

Smuggling Multi-Consignment Contraband:

Isolated Incidents or a New Trend?

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Abstract

Multiple Consignment Contraband (MCC) smuggling is defined as two or more different types of contraband smuggled at the same time. This study searched for verification of MCC smuggling incidents, and all possible MCC combinations were searched for (i.e., drugs, guns, jewels, nuclear weapons, cigarettes, wildlife, immigrants, human trafficking, etc.). The search included an extensive literature review and a number of scholarly articles, books, national and international government documents, and newspaper stories. Web crawlers ran 24 hours a day every day between the years 2004 through 2009 and located key words identifying MCC incidents. This study found 16 documented cases of smugglers transporting more than one type of contraband in the same shipment. MCC shipments were frequently associated with Phase II and III smuggling organizations. MCC is occurring by land, air, and sea. A number of cases were identified where a smuggler or smuggling organization had smuggled more than one type of contraband but not in the same shipment. There were two incidents of a smuggler using multiple contrabands as a Trojan horse. There was one incident of a weapons smuggler assisting what he believed was a terrorist group involved in drug production and smuggling, with purchasing one hundred Igla surface-to-air missiles, armor-piercing rocket launchers, and combat helicopters. There was one finding of a smuggling organization having an armory that included a light anti-tank weapon.

Keywords

Developmental Smuggling Model (DSM), smuggling, alien smuggling, human trafficking, terrorist insurgence, smuggling tunnels, drug smuggling, smuggling of nuclear material, Multi-Consignment Contraband (MCC)

Introduction

There has been debate within and between agencies



that provide intelligence about smuggling organizations and law enforcement agencies that infiltrate, disrupt, and arrest smuggling organizations as to whether **Multi-Consignment Contraband (MCC)** shipments from land, air, or sea occur. For purposes of this study, any shipment containing any combination of two or more different types of contraband transported simultaneously was considered MCC.

Speculation regarding MCC smuggling in which an illegal drug smuggling network ships drugs and a nuclear weapon hidden in the drugs, with the drugs serving as a possible cover for the nuclear weapon, appeared in print in 2004. Due to this speculation, the MCC debate has been linked to the drug and weapon smuggling network. Specifically, a Harvard University publication was apparently the first to state: "Some have said that the easiest way to bring

A U.S. Navy boarding team operation from the guided missile destroyer USS Decatur (DDG 73) discovered over 50 bags of hashish, weighing 70 pound each, with a street value of around eight to ten million dollars aboard a 40-foot dhow intercepted in the Arabian Gulf. The dhow's 12 crewmembers were taken into custody. U.S. Navy photo by Photographer's Mate 2nd Class Michael Sandberg.

nuclear material into the United States would be to hide it in a bale of marijuana” (Bunn & Wier, 2004). During the time period that this article was in press (2007–2009), the issue of organized crime, terrorism, and nuclear trafficking was addressed by Zaitseva (2007). Although the authors suspect Bunn and Wier made the statement in the broader context of **highlighting the porous borders** of the United States of America, they indirectly raised the issue of MCC as well as a smuggler using multiple contrabands as a Trojan horse. Following the publication of the Developmental Smuggling Model in 2004, the lead author was asked to form an opinion regarding the MCC issue. The examiner began by asking the MCC question to members of the intelligence field, law enforcement, and transnational businesspersons.

Some in the intelligence field and transnational businesspersons consulted during this study consider the existence of MCC reasonable, while others do not. Those who argue against the existence of MCC reason that the risk, and thus, the financial cost of having two or more different types of contraband captured by law enforcement at the same time, makes the business cost associated with MCC unacceptable. Conversely, others base the argument for the existence of MCC on the theory that certain types of MCC make financial sense as the smuggling network is already established; certain types of contraband combinations do not raise the level of detection, and changing geopolitical and market pressures make MCC a reasonable business decision. For example, combining illegal immigrant or wildlife smuggling and/or illegal drug smuggling at the same time would be financially responsible; it would not raise the level of detection, and in some cases in which traditional smuggling routes are now closed, the illegal immigrants can carry the contraband over difficult terrain. Another advantage of a marriage between illegal immigrants and drug smuggling is that illegal immigrants who admitted to participation would only be incriminating themselves, and in the case of a marriage between drugs and wildlife, the wildlife cannot talk. Also, given the type of wildlife, such as snakes, lizards, etc., the custom inspectors’ fear of being bitten might impede close inspection of the shipment.

The goal of this study was to locate documentation of MCC smuggling. When MCC occurred, the next goal of the study was to report which combinations of contraband were smuggled together, which points of origin and/or designations were likely to

have which combinations of contraband, and what the combinations of contraband reflected about the smuggler or smuggling organization involved. Where possible, the authors identified the source and methods of the MCC. In a manner similar to the research that served as the foundation for the DSM, this study considered MCC smuggling not only from interdictions into the United States of America but also interdictions between multiple countries on multiple continents. In keeping with the comment made by Bunn and Wier (2004), the authors were interested in documenting incidents in which there was a relationship between weapon manufacturers or “gun runners” who are also in the business of drug smuggling or supporting terrorist groups.

The Central Intelligence Agency’s written response to the Freedom of Information Act (FOIA) request suggested that the authors contact Homeland Security. Homeland Security, Immigration and Customs Enforcement (ICE), and the United States Coast Guard’s verbal response to the FOIA requests indicated that the bureau and agencies’ database systems were not designed to code in or retrieve MCC events.

Regardless of which government agency responded to the request, each advised that its database system can search for a specific contraband (i.e., illegal drugs) and then another data variable such as a ship’s name. None of the government programs can search for two different types of contraband within the same arrest or interdiction. The response from ICE was consistent with what law enforcement agents told the lead author, which is that one, and only one, contraband can be coded in for each interdiction. The why and how for the design of these law enforcement database systems is presented by Cooper (2007). It is the belief of the lead author that each agency—such as the Central Intelligence Agency, Homeland Security, and United States Coast Guard—offered a good faith effort to address the initial research question and assisted the lead author by making suggestions regarding possible methods for finding an answer to the MCC debate. For example, one individual whose job it was to respond to the FOIA advised that he had forwarded the author’s request for documentation about MCC to field personnel in different departments; he also said that the field agents recalled having heard about other field personnel finding MCC, but he did not recall the specific details. Without these details, a search of the database system for MCC cannot be run. In addition,

another FOIA responder in yet a different government agency advised that they were also unable to run a computer search; moreover, they also took the additional step to ask field personnel if they had ever heard of MCC events. These field agents also reported that they had heard stories of MCC smuggling, but they did not recall enough details to run a database search.

One FOIA responder indicated that it might be theoretically possible to declassify government documents to search for MCC events by locating each smuggling arrest and then completing another FOIA request so that the documents of the original arrest might be declassified. The next step would be to cross-reference all written material related to the arrest, and perhaps the arresting officer might have written a personal note indicating if more than one type of contraband was found at the time of the arrest. The lead author agreed with the FOIA responders that such a paper “brute” search would take hundreds—if not thousands—of man-hours, and there was no guarantee that an arresting officer or agency would have documented MCC. In addition, finding only one MCC event would support that MCC smuggling had taken place, but it would not yield enough data to begin to look for MCC patterns.

Not unlike the FOIA responders noted above, the first author had also heard a story of a smuggling organization that would place marijuana in a car and then make sure the car was interdicted and impounded. At a later date, and well within the United States of America, the smugglers would buy the car back at a government auction. The smugglers would then retrieve the “true” contraband (cocaine) that was hidden in a location not easy to detect. The technique was referred to as a “**smuggling Trojan horse**,” as it allowed the federal law enforcement agency to accept the initial gift (the marijuana) and the car’s safe passage through the border (castle gates); then the real contraband (cocaine) could be retrieved.

