the state.

⁵³ Arias, "The Impacts of Differential Armed Dominance of Politics in Rio de Janeiro, Brazil"; Bailey and Taylor, "Evade, Corrupt, or Confront?"; Bunck, *Bribes, Bullets, and Intimidation*; Harriott, *Organized Crime and Politics in Jamaica*; Snyder and Duran-Martinez, "Does Illegality Breed Violence?"

⁵⁴ Clunan, Anne and Trinkunas, Harold, *Ungoverned Spaces*; Amanda Sives, "Changing Patrons, from Politician to Drug Don: Clientelism in Downtown Kingston, Jamaica," *Latin American Perspectives*, 2002; Christopher AD Charles and Orville Beckford, "The Informal Justice System in Garrison Constituencies," *Social and Economic Studies* 61, no. 2 (2012); Hill, *The Japanese Mafia*; Paoli, *Mafia Brotherhoods*.

⁵⁵ Harriott, *Organized Crime and Politics in Jamaica*; Anthony Harriott and Charles M. Katz, *Gangs in the Caribbean*.

⁵⁶ *Ibid.*

Non-criminal elites who operate at the national level are more subjected to influences from the macro environment in which they operate than the micro-level factors within communities. This may include the pervasiveness of corruption within a country or its general weaknesses in monitoring illicit activities. The active networks of white collar criminals may include other elites from various sections of society depending on the nature of the crime. Like wealthy businessmen in the drug trade, they may also develop relationships with gangs for protection and mask their involvement in crimes. Some networks may be smaller and less intricate than in the narcotics trade while others may be just as complex in terms of the division of labor and the nature of transactions performed.

In sum, I will argue that the structure and composition of active networks vary across economic sectors and are influenced by the environmental contexts in which they function and the socioeconomic backgrounds of the central actors. All CFNs are impacted by macro-level factors, but those functioning at the community level are also affected by unique influences organic to the spaces in which they operate.

Supportive Network

Members of the supportive network may not be involved in the daily operations of the criminal organization, but they are still significant because they provide access to resources that enables their illicit activities to flourish. These networks may consist of diverse segments of society beyond the criminal underground, which means that the nature of the resources exchanged will vary. For the purposes of this dissertation, these non-criminal actors are divided into two groups to differentiate the types of support given

to illicit networks: ordinary citizens and elites including members of the state, bureaucracy, private sector, and civil society. Each non-state actor desires a particular resource that can be gained by developing relationships with the illicit network, but for the criminal organization, in particular, this increases its chances of survival. The resources exchanged may include votes, money, information, influence, protection, contracts, and power, among others.⁵⁷

The relationships between elites and illicit organizations are reciprocal exchanges that produce benefits to the members involved and may also result in positive externalities for political, social, and economic systems. A variety of elites can facilitate illicit networks but some may be more strategic than others. These actors choose to develop relationships with each other in order to gain access to resources and fill structural gaps⁵⁸ in their own networks. For example, a drug kingpin in a network of criminals is likely to be exposed to the same information. Developing a tie with a politician or law enforcement official fills this void in the criminal's network by providing him with non-redundant information he can exploit. In this way, the politician becomes a vital node in the criminal's network even though he may not be a part of the DTO. The reverse is also true for a kingpin aligned to a politician. He can provide the politician with votes and finances, resources that are highly desired but may be more costly and difficult to obtain without the drug trafficker's assistance.

⁵⁷ Della Porta and Vannucci, *Corrupt Exchanges*.

⁵⁸ Ronald S. Burt, *Structural Holes: The Social Structure of Competition* (Cambridge: Harvard University Press, 1995); Williams, *Transnational Criminal Networks*

Research on organized crime suggests that the most powerful criminals are those with closer ties to the state.⁵⁹ The resources typically exchanged include votes, stability, security, information, and government contracts, among others. These relationships are likely to be more decentralized than in the active network given the power status of the criminals and the elites involved.⁶⁰ Criminal domination of spaces also infers that any other elite actor who interacts with these spaces may develop some type of relationship with these criminals willingly or through intimidation. For example, some businesses may be extorted while others are forced to give subcontracts to illicit networks.

DTOs' political domination of territories should be less likely the farther one moves away from marginalized spaces; nevertheless, corruption, another manifestation of state weakness, may still allow these criminals to control the market in order to pursue their illicit goals. Since they do not control political spaces, these criminals will not be as empowered, like illicit networks in marginalized areas, to force interactions with members of the establishment.

Elites who are also drug traffickers should be able to develop relationships with other prominent individuals. Members of the state are most likely to be included in these relationships since they provide opportunities for campaign finance and votes in exchange for protection. However, these ties will be weaker than in marginalized areas since they have not been able to consolidate control over the spaces in which they operate. Furthermore, some political actors outside of major urban areas may be less

⁵⁹ Arias, "The Impacts of Differential Armed Dominance of Politics in Rio de Janeiro, Brazil."

⁶⁰ Arias, *Drugs and Democracy in Rio de Janeiro*.

influential in the government, so they may be restricted in the nature and quantity of resources they provide.

Non-criminal elites involved in other types of illicit activities may operate similarly to those in the narcotics trade in terms of the ease with which they are able to network with their peers. If they operate at the national level, they would be less inclined to develop relationships with elites at the community level, which means that they should not be subjected to the unique environmental conditions in these spaces. The strengths of the relationships may vary depending on how prominent the individual is within society and the nature of resources he can provide. However, these relationships should not be as strong as state-criminal relationships in the narcotics trade since the central actor is likely to be more opportunistic in choosing members of their network.

Compared to elites, the relationships between ordinary citizens and criminal organizations are more likely to be hierarchical if the illicit activity takes place at the community level. In marginalized areas, the expansion of the narcotics market has inspired changes in the power dynamics at the level local between states and traffickers.⁶¹ Criminals have used their wealth to provide social welfare benefits to citizens in exchange for legitimacy and loyalty to the regimes.⁶² Traffickers in wealthier areas may have fewer opportunities to perform these functions within their own neighborhoods, so their ties to citizens are more likely to be weaker.

⁶¹ Ibid.; Bunck, *Bribes, Bullets, and Intimidation*; Clunan, Anne and Trinkunas, Harold, *Ungoverned Spaces*; Garzón, *Mafia & Co.*; Sives, “Changing Patrons, from Politician to Drug Don.”

⁶² Ibid.

The potential for relationships to develop between ordinary citizens and entities at the national level is determined by the nature of illicit enterprise. For example, if the activity involves government contracts at the national level, then there is probably no need to develop relationships with citizens. On the other hand, they may do so if the contracts are for public works within communities. Entities that develop these relationships may provide some type of needed resource in exchange for survival needs, such as legitimacy and loyalty, like criminals in the narcotics trade.

In sum, I will argue that the nature and strength of supportive networks are influenced by the central actor's capacity to dominate spaces and/or markets in which they operate. The stronger the alliances, the more protection central actors will receive from their supportive networks.

Network Disruption and Consequences

As institutions, CFNs can be resistant to change and may require pressure to weaken the network or cause it to collapse. The source of this stimulus may be internal to the network, such as when an actor fails to fulfill the terms of the agreement or market pressure forces the illicit business to collapse. However, institutional resilience⁶³ suggest that these events may take a longer time to occur and pressure from actors external to the networks may help to expedite this process if it is in their interests to do so. Powerful states in the international system may be the catalysts that trigger this disruption if the illicit activity affects their jurisdictions and security incentives. For example, the US, Britain, and Canada have helped to promote the weakening or collapse of CFNs through

⁶³ See, for example, Douglass C. North, *Institutions, Institutional Change and Economic Performance* (New York: Cambridge University Press, 1990), Francis Fukuyama, *The Origins of Political Order: From Prehuman Times to the French Revolution* (New York: Farrar, Straus, and Giroux, 2011).

their foreign policies on drug trafficking. This is especially the case if the offending state is less powerful and within the sphere of influence of these global players.

Domestic actors are also vital players in helping to disrupt these networks. For example, popular anti-mafia sentiments in Italy had intensified in the 1990s in response to their violent tactics targeting the state.⁶⁴ Cultural changes as well as the decline in legitimacy of the Christian Democrats after the end of the Cold War had also stimulated these reactions and resulted in the weakening of the illicit networks.⁶⁵ Influential civil society organizations and opposition parties in government can play a significant role in detecting and exposing corruption. However, the latter may only be willing to play this role if it would help to score political points for the next elections.⁶⁶ The reputational impact on the individual abusing his/her authority and negative spotlight on the activity should weaken or trigger the termination of informal agreements.

The weakening or collapse of CFNs normally leads to some type of instability regardless of the method of disruption. Arguments in the preceding sections explained that the core active networks of powerful DTOs in marginalized areas are more likely to be centralized. If the central actors are the actual leaders of the organization, then their high visibility increases the probability that they will be targeted by law enforcement.⁶⁷ This indicates that centralized networks are more vulnerable to collapse; on the other

⁶⁴ Paoli, *Mafia Brotherhoods*.

⁶⁵ Ibid.

⁶⁶ Nicholas Charron, "Party Systems, Electoral Systems and Constraints on Corruption," *Electoral Studies* 30, no. 4 (2011); Jana Kunicová and Susan Rose-Ackerman, "Electoral Rules and Constitutional Structures as Constraints on Corruption," *British Journal of Political Science* 35, no. 4 (2005).

⁶⁷ Morselli, "Assessing Vulnerable and Strategic Positions in a Criminal Network."

hand, their leaders can mobilize their supportive and active networks during periods of insecurity.

The organization's defensive mechanism would include exploiting its strategic relationships with elites who have access to vital information which it can use to evade capture.⁶⁸ Its non-armed resources would also include ordinary citizens in marginalized areas who have benefited from traffickers informal governance structures. In a democracy, they can exercise their power to rebel against the state in order to show support for the criminal; however, the level of instability may vary in poor neighborhoods. Research indicates that identity is an important factor linking poverty to violence in some areas.⁶⁹ This indicates that there must be a shared sense of identity within the neighborhoods and between citizens and traffickers that can be mobilized during periods of stress. A drug kingpin's propensity to do so may also be affected by his degree of power consolidation within these spaces.

As explained previously, territorial DTOs should have more armed resources that can be used against security forces. Therefore, if an increase in law enforcement weakens their informal relationships with elites, some of the more militant organizations may attempt challenge the authority of the state. If this strategy fails and the leader is eliminated, research⁷⁰ infers that centralized DTOs without clear succession rules will fragment and lead to more violence. This instability is associated with an increase in

⁶⁸ Della Porta and Vannucci, *Corrupt Exchanges*; Kenney, *From Pablo to Osama*; Bright, Hughes, and Chalmers, "Illuminating Dark Networks."

⁶⁹ Amartya Sen, "Violence, Identity and Poverty," *Journal of Peace Research* 45, no. 1 (2008).

⁷⁰ Dickenson, "The Impact of Leadership Removal on Mexican Drug Trafficking Organizations," *Journal of Quantitative Criminology* 30, no. 4 (2014); Jones, "The Unintended Consequences of Kingpin Strategies"; Shirk and Wallman, "Understanding Mexico's Drug Violence."

conflicts over turfs in order to fill the void left by the elimination of the kingpin and regenerate lost earnings due to the interruption of drug trafficking activities.⁷¹

Conversely, horizontal organizational structures decrease the visibility of the primary actors in the active networks, so the system will be less vulnerable than their counterparts in urban areas. Law enforcement would have to target multiple strategic actors in order to disrupt these networks. In cases where they have outsourced violence, such as in wealthier areas, the illicit networks will be more susceptible to collapse because they do not have direct control over their enforcers. Their weaker relationships with ordinary citizens also indicate that they are less empowered to mobilize them against the state.

These vulnerabilities indicate that conflict with the state's security forces is less likely to arise from any attempt to eliminate DTOs in wealthier localities, since they have limited internal capacity for violence. The instability that results post-elimination of these criminal leaders would be associated with their outsourced violent actors if they are not destroyed simultaneously. As in marginalized spaces, the disruption of drug trafficking activities eliminates a major source of income and, in order to fill this void, the literature suggests that they will engage in other types of crime and battle with other gangs to dominate other illicit activities.⁷²

Illicit networks at the national level may also be more vulnerable to collapse if they are centralized and less so if they have flat structures. Some instability may result in the sector in which they operate but this is less likely to be violent, since elites in these

⁷¹ Ibid.

⁷² Ibid.; Jones, "The Unintended Consequences of Kingpin Strategies"

systems may not have developed violent resources internally. The ability to rally citizens against the state is dependent on the nature of these linkages and backgrounds of these individuals.

In sum, I will argue that external intervention may be necessary to disrupt CFNs; however, the source of intervention will depend on the incentive structure of the external actor. This will lead to instability regardless of the type of operations but the nature and extent depends on the structure of the active network and strength of the alliances in the networks.

Methodology

The arguments derived from using CFN as a theoretical construct were tested using cases chosen non-randomly from a list of recent political scandals in Jamaica. Selection was based on their representations across space and sector as well as their feasibility, given the sensitive nature of the research. This process resulted in four cases comprising two DTOs and two non-DTOs. The study focuses on the CFNs of the main criminal and non-criminal actors in these cases and how they enable their illicit activities.

More emphasis was placed on the narcotics trade because it is viewed as one of the most pressing concerns not only in Jamaica, but also within the wider Latin America and the Caribbean region. The case of Christopher “Dudus” Coke was chosen to represent Kingston because he exemplifies what the literature would consider a typical drug kingpin in a poor urban area. To compare with Coke’s operations and CFNs, a case outside of Kingston involving two kingpins, Leebert Ramcharan and Norris Nembhard, was chosen. They were located in a much more affluent area along the north coast of

Jamaica and provided important insights on factors affecting the structure and variation of drug trafficking operations in the country.

Two non-DTOs were included in the study in order to provide a more nuanced perspective of CFNs in the narcotics trade as well as to broaden our understanding of illicit entrepreneurship in Jamaica. The Trafigura scandal is the case used for government contracting sector and includes the firm, Trafigura Beheer, and Colin Campbell, a politician, as the central actors in the network. This is the only case that is still pending in the court of law, so it has not yet been legally determined whether the transaction was illegal or just corrupt. Both sides of the argument will be presented, but for the purposes this dissertation, it will be treated as an illicit transaction.

In the financial sector, the study examined the case of David Smith and his Ponzi schemes. This last case involves multiple jurisdictions including Jamaica, the Turks and Caicos Islands, and the US. The analysis is mostly focused on Jamaica but incorporates the latter two countries because of the roles of several actors and formal institutions in the schemes. For example, the case study will show how Smith had developed close relationships with members of the state and the banking sector in order to gain legitimacy and operate in the TCI.

Data Collection

Data on the cases were collected over a period of about 12 months between July 2014 and June 2015. The data sources include: WikiLeaks, YouTube, court records and other legal proceedings, semi-formal interviews, the Jamaican government, and newspaper articles in the Jamaica Gleaner and the Jamaica Observer, among others. The

data collection process occurred in six overlapping stages. First, content analysis of newspaper articles and WikiLeaks documents were conducted to gain familiarity with the cases. I manually extracted any available information on what happened, where it happened, how it happened, the actors involved, and their relationships with each other. I also viewed YouTube videos for the same type of data.

Second, following the works of other scholars,⁷³ I read each central actor's court documents to gain an understanding of the how the networks operated and how the illicit transactions were conducted. I focused on all the transcripts and affidavits that were available and unsealed. Since the premise of my study is that individuals from civil society, the state, and the private sector may have helped to facilitate the illicit activities of the central actors, I also searched for the names of these individuals, if any, and the nature of their relationships with these individuals. The court records were taken from the Supreme Court of Jamaica, the Supreme Court of Turks and Caicos, and the US district courts in New York (Southern District) and Florida (Southern and Northern Districts).

Third, I collected data from records of other legal proceedings, special reports, and press releases issued by law enforcement agencies including the US' National Futures Association, and the Office of the Contractor General and the Financial Services Commission in Jamaica. I also reviewed the websites of other law enforcement agencies in Jamaica including the Office of the Director of Public Prosecution for information on the cases. Data about government contracts in Jamaica were extracted from the website of the National Contracts Commission of Jamaica. The current West Kingston Commission

⁷³ See, for example, Della Porta and Vannucci, *Corrupt Exchanges*; Kenney, *From Pablo to Osama*; Garay-Salamanca, Salcedo-Albaran, and De Leon-Beltran, *Illicit Networks Reconfiguring States*.

of Enquiry was also a valuable resource. I followed this this proceeding on Television Jamaica while in the field and through reading the newspapers. Again, I was only interested in what happened, when it happened, how it happened, who was involved, and the nature of their relationships.

Fourth, I examined the outcomes of the general elections in Jamaica during the period in which the DTOs and non-DTOs operated. In the cases of the DTOs, I was interested in the performance of the politicians and political parties in and around the areas where their base operations were located. For the non-DTOs, I was interested in the outcomes of politicians with whom they were linked or intended to undermine, according to the newspaper articles, WikiLeaks, court records, and YouTube videos.

Fifth, I conducted interviews in the US and Jamaica simultaneously as I collected data from the other sources. Sample questions are included in Appendix A. Participants were initially selected based on their knowledge of the general topic being studied and/or their involvement in the cases. I obtained the information about their backgrounds from newspaper articles, personal contacts, or my own local knowledge. Other participants were located through snowball technique using these participants who were first selected and my own personal contacts in Jamaica and the US. Participants included politicians, law enforcement officials, experts, business representatives, and ordinary citizens.

Two types of coding schemes were used to protect the identity of participants: 1) fake names were given to those who did not have a problem with attributes such as their gender being known; and 2) for those who believe that these characteristics will reveal their identities, they were referred to broadly by the sector in which they work and their

expertise. The latter procedure includes only a few participants. One participant preferred his name to be used in the analysis.

Only those who provided usable information about the central actors, and their illicit activities and relationships with public officials, business elites, members of civil society, and ordinary were incorporated into the study. They were asked questions emerging from the other data sources as well as other questions about corruption and illicit activities that were of interest to the study. Since the research emphasizes the drug trafficking industry, a majority of these interviews focused on the kingpins and their relationships and operations.

Sixth, participant observation was also used as another method of gathering information about the networks, politics, business operations, and the informal norms in Jamaica in general, and in areas around Kingston, Montego Bay, and Ocho Rios in particular. This was especially important in the latter two research sites because I was unfamiliar with these localities and there were very limited research on these areas outside of the literature on tourism. I spoke to several actors individually and collectively who were not interviewed but still provided information about crime, corruption, and the informal norms in their communities. These conversations mostly took place with taxi drivers and shop owners who had lived in their neighborhoods for many years. I was also privy to group discussions between friends which gave me a better understanding of what locals considered as crime and corruption and the extent of these problems in the country.

Data Analysis

The theoretical framework explains that each central actor would have CFNs composed of multiple actors who, knowingly or unknowingly, enabled their illicit activities. This research aims to understand how these networks operate within and across sectors, so comparative and social network analyses were used to analyze the data extracted from the various sources. Each empirical chapter is subdivided into four categories: 1) relationships within the active CFN; 2) relationships with elites within the supportive CFN; 3) relationships with ordinary citizens within the supportive CFN; and 4) network collapse and consequences.

The active CFNs include individuals whom the witnesses and/or affidavits in the court records or other legal proceedings identified as assisting the central actor and their organization in any way. In other words, they participate in the daily operations of the illicit activity. The court documents must mention a specific individual in order to reduce errors caused by over-representation of an actor in the network. On the other hand, the coding scheme will under-represent the size and density of the network since some individuals were referenced anonymously and, therefore, were not included in the illustrations. This means that only a sample of the active CFNs will be reproduced visually and analyzed. Nevertheless, these anonymized individuals were referred to in the general discussions of the networks. Each chapter includes more specific coding details on how the data was derived.

The roles in the active CFNs were also determined from court records and other legal proceedings. An attempt was made to code the roles across each sector; however, there were no overlapping functions so this could only be done in the narcotics trade.

Table 1 provides a list of the roles used in the drug trafficking cases. Despite the impression of highly specialized functions this coding scheme infers, there were a few actors who performed multiple roles. For these multi-functional actors, they were classified based on the roles the witnesses mostly emphasized in their testimonies or affidavits.

Table 1: Description of Roles in DTOs

Role	Description
Bookkeeper	Supervises financial accounts and collects drug debts
Courier	Receives and transports money or cocaine
Distributor	Works with kingpin to distribute drugs; sometimes sells locally and in the US for themselves
Enforcer	Armed men who protect the DTOs and neighborhoods
Inspector	Inspects/counts bales pf cocaine to ensure quality and quantity
Kingpin	Head of DTO
Processor	Operates cocaine processing lab
Seller	Sells drugs locally in Jamaica or the US
Storage	Stores the drugs in Colombia or Jamaica
Supplier	Sells drugs in bulk to wholesalers
Transporter	Provides transportation and captains go-fast boats
DocRacket	Provides illegal travel documents (visas and passports)
Weapons	Handles or smuggles weapons
Wholesaler	Purchases drugs from suppliers to be shipped to kingpins and distributors in Jamaica and elsewhere

Both the actors' names and roles were uploaded into Gephi,⁷⁴ a social network analysis software, for the purpose of visualizing and investigating the nature of the relationships between the actors. Understanding actor level characteristics is important to this dissertation because it reveals important information about how the active CFNs were organized. These traits were determined by using two measures of centrality which are normally used in studying social networks: degree centrality and betweenness centrality.⁷⁵

Degree centrality refers to the number of ties an actor has in a network. For the purposes of this dissertation, the measure will be used to indicate the extent of an actor's involvement in the network. The higher the degree, the more active an individual and the more important he was to the illicit transactions, and vice versa. The measure is influenced by the size of the network, since there will be more opportunities to develop relationships in smaller networks and less in larger networks.⁷⁶ The two DTOs included in this research are different sizes, so using the raw degree centrality values to compare actor level characteristics between them will create biased results. This problem was rectified by standardizing the indicator for each actor. For this dissertation, the values are interpreted as the percent involvement in the network. The formulas used to estimate these measures and the results of the calculations are shown in Appendix B and C.

⁷⁴ Bastian, Mathieu, Sebastien Heymann and Mathieu Jacomy, "Gephi: An Open Source Software for Exploring and Manipulating Networks," Paper presented at the International AAAI Conference on Weblogs and Social Media, San Jose, CA, May 2009.

⁷⁵ Stephen P. Borgatti, Martin G. Everett, and Jeffrey C. Johnson, *Analyzing Social Networks* (Los Angeles: SAGE Publications Ltd, 2013); Stanley Wasserman and Katherine Faust, *Social Network Analysis: Methods and Applications* (New York: Cambridge University Press, 1994); Christina Prell, *Social Network Analysis: History, Theory and Methodology*, (Los Angeles: SAGE Publications Ltd, 2011).

⁷⁶ Ibid.

On the other hand, an individual may be very active in the network but is not necessarily the most influential actor. For example, a lower level trafficker may have a large number of connections in a network but may not be the leader of the DTO. This was the case in the two ‘Ndrangheta drug trafficking networks referenced previously in the literature review.⁷⁷ The disconnect between power and involvement may arise in some instances and is due to the fact that degree centrality only pays attention to ties between actors next to each other, as indicated in Figure 1 on the left.

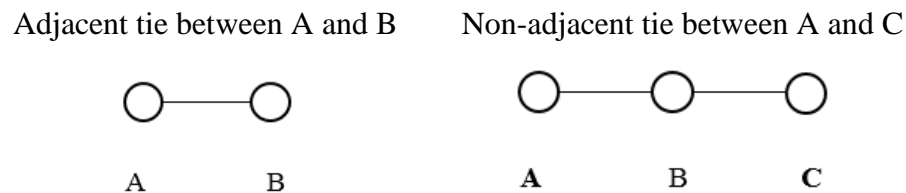


Figure 1: Adjacency in Social Networks

To overcome this problem, the betweenness centrality measure is normally used to discover the most influential actors in a network. This is a measure of how often a given node falls along the shortest path between two other nodes, and the higher the score, the more influential the actor in the network.⁷⁸ In other words, the indicator looks all the relationships between non-adjacent actors that are joined together by another individual in the network. For example, “criminal A” on one side of the network in the simplified example in Figure 1 is not adjacent to “criminal C,” but both are connected to

⁷⁷ Calderoni, “The Structure of Drug Trafficking Mafias.”

⁷⁸ Borgatti, Everett, Johnson, *Analyzing Social Networks*; Wasserman and Faust, *Social Network Analysis*; Prell, *Social Network Analysis*.

“criminal B.” They may find it more efficient to connect with each other through “criminal B” as opposed to using others to broker the relationship. Persons like “criminal B” would occupy strategic positions in the network and are important for its connectivity and operations. The formulas used to calculate these measures and the results for this research are shown in Appendix B and C.

Like degree centrality, the raw betweenness centrality scores cannot be used to compare actors’ influence levels in networks of different sizes. These scores were therefore standardized so that actors can be compared across DTOs. For example, we can investigate the influence positions of kingpins in two different networks to understand their level of dominance. For this dissertation, the values are interpreted as the percent of relationships each actor joins or brokers in a network. Criminals can exploit these strategic positions in order to increase their own power in illicit markets or the physical spaces that they control.

Detecting all of the dominant actors in a DTO can provide valuable information about the nature of power distribution in the organization, whether it was vertical or horizontal. This is not a settled debate, as mentioned previously in the literature review, so close attention was paid to the identity of these individuals, their level of influence, and their roles. The research uses the concept of “power distances,” which I define as the differences between the standardized betweenness centrality scores of the most influential actors, to estimate how power is diffused in the networks. Organizations with larger distances between these actors provide some indication that power was distributed vertically and smaller distances suggest horizontal diffusion of power.

As for the non-DTOs, the Trafigura scandal is the only case in this research that has not yet been resolved. This limited the extent to which the ambiguous data could be dissected and visualized in an actual social network. For example, the data extracted from the Office of the Contractor General's reports and newspaper articles were not clear about which representatives from the firm were involved. Despite this limitation, assumptions about how the network operated were based on the information gleaned from these sources as well as inferences made from another scandal in the government contracting sector. There were no discernable roles, so the linkages were visualized and coded based on the type of the actors involved.

There were some challenges determining David Smith's active CFN since he was the only actor charged in his case. To overcome this problem, a proxy network was constructed from a witnesses' affidavit and was used to make inferences about Smith's relationships at the operational level. The names extracted from the affidavit were cross-referenced with other legal documents in order to understand their relationships with Smith. The roles were coded based on the evidence obtained in the proxy network. Gephi was used to calculate the centrality measures and visualize the network. The results are shown in Appendix C.

It is important to note that all of the witnesses were providing a narrative of how the illicit activities operated based on their perspectives and location within the active networks. This means that they may have neglected or lacked knowledge of functions which they deemed were not important. Information collected from other sources was used to supplement this data to provide a more accurate representation of the active CFN.

This additional data was not visualized since, for the most part, specific names were not given; however, they were still discussed generally as components of the active CFN.

The theory argues that individuals in the supportive CFN are not part of the daily operations of the illicit activities. Nevertheless, they are still instrumental to their operations because they provide access to resources that enables the development of the transactions and/or the spread of the illicit activities. Data for the relationships with elites and ordinary citizens were extracted from all data sources that mentioned these individuals providing assistance to the central actors and their organizations. The study focused on understanding the nature of these symbiotic or dependent relationships and the types of resources exchanged.

Network collapse is the last category examined within and across each sector. More specifically, this section investigates the sources and consequences of network disruption. It takes into account the nature of the relationships in the central actor's active and supportive networks. Data were mostly collected from the court records and/or other legal documents, law enforcement documents, and newspaper articles. The consequences of disruption were determined by examining the nature and extent of the instability that had occurred during and after the networks and activities collapsed under pressure.

Limitations of Study

There are several limitations to this study that must be taken into consideration. First, the method of case selection makes the study vulnerable to biases and errors because of the non-random processes used to choose them. Selecting from scandals means that the research is concentrating on issues which the media had determined were

worth capturing national attention. There could be several unexposed or low impact instances of criminality, corruption, and reciprocal relationships worthy of inclusion which would have limited the biases in the media; however, they may not be practical because of the sensitive nature of the research and the extended length of time it would take to uncover these cases.

Second, the focus on these powerful individuals means that the study could overestimate the significance, prevalence, and impact of the relationships it defines as CFNs. The research is not necessarily unusual in this sense because there is a growing body of literature on the relationships between states and powerful DTOs. However, smaller networks with less influential individuals may not operate in the same manner as the networks included in this study.

Third, except for one actor, I did not speak to any of the individuals who were directly involved in the criminal enterprises or illicit transactions. The research relies mostly on indirect observations of the relationships based on the views of others. Perception bias could therefore be a source of error in the study. For example, the witnesses in each of the cases were providing information that were used to prosecute the central actors. It is possible that their past experiences with these actors were negative and could have influenced their testimonies. These shortcomings were overcome, to some extent, by using multiple sources to gain an understanding of the network and how it operated. Nevertheless, the limited academic research and historical information on illicit activities in the parishes of St. James and St. Ann, outside of media sources and the

tourism industry, made it difficult to validate the data gathered from other primary resources.

Fourth, some of the interview questions were slightly adjusted or more questions added as I learned about the networks and the local environments. These adjustments could potentially introduce bias, but I attempted to overcome this problem by trying to do follow-up interviews with many of the participants who were available.

Finally, the social network analysis was limited by the nature of the data in each sector. Except for the narcotics trade, the data gathered from the other cases were very ambiguous, so assumptions had to be made from substitute networks to make inferences about how the active networks operated. Errors from these deductions were reduced by cross-referencing the data with multiple sources.

Significance of Research

Despite the limitations, the study is still significant because it sheds light on the variations in criminality and corruption across multiple sectors and contexts in the Anglophone Caribbean, a region that is less studied than Latin America. In doing so, it overcomes some of the shortcomings in the current English language literature which overemphasizes the role of marginalized urban communities in the narcotics trade. Examining the structures, components, and dynamics of each network highlights differences in DTO operations that are normally under-studied or were previously neglected. Moreover, no other study have done such an in-depth examination of DTOs in Jamaica through the lens of social network analysis.

Incorporating other sectors is also important because it enhances our understanding of illicit entrepreneurship. The government contracting and financial services sectors are typically excluded from the research on crime and corruption in Jamaica and other countries where these issues are problematic. As such, the CFN theory and the cases provide visibility into the different types of illicit activities in a country, the nature of corruption, the complexity of their network structures, and how they exploited these relationships to pursue their goals. From a policy perspective, therefore, it can be used as a tool for developing targeted, efficient, and comprehensive approaches to counteract these problems.

The research also highlights the significance of informal alliances in supporting criminal activities. These types of relationships are underrepresented in the literature and are typically used as residual categories for economic and political behaviors outside of the norm. Contrary to this assumption, the empirical chapters in this thesis infer that these relationships may be the norm in developing country democracies where there are gaps in the provision of public goods, weaknesses in law enforcement, and strong political parties in a very competitive electoral system. This dissertation offers insights into these alliances so that we can better understand the conditions that encourage the development of these networks.

Finally, the vertical and horizontal networks of powerful criminal actors are generally assumed to be strong and unlikely to crumble from internal problems. With these characteristics in mind, the research provides insights into how these structures can be disrupted using external catalysts and the outcomes of these shocks to the system. This

knowledge can aid in the development of proactive policies designed to reduce the nature and level of instability which may result as a result of network collapse.

CHAPTER TWO

CONTEXTUALIZING POLITICS, CORRUPTION, AND CRIME

FACILITATING NETWORKS IN JAMAICA

Democracy has survived uninterrupted in Jamaica for a little over five decades. Citizens are free to vote, general elections are held within the constitutionally mandated period, and power is transferred to the opposition whenever the incumbent loses an election. Citizens are generally proud of this achievement of regime stability, despite the enormous domestic and international challenges that Jamaica faces as a developing country. Many participants in this study share this sentiment as they engaged in the mental exercise of comparing the country with others currently experiencing regime instability.

This pride, however, is contrasted with the many disappointments citizens' have experienced over those five decades of democracy. Some participants questioned how the country is governed and whether the economy will ever improve, and others disclosed their concerns about the crime epidemic, lack of jobs, and inequality. This chapter provides a brief overview of these issues as contexts for understanding the empirical chapters on CFNs that follow. It argues that political corruption, economic stagnation and

limited opportunities to improve one's standard of living, and social norms have created an environment susceptible to development of CFNs across the country.

Westminster Adapted: Party before Country

As a former British colony, Jamaica has a Westminster parliamentary system which is perceived as one of the main factors contributing the longevity of democracy in the Anglophone Caribbean. Nevertheless, how power has been contested and exploited within this regime has been a major source of controversy in the region. According to David Hinds, "elites compete for power and administer it not as a means but an end itself...control over political power means absolute control over state resources and paramouncy of the party over state."¹ A representative of one of Jamaica's political parties calls this phenomenon the "party before country mentality."² His superior explained this outlook as follows: "the winners who get power see it as getting power for themselves but not for the people. They control the resources of the country and they run it in the interests of themselves and their parties."³

This political culture has its roots in the clientelist relationships that emerged in the pre-independence period as a means of attracting votes to the two dominant political parties. Low wages and poor working conditions throughout the country stimulated the labor riots in the 1930s and 1940s. Labor became organized under two trade unions with their affiliated political parties: the Bustamante Industrial Trade Union (BITU) and the Jamaica Labour Party (JLP); and the Trade Union Congress (TUC) and Peoples' National

¹ David Hinds, "Beyond Formal Democracy: The Discourse on Democracy and Governance in the Anglophone Caribbean," *Commonwealth & Comparative Politics* 46, no. 3 (2008): 395.

² Travis (party official), phone interview in Kingston, Jamaica, December 8, 2014

³ Neville (party leader), personal interview in Kingston, Jamaica, December 17, 2014.

Party (PNP). The PNP later formed its own labor organization called the National Workers Union (NWU). Initially, Alexander Bustamante, the leader of the JLP/BITU, was more appealing to the working class because of his charismatic personality and history of championing workers' rights. The middle class was more attracted to Michael Manley, the leader of the PNP/NWU; however, he eventually gained the allegiance of some of the working class population.

The competition to attract supporters to their respective institutions intensified the hostility between Bustamante and Manley. This animosity trickled down to their supporters and eventually spilled over onto the streets of Kingston, the capital of the country. One party leader explains this conflict in terms a competition for scarce resources critical to fulfilling their immediate needs:

The people feel that there is so much at stake that is worth fighting and dying for ... their party winning means so much to them because it is like the end of the world if their party doesn't win because it means who may starve over the next five years. This is why the ... political culture is so aggressive. It is worth stealing the ballot box for your party and going to jail for your party to get that power.⁴

This aggressiveness in the political culture continued to increase over the years. Violence eventually became more organized in the late 1940s as the PNP formed a

⁴ Ibid.

political gang, Group 69, as means of protecting its supporters from JLP harassments in West Kingston.⁵ Within the context of CFNs, this would be the first observation of a state-criminal network formed to achieve licit ends but through illicit and corrupt means on behalf of political actors. This dynamic would be reversed at a later period of time when criminals became more empowered and exploited these relationships for their illegal goals, as will be discussed later on in the chapter.

The JLP won the first national and local elections, and in his role as the leader of the government, Bustamante began the practice of rewarding employment and other benefits to those who supported him.⁶ Of course, the PNP retaliated by distributing patronage to its supporters when it controlled the government in the 1950s. The political rewards eventually included the distribution of low-income housing in marginalized areas that later became known as garrisons. Carl Stone first utilized this term to describe constituencies where “organized political gangs with high-powered M-16 and A.K. 47 assault rifles and submachine guns control clearly defined political boundaries and territories where political protection insulates them from the security forces.”⁷ Allegedly, the political parties were the sources of some of these weapons.⁸ In exchange for their enforcement role, party strongmen, also known as “dons,” were granted patronage and protection from the state’s security forces.

⁵ Amanda Sives, “The Historical Roots of Violence in Jamaica: The Hearne Report, 1949,” in *Understanding Crime in Jamaica: New Challenges for Public Policy*, ed. Anthony Harriott (Kingston: University of West Indies Press, 2003).

⁶ George E. Eaton, *Alexander Bustamante and Modern Jamaica* (Kingston: LMH Publishing Company, 1995).

⁷ Carl Stone, *Class, State, and Democracy in Jamaica* (New York: Praeger, 1986).

⁸ Obika Gray, *Demeaned but Empowered: the Social Power of the Urban Power in Jamaica* (Kingston: University of the West Indies Press, 2004); Gunst, *Born Fi’ Dead*; Sives, *Elections, Violence and the Democratic Process in Jamaica 1944-2007*.

Homogenous voting,⁹ which means that the opposition party received zero or less than 10 votes in a ballot box, is another dimension of the garrison phenomenon. In other words, the political candidate, through the efforts of their affiliated gangs, received 100 percent or more of the votes within the constituency. Using this broader term and methodology illustrates that communities in the parishes of Kingston, St. Andrew, St. Catherine, and Clarendon were also part of the garrison process in the 1960s.¹⁰



Figure 2: Map of Jamaica Showing Parishes

Interestingly, swing voters along the north coast and in western Jamaica were more important in deciding the outcomes of national elections than garrisons, based on Carl Stone's¹¹ calculations of voter competitiveness between 1959 and 1976; yet, over-voting and violence did not appear to be major problems like in the capital. Participants in this study located in Montego Bay, St. James did mention that there was some political

⁹ M. Figueroa and A. Sives, "Homogenous Voting, Electoral Manipulation and the 'Garrison' Process in Post-Independence Jamaica," *Commonwealth & Comparative Politics* 40, no. 1 (2002).

¹⁰ Ibid.

¹¹ Stone, Carl, *Democracy and Clientelism in Jamaica* (New Brunswick: Transaction Publishers, 1983).

violence during elections, especially during the 1970s when the parties were ideologically divided, but these conflicts were less intense than in the Kingston area.¹²

The fact that Kingston was more violent than other areas during the early pre- and post-independence periods reflects the importance of capital cities as the location of power within countries. This intimates that the party that controls the capital would also have significant influence in the rest of Jamaica.¹³ Furthermore, some constituencies did not experience problems associated with urbanization until much later and so it is less likely that the parties would have used the same strategies as they did in Kingston. Politicians in the capital would therefore have more leverage than their peers elsewhere, and they used this power to strengthen the relationships with criminals in their constituencies.

Political parties have also exploited squatter communities for their own purposes. Citizens receive patronage support for their allegiance, so they usually align themselves to the parties as a means of survival and protection.¹⁴ Although they share this trait with inner-city communities, garrisons have had more political leverage in Jamaica's politics for a longer period of time. The parties have also been accused of importing citizens into these areas during election periods in order to increase the number of votes.¹⁵ It is easier to do this in informal settlements because the impermanent addresses of some of the poor makes it difficult for election officials to authenticate who lives in these communities.

¹² Donovan (politician and member of government), personal interview in Montego Bay, Jamaica on February 5, 2015; Winston, Jeffery, and Mary (ordinary citizens), group interview in Montego Bay, St. James, February 5, 2015; Patrice (former police officer), personal interview in New York, USA on August 9, 2014.

¹³ Obika Gray, *Demeaned but Empowered*; Sives, *Elections, Violence and the Democratic Process in Jamaica 1944-2007*.

¹⁴ Jimmy Tindigarukayo, "The Squatter Problem in Jamaica," *Social and Economic Studies* 51, no. 4 (2002); Winston, Jeffery, and Mary (ordinary citizens), group interview

¹⁵ Neville (party leader), personal interview; Vivene (ordinary citizen), personal interview in Kingston, Jamaica, November 24, 2014

The parties would import enough citizens to win the elections by a few votes in the country's competitive first-past-the-post electoral system.¹⁶

The “party before the country” attitude has significantly contributed to the intense partisanship and authoritarian tendencies in Jamaica's democracy. Former Prime Minister P. J. Patterson characterized Jamaican politics “as the fight for scarce benefits and spoils carried out by hostile tribes which seems to be perpetually at war.”¹⁷ This type of “tribalized” politics was the main cause of violence prior to the 1990s, as citizens in Kingston's inner-city communities continued to war with each other to secure their patronage support from their respective political representatives.

The bloody elections in 1980, in which approximately 800 people died, stimulated the reforms in the electoral system which have helped to decrease political conflicts since then. As partisan feuds decreased, however, political-criminal alliances evolved and violence associated with organized crime increased, as will be discussed throughout the remainder of this chapter.

Globalization and the Expansion of Organized Crime

The relationships between politicians and criminals began to transform in the 1980s due to economic pressures from globalization and the changes in the narcotics market in the Western hemisphere. Structural adjustments policies were implemented to stabilize the economy and increase its competitiveness in the global marketplace.¹⁸

¹⁶ Ibid.

¹⁷ Spaulding, Gary, “Patterson Tells Holness to Watch His Mouth,” *Jamaica Gleaner*, December 1, 2011, <http://jamaica-gleaner.com/gleaner/20111201/news/news1.html>.

¹⁸ For more on this topic, see Colin Clarke and David Howard, “Contradictory Socio-Economic Consequences of Structural Adjustment in Kingston, Jamaica,” *The Geographical Journal* 172, no. 2 (2006); Damien King, “The Evolution of Structural Adjustment and Stabilisation Policy in Jamaica,” *Social*

Balancing the budget also meant that politicians could not maintain the level of patronage support that they were accustomed to before the 1980s. The effects of these policies were immediate as unemployment soared, standard of living decreased, and the state reduced its funding for healthcare, housing, education, and other public services especially in urban areas.¹⁹ Rural farmers were also affected as their exports were no longer protected and they struggled to compete with other countries in the global economy.²⁰

While implementing neoliberal reforms, the government was also in the process of carrying out US-sponsored marijuana eradication programs which further affected the incomes of the poor. The marijuana trade between Jamaica and major consumer countries like the US were dominated by the upper middle class in the 1960s and 1970s.²¹ They were eventually sidelined when the pilots who transported drugs to and from Jamaica developed direct relationships with the loaders who were normally in the lower class.²² Thus, many of the politically-aligned gangs profited from the illicit trade.

A former high-level police officer stated that “it was no big secret” that the illicit product was sold openly in garrison communities in Kingston.²³ Some public officials were bribed to “look the other way” and political parties reaped some of the benefits through financial contributions.²⁴ Farmers also profited from marijuana production which

and Economic Studies 50, no. 1 (2001); Kari Levitt, *Reclaiming Development: Independent Thought and Caribbean Community* (Kingston: Ian Randle Publishers, 2005); Anthony Payne and Paul K. Sutton, *Charting Caribbean Development* (Gainesville: University Press of Florida, 2001).

¹⁹ Ibid.

²⁰ Payne and Sutton, *Charting Caribbean Development*.

²¹ Freddy (former high-level police officer), personal interview in Kingston, Jamaica on November 17, 2014

²² Ibid.

²³ Ibid.

²⁴ Edward Seaga, *My Life & Leadership: Hard Road to Travel 1980 - 2008*, vol. 2, 2 vols. (Oxford: Macmillan Education, 2010).

was prevalent in the parishes of St. Catherine, St. Ann, Westmoreland, St. Elizabeth, and St. James. The state was another beneficiary of the ganja trade since it contributed between US \$1billion and US \$2 billion in foreign exchange to Jamaica in the 1980s, which was more than the country's major exports.²⁵

The economic situation, along with efforts to eliminate the marijuana trade in the 1980s, had paved the way for cocaine trafficking in Jamaica. DTOs in South America also viewed the Caribbean as a viable alternative to Central America because of increased US-sponsored anti-trafficking initiatives in the region. This illustrates the responsiveness of the criminal networks to law enforcement activities, which may have even influenced some transformations the organizational arrangements to increase resilience. The criminals have also exploited some of the old marijuana networks and routes to smuggle the product between the major producers and consumers.

Many of the unemployed youths in Jamaica were attracted to the trade because of the potential incomes but, for the most part, the illicit activity was dominated by the political dons in Kingston. Although the marijuana trade continued, cocaine trafficking became an attractive enterprise because it was more profitable and easier to ship than ganja since it was less bulky. By the 1990s, Jamaica had emerged as one of the major transshipment points in the Caribbean for the cocaine trade as illustrated in the image on left of Figure 3. The map on the right of figure shows that the flows had decreased after a decade, but Jamaica continued to be one of the main transshipment points from South America to North America and elsewhere.

²⁵ Ivelaw Griffith, *Drugs and Security in the Caribbean: Sovereignty Under Siege* (University Park: Pennsylvania State University Press, 1997), 36.

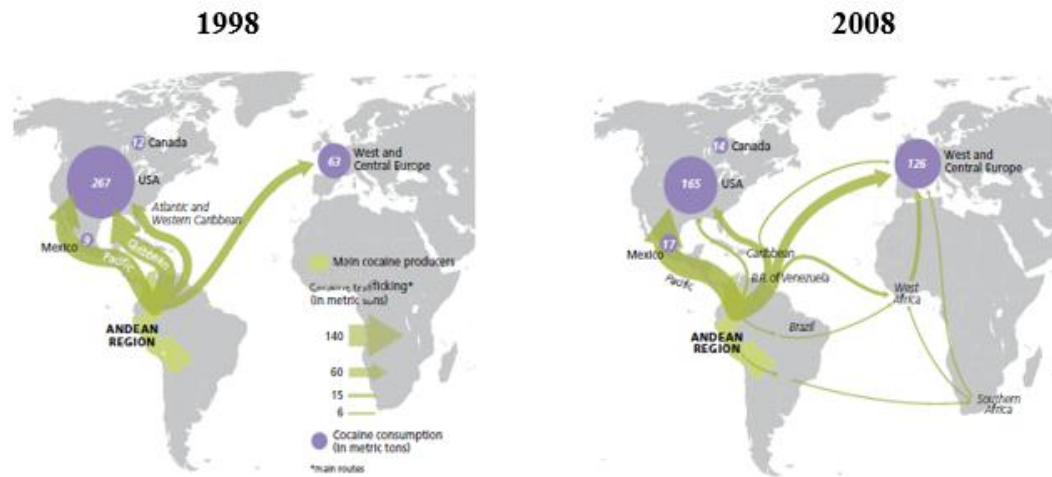


Figure 3: Global Cocaine Flows in 1998 and 2008²⁶

The chart in Figure 4 shows that it was during the period when the cocaine flow was the heaviest that the murder rate in the country began to rise. Unlike previous decades, however, organized crime has been the main cause of violence since the 1990s.²⁷ Conflicts over turfs have contributed to the violence but not all murders can be blamed on the illicit trade. Other types of organized criminal activities responsible for the high homicide rates include contract killings, honorific violence, murders in pursuit of other crimes, and more recently, lotto scams.²⁸

²⁶ United Nations Office on Drugs and Crime, *World Drug Report 2011* (Vienna: United Nations Office of Drugs and Crime, 2011), https://www.unodc.org/documents/data-and-analysis/WDR2011/World_Drug_Report_2011_ebook.pdf.

