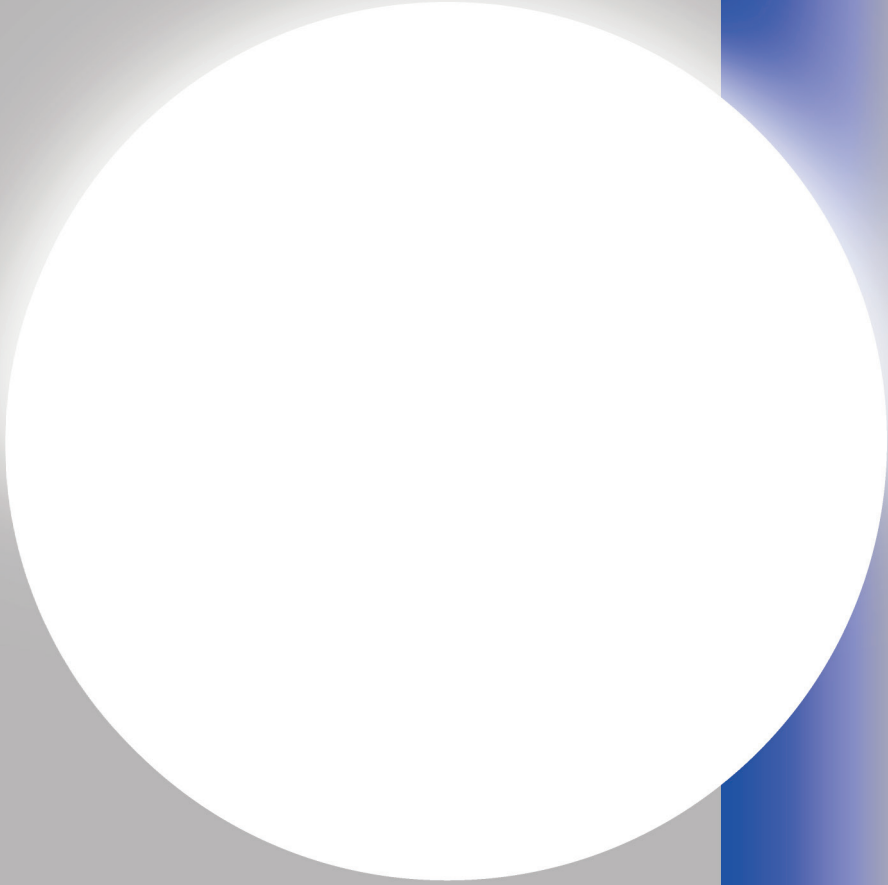Sjoukje van Deuren

The relationship between Outlaw Motorcycle
Gang membership and criminal behavior

OUTLAW BIKER CRIME

OUTLAW BIKER CRIME

The relationship between Outlaw Motorcycle Gang membership and criminal behavior

Sjoukje van Deuren

Voor Wytske

Colofon

VRIJE UNIVERSITEIT

Outlaw biker crime

The relationship between Outlaw Motorcycle Gang membership and criminal behavior

ACADEMISCH PROEFSCHRIFT

ter verkrijging van de graad Doctor
aan de Vrije Universiteit Amsterdam,
op gezag van de rector magnificus
prof.dr. J.J.G. Geurts,
in het openbaar te verdedigen
ten overstaan van de promotiecommissie van de Faculteit der Rechtsgeleerdheid
op woensdag 15 maart 2023 om 13.45 uur
in een bijeenkomst van de universiteit,
De Boelelaan 1105

door

Sjoukje van Deuren

geboren te Alphen aan den Rijn

Table of contents

CHAPTER 1

General introduction

1.1 Outlaw Motorcycle Gangs in the Netherlands

Although Dutch Outlaw Motorcycle Gangs (OMCGs) have been around since the late nineteen seventies, it was not until the turn of the century that Dutch OMCGs increasingly started to attract attention from both the authorities and the general public. In 1996, a report on Dutch organized crime provided a starting point for the government's view that OMCGs in general and the Hells Angels in particular, are hotbeds for serious and organized crime that need to be addressed. In the report, members of the Amsterdam Hells Angels were accused of being involved in serious and organized crime, such as the trade, import, and transit of synthetic drugs (Bovenkerk & Fijnaut, 1996). In 2012, the presumption that members of at least some OMCGs were involved in organized crime, a growing fear of inter-club feuds, and the feeling that Dutch OMCGs were exhibiting themselves as untouchable and above the law, spurred the minister of Security and Justice to announce a multi-pronged, whole-of-government approach (Van Ruitenburg, 2020). This integrated approach was aimed at combating criminal OMCGs via all legal options available, including criminal, civil, and administrative means. Initially all OMCGs of the former Dutch Council of Eight – a consultative body established in 1996 by the Hells Angels and seven other motorcycle clubs to avoid turmoil and inter-club rivalry – were subjected to the integrated approach.

In the context of the integrated approach, various actors, such as the police, local governments, and tax authorities closely work together to raise barriers against the OMCG subculture.[1] The approach aims to hinder the criminal opportunities of OMCG members, reduce the popularity of the OMCG subculture, and target the untouchable image of OMCGs by addressing the OMCGs on the individual and on the club level. On the individual level, focal points of the approach are prioritizing the criminal prosecution of individual OMCG members, and reducing the number of OMCG members working for the private security sector or the government. Criminal prosecution is specifically targeted at OMCG board members in an effort to rid the clubs of their management. On the club level, club houses are closed down and OMCG-related events are prohibited. Clubhouses are believed to be important locations for the planning and execution of (organized) crime, while OMCG-related events provide opportunity for the escalation of conflict. More recently, the Dutch Public Prosecution Office successfully filed petitions to the civil court to ban those Dutch OMCGs deemed to be most heavily involved in crime. Overall, the integrated approach is much more focused on the structural aspects of OMCGs as collectives, rather than on specific forms of (organized) crime committed by

---

[1] TK 2011-2012, 29 911, nr. 71

individual members. Importantly, when the integrated approach was implemented in 2012, there was scant knowledge on the crimes of the various Dutch OMCGs, and on whether and in which ways OMCGs influence their members' criminal behavior (Van Ruitenburg, 2020).

Following the increased policy focus on Dutch OMCGs, considerable attention has been paid to the criminal activities and criminal careers of members of these OMCGs (Blokland & David, 2016; Blokland, Soudijn & Teng, 2014; Blokland, Van Hout, van der Leest & Soudijn, 2017a; Blokland, Van der Leest & Soudijn, 2017b; Blokland, Van der Leest & Soudijn, 2019). These previous studies confirm the presumption that OMCG members are disproportionately involved in crime: a large proportion of the registered OMCG members in the Netherlands has been convicted at least once, and of those with a criminal history, many were convicted multiple times and for serious offenses (Blokland et al., 2017a; 2019). These findings, however, do not readily justify the conclusion that the criminal behavior of these individual OMCG members is therefore also by definition OMCG related. Prior research, furthermore, suggests that there are large differences between Dutch OMCGs, not only in terms of their size and composition, but also with regards to the extent to which individual members of these OMCGs are involved in various types of crime. Results of this research show a distinction between more and less criminal OMCGs, especially regarding the involvement in serious and organized crime (Blokland et al., 2017a).

While previous studies have greatly advanced knowledge on the criminal behavior and criminal careers of OMCG members, many questions still remain to be answered. Building on and extending previous work of Blokland et al. (2017a; 2017b; 2019) and the international literature that has been published on outlaw biker crime (e.g., Morgan, Dowling & Voce, 2020; Klement, 2016a; 2016b; Voce, Morgan & Dowling, 2021), and its' organizational structure (e.g., Lauchs, 2019; Lauchs & Stains, 2019; Morselli, 2009), this dissertation addresses the relationship between OMCG membership and the criminal behavior of individual OMCG members. More specifically, the aim of this dissertation is to empirically expand knowledge on whether, to what extent, and in which ways OMCG membership is linked to crimes of their members. It also explores the Dutch judicial responses to collective behavior among OMCG members and the role of OMCG membership in crime.[2]

---

[2] The term outlaw motorcycle gang, or OMCG is used in the current dissertation to align with the (inter)national governmental and scientific discourse, hence this does not imply that that the current research rests on the assumption that all individual OMCGs and chapters are rightfully classified as such.

The introductory chapter of this dissertation starts with elaborating upon prior research into the criminal behavior and criminal careers of OMCG members (section 1.2), and the role of OMCGs in members' criminal behavior (section 1.3). Subsequently, the limitations of previous research are discussed (section 1.4). The main research questions and contributions of the current dissertation are then presented (section 1.5). Next, the data and research methods used in this dissertation are explained (section 1.6). The introductory chapter concludes with an overview of the topics discussed in the remaining chapters of the dissertation (section 1.7).

1.2 Empirical research into the criminal activities and criminal careers of OMCG members

Research into crime among OMCGs and OMCG members has rapidly grown in recent years. For a long time, most of what was known about OMCG crime was largely derived from newspaper articles, publicly available court files, and insider's journalists' and anthropologists' perspectives (Barker, 2015; Barker & Human, 2009; Blokland & David, 2016; Quinn & Koch, 2003; Thompson, 1967; Wolf, 1991). These previous studies found that OMCG members are involved in various types of criminal behavior, ranging from (public) violence and theft, to drug related crime. Longitudinal quantitative research into the criminal careers of OMCG members was still largely lacking. The first studies into the criminal careers of OMCG members using longitudinal register data were conducted in Denmark (Klement, Kyvsgaard & Pedersen, 2010; Klement, 2016a). Klement (2016a), for instance, studied the prevalence of crime among OMCG members and showed that 89% of the Danish OMCG members already had been convicted at least once prior to their OMCG membership, predominantly for violence offenses, weapon and drugs possession, and property crime. One year after their official registration as OMCG member, the conviction rate of known Danish OMCG members had increased with 3%.

Morgan et al. (2020) showed very similar results regarding the disproportionate crime prevalence among OMCG members. Studying the registered criminal careers of 5,665 OMCG members in Australia, Morgan et al. (2020) found that 81% had been arrested by the police at least once since 1990, for offenses such as violence, intimidation, and drug supply. This study, however, also indicated large differences in the offending patterns of various Australian OMCG chapters: over a five-year period 5% of the chapters was responsible for 33% of the total registered crime and 48% of the total drug supply offenses (Morgan et al., 2020). Furthermore, Voce et al. (2021) showed that younger OMCG members, already prior to the age of 25,

were more often involved in crime and violence than the older OMCG generation, suggesting that the Australian outlaw biker subculture has increasingly attracted or recruited more prone to crime individuals. These findings are corroborated by recent qualitative interviews with 39 ex-OMCG members suggesting that younger OMCG members are more aggressive, status-driven, and profit motivated than older OMCG generations. According to these ex-members, the traditional outlaw biker values, such as riding motorcycles, brotherhood, and loyalty, have increasingly disappeared as a result of younger OMCG generations entering the OMCG scene (Dowling et al., 2021).

The first Dutch study into the criminal careers of OMCG members showed that of the 601 members known at the time, 82.4% had a criminal record, and that for members with a criminal history, that criminal record consisted of eight convictions on average (Blokland et al., 2014). A follow-up study on a larger sample of 1,617 registered OMCG members again indicated that 85% of the known OMCG members had been convicted at least once. Most of the convictions involved traffic, property, and violence offenses, while 11.7% of the OMCG members were convicted for organized crime, such as a drugs offense, extortion, and money laundering (Blokland et al., 2017a; 2019). Dutch research, like international research, also indicates that there are substantial differences in the proportion of criminally involved members per OMCG. Members of many smaller Dutch OMCGs are, for example, found to be scarcely involved in organized crime, while members of larger Dutch OMCGs are more likely to be convicted of more serious types of crime (Blokland et al., 2017a). Previous research, therefore, stresses the importance of differentiating between OMCGs on the club and chapter level.

Longitudinal quantitative research not only focuses on what the criminal careers of OMCG members look like, but also examines whether OMCG membership is associated with members' individual criminal careers. The scarce available empirical research on the effects of OMCG membership on crime shows that OMCG membership increases members' criminal involvement. Klement (2016b), for instance, concluded that already prior to their OMCG membership, future Danish OMCG members are more involved in crime than a control group of non-future OMCG members, but that once in the OMCG, OMCG membership further enhanced members' criminal behavior, especially for property, drugs, and weapons crime. Blokland et al. (2017b) also found that, contrasted to a sample of average Dutch motorcycle owners, OMCGs not only seem especially attractive to or recruit those criminally inclined, but also that OMCG membership increases the risk of adult offending, suggesting that OMCGs have a criminogenic effect on members' criminal careers.

1.3 Empirical research into the role of OMCGs in crime of individual members

Previous studies into the criminal activities and criminal careers of OMCG members have remained silent on the precise role of OMCGs in the criminal behavior of their members. Morselli (2009) extensively studied law enforcement files of a criminal case involving the Hells Angels in Quebec. These files included transcripts of interactions between members and associates of the Hells Angels that were then used to examine whether the club's hierarchical structure mirrors the drugs activities of individual OMCG members. The study showed that the Hells Angels' organizational structure only partly overlapped with the criminal network, suggesting that a formal position in the OMCG's organizational structure is not by definition related to a hierarchical position in the criminal structure (Morselli, 2009). Mondani and Rostami (2017) examined the co-offending networks of the Hells Angels and two support clubs - Red and White Crew and Red Devils - in Sweden. Their study showed that when members of the OMCG or two support clubs co-offend, they predominantly do so with non-OMCG members, questioning the role of the OMCG in members' criminal behavior. For example, only 15.2% of the co-offending network of the Hells Angels involves co-offending between members of the Hells Angels (Mondani & Rostami, 2017).

Lauchs (2019) studied whether OMCGs are criminal organizations or organizations of criminals by analyzing the criminal behavior of members of the Australian Finks MC. Lauchs (2019) suggested that the Finks MC could be characterized as a criminal organization, in case board members were involved in serious and organized crime and when they used their hierarchical position in the OMCG to direct criminal activity to members lower in the organizational chain (Lauchs, 2019).[3] Using the publicly available application of the Queensland Police Service to the Supreme Court to list the Finks MC as a criminal organization and newspaper articles published on the Finks MC, this research showed that although many of the Australian Finks members have a criminal record, most of these records seem to involve minor offenses. Furthermore, there are no indications that board members use their position to instruct other members to be involved in crime (Lauchs, 2019). Similar results were reported in another Australian study of Lauchs and Staines (2019). When OMCG board members commit (organized) crime, they seem to operate on their own account or in small cliques with predominantly non-OMCG members (Lauchs & Staines, 2019).

---

[3] OMCGs are hierarchical structured: the president, vice-president, secretary, sergeant at arms, treasurer, and road captain constitute the board members. The board members are followed by the fully patched members, and those who seek to become fully patched members, the prospects and hang-a-rounds.

Blokland and David (2016) analyzed publicly available Dutch court rulings to shed light on the amount and nature of criminal cases in which OMCG members are involved. The results of the study showed that the 27 criminal cases in which OMCG members were involved, pertained to 40 crimes, predominantly violent crime, such as threatening, extortion, and attempted murder. In one third of these criminal cases more than one OMCG member was involved in the crime. OMCG members, furthermore, make use of their OMCG membership when committing crimes, either by mentioning that they are part of a collective - 'if you don't come up with the money, you'll have 400 OMCG members coming to take over your bar' - or simply by showing their OMCG colors to substantiate their threats. The previous empirical studies demonstrate that OMCG membership may manifest itself in members' criminal behavior in different ways.

1.4 Limitations of previous research

Prior research has examined the criminal behavior and criminal careers of OMCG members and, though scarcely, explored the role OMCGs play in their members' criminal behavior. Yet, some important limitations of existing research on outlaw biker crime should be mentioned. First, though previous studies by Klement (2016b) and Blokland et al. (2017b) were able to compare the criminal behavior of OMCG members to that of a sample of non-OMCG members, only the former was also able to compare members and non-members in terms of socio-economic characteristics. As individuals' socio-economic status is known to be associated with the likelihood of criminal offending, differences between members and non-members in this regard may have contributed to differences in criminal histories between these groups. More generally, unobserved pre-existing differences between OMCG members and non-OMCG members may have biased previous estimates of the effect of OMCG membership on members' crime.

Second, while previous studies showed considerable variation in the level of criminal involvement across OMCGs, prior research examined the effect of OMCG membership on crime by contrasting OMCG members with non-members, de facto assuming that OMCGs constitute a homogeneous subculture (Blokland et al., 2017b; Klement, 2016b). Although these studies do add to the general knowledge on the influence of OMCG membership on crime, research into the effects of OMCG membership for different types of OMCGs is needed to do justice to the differences observed in the level of criminal involvement among OMCGs. Furthermore, a common aspect of previous studies into the influence of OMCG membership on crime is that

these studies tend to focus on the effect of the onset of OMCG membership on crime, leaving questions regarding the consequences of desistance from OMCG membership on members' individual criminal careers unanswered.

Third, although a number of prior studies shed light on the role of OMCGs in members' criminal behavior, the studies are mostly limited to a specific type of crime, a specific OMCG, or both (Lauchs, 2019; Mondani & Rostami, 2017; Morselli, 2009), which begs the question whether the findings from these studies can readily be translated to other types of crime and other OMCGs. In the Netherlands, extant empirical research on the role OMCG membership actually plays in members' criminal behavior is based on published court rulings (Blokland & David, 2016). Court rulings, however, only contain a brief summary of the underlying case file, and for a closer inspection of the ways OMCG membership is impacting members' criminal behavior, access to the more comprehensive police files, including observation and wire-tap information, is a necessity.

Finally, given that there are various mechanisms through which OMCGs and OMCG membership may play a role in the criminal behavior of individual members, as yet we know very little about the way the Dutch judicial system responds to crimes committed by OMCGs as collectives, or to the role of OMCG membership in individual members' crimes. How do Dutch public prosecutors and judges, for instance, weight the presence of fellow club members at the scene, or the less tangible benefits from showing club attire, to instill fear upon victims and witnesses, both in terms of the type of crime charged and the sentence proposed?

1.5 The current research

The purpose of the dissertation is to address some of the current limitations in the scientific literature on OMCGs and to examine the relationship between OMCG membership and the criminal behavior of individual OMCG members in detail. The dissertation will contribute to the existing scientific literature by studying whether, to what extent, and in what ways OMCG membership influences the criminal behavior of OMCG members. At the same time, this dissertation also increases knowledge on criminal cooperation, co-offending, and legal responses to group crime in the Netherlands.

Knowledge on the extent to which and the mechanisms through which OMCGs influence crime of their members is also highly relevant from a policy point of view,

because the integrated approach against Dutch OMCGs currently rests on various untested assumptions regarding OMCG crime. The prohibition of publicly wearing club colors – following from the irrevocable civil bans-, for instance, assumes that there is added value in overtly signaling 'the power of the patch' in crime. Addressing the formal organizational club structure, for example by the criminal prosecution of OMCG board members, is based on the assumption that board members actually control and organize the criminal behavior of individual members and that the criminal structures of OMCGs are hindered in the absence of OMCG board members. While there may be valid theoretical grounds to make these assumptions, there is a serious lack of empirical knowledge on the workings of (Dutch) OMCGs. The Dutch integrated approach is, therefore, largely based on how we *think* OMCGs function and influence their members' criminal behavior, rather than on what we *know* about OMCGs and OMCG crime. A lack of empirical knowledge on the workings of Dutch OMCGs may hence result in measures, such as addressing the 'power of the patch' or OMCG board members, not being effective or not being as effective as expected or desired.

The empirical chapters of this dissertation each address multiple research questions (see Table 1 for an overview). Chapter 2 first asks whether the personal and criminal career backgrounds of members of Dutch OMCGs differ from those of the average Dutch adult male population. Next, Chapter 2 examines to what extent the Dutch OMCG membership population has changed in recent years by comparing different Dutch OMCG member cohorts. Comparisons between the criminal careers of different OMCG cohorts will illuminate whether and if so, to what extent, the Dutch outlaw biker scene has become more violent and crime-prone over the last years. Finally, Chapter 2 examines the influence of starting with and desisting from OMCG membership on members' criminal behavior.

In Chapter 3, the aim is to examine the effect of OMCG membership on adult crime while making use of the criminal variation of groups labeled as OMCGs. To what extent is the effect of OMCG membership on criminal behavior dependent on the type of OMCG one becomes a member of? To explain OMCG members' criminal involvement, three different mechanisms that may explain the positive association between OMCG membership and crime are tested: selection, facilitation, and enhancement (Thornberry, Krohn, Lizotte & Chard-Wierschem, 1993). The *selection* hypothesis entails that OMCGs do not cause crime, but rather that those prone to crime are more likely to join OMCGs in the first place. In contrast, *facilitation* encompasses the idea that prior to OMCG membership, OMCG members are not more involved in crime than non-OMCG members, but the criminal behavior of

OMCG members only increases during the period of OMCG membership. The *enhancement* hypothesis combines the former two mechanisms: individuals who join OMCGs already display higher levels of criminal involvement and joining the OMCG further aggravates their criminal behavior (Thornberry et al., 1993). To isolate the causal effect of membership from pre-existing differences, Chapter 3 accounts for the extent to which members of more criminal OMCGs and members of less criminal OMCGs differ regarding the timing, frequency and nature of offending *prior* to their OMCG membership using a weighting approach. Finally, Chapter 3 examines whether the effect of membership of one of the Netherlands' most criminal OMCGs differs across different types of adult crime.

While Chapters 2 and 3 provide insight into whether membership of an OMCG impacts the criminal careers of its members in a quantitative manner, Chapter 4 qualitatively addresses the processes through which such an influence of OMCG membership on crime might materialize. Specific attention will be paid to the extent to which the formal organizational structure of OMCGs follows the organization of crime engaged in by its individual members. Vantage point of this exercise are three theoretical scenarios linking the criminal behavior of individual OMCG members to the OMCG as an organizational entity: the 'bad apple' scenario, the 'club within a club' scenario, and the 'club as a criminal organization' scenario (Von Lampe & Blokland, 2020).

Finally, Chapter 5 deals with the Dutch judicial approach to collective criminal behavior by OMCG members and the role of OMCG membership in individual members' crime. This chapter provides insight into how the various roles of OMCG membership in members' criminal behavior are legally addressed. How, for instance, is the contribution of fellow OMCG members in crime legally classified, and what role does the 'power of the patch' play in the legal outcomes of criminal cases against OMCG members? Additionally, the chapter explores the dynamics behind the Dutch judicial approach by examining the legal opportunities and obstacles of addressing OMCGs as criminal collectives in the Netherlands.

Table 1. Overview of the research questions and data resources per empirical Chapter

Chapter	Research questions	Data
2	a. to what extent do the personaland criminal career backgroundof OMCG members differ from theaverage Dutch adult male? b. to what extent has the type of individual that has entered the outlaw biker scene in recent years changed? c. what is the influence of starting with and desisting from OMCG membership on crime?	sample of OMCG members 2010-2019 personal and criminal career data between 2005 and 2019 from CBS
3	what is the effect of membership of the most crime prone OMCGs on different types of adult crime?	sample of OMCG members 2010-2015 criminal career data starting from the age of 12 from JDS
4	what is the relationship and role of OMCG membership in members' criminal behavior?	police files involving members of Dutch OMCGs
5	a. how is co-offending among OMCG members classified? b. to what extent is the legal classification associated with the different scenarios that link crime to the OMCG? c. to what extent does the symbolic contribution of OMCG membership to instances of co-offending among OMCG members play a role in legal outcomes? d. What are the obstacles and motivations for public prosecution in addressing OMCG crime?	police files and court judgements involving members of Dutch OMCGs interviews with public prosecutors

1.6 Data and methods

1.6.1   Samples of police-identified members of Dutch OMCGs

OMCGs have no official membership lists that can be publicly retrieved. Therefore, during the course of this dissertation, the outlaw motorcycle gang intelligence unit of the Central Criminal Investigation Division of the Dutch National Police was requested twice to construct a sample of Dutch OMCG members. This resulted in two samples of Dutch OMCG members that were used in this dissertation: a sample of 2,714 individuals who were identified as members of a Dutch OMCG somewhere between 2010 and 2019 (Chapter 2) and 2,090 individuals who at some point between 2010 and 2015 were identified as either a member of a Dutch OMCG *or* a member of an official support club (Chapter 3). The latter sample included information on which OMCG and which chapter an individual was member of, together with the rank the individual holds within a particular OMCG chapter.

For a person to end up in the current OMCG sample, a police officer had to personally determine the identity of the individual and register the individual as belonging to one of the Dutch OMCGs in the police system. Membership is, for instance, determined by means of that individual being seen overtly wearing the OMCG's club insignia, such as clothing and tattoos, or regularly attending private members-only meetings. Being identified as a member of a Dutch OMCG or support club does not necessarily entail that the individual was suspected of a criminal offense at the time of identification. Individuals can instead be identified as OMCG members based on a variety of police actions besides arrests, such as traffic stops, police reports, or observations from community police officers.

1.6.2 Information from Statistics Netherlands

The first sample of police-identified Dutch OMCG members (2010 and 2019) was linked to personal and criminal career information from Statistics Netherlands (CBS) (Chapter 2). Statistics Netherlands collects various types of official information on all Dutch inhabitants, including criminal suspicions. These suspect data include information on persons who were registered by the Dutch police as a suspect of a criminal offense and contain information on the frequency and type of crime an individual was suspected of committing between 2005 and 2019. Suspicions registered at Statistics Netherlands were merged into seven offense categories: (1) violent, (2) property, (3) vandalism and public order, (4) traffic, (5) drugs, (6) weapons, and (7) other offenses. The suspect data were supplemented by other types of personal information registered at Statistics Netherlands, such as gender, year of birth, ethnicity, educational level, employment status, household income level, and household size. In order to compare the personal and criminal career background of OMCG members and non-OMCG members, data from Statistics Netherlands were used to construct a comparison group of 6,845,110 adult males who were not registered as members of Dutch OMCGs. Subsequently, the comparison group was linked to personal and criminal career information of Statistics Netherlands based on their unique personal identification number.