The authors were told that attempts to locate MCC events were not possible using an MCC search of U.S. government databases and any “brute” search of documents would require having a reasonable guess as to which smuggling arrests contained more than one type of contraband prior to the database search. Because of the governmental agencies’ inability to process the requests for information, the lead author gathered documentation of MCC events from 2004–2009 by completing an extensive literature review in which he examined a

number of scholarly articles, books, national and international government documents, newspaper stories, and open source national and foreign government databases. Between the years 2004 and 2007, the lead author continually shared the findings from this study with the individuals who proposed the MCC question—at the same time, this article was initially submitted for academic peer review.

Documents available for review for this study indicated that organizations such as Immigration and Customs Enforcement (ICE), which is part of the Department of Homeland Security, have been successful in combating smuggling networks through interagency working groups. The Drug Enforcement Administration (DEA) has recently experienced the success of infiltrating a weapons smuggler who intended to provide surface-to-air missiles to what he believed was a drug-producing and smuggling terrorist group. The DEA success is of interest because before a group could engage in a scenario suggested by Bunn and Wier (2004), the group would first need the drug (which they had), the smuggling network (which they had), and the weapon (which someone would have to sell them). The authors discuss the importance of interagency cooperation as reflected in working groups as a method of improving their operational efficiency. The documents provide “lessons learned” from interagency cooperation examples. Smuggling organizations that present threats to government employees and government stability are highlighted.

Discussion The DSM: A Brief Overview

The Developmental Smuggling Model (DSM) classified smugglers and smuggling organizations as belonging to one of three

phases (Lichtenwald, 2003, 2004). Briefly, Phase I smugglers are either individuals, or a small group of individuals, that pool their resources and travel to other parts of their own country or occasionally travel into a foreign country for the purpose of retrieving contraband primarily for their personal or group use. Phase I smugglers or smuggling groups may sell small amounts of what they smuggle for profit to recoup their smuggling costs, and, in the case of drugs, generally use the drugs to meet their own recreation or addiction needs.

In contrast, individuals or organizations in Phase II make a concerted effort to engage in smuggling for profit. Therefore, Phase II organizations frequently conduct business in a manner that brings credibility to the individual or organization. Phase II smugglers may attempt MCC as a means of cutting the overhead of smuggling their primary contraband or as a means of upgrading to a more lucrative contraband. They may also engage in MCC to satisfy the individual interest of one of their customers, such as shipping very rare wildlife (e.g., reptile, mammals etc.) with the regular shipment, such as drugs and so on, or on account of their participation in high value transportation systems such as commercial flights that arrive and depart daily.

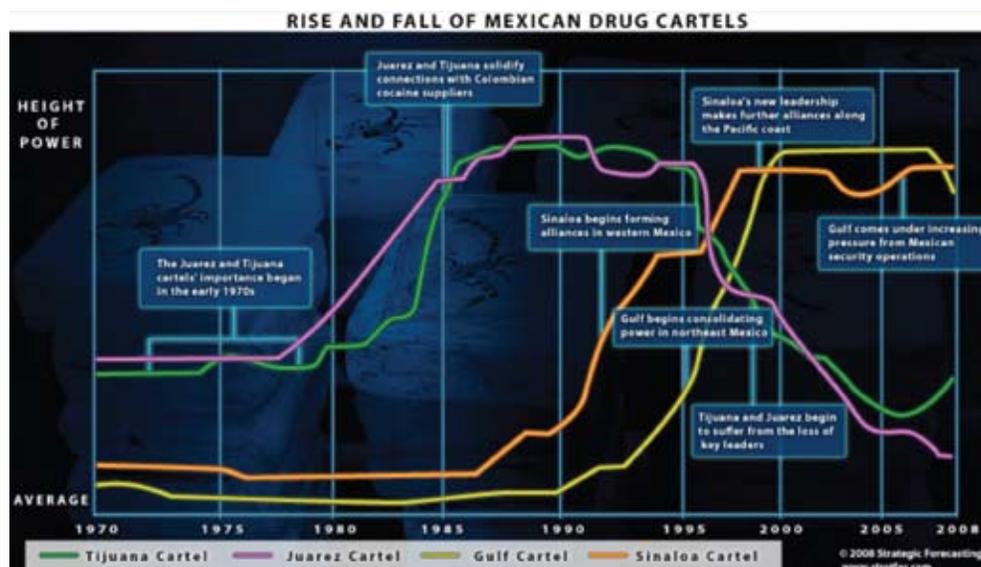
Phase III organizations already have the credibility and corporation-like status that many Phase II organizations crave. Individuals and organizations that survive to the Phase III level are organized and devoted to generating profit from criminal activities such as smuggling. Examples of Phase III organizations and their business life cycle would include the Norte del Valle Cartel, as well as the Wiber Varela, Diego Montoya, and Juan Carlos Ramirez organizations in Colombia. Others

include the Juarez, Sinaloa, or Arellano Felix Organization, also known as the Tijuana Cartel, as well as the Marcos Arturo Beltran Leyva, which is also known as the Beltran Leyva Organization in Mexico (Stratfor, 2008). **See graph below.**

The Phase III organizations make use of counterintelligence techniques such as smuggling cells, private armies, and security forces in Mexico that since 2006 have been using the Zetas, a paramilitary group, which now has territory of its own to engage in battle between each other and the Mexican government. The graph below illustrates the time span during which the different cartels were able to solidify into a Phase III organization and what has occurred to their power base since leaders have been arrested or killed. Each Mexican cartel’s main area of influence as of spring 2008 is illustrated in the map on page 20 (Stratfor, 2008).

Regardless of the murder of over 5,000 Mexican citizens during 2008, involving numerous beheadings and bombs being detonated in crowded public places to terrorize the public and erode confidence in the Mexican government, it is still possible to find recent literature written by academic criminologists and socialists who, after interviewing middle-level smugglers in United States prisons, argue that there are no hierarchical “rigidly” controlled cartels and that the smugglers are simply small cells or networks or at the worst, street gangs. The street gang reference is a curious one given that several decades ago a street gang in Chicago struck a deal with Kafadey to engage in terrorist acts against the United States.

The importance of distinguishing between an individual who had a specific job in a Phase II or Phase III organization and a Phase I smuggler was explained by Lichtenwald (2004, pp. 18-19). Nevertheless, although the academics may not know the difference between a Phase III smuggling cell and a Phase I smuggling group, the Mexican government does. President Felipe Caldero, who succeeded Fox in 2006, has deployed some 40,000 troops and police against the cartels; 2,500 federal troops and police were sent to the state of Chihuahua on the Texas southwestern border. There are those who argue that one of the factors in the escalation in violence was the power vacuum created when then President Fox signaled readiness to take on the drug cartels but plunged them into a power vacuum by arresting their leaders. These groups have



CARTEL TERRITORIES AND DRUG ROUTES



been battling each other for territory ever since, as they struggle for control with the results leading to either a loss or gain in power (see **Rise and Fall of Mexican Drug Cartels graph on page 19**). However, it has also been reported that the Zetas and Gulf cartels amicably broke their working relationship after dividing up areas of control in Tamaulipas, the United States, and Mexico. It is reported that under their agreement, the Gulf cartel controls smuggling at key border crossings, including Matamoros, Reynosa, and Tampico. The Zetas control Nuevo Laredo, the busiest transit route into the United States via the Interstate 35 corridor to Dallas and beyond; it was inevitable that the Zetas would return to challenge their former employers for wider control (Corchado, 2008).