²⁷ Sives, *Elections, Violence and the Democratic Process in Jamaica 1944-2007*.

²⁸ See, for example, Barrett, Livern, "Spanish Town Turmoil - \$400m-a-Year Racket; Gangsters Use Church as Cover; Brazen Attack on Police Station and Hospital," *Jamaica Gleaner*, March 13, 2011, <http://jamaica-gleaner.com/gleaner/20110313/lead/lead1.html>; Obika Gray, *Demeaned but Empowered*.

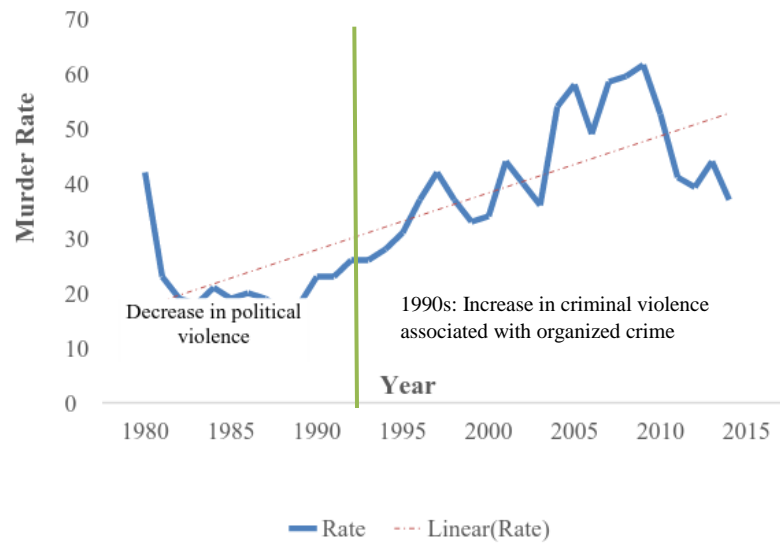


Figure 4: Intentional Homicide Rates (per 100,000), 1980-2014²⁹

DTOs have explored multiple ways of transshipping their illicit goods from Jamaica. One of the most common methods is through the use of couriers. Drug mules are couriers who transport the product in their body cavities and, in Jamaica in particular, they usually include gang members as well as individuals outside of criminal organizations who travel frequently to and from the US, UK, and Canada. The latter category may involve persons in the entertainment industry and informal commercial importers (ICIs), among others.

ICIs are vendors who travel abroad frequently to purchase goods and sell them on the streets of Kingston. The dire economic situation had encouraged some individuals to

²⁹ Planning Institute of Jamaica, *Social Sector Indicators*, 2004-2015, <http://www.pioj.gov.jm/ResearchandData/SocialSectorIndicators/tabid/129/Default.aspx>; United Nations Office on Drugs and Crime and World Bank, “Crime, Violence, and Development: Trends, Costs, and Policy Options,” March 2007, 10, https://www.unodc.org/pdf/research/Cr_and_Vio_Car_E.pdf. World Bank, *World Development Indicators 2015*, <http://data.worldbank.org/data-catalog/world-development-indicators>; Sives, *Elections, Violence and the Democratic Process in Jamaica 1944-2007*.

become ICIs³⁰ which, to some extent, is an informal activity even though the government has attempted to formalize the trade by requiring licenses. There are some ICIs who participate in drug trafficking to augment their incomes; however, a few individuals may be recruited by DTOs to exploit their travel experiences and others may become ICIs for the sole purpose of smuggling drugs.³¹ The periodic use of ICIs as couriers infers some fluidity in the organizational structures of DTO in Kingston.

Traffickers have also exploited the country's status as a major transshipment point for licit trade by developing relationships with port workers, whether through intimidation or otherwise, and breaching containers and goods destined for major cocaine consumer countries. One high-level port official in Kingston described how the drugs are usually shipped through the ports:

Breached containers may arrive directly from Colombia or Colombia via Venezuela and countries in the Eastern Caribbean like Curacao and Suriname... The drugs are usually packaged, coded, and placed in several shipping containers in order to reduce the risk of law enforcement officers intercepting the entire shipment. The port worker is told which package to unload and who to give it to for redistribution. He or she must ensure that the right package is taken and no quantity is missing when it reaches its

³⁰ Gina A. Ulysse, *Downtown Ladies: Informal Commercial Importers, a Haitian Anthropologist, and Self-Making in Jamaica* (Chicago: University of Chicago Press, 2007); Winnifred Brown-Glaude, *Higglers in Kingston: Women's Informal Work in Jamaica* (Nashville: Vanderbilt University Press, 2011)

³¹ Ulysse, *Downtown Ladies*

destination...It is not unusual for drugs to be shipped through Kingston and destined for traffickers in Montego Bay...[Unlike cocaine,] marijuana usually goes out. There have been instances of small amounts of marijuana coming into the port but forensic testing is usually done to verify if the drug is from Jamaica or elsewhere.³²

In addition to being transshipped abroad, cocaine is sold and used locally in the Kingston metropolitan region and in the tourist areas along the north coast. The results of a survey conducted in the 1990s reveal that the higher perception of drug consumption among youths was concentrated in urban areas of Kingston, St. Andrew, Spanish Town, Portmore, Ocho Rios, Negril, and Montego Bay.³³ A majority of the consumers started using crack and cocaine between 1986 and 1990, and among all those who use the product, 40 percent said that they used it daily.³⁴ Drug trafficking and prostitution rose alongside the rapidly expanding tourism industry on the north coast.³⁵

Unlike in Kingston, it is alleged that tourists from the US had introduced the product in Negril and Montego Bay in the late 1970s.³⁶ Many of them consumed the

³² Betty (expert in the shipping industry), personal interview in Kingston, Jamaica, November 25, 2014.

³³ Carl Stone, "Hard Drug Use in a Black Island Society - A Survey of Drug Use in Jamaica," *Caribbean Studies* 24, no. 3/4 (1991): 267-88.

³⁴ *Ibid.*, 280-281

³⁵ Frank Fonda Taylor, *To Hell with Paradise: A History of the Jamaican Tourist Industry* (Pittsburgh: University of Pittsburgh Press, 2003); Shirley Campbell, Althea Perkins, and Patricia Mohammed, "Come to Jamaica and Feel All Right: Tourism and the Sex Trade," in *Sun, Sex and Gold. Tourism and Sex Work in the Caribbean*, ed. Kemala Kempadoo (Lanham: Rowman and Littlefield, 1999); Kenneth Broad and Benjamin Feinberg, "Perceptions of Ganja and Cocaine in Urban Jamaica," *Journal of Psychoactive Drugs* 27, no. 3 (July 1, 1995).

³⁶ Broad and Feinberg, "Perceptions of Ganja and Cocaine in Urban Jamaica," 264; Gunst, *Born Fi' Dead*, 116.

drugs with their upper class associates who were also narco-traffickers.³⁷ Drugs were also readily available on the streets of Montego Bay as well as in clubs that provided adult entertainment.³⁸ It was a common practice for hustlers in the area to bribe the police to allow them to smuggle and sell the product.³⁹ In Ocho Rios, retailers who meet and sell drugs to tourists would also help them locate sex workers in the area and receive a part of the proceeds for their services.⁴⁰

The enormous profits gained from cocaine trafficking helped to empower criminal organizations while the state receded due to the pressures of structural adjustment reforms. Consequently, politicians found it difficult to control party strongmen in their constituencies, as they were no longer their main sources of income or weapons.⁴¹ Like in other areas where organized crime is problematic, drug traffickers used their illicit profits to distribute patronage in order to gain the loyalty of the residents in their communities and purchase their own weapons which they used to compete for turfs.⁴² Despite this power shift, the relationship between government officials and drug traffickers were not severed. Criminals continued to receive access to and protection from the state in exchange for delivering votes and performing the roles of the state in marginalized neighborhoods.

³⁷ Broad and Feinberg, "Perceptions of Ganja and Cocaine in Urban Jamaica."

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Campbell, Perkins, and Mohammed, "Come to Jamaica and Feel All Right: Tourism and the Sex Trade."

⁴¹ See, for example, Seaga, *Edward Seaga - My Life & Leadership*; Sives, *Elections, Violence and the Democratic Process in Jamaica 1944-2007*.

⁴² Obika Gray, *Demeaned but Empowered*; Harriott, *Organized Crime and Politics in Jamaica*; Sives, "Changing Patrons, from Politician to Drug Don."

Anti-law enforcement efforts sponsored by the US and the UK in the latter part of the 1990s and into the millennium had decreased the flow of drugs through the Caribbean as shown on the map in Figure 3. These efforts may have decreased the number of traffickers but it is possible that it helped to strengthen the bonds between the representatives of the state and the powerful traffickers who had survived.⁴³ Their domination extended to other types of illicit activities including weapons trafficking, extortion rackets, and money laundering activities.

Party strongmen would use some of the proceeds from these activities as well government contracts to donate to political campaigns.⁴⁴ DTOs in Kingston were also law enforcers within the physical spaces that they control.⁴⁵ In one instance, the local government had even utilized their services to prevent conflict while they cleared the streets of vendors in the downtown area.⁴⁶ Allegedly, the vendors were aware that the informal area leaders were supervising the activity and feared retaliation if they contested. This reflects how powerful these criminals have become within these spaces since the 1990s.

The Impact of Informal Norms on Corruption and Crime

So far, the chapter has shown how political, economic, and social factors have influenced corruption and the expansion of illicit activities in Jamaica. The fact that democracy has survived under these conditions suggests that the survival mechanisms inherent in these processes have contributed significantly to regime to stability. These

⁴³ Calvin (expert on corruption), personal interview in Kingston, Jamaica, January 14, 2015.

⁴⁴ Sandra (former politician and current government official), personal interview in Kingston, Jamaica on December 17, 2014.

⁴⁵ Charles and Beckford, "The Informal Justice System in Garrison Constituencies"; Rapley, "Jamaica."

⁴⁶ Brown-Glaude, *Higglers in Kingston*

practices have also reinforced and influenced the development of informal norms that often clash with the formal institutions of the state. Participants in this study have constantly mentioned norms such as “Anancyism,” “curried goat politics,” and the “eat a food” mentality in our conversations on crime and corruption.

Anancy is a folk hero who has its roots in the country’s African heritage and encourages deception and outsmarting the system.⁴⁷ The chapter has depicted this tendency through the political practices that favor corruption in the electoral system and the development of relationships with criminals. These customs have led to “curried goat politics,” which means providing patronage in exchange for political support. Political parties have socialized their members to this practice for their own survival. The “eat a food” mentality means that political actors, ordinary citizens, businessmen, and criminals would engage in corruption or different types of illicit activities to “earn” a living for their own survival.

These norms still exist today and have contributed to a subculture that has a high tolerance for crime, violence, and corruption. This environment has encouraged other types of illicit activities other than drug trafficking such as informal investment schemes and corruption in public procurement, which this dissertation will also analyze. One party member who had recently entered politics stirred up controversy when he had refused to continue the tradition of “curried goat politics” in his constituency.⁴⁸ Another politician

⁴⁷ Emily Zobel Marshall, “Anansi Tactics in Plantation Jamaica: Matthew Lewis’s Record of Trickery,” *Wadabagei: A Journal of the Caribbean and Its Diaspora* 12, no. 3 (2009); Emily Zobel Marshall, “The Anansi Syndrome’: A Debate Concerning Anansi’s Influence on Jamaican Culture,” *World Literature Written in English* 39, no. 1 (2001).

⁴⁸ Henry, Paul, “Time to End Handout Politics,” *Jamaica Observer*, September 17, 2012, http://www.jamaicaobserver.com/news/-Time-to-end-handout-politics-_12549964.

remarked “those who play by the rules get shafted” after reflecting on the plight of a group of citizens who had followed the rules only to have their claims ignored by the government in the end.⁴⁹

Not all political actors support the customs that encourage corruption; nevertheless, many have implicitly accepted them. Society has also become accustomed to the weak enforcement of laws, so citizens have taken on the responsibility to protect themselves by becoming vigilantes. In many instances, bribes are expected and so they are offered or coerced. These incidences suggest that it is difficult to escape these influences regardless of class, and that there is an urgent need to transform these social norms in order to reduce some of the major ills affecting the Jamaican society today.

Conclusion

This chapter has examined the political, economic, and social landscapes in Jamaica to explain factors that have influenced the persistence of crime, violence, and corruption in the country. These factors have it made possible for different types of informal alliances to emerge for the purpose of pursuing illicit ends, political and economic gains through illicit means, and overcoming some of the weaknesses of the state, among other objectives. It is within these contexts that the empirical chapters that follow must be understood. They examine a range of illicit activities in order to understand how these diverse environmental conditions have contributed to the characteristics and dynamics of CFNs in the drug trafficking, government contracting, and financial services sectors in Jamaica.

⁴⁹ Virtue, Erica, “Holness Twisted PNP Comments - Phillips,” *Jamaica Gleaner*, November 23, 2011, <http://jamaica-gleaner.com/gleaner/20111123/lead/lead4.html>.

CHAPTER THREE

GARRISON POLITICS AND THE NARCOTICS TRADE IN KINGSTON'S INNER-CITY COMMUNITIES

Common to all powerful drug DTOs are the social networks that they develop over time with members of the public across social, political, and economic domains. Studies examining these linkages indicate that they are key to understanding how these criminal organizations operate and why they have become such authoritative non-state actors in the spaces that they control.¹ This chapter aims to study them through the lens of the CFN framework developed earlier in Chapter 1. It will do so using the case of Christopher “Dudus” Coke, a notorious drug lord who was at the center of the 2010 extradition controversy between the US and Jamaica

Coke is a typical example of a powerful kingpin who dominates poor urban neighborhoods; however, what makes his case somewhat different from others in Latin America and the Caribbean was his embeddedness within the garrison system. Chapter 2 explains that these systems were developed in Kingston’s marginalized communities as informal political institutions used to guarantee votes and distribute patronage to party

¹ See, for example, Clunan, Anne and Trinkunas, Harold, *Ungoverned Spaces*; Della Porta and Vannucci, *Corrupt Exchanges*; Harriott, *Organized Crime and Politics in Jamaica*; Daning Hu, Siddharth Kaza, and Hsinchun Chen, “Identifying Significant Facilitators of Dark Network Evolution,” *Journal of the American Society for Information Science and Technology* 60, no. 4 (2009); Raab and Milward, “Dark Networks as Problems”; Shelley, *Dirty Entanglements*.

supporters. As the don in the Kingston Western constituency, one of Jamaica's most powerful garrisons, Coke would have been the most important non-state actor in this system. This intimates that the centralization of his active network was a legacy of the socioeconomic, political, and criminogenic environments that defined Kingston's inner-city communities before and during the 1990s when he first assumed control of his criminal organization.

The partisan nature of garrisons as well as their marginalization within the state explains why Coke was able to dominate these spaces and develop strategic and interconnecting relationships with citizens, members of the state, the business community, and other individuals who interacted with the areas he once controlled. These ties within his supportive network were either hierarchical or decentralized depending on whether the individual was an ordinary citizen or member of the establishment. Their willing or forced collaborations with his informal governance structures further allowed him to spread his influence within and beyond the confines of Kingston. This intimates that the nature of the spaces that drug lords' control determines their ability to develop robust CFNs instrumental to their power, longevity, and illegal accumulation of wealth.

Another major source of the kingpin's influence was his capacity to insource violence, which this study will also argue is another function of the space in which he operated. As indicated in the literature,² however, the study will show that his inclinations towards violence was moderated by the presence of strong state-criminal linkages, his

² Arias, "The Impacts of Differential Armed Dominance of Politics in Rio de Janeiro, Brazil"; Bailey and Taylor, "Evade, Corrupt, or Confront?"; Harriott, *Organized Crime and Politics in Jamaica*; Rapley, "Jamaica"; Sives, *Elections, Violence and the Democratic Process in Jamaica 1944-2007*; Snyder and Duran-Martinez, "Does Illegality Breed Violence?"

unwillingness to draw attention to himself and garrison he governed, and the cost of instability to his profit potential. This means that where CFNs are strong, powerful DTOs will use violence more selectively as a means of control, thus resulting in more stability compared to other non-dominated neighborhoods where traffickers' networks are relatively weaker.

On the other hand, centralized DTOs are more likely to resort to violence for survival and to maintain turf dominance when their relationships with members of the state are disrupted. But if CFNs in marginalized neighborhoods are strong, as indicated in the preceding paragraph, then what could possibly cause them to break down? This case will also provide an example of how a DTO's alliances collapse through pressure from an external actor the US, a very influential state within the international system. Network collapse is most likely to result in disorder and violence in the spaces and illicit markets that were previously under criminal control.³

The Case of Christopher “Dudus” Coke

Jamaica's political history, as discussed in Chapter 2, shows that it was common practice for both the Jamaica Labour Party (JLP) and the People's National Party (PNP) to distribute low income housing as patronage to attract voters. These neighborhoods were located in marginalized urban areas and were eventually “garrisonized” in order to ensure party dominance. Tivoli Gardens is an example of such a community which was built in the late 1960s by Edward Seaga, former Prime Minister and leader of the JLP. Seaga had envisioned Tivoli Gardens as a model community with modern amenities and

³ Dickenson, “The Impact of Leadership Removal on Mexican Drug Trafficking Organizations”; Jones, “The Unintended Consequences of Kingpin Strategies.”

facilities that housed and catered to the needs of the poor.⁴ Apparently, the poor referred to JLP supporters since they were the sole occupants of the development. Citizens in Denham Town, a neighborhood located next to Tivoli Gardens, also benefited from Seaga's largesse, which had significantly influenced the voting preferences of its residents.⁵

It was also customary for both parties to ally with influential criminal actors in these neighborhoods to maintain their political control. Claudius Massop, the don from Tivoli Gardens, controlled all of West Kingston in the 1970s until the police killed him and his affiliates. Massop was replaced by his second-in-command, Carl "Byah" Mitchel, who later died from a cocaine overdose. The death of both political enforcers provided the opportunity for Lester "Jim Brown" Coke to become the informal leader of West Kingston and he, along with his associate Vivian Blake, dominated the narcotics trade in Kingston as well as areas in the US including Miami, New York, Philadelphia, Kansas City, Los Angeles, and Chicago.⁶ His dominance of the illicit market was maintained through his leadership of the Shower Posse, an infamous international organized crime group known for the amount of bullets it "showered" on its victims.

Jim Brown, like many others before him, was virtually untouchable by the law for many years until international investigations on the Shower Posse led to his arrest in

⁴ Edward Seaga, *My Life and Leadership: Clash of Ideologies, 1930-1980*, vol. 1, 2 vols. (Oxford: Macmillan Education, 2010).

⁵ Nicole (ordinary citizen), personal interview in Kingston, Jamaica, December 23, 2014

⁶ Duane Blake, *Shower Posse: The Most Notorious Criminal Organization* (New York: Diamond Publishing, 2003). Walker, Karyl, "Jim Brown Honed His Skills During the Politically Turbulent 1970s," *Jamaica Observer*, January 27, 2008, http://www.jamaicaobserver.com/news/131835_Jim-Brown-honed-his-skills-during-the-politically-turbulent-1970s; "The Cokes Then and Now," September 6, 2009, http://www.jamaicaobserver.com/news/159042_The-Cokes-then-and-now.

Jamaica in 1991.⁷ Brown died in prison under mysterious circumstances while waiting to be extradited to the US for drug trafficking charges and other related crimes. By the time of his death, however, he had already established a criminal dynasty with informal succession rules dictating that his eldest son should take over the enterprise after his demise. As such, Mark “Jah T” Coke was to succeed him but was killed while his father was in prison. Next in line was Christopher “Dudus” Coke, Jim Brown’s adopted son who took control of the business in the early 1990s when the narcotics trade was still thriving.

Many of the experts interviewed for this study described Coke as clever because of his entrepreneurial spirit and how he operated his organization. He inherited a business that was built on using force to defend the party’s interests and transformed it into an enterprise that was less focused on politics.⁸ This perspective does not negate the impact of politics on the survival of his organization, as will be discussed in this analysis. What it suggests is that he was viewed as more of a businessman who invested in both licit and illicit activities than other criminal actors in similar positions. He developed his influence in Tivoli Gardens and throughout West Kingston by building on his father’s legacy and building on a set of norms encoded in the “system.” This institution enabled the development of strong CFNs with citizens, the state, and other influential actors which allowed Coke to become one of the most powerful drug traffickers in Jamaica.

⁷ “The Cokes Then and Now.”

⁸ George (expert on organized crime), personal interview in Kingston, Jamaica on December 15, 2014; Paul (expert on organized crime), personal interview on December 18, 2014

Relationships within the Active CFN

Coke's active network offers important insights into the structure and composition of DTOs in marginalized neighborhoods located within major urban areas. Figure 5 is a sample of the criminal's relationships constructed from the testimonies of three primary witnesses in his case⁹ that was tried in the US. These testimonies, which were derived from court records, were coded based on the ties between Coke and the witnesses; between Coke and actors whom the witnesses claimed were either part of the Shower Posse, did business on its behalf, or assisted Coke's organization in any way; between these actors and the witnesses; and between the witnesses and other actors who were part of their own networks, if any. Individuals were also coded based on the role they played in the network.

The coding scheme resulted in a total of 69 actors and 181 ties representing only a portion of Coke's active CFN. Figures 5 and Table 2 indicate that the Shower Posse was a complex organization with multiple actors in various positions performing different roles. The size of the nodes and labels are measures of degree centrality in the network: the larger the nodes and labels, the more involved or active the actor in the Shower Posse. The larger size of Coke's node indicate that he has the highest degree, meaning that he has the highest number of connections. Table 3 suggested that he was involved in almost all aspect of the organization based on his normalized degree centrality measure. This was expected because he was the leader of the organization.

⁹ United States v Christopher Michael Coke, Case No. 07 Cr. 971 (Southern District of New York)

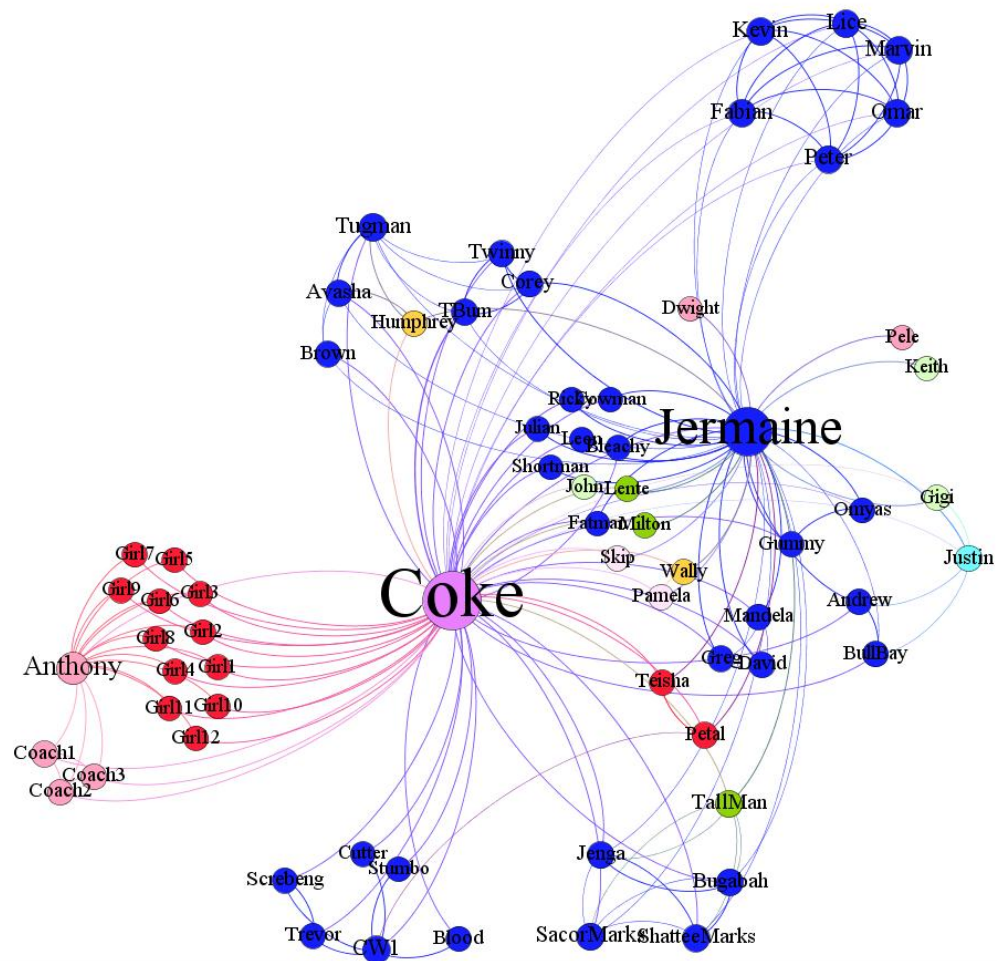


Figure 5: Sample of Shower Posse’s Active CFN

Table 2: Actors Roles as a Percentage of the Total Network in the Shower Posse

Role	% of Network
Enforcer	(53.62%)
Courier	(20.29%)
DocRacket	(8.7%)
Seller	(4.35%)
Weapons	(4.35%)
Transporter	(2.9%)
Storage	(2.9%)
Kingpin	(1.45%)
Bookkeeper	(1.45%)

Table 3: Status in the Shower Posse’s Active CFN¹⁰

Actor	Role	Influence		Involvement	
		BCN	BCN Rank	DCN	DCN Rank
Coke	Kingpin	68.61	1	97.06	1
Jermaine	Enforcer	26.49	2	67.65	2
Anthony	DocRacket	2.24	3	23.53	3
CW1	Enforcer	0.31	4	10.29	5
Tugman	Enforcer	0.14	5	11.76	4
Petal	Courier	0.11	6	5.88	8
Justin	Bookkeeper	0.03	7	7.35	7
Avasha	Enforcer	0.01	8	7.35	7

As mentioned in the methodology, the normalized betweenness centrality scores indicate an actor’s level of importance in a network.¹¹ The higher the value, the more influential the person is in the network and vice versa. Table 3 shows the eight most influential persons in Coke’s organization using the standardized betweenness centrality scores listed in the column “influence.” The remaining 61 actors in the network scored zero, as shown in table 1 in Appendix C, which means that they did not occupy strategic positions in the network. Table 3 does show that the kingpin was the most dominant actor because he was an intermediary actor in almost 70 percent of the relationships in the Shower Posse. This indicates that a majority of the actors in the Shower Posse were highly dependent on him for the functioning of the organization. He could exploit these relationships for his own benefit and others, as will be explained throughout this chapter.

¹⁰ This table was extracted from table 15 in Appendix C. BCN is the value of the standardized betweenness centrality for each actor; and DCN is the normalized degree centrality for each actor. The rank ranges from 1 to 9 for each measure.

¹¹ See methodology for the description of normalized betweenness centrality

The large differences between the most influential actors shown in Table 3 indicates that power was vertically diffused in the criminal organization. This is also suggested by the multiple subnetworks around Coke with actors playing different roles, which allowed him to dominate West Kingston and pursue his illicit goals. One of the central actors in these subnetworks was Jermaine Cohen. He had the second highest number of connections and normalized centrality scores in the network after Coke, as shown in Figure 5 and Table 3, which is an indication of his importance in the Shower Posse. The power distance between Coke and Jermaine, 68.61 percent versus 26.49 percent respectively, is a possible indication of hierarchy and reinforces the argument that Coke was the most powerful actor in the network. On the one hand, this is beneficial to the drug lord but, on the other, it also makes him more visible and vulnerable to law enforcement efforts to eliminate him. This will be discussed in more details in the section on network disruption.

Jermaine's significance may be suggested because he was one of the main witnesses who provided most of the information on Coke's organization.¹² Thus, it is possible that he had created bias in the network but his position is still very informative. He was a high-level member of the Shower Posse and had control over Shooters Hill in Denham Town for a period of time in the 1990s to the early 2000s. Denham Town is a subsection of West Kingston which is normally controlled by gangs from Tivoli Gardens. Jermaine's position in the network in Figure 5 shows that his subnetwork consisted of enforcers, persons who smuggle weapons and drugs, provide storage, illegal documents,

¹² USA v Christopher Michael Coke, C5M9COK1, Case No. 1:07-Cr-00971 (Southern District of New York, May 22, 2012) [Jermaine hereafter]

sells, and transportation, the bookkeeper. The figure also indicates that his subnetwork would be a microcosm of the larger network, except that he did not have any ties to the actors on the left of the graph which will be discussed subsequently. This indicates he was subordinate to Coke but still vital to his illicit operations and dominance.

Most likely, there were several individuals like Jermaine as well as other higher ranking actors in the network who controlled smaller armed groups around Coke in the larger network. This may include CW1, the fourth most influential person in the network, according to Table 3, and one of the three main witnesses in the trial who had testified about Coke's illicit activities and control over Tivoli Gardens.¹³ The table shows that Jermaine's influence level, compared to CW1, was much higher but this may be due to the bias caused by the research's dependence on his testimony to understand most of the relationships in the network.

Removing an influential actor like Jermaine by himself from the network would not have destroyed the organization. Figure 6 demonstrates this, as only three actors were unconnected after he was removed and Coke still had ties to the remaining 66 actors in the network. Nevertheless, this can be contentious given his own control over enforcers and his links to other important players in the network with access to weapons supplied by the kingpin. For example, there was a major conflict between Coke and Jermaine over his fight with one of the kingpin's aunt.¹⁴ This resulted in a drastic increase in violence in West Kingston which captured public attention. Jermaine was eventually

¹³ USA v Christopher Michael Coke, *Declaration in Connection with the Sentencing of Christopher Michael Coke, a/k/a "Duddus," a/k/a "Shortman"*, Case No. 1:07-Cr-00971, (Southern District of New York, May 21, 2012). [CW1 hereafter]

¹⁴ Jermaine

excommunicated from the area and some of his own friends in his subnetwork even turned against him, which indicates Coke's influence over his enforcers.¹⁵

The three individuals who were connected to Jermaine, but not to Coke, provided him with some assistance while he was on the run from the kingpin for his offense. Pele and Dwight helped him to attain illegal travel documents, Keith provided him with guns, and Gigi helped him return Coke's weapons. It is possible that they also had ties to Coke, given his dominance of the area. Nevertheless, this is not shown in the network since none of the witnesses indicate that such relationships existed.

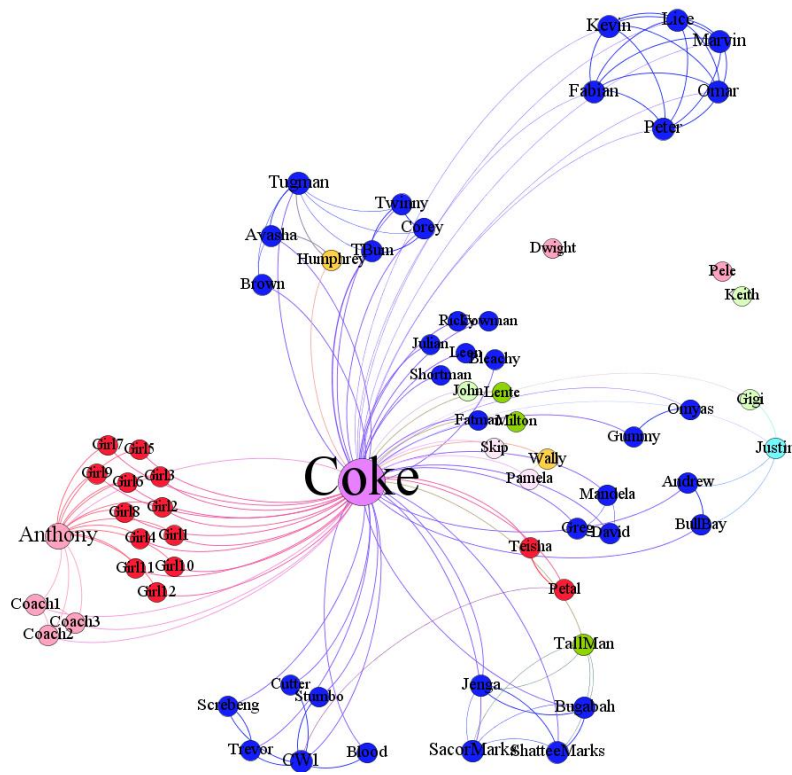


Figure 6: Sample of Shower Posse's Active CFN without Jermaine

¹⁵ Ibid.

Coke had attempted to centralize the distribution of these weapons because an armed criminal network was instrumental to his goal of increasing his dominance in West Kingston. Indeed, a former top-level Shower Posse member stated that high-powered weapons were crucial to achieving these objectives because they empowered him and demonstrated to the older members of the gang that he was the leader of the organization.¹⁶ On the other hand, Jermaine's ability to source these weapons independent of Coke indicate that he did not have full control of weapons smuggling in the area.

The weapons were hidden in appliances and foodstuffs, shipped from New York and Miami every two to three months, and usually stored in the homes of elderly or respectable individuals without their permission in order to evade law enforcement.¹⁷ None of the testimonies indicate who helped to smuggle the weapons, but Jermaine did claim that John was a gun expert who helped Coke to test the weapons.¹⁸ It was also not stated whether he was a member of the criminal underground or the state's security forces. Table 3 indicates that actors who handled or smuggled weapons (represented in light green in the graphs in Figures 5 and 6 represented only 4.35 percent of the total network. However, this includes Keith, Jermaine's contact who was mentioned previously, and Gigi, an individual to whom he allegedly returned Coke's weapons when he was on the run. I suspect that there are more persons who play this role but data

¹⁶ CW1

¹⁷ Ibid.

¹⁸ Jermaine

limitations prevent further investigations. None of these actors were in strategic positions in the Shower Posse.

The weapons were used to arm his enforcers, also known as “shottas” colloquially, who were males ranging from the ages 14 to about 40 years old. It was estimated that there were about 200 soldiers in the organization although not all were active at the same time.¹⁹ Shottas were paid to enforce the rules, prevent the security forces from entering the community, and protect him and the residents from rival gangs from the PNP and other garrison communities like Jungle, Rema, and Hannah Town. There would also be grave consequences, including death, if a soldier loses his weapons.²⁰ This rule infers that violence was used selectively to control the behavior of his enforcers, which can be viewed as a benefit of centralization in DTOs.

Table 2 shows that 53.62 percent of the actors in figure 5 were enforcers (coded in blue), which does suggest that Coke was operating a militant criminal organization. This may be the case because of the territorial nature of DTOs in Kingston²¹ and, in Jamaica in particular, the security imperatives of DTOs in garrison communities because of the history of political violence in these spaces. These characteristics illustrate how Kingston’s environment encouraged the insourcing of violence and criminal organizations.

Figures 5 and 6 show that some of these enforcers functioned in smaller groups, which adds to the complexity of the larger network and its capacity to dominate West

¹⁹ CW1

²⁰ CW1; Jermaine

²¹ Harriott, *Organized Crime and Politics in Jamaica*.

Kingston. The subnetwork at the top right of the graph were enforcers who were friends of Jermaine and worked under his command in Denham Town.²² Left of this subnetwork is a group of enforcers from Tivoli Gardens who were mostly involved in locating individuals who had committed offenses in the area and bring them back to “jail” where they were murdered. Tugman appears to be the most involved in this process, according to Jermaine’s testimony, and his position in the network between others who sometimes carried out this procedure explains his level of importance in the organization, as shown in Table 3. Although his normalized betweenness centrality score is very close to zero, the fact he is listed among the eight most influential persons in the network is still significant.

Punishing enforcers is an example of the selective use of violence to maintain a code of discipline within a kingpin’s own organization. For example, Jermaine alleged that Coke had that killed Humphrey, one of his transporters who collected money from his drug stash houses, because he was stealing from him.²³ Some enforcers were also allowed to commit murder in murders in jail on Coke’s request, including those in the subnetwork below Coke’s node.²⁴ However, none of these individuals were in any strategic positions since they all had ties to each other and Coke.

The Shower Posse monopolized control over all the illegal activities that took place in the communities it dominated, and enforcers formed the backbone of these operations. All proceeds from crime went directly to Coke, which is a benefit of being the

²² Jermaine

²³ Ibid.

²⁴ Ibid

most centralized actor, who would then pay the soldiers for their work.²⁵ The system also required that members of the organization who migrated overseas to contribute a part of their illicit proceeds to the system.²⁶ As for his drug trafficking operations, the court records reviewed did not indicate the source of his cocaine supplies but one can logically assume that his shipments were from Colombia, given the Shower Posse's historical ties to the cartels during the period of Jim Brown and Vivian Blake. Some participants in this study also assumed the same, although one expert in the shipping industry speculated that he may have utilized multiple routes from Colombia to Jamaica.²⁷

Coke's narcotics operations were both local and international. Drugs were sold domestically in the five crack houses that he owned.²⁸ Although this was an important source of income, sellers only comprised 4.35 percent of his network compared to the proportion of actors organized to transship drugs overseas. Table 3 shows that couriers, transporters, and individuals who provided false documents comprised almost 30 percent of the network. The nodes coded in pink and orange are persons who stored and transported the drugs and comprised only about 5.8 percent of the network. The smaller proportion of these roles in the organization compared to others possibly indicates that Coke was very selective about who he trusted to carry out these functions, as would any drug trafficker. According to Jermaine's testimony, one of the individuals who provided storage was Pamela, his sister.²⁹

²⁵ Ibid

²⁶ Ibid; CW1

²⁷ Betty (expert in the shipping industry), personal interview

²⁸ CW1

²⁹ Jermaine

The kingpin smuggled drugs to the US and elsewhere using several methods including human couriers who, according to Table 2, comprised 20.29 percent of his network. Both the figures and the table show that this is second largest role after enforcers and is indicative of the importance of international drug trafficking in his illicit operations. The red nodes in Figures 5 and 6 are drug couriers, some of whom were young girls who were forced to transport cocaine on his behalf.³⁰ The figures illustrate that the girls were members of a subnetwork with Anthony and three other coaches, former employees at a prominent high school in Jamaica that normally competes locally and internationally in track and field. Allegedly, this gave them the opportunity to organize visa rackets for Coke³¹ and presumably anyone else who could afford their services.

Although Anthony was not known as a criminal, Table 3 shows that he was the third most influential person in the network and had a direct link with Coke. This is an important illustration of how public actors can facilitate drug trafficking operations and, in this case, his role made it easier to transship drugs to the US. The 12 girls in the figures were recruited separately, mostly by force. There were no indications in the court documents that they knew each other, so there were no ties drawn between them.

Conversely, there were also women who were recruited for this purpose because of their travel experiences and provided this service more willingly than the 12 girls. For example, Figures 5 and 6 show two “informal commercial importers” (located on the

³⁰ Whyte, Fern, “‘Dudus’ Eyes June 8,” *Jamaica Gleaner*, May 24, 2012, <http://jamaica-gleaner.com/gleaner/20120524/lead/lead1.html>.

³¹ *Ibid.*

right-hand side of the graph) who regularly transported drugs to the US on the kingpin's behalf.³² Petal was one of his most frequent couriers, according to witnesses.³³ The graph shows that she only connects CWI and Teisha, also another courier, which explains her limited influence in the network based on her normalized betweenness centrality score of 0.09 percent.

Another major source of income for the Shower Posse was extortion. Compared to other criminal leaders, Coke and his enforcers had more clout when it came to collecting extortion money from wholesalers, store owners, market vendors and other business operators in Kingston and through the One Order criminal syndicate operating in Spanish Town and the wider Jamaica.³⁴ Most of the businesses in the downtown Kingston area, except those with strong political ties, were subjected to extortion.³⁵ Local taxi drivers and vendors who operated in the Coronation market were taxed weekly and monthly respectively.³⁶ This illicit activity was sometimes masked in the form of required "contributions" to community events.³⁷ Those who failed to pay their taxes were subjected to different types of punishments including vandalism, arson, robberies, physical harm, or even murder.³⁸

Drug traffickers typically employ individuals who are responsible for controlling their finances, that is, if they do not do so themselves. This individual is coded as a

³² CW1; Jermaine

³³ Ibid.

³⁴ CW1

³⁵ Jerry (Journalist), email interview in Kingston, Jamaica on January 5, 2015

³⁶ CW1; Jermaine; *United States v. Christopher Michael*, No. 07 Cr. 971, *Declaration in Connection with the Sentencing of Christopher Michael Coke, a/k/a "Duddus," a/k/a "Shortman"*, (Southern District of New York, May 23, 2012). [CW2 hereafter]

³⁷ CW1

³⁸ Jerry (Journalist), email interview

bookkeeper in this analysis. According to Jermaine's testimony, Justin, an influential businessman in West Kingston, performed the role of a "finance minister" for Coke's operations.³⁹ There were no evidence of him collecting drug debts but Jermaine did state that he did offer him money while he was hiding from the kingpin and his enforcers during the conflict mentioned previously.⁴⁰

Justin's normalized degree centrality rank of 5.88 percent, which is illustrated in Table 3, suggests that he was not a very active person in the network. His low normalized betweenness centrality score also intimates that was not as influential as Coke, so removing him from the network would not necessarily hurt Coke's illicit activities. His relationship with the kingpin will be discussed in more details in Chapter 5. It will show that although he was almost irrelevant in the Shower Posse's illicit activities, as suggested here, he was very important to Coke's legal operations.

In sum, this section shows that Coke's active CFN was centralized around him but also consisted of multiple subnetworks that facilitated his control of West Kingston and illicit activities in the area. The network was mostly comprised of armed actors from poor urban areas in Kingston, as well as public actors who forcefully or willingly supported his criminal enterprises. Except for Justin, the evidence also insinuates that the network was mostly hierarchical because of the subordinate positions of the actors in his network.

The coding scheme did not capture any political actors because the testimonies did not indicate that they played an active role in Coke's illicit operations. Nevertheless, Jamaica's political history discussed in Chapter 2 explains that these actors were

³⁹ Jermaine, 380

⁴⁰ Ibid., 140

instrumental to traffickers' survival. Thus, it would also be misleading to assume that the relationships were hierarchical since their relationship was more interdependent, as will be explained in the following section.

Relationships with Elites in the Supportive CFN

The Cokes, and other informal leaders like them, could not have maintained their criminal dominance over inner-city communities without the implicit or explicit consent of political actors and other members of the state. The very notion of a garrison community means that all citizens in the neighborhood had to be loyal to one party. In the Kingston Western constituency, which includes Tivoli Gardens and Denham Town, citizens were obligated to vote for the JLP and those who refused to do so would be punished.⁴¹ Shower Posse members ensured the party's victory by monitoring polling stations and deterring supporters from the opposition party from voting.⁴² The following exchange in court at Coke's trial illustrates how enforcers assisted the JLP to maintain political dominance in the constituency:

Q. What did the system in Tivoli do to further the ends of the JLP?

A. Sir, spread the message to rival gangs, rival with PNP gangs

...

Q. Did the system require community members to vote for a certain party?

A. Yes, sir

⁴¹ Jermaine; CW1

⁴² Jermaine

Q. What party was that?

A. JLP

Q. What was your understanding what would happen of someone in the community voted differently?

A. They get beaten sir

...

Q. When you go there what do you do when you help them stand up strong?

A. See that the next party don't come forward, those people in the community

Q. Your presence there would deter PNP from showing up?

A. Yes, sir

Q. Did you show up with a gun?

A. Yes, sir

Q. Did you make it clear that you were a soldier?

A. Yes, sir

Q. During an election did you ever guard a polling station?

A. Yes, sir⁴³

The garrison environment may have also enabled the influence of powerful drug traffickers on the nomination process. Bruce Golding, former Prime Minister of Jamaica, had resigned from the JLP in 1996 and, along with other notable individuals, had created the National Democratic Movement (NDM). Two reasons participants cited for his resignation were his reluctance to support garrison politics and his personal feud with Edward Seaga, who was then the leader of the JLP.⁴⁴ However, the NDM's poor

⁴³ Ibid., 49-52

⁴⁴ Neville (party leader), personal interview; Norbert (former politician and member of government), personal interview in Kingston, Jamaica on January 6, 2015.

performance in national elections had encouraged his return to the JLP a few years later. This was allegedly orchestrated by the “Young Turks” in the party who were against Seaga’s continued leadership of the JLP.⁴⁵ Golding took control of the Kingston Western constituency even though the party leader had preferred another candidate. According to Seaga:

Golding was not the original choice for the seat...But influential people in the community had other views. West Kingston which I developed to be the flagship of the JLP, was the seat of Prime Ministers...They said to me: ‘This is headquarters. We want a Prime Minister.’ Bruce Golding accepted.⁴⁶

Although Seaga did not mention any names in his statements, it is logical to assume that the “they” he was referring to was Coke and his Shower Posse members. This assumption is supported by a newspaper report which claimed that it was Coke who had rejected Seaga’s choices and had consented to Golding’s candidacy for the constituency.⁴⁷ The drug lord’s alleged support guaranteed that Golding would become the Member of Parliament (MP) for the Kingston Western constituency in which Coke

⁴⁵ Norbert (former politician and member of government)

⁴⁶ Edward Seaga, *My Life and Leadership, Volume 2: Hard Road to Travel* (Between Towns Road: Macmillan Education, 2010): 351

⁴⁷ Jamaica Gleaner, “A Convenient AFFAIR: Bruce & Dudus – the Constituency Power-Share,” *Jamaica Gleaner*, May 23, 2010, <http://jamaica-gleaner.com/gleaner/20100523/news/news1.html>

ran his illicit operations, and the Prime Minister of Jamaica if the JLP won the 2007 elections, which it did.

Golding's nomination and Seaga's statements illustrate the shift in power at the local level between one of the most influential drug traffickers and a prominent political leader in the country. According to the literature, this is a typical process linked to the weakening of the state due to globalization and the end of the Cold War.⁴⁸ Before the 1980s, the party leaders in Jamaica made the decisions about who should represent the constituency; the role of criminal organizations was limited to protecting the interests of the party and community. After the 1980s, however, the narcotics trade had empowered the criminals' vis-à-vis a weakened state and allowed them to gain some degree of independence from politicians. Political actors found it difficult to control their enforcers especially since they no longer provided them with weapons and bullets.⁴⁹

The Shower Posse's capacity to source its own resources and accumulate wealth is also indicative of the transition in the network structure of state-criminal relationships. The evidence so far in this section suggests a shift from a hierarchical collaboration to one that is flat because of the increasing interdependence between the actors. As such, it would be erroneous to classify these alliances as patron-client networks because of the more or less equivalent power status of the actors within these communities. It may also be the case that the actors' roles are situation-dependent, meaning that in some instances, the criminal may be the patron and the political actor the client, and vice versa.

⁴⁸ See, for example, Clunan, Anne and Trinkunas, Harold, *Ungoverned Spaces*; Sives, "Changing Patrons, from Politician to Drug Don."