1.6.3 Information from the Dutch Judicial Documentation System

The second sample of police-identified Dutch OMCG members (2010 and 2015) was linked to longitudinal criminal career data from the Dutch Judicial Documentation System (JDS) (Chapter 3). The JDS contains information on every criminal case registered at the Dutch Public Prosecutor's Office. For each OMCG member information was available on the amount, date, and type of offenses he was convicted of. While the suspect data of Statistics Netherlands were limited to the 2005 up to 2019 period, the conviction data were available starting from the age of 12 – the age

of criminal responsibility in the Netherlands - up to December 2015. When applicable, the extracts from the JDS also contain information on the type and severity of the punishment imposed. The analyses reported in the dissertation are based on only those judicial contacts that resulted in a guilty verdict, prosecutorial fine or prosecutorial waiver for policy reasons and excluded acquittals and prosecutorial waivers resulting from a lack of evidence. All 'convictions' thus defined were merged into seven offense categories: (1) violent, (2) property, (3) vandalism and public order, (4) traffic, (5) damaging, (6) organized crime, and (7) other offenses. The offense category 'organized crime' consisted of drugs and weapons offenses, extortion, human trafficking, and money laundering. Furthermore, personal information, such as members' gender, year of birth, and country of birth was retrieved from the JDS abstracts. The criminal career data covering a long period of the OMCG members' life, allowed for examining the effect of becoming a member of one of the Netherlands' most criminal OMCGs, contrasted to becoming a member of one of the Netherlands' least criminal OMCGs, on the criminal career of individual members and for different types of adult crime.

1.6.4 Police files and court judgements

Although the large-scale datasets described above provide information on the long-term criminal careers of Dutch OMCG members, these datasets contain no information on whether and how the registered criminal behavior of individual members is related to the OMCG as a collective. To answer this research question, it is necessary to extensively analyze police files on various OMCGs, as such files not only allow for a closer inspection of the criminal activities of OMCG members, but also on how these activities relate to the OMCG as a whole. The Dutch Public Prosecutor's Office provided us access to 60 files from Dutch police investigations in which at least one member of a Dutch OMCG was involved (Chapter 4 and 5). The police files provided us with various types of information resulting from transcripts of interrogations with suspects, and statements from victims and witnesses on criminal cases involving members of six different Dutch OMCGs and three different support clubs. The police files often included vast amounts of observational and wiretap information. The files were analyzed based on an extensive topic list that focused on the following main themes: the type of criminal behavior, the size and the composition of the criminal collaboration, and the activities and modus operandi of the suspects involved.[4]

---

[4] The analyses of the police files are archived and securely stored in the Secured Analytics Lab (SAL) of the Netherlands Institute for the Study of Crime and Law Enforcement (NSCR). Access to the data is reserved only for external researchers who received official permission from the Public Prosecution Office to examine the analyzed files.

Specific points of interest for each police file were the ranks of the OMCG member(s) involved, and the role these ranks and the OMCG as an organizational entity played in the criminal behavior of the individual member. Especially the data obtained from police observations and wiretaps provided us with a detailed look into the ways in which OMCGs are involved in their members' crime. All 60 police files resulting from investigations started since the advent of the whole-of-government approach in 2012 and up to 2018 were analyzed. These police files varied in size and nature: some files referred to one OMCG member, while in other files a complete chapter was involved. Furthermore, the police files included a variety of criminal charges, ranging from drugs offenses, assault, to threatening. Each of the police files and criminal charges were, based on the outcomes of the topic list, classified under one of the three theoretical scenarios put forth by Von Lampe and Blokland (2020) that may link crime of individual OMCG members to the OMCGs as collectives. In total, 291 unique suspects were involved in the police files. Of those, 199 were OMCG members, of whom 71 were board members, and 92 were non-OMCG members.

The court judgements on the criminal charges were often included in the police files or were later retrieved via Rechtspraak.nl, a website that publishes Dutch court files (Chapter 5). The convictions resulting from the police file study were used to examine the judicial responses towards individual and collective criminal behavior among OMCG members. The criminal cases resulting in a conviction were categorized (1) by three theoretical scenarios of Von Lampe and Blokland (2020), and (2) by the legal classifications dealing with different types of co-offending (see paragraph 4.5 and 5.5 of Chapter 4 and 5 respectively, for a more thorough description of the police file and court judgement procedure, and the methods applied).

1.6.5   Interviews

In-depth interviews were conducted with five Dutch public prosecutors who were involved in the police investigations examined in this dissertation (Chapter 5). The interviews supplemented the information obtained from the police files and court judgements as they provided the opportunity to explore the motivations and obstacles for prosecuting OMCG members through different legal qualifications these public prosecutors experience. Based on the police files, we selected ten names of public prosecutors who were involved in large criminal cases, because we were particularly interested in the ways the Dutch criminal law system addressed co-offending and group crime. For privacy reasons, these names were shared with a primary contact of the Dutch Public Prosecution Office who subsequently contacted the public prosecutors individually. In total, five public prosecutors participated in the interviews. One to two-hour-long, face-to-face interviews were conducted in

which the public prosecutors were asked about various topics, such as the choices and dilemma's in the investigation and prosecution of OMCGs and OMCG members and considerations in the investigation and prosecution of OMCG members under Article 140 of the Dutch Criminal Code (Participation in a criminal organization). All interviews were tape-recorded, transcribed, and then analyzed by using the program Atlas-TI.

1.7 Outline of the dissertation

The remainder of the dissertation is organized as follows. Chapter 2 provides a quantitative comparison between the personal and criminal career characteristics of OMCG members and non-OMCG members, and between different OMCG cohorts. The Chapter, furthermore, assess the influence of starting with and desisting from OMCG membership on crime. Chapter 3 quantitatively addresses the effect of membership of one of the Netherlands' most criminal OMCGs on the individual criminal career of their members, contrasted to membership of one of the Netherlands' least criminal OMCGs. Chapter 4 builds on the findings of Chapter 2 and 3 by qualitatively examining the ways in which OMCG membership is involved in members' criminal behavior. Chapter 5 examines how the contribution of fellow-OMCG members to a crime and the 'power of the patch' are legally qualified in the Netherlands. The Chapter, furthermore, elaborates upon the obstacles and opportunities to address OMCGs as criminal organizations in the Dutch judicial system. Finally, Chapter 6 provides a general discussion, including a summary of the main results, the public relevance of the study, and avenues for future research.

CHAPTER 2

Examining membership of Dutch Outlaw Motorcycle Gangs and its association with individual criminal careers

Abstract

Using long-term personal background and registered criminal career data on 2,714 police-identified members of Dutch Outlaw Motorcycle Gangs (OMCGs), the current study examines Dutch OMCG membership and its association with members' criminal careers. Results show that Dutch OMCG members differ from the average Dutch adult male population (N= 6,845,110) in terms of demographic, socio-economic, and criminal career characteristics. Furthermore, the findings corroborate statements that selection into Dutch OMCG membership has changed in recent years. Finally, the study explored the consequences of joining and desisting an OMCG on crime. The findings cautiously demonstrate that desistance from OMCG membership is associated with a drop in total and violent registered criminal behavior. No effects of joining an OMCG on crime were found, which is attributed to recent changes in OMCGs' membership profile. Implications for future research are discussed.[5]

2.1 Introduction

Prior research suggests a link between territorial growth and changes in the type of individuals that become Outlaw Motorcycle Gang (OMCG) members (Quinn, 2001). Central to this reasoning is that self- and group aggrandizement leads club leaders to aspire territorial expansion, which in turn brings them into conflict with rival clubs. Inter-gang rivalry sets off an increasingly costly arms race between OMCGs, which is subsequently financed by (increased) involvement in organized crime (Quinn, 2001; Quinn & Forsyth, 2011). To uphold their violent reputation and maintain the upper hand during conflicts with rivalling clubs, some OMCGs may also lower the bar for OMCG membership to accomplish rapid numerical growth (Quinn, 2001; Veno, 2009). This, in turn, opens opportunities to individuals who are mainly recruited by or drawn to OMCG membership because of their reputation for violence and crime, not because of them being traditional, old school bikers (Barker, 2011; 2015; Dowling et al., 2021; Veno, 2009).

The Netherlands has been confronted with turmoil in the outlaw biker scene since its consultative body, the Council of Eight[6], was disbanded in 2013. The disintegration of the Council of Eight increased uncertainty and distrust among Dutch OMCGs that, in turn, bolstered the war-mentality among its key players. These OMCGs responded by investing in a rapid numerical growth - in terms of chapters and members - to secure their position in the changing outlaw biker scene (Landelijke Eenheid, 2014). According to law enforcement, this rapid growth has amplified the criminalization of the outlaw biker scene both by mitigating membership requirements and by changes in OMCG leadership, exemplified by the emergence of new OMCGs founded by crime prone former members of existing OMCGs.

Against the background of the mechanisms of criminalization put forth by Quinn (2001) and prompted by suspicions voiced by Dutch law enforcement, here we put the hypothesis of increasing criminalization of the Dutch outlaw biker scene to the empirical test. Doing so, the current study builds on and extends prior OMCG research by studying outlaw bikers' personal and criminal backgrounds. For the current study, we use personal background and long-term criminal career data on 2,714 police-identified members of Dutch OMCGs. We distinguish three OMCG-subpopulations, based on their membership patterns: persistent-OMCG members, starting-OMCG members, and stopping-OMCG members. Persistent members are those individuals

---

6   The Council of Eight, referring to the eight registered Dutch OMCG at that time, was established in 1996 to assure stability and prevent escalating violence between OMCGs. The Council of Eight dissolved in 2013 after multiple Dutch OMCGs left or were expelled from the council.

who have been identified by the police as OMCG members both between 2010-2015 and between 2016-2019. Starting members are those individuals who were not identified as OMCG members between 2010 and 2015, but have become a member of an OMCG somewhere between 2016 and 2019. Stopping OMCG members are individuals who were identified as OMCG members somewhere between 2010 and 2015, but who appear to have desisted from their membership after 2015. By studying the personal and (pre-membership) criminal career characteristics of these three outlaw biker subpopulations, we aim to answer the question whether the Dutch outlaw biker scene has indeed become more violent and criminal over the past few years. Comparing starting, stopping and persistent OMCG members also provides the opportunity to assess the potential criminogenic influence of starting with and desisting from OMCG membership.

2.2 Outlaw biker subculture and crime

In the Netherlands and elsewhere, prior to the 1990s the outlaw biker subculture is predominantly populated by white men in their mid-thirties and forties, riding their motorcycles and endorsing hyper-masculine values of power, honor, and brotherhood (Bay, 2017; Blokland, Van der Leest & Soudijn 2017a; 2019; Klement, 2016b; Quinn, 2001; Quinn & Forsyth, 2011; Veno, 2009; Wolf, 1991). The scarce available research suggests that the average outlaw biker comes from a lower socio-economic background and compared to non-bikers OMCG members are more often unemployed and lower educated (Klement, 2016b; Landelijke Eenheid, 2014). Outlaw bikers are also reported to typically work blue-collar jobs, such as construction and manual labor (Davis, 1982; Piano, 2018; Quinn, 2001; Wolf, 1991). Some authors have even suggested that outlaw bikers' lower socio-economic position in mainstream society is one of the reasons that drives them to join an OMCG in the first place (Quinn, 2001; Wolf, 1991). Membership is said to offer these men a way to increase their marginalized power and status by, for example, wearing club symbols and insignia, such as club jackets and tattoos (Barker, 2015). More recently, however, the OMCG landscape seems to have become more diverse, including OMCGs with younger and more ethnically varied membership (Blokland et al. 2017a; 2019; Dowling et al., 2021; Veno, 2009).

Although outlaw bikers have always been perceived as a marginalized group, nowadays the outlaw biker subculture is increasingly viewed as a threat to society (Lauchs, Bain & Bell, 2015; Van Ruitenburg, 2016; 2020). Originally known for their involvement in bar-room fights and public riots, outlaw bikers have gradually started

to become involved in more serious and organized types of crime (Davis, 1982; Lauchs et al., 2015). Outlaw bikers, for instance, have been found to engage in drug and weapon trafficking, violence, extortion, and various types of property crime (Blokland et al. 2017a; 2019; Morgan, Dowling & Voce, 2020; Quinn & Koch, 2003; Van Deuren, Kleemans & Blokland, 2020; Von Lampe & Blokland 2020).

While at present violence and (organized) crime seem to be closely linked to outlaw biker life, OMCGs and their chapters by no means constitute a homogeneous subculture. Wolf (1991) differentiates between conservative and radical outlaw bikers. Conservatives strive towards the purists' and traditional values of the outlaw biker subculture (e.g., honor, brotherhood, riding motorcycles) and are predominantly involved in offenses related to the "outlaw" life style, such as (public) violence, and damaging offenses. Radicals, on the other hand, view OMCG membership as an opportunity to engage in profit-making crime, by making use of the club's violent reputation (i.e., power of the patch) and criminal contacts (Quinn, 2001; Quinn & Forsyth, 2011; Wolf, 1991). While both conservative and radical notions may co-exist within the same (chapter of an) OMCG, over the years, the gradual increase of OMCGs' involvement in more serious and organized crime, over the years has led to the increased influence of radical notions at the cost of more conservative notions, in both members and leadership positions (Lauchs et al., 2015). In the Netherlands, four out of the five OMCGs whose members and leaders appear most involved in serious crime, are also those OMCGs that have rapidly expanded their territory, both within and outside the Netherlands (Blokland et al., 2017a).

2.3 Territorial growth, inter-gang violence and changes in OMCG membership

OMCGs' territorial growth is linked to increased risk for inter-gang violence for various reasons. First, the growth of a rival OMCG makes other OMCGs feel threatened in what they perceive as "their territory", leading to skepticism and uncertainty about their own symbolic status and power (Quinn, 2001; Quinn & Forsyth, 2011). Second, territorial growth and the numerical increase in membership needed to support it, sparks competition over the limited pool of potential OMCG members. Finally, territorial claims may also be dictated by access to (il)legal markets and hence involve economic in addition to symbolic value. The strive towards territorial growth may not only result in fierce inter-gang competition and violence, but may likewise affect the type of individuals that (can) become members of OMCGs (Quinn, 2001; Quinn & Forsyth, 2011).

Traditionally, OMCGs are known for their strict membership requirements and the protracted, formalized initiation processes leading up to becoming a full OMCG member. Future members must, for instance, show that they can live up to the subcultural biker values by regularly attending to club meetings, showing that they own and ride a motorcycle, and following the - at times criminal - orders of established members (Barker, 2007; Davis, 1982; Veno, 2009; Wolf, 1991). Yet, in times looming inter-gang violence, OMCGs may be willing to mitigate their strict membership requirements to achieve rapid numerical growth (Quinn, 2001; Quinn & Forsyth, 2011; Veno, 2009), resulting in future members being recruited more and more not on their adherence to the outlaw biker subcultural values yet rather based on their perceived ability to uphold the gang's violent reputation and help gain leverage over rivalling OMCGs (Barker, 2011; 2015; Piano, 2018; Quinn & Forsyth, 2011). Additionally, violent and crime prone individuals may also be specifically attracted to radical OMCGs because of the perceived added value of OMCG membership in achieving these individuals' criminal needs. Future members may, for example, benefit from criminal contacts to increase profit-making crime or make use of the gang's violent reputation in various types of offenses (Dowling et al., 2021; Van Deuren et al., 2020). Less stringent initiation procedures may pave the way for such a new type of member who under "normal" circumstances would not meet the required standards for OMCG membership (Veno, 2009). The emergence of so-called hybrid gangs, referring to OMCGs that evolved from mergers with street gangs and other brotherhoods, to bolster their criminal notoriety and reputation, is relevant in this regard (Lauchs et al., 2015; Roks, 2016; Roks & Densley 2020).

Although OMCG membership is commonly regarded as something "for life" (Wolf, 1991), these new types of outlaw bikers may soon leave the OMCG for various reasons. Violence prone individuals, recruited to strengthen the OMCG's clout, may only be temporary members of an OMCG, because in the long-term these members can or will not keep up to the required investment (e.g., time and resources) in the outlaw biker subculture. Crime prone individuals, who become OMCG members anticipating that membership will increase their criminal opportunities might rapidly leave the OMCG when membership turns out not to be beneficial to their criminal endeavors. Crime prone members may also experience unforeseen drawbacks of OMCG membership when their personal criminal business interferes with the OMCGs' interests (Van Deuren et al., 2020). Lastly, crime prone individuals may also shrink away because of rampaging inter-gang violence. Public violence is likely to attract police attention which, in turn, is bad for criminal business. Conversely, it is also possible that, in times of far-reaching radicalization, traditional, more conservative members leave the OMCG, because these bikers – from their purists' biker values –

do not support the criminal path that is chosen by the leadership of their radical OMCG (Dowling et al., 2021; Morgan & Cubitt, 2021; Quinn, 2001; Quinn & Forsyth, 2011). This potentially differentiated influx and outflow of members may impact the way OMCG membership is expected to influence members' individual criminal career.

2.4 OMCG membership and the individual criminal career

Three causal mechanisms explain the ways in which gang membership is assumed to result in heightened criminal involvement of individual gang members: selection, facilitation, and enhancement (Thornberry, Krohn, Lizotte & Chard-Wierschem, 1993). *Selection* suggests that gangs do not cause crime, but rather attract those individuals who are already prone to crime. Irrespective of gang membership, these individuals are likely to disproportionally engage in criminal behavior. *Facilitation* entails that, prior to gang membership, future gang members and non-gang members are indistinguishable; however, only once in the gang, the criminal behavior of gang members increases. *Enhancement* combines both selection and facilitation by suggesting that, prior to gang membership, gang members and non-gang members already differ in their level of criminal behavior; this difference is further aggravated during the gang membership period (Thornberry et al., 1993). Theoretically, for OMCGs a possible fourth and fifth mechanism may be at work: *inhibition* and *leveling off,* where OMCG membership reduces crime among members that are similarly or more crime prone than are non-OMCG members respectively, for example, because legal club obligations leave members less time to commit crimes, or because some (types of) crimes are perceived to interfere with the club's aspired image or goals, be it legal or illegal (Van Deuren et al., 2020). While prior gang research tends to find a positive association between juvenile street gang membership and crime (Pyrooz et al., 2016), findings from studies on juvenile street gangs can therefore not simply be generalized to OMCGs.

Prior empirical research on samples of Dutch and Danish outlaw bikers shows that, prior to OMCG membership, OMCG members are already more prone to crime compared to non-OMCG members, supporting a selection effect. OMCG members differ from non-OMCG members regarding onset, frequency, and nature of their criminal behavior, suggesting that OMCGs either especially recruit or are attractive to criminally inclined individuals (Blokland, Hout, van der Leest & Soudijn, 2017b; Klement, 2016b). As both facilitation and inhibition suggest the absence of pre-existing differences between members and non-members that render the former

more prone to crime prior to gang membership, findings evidencing a selection effect disqualify a pure facilitation or inhibition effect of OMCG membership on crime. After statistically controlling for pre-existing differences either by multivariate logistic regression (Blokland et al., 2017b) or exact matching (Klement, 2016b), previous research shows that OMCG membership is significantly associated with heightened criminal behavior, hence supporting an enhancement, rather than a levelling off effect of OMCG membership on crime (Blokland et al., 2017b; Klement, 2016b).

Whilst the empirical studies of Blokland et al. (2017b) and Klement (2016b) compared OMCG members to non-OMCG members, Van Deuren, Blokland, and Kleemans (2021) contrasted membership of a conservative ("less" criminal) OMCG to membership of a radical ("more" criminal) OMCG to examine the effects of OMCG membership on members' criminal behavior. Their study also supports both selection and enhancement effects. Prior to OMCG membership, future members of radical OMCGs are already more prone to crime compared to future members of conservative OMCGs. In addition, contrasted to membership of a conservative OMCG, membership of a radical OMCG is found to enhance members' criminal behavior, particularly for profit-making crime, such as property and organized crime. No significant differences between radical and more conservative OMCGs were found with regard to membership affecting the rate of offenses related to the outlaw biker subculture, such as violence, damaging, and public order offenses (Van Deuren et al. 2021).

The Danish study pertains to members who most likely joined OMCGs between mid-2001 and mid-2009 (Klement, 2016b). Both Dutch studies relied on the minimum age of membership as a proxy for the time of gang joining, which, given the average age of their sample, also situates the onset of membership well beyond the recent past for most members (Blokland et al., 2017b; Van Deuren et al., 2021). Given the increasing radicalization of the outlaw bikers scene as a whole, and the rapid growth and territorial expansion that major Dutch OMCGs have achieved in recent years – whether or not facilitated by lowering the membership bar -, results of these prior studies may not hold for members joining OMCGs under the current circumstances. In addition, while prior qualitative research on 39 ex-members of Australian OMCGs addressed the consequences of desisting from OMCG membership, it predominantly examined the effects of OMCG desistance on social, financial, and psychological factors (Boland et al., 2021), leaving questions regarding the potential association between desisting from an OMCG and ex-members' criminal careers as yet unanswered.

2.5 Current study

The aim of the present study is to increase our knowledge about membership of Dutch OMCGs; whether Dutch OMCG membership indeed has changed in recent years, and what the associations are of joining and desisting an OMCG on members' criminal behavior by using unique personal background and long-term criminal career data on 2,714 police-identified members of Dutch OMCGs. Additionally, the current data allow us to study the association between starting with and desisting from OMCG-membership on the individual's criminal career. To our knowledge, this is the first study examining the consequences of desistance from OMCG membership for criminal careers. First, addressing the issue of selection, by comparing outlaw bikers with the average adult Dutch male population on demographic, socio-economic, and criminal career characteristics, we are able to provide insight into the overall differences between outlaw bikers and Dutch adult males. Second, by distinguishing three OMCG-subpopulations based on their observed membership patterns (persistent-OMCG members, starting-OMCG members, and stopping-OMCG members), we can compare the demographic and (pre-membership) criminal career characteristics across these three groups, and Dutch adult males. This will provide us with information on whether, and if so how, (selection into) Dutch OMCG membership is changing. Third, by estimating within-individual regression models (i.e., negative binomial fixed effect models), we examine the way joining and desisting from an OMCG are linked to members' criminal behavior for starting and stopping OMCG members respectively.

2.6 Data and methods

2.6.1   Sample of Dutch OMCG-members

The current sample of Dutch OMCG members was constructed by the Outlaw Motorcycle Gangs intelligence unit of the Central Criminal Investigation Division of the Dutch National Police. The sample started with 3,012 individuals who were identified as members of Dutch OMCGs somewhere between 2010 up to September 2019. Personal background and criminal career information of some OMCG-members (N=298) could not be matched, for instance, because individuals had died or were never officially registered as residing in the Netherlands. Exclusion of these individuals resulted in a total sample of 2,714 police-identified Dutch OMCG-members for further analysis. The current sample is an extension of the sample used in a prior study into the criminal careers of Dutch outlaw bikers and outlaw biker clubs (Blokland et al.,

2017a; 2019)[7]. Being registered by the police as a member of an OMCG may, for instance, be based on the individual being observed wearing club colors or regularly attending private club meetings. Such observations may result from various police actions, such as traffic stops, police reports, or reports from community police officers. Registration as an OMCG member, therefore, is not necessarily based on the member being suspected of having committed a criminal offense (see Blokland et al., 2017a; 2019 for a detailed description of the sampling procedure).

2.6.2   OMCG-subpopulations: persistent, starting, and stopping members

Based on the available police information, we distinguished two time periods in which individuals could have been registered as an OMCG member to distinguish persistent-OMCG members from starting and stopping-OMCG members respectively. Those that were registered as OMCG members between 2010 and 2015 (see Blokland et al., 2017a) and were again registered as OMCG members between 2016 and 2019, were labeled persistent-OMCG members. Persistent members may have switched from one OMCG to the next during these years but remained part of the OMCG subculture. Those that were registered as members in the 2010-2015 period, yet not in the 2016-2019 period, were labeled stopping members. Previously registered OMCG members were considered to have desisted the OMCG when, for instance, the Dutch police received intelligence that a person was no longer OMCG member (e.g., members leaving the club in bad standing). Individuals were not removed from the list when they simply stated that they were no longer a member of an OMCG, but presented no evidence to back up this claim. Finally, those registered as members in the 2016-2019 period, yet not in the 2010-2015 period, were labeled starting members.

2.6.3   Sample of Dutch adult men

To compare the personal background and criminal career characteristics of OMCG members to that of average Dutch adult men, we selected a comparison group of men not registered as OMCG members. Given the age distribution of OMCG members (Blokland et al., 2017a), we selected all individuals from the entire Dutch male population aged 18 years and older, based on the anonymous population register of Statistics Netherlands (CBS). This resulted in a total sample of 6,845,110 adult men that were registered inhabitants of the Netherlands (December, 31, 2018).

---

[7]   The current study excludes individuals from OMCG support clubs. Support clubs are clubs officially affiliated to OMCGs, as is apparent from their website or use of similar color combinations in their club insignia. Members of support clubs were not registered by the National Police; therefore, support club members were not carefully examined on the OMCG membership list of the intelligence unit. In addition, OMCGs that after 2015 were no longer regarded as OMCGs by the intelligence unit of the Dutch police (e.g., Spiders MC and Black Sheep MC) were also excluded from the sample.

2.6.4 Personal background and criminal career characteristics

Information on personal backgrounds and criminal career characteristics of our sample of police-identified OMCG members and our comparison sample of adult Dutch males, was collected from Statistics Netherlands. Personal information consisted of age, ethnicity, educational background, income, and labor market status. Ethnicity was based on the individual's and parental country of birth: individuals are considered to have a non-Dutch ethnicity if either that person or one of his parents was born in a country other than the Netherlands. Educational background reflected the highest level of education achieved by 2018 and was measured in four categories: low (elementary education, practical education, pre-vocational secondary education, lower secondary vocational education), middle (secondary vocational education, higher secondary vocational education, pre-university education), high (higher professional education, university education, PhD), or missing (educational background unknown). Income was measured in five percentiles ranging from 0 to 100 and indicates the mean officially registered household income percentile over the years 2010 to 2018. As indicators of the individual's labor market status, we measured the percentage of months between 2010 to 2018 an individual had legal work, went to school, received unemployment benefits, was retired or had no officially income at all (i.e., non-school going individuals without legal work or unemployment benefits). Together, the labor market status variables add up to 100%.

Information on the criminal careers of Dutch OMCG members and the comparison men were taken from the police registration data (suspect database). The police registration data contains information of all crimes individuals were suspected of from 2005 up to 2019. For each individual, information is available on the number and type of crime they were suspected of committing. The different types of offenses were, based on the Statistic Netherlands offense classification scheme, merged into seven offense categories: property (e.g., burglary and theft), vandalism and public order (e.g., public violence, resisting arrest), violence (e.g., assault, threatening), traffic (e.g., driving under the influence), drugs (violations of the Opium Act), weapons (violations of the Arms and Ammunition Act), and a "miscellaneous" category of all remaining crimes. Since the possession of small (consumer) amounts of drugs is not prosecuted in the Netherlands, offenses in the 'drugs' category particularly pertain to (large-scale) production, trade, and trafficking of illegal drugs. In the Netherlands violations of the Arms and Ammunition Act particularly include the illegal possession of guns (which is both scarce and licensed in the Netherlands) or explosives. Together, the seven offense categories make up the total crime category.

