



CSU Fresno  
Dept. of Criminology  
Newsletter LV

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Since January 2007



Global News



**THE BORYOKUDAN  
COMBATTING ORGANIZED CRIME**

Japan's criminal organizations have many different names but are generally referred to as the Boryokudan or Yakuza. Their membership consists of persons of all ages and while some of the younger lower level members are much like gang members in the U.S., with distinctive dress, tattoos and mannerisms, upper level management functions like a typical crime syndicate. The Boryokudan also operate legitimate businesses as a front for their illegal activities, and a major source of income is the practice of extortion.

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In 2010 about 45% of all persons arrested for extortion or blackmail were Boryokudan members.

In the ongoing battle to reduce or eliminate Boryokuan activities, Japanese prefectures have been very active in passing what could be called Organized Crime Abatement and Prevention legislation, and the latest bill is effective 1 October 2011. The bill has a similar intent to the U.S. Senate Bill S. 132: Gang Abatement and Prevention Act of 2009, which was never passed.

On 24 July 2011 president Obama signed an executive order officially designating the Yakuza (a.k.a. Boryokudan; a.k.a. Gokudo) as one of four transnational criminal organizations which represent a danger to the U.S. and other countries, are entrenched in governments and financial institutions, and which threaten the stability of entire governments.

<http://www.whitehouse.gov/the-press-office/2011/07/25/executive-order-blocking-property-transnational-criminal-organizations>

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**EXECUTIVE ORDER...**

The other three transnational criminal organizations listed in the executive order were:

1. THE BROTHERS' CIRCLE (f.k.a. FAMILY OF ELEVEN; f.k.a. THE TWENTY)
2. CAMORRA
3. LOS ZETAS

The latest Anti-Boryokudan legislation in Japan places increased restrictions on the activities by organized crime and increases the pressure on legitimate businesses and/or persons not to assist the Boryokudan in any fashion.

It criminalizes business dealings with the Boryokudan and in extortion cases the victim becomes a criminal by paying off the Boryokudan. Police have a policy, though, that if a victim reports payoffs to the Boryokudan before police are aware of it, no criminal action is filed against the victim and police will even assist the individual in cutting their connection with the Yakuza/Boryokudan. As further ammunition against organized crime, police can "OUT" the names of persons paying off the Boryokudan, including the publishing of their photos, business names and locations, and other identifying information.

**東京都暴力団排除条例の概要**

※「東京都暴力団排除条例」が制定され、平成23年10月1日に施行されます。

**【目的】**  
暴力団が市民の生活や事業活動に介入し、これを背景とした資金獲得活動によって、市民等に多大な脅威を与えている現状にかんがみ、市民の安全かつ平穏な生活を確保し、事業活動の健全な発展に寄与すること。

**【基本理念】** 「暴力団を恐れない」「暴力団に金を出さない」+「暴力団と交際しない」「暴力団を利用しない」

**1 暴力団排除活動の推進に関する基本的施策等**

(1) 都の事務事業に係る暴力団排除措置  
暴力団関係者を公共工事の入札に参加させない等、都の公共事務・事業から排除すること。  
入札させろ！ 暴力団は排除します！

(2) 青少年の教育に対する支援  
青少年の教育又は育成に関わる者が暴団教育を内閣に行うことができるよう、必要な支援を行うこと。

(3) 暴力団からの脆弱促進  
暴力団からの脆弱を促進するため、情報の提供や指導、助言等を行うこと。  
ヤブザヤめたいや、脅かすぞだよ。 脆弱促進してあげよう。

(4) 保護措置  
暴力団の排除活動等により、暴力団から危害を加えられるおそれがある者に対し、警察が保護のための必要な措置を講ずること。

**2 市民等の役割（努力義務）**

(1) 青少年に対する措置  
青少年の教育又は育成に関わる者は、青少年に対して、暴力団に加入することや暴力団員による犯罪被害を受けられないよう、指導・助言等を行うよう努めること。

(2) 祭礼等における措置  
祭礼、花火大会、興行等の主催者等は、行事の運営に暴力団関係者を関与させないよう努めること。

**3 禁止措置**

(1) 暴力団事務所の開設及び運営禁止  
学校等の敷地の周囲200メートルの区域内において、暴力団事務所を開設、又は運営してはならない。  
引越してきました。ご近所同士よろしくね。 違反した場合は「罰則」

(2) 青少年を暴力団事務所へ立ち入らせることの禁止  
正当な理由なく、青少年を暴力団事務所へ立ち入らせてはならない。  
うちの事務所に遊びに来いよ。 違反した場合は「命令及び公表」さらに命令に違反した場合は「罰則」

(3) 妨害活動の禁止  
何人も暴力団の勢力を利用して、他人の名義を利用してはならない。  
暴団活動やめるまでつきまといやめ！ 違反した場合は「命令」さらに命令に違反した場合は「罰則」