⁴⁹ George (expert on organized crime), personal interview; Freddy (former high-level police officer), personal interview; Paul (expert on organized crime), personal interview.

State-criminal relationships remained strong despite the strains and changes in dynamics that have developed since the 1990s. One can even argue that these transitions have the effect of natural selection processes because the kingpins who have survived became some of the most powerful criminals in Jamaica. The decrease in size in the number of dominant criminals would also increase the intensity of the relationship with political actors because both actors are much more dependent on each other.⁵⁰ Golding's alleged negotiation with Coke would be example of this phenomenon. If true, the kingpin's indirect influence on the JLP's 2007 electoral victory, after 18 years of the PNP dominance in government, would have established a reciprocal relationship between the drug lord and the new MP and Prime Minister.

Protection from the state's security forces is one way in which political actors reward kingpins for their support. Tivoli Gardens was "off limits" to law enforcement officers for several decades and they required the permission of prominent political actors to enter the community.⁵¹ It was also said that politicians in Kingston would normally intervene on behalf of the criminals whenever they were detained by the police.⁵² There were instances when police officers were allegedly threatened with a transfer to another police division if they "harassed" a powerful drug trafficker.⁵³ These various methods of protecting drug traffickers from law enforcement would have continued or strengthened after 2007. This protection role that political actors and members of the state play will become more apparent during the discussion on the collapse of Coke's CFNs.

⁵⁰ Calvin (expert on corruption), personal interview.

⁵¹ Lawrence (high-level police officer), personal interview in Washington, DC on August 10, 2014

⁵² Phillip (police officer), personal in Kingston, Jamaica, December 16, 2014

⁵³ Ibid.

Influential political and business actors also functioned as peacemakers during periods of conflict between factions in criminal organizations. In 2006, it was reported that Coke was very displeased about Jermaine's attack on the police station in Denham Town while he was on the run, as mentioned in the previous section.⁵⁴ Coke's attempt to "discipline" him for the incident resulted in a temporary escalation in violence which had attracted the attention of the police and leaders of the JLP. Golding and another member of the party who was also a prominent businessman in Kingston had attempted to help resolve the feud between Coke and Jermaine.⁵⁵ This incident illustrates that political actors may still have some influence over the behavior of their criminal affiliates. Conversely, any peace agreement that resulted from their interference in the feud would have reinforced Coke's status as the informal leader of the community. This is one of the major problems in negotiating peace agreements with criminal organizations because it entails the illicit division of spaces and resources so that they can coexist.⁵⁶

This section has shown that political actors, law enforcement officials, and business elites play important supportive roles in Coke's CFN, although they may not be active participants in his illicit operations. These interactions were mostly influenced by the socioeconomic and political conditions in garrisons as well as the impact of the narcotics trade on the dynamics of the power structure within these spaces. The suggestion that political actors once provided traffickers with weapons and bullets indicates that it is possible that some of these actors were prominent players in his illicit

⁵⁴ The Jamaica Star Online, "West Dons at Odds," *The Jamaica Star Online*, Aug. 18, 2006. <http://jamaica-star.com/thestar/20060818/news/news1.html>

⁵⁵ Ibid.; CW2

⁵⁶ George (expert on organized crime), personal interview

activities. However, this is only an assumption since the evidence presented on this specific matter is very weak.

Relationships with Ordinary Citizens in the Supportive CFN

Analysis of Coke's active CFN in this study illustrates the role that a few ordinary citizens may have played in in the kingpin's illicit operations. On the other hand, this section will examine how the criminal had utilized a portion of his income to provide welfare benefits to citizens in order to gain their support. He provided food, medical care, school supplies, paid school fess, and hosted many community events for the citizens, especially the children. Many residents did not pay rent or utilities,⁵⁷ and one individual even stated that Coke had given him permission to build his house on the government's land in the community.⁵⁸ In his letter to Judge Patterson requesting for leniency with his sentencing, Coke described his role as a benefactor of Tivoli Gardens as follows:

I did a lot of charitable deeds and social services to help members of my community. I was involved in community development where I implemented a lot social programs that the residents from my community could better their lives, programs that teach them about self-empowerment, education, and skills...I also hosted a lot of charity events...I am also founding member of a youth club in my

⁵⁷ CW1

⁵⁸ West Kingston Commission of Enquiry, testimony of Mr. Tomlinson (resident of Tivoli Gardens) at the Jamaica Conference Centre in Kingston, Jamaica on December 14, 2014

community... The club members also adopt [sic] a dorm at the Glen Hope place of safety. This is a place where the government keeps orphans and children who need care and protection... Also I am a founding member of ...the Western Institute of Technology [which] is a part of the H.E.A.R.T.⁵⁹

Some of the witnesses at his trial and participants interviewed for this study had confirmed these charitable acts.⁶⁰ A former high-level member of the Shower Posse claimed that Coke provided these services in order to maintain the loyalty of the residents, especially seniors who were “politically active and well-regarded” by the MP.⁶¹ His charity had helped to bond residents to the system and is example of how he had structurally and symbolically embedded himself within Tivoli Gardens and surrounding communities in the West Kingston area. If the contents of Coke’s letter were true, then it also reflects how the drug trafficker had infiltrated the state through many of his social programs. As a matter of fact, Coke’s letter mentioned that he had received “a letter of appreciation from an elected member of his community” for his good deeds.⁶²

⁵⁹ USA v Christopher Michael Coke, *Sentencing Letter Addressed to Judge P. Patterson from Christopher Michael Coke*, Case No. 1:07-cr -00971, (Southern District of New York, September 7, 2011), 3-5 [Coke hereafter].

⁶⁰ CW1; Jermaine; George (expert on organized crime), personal interview; Kevin (ordinary citizen), personal in Kingston, Jamaica on January 20, 2015; Nicole (ordinary citizen), personal interview; Paul (expert on organized crime), personal interview

⁶¹ CW1, 5

⁶² Coke, 6

Another dimension of the system was its ability to provide criminal justice services to the citizens of West Kingston. Like other kingpins elsewhere,⁶³ he had essentially monopolized violence in the spaces he had controlled. “Jungle justice”⁶⁴ in the community excluded the state’s security forces and court system as Coke investigated and adjudicated all offenses with the help of his soldiers. In fact, one law enforcement officer admitted that, in some instances, there were informal agreements with criminals that entrusted these illicit actors with the responsibility to maintain civility within their respective communities. They would only intervene when the kingpin becomes incapable of controlling a particular situation.⁶⁵ In West Kingston, in particular, individuals would be punished for violating the rules and committing crimes without Coke’s permission.⁶⁶ Enforcers were critical to his ability to maintain these norms but they too would also be punished for their violations, as mentioned previously. His influence on order in the community is reflected in the following exchange that took place at his trial:

Q. Would the police frequently be in Tivoli Gardens?

A. No, sir.

Q. During that time period [1990-2006], how was civil order kept in Tivoli Gardens?

A. By Duddus.

⁶³ Arias, “The Impacts of Differential Armed Dominance of Politics in Rio de Janeiro, Brazil”; Bailey and Taylor, “Evade, Corrupt, or Confront?”; Snyder and Duran-Martinez, “Does Illegality Breed Violence?”

⁶⁴For more on this topic, see Charles and Beckford, “The Informal Justice System in Garrison Constituencies.”

⁶⁵ Phillip (police officer), personal interview in Kingston, Jamaica on December 16, 2014

⁶⁶ CW1; CW2; Jermaine

...

Q. You identified the jail; what did you observe happening at the jail during the time period that you were there?

A. People get beaten, some people get shot up, people get killed.

Q. For what reasons would people be beaten, shot and killed in jail?

A. Like robbery, rape.

...

Q. And would he punish people that stolen money from him?

A. Sir, at one time, the ladies them, sir. Put them like three or four hours in the chicken coop. The chicken coop was really low. Low and high coop. Some ladies were in the bottom of the chicken coop on their knees.

Placed in chicken coop for stealing and because they owe.

Q. Were women ever beaten?

A. Yes, sir

Q. What sorts of things caused women to be beaten?

A. Like arguments, sir. Like argue with the next female, fight with the next female...⁶⁷

It appears that this alternative criminal justice system where violence is used selectively had a tangible effect on crime and violence within the neighborhood. Very few crimes were committed in the community outside of those Coke sanctioned himself.⁶⁸ In fact, a law enforcement officer conceded that the criminal leader's control

⁶⁷ Jermaine, 34, 39-41 and 124-125

⁶⁸ CW1

over the community made it easier for the security forces because of the low rates of crime.⁶⁹ Between 2000 and 2006, the homicide rates in Tivoli Gardens were very low compared to other neighborhoods where organized criminals did not have monopoly control over violence.⁷⁰

Similarly, a newspaper report in 2010 stated that “official crime statistics show that there were virtually no crimes in Tivoli Gardens, although its best known residents are regarded as one of the most dangerous and ruthless persons in Jamaica.”⁷¹ This sense of security is reflective of Coke’s quick response to issues because his leadership depended on it, according to two residents from West Kingston.⁷² Citizens also found it easier to go to these area leaders than the police because “justice” was swift and the process was less expensive than the formal criminal justice system.⁷³

In sum, this section illustrates how kingpins in marginalized communities use social welfare services to incorporate ordinary citizens into their supportive CFNs. The system was also effective in monopolizing violence which was not only beneficial to citizens, but also to wider political system. In exchange, Coke would have gained the support of most of the citizens in West Kingston which was crucial to his survival and ability to govern. This overlapping web of support involving many actors in his CFN suggests that it would be difficult to challenge his power and legitimacy internally. As such, it would require the

⁶⁹ Phillip (police officer), personal interview

⁷⁰ Harriott, *Organized Crime and Politics in Jamaica*.

⁷¹ “A Close-Up View of ‘Dudus’: From Tivoli ‘Don’ to Accused International Drug Lord,” *Jamaica Observer*, June 6, 2010. <http://www.jamaicaobserver.com/news/A-close-up-view-of--Dudus-7678513>

⁷² George (expert on organized crime), personal interview; Kevin (ordinary citizen), personal interview; Nicole (ordinary citizen), personal interview; Paul (expert on organized crime), personal interview.

⁷³ Ibid.

force of an external actor to disrupt his illicit activities and explode the networks on which he depended.

Network Collapse and Consequences

Coke's centralized role in his organization allowed him to accumulate wealth illicitly, but also made him more visible and susceptible to attacks from law enforcement and his enemies. His very high influential position in the network, as shown in Table 3, indicates that his elimination would topple the organization. He was able to offset these vulnerabilities by insourcing violence and building strong relationships in his supportive networks, as discussed in the preceding sections. These resources were mobilized when the US had requested his extradition, and the actions of the government also made it appear as if they were protecting him as well. The literature indicates that increased enforcement in Mexico in the 1990s led to violent conflicts between the state and DTOs.⁷⁴ If this type of security threat is imminent, is it in the interest of the state to prevent it?

On August 24, 2009, the former Commissioner of Police, Hardley Lewin, and former head of the Jamaica Defense Force, Major General Saunders, met with the former Minister of National Security, Dwight Nelson, to discuss Coke's imminent extradition request. Nelson informed Golding who then requested that Lewin and Saunders meet with him as well. Lewin testified at the Manatt Commission of Enquiry⁷⁵ that within 15 minutes of meeting with Nelson, Coke was tipped off and fled to his enclave in West

⁷⁴ Rios, "Why Did Mexico Become so Violent?"; Snyder and Duran-Martinez, "Does Illegality Breed Violence?"

⁷⁵ This formal proceeding was an official investigation into the circumstances surrounding the extradition.

Kingston.⁷⁶ As a matter of fact, a copy of the extradition request was found at his office in Tivoli Gardens after the security forces invaded the community.⁷⁷ How did he get access to this information? This question is yet to be answered since all who were involved in the early stages of the extradition matter denied leaking the information to Coke or his affiliates. Still, it indicates the beginning stages of the mobilization of Coke's CFN within the state against his extradition.

Former Attorney General and Minister of Justice, Dorothy Lightbourne, received the formal extradition request on August 25, 2009. Lightbourne's immediate concern upon receiving the document was the constitutionality of the wiretap evidence used to indict Coke. The Supreme Court of Jamaica had limited access to Coke's wiretap data and the fact that they were shared with a foreign jurisdiction suggests that Coke's constitutional rights were violated.⁷⁸ Lightbourne challenged the US' extradition request for several months on the grounds that the wiretap evidence was provided outside of the normal recourse of the Mutual Legal Assistance Treaty (MLAT).

This wiretap technicality allowed the JLP government to delay the process which made it appear as if it was trying to prevent the kingpin's extradition.⁷⁹ If this was the case, then it illustrates how ministerial discretion in MLATs creates vulnerability in the

⁷⁶ Arthur Hall, "'Prove it, Lewin,'" *Jamaica Gleaner*, July 8, 2010, <http://jamaica-gleaner.com/gleaner/20100708/lead/lead1.html>

⁷⁷ "How Did 'Dudus' Get Extradition Papers? 'Dudus' Abandoned Fighters in Tivoli, Say Security Officials," *Jamaica Observer*, May 30, 2010, <http://www.jamaicaobserver.com/news/dudus-papers>

⁷⁸ *United States v. Christopher Michael Coke*, No. 07 Cr. 971, *Statement of the Honourable Dorothy Lightbourne, CD, QC, Attorney General and Minister of Justice* (Southern District of New York, June 20, 2011).

⁷⁹ WikiLeaks, *Extradition Jamaica: Christopher Michael Coke*, December 3, 2009, https://wikileaks.org/plusd/cab:es/09KINGSTON749_a.html.

fight against drug trafficking.⁸⁰ It is important in allowing a state to assert its sovereignty but this case indicates that it can be used to protect some of the most influential kingpins. Nevertheless, US representatives maintained that similar procedures have been used for prior extraditions and so the issue should be brought before the court.

While Lightbourne dealt with the legal issues, Prime Minister Golding was more focused on a diplomatic approach which included using the US law firm Manatt, Phelps, and Phillips (MPP) to lobby the US government on the matter. Apparently, JLP representatives who were given the responsibility to engage the firm were under the impression that MPP would be representing the government of Jamaica. Golding dismissed this claim when the issue was revealed and stated that MPP should have been retained on behalf of the party, not the government.⁸¹ Despite this alleged gaffe, there was a conflict of interest when he had authorized the law firm's appointment to lobby another government on the issue.

The Prime Minister's actions were even more suspicious since Coke was embedded in his constituency and had allegedly supported his candidacy for the West Kingston seat, as mentioned previously. Was Golding trying to protect Coke? The Manatt Commission of Enquiry⁸² concludes that:

It was imprudent for the Prime Minister to have instructed
his party to deal with diplomatic matters involving

⁸⁰ Vincent (high-level government official), personal interview in Kingston, Jamaica on January 9, 2015.

⁸¹ "PM: I Sanctioned the Manatt Initiative," *Jamaica Observer*, May 14, 2010.

http://www.jamaicaobserver.com/news/PM-I-sanctioned-the-Manatt-initiative_7611577

⁸² This Enquiry was an official investigation into the extradition matter.

US/Jamaica relations, when the party is obviously not accountable to Parliament, unlike the Minister of Foreign Affairs... We are of the view however, that the PM's involvement with Mr. Coke's extradition was inappropriate. He should have distanced himself completely from the matter. His failure to do this led to the unfortunate suspicion that he was protecting an alleged narcotics dealer and drug smuggler.⁸³

A former politician and member of state gave the impression that Golding's actions were not as controversial as many people believe. He asserted that "lobbying other governments is the norm and so Golding should have said exactly what he wanted from the US instead of haggling about it."⁸⁴ Conversely, another participant in this study stated that "there is nothing wrong with lobbying, but lobbying for organized criminal elements is a slightly different thing, and I don't know that Bruce or anybody else in Jamaica could doubt that Dudas was a drug kingpin."⁸⁵ There are also others who doubted Golding's motives and constitutionality argument. One participant asked rhetorically: "would he have done it for every citizen or was it because Coke was a

⁸³ USA v Christopher Michael Coke, *Report of the Commission of Enquiry into the Extradition Request for Christopher Coke*, (Southern District of New York, June 29, 2011), 42-43

⁸⁴ Norbert (former politician and government official), personal interview

⁸⁵ Calvin (expert on corruption), personal interview

kingpin from his constituency?”⁸⁶ This latter reaction reflects the general belief among most Jamaicans that the government was allegedly trying to protect Coke.⁸⁷

Some Jamaicans assumed that it was fear on the part of the Prime Minister and his government why they had tried to delay or cancel the extradition process. This fear was associated with the expected consequences of trying to apprehend and extradite such a powerful individual.⁸⁸ Desmond McKenzie, former Mayor of Kingston and current MP of Tivoli Gardens, allegedly warned officials at the US embassy in Kingston that there would be “severe repercussions” and “collateral damage” if the extradition was permitted.⁸⁹ The Former Minister of National Security, Dwight Nelson, also admitted that the extradition had national security implications because of Coke’s reputation and influence in West Kingston and other areas in the country.⁹⁰ In addition, it was assumed that members of the party were fearful that Coke would divulge the extent of his relationship with JLP and the government, and that Golding himself would face severe criticism from his constituency and party if Coke was extradited.⁹¹

Whether it was fear or other motives conditioned by state-criminal relationships that had influenced the government’s actions, it was unsuccessful in getting the US government to change its position on the matter. So, after nine months of wavering and

⁸⁶ Neville (party leader), personal interview

⁸⁷ Ibid., Freddy (former high-level police officer), personal interview; Patrice (former police officer), personal interview.

⁸⁸ Anthony Harriott (expert on organized crime), personal interview in Kingston, Jamaica on January 7, 2015

⁸⁹ WikiLeaks, *Key Figure Describes Prime Minister as “Between a Rock and a Hard Place” on Coke Extradition, Optimistic on Economic Prospects*, September 4, 2009, https://wikileaks.org/plusd/cables/09KINGSTON676_a.html.

⁹⁰ West Kingston Commission of Enquiry, Testimony of Mr. Dwight Nelson (former Minister of National Security) at the Jamaica Conference Center in Kingston, Jamaica on December 13, 2014

⁹¹ Sandra (former politician and current government official), personal interview

delaying the process, the Attorney General advised Prime Minister Golding and the cabinet that she would be signing the authority to proceed with the extradition on May 17, 2010. This step towards increasing enforcement had strained Coke's relationship with the JLP government and led to the kingpin deploying his own violent and non-violent resources against the state. Using them to challenge the state was a desperate attempt to prevent the collapse of his empire.

An arrest warrant was issued on the 18th of May which immediately led to criminals erecting blockades to prevent the state security forces from entering the community. Three days later hundreds of women marched in West Kingston with placards displaying their support for Coke with messages such as "No Coke, No Jamaica."⁹² Chapter 2 indicates that strong partisanship in garrison communities were part of the identities of ordinary citizens because it allowed them access to resources for their survival needs.⁹³ It seems as if the kingpin was able to trigger their activism by evoking a shared sense of injustice caused by their political exploitation. Only a few powerful criminals in Jamaica could have aroused this response to the state's attempt to apprehend them.

Golding eventually called a state of emergency after gunmen in West Kingston attacked four police stations in the area and fired at police officers who were trying to clear the road blocks. On the 24th of May, security forces entered Tivoli Gardens to apprehend Coke and restore order. Gunmen from the Shower Posse and other affiliated

⁹² "Diehards Defend 'Dudus,'" *Jamaica Gleaner*, September 6, 2015, <http://jamaica-gleaner.com/gleaner/20100521/lead/lead2.html>.

⁹³ Sives, *Elections, Violence and the Democratic Process in Jamaica 1944-2007*.

organized crime groups reacted by engaging them in shootouts. About 400⁹⁴ of the men who were detained during the incursion had addresses outside Kingston which illustrates the kingpin's influence in other localities. Some of these criminals were paid "thousands of dollars"⁹⁵ to defend Coke, including gunmen from rival political constituencies. Again, this shows some fluidity in the active network during a critical moment when the organization was in need. The security forces were able to gain control of Tivoli Gardens after three days of violent conflict with Coke's soldiers.

The human costs of the incursion were 72 civilians lost their lives and many others wounded; yet, the criminal was still at large. Was this the collateral damage that government representatives were trying to prevent with their legal and diplomatic tactics? Coke was eventually captured peacefully on June 22, 2010 at a motor vehicle spot check outside of West Kingston while Al Miller, a well-known pastor in the country, was transporting him to the US embassy so that he could surrender. He was extradited a short time thereafter and on August 31, 2011, Coke pled guilty in a US federal court for drug trafficking and racketeering.

The extradition event had helped to transform the security landscape in West Kingston. Unlike in previous years, many of the residents had begun to support law enforcement's efforts in pursuing and disrupting local gangs.⁹⁶ Their heavy-handed approach resulted in some criminals becoming more discreet and sophisticated with their illicit activities. This is evidence of the gains that policing were making in their efforts to

⁹⁴"Crushing Coke - How the Security Forces Conquered 'Dudus' Fortress," *Jamaica Gleaner*, May 30, 2010, <http://jamaica-gleaner.com/gleaner/20100530/lead/lead1.html>.

⁹⁵ Ibid.

⁹⁶ George (expert on organized crime), personal interview

attack organized crime groups and reduce the murder rate at all costs, so “the business of gangs had to happen quietly because no one wanted to attract any attention to their criminal organizations.”⁹⁷ Many of them migrated internally to other neighborhoods beyond Kingston because of the intense pressure from the police.⁹⁸

Sadly, these gains were reversed as Kingston recorded a 25 percent increase in the number of murders between 2012 and 2013, compared to a 9 percent increase for all of Jamaica.⁹⁹ During the same time period, the number of shootings increased by 46 percent in Kingston compared to a slight decline in the country overall. What explains this rise in violence? It appears that Coke did not anticipate his capture, so he did not put in place succession rules¹⁰⁰ in case of his removal from the head of the Shower Posse. Consequently, the fragmentation of the organization led to the violent competition between factions over the geographic spaces and markets he once dominated. The fact that fragmentation led to so much disorder, as will be discussed subsequently, intimates that some of the most influential actors in the Shower Posse were not eliminated. This excluded individuals like Jermaine and CW1 because they are also serving time in US prisons for various offences.

Reportedly, the “Strikers” gang, which is loyal to Coke’s legacy, was being challenged by a breakaway faction, the “Scare Dem” gang, which prefers independence

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ Jamaica Constabulary Force, *Jamaica Constabulary Force Annual Report 2013* (Kingston: Jamaica Constabulary Force, 2014), <http://www.jcf.gov.jm/article/2014-06-02/jamaica-constabulary-force-annual-report-2013>

¹⁰⁰ For the importance of succession rules during times of stress on a criminal organization, see Jones, “The Unintended Consequences of Kingpin Strategies.”

and the creation a new criminal order in the area.¹⁰¹ The “New Generation” gang is another faction that has emerged and is comprised of younger members of the Coke family. One senior police officer claimed that they have been very disruptive to the peace efforts in the area.¹⁰² There is also the inter-gang feuds over turfs between Coke loyalists and gangs aligned to the family of the late Claudius Massop, the former Tivoli Gardens strongman who ruled the community during the 1960s and 1970s.¹⁰³ Nevertheless, it was suggested that the system was slowly creeping back in under Coke’s brother, “Livity.”¹⁰⁴

The centralized control that the system provided was broken and many criminal actors needed to find alternative sources of income. Gang members clashed to control the extortion markets in Kingston which amounted to approximately J\$500 million a year in illicit gains.¹⁰⁵ The racket became disorganized after the system collapsed and rival gangs competed for their own share of the market. Along with traditional types of extortion like parking rackets, a new type of protection racket has developed. In the scheme, businesses are forced to hire individuals as security guards and a pay percentage of their salaries to the gangs.¹⁰⁶

¹⁰¹ “Gang Feud Puts Tivoli Gardens on Edge,” *Jamaica Observer*, January 11, 2013, http://www.jamaicaobserver.com/news/Gang-feud-puts-Tivoli-Gardens-on-edge_13346079.

¹⁰² Virture, Eria, “‘Turn Yourselves In!’ - West Kingston Gunmen Warned,” *Jamaica Gleaner*, April 6, 2014, <http://jamaica-gleaner.com/gleaner/20140406/news/news1.html>.

¹⁰³ Helps, HG, “‘Dudus’ vs Massop War Heats Up,” *Jamaica Observer*, August 25, 2013, http://www.jamaicaobserver.com/news/-Dudus--vs-Massop-war-heats-up_14941075.

¹⁰⁴ Nicole (ordinary citizen), personal interview

¹⁰⁵ Ibid.

¹⁰⁶ Corey Robinson, “Extortion: Culture of Silence,” *Jamaica Gleaner*, April 10, 2014, <http://jamaica-gleaner.com/gleaner/20140410/lead/lead1.html>

Robberies in West Kingston were also increasing as gang members tried to earn money through other means.¹⁰⁷ The collapse of the system removed “the sense of fear that if you do something wrong, there will be punitive damages” as a result.¹⁰⁸ Moreover, the increase the number of disputes which suggests that the community is not as united: “different leaders results in different views and there are no mediators.”¹⁰⁹

Citizens’ insecurity increased as innocent victims were caught in the cross-fire between feuding gangs. Many residents signaled their frustration with the rise in violence and marched for peace in West Kingston. By January 2014, the police had increased its presence and imposed a curfew on West Kingston in order to stem the surge in crime and violence. These efforts, along with others, were successful as the total number of murders in the country decreased in 2014. However, concerns were raised about the spike in the number of murders since the beginning of 2015 which is mostly concentrated in Spanish Town, the St. Catherine North police division. This suggests that police dominance in West Kingston has shifted violence to other communities to some extent.

In sum, this section has shown the important role that external actors play in disrupting criminal organizations and their CFNs. Kingpins will mobilize their CFNs against this pressure in order to survive. Residents from West Kingston had a major influence on the instability that resulted due their backlash against the state. This reflects Coke’s stature in the community as patron to the poor as well as the leader of an armed organization largely consisting of vulnerable youths in these marginalized areas.

¹⁰⁷ George (expert on organized crime), personal interview; Paul (expert on organized crime), personal interview

¹⁰⁸ Ibid.

¹⁰⁹ Kevin (ordinary citizen), personal interview

Conclusion

This chapter provides some empirical evidence that geographic contexts and social class are important in understanding how kingpins' CFNs operate and are organized in marginalized urban communities. The historical legacies of garrison institutions and violence in these areas have influenced the development of a largely militant criminal organizations with the capacity to govern and monopolize violence. It is reflective of a period in Jamaica's political history when criminal leaders functioned solely as political enforcers and protectors of marginalized communities on behalf of the two dominant political parties. However, one of the main differences between Coke and others like him was his ability to build on this legacy and transform his organization into a business with widespread influence across Jamaica as well as in other countries.

Coke was able to maintain his influence through occupying the most dominant position in the Shower Posse and developing strong interconnecting CFNs within his stronghold of West Kingston. His active network was centralized with multiple subnetworks consisting mostly of enforcers and couriers. Moreover, the power distances between the most influential actors indicate that influence was vertically diffused in the network. This was beneficial to the kingpin to large extent because it allowed him to increase his dominance in West Kingston; however, it also made him the most vulnerable actor in the organization because of this visibility.

On the other hand, the evidence also suggests that the structure of his networks with members of the state and private sector were not hierarchical, given the increasing interdependence between them since the cocaine boom in the 1980s. This was shown especially in Coke's alleged influence on the nominations and elections processes in 2007

in exchange for the informal authority he was granted to continue with his dominance of West Kingston. The strength of these ties as well as his bond with ordinary citizens and the militancy of his DTO mean that Coke would have probably continued to operate today had it not been for the US' extradition request. The disruptive role that the US had played in this case shows the importance of powerful external actors in filling an important gap in the fight against drug trafficking in states which are indirectly infiltrated by criminals.

The interaction of social class and identity politics is an important factor influencing instability as a defensive response against kingpin elimination. Indeed, the non-violent reaction of citizens in West Kingston was probably triggered by Coke himself as well as a feeling of injustice with respect to the government's decision to apprehend and extradite him. However, the collapse of the "one order" ideology and the fragmentation of the Shower Posse had stimulated an increase in violence. Criminals attempted to replace the lost earnings from drug trafficking and, in the absence of a leader, they conflicted with each other for turfs. Unlike in previous years under Coke's leadership, violence became indiscriminate and citizens' security was threatened. CFNs in Kingston have weakened, to some extent, since 2010; however, it is also possible that they have also evolved.

CHAPTER 4

BUSINESSMEN AS DRUG KINGPINS?:

UNDERSTANDING THE NARCOTICS TRADE BEYOND KINGSTON

One day while I was in the resort town of Ocho Rios, St. Ann interviewing a former drug trafficker, I noticed a man in the parking lot hiding a brown bag behind some shrubs. We overheard him telling someone on his phone where exactly to find him in order to retrieve the package. Charles,¹ the participant I was interviewing, saw that I was curious about the man's peculiar behavior and offered an explanation. He speculated that the bag contained drugs, possibly marijuana or cocaine, and that the man was probably waiting for someone from the cruise ship that had just docked. He further explained how drugs are normally sold on the beach and in the surrounding resort towns to tourists and locals as well as transshipped through the ports.

After a few hours of conversation, Charles and I returned to the parking lot and noticed that the man was still there guarding his brown bag and arguing with someone on his phone about the cost for him waiting there for so long. He watched us closely as we walked pass the shrubs. Charles nodded at him, a normal cultural gesture in Jamaica, and then looked at me so as to confirm his speculations. Could Charles' assumptions be true?

¹ Charles (former trafficker), personal interview in Ocho Rios, St. Ann on February 9, 2015.

If so, then this incident provides some evidence of drug trafficking outside of major urban areas like Kingston. However, our understanding of this phenomenon is very narrow due to the limited attention that rural areas and resort towns have received in the literature on the narcotics trade.

The literature paints a picture of “narco-communities” as impoverished, lacking state presence, and dominated by armed drug lords with the power to monopolize violence. The previous chapter illustrates that Kingston’s inner-city neighborhoods are typical examples of these spaces with the garrison institution as an added dimension. I have argued that these characteristics have influenced the structure, component, strength, and collapse of CFNs in these urban areas. Given the overwhelming representation of these spaces in the literature, should we assume that all drug trafficking CFNs would operate in the same way across different geographic contexts? The evidence presented in this chapter suggests that we would be incorrect if we do.

Communities on the north coast of Jamaica, and the southwest coast to some extent, are different from Kingston’s inner-city neighborhoods with respect to their development, socioeconomic status, and links with the political parties and other members of the state. Sure, there are areas of marginalization and poverty where gang violence is problematic such as in volatile communities like Flanker and Norwood in Montego Bay. Most, if not all, of them are politically aligned to the JLP and PNP but, unlike the garrisons in Kingston, they were not created for the purpose of winning elections and so political violence was less intense. This suggests that the relationship between criminals and politicians will be weaker than in Kingston.

What is even more interesting is that some of these settlements are located in very close proximity to wealthier neighborhoods. This phenomenon is reflective of the squatter problem that Jamaica has been experiencing for several decades, especially in rural areas where more land space is available.² Citizens developed and migrated to these areas for multiple reasons including seeking employment in the tourism sector, but not all have been successful. So it would not be surprising if any of these individuals actively participate in the informal economy for survival, as suggested in Chapter 2.

One may assume that the criminal elements in volatile communities controlled the narcotics trade because of the nature of the environments in which they live. Contrary to this expectation, the study will show that business elites in wealthier neighborhoods dominated the trade which, again, indicates that there are differences in how CFNs operate outside of primary cities. These traffickers were non-territorial,³ so instead of dominating physical spaces in poor communities like Coke in West Kingston, the kingpins controlled illicit markets across different types of neighborhoods on the north coast; the areas in which they operated were more important economically than politically, which is another indication that state-criminal relationships are more likely to be weaker; and their violent resources were outsourced to law enforcement officials and criminals from the informal settlements.

The chapter will address these variations using the example of several businessmen who were extradited and are now serving time in US prisons for drug

² The availability of land in these areas does not mean that they are unclaimed. They are sometimes owned by the government or citizens at home or in the diaspora.

³ Harriott, *Organized Crime and Politics in Jamaica*.

trafficking. They were all members of the same DTO so, for simplicity, the chapter will refer to them as the “North Coast Network.” The chapter will also explore and compare with Chapter 3 the structure, component, strength, and collapse of their CFNs. In doing so, it will illustrate the extent to which geographic contexts and socioeconomic status influence DTO operations outside of major urban areas. More specifically, the study will show that the CFNs in general decentralized and weaker, and although they also required external intervention to disrupt them, the process was faster and less violent than in Kingston.

The Case of the North Coast Network

Between 2007 and 2008, several businessmen from Jamaica were sentenced to prison for drug trafficking offences in the US. A majority of them owned and operated their own legal businesses and were from wealthy communities in Runaway Bay, St. Ann and Montego Bay, St. James. Court records indicate that Leebert “Indian” Ramcharan and Norris “Deedo” Nembhard were the two main leaders of the illicit network in Jamaica who orchestrated the transshipment of narcotics from Jamaica to the US. The available evidence does not indicate any criminal dynasties but, like Coke, some of their family members were involved in their criminal activities. This indicates that the absence of garrisons influenced a different type of criminogenic environment in wealthier areas.

Unlike in Coke’s case, the evidence is clear that the cocaine transshipped through these networks on the north coast originated in Colombia, although the shipment may include actors from multiple nationalities. The relationships between the Colombians and the Jamaicans developed around the early 1990s when the narcotics trade was thriving.

Prior to this period, it appears that Leebert and Norris were separately involved in the marijuana trade between Jamaica and the US.⁴ They eventually became central actors in a complex drug distribution network which will be analyzed in the following sections.

Relationships within the Active CFN

The structure of the network was constructed using the affidavits and testimonies of primary witnesses and factual proffers from the criminals involved in the conspiracy.⁵ They provided evidence of the relationships between most of the actors in the illicit network which were coded and visualized in the graphs in Figure 7. The coding scheme utilized was the same as in the previous chapter but slightly adjusted because there are two central actors: ties were drawn the witnesses and either Leebert or Norris depending on which actor they were testifying against; between Leebert or Norris and actors whom the witnesses claimed worked for them, did business on their behalf, or assisted them in any way; between these actors and the witnesses; and between the witnesses and other actors who were part of their own networks, if any. Individuals were also coded based on the role they played in the network.

⁴ Charles (former trafficker), personal interview; John (businessman), personal interview in Montego Bay, St. James on February 25 and March 1, 2015; USA v Newman Jones et al., 933 F. 2d 1541 – Court of Appeals, 11th Circuit, 1991; Jeanne Curran, “Brothers Sentenced to in Drug Case,” January 27, 1989, <https://news.google.com/newspapers?id=MKIJAAAIBAJ&sjid=QQ4NAAAIBAJ&pg=1421,3835664&hl=en>.

⁵ Two sets of court records were used throughout this chapter: case no. 1:04-cr-20065 refers to Leebert Ramcharan and others who were prosecuted in the Southern District of Florida (Miami); and case no. 8:04-cr-00158 refers to Norris Nembhard and others and who were prosecuted in the Middle District of Florida (Tampa). A majority of the records were accessible except Norris’ to some extent. The other criminals discussed his role but records of his own testimonies were inaccessible.

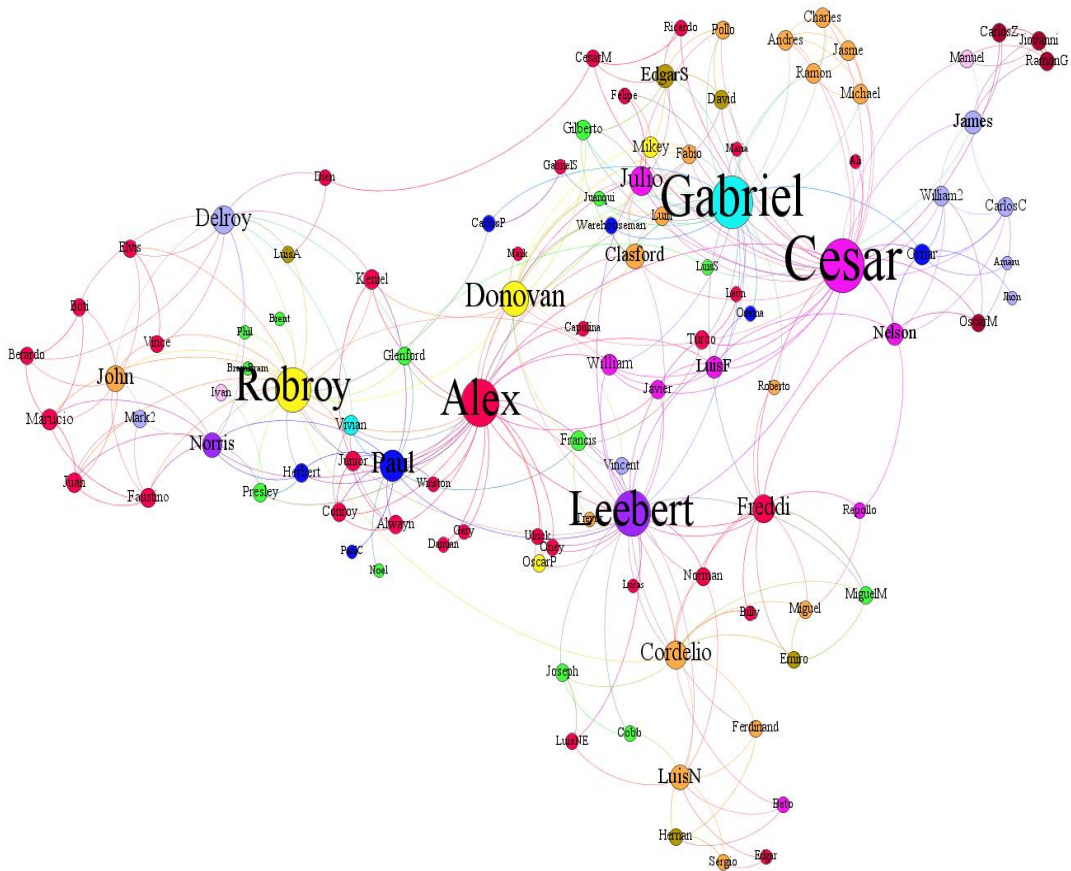


Figure 7: Sample of the North Coast Network’s Active CFN

Table 4: Actors Roles as a Percentage of the Total Network in the North Coast Network

Role	% of Network
Courier	(32.08%)
Transporter	(16.04%)
Seller	(12.26%)
Supplier	(7.55%)
Inspector	(7.55%)
Enforcer	(6.6%)
Wholesaler	(4.72%)
Processor	(3.77%)
Distributor	(3.77%)
Kingpin	(1.89%)
Book keeper	(1.89%)
Storage	(1.89%)

Table 5: Status in the North Coast Network’s Active Network⁶

Actor	Role	Influence		Involvement	
		BCN	BCN Rank	DCN	DCN Rank
Cesar	Supplier	26.82	1	32.38	1
Robroy	Distributor	24.42	2	25.71	5
Leebert	Kingpin	24.32	3	26.67	4
Alex	Courier	22.29	4	27.62	3
Gabriel	Bookkeeper	18.70	5	31.43	2
Donovan	Distributor	10.14	6	18.10	6
Freddi	Courier	6.53	7	12.38	9
Cordelio	Transporter	6.51	8	12.38	9
Paul	Enforcer	5.81	9	15.24	7
LuisN	Transporter	5.03	10	9.52	11
Norris	Kingpin	1.54	17	9.52	11

Compared to Coke’s active CFN, the North Coast Network was larger and had more ties. There are a total of 106 actors and 320 ties representing only a portion of the active network in this case. The size of the nodes is a measure of degree centrality: the larger the size, the more involved an actor is in the network. Based on this measure, there are several important actors in the network including Cesar, Gabriel, Alex, Leebert, Robroy, Donovan, and Paul. These individuals are also some of the most influential actors in the network, according to Table 5. The table also shows that more actors in the North Coast Network occupied influential positions, compared to the Shower Posse which only included eight persons. This is an indication that the network was not as centralized around one actor.

⁶ This table was extracted from table 16 in Appendix C. BCN is the value of the standardized betweenness centrality for each actor; and DCN is the normalized degree centrality for each actor. The rank ranges from 1 to 44 for BCN and 1 to 20 for DCN.

Table 5 also shows that the power distance for the first four actors are very close, indicating that power was diffused more horizontally than in the Shower Posse. Moreover, their normalized betweenness centrality scores in the column “influence”, which range from 22.29 percent to 26.82 percent, are closer to Jermaine than Coke in the Shower Posse. This suggests that Coke occupied a much more powerful position in his DTO than the two kingpins in the North Coast Network. Other influential actors include transporters and couriers who helped to connect the kingpins and their affiliates in Colombia, Jamaica, and the Bahamas.

Both Figure 7 and Table 5 are suggesting that Norris was less involved and not as influential as the top four actors, especially Leebert, but this may be due to error caused by data limitations.⁷ I assume that he had a prominent role because President Bush had designated both him and Leebert as kingpins in 2004, so it’s probable that his influence level was similar to Leebert’s. This assumption is based on Norris’ main partner, Robroy, whose influence level shown in table 5 is very similar to Leebert’s. As such, the chapter will place more emphasis on them because of their leadership roles in Jamaica.

The presence of two kingpins in one network intimates that their spheres of influence were limited to smaller sections of the market. Direct links between the two leaders were not detected but there were ties between the men who worked with and for them. The central actors worked together in pairs indicating a close relationship between kingpins and major distributors. The pairing was as follows: Norris and Robroy operated mostly in St. Ann and sometimes in Montego Bay; and Leebert and Donovan were based

⁷ See footnote 6 on restricted data access to Norris’s files.

in Montego Bay and also operated in other areas west of the island. Based on the evidence provided in the court proceedings, the role division between kingpin and distributors were very blurry as both roles often carried out similar activities; however, Leebert and Norris were the two actors mostly identified as organizers by the other co-indicted criminals.

Figure 7 shows that the network was a decentralized structure with multiple smaller, hierarchical subnetworks centralized around some of the most influential actors including Leebert, Donovan, and Robroy. These subnetworks consisted of linkages with actors who were responsible for the shipment of drugs to Jamaica such as wholesalers, sellers, transporters, and couriers. They also included actors who stored and sold the drugs locally. The presence of these actors in these subnetworks indicate their role was mainly to receive and distribute the drugs, which will be discussed shortly. Leebert was also connected to actors in the Bahamas who assisted with smuggling drugs to the US.

Gabriel and Cesar were primary transporters and suppliers respectively who were connected to a place they called the “Office,” which was related to the *Autodefensas Unidas de Colombia* (AUC), a former paramilitary and DTO which the US had designated a terrorist organization. This network is therefore an example of the convergence between terrorism and transnational organized crime in Latin America and the Caribbean.⁸ The nature of corruption, which is another dimension of these “dirty entanglements,”⁹ will be explored in more details during the discussion on the North

⁸ While the chapter acknowledges this convergence, it does not explore any of the AUC’s activities in Colombia because it is beyond the scope of this study.

⁹ Shelley, *Dirty Entanglements*.

Coast Network's supportive CFN. The two actors were positioned close to almost every other role, which explains their influence in the network, as suggested in Figure 7 and Table 5.

There are more roles in the division of labor than in Coke's network. This includes processors and wholesalers who were stationed in Colombia and comprised 8.49 percent of the network, according to Table 4. It also shows that almost 50 percent of the actors were couriers and transporters who aided in the transshipment of cocaine from Colombia to Jamaica and from there to the US. This suggests that the organization was mostly a distribution network, even though some of these actors also sold drugs locally in Jamaica and in the US. Only about seven percent of the entire network were enforcers, which indicate that the network was not as militant as Coke's drug trafficking operations in Kingston. Some of the enforcers were associated with the Office. As for the kingpins, they depended on corrupt police officers and gang members. This infers that the businessmen themselves had very limited violent resources, compared to networks in Kingston where this capacity was insourced and centralized, as explained in Chapter 3.

Two police officers, Paul Dixon and Herbert "Scary" Henry, provided security during the transportation of the drugs throughout Jamaica or even transported it themselves. This evidence of corruption shows how members of the state's security forces help to fill structural gaps¹⁰ in the active networks of criminal organizations. Paul, the officer from St. Ann, was arrested in Ocho Rios with about 30 kilograms of cocaine, US \$275,060, six cell phones, firearm, and ammunitions which were also found at his

¹⁰ Burt, *Structural Holes*.

house.¹¹ Herbert, the other officer from St. James, performed the same role and also trafficked cocaine for himself.¹²

Both officers worked with the central actors in Jamaica and, in doing so, helped to join them in a larger distribution network. However, most of the testimonies identified Paul, so it appears that this actor was more involved in performing this role than Herbert as illustrated in Figure 7. Indeed, out of a total of 106 actors in the active network, he was the ninth most influential person based on his normalized betweenness centrality score. His role as one of the main enforcers in Jamaica explains his position in the network between couriers, sellers, and distributors, among others.

Participants¹³ in this study mentioned that the enforcers also included members of the Stone Crusher gang, a JLP-affiliated criminal organization, but did not provide any specific names. It was associated with some of the most volatile informal settlements in Montego Bay, including the Norwood neighborhood which is very close to the community of Ironshore where Leebert lived. The gang was responsible for a majority of the murders in and around Montego Bay while it was active¹⁴ and was also linked to Coke's Shower Posse.¹⁵

¹¹ USA v Leebert Ramcharan and Everett Donovan Williams, *Statement of Detective Sergeant Brown, JCF Narcotics Division*, Case No. 1:04-cr-20065-PAS (Southern District of Florida, January 30, 2008).

¹² Herbert Henry et al v The Commissioner of Corrections and the Director of Public Prosecutions, Nos. 62-67/2007 (Supreme Court of Appeals, May 5-9 and July 4, 2008), 34 [Supreme Court of Appeals hereafter]

¹³ Charles (former trafficker), personal interview; Freddy (former high-level police officer), personal interview; John (businessman), personal interview.

¹⁴ Adrian Frater, "Montego Bay: Breeding Ground for Crime," *Jamaica Gleaner*, April 8, 2010, <http://jamaica-gleaner.com/gleaner/20100408/lead/lead3.html>.

¹⁵ Davidson, Vernon, "Diary of a Killer - Gangster Longed to Go Out with Woman," *Jamaica Observer*, September 3, 2010, http://www.jamaicaobserver.com/Diary-of-a-killer_7929970.

The fact that the coding scheme used for analyzing the networks did not capture any of these gang members does not mean that they were not mentioned in the witnesses' testimonies. On the hand, if they were, they were discussed anonymously. The methodology discussed in Chapter 2 states that court records must specifically identify the names of the actors involved in the criminal activities for them to be included in the active network. This rule helps to eliminate errors caused by double counting and overrepresentation. As such, the gang members are not included in the graphs, but will be discussed throughout the analysis because of their importance to the narcotics operations in Jamaica.