2.7 Results

2.7.1   Background and criminal behavior characteristics of Dutch outlaw bikers and average adult Dutch males

The first aim of the study is to compare Dutch outlaw bikers to the average Dutch adult male on personal background and criminal career characteristics. Table 1 shows the differences between members of OMCGs and the comparison male population in various background characteristics: age, ethnicity, education, income percentile, and labor market participation. The average Dutch outlaw biker is 45 years old. Members of Dutch (70.3 percent), Indonesia (9.2 percent), Surinam (4.2 percent), and the former Dutch Antilles descent (3.1 percent) are overrepresented in the outlaw biker population compared to the Dutch adult male population. The educational level of the average Dutch outlaw biker is relatively low and most of the outlaw bikers belong to lower household income percentiles contrasted to the Dutch male population. Similar to the Dutch male population, in 58% of the months between 2010-2018 outlaw bikers were registered as being employed. OMCG members did report a higher percentage of months being unemployed (25 percent) or having no officially registered income (13 percent) compared to the Dutch adult male population.

Table 1, furthermore, depicts the overall registered criminal career characteristics between 2005 and 2019 of outlaw bikers and the comparison group of Dutch adult males. The analyses show substantial differences in criminal behavior between outlaw bikers and adult males: 74% of the outlaw bikers was a suspect of at least one crime between 2005-2019, compared to 16% of the adult male population (Table 1). This indicates that outlaw bikers are suspected of a crime at least once 4.5 times more often, than are Dutch adult males. Differentiated by the nature of the offenses, the results show that outlaw bikers are, on average, eight to nine times more likely to be suspected of property crimes, vandalism and public order violations, and traffic offenses, compared to Dutch males. The differences between outlaw bikers and adult males in their level of criminal involvement are the largest for weapons (25 times), drug-related (15 times), and violent (13 times) offenses. These differences are likely to reflect a mix of selection and enhancement effects.

Table 1. Demographic, socio-economic, and criminal career characteristics of members of Dutch OMCGs and the average Dutch adult male population

	OMCG-population	Average Dutch adult male	Sig	*d*	*Φ*
N	2.714	6.845.110			
Age in 2019 (mean)	44,7(11)	49,6(18.3)	**	.27	
Age in 2019 (categories)			**		**.10**
% 16-29	8,9	17,9			
% 30-34	12,6	8,0			
% 35-39	13,7	7,6			
% 40-49	27,0	16,0			
% 50 or older	37,7	50,5			
% Ethnicity			**		**.011**
Dutch	70,3	77,3			
Indonesian	9,2	2,3			
Surinamese	4,2	2,0			
Former Dutch Antilles	3,1	0,9			
Moroccan	2,6	2,1			
Turkish	1,8	2,4			
Other	8,8	13,1			
% Education			**		**.014**
Low	35,3	13,9			
Middle	34,5	27,0			
High	4,1	20,2			
Unknown	26,1	38,9			
% Income percentile			**		**.012**
1-20	14,7	6,9			
21-40	28,1	14,7			
41-60	26,2	22,1			
61-80	21,2	28,9			
81-100	9,4	25,7			
Missing	0,4	1,7			
% Labor participation					
Work	58(.38)	58(.43)		.01	
School	3(.12)	13(.29)	**	.33	
Unemployment benefits	25(.34)	9(.23)	**	.68	
Retirement	1(.07)	17(.35)	**	.45	
Without officially registered income	13(.14)	4(.23)	**	.67	
Crime between 2005-2019					
% with at least 1 offense	74,5	16,3	**		**.031**
Average amount of offenses	5,11(7.80)	0,52(2.57)	**	1.78	

Table 1. Continued

	OMCG-population	Average Dutch adult male			
N	2.714	6.845.110	Sig	*d*	*Φ*
Average amount of offenses by crime type 2005-2019					
Property offenses	1,26(3.60)	0,16(1.45)	**	.76	
Vandalism and public order offenses	0,72(1.78)	0,08(.72)	**	.89	
Violence offenses	1,66(2.96)	0,13(.73)	**	2.10	
Traffic offenses	0,62(1.39)	0,08(.55)	**	.98	
Drugs offenses	0,46(1.05)	0,03(.28)	**	1.54	
Weapon offenses	0,25(.63)	0,01(.12)	**	1.97	
Miscellaneous	0,16(.53)	0,02(.19)	**	.76	

1 T-test for continuous variables (with Cohen's d) and Chi-square tests for categorical variables (with Phi tests).

2 Data is non-normally distributed, Mann-Whitney u tests were also significant.

We additionally examined the relative contribution of each of the individual variables of Table 1 on the odds of being registered as OMCG member by conducting a multivariate logistic regression analysis, adding as predictors all demographic and socio-economic characteristics, and a dummy variable "suspected of at least one crime between 2005 and 2019" (see Appendix 1). The multivariate regression estimates for OMCG membership show that individuals who are suspected of at least one criminal offense, have an 8.5-fold higher odds of being registered as OMCG member, contrasted to individuals who are not suspected of any crime at all. Individuals with an Indonesian ethnicity have a 3.9-fold higher odds of being registered as OMCG members compared to individuals with a Dutch ethnicity.[8] Lastly, contrasted to being employed, individuals who receive unemployment benefits (1.5-fold) or who do not have any officially registered income (5.3-fold) also show a higher odds of being registered as OMCG members. Except for ethnicity, which clearly cannot be influenced by OMCG membership and hence evidences a pure selection effect, the results for employment and crime are likely to reflect both selection and enhancement effects.

---

[8] Satudarah, one of the largest Dutch OMCGs, was founded by individuals of Moluccan descent. This may partly explain why individuals of Moluccan origin have a higher odds of being registered as OMCG member.

2.7.2 Background and criminal career characteristics of outlaw biker subpopulations: persistent, starting, and stopping OMCG members.

A second goal of the study is to examine whether (selection into) Dutch OMCG membership is changing. To do so, we distinguished between persistent, starting, and stopping OMCG members and examined the personal backgrounds and (pre-membership) criminal career characteristics of these three OMCG-subpopulations and the Dutch adult men comparison group. Figure 1 illustrates the convergence of OMCG membership and criminal career information across three different time periods for all three distinguished OMCG subpopulations. As we have no OMCG membership data for the 2005-2009 period, we cannot be sure that those labeled as persistent or stopping members were already OMCG members prior to 2010. As a result, for these two OMCG member categories, the criminal career data for the 2005-2009 period is likely to cover a mix of both members and not-yet-members. As intermittent OMCG membership is expected to be rare, for starting members the 2005-2009 period most likely covers a period of non-membership. For both persistent members and stopping members the criminal career data for 2010-2015 cover a period of OMCG membership. Starting members, however, are not registered (yet) as OMCG members between 2010 and 2015. Persistent members remain members during the 2016-2019 period, and as such the criminal career data for this period cover a period of OMCG membership for persistent members. They do so too for starting members. For stopping members, however, the 2016-2019 period is a period of non-membership.

Figure 1. OMCG subpopulations and the years for which registered crime data was available

Table 2. Demographic and criminal career characteristics of persistent, starting and stopping members of Dutch OMCGs and the average Dutch adult male

	Persistent (a)	Starting (b)	Stopping (c)	Average Dutch adult male (d)	Between groups sig.[3]	Bonferroni post-hoc tests
N	839	1.166	709	6.845.110		
Age in 2019 (mean)	**48,1(10.2)**	**41,6(11)**	**45,7(10.2)**	**49,6(18.3)**	**	ab/bc/bd/cd
Age in 2019 (categories)					**	ab/ac/ad/bc/bd/cd
% 16-29	4,4	14,4	5,2	17,9		
% 30-34	7,4	17,2	11,4	8,0		
% 35-39	11,0	15,2	14,7	7,6		
% 40-49	26,7	25,7	29,6	16,0		
% 50 or older	50,5	27,5	39,1	50,5		
% Ethnicity					**	ab/ad
Dutch	72,9	69,1	69,0	77,3		
Indonesian	11,1	7,2	10,3	2,3		
Surinamese	2,4	5,7	3,7	2,0		
Former Dutch Antilles	2,6	3,4	3,0	0,9		
Moroccan	2,0	2,7	3,1	2,1		
Turkish	1,9	1,6	2,1	2,4		
Other	7,0	10,1	8,9	13,1		
Crime in 2005-2009						
% with at least 1 offense	49,1	53,9	55,9	8,7	**	ab/ac/ad/bd/cd
Average amount of offenses per year	0,31(.63)	0,45(.81)	0,48(.88)	0,04(.27)	**	ab/ac/ad/bd/cd
Violence offenses	0,10(.25)	0,14(.31)	0,18(.36)	0,01(.08)	**	ab/ac/ad/bc/bd/cd
Drug offenses	0,03(.10)	0,03(.12)	0,04(.12)	0,00(.03)	**	ac/ad/bc/bd/cd

Table 2. Continued

	Persistent (a)	Starting (b)	Stopping (c)	Average Dutch adult male (d)	Between groups sig. [3]	Bonferroni post-hoc tests
N	839	1.166	709	6.845.110		
Weapon offenses	0,01(,05)	0,01(,06)	0,02(,07)	0,00(,01)	**	ab/ac/ad/bc/bd/cd
Traffic offenses	0,03(,09)	0,04(,12)	0,05(,14)	0,01(,08)	**	ab/ac/ad/bd/cd
Crime between 2010-2015						
% with at least 1 offense	53,0	57,5	58,8	8,9	**	ab/ac/ad/bc/bd/cd
Average amount of offenses *per year*	0,26(,39)	0,36(,64)	0,39(,64)	0,04(,21)	**	ab/ac/ad/bd/cd
Violence offenses	0,09(,19)	0,12(,27)	0,13(,28)	0,01(,06)	**	ab/ac/ad/bc/bd/cd
Drugs offenses	0,03(,07)	0,03(,08)	0,04(,11)	0,00(,03)	**	ac/ad/bc/bd/cd
Weapon offenses	0,02(,05)	0,02(,06)	0,03(,07)	0,00(,01)	**	ac/ad/bc/bd/cd
Traffic offenses	0,04(,11)	0,04(,03)	0,06(,16)	0,01(,04)	**	ab/ac/ad/bc/bd/cd
Crime between 2016-2019						
% with at least 1 offense	31,5	41,3	33,4	4,7	**	ab/ac/ad/bc/bd/cd
Average amount of offenses *per year*	0,19(,47)	0,31(,65)	0,24(,56)	0,04(,19)	**	ab/ad/bc/bd/cd
Violence offenses	0,05(,18)	0,09(,22)	0,07(,24)	0,01(,06)	**	ab/ac/ad/bc/bd/cd
Drugs offenses	0,03(,09)	0,03(,12)	0,03(,16)	0,00(,03)	**	ab/ac/ad/bd/cd
Weapon offenses	0,02(,08)	0,02(,08)	0,01(,07)	0,00(,01)	**	ac/ad/bc/bd/cd
Traffic offenses	0,03(,10)	0,05(,18)	0,03(,15)	0,01(,05)	**	ab/ac/ad/bc/bd/cd

[1] T-test for continuous variables and Chi-square tests categorical variables.

[2] Data is non-normally distributed, Mann–Whitney u tests were also significant.

[3] The letters A, B, C, D indicate whether a significant difference was found between the differentiated groups. For instance, AB means that OMCG-persistent members (A) differ significantly from OMCG-starting members (B).

Univariate comparisons regarding the personal backgrounds show that persistent OMCG members are the oldest OMCG members, while, perhaps unsurprisingly, starting OMCG members are the youngest: a relatively high percentage of starting members is under the age of 35 years, whereas many individuals among the persistent OMCG members are 40 years or older in 2019 (Table 2). The analyses, furthermore, indicate that Surinamese (5.7%) and Antillean (3.4%) individuals are overrepresented among starting members, compared to persistent and stopping members. Combined, these results suggest that younger and more ethnic diverse outlaw bikers are drawn to the Dutch OMCG scene recently.

Univariate comparisons regarding the criminal career characteristics differentiated over three distinct (pre-)membership periods, show that prior to OMCG membership, starting members have been suspected of a crime more often than have Dutch adult males. In the pre-membership years, starting members have been a suspect of crime at least once 6 (between 2005 and 2009) to 6.5 (between 2010 and 2015) times more often than the average adult male. Prior to their OMCG membership, the differences between starting members and adult males in their level of criminal involvement are the largest for drugs and violent offenses. These differences reflect selection into OMCG membership. In addition, in the years prior to OMCG membership, starting members are also more often suspected of crime than are persistent members (Table 2). The new generation of OMCG members thus appears more crime prone than previous generations, already before becoming an OMCG member. To further test this assumption, we conducted a negative multivariate binomial regression in which we regressed the 2010-2015 crime rate on age, age squared, and two dummies indicating whether an individual was classified as a starting or stopping member respectively. Regression results show that, when controlled for age-differences between persistent and starting members, starting members are just as criminal prior to OMCG membership as are persistent members during their OMCG membership (B=.026, p>.05).

What Table 2, furthermore, indicates is that stopping members are more often a suspect of crime during their active membership years than are persistent members. Results of the negative multivariate binomial regression on the 2010-2015 crime rate, lead to the conclusion that the most crime prone OMCG members are more likely to desist from OMCG membership (B=.314, p<.001). Between 2016 and 2019, however, and again judged by the number of registered criminal suspicions, it is starting members who appear more criminally inclined than are stopping members. This is a first indication that desisting from OMCG membership decreases the registered criminal behavior of OMCG members - an indication we will test more rigorously below by conducting a series of hybrid random effects analyses.

2.7.3 The effect of starting with and desistance from OMCG membership on members' crime

The third aim of the study was to explore the link between joining and desisting an OMCG and the individual's criminal behavior. To assess the effect of joining and desisting an OMCG, we conducted a series of hybrid negative binomial random effects models of OMCG membership on total crime, violence, drugs, and weapons offenses, using only the samples of starting and stopping members. Hybrid random effects models estimate both within-individual and between-individual effects by expressing the time-varying variables as person-specific means and deviations of the person-specific means (Allison, 2009; Schunck, 2013). For the within-individual effects, the hybrid method eliminates potential selection bias by controlling for (un)observed heterogeneity resulting from time-invariant variables. In the sample of starting members, the parameter estimates of the variable OMCG membership, which has a value of "0" in the 2010-2015 period and a value of "1" in the 2016-2019 period, indicates the within-individual effect of joining an OMCG on the individual's criminal career. In the sample of stopping members, the parameter estimates of the variable OMCG membership, which has a value of "1" in the 2010-2015 period, and a value of "0" in the 2016-2019 period, indicate the within-individual effect of desisting from an OMCG on the individual's criminal career. Given that by definition the mean value of OMCG membership across the observation period is similar for all starting members and for all stopping members respectively, there is no need to include the mean of this variable in the models. In all models we do control for person-specific mean and deviation of the person-specific mean of age, employment, income, and household size. For example, the person-specific mean age represents the differences in crime for starting OMCG members of different ages, while the deviation of the person-specific mean represents the slope of the criminal behavior for starting OMCG members with increasing age.

The results in Table 3 present the effects of joining an OMCG on starting members' individual criminal career. The within-individual effects of OMCG membership for starting members were non-significant, indicating that the criminal behavior of starting OMCG members does not significantly differ prior compared to during their OMCG membership. The results in Table 4 show the effects of desistance from OMCG membership on stopping members' individual criminal career. The results indicate that desisting from OMCG membership has a significant decreasing effect on members' total registered criminal behavior, substantiating the univariate comparisons of Table 2. We find that the total criminal behavior of stopping OMCG members is 33% (IRR = 1.33) higher during OMCG membership than after OMCG membership. The same finding applies to violent crime: contrasted to the post-

membership years, stopping members commit more violent offenses (69%) during active OMCG membership years. No significant effects of desistance from OMCG membership were found for drugs and weapons crime (Table 4).

Table 3. Influence of starting with OMCG membership on crime[9]

	Model 1 Total crime	Model 2 Violent crime	Model 3 Drug crime	Model 4 Weapon crime
	IRR (SE)	IRR (SE)	IRR (SE)	IRR (SE)
Hybrid random effects coefficients				
OMCG membership	1.07(.11)	1.07(.16)	.76(.21)	1.31(.46)
Age mean	.95(.00)**	.96(.00)**	.97(.01)**	.95(.01)**
Employment mean	.37(.05)**	.37(.06)**	.59(.14)*	.31(.09)**
Income mean	.98(.00)**	.99(.00)**	.97(.01)**	.99(.01)
Household size mean	1.14(.04)**	1.09(.06)	1.03(.09)	.99(.11)
Age deviation mean	.93(.02)**	.90(.03)**	1.02(.06)	.98(.01)
Employment deviation mean	.85(.09)	.77(.13)	1.20(.36)	.67(.28)
Income deviation mean	1.00(.00)*	1.01(.00)	1.00(.01)	.99(.01)
Household size deviation mean	.95(.03)	.97(.04)	.86(.07)	.93(.10)
Intercept	2.84(.53)	.55(.14)*	.24(.09)**	.07(.04)**
Log pseudolikelihood	-5301.662	-2672.720	-927.019	-597.652

*p<.05, **p<.01

Table 4. Influence of desisting from OMCG membership on crime

	Model 1 Total crime	Model 2 Violent crime	Model 3 Drug crime	Model 4 Weapon crime
	IRR (SE)	IRR (SE)	IRR (SE)	IRR (SE)
Hybrid random effects coefficients				
OMCG membership	1.33(.17)*	1.69(.35)*	1.54(.47)	1.67(.68)
Age mean	.95(.01)**	.95(.01)**	.95(.01)**	.97(.01)**
Employment mean	.29(.05)**	.28(.07)**	.29(.11)**	.31(.11)**
Income mean	.99(.00)**	.98(.00)**	.99(.01)*	.99(.01)
Household size mean	1.16(.07)*	1.18(.10)*	1.10(.12)	.84(.11)
Age deviation mean	.94(.02)*	.98(.04)	1.00(.06)	.93(.08)
Employment deviation mean	.86(.10)	1.11(.22)	.86(.28)	1.52(.58)
Income deviation mean	.99(.00)**	.99(.00)	.98(.01)**	1.00(.01)
Household size deviation mean	1.08(.04)*	1.08(.07)	1.16(.11)	1.03(.11)
Intercept	2.59(.74)**	.52(.21)	.21(.11)**	.17(.10)**
Log pseudolikelihood	-3151.924	-1459.317	-692.267	-503.046

*p<.05, **p<.01

---

[9]   Information on labor participation, income, and household size was available until December 2018. The analyses on the effect of starting with and desisting from OMCG membership therefore run up to 2018.

2.8 Conclusion

In this study, we used long-term personal background and criminal career data on 2,714 police-identified members of Dutch OMCGs to examine Dutch OMCG membership and its association with individual criminal careers. We first compared the personal background and criminal behavior of Dutch OMCG members to that of the average adult Dutch male population, we then differentiated between persistent, starting, and stopping OMCG members to examine the extent to which concerns about recent changes in Dutch OMCG membership are empirically grounded. In addition, the large-scale dataset available for this study provided us the opportunity to quantitatively assess the potential effects of starting with and desisting from OMCG membership on the individual criminal career.

The results of the study showed that, compared to the Dutch male population, outlaw bikers are less educated, more frequently unemployed, and more often do not have a legally registered income. Findings on the lower socio-economic background of Dutch outlaw bikers are in line with previous international studies, suggesting that the outlaw biker scene is predominately populated by blue color males (Davis, 1982; Klement, 2016b; Piano, 2018; Quinn, 2001; Wolf, 1991). Dutch outlaw bikers are, furthermore, 4.5 times more often suspected of at least one offense during the observation period of this study than are Dutch adult males; differences are especially striking for weapons, drugs, and violent crime.

Differentiating between persistent, starting, and stopping OMCG members, the analyses showed that persistent and stopping OMCG members are predominantly middle-aged adults of Dutch descent, while a relatively high percentage of the starting members is under 35. In contrast to prior international studies showing that the outlaw biker subculture largely consists of white males, we found that the Dutch outlaw biker scene is becoming increasingly ethnically heterogeneous. The increased ethnic diversity among the group starting OMCG members suggests a new type of outlaw biker is entering the scene. While this finding in part may signal the increasing diversity of Dutch society at large, the seemingly ongoing dilution of the strict distinction between OMCGs and street gangs, seems to contribute to this as well (Roks & Densely, 2020). Contrasting the pre-membership criminal careers of starting members to that of persisting OMCG members, we also find that starting members are more crime prone already prior to joining an OMCG, than are persistent members during their OMCG membership. This difference, however, disappears when controlling for the different age distribution of these groups. The latter notwithstanding, these results indicate that the new type of outlaw biker is as crime prone *prior* to OMCG membership

as the old generation is *during* their OMCG membership. While the current study substantiates assumptions about a changing Dutch outlaw biker landscape, future qualitative research could add to our quantitative findings by unravelling the mechanisms underlying the alterations found in Dutch OMCG membership. Why are certain ethnic groups attracted to OMCG membership? What consequences have the mergers between street gangs and OMCGs on the Dutch OMCG subculture? And, to what extent are similar trends present in other countries? These and similar questions are important lines for future research.

Contrary to prior research, we find that OMCG membership has no *enhancing* influence on the individual criminal careers of starting members. In light of the above, a possible explanation for this finding is the current selection of already violent and crime prone individuals into the outlaw biker subculture so that OMCG membership has no added criminal value for these starting members, at least during the first years of membership. We do find that the level of total and violent crime of stopping members is higher during membership than in their post membership years, indicating that desistance from OMCG membership has a decreasing influence on stopping members' violent criminal behavior. The results can be explained by the prominence of violence in the outlaw biker subculture. Desisting from OMCG membership means leaving a subculture known for involvement in (inter-gang) violence and also indicates that ex-members no longer have access to violent crime facilitating benefits, such as the club's fear inducing reputation (Van Deuren et al., 2020). However, we do not find an influence of desisting from OMCG membership on drug and weapon crime. A possible explanation for this finding is that, unlike violent crime, drug and weapon crime are offenses particularly committed by OMCG members on their own behalf, not driven or coordinated by OMCGs as organizations (Van Deuren et al., 2020). Although the study examines the association of starting with and desisting from OMCG membership on crime, future qualitative studies should explore in more depth the reasons why individuals join or leave Dutch OMCGs, together with the mechanisms behind the desisting influence - and lack thereof - on crime.

This study, like any other study, has several limitations that need to be considered. Since 2012, Dutch OMCGs and their members have been subjected to a so-called whole of government approach, resulting in increased police attention for outlaw biker crime. Our sample of police-identified Dutch OMCG members, therefore, might suffer from official registration bias in two ways. First, Dutch police attention may be especially targeted to OMCG members that are known for their criminal involvement, resulting in an overrepresentation of especially criminally inclined OMCG members in the sample and inflating the difference between OMCG members and the general

population in this respect. The criminal career data prior to the start of the whole of government approach (2005-2009), however, already signals substantial differences in registered criminal behavior between (future) OMCG members and Dutch adult males. In addition, the combination of the size of the sample, the estimated size of the total Dutch OMCG membership - around 3,300 members (Blokland et al., 2017a) -, and the magnitude of the differences found, also strengthen the conclusion that registration bias is unlikely to have affected our main conclusion, namely that OMCG members are typically more crime prone than is the average Dutch male (see Blokland et al., 2019 for a more detailed discussion and a sensitivity test on the potential effects of official registration bias on a sample of Dutch OMCG members).

Second, given the high priority given to OMCGs by the Dutch authorities, rather than an actual behavioral effect, the decline in registered crime observed for stopping members may also have resulted from ex-OMCG members drifting out of police focus compared to present members who continued to be high priority. This relates to the much broader issue of the dark figure in registered crime rates. While we cannot differentiate changes in individual behavior from changes in system behavior based on registered data only, it is good to note that particularly when studying OMCG membership, bias could also work the other way around. Individual OMCG members may be shielded from arrest and prosecution, because the OMCG's violent reputation may prevent victims and witnesses to come forward (Van Deuren et al., 2020; Von Lampe & Blokland, 2020). More so than that of ex-OMCG members, the criminal and violent behavior of current OMCG members might therefore be less rather than more likely to be officially registered, enhancing rather than weakening the actual effect of desistance from an OMCG.

A third limitation is that we, as do most other researchers scrutinizing the effects of gang membership, remain ignorant of members' precise date of entry into and desistance from the OMCG. Though our data allows this window to be shortened to a 4 to 5-year period, a lot can happen in these years, especially in an outlaw biker scene that is as volatile as the current Dutch scene. For instance, by allocating members to starting and stopping categories and comparing members' criminal behavior across different periods, we implicitly assume OMCG membership to last that entire period, while, in reality, membership – especially for the new generation of outlaw bikers – might not have lasted that long.

Finally, while the hybrid models used control for heterogeneity in stable individual characteristics, they do not control for potential bias resulting from unobserved time-varying variables. While we were able to take into account changes in labor

participation, income, and household size – that can be argued to proxy important life-course transitions, such as getting married or becoming a father - other transitions which may have affected both OMCG membership and crime levels – e.g., religious conversion – may still have biased our results.

The outlaw biker scene is increasingly becoming more fluid and dynamic. The selection of young, ethnically diverse, and crime prone soon-to-be OMCG members, fits a development towards more hybrid gangs, noticeable both in the Netherlands and elsewhere (Lauchs et al., 2015; Roks, 2016; Roks & Densley, 2020). Such hybrid gangs combine street gang attitudes and mannerisms with OMCG symbolism, without making riding motorcycles a priority or even a necessity for membership. Though much is still unclear about the criminal activities and longevity of such brotherhoods and boxing clubs, police and research attention to these crime prone groups seems warranted in order to get a better understanding of and grip on this new generation of outlaw "bikers".

Appendix 1. Multivariate logistic regression analysis on the risk factors for being registered as OMCG member

	OMCG membership	
	B(SE)	Exp(B)
Age in 2019	-.009(.002)**	.991
Ethnicity		
Dutch	*Ref. cat*	*Ref. cat*
Indonesian	1.356(.068)**	3.882
Surinamese	-.245(.098)*	.783
Former Dutch Antilles	.137(.114)	1.147
Moroccan	-1.298(.144)**	.273
Turkish	-1.041(.123)**	.353
Other	-.827(.071)**	.437
Suspect of at least one offense (y/n)	2.149(.048)**	8.572
Labor participation		
Work	*Ref. cat*	*Ref. cat*
School	-2.917(.175)**	.054
Unemployment benefits	.399(0.70)**	1.490
Retirement	-3.441(.283)**	.032
Without officially registered income	1.663(.089)**	5.274
Educational level		
Low	*Ref. cat*	*Ref. cat*
Middle	-.323(.048)**	.724
High	-1.600(.103)**	.202
Educational level unknown	-.272(.056)**	.762
Income percentile (household level)		
Income percentile 1-20	*Ref. cat*	*Ref. cat*
Income percentile 21-40	.461(.066)**	1.585
Income percentile 41-60	.239(.074)**	1.269
Income percentile 61-80	-.089(.084)	.915
Income percentile 81-100	-.520(.102)**	.594
Income percentile missing	-1.787(.312)**	.167
Household size[1]	.062(.018)**	1.063
Constant	-7.903(.128)	.000

*<0.05, **p<0.001.