Many in the security and intelligence field are now reporting that the Mexico drug war poses one of the biggest security threats to the United States, as the cartels are engaging each other and the Mexican government in urban combat and are forging alliances with street gangs in the U.S., drug producers in South America, and terrorists groups from around the world. The destruction of one Phase III cartel leads to the remerging of other Phase III organizations with similar ambitions, such as the Beltran Leyva Organization. These events renew interest in the Bunn and Wier (2004) scenario. It may not be necessary for a weapon of mass destruction to be smuggled into the United States; rather, the battling cartels may spark a confrontation by again

kidnapping, torturing during interrogation, and murdering a DEA special agent operating in Mexico or the United States (i.e., the murder of Enrique “Kiki” Camarena in 1985) or by firing Light Anti-Tank Weapons or a missile into the U.S. during a border incursion. Given the constellation of any number of factors, such an incident could force a confrontation between the United States and the cartels. Thus, after more than a decade, the United States could find itself once again addressing a situation similar to the 1989 issue with Manuel Antonio Noriega in Central America, or the 1993 Pablo Escobar situation in South America, both of which served as catalysts that drove and linked the geopolitical dynamics of the cartels and North America.

At their core, Phase III individuals and organizations embrace criminal values, such as a lust for wealth, and display a lack of empathy for others. By the time a smuggler or smuggling organization has entered Phase III, their business has become transnational, with business arrangements within the country of origin, the countries that warehouse the contraband, and the country delivering the contraband. They have also established security, intelligence, and counter-intelligence departments designed to avoid law enforcement and endear themselves to the various intelligence services of different countries. If necessary, the Phase III organization has demonstrated a willingness to engage in a war with a sovereign nation that opposes them. The DSM suggests that Phase II and Phase III smugglers are most likely to

engage in an MCC strategy.

MCC Case Studies

The authors’ study of open sources documents found 16 specific cases in which two or more contrabands were found in the same shipment. For each case, the authors provided in Table 1 the identifying information that would be necessary for an agency or bureau to run a government database search. As anticipated, smuggling MCC methods cluster into distinct groups reflecting different types of contraband in the same shipment. Cases where the authors were unable to verify that MCC occurred are marked with an asterisk (*); cases in which smugglers used the Trojan horse smuggling method are marked with double asterisks (**); and cases in which weapons and other contraband were smuggled are marked with triple asterisks (***)

Illegal Immigrants and Drugs

Note: In some source documents, illegal immigrants are referred to as illegal aliens.

Illegal Mexican Immigrants and Marijuana (Case 1)

The study of the Federal Response to Alien Smuggling (GAO-05-305, p. 75) listed the following case prosecuted in Federal District Court: On May 25, 2004, two members of a Mexican family allegedly arranged for the smuggling of marijuana and aliens through lanes at the San Ysidro Port of Entry. The case also included a federal employee who was working with the criminal organization involved in smuggling marijuana and aliens.

Case 1 is reflective of a Phase III organization engaged in MCC smuggling. For example, the smuggling organization had the experience and financial means to recruit government employees, control them, and compromise interdiction procedures. In Case 1, the Phase III smuggling organization based in Mexico was able to recruit United States of America government employees.

Illegal United States Immigrants and Marijuana (Case 2)

Another case study involved a border patrol agent, who, on February 22, 2005, allegedly shot and killed an illegal immigrant back-packing a bundle of marijuana. The Santa

Cruz County Sheriff's deputies reported to the news media that border patrol agents were tracking about a dozen people in an area well known for smuggling drugs and people. The agent assigned to the border allegedly fired his gun and killed one of the illegal border crossers who had a bundle of about 350 pounds of marijuana in his backpack.

Illegal Portuguese Immigrants and Cocaine (Case 3)

A Dutch-registered ship, the *Carlinda*, broke down in Portuguese waters on January 12, 2004. There was a 10-day delay between the ship's breakdown and the Lisbon, Portugal, police reporting that they received a distress call. The police reported they found 25 illegal immigrants—24 men and 1 woman from Ghana, Ivory Coast, Nigeria, Liberia, Burkina Faso, and Guinea-Bissau on the ship. The police continued the search of the ship and found 429 kilograms of cocaine.

Illegal United States Immigrants, Cocaine, Heroin, Marijuana (Case 4)

The Department of Justice in Florida filed an indictment in December 2006, against Leon Brice Johnson, who was found guilty August 26, 2008, of alien and narcotics smuggling between the Bahamas and Jupiter Island, Florida. The narcotics included 14 kilograms of cocaine, 2 kilograms of heroin, and 83 pounds of marijuana. The illegal aliens were eight Jamaicans, one Haitian, and one Romanian. There were two different smuggling runs, one in August 2006, and a second in December 2006. At the end of each smuggling run, Leon Brice Johnson, the co-captain, and Rickey Thompson, the captain and owner and operator of the vessel, ordered at gunpoint the aliens—some of whom could not swim—off the boat in perilous sea conditions. Two aliens drowned during the August run, and one drowned during the December run (LawFuel, 2007; Parker, 2008). On November 12, 2008, it was reported that Rickey Thompson was ordered to serve another 31 years due to the deaths (Holsman, 2008).

Since this incident, Florida Senator Paula Dockey sponsored state bill 502 to close the loophole in the law that did not allow Florida state and local law enforcement officers to make an arrest while engaged in their duty of patrolling waters for boating violations, in the event that they came across drug smuggling, illegal fishing, or a vessel with illicit human cargo. The loophole was that smuggling illegal immigrants, although violating a

federal law, was not a state crime. Beginning October 1, 2009, a person who transports into Florida an individual 18 years of age or older who is illegally entering the United States or has illegally remained in the United States, commits a felony of the third degree under Section 1 Section 787.07 of the Florida Human Smuggling Statutes.

Weapons and Drugs (Case 5*)**

On March 31, 2006, the official newspaper of the Vietnamese communist party, *Nhan Dan* (The People), released a news account that advised that the Hanoi-Vietnamese police had arrested 51 people, including police and border guards, in the northern Tuyen Quang province. The police accused those arrested from 2004 until 2006 with trading 70 handguns, nearly 3.2 kilos of heroin, and 814.5 kilos of opium with China. Although it is not clear if two or more contrabands were traded at the same time, *Asian-Pacific News* (2006) notes that the trading came to the attention of the authorities through two people caught with guns. The point of this reference was that one type of contraband (weapons) was investigated, and a second contraband (illegal drugs) was found to be traded.

Case 5 (see Table 1) is reflective of a Phase III organization engaged in MCC smuggling. The smuggling organizations had the experience and financial means to recruit government employees, control them, and compromise interdiction procedures. In Case 5, the Phase III organization was able to recruit employees of two different foreign government agencies.

Guns and Drugs (Case 6*)**

A 2007 case in the United States involved five men linked to a gun and drug smuggling operation based at the Orlando International Airport in Florida. Agents found one of the men, a Delta Airline baggage handler, carrying marijuana and guns in his duffel bag as he left a commercial flight from Orlando to San Juan. In cooperation, Orlando and San Juan police and the FBI broke up a major gun and drug smuggling ring. According to the reports, guns and drugs were smuggled together on several shipments from Florida to Puerto Rico (Gutierrez, 2007). It is interesting to note that because of this case, Congress demanded screening of all employees at every U.S. airport. This case is a classic example of a DSM Phase II organization that takes advantage of an existing business structure, the airline industry.

Wildlife and Drug Smuggling

The United States Fish and Wildlife Service (USFWS) reported that more than one-third of cocaine seized in the U.S. in 1993 was associated with wildlife imports (Environmental News Service, 2007). The five categories of activity identified in the reports include 1) skins and furs, 2) specialist specimen collecting, 3) caviar trafficking, 4) traditional Asian medicines, and 5) illegal timber trade, as well as activities linked to drug trafficking. The Environment News Service (2002) stated, "Each of these categories has its own often highly organized methods, markets, routes, and tricks of the trade, which included concealment, misdeclaration, permit fraud, and the laundering of illegal wildlife products through the complexities of re-exports."