Leebert had allegedly “bankrolled” the gang’s weapons trafficking activity in exchange for them protecting him and his associates.¹⁶ This business-criminal collaboration is also evidence of how alliances can fill structural gaps¹⁷ in networks and, in this case, allows legitimate businessmen to operate illicit enterprises. It is also instrumental in masking elites’ trafficking activities and helping them to maintain their status. At a forum in St. James, a high-level police officer described the alliance in the following manner: “They are the ‘Mr. Bigs.’ They are those who contain and support these criminals with weaponry and money so that they are able to evade the police from time to time.”¹⁸ Similarly, another individual described them as the hired mercenaries who do the “dirty work” for the “big men.”¹⁹

¹⁶ Charles (former trafficker), personal interview; Freddy (former high-level police officer), personal interview; John (businessman), personal interview.

¹⁷ Burt, *Structural Holes*.

¹⁸ Adrian Frater, “A City under Siege - 12 Killed as New Wave of Criminality Rocks MoBay,” *Jamaica Gleaner*, December 15, 2013, <http://jamaica-gleaner.com/gleaner/20131215/lead/lead1.html>.

¹⁹ George (expert on organized crime), personal interview

Jamaica did not have a prominent position in the larger network initially but its role evolved over time as it became a more convenient transshipment point. Gabriel, the second most active individual in the network, was one of the main individuals in the network who transported cocaine and kept records on payment for suppliers from the Office including Cesar and several others. He testified that drugs were primarily trafficked to the US through Belize, Honduras, and Mexico, and Jamaica functioned as a refueling location for the vessels on their way to their destinations.²⁰ Donovan and his associates supported this role by helping to guide the vessels once they were close to shore and provided Gabriel with temporary housing.²¹ The traffickers adjusted their strategy when the Jamaican Coast Guard became aware of this activity. Instead of leaving immediately after refueling, Gabriel and his team extended their stay each time in Jamaica and Donovan would store the drugs for him in a guarded warehouse.²² This illustrates the importance of network flexibility in allowing DTOs to quickly adapt to hostile environments in order to survive.

The Jamaican route also became a more attractive alternative to Central America because of increased anti-narcotics enforcement in the region.²³ Increasingly, more couriers began to transship cocaine through the north coast and the western end of the island. Shipments arrived in the country through several areas along the shoreline including Tamarind Hill in Hanover, Treasure Beach in St. Elizabeth, Bluefields in Westmoreland, and a few places in Negril. Most of the accounts of drug transportation

²⁰ USA v Leebert Ramcharan and Everett Donovan Williams, *Transcript of Jury Trial*, Case No. 1:04-cr-20065-PAS (Southern District Florida, February 15, 2008 [Doc. 510 hereafter])

²¹ *Ibid.*

²² *Ibid.*

²³ *Ibid.*

would entail Donovan and his affiliates receiving, storing, and sometimes selling the drugs.²⁴ He also had the connections to get traffickers passport stamped so that travel appeared legitimate which made it easier for them to leave the country without any problems.²⁵ It was customary for him to transfer the illegal goods to Leebert who would have made arrangements for cocaine to be transported to the Bahamas and then to Miami where it was sold or distributed.²⁶

Luis Miguel Avila was another supplier who also had the capacity to transport drugs. His links to the Office is not clear but he supplied Leebert, Norris, and Robroy and assisted with the transportation of cocaine to the island.²⁷ A high-level police officer²⁸ from Jamaica who was in charge of the narcotics division also stated that Robroy worked with Leebert and Donovan, which provides further evidence of the connection in the same network. This is also an example of an inter-business type of collaborations as opposed to the inter-criminal alliances that are usually emphasized in research on drug trafficking.

²⁴ Ibid.; USA v Gabriel Zuniga, *Sentencing Hearing*, Case No. 1:04-cr-20065-PAS (Southern District of Florida, May 2, 2006) [Doc. 197 hereafter]; USA v Leebert Ramcharan and Everett Donovan Williams, *Transcript of Jury Trial* (Southern District of Florida, February 5, 2008) [Doc.503 hereafter]

²⁵ USA v Everett Donovan Williams, *Government's Response to Defendant Williams' Objections to the Presentence Investigation Report*, Case No. 1:04-cr-20065-PAS (Southern District of Florida, June 24, 2008).

²⁶ USA v Leebert Ramcharan and Everett Donovan Williams, *Government's Response to Defendant's Motion to Suppress Evidence (Colombian Wiretap): Focused on Defendants Lack of Standing*, Case No. 1:04-cr-20065-PAS (Southern District of Florida, August 23, 2007) [Doc 307 hereafter]; USA v Leebert Ramcharan, *Defendant's Reply to Government's Motion to Suppress Evidence from Electronic Surveillance (Bahamian Wiretap)*, Case No. 1:04-cr-20065-PAS (Southern District of Florida, September 4, 2007) [Doc. 319 hereafter]; USA v Leebert Ramcharan and Everett Donovan Williams, *Transcript of Jury Trial*, (Southern District of Florida, February 6, 2008) [Doc. 504 hereafter]

²⁷ Doc. 503; Doc. 504

²⁸ Doc. 503

Both Robroy and Norris received, sold, and trafficked drugs locally and in the US.²⁹ It appears that the latter actor was also responsible for transporting the couriers to and from their go-fast boats and their temporary residence in Ocho Rios which was close to his farm.³⁰ In addition, the witnesses implied that he bribed police officers to allow the transporters to leave without incurring problems.³¹ Robroy occasionally sent his relatives and other associates to Colombia to pick up the cocaine, inspect it, and “babysit” it on its way to Jamaica.³² The cocaine would be stored on his family farm in Latium and another farm owned by his associate in Lilliput.³³ The Latium farm allegedly has bunkers or caves³⁴ which, in one instance, was used to reprocess cocaine with the assistance of a Colombian.³⁵ Like Leebert and Donovan, both actors transshipped their drugs, including cocaine, hash oil, and marijuana through the Bahamas.³⁶

Profits from the sale of drugs would flow in the opposite direction from the US straight to Colombia or through Jamaica, Bahamas, and Panama. The most common methods included: 1) paying the supplier’s agent in Miami who would then take the money back to Colombia; 2) transporting the money from Miami to Jamaica through the

²⁹ USA v Robroy Williams et al, *John Doe’s Affidavit*, Case No. 8:04-cr-00158-SCB-TBM (Middle District of Florida, January 25, 2008 [John Doe hereafter]. This person was later identified as Alex in USA v Leebert Ramahcarn, *Affidavit in Support of Request for Extradition*, Case No. 1:04-cr-20065-PAS (Southern District of Florida, July 13, 2004), [Affidavit hereafter]; Supreme Court of Appeals

³⁰ USA v Robroy Williams et al, *Video Deposition Transcript of John Pablo Garcia Washington*, Case No. 8:04-cr-158-TBM (Middle District of Florida, September 18, 2008)

³¹ Ibid.

³² Supreme Court of Appeals, 52-53

³³ USA v Robroy Williams, *Transcript of Sentencing Hearing*, Case No. 8:04-cr-158-TBM (Middle District of Florida, March 26, 2009).

³⁴ USA v Robroy Williams, *Transcript of Change of Plea*, Case No. 8:04-cr-158-TBM (Middle District of Florida, January 8, 2009); Supreme Court of Appeals, 27-28

³⁵ Supreme Court of Appeals, 27-28

³⁶ The testimony did not provide any information on whether their associates in the Bahamas were the same individuals Leebert and Donovan were allied with to transship drugs to the US.

Bahamas; 3) laundering the money through legal businesses; and 4) using a courier to transport the money to Panama and then to Colombia.

Alex, one of the Colombians who lived in Jamaica, provided these services for both kingpins using the latter method.³⁷ These services were very essential and helps to explain why he was the fourth most influential person in the entire network, as indicated in Table 5, and operated within subnetworks consisting of other couriers, distributors, sellers, enforcers, and kingpins. He was very involved in the network and had the means to bribe police officers, customs officials, and airline employees so that he could safely get the money through security.³⁸ In 2002, for example, Robroy asked for his assistance to transport US \$1 million to Colombia through Panama.³⁹ Alex divided the money among five men, including Robroy's relatives, and paid a police officer a small percentage to allow the men to pass through the airport. Four of the men were caught and one evaded detection.

A businessman⁴⁰ in Montego Bay indicated that laundering money between licit and illicit enterprises was the norm in the area, as entrepreneurs used their profits from drugs and other sections of the informal economy to develop legitimate businesses. He further noted that some of these businessmen would exit the informal sector thereafter while others operated in both the licit and illicit economies simultaneously. In this case,

³⁷ See, for example, Doc. 197; Supreme Court of Appeals, 29-30

³⁸ Doc. 197

³⁹ Supreme Court of Appeals, 29-30

⁴⁰ John (businessman), personal interview.

some participants believe that the kingpins and the other elites used their businesses as a “cover” for their drug trafficking operations.⁴¹

The evidence from the court records also suggest the same, to some extent. There was an issue with US \$3.6 million that was found at Leebert’s Tropigala Nightclub in Montego Bay, which he claimed were six months’ earnings from his legitimate businesses.⁴² One of the couriers disputed this claim and testified that it was profits from the sale of drugs in the US.⁴³ He also stated that the kingpin would sometimes use these proceeds from drugs to support his companies.⁴⁴ Another witness testified that Norris stored a lot of cash at his business place⁴⁵ which may also be evidence of money laundering activities. Furthermore, it was alleged that the trafficker used his construction trucks and workers to pick up the cocaine from the couriers when they arrived on shore.⁴⁶

In sum, this section has highlighted five very important features of the North Coast network that were different from the Shower Posse: 1) Power was diffused horizontally in the active network; 2) there were several subnetworks that were smaller, centralized at the core, but with hierarchical or decentralized ties; 3) the majority of the actors in the network were couriers and transporters which indicates more fluidity; 4) these transporters and couriers helped to join the two kingpins, who were business elites,

⁴¹ Ibid.; Charles (former trafficker), personal interview; Freddy (former high-level police officer), personal interview; Patrice (former police officer), personal interview.

⁴² USA v Leebert Ramcharan, *Government Motion In Limine to Exclude Defendant Leebert Ramcharan Proposed Experts and Documents*, Case No. 1:04-cr-20065-PAS (Southern District of Florida, October 15, 2007)

⁴³ Doc. 503

⁴⁴ Ibid.

⁴⁵ John Doe

⁴⁶ Patrice (former police officer), personal interview; John Doe

and their subnetworks into the larger distribution network; and 5) the drug lords had outsourced their protection to police officers and gang members.

Compared to the previous chapter, these differences in structure and characteristics of the active network provide evidence that drug trafficking operations are influenced by location and social class. They also indicate that Leebert and Norris were not kingpins in the traditional sense of the term but mostly functioned as distributors in the larger network.

Relationships with Elites within the Supportive CFN

Several participants⁴⁷ in Kingston and towns on the North Coast had warned me about corruption among law enforcement officers in Montego Bay when I was in the process of transitioning to the area. They acknowledged that police corruption was problematic throughout the country but appeared to be more distrustful of officers on north coast. According to their assumptions, officers in the resort towns are more likely to be involved in the informal economy and the violence associated with it. As a matter of fact, 18 officers at the Mount Salem police station in Montego Bay were arrested in 2009 and accused of “recruiting and planting a fake cop” at the station while they engaged in their illicit activities.⁴⁸ It is possible that officers in Kingston are also involved in these

⁴⁷ Joy (ordinary citizen and former resident of Montego Bay), personal interview in Kingston, Jamaica on January 5, 2005; Vivene (ordinary citizen), personal interview on November 24, 2014 and January 26, 2015; Charles (former trafficker), personal interview; John (businessman)

⁴⁸ Adrian Frater, “Crime Doesn’t Pay Montego Bay Pushes Back,” *Jamaica Gleaner*, April 14, 2010, <http://jamaica-gleaner.com/gleaner/20100414/news/news1.html>.

types of wrongdoings, but it is more common to hear about deadly shootouts with criminals in urban areas.⁴⁹

Former and current police officers from the area have acknowledged the problem of corruption in the wider Jamaica Constabulary Force (JCF) but argued that only a few officials have been involved.⁵⁰ Nevertheless, the main reason given for their participation in the informal economy is greed.⁵¹ It appears that this was the case with Paul Dixon and Herbert Henry, the two police officers who were integral members of the North Coast network. Henry recruited Paul by enticing him with the potential to make money and both relied on bribing other officers as well as airport officials to allow drugs to pass through security areas.⁵² This suggests that the inclusion of police officers as integral members of an illicit network increases its competitive advantage because they are less likely to be detected by their counterparts. Moreover, they have more access to intelligence information that may be beneficial to the network.⁵³ Thus, it is possible that the officers functioned in both the active and supportive networks of the DTO.

Another linkage with the state was through the political parties and their affiliated politicians. Neither businessman were heavily involved in politics like the drug dons from Kingston which implies a different political subculture in the areas where they lived, as mentioned in the overview of Jamaica in Chapter 2.

⁴⁹ Charles (former trafficker), personal interview; John (businessman), personal interview; Patrice (former police officer), personal interview; Freddy (former high-level police officer), personal interview.

⁵⁰ Freddy (former high-level police officer), personal interview; Patrice (former police officer), personal interview; Phillip (police officer), personal interview.

⁵¹ *ibid*

⁵² Supreme Court of Appeals, 29, 31, 33

⁵³ Kenney, *From Pablo to Osama*.

Furthermore, the drug traffickers' alliances with the political parties were more flexible than in garrison communities. Inner-city voters and dons are some of the most loyal supporters of the parties which makes it highly unlikely that they would vote for the opposition or switch sides. This was not the case with the traffickers in the North Coast network. Norris was a former PNP supporter but it was claimed that a conflict with the party encouraged him to switch to the JLP.⁵⁴ Leebert was a PNP supporter but had close alliances with the Stone Crusher gang which was affiliated with the JLP. On the other hand, the squatter settlements may be strictly aligned to one party but only differ from garrisons with respect to the political history and criminal legacies. Thus, partisan flexibility may be a function of both contexts and class.

Despite their weaker ties to the political parties, the kingpins, as businessmen, would be financially attractive to politicians because of their potential to contribute to political campaigns. Research has shown how this need to finance campaigns makes it possible for corrupt relationships to develop as well as allow non-state actors to infiltrate the state.⁵⁵ This case provides an example of this phenomenon. Less is known about Leebert and the other businessmen's political connections; however, some participants⁵⁶ mentioned that he had provided financial contributions to the party but could not say if he received anything in exchange. Allegedly, the former Minister of National Security had

⁵⁴ Charles (former trafficker), personal interview; John (businessman), personal interview.

⁵⁵ See, for example, Kevin Casas-Zamora, *Dangerous Liaisons: Organized Crime and Political Finance in Latin America and Beyond*, First Edition (Washington, D.C: Brookings Institution Press, 2013).

⁵⁶ Charles (former trafficker), personal interview; John (businessman), personal interview; Patrice (former police officer), personal interview; Betty (expert in the shipping industry), personal interview.

also acknowledged the PNP's ties with drug traffickers including Leebert but did not divulge the nature of the relationship.⁵⁷

Norris, on other hand, was a supporter of the JLP and his reciprocal relationships with the party are well known in St. Ann. Citizens in the constituency of St. Ann North West have been voting for the PNP since 1989 but this changed in 2002. Verna Parchment, a relatively unknown politician representing the JLP, was able to win the elections beating the popular PNP incumbent. A former police officer who lived in the constituency said that citizens were shocked by the results and speculated corrupt influences.⁵⁸ She later found out that it was Norris' support which allowed Parchment to win the elections. A JLP activist from the constituency confirmed these allegations and stated that he had provided financial contributions and his explicit support encouraged others to vote her.⁵⁹ In the same year, Norris reportedly provided financial support to political candidate from another constituency in St. Ann.⁶⁰

Political-business alliances in wealthy areas can be exploited to provide patronage to voters like political-criminal ties in inner-city communities. In Parchment's case, it was not apparent what was expected in return for the trafficker's support until a couple of months after she became MP. She reportedly attempted to make him the main contractor on the new North Coast highway that was being constructed in order to provide jobs for

⁵⁷ WikiLeaks, *Former National Security Minister and Key Opposition Figure Slams PM as 'Indecisive' in 'Dudus' Extradition Request*, September 17, 2009, https://wikileaks.org/plusd/cables/09KINGSTON695_a.html.

⁵⁸ Patrice (former police officer), personal interview

⁵⁹ James (Jamaica Labour Party activist), phone interview in New York, USA on August 16, 2014

⁶⁰ Charles (former trafficker), personal interview.

her constituency.⁶¹ It also appears that Norris had other types of relationships with politicians beyond providing electoral support. A prominent politician had allegedly purchased drugs from Norris but was unable to pay his debts.⁶² It is not clear from the evidence whether the drugs were his own consumption or for resale, but his father had reportedly exchanged the debts for acres of land that he had owned.⁶³

In sum, this section has shown that the kingpins' relationships with elites in their supportive CFNs were different from Coke's. Their capacities to provide large campaign contributions made them attractive to the parties and, in some instances, political candidates as well. Furthermore, their formal roles as prominent businessmen within the society would have made it easier for political actors to ignore their illicit activities. Their status may have helped them to evade detection from law enforcement since they did not resemble ordinary criminals. This indicates that the inter-business alliances within and between the subnetworks may have been a strength of their drug trafficking operations. Nevertheless, this attribute was offset by their fragile ties to the parties.

Relationships with Ordinary Citizens within the Supportive CFN

Most of the central actors from Jamaica were from wealthier communities in the parishes of St. Ann and St. James. These neighborhoods are also located in the tourist regions, which are culturally different from Kingston's inner-city neighborhoods. The state is more likely to be present in these areas because of the tourism industry and its

⁶¹ Charmaine Clarke, "Highway Contractors Reject MP's Demand to Fire Worker," *Jamaica Observer*, May 20, 2003, http://www.jamaicaobserver.com/news/44003_Highway-contractors-reject-MP-s-demand-to-fire-worker.

⁶² WikiLeaks, *Meet the Key Cabinet Ministers of the New Government*, September 27, 2007, https://wikileaks.org/plusd/cables/07KINGSTON1470_a.html.

⁶³ Ibid.

economic importance to the country's development. Their affluence also suggests that the residents would have the resources to attend to their own needs in areas where the state is weak. Furthermore, parishes beyond the Kingston Metropolitan Area were not as politically important during the immediate pre- and post-independence periods, so creating garrisons did not become a norm on the north coast. A few residents recounted stories of political violence but, compared to Kingston, they stated that it was less intense.⁶⁴

These characteristics of the north coast parishes suggest that there were no power vacuums for drug traffickers to take advantage of in the wealthy neighborhoods of Cardiff Hall, St. Ann and Ironshore, St. James where Norris and Leebert lived respectively. There was no evidence that the traffickers provided social welfare in their own communities and this was probably because it was unnecessary. Moreover, there were very limited opportunities for them to dominate physical spaces, so there was no need to gain the loyalty of the residents in their neighborhoods. It seems that drug trafficking was just another business opportunity that allowed them to expand their profit potential. Again, this appears to be the norm in the resort towns, as a few participants⁶⁵ speculated and provided names of several businessmen in the area who were allegedly involved in the trade at different levels.

The evidence presented so far infers that our assumptions about narco-communities may be specific to marginalized areas. One expert used this example of the

⁶⁴ Donovan (politician and member of government), personal interview; Mary (ordinary citizen), personal interview; Patrice (former police officer), personal interview

⁶⁵ Charles (former trafficker), personal interview; Donovan (politician and member of government), personal interview; John (businessman), personal interview; Vivene (ordinary citizen), personal interview.

businessmen to make the argument that drug trafficking does not necessarily takes place in communities.⁶⁶ This may be true to some extent; however, the expert failed to consider that the close proximity between wealthy communities and informal settlements may have increased the kingpins' influence beyond their own neighborhoods. Elites like Norris and Leebert may not need to provide social welfare services in their own communities, but they may do this indirectly in other vulnerable and impoverished areas close to their own neighborhoods and/or where there businesses are located. Their roles as benefactors are representations of their wealth or "big man" status than a sign of consolidated control over these spaces.

In Jamaica, and possibly elsewhere, it is typical for needy residents to ask the more affluent individuals who live in or are associated with their communities for assistance. For example, a former trafficker⁶⁷ who lived and had several businesses in his community in St. Ann mentioned that residents would normally ask him for money and in-kind favors. His patronage gained him respect in the neighborhood but he was not necessarily regarded as a don or community leader like Coke. Some speculated but many did not know that he was in the drug trade, so it was his licit businesses that allowed him to play that role even though it was on a smaller scale than in poor urban communities.

The same can be said about Norris, Leebert, and possibly the other Jamaican businessmen who were part of the organization. What was unique to the North Coast Network was that the kingpins owned more licit businesses than the criminals in Kingston. Both their licit and illicit businesses could have provided multiple

⁶⁶ Paul (expert on organized crime), personal interview

⁶⁷ Charles (former trafficker), personal interview

opportunities for employment. Leebert owned and operated several legitimate enterprises in Montego Bay and a few participants mentioned that he would employ some of the youths from the surrounding neighborhoods as well as granted small favors to residents in general.⁶⁸

Norris' trucking company was located in Salem, St. Ann, a neighborhood that is close to Ocho Rios but is less well-off than the affluent resort town. Sources indicate that he would also hire the youths from the community to work at his trucking company⁶⁹ as well as his marijuana farm.⁷⁰ There were also some similarities between his relationship with the neighborhood and how kingpins in Kington operate but on a much smaller scale. At the time of his arrest, a few individuals mentioned that he would help with many of their welfare needs and rejected the possibility that he could be involved in the drug trade.⁷¹ However, this would have been on a much smaller scale than in garrisons since Norris would not have had the same status in Salem that Coke had in Kingston.

This section has shown that the kingpins' relationships with ordinary citizens were more influenced by their status as businessmen than as traffickers. The wealthier conditions of the communities in which they lived indicate that there were very limited or no vulnerable gaps for them to exploit. They were able to build patronage relationships with residents outside of their own neighborhoods but did not consolidate control over these spaces. This also infers that outside of the need for their own protection, their relationships with law enforcement officials would be weaker than Coke's because they

⁶⁸ Charles (former trafficker), personal interview; John (businessman), personal interview

⁶⁹ Horace Campbell, "In the Place Where 'Deedo' Lived," May 9, 2004, <http://jamaica-gleaner.com/gleaner/20040509/lead/lead4.html>.

⁷⁰ Charles (former trafficker), personal interview; John (businessman), personal interview

⁷¹ Horace Campbell, "In the Place Where 'Deedo' Lived."

did not have monopoly control on violence. All of these characteristics intimate that their relationships within their supportive CFNs were weaker than Coke's and have important implications for the nature and consequences of the collapse of their drug trafficking operations.

Network Collapse and Consequences

Chapter 3 shows that centralization increases a network's vulnerability to collapse. This indicates that decentralized structures would be more resilient and require targeting multiple strategic actors for the network to collapse. The presence of multiple actors with similar influence in the network, as indicated in Table 5, suggest that law enforcement strategies must target them simultaneously in order to weaken or cause the network to collapse. It would cut off the main source of supply, transshipment between Colombia, Jamaica, and the Bahamas, and profits returning from these activities. On the other hand, this strength was counterbalanced by the kingpins' weaker ties to their supportive networks and their limited control over their violent resources, as will be discussed throughout this section.

The North Coast Network would have continued its operations were it not for the involvement of the US. Again, this demonstrates the important role that powerful external actors play in the fight against drug trafficking, particularly in states compromised by corruption. A few participants⁷² said that they were shocked that Leebert was arrested, since he was a supporter of the PNP and the party was in control of the government at the

⁷² Charles (former trafficker), personal interview; John (businessman), personal interview; Joy (ordinary citizen), personal interview; Patrice (former police officer), personal interview

time. However, another participant⁷³ reasoned that he was just caught in the dragnet like other PNP-affiliated criminal organizations in Spanish Town, St. Catherine. The former Minister of National Security at the time supposedly admitted that the anti-organized crime initiatives would be costly to the PNP, but it was still necessary to destroy these illicit networks.⁷⁴

The JLP was in control of the central government by the time that Norris was actually extradited. A former PNP Senator was also surprised that a JLP government was extraditing Norris given that he had previously “swung the election for that party.”⁷⁵ Compared to Coke, the fact that the parties were willing to extradite their own supporters indicates that they were not as valuable to them. To some extent, they were attractive because of their capacities to provide campaign contributions, but the parties can always seek donations from other businessmen in their absence.

Although some residents protested Norris’ arrest in Salem, St. Ann where his trucking company is located,⁷⁶ the event was non-violent: no shots were fired, communities were not barricaded, and no incursion was necessary. There was tension around Leebert’s arrest but no reports of protest or violence. The same is true for the other businessmen. This outcome was probably because their arrests came as a surprise or perhaps it is an indication of the limited influence they had on their own neighborhoods

⁷³ John (businessman), personal interview

⁷⁴ WikiLeaks, *Former National Security Minister and Key Opposition Figure Slams PM as ‘Indecisive’ in ‘Dudus’ Extradition Request.*

⁷⁵ WikiLeaks, *High Noon Approaches for People’s National Party (PNP)*, September 2, 2008, https://wikileaks.org/plusd/cables/08KINGSTON766_a.html. I assume that the politician is referring to the St. Ann Northwest constituency and not the entire general elections. Otherwise, this would be an exaggeration of the truth because there is no evidence to suggest that Norris’s influence went beyond this constituency.

⁷⁶ Horace Campbell, “In the Place Where ‘Deedo’ Lived.”

or vulnerable communities. It also illustrates one of the weaknesses of outsourcing violence as opposed to developing the capacity within the DTO. The police officers were arrested but it would have been highly unlikely that they would have publicly fought with their own colleagues on behalf of the kingpins. The Stone Crusher gang was also a part of the network's security detail but there were no reported conflicts between them and the police officers during the period when the men were arrested. Their weak defenses reinforce the argument that the kingpins were not dominant actors in the spaces in which they operated.

Another interesting occurrence was the JLP government's willingness to sign the warrant for the extraditions. At the Manatt Commission of Enquiry⁷⁷ in 2011, a prominent lawyer and PNP politician reportedly accused the Attorney General, Dorothy Lightbourne, of bias in her management of Coke's extradition compared to Norris's because she had failed to acknowledge his constitutional rights and facilitate the businessman's appeal to the Privy Council.⁷⁸ This is the same Attorney General who had argued against using the wiretap evidence against Coke because they violated his constitutional rights. She claimed that she was not aware of Norris' lawyer filing the appeal to the Privy Council at the time when she had signed the warrant.⁷⁹ The lawyer retorted that it was her responsibility to know as the Attorney General.

⁷⁷ This is the same Enquiry that was referred in Chapter 3.

⁷⁸ "Lightbourne Biased in Handling 'Dudus' Extradition Case - KD," *Jamaica Gleaner*, March 11, 2011, <http://jamaica-gleaner.com/gleaner/20110311/lead/lead4.html>.

⁷⁹ *Ibid.*

It could be that his case had no merit, as she reportedly stated;⁸⁰ however, the businessmen's limited power compared to Coke who had more influence over the party and citizens could have also prejudiced the government's decisions. Its willingness to extradite him also intimates that the kingpin did not pose any threats to political stability because they lacked the infrastructure to control violence. Furthermore, they were not aligned to any high-level party member or government official who had the power to influence the extradition like Coke. The same can be said for both Donovan and Leebert. Both individuals claimed that there were irregularities in the evidence used to arrest them, and Leebert argued that the drug kingpin designation would prevent them from getting a fair trial.⁸¹ Despite these claims, the PNP government did not argue against the extradition on their behalf.

The extradition proceeded calmly even though there were claims that Norris's relatives had allegedly threatened the Attorney General, the Minister of National Security, and the police officer who arrested the kingpin.⁸² By the end of 2008, all of the businessmen were extradited to the US and some were already sentenced to prison. However, it appears that the US and the state's security forces did not take into consideration all of the alliances in the subnetworks, since there was no urgency to attack the Stone Crusher gang. This was beneficial to the criminal organization because the

⁸⁰ WikiLeaks, *Extradition of Drug Kingpin Norris -- Not as Easy as It Looked*, July 28, 2008, https://wikileaks.org/plusd/cables/08KINGSTON677_a.html.

⁸¹ Supreme Court of Appeals; *Everett Donovan Williams and Leebert Ramcharn v The Commissioner of Correctional Services and the Director of Public Prosecutions*, Suit No. 2004 HCV 1435 (Supreme Court of Jamaica, May 9-13 and October 6, 2005).

⁸² WikiLeaks, *Extradition of Drug Kingpin Norris*

failure to dismantle it simultaneously with the DTO's active CFN made it possible for them to transition into other illicit operations.

According to the literature, kingpin eliminations should result in increased violence and crime as criminals attempt to consolidate control over spaces and replace lost drug trafficking income.⁸³ Chapter 3 provided an example of this when Coke was extradited which left a power vacuum in Kingston's marginalized neighborhoods and the illicit markets he once dominated. The traffickers in this case did not approach the level of influence that criminals in Kingston usually have, so the collapse of the DTO did not create a power vacuum in physical spaces. Nevertheless, it resulted in an economic void, especially for the gang.⁸⁴ Lottery scamming became the preferable alternative and the violence after the extradition was related to this activity.

Lottery scamming originated in Montego Bay in the early 1990s but did not gain national attention until around 2007 due to pressure from the US.⁸⁵ The scheme involves individuals calling elderly persons in the US and requesting that they remit a fee in order to claim their lottery prizes in Jamaica. As it became increasingly popular, more criminals and other ordinary citizens got involved and swindled millions of dollars from their victims. Scammers are territorial⁸⁶ but, like Norris and Leebert, some of them do not have the capacity for violence, so they outsource it to hardened criminals. The Stone Crusher gang filled this role by providing them with security in exchange for money,

⁸³ See, for example, Jones, "The Unintended Consequences of Kingpin Strategies"; Dickenson, "The Impact of Leadership Removal on Mexican Drug Trafficking Organizations."

⁸⁴ Freddy (former high-level police officer), personal interview; Charles (former trafficker), personal interview; John (businessman), personal interview.

⁸⁵ Donovan (politician and member of government), personal interview.

⁸⁶ Harriott (expert on organized crime), personal interview

cars, weapons, and other resources.⁸⁷ They also robbed and extorted money from other scammers⁸⁸ which helped to increase the violence in the areas where they operate.

Members of the JCF have blamed the rise in the number of murders in St. James on the lottery scheme. The gang has been responsible for a majority of these murders⁸⁹ since 2002, and it is possible that their involvement in the illicit activity after the extraditions had a significant impact on the murder rate in the parish. Their notoriety eventually made them a target of the police force which was eventually successful in dismantling the gang. The available evidence does not indicate the procedures used to attack the members of the organization, but one can speculate that it would be similar to any other heavy police tactics used to destroy criminal organizations in Jamaica. It is also not clear whether the US was directly involved, since lottery scamming only recently caught the attention of US government officials.

Conclusion

This chapter has used the case of the North Coast Network to provide another perspective on drug trafficking operations beyond major cities. The larger network was flat but contained some degree of centralization and hierarchy within smaller subgroups. The number of power brokers in the network is also key indicator of resilience, compared to Coke's centralized network. These characteristics show the importance of geographic contexts and socioeconomic status on DTO operations and alliances in wealthy resort towns.

⁸⁷ Frater, "A City under Siege - 12 Killed as New Wave of Criminality Rocks MoBay."

⁸⁸ Frater, "Montego Bay."

⁸⁹ Ibid.

Legitimate businessmen controlled the illicit market which helped to mask their involvement since they did not resemble ordinary businessmen. This was one of the main strengths in the subnetworks because it would have been difficult for law enforcement officials to challenge their authenticity. Moreover, the state would have had to be more cautious in their allegations against them in order to avoid damaging the businessmen's reputations and attracting the ire of the wider business community. Thus, they were economically powerful but not dominant, which explains why their bonds with ordinary citizens and politicians were weaker.

Their strengths were also outweighed by weaknesses in how the businessmen/kingpins managed their drug trafficking operations and relationships with their CFNs. The North Coast Network was a drug distribution network, not a gang like the Shower Posse, which explains the large number of transporters and couriers in their networks. Security was still necessary, so its violent resources were outsourced to criminals and corrupt police officers. This strategy was a source of strength because it did protect their elite status, but also an element of weakness because they could not mobilize their violent resources to challenge the state at the time of their arrests.

These characteristics of their CFNs made them easier to target and instigate collapse. Nevertheless, because of their elite status and the corrupt environment in which they operated, disrupting their networks still required a powerful external actor like the US. The failure to account for all of the alliances within the subnetworks resulted in unintended consequences post-drug kingpin elimination. In this case, it allowed the DTO's mercenaries to remain active for some time and engage in the lottery scheme,

another type of transnational crime that currently affects the US and resulted in an increase in violence in Western Jamaica.

CHAPTER 5

DRUG KINGPINS IN THE LICIT ECONOMY: PUBLIC WORKS CONTRACTS IN MARGINALIZED URBAN AREAS

One of the main premises of this research is that CFNs operate differently across and within economic sectors in Jamaica. The last two chapters emphasized their dynamics within the illicit economy by focusing on the operations and alliances of DTOs in diverse locations. This chapter will continue to examine the dynamics of drug kingpins' CFNs but it will do so within the licit economy by concentrating on government contracts as another sector. In doing so, it will illustrate how criminal actors fuse the divide between legal and illegal by developing strategic networks with multiple actors in both domains.

Analyses on the Italian mafia intimate that organized crime groups invest in legitimate businesses not only just to launder money, as is typically explained in the literature, but also to maintain territorial control, gain and maintain social consensus, and build relationships with politicians and other public officials.¹ The same can be said about illicit organizations in Jamaica, as it is common for some of the most powerful criminals

¹ Della Porta and Vannucci, *Corrupt Exchanges*; Michele Riccardi, "When Criminals Invest in Businesses: Are We Looking in the Right Direction? An Exploratory Analysis of Companies Controlled by Mafias," in *Organized Crime, Corruption and Crime Prevention*, ed. Stefano Caneppele and Francesco Calderoni (Springer International Publishing, 2014).

in garrison communities to develop legitimate businesses in the spaces that they control. Investments in construction firms are typical and appear to be means of obtaining public works as political patronage, among other objectives.

Given this general understanding of DTOs' interests in licit enterprises, this chapter argues that access to government contracts is another avenue through which CFNs allow criminals to pursue their illicit goals. The previous chapters explain that a kingpin's consolidated control over marginalized communities is an informal norm that is more prevalent in Kingston because of the legacy of garrison institutions. These systems have also concentrated the tradition of awarding government contracts to criminals in poor urban areas, although the practice may also exist outside of Kingston to some extent.

This relationship between government contracts and garrisons shows the importance of location in understanding how kingpins' CFNs operate with respect to public procurement. It is also reflective of the extent to which they dominate territories in major urban areas through their centralized structures. One would expect less access to contracts outside of these localities, particularly in wealthier areas where DTOs are more decentralized and less dependent on the state, as explained in the previous chapter.

Compared to the narcotics trade, however, the cases of Bulls Eye Security and Incomparable Enterprise will illustrate that drug traffickers' control of licit companies are less visible. Christopher "Dudus" Coke, the drug kingpin who was the focus of Chapter 3, allegedly co-owned both entities although they were more often associated with his partner who was a well-respected businessman in West Kingston. This mediated type of state-criminal relationship facilitated Coke's access to lucrative government contracts

which further empowered his criminal organization in the areas he controlled. It exposes a significant inconsistency with the state's approach to organized crime: Coke was notorious criminal but the companies he had supposedly co-owned were not regarded as such, so there was no need to prevent his indirect access to these contracts. Criminals' depend on these types of discrepancies not only to enhance their own wealth, but also their power and legitimacy within dominated territories.

The symbiotic nature of state-criminal alliances suggests that politicians also benefit from these transactions. Should we expect any additional gains to political actors other than what was already discussed in the last two chapters on the narcotics trade? These gains will be investigated along with the method of disruption of drug kingpin-linked enterprises in the government contracting sector. Chapter 3 mentioned how Coke's illicit enterprises had collapsed immediately because the US' intervention had weakened the ties in his CFNs. Can we assume that the same dynamics will occur with his licit businesses?

The Cases of Bulls Eye Security and Incomparable Enterprise

The North Coast highway is part of a major infrastructure development project in Jamaica which runs along the coastline of the northern parishes. Verna Parchment, the JLP politician who was briefly mentioned in the previous chapter, had attempted to capitalize on the second leg of the highway which passes through her constituency of St. Ann North Western. Jose Cartellone Construcciones (JCC) SA was the main contractor for this project and the haulage was sub-contracted to Winston Walters, an individual who is believed to be a supporter of the PNP. In 2003, Parchment wrote to JCC with the

instructions that “Norris Nembhard be the sole contractor for all trucking operations in this constituency, effective immediately.”² It appears that Parchment was trying to reciprocate Norris’ alleged political support with the haulage contract. The opportunity to gain access to these construction contracts may even be one of the reasons why the kingpin had allegedly backed her 2002 political campaign.

Parchment’s move was a controversial but common practice in Jamaican politics. As a matter of fact, she insisted that her predecessor did the same and was successful in getting a previous contractor, Del Eulin, replaced with Walters. Unlike in her predecessor’s case, however, JCC had refused to allow politics to interfere with its business operations in Jamaica and rejected her demands. The PNP government had also chastised Parchment for engaging in a “type of politics that the country could do without,”³ as political affiliation should not be the basis of awarding contracts and gaining employment.

Rejecting political directives to hire a preferred contractor is probably easier to do in constituencies located in tourist regions with relatively weaker Members of Parliament and less powerful drug kingpins. In contrast, it is the norm for powerful criminals in Kingston’s garrisons to be awarded public works contracts as political patronage. This indicates the influence of the legacy of garrison institutions in gaining access to these resources. Chapters 2 and 3 infer that these systems encouraged the development and maintenance of the classic form of organized crime groups which were more dependent

² Charmaine Clarke, “Highway Contractors Reject MP’s Demand to Fire Worker.”

³ “Patterson Flays Parchment,” *Jamaica Observer*, June 10, 2003, http://www.jamaicaobserver.com/news/44916_Patterson-flays-Parchment.

on the state for resources such as contracts.⁴ If this is the case, then to what extent do these legitimate resources provide illicit actors with the capacity to achieve their overall objectives?

Edward Seaga, former Prime Minister and former Member of Parliament for the constituency of Kingston Western in which Tivoli Gardens is located, gave an interview during the midst of the Coke affair in which he discussed the community, gangs, and the extradition issue. During the conversation, he denied any responsibility for the problem of organized crime in Tivoli Gardens, despite the fact that he was the Member of Parliament for the Kingston Western⁵ constituency for a little over four decades. The following exchange provides some clues as to why individuals like Coke become so powerful in marginalized communities, according to the former Prime Minister:

Emily Crooks: I want to understand how these figures were created in Tivoli and elsewhere and how does somebody like Dudus ascend to such a place of prominence...

Edward Seaga: ...When I left there in 2005, they were what you would call a medium-sized gang; they became what they are now since then.

Emily Crooks: How is that possible?

⁴ For more on the distinctions between the characteristics of old and new transnational, see Shelley, *Dirty Entanglements*.

⁵ As mentioned in Chapter 3, Tivoli Gardens is located in the Kingston Western constituency which Coke had dominated between 1992 and 2010.

Edward Seaga: I didn't give them any *multimillion*⁶ dollar contracts.

Emily Crooks: You gave them legitimacy!

Edward Seaga: No, I didn't give them any *multimillion* dollar contracts which would enrich them to the point where they became so powerful that they can do without their Member of Parliament, and therefore they're on their own at the pace they want to go and do what they want to do.

Emily Crooks: Who did that?

Edward Seaga: The present Member of Parliament⁷ *allowed* it to happen because his philosophy in how you run a constituency is the Member of Parliament goes to parliament and argue on national and international affairs and the constituency takes care of its [inaudible] needs. That constituency can't run that way; that constituency needs care and love and attention and sustenance... You can't walk away from that and have someone come in with a hands-off position.⁸

⁶ The italicized words in Seaga's responses represent his own emphases during the interview.

⁷ Here is referring to former Prime Minister Bruce Golding

⁸ Brainmaxw, *Jamaica Dudas Affair: The Edward Seaga Tivoli Interview 2 OF 3*, 2010, <https://www.youtube.com/watch?v=sHrcInueXuk>.

It is difficult to determine the extent to which Seaga's comments are true; nevertheless, they simultaneously highlight the problem of state neglect in inner-city communities and how government contracts gained through state-criminal alliances can empower criminal actors in these spaces. Prior to 2007, however, the PNP was in control of the government when Coke had assumed his leadership position of the area. Since the constituency is a JLP garrison, it would have been quite unusual for the government to award him any contracts based on the understanding of how garrison politics operate, as discussed in Chapter 2.

When asked about the possibility that he was given contracts in the 1990s and early 2000s, the period during which the PNP dominated the central government, Professor Anthony Harriott⁹ asked rhetorically: "do you want a belligerent or quiet opposition?" He explained that awarding contracts to dons who support the opposition could be a means of placating these powerful individuals, maintaining stability, and helping the party in control of the government to maintain power.¹⁰ This infers that state-criminal networks in inner-city communities do not necessarily follow party lines in the government contracting industry, as is typical in the narcotics trade.

In 2001, the Town Clerk of the Kingston and St. Andrew Corporation (KSAC)¹¹ had reportedly admitted that two dons¹² from the area were awarded \$3.1 million of the

⁹ Harriott (expert on organized crime), personal interview

¹⁰ Ibid.

¹¹ KSAC is the local government entity that administers the parishes of Kingston and St. Andrew.

¹² The word "don" in this context is used slightly differently from how it has been used throughout the chapter. The term has evolved since the 1990s, but here, it possibly means area/community leaders because Justin O'Gilvie was not the don of Tivoli Gardens as indicated in Chapter 3. Phipps was indeed the don of Matthews Lane for several years. This indicates that there are different types of dons in inner-city communities, a phenomena addressed in Damion Keith Blake, "Shadowing the State: Violent Control and

\$21 million contract to refurbish the market district in downtown Kingston.¹³ One of the individuals was Donald “Zeeks” Phipps, a don from the PNP community of Matthews Lane, who was awarded \$1,872,360, and the other was Justin O’Gilvie, a businessman from Tivoli Gardens who received \$1,248,240.¹⁴

The government had utilized the “forced account” procurement process to award the contracts, which means that KSAC supervised the project while the two individuals provided the equipment, materials, and labor. The Town Clerk stated that putting the contract through normal tender would have been more expensive especially because of the contractor’s overhead costs.¹⁵ The representative also intimated that using or including these individuals in public works contracts is generally not an option:

...if any work is being done in that area or other others in the inner-city community, the community and community leaders must be involved...you can’t just send a contractor down there and he sends anybody he wants and work wherever he wants. We must work with the people in the community. Anybody who have got the contract would have had to work with them. They could not lay a stone down there without working with these two

the Social Power of Jamaican Garrison Dons,” *Journal of Ethnographic & Qualitative Research* 8, no. 1 (2013).

¹³ “Dons’ Give KSAC ‘Value for Money,’” *Jamaica Gleaner*, December 23, 2001, <http://old.jamaica-gleaner.com/gleaner/20011223/news/news2.html>.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

gentlemen... They are the area leaders and we must work with them.”¹⁶

The Town Clerk is highlighting the reality of conducting government business in marginalized neighborhoods while, at the same time, acknowledging the influence of criminals in a manner that further gives them the authority to control these spaces. Similarly, another individual stated more recently that “you hire from the area...you don’t have much choice who you get. They’re waiting at the gate when you get there.”¹⁷ The “they” he is referring to are the dons who control the neighborhoods. Conversely, the brief narrative about Norris Nembhard above illustrates a different reality outside of these neighborhoods, as it appears that contractors can work with whomever they desire. This supports the argument that there are differences in the amount of power and violent resources between the two kingpins, as inferred in the previous chapters.

Relationships within the Active CFN

It is noteworthy that O’Gilvie was depicted as an influential actor in Tivoli Gardens but his name has never been mentioned in any scholarly or popular narratives about drugs or violence in the community. He was an esteemed businessman in West Kingston, so why was placed in the same category as Phipps, a well-known don in the city? The graph in Figure 8 is the same graph that is illustrated in Figure 5 of Chapter 3. The small size of O’Gilvie’s node (extreme right in figure) indicates that he was not very

¹⁶ Ibid.

¹⁷ Mattathias Schwartz, “A Massacre in Jamaica,” *The New Yorker*, December 12, 2011, http://www.newyorker.com/reporting/2011/12/12/111212fa_fact_schwartz?currentPage=all.

involved in Coke's active CFN. Chapter 3 had also inferred that he did not occupy a strong position of influence because his normalized betweenness centrality score was close to zero.