1. Household size represents the average number of people forming a household on the 1st of January in the years between 2010 and 2018. Household size is added as control variable in the logistic regression analysis, because income percentile is dependent on the number of people forming a household.

CHAPTER 3

Differentiating between Outlaw Motorcycle Gangs (OMCGs): estimating the effect of membership of the most crime prone OMCGs on crime using matching weights

Abstract

In this study, officially registered adult criminal careers of members of the most criminal Dutch Outlaw Motorcycle Gangs (OMCGs) are contrasted to those members of the least criminal Dutch OMCGs to examine the effect of membership of the most criminal OMCGs on members' criminal careers. To control for pre-existing differences, we employ the recently developed propensity score-based method of matching weights. Results show that future members of the most criminal OMCGs are already more crime prone during adolescence compared to future members of the least criminal OMCGs. Furthermore, membership of a criminal OMCG is found to enhance members' profitmaking crime rates, particularly for property crime and organized crime, while no such effects are found for expressive crimes, such as violence, damaging, and public order offenses.[10]

3.1 Introduction

Outlaw Motorcycle Gangs (OMCGs) are increasingly viewed as societal menace. Prior research corroborates concerns about OMCGs by showing that many outlaw bikers have a criminal record for various – at times serious - types of offenses (Blokland, Van der Leest & Soudijn, 2019; Klement, 2016a; Rostami & Mondani, 2019; Van Deuren, Blokland & Kleemans, 2021). From a theoretical point of view, OMCGs appear to occupy somewhat of a middle-ground between street gangs and organized crime groups (Von Lampe & Blokland, 2020). Like street gangs, OMCGs are durable, street orientated associations, whose members engage in criminal activity, such as violence and damaging offenses (Klein & Maxson, 2006). Unlike street gang members, however, OMCG members tend to be adults (Blokland et al., 2019; Klement, 2016b). Some OMCGs have also been found to engage in serious and organized crimes, such as the manufacturing and trafficking of drugs, extortion, and racketeering (Barker, 2015; Quinn & Koch, 2003; Von Lampe & Blokland, 2020), making them resemble organized crime groups rather than juvenile street gangs in this respect (Lauchs et al., 2015).

Despite being labeled as 'outlaw gangs', not all OMCGs and their members are equally involved in crime. While those enmeshed in the outlaw biker subculture appear, on average, more crime prone than non-outlaw biker males (Van Deuren et al., 2021), both theory and empirical research indicate that there is still ample variation among groups characterized as outlaw biker gangs (Blokland, Van der Leest & Soudijn, 2017a; Morgan et al., 2020; Wolf, 1991); OMCGs cover a full spectrum from clubs to organizations of criminals and criminal gangs (Barker, 2015; Von Lampe, 2016). These differences in OMCGs' level of criminal involvement suggests that, even within those that are part of the outlaw biker subculture, the effects of OMCG membership on crime may be conditional of the type of OMCG one becomes a member of.

By studying both the juvenile and adult criminal careers of Dutch OMCG members, we seek to assess the potential criminogenic effects of OMCG membership, while instead of making the common comparison between gang members and non-gang members, we make use of observed variation in OMCGs' level of criminal involvement (Blokland et al., 2017a; Morgan et al., 2020). By using unique and long-term criminal career data on 2,090 police-identified members of Dutch OMCGs and their support clubs[11], we contrast officially registered adult criminal careers of members of the

---

[11] Support clubs are clubs officially affiliated to OMCGs, as is apparent for instance from their web site or using similar color combinations in their club logo. Members of support clubs may be used to carry out (violent and criminal) services for the OMCG to which the members are affiliated (Barker, 2017).

Netherlands' least criminal OMCGs to those members of the Netherlands' most criminal OMCGs, thus estimating the effect of adult membership of different types of 'gangs' for those equally embedded in the outlaw biker subculture. To optimally control for selection bias, we apply the recently developed propensity score-based method of matching weights (Li & Greene, 2013).

3.2 Gang membership and criminal behavior

Three causal mechanisms may explain the positive association between gang membership and crime: selection, facilitation, and enhancement (Thornberry et al., 1993). *Selection* does not entail a criminogenic effect of gang membership per se, but rather assumes those already most crime prone to be drawn to gang membership, either based on their own preference or because of them being actively recruited into the gang (Densley, 2012). *Facilitation*, on the other hand, entails that future gang members are not more or less crime prone than non-gang members prior to gang membership; rather their criminal behavior is increased only once in the gang. Gang members may want to impress other gang members by committing crime, get involved in violent inter-gang rivalries, or feel the need to uphold the gang's criminal reputation (Klein, 1995; Klein et al., 2006). Gang membership may also increase the opportunity to commit certain types of crime or alter the cost/benefit ratio of offending, for example by making use of the gang's violent reputation to intimidate victims and witnesses in refusing to cooperate with police investigations (Felson, 2006). Finally, *enhancement* combines the processes of selection and facilitation: while future gang members may be already more crime prone to begin with, the difference between gang members and non-gang members is further exacerbated once future gang members actually join the gang (Thornberry et al., 1993).

Empirical evidence supports both selection and enhancement effects of gang membership (Pyrooz et al., 2016). Several studies find that future gang members differ from their peers already in the years prior to joining a gang. Prior to gang membership, future gang members are found to be more aggressive, hyperactive, and oppositional (Haviland et al., 2007) and to report higher levels of substance abuse and delinquent and criminal behavior, compared to non-gang members (Gordon et al,. 2004; Lahey et al., 1999). Finding evidence of selection a priori rules out a pure facilitation effect of gang membership in favor of a possible enhancement effect. Selection, however, also complicates isolating a potential causal effect of gang membership, as a simple comparison of the criminal involvement of gang members to that of non-gang members would be exaggerated by pre-existing differences in

criminal propensity between the two groups. Many empirical studies into the effect of gang membership on crime have, therefore, controlled for selection either by including variables representing the individuals' prior criminal involvement in OLS regressions or by using fixed effect models to isolate the within-individual effects of gang membership from any a priori time-stable between-individual differences (e.g. Gordon et al., 2004; Krohn et al., 2011). Recently, a number of studies have also used quasi-experimental propensity score-based techniques to construct samples of gang members and non-gang members that are highly comparable with regard to their history of problem behavior (Barnes et al., 2010; DeLisi et al., 2009; Haviland et al., 2007). A recent review of studies into the effects of gang membership concludes that street gang membership indeed tends to increase criminal behavior in juveniles, aggravating pre-existing differences between gang members and non-gang members, hence supporting an enhancement interpretation of the effect of gang membership on crime (Pyrooz et al., 2016).

3.3 Prior empirical studies on the effect of OMCG membership on crime

Although a number of studies have examined criminal careers of individuals associated with organized crime groups (Francis et al., 2013; Kleemans & Van Koppen, 2014; Campedelli et al., 2019), none have specifically addressed the effect of joining a group known for their involved in organized crime on members' subsequent criminal behavior. To our knowledge, only two studies have begun to examine the effect of OMCG membership on crime. The first, a Danish study by Klement (2016b), was able to compare the officially registered criminal histories of 297 OMCG-members identified as such by the police, to that of a sample of 181,931 controls, not affiliated with an OMCG. Comparison of the two groups showed pre-existing differences between the OMCG and control group in terms of the extent of criminal history already prior to being registered as an OMCG member. Exact matching on age, age of onset of the criminal career, and offending frequency prior to registration as an OMCG member was, therefore, used to control for selection bias. Comparisons of OMCG members to matched controls showed that OMCG membership was associated with significant increases in the level of overall crime, and especially property, drugs, and weapons crimes. Klement (2016b), however, compared OMCG members to non-OMCG members, reducing gang membership to a dichotomous state and hence ignoring any potential variety between OMCGs in terms of their collective criminal involvement.

The second study was performed by Blokland, Van Hout, Van der Leest and Soudijn (2017b) and used conviction data on a sample of police identified Dutch outlaw bikers and a sex and age-matched control group of registered motorcycle owners who were not known-outlaw bikers. Dutch OMCG members were found to differ from non-outlaw male motorcyclists, both in terms of the adolescent (prior to age 25) conviction history – evidencing selection - and in their adult (age 25 and up) conviction rates, with OMCG members being over three times more likely to have an adult criminal record. Even when juvenile criminal history was controlled for in a multivariate logistic regression model, adult criminal history was still significantly associated with OMCG-membership, suggesting an enhancing effect of OMCG-membership on adult crime. The enhancement effect was particularly strong for drug offenses: compared to non-outlaw motorcyclists, OMCG members have five-fold higher odds of being convicted for a drug offense – which in the Dutch context pertains to the production, trafficking or (whole)sale of drugs rather than possession for individual use (Van Ooyen-Houben & Kleemans, 2015). As the authors rightly noted, however, caution is needed when drawing causal conclusions from regression models, as results may be biased by uncontrolled confounders influencing both OMCG-membership and adult convictions (Blokland et al., 2017b: 28). Importantly, both the Danish and the Dutch study compared outlaw bikers to non-outlaw biker males and male motorcyclists respectively, thus estimating the effect of being part of the outlaw biker subculture as a whole, rather than estimating the effect of membership of a particular type of OMCG.

3.4 Street gangs, organized crime groups, and OMCGs

While there is mounting evidence showing a positive association between juvenile street gang membership and crime (Pyrooz et al., 2016), empirical research on the effects of OMCG membership on members' crime is still scarce. Prior research indicates that street gang membership and crime are not only linked, because youths displaying the most delinquent behavior tend to join gangs, but that this is also due to crime becoming more likely once youths are in a gang. Findings from studies on juvenile street gangs, however, cannot simply be generalized to membership of adult gangs or organized crime groups. For one, the reasons for joining a juvenile street gang – and, therefore, its effects on crime – may be different for those joining an adult gang or organized crime group. Among the primary motives for juveniles to join street gangs are that they have family and friends who are already in the gang, that being a gang member is associated with friendship and fun, and that gangs are believed to provide protection against victimization

(by other gangs) (Descormiers & Corrado, 2016; Peterson et al., 2004; Thornberry et al., 2003). Decker and Curry (2000) add that juveniles join gangs, because it makes them feel important in their neighborhood and to impress girls. Street gangs, in turn, may actively search for gang members who contribute to the gang's notoriety and violent reputation, and who are willing to fight during inter-gang confrontations (Densley, 2012). The reasons for gang joining and recruiting being predominantly social and symbolic may explain why the effect of gang membership on juvenile criminal behavior is especially pronounced for expressive and symbolic crimes, like violence (Papachristos, 2009).

Adults, on the other hand, tend to get involved in organized crime groups for various other reasons, including primarily economic motives (Van Koppen, 2013; Savona et al., 2017). They typically join organized crime groups because it allows them to engage in the kind of complex, high-profit crimes that generate sufficient funds to pay off debts, enhance their financial position, or defray extravagant lifestyle expenditures (Felson, 2006; Hobbs, 2013; Kleemans & De Poot, 2008). In turn, adult offenders are recruited in organized crime groups not solely - or even primarily - for their ability to use violence, but also for other skillsets and opportunities they offer, which are essential for the completion of the group's illicit endeavors (Van Koppen & De Poot, 2013; Kleemans & De Poot, 2008). Given the predominantly economic reasons to join or be recruited by organized crime groups, the effects of criminal group membership on adult crime may be expected to be especially prevalent for entrepreneurial, profit-oriented crime.

OMCGs are hybrid collectives showing both street gang-like and organized crime group-like features (Von Lampe & Blokland, 2020). Like street gangs, adults report to join OMCGs, because membership provides them a sense of belonging, mutual support, and protection against other criminal groups and law enforcement agencies (Von Lampe, 2016). As in street gangs, violence and inter-gang conflict often serve to strengthen group cohesion and to imbue symbolic meaning to OMCG membership (Decker, 1996; Quinn & Forsyth, 2011). As do organized crime groups, OMCGs may also provide a setting for finding suitable co-offenders for committing more complex crime (Van Deuren, Kleemans & Blokland, 2020) and may be more willing to allow individuals in their ranks who provide for opportunities to engage in high-profit entrepreneurial crime (e.g., Queen, 2005). OMCGs also provide their members the opportunity to profit from the intimidating reputation (also referred to as 'the power of the patch') to commit violent and profit-oriented crime (Van Deuren et al., 2020). Consequently, compared to non-membership, OMCG-membership may be expected to have an enhancing effect on both symbolic and entrepreneurial crime.

The principal difference between street gangs, organized crime groups and OMCGs, however, is that both street gangs and organized crime groups are *by definition* centered around illegal activity, whereas OMCGs are first and foremost (legal) associational structures originating from a joint attraction to the outlaw biker lifestyle (Von Lampe 2016). While deviant and nonconformist, prior research shows that OMCGs differ substantially in their members' level and nature of criminal involvement (Blokland et al., 2017a; Morgan et al., 2020) and that not all groups labeled OMCGs are *automatically* engaged in (serious) crime. Despite being labeled outlaw motorcycle *gangs* by law enforcement, in reality, OMCGs cover a full spectrum ranging from mere *clubs* to criminal *gangs* (Barker, 2015). This apparent variety between OMCGs in terms of their collective criminal involvement, suggests that the effects of OMCG membership on adult crime may be conditional on the type of OMCG one becomes a member of.

Judged by the many published first-hand accounts, the outlaw biker subculture as a whole is steeped with violence. In the hyper-masculine outlaw biker milieu, both individual and group conflicts are often resolved through physical force. As various authors have noted, however, only in some OMCGs criminal motivations appear to have come to eclipse more traditional biker values, rendering membership of these OMCGs more and more a mere resource to be used to obtain some criminal goal (e.g. Barker, 2007; Quinn, 2001). For these OMCGs, the emphasis is on criminal entrepreneurialism and illicit profit. Hence, the differential effects of membership of one of the most criminal OMCGs, compared to membership of one of the least criminal OMCGs, are expected to be most pronounced for entrepreneurial rather than violent crime.

Law enforcement interest is typically focused on those more prone to crime OMCGs rather than on the outlaw biker subculture as a whole. Therefore, rather than treating OMCG membership as an all or nothing variable, comparing the criminal behavior of OMCG members to non-OMCG members – as did previous research (Blokland et al., 2017b; Klement, 2016b) -, here we focus on comparing the effects of membership of the most criminal OMCGs with that of membership of the least criminal OMCGs, thus focusing on the effects of membership of a particular type of OMCG for those otherwise equally submerged in the outlaw biker subculture.

3.5 Current study

The current study seeks to contribute to our knowledge regarding the effects of joining one of the most criminal OMCGs contrasted to joining one of the least criminal OMCGs on individual members' criminal careers, controlling for the fact that it might be those already more crime prone that aspire to become, or are recruited as members of the most criminal OMCGs. Besides doing justice to the wide variety of OMCGs observed (Blokland et al., 2017a; 2019; Morgan et al., 2020), this provides the methodological advantage of a-priori reducing the level of selection bias, as our comparison is limited to those individuals attracted to the hyper-masculine outlaw biker subculture in the first place. Membership of different OMCGs was based on police-made identifications. Extant OMCG research, as well as prior research into street gangs and organized crime, leads us to formulate three hypotheses regarding the effect of joining a more criminal OMCG compared to a less criminal OMCG that we aim to test in the current study. We predict that:

1. prior to joining an OMCG, future members of one of the most criminal OMCGs already show more signs of criminal inclination, as reflected in an earlier start, higher frequency, and larger variety of their juvenile offending, than do future members of one of the least criminal OMCGs, indicating *selection* into membership of the most criminal OMCGs.
2. there is an *enhancement effect* of joining one of the most criminal OMCGs, reflected in a higher overall rate of officially registered crime for members of one of the most criminal OMCGs as opposed to members of one of the least criminal OMCGs, even after statistically controlling for selection bias.
3. this enhancement effect will be most outspoken for entrepreneurial and organized types of crime rather than crimes that seem to be part of the outlaw biker subculture as a whole (e.g., inter-gang violence, public order offenses) (Lauchs et al., 2015).

3.6 Data and methods

3.6.1 Sample
Starting point for our analyses was a sample of 2,090 OMCG and support club members constructed by the outlaw motorcycle gang intelligence unit of the Central Criminal Investigation Division of the Dutch National Police. Individuals in the sample were registered in the police system as members of a Dutch OMCG or

support club at least once at some point between 2010 and 2015[12]. For an individual to be listed as an OMCG member, a police officer had to determine the identity of the individual and had to officially register the individual as belonging to an OMCG. Registered affiliation with an OMCG or support club may result from, for example, the individual being observed by police officers wearing 'official' club colors or regularly attending private club meetings. Such registrations may have resulted from various police actions, such as traffic stops, police reports, or observations of community police officers; and, therefore, are not necessarily resulting from the individual being suspected of a criminal offense (see Blokland et al., 2017a for a detailed description of the sampling procedure).

To what extent the current sample constitutes a representative sample of all Dutch OMCGs is unclear, since the exact size and buildup of Dutch OMCG membership is unknown. Selectivity bias may be present when especially criminally active OMCG members are known to the police. The potential consequences of such selectivity bias depend upon two factors: the proportion of OMCG members who are missing in the sample and the extent to which these OMCG members are involved in crime. See Blokland et al. (2019) for a sensitivity analysis on the potential effects of selectivity bias under different combinations of these two factors.

3.6.2   Criminal careers

Information on the criminal careers of the OMCG and support club members in the sample was obtained from the Judicial Information System (JDS). Extracts from the JDS contain information on the amount, timing, and nature of all criminal cases registered at the Public Prosecutor's Office. These extracts also contain information about the type and severity of the imposed sanction. To reconstruct members' criminal history, only information on criminal cases that resulted in a guilty verdict, a prosecutorial fine, or policy dismissal – for brevity referred to as 'convictions' in the remainder of the text - were used. Cases ending in an acquittal or a technical dismissal were not taken into account. For all individuals in the sample, the data include criminal career information starting at age 12 – which is the minimum age of criminal responsibility in the Netherlands - up to the individual's age in December 2015.

---

[12]   In the years between 2010 and 2015, individuals could enter, leave, and switch between OMCGs. At the time of data collection, the Dutch police was particularly focused on registering members to the appropriate OMCG, and less attention was devoted to members possibly leaving the OMCG, as at the time OMCG membership was regarded as something 'for life'. Nowadays, the police check registered OMCG members every two years to determine if a person is still a member of a Dutch OMCG.

The JDS extracts distinguish 52 offense types. Based on the classification scheme of Statistics Netherlands, we merged these offense types into nine offense categories: traffic offenses (e.g. driving under influence), property crimes (e.g. burglary and theft), violence (e.g. assault), public order offenses (e.g. collective violence), damaging (e.g. arson), weapons offenses (violations of the Arms and Ammunition Act), and drug offenses (Opium Act offenses). It is important to note that drug use is not defined as an offense in the Netherlands. Furthermore, the possession of small (consumer) amounts of drugs is not prosecuted and, therefore, does not result in a criminal antecedent (Van Ooyen-Houben & Kleemans, 2015). As a consequence, in our data, drug offenses primarily refer to the (large-scale) production, trade, and trafficking of drugs. Legal possession of a firearm is rare in the Netherlands (124 per 10.000 inhabitants in 2012) and violations of the Arms and Ammunitions Act therefore typically pertain to illegal possession of guns (or explosives). Research distinguishes three groups of offenders carrying illegal fire arms: young offenders committing armed robberies, seasoned criminals operating on a regional or national level, and internationally active criminals involved in drugs-, weapons- or human trafficking (Bruinsma & Moors, 2005). Finally, in accordance with prior research on the current data (Blokland et al., 2017a; 2019) and following Quinn and Koch (2003), we also distinguished an offense category we labeled 'ongoing criminal enterprises' (oce), which included convictions for extortion, human trafficking, and money laundering. Together with drugs and weapons offenses, ongoing criminal enterprises comprise the overarching category of 'organized crime'. All remaining offenses were subsumed under a miscellaneous 'other' category.

3.6.3   The most criminal OMCGs versus the least criminal OMCGs

To distinguish the most criminal OMCGs from the least criminal OMCGs, we constructed a nine-item scale that, for each OMCG, measured the mean number of felony convictions, convictions for violent, property, and public order crimes, drugs and weapon offenses, convictions for ongoing criminal enterprises, monetary fines, and prison sentences prior to age 25 per OMCG member. It is important to note that, while based on individual criminal career information, the nine-item scale measures crime at the OMCG level, indicating the type of OMCG environment individuals enter into when becoming a member of a particular OMCG. The 2,090 members in our initial sample belonged to 51 different OMCGs. To allow for individual variation around the OMCG mean, only OMCGs for which our sample consisted of ten or more members were included in the analyses, leaving 27 OMCGs in the analyses.[13] Cronbach's alpha

---

13   Further examination of the data revealed that OMCGs with less than ten known members were predominantly official support clubs of established Dutch OMCGs and clubs whose status as an independent OMCG was uncertain.

for the nine-item scale was .84, making it suitable for comparing groups (Bland and Altman 1997). After standardizing all nine offense items, a continuous variable was constructed by adding the mean values of the nine standardized items.

Subsequently, following Loeber and Farrington (2012), we trichotomized (lower 33.3%, middle 33.3%, and upper 33.3%) the OMCG crime scale, to differentiate between the most criminal (upper 33%) and the least criminal (lower 33%) OMCGs. As a consequence, only members of the nine OMCGs labeled 'the most criminal' and the nine OMCGs labeled 'the least criminal' were included in the subsequent analyses, leaving out members of the nine OMCGs in the middle of the OMCG crime distribution. Figure 1 depicts the percentual crime distribution prior to age 25 for OMCGs in the lower 33.3%, middle 33.3%, and upper 33.3% of the OMCG crime scale. What figure 1 shows is that OMCGs not only quantitatively, but also qualitatively differ in their criminal involvement: the least criminal OMCGs are, particularly, involved in offenses related to the outlaw biker subculture, such as public order and violent offenses, whereas the criminal behavior of the most criminal OMCGs is aimed at more serious types of crime, such as ongoing criminal enterprises, weapon, and drug offenses.
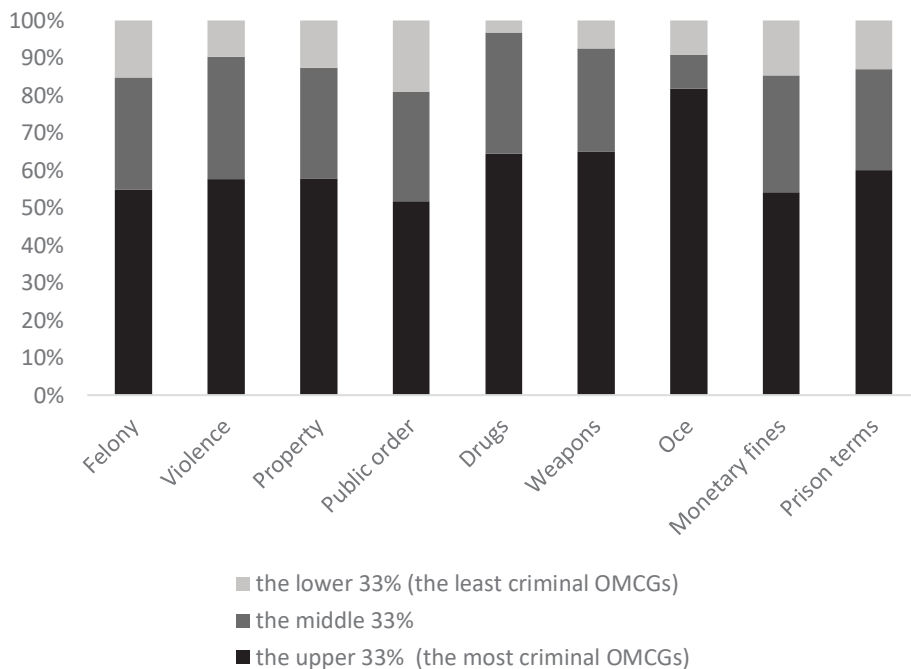

Figure 1. The percentual juvenile crime distribution among the most, the middle, and the least criminal OMCGs

Both OMCGs and support clubs differ in size and so does the number of members per OMCG or support club in our sample[14]. As a result, our final sample consisted of 679 OMCG and support club members, of which 140 were members of one of the nine least criminal OMCGs or support clubs and 539 were members of one of the nine OMCGs or support clubs labeled as the most criminal.

Figure 2 illustrates the observed variation in criminal history on both the OMCG and individual level. The black and white dots represent the OMCG-level means for each of the nine variables comprising the OMCG crime scale respectively for the most criminal and the least criminal OMCGs. The gray lines represent the extent of individual variation on the items (i.e. indicating the range between the lowest and highest individual score for members classified as being a member of either the most criminal or the least criminal OMCG). Figure 2 shows that while the most criminal and the least criminal OMCGs differ in gang means – as a result of trichotomizing -, there is much variation, and, consequently, much overlap in the individual ranges for the different variables between members of the most criminal versus members of the least criminal OMCGs. It is this variation in members' individual criminal histories within each type of OMCG that allows us to treat the OMCG-level measure as separate from the individual-level measure.