Drugs and Tortoises (Case 7*): Two Different Smugglers Using the Same Transportation at the Same Time

On March 29, 2006, *The Hindu*, an Indian newspaper, reported that the Directorate of Revenue Intelligence (DRI) had broken a smuggling ring transporting ketamine hydrochloride from Thiruvananthapuram into Sri Lanka and Malaysia. The DRI intercepted the drug smuggler while he was attempting to fly to Colombo from the international airport. He had concealed the drugs in packets of flour and oats. Of note, the DRI arrested three of the drug smuggler's fellow travelers the same day on charges of smuggling Indian star tortoises, a protected wildlife species, to Colombo (Anand, 2006). Because the authors were unable to verify that the different smugglers were working together, Case 7 is marked with an asterisk.

Reptiles and Drugs (Case 8)**

The Animal Welfare Institute Quarterly (2002) reported that, while under house arrest for smuggling snakes from Indonesia, Jeffrey Allen Doth was involved in making trips to Miami to receive wildlife shipments from Guyana and then selling them to other dealers, including the infamous drug kingpin and convicted felon Mario Tabraue. A month later, Doth was present when U.S. Customs found over 100 pounds of cocaine hidden in false bottoms of reptile transport boxes. Neither U.S. Customs nor the USFWS took action against Doth.

This case is an example of an individual who appears to be a Phase II smuggler with cross-links to a Phase III drug smuggler. The intelligence or transnational analyst considering the initial arrest in Case 8 could rea-



sonably speculate that a business relationship could develop, including a joint venture between the wildlife smuggler and the drug smuggling organization identified in this case. The study of the Case 8 timeline “down stream” is that just such a joint business venture did develop. A joint business venture between a Phase II and a Phase III organization suggests additional means by which Phase III organizations could be infiltrated.

Specifically, as both Phase II and Phase III smuggling organizations search for means to increase profits, there is the introduction of other contraband “product lines.” Once the government has infiltrated the smuggling organization with the secondary product, this infiltration can be used to gain entry to the upper management of the Phase III organization who is willing to bring the secondary product into its smuggling line (Lichtenwald, 2004). Bearing in mind the statement made by Bunn and Wier (2004), this is no small point as the infiltration of the smuggling organizations will allow an “eyes on” approach to what is being smuggled. Because Case 8 is a Trojan horse smuggling case, it is marked with double asterisks.

Ivory and Drugs (Case 9)

In May 2006, U.S. Customs officials found over 5 tons of ivory hidden behind a false metal wall in a sea shipping container from Cameroon. It appeared to contain plywood at first; however, after driving it through an X-ray machine, officials discovered ivory along with traces of narcotics. Officials suggested that the crate had also been used to ship several kinds of contraband (Nielson, 2007; Kaufman, 2007).

Jaguars and Drugs (Case 10)

Speart (1994) reported a case where a trafficker named Jose Louis Cabello Diaz smuggled jaguar skins and heads into the United States from Belize. As it is illegal for endangered species’ trophies or skins to be brought into the United States, this trafficker overcame such a problem by delivering the skins via cigar boat, along with bricks of cocaine, along the southern coast of Florida. Diaz was arrested by local law enforcement officers after they received a tip from the U.S. Border Patrol.

Birds and Drugs (Case 11)

Mario Tabraue, an exotic animal dealer suspected of running a drug racketeering ring, was caught with endangered birds and cocaine. Though no wildlife charges were ever brought against him, Tabraue received shipments of endangered birds from South America in which the containers, and the birds themselves, contained cocaine. The DEA eventually caught Tabraue. A Miami judge sentenced him to 100 years in prison for smuggling 500,000 pounds of marijuana and several hundred kilos of cocaine worth \$75 million (Speart, 1994).

Parrots and Drugs (Case 12)**

Speart (1994) reported on an infamous bird trafficker who acquired parrots from Guyana and then sent the birds out in shipments that traveled from Grenada to London to Frankfurt and finally to Beijing. Half of the parrots arrived alive; however, the other half consistently arrived dead, having been killed and filled with cocaine. An individual tipped off the USFWS, and they notified the DEA. Speart’s source advised that as was the usual case, USFWS was pushed aside. The Grenada government did not arrest the trafficker; however, his business was shut down.

Case 12 (see Table 1) is an example of a Phase III business plan, which included MCC with the use of killing birds and using their corpses to hide the cocaine. Thus, the MCC serves as a form of a “smuggling Trojan horse” and thus the double asterisks. However, the most salient point in respect to considering the smuggling business plan of Case 12 is that the Phase III organization relocated to Grenada to avoid prosecution in the United States of America. The cost of relocating the smuggling operation to Grenada “paid off,” as the Grenada government did not arrest the CEO of the Phase III organization after he was caught.

Other MCC Cases

Plants and Wildlife (Case 13)

In June 2002, U.S. Customs arrested an individual at Los Angeles International Airport for smuggling exotic orchids and birds from Thailand. The smuggler confessed that he also had pygmy monkeys in his pants. This case is interesting because this smuggler had a partner who brought in Asian leopard babies on the same shipment. Thus, there were two smugglers on the same flight working together to smuggle different contraband at the same time. U.S. Customs and U.S. Fish and Wildlife Services apprehended him 3 months

later; however, they did not catch his sister whom he had enlisted to help him to complete his smuggling transactions (Steinhauer, 2006).

Caviar and Weapons (Case 14*)**

The House of Commons Hansard Debates (2003) reported a case in Moscow where 10 tons of caviar bound for the Middle East was seized along with 400 automatic rifles and 3,500 rounds of ammunition. It was alleged that the “Red Mafia” from the former Soviet Union used violence to control the illegal trade in beluga caviar. Tidwell (2001) reported that Iran’s Shilat used many of the same fishery management techniques that the Soviets had and that “the illegal catch for the region (*Caspian Sea*) remains an estimated ten times the official one. But given the mafia-style activities of the government officials (*Russian State Committee for Fisheries*) in the region, there is no real ‘legal’ catch.”

Counterfeit Software, Clothing, and Cigarettes (Case 15)

The U.S. Customs Service issued a press release on November, 16, 2001, reporting that an investigation (Operation Whitehorse) conducted by United States Customs in Los Angeles found that over a 5-year period, \$12 million in counterfeit Microsoft software, \$64 million in clothing apparel, and \$3 million in Marlboro cigarettes were falsely described on import documentation as knockdown furniture headboards and imported into the United States. The last three rows of the 360 shipping containers were loaded with cartons of headboards, and the remainder of the container was filled with the counterfeit software, clothing, and cigarettes subject to quota restrictions and high duty rates. The U.S. government lost \$6.5 million in revenue.

Medication and Counterfeit Merchandise (Case 16)

In March 2008, a Bradenton truck driver pulled over for speeding near Orlando, Florida, was caught with one million dollars in prescription medication and an estimated three-quarter of a million dollars in counterfeit designer purses. After the driver, Pawel Gajowczyk, was pulled over, the trooper found the truck’s manifest to be invalid in that what was on the manifest did not match his cargo (Velazquez, 2008). Of note, in respect to transnational issues, was that Pawel Gajowczyk had three airplane tickets to Poland (Velazquez, 2008).

Weapons, Tires, Marijuana, and Cigarettes (Case 17*)**

In June 2007, Brazilian police intercepted over 30 individuals smuggling cigarettes, firearms, marijuana, and cash from Paraguay into Brazil. The smugglers in Brazil used stolen motor vehicles as payment to their partners in Paraguay for the smuggled goods.

Cocaine, Ecstasy, Valium, and Xanax (Case 18*)

In January 2008, individuals connected to an international smuggling ring were arrested in Massillon, Ohio, after officers seized large quantities of cocaine, as well as thousands of pills consisting of Xanax, Valium, and Ecstasy. The narcotics came from Argentina, China, and Canada. The police became aware of the smuggling when they were alerted that illegal prescription drugs were shipped to U.S. Post Office Boxes. Case 18 is included because although the contraband fell within the classification of drugs, the smugglers had structured a smuggling organization that had grown branches to multiple sources (countries) to gather the contraband (different types of drugs) to generate a profit. Although different sources were used to smuggle different types of drugs, the contraband was still classified as drugs by the authors, and thus a single asterisk was assigned.