(4) 他人の名義利用の禁止  
暴力団員である事業を継続する目的で、他人の名義を利用してはならない。  
(隠蔽する目的を知って利用させることも禁止)  
名刺や契約書でしきたりしてくれ。 で私共すえのよ名義書を。 違反した場合は「命令・公表」自主申告した場合、勧告等の「適用除外」

(5) 事業者の暴力団関係者に対する利益供与の禁止

① 事業者は暴力団の勢力を利用する目的で利益を提供してはならない。(暴力団関係者が利益を受取ることも禁止)  
② 事業者は暴力団の活動を助長する目的で利益を提供してはならない。(暴力団関係者が利益を受取ることも禁止)  
③ 利益供与の事業等について、事業者が自ら申告した場合は、事業者の措置を行わない。(※威力利用目的の利益供与は除く)  
違反した場合は「命令・公表・罰則」 自主申告した場合は、勧告等の「適用除外」

Information page on new ordinance restricting Boryokudan activities at the website of the Tokyo Metropolitan police: <http://www.keishicho.metro.tokyo.jp/sotai/image/qaiyou.pdf>

## THE BORYOKUDAN/YAKUZA...

This practice not only results in such persons or businesses being shamed, but also in customers shunning them and their businesses. Banks will then refuse them credit once they are publicly identified as cooperating with the Boryokudan, and property owners will evict them or refuse to renew their leases.

<http://www.japansubculture.com/2011/10/october-1st-nationwide-in-japan-anti-yakuza-laws-go-into-effect-do-tell-we-wont-ask/>

This new approach is considered to be very effective in stopping people from having any interaction with Boryokudan members. Additional action is also being taken against front companies operated by the Boryokudan. One of them is an ordinance that such companies may not be located close or near schools and other rules listed on the Japanese language poster on the previous page.



Announcement of new ordinance/law at website of Tokyo Metropolitan Police

[http://www.keishicho.metro.tokyo.jp/sotai/haijo\\_seitei.htm](http://www.keishicho.metro.tokyo.jp/sotai/haijo_seitei.htm)

As a result of the latest strengthening of the law, the Boryokudan have become desperate. The residences or offices of legislators and community organizations united against the Boryokudan have recently been shot at or sent mail bombs. Times are getting difficult for organized crime in Japan. The changing legal environment and shaming of those who cooperate with the Boryokudan has also had its impact on Sumo wrestling and the entertainment industry in general, with well-known celebrities losing their jobs or having to resign.

Because of continually being squeezed by government and police in a variety of ways in Japan, the Yakuza has been aggressively expanding its business activities in the U.S., Europe, and South America. Just one example of how it has impacted the U.S. was described in an article by Gary W. Potter, published by the Division on Critical Criminology - American Society of Criminology:

### *The Bush Family: A Continuing Criminal Enterprise?*

The author showed that in 1989, Prescott Bush, the brother of George Bush Sr., was instrumental in helping a Yakuza front company invest in U.S. corporations for a fee of \$500,000. Interestingly, the same year (1989) President Bush Sr. eliminated regional organized crime strike forces.

<http://critcrim.org/critpapers/potter.htm>

Their elimination was very controversial, after the strike forces successfully shut down Mafia operations in the United States. The strike forces were not controlled by the U.S. attorneys offices and enjoyed a high level of independence from political influence.

## TRANSNATIONAL ACTIVITIES...

This political independence from the Attorney General's office appeared to have been a thorn in the side of the administration and then Attorney General Thornburgh supported the elimination of these independent strike forces.

[http://articles.sun-sentinel.com/1989-03-19/news/8901150183\\_1\\_strike-forces-thornburgh-force-lawyers](http://articles.sun-sentinel.com/1989-03-19/news/8901150183_1_strike-forces-thornburgh-force-lawyers)

The reach and influence of the Japanese Yakuza is extensive and present in all types of businesses and organizations. It may, for example, have been used by four upper level Yakuza members to receive liver transplants at the UCLA medical center while at the same time hundreds of other patients died while waiting for a new liver.

<http://search.japantimes.co.jp/cgi-bin/nn20080531f3.html>

in June 2009 Citibank in Japan was punished with a one month suspension of its retail activities for not exercising more caution during money laundering activities by Yakuza members.

<http://search.japantimes.co.jp/cgi-bin/nb20090627a2.html>

## GERMANY



### Taxing street walkers

German cities lack uniformity in regulating street prostitution and have so far been ineffective in collecting any sort of taxes or revenue from street level prostitutes. In a

new approach, the city of Bonn has placed ATM type machines in areas frequented by prostitutes and asks them to use these machines which are similar to parking meters, to first obtain a ticket/pass for providing their services during the main night-time business hours from 20.15-6.00. Street prostitution is prohibited during day time hours and each pass is valid for one working shift on one of the three allowable evenings or nights per week.