---

[14]   Though selective police attention may have resulted in especially members of the most criminal OMCGs to be officially registered as OMCG members at the cost of members of more rule abiding OMCGs, the differences in registered membership numbers in our sample do mirror differences in the number of chapters these OMCGs themselves report on their official websites and to that extent can be argued to reflect actual differences in club size. In the Netherlands, judged by the number of chapters, it indeed are predominantly the larger OMCGs and their support clubs that are most criminal in the sense as defined here.
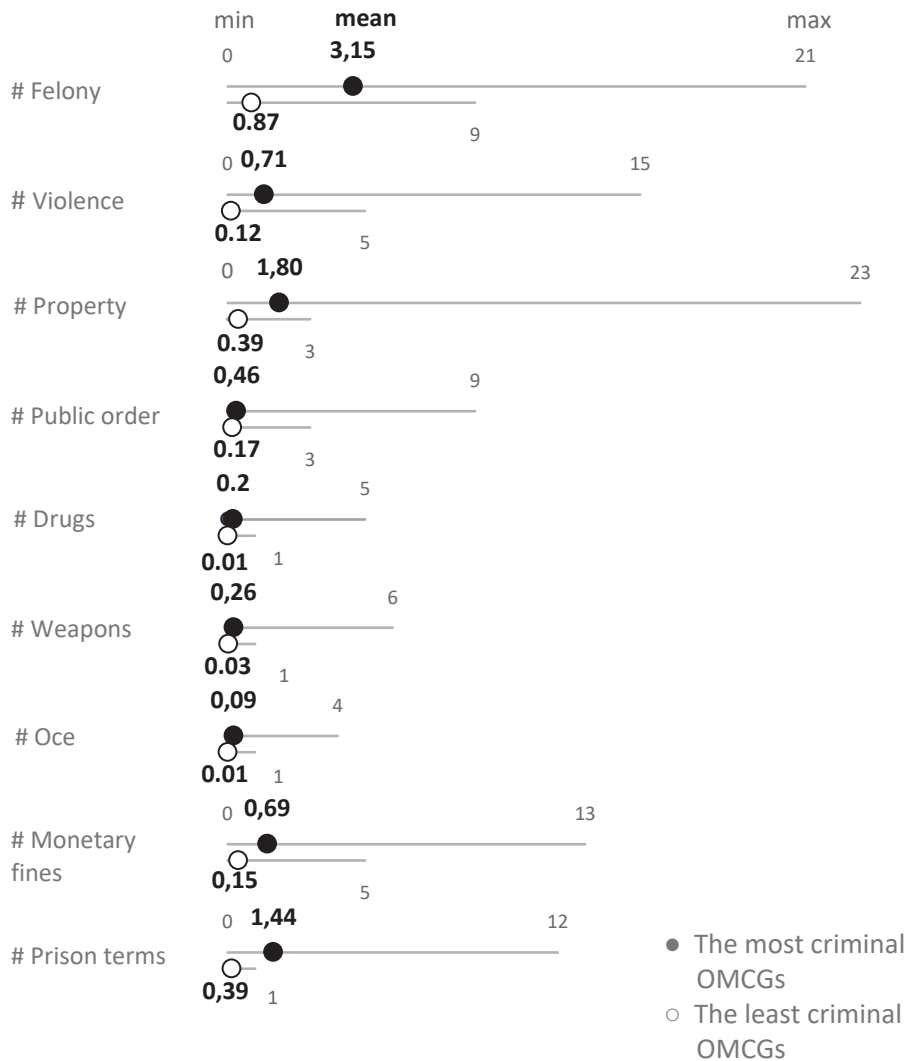
Figure 2. Variation in criminal history prior to gang membership on both the OMCG and individual level of (members of) the most criminal and the least criminal OMCGs

3.6.4   Analytical strategy: matching weights

To control for selection bias in assessing the potential criminogenic effect of membership of the most criminal OMCGs, we applied matching weights, a propensity score-based method recently introduced by Li and Greene (2013). In this study, for each individual the propensity score is defined as the conditional probability of becoming a member of one of the most criminal OMCGs given the individual's criminal history prior to membership, estimated using logistic regression. For the individuals in our sample, the exact age of first OMCG-membership, however,

is unknown. Prior research finds that OMCG-members typically are (mid)adults (Klement, 2016b). These findings are corroborated by the current sample in which we find that only 5.1% of the total of 2,090 OMCG and support club members are aged under 25, and 15.5% are aged under 30 at the time of sampling. Therefore, for our examination of the effects of membership of the most criminal OMCG on the adult criminal career, we set the time of first membership at age 25[15], as did previous studies (Blokland et al., 2017b; Klement, 2016b). As membership of the most criminal versus the least criminal OMCGs can be considered randomly assigned among individuals with the same propensity score, matching on the propensity score helps eliminate selection bias and isolate the effect of membership of the most criminal OMCGs (Rosenbaum & Rubin, 1983).

One-on-one (caliper) matching on the propensity score is arguably the most popular criminological application of the propensity score (Banks & Gottfredson, 2003; Brame et al., 2004; Bingenheimer et al., 2005; Mocan & Tekin, 2006; King et al., 2007; Sweeten & Apel, 2007; Leeb et al., 2007), although some studies have applied inverse probability weighting in which individuals are weighted by the inverse of their propensity score (Hoffman & Mast, 2019; Mowen & Visher, 2015; Sampson et al., 2006). Here we opt for using matching weights, a method particularly suited when the distribution of the propensity score is skewed. Matching weights are computed as follows (Li & Greene, 2013; Yoshida et al., 2017):

$$\text{Treated weight} = \frac{e_i}{\left((Z_i * e_i) + ((1 - Z_i) * (1 - e_i))\right)}$$

$$\text{Untreated weight} = \frac{(1 - e_i)}{\left((z_i * e_i) + ((1 - z_i) * (1 - e_i))\right)}$$

e_i is the propensity score for individual i and Z_i is a dichotomous variable denoting the individual's membership of the most criminal OMCG ($Z_i = 1$) or the least criminal OMCG ($Z_i = 0$). Matching weight resemble inverse probability weights, yet the numerator for the matching weights is defined e_i or $1 - e_i$ conditional on the value of Z, instead of 1 as in inverse probability weighting. Compared to matching on the propensity score, weighting has the advantage of retaining in the analysis those individuals who display propensity scores that are either close to 0 or close to 1, resulting in a larger analysis sample, increased balance, and a more robust estimates (Li & Greene, 2013; Yoshida et al., 2017):). For individuals in the tails of the propensity

---

[15]   As we define age 25 as the age of initial OMCG-membership, we exclude those individuals from the analyses who, given their age in 2015, turned 25 in a year prior to the establishment of the OMCG they were identified as being a member of. Given that most OMCGs in our sample were established prior to 1990, this mostly affects membership of support clubs.

score distribution, however, inverse probability weights can become very large, compromising the analysis and estimated effect of the treatment of interest (Austin & Stuart, 2015). Matching weights do not suffer from this problem, as by definition they can only vary between 0 and 1. Matching weights can be thought of as the individual's probability of being selected into the matched sample, placing emphasis on those who, given their background characteristics, are equally likely as not to have joined the most criminal OMCG (Li & Greene, 2013). Prior research has shown that applying matching weights is an effective method to control for selection bias, especially in samples that deal with unequal propensity score distributions (Yoshida et al., 2017).

3.7 Results

3.7.1 Selection into the most criminal OMCGs

To test our first hypothesis that members of the most criminal OMCGs show evidence of higher criminal propensities compared to members of the least criminal OMCGs already prior to joining an OMCG, we compare members of both groups on a number of important criminal career characteristics, such as age of onset of offending, the frequency of different types of offenses, and the frequency of both monetary fines and prison sentences in the 12-25 age period. Table 1 provides the group means and standard deviations for each of these variables as well as their standardized difference.[16] Standardized differences exceding 10% indicate systematic differences between groups (Austin & Stuart, 2015). Standardized differences are found to exceed 10% for all variables, indicating that future members of the most criminal OMCGs and future members of the least criminal OMCGs are already highly different prior to joining an OMCG. In line with our first hypothesis, we find that future members of the most criminal OMCGs show an earlier onset of their criminal careers, more frequent and diverse offending, and are more often fined or sentenced to imprisonment between ages 12-25 than are future members of the least criminal OMCGs.

---

[16]   Unlike t-statistics standardized differences are not influenced by sample size (Austin & Stuart, 2015).

Table 1. Juvenile pre-treatment covariates of members of the most criminal OMCGs and members of the least criminal OMCGs in unweighted sample

Members of the most criminal OMCGs			Members of the least criminal OMCGs		
(N=539)			(N=140)		
Variables	**M**	**SD**	**M**	**SD**	**_d_**
Year of birth*	**1978**	**7.44**	**1971**	**7.68**	**94%**
Onset age 12 - 14	0.11	0.32	0.03	0.17	29%
Onset age 15 – 17	0.34	0.47	0.15	0.36	42%
Onset age 18 - 24	0.34	0.47	0.22	0.41	26%
Convictions (any)	4.39	4.82	1.02	1.84	77%
Violence	0.86	1.72	0.16	0.58	47%
Property	1.62	3.19	0.24	0.57	48%
Public order	0.73	1.33	0.20	0.53	44%
Damaging	0.29	0.76	0.05	0.22	34%
Traffic	1.60	2.57	0.36	0.92	54%
Organized crimes	0.52	1.10	0.02	0.15	51%
Other	0.49	1.03	0.11	0.33	41%
Prison sentences	0.61	1.41	0.03	0.17	46%
Monetary fines	1.43	2.07	0.34	0.82	58%

Note: Variables are represented as means and standard deviations for number of convictions for each variable per condition. Standardized differences are computed as a percentage of the standard deviation. M = means; SD = standard deviations; d = standardized differences.
*The minimum and maximum year of birth for those OMCG members included in the unweighted sample are 1959 and 1990 respectively.

3.7.2 Balance diagnostics

The presence of selection effects precludes a simple comparison between the adult criminal careers of members of the most criminal OMCGs and members of the least criminal OMCGs, as pre-existing differences in criminal propensity might inflate observed differences in adult crime between these groups. Hence, we applied matching weights to create a weighted sample in which membership of the most criminal OMCG is independent of observed features of individuals' criminal history in the age 12-25 period; as weighting will only result in unbiased estimates of the effect of membership of the most criminal OMCG if there are no more systematic differences between groups in these pre-membership characteristics. Prior to estimating the effect of becoming a member of one of the most criminal rather than the least criminal OMCGs, we checked for the extent to which applying matching weights results in baseline covariate balance in our sample, by calculating various balance diagnostics (Austin & Stuart, 2015).

First, we calculated standardized differences for all 14 variables in the propensity score model for the weighted sample. Standardized differences of pretreatment covariates in the unweighted sample ranged from low 26% to high 94% (Table 1); the 25th percentile being approximately 41%, median 47%, and the 75th percentile 53%. After applying matching weights, all standardized differences are within the desired ±10% range (Figure 3). Standardized differences in the weighted sample ranged from low -4% (property crimes) to high 3% (damaging); the 25th percentile being approximately -2%, median -1%, and the 75th percentile 0%. Applying matching weights thus minimized standardized differences for each of the observed covariates, providing a first indication that the method satisfactiorily reduced selection bias, when comparing members of the most and the least criminal OMCGs.

Second, to check whether applying matching weights balanced not only the means and prevalence scores, but also other characteristics of the pre-treatment covariate distribution, following suggestions by Ho et al. (2007), we compared higher order moments and interactions of the pre-membership covariates. Therefore, we calculated thirteen interactions between year of birth[17] and every single other pre-membership covariate. Interactions of standardized differences of pretreatment covariates in the unweighted sample ranged from low 29% to high 78%; the 25th percentile being 41%, the median 45%, and the 75th percentile 50%. In the weighted sample, we find that standardized differences ranged from low -2% to high 4%.; the 25th percentile, median, and 75th percentile being approximately -2%, 0%, and 2% respectively.

We also compared high order moments of the pretreatment covariates. Standardized differences of fourteen high order moments in the unweighted sample ranged from low 25% to high 91%; the 25th percentile being 26%, the median 29%, and the 75th percentile 36%. Standardized differences of the high order moments in the weighted sample ranged from low -8% to high 9%; the 25th percentile, median, and 75th percentile being -2%, 0%, and 6% respectively. In short, the results suggest that, applying matching weights successfully reduced initial group differences.

---

[17] To prevent balance diagnostics with very large numbers, we computed year of birth as year of birth minus 1900. This has no further implications for balance diagnostics.
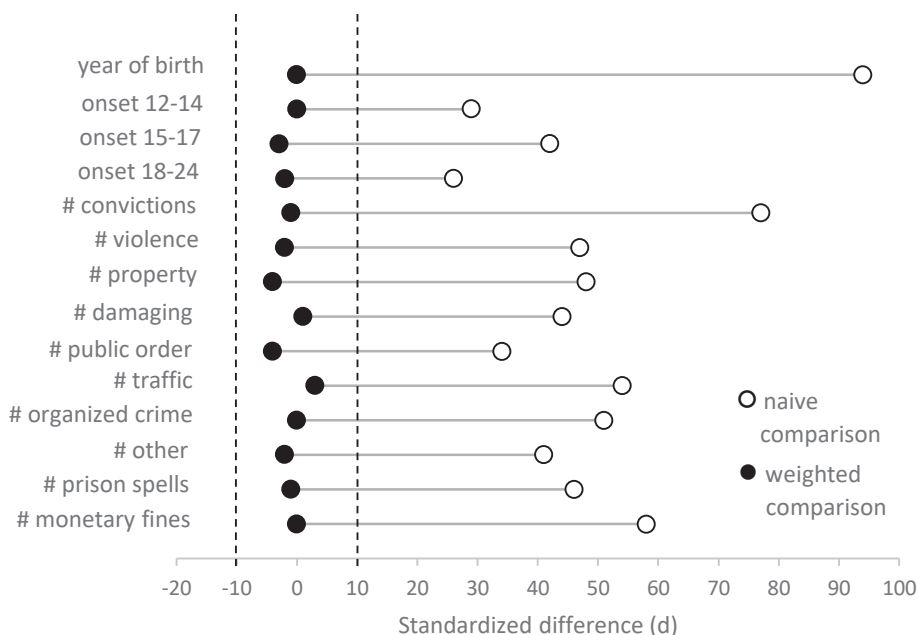
Figure 3. Standardized differences of pretreatment covariates before and after applying matching weights

Third, following Austin and Stuart (2015), we graphically examined the distributions of pretreatment covariates in the unweighted and weighted sample. Graphical examination allowed us to analyze particular features of the pre-membership covariate distribution, such as the tails, more extensively (Austin, 2009). A quantile-quantile plot (QQ-plot) for the propensity scores in the unweighted and weighted data is given in Figure 4. Furthermore, Figure 5 depicts the empirical cumulative distribution functions for three exemplary covariates – the total number of convictions for any offense, the total number of convictions for violence, and the total number of convictions for organized crime offenses - for members of the most criminal OMCGs and members of the least criminal OMCGs in both the unweighted and weighted sample.
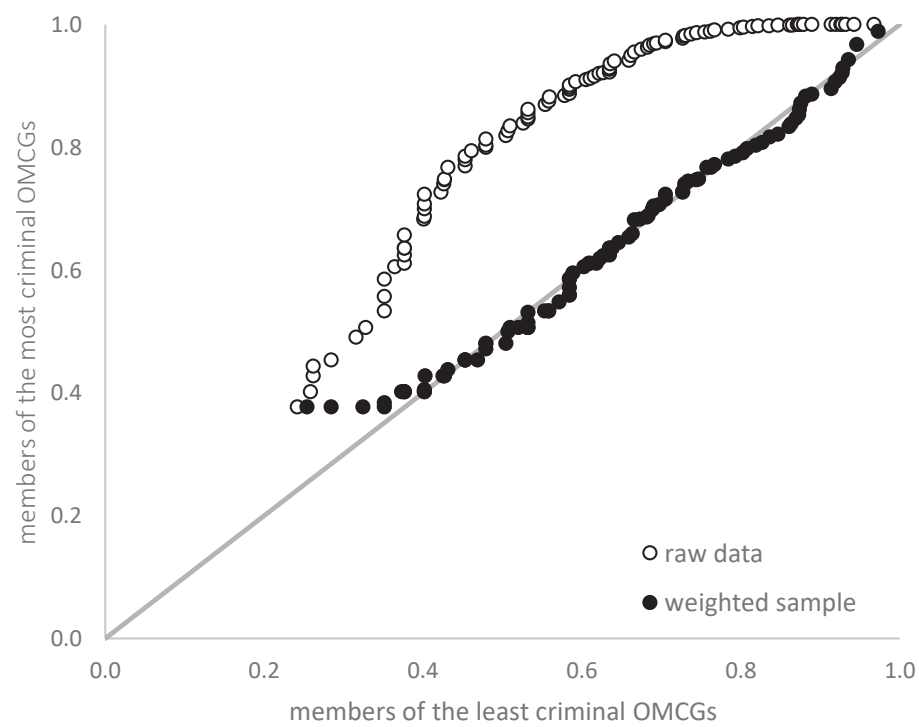
Figure 4. QQ-plot of the distribution of propensity scores in unweighted and weighted sample

In figure 4, the 45-degree reference line indicates perfectly similar distributions of the propensity score for members of the most criminal and the least criminal OMCGs. The QQ-plot of the unweighted sample (white dots) is above the 45-degree line, indicating that prior to OMCG-membership, future members of the most criminal OMCGs differ from future members of the least criminal OMCGs in the distribution of the propensity score. The QQ-plot of the weighted sample (black dots) more closely approximates the 45-degree line, indicating that weighting resulted in a more similar distribution of the propensity score among members of the most criminal and the least criminal OMCGs respectively. Results from graphically comparing the empirical cumulative distributions of baseline covariates in the unweighted and weighted sample (Figure 5) further strengthen our notion that applying matching weights resulted in a weighted sample in which the distributions of pre-membership covariates are highly similar between members of the most criminal OMCGs and members of the least criminal OMCGs.

Figure 5. Cumulative percentages (y-as) of pretreatment covariates of the total number of convictions (x-as) for convictions in general (1) violence offenses (2), and organized crimes (3), in the unweighted (left) and weighted (right) sample based on matching weights

Finally, we used the Kolmogorov-Smirnov test as a numerical method to compare the distributions of pre-membership covariates between members of the most criminal OMCGs and members of the least cr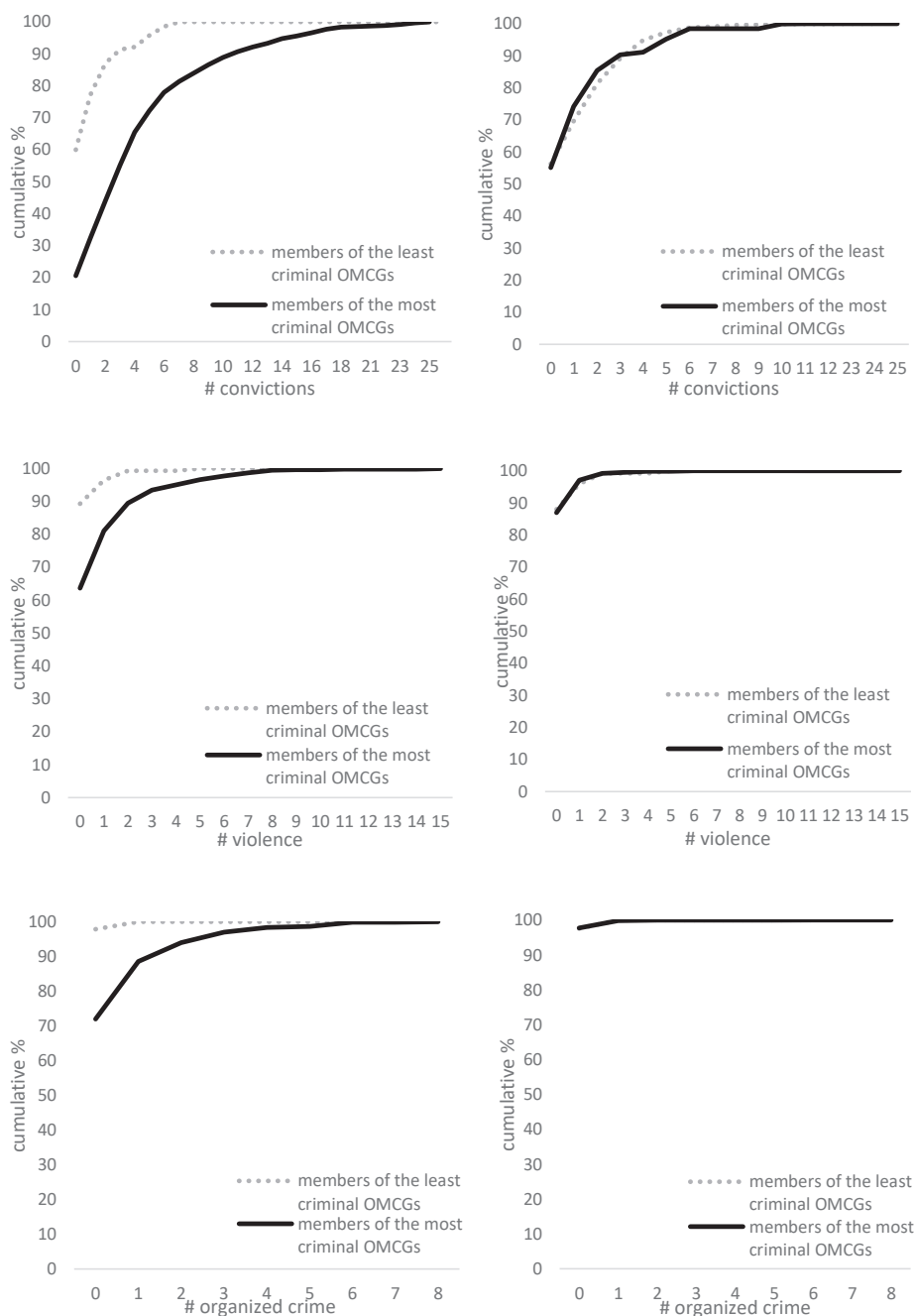iminal OMCGs in both the unweighted and the weighted sample. The Kolmogorov–Smirnov test statistic is defined as the maximal vertical distance between two cumulative distribution functions, so smaller values signal better balance (Austin & Stuart, 2015). Outcomes of the Kolmogorov-Smirnov test for the fourteen covariates in the unweighted sample ranged from low 0,892 (onset age 12 to 14) to high 4,729 (year of birth). The Kolmogorov-Smirnov statistic of the fourteen covariates in the weighted sample ranged from low 0,141 (onset age 12 to 14) to high 1,672 (year of birth).

Taken together, these diagnostic findings indicate that applying matching weights succeeded in creating a highly balanced sample of members of the most criminal and the least criminal OMCGs. We can, therefore, be confident that any differences in the adult criminal career between members of the most criminal OMCGs and members of the least criminal OMCGs can be interpreted as resulting from membership of one of the most criminal OMCGs and are unlikely to be the result of pre-existing differences between these two groups.

3.7.3 Effects of membership of one of the most criminal OMCGs on crime

The main aim of this study was to examine the effect of becoming a member of one of the most criminal OMCGs relative to joining one of the least criminal OMCGs on the adult criminal career. Given that we find evidence of pre-existing differences between these two groups, elevated rates of officially registered crime among members of the most criminal OMCGs would be in line with a *selection* interpretation of the effect of OMCG membership on adult crime (hypothesis 1). To test for a possible enhancement effect, we regressed the dichotomous indicator of membership of the most criminal versus the least criminal OMCG on the adult offending rate in the weighted sample. Following recommendations by Ho et al. (2007), apart from the 'treatment' indicator, we include all 14 baseline variables as covariates in these models. As the residuals of the various outcome variables we use in our analysis are non-normally distributed, we estimate the effect of membership of one of the most criminal OMCGs by using a bootstrapped weighted multiple regression model. Bootstrapping is a commonly used method to address non-normality violations in numerical data (Pek et al., 2018). Regression coefficients are significant, when the bootstrapped confidence interval does not include zero (Deng et al., 2013). We estimate separate models respectively using the individual's offending rate during the years between 2010 and 2015 - the years in which individuals at some point were registered as OMCG members -, and for

the entire post-age 25 follow-up period. In both instances, differences in exposure due to periods of imprisonment were taken into account by reducing the denominator of the fraction used to calculate the individual's average yearly offense rate with the time spent incarcerated during the period under scrutiny.[18]

The coefficients in Table 2 show the conditional treatments effects of membership of the most criminal as opposed to the least criminal OMCGs. We find that, regardless of pre-existing differences in their pre-age 25 offending history, and irrespective of the follow-up period over which the outcome is measured, members of the most criminal OMCGs show significantly higher conviction rates during their adult criminal careers than do members of the least criminal OMCGs. This would be in line with an *enhancement* interpretation of the effect of gang membership on crime (hypothesis 2). The average yearly conviction rate for members of the least criminal OMCGs is 0.144, while the average yearly conviction rate for members of the most criminal OMCGs is 0.221. These rates are visualized in figure 6 by the grey and black bars respectively. The line in figure 6 represents the relative difference between the two rates – members of the most criminal OMCGs show an adult conviction rate that is 1.6 times higher than that of members of the least criminal OMCGs.[19]

Table 2. Conditional treatment effects on offending for members of the most criminal OMCGs (N=539) relative to members of the least criminal OMCGs (N=140)

	b	SE	95% CIs	b	SE	95% CIs
Variables	**Crime between 2010-2015 and age 25+**			**Age 25+**		
Convictions	.077*	.021	[.033, .119]	.093*	.019	[.053, .127]
Violence offenses	.014	.011	[-.008, .036]	.017	.009	[-.003, .032]
Property crimes	.016*	.006	[.005, .027]	.020*	.005	[.010, .031]
Public order offenses	.001	.004	[-.008, .010]	.003	.003	[-.003, .009]
Damaging offenses	.004	.002	[.000, .009]	.001	.002	[-.002, .005]
Traffic offenses	.034*	.012	[.008, .057]	.048*	.012	[.022, .072]
Organized crimes	.035*	.010	[.014, .054]	.031*	.007	[.017, .043]
Other offenses	.008	.008	[-.007, .023]	.008	.005	[-.004, .018]
Prison sentences	.006*	.003	[.001, .013]	.012*	.003	[.006, .017]
Monetary fines	.009	.008	[-.009, .025]	.035*	.010	[.015, .052]

* *p* < .05.

---

[18] Using information on imposed sentences from the JDS extract.

[19] All fourteen baseline covariates were mean centered and included in the bootstrapped regression models. The relative difference between the rates of the two groups is calculated by dividing the conviction rate of members of the most criminal (i.e., the sum of the intercept and coefficient) by the conviction rate of members of the least criminal OMCGs (i.e., the intercept – not shown in table 2).

To answer our third and final hypothesis, we estimated the conviction rates for members of the most criminal and the least criminal OMCGs for different types of crime. We find that members of the most criminal OMCGs have higher rates for a variety of crime types: traffic crimes, property crimes, and organized crimes. Rates in Figure 6 show that, relative to members of the least criminal OMCGs, the effects of membership of the most criminal OMCG are more outspoken for organized crime and property crime. Members of the most criminal OMCGs show an adult organized crime rate that is almost 3.0 times higher, and a property crime rate that is 2.4 times higher than that of members of the least criminal OMCGs. Furthermore, members of the most criminal OMCGs are sentenced to prison more than twice as often as members of the least criminal OMCGs. As prison sentences will usually be more prevalent for more severe crimes, this suggests that the adult criminal careers of members of the most criminal OMCGs are characterized by relatively more serious forms of crime. It is, however, important to keep in mind that prison sentences are not only based on the seriousness of the committed crime itself, but also on the offender's individual circumstances and criminal history. The effect of membership of the most criminal OMCGs is not statistically significant for violence, damaging, and public order offenses.
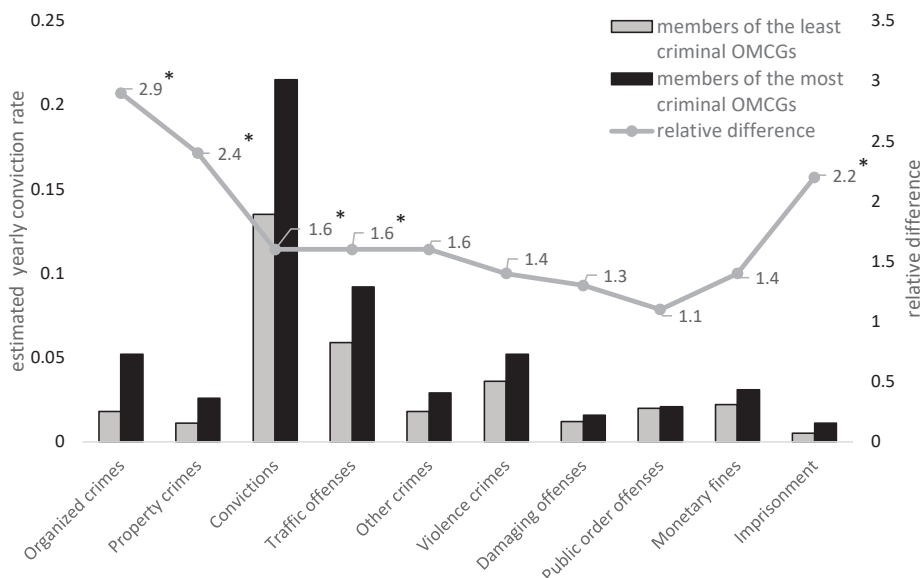

Figure 6. Effects of membership of the most criminal OMCGs compared to membership of the least criminal OMCGs on different types of criminal behavior

* indicates group difference significant at $p<.05$.