Cocaine and Money (Case 19*)

Carthon Lee Merrick was arrested in September 2008, and indicted October 6, 2008, after he was caught with 79,122 dollars after getting off a flight from Baltimore to Hobby Airport in Houston. Since 2001, Merrick had made 388 flights and more than 100 in 2007. Also charged were Emillio Flores, an American citizen, and Jaime Garza, a Mexican national illegally in the United States. It is speculated that Flores and Garza were the source of supply for cocaine, and Merrick provided both access to transportation because of his free employee flying privilege due to his job as a baggage handler for Southwest Airlines and his ability to transport both cocaine and cash though security (Rendon, 2008). In this case, the cocaine was transported from Houston to Baltimore and the cash from Baltimore back to Houston. This Phase II smuggler was using a smuggling network as a two-way street—a consideration that was apparent to law enforcement, who had investigated Merrick since late 2007. The case was not defined as an MCC case by the authors and thus a single asterisk was assigned.

This study located 16 cases of MCC, two cases of Trojan Horse smuggling, and three cases in which the smuggling method exhibited some elements of multiple contraband sources or distribution. The lead author is aware of the culture surrounding smuggling tunnels and that special operation missions in the Middle East have located data including smuggling different contraband through the tunnels for a different price (depending on the type of contraband). The data from the tunnels was not included, as both forms of smuggled contraband must be moved through the tunnel at the same time. Case #5 and #6 involved weapons and drugs, Case #14 involved weapons and food, and Case #17 involved weapons, drugs, and other contraband.

Smuggling Organizations and Terrorist Insurgence

There have been stories in the news about links between terrorist organizations and human smuggling. For example, *U.S. News and World Report* stated, “Terrorists in Europe are engaging in human smuggling. Authorities in Italy suspect that one gang of terrorists made over thirty landings in Sicily and moved thousands of people across the Mediterranean at some \$4000 per head” (Kaplen, Fang, & Sangwan, 2005).

The national news story included the following statement from a retired FBI official, who said, “I am aware of a high-level Mafia figure, who was cooperating with authorities, being asked if the Mafia would assist terrorists in smuggling people into Europe through Italy.” The retired agent advised that he understood the high-level Mafia boss to have said, “The Mafia will help whoever can pay” (Stuart, 2006).

There is concern regarding terrorists using the alien and human trafficking smuggling organizations or routes to cross into the United States of America. A July 9, 2005, *Milwaukee Sentinel Online* newspaper article described the use of an alien smuggling organization and a connection to terrorist groups (Arrilaga & Rodriguez, 2005). The connection between alien smuggling and terrorist groups emerged again during the cross-referencing of the newspaper article with the March 2005 testimony of Janice Kephart before the U.S. Senate Judiciary Subcommittee on Terrorism,



Technology, and Homeland Security.

These articles documented events in which individuals who later exhibited terrorist behavior had used the alien smuggling network. Mahmoud Youssef Kourani left Lebanon to travel to Mexico after bribing a Mexican consulate official in Beirut to obtain a Mexican visa. Once in Mexico, he sought entry into the United States. Around February 2001, Kourani, a Hizballah operative, succeeded in illegally entering the United States across the southwest border by hiding in a car trunk. Charles H. Demore, Interim Assistant Director of Investigations at BICE, confirmed this in testimony before the Senate Judiciary Committee on July 25, 2003.

The authors of this study reason that, given the nature of terrorist operations and their timetables, it was possible that terrorists could find themselves transported with other contraband (MCC). However, Kephart's March 2005 testimony before the Senate Judiciary Subcommittee, which was based on her research with 118 terrorists, found that only Kourani had smuggled himself into the United States, using a known alien smuggling route and method where he was not trafficked with other contraband.

Thus, there was no evidence of MCC but rather that of a single smuggling run by a terrorist using an alien smuggling network. However, the authors suggest that it would be prudent for government agencies to consider if the rise of terrorism operation tempo could be the catalyst for MCC. Such an increase in terrorist activities might lead to an event that a terrorist might “be shipped” in concert with other contraband due to time constraints. Alternatively, MCC could include shipments to terrorist cells (i.e., diamonds, false identity papers, etc.). Use of MCC by terrorist organizations also should be considered from the perspective that the terrorist organization is attempting to make a profit so it can continue its terrorist activities (Lichtenwald

Case Number	First Contraband	Second Contraband	Third Contraband	Where smugglers were caught	Interdirecting Agency	Land, Air, or Sea	Approximate DSM Phase
1	Illegal Immigrants	Marijuana	None	San Ysidro Port of Entry, USA	U.S. Border Patrol	Land	III
2	Illegal Immigrants	Marijuana	None	Santa Cruz County, California USA	U.S. Border Patrol	Land	II-III
3	Illegal Immigrants	Cocaine	None	Portuguese waters	Portugal police	Sea	II-III
4	Aliens	Marijuana Cocaine	None	Jupiter Island, Florida USA	U.S. Dept. of Justice; ICE, DEA; County Sheriffs' Depts.; Florida Dept. of Law Enforcement; U.S. Border Patrol	Sea	I
5***	Guns	Heroin, Opium	None	Tuyen Quang province Viet Nam	Hanoi-Vietnamese police and border patrol	Land	III
6***	Guns	Marijuana	None	Orlando, Florida USA	Orlando and Puerto Rico Police Depts. and FBI	Air	II
7*	Indian star tortoises	Ketamine Hydrochloride	None	Thiruvananthapuram, India	Directorate of Revenue Intelligence (DRI)	Air	I-II
8**	Reptiles	Cocaine	None	Miami, Florida	U.S. Customs	Air	II
9	Ivory	Drugs	None	U.S. Customs does not say where the shipment from Cameroon via the Philippines was found	U.S. Customs	Sea	III
10	Jaguar skins and heads	Cocaine	None	Florida's south coast	Local law enforcement officers; U.S. Border Patrol	Sea	III
11	Birds	Cocaine	None	Miami, Florida USA	U.S. Custom and/or U.S. Fish and Wildlife Services	Air	III
12**	Parrots	Cocaine	None	Grenada	U.S. Fish and & Wildlife Services	Air	III
13	Orchids	Monkeys, Leopard cubs		Los Angeles, California USA	U.S. Customs	Sea	III
14***	Beluga Caviar	Rifles Ammunition	None	Moscow, Soviet Union	Russian Committee for Fisheries	Air	III
15	Counterfeit Microsoft software	Counterfeit clothing	Marlboro cigarettes	Los Angeles, California USA	U.S. Customs	Sea	III
16	Legal medication	Counterfeit Merchandise		Orlando, Florida USA	Florida State Trooper	Land	II
17***	Guns	Cigarettes	Tires/cash/marijuana	Brazil	Brazil police	Land	II
18*	Cocaine	Ecstasy	Xanax/Valium	Ohio	DEA/DHS	Land	II
19*	Cocaine	Money		Houston	Houston Police, DEA	Air	II

Table 1

et al., in press).

The Business of Smuggling

The authors believe that it is essential to consider smuggling organizations as business entities, given that Phase II and Phase III have similar characteristics in terms of operational capabilities. Successful smuggling organizations resemble the practices of legitimate businesses, which are capable of quickly transforming market information into operational success because the information is exploited quickly

and not allowed to become stale and obsolete. Smuggling organizations are flexible enough to adapt to such information by incorporating new marketing and operational tactics to address changing environmental conditions. **Joe Nimmich of the U.S. Coast Guard** stated, “Every time we turn around, the smugglers are extraordinarily creative and extraordinarily adaptive ... Every time drug agents expose one new smuggling method—another one is already in the works” (Scouten, 2008). Mr. Nimmich’s position is supported by Admiral Michael Mullen, chairman of the Joint Chiefs of Staff,

who stated that drug cartels are more nimble than the U.S. government and that “the bad guy is moving faster than we’re moving” (Burns, 2008).