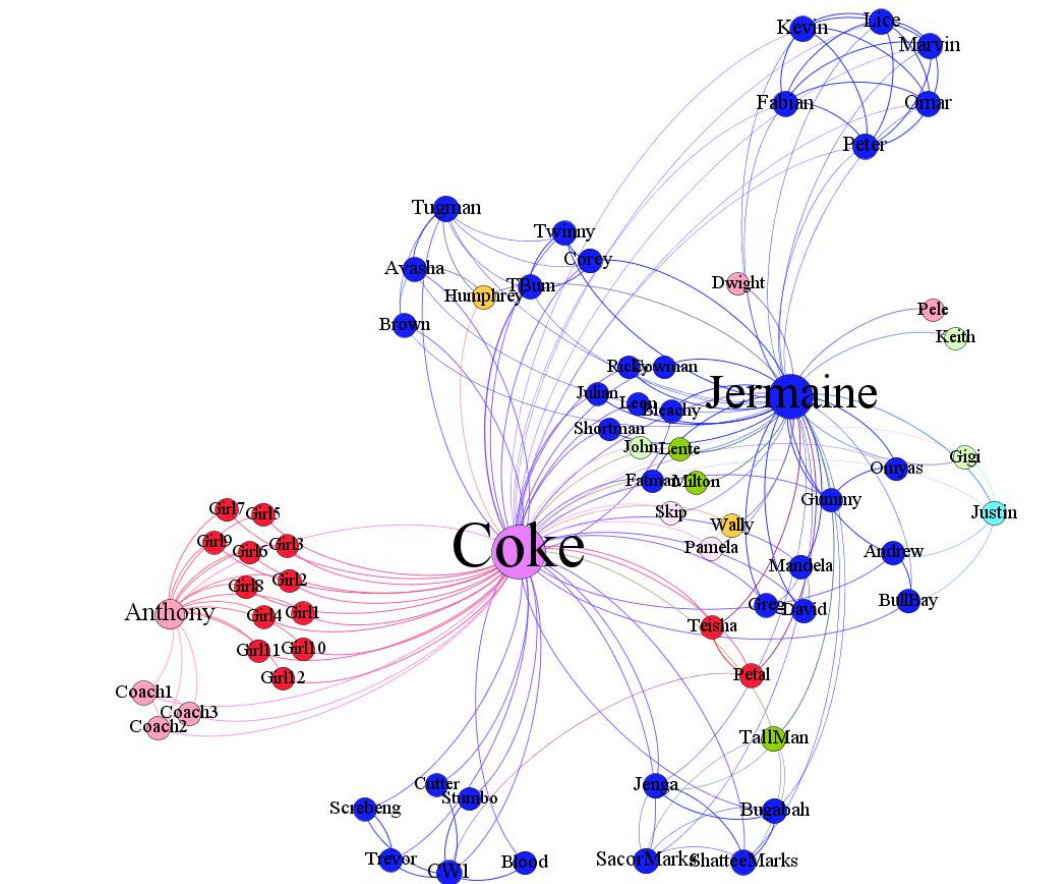


Figure 8: Sample of Shower Posse's Active CFN

Table 6: Actors Roles as a Percentage of the Total Network in the Shower Posse

Role	% of Network
Enforcer	(53.62%)
Courier	(20.29%)
DocRacket	(8.7%)
Seller	(4.35%)
Weapons	(4.35%)
Transporter	(2.9%)
Storage	(2.9%)
Kingpin	(1.45%)
Bookkeeper	(1.45%)

A closer examination of the network and the roles in Table 6 indicate that most of the actors function in the illicit economy. Based on the sources consulted, there is no evidence to suggest that O’Gilvie was directly involved in Coke’s drug trafficking enterprise, but the figure shows that he was located close to the enforcers in the Shower Posse. His position in the network also indicate some level of importance because of his direct links Coke and Jermaine, one of the main witnesses in Coke’s trial, who had described O’Gilvie as the “finance minister”¹⁸ for the system.

Jermaine’s narrative of his dispute with one of Coke’s family members, for which the kingpin allegedly tried to kill him, provides further evidence of Justin’s connection to the system. The businessman had allegedly offered him money to sustain himself while he was on the run during the period in which he was ostracized from West Kingston.¹⁹ The feud had resulted in an increase in violence in the constituency and, as a result, elicited the response of prominent persons who had attempted to intervene in order to

¹⁸ Jermaine, 80

¹⁹ Jermaine

quell the conflict. These individuals included O’Gilvie, Bruce Golding, Edward Seaga, and another prominent businessman affiliated with the JLP.²⁰ This suggests that Justin, along with the other influential businessman and politicians, also functioned as mediators between Coke and his soldiers. This type of peacemaking may help to reduce violence but it also further delineates territorial control in favor of the most powerful criminal actor²¹ which, in this case, would have been Coke. As such, it illustrates elite actors’ deference to the kingpin’s informal codes of conduct in garrisons.

The assumption about O’Gilvie’s role as a mediator can also be inferred from Cohen’s attempt to de-link from the system. Chapter 3 had mentioned that centralized criminal actors like Coke provide their soldiers with weapons, and their agreement to use them according to the informal codes had essentially bonded them to the system. Conversely, returning their arms indicates their withdrawal from the organization and their unwillingness to be governed under the kingpin’s authority. In this case, it was Justin whom Cohen had first contacted to return Coke’s weapons; however, his fears prevented him from entering the Tivoli Gardens, so he allegedly gave them to Gigi, Justin’s nephew.²²

Jermaine’s statements do intimate that O’Gilvie was indeed a very influential figure in West Kingston, which would have been impossible without the kingpin’s consent. In what other ways could a reputable businessman be beneficial to a notorious criminal? Coke and O’Gilvie relationship seems to be even deeper than what Jermaine

²⁰ Ibid.

²¹ George (expert on organized crime), personal interview

²² Jermaine

described, as the men were allegedly partners in two legitimate businesses: both were Directors of the construction firm Incomparable Enterprise Limited; and Justin was the Director of Bulls Eye Security Limited while Coke was a shareholder. Figure 9 shows that both firms were able to obtain several public works contracts from the government, which this analysis will partially attribute to Coke’s status as the don in West Kingston and his ties with the JLP. It is also possible that O’Gilvie’s role as a respected businessman can be credited for their success in winning these contracts, as will be explained in the next section. Thus, while he may not be as influential in Coke’s DTO, he is very important to licit operations.

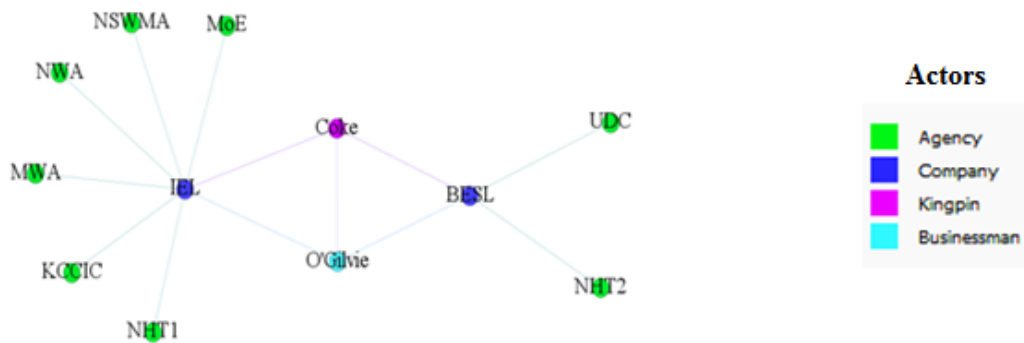


Figure 9: Bulls Eye Security and Incomparable Enterprise’s Contracting Relationships with Public Works Agencies²³

This section has shown how a prominent businessman can be a very influential actor within a drug kingpins’ active CFN in both the licit and illicit economies. His roles allegedly entailed managing the system’s finances as well as arbitrating conflicts between

²³ NHT1 and NHT2 are same entity but they are represented differently in the figure to show that both firms were awarded contracts from the agency.

Coke and his soldiers in the Shower Posse. The criminal's relationship with O'Gilvie appears to be strategic, given his legitimacy as a businessman and ability to gain access to government contracts without raising any suspicions about his criminal background. This is somewhat different from what is assumed in the literature about the direct connections between criminals and contracts.²⁴ It probably reflects a slight adjustment in how the networks operated in order to lower Coke's visibility and increase his potential of gaining access to these resources.

Relationships with Elites in the Supportive CFN

In 2003 when Bulls Eye Security was first incorporated, Coke was allegedly listed as a Director of the company but resigned when they attempted to license it.²⁵ The Public Security Regulatory Agency (PSRA) mandates that to be a Director and operate a security company in Jamaica, Coke would have had to be fingerprinted for a background check and obtain a recommendation from the head of police in his community. It is unlikely that he would have been able to get this type of clearance, although he did receive the required recommendations from two individuals. Coke was no longer a Director but was listed a "major shareholder" when the company was finally licensed in 2008.²⁶ Apparently, this position did not require the same level of scrutiny at the time, so it would have been more practical for him and the company.

²⁴ See, for example, Della Porta and Vannucci, *Corrupt Exchanges*; Harriott, *Organized Crime and Politics in Jamaica*; Hill, *The Japanese Mafia*.

²⁵ Tyrone Reid, "'Presi's' Power," *Jamaica Gleaner*, June 20, 2010, <http://jamaica-gleaner.com/gleaner/20100620/lead/lead3.html>.

²⁶ *Ibid.*

Peter Bunting, the former Minister of National Security, draws a connection between the date that the company was incorporated and the JLP's return to power in the local government in 2003.²⁷ This infers that Bulls Eye Security was established at that time to reap the rewards of government contracts as political patronage, which it probably did through its owners' alliances with the party members in the government. However, due to limited access to government data, the available evidence presented in this chapter are for contracts that were approved by the National Contracts Commission of Jamaica (NCC)²⁸ in the late 2000s.

There is no evidence to suggest that any members of the NCC were linked to Coke through any informal alliances. Nevertheless, if the allegations that Coke and O'Gilvie were business partners are true, then the fact that these contracts were approved shows some negligence and/or flaws in their registration and due diligence processes. It provides some evidence that state-criminal alliances exploit these weaknesses to facilitate their reciprocal exchanges which, in turn, allow criminal organizations to expand and dominate extensively.

On the other hand, it is also possible that the firms were able to gain access to these contracts because they did not have to factor in the costs of security and extortion in their prices. The lower costs would have possibly made the firms' bids more competitive for public works contracts in the area than businesses located outside of West Kingston.

²⁷ Peter Bunting, "Coke's Still in Business with UDC?," Last modified on June 12, 2010, <http://www.bunting.org.jm/content/coke-still-business-udc>.

²⁸ NCC is an anti-corruption agency that supports the role and function of the Office of Contractor General, an independent anti-corruption Commission of Parliament. The agency reviews and endorses recommendations for government contracts, and register and classify contractors who wish to bid for these contracts.

This shows how criminal domination of marginalized communities can be advantageous to their licit entities.

Table 7: Incomparable Enterprise’s Government Contracts Endorsed by the National Contracts Commission of Jamaica, 2008 to 2009²⁹

Date	Agency	Description	Method	Amount (J\$)
4/9/08	National Housing Trust	Emergency extension of security services for Denham Town Block J to April 28, 2008	Sole source	\$4,291,166.40
7/9/08	National Housing Trust	Emergency extension of security services for Denham Town Block J for 6 months	Sole source	\$6,400,800.00
2/11/09	National Housing Trust	Emergency procurement for extension of the security services from August 2008 to February 27, 2009 at Denham Town housing	Sole source	\$7,474,260.00

A report claims that the Urban Development Corporation (UDC) was the security firm’s main client from which it received six contracts: two were claimed to be subcontracts; one was for the period between 2009 and 2011 and valued at \$5.28 million; and the other three were not disclosed.³⁰ The works for the three known contracts were in and around the areas of downtown Kingston where Coke and his organization were very influential. Table 7 also shows three additional contracts from the National Housing Trust between 2008 and 2009, all for emergency services in Denham Town and contracted under the sole source procurement method. The “sole source” tender process allows

²⁹ National Contracts Commission of Jamaica, *Archived Contracts*, http://www.ncc.gov.jm/ncc/archive_contracts.php

³⁰ Tyrone Reid, *UDC Admits Dudas-Linked Company Still on Its Payroll*, *Jamaica Gleaner*, July 5, 2010, <http://jamaica-gleaner.com/gleaner/20100705/lead/lead2.html>.

procuring entities to contract with companies which are the only providers of a good or service.

There were no formal statements as to why Bulls Eye was the “only” provider available to offer security services to the agency at the time; possibly it was because of the area’s reputation as a criminally-controlled enclave, so no other firm from outside of West Kingston would have bid for the contract. Moreover, as the KSAC Town Clerk had mentioned, any contract in these communities must involve the community leaders. Does this suggest that the UDC would have known that the company was linked to Coke? If so, then it exposes reality of doing public works in garrisons, as mentioned previously. It is also important to note that the contracts were awarded after the JLP was victorious in the 2007 elections and Bruce Golding became the Prime Minister of Jamaica. This correlation intimates that they were among the other types of resources exchanged in state-criminal networks with Coke.

As for Incomparable Enterprise Limited, it appears that the firm was one of the preferred contractors for public works in downtown Kingston, as suggested in Table 8. An image on the Ministry of Transport, Works, and Housing’s website shows a picture of only O’Gilvie signing a contract for road repairs with the Minister responsible for this portfolio.³¹ It is unclear whether other contracts were executed in the same manner but this public image may lead one to believe that Coke and Justin were not business partners. Conversely, one could also speculate that O’Gilvie was the face of these

³¹ Ministry of Transport, Works, and Housing, *Contracts Signed for Road Repairs*, December 23, 2008, http://www.mtw.gov.jm/communications/news_notices/news_updates/Contracts%20Signed%20for%20Road%20Repairs.aspx

legitimate transactions while the kingpin was a silent Director. If this is the case, then it represents a different type of kingpin relationship with the state in which a facilitator is involved, possibly to hide the company's links with a criminal.

This mediated state-criminal alliance is different from the direct ties examined in the narcotics industry in which criminal affiliation is expected. It raises concerns about ethics in public procurement, especially after the JLP 2007 Manifesto had pledged that "Contractors to be registered with the National Contracts Commission will be required to produce satisfactory criminal record. Contractors who engage sub-contractors with criminal records involving conviction for gun-related or violent crime will be removed from the register of contractors."³² O'Gilvie may not have fit these criteria, but could anyone deny that Coke was involved in criminal activities?

It seem as if the NCC and procuring entities were either unaware of Coke's attachment to the firm, had failed to do their due diligence, or were satisfied with knowing that a legitimate businessman was at the forefront of the company while the kingpin made himself invisible. In this way, it would have been difficult for anyone to say that the JLP reneged on its own Manifesto, given the challenges of proving that the company was linked to a criminal.

The Office of the Contractor General's (OCG) 2011 report states that 64 contracts with a total value of \$222.16 million were awarded to Incomparable Enterprises Limited between 2006 and 2010.³³ Nine of these contracts were valued above the NCC's

³² Jamaica Labour Party, *A Better Way for Jamaica*, Jamaica Labour Party Manifesto, 2007, http://issuu.com/jlpjamaica/docs/jlp_manifesto2007/3?e=4041175/7245851, 65

³³ Office of the Contractor General of Jamaica, *The Twenty-Fourth Report of the Office of the Contractor General* (Kingston: Office of the Contractor General of Jamaica, 2011),

threshold,³⁴ so they had to be endorsed by the agency. They are all listed in Table 8. The fact the firm was awarded these contracts implies that its Directors did not require the same type of scrutiny at the NCC as did the PSRA. It also appears that the agency was satisfied with the documents which the firm had provided, since the NCCs' policies state that it would revoke any registration acquired using false information. The firm would not have had access to the larger contracts without this registration; however, it would have had access to 55 smaller contracts under the agency's threshold. This highlights an important gap in the local anti-corruption regime, since the lower-valued contracts would have still resulted in the flows of government resources and taxpayers' dollars to companies linked to criminals.

Table 8 shows that three of the contracts were endorsed under the "selective tender" process which only awards contracts to NCC registrants. The contract for the Ministry of Education coincided with the period in which the government was about to enter negotiations with the International Monetary Fund, so the scope of work and value of the contract was reduced.³⁵ Still, it is noteworthy that Incomparable Enterprises Limited had initially bid \$18.4 million, while another company proposed \$25 million, for work which was estimated to cost \$20.2 million.³⁶ Limited access to contract information restricted investigations into whether it was the practice of the firm to under-bid for its

http://www.ocg.gov.jm/ocg/sites/default/files/annual_report/annual_report_2010_0.pdf [OCG Report 1 hereafter]

³⁴ Before and after September 22, 2008, the threshold was \$4 million and \$10 million respectively; presently, this value is \$15 million.

³⁵ Office of the Contractor General of Jamaica, *The Twenty-Fifth Annual Report* (Kingston: Office of the Contractor General Jamaica, 2012)

http://www.ocg.gov.jm/website_files/annual_reports/annual_report_2011.pdf [OCG Report 2 hereafter]

³⁶ Ibid.

contracts or whether the lower cost was because of its competitive advantage in West Kingston, as suggested previously. If so, it would be an indication of how criminal alliances with the state crowds out potential contractors because of their inability to compete with their firms' lower prices.

Table 8: NCC Endorsed Contracts for Incomparable Enterprise Limited, 2008 to 2009³⁷

Date	Agency	Description	Method	Amount (J\$)
5/28/08	National Heritage Trust	Construct Hugh Shearer monument at Heroes Circle	Selective tender	\$4,602,848.00
6/25/08	Ministry of Education	Refurbish building and modification to canteen at Head office	Selective tender	\$18,469,665.50
11/12/08	Kingston City Centre Improvement Company	Roof repairs and associated works at the Ward Theater complex	Selective tender	\$16,908,875.00
1/14/09	National Solid Waste Management Authority	Emergency procurement contract 4 to transport cover materials from Bull Bay. Push, spread and compact cover material to extinguish fire.	Sole source	\$1,347,249.80
2/11/09	National Works Agency	Emergency works for Hurricane Gustav - construct reinforced concrete wall and gull invert at Collie Smith Gully in St. Andrew	Limited tender	\$68,678,525.49
6/24/09	Ministry of Water and Housing	Repairs and waterproofing to concrete slab roofs at Bustamante Highway section in Tivoli Gardens housing scheme	Open tender	\$10,695,795.00
6/24/09	Ministry of Water and Housing	Repairs and waterproofing to concrete slab roofs at Levy Path section in Tivoli Gardens housing scheme	Open tender	\$10,695,795.00

³⁷ National Contracts Commission of Jamaica, "Archived Contracts"

6/24/09	Ministry of Water and Housing	Repairs and waterproofing to concrete slab roofs at Seaga Boulevard section in Tivoli Gardens housing scheme	Open tender	\$10,704,265.00
8/5/09	National Solid Waste Management Authority	Further extension of emergency procurement contract for Heavy Equipment services	Sole source	\$2,760,000.00

The table also shows that the National Solid Waste Management Authority (NSWMA) awarded two contracts under the sole source process. However, their procurement relationship had begun prior to 2009 when, under the same tender method, the agency had retained the firm to provide heavy equipment to extinguish a fire at the Riverton landfill. NSWMA contracted with the firm because it had the appropriate sized equipment to replace its own which was previously damaged.³⁸ The total value of the services provided from August 1, 2008 to December 31, 2008 was \$5,143,977.37.³⁹ The award was in violation of the government's procurement guidelines which, at the time, stipulated that all contracts over one million must be approved by the NCC.⁴⁰

NSWMA's contracting violations infers that it is not just the NCC which may have gaps in its operations, but also procuring entities which fail to follow the mandated guidelines to prevent corruption. Table 8 shows two other contracts from the agency were awarded to the firm using a similar procurement method but was endorsed by the NCC.

³⁸ Office of the Contractor General of Jamaica, *Allegations Regarding the Contract Termination and Award Practices at the National Solid Waste Management Authority* (Kingston: Office of the Contractor General of Jamaica, 2014), <http://www.ocg.gov.jm/ocg/sites/default/files/NSWMA%20Investigation%20-%20Contract%20Termination%20and%20Award%20Practices.pdf>

³⁹ Ibid.

⁴⁰ Ibid.

While the agency's contracting relationship with Incomparable Enterprise may be justified under the claims that it had the appropriate equipment, it is also interesting to note that the former head of the agency was also affiliated with the JLP.⁴¹ This infers that its reliance on the company may have been another avenue through which the party provided patronage to Coke's organization. It could also be reflective of the kingpin's dominance in the area, which requires that his companies must be involved in any public works contracts, as mentioned previously.

The value of the contracts mentioned in the preceding sections, inclusive of the 55 contracts under the NCC's threshold, is approximately \$240.32 million. As large as this figure is, in Jamaican terms, it is only a sample of the contracts which both firms had received after the 2007 elections. Bulls Eye Security and Incomparable Enterprises Limited may have been the preferred contractors in West Kingston and elsewhere, so it is quite possible that the sum they had extracted from the state was even larger. Politicians may have influenced the decision to award them these contracts initially but, over time, both companies would have developed closer relationships with procuring agencies and their officials who administer them. This especially would be the case for repeat contracts and those where the sole source procuring method is used. One can therefore imply from these scenarios that awarding government contracts to companies associated with criminal actors gives them legitimacy in the legal economy.

Public actors can also benefit from government contracts because they may be valuable sources of campaign finance. One former politician disagreed with this

⁴¹ Kimone Thompson, "Gordon-Webley Is New NSWMA Boss," *Jamaica Observer*, November 6, 2007, http://www.jamaicaobserver.com/news/129083_Gordon-Webley-is-new-NSWMA-boss.

perspective and insisted that dons are just “foot soldiers for politicians;” they do not have the money to support political campaigns because, although they may be rich, they are not wealthy.⁴² Conversely, a more seasoned public actor implied that criminals may do so indirectly. She described campaign finance in the following manner: “contracts are usually given out in inner-city communities and part of the money earned from contracts goes back into the campaigns...it is more typical for politicians to engage in fundraising activities and receive donations from legitimate businesses outside of these neighborhoods.”⁴³ Thus, while dons may not be wealthy, CFNs makes it possible for them to contribute to political campaigns indirectly through public works contracts. The problem is that political parties are not required to disclose the sources of their donations, so targeting this source of corruption in the electoral system is quite challenging.

This section has argued that Coke was able to capitalize on his strong relationships with the state, his dominance of West Kingston, and relationship with O’Gilvie to gain access to lucrative government contracts. He and O’Gilvie could have also developed relationships with public administrators through repeat contracting with the same agencies over time. Access to these resources provided alternative sources of income with which he could also maintain legitimacy within West Kingston.

Relationships with Ordinary Citizens within the Supportive CFN

Drug trafficker’s illicit gains are instrumental to their capacities to govern informally and provide social welfare services in the spaces they control. It is likely that

⁴² Norbert (former member of government), personal interview

⁴³ Sandra (former politician and current government official), personal interview

their licit incomes allowed them the same opportunities. For example, Coke would normally employ people from the community to work on the contracts which he received from the government. This distribution function contributed to his role as a patron, increased his legitimacy, and possibly endeared him to citizens who were able to obtain jobs under his leadership. Could this be what Edward Seaga was intimating when he alluded to the relationship between multimillion dollar contracts and criminal power?

On the other hand, the practice of awarding contracts to illicit actors was not invented when Bruce Golding became the Member of Parliament for West Kingston. It is typical of traditional criminal organizations in Jamaica and elsewhere that were dependent on the state.⁴⁴ The kingpin's rise to prominence occurred before 2005, so if we accept Seaga's understanding of the correlation between contracts and power, then it is possible that Coke did receive access to these lucrative resources under his leadership. One of the weaknesses of this analysis is that limited access to data prevents further investigation. However, the testimonies of two of the three primary witnesses⁴⁵ provide some insights on how government contracts had further empowered the drug lord throughout his 18 years of dominance in West Kingston.

Coke's capacity to distribute jobs as an informal extension of the state also gave him the authority to extract "taxes" from residents' salaries as payment back to the system.⁴⁶ Inner-city areas are often marginalized and poor, so it is unlikely that a resident who was desperate for work would refuse it because he was opposed to the kingpin's

⁴⁴ Della Porta and Vannucci, *Corrupt Exchanges*; Hill, *The Japanese Mafia*; Shelley, *Dirty Entanglements*.

⁴⁵ CW1; Jermaine

⁴⁶ CW1

informal codes of governance. This means that the criminal benefited twice from government contracts: first, directly from the contracts he received; and second, indirectly from citizens' obligatory reimbursements which helps the system operate.

Jermaine had also mentioned that Coke's soldiers worked on these contracts, some of which he listed but did not provide details.⁴⁷ His testimony provided evidence that their work ethic was questionable but acceptable as a practice because of the systems' dominance, as indicated in the following exchange at Coke's trial:

Q: ...During the time that you were around in Tivoli Gardens did you ever work jobs that you could show up whenever you wanted?

A: Yes, sir.

Q: And at that these jobs would you have to work the full day?

A: No, sir.

Q: And why not?

A: Job controlled by the system.

Q: What was it that permitted you to show up, not work very hard, not generally a good employee?

A: ...We bad men. So the jobs got the bad man list. So you can go to the job any time you feel like.

⁴⁷ The job sites mentioned were different from the ones analyzed in this chapter

Q: ...when you say bad man list, would it be fair that means it was clear that you were a soldier?

A: Yes, sir.⁴⁸

Criminals and citizens were not the only ones who benefitted from government contracts; the reciprocal nature of state-criminal relationships also mean that politicians did so too. The Councillor or Member of Parliament could claim that they had maintained their election promises because they provided job opportunities from these contracts. This type of patronage therefore allows politicians to maintain their bonds with citizens in an environment where the state is weak and patronage in the form of cash handouts are limited. On the other hand, since criminal organizations are the ones actually distributing these jobs, it also illustrates the role of CFNs as an alternative mechanism of deploying resources in marginalized areas on behalf of politicians.

In sum, Coke's relationship with O'Gilvie and members of the state gave him access to multiple government contracts through which he could distribute and administer jobs as part of the system's role in poor communities. It demonstrates that a kingpin's ability to develop strategic relationships that allow him to bridge the divide between the legal and illegal economies are instrumental to capacity to govern. Coke could not have assumed this role without the permission from politicians who had also gained indirectly from these contracts.

⁴⁸ Jermaine, 65

Network Collapse and Consequences

Coke's various sources of income had allowed him to dominate extensively and over longer period of time than many other criminal actors in similar positions. As mentioned in Chapter 3, the US' extradition request had set in motion a series of events that eventually resulted in the violent collapse of his CFNs and illegal activities. Unlike his illicit enterprises, however, Coke's legitimate businesses only started to crumble after his extradition and imprisonment. The processes were just as contentious but the conflicts were within the national government rather than between the US and Jamaica. These internal skirmishes reflect some of the limitations of the country's anti-corruption and anti-organized crime regimes which will be highlighted throughout this section. This is in stark contrast to the US' decisive actions to cripple all aspects of criminal organizations once the kingpin is the target of its foreign policy.

Evidence from the OCG's forensic investigation into Incomparable Enterprises Limited state that "at a minimum, the company's annual re-registrations, as a NCC Works contractor, going back to 2005, had been irregularly and/or fraudulently acquired."⁴⁹ The OCG did not provide any details about the evidence but its findings indicate that the company was in violation of the NCC's policy. As mentioned previously, revoking a company's license was the stipulated punishment for providing false information on which it would be evaluated. The OCG does not have the power to prosecute, which is one of its major weaknesses, so it had recommended that the company be de-listed as a NCC approved entity immediately.

⁴⁹ OCG Report 1, 54

One of the main shortcomings of the OCG's recommendations is that revoking the firm's registration would have affected only larger contracts, since not all contracts required NCC approval, as mentioned previously. Furthermore, nothing was said about Bulls Eye Security so its status during this period is unknown.

Instead of delisting the companies, the NCC had forwarded the OCG's recommendations to the Solicitor General. This action infers that the recommendations were controversial, despite the negative publicity Coke was receiving at the time due to the extradition matter, and would have probably elicited the responses of the firm's legal team as well as prominent elite actors within his supportive CFN. The Contractor General noted that he was not informed about the decision of the Solicitor General or the NCC at the time of his report. However, he documented that the construction firm was no longer a registered NCC company after November 10, 2010, not because of the actions of the agency, but because its registration had naturally expired by that date.⁵⁰

After Coke had "escaped" from Tivoli Gardens in 2010, the Asset Recovery Agency (ARA)⁵¹ had initiated the process to seize his assets as well as those of his alleged associates under the Proceeds of Crime Act (POCA). More specially, the ARA had filed claims against Coke, his girlfriend, his late mother, O'Gilvie, his wife, and the two companies discussed throughout this chapter. The belief was that the kingpin had laundered his illicit gains through these individuals and licit enterprises. However, after two years of conducting its investigations, the ARA was forced to drop its claims against

⁵⁰ OCG Report 1

⁵¹ Agency within the Ministry of Finance and Planning

everyone else except for Coke because it lacked sufficient evidence to prove its case of money laundering.

The ARA's investigations were only able to uncover \$300 million in assets,⁵² which was much less than what was expected. What's even more intriguing was that O'Gilvie was able to provide documents in court which showed that Coke was not connected to his companies.⁵³ It would be interesting to know whether there have been any legal changes to his companies' documents since 2003 and the nature of these changes.

After the case was decided, O'Gilvie's lawyer reportedly emphasized to a journalist that Coke and his client "are just friends and were never in business together."⁵⁴ However, it appears that the US was convinced that the relationship was more than just friendship, since it had revoked O'Gilvie's visa in 2011 after Coke was found guilty of the charges against him.⁵⁵ It is difficult to determine the extent to which the evidence provided on behalf of the defendants in court are true. On the other hand, it is quite common for criminals to hide their illicit gains, so it is not surprising that the kingpin's assets and links to the two companies could not be easily detected. Owen Ellington, the Commissioner of Police at the time when Coke was captured, noted this problem during one of his press interviews:

⁵² Karyl Walker, "'Dudus' Amassed \$300 Million in Wealth," *Jamaica Observer*, December 4, 2013, http://www.jamaicaobserver.com/news/-Dudus--amassed--300-million-in-wealth_15566067.

⁵³ Barbara Gayle, "Where Is 'Dudus' Money?," *Jamaica Gleaner*, June 23, 2013, <http://jamaica-gleaner.com/gleaner/20130623/lead/lead4.html>.

⁵⁴ Paul Henry, "Justin O'Gilvie to Seek Financial Redress After Court Lifts Assets Freeze," *Jamaica Observer*, December 16, 2012, <http://www.jamaicaobserver.com/news/Justin-O-Gilvie-to-seek-financial-redress-after-court-lifts-assets-freeze>.

⁵⁵ Arthur Hall, "US Bars Dudus Pal – Embassy Revokes Justin O'Gilvie's Visa," *Jamaica Gleaner*, July 13, 2011, <http://jamaica-gleaner.com/gleaner/20110713/lead/lead1.html>

We have made moves to take some of that wealth from him, but one thing must be said about people like Coke, they skillfully conceal their wealth... We found houses, expensive motor vehicles in the names of persons who were not able to work and appeared to be unconnected to the day-today activities of the criminal enterprise. But they were holders of substantial assets.⁵⁶

Confiscating ill-gotten assets is a challenge that many democracies face in attempting to attack criminal organizations and take the profit out of crime as POCA is supposed to do. However, the ARA is a very small agency which, like many other government entities, competes for government funding. So it is possible that the ARA did not have adequate resources to conduct an extensive investigation within the time allowed. Its failure to prove its case allowed the Supreme Court to grant permission to all the affected parties, except Coke, to file claims against the state for freezing their assets for two years. This is justified if they truly did not launder money for the kingpin. If they did, then this is an example of how illicit can exploit criminal justice systems for their own purposes. Despite the court rulings, one high-level state official close to the issue is still adamant that “Coke created legitimate enterprises which infiltrated government

⁵⁶ Ibid.

contracts,” but claimed that he did not have direct access to the details to discuss the issue any further.⁵⁷

The ARA’s case against O’Gilvie was dropped on December 14, 2012, but four days later he was faced with another legal challenge. The National Commercial Bank (NCB)⁵⁸ informed him of its decision to terminate his personal and business bank accounts as well as those of his wife and children effective January 29, 2013. He immediately attempted to get an injunction against NCB to prevent it from closing the accounts but was unsuccessful. He filed a second claim, with both Incomparable Enterprises Limited and Bulls Eye Security Service Limited as claimants, against the ARA, NCB, and Bank of Jamaica (BoJ) for committing unconstitutional acts against him.⁵⁹ He concluded that the NCB was discriminating against him because of his social origins since it did not provide any reason for its decision.⁶⁰ In other words, he believed that his friendship with Coke and his West Kingston background explained reasons for their prejudice against him.

The NCB left itself open to these allegations since, as O’Gilvie claimed, they did not provide any reason for its actions. Still, it is hard to believe that the Bank was unaware that he was from West Kingston and that his businesses operated in the area. What they probably did not know was that the nature of his relationship with Coke until after the extradition controversy and Coke was arrested. One can therefore speculate that

⁵⁷ Vincent (high-level government official), personal interview

⁵⁸ NCB is one of the largest banks in Jamaica

⁵⁹ Justin O’Gilvie et al. v the Bank of Jamaica et al., Claim 2013 HCV 01436 (Supreme Court of Jamaica, September 14 and October 4, 2013).

⁶⁰ Ibid.

the NCB was trying to protect its reputation domestically and internationally after this affiliation was revealed.

The court had dismissed O’Gilvie’s constitutional claims against the BoJ but granted those against the NCB. The Judge noted that his decision was not based on the belief that his case will be successful; instead, precedence in other jurisdictions which had granted private citizens the authority to use the bill of rights in legal proceedings against other private citizens, not just the state, suggest that his claim cannot be dismissed. The final decision is yet to be decided as the NCB had the right to appeal the case.

Compared to Chapter 3, this section has shown the collapse of Coke’s legitimate firms were slightly different from the disruption of his illicit enterprises. One of the most obvious differences is the lack of violence, which was probably due to the fact that the Shower Posse had already crumbled by the time that attention was paid to the firms. The US’ role in disrupting Coke’s illicit and licit enterprises is significant because it highlights the importance of power and decisiveness in attacking kingpins and major actors in their active CFNs.

Conclusion

This chapter used the cases of Bulls Eye Security and Incomparable Enterprises Limited to show how legitimate companies can provide alternative sources of income for criminals. If the firms were linked to Coke, as alleged, then they had facilitated the kingpin’s empowerment and dominance of inner-city communities. Both were able to gain access to government contracts because of the criminal’s relationship with the JLP

and his role as don in West Kingston. This indicates that they constitute a portion of the resources exchanged in state-criminal networks; however, Norris Nemhard's failure to get the trucking contracts in the parish of St. Ann suggests that kingpins who operate in poor neighborhoods, have stronger relationship with their affiliated political parties, and have the capacity for violence are more likely to gain access to these resources. It reflects a different form of relationship between classic kingpins and their centralized structures in major urban areas, compared the more decentralized networks and operating outside of these localities.

O'Gilvie's reputation as a legitimate businessman may have also been instrumental to the process of obtaining contracts, because it allowed the firms to overcome the restrictions that a criminal firm would face in registering as a government contractor or working in a particular industry. Mediated relationships of this nature demonstrates the importance of developing strategic ties with legitimate actors that can be exploited to expand criminals' wealth, power, and legitimacy. These attributes were further enhanced by the drug lord's role in distributing and administering government jobs from the contracts he had received. Political actors may also benefit from these relationships because they can help to improve their ties with their constituencies as well as strengthen campaign coffers.

These complex linkages in Coke's CFN help to explain why he was one of Jamaica's most powerful drug lord. In these circumstances, as the theory explains, powerful external actors are important to the disruption of the criminal's networks in his enterprises. Only after this occurs will the state and other private actors mobilize efforts

against such powerful criminals. Chapter 3 has shown that the collapse of the Shower Posse and Coke's relationship with the state were violent. The collapse of legitimate entities and the state-criminal networks in these cases were non-violent; nevertheless, they still created chaos in the political, financial, and legal systems and highlighted gaps in the country's ant-corruption regime.

CHAPTER 6

LEGITIMATE ENTERPRISES AND ILLICIT TRANSACTIONS IN THE GOVERNMENT CONTRACTING SECTOR

The cases presented in the previous chapter illustrate the problem of corruption in public procurement involving local firms allegedly affiliated with a notorious drug kingpin. In the wider literature on corruption, however, illicit transactions in government contracting between state officials and legal enterprises are more commonly discussed.¹ Several studies have found that cultural, economic, institutional, legal, and political factors may influence the incidence of bribery in countries.² This chapter will consider some of these factors while examining the nature and operations of the CFNs in these types of transactions. Understanding these dynamics will help to develop a broader perspective on the exploitation of social networks for illicit and corrupt ends.

¹ See, for example, Joel S Hellman, Geraint Jones, and Daniel Kaufmann, "Seize the State, Seize the Day: State Capture and Influence in Transition Economies," *Journal of Comparative Economics* 31, no. 4 (2003); Kartner, Jennifer and Warner, Carolyn M., "Multinationals and Corruption Systems: The Case of Siemens," *European Research Centre for Anti-Corruption and State Building*, no. Working Paper No. 45 (2015); Susan Rose-Ackerman, "Democracy and 'grand' Corruption," *International Social Science Journal* 48, no. 149 (1996).

² Christopher Baughn et al., "Bribery in International Business Transactions," *Journal of Business Ethics* 92, no. 1 (2009); Kelly D. Martin et al., "Deciding to Bribe: A Cross-Level Analysis of Firm and Home Country Influences on Bribery Activity," *Academy of Management Journal* 50, no. 6 (2007); Kartner, Jennifer and Warner, Carolyn M., "Multinationals and Corruption Systems: The Case of Siemens"; Anna D'Souza and Daniel Kaufmann, "Who Bribes in Public Contracting and Why: Worldwide Evidence from Firms," *Economics of Governance* 14, no. 4 (2013); Rajib Sanyal and Subarna Samanta, "Trends in International Bribe-Giving: Do Anti-Bribery Laws Matter?," *Journal of International Trade Law and Policy* 10, no. 2 (2011).

Instead of a criminal actor as the focus of analysis, as the cases so far have done, the chapter investigates the case of Trafigura Beheer, B.V.,³ a Dutch transnational corporation (TNC) that was accused of giving improper payments to Colin Campbell, a former PNP government official. The firm is governed under the Organization for Economic Cooperation and Development (OECD) Anti-Bribery Convention, so if the payments were political donations, as the official had claimed, then it would have violated the law. Conversely, if they were based on a “commercial agreement,” as Trafigura had argued, then the scandal would illustrate problems with corruption and campaign finance in Jamaica. While it is beyond the scope of the chapter to decide the legal validity of these claims, both are analyzed because they potentially indicate the terms of reciprocity between the actors involved.

The case will illustrate that the basic structure of the active CFN is triadic, smaller, less complex, and weaker than the ties examined previously in the DTOs. This simpler structure is expected because it usually involves the company targeting the official who controls the government agency issuing the contract or vice versa. Violent resources are unnecessary since the elites are not competing over turfs or transacting with tangible goods like cocaine in need of protection. It is unlikely that these alliances will occur within communities, so location may not be an important factor affecting how they operate. This means that they will not be subjected to the unique cultural, sociopolitical, and economic influences at the local level. On the other hand, one can assume that these

³ “Trafigura” hereafter

transactions may transpire more frequently in states where corruption is more widespread and encouraged by informal social norms.

Bribery appears to be less threatening to states' security interests than the narcotics trade, which means that it is less probable that these types of activities will be disrupted by powerful actors like the US. As such, the primary source of destruction should be internal to the state. Opposition leaders in competitive party systems are more inclined to reveal corrupt transactions in order to score political points against the incumbent government,⁴ as long as it is worth their investments in time. Investigations may be conducted by external actors but they will be peripheral to the impact of the scandal on local politics and are unlikely to result in extraditions. Moreover, whether domestic actors comply with these investigations may depend on the power of the external state involved.

The weaker political-business relationships in this case suggest that they will collapse more easily and quickly than the DTO cases examined previously. There may be some instability within the government or political party when the network collapses, but the socioeconomic backgrounds of the actors involved suggest that violence is unlikely to be an outcome.

The Case of Trafigura

Trafigura is one of the largest oil and metal trader in the world with multiple subsidiaries on almost every continent. Since its inception in 1993, the company has been linked to several international scandals including oil smuggling in Iraq, toxic waste

⁴ See, for example, Nicholas Charron, "Party Systems, Electoral Systems and Constraints on Corruption,"; Petra Schleiter and Alisa M. Voznaya, "Party System Competitiveness and Corruption," *Party Politics* 20, no. 5 (September 1, 2014).

dumping in the Ivory Coast, and bribing politicians in several countries in Africa.⁵ The corruption case involving Jamaica was exposed on October 4, 2006, when Bruce Golding, who was Leader of the Opposition at the time, revealed that the company had made some questionable payments to the PNP, the ruling party. Golding accused the PNP of using the funds to pay for its annual conference and also raised concerns that the payments were bribes or kickbacks.

To proceed with this analysis, it is necessary to place this case within the contracting context in which it occurred to provide a better understanding of the scandal. In 1979, Prime Minister Michael Manley of Jamaica and President Olusegun Obasanjo of Nigeria had negotiated a bilateral agreement in which Jamaica would receive Nigerian crude oil at a concessionary price. This resulted in a contract with the Nigerian National Petroleum Corporation (NNPC) which was scheduled to be renewed on a yearly basis.

Jamaica's oil refinery in Kingston had lacked the capacity to process Nigerian crude, so in 1982, arrangements were made to ship the oil to a Shell plant in Curaçao for processing. This agreement was later canceled in 1984 when the plant was closed. Subsequently, the Petroleum Corporation of Jamaica (PCJ) contracted with Vitol SA Inc. to lift and sell the crude in the international market on its behalf. This contract continued until 1993 when the new Nigerian President had canceled all concessionary contracts.

When the contract with NNPC was reinstated in the year 2000, the sub-contract with Vitol SA continued until it was canceled a year later because the PCJ disliked the

⁵ See, for example, "Trafigura's Tarnished History," *Malta Star*, March 3, 2013, <http://www.maltastar.com/dart/20130302-trafigura-tarnished-history>; David Leigh, "Inside Trafigura: Accusations, Sour Deals and Friends in High Places," *The Guardian*, September 16, 2009, <http://www.theguardian.com/world/2009/sep/16/inside-trafigura-pollution-conservatives>; Rob White, "Toxic Cities: Globalizing the Problem of Waste," *Social Justice*, 2008.

profit-sharing arrangement. The PCJ sought a better agreement and requested bids from NNPC-approved contractors including Vitol SA, Trafigura, and Glencore. Trafigura initially won the contract because it was the most responsive.⁶ Its 2002 bid for the contract was successful because it had made the best offer.⁷ It was agreed that the company would pay a fixed fee to the PCJ for each barrel of oil lifted and traded. The OCG's report indicates that there were six contract periods between October 2000 and April 2006 in which Trafigura lifted and traded 34,354,660 barrels of oil.⁸ This would have earned the PCJ US \$2,443,381 in concession payments.⁹

Trafigura was lifting and trading oil for Jamaica without a contract at the end of 2006, according to the OCG's report.¹⁰ However, a court document¹¹ indicates that there was an interim agreement between the government of Jamaica and the TNC during this period, even though the NCC had approved Glencore Energy as the new contractor. The document did not disclose the details of this interim agreement. It was during this time that the company had made several deposits, which is almost equivalent to the average yearly amount the PCJ had received during the six contractual periods mentioned previously, into a bank account owned by an entity called "CCOC." More specifically, Trafigura payments amounted to approximately \$31 million (US\$461,653) while simple

⁶ Office of the Contractor General of Jamaica, *Special Report of Investigation Conducted into the Oil Lifting Contracts between the Petroleum Corporation of Jamaica (PCJ) and Trafigura Beheer, Part 1* (Kingston: Office of the Contractor General of Jamaica, 2010), http://www.japarliament.gov.jm/attachments/496_OCG%20Investigation%20Report%20-%20Trafigura%20Beheer%20Part%201.pdf.

⁷ Ibid.

⁸ Ibid., 38.

⁹ Ibid.

¹⁰ Ibid.

¹¹ The Hon. Mrs. Portia Simpson-Miller et al v the Attorney General and the Director of Public Prosecutions, Claim No. 2011 HCV07019 (Supreme Court of Jamaica, September 24, 26-28 and October 1, 2012, and September 2013).

arithmetic indicates that the average yearly concession to the PCJ would have been approximately \$27 million (US\$402,084).¹² In other words, the total payment was just slightly higher than the contracted amount in previous years. Could it be that the company had made the payments to win the contract? As in the previous chapters, this analysis will attempt to understand the case by studying the illicit or corrupt transactions and the relationships of the actors involved.

Relationships within the Active CFN

Data limitations prevented the construction of the actual network, so the analysis will focus on what is known about the scandal in order to make inferences about the active CFN. Figure 10 shows the network illustrating the ties in the allegations. It is clear that the active CFN is not as complex as the DTO cases analyzed in the previous chapters. The figure shows that the network is very small and the actors involved are the company, two political entities, and a government official. The assumption that there are only a few actors also means that the functional differentiations were less intricate than those observed in the DTOs' networks. These characteristics reinforce the assertions that the network is simpler.

On the other hand, one may question this conjecture since no observations were made within the company itself. The available evidence does not indicate who within the company authorized or made the payments, although over the course of the exposé, a

¹² In 2006, US\$1 was equal to J\$67.15, so the 6 contractual periods would have amounted to an average of J\$27,345,505.69 per year. However, there is some discrepancy between this average, which was calculated using the figures in the OCG's report, and the speculated amount earned. For example, the Jamaican for Justice (JFJ) reportedly stated that the J\$31 million donated to CCOC was more than twice the amount the country earned from the lift year to 2006. To read JFJ's full comments, see "Bank Sends Top Exec on Leave," *Jamaica Observer*, October 7, 2006, http://www.jamaicaobserver.com/news/113733_Bank-sends-top-exec-on-leave.

report revealed that Claude Dauphin, the co-founder of Trafigura, and other executives had visited Jamaica in August 2006 to meet with PNP officials.¹³ This event took place a few days before the wire transfers were made, so it is probable that they had given the necessary authorizations. Since this is only an assumption, Figure 10 uses the label “Trafigura” to broadly represent these individuals.

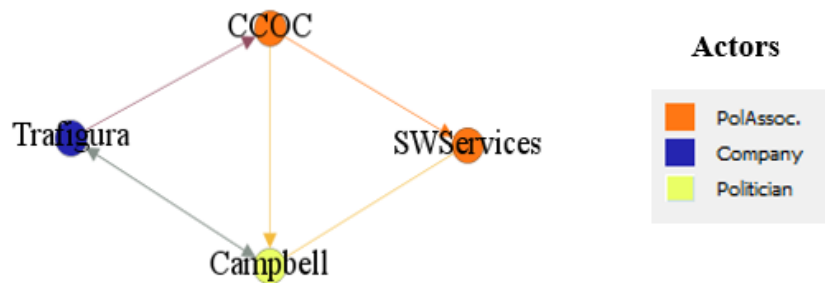


Figure 10: Active CFN in Trafigura Scandal

I also assume that at least one actor from the company had negotiated directly with Colin Campbell, the politician involved in this case, and a few persons were responsible for approving these payments. These assumptions are based on another recent political scandal involving Johnson and Mabey, a British bridge-building firm that allegedly had bribed officials in several countries including Jamaica.¹⁴ Figure 11 provides

¹³ Erica Virtue, “Bruce Turns Spotlight on Portia,” *Jamaica Observer*, October 11, 2006, http://www.jamaicaobserver.com/news/113901_Bruce-turns-spotlight-on-Portia.

¹⁴ Office of the Contractor General of Jamaica, *Special Report of Investigation Conducted into the Allegations of Corruption and Irregularity that are Related to Certain Government Bridge Building Contracts that were Awarded to the British Firm of Mabey and Johnson Limited* (Kingston: Office of the Contractor General of Jamaica, 2009), http://www.ocg.gov.jm/ocg/sites/default/files/OCG-Jamaica-InvestigationReport-Mabey_JohnsonCorruptionAllegations.pdf

a deeper view into the internal operations of corruption within the TNC. Like all the other cases in this study, the data was coded and extracted based on the alleged relationships between Hibbert and representatives of Mabey and Johnson.