3.7.4 Sensitivity analyses: age of onset of OMCG membership

Studies into the effect of juvenile street gang membership are often based on self-report panel data and hence allow for the moment of entering the gang to be pinpointed between two consecutive waves. Due to lack of self-report data, studies into the effect of OMCG membership are based on officially registered data, the exact age at which individuals enter the gang is usually unknown. As did previous studies (Blokland et al., 2017b; Klement, 2016b), in our analyses we have therefore thus far used age 25 as the proximate age of first OMCG membership. Given the observed age distribution of our and other samples of OMCG members, it seems unlikely that many current members joined an OMCG prior to that age. However, it could very well be that current members first joined an OMCG only when they were older. Given that in the above analyses we controlled for pre-existing differences between members of the most and the least criminal OMCGs based on individuals' pre-age 25 criminal career characteristics, when in actuality current members first joined an OMCG at later ages, our results could favor enhancement over selection. That is, part of the period over which elevated convictions rates for members the most criminal OMCGs were found would than refer to years prior to instead of post membership. If, however, current members first joined an OMCG at an age younger than the particular cut-off age used, analysis would tend to underestimate the effect of OMCG membership – favoring selection over enhancement -, as part of the enhancement effect would be captured by the information going into the propensity score model.

By way of sensitivity analysis, we have repeated the above analysis each time defining a different age of first OMCG membership – i.e. 28, 30, 32, 34, 36, 38 and 40 -, and subsequently controlling for selection bias by employing matching weights. Again, using bootstrapped weighted multiple regression, we then estimated the effect of membership of one of the most criminal OMCGs versus membership of one of the least criminal OMCGs under these different assumed ages of first OMCG membership for convictions between the years 2010 and 2015. Results of these analyses for convictions in general and organized crime are graphically depicted in figure 7.

As expected, the results of the sensitivity analysis show a declining enhancement effect of membership of the most criminal OMCGs with an increasing assumed age of first OMCG membership. This could be explained by unduly controlling for criminal career characteristics during years when sampled individuals in actuality were already OMCG members. For convictions for any type of crime (top pane of Figure 7) and organized crime (low pane Figure 7), the differences in post-membership conviction rate between members of the most criminal and members of the least criminal OMCGs remain significant, regardless of which age is defined as that of

first OMCG membership. Given that analyses using an older age of first OMCG membership are likely to overcontrol for selection at the cost of any enhancement effect, these results strongly suggest that membership of one of the most criminal OMCGs increases members' conviction rates for crime in general and organized crime, compared to members of one of the least criminal OMCGs.
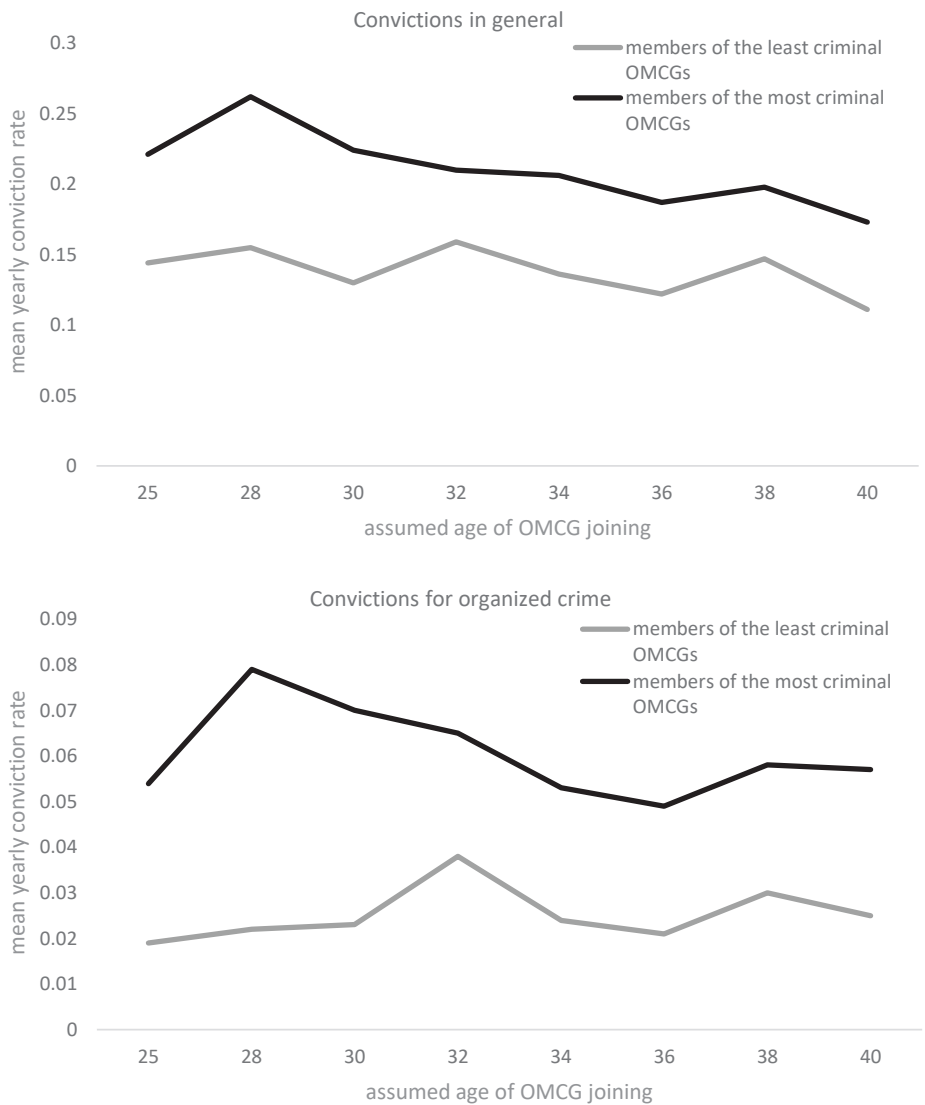

Figure 7. Estimated post-membership average yearly conviction rates for members of the most criminal OMCGs and least criminal OMCGs for convictions in general (top) and convictions for organized crime (bottom) between the years 2010 and 2015 for different onset ages of OMCG membership (adjusted for exposure time)

3.8 Discussion

OMCGs are increasingly seen as a societal problem due to OMCG members' being disproportionately involved in crime, such as (inter-gang) violence and organized crime (Blokland et al., 2017a; 2019; Lauchs et al., 2015). Prior OMCG research suggests that OMCG membership is positively related to crime. While especially crime prone individuals are typically found to join OMCGs, once they do this, OMCG membership seems to elevate their criminal involvement even further, compared to those individuals who do not join OMCGs (Blokland et al., 2017b; Klement, 2016b). Prior research, however, also showed that OMCGs differ in the level of criminal involvement, suggesting that the effects of OMCG membership may be dependent on the type of OMCG an individual becomes member of. To increase our knowledge on the effects of OMCG membership on adult crime, here we estimated the effects of membership of one of the most criminal OMCGs as opposed to one of the least criminal OMCGs on officially registered crime. As a first step to limit potential selection effects, we focus on a sample of men that, at some point during their adult lives, were all part of the outlaw biker subculture. We further control for baseline differences between groups, by employing propensity score-based matching weights.

The results of our analysis corroborate our first hypothesis that, even within the bounds of the hyper-masculine outlaw biker subculture, future members of the most criminal OMCGs differ from future members of the least criminal OMCGs already in the years prior to their OMCG membership. On average, future members of the most criminal OMCGs showed an earlier onset, higher frequency, and greater diversity of offending during their adolescent and early adult years than did future members of the least criminal OMCGs. This indicates that, on average, the most crime prone individuals end up as members of the most crime prone OMCGs.[20]

We also find that when selection is taken into account, members of the most criminal OMCGs show higher conviction rates during their adult years, the period during which - at some point - they joined and were a member of the OMCG. This fits our second hypothesis and suggests that joining one of the most criminal OMCGs has an enhancing effect on the individual's criminal behavior.

---

[20] Importantly, this is not just an artefact of the way we defined the distinction between the most criminal and the least criminal OMCGs, as given variation in pre-membership criminal careers among members of the same OMCG, and differences in the number of known members per OMCG, averaging over the mean criminal career characteristics of particular OMCGs, and averaging over the total number of members affiliated with all OMCGs of a particular type do not necessarily yield the same results.

Finally, we find that this enhancing effect is most outspoken for organized crime and property crime. Results show that the conviction rate for organized crime of members of the most criminal OMCGs is almost three times as high as that of members of the least criminal OMCGs. The conviction rate for property crimes of members of the most criminal OMCGs is almost two and a half times higher than that of members of the least criminal OMCGs. The effect of gang membership on property crime is in line with the study by Klement (2016b); contrasting members and non-members, that study found the effect of OMCG-membership to be large for property crimes. We find no effects of membership of one of the most criminal OMCGs on expressive crimes, such as violence, public order, and damaging. This finding corroborates the argument that these crimes are intrinsically linked to the outlaw biker subculture as a whole, and thus do not differentiate members from the most criminal from members of the least criminal OMCGs.

While the nature of the data available for the current study allows for a sophisticated quantitative examination of possible selection and enhancing effects of membership of one of the most criminal OMCGs, the substantive mechanisms behind these effects remain a topic for further study. Selection of crime prone individuals into the most criminal OMCGs could result from future members' personal choice, but also from the admission policy of the most criminal OMCGs, or a combination of the two. While juveniles have been extensively questioned on their motivations for joining street gangs, the reasons for adults to join gangs and organized crime groups are less well researched. While a sense of belonging and protection could explain much of the attraction of the outlaw biker subculture as a whole, a priori these would seem to equally apply to both the most criminal and the least criminal OMCGs, disqualifying them as convincing explanations for selection into especially the most criminal OMCGs. Crime prone individuals may seek to become members of the most criminal OMCGs hoping to profit from the contacts, criminal opportunities, and collective reputation these OMCGs provide. The most criminal OMCGs, on the other hand, might be especially keen on selecting members that have earned their criminal standing, providing tangible or symbolic benefits for the club or, at the minimum, a trusted partner in future illegal activities. Future qualitative research among (ex-) members may help uncover the precise mechanisms through which individual criminal history and membership of the most criminal OMCG are interrelated.

Likewise, while we find that membership of one of the most criminal OMCGs is associated with increased criminal involvement in the adult years, precisely why this would be the case remains a question to be answered by future research. Our use of officially registered data, known to suffer from dark figure problems and reflecting

both individual and system behavior, further complicates substantive interpretation of this finding. To the extent that members of the most criminal OMCGs – knowingly or unknowingly – subject themselves to increased police attention, more tenacious prosecution, or harsher penal judgement, this could result in an increased number and diversity of convictions, followed by more frequent and serious punishment. Our finding that members of the most criminal OMCGs show significantly more traffic violations might attest to this scenario. To the extent that especially members of the most criminal OMCGs gain access to opportunities for entrepreneurial types of crime – by for example having access to suitable co-offenders, opportunities to successfully shield their criminal activities, and facilitating criminal behavior of members – membership of one of the most criminal OMCGs could result in an actual change in either the frequency or the nature of the crimes committed. This scenario is in accordance with the increase in organized crime found in the members of the most criminal OMCGs in our data. Like in explaining selection effects, combinations of these processes may occur, as for example prosecutorial efforts might be especially focused on particular types of crime.

Finally, though we employed the quasi-experimental propensity score method of matching weights to estimate the effects of OMCG membership on crime, caution is still needed when making 'causal' inferences from the current analyses. While we were able to control for the possible selection effects of many relevant variables such as age, age of criminal onset, and the nature and severity of the individual's criminal behavior prior to OMCG membership, our results might still suffer from unobserved variable bias, if selection into the most criminal OMCGs is partly based on individual's demographic or other characteristics not available in the present data set. Future research may therefore seek to include additional variables into the propensity model that, on theoretical grounds, can be expected to influence the selection, such as the presence of kinship ties, and residential and socio-economic propinquity.

The current study enriches theoretical knowledge regarding the effects of adult OMCG membership on crime, by showing that even when we control for pre-existing differences between the groups, criminal behavior increases when adults join the most criminal OMCGs. The results of the study show both selection and enhancements effects that, at least to the extent that the latter represents a behavioral change, results in increased criminal behavior. The enhancement effects particularly apply for those crimes that are not part and parcel of the outlaw biker subculture. The findings, furthermore, indicate that within the OMCG subculture, OMCGs vary in terms of members' criminal behavior, and consequently in the

effects OMCG membership has on crime. Theoretically, these findings underscore the need to include individuals' direct social context in explaining their criminal career, not only during adolescence, but also during their adult years and raise questions on the exact mechanisms by which these effects materialize in adults, providing powerful incentives to increase our understanding of the most criminal OMCGs. Our results also have important implications for policy regarding OMCGs and are of great relevance to the public debate about OMCGs, since countries have taken far reaching measures to combat crimes of OMCGs. The current research on the one hand shows that there may be valid grounds to take certain measures. The most criminal OMCGs seem to add to the (organized) crime problem, over and above the criminal inclination of their individual members. By using the variation of Dutch OMCGs' level of criminal involvement, the results, however, also stress the importance of distinguishing the most criminal from the least criminal OMCGs in this respect. It is the nature and culture of predominantly the most criminal OMCGs that seems to stimulate members' criminal behavior.

CHAPTER 4

Outlaw Motorcycle Gangs and their members' crime: examining the social organization of crime and its relationship to formal club hierarchy

Abstract

In recent years, many European countries have taken far-reaching measures to combat criminal activities of Outlaw Motorcycle Gangs (OMCGs). Meanwhile, empirical research into the ways OMCGs are involved in and influence the crimes of their members is largely lacking. This study presents the main findings of research based on police files of cases that were filed against members of Dutch OMCGs. We apply a criminological scenario approach to analyze to what extent and in which ways OMCGs are involved in crimes of their members. The results show that OMCG-membership particularly plays an indirect role in the criminal behavior of OMCG-members. Board members, for example, give permission for criminal acts, regulate mutual relationships between members, non-members, and rival OMCGs during conflict situations, and forbid (criminal) behavior of members that is harmful to the OMCG. OMCGs function as a pool of co-offenders, and as a market for criminal enterprises. Members also use the violent reputation of OMCGs in specific criminal activities. OMCGs are less frequently directly involved in crimes. Direct involvement of OMCGs is most apparent in organized inter-gang violence and violence against their own members.[21]

4.1 Introduction

Prior research has found that members of Outlaw Motorcycle Gangs (OMCGs) are disproportionately involved in serious crimes, such as extortion, weapon- and drug trafficking, and violence (Blokland, Van der Leest & Soudijn, 2017a; 2019; Klement, 2016b; Lauchs & Staines, 2019; Morgan, Dowling & Voce, 2020). Fear of escalating inter-gang violence between OMCGs, has further added to governments' felt need to act, and indeed many European countries have taken legal measures to combat OMCG crime and violence (Cornils & Greve, 2004; Van Ruitenburg, 2016; 2020). These measures are primarily aimed at hampering the structural aspects of OMCGs, not at individual members. For example, permits for motor runs and events known to attract outlaw bikers are frequently denied or withdrawn, OMCG clubhouses are closed down, and nightlife venues, such as bars and restaurants, are urged to deny access to those wearing OMCG colors (Van Ruitenburg, 2016). Based on the assumption that OMCGs contribute to an environment that facilitates behavior contravening public order, several European countries, such as the Netherlands and Germany, have successfully banned certain OMCGs or chapters of OMCGs via civil lawsuits (Koornstra, Roorda, Vols & Brouwer, 2019). These bans result in OMCG-members being unable to wear their club colors, organize OMCG-events, and attend to 'church meetings' (i.e. club meetings mandatory for fully patched members) without making themselves liable to prosecution.

Although previous research suggests that OMCGs have a criminogenic effect on the behavior of their members (Blokland, Van Hout, Van der Leest & Soudijn, 2017b; Klement, 2016b; Van Deuren, Blokland & Kleemans, 2021), the exact nature of the relationship between OMCGs and their members' crimes is still unclear. Therefore, a very relevant question for both science and public policy is to what extent criminal activities of outlaw bikers are related to OMCGs and what role OMCGs actually play in the criminal activities of their members.

Von Lampe and Blokland (2020) distinguish three scenarios that may link OMCGs and the crimes of their members: the bad apple scenario, the club within a club scenario, and the club as a criminal organization scenario. According to these scenarios, OMCGs can play various roles in the criminal behavior of their members. The bad apple scenario refers to autonomous individual members who engage in crime alone, with only a few other members or with non-members. The club within a club scenario represents crimes in which multiple autonomous OMCG-members are involved. The main difference between the bad apple and the club within a club scenario is that in case of the latter, the mere number of members involved may lead to the erroneous

conclusion that the OMCG itself – as an organizational entity - is involved. Yet, under the club within a club scenario, decisions in the planning, commission and cover-up of crime are organized by the individuals involved, without making use of the club's formal hierarchy. Finally, in the club as a criminal organization scenario, the organization of crime does operate along the formal club structure, meaning that decisions involved in the crime process follow the club's formal hierarchy, are taken via the appropriate organizational procedures, and that orders following from these decisions are seen as legitimate by those who receive them. While Von Lampe and Blokland (2020) build their argument based on examples taken from the academic and popular literature on outlaw bikers, their contribution is primarily conceptual and in need of a more solid empirical foundation.

As the link between OMCGs and criminal behavior of members is still unclear, the aim of this study is to fill this knowledge gap and clarify the role of OMCGs in their members' crimes. We do so by analyzing 60 police files of criminal cases that were filed against members of Dutch OMCGs and applying the three analytically distinct scenarios of Von Lampe and Blokland (2020). After addressing previously proffered theoretical notions, such as different typologies of outlaw biker crime and Barker's (2015) club-gang continuum, we elaborate upon the method that we have used and present the findings of our extensive police file research. We show to what extent and in which ways OMCGs play a role and are involved in criminal behavior of their members. Finally, in the last section of this article, we summarize the main conclusions and elaborate upon the theoretical and empirical implications of the current findings.

4.2 OMCGs as criminal organizations

Members of OMCGs are involved in various types of (serious) criminal behavior. Quinn and Koch (2003) classify outlaw biker crime into four distinct categories: spontaneous expressive acts; planned expressive acts; short-term instrumental acts; and ongoing instrumental enterprises. Spontaneous expressive acts are (violent) crimes related to the outlaw biker subculture in which one or a few members are involved (e.g. bar fights). Planned aggressive acts are violent actions directed at rival OMCGs. Short-term instrumental acts are illegal activities based on unique opportunities or needs of specific members. Short-term instrumental acts are committed by one or more members and are aimed at material gain (e.g. motorcycle theft). Finally, ongoing instrumental enterprises refer to long-term planned criminal activities aimed at financial gain committed by members in consort. Ongoing instrumental enterprises are considered as an indicator of organized crime (e.g. production of synthetic drugs).

The classification of Quinn and Koch (2003) combines various dimensions of outlaw biker crime: degree of planning (from spontaneous to planned); duration of crimes (from short-term to ongoing); the purpose of crime (from expressive to instrumental), and the number of members involved in illegal activities. It, however, seems to neglect crimes committed by members with non-members. Nonetheless, prior research shows that gang members also often perpetrate crimes with non-gang members (Klein & Maxson, 2006; Rostami & Mondani, 2017). In addition, the classification implicitly uses the number of OMCG-members as an indicator of the extent to which OMCGs as organizational entities are involved in illegal activities. Involvement of multiple members, however, as we will explicate below, does not necessarily indicate that OMCGs play a significant role in criminal behavior: multiple OMCG-members may commit crime together, without any direct and coordinating role of the OMCG.

Lauchs, Bain and Bell (2015) distinguish outlaw biker crime into barbarian culture offenses and organized crime. Barbarian culture offenses are crimes related to the outlaw biker subculture, such as assault and public order offenses, whereas extortion and production of synthetic drugs are examples of organized crime. Lauchs et al. (2015) propose an intermediate category of outlaw biker crime: crossover crimes. Crossover crimes can, depending on the circumstances, be categorized as either barbarian culture offense or organized crime. Violence, for example, can on the one hand result from nightlife skirmishes with bar patrons or door attendants (barbarian culture offense), but can also be part of an ongoing extortion (organized crime). In contrast to Quinn and Koch (2003), Lauchs et al. (2015) argue in so many words that the fact that multiple members engage in organized crime does not necessarily mean that the OMCG can be regarded as a criminal organization (Lauchs et al., 2015).

Barker (2015) notes that whether an OMCG can be classified as a criminal organization depends on to what extent members are involved in organized crime and to what extent the leaders of the OMCG are involved in the planning and execution of these crimes. Barker (2015) proposes a club-gang continuum suggesting that, on the one hand, there are associations of individuals gathering out of joint interest for motorcycling (clubs) while, on the other hand, there are criminal organizations aimed at criminal profit (gangs). According to Barker (2015), an OMCG can be regarded as a criminal organization/gang when many members are involved in (organized) crime and when crime is coordinated by the leaders of the OMCG.

Barker's club-gang perspective entails at least two problems regarding crimes of outlaw bikers. First, involvement of multiple members and leaders in crime does not necessarily imply that the OMCG as a collective entity has a direct role in the

4

criminal behavior of its members. Existing OMCG-research indicate that numerous OMCG-members and leaders often commit crime independently of the OMCG and its formal club structure (Lauchs & Gilbert, 2017; Liddick, 2008). Research by Morselli (2009) and Rostami and Mondani (2017), for instance, shows that (organized) crime of outlaw bikers can be committed by cliques operating relatively autonomously, without supervision of local, let alone national OMCG-leaders. These findings contradict the view that OMCGs are criminal organizations, with a clear formal club structure exerting control over members' illegal activities. Second, the Barker (2015) continuum seems to indirectly suggest that OMCGs as 'clubs' do not play a significant role in the criminal behavior of their members.

In sum, both Quinn and Koch (2003) and Barker (2015) take the number of OMCG-members and leaders involved in crime as an indicator for the OMCG's organizing role, leaving questions regarding the specific role(s) of OMCGs in the crimes of their members unanswered. Quinn and Koch (2003), Lauchs et al. (2015), and Barker (2015) all differentiate inter-gang violence from organized crime, despite the former having serious consequences for OMCG-members, citizens, and society writ large.

4.3 Role of gang membership in criminal behavior of members

Von Lampe and Blokland (2020) introduce three scenarios to examine the link between OMCGs and their members' crimes (see Figure 1). In the bad apple scenario, OMCG-members commit crimes alone, with other members or with non-members, while OMCGs are not directly involved in criminal acts. An example of a bad apple scenario is an OMCG-member who commits theft for personal gain, independent of the OMCG. Although OMCGs do not directly engage in the crimes of a 'bad apple', individual members can benefit in numerous ways from their OMCG-membership. Felson (2003) suggests that gangs function as offender convergence settings: places where co-offenders meet and interact with each other. By joining a gang, new criminal partnerships and opportunities may emerge. Furthermore, gang members can benefit from the symbolic value of a patch or gang symbol, also called *the power of the patch*. The power of the patch refers to the intimidating effect of wearing OMCG-colors (Barker, 2011; Wolf, 1991). OMCG-members can make use of the gangs' violent reputation to intimidate victims, witnesses, or other criminal groups, resulting in them being afraid or reluctant to report criminal offenses of OMCG-members to authorities. Finally, gang members can count on mutual protection and support in the commission of crime. Regarding the Italian mafia, Paoli (2003) refers

to the *generalized exchange* between gang members; the obligation of Mafiosi to support each other, financially and materially, at all times. This is in accordance with prior research by Firestone (1993), suggesting that the role of the Mafia lies mainly in protecting members' criminal activities, instead of centrally coordinating crimes. Conversely, Mafiosi must relinquish part of the profit they make under protection (Firestone, 1993). While membership of an OMCG does not by definition imply that OMCG-leaders coordinate all criminal behavior of individual OMCG-members, there may still be various ways in which OMCG-members benefit from gang membership; using the club as an offender convergence setting, making use of the power of the patch, or by otherwise relying on the unconditional support of fellow members. Hence, even without directly orchestrating it, OMCGs may play an important indirect role in their members' criminal behavior.

The club within a club scenario is only different from the bad apple scenario in a numerical way and refers to crimes in which multiple OMCG-members and/or leaders are involved, while the implementation of these crimes does not follow the club's organizational lines. As with the bad apple scenario, the club within a club scenario refers to autonomous members who engage in criminal acts, without direct involvement of the OMCG. Since multiple members and leaders may engage in crime together, to the outside world, these crimes may appear to be club-business. Whether crimes can be attributed to the OMCG as an organizational entity, however, depends on the role of the formal club structure (Von Lampe & Blokland, 2020). Only when the interactions between those engaged in the crime are structured along the club's organizational lines and this structuring is perceived as just by the parties involved, can crimes be attributed to the club. The indirect benefits of OMCG-membership mentioned above also apply to the club within a club scenario. For instance, in their analysis of published court rulings, Blokland and David (2016) mention a criminal case involving the threatening of a night club bouncer. When the bouncer refuses entry to a group of Satudarah MC members, these members shout that 'no one refuses Satudarah', a direct reference to the OMCG as a collective, and threaten the bouncer will be killed if he does not let them in. While multiple members are involved in the incident, and the club name is used to bolster the threat made, there are no indications that the formal club structure was in any way used in its commission. Therefore, this example can be classified as a club within a club scenario.