For example, drug enforcement officials are baffled at how to combat the latest innovation in drug smuggling: radar-dodging, semi-submersible submarines packed with tons of cocaine (Adams, 2008). According to analysts, the sudden surge in the number of these submarines signaled that traffickers have switched tactics. **Admiral James Stavridis, head of the U.S. Southern Command**, stated, “As the drug cartels adapt, we need to get ahead of their thinking—we need to be innovators ourselves... We need wide area surveillance systems, acoustics, and better intelligence tools to stop this emerging pattern of smuggling” (Adams, 2008). As the number of these vessels grows, the amount of cocaine seized by the authorities dropped 25 percent in 2007—208 tons, down from 257 tons in 2006.

Given the Phase II and III individuals’ and organizations’ flexibility, it is possible that an increase in MCC will occur due to a smuggling organization’s interpretation of exploitable market signals conveying that the risk-reward trade-off has made MCC more attractive as a business opportunity. In response to this scenario, the authors note that U.S. and Mexican law enforcement officials agree that drug cartels are engaging in people smuggling in order to diversify their operations. One top Mexican security official stated that in addition to narcotics smuggling, “Drug smugglers are shifting toward people and arms smuggling” (Rodriguez, 2007). As an interesting side note, kidnapping problems also stem from the co-mingling of drug and human smuggling (Grado, 2008). As **former FBI agent Jack Cloonan** stated, “It is the commoditization of people as objects to be bought and sold (Grado, 2008).

In some respects, MCC resembles the classic marketing business practice of bundling products and/or services to appear more attractive to a consumer and more profitable to the producer; in this case, contraband is the bundled product. Bundling is the practice of joining related products together for the

purpose of selling them as a single unit. This is generally carried out when the seller thinks that the characteristics of two or more products are such that these products might appeal to many consumers more as a package than as individual offerings. Bundling arrangements usually feature special pricing arrangements that make it cheaper to buy the products and services as a bundle rather than separately.

Bundling is also often a way to create a larger market for relatively low-value products by selling them cheap (or giving them away free) with a higher value product, e.g., giving away free training with the purchase of high-end computer software. In addition, it is an effective method of repelling competition because it reduces the search and transaction costs to the consumer, because a single purchase is cheaper to carry out than multiple purchases.

Thus, drug smugglers smuggle illegal immigrants entering the U.S. as decoys to clear the trail for the flow of drugs. Narcotics are smuggled along paths once used for smuggling migrants. U.S. Border Patrol spokesman **Special Agent Joe Romero** and other law enforcement officials say “the Mexican drug cartels have merged human smuggling with drug trafficking, forcing immigrants to act as ‘mules’ in transporting drugs as the price of passage” (Francis, 2008). The authors of this study note that the above statement is no small point, because the smugglers are willing to use illegal immigrants as a low-value contraband to clear the trail for the high-value contraband (illegal drugs), regardless of the risk to the illegal immigrants. Thus, when such smugglers are caught and then claim they are just trying to help the illegal immigrants reach a better life, they are lying.

However, as business entities, smuggling organizations face their own unique risk factors when they make a profit (i.e., competing smuggling networks, law enforcement, intelligence networks, etc.). Smuggling organizations conduct their own risk analysis by isolating potential problems they may encounter in the external environment as well as exploitable weaknesses. Smuggling organizations, like legitimate businesses, attempt to make a profit, assuming the least amount of apparent and operational risk to achieve that goal. However, through decreasing apparent and operational risk, a smuggling organization can produce increased operational certainty according to their plans, thus, increasing the probability of generating a profit. Yet, just as any business conglomerate risks exposure of its weaknesses, so does a transnational smuggling organization. The

question becomes, how do United States government agencies utilize their “market information” to exploit the weaknesses of these illicit organizations? How do our agencies increase the probability of operational success?

The position taken by these authors is that the United States government has yet to apply the capabilities of the business model to put smuggling organizations out of business. An example of this lack of capabilities is the inability to exploit market information provided by smuggling seizures. The lack of relevant “marketing information” was evident when the authors requested a search of the government databases to determine the number of times that two different types of contraband products were found entering the United States of America. Finding and analyzing which smuggling products are being shipped together gives insight into how the smuggling business is being run.

The inability to analyze the opposition’s (i.e., the smuggling organization’s) business strategy due to the fact that the U.S. government does not have basic business analysis software is a major concern. The authors understand the importance of coding in the event as a crime. However, the importance of considering the crime is part of a business strategy, and, thus, coding appropriately cannot be understated. An additional concern is the government’s attempt to use database analysis technology from the 1980s (e.g., limited variable analysis) and compensate for the limitation using a “brute force” document search requiring hundreds, if not thousands, of man-hours.

The authors maintain that the U.S. government’s ability to complete a business analysis of their competition needs improvement and contend that the database system used to code in criminal smuggling cases, although acceptable years ago, will need to be “powered-up.” The government must have software that will allow for a rapid search for information about their competition using any number of variables at the same time, such as using Microsoft Access, which allows large quantities of information to be retrieved in an organized manner.

For example, government intelligence and law enforcement agencies need to be able to search for all types of contraband(s) intercepted by any number of locations (i.e., port of entry, states, regions of the country, etc.) and any number of agencies (e.g., ICE, DEA, USFWS, etc.), including means and methods within the last 24 hours, etc. The petitioner of the information should specify the manner in

which he or she wants the information, and it should be automatically scored, graphed, and available to download. The time taken to complete this analysis should be measured in nano seconds and not in hundreds of man-hours.

The type of “business” information needed above is the same type of business information available in the private sector. For example, in many businesses there are daily and weekly information reports regarding which products are sold and in which possible combination at which locations (retail gas stations). If you wait for the end of the year report in the private sector, you could be out of business. The owner or franchiser of gas stations serves as an example of gathering daily business data and exploiting that information. That is, the owner of the gas station can look at his spreadsheet and know if coffee and newspapers are sold together, which pastries are sold at which stations (multiple stations), and at what time of the day.

The gas station owner can exploit this information by increasing the display for impulse purchases and so on to increase sales. In terms of multiple agencies keeping track of MCC being kept in multiple locations and transported in multiple ways, governments should be consulting with UPS, Federal Express, and DSL to find out how they keep track of all the different types of packages shipped around the world each day with different receiving points and different sending points.

It is the contention of the authors that the Phase II and Phase III smuggling organizations make use of daily marketing feedback on how their shipments are getting through and where, in addition to other variables such as who is interdicting the shipments and how. The authors have taken the position that it is reasonable for U.S. government agencies to update their computer systems and software so they can analyze and share among them daily information using multiple combinations of different variables.

Smugglers Access to Weapons

A question in keeping with the statement made by Bunn and Wier (2004) is, given a worst case scenario, what type of weapons can a smuggling organization gain access to? According to an article written by Jason Trahan on November 13, 2008, the answer would be “540 assault rifles, more than 500,000 rounds of ammunition, 14 cartridges of dynamite, 98 fragmentation grenades, 67 bullet-proof vests, seven Barrett .50-caliber sniper rifles



and a LAW rocket.”