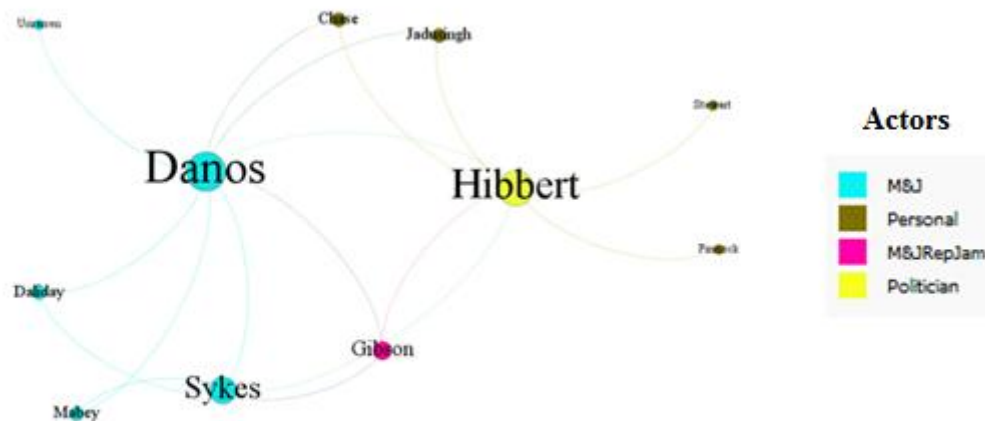


Figure 11: Mabey and Johnson’s Representatives and their Relationships with Joseph Hibbert¹⁵

The data shows that there were several individuals from the firm who, knowingly or unknowingly, had authorized and helped to process the payments to Joseph Hibbert, the politician who was allegedly bribed. Jonathan Danos and Peter Sykes were the names that appeared most frequently in the investigative documents the OCG had received from the UK’s authorities.¹⁶ Danos worked under David Mabey, a partner in the firm who

¹⁵ Ibid.

¹⁶ Excerpts of these documents are contained in the OCG’s report mentioned in footnote 14.

often signed off on payments, and Sykes would sometimes receive instructions from Danos to prepare the payments.

The Mabey and Johnson active CFN also indicates that a few high-level executives may be involved in these types of illicit transactions themselves or are aware of the corrupt activities of their employees but remain indifferent. Similarly, several Trafigura representatives, including Dauphin, may have been involved in the scandal but the extent of their participation is unknown. Prime Minister Portia Simpson-Miller of Jamaica had admitted meeting with Trafigura representatives but denied that the engagement was business-related.¹⁷

Figure 11 also supports the hypothesis that networks in the government contracting industry are much smaller and less complex than the DTOs examined in this dissertation. Division of labor is expected, given the necessary accounting and financial procedures necessary to authorize payments, but the evidence indicate that the number of roles that would be present in the network is much smaller. Furthermore, since the actors involved are more likely to be higher level company and state representatives, one can assume that these individuals are not from the lower class. This has implications for the collapse of the network since reputation may be an important factor that an instigator may have to consider.

Figure 10 suggests that the transaction was a direct one-to-one relationship between Trafigura and Campbell, compared to the one-to-many contracting relationships involving DTO-affiliated firms and government entities. As explained in Chapter 5,

¹⁷ “PM Admits: ‘I Met with Trafigura Reps,’” *Jamaica Observer*, October 11, 2006, http://www.jamaicaobserver.com/news/113903_PM-admits---I-met-with-Trafigura-reps-.

Coke's alleged companies were able to gain access to multiple government contracts because of his links to the JLP, his role as the don of West Kingston, and his capacity for violence. In the Trafigura case, however, there is one-to-one relationship because the company is interested in targeting a particular government official. This is not unique to this case or Jamaica, since it is common for companies to target government officials or politicians who have influence over a particular contract in which they are interested and vice versa. The Trafigura case also appears to be a one-off transaction, meaning that the network may have existed solely to facilitate the alleged exchange of money for a current or future contract.

In sum, this section has shown that the active CFN in the Trafigura bribery scandal is much simpler compared to criminal organizations in the narcotics trade because it includes less actors. It also assumes that the division of labor was less complex, given the smaller amount of actors involved. There is no evidence of hierarchy since the relationship was most likely among high-level actors. These characteristics may be due to the type, size, and frequency of the transactions, compared to those in the narcotics trade which requires a larger and more complex active CFN. On the other hand, network simplicity does not necessarily translate into straightforward practices, as the analysis of the remainder of the chapter will show.

Relationships with Elites within the Supportive CFN

To further unpack the allegations of illegality and corruption in this case, it is necessary to break down the components of the transactions and highlight the political actors involved directly or indirectly. The J\$31,256,744.93 were deposited as follows:

J\$10,684,316.05 on September 6, 2006, to a First Caribbean National Bank account with the name of Colin Campbell Our Candidate (CCOC); and J\$10,161,516.72 and J\$10,410,911.62 were deposited to the same account six days later.¹⁸ There were no explanations for why the transfers were divided as they were in \$10 million payments. Three checks were subsequently drawn on the account: two in the amount of J\$30 million payable to SW Services, an account which allegedly had several signatures including Campbell and Phillip Paulwell's, the former Minister of Industry, Commerce, and Technology; and one for J\$465,000 payable to Campbell.¹⁹

CCOC is a political campaign account bearing the signatures of Colin Campbell and Norton Hinds, the Chairman of the Jamaica Urban Transit Corporation and the Transport Authority. The organization and its bank account were initially established as a political support group for Campbell when he had first entered politics in 1992. The politician was successful in the 1993 elections but kept the account open for future fundraising possibilities.²⁰ Trafigura had deposited money into the CCOC account because, according to Campbell, donors were typically hesitant to write checks in the names of the political parties because of Jamaica's volatile political climate.²¹ If this is true, then Trafigura had knowingly given campaign donations to the PNP in violation of the OECD's Anti-bribery Convention.

¹⁸ Office of the Contractor General of Jamaica, *Special Report of Investigation Conducted into the Oil Lifting Contracts between the Petroleum Corporation of Jamaica (PCJ) and Trafigura Beheer*, Part 1," 13.

¹⁹ *Ibid.*, 45

²⁰ Olivia Leigh Campbell, "I'm Not Involved, Says Norton Hinds," *Jamaica Observer*, October 6, 2006, http://www.jamaicaobserver.com/news/113711_I-m-not-involved--says-Norton-Hinds.

²¹ *Ibid.*

But why would the company give donations to the PNP? It is possible that the payments were for the oil lifting and trading contract but Campbell had repeatedly denied this claim. In response to the Contractor General's requisitions during his investigation of the matter, Campbell stated that "The Trafigura contribution was not linked to the Nigerian Oil trading agreement. It was a straight political contribution."²² He also made it seem as if it was the firm, not he or other party members, who had approached the party offering donations to assist with the upcoming elections.²³ High-level members of the PNP had also supported this claim and insisted that there were no kickbacks involved.²⁴ It appears that the party was more concerned about showing a united front against Golding's allegations than investigating the facts of the case. This blind support of one's party members shows the importance of supportive CFNs as a non-violent defensive mechanism against political pressure. It is also indicative of the role that political parties' play in socializing corruption among its members, as suggested elsewhere.²⁵

The TNC had made the affair even more convoluted when it stated that the payments were made under the terms of a "commercial agreement" as part of its business development objectives in Jamaica²⁶ but neglected to provide details. Prime Minister Portia Simpson-Miller, the leader of the PNP, was forced to disclose in Parliament some of the details about the relationship between the TNC and CCOC. She stated that:

²² Office of the Contractor General of Jamaica, *Special Report of Investigation Conducted into the Oil Lifting Contracts between the Petroleum Corporation of Jamaica (PCJ) and Trafigura Beheer, Part 1*, 53.

²³ Henry, Balford, "Nothing Shady," *Jamaica Observer*, October 5, 2006, http://www.jamaicaobserver.com/news/113678_Nothing-shady.

²⁴ *Ibid.*

²⁵ See, for example, Della Porta and Vannucci, *Corrupt Exchanges*.

²⁶ "Trafigura Says \$31 Million a Commercial Agreement," *Jamaica Observer*, October 7, 2006, http://www.jamaicaobserver.com/news/113731_Trafigura-says--31-million-a-commercial-agreement---report.

Trafigura Beheer made a contribution to the People's National Party in September 2006. The contribution was paid into an account in the name of CCOC Association and was facilitated by a document signed by the donors and a representative of CCOC Association. The document was described as a Service Agreement, the subject of which was ostensibly a Consultancy Agreement, whereby CCOC undertook to do a study of the Bauxite Industry.”²⁷

Trafigura is a commodity trader that deals with oil, metals, and minerals, so one can understand why it would be interested in Jamaica's bauxite industry. Why would the firm develop an agreement with CCOC instead of the state? What capacity would a political entity have to undertake such a study? Were funds meant for the state diverted to the PNP? Attempts to get these questions answered in Jamaica were unsuccessful, and the PNP has not divulged any more information on the matter.

If the funds were paid according to the terms of a commercial agreement, as Trafigura representatives have argued, then it suggests negligence on its part for depositing the money into a political account. It also insinuates that PNP officials, including Campbell, were either not aware of that these types of transactions were illegal, did not imagine that the transactions would be the subjects of a corruption scandal, or

²⁷ “Trafigura Questions Answered,” *Jamaica Gleaner*, March 26, 2007, <http://old.jamaica-gleaner.com/gleaner/20070326/business/business1.html>.

were indifferent about the repercussions particularly in The Netherlands. Either way, it highlights the problem of corruption in campaign finance which has been one of the major sources of corruption in the country, as mentioned in the previous chapter.

The final stages of the transactions involved the checks drawn on the CCOC account which were payable to SW Services, a PNP fundraising entity, and Campbell himself. There were no statements as to why these payments were made; however, the fact that J\$30 million were paid to SW services may support Campbell's claim about Trafigura using the CCOC to make its contributions. On the other hand, the politician was not running for elections at the time so why did he pay himself J\$465,000 from a political campaign account? Was it payment for CCOC's role in facilitating the transactions?

Norton Hinds was implicated in the matter because he was still a signatory on the CCOC account in 2006. However, he has denied any involvement and stated that Campbell would allegedly bring him blank checks for him to sign on several occasions, but never questioned him about them.²⁸ So, it is possible that he had co-signed the checks that were made payable to SW Services and Colin Campbell, but were not aware of the purpose of the funds.

In sum, this section has shown that fewer actors were involved in Campbell's supportive CFN than in the cases with the DTOs. This could be because it was a simpler, one-off transaction between a few individuals operating within the legal economy, as opposed to a large, complex underground organization. Nevertheless, it highlights the

²⁸ Olivia Leigh Campbell, "I'm Not Involved, Says Norton Hinds."

importance of strong political ties in mounting a defense against accusations of corruption. This may have been the case in the previous chapters but it was less visible. It is less challenging for a political or state actor to verbalize their support for a non-criminal actor than for known criminals, which explains why some elites can easily evade responsibility for their actions in states with weaker accountability mechanisms.²⁹

Relationships with Ordinary Citizens within the Supportive Network

The preceding sections have argued that the Trafigura affair was mostly based on a relationship between the TNC and Campbell, a politician and a government official. There is no evidence to suggest that the firm had or even tried to develop ties with ordinary citizens. Campbell may have had his own supporters as a political candidate but not as an actor within this transaction. Unlike the other non-state actors in this study, developing strong ties with ordinary citizens in this case would have been unnecessary because neither the TNC nor Campbell was attempting to rule space or dominate an industry like some DTOs. This infers that citizens' informal consent or approval was not an issue in this case.

Instead, the firm's main source of legitimacy would have been the government official and/or politician who would vouch for its trustworthiness, quality of work, and other characteristics which would give it an advantage in its bid for a contract. Again, this reinforces the arguments made previously that, excluding the involvement of drug kingpins, state-business networks in the government contracting industry are small and

²⁹ For more on this topic, see Daniel Lederman, Norman V. Loayza, and Rodrigo R. Soares, "Accountability and Corruption: Political Institutions Matter," *Economics & Politics* 17, no. 1 (March 1, 2005): 1–35.

simple. These characteristics are suitable for their purpose of gaining access to contracts; however, the structure of the network suggests potential flaws which may make them very vulnerable to collapse, as the following section will illustrate.

Network Collapse and Consequences

The active CFN in the Trafigura scandal was more vulnerable to collapse than in the narcotics trade because of the nature of the ties between the actors involved. While Campbell's alliance with the PNP was strong, the limited number of transactions that occurred between the politician and the firm indicate that the relationship was very weak. Figure 10 also illustrates that Campbell had brokered the relationship between the firm and the party. There are many benefits to the actor in this position³⁰ but, in this case in particular, it would allow the politician to manipulate information flows in the network. Since he and Trafigura appeared to be more knowledgeable of the contents in the commercial agreement, he could restrict its full disclosure to the party which would allow him to gain its full support when the scandal is exposed. In fact, high-level members of the PNP insisted that there was nothing improper about the payments and that they were part of the party's fundraising efforts for the general elections.³¹

Except for the Trafigura affair, all of the other cases examined in this thesis include an international actor as the instigator of the collapse of the criminal organization or illicit transactions and their CFNs. The external actor involved in this case was The Netherlands because the firm was domiciled in its territory. Unlike the US, however, the

³⁰ See analysis on "*tertius gaudens*" in Georg Simmel and Kurt H. Wolff, *The Sociology of Georg Simmel* (New York: Simon and Schuster, 1950); Burt, *Structural Holes*

³¹ Henry, "Nothing Shady"

Dutch did not initiate the collapse. Instead, it benefitted from Jamaica's competitive, antagonistic, and zero-sum politics which have characterized the country's political history since the pre-independence period. The literature explains that politicians are more likely to be vigilant about corruption in the government in a competitive party system.³² In other words, they must be able to gain some political points against the incumbent once the corruption is exposed. How they publicly reveal these issues is a matter of personal style, as they seek to capitalize on corruption scandals during election season.

Bruce Golding was very dramatic in his exposure of the PNP funding scandal. After disclosing that the deposits were transferred from Trafigura into the CCOC account, he, along with his JLP affiliates in government, had walked out of the House of Representatives. This action provided visual cues to potential voters that the JLP would not stand for corruption and that they should not do so as well. He continued to shine light on the scandal and the former Prime Minister at a press conference by stating that:

In the name of the Jamaican people, I call for the resignation of the entire government...Madame Prime Minister, it is necessary now for you to advise the governor-general to issue a proclamation to dissolve this Parliament, so that elections can be held forthwith and so

³² See, for example, Charron, "Party Systems, Electoral Systems and Constraints on Corruption"; Schleiter and Voznaya, "Party System Competitiveness and Corruption."

that the people of Jamaica can elect a government that is worthy of their trust.³³

Golding's actions were not necessarily surprising since it is very common for both the PNP and JLP, while in the opposition, to call for the government to resign over some allegations. However, the timing of this scandal coincided with the JLP's expectations that the elections would have been held in November 2006,³⁴ and the competitiveness of the party system means that the JLP would gain from publicly embarrassing the PNP. This implies that the muckraking was part of its campaign against the ruling party. It had started with Sonia Christie, a former FCIB employee responsible for anti-money laundering and risk management within bank, who reportedly had leaked the information about the transfers from Trafigura into the CCOC account. Christie was allegedly a JLP activist who was also the wife of a former JLP mayor in the parish of Trelawny and was supposedly related to Golding's wife.³⁵

The leak from the bank was instrumental to the JLP's campaign strategy to end the PNP's 18 years of dominance in government. This was inferred from a conversation between a prominent member of the JLP and an official at the US embassy. Allegedly, the politician had speculated that "if the Trafigura scandal explodes, incriminating much

³³ Balford Henry, "PNP Funding Scandal?," *Jamaica Observer*, October 4, 2006, http://www.jamaicaobserver.com/news/113631_PNP-funding-scandal-.

³⁴ WikiLeaks, 'Shadow' Minister for National Security Confident Opposition Party Will Win Next Election, June 29, 2007, 2, https://wikileaks.org/plusd/cables/07KINGSTON1012_a.html.

³⁵ "Bank Sends Top Exec on Leave," *Jamaica Observer*, October 7, 2006, http://www.jamaicaobserver.com/news/113733_Bank-sends-top-exec-on-leave.

of the PNP's leadership, PSM³⁶ may be forced to resign and call snap elections to replace the government."³⁷ The JLP had also tabled a motion of no confidence which they calculated would not pass because of the PNP's majority in Parliament. Nevertheless, the JLP member stated that "it was important to get PNP Members of Parliament on the record supporting a government that is "unethical" and "criminal.""³⁸ He later suggested that "the JLP leadership had made a mistake in bringing the issue into the public domain too soon...the revelations have only served to ensure that the ruling PNP will not call elections this year, as many (particularly the JLP) had hoped."³⁹

Golding went further to signal his anti-corruption stance against the incumbent government and the Trafigura affair, which he claims was the "mother of all scandals."⁴⁰ In his capacity as Leader of the Opposition, he wrote a letter to National Investigation Unit in The Netherlands requesting that it conducts an investigation into the matter. He stated in the letter that "the explanation for the payment by Trafigura, and that given by the People's National Party (PNP) were clearly contradictory and irreconcilable, and raise issues of corruption, kickback and bribery."⁴¹ However, the Mutual Assistance Criminal Matters Act (MACMA) of 1995, which allows Jamaica to share information in order assist other states with their investigations of criminal offences, did not apply to The Netherlands in 2006 when Golding wrote the letter.

³⁶ Portia Simpson-Miller, the leader of the PNP and former Prime Minister of Jamaica

³⁷ WikiLeaks, *Trafigura Scandal May Affect Timing of General Elections*, October 12, 2006, 2, https://wikileaks.org/plusd/cables/06KINGSTON2020_a.html.

³⁸ Ibid.

³⁹ WikiLeaks, *A Trafigura Scandal Primer*, October 12, 2006, 4, https://wikileaks.org/plusd/cables/06KINGSTON2021_a.html.

⁴⁰ Balford Henry, "PNP Funding Scandal?"

⁴¹ The Hon. Mrs. Portia Simpson-Miller et al v the Attorney General and the Director of Public Prosecutions, [2013] JMFC FULL CRT. 4. Claim No. 2011 HCV07019 (Supreme Court of Jamaica, September 24, 26-28 and October 1, 2012, and September 20, 2013).

In 2007, when the JLP won the elections and Bruce Golding became Prime Minister, the government amended MACMA to facilitate the investigations. This is the only case in this study, and possibly beyond Jamaica, where a government had actually invited another state to investigate corruption its country. It shows how far the JLP was willing to go to tarnish the reputation of its rival.

The Dutch authorities requested assistance from the Jamaican government immediately after the MACMA was amended. The Office of the Director of Public Prosecutions (ODPP), which is responsible for pursuing requests under this treaty, had attempted to gain the cooperation of the PNP representatives by allowing them to give their statements privately in the presence of their legal representatives, but these efforts were unsuccessful. The party's stance signals its reluctance to share any information which would have implicated the organization and its members in transactions perceived as corrupt or illegal. Members of the PNP had eventually withdrawn their support for Campbell after Trafigura's comments about the commercial agreement.⁴² This outcome, along with his resignation just a few days after the scandal broke, indicates some fragmentation in his political alliances. It appears that these bonds were mended in 2013 when he was appointed to the post of Managing Director of the Jamaican Urban Transit Company under the same PNP government.

On April 14, 2009, the Dutch authorities had sent a subsequent request for the ODPP to obtain an order from the court to obtain their statements under oath. The PNP representatives were ordered to appear before the court between June 27 and July 1, 2011

⁴² ““Heads Must Roll,”” *Jamaica Observer*, October 8, 2006, http://www.jamaicaobserver.com/news/113792_-Heads-must-roll-.

to give their statements. They were granted a stay of execution on this order until the court heard their counter-claims that the proceedings were politically motivated, an abuse of process, and violated their constitutional rights, among others. The Supreme Court of Jamaica had dismissed the claims because they were either irrelevant or their attorney's had provided insufficient evidence to prove them.⁴³ The PNP officials had filed an appeal and while the case drags on, Trafigura has been able to win short order contracts from the PCJ between 2007 and 2015.⁴⁴

Four observations were made about these court proceedings and the collapse of the CFNs in general network which highlight some interesting points about accountability, campaign finance, international cooperation against crime and corruption, and Jamaica's anti-corruption regime. First, the length of time it is taking to settle matter indicates that the PNP is attempting to evade responsibility for the actions of one its prominent members. Most perplexing to participants in this study is the disconnection between the PNP's claims that the contributions were "clean" and the legal attempts to evade the inquiries of the Dutch authorities. It seems as if "the PNP government, then and now, is seeking to duck the issue."⁴⁵ The frustration is also apparent: "if there is nothing to hide, then why not give evidence to support your claim," asked one high-level political actor rhetorically.⁴⁶ He concluded that the transaction was "a kickback under the table"

⁴³ The Hon. Mrs. Portia Simpson-Miller et al v the Attorney General and the Director of Public Prosecutions.

⁴⁴ "Trafigura Returns: Latest Oil Contracts Valued Upwards of \$2.8b," *Jamaica Gleaner*, December 2, 2015, <http://jamaica-gleaner.com/article/business/20151202/trafigura-returns-latest-oil-contracts-valued-upwards-28b>.

⁴⁵ Calvin (expert on corruption), personal interview

⁴⁶ Neville (party leader), personal interview

and, as such, the affair was “straight undiluted corruption.”⁴⁷ This also seems to be in the sentiment in the general public.

Private sector groups have also lambasted the PNP over the affair and raised concerns about campaign finance and banking confidentiality.⁴⁸ For instance, the Jamaica Chamber of Commerce stated that “we consider inappropriate any donation to any political party, which can lead to the type of concerns about transparency that the Trafigura Beheer transaction has engendered.”⁴⁹ The Private Sector Organization of Jamaica have also stated that “the unfolding events clearly focus the nation’s attention on the need to address the matter of registration of political parties and the critical matter of campaign financing.”⁵⁰ The country’s issues with transparency and campaign finance are major sources of corruption which have plagued the political system for decades. Moreover, when politics infiltrates the banking system, it violates customers’ confidentiality and raises questions about trust.⁵¹

Second, it appears that the potential for an external actor to benefit from these corruption expeditions may also be related to its level of power within the international system and its own incentives. The previous chapters on the narcotics trade illustrate that the US can coerce cooperation from an unwilling state, especially one that is much weaker and within its immediate sphere of influence; however, The Netherlands does not

⁴⁷ Ibid.

⁴⁸ “Chamber of Commerce, PSOJ Slam PNP Over Trafigura ‘Gift,’” *Jamaica Observer*, October 8, 2006, http://www.jamaicaobserver.com/news/113791_Chamber-of-Commerce--PSOJ-slam-PNP-over-Trafigura--gift-; “JMA Treads Softly on Trafigura Affair,” *Jamaica Observer*, October 12, 2006, http://www.jamaicaobserver.com/news/113942_JMA-treads-softly-on-Trafigura-affair.

⁴⁹ “Chamber of Commerce, PSOJ Slam PNP Over Trafigura ‘Gift.’”

⁵⁰ Ibid.

⁵¹ Ibid.

have this influence where Jamaica or other commonwealth Caribbean countries are concerned. Furthermore, the difference in incentive structures indicate why the US was more forceful in its demands in the drug trafficking cases, as opposed to The Netherlands in the bribery scandal. The US' aim in the war on drugs is to reduce the supply and the related violence in its own territory. On the other hand, the size of the transaction in the scandal is very small and did not threaten the security of The Netherlands, so their approach in this case was less coercive. This passiveness with respect to punishing bribers could also be their *modus operandi*. Indeed, a Transparency International report illustrates that The Netherlands is one of several countries in the OECD with little or no enforcement against foreign bribery.⁵² This shows the limitations of anti-corruption laws in restricting bribery overseas.

Third, the power of the OCG, which is responsible for investigating corruption in public procurement, is weakened by its inability to prosecute and obtain information from other state agencies responsible for implement bilateral treaties like MACMA. The agency had started its investigations into the matter before the Dutch, but was unable to get very far because of limited cooperation from government officials like Campbell. It could have overcome this challenge to its authority if it had the power to prosecute but, instead, it had to recommend the case to the ODPP because Campbell had allegedly

⁵² Fritz Heimann, Ádám Földes, and Gábor Báthory, *Exporting Corruption* (Transparency International, 2014), http://www.transparency.org/whatwedo/publication/exporting_corruption_progress_report_2014_assessing_enforcement_of_the_oecd.

inhibited its investigations.⁵³ The problem is that the OCG cannot determine which case the ODPP prosecutes.

Furthermore, the OCG was unable to gain access to information from the ODPP about the case because of confidentiality requirements under MACMA. While this is understandable, the lack of information sharing between state entities had limited the extent to which the OCG could conduct its own investigations and indicates another major flaw in the fight against corruption. This was reflected in its inconclusive report which state that the agency could not definitively say whether the Trafigura affair involved acts of corruption or not.⁵⁴ As such, even if the firm is found guilty in The Netherlands, the Jamaican officials involved in the scandal will not be punished.

Finally, the collapse of the network and its aftermath were non-violent, compared to the cases involving the DTOs, but had still resulted in political turmoil as the preceding paragraphs suggest. Pressure on the Prime Minister had also resulted in Campbell's resignation, who was the only casualty from the scandal. The money was eventually returned to Trafigura, but Golding had remained relentless in his pursuit against the PNP. He stated that:

The matter cannot end there... The public needs to see a copy of that invoice to see what it was that was being

⁵³ Office of the Contractor General of Jamaica, *Special Report of Investigation Conducted into the Oil Lifting Contracts between the Petroleum Corporation of Jamaica (PCJ) and Trafigura Beheer, Part 2* (Kingston, Jamaica, August 2010), http://www.japarliament.gov.jm/attachments/496_OCG%20Investigation%20Report%20-%20Trafigura%20Beheer%20Part%202.pdf.

⁵⁴ Ibid.

provided to Trafigura for which they were prepared a princely sum of \$31 million. And we are demanding today that the prime minister instruct that a copy of that invoice be made available to the public.⁵⁵

These statements illustrate that the vigilance of the opposition in competitive party systems is critical to exposing corruption and, as such, may be a deterrent to future acts of corruption in the ruling party. The political chaos which resulted had significantly contributed to the JLP's electoral success in 2007, so their investments in unveiling the affair had definitely paid off. Conversely, the fact that Bruce Golding was caught up in his own scandal during Coke's extradition controversy in 2010 also intimates that competitive party systems do not necessarily decrease corruption in an environment where the problem is endemic and there are only two dominant parties. Indeed, the JLP's downfall was the PNP's gain in the 2011 elections.

Conclusion

The Trafigura affair provides evidence that the active CFNs of non-DTO-affiliated firms in the government contracting industry are triadic, simple, and weak. The structure is appropriate for its purpose of exchanging money for contracts but it is a stark contrast to the networks examined previously in the narcotics trade. Campbell's supportive network mostly included high-level members of the PNP, which provides some evidence of how political parties can provide a suitable environment for corruption. However, he was not exposed to the sociopolitical influences that some drug traffickers

⁵⁵ Erica Virtue, "Bruce Turns Spotlight on Portia."

may encounter in their daily operations. The transactions occurred at the state level which means that developing strong ties with ordinary citizens were not essential to the functioning of the network. One can infer from this that these type of relationships are only prevalent in cases where the loyalty of citizens are instrumental to the pursuit of a criminal or non-criminal's power and legitimacy. This was seen in the narcotics trade, especially in major urban areas. The next chapter will also expand on the analysis of these relationships.

The structure of the network indicates that non-DTO CFNs in the government contracting sector are easier to collapse than those in the narcotics trade. International actors are unlikely to be the catalyst for disrupting them because of weak incentives. As such, opposition parties and, perhaps, non-governmental organizations are more instrumental in causing their collapse. The small size of the network and the social status of the actors explain why these networks do not result in violence when they collapse. On the other hand, they do result in political chaos which can be beneficial to the opposition party in government.

The case also suggests that a major limitation in depending on political actors to monitor corruption is that their participation in this endeavor may be cyclical. In other words, they are more likely to expose corrupt transactions when it benefits them during election periods; however, their selfish motivations may not prohibit their own involvement in corruption.

CHAPTER 7

PONZI SCHEMES IN THE FINANCIAL SECTOR

This final empirical chapter will continue to examine illicit transactions and CFNs outside of the narcotics trade. It will do so by investigating the case of David Smith, a businessman from Jamaica who was convicted of multiple counts of money laundering and wire fraud in the Turks and Caicos Islands (TCI) and the US. The charges against Smith are related to his ownership and operation of Olint TCI and TCI FX, firms allegedly organized as Ponzi schemes which affected all three countries plus others in the Caribbean. Scholars generally agree that Ponzi schemes are fraudulent systems whereby the returns early investors receive on their investments are obtained from the injection of new capital from later investors.¹ Since no trading takes place to generate real profits, they eventually collapse when the influx of new investments ceases.

A majority of the research on these entities have been conducted from an economic or a financial perspective; however, few analyses have included a broader focus in their examinations of the actors involved, the relationships between the firms, their investors, and political actors, and the lax in regulatory enforcement, among other

¹ See, for example, Ana Carvajal et al., *Ponzi Schemes in the Caribbean* (Washington, DC: International Monetary Fund, 2009); Tamar Frankel, *The Ponzi Scheme Puzzle: A History and Analysis of Con Artists and Victims* (New York: Oxford University Press, 2012); Christopher Jarvis, “The Rise and Fall of Albania’s Pyramid Schemes,” *Finance and Development* 37, no. 1 (2000).

topics.² This chapter will do the same but, in keeping with the theme of this dissertation, it will also expand on the relationships which the main character had with different types of actors within the society and how they facilitated the crimes committed. In addition, the study will examine how these schemes collapse compared to the other cases presented in the previous chapters.

Smith operated within a circle of elites who not only invested in his companies, but were also instrumental in getting subsidiaries established in other countries when Jamaica became a hostile environment for Olint. As such, his case is an example of how CFNs comprised of inter-business relationships among prominent elites allow illicit financial activities to expand both nationally and internationally. The study will also illustrate the importance of impartial but strategic political networks in enabling these types of crime. Smith contributed to the electoral campaigns of the major political parties in Jamaica and the TCI, which this research will argue was part of his strategic efforts to purchase immunity in both jurisdictions. This example of moderate partisanship implies that alliances with the state in the financial sector are stronger than those in public procurement involving non-DTOs, but weaker than those in inner-city neighborhoods where drug lords dominate.

Support from members of the clergy and ordinary citizens were also forthcoming because of Smith's public image as a philanthropist, financial guru in trading foreign exchange, and a deeply religious businessman. This positive image has implications for the collapse of his schemes because it indicates that challenging his legitimacy among

² Ibid.

investors would be difficult, as the case will show. Chapter 3 argues that drug kingpins in inner-city communities usually have strong ties to marginalized citizens with shared identities of injustice and exploitation. Smith's relationships were mostly with middle class individuals from multiple locations and with more varied interests than the lower class. These characteristics, along with their capacities to absorb losses, reduced the potential that ordinary citizens would engage in violence on Smith's behalf during the collapse of his schemes.

Smith's social background, as well as his investors, may also help to explain why he was never charged for his crimes in Jamaica. This case, therefore, also shows the significance of external actors in disrupting transnational criminal activities and CFNs among elites, particularly when their jurisdictions are affected. This is also the case when states lack adequate resources, are compromised, and corruption is widespread. Indeed, while local law enforcement authorities may have initiated the downfall of Olin in Jamaica, it took the criminal justice systems of the TCI and the US to actually destroy all of his schemes and networks.

The Case of David Smith

David Smith, a businessman with a middle class upbringing in Jamaica, was celebrated by many as one of the most talented foreign exchange trader in the country and the wider Caribbean. His background tells a story of a lengthy successful career in finance which he had used to convince investors of his legitimacy. Smith began his career in the financial sector at the Bank of Jamaica where he was employed as a Market Operations Clerk. In 1994, he started working at Jamaica Money Market Brokers

(JMMB) where he specialized in foreign currency trading and was granted multiple opportunities to advance his education in foreign exchange and securities in the US and Jamaica. Despite these achievements, many were unaware that Smith's career history was slightly tarnished. He was allegedly fired from JMMB for pocketing some of the gains made from selling foreign exchange on behalf of Bank of Jamaica.³

After leaving JMMB in 2004, Smith started his own small investment club trading foreign exchange on behalf of family and friends. Pressure increased on him to expand the club and, on February 3, 2005, Overseas Locket International (Olint) Corporation was incorporated in Panama with Jamaica as its principal place of business. Olint had promised and paid at least 120 percent per annum on investors' principal, far exceeding the rates of return offered by other banks in the country. One of the main reasons he had offered these rates was because he "felt that a number of the brokerage houses and commercial banks in Jamaica...should have been paying their investors a much better return than the return they were paying."⁴ Research⁵ indicates that it is typical of Ponzi schemes to offer similar rates or even higher to attract investors, so this was an important clue indicating that he was engaged in fraudulent activities. Nevertheless, this strategy worked in his favor because the high rates, word-of-mouth, poor financial literacy, and greed resulted in a rapid expansion of his scheme.

³ WikiLeaks, *Olint and Cash Plus, Party Is Over, But Who Came and at What Cost?* August 19, 2008, https://wikileaks.org/plusd/cables/08KINGSTON726_a.html.

⁴ USA v David Smith, *Sentencing Hearing*, Case No: 6:10-cr-00232-MSS-DAB (Middle District of Florida, Orlando Division, August 11, 2011), [Sentencing Hearing hereafter], 69

⁵ See, for example, Carvajal et al., *Ponzi Schemes in the Caribbean*; Frankel, *The Ponzi Scheme Puzzle*; Jarvis, "The Rise and Fall of Albania's Pyramid Schemes."

There were signs of trouble when the Financial Services Commission of Jamaica (FSC),⁶ along with the police force and the Financial Investigations Division (FID), had raided Olint's offices on the 3rd and the 6th of March, 2006. On March 22, the FSC subsequently issued a cease and desist order against the firm because its investigations had revealed that Smith was dealing in securities without a license. After the FSC had refused a stay of execution, Smith filed an appeal with the Supreme Court on April 7, 2006, and was granted a reprieve until March 26, 2007, the day before the appeal was scheduled to be heard. It was permitted under the condition that no new accounts should be opened at the firm. In the final judgment, however, the court had ruled in favor of the FSC when it declared that Smith and Olint were dealing in securities without a license.⁷

While the FSC increased pressure on Olint, the fraudster was in the process of searching for new territory to relocate and expand his schemes. Figure 1 provides a sample of the companies which Smith had allegedly owned, operated, and/or had strong ties with which he used to carry out his illicit activities. Also included in the figure are feeder clubs which were smaller, secondary companies not owned by Smith, but pooled their investments in Olint's subsidiaries. All except Lewfam, which the FSC had also issued a cease and desist order against, were established during Smith's legal debacle in Jamaica. Although Olint St. Kitts was supposedly established, he was unable to find a safe haven in the country because the financial regulatory department of the Ministry of

⁶ The FSC regulates and supervises the securities, insurance, and private pension industries in Jamaica. For more about the agency, see <http://www.fscjamaica.org/>

⁷ Olint Corp. Limited and David Smith v Financial Services of Jamaica, Supreme Court Civil Appeal No. 6/2008 (Supreme Court of Appeal, February 9-12, 2009 and December 13, 2010).

Finance issued a warning against the company on its website.⁸ Despite this setback, he was able to establish and incorporate Olint TCI in TCI on April 18, 2006. Smith had also partnered with John Wildish, a Jamaican national and a businessman in TCI, to create TCI FX.

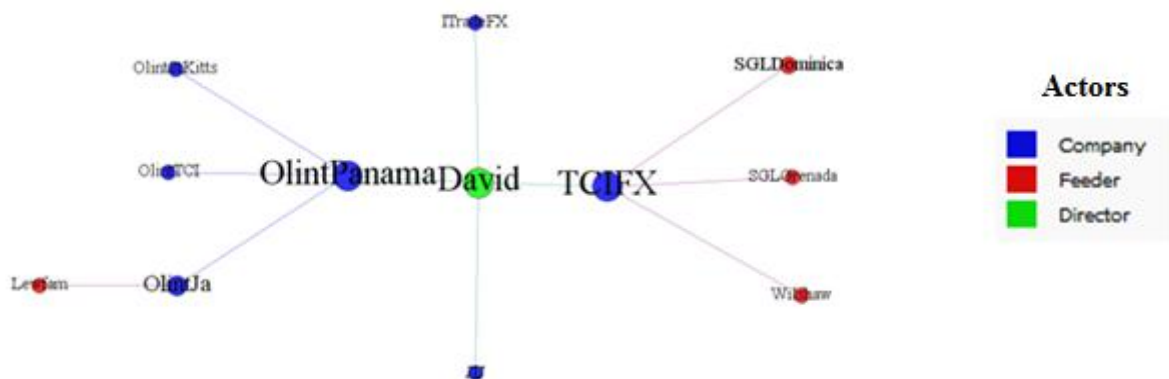


Figure 12: Sample of Companies Affiliated with David Smith

The following analysis is based on Wildish’s⁹ affidavit which was used as evidence against Smith in courts in the TCI and the US. This evidence will be supplemented with other data in order to understand the social networks in which Smith operated, how they had facilitated his expansion beyond Jamaica, and the nature of Smith’s scams domestically, regionally, and internationally.

⁸ Williams, Denise, “No Haven for Olint in St. Kitts,” *Jamaica Gleaner*, May 24, 2006, <http://jamaica-gleaner.com/gleaner/20060524/business/business1.htm>.

⁹ USA v David Smith, *Royal Turks and Caicos Islands Police Force Witness Statement*, Case No. 6:10-cr-00232-MSS-DAB (Middle District of Florida, Orlando Division, August 11, 2011), [Wildish hereafter]

Relationships within the Active CFN

An actual sample of Smith's network could not be constructed from his court records since he was the only actor charged in his case. Nevertheless, a proxy network was created to provide inferences about Smith's active CFN. Figure 12 shows the individuals with whom Wildish claimed he had communicated during the initial stages of establishing TCI FX, after the launch of the firm, and while it was experiencing difficulties during its downfall. It is more appropriate to describe it as a communication network but, in this analysis, it will be used to understand the social network in which Smith functioned. This does not suggest that all of those who are members of the network were involved in his scheme. Instead, what is important here, like in previous chapters, is understanding how his social ties had facilitated his criminal activities.

There are 27 actors in the network 51 ties between them, which is much smaller than the DTO cases, but is still appropriate for a communication network. A close examination of the network and Table 9 indicate that it consists mostly of actors in the financial services industry, legal representatives, management, and individuals who had assisted in establishing Smith's firms in the TCI. The analysis will show that these ties, along with others that will be also be examined, were critical to their operations and helped to create the façade of legitimacy, wealth, and power that attracted many individuals to his schemes.

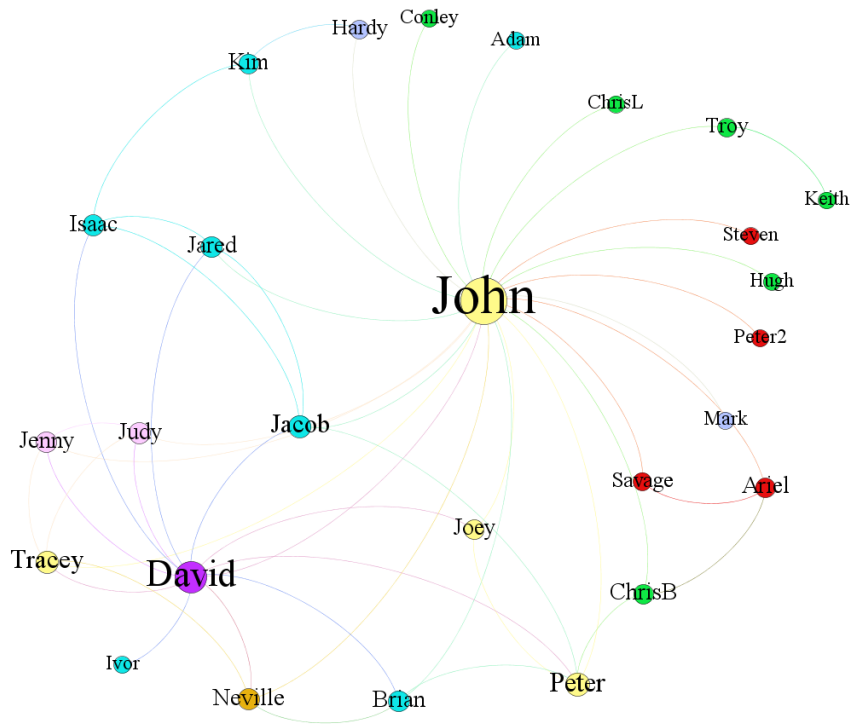


Figure 13: John Wildish's Communication Network¹⁰

Table 9: Actors' Roles as a Percentage of the Total Network in John Wildish's Communication Network

Role	% of Network
Financial	(25.93%)
CharRef	(22.22%)
Assist	(14.81%)
Legal	(14.81%)
Unknown	(7.41%)
Management	(7.41%)
Fraudster	(3.7%)
Regulator	(3.7%)

¹⁰ Ibid.

Table 10: Status in John Wildish’s Active Network¹¹

Actor	Role	Influence		Involvement	
		BCN	BCN Rank	DC	DCN Rank
John	Assist	79.49	1	84.62	1
David	Fraudster	14.46	2	46.15	2
Troy	CharRef	7.69	3	7.69	7
Jacob	Financial	1.28	4	19.23	4
Kim	Financial	1.28	4	11.54	6
Peter	Assist	1.18	5	23.08	3
Jared	Financial	0.97	6	15.38	5
Isaac	Financial	0.62	7	15.38	5
Tracy	Assist	0.21	8	19.23	4
ChrisB	CharRef	0.15	9	7.69	7
Ariel	Legal	0.15	9	3.85	9
Brian	Financial	0.10	10	15.38	5
Neville	Regulator	0.10	10	15.38	5

TCI FX was established five months after the FSC had issued a cease and desist order against Smith and Olint. This indicates that all or a majority of the actors involved in either verifying his credentials and/or establishing related firms in the TCI and the US should have been aware of the negative publicity he was receiving in Jamaica. Before partnering with Smith, Wildish claims that he had directly approached all except one of the actors coded as “CharRef” for a character reference on him.¹² Table 9 shows that 22.22 percent of the network is in this category. These actors are prominent businessmen

¹¹ This table was extracted from table 17 in Appendix C. BCN is the value of the standardized betweenness centrality for each actor; and DCN is the normalized degree centrality for each actor. The rank ranges from 1 to 11 for BCN and 1 to 9 for DCN.

¹² Ibid., 1-2

in Jamaica, some with significant political influence in the two dominant parties. All allegedly gave Wildish positive references on Smith, despite his court battles with the FSC which were also consistently mentioned in the country's two leading newspapers.

“Assist” in table 9 refers to individuals who had assisted Smith with transferring his scheme under a new entity in the TCI. This category comprised 14.81 percent of the total network and includes Wildish himself. His affidavit made it appear as if Smith and his colleagues had targeted him because of his status¹³ in the TCI, which intimates that he could potentially help Smith to attract a pool of new investors to his schemes. This implies that if Smith was given the opportunity to establish several subsidiaries in other Caribbean countries, he would have partnered with other prominent individuals like Wildish which would have led to multiple subnetworks operating around Smith as the central character in the grand scheme. In other words, Smith's network was most likely centralized like Coke's but not necessarily hierarchical.

Wildish appears to be the most active and influential actor in the network based on the larger size of his node and value of betweenness centrality score in Figure 13 and Table 10 respectively; however, it only appears this way because the data was derived from his written testimony, as mentioned previously, so there is some bias data. This explains the large power distance between the two actors shown in Table 10. One can assume that there were ties connecting Smith to the actors who provided character references on him, which means that he would be at the center of the network. Furthermore, Smith would have been more involved than anyone else in his network

¹³ Wildish was a businessman in the TCI with connections to many elites in Jamaica and the TCI

since he has ties to all the firms and the feeder clubs. This suggests that Smith operated within a network of elites, which is different from the networks analyzed in the previous chapters, especially Chapters 3 on the narcotics trade. Included in this network was his wife, Tracy, who is included in the category “Assist” because, based on Wildish’s testimony, I assume that she had provided some assistance to her husband, even though she may not have been aware of the illegal nature of Smith’s transactions.¹⁴ Table 10 indicates that she was somewhat involved in the communication network and not as influential as Smith.

Two of the most prominent business elites in Jamaica who were mentioned very frequently in Wildish’s testimony were Peter Bovell and Joey Issa. Wildish stated that he was convinced of Smith’s credibility after both Bovell and Issa had had made several trips to the TCI to meet with him to discuss working with Smith. Table 10 shows the list of all the most influential actors in the network using the normalized betweenness centrality scores under the column “influence.” It suggests that Bovell occupied a more strategic position in the network than Issa because the latter is not even included on the list. The graph also indicates that Bovell was more influential because he bridged more relationships than Issa.

Peter was also the third most active person in the network which possibly helps to explain his impact in encouraging the development of a partnership between Wildish and David. In fact, Wildish claimed that Bovell told him that Smith “had a good track record in trading and came well recommended from some important and prominent Jamaicans”

¹⁴ No charges were filed against her.

and while at the JMMB “he had been so successful that overseas Banks tried to lure him away.”¹⁵ This conversation had allegedly taken place around April or May in 2006, only a few weeks after the FSC had raided Smith’s offices in Kingston. Neither Bovell nor Issa may have been aware of Smith’s illicit activities, but their alleged support were instrumental in persuading Wildish to partner with Smith.

Individuals who provided financial services represented 25.93 percent of the total network, which is larger than the other categories shown in table 9. This is expected given the nature of the industry in which Smith operated. The fraudster had partnered with Jared Martinez of Market Traders Institute in Orlando, Florida, to form I-Trade FX, a futures commission merchant located in Lake Mary, Florida. Compared to Smith and Wildish, Table 10 shows that he and other actors from the firm were not as influential in the network because of their lower normalized betweenness centrality scores. Nevertheless, they were very involved in the communication network which suggests that they were still important to the operations of fraudster’s illicit activities.

