ECONOMIC, CRIMINOLOGICAL AND SOCIOLOGICAL DATA ON MONEY LAUNDERING CASES SENTENCED IN SPAIN

Description

The data base contains a unique source of information for understanding the empirical reality of money laundering in Spain and other OECD-countries, its economic dimensions, the actors involved, the predicate crimes generating the illicit money and its circulation within and outside Spain etc. The information is based in "proven facts" which is the nearest to criminal reality an independent researcher can come to. Political and penal discourses can be contrasted with reality opening a new understanding of economic crime, its logics and its dimensions as the data are not based in informants with role conflicts as attorneys, public persecutors, police-experts and governments. As it includes a methology the package can be used for analysing the reality of money laundering in other countries with developed penal systems.

The first data group - quality A- includes 16,000 data drawn from 430 judgments issued in Spain by the National Court and 31 provincial hearings between 1995 and the end of 2010.

The second group - quality B- about 500 data - are based on the provisional conclusions, imputations of prosecutors and court records. This means that even if they are not declared facts proven by the judges, they have already been debugged and subjected to a systematic analysis.

The third group - quality C- about 1,000 data - has been extracted from the press and periodic publications. Many of these cases have not yet reached the category of provisional conclusions and have not undergone a first purification process.

The three databases follow the same structure and include:
A.) Judicial data (accused, convicted and acquitted, previous offenses and offenses tried in each sentence, hearings - provincial or National Court - that judged the facts).
B.) Geographical references, points and routes of laundering and the dates on which the events in question occurred.
C) Economic sectors and activities affected or exploited by money laundering.
D) The organization of the plots, their complexity as well as the professionalism of the procedures and the commissions paid by such procedures.
E) Social ties and links between those accused of money-laundering and previous crimes (family, mercantile, religious, etc.).
F) The profile and social power of the accused.
G) An economic-financial analysis of the assets incriminated (objects, financial products, cash seized, totaled money laundered etc.).
H.) The fate and use that the defendants have made or intended to make illegal money.
I) the use of the financial-business system for money laundering, indicating the level of actual activity of the incriminated companies, their geographical location, etc.
J) Offshore jurisdictions and the names of the financial institutions used.
K.) A description of the bleaching procedures used.

The database includes a list of companies directly or indirectly linked to the money laundering activities, the economic sector to which they belong, their address and their actual state of activity and an economic-financial analysis of a sample of them as well as CNAE sector to which they belong. The sample includes descriptions and comments of a qualitative nature but above all quantitative data, most of which are coded in such a way that they allow their computer processing to calculate correlations, means, percentages etc. With the help of programs such as SPSS. The codification of the geographical points allows integrating them into geographical information systems type Gvsig, as well as with other databases of public access on economic activity at the municipality level, income levels or electoral behaviors. Data is provided on SPSS support.

© Transfer of Research Results Office – UCM
Faculty of Medicine. Edificio Entrepabellones 7 y 8.
C/ Doctor Severo Ochoa, 7. 28040 Madrid.
otriutt@ucm.es

UCM+T
COMPLUTRANSFER
UNIVERSIDAD COMPLUTENSE DE MADRID

How does it work

The data have been extracted from Spanish legal documents referring to 415 cases with money laundering charges. The cases include blue collar predicate crimes (mainly drug traffic) and white collar predicate crimen (tax crimes, embezzlement, corruption, frauds etc.). The data include information referring to legal issues, date and place of commission, a national and international geography the illicit money has been circulating though, the social links among defendants, their social and individual profiles, the complexity and professionalism of the different laundering cases, the laundering procedures, the value of the laundered assets and its description -cash, financial and non financial assets etc.", the number and legal status of the corporations involved, the financial institutions involved in laundering activities and the concrete use defendants give to the illegal assets (personal consumption, financial products, real estate etc.). All data are expressed in coded numbers and can be downloaded in excel format.

Advantages

There is no such study in Spain, and probably not in the world either. The few empirical studies based on reliable documentation or direct observation include only a fraction of the variables studied here and cover a much smaller universe of cases. The overwhelming majority of the information available on money laundering and organized crime has not been created on the basis of reliable methodology and sources. This made it impossible to rationally evaluate its dangerousness, its ability to infiltrate the business and financial system, its economic volume, its distribution in the national and international geography, the technical sophistication of the laundering procedures and the personal profile of the bleachers. The possibility of making crosses between economic, sociological, geographic, legal, financial variables, etc. should be highlighted thanks to the codification of the qualitative information expressed in the sentences:

1. The methodology developed enables a systematic analysis of the phenomenon of money laundering, its economic, business, regional and institutional danger, as well as creating criminal statistics that take into account various social, economic, geographic and criminological aspects.
2. The data generated by this methodology allows the financial and law enforcement agencies of money laundering to carry out risk analysis, detect vulnerabilities, etc.
3. These data enable the creation of new jurisprudence on money-laundering and, by extension, on organized crime, to be modulated by a solid and contrasting empirical criterion.
4. Provides tools for prosecutors (general, anti-corruption etc.) in the definition of procedures and the dangerousness of crimes
5. It serves as a support material for companies that offer courses in the prevention of money laundering to obligated parties (financial institutions, notaries, tax and financial advisers, etc.)
6. Open lines of research for a scientific criminology.
7. Provides solid information to Ministries of Foreign Affairs on international flows of illegal money.

Where has it been developed

The data have been generated by a multidisciplinary research team founded by the Spanish Ministry of Science and the Complutense University. Penal law, sociological and economic experts have been working together. The result is a wide multidisciplinaty approach permitting the combination of economic-cuantiative, criminological and also legal information.

And also

Armando Fernández Steinko is an expert in industrial sociology, criminology and Spanish Economy and History. Juan Díaz Nicolas is one of the most recognized Spanish senior researcher on Sociology and security issues. Araceli Manjón-Cabezas is an internationally well know penalist specialized in drug policies.

Responsible Researcher

Armando Fernández Steinko: asteinko@emp.ucm.es
Departament: Sociology
Faculty: Political Sciences and Sociology

© Transfer of Research Results Office – UCM
Faculty of Medicine. Edificio Entrepabellones 7 y 8.
C/ Doctor Severo Ochoa, 7. 28040 Madrid.
 otriutt@ucm.es

UCM+T
COMPLUTRANSFER
UNIVERSIDAD COMPLUTENSE DE MADRID