Another question in keeping with the statement made by Bunn and Wier is, given a worst case scenario, would a weapons merchant be willing to sell military grade weapons used in major combat to a drug-producing, drug-smuggling terrorist group? The answer is found in the criminal complaint of the *United States of America v. Viktor Bout*, filed by the United States of America Southern District of New York. The DEA, posing as representatives of the Fuerzas Armadas Revolucionarias de Colombia (FARC), was able to arrange for purchase weapons such as “special helicopters that can wipe out their helicopters” (p. 9), which “now have missiles with double the range, and new launchers that can fire three shots instead of just one (p. 9), armor-piercing rocket launchers (pp. 9, 11) and Iгла surface-to-air missiles (SAM)” (pp. 5, 8, and 9 of the criminal complaint). The Iгла is a man-portable, shoulder-launched, short-range surface-to-air missile (SAM) designed to engage low-flying fixed- and rotary-wing aircraft and cruise missiles.

Monzer al Kassar has been arrested for selling both drugs and weapons (although not at the same time) and is a supporter of terrorist organizations. The personalities of both Viktor Bout and Monzer al Kassar are of interest as both have clear anti-American political beliefs and both have been associated with the intelligence field. For example, on page 7 of the criminal complaint, Viktor Bout rationalizes his willingness to provide “the FARC with more clandestine types of assistance because any communists are our friends.”

The connection between smuggling cartels and terrorist groups is evident in the study of the United States of America National Drug Intelligence Center (NDIC) Accomplishments Fiscal Year 2007 summary, which reported a document exploration mission that identified links between southern Philippines drug traffickers and elements of designated foreign terrorist organizations, namely the Abu Sayyaf Group and Jamayah Islamiyah. In another drug-terror investigation, the NDIC completed a mission against five Arab Tri-Border Area drug-trafficking organizations that operated in Argentina, Brazil, Paraguay and surrounding areas, as well as in Europe and the Middle East. All five groups were reported by NDIC to be linked to Islamic radical groups.

The Necessity of Interagency Cooperation

Roberts (1996) reports, “there is a ‘Catch-22’

in the current inspections system in which the Drug Enforcement Administration has the funds and expertise to pursue drug smugglers but has no reason to inspect wildlife shipments.” Roberts further stated that the USFWS, with heightened expertise in wildlife inspection, is “under-funded and understaffed and cannot possibly inspect all imported shipments, especially in cities like Miami that become hubs for the importation of wildlife and drugs from Central and South America.” In her article, Speart (1994) quotes DEA agent Cash, “It’s got to be more than a kilo of heroin, more than 5000 pounds of marijuana, and more than 5 kilos of cocaine, or we don’t even look at it.”

It is believed that when large amounts of drugs accompany wildlife violations, USFWS is told to disregard the violation, allowing the DEA flexibility to pursue the case. The authors noted that Speart’s interview with the DEA could in part explain why so many cases of MCC slip through the system without being coded into the U.S. government’s database, as the amount of illegal drugs was too small and, thus, not coded in. Conversely, if the amount of illegal drugs was too large, the wildlife was not coded in.

The **U.S. Interagency Commission on Crime and Security** (2000) stated, “Because of the significant drug smuggling threat at many seaports, substantial portions of Customs resources are devoted to counter the drug threat, while other criminal activities such as commercial smuggling are allocated fewer resources. Therefore, Customs is in a reactive rather than a proactive posture in addressing certain types of crime, and this affects how well Customs can detect or discover certain crimes that have fewer assigned resources.”

Constructing multidisciplinary working groups across different agencies increases the probability of analyzing information more quickly and accurately because of the synergistic value that is created by sharing intelligence. ICE understands that without synergistic value to combat these organizations, successes may be limited. In combating smuggling organizations, some agencies such as ICE have come to implement sophisticated investigative techniques including the synergy of working groups precisely because they view smuggling organizations as criminal business entities (Delli-Colli, 2006).

Data gathered from United States government databases indicate that ICE is one organization from the Department of Homeland Security (DHS) that has adopted the view that smuggling organizations are criminal

business entities although their database system may not reflect the current ICE view. Consequently, ICE is able to construct strategies that are useful in countering smuggling tactics. Nevertheless, it is ICE that needs a “power boost” to its computer system to complete real time business analysis of smuggling trends.

It is equally true that the review of documents indicates that ICE is now one of the leaders in gathering human intelligence. For example, according to O’Connell (2006), commenting on one of her agencies’ many initiatives, “Operation Last Call exploits the intelligence value of hundreds of thousands of individuals who enter our detention and removal system annually. This highly effective operation collects, evaluates, analyzes, and disseminates information from detainees in ICE custody. Customers for Operation Last Call are ICE operational units, DHS I&A, the Intelligence Community, the Federal Bureau of Investigation (FBI), and other Federal agencies. This program focuses on relevant collections in the areas of force protection, anti-terrorism, ongoing criminal enterprises, human trafficking and smuggling, contraband smuggling (weapons of mass destruction, drugs, etc.), threats to critical infrastructure, and the movement of money that support illicit activities.”

ICE’s Operation Watchtower, working in coordination with the U.S. Coast Guard, analyzes international movements of vessel and cargos to provide timely intelligence and risk assessment for investigative and threat detection support. Furthermore, O’Connell (2006) states, “Business plans and performance metrics based on objective customer evaluations must support all our work. From these markers, the ICE Intelligence strategic plan proposes the development and acquisition of advanced technologies, new techniques, new processes, and additional integration into multi-agency and multi-national operations.”

ICE’s Human Smuggling and Trafficking Center works towards dismantling criminal travel networks that are engaged in human smuggling and trafficking. In order to cripple such networks, Clark (2006) stated, “Interagency cooperation and information exchange are of the utmost importance. The Center brings together federal agency representatives from the policy, law enforcement, intelligence, and diplomatic arenas to work together to achieve increased progress in addressing the problems of human smuggling, human trafficking, and clandestine terrorist mobility.”

Although the creation of new techniques may also produce setbacks, what is important to note is that ICE recognizes the need to coordinate and include other agency’s strengths into its mission of preventing and detecting human smuggling and other contraband. ICE is able to create a synergistic impact on their goal, because the information that is collected serves as a clearinghouse for members of the task force to use. In essence, valuable time and resources are not wasted in constantly having agencies reinvent the wheel by duplicating information when important information is available to all parties.

Lessons Learned

As noted in Table 1, in Cases 1 and 5, smuggling organizations are running intelligence and counter-intelligence operations against the very employees that are trying to interdict the smugglers. The issue that the employees of ICE, DEA, FBI, and others are being spied on, and in some cases, turned to work against the charter of the law enforcement agency and the United States of America that hired and trained them, is not lost on the authors. A lesson learned about the pitfalls of agencies sharing information was evident in the documents gathered for this study.

Attorney Kent’s memorandum (12/19/2004) and Special Agent in Charge Gonzalez’s letter (2/24/2004) describe the risks in sharing information (T. Kent, communication to Chief NDDS J. Avergum, December 19, 2004, & DEA Agent S. Gonzalez, communication to ICE Special Agent in Charge J. Gaudio). In both the Kent and Gonzalez documents, the danger of sharing information between United States government agencies and with foreign governments is presented. In addition, the Kent and Gonzalez documents describe the danger that communication leaks can cause to government employees and their families. Both Kent and Gonzalez report the problems that ensue when law enforcement employees are “turned” by smuggling organizations. The smugglers’ use of murder as a solution to business problems is noted.

With the horrible situation described in the Kent memorandum and with the Gonzalez letter in mind, the authors maintain it is imperative to note that time is of the essence when it comes to revealing smuggling initiatives. Agencies relinquish excellent opportunities to catch smugglers if the synergy created from interagency cooperation is lost. It is crucial that agencies leverage their knowledge by combining their talents with other agencies. Just as smugglers create synergistic value

from capitalizing on other people’s talents to help them accomplish their ultimate goal, agencies must meet this challenge head-on by combining their unique abilities to create synergistic value in the work they do.