In the club as a criminal organization scenario, the organization of crime runs parallel to the formal club structure of the OMCG, meaning that the formal club structure is used to plan, coordinate, and execute the criminal behavior of members, whilst benefitting from the advantages of OMCG-membership. An important difference

between the club within a club and the club as a criminal organization scenario, is that (criminal) orders arising from the formal club structure are considered legitimate by subordinates. The existing literature, includes multiple examples of a club as a criminal organization scenario. Thompson (2011), for instance, states that in the 1970s the leadership of the Pagans MC planned to formalize the sale of drugs. During a 'church meeting', members of the Pagans MC were forced to sell drugs and return the sum of money to the OMCG and its leaders. Another example of a club as criminal organization scenario is documented for the Hells Angels South Carolina Charter. These Hells Angels engaged in multiple criminal activities, such as money laundering, weapon trafficking, and arson, which were coordinated by the OMCG's leadership (Barker, 2015).

Summing up, the scenario approach is mostly concerned with the extent to which crime is organized along the club's organizational lines, with the number of members involved only important for public perception. Two additional points regarding the scenario approach should be highlighted. First, the nature of the particular crime committed is not directly relevant to determine the applicable scenario. This may lead to the situation in which a criminal act is classified as a club as a criminal organization scenario in the absence of 'organized crime', for example in the case of collective violence against a rival club coordinated by the OMCG's leadership. Second, the three scenarios are not mutually exclusive. That is, the three scenarios can simultaneously coexist within the same OMCG and even within chapters of the same OMCG with regard to different types of crime. For instance, while an individual member may be involved in cultivating marijuana (bad apple), other members may together be involved in motorcycle theft (club within a club), while at the same time the OMCG leadership may order the bombing of a rival club's club house (club as criminal organization). For a more detailed description of these three scenarios, we refer to Von Lampe and Blokland (2020).

4.4 Current focus

In this paper, we examine to what extent and in which ways OMCGs play a role in the criminal behavior of their members. We analyze 60 police files of cases that were filed against members of Dutch OMCGs to explore the relationship between OMCGs and members' crimes. Police files include detailed information on individual suspects, partnerships, and criminal activities. This level of detail allows us to distinguish the three analytically distinct scenarios when analyzing the crimes committed by OMCG-members as well as whether and how the OMCG played a role in these crimes.
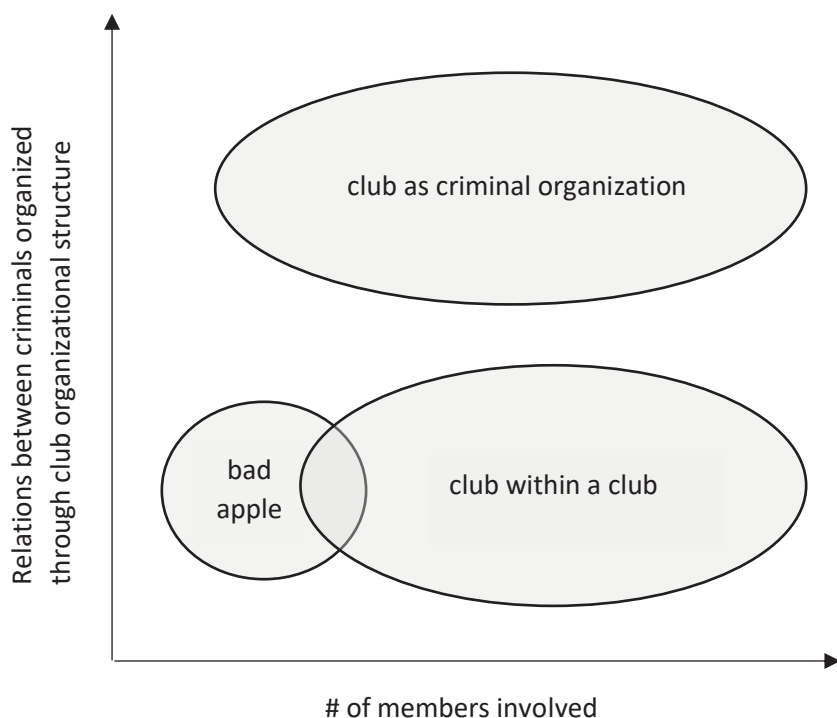
Figure 1. Three scenarios to examine the link between OMCGs and members' crime

4.5 Method

In 2012, the Dutch Minister of Security and Justice announced a multi-pronged, whole-of-government approach, aimed at combating criminal OMCGs through all legal options available, including criminal, civil, and administrative means (Van Ruitenburg, 2016; 2020). We studied police files of cases that were filed against members of Dutch OMCGs since the start of this whole-of-government approach in 2012 up to 2018. After having been granted permission by the Dutch Public Prosecution Office, we received a list consisting of 110 criminal cases in which members of OMCGs were allegedly involved. During the course of our study, we checked and cleaned this original list: some cases concerned only project proposals (without any concrete police action), some criminal case files mentioned could not be retrieved, while other criminal cases turned out not to involve OMCG-members at all. After deleting irrelevant and missing case files, we ended up with 75 police files referring to criminal cases. Upon further inspection, we excluded police files that only consisted of procedural files (about investigation methods, without substantive case information) or referred only to police arrests (8 files) or led to a 'policy dismissal' (2 files). Police files with an unclear link to an OMCG (5 files) were also excluded

from the analysis. Examples of an unclear link were files that referred to OMCGs only in general terms, such as 'motor club', but did not mention any specific OMCG. Applying the aforementioned criteria, we ended up with 60 police files in which at least one suspect was affiliated[22] with a specifically mentioned OMCG for the remaining analysis. Police files included transcripts of interrogations with suspects, victims, and witnesses. We also had access to covert observation and wiretap information.

We chose to include in our analysis all closed police investigations that provided sufficient evidence for the public prosecutor to take the case to court, regardless of whether the court ruling on the case was still pending. Already back in the 1940s, Tappan (1947) argued that criminologists should only use court rulings, as only the courts had the authority to decide whether or not someone was guilty. Sutherland (1945), however, contended that criminal activities should be studied as close to the source as possible; otherwise, serious criminal activities, such as white-collar crime, could hardly be the subject of criminological study. In the Netherlands, the public prosecutor is in charge of the investigative tasks of the police and a deliberate decision is made whether or not a case is taken to court. Following Sutherland, to us, cases taken to court, therefore, represent the optimal trade-off between topicality and solidity of evidence (Kleemans, 2014: 61-62). Waiting for a final judgment of the courts - as Tappan suggested - would result in a substantial time-lag between the criminal behavior and the judicial decision and would mean banning the use of many of the available files for at least another five to ten years.

The protocol used to analyze the police files was previously successfully employed in the Dutch Organized Crime Monitor (see Kleemans, 2014). All police files were analyzed by using an extensive checklist with topics, such as size, composition, criminal activities, and modus operandi of the criminal group. This topic list was, furthermore, augmented with topics particularly relevant for the population under study. Additional questions were, for example: Which suspects were OMCG-members? Which club functions did they have? Did this club function play a role in the criminal activities? What was the role of the OMCG in the criminal activities? To what extent did the criminal operation run parallel to (parts of) the formal club structure?

The aim of this study was to examine to what extent and in which ways OMCGs played a role in crimes of their members. In the results section, we describe in detail various cases showing the role and involvement of particular OMCGs in crime. For privacy reasons, we refer to specific leadership functions (president, vice-president, road

---

[22] Affiliated indicates that a person is involved in a chapter or support club of a Dutch OMCG in a role varying from hangaround to national president.

captain, treasurer, secretary, and sergeant at arms) as 'board members'[23]. We also use different randomly generated pseudonyms in every case description, such as OMCG A, OMCG B, OMCG C, et cetera, to refer to different OMCGs instead of using actual club names. In addition, references to specific geographic locations, for example street- and place names, company names, and names of bars and other landmarks, are not mentioned in the case descriptions. In some descriptions, we do not refer to a specific criminal case but to 'one of the studied police files'. In this way, we make sure that information cannot be traced back to specific persons. The case descriptions and privacy measures taken were checked and approved by the Dutch Prosecution Office.

The 60 analyzed case files were related to six OMCGs and three support clubs[24], and contained 202 criminal charges that involved crimes such as extortion, production and trade of soft and hard drugs, and arson (see Figure 2). The case files could involve one member, multiple members, and sometimes an entire chapter. In total, 291 unique suspects were involved in the 60 police files; with 199 being members (68%), of which 71 board members (24%), and 92 non-members (32%).
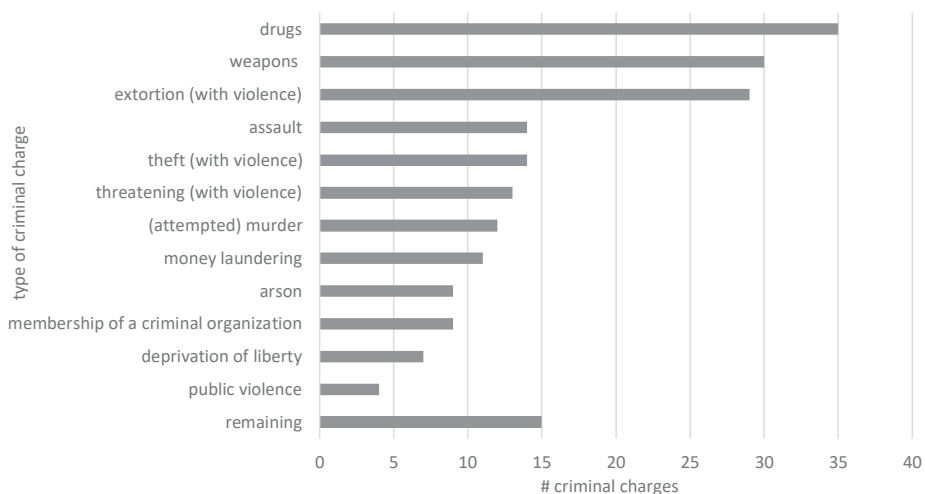
Figure 2. Summary of the criminal charges in the 60 analysed police files[25]

---

[23] Traditionally, OMCGs have a hierarchical club structure with a president as the highest rank, followed by a vice-president. Below the vice-president, there are four ranks: road captain, treasurer, secretary, and sergeant-at-arms. These higher ranks are followed by, in hierarchical order, fully patched members, prospects, hangarounds, friends of the OMCG, and associates.

[24] Support clubs are clubs officially affiliated to OMCGs, as is apparent for instance from their web site or using similar color combinations in their club logo.

[25] The miscellaneous 'remaining' category consists of the following criminal charges: handling stolen goods (3), coercion (3), forgery (2), vandalism (2), body disposal (1), fraud (1), embezzlement (1), human trafficking (1), and trademark counterfeiting (1).

We classified each of the 202 criminal charges separately as one of the three scenarios (see Figure 3). To do so, we applied a number of criteria. First, it is important to note that there is no clear conceptual boundary between the bad apple scenario and the club within a club scenario, as this distinction is one of public perception. For the current analysis, we classified a criminal offense as a bad apple scenario, if an individual OMCG-member committed the offense alone or together with non-members. The criminal offense moves to the club within a club scenario, if more than one OMCG-member is involved in the criminal act. Second, we classified a criminal offense as a club as criminal organization scenario, if the organization of the criminal behavior overlaps with the hierarchical organization of the OMCG. To do so, we looked specifically at the nature, tone, and content of the interactions between members and board members, based on, for instance, wiretap information included in the case files. The horizontal bars in Figure 3 show the percental distribution between the scenarios for each offense, whereas the data labels represent the absolute numbers per offense.
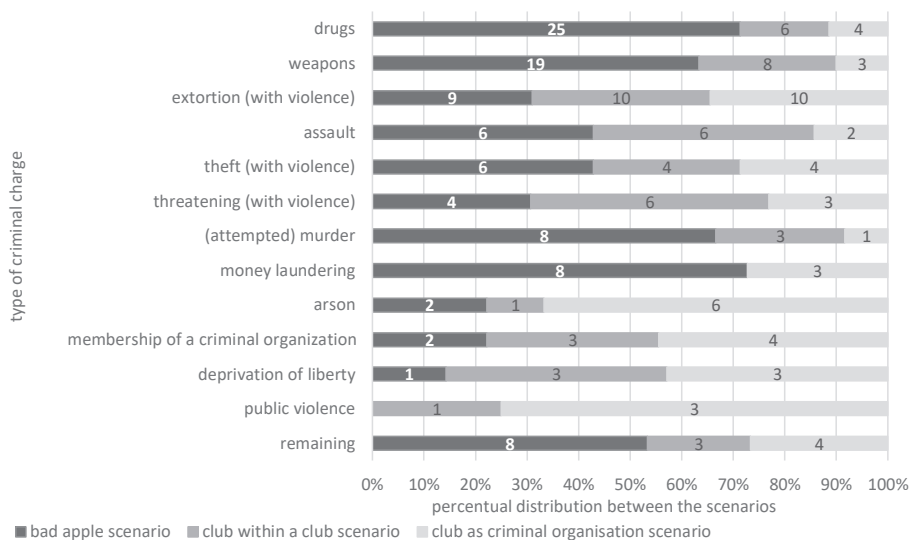
Figure 3. Criminal charges classified into one of the three criminological scenarios

Furthermore, in Figure 4, we categorized the criminal charges by OMCG (1a, 2a, 3a, 4a, 5a, and 6a) and their support clubs (2b, 2c, 3b)[26] (white dots) while, at the same time, showing the percentual distribution of the occurrence of the three scenarios

---

[26]   A criminal charge may, at times, apply to both an OMCG and its' support club. In these cases, we classified the criminal charge to both the OMCG and support club involved. The total criminal charges in Figure 4, therefore, do not add up to 202.

by OMCG and support club (vertical bars). Figure 4 shows that there is variation both in the level of criminal behavior and in the occurrence of the three scenarios across different OMCGs and support clubs. The observed variation in crime is in line with prior research that distinguished various OMCGs and support clubs based on the registered criminal behavior their members (Blokland et al., 2017a; 2019) and research that differentiated between more criminal and less criminal OMCGs (Van Deuren et al., 2021).
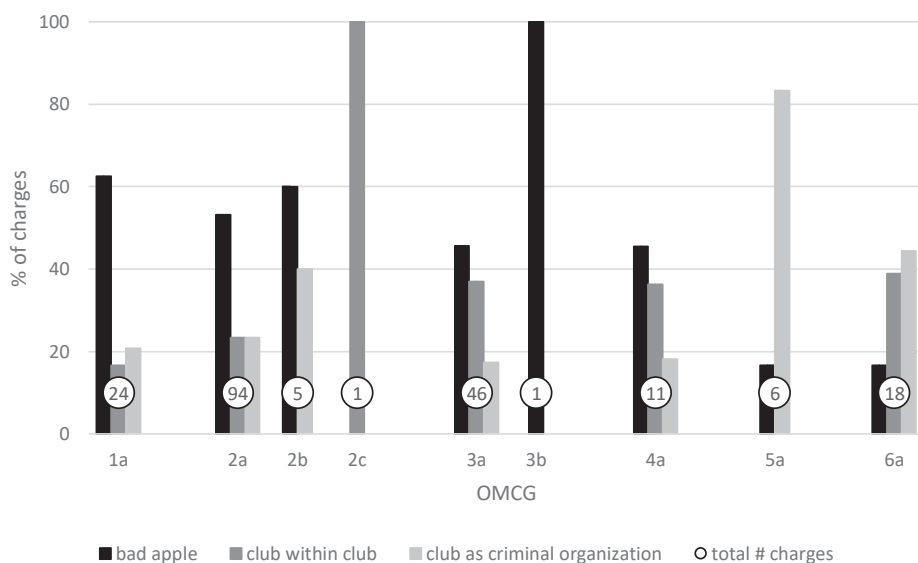
Figure 4. The criminal charges and the three criminological scenarios classified by OMCG and support club.

4.6 Results

4.6.1 Bad apple scenario

The bad apple scenario refers to situations in which an OMCG-member commits crime alone or with non-OMCG members. The bad apple scenario is present in 98 (48%) criminal charges and 47 (78%) cases. Examples of this scenario are an attempted murder (case 2) and trade in hard drugs (case 7):

> Board member A comes into conflict with non-member B, because board member A is having an affair with non-member B's wife. Non-member B, in response, vandalizes the house of board member A several times. Consequently, board member A places a hand grenade under non-member B's car (case 2).

> *Member C trades in narcotics. The police file shows that member C is selling drugs particularly to people who are not affiliated to the OMCG. Furthermore, wiretap information reveals no indication that member C is acting on behalf of the OMCG (case 7).*

In both examples, an OMCG-member perpetrates crime without involvement of the OMCG as an organizational entity. The following cases, however, provide examples in which members, though acting as 'bad apples', still benefit from their OMCG-membership (without direct involvement of the OMCG):

> *The police department receives information about board member D's involvement in an unlicensed prostitution business. According to the information, board member D is in charge of two women working as prostitutes. By board member D's orders, these two women offer their services in OMCG clubhouses. The police file shows that these women do not exclusively offer their services to members of board member D's Dutch chapter of the OMCG. They are also employed in a clubhouse of the same OMCG abroad (case 19).*

This case shows that the OMCG functions as an offender convergence setting. Board member D uses his OMCG-network as a market for his illegal prostitution business, a clientele he can only reach through his OMCG-membership. Case 10 shows that sometimes co-members are not only used as clients of illegal services, but also as co-offenders:

> *During their relationship, board member E's ex-girlfriend lends board member E a large amount of money. He spends it on the purchase of a motorcycle and a car, his OMCG-membership fees, and a photo camera. After ending the relationship, board member E, together with a fully patched member of his chapter embezzles these assets, sells them, or changes the ownership of the assets. As a reward for his help, the fully patched member receives fuel money. Board member E, furthermore, uses his OMCG-network to register the car in someone else's name. This way, the ownership of the car is transferred to a car company owned by a contact of the OMCG (case 10).*

In this case, the formal club structure is not used to enable crime, rather the OMCG is functioning as a pool of suitable co-offenders, used to help embezzle certain assets. Using OMCG-members as co-offenders is another indication that OMCGs are

functioning as offender convergence settings. Furthermore, members also make use of the power of the patch, particularly in extortion:

> *Board member F runs a debt collecting agency that third parties can hire. By means of his OMCG-network, board member F comes into contact with clients and receives assignments. These assignments are carried out either by board member F himself or, sometimes, by other club members. Using violence and threats of violence, various non-members are extorted into paying large amounts of money. One of the cases mentioned in the police file involves non-member G being forced by board member F to sign an agreement that obliges non-member G to pay large amounts of money. To give imputes to his demands, board member F sends G photos of G's house, and passes by G's company several times, dressed in club colors[27] (case 37).*

This case illustrates that members use the reputational value embodied in their OMCG-colors to intimidate and extort people to their own economic advantage. Taken together, these examples show that OMCG-members, without direct involvement of the OMCG as an organization, can still indirectly benefit from membership whilst engaging in criminal behavior.

The formal club structure as regulator of mutual relationships in individual conflicts
Thus far, the cases referred to examples of individual OMCG-members engaging in criminal behavior, without involvement of the OMCG as an organizational entity. Nevertheless, these individual members indirectly benefit from their OMCG-membership. The police files, however, reveal that OMCGs can also play a more 'active' role in crimes of individual OMCG-members: though not in organizing and coordinating crime, but rather as regulator in mutual relationships between members, non-members, and rival OMCGs during conflict situations:

> *Member H has a financial (drug)conflict with hangaround I. Both H and I are affiliated to the same OMCG, but belong to different chapters. Hangaround I was responsible for member H's cannabis operation during member H's detention. Hangaround I sold cannabis to various consumers, but – according to member H - kept too much money for himself. During a club night, member H asks the OMCG permission to solve this conflict. During a subsequent – wiretapped - conversation, member H is recorded saying: 'They told me that I am right and they allowed me to do it, but not whilst*

---

[27]   In the ruling on this case, the judge stated that wearing club colors of an OMCG may, under these specific circumstances, could be considered as threatening.

> *wearing my jacket'. The day after member H gains this approval, he shoots*
> *and injures hangaround I. After the incident, hangaround I claims, member*
> *H is forced to leave the OMCG in so-called bad standing, because, after all,*
> *it is not allowed to hurt a brother (case 8).*

The conflict that has arisen between the member and the hangaround is a private one in which the OMCG is not directly involved. Nevertheless, member H feels compelled to ask permission of the OMCG to confront hangaround I. When member H subsequently shoots hangaround I, he is expelled from the OMCG in bad standing. In retrospect, although the OMCG gave member H permission to confront hangaround I, it seems that there were reasons for the OMCG not to approve the specific way in which this confrontation was eventually carried out. This case shows that OMCGs can also be involved in the bad apple scenario by regulating individual conflicts at club level (permission to confront, bad standing), if those conflicts are perceived to potentially harm the OMCG as a whole. This finding also relates to the following case:

> *Member J and member K, both members of different OMCGs, have a*
> *financial conflict. Member J goes to his co-members of OMCG A, to ask*
> *advice on how to solve the conflict. Because of the good relationship*
> *between both OMCGs, fellow club member L gives member J the advice*
> *to solve the conflict decently. While wearing their club colors, both club*
> *members J and L of OMCG A go to the house of member K of OMCG B to*
> *negotiate. Despite the attempted mediation, the conversation escalates,*
> *after which member L of OMCG A grabs his weapon. Several shots are*
> *fired between members of OMCG A and OMCG B. According to members*
> *of OMCG A, the goal of the encounter was to solve the conflict. These*
> *members also state that there are unwritten rules about not shooting at*
> *one another's jacket. The police files show that, eventually, both OMCGs*
> *solve the conflict at the club level. By way of compensation, OMCG A pays a*
> *large amount of money to OMCG B. In addition, member L, who apparently*
> *was the first person to grab his weapon, is expelled from his OMCG in bad*
> *standings (case 51).*

The aforementioned cases show that OMCGs, at the club level, may intervene in conflict situations involving individual members. By acting as regulator of mutual relationships, OMCGs attempt to resolve conflict situations, for instance, by meeting out institutionalized punishments (i.c. bad standings) to individual members. This more active role of OMCGs is particularly related to personal conflicts which may potentially harm the OMCGs' interests (i.c. intra- or inter-club relations). These cases

also indicate that being a member of an OMCG, makes it rather difficult to solve conflicts individually. Private conflicts of individual members may soon turn into club business, particularly when multiple members are involved.

4.6.2   Club within a club scenario

The club within a club scenario refers to situations in which multiple OMCG-members commit crime, but the organization of these members in committing this crime does not run parallel to the formal club structure. This implies that OMCGs are not directly involved in crimes of members, yet - similar to the bad apple scenario - OMCG-membership may still entail criminal benefits for members. The club within a club scenario is present in 54 (27%) criminal charges and 23 (38%) of the studied cases. Cases 22 and 60 contain examples of a club within a club scenario.

> *Board member K and board member N oppose to a tattoo parlor being established in what they perceive as their territory. The two board members threaten the owner of the tattoo parlor by suggesting that the owner should either close the shop or settle a payment arrangement with the OMCG. Eventually, the tattoo parlor is set on fire by both board members (case 22).*

> *The police start an investigation, because three members of an OMCG are the main suspects of being involved in the production of and trade in soft drugs. One of them, member O, is seen as leader of the drugs organization. The police find out that multiple other members and non-members are also part of the drugs organization, for instance by working as suppliers of member O or by cultivating hemp plants in their houses (case 60).*

As multiple members are involved, from the outside, it may appear that the OMCGs commit these crimes as an organizational entity. In these two examples, however, members committed these criminal acts on their own behalf. Nevertheless, similar to the bad apple scenario, even without directly coordinating any criminal act, the OMCG can play a role in the criminal behaviors of multiple members, as cases 35 and 45 show:

> *The police receive a report of an armed robbery. At the scene, they find OMCG-member P with tape-tied wrists. Three members of the same OMCG are arrested. They state that the victim of the robbery kept profits of a cannabis cultivation for himself. The three suspects, therefore, came up with the plan to take his motorcycle, and state that they had permission from the OMCG to take the assets (case 35).*

4

> *Non-member Q wants to become member of an OMCG. To become a fully patched member, however, non-member Q first has to resolve an old conflict between him and board member R. The conversation intended to solve the problem, however, escalates in such a way that board member S, present during the conversation, shoots and kills non-member Q. In first instance, all suspects of the shooting remain silent about the incident. This changes, however, after board member T gives the members involved permission to talk to the police. Board member T states that members were allowed to talk because, as a consequence of the incident, a lot of OMCG-members, including himself, got into trouble (case 45).*

By giving permission to either commit certain criminal acts or talk to judicial authorities, OMCGs exert control over members' behavior, referring to the indirect role of OMCGs in criminal behavior of their members. Moreover, case 45 stresses once again the difficulty for OMCG-members to solve individual conflicts without involvement of the OMCG. Involvement of multiple OMCG-members may easily give the appearance that the OMCG itself is part of the conflict. This pertains not only to 'citizens', but also to those within the outlaw biker milieu; the more OMCG-members are involved, the harder it is for individual OMCG-members to solve conflicts outside the OMCG. Eventually, the interests of the OMCG are more important than the personal interests of (a few) members.