Smith had allegedly provided most of the funding to support I-Trade FX and was listed as a Principal while Martinez was the President. Martinez’s two sons, Jacob and Isaac, were also listed as Principals.¹⁶ This institution appears to be another type of inter-elite corrupt network with implicit agreements that allow for resources to be exchanged between the actors. For Smith, I-Trade FX functioned as an alternative to banks in

¹⁵ Wildish, 1

¹⁶ National Futures Association v I Trade FX LLC and Isaac Martinez, *Complaint*, NFA Case No. 08-BCC-014 (National Futures Association, June 30, 2008) [NFA 1 hereafter]

Jamaica for receiving new investments because of his legal problems in Jamaica.¹⁷ In return, Martinez was able to capitalize on Smith's popularity to expand his foreign exchange training courses in Jamaica. This was a very profitable venture as it was reported that Olint had paid \$1.9 million to MTI for investors to attend his seminars.¹⁸

On March 5, 2007, Martinez had also created JIJ investments, a firm which supposedly primarily dealt in real estate with a secondary focus in the foreign exchange market. After initiating subscriber agreements with JIJ, Smith opened bank accounts at Bank of America, Wachovia, Fidelity Investments, and JP Morgan Investments.¹⁹ The fact that he was able to do so raises concerns about the thoroughness of their diligence on Smith. Funds were transferred from I-Trade to JIJ accounts as well as between these accounts and others in the Caribbean. The National Futures Association²⁰ (NFA) argues that this was done to "disguise the nature, the location, the source, the ownership, and the control of proceeds" of his wire fraud.²¹ Martinez has denied knowing that Smith was running a scam; however, Smith stated that he had to know because "money wasn't being trade, yet I was paying people 10% a month."²²

Another bank with which Smith was closely affiliated was Hallmark Bank and Trust in the TCI. Brian Trowbridge, who had allegedly referred to the businessman as

¹⁷ USA v David Smith, *Plea Agreement*, Case No.: 6:10-cr-00232-MSS-DAB (Middle District of Florida, Orlando Division, July 21, 2010) [Plea Agreement hereafter]; David Evans, "The Con Man and His Mentor," *Bloomberg*, May 11, 2015, <http://www.bloomberg.com/news/articles/2015-05-11/currency-con-man-says-he-got-by-with-some-help-from-famous-friend>.

¹⁸ *Ibid.*

¹⁹ *Plea Agreement*

²⁰ The NFA regulates securities in the US

²¹ *Plea agreement*, 30

²² Evans, "The Con Man and His Mentor."

the “Warren Buffet of the Caribbean,”²³ was the bank’s representative who was responsible for administering the funds for Olint TCI. Table 10 suggests that Trowbridge was not very influential in the network but his normalized degree centrality rank of five²⁴ indicates that he was a moderately active participant. According to an investor²⁵ from the US, Trowbridge also owned and operated Swann Law, a firm through which he advised him to establish a corporation²⁶ in the TCI on behalf of his family and friends to invest in Olint TCI. If true, then it is possible that Trowbridge had played similar roles with other potential investors, which represents a conflict of interest between his position as a lawyer and banker with ties to Olint TCI. On the other hand, although there is no evidence indicating that Trowbridge was involved or aware that Smith was engaged in fraud, one would expect that he would have been more alert because of his professions.

Olint TCI was not licensed in the country to operate as a forex trader or provide financial services. On one occasion, Smith and Trowbridge asked Wildish to allow TCI FX, which was properly licensed, to facilitate a wire from Olint TCI to I-Trade FX.²⁷ After seeking approval from regulators, including Neville Cadogan of the FSC, Wildish allowed the transfer of \$40 million from Hallmark to TCI FX and then I-Trade FX.²⁸ It was done under the condition that the accounts remain separate at I-Trade FX; however, Wildish had later discovered that more than one account was kept at the firm for TCI FX and they were often comingled with Olint TCI’s. Funds were also transferred between

²³ Wildish, 4

²⁴ The rank ranges from 1 to 9. His scores are shown in table 2 in Appendix B.

²⁵ Sentencing Hearing, 59-68

²⁶ The witness stated that Trowbridge had advised him to establish a company so that he would not violate TCI’s laws but did not specify which laws he was referring to in his testimony.

²⁷ Wildish, 7

²⁸ Ibid.

accounts to show false profits and pay investors their monthly returns as stipulated by their contracts.²⁹ This means that TCI FX was essentially functioning as a vehicle for Smith's fraud.

Table 9 shows two other roles in the network: management and legal. The latter comprised 14.81 percent of the network and involves actors who had provided the firms or the principal actors with legal representation over the course of the schemes. The management category was only 3.7 percent of the network and includes individuals were employees of the company that TCI FX had hired to manage the firm's operations. Except for Ariel, Table 10 is showing that none of the actors involved in these categories had played prominent roles in the network. Ariel has some influence because of his position in the network between Savage and ChrisB. Along with financial services, these roles helped Smith to acquire the authenticity TCI FX needed to operate, although the actors may not have been aware of Smith's fraudulent intentions.

In sum, this section has shown that Smith's illicit activities could not have been possible without the intentional or unintentional support from other businessmen who performed different roles in the network. They were very essential in getting TCI FX established in the TCI while Olint was being pressured in Jamaica to obtain the necessary licenses to operate his business. Inferences made from Wildish's communication network suggests that Smith's active CFN was centralized but not necessarily hierarchical, given the status and the activities of the elites included. The fact that his schemes were able to

²⁹ Wildish

spread so rapidly suggests the existence of several informal exchange relationships in the network.

Relationships with Elites in the Supportive CFN

Smith's networks of elites were not only comprised of well-known businessmen in the Caribbean and the US, but also strategic relationships with political actors including government officials, high-level politicians, and major political parties. Some of these ties were apparently established through political contributions as table 4 illustrates.³⁰ Donations buy access to networks of power brokers within society which, in turn, increases the potential for fraudsters to expand their own networks as well as insulate themselves from the law.³¹ Local government employees in Jamaica puts it another way: "associating with influential people is a deliberate attempt to develop perceived relationships in order to gain legitimacy."³² This indicates that state-business ties are not necessarily strong but their appearances may be critical to the survival of fraudulent schemes.

This research has shown so far that it is often strategic for criminals to target officials and political actors who may have some influence over law enforcement. In this case, Neville Cadogan, who was the head of the FSC and is listed in Table 10, seemed to

³⁰ These types of relationships do not only occurs in developing countries. Individuals like Bernard Madoff and Alan Stanford who operated major Ponzi schemes in the US had also contributed to political campaigns. For more information, see Mayer, Lindsay Renick, "Madoff and Company Spent Nearly \$1 Million on Washington Influence," *OpenSecrets Blog*, December 15, 2008, <https://www.opensecrets.org/news/2008/12/madoff-and-company-spent-nearl/>; Calkins, Laurel Brubaker, "Stanford's Political Donations Must Be Returned, Court Says," *Bloomberg*, October 23, 2012, <http://www.bloomberg.com/news/articles/2012-10-23/stanford-s-political-donations-must-be-returned-court-says-2->.

³¹ Frankel, *The Ponzi Scheme Puzzle*.

³² High level government officers 1, 2, and 3 (experts on financial services), group interview in Kingston, Jamaica on January 6, 2015.

have a closer relationship with Smith than one would expect between a firm and its regulator. Table 11 shows that Cadogan was one of several actors to whom Smith had reportedly contributed funds, but the purpose of this donation is unknown. Cadogan should have been aware of Smith's legal troubles in Jamaica since the FSCs in the wider Caribbean would have a close working relationship. Given his position, as the head of the FSC in the TCI, he would have also had access to privileged information that could have been used to undermine law enforcement efforts against Smith.³³ Smith would have targeted Cadogan to buy himself immunity in the TCI, so as to prevent pressure from the regulator as was the case in Jamaica. Thus, it is possible that he functioned in Smith's active and supportive networks.

Table 11 also shows that Smith was very close to the government administration and the political party of Michael Misick, the former Premier of the TCI who had resigned from office due to political pressure arising from of his alleged involvement in corruption.³⁴ The written testimony of Karen Delancey,³⁵ former Minister of Health in the TCI, suggests that Misick operated the government like his own personal organization, so the US\$25,000³⁶ Smith had supposedly contributed to his campaign would have also given him some protection from the state. Despite the fact that Misick denied receiving

³³ Ibid.

³⁴ For more information on his Misick's resignation, see "Misick Resigns as Premier with Immediate Effect," *TCI NewsNow*, May 24, 2009, <http://www.tcinewsnow.com/topstory-Misick-resigns-as-Premier-with-immediate-effect-1223.html>.

³⁵ Karen Lorene Delancey, Royal Turks and Caicos Islands Police Force Witness Statement, [hereafter Delancey], (2011), http://www.tcinewsnow.com/documents/delancy_statement.pdf

³⁶ Confiscation Order, 3

any donations from Smith,³⁷ it is clear that the Premier had welcomed Olint's business ventures in the TCI when, at the launch of the Olint Foundation in Jamaica, he stated that:

We appreciate the efforts of David and Tracy and how greatly they have contributed to the economy of Turks and Caicos in the short time they have been there. Jamaica's misfortune is indeed the good fortune of Turks and Caicos having gained these model citizens.³⁸

Smith's contributions of US\$10,000³⁹ to four other politicians in the TCI's government indicate that he was trying to buy their support as well. On another occasion, Delancy, who was also a neighbor of the Smiths, stated that Tracy Smith had given her \$4,500 as a gift for her to launch a business which was eventually unsuccessful.⁴⁰ This appears to be an effort to flaunt their ill-gotten wealth, which may have been part of their strategy to gain credibility in a new territory.

Figure 13 illustrates that Smith's relationship with the Misick's went even further, as the former Premier's brother, Ariel, was a partner in the law firm that represented TCI FX. It is plausible that Bovell may have facilitated this transaction since, according to

³⁷ "Former Turks and Caicos Premier Denies Receiving Tainted Gifts," *Caribbean News Now*, May 24, 2012, <http://www.caribbeannewsnow.com/topstory-Former-Turks-and-Caicos-premier-denies-receiving-tainted-gifts-11032.html>.

³⁸ "Olint Starts Foundation with US\$1m to Help Needy Jamaicans," *Jamaica Observer*, December 4, 2007, http://www.jamaicaobserver.com/news/130017_OLINT-starts-foundation-with-US-1m-to-help-needy-Jamaicans.

³⁹ Confiscation Order, 3

⁴⁰ Delancy, 25

Wildish,⁴¹ his father had known Ariel very well. Again, these actors may not have been aware that Olint and TCI FX were Ponzi schemes, but these inter-elite relationships across political and business domains demonstrate how it is possible to spread criminal activities transnationally.

Table 11: David Smith’s Donations to Political Parties, Politicians, and State Officials⁴²

Recipient	Title/Description	Amount US\$
Jamaica Labour Party	Political Party in Jamaica	5,000,000
People's National Party	Political Party in Jamaica	2,000,000
PJ Patterson	Former leader of PNP, Jamaica	1,000,000
Sally Porteous	JLP candidate in Mandeville, Jamaica	100,000
Daryl Vaz	JLP Candidate, Jamaica	50,000
Dwaine William	Policeman, TCI	190,000
Neville Cadogan	Former head of FSC, TCI	20,000
Michael Misick	Former Premier, TCI	25,000
Floyd Hall	Finance Minister, Deputy Premier TCI	10,000
Karen Delancey	Former Minister of Health, TCI	10,000
Lillian Boyce	Former Minister of Health, TCI	10,000
McAllister Hancehall	Former Environment Minister, TCI	10,000
Samuel Been	Unknown, TCI	25,000

⁴¹ Wildish, 5

⁴² Regina v. Smith, *Confiscation Order*, CR-6/2010 (Supreme Court of Turks and Caicos Islands, 2012), http://tcinewsnow.com/documents/david_smith_confiscation_order.pdf. The confiscation order also includes in Smith’s assets \$500,000 that Peter Bovell had allegedly used to purchase a home in the TCI in Smith’s name.

Another interesting fact obtained from the Table 11 is that Smith's contributions to the TCI government were relatively small compared to those given to the two dominant political parties and the politicians in Jamaica. Even more intriguing is that he had donated money to both political parties, which is very rare in a country where partisanship is very strong, as explained in Chapter 2. Why did he feel the need to donate to both political parties in Jamaica? The most plausible reason is security. Reportedly, Smith believed that Peter Bunting⁴³ was instrumental in organizing the raids against his office in 2006 and wanted to "destroy" him.⁴⁴ He elaborated in an interview that:

... The main person who was against me was a guy named Peter Bunting. Peter Bunting was running in a constituency named Mandeville...If the PNP had won the election...the rumor was that he would have become the Minister of Finance...My main reasons for getting involved with the political parties was mainly to make sure that Peter Bunting didn't have a seat. So the person that he was running against, she got some money from me other than the five million.⁴⁵ I don't remember the amount...it wasn't millions

⁴³ Peter Bunting's affiliation with the financial sector coincided with the time that Olint was active. He was co-founder of the private banking firm, Dehring, Bunting, and Golding (1992-2006), and Proven Investments Limited (2009-2012). So Smith's statements infer that Olint was one of Bunting's main competitors in the investment market why Bunting was allegedly "against" him. For more information on Bunting, see his online resume at: see

http://www.bunting.org.jm/sites/default/files/PB%20R%C3%A9sum%C3%A9_0.pdf

⁴⁴ "PJ Denies Getting US1m from Olint," *Jamaica Gleaner*, May 7, 2012, <http://jamaica-gleaner.com/power/37069>.

⁴⁵ Smith mentions five million dollars here, but Table 1, which was derived from TCI's court documents, shows that his contribution to the PNP was two million. It is possible that he misspoke during the interview

or nothing like that, probably \$100,000, but for one seat, that was a lot of money.⁴⁶

Bunting's political opponent in Mandeville was a relatively unknown candidate named Sally Porteous, who had admitted receiving donations from Olint but stated that she "was not aware of any allegations of the Smith at the time."⁴⁷ It was very unlikely that she would have defeated Bunting since he was a high-level and well-known politician. However, Smith's statements, if in fact they were his, illustrate how campaign donations can inject corruption into the electoral system and the instrumental value of informal exchange relationships in supportive CFNs. If Porteous were successful, then he would have avoided Bunting's challenge to his schemes and possibly would have tried to use his political connections to gain some protection from the government.

Although Porteous did not win her seat in the 2007 elections, Bruce Golding did and the JLP was also successful in taking control of the government after 18 years of the PNP's dominance. A confluence of factors could have been responsible for the PNP's defeat, but it appears that Coke's support, as argued in Chapter 3, and Smith's contributions were possibly two of the most crucial. This highlights the problem of corruption and ethics in Jamaican politics which many political actors are reluctant to acknowledge. Daryl Vaz, one of the politicians who had received donations from Smith, had allegedly stated that it was appropriate to accept the funds from Olint at the time

when he stated the amount given to the PNP; however, the table does show that he had contributed five million dollars to the JLP.

⁴⁶ Jamaican Matie, *David Smith and the Million Dollar Payoff to Skeng Don*. YouTube video, 3:34. Posted [July 2013], <https://www.youtube.com/watch?v=ienjuCHxh4g>

⁴⁷ "Porteous Defends Accepting Olint Money," *Jamaica Gleaner*, May 8, 2012, <http://jamaica-gleaner.com/power/37088>.

since the firm was a legal entity when it had operated in Jamaica.⁴⁸ The firm was indeed registered with the Companies Office of Jamaica, but the FSC's actions should have alerted the recipients of his donations about the suspicions surrounding Smith and Olint. Even if we do accept the argument that Olint was a legal entity at the time, why have they not returned the funds after it was discovered that it was a fraud?

The Olint debacle had even put some government ministers at odds with each other and the FSC. For example, in addressing the Minister of Finance, whose portfolio the FSC and the FID falls under, an opposition member of government insinuated that the agency's action was an attempt to stifle entrepreneurship in the country.⁴⁹ This verbal attack was mild, however, compared to Minister Errol Ennis's tirade in the newspaper. In a letter to the editor in the *Jamaica Observer*, Ennis argued that the FSC's actions were "a vulgar abuse of state power and highly reflective of the actions of a totalitarian state."⁵⁰ Furthermore, he described the raids as a "Gestapo-like invasion" by the "action of a bunch of economic luddites, scared and uncertain of a bright new world."⁵¹ There are speculations that he was an investor⁵² but it still remains unclear because the report investigating the reasons for his comments was not publicized. Nevertheless, the attacks on the FSC indicate that Smith had achieved a level of success in his strategy to gain support from influential members of the state.

⁴⁸ Balford Henry, "Politicians Deny Olint Allegations," *Jamaica Observer*, 2012,

http://www.jamaicaobserver.com/news/Politicians-deny-Olint-allegations_11417650.

⁴⁹ Balford Henry, "Davies Say FSC Operates within the Law," *Jamaica Observer*, February 4, 2007,

http://www.jamaicaobserver.com/news/118709_Davies-says-FSC-operates-within-the-law.

⁵⁰ Foster, Patrick, "Davies, FSC Mum on Ennis' Olint Raid Criticism," January 26, 2007,

http://www.jamaicaobserver.com/news/118356_Davies--FSC-mum-on-Ennis--Olint-raid-criticism.

⁵¹ *Ibid.*

⁵² High level government officers 1, 2, and 3 (experts on financial services), group interview.

In addition to his financial linkages to the government, Smith had gained tremendous influence in the church because of his façade as a successful and pious businessman. One report stated that “pastors told their congregations about the “heaven on earth” that was being offered by the huge returns on investments in Olint.”⁵³ Furthermore, he was believed to be an individual who God had blessed with a special “gift to cure poverty”⁵⁴ in Jamaica which, in essence, is an embodiment of the prosperity gospel. The following statement of one individual sums up Smith’s attraction to the church:

...David had a dream of extending to the ordinary man the profits to be made from currency trading, which had been the province of financial institutions up to that time. A large part of the Christian body in Jamaica, including my faith-based NGO, saw this as God’s answers to our woefully impoverished coffers.”⁵⁵

This ideology provided a foundation on which to build lucrative ties between the churches and Olint that were beneficial to both the clergymen and Smith. Socializing with someone like Smith who was prosperous, well-liked, and had a positive image in

⁵³ Hall, Arthur, “Oh God! Oh No! Olint!,” *Jamaica Gleaner*, August 22, 2010, <http://jamaica-gleaner.com/gleaner/20100822/lead/lead2.html>.

⁵⁴ Ibid.

⁵⁵ USA v David Smith, *Letter of Recommendation from Major Richard E. S. Cooke*, Case No: 6:10-cr-00232-MSS-DAB (Middle District Court of Florida, Orlando Division, July 21, 2010)

society fitted into the egos of some religious leaders.⁵⁶ Furthermore, these relationships would have added legitimacy to some churches and could potentially attract new members, especially those which are smaller and were more recently established. On the other hand, the church provided opportunities to increase membership in Olint because of their large congregations. For example, one pastor had established three separate accounts to accept members' funds and deposit with Olint.⁵⁷ It appears that the pastor was unaware that he was operating feeder clubs for the scheme. Some pastors may have also invested their churches' money into Olint but only a few would admit to doing so.⁵⁸

This section demonstrates Smith's support among different groups of elites within Jamaica and the TCI. These relationships were garnered through strategically networking with officials, political actors, the clergy, and other individuals who could potentially assist the businessman gain credibility among their peers. His elite CFNs also provided security and could possibly explain why he was able to operate across multiple jurisdictions without much challenge to his authenticity. Although Coke and Smith are different social classes, the fact the fraudster's survival depended on his legitimacy makes him very similar to the kingpin, to some extent.

Relationships with Ordinary Citizens within the Supportive CFN

Support from ordinary citizens had also facilitated Smith's illicit activities, as many had taken advantage of the opportunity to earn significant profits on their investments. This is typical in Ponzi schemes but Smith's operations had mostly targeted Jamaicans, both at home and in the diaspora. He admitted that approximately 95 percent

⁵⁶ High level government officers 1, 2, and 3 (experts on financial services), group interview.

⁵⁷ Sentencing Hearing, 52 and 55

⁵⁸ Hall, Arthur, "Oh God! Oh No! Olint!"

of his clients were living in Jamaica and citizens from the US had either used their Jamaican credentials or invested in his firm through another Jamaican's account.⁵⁹

Results from a survey in Jamaica on 16 informal investment schemes show investors' perceptions of their social class as follows: lower class – 8.8 percent; middle class – 88.6 percent; and upper class – 2.6 percent.⁶⁰ This indicates that a majority of investors were in the middle class and many of them had professional jobs at the time they were surveyed, including working in the banking sector.⁶¹ Moreover, claims filed against Olint in court shows investments ranging from US\$995 to US\$2.5 million,⁶² which also indicates that at least some of his investors were from the wealthier segments of the population.

Despite Olint being the third most popular scheme in the country at the time, many believed that it was the safest of all the informal investment entities studied in the survey.⁶³ Respondents assessed the firms' safeness based on the owner's expertise, and track records, among other less significant traits.⁶⁴ These results indicate that the fraudster's attempts to market himself as a skillful and successful businessman had gained traction among the public.

Investors' perceptions also suggest that Smith was able to attain a level of legitimacy like some drug lords in inner-city communities, but he was able to do so more

⁵⁹ Sentencing Hearing, 73

⁶⁰ Caribbean Policy Research Institute, *Investigating Informal Investment Schemes in Jamaica* (Kingston: Caribbean Policy Research Institute, 2008), 17,

http://www.capricaribbean.com/sites/default/files/public/documents/report/informal_investment.pdf.

⁶¹ Ibid.

⁶² USA v David Smith, *Judgment in a Criminal Case*, Case No: 6:10-cr-00232-MSS-DAB (Middle District of Florida, Orlando Division, July 1, 2011). Of the 1,055 claims mentioned in this document, only 2 were submitted for the amount of US\$995.

⁶³ Caribbean Policy Research Institute, "Investigating Informal Investment Schemes in Jamaica," 23.

⁶⁴ Caribbean Policy Research Institute, "Investigating Informal Investment Schemes in Jamaica."

broadly across class boundaries using tools such as philanthropic activities. For example, the Smiths had established the Olint Foundation as a platform for managing requests for financial assistance, especially for needy children.⁶⁵ Charitable donations like these are strategic as they showcase fraudsters' generosity and commitment to community which, in turn, attract members to their schemes.⁶⁶ The media is also instrumental in this process because they broadcasted most of these events. In Jamaica, the businessman was profiled positively to their readers by noting his sponsorship of cultural and sports events as well as winning the businessman of the year award in 2006.⁶⁷

Ordinary citizens apparently bought this image as over 6,000⁶⁸ individuals had invested in Olint and TCI FX. For the most part, however, citizens were attracted to the potential to earn high financial gains and so many of them used their savings, borrowed from banks, or sold their assets to invest in the schemes.⁶⁹ Three participants⁷⁰ in this study relayed the story of an individual who had retired early to gain access to her retirement funds in order to invest. The survey results show that many citizens' understood the risks associated with investing in Olint and other schemes,⁷¹ but it seems as if some had balanced these risks by investing early, getting their profits, and then withdrawing their capital before the firms downfall.⁷²

⁶⁵ "Olint Starts Foundation with US\$1m to Help Needy Jamaicans."

⁶⁶ Frankel, *The Ponzi Scheme Puzzle*.

⁶⁷ High level government officers 1, 2, and 3 (experts on financial services), group interview; Virtue, Erica, "Olint Money Mystery - Why Did Some Smith Beneficiaries Escape Confiscation Order?," *Jamaica Gleaner*, May 13, 2012, <http://jamaica-gleaner.com/gleaner/20120513/lead/lead52.html>.

⁶⁸ Plea Agreement, 34

⁶⁹ Caribbean Policy Research Institute, "Investigating Informal Investment Schemes in Jamaica," 16.

⁷⁰ High level government officers 1, 2, and 3 (experts on financial services), group interview

⁷¹ Caribbean Policy Research Institute, "Investigating Informal Investment Schemes in Jamaica."

⁷² Thomas (former banker in Jamaica), phone interview in Washington, DC, USA on August 27, 2014

This section has shown that the support of ordinary citizens were also instrumental to the survival of Smith's Ponzi schemes, although some may not have been aware of his activities. They were attracted to the potential to earn significant returns on their investments, so it could have been greed or ignorance which made continue to invest. It is plausible that Smith had counted on these factors to maintain his credibility. While many of his middle class supporters possibly could have possibly afforded the loss from his potential downfall, others may have not been so fortunate and risked their financial security.

Network Collapse and Consequences

Smith's centralized network structure indicates that it is vulnerable to collapse, but this was offset by his legitimacy among his investors. The overwhelming level of support for Smith discussed throughout this chapter infers that it would have been very difficult for any regulatory authority to challenge his legitimacy, as the FSC had discovered. It was also important for Smith to maintain his credibility because an immediate collapse of his firm would have been catastrophic for him and his investors. To do so, he advised his clients to withdraw their investments after receiving the cease and desist orders from the agency, although he knew that there were insufficient funds to repay them.⁷³ The objective of this tactic was to increase his clients' confidence in his and his entities.⁷⁴ The ploy was successful, as Olint's assets had tripled since March 2006 when the agency had raided the firm.⁷⁵

⁷³ Evans, "The Con Man and His Mentor."

⁷⁴ Ibid.

⁷⁵ Ibid.

The FSC's actions in other cases were associated with similar outcomes. In fact, almost 75 percent of clients surveyed had begun to invest in these fraudulent systems around the same time that the agency had increased its enforcement efforts against them.⁷⁶ The most common explanations for this phenomenon is that the FSC's actions had publicized the schemes to many who were unaware that they existed and the high interest rates had encouraged them to invest.⁷⁷ These recent clients in Olint were restricted from opening new accounts because of the condition the Supreme Court of Jamaica had given Smith under the stay of execution. In spite of this, they were still able to invest through friends and/or relatives who had established their accounts prior to the beginning of the firm's legal troubles.⁷⁸

Many of Olint's investors were certain of Smith's legitimacy, so they did not question his reluctance to comply with the FSC and apply for a securities license, which would have probably eased some of the regulatory pressure on the firm. The problem was that businessman's alleged infraction at the JMMB a few years earlier would have prevented him from obtaining the license, according to a former JMMB Trading Manager.⁷⁹ The FSC's actions, therefore, had threatened the survival of his company which explains why he had engaged the agency in such a lengthy court battle. Smith's strategy was obstructed when the Supreme Court had finally ruled in favor of the FSC signaling the end of Olint, at least in Jamaica. Thus, in this case, it took the efforts of an internal agency to disrupt the fraudulent activities locally, but not necessarily the

⁷⁶ Caribbean Policy Research Institute, "Investigating Informal Investment Schemes in Jamaica," 14.

⁷⁷ Ibid; High level government officers 1, 2, and 3 (experts on financial services), group interview

⁷⁸ High level government officers 1, 2, and 3 (experts on financial services), group interview

⁷⁹ WikiLeaks, *Olint and Cash Plus, Party Is Over, But Who Came and at What Cost?*

fraudster's CFNs since he was able to exploit these relationships in order to migrate his schemes abroad.

One would expect that the company's collapse would have been turbulent because of the sub-culture of violence in Jamaica. On the contrary, this did not occur possibly because his middle class investors would have risked their reputations if they had publicly engaged in violence or broadcasted the fact that they were investors in a Ponzi scheme. It is also plausible that they were capable of absorbing some of their losses from the scheme,⁸⁰ so violence was unnecessary. As mentioned previously, investors' generally understood the risk and took the chance despite the FSC's actions. Others timed it and employed "an entry and exit strategy to maximize returns."⁸¹ A former banker also believes that this was the case with many wealthy businessmen who claim that they had lost money in Olint.⁸² Most of them had already gained significant profits and withdrawn their principal, so the amount lost was just the interest.⁸³

While violence did not occur, some of Olint's investors had threatened the FSC which had to increase security presence at its location for the protection of its staff. This threat was extended to the National Commercial Bank (NCB) which was also blamed for Smith's liquidity problems in Jamaica. The Chairman of the bank, Michael Lee Chin, had previously warned the public against investing in programs offering high interest rates⁸⁴ like Olint. It is likely that Chin's statements fed into Smith's propaganda that the

⁸⁰ Caribbean Policy Research Institute, "Investigating Informal Investment Schemes in Jamaica."

⁸¹ High level government officers 1, 2, and 3 (experts on financial services), group interview

⁸² Thomas (expert in the banking industry), phone interview.

⁸³ Ibid.

⁸⁴ Ashford Meikle, "Be Careful of Your Greedm Lee Chin Warns Investors," *Jamaica Gleaner*, September 29, 2006, <http://old.jamaica-gleaner.com/gleaner/20060929/business/business7.html>.

financial community was against him because they were jealous of his success.⁸⁵ This may explain why Chin was allegedly threatened by some of Smith's investors.⁸⁶

The NCB had requested specific "know your customer" documents from the embattled businessman due to unexplained banking activities and concerns about its reputation in the international banking system.⁸⁷ The bank had later advised Smith that it was closing his accounts on December 17, 2007 because of his failure to provide the requested information in the specified time. He had appealed the case but the matter was eventually settled before the Privy Council which had ruled in the NCB's favor.⁸⁸

The Olint case also highlights the limitations of Jamaica's criminal justice system and anti-corruption infrastructure. Like the OCG mentioned in previous chapters, the FSC does not have the power to prosecute and so Smith's file was recommended to the ODPP.⁸⁹ Surprisingly, Smith was never charged in Jamaica for operating his investment scheme and there were no reasons given why this was the case. One plausible explanation for the failure to file charges against Smith, according to a few participants in this study, is that the "ODPP was satisfied with other jurisdictions prosecuting him because they may be more effective and the possibility that it could take a longer time to do so in Jamaica."⁹⁰ On the other hand, authorities could have requested his extradition from the TCI so that he could be prosecuted under Jamaican law. It appears that his large

⁸⁵ Wildish, 2

⁸⁶ WikiLeaks, *Fall of Investment Scheme Could Send Ripples Through the Economy*, July 22, 2008, https://wikileaks.org/plusd/cables/08KINGSTON648_a.html.

⁸⁷ Olint Corp. Limited v National Commercial Bank Jamaica Limited, Claim No. 2008 HCV 00118 (Supreme Court of Jamaica, March 17-18 and April 18, 2008).

⁸⁸ National Commercial Bank Jamaica Limited v. Olint Corp Limited, Privy Council Appeal No. 61 of 2008 (United Kingdom Privy Council, 2009).

⁸⁹ High level government officers 1, 2, and 3 (experts on financial services), group interview

⁹⁰ Ibid.

campaign donations to politicians and the political parties had bought him immunity from the country's criminal justice system.

While Jamaican authorities were hesitant to indict Smith, the disintegration of his network and international investigations into his illicit activities were instrumental to the collapse of Olint, TCI FX, and all feeder clubs. Smith's downfall is linked to the three business elites who had allegedly assisted him in migrating his scheme to the TCI. Both Bovell and Issa had reportedly withdrawn their funds from Olint because they had lost confidence in Smith and were advised that he was possibly engaged in fraud.⁹¹ Another reported reason for their actions is that the elites wanted a part of Smith's businesses, and when he refused, they decided to take their money out of Olint.⁹² The consequential effect of withdrawing their combined investments of approximately US\$500 million was a run on Olint.⁹³ Wildish had also lost confidence in Smith and not only withdrew his funds, but advised others to do so as well.⁹⁴

The US' investigations had commenced when the NFA had noticed suspicious activities in Smith's accounts at I-Trade FX, which resulted in the agency fining the firm \$250,000 in 2009 for the failure to maintain and implement sufficient anti-money laundering policies.⁹⁵ The NFA's findings as well as suspicious transactions reports filed against Smith in the TCI had contributed to the local police force's investigations into Olint TCI. The Financial Crimes Unit of the police force raided the firm's office in

⁹¹ WikiLeaks, *Olint and Cash Plus, Party Is Over, But Who Came and at What Cost*

⁹² Ibid

⁹³ Ibid.

⁹⁴ Wildish

⁹⁵ National Futures Association v I Trade FX LLC and Martinez. Decision, NFA Case No. 08-BCC-014 (National Futures Association, January 21, 2010).

Providenciales on July 15, 2008, and on February 5, 2009, David Smith was arrested. By mid-2009, Olint TCI and TCI FX were wound up. Smith was eventually charged and given 6 years in prison in the TCI.

The businessman was indicted in the US on August 18, 2010 while confined in the TCI and was extradited to Florida three months later where he was tried and found guilty of 23 counts of wire fraud and money laundering. He was sentenced to 30 years in prison which will run concurrently with his sentence in the TCI.⁹⁶ The large difference in punishment between the TCI and the US indicates how seriously powerful countries in the international system view matters like fraud and money laundering in their jurisdictions. Nevertheless, the fact the TCI authorities had even attacked Smith and his firms, despite his legitimacy and linkages to other elites in the country, paints a negative image of Jamaica as a jurisdiction that condones illegality.

The law enforcement actions of the TCI and the US illustrates an important role that external actors play in filling the gaps in countries where the political and/or criminal justice systems are either compromised or too weak. This outcome is very similar to the drug trafficking cases where the US' interventions were critical to the collapse of the DTOs, although Smith's case was less dramatic. If this is true, then why did the ODPP indict Carlos Hill, the owner and operator of another fraudulent investment scheme called Cash Plus? It appears that the ODPP arrested Hill on its own volition and investigations; however, an argument can also be made that the government was embarrassed into acting because of the negative impression from their failure to charge Smith for his crimes.

⁹⁶ It is interesting to note that Smith was the only individual charged and imprisoned for his schemes. Neither his wife nor any other persons mentioned throughout this chapter were indicted.

Furthermore, the fact that Hill's case is still in court today, despite initially being arrested in 2008, still shows signs of some weaknesses in the Jamaican criminal justice system.

In sum, Smith's downfall was initiated by the FSC in Jamaica but was completed by the TCI and US' law enforcement entities. Based on the evidence, neither the US nor any other powerful external actor had put pressure on Jamaican authorities for his extradition at the time, which may help to explain why Jamaican authorities allowed him to transfer his fraudulent activities to another island. This weakness, probably arising from Smith's relationship with high-level officials, was overcome by the efforts of both the TCI and the US to terminate his illicit activities. The collapse of his firms had created some instability within the jurisdictions where they operated but it was mostly non-violent, despite threats against entities which had challenged him legally.

Conclusion

This chapter profiled illegal activities committed by an individual who does not fit the image of a criminal to which we have become accustomed in Jamaica and the wider Latin America and the Caribbean. David Smith was not poor, did not live in an inner-city community, and was not involved in the drug trade. Yet, he was able to gain legitimacy like a kingpin, but more widely across class which illustrates that he was successful in marketing himself to Jamaicans at home and abroad. With this support, the businessman was able to operate fraudulent investment schemes in three different jurisdictions which bilked investors out of US \$220 million. Location may have had an effect on their operations only to the extent that it was the obscurity in Jamaican laws which created the loopholes for Olint to be established in the first place.

Smith's case also shows the importance of social class in determining who is a criminal in Jamaica. One would not hesitate to label actors like Coke as criminals, which may help to explain why the kingpin protected himself by developing alliances with the state's armed forces and influential political actors. Smith's middle class upbringing and his strategy to socialize with elites would have also shielded him from the law. Many actors in his supportive CFN including members of the government, the business sector, and civil society had defended him even though the FSC was steadfast in its claims that Olint was operating without a license. So it can be concluded that Smith and Coke shared similar status of legitimacy, although they were from different social classes.

There may also be a connection between his campaign contributions and government's failure to indict and prosecute him domestically. Such weaknesses in a country's criminal justice system places the burden of the fight against transnational crime on external actors, particularly those like the US that are powerful enough to punish criminals and coerce governments to act. Furthermore, the fact that he had donated to both the JLP and the PNP shows that he was more impartial to party allegiance than drug traffickers in Kingston and beyond. This indicates that CFNs in the financial sector are weaker than those in the narcotics trade.

Finally, the evidence provided in this chapter supports the theory that there is a correlation between social class, identity, and violence. The collapse of Olint and other schemes with which Smith was affiliated was chaotic, but it did not elicit violence as expected. It is not that the middle class have a less aggressive temperament than the lower class in Jamaica; instead, what this case shows is that the middle class' inclination

towards violence was moderated by their wealth, reputation, and willingness to take risks. Individuals from a poorer socioeconomic background may not share these traits, so their vulnerability to shocks may increase their willingness to participate in violence. Furthermore, the middle class may have wider interests than the lower class, which suggests they would have to overcome coordination problems in order to engage in violence as a group.

CHAPTER 8

A COMPARISON OF ILLICIT NETWORKS WITHIN AND ACROSS ECONOMIC SECTORS

The cases examined in this dissertation provide visibility into the nature and dynamics of CFNs across three economic sectors: drug trafficking, government contracting, and financial services. These sectors are common areas of concern in countries experiencing problems with crime and corruption. Jamaica represents an example of their manifestations in small democratic societies with weak institutions. The study also reflects how powerful international actors like the US attempt to compensate for these weaknesses in order to protect their own security interests.

Comparing the CFNs will further enhance our understanding about how they function, their strengths and vulnerabilities, and how they collapse. The purpose of this chapter is to highlight these variations across the environmental contexts and economic sectors in which the illicit activities occur. It reinforces the idea that the active CFNS of DTOs in marginalized urban areas are militant and centralized with power distributed vertically, and those in wealthier rural localities are less aggressive and decentralized with power diffused horizontally. On the other hand, non-DTOs CFNs may be small and simple, like in the government contracting sector, or centralized with complex transactions, as is the case in the financial sector.

The chapter will also draw attention to how the nature of the relationships with non-criminals in their supportive CFNs enables the central actors to pursue their illegal and corrupt goals. Actors with stronger alliances can expect to receive a higher level of protection than those with weaker relationships. This is indicative of the potential consequences that may result if criminal organizations are targeted by law enforcement. Indeed, the chapter will show that stronger alliances are associated with more instability during and after the networks collapse compared to those that are weaker.

Relationships within the Active CFNs

The theory developed in this dissertation defines the active CFN as comprising actors at the operational level of the illicit organization or transaction. Since they were developed based on the needs of the central actors, they vary in terms of their compositions, functions, and shapes across and within each economic sector. Of the three sectors examined, kingpins in the narcotics trade have the most complex network structures based on the division of labor among the actors. A plausible reason for this is that drug trafficking is an underground transnational activity, so it requires multiple actors who can perform various functions in order to transship cocaine from South America to North America and elsewhere.

The two drug trafficking cases examined indicate that some of the most common roles in DTOs are bookkeepers, couriers, enforcers, sellers, storage, and transporters. Despite these similarities in functions, Table 12 illustrates that there are differences in the percentages of these basic roles in the active CFNs of each DTO. Couriers and transporters comprised almost 50 percent of the North Coast Network compared to only

about 25 percent in the Shower Posse. On the other hand, enforcers constituted a little over 50 percent of the latter DTO versus only about seven percent of the former. These differences support the notion that the Shower Posse was a powerful gang in the narcotics trade while the North Coast Network functioned like a distributor within the larger DTO.

Table 12: Roles in the Narcotics Trade¹

Similar			Different		
Role	%SP	%NCN	Role	%SP	%NCN
Bookkeeper	1.45	1.89	Distributor	-	3.77
Courier	20.29	32.08	Inspector	-	7.55
Enforcer	53.62	6.6	Processor	-	3.77
Seller	4.35	12.26	Supplier	-	7.55
Storage	2.9	1.89	DocRacket	8.7	-
Transporter	2.9	16.04	Weapons	4.35	-
			Wholesaler	-	4.72

There are also other important differences in roles between the DTOs which must be taken into consideration. Table 12 shows that the North Coast network contains five additional roles: distributor, inspector, processor, supplier, and wholesaler. Except for the distributor role, these functions are mostly performed at the earlier stages of drug trafficking operations and, along with the other roles mentioned previously, they would constitute the majority of a drug trafficker’s supply chain. Thus, the kingpins fit within this larger network by helping to transship the illicit product in the Caribbean.

¹ This table was derived from the witness testimonies in both cases. The data was previously presented in each chapter but is formatted differently here for comparative purposes.

Conversely, Coke's active CFN includes two additional roles for those responsible for providing visas to the couriers and weapons to the criminal organization. I assume that similar roles exist in the North Coast Network, but the coding scheme did not capture them because they were not mentioned in the witnesses' testimonies. This could have resulted from the different types of questions the witnesses were asked, compared to those in Coke's trials, and the nature of deals that they negotiated in order to reduce their own sentences. Nevertheless, these differences in roles indicate that the business of drug trafficking in one country can be diverse, as opposed to a standard operation which is normally inferred by the English language literature.

The Shower Posse's militant organization is a legacy of political violence and garrison institutions in Kingston's inner-city communities. To dominate these marginalized spaces, a criminal must have the capacity for violence within his organization but utilize this resource selectively as a means of control. Too much violence would be a violation of his informal agreements with the state, as will be discussed in the next section, and will result in increased law enforcement. Other studies on Latin America and elsewhere have also drawn similar conclusions on the relationship between violence and kingpin domination in marginalized communities.² However, Kingston's smaller size, compared to many other major urban areas in the region, may have helped to augment the power of criminals like Coke and allowed his influence to radiate throughout West Kingston and beyond.

² See, for example, Arias, "The Impacts of Differential Armed Dominance of Politics in Rio de Janeiro, Brazil"; Bailey and Taylor, "Evade, Corrupt, or Confront?"; Snyder and Duran-Martinez, "Does Illegality Breed Violence?"

Coke's longevity and influence as an informal leader suggest that he was able to strategically manipulate his CFNs to become more organized, dominant, and entrepreneurial than other criminals in similar positions. His active network was comprised of individuals from neglected communities where the state's presence is very weak. As is typical in marginalized areas, the kingpin's informal infrastructure had replaced the role of the state and allowed him to consolidate power in West Kingston. This resulted in a centralized DTO in which power diffuses from Coke to multiple subnetworks organized to help him maintain his dominance. Indeed, Table 13 shows that the power distance between him and the other actors in the Shower Posse was significant. This, along with Table 14, indicates that he had occupied a more powerful position in his organization than the kingpins in the North Coast Network.

The lower strategic positions of the central actors in the North Coast Network can be explained by the different environment in which it was located. The parishes on the north coast differed from Kingston in terms of their political history, sub-culture, wealth, and dependence on the tourism sector. These characteristics provided an environment in which business elites had controlled the narcotics trade in the area. The evidence infers that Leebert Ramcharan and Norris Nembhard's interests in the illicit activity were mainly motivated by earning profits, not to dominate physical spaces, which explains why there were fewer enforcers compared to Coke. Table 14 indicates that they were very active in the organization but Table 13 suggests that the horizontal diffusion of power had limited their influence within the larger network. These findings on the differences in organizational structures add to the growing conversation on classic versus

new transnational organized crime,³ but also emphasize that these different structures can exist in one country.

Table 13: Actor Level Influence across DTOs' Active CFNs⁴

Shower Posse		North Coast Network	
Actor	%Influence	Actor	%Influence
Coke	68.61	Cesar	26.82
Jermaine	26.49	Robroy	24.42
Anthony	2.24	Leebert	24.32
CW1	0.31	Alex	22.29
Tugman	0.14	Gabriel	18.70
Petal	0.11	Donovan	10.14
Justin	0.03	Freddi	6.53
Avasha	0.01	Cordelio	6.51
-	-	Paul	5.81
-	-	LuisN	5.03

³ See, for example, Shelley, *Dirty Entanglement*

⁴ This is table is an extract from tables 16 and 17 in Appendix C. It compares the normalized betweenness centrality values for each actor under the column “%influence” across the two DTOs.

Table 14: Actor Level Involvement across DTOs' Active CFNs⁵

Shower Posse		North Coast Network	
Actor	%Involvement	Actor	%Involvement
Coke	97.06	Cesar	32.38
Jermaine	67.06	Gabriel	31.43
Anthony	23.53	Alex	27.62
Tugman	11.76	Leebert	26.67
CW1	10.29	Robroy	25.71
Avasha	7.35	Donovan	18.10
Justin	7.35	Freddi	12.38
Petal	5.88	Cordelio	12.38
-	-	Paul	15.24
-	-	LuisN	9.52

Whereas Coke had the capacity to insource violence, the business elites' violent resources were outsourced to corrupt members of the police force and the Stone Crusher gang. The gang was mostly comprised of lower class youths from volatile informal communities in and around the Montego Bay area. These observations do not fit the typical narratives of drug trafficking in the English language literature. The case of the North Coast Network shows that this type relationship was able to develop because of the close proximity of these squatter communities to the wealthier neighborhoods where the

⁵ This is table is an extract from tables 16 and 17 in Appendix C. It compares the normalized degree centrality values for each actor under the column “%involvement” across the two DTOs.

drug kingpins lived. This observation explains why socioeconomic status becomes such an important variable in understanding organized crime outside of major urban areas.

The inferences made in the analysis of David Smith's Ponzi schemes indicate his active networks may also be centralized but not necessarily hierarchical like Coke's. John Wildish's communication network suggests that most of the actors who were deliberately or unintentionally associated with Smith's schemes either provided character references, assistance in migrating the schemes, legal representation, financial services, or management services. There is no overlap between these roles and those in the narcotics trade because each function is specific to the illicit activity. Drug traffickers may have also developed strategic relationships with actors in the financial services sector for money laundering purposes, but these types of ties would be more prevalent in Smith's network because of the nature of his schemes.

While Smith's network may not have been intricate as those in the narcotics trade, it was still complex if one takes into account the number of feeder clubs and actual transactions from the start to the collapse of Olint and TCI FX, as is typical in Ponzi schemes. Chapter 7 explained that there were many other smaller networks within Jamaica, other Caribbean countries, and the US that were linked to the firms and helped to sustain them over a period of time. The fraudster had to develop methods of managing this large influx of investments so that it appears that the monies were being traded. Bank accounts were opened in Jamaica, the TCI, and the US which were used to transfer large sums of money in order to pretend that the investments were being traded as well as to generate and pay false profits.

The socioeconomic status of the actors in Smith's active CFN suggests that class does matter in how the network functioned. Many were elites in all the jurisdictions in which Olint and TCI FX operated, which is quite different from DTOs in Kingston's inner-city communities. Like the kingpins on the north coast, this may have been a source of strength in Smith's operations because it shielded him from any suspicions that he was involved in illicit activities. The firms operated at the national level, so location may have played a role in terms of the weak enforcement of the rule of law in previous years. This may have encouraged Smith to develop his schemes since this type of environment inadvertently grants immunity to individuals who violate the law.

The least complex of all the active networks studied in this research was the Trafigura scandal in the government contracting sector. The structure was mostly based on triadic, decentralized ties between the TNC, Colin Campbell, and CCOC; and between Campbell, the CCOC, and SW Services. This indicates that large, complex active networks are not necessary in all illicit transactions and that political actors in strategic positions can be integral components of these structures. On the other hand, the lack of politicians in the active networks in the other cases does not necessarily mean that were absent; instead, it reflects some of the biases in witnesses' testimonies and the prosecutions' questions.