Interagency sharing of information has led to recent success. For example, ICE’s Migrant Smuggling and Trafficking Interagency Working Group (O’Connell, 2006), which includes the Department of Justice, the Intelligence Community, the FBI, and other federal, state, and local law enforcement agencies, has a targeting subgroup whose role is to identify for investigation the most dangerous international alien-smuggling networks, especially those that have links to terrorism. Since 2002, the Working Group efforts have resulted in the apprehension of more than 15 leaders of major smuggling organizations (GAO-05-305). ICE recognizes that the blurring of the lines between terrorism and organized crime is a reality and that interagency cooperation is imperative to achieve operational success.

Delli-Colli (2006) of ICE believes that these international smuggling networks are a direct threat because they also sustain and support the illicit activities of terrorists. Moreover, given that there are risks attached to terrorist organizations expanding their operations to include organized crime smuggling tactics, their expansion also presents an excellent opportunity for United States agencies to better identify and dismantle these organizations. By using forensic accounting techniques that allow investigators to follow the money trail created through money laundering, the once clandestine terrorist groups risk exposure as the profits of smuggling are revealed in a paper trail.

Conclusion

Shortly after publication of the Developmental Smuggling Model, the lead author was asked if he had an opinion regarding the MCC debate. The examiner was informed that the different opinions regarding whether MCC existed were based on different assessments of the business of smuggling; for example, would MCC increase profits without increasing risk? Rather than engage in a philosophical discussion, this examiner requested data that either supported or refuted the existence of MCC events via multiple FOIA requests for a search of the various United States government databases. This examiner was informed that the MCC question was “too broad” for the databases to handle. However, two different agencies recalled that they had heard field personnel report MCC findings,

but they did not have a method to code in the data or run an analysis. The question of the existence of MCC was considered “too outside the box” for data analysis.

Thus, the authors set out to find any documentation where smugglers have transported more than one type of contraband in the same shipment or have used one or more contrabands as a “Trojan horse” to allow other contraband to avoid interdiction without the benefit of a government database search. Although a non-empirical study, this study located 16 cases of MCC, two cases of Trojan horse smuggling, and three cases in which the smuggling method exhibited some elements of multiple contraband sources or distribution. The authors are aware of the culture surrounding smuggling tunnels and that special operation missions in the Middle East have located data, including the cases of smuggling different contraband through the tunnels for a different price (depending on the type of contraband). The data from the tunnels was not included, as the smuggled goods must be moved through the tunnel at the same time. In respect to Bunn and Wier’s (2004) statement of smuggling networks shipping drugs and weapons, Case #5 and #6 involved weapons and drugs, Case #14 involved weapons and food, and Case #17 involved weapons, drugs, and other contraband.

The descriptive data necessary to run government database searches are presented in Table 1. One document suggests that as far back as the mid-1990s, about one-third of all drug runs into the United States of America may have an MCC shipment of wildlife and illegal drugs. However, MCC may be more than an isolated smuggling tactic. It may be a trend that increases over time, especially when adding terrorism as a variable in its analysis.

Speart (1994) commented that wildlife trade grossed approximately \$5 billion a year, running second only to the drug trade in profits. She stated, “Part of the problem lies firmly entrenched in a tangle of bureaucratic red tape, which forces wildlife inspectors to favor paperwork over hands-on inspection. The result is an average inspections rate of only 16 percent of wildlife shipments arriving at U.S. designated ports of entry. With such numbers to contend with, we’re left to wonder if there is any hope that the smuggling of drugs with wildlife will ever be brought to a halt.”

The authors suggest that because smuggling organizations are analogous to international corporations, their ability to exist and thrive is a function of their ability to adapt to the

ever-changing external environment. The review of the literature appears to suggest that smuggling organizations are moving, albeit cautiously, toward utilizing MCC as a method of achieving operational efficiency. It appears prudent that the data collected during smuggling shipment seizures be expanded to include the information necessary to analyze the business of the operation.

Although there have been notable failures and dangers associated with interagency sharing of information, the authors suggest that interagency cooperation is necessary in order to create a synergistic impact for law enforcement efforts on dismantling smuggling organizations that engage in MCC. It is imperative that agencies share information as members of working groups in order to increase operational efficiency when combating such organizations.

One of the serendipitous results from the MCC study was the location of documents indicating that **Microsoft** was targeted as a product to be smuggled. It may be worth the United States government’s time to ask Microsoft if they would be interested in assisting with upgrading the government’s use of the computer databases so that fewer Microsoft products are pilfered. For their own survival, Microsoft may be interested in assisting the U.S. government with having computer systems superior to the systems owned by the smugglers. For example back in May 18, 1994, when the Colombian authorities raided the offices of Jose Santacruz Londono, an associate of the Rodriguez brothers (Cali Cartel), they confiscated an IBM AS/400 computer worth \$1 million, which was used for running both business programs as well as counterintelligence programs (i.e., analyzing telephone calls placed to the U.S. Embassy). In respect to the U.S. government agencies keeping track of MCC being found in multiple locations and having been transported in multiple ways around the world, it may be prudent for the U.S. government to consult with UPS, Federal Express, and DSL in finding out how their database tracking systems work.

Method and Sources

The first source of information was obtained through the Freedom of Information Act (FOIA). The following organizations responded: the Central Intelligence Agency (CIA), Immigration and Custom Enforcement (ICE), and the Department of Homeland Security (DHS). The following agencies were contacted via the FOIA: Federal Bureau of

Investigation (FBI) and Drug Enforcement Agency (DEA). Information used in this study was derived from open sources that had been declassified. No data used in this study could be considered classified or of a ‘secret’ classification.

A second source of information included contacting retired agents and other representatives from various law enforcement agencies. The Retired U.S. Marshals, FBI agents, and police officers’ organizations were unable to provide additional information.

A third source of information consisted of using the World Wide Web (Internet). A Web crawler gathered information about every occurrence of smuggling. The Web crawler searched the Internet 24 hours a day, everyday, between 2004 and 2009 for a total of 5 years.

The English search of the Internet contained several news reports of a submarine being built by a “drug cartel.” The search of the Internet using LOE located additional information regarding the Phase III organization’s design plans and building of the submarine for the specific purpose of smuggling.

A fourth source of information was criminal court files. This source included the international criminal courts, the Rome statute of the criminal court, the International Court of Justice, the Global Legal Information Network, and Infotrac.

A fifth source of information came from individuals still working in the law enforcement or intelligence field.

A sixth source came from government press releases, news media, and Web sites.

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Learning Objectives

After studying this article, the participant should be able to:

- 1) Define Multi-Consignment Contraband (MCC) smuggling and describe its occurrence.
- 2) Identify whether or not a new possible smuggling strategy is emerging.
- 3) Recognize the need for government agencies to participate in interagency working groups to increase operational efficiency of their interdiction and dismantling goals of smuggling organizations.

CE Test for "Smuggling Multi-Consignment Contraband: Isolated Incidents or a New Trend?"

1. Multi-Consignment Contraband shipments around the world have been interdicted

- a. On land
- b. At sea
- c. In the air
- d. All of the above

2. Multi-Consignment Contraband is

- a. One type of contraband transported into a country and a different type of contraband transported out and back to the original country of departure
- b. Any combination of two different types of contraband, transported simultaneously in the same shipment
- c. Two different types of contraband within the same overall classification transported simultaneously

3. MCC cases have involved the transportation of

- a. Illegal aliens and drugs
- b. Guns and drugs
- c. Animals and drugs
- d. All of the above

4. Along with the human commodity, the intelligence field is concerned that a human trafficking organization might at the same time transport

- a. Animals
- b. Terrorists
- c. Cigarettes
- d. Guns

5. Immigration and Customs Enforcement is associated with

- a. Federal Bureau of Investigations
- b. Central Intelligence Agency
- c. Department of Homeland Security
- d. None of the above



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