### Is the Ph.D. valid forever?

The doctoral dissertations of Karl-Theodor zu Guttenberg, the former German minister of defense, and Silvana Koch-Mehrin, a high profile member of the German parliament and also a member of the European parliament, have been found to contain massive plagiarism, often involving multiple pages of direct copying without any citation of sources. In the ensuing scandal, the doctorates were rescinded by the universities awarding them. Guttenberg has since resigned from his post and is now listed as a distinguished statesman giving lectures at the „Center for Strategic and International Studies (CSIS) in Washington.

This scandal has resulted in a group of civic minded individuals reviewing all dissertations of high level officials to determine if the problem is more wide spread than thought, and there are indications that plagiarism has also been found in the doctoral dissertations of other politicians.

It is noteworthy that in some German states, a person's doctorate can be taken away if the individual is sentenced to jail/prison for longer than one year. It can also be taken away if the person later publishes fraudulent data in other research or engages in

## RESCINDING A DOCTORATE...

activities that violate the dignity of a doctorate.

### TURKEY



### Don't mess with prayers!!

With a significant shift towards a more radical form of Islam by the current government of the Turkish Prime Minister Recep Tayyip Erdogan, journalists have to tread lightly in their treatment of Islam. Bahadir Baruter, a cartoonist for the Turkish magazine Penguen published a drawing in which an imam and attendees are reciting a prayer in a mosque.

[\(http://www.penguen.com/\)](http://www.penguen.com/)

One of the attendees is using his cell phone to call „god“ to ask if he could leave off the last part of the prayer since he has other things to do or take care of....In the cartoon he then says on the cell phone “Thank you my god. Have a nice day.” Integrated in the mosaic of the mosque’s wall in the drawing were the words “there is no god, religion is a lie.”

As a result of this cartoon, the author has been arrested and charged with offending Islam. It was also seen as particularly offensive that Baruter did not use the term Allah, but a more general term for God typically used by other religions.

## EMPLOYMENT NEWS

### Chief of Investigations for the Fresno County District Attorney

Recruitment #11-1797-0058

Salary: \$105,000+ DOQ

Filing deadline: 10/21/2011 4:00:00

#### Detailed information at:

<http://www.jobaps.com/fresno/sup/BulPrevie.asp?R1=11&R2=1797&R3=0058>

## AUTO THEFT PREVENTION

Of the 10 cities in the U.S. with the highest rates of auto theft, eight are in California:

1. Fresno, CA
2. Modesto, CA
3. Bakersfield, CA
4. Spokane, WA
5. Vallejo, CA
6. Sacramento, CA
7. Stockton, CA
8. Visalia, CA
9. San Francisco-Oakland, CA
10. Yakima, WA

[www.nicb.com](http://www.nicb.com)

Border states like California, Arizona, Texas and New Mexico, also experience the problem of vehicles being stolen and then quickly taken across the border into Mexico. Texas and Arizona attempted to address this particular problem with a state-wide program that allows vehicle owners to register their vehicle in H.E.A.T. (help eliminate auto theft) programs. Once registered, the vehicle owner receives a numbered decal that is affixed to the inside of the left side of their rear window. This gives police authority to

## AUTO THEFT...

stop and check the vehicle or driver anytime between 0100 and 0500 at night/ in the morning and anytime the vehicle is spotted within one mile of the Mexican border. Interestingly, that one mile standard used to be 25 miles or greater, but for unknown reasons was changed to just one mile. The program registration is also connected to the DMV license plate system, so that if an officer checks a license plate, it will also indicate if the owner is in the H.E.A.T. program.

Additional information on the H.E.A.T. programs in Arizona and Texas can be accessed as indicated below:



<http://www.azwatchyourcar.com/>



[https://records.txdps.state.tx.us/DPS\\_WEB/Heat/](https://records.txdps.state.tx.us/DPS_WEB/Heat/)

A similar program called Combat Auto Theft (C.A.T.) but not involving border checks, has been in existence in New York City for many years. Below a picture taken of a decal in a car window while visiting New York City:



## INTERESTING PHOTO

The problem of auto thefts also extends to burglaries of or thefts from vehicles. Parking garages in the city of Stockton have an interesting approach to warning motorists to secure their valuables when using the parking garages:



## CRIMINOLOGY DEPT. NEWS

### University Student I.D. Cards for Extension Degree Program students.

Mr. Anthony Forestiere, the university controller, indicated that the implementation of the new policy allowing students in off campus degree programs to obtain a university I.D. card has been delayed briefly due to the retirement of the I.D. card office manager, but that he is working with the Information Technology department to have the procedures in place to issue such cards very soon.