Again, there was no overlap in roles between this network and those in the other two sectors because the ties were developed for specific purposes. The evidence indicate that the firm may have targeted Campbell, or vice versa, because of his influence over contracts in his former ministry. This is a strategy that many other TNCs and politicians

have implemented in order to win government contracts and indicates that socioeconomic background is important to the development of these relationships. A country in which political corruption is the norm provides a suitable environment for these types of ties to develop.

Relationships within the Supportive CFNs

The supportive CFN includes actors who are not positioned at the operational level of the organization but are still valuable to the central actors because they provide access to valuable resources. As such, they fill structural gaps⁶ in the criminals and non-criminals' network structures. The evidence in the empirical chapters suggests that these alliances are normally reciprocal but there are variations in how these networks operate. Table 15 also illustrates that there are differences in the strengths of these alliances across sectors, which will be discussed throughout this section.

As in their active CFNs, location and socioeconomic backgrounds do play important roles in determining how these alliances work in the narcotics trade for the benefit of the actors involved. Kingston was central to politics in the pre- and post-independence eras because it is the location of economic and political power in the country, so controlling territories in the city was important to the goals of both political parties. This entailed developing strong informal alliances with criminal actors like Coke who would guarantee votes, order, and providing protection and social welfare for citizens in exchange for weapons, immunity, and access to the state. In this regard, Coke was not different from other criminal organization in terms of their propensity to develop

⁶ Burt, *Structural Williams*; Williams, *Transnational Criminal Networks*

these types of informal exchanges. However, the subculture of political corruption in Jamaica, especially in Kingston, made these agreements more likely than elsewhere in the country.

Table 15: Strength of Relationships within Supportive CFNs across Sectors⁷

Actors	DTOs		Non-DTOs	
	Shower Posse	North Coast Network	Trafigura	Smith
State	Strong	Weak	Strong	Moderate
Private Sector	Moderate	Strong	Moderate	Strong
Civil Society	Moderate	Weak	-	Moderate
Ordinary Citizens	Strong	Weak	-	Strong

Like many other drug traffickers in marginalized areas, the expansion of the narcotics trade in the 1980s had empowered criminals in these neighborhoods vis-à-vis a weakened state and essentially helped to transform these networks into interdependent relationships. Coke had taken advantage of this shift in power at the local level to the extent that he had allegedly influenced the outcome of the nominations for the Kingston Western seat in 2005 and the 2007 elections. Other criminals in the past may have influenced politics as well but not to the extent that Coke did while he ruled the area. This reflects how politicians can exploit their CFNs with powerful criminals in marginalized neighborhoods for political purposes.

⁷ Civil society is the only entity that was not extensively analyzed in the chapters on the DTOs. Nevertheless, their strengths were inferred based on theory of how CFNs operate, as discussed in Chapter 1.

The nature of the garrison environment also means that other members of the state as well as those in the business sector and civil society would be forced to interact with the dons. This is an essential element of territorial control for organized crime groups in marginalize areas. Coke's firms were granted multiple lucrative government contracts after the JLP won the 2007 elections, although it appears that his access to these resources was mediated in order to hide his linkage to these entities. One can therefore assume that the kingpin's reach had indirectly extended into public administration. Some police officers who were under pressure to reduce crime in these areas but restricted by politics had resorted to transferring the responsibility to serve and protect to these criminals.

Influential businessmen and even some non-governmental organizations may have also had to negotiate with them in order to maintain security and peace. Table 15 shows that these relationships may not be as strong as those with members of the state since these transactions would be less frequent. Except for politicians, many of these actors may not have set out to assist the kingpin expand his illicit activities, wealth, legitimacy, and domination; however, because of the legacy of garrison institutions, they are normally forced to interact with these powerful criminal actors.

Politics was a little more subdued beyond Kingston, especially for parishes far away from the Capital. On the north coast, the focus was more on developing the tourism industry which, in turn, attracted more wealth to the area. Although informal settlements were in close proximity to these areas, the wealthier environment provided little opportunities for the type of politics normally practiced in Kingston. This resulted in

weaker linkages between politicians and other members of the state with kingpins. Still, there were opportunities to develop reciprocal relationships such as when kingpins donate to political campaigns. Both Ramcharan and Nembhard allegedly had donated to the PNP and JLP respectively.

While the kingpins' relationships with politicians and the state may have been weak, their relationships with other businessmen were probably stronger than Coke's. The latter actor had legitimate businesses but still had a negative reputation as a criminal. Thus, unless businessmen had to interact with West Kingston, there may have been limited opportunities for him to develop strong linkages with them. Ramacharan and Nembhard, on the other hand, were regarded as prominent businessmen and so they were more likely to have robust networks with their peers. They do not have to be part of the day-to-day trafficking activities, but both kingpins may have relied on the business community to come to their defenses against an aggressive state that is suspicious of their criminal activities. Interactions of this nature would be instrumental to the expansion of the narcotics trade.

David Smith may have enjoyed the same type of protection from some members of the business community who were against a meddlesome government. A few state officials had even attacked the FSC for performing its duties when it raided Olint's offices and issued Smith a cease and desist order. Perhaps, some of these individuals may have invested in the firm and had a stake in its survival or they could have been tainted by Smith's large campaign contributions. Financially supporting both parties in a state where partisanship is very high is example of opportunistic behavior for security

purposes. It also appears that Smith donated to politicians and government officials in the TCI in order to gain some immunity from the law. Members of civil society provided the support and legitimacy that the businessman needed to continue with his fraud.

The supportive CFN in the Trafigura scandal seems to be the weakest of the all the networks examined. Since the alliance was to facilitate a one-off corrupt transaction, unlike the other cases examined, it may have included individuals who had temporarily assisted the firm with processing and approving the payments to Colin Campbell's political association. Other members of the PNP could have been involved in the negotiations over payments since a majority of the funds were transferred to the party after deposited in the CCOC account. It appears that the politician was even rewarded for assisting the party in this regard since he had made some of the funds payable to himself.

The Trafigura case, along with the others involving the wealthy businessmen, shows the importance of belonging to an elite community with power to defend actors against suspicions or allegations of corruption and crime. Group support of this nature makes it possible for elites to mask transactions as legitimate, elude law enforcement, and evade accountability for their actions. In this instance, high-level members of the party had vehemently defended Campbell when Bruce Golding, as Opposition Leader, had broken the scandal in late 2006. They had withdrawn their support eventually, possibly for political expediency, but their backing had provided the security necessary for the transaction to occur in the first place. Infamous actors like Coke may have their own criminal community to support them but they do not enjoy the same status as elites. They

may also have the support of the political parties, as mentioned previously, but only a few politicians would dare to do this publicly.

The CFN theory states that citizens may be members of the supportive network because of their role in providing central actors with the legitimacy they need to survive. This was the case with Coke, although not every resident in West Kingston may have done so willingly. Social class and identity may have influenced their support for the kingpin. Indeed, garrisons concentrate in poor neighborhoods citizens who share common identities including class, party affinity, and marginalization within the wider Jamaican society. These traits, along with the absence of the state, make it possible for powerful criminal actors like Coke to gain their loyalty and act as substitutes for the state. Chapter 3 indicates that they do so by performing roles typical of criminal organizations in marginalized communities such as providing social welfare and maintaining order. Citizens would appreciate access to these services for their own survival and support the actors who are capable of providing them.

On the other hand, the North Coast Network did not have opportunities in their own neighborhoods to perform these social welfare and criminal justice functions. The state may have been more present in these communities since they were located in the tourist regions, and citizens probably could have probably utilized their own wealth to fill the gaps in areas where it was lacking. Outside of their own neighborhoods, however, there were a few opportunities for them to exploit and develop relationships with citizens from poorer socioeconomic backgrounds. Their inability to dominate physical spaces and

develop informal governance structures indicates that these relationships were more likely to be weaker outside of Kingston.

Like Coke, Smith's case also shows the importance of developing strong ties with citizens in order to gain legitimacy but these relationships were mostly based on financial than socio-political linkages. Citizens showed their support by investing in Olint and his other fraudulent entities which, in turn, allowed him to maintain his operations. He had garnered their support through spreading propaganda, performing charitable deeds, and exaggerating his level of expertise like in any other Ponzi scheme. Furthermore, his socioeconomic background and interactions with others in his class limited suspicions about his involvement in fraud. Some of his investors may have speculated about his illicit activities and decided that the reward was worth the risk, while others may not have known and was just enticed by the 120 percent per annum return. Either way, they had helped to sustain his criminal activities.

Unlike in the narcotics trade and the financial sector, the non-DTO central actors involved in corrupt/illicit activities in the government contracting sectors did not develop relationships with ordinary citizens. It was unnecessary to gain legitimacy in the same way like the other actors since the contract was at the state level. This observation may be specific to this case since, if the work was being performed within a community, it is plausible that some firms may develop some type of relationship with citizens directly or indirectly. For example, they could provide employment, sponsor community events, or provide charitable donations which could help to endear the contractors to the community

and the government. In the Trafigura case, however, the main source of legitimacy was from the politicians and executives of the firms who were involved in the transactions.

Network Collapse and Consequences

Institutional characteristics such as reliability and predictability allow CFNs to resist shocks from internal disturbances. This indicates that the source of disruption will be external to the network but which actor performs this role will be dependent on its incentive structure. In the narcotics trade, the external actor is most likely to be the US, by itself or in collaboration with other influential states, because of its own security interests. It also has the power to force compliance, particularly in cases where the state is much smaller, weaker, and is located within its immediate sphere of influence. Outside of the narcotics trade, however, local political actors may be encouraged to disrupt these alliances but only if they gain from the repercussions.

There are unique vulnerabilities and strengths in each network that would make them resilient. In major urban areas, the positions of central actors would be highly visible which increases the probability that they would be targeted by law enforcement; however, this vulnerability would be balanced by their power to mobilize their armed resources and strong supportive networks. As such, actors with stronger alliances with non-criminal actors would have a higher level of protection, which they could use to help frustrate efforts against their apprehension.

Coke's illicit activities spanned almost two decades and over this period of time he had developed strong relationships with lower class citizens, politicians, businessmen and other prominent actors who constituted his CFNs. These types of alliances are

common in organized crime and indicate that they have been a major source of protection, as mentioned previously. In this case, it appears that the political establishment had exploited a technicality in the evidence against Coke in order to prevent his extradition.

The eventual collapse of his alliances with the state had triggered the deployment of its security forces against Coke. In return, the kingpin had mobilized his own resources in order to challenge the authority of the state. Women were encouraged to protest non-violently to show their support for a criminal who was also their patron for 18 years. Their uniform attire signaled a shared sense of injustice and exploitation which could have also influenced their decision to march against the state. In addition to these demonstrations, Coke's army, along with criminal actors outside of West Kingston, had aggressively opposed the state for almost three days. It appears that this increase in disorder was the main consequence the state was trying to prevent.

The criminal's extradition had also resulted in more violence because of the fragmentation of the Shower Posse and the conflicts over turfs to replace lost income from the disruption of its illicit activities. Similar outcomes have been examined in Mexico post-kingpin elimination under Felipe Calderón's regime.⁸ There is some evidence that the Coke name is still legitimate in West Kingston, which indicates that not all of the networks associated with the Shower Posse were destroyed. It also reflects the state's limitations in overcoming some of the challenges facing marginalized

⁸ See, for example, Shirk and Wallman, "Understanding Mexico's Drug Violence"; Rios, "Why Did Mexico Become so Violent?"

communities, although there have been some improvements since the kingpin's extradition.

The US' request for the extraditions of the businessmen in the North Coast Network was also instrumental to their downfall. Compared to Coke's case, however, the horizontal structure necessitated targeting multiple actors in order to destroy the entire network. There was less carnage because the kingpins' violent resources were outsourced and there was no shared sense of identity among the actors. A few residents may have protested but there was no evidence that the police officers or the Stone Crusher gang had tried to defend the kingpins at the time of their arrests. Moreover, the state was more compliant with the US' request which reduced the amount of time needed to mobilize their resources. Violence had occurred post-extradition because the active network was not completely destroyed. The gang had survived the collapse of the DTO but had to find ways to replace its earnings from the narcotics trade. Its transition into in the lottery scam resulted in an increase in violence until it was eventually targeted and destroyed by local law enforcement.

CFN collapse outside of the narcotics trade was non-violent but still created some instability, and in the Trafigura scandal, it was mostly confined to the political system. This case shows that in environments where politics is very competitive and zero-sum, politicians may be induced to monitor corrupt or illicit activities if it will help them to attract positive attention and win votes. These ultimate goals create chaos in the political system and can lead to spill-over effects into other sectors. For example, it was a party

member who allegedly had leaked the payments to CCOC and, in doing so, may have created a problem of trust in the banking system.

Bruce Golding supposedly had exposed the scandal at the time that he did because he, along with his party members, believed that the 2007 general elections were imminent. He even went as far as to amend the law when he became Prime Minister so that The Netherlands' authorities could conduct their investigations into the matter. The active network was vulnerable to disruption because of the inherent weaknesses in the relationship, so it had collapsed immediately after exposure.

As for David Smith, the collapse of his schemes was instigated by multiple law enforcement agencies across three jurisdictions but at different time periods. The FSC started the process with its legal actions against Olint in Jamaica. A few of Smith's supporters reacted negatively towards the agency but violence did not occur, although it was threatened. A plausible reason for this outcome is the capacity of middle class investors to absorb cost of collapse. Investors were also from different community environments with varying degrees of wealth, so they did not have a shared identity which would have triggered a violent response when attacked. Members of his active network who had assisted the transfer of his schemes to other jurisdictions were also instrumental to its collapse in the TCI. However, the US and TCI's investigations into Olint and TCI FX had led to their decisions to charge him for his crimes, which had the cascading effect of destroying all of his remaining networks.

The processes, duration, and consequences of disruption support the argument that alliances above the criminal underground are major sources of protection for illicit

networks. Like in the narcotics trade, those with stronger relationships with the state and ordinary citizens enjoy a higher level of protection than those with weaker alliances.

Indeed, Table 14 and the discussion in this section shows that Coke and Smith were more protected than the other central actions. This was possibly the case because the potential collapse of their organizations was more threatening to stability. As such, corruption was a tool to overcome the weaknesses of the state, maintain order, influence politicians, and win elections.

There are also some important limitations in Jamaica's anti-corruption regime and law enforcement infrastructure reflected in the investigations of the networks. Neither the OCG General nor the FSC has the power to prosecute, so their cases must be recommended to the ODPP. They also do not have influence over which case the ODPP chooses to prosecute. Loopholes like this may make it possible for criminals and non-criminals to escape prosecution for the offences they have committed, based on the investigations of agencies like the FSC and OCG. For example, the FSC had recommended Smith's file to the ODPP but he was never prosecuted. It is possible that his alliances with the political parties had bought him protection but the failure of the ODPP to even indict him reflects negatively on Jamaica.

Furthermore, there is a problem with sharing timely data under international treaties like the MACMA. While secrecy is understandable, the lack of inter-governmental cooperation limits investigations into corruption and crime. For example, the OCG was unable to obtain information from the ODPP on the Trafigura case because it was sworn to secrecy under this law. This resulted in the agency's ambiguous

conclusion that it could not definitively state that the transactions were corrupt or not. However, the OCG had recommended Campbell's file to the ODPP because he allegedly had inhibited its investigations. The fact that the case has not been prosecuted indicates that the ODPP may not have the resources to devote its attention to the case or believe that the matter is frivolous. The OCG has no other recourse to force compliance which is a major weakness in the state's struggle against corruption.

Conclusion

Comparing the networks provide further insights into how their operations and alliances vary across environmental contexts and economic sectors. The active CFNs of DTOs in marginalized areas are militant and centralized, and power is diffused vertically which enables the dominance of the kingpin in the organization. They have stronger relationships with individuals in their supportive CFNs, which means that they have a higher level of protection than DTOs in rural communities close to tourist areas. The latter are less militant, more fluid, and power is diffuse horizontally. Their supportive networks are also weaker which increases their vulnerability to collapse if they are targeted.

Incorporating the two non-DTOs provide a more nuanced perspective on illicit entrepreneurship. They show that not all illegal activities take place at the community level and that corruption and gaps in systems at the national level can enable their illicit goals. Furthermore, non-DTOs may not be as complex with respect to functional differentiations but can be in terms of their transactions. Non-DTOs are also protected but the level of protection, as in the case of the DTOs, is mostly dependent on the strengths

of their relationships with ordinary citizens and the state. They may have access to the high level of protection that DTOs in marginalized areas enjoy if they also have strong relationships with the state and ordinary citizens.

There is more instability when DTOs collapse compared to non-DTOs. Violence in marginalized areas results from criminals' attempt to protect dominant actors when the organization is attacked and replace lost income after the organization crumbles. Outside of marginalized areas, however, the violence is only associated with the need to supplement income. The collapse of non-DTOs is not violent but still results in instability in the sectors in which they operate.

CONCLUSION

The theory of CFNs presented in this dissertation provides an in-depth understanding about how individuals can exploit different components of their social networks to pursue their illicit goals. In doing, it overcomes some of the limitations in the English language literature which tends to focus on one type of social context and criminal activity. The norms and processes that govern illicit networks are unsettled debates in the literature, so the research contributes to the conversation by showing how environmental contexts and economic sectors can influence structure and dynamics. It also shows how the strength of alliances with diverse segments of society can affect the level of protection that they receive and the extent of disorder after they collapse.

These insights can contribute to the development of comprehensive policies to manage the problems of organized crime, corruption, and violence. Countries like Italy, Mexico, and Colombia indicate that this will be challenging because of differences in political and security incentives, the weaknesses of states, and the influence of subcultures resistant to change, among other factors. Governments will have to work within these constraints as they try to make incremental or substantive progress in tackling these problems.

The results of this research suggest that there are three key policy objectives that should be considered in order to improve strategies designed to address organized crime

and corruption: 1) limit unintended consequences by paying more attention to network structure and composition; 2) close or minimize gaps in systems to provide a hostile environment for the development of CFNs; and 3) strengthen civil society organizations so that they can be more vigilant and play an important part in encouraging cultural changes. These strategies will be discussed in sections throughout this concluding chapter.

Limit Unintended Consequences

Extradition has been a key US foreign policy tool used to cripple DTOs overseas. While the strategy has been successful in smaller and/or relatively less powerful countries, to some extent, the unintended consequences may help to increase the backlash against the “war on drugs.” This is especially the case in marginalized areas where powerful DTOs are most likely to be armed and willing to challenge the authority of the state. The increase in violence is not only devastating to the state because of the instability it creates, but also to innocent citizens who become victims of this strategy. Historically, this has been the case in many Latin American states and, as a result, they have reduced their willingness to continue supporting the US’ aggressive foreign policy on the narcotics trade.

The backlash against the war on drugs has also stimulated efforts to find alternative approaches that produce fewer casualties. This research suggests that understanding the network structure and composition can help to achieve this end, even if extraditions will continue to be a key anti-narcotics strategy for the US. Policies should emphasize targeting key positions in illicit networks and collaborating with the state’s

security officials in order to severely weaken or destroy the network. These two strategies will be discussed subsequently.

Pay Attention to Network Structures and Compositions

In a centralized active CFN, a less costly strategy would entail not only targeting drug lords, but also influential actors in the network from the periphery to the center which would help to weaken the kingpin's defensive structure. This means that he would be less capable of mobilizing his resources against the state when attacked and possibly reduce the amount of violence that results from extraditions. Furthermore, tightening control of the sale of weapons in the US, which has been a very controversial domestic issue, would also help to limit the amount of weapons in the hands of criminals.

As for flat structures in wealthier areas, it is very important to understand how power is dispersed across subnetworks operate and the linkages they form with other criminal organizations. If a prominent businessman is identified as a kingpin in the larger organization, it is imperative that his source of protection is determined. This can be detected by investigating the activities of the gangs in marginalized neighborhoods in close proximity to his business and home address. They should be targeted simultaneously while attacking influential persons across the active CFN in order to avoid unintended consequences of extraditions. This includes the increase in violence that results from their transitions into other illicit activities in order to replace income from the disruption of the DTO.

Support Local Law Enforcement

Focusing on positions in strategies also requires that international and domestic actors work together to cripple criminal organizations. The US, along with other powerful international actors, should collaborate with local law enforcement officials to identify these influential actors in the network. This means sharing intelligence and helping to develop the capacity of the state's security officials. The problem of corruption in the state, as will be discussed in the next section, indicates that supporting the state's security forces is not such a straightforward issue. As such, international actors may have to sponsor the vetting and development of an elite team of law enforcement officials in order to reduce the influence of corrupt police officers and politicians. Policy-makers should also create strict accountability mechanisms to reduce the risks of undemocratic policing and maintain public support for the team.

In the two instances where crime and violence are expected to increase post-extradition, local law enforcement should be given the tools and support needed to implement and sustain their anti-organized crime activities. The case of Italy shows that the failure to sustain law enforcement efforts has resulted in the weakening of mafia organizations, not their destruction. This may also be the case in Jamaica where it is believed that Coke's system will be regenerated in the near future despite being weakened in 2010. These examples suggest that maintaining support for law enforcement strategies should help to inhibit the re-consolidation of active CFNs under a new leadership or their transitions to other types of criminal activities. Hard policing methods have failed to achieve these goals in Latin America and the Caribbean, so strategies should also incorporate softer practices like community policing in order to increase trust

between citizens and the police. The more citizens interact with and are able to trust police officers, the less dependent they will become on dominant criminals for their services. However, this outcome is also dependent on the ability of the government to reduce the gaps in systems that allow illicit informal norms that replace or ignore the state's rule of law and give immunity to actors who pursue illicit goals.

Close or Minimize Gaps in Systems

CFNs develop where there are gaps in systems such as weaknesses in the social welfare or regulatory systems. This indicates the importance of closing these gaps to create a more hostile environment that limits their development. However, it may not be possible to close all gaps since governments are usually constrained by their budgets. This is especially the case in developing countries with very limited resources, which suggests that they cannot focus on all sources of weakness simultaneously. It is also impossible to foresee all gaps that can be exploited in the future.

Tight budget constraints mean that these states would have to balance these issues against the other demands from citizens and the international community. A more realistic objective, therefore, would be to minimize deficiencies in vulnerable areas like their capacities to respond to citizens' needs, address the problem of corruption, and prosecute criminal cases.

Address Citizens' Needs

The evidence in this study and wider literature indicate that DTOs, especially those in marginalized areas, gain legitimacy from their abilities to respond to citizens immediate needs. In other words, the state's failure has given them the opportunity to

gain citizens' trust, loyalty, and support which they can exploit for their own benefit. The challenge is that we may not be able to ignore the influence of powerful criminal actors in marginalized communities, especially those who have become institutionalized actors in these spaces; however, we can reduce their legitimacy over time through sustainable programs that targets citizens' needs.

A complementary strategy to policing should therefore include improving the socioeconomic conditions in all marginalized spaces, not just in major urban areas. Community development programs are popular tools which have been used to target specific needs in developing countries. In Jamaica, for example, several initiatives co-sponsored by the Jamaican government, states such as the US, Britain, and Canada, and the World Bank have been implemented in West Kingston and other crime hotspots in the country. They typically emphasize youth empowerment, alternative forms of justice, conflict management, education, and developing employment skills, among other relevant issues. The Citizens Security and Justice Program (CSJP) is an example of these programs which has had some successes in the communities it serves.

Unlike the CSJP, however, it seems that some programs have faded along the way while others may be unsustainable post-completion. Some programs also exclude very poor communities because of limited funding and others fail to take into consideration the diversity in the nature of the problems within and across urban and rural neighborhoods. These problems are typical with community development programs and indicate the need to increase expenditure on these security initiatives to ensure targeted and sustainable outcomes.

Conversely, the overall impact of these community development programs on reducing crime is not very clear since there have been very limited rigorous evaluations on them. Perhaps, this may be one of the reasons why they are less emphasized in bilateral programs than law enforcement. It is urgent that they are assessed immediately in order to improve them where necessary or develop new initiatives to target specific problems in a locality. If the government continues to give false promises to the poor about the benefits of these programs, then citizens' trust in the state will become a larger issue and will have little or no effect on their dependence on criminals. Moreover, the assumption that there is still some legitimacy behind the Coke's name suggest that more community leaders backed by state and local governments need to be trained to fill these gaps in leadership.

The attractiveness of Ponzi schemes, especially in developing country context, indicates that ordinary citizens need more access to better banking solutions that allow them to increase their wealth. While this may help to reduce their appeal, it may not have a major impact on an individual's propensity to take risks and invests in these schemes for whatever reasons. Law enforcement agencies may also have to be more vigilant and proactive in targeting these scams. Other reforms include plugging gaps in enforcing current regulations and laws, supporting other law enforcement entities outside of the police force like the FSC, and addressing the problem of corruption in order reduce the likelihood that CFNs can develop.

Reform Anti-Corruption Regimes

Analysis of the supportive CFNs in each case indicates that corruption is a significant problem that must be addressed in order to create a more hostile environment for crime. This is a very challenging task since it is dependent on the some of the same corrupt institutions and individuals to implement and sustain these reforms. It took decades for a cultural revolution in Italy to support anti-mafia sentiments in the 1990s but corruption is still a major concern in the country. This indicates that changes in the wider political and electoral systems will be slower, more contentious, and possibly smaller.

Anti-corruption regimes in many developing countries are usually weak or woefully inadequate. In some cases, they may not have the resources to develop this infrastructure while in others, like Jamaica, some members of the dominant political parties have been major sources of impediments. The empirical cases highlighted the problem with the FSC and OGC's lack of prosecutorial powers in the current anti-corruption regime. This affects the credibility of these agencies and limits the timeliness of interrupting illicit activities. The Integrity Commission Act, which aims to strengthen anti-corruption institutions, was tabled in early 2014 and is still being deliberated, despite pressure to hasten the process in order to improve the quality of governance. This shows the need for compromise in order to reform this infrastructure and close loopholes that criminals and non-criminals may exploit.

Corruption in campaign finance is another major recurring problem which has been a blight on democracies in all regions of the world. In Jamaica, the Electoral Office of Jamaica has attracted support for its proposed bill to reduce corrupt influences in the electoral system; however, it is yet to be tabled in parliament because of disagreements

between the two main parties about definitions of corruption and its impact negative impact on campaign donations, among other issues. This lack of support to reform anti-corruption regimes illustrates a major limitation in depending on the competitiveness of two-party systems to deter corruption. A plausible solution is to support a third party candidate with widespread appeal to citizens who can help broker the impasse between the parties over reforms. The challenge is that only a few third party candidates in democracies enjoy such legitimacy and have had any impact on elections.

Another problematic area is corruption in public procurement. Some of the most powerful criminal organizations have gained access to lucrative government contracts which further helps to empower them in the spaces that they control. This indicates the need to reduce access to these resources by limiting the influence of political actors on public procurement systems. One way to do so is to encourage public procurement systems to be compliant with international standards and certifications. Reforms should also increase the risks for transnational corporations to bribe political officials. This means that the US, Britain, and OECD countries would also have to be willing to punish firms that violate their own anti-bribery laws.

Strengthen Court Systems

Courts are often overlooked when discussing policies to target crime and corruption. This creates vulnerability in the criminal justice system because strengthening local law enforcement and implementing legislations require functioning and efficient court systems. For example, Jamaica had passed the Anti-gang legislation after Coke's extradition as a means to target organized crime groups operating in the country. Several

gang members have been arrested under the law but are yet to be prosecuted because of backlogs in the system. This is reflective of a larger problem due to budget constraints which, in turn, has resulted in the shortage of prosecutors and a weak infrastructure, among other issues. Policy-makers must increase budget support for criminal courts and treat them with the same level of importance as they do law enforcement officials. Attaining this balance in the criminal justice system would help to improve policy outcomes.

Access to the legal system is another major area of concern. This was reflected in the Tivoli Commission of Enquiry¹ in which communications between citizens from West Kingston's marginalized communities and representatives of the legal system were very challenging due to language barriers. Class differences create impediments to justice and reduce the willingness of the poor to trust the legal system. This is contrasted with the ease with which some citizens were able to report problems to Coke when he had dominated the area. A possible solution, therefore, is to create and support more local community justice programs in marginalized areas that allow citizens to voice their complaints and resolve their problems.

Partner with Civil Society Organizations

Civil society organizations can be influenced by illicit networks; however, those that are not compromised are necessary partners in tackling organized crime and corruption. Organizations specifically focused on targeting corruption and improving the social well-being of citizens can help to hold public actors accountable for their actions,

¹ This is a formal enquiry into the Tivoli Gardens incursion in 2010 to apprehend Coke.

encourage cultural revolutions through public campaigns, and play an instrumental role in addressing citizens' needs especially in marginalized neighborhoods. In other words, civil society organizations can help to make society less tolerant of crime and corruption.

The problem is that some of these organizations are often very weak in developing countries. Thus, some are not as aggressive in addressing these major concerns or become inactive over a period of time because of they lack funding. This is an important area in which international assistance is critical because it may not be in the interest of some state actors, especially those who corrupt, to not support them. They may also need training in sustaining public support and translating this endorsement into active memberships.

APPENDIX A

SAMPLE INTERVIEW QUESTIONS

Drug Trafficking

1. What are some of the challenges that politicians face in managing their constituencies?
 - a. How do they deal with these challenges?
2. Why do persons like Coke have so much influence?
 - a. What was the nature of the relationships between Coke and members of the parties, the state, private sector, civil society organizations, and ordinary citizens?
3. How were the extortion markets in downtown Kingston divided?
4. Compared to Kingston, what is the nature of the relationship between gang leaders and politicians in Montego Bay and St. Ann?
5. Are there garrisons in Montego Bay or St. Ann? If yes, do you know if Ramcharan and Nembhard controlled garrisons?
 - a. To what extent did they influence the communities in which they lived?
 - b. Were they affiliated with any gangs in the area?
 - c. Did their arrests result in mass demonstrations as was the case with Coke in 2010?
6. What was the nature of the relationships between Ramcharan/Nembhard and members of the parties, the state, private sector, civil society organizations, and ordinary citizens?
7. Is there a relationship between the narcotics trade and lotto scamming, especially in MoBay?
 - a. Who or which group controls lotto scamming in the area?

- b. Do they have any connections with any party leaders, politicians, and members of the state, businessmen, or criminals?

Financial Services

1. Are informal investment schemes popular in Jamaica?
 - a. What do they provide/offer that ordinary financial institutions do not?
2. What was the nature of the relationships between David Smith and members of the parties, the state, private sector, civil society organizations, and ordinary citizens?
3. How is it that Olint was operating for almost a year or more before being noticed by any law enforcement body?
 - a. After the cease and desist order, Smith could have applied for a license to trade securities. Why do you suppose that he did not do so?
4. David Smith was eventually charged for his crimes in the TCI and the US.
 - a. Why do you think that he was not prosecuted in Jamaica?

Trafigura Scandal

1. What was your impression of the Trafigura scandal?
 - a. Are there any other similar scandals that have occurred since recently?
2. Other than Campbell, do you know the names of individuals from Trafigura, the PNP, or any other entity who were involved?
 - a. If yes, who were they and what was the nature of their relationships?
 - b. Would you define this as corruption?
3. Are there any laws in Jamaica that state how these matters should be handled?
 - a. If not, are there any accountability mechanisms?
4. Why has the case stalled for so long in court?

APPENDIX B

MEASURING STATUS IN THE ACTIVE CFNS

As mentioned in the methodology, the status of each actor in all active CFNs, except Trafigura, was estimated using measures of centrality in social network analysis. The four measures included in this dissertation are degree centrality, normalized degree centrality, betweenness centrality, and normalized betweenness centrality.¹ Degree and betweenness centrality were estimated using Gephi and the normalized values for both indicators were calculated in Microsoft Excel. The indicators are described and calculated as follows:

Degree Centrality

The degree centrality of an actor is the sum of all ties an actor has in a network.

$$DC = \sum_j^n x_{ij}$$

Where:

x_{ij} = the value of the tie from actor i to actor j .

n = the number of actors in the network

The value of the tie will be 1, if there is a relationship, or zero if there is none.

¹ Borgatti, Everett, Johnson, *Analyzing Social Networks*; Wasserman and Faust, *Social Network Analysis*; Prell, *Social Network Analysis*.

Normalized Degree Centrality

The normalized degree centrality of actor is the proportion of all the ties in the network that includes the actor.

$$DCN = \frac{DC}{n - 1}$$

Where:

DC = the degree centrality of the actor

n = the number of actors in the network

$n - 1$ = the maximum total number of connections.

The value of the normalized degree centrality ranges from zero to one. Actors closer to one are more active in the network and those closer to zero are less active. The values are expressed as percentages and ranked from highest to lowest as shown in Appendix C.

Betweenness Centrality

The betweenness centrality of an actor is a measure of the number of times the actor sits on the shortest path linking two actors together.

$$BC = \sum (g_{ijk}) / (g_{ik}), i \neq j \neq k$$

Where:

g_{ijk} = the number geodesics (shortest paths) connecting i and k through j

g_{ik} = is the total number of geodesic paths connecting and i and k .

Normalized Betweenness Centrality

The normalized betweenness centrality of an actor is the number of times he sits on the shortest path between two actors as a proportion of the maximum geodesics in a network.

$$BCN = BC / [(n - 1)(n - 2)] / 2$$

Where:

BC = the between centrality of actor

n = the number of actors in the network

$[(n - 1)(n - 2)] / 2$ = the maximum geodesic in an undirected network

The value of the normalized betweenness centrality ranges from zero to one. Actors closer to one are more influential in the network and those closer to zero are less influential. The values are expressed as percentages and ranked from highest to lowest as shown in Appendix C.

APPENDIX C

RESULTS OF CENTRALITY MEASUREMENTS²

Table 16: Status in the Shower Posse's Active Network

Node	Role	Influence			Involvement		
		BC	BCN	BCN Rank	DC	DCN	DCN Rank
Coke	Kingpin	1562.92	68.61	1	66	97.06	1
Jermaine	Enforcer	603.42	26.49	2	46	67.65	2
Anthony	DocRacket	51.00	2.24	3	16	23.53	3
CW1	Enforcer	7.00	0.31	4	7	10.29	5
Tugman	Enforcer	3.25	0.14	5	8	11.76	4
Petal	Courier	2.50	0.11	6	4	5.88	8
Justin	Bookkeeper	0.67	0.03	7	5	7.35	7
Avasha	Enforcer	0.25	0.01	8	5	7.35	7
Andrew	Enforcer	0.00	0	9	4	5.88	8
Bleachy	Enforcer	0.00	0	9	2	2.94	10
Blood	Enforcer	0.00	0	9	2	2.94	10
Brown	Enforcer	0.00	0	9	4	5.88	8
Bugabah	Enforcer	0.00	0	9	6	8.82	6
BullBay	Enforcer	0.00	0	9	4	5.88	8
Coach1	DocRacket	0.00	0	9	4	5.88	8
Coach2	DocRacket	0.00	0	9	4	5.88	8
Coach3	DocRacket	0.00	0	9	4	5.88	8
Corey	Enforcer	0.00	0	9	5	7.35	7
Cowman	Enforcer	0.00	0	9	2	2.94	10
Cutter	Enforcer	0.00	0	9	2	2.94	10
David	Enforcer	0.00	0	9	4	2.94	10
Dwight	DocRacket	0.00	0	9	1	1.47	11

² BC is the value of the betweenness centrality score for each actor; BCN is the value of the normalized betweenness centrality for each actor; DC is the value of the degree centrality score for each actor; and DCN is the normalized degree centrality for each actor. All tables are ranked by BCN from highest to lowest.

Fabian	Enforcer	0.00	0	9	7	10.29	5
Fatman	Enforcer	0.00	0	9	2	2.94	10
Gigi	Weapons	0.00	0	9	3	4.41	9
Girl1	Courier	0.00	0	9	2	2.94	10
Girl2	Courier	0.00	0	9	2	2.94	10
Girl3	Courier	0.00	0	9	2	2.94	10
Girl4	Courier	0.00	0	9	2	2.94	10
Girl5	Courier	0.00	0	9	2	2.94	10
Girl6	Courier	0.00	0	9	2	2.94	10
Girl7	Courier	0.00	0	9	2	2.94	10
Girl8	Courier	0.00	0	9	2	2.94	10
Girl9	Courier	0.00	0	9	2	2.94	10
Girl10	Courier	0.00	0	9	2	2.94	10
Girl11	Courier	0.00	0	9	2	2.94	10
Girl12	Courier	0.00	0	9	2	2.94	10
Greg	Enforcer	0.00	0	9	4	5.88	8
Gummy	Enforcer	0.00	0	9	3	4.41	9
Humphrey	Transporter	0.00	0	9	4	5.88	8
Jenga	Enforcer	0.00	0	9	6	8.82	6
John	Weapons	0.00	0	9	2	2.94	10
Julian	Enforcer	0.00	0	9	2	2.94	10
Keith	Weapons	0.00	0	9	1	1.47	11
Kevin	Enforcer	0.00	0	9	7	10.29	5
Lente	Seller	0.00	0	9	2	2.94	10
Leon	Enforcer	0.00	0	9	2	2.94	10
Lice	Enforcer	0.00	0	9	7	10.29	5
Mandela	Enforcer	0.00	0	9	4	5.88	8
SacorMarks	Enforcer	0.00	0	9	6	8.82	6
ShatteeMarks	Enforcer	0.00	0	9	6	8.82	6
Marvin	Enforcer	0.00	0	9	7	10.29	5
Milton	Seller	0.00	0	9	2	2.94	10
Omar	Enforcer	0.00	0	9	7	10.29	5
Omyas	Enforcer	0.00	0	9	3	4.41	9
Pamela	Storage	0.00	0	9	3	4.41	9
Pele	DocRacket	0.00	0	9	1	1.47	11
Peter	Enforcer	0.00	0	9	7	10.29	5
Ricky	Enforcer	0.00	0	9	2	2.94	10
Screbeng	Enforcer	0.00	0	9	3	4.41	9
Shortman	Enforcer	0.00	0	9	2	2.94	10

Skip	Storage	0.00	0	9	2	2.94	10
Stumbo	Enforcer	0.00	0	9	2	2.94	10
TallMan	Seller	0.00	0	9	6	8.82	6
TBum	Enforcer	0.00	0	9	5	7.35	7
Teisha	Courier	0.00	0	9	3	4.41	9
Trevor	Enforcer	0.00	0	9	3	4.41	9
Twinnny	Enforcer	0.00	0	9	5	7.35	7
Wally	Transporter	0.00	0	9	3	4.41	9

Table 17: Status in the North Coast Network's Active Network

Actor	Role	Influence			Involvement		
		BC	BCN	BCN Rank	DC	DCN	DCN Rank
Cesar	Supplier	1464	26.82	1	34	32.38	1
Robroy	Distributor	1333	24.42	2	27	25.71	5
Leebert	Kingpin	1328	24.32	3	28	26.67	4
Alex	Courier	1217	22.29	4	29	27.62	3
Gabriel	Bookkeeper	1021	18.70	5	33	31.43	2
Donovan	Distributor	554	10.14	6	19	18.10	6
Freddi	Courier	357	6.53	7	13	12.38	9
Cordelio	Transporter	355	6.51	8	13	12.38	9
Paul	Enforcer	317	5.81	9	16	15.24	7
LuisN	Transporter	275	5.03	10	10	9.52	11
Omar	Enforcer	217	3.97	11	7	6.67	14
Delroy	Inspector	167	3.06	12	13	12.38	9
James	Inspector	125	2.29	13	8	7.62	13
Julio	Supplier	97	1.78	14	14	13.33	8
Glenford	Seller	92	1.68	15	5	4.76	16
William	Supplier	90	1.66	16	7	6.67	14
Norris	Kingpin	84	1.54	17	10	9.52	11
CesarM	Courier	61	1.11	18	4	3.81	17
CarlosZ	Processor	60	1.10	19	4	3.81	17
Manuel	Storage	60	1.10	19	4	3.81	17
John	Transporter	60	1.09	20	11	10.48	10
LuisF	Supplier	51	0.94	21	8	7.62	13
CarlosP	Enforcer	49	0.89	22	3	2.86	18
Marucio	Courier	48	0.88	23	7	6.67	14
Ferdinand	Transporter	44	0.80	24	4	3.81	17
Nelson	Supplier	41	0.76	25	8	7.62	13
EdgarS	Wholesaler	33	0.60	26	9	8.57	12
Keniel	Courier	31	0.57	27	6	5.71	15
Clasford	Transporter	31	0.56	28	10	9.52	11
Turco	Courier	29	0.53	29	5	4.76	16
Vivian	Bookkeeper	28	0.51	30	6	5.71	15
Dien	Courier	24	0.44	31	3	2.86	18
LuisS	Seller	22	0.39	32	2	1.90	19
LuisA	Wholesaler	16	0.29	33	3	2.86	18
Francis	Seller	15	0.28	34	6	5.71	15

Presley	Seller	11	0.20	35	5	4.76	16
Norman	Courier	9	0.17	36	5	4.76	16
Mikey	Distributor	8	0.15	37	7	6.67	14
Beto	Supplier	8	0.15	37	3	2.86	18
CarlosC	Inspector	7	0.12	38	6	5.71	15
William2	Inspector	7	0.12	38	6	5.71	15
Miguel	Transporter	7	0.12	38	4	3.81	17
Junior	Courier	6	0.12	38	6	5.71	15
MiguelM	Seller	4	0.08	39	4	3.81	17
Vincent	Inspector	3	0.05	40	4	3.81	17
Joseph	Seller	2	0.04	41	4	3.81	17
Repollo	Supplier	2	0.04	41	3	2.86	18
Herbert	Enforcer	1	0.02	42	5	4.76	16
Hernan	Wholesaler	1	0.02	42	4	3.81	17
Cobb	Seller	1	0.02	42	3	2.86	18
Ivan	Storage	1	0.02	42	3	2.86	18
LuisNE	Courier	1	0.02	42	3	2.86	18
Faustino	Courier	1	0.01	43	6	5.71	15
Juan	Courier	1	0.01	43	6	5.71	15
Sergio	Transporter	1	0.01	43	3	2.86	18
Berardo	Courier	0	0.01	43	4	3.81	17
Boti	Courier	0	0.01	43	4	3.81	17
Emiro	Wholesaler	0	0.01	43	4	3.81	17
OscarP	Distributor	0	0.01	43	4	3.81	17
Andres	Transporter	0	0.00	44	6	5.71	15
Charles	Transporter	0	0.00	44	6	5.71	15
Gilberto	Seller	0	0.00	44	6	5.71	15
Jasme	Transporter	0	0.00	44	6	5.71	15
Michael	Transporter	0	0.00	44	6	5.71	15
Ramon	Transporter	0	0.00	44	6	5.71	15
Alwayn	Courier	0	0.00	44	5	4.76	16
Conroy	Courier	0	0.00	44	5	4.76	16
David	Wholesaler	0	0.00	44	5	4.76	16
Fabio	Transporter	0	0.00	44	5	4.76	16
Javier	Supplier	0	0.00	44	5	4.76	16
Luin	Transporter	0	0.00	44	5	4.76	16
Pollo	Transporter	0	0.00	44	5	4.76	16
Elvis	Courier	0	0.00	44	4	3.81	17
Jiovanni	Processor	0	0.00	44	4	3.81	17

OscarM	Processor	0	0.00	44	4	3.81	17
RamonG	Processor	0	0.00	44	4	3.81	17
Vince	Courier	0	0.00	44	4	3.81	17
Mark2	Inspector	0	0.00	44	4	3.81	17
Felipe	Courier	0	0.00	44	3	2.86	18
Oney	Courier	0	0.00	44	3	2.86	18
Ricardo	Courier	0	0.00	44	3	2.86	18
Ulrick	Courier	0	0.00	44	3	2.86	18
Warehouseman	Enforcer	0	0.00	44	3	2.86	18
Billy	Courier	0	0.00	44	2	1.90	19
Capulina	Courier	0	0.00	44	2	1.90	19
Edgar	Courier	0	0.00	44	2	1.90	19
GabrielS	Courier	0	0.00	44	2	1.90	19
Juanqui	Seller	0	0.00	44	2	1.90	19
Leon	Courier	0	0.00	44	2	1.90	19
Osama	Enforcer	0	0.00	44	2	1.90	19
Roberto	Transporter	0	0.00	44	2	1.90	19
Trevor	Transporter	0	0.00	44	2	1.90	19
Winston	Courier	0	0.00	44	2	1.90	19
Gary	Courier	0	0.00	44	2	1.90	19
Damian	Courier	0	0.00	44	2	1.90	19
Ali	Courier	0	0.00	44	1	0.95	20
Amaru	Inspector	0	0.00	44	1	0.95	20
BramBram	Seller	0	0.00	44	1	0.95	20
Brent	Seller	0	0.00	44	1	0.95	20
Lucas	Courier	0	0.00	44	1	0.95	20
Mark	Courier	0	0.00	44	1	0.95	20
Maria	Courier	0	0.00	44	1	0.95	20
Noel	Seller	0	0.00	44	1	0.95	20
PaulC	Enforcer	0	0.00	44	1	0.95	20
Phil	Seller	0	0.00	44	1	0.95	20
Jhon	Inspector	0	0.00	44	1	0.95	20

Table 18: Status in John Wildish's Active Network

Actor	Role	Influence			Involvement		
		BC	BCN	BCN Rank	DC	DCN	DCN Rank
John	Assist	258	79.49	1	22	84.62	1
David	Fraudster	47	14.46	2	12	46.15	2
Troy	CharRef	25	7.69	3	2	7.69	7
Jacob	Financial	4	1.28	4	5	19.23	4
Kim	Financial	4	1.28	4	3	11.54	6
Peter	Assist	4	1.18	5	6	23.08	3
Jared	Financial	3	0.97	6	4	15.38	5
Isaac	Financial	2	0.62	7	4	15.38	5
Tracy	Assist	1	0.21	8	5	19.23	4
ChrisB	CharRef	1	0.15	9	2	7.69	7
Ariel	Legal	1	0.15	9	1	3.85	8
Brian	Financial	0	0.10	10	4	15.38	5
Neville	Regulator	0	0.10	10	4	15.38	5
Jenny	Management	0	0.00	11	4	15.38	5
Judy	Management	0	0.00	11	4	15.38	5
Joey	Assist	0	0.00	11	3	11.54	6
Hardy	Unknown	0	0.00	11	2	7.69	7
Ivor	Financial	0	0.00	11	1	3.85	8
Adam	Financial	0	0.00	11	1	3.85	8
Peter2	Legal	0	0.00	11	1	3.85	8
Mark	Unknown	0	0.00	11	1	3.85	8
Steven	Legal	0	0.00	11	1	3.85	8
ChrisL	CharRef	0	0.00	11	1	3.85	8
Hugh	CharRef	0	0.00	11	1	3.85	8
Keith	CharRef	0	0.00	11	1	3.85	8
Conley	CharRef	0	0.00	11	1	3.85	8
Savage	Legal	0	0.00	11	0	0.00	9

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