4.6.3   Club as criminal organization scenario

In the club as criminal organization scenario, the formal club structure is used in the planning, execution, and settlement of criminal acts. The club as criminal organization is present in 50 (25%) criminal charges and 16 (27%) cases. In this scenario, (criminal) orders follow the hierarchical structure of the OMCG:

> *Board member U is involved in drug trade, together with three (non-OMCG) members of criminal group V. These three members are viewed as friends of the OMCG. Two sailboats are used to transport the drugs to other countries. Multiple OMCG-members and partners of OMCG-members are involved in the purchase of the sailboats. At request of the OMCG's board members, members and their partners transfer cash to a foundation in name of the OMCG and this money is then used to buy the sailboats (case 54).*

In this case, the formal club structure runs parallel to the structure of the criminal network, led by a board member. This board member directs subordinates to transfer

money to a foundation. The formal club structure is, therefore, directly involved in the criminal behavior of members by coordinating the investments of sailboats. Case 53 provides another example of the club as criminal organization scenario:

> *Board member V is the leader of a criminal network involved in the import, production, and export of synthetic drugs. Board member V, for instance, arranges all contacts with an Eastern European criminal organization to purchase the basic chemical ingredients. Board member V gives orders to members and prospects of his chapter, making them actively involved in the import, production, and export of synthetic drugs. For example, board member V coordinates subordinates of his chapter to pick up drug precursors at the Eastern European organization. When a situation arises that renders board member V temporarily unable to coordinate the criminal network, these tasks are taken over by his brother (W), who is also a board member of the chapter. Making use of his position within the OMCG, board member W goes on to direct members in the criminal network and ensures that criminal contacts are maintained (case 53).*

Here, the formal club structure plays a direct role in the import, production, and export of synthetic drugs, as a board member coordinates the criminal network by directing subordinates. The formal club structure, furthermore, ensures the continuity of the criminal behavior, when board member V is temporarily replaced by board member W. This suggests that the organization involved in synthetic drug production does not rely on a specific person, but rather on the hierarchical position of the OMCG-members involved. In the above case, subordinates are very aware of the fact that they are part of a criminal network. Conversely, there are also cases in which subordinates are instructed by board members to participate in criminal acts, whilst not being fully aware of their role in criminal activities:

> *Four affiliates of an OMCG – one board member and three members of a support club – are charged with attempting to extort a café-owner. The four members claim an amount of 65.000 euro from the café-owner. They repeatedly pass by the café-owner's house and his café while wearing their club colors. In the process of the extortion, two support club members get clear directives and are told 'not to ask too many questions' about what is going on. The two support club members just had to do what was told by the board member: they are instructed to pass by the café-owners house and to sit on the terrace of his café wearing their club colors. When interrogated, one of the support members states that he and the other*

> *support member were not informed about the reasons why they should*
> *sit down on the terrace (case 42).*

One may question whether to speak in terms of an OMCG as a criminal organization scenario, it is always necessary that members are fully aware of their role in criminal activities. Whilst members do not always seem to be (fully) aware that they are part of criminal activities, by acknowledging the formal club rules, such as 'everyone is required to obey members higher in rank if tasks have to do with the interests or activities of the OMCG', members may well be aware that there is a realistic risk of becoming involved in crime. However, police files do sometimes show a certain tension in the relationship between club obligations and participation in criminal activities by members:

> *Two members and a board member are involved in arms trafficking. Board*
> *member X urges member Y to transport arms to another chapter of the*
> *OMCG. The police files show that in a conversation with member Y, board*
> *member X says: 'please do it man, I mean it is really urgent. I am.. I am*
> *going to make it up to you' (case 33).*

The formal club structure is used to enable the criminal activity, but the board member seems to realize that this particular criminal order may not be seen as legitimate by the subordinate, particularly because the subordinate is exposed to a high risk of being arrested for a serious felony. He, therefore, seems to be aware that he has to somehow 'make it up' to the subordinate.

Violence between rival OMCGs

The police files show that the organization of inter-gang violence often runs via the formal club structure, indicating that violence between OMCGs is often part of a club as a criminal organization scenario. For example, the formal club structure is used to take subordinates to so-called patch overs, in which an existing OMCG or motor club is forced to become part of another OMCG:

> *Members of motor club M are pressured to join OMCG C. More than 30*
> *members of OMCG C gather in fully patched in the clubhouse of motor*
> *club M. In an intimidating setting and surrounded by members of OMCG C,*
> *board members inform motor club M that the motor club is in the OMCG's*
> *way. Consequently, board members of OMCG C propose two alternatives:*
> *either members of motor club M join OMCG C or the clubhouse of motor*
> *club M will be burned down (case 55).*

Though violence between OMCGs is usually not interpreted as 'organized crime', case files show that the formal club structure is used to plan and coordinate inter-gang violence:

> *In a wiretapped conversation, board member Z of OMCG D mentions the following: 'I'm going to close down this café, I will make sure of that in person'. 'No OMCG E-member will enter this café'. Members of OMCG D, dressed in club colors and under the direction of board member Z, subsequently assault and heavily abuse three members of OMCG E. During the incident, board member Z claims: 'Holland is ours!' (case 58).*

According to the police files, board members play an active role in organizing inter-gang violence. Directed by the formal club structure, OMCG-members unite and organize themselves to act on behalf of the OMCG:

> *After OMCG G has opened a new chapter, members of OMCG F want to make clear that the territory is theirs. To do so, one evening five members of OMCG F provoke a large group of members of the rival OMCG G. To counteract this provocative act, members of OMCG G are mobilized through a 'code red' announcement. Members of OMCG G gather with 70 persons in a restaurant, wearing their club colors seeking confrontation with rivaling OMCG F (case 59).*

Violence against their own members (bad standings)

Violence of OMCG-members not only affects members of rival OMCGs or non-OMCG motor clubs. Directed by the formal club structure, OMCG-members' violence can also be targeted towards their own fellow members. This violence is part of so-called bad standings. A bad standing is viewed as the harshest punishment to be meted out by an OMCG. Bad standings are accompanied by physical violence, paying fines, turning in one's motorcycle and other club belongings, such as the ex-member's colors, and the removal of club related tattoos. A member is forced to leave the OMCG in bad standing, when he has broken club rules, has harmed club interests, or when he wants to leave the OMCG without an appropriate reason. Police files illustrate that the formal club structure is directly involved in orchestrating bad standings. One of the police files shows that members need to inform board members about possible bad standings of members who, for instance, have violated the club rules. After informing the board members, board members will provide further instructions about the sanctioning. Members, who possibly have to leave the OMCG in bad standing, appear in front of an internal court. Board members

then decide whether a member indeed has to leave in bad standing and which exact consequences are part of the punishment. Multiple police files show that physical violence is related to bad standings (case 9, 14, 49, 57, and 59).

> *Member A is 'sentenced' to leave OMCG H in bad standing for reason of refusing to behave according to the OMCG-rules. Specifically, member A did not inform his board member about the criminal activities he was involved in. The bad standing verdict is pronounced in the clubhouse and the following measures are taken: member A is forced to hand in his motorcycle with ownership papers, he has to pay the outstanding bill for the motorcycle, he is told to pay a fine amounting 5,500 euro, and is forced to hand in his colors. During the meeting in which member A is sentenced, member A is assaulted by multiple OMCG-members (case 57).*

The police files show that board members have a coordinating and directing role during bad standings. Members are obliged to follow these orders and instructions of board members. This is in line with written club rules stating that "*in case of important decisions, for example task/function changes and leaving the club, always get in contact with a board member".* The police files thus provide evidence that violent acts of OMCGs affect both rival OMCGs and their own members. The decisions to commit these violent acts follow the formal club structure and are made on behalf of the OMCGs as a collective organizational entity. These violent acts are, therefore, examples of the club as a criminal organization scenario.

4.7 Conclusion

Members of OMCGs are disproportionately engaged in criminal behavior (Blokland et al., 2017a; 2019; Klement, 2016b; Lauchs & Staines, 2019; Morgan et al., 2020). Combined with the fear of escalating inter-gang violence between OMCGs, this urged many European countries to take legal actions to combat violence and crime of OMCGs. Nevertheless, research into how and to what extent OMCGs are involved and influence crimes of members is scarce. We studied 60 cases filed against members of Dutch OMCGs since 2012 up to 2018 to answer these questions. We distinguished three scenarios to examine the relationship between OMCGs and crimes of OMCG members: the bad apple scenario, the club within a club scenario, and the club as a criminal organization scenario (Von Lampe & Blokland, 2020). The results of our study show evidence for all three analytically distinct scenarios. Of all 60 cases studied, 78% of the cases included charges that fall under the bad apple scenario, while 38%

and 27% of the cases included charges that could be classified under the club within a club and club as a criminal organization scenario. Of all 202 charges mentioned in these cases, 48%, 27%, and 25% could be likewise categorized as falling under the bad apple, club within a club or club as a criminal organization scenario.

We conclude that members of OMCGs are involved in, sometimes serious, crimes and crimes commonly regarded as 'organized crime'. The mere fact that members are involved in organized crime, however, does not per definition imply that the OMCG plays a direct and coordinating role in the criminal behavior of its members. The results of our study suggest that, in many cases, individual and club relations fall under a bad apple scenario or a club within a club scenario. In these scenarios, members commit crimes on their own behalf, without direct involvement of the OMCG as an organizational entity. In accordance with prior research, the criminal structures of OMCG-members often seem to operate relatively autonomous of the formal club structure (Lauchs & Gilbert, 2017; Liddick, 2008; Morselli, 2009). OMCG-membership may, however, offer benefits to individual members whilst committing crimes. For instance, by OMCGs functioning as a pool of co-offenders and as a market for criminal enterprises (Felson, 2003), or by members making use of the intimidating effect of wearing club colors or what has been labeled 'the power of the patch' (Barker, 2011; Wolf, 1991). These indirect benefits offered by OMCG-membership, may increase the criminal opportunities of individual members.

Conversely, OMCG-membership may also have a decreasing effect on the criminal opportunities of members. This study emphasizes that members may also be hampered in their opportunities to commit crime, because the interests of the OMCG as a collective prevail over the interests of individual members. For instance, in order to avoid getting into trouble with their OMCG, members ask permission from the OMCG before they participate in (certain types of) crime. In those cases, the OMCG may hinder, rather than facilitate, the criminal freedom of members, for example by restricting their criminal opportunities by demanding not to wear the club colors during an offense. Another complicating factor of OMCG-membership is that it appears to be difficult for members to solve personal and business conflicts outside their OMCG. OMCGs are particularly at risk if multiple members are involved in the conflict, since engagement of multiple members may give the appearance that the OMCG as an organizational entity is involved. This includes perceptions by law enforcement as well as criminal adversaries.

The findings of the current study stress that OMCGs can play an active role in regulating mutual relationships between members, non-members, and rival OMCGs during conflict situations. Something that should be explored further in future

4

qualitative research. A potential explanation for this finding in our police file research is that, since 2012, Dutch OMCGs are the target of a whole-of-government approach. An approach primarily aimed at the structural aspects of OMCGs, not at individual members. Consequently, OMCGs are affected through all kinds of restrictive policies and risk their very right to exist as an organization. OMCGs regulating members' conflicts could provide a way to avoid negative attention resulting from individual conflicts inside and outside OMCGs. This potential explanation raises a second question that future research could focus on: are the regulating tasks and the decreasing effect on the criminal possibilities of members unique for Dutch OMCGs due to the whole of government approach or does this also apply to other countries, where different policies are in effect?

The club as a criminal organization scenario is most apparent in organized inter-gang violence and the use of violence against fellow members (arson is, in our police file research, often part of inter-gang rivalry or violence towards individual members). In both types of criminal behavior, the organization of the crimes overlaps with the hierarchical organization of OMCGs, in such a way that the crimes are committed on behalf of the OMCG. This is particularly interesting, because the organized crime literature is subject to a continually recurring discussion on whether organized crime should be defined primarily in terms of the criminal groups involved (who) or in terms of criminal activities with serious harm for society (what) (e.g. Paoli & Van der Beken, 2014). Traditionally, in the outlaw biker crime literature, organized inter-gang violence is not regarded as 'organized crime' (e.g. Lauchs, Bain & Bell, 2015), presumably due to the lack of continuity and profit making. However, the scenario approach makes no differentiation in the types of criminal behavior, but instead focuses on the structure of cooperation and the involvement of the formal club hierarchy. This may result in crimes falling under the club as a criminal organization scenario that do not fit the typical types of crime often associated with common definitions of organized crime.

When crimes follow the formal organizational chain of command structure of OMCGs, there appears to be a limit in what OMCGs can expect from members in terms of participation in crime, as was illustrated by the board member in one of the cases promising '*to make it right*' with the subordinate who is ordered to carry out the illegal activity. What is accepted as club business and what members knowingly accept as legitimate orders from club leadership may differ between clubs, or even between chapters.

While the police files provide a solid and sophisticated basis for our qualitative research, several limitations do apply. First, OMCGs and even chapters within the

same OMCG are not homogenous. They may vary in terms of the level and nature of criminal involvement (Blokland et al., 2017a; Morgan et al., 2020). Together with external environmental factors, such as OMCGs adapting their behavior following the Dutch whole of government approach, this implies that the scope of the results should be limited to the analyzed cases of the present study. A second limitation is that police files may be selective, both in terms of policy and police priorities, and in terms of the construction of police files. We were, however, able to examine complete police files for multiple OMCGs and a wide range of criminal activities. Selectivity may also pertain to the three scenarios, as particularly the club as a criminal organization scenario requires evidence of the club's involvement in the crime, something that may be less apparent or overlooked during the police investigation. Here, the Dutch context and the policy emphasis on OMCGs as collective entities during the period under study may be considered an advantage. Other, more general, advantages for police file analysis in the Netherlands, are that Dutch criminal law offers no space for plea-bargaining and that researchers can check the files themselves. Combined, these contextual features arguably mitigate bias towards the potential organizing role of the OMCG in its members' crime. Nevertheless, while qualitative statements made in this study are based on a wide range and variety of cases, any quantitative statements should be interpreted within the context of the cases analyzed.

The current study enriches theoretical and empirical knowledge on the ways in which OMCGs are involved in criminal behavior of members. With the aforementioned caveats in mind, the results show that a direct and coordinating role of OMCGs in members' crimes is often lacking. More often, the role of OMCGs is indirect by functioning as offender convergence settings or by members making use of the power of the patch. A coordinating role of OMCGs as an organizational entity is primarily found in inter-gang violence and violence towards fellow members, for instance during bad standing procedures. The current Dutch policy towards OMCGs does not only target individual members, but is particularly aimed at hindering OMCGs as a collective organizational entity. Because of the fundamental human rights involved, such as the freedom of association, these policies are subject to heated political debate. The results of the study show, on the one hand, that any infringement of human rights may be justified by the indirect benefits of OMCG-membership to individual members and the coordinating role of OMCGs in inter-gang violence, and violence against their own members. On the other hand, the direct and coordinating role of the formal OMCG club structure in the (organized) criminal behavior of members may be present less often than is assumed by advocates of far-reaching policies targeting OMCGs.

Future research into criminal groups and/or organized crime groups could also apply the criminological scenario approach and examine the relationship between specific criminal structures and the crimes of their members. The distinction in scenarios is not only relevant for describing criminal groups set up solely for criminal purposes, but also for criminal structures which – similar to OMCGs - serve both criminal and social functions, by providing members with a sense of belonging, mutual protection, and a code of conduct (Von Lampe & Blokland, 2020). The scenario approach may, therefore, also be applied to traditional criminal groups, such as the Italian Mafia or Mafia-type organizations (Japanese Yakuza, Chinese triads, etcetera), but also to more modern criminal organizations (see, for an overview, e.g. Reuter & Paoli, 2020).

4

CHAPTER 5

The Dutch judicial approach to various types of co-offending among members of Outlaw Motorcycle Gangs

Abstract

The Dutch criminal law system is based on individual liability, yet part of the crime and violence Outlaw Motorcycle Gang (OMCG) members commit is collective in nature. This study examines the criminal law approach towards collective criminal behavior of OMCG members. The study analyzes police files and court judgements of criminal law cases that were filed against members of Dutch OMCGs. Additionally, interviews were carried out with public prosecutors involved in these criminal cases. The results show that it is often difficult to legally address OMCGs as criminal organizations or weigh the mere symbolic contribution of fellow club members to crime, such as the use of the OMCGs' violent reputation. Furthermore, the results suggest that in order to circumvent legal difficulties in addressing group symbolism and OMCGs as collectives via criminal law, the Dutch Public Prosecution Office has recently opted for a stronger interplay between criminal and civil law, targeting both individual OMCG members and the structural aspects of OMCGs. Future research is needed to establish which (interplays between) legal instruments are most effective in responding to collective criminal behavior.[28]

5.1 Introduction

Countries have been confronted with crime and violence committed by various types of criminal groups, varying from (juvenile) street gangs to hooligan firms, and from outlaw motorcycle gangs (OMCGs) to mafia-type organizations (Barker, 2018; Bjørgo, 2017; Kazyrytski, 2017; Klein et al., 2006; Paoli, 2003; Van Ham et al., 2020; Varese, 2020). Countries use very different judicial approaches to membership and crimes committed by such groups. To target the Italian Mafia, for instance, Italy has introduced the 'Mafia association' law (Art. 416 *bis* Italian Criminal Code) which makes Mafia membership a crime in itself (Scotti, 2002).[29] Conversely, in the Dutch criminal law system, individual accountability in (more or less) collective behavior is the guiding principle for criminal liability: not membership of a criminal group in itself, but a person's individual contribution to a particular offense is punishable by law.

As did other countries such as Germany, Australia, and Denmark, the Netherlands experienced numerous violent public confrontations between members of rivalling OMCGs in recent years (Ayling & Broadhurst, 2014; Geurtjens et al., 2018; Monterosso, 2018; Jahnsen, 2018). In 2016, for instance, at least 30 members of the Hells Angels MC and Mongols MC clashed in the lobby of a hotel in Rotterdam. The two rivalling OMCGs went at each other with knives and hammers, and over twenty shots were fired, causing unsuspecting hotel guests to dash for cover in the surrounding shrubbery (Vissers, 2016). OMCG history is filled with public feuds between members of rivalling OMCGs, including a clash between the Hells Angels MC and Bandidos MC at a red-light district in Duisburg, and a fight between members of the Finks MC and Bandidos MC in a restaurant in Queensland. Following violent incidents and high number of casualties, escalating enmities between rivalling OMCGs in various Scandinavian countries during the '90s have become known as 'the great Nordic biker war' (Ayling, 2017; Bartels et al., 2021; Jahnsen, 2018). It is not only the extreme nature of the violence, but also its massiveness that triggers public concern. More generally, prior research shows that many criminal cases involving a member of a Dutch OMCG refer to more than just 'individual' acts: of all criminal cases brought before a Dutch judge between 2012 and 2018 in which at least one OMCG member was a prime suspect, 65 percent of the cases included charges in which at least one fellow member was among the case's prime suspects; 27 percent of all cases included charges in which the OMCG as organizational entity was directly involved in members' criminal behavior (Van Deuren, Kleemans & Blokland, 2020).

---

[29] Although difficulties exist to determine when a person is a member of a Mafia-type organization, in the past, public prosecutors established membership of a Mafia-type organization by using address books of 'certified' Mafia members, prison receipts of money orders originating from Mafia-controlled areas, and expert witnesses in the form of collaborators from criminal organizations to establish a person's Mafia membership (Scotti, 2002: 145).

The Dutch criminal law system is based on individual liability. The impact of group membership on crime, however, may extend beyond the physical contribution of fellow group members. OMCG members, for instance, often appear to profit indirectly from OMCG membership by the use of group symbolism that refers to the violent reputation of the OMCG as a collective and the unconditional support of fellow club members (Van Deuren et al., 2020; Wolf, 1991). How does a criminal justice system in which individual liability is the guiding principle deal with this indirect contribution of OMCG membership to crime and violence by OMCG members? To explore the Dutch judicial responses to OMCG membership and group crime (i.e., co-offending[30] among OMCG members), this study uses police files and court judgements of cases that were filed against members of Dutch OMCGs between 2012 and 2018, while distinguishing between a number of Dutch legal qualifications dealing with different types of co-offending: accessoryship, co-principalship, the commission of public violence, and participation in a criminal organization. In addition, by conducting interviews with public prosecutors involved in the criminal law cases against OMCG members, we aim to assess the obstacles and motivations for pursuing one legal classification over others.

The article is organized as follows: in the first part, we review three scenarios that describe the relationship between OMCG membership and the criminal behavior of individual members (i.e. the 'bad apple' scenario, 'club within a club' scenario, and 'club as criminal organization' scenario) and elaborate upon the judicial responses to co-offending available within the context of the Dutch judicial system. We then present the data and methods used for the current study. Subsequently, the empirical results from the file analyses and the interviews with public prosecutors are presented. We finish with our conclusions from the empirical analyses and discuss their implications for future research.

5.2 Involvement of OMCG membership in members' individual criminal behavior

The mounting evidence of OMCG members' disproportionate involvement in crime and violence (Blokland, Van der Leest & Soudijn, 2019; Van Deuren, Blokland & Kleemans, 2021b) and even the potential enhancing influence of OMCG membership on members' offending rates (Blokland, Van Hout, Van der Leest & Soudijn, 2017b; Klement, 2016b; Van Deuren, Blokland & Kleemans, 2021a), do not yet justify the conclusion that OMCGs always have a direct role in their members' criminal behavior.

---

[30]   In the current study, co-offending is defined as situations where two or more persons are involved
       in the commission of a crime.

Three scenarios have been proposed that may link members' crime to the OMCG as an organizational entity: the 'bad apple' scenario, the 'club within a club' scenario, and the 'club as criminal organization' scenario (Von Lampe & Blokland, 2020). The 'bad apple' scenario represents criminal behavior committed by an OMCG member either alone, or with others, on their own behalf. The OMCG as an organization is neither directly involved in nor directly benefits from the crimes of a 'bad apple'. Prior research based on 60 police records of cases that were filed against members of Dutch OMCGs, shows that the 'bad apple' scenario is predominantly present in cases of entrepreneurial crime, such as drug crime, weapons crime, and money laundering (Van Deuren et al., 2020). Dutch OMCG members tend to commit these types of crime as autonomous individuals, without a direct and coordinating role of the OMCG.

The 'club within a club' scenario is only different from the 'bad apple' scenario in a numerical way, in the sense that the 'club within a club' scenario refers to situations where multiple OMCG members and/or leaders are involved in the crime. The sheer number of members and/or leaders engaged in a particular crime, may lead to the erroneous conclusion that the OMCG as an organizational entity is involved in the criminal behavior. Crimes falling under the 'club within a club' scenario are, however, committed independently from the OMCG (Von Lampe & Blokland, 2020). In the Netherlands, the 'club within a club' scenario is particularly present in crimes such as general threatening behavior and extortion (Van Deuren et al., 2020). In both the 'bad apple' and the 'club within a club' scenario, OMCG members operate as individual offenders both in their decision to commit the crime and in the manner in which the crime is committed. OMCG membership, however, may offer individual OMCG members benefits that enhance their criminal opportunities; for instance, via the OMCG's violent reputation that is proliferated through wearing the club's insignia when committing the crime, or by making use of fellow OMCG members as co-offenders (Barker, 2011; Van Deuren et al., 2020; Wolf, 1991).

Whether crimes can be rightfully attributed to the OMCG as an organizational entity, however, depends on the role the OMCG's formal organizational structure has in the commission of the crime. Only if the criminal structures of individual members overlap with the OMCG's formal organizational structure, can the OMCG be said to function as a criminal organization. In the 'club as a criminal organization' scenario, leaders of OMCGs, for instance, use their hierarchical position in the club to direct criminal behavior of lower-ranking members who, in turn, perceive these criminal orders as correctly given and unproblematic. Crimes of members falling under the 'club as a criminal organization' scenario are committed for the benefit of OMCG and can hence be attributed to the OMCG (Von Lampe & Blokland, 2020). Prior research

shows that Dutch OMCGs predominantly function as criminal organizations when ordering violent acts towards rival OMCGs and fellow OMCG members (Van Deuren et al., 2020).

It needs to be emphasized that these scenarios represent a situational approach to OMCG crime: OMCG members may in one situation operate as autonomous individuals, while acting as members of a criminal organization in another (Von Lampe & Blokland, 2020). The three scenarios may, furthermore, coexist within a single OMCG with regards to different (groups of) members and different types of crime. It is, hence, not so much a question whether OMCGs *are* criminal organizations, but rather whether and when they *act* as criminal organizations.

5.3 Co-offending in the Dutch legal framework

How is the contribution of fellow club members to crime in the Netherlands legally qualified? Dutch criminal law defines various forms of criminal liability to qualify a person's contribution to the joint commission of a crime: via accessoryship, co-principalship, the commission of public violence, and participation in a criminal organization.[31] The difference between accessoryship and (co-)principalship to crime can be found in the nature and intensity of one's contribution to the crime under scrutiny (Yanev, 2018). Those who do not commit the offense itself, but assist or encourage its commission are called accessories to crime, while those who commit the crime itself are called principals to crime (Tak, 2003; Yanev, 2018). If a crime is committed by multiple parties, each person can be held criminally liable for co-principalship to the offense (Tak, 2003; Yanev, 2018). Importantly, these different judicial qualifications pertain to individuals' liability for their own part in the (more or less) collective behavior (De Hullu, 2018). Accessoryship and (co)principalship are not crimes in and of themselves; the conduct becomes criminally liable only when a person's contribution to a particular crime that has actually been committed can be established. This is different for the commission of public violence and participation in a criminal organization: Here a person can be held criminally liable for a crime that can only be committed with two or more persons based on his or her specific conduct. The different Dutch legal qualifications that may represent collective behavior in the commission of crime are discussed below in more detail.

---

[31] Dutch criminal law has various other ways to hold a person criminally liable for his or her contribution to co-offending, such as Art. 80 (collusion), Art. 11b (Opium act), and Art. 306 (participation in a fight). In this study, however, we only differentiate between those legal qualifications that appeared in the court files of the criminal law cases used in this study.

Accessoryship

Accessoryship is punishable under Art. 48 of the Dutch Criminal Code and is the lowest degree of participation in a criminal offense. Accessoryship involves intentionally assisting, providing opportunity, means or information to commit a crime[32]. Accessoryship is aimed at promoting or facilitating criminal behavior committed by another person by, for instance, giving advice, being on the watch, or assisting in a flight[33]. The contribution can also consist of neglecting to prevent (escalation of) the crime. This liable passivity of a person is, for example, shown if a person does not actively participate in an assault him- or herself, but is nevertheless present during the commission of the criminal act (De Hullu, 2018). To hold a person criminally liable for accessoryship to crime, it needs to be established that the actions or non-actions of a person had an 'effect' on the crime committed. The maximum penalty for a criminal act is reduced by one-third if a person is found guilty of accessoryship to crime.[34]

Co-principalship

Co-principalship is punishable under Art. 47 of the Dutch Criminal Code and involves two or more persons that 'deliberately and closely cooperate' in the commission of crime.[35,36] It needs to be established that the offender has had an 'intellectual or material' contribution of sufficient weight in the criminal act. The courts can, for example, consider (a combination of) the intensity of the collaboration, the division of tasks between offenders, a person's role in the planning and execution of crime, and not disassociating oneself from a criminal act, as factors to substantiate evidence for co-principalship.[37] It is possible that a person can be held criminally liable for co-principalship in a certain crime even when he or she was not present during the commission of a crime, but was nevertheless of influence in the planning and preparation phase of the criminal act. Contrasted to accessoryship, co-principalship requires a major involvement of a person in the crime and hence often results in an aggravating circumstance, influencing the sentencing outcome.[38]

The commission of public violence

The commission of public violence is punishable under Art. 141 of the Dutch Criminal Code and is particularly important for crimes, such as vandalism, riots, and collective violence (De Hullu, 2018). The commission of public violence involves at least two or

---

32 HR March 22 2011, ECLI:NL:HR:BO2629, r.o 2.2.
33 HR December 2 2014, ECLI:NL:HR:2014:3474, r.o. 3.3.2.
34 HR March 20 2018, ECLI:NL:PHR:2018:211, r.o. 3.14.
35 HR December 2 2014, ECLI:NL:HR:2014:3474, r.o. 3.3.2
36 HR March 24 2015, ECLI:NL:HR:2015:716, r.o. 3.2.1
37 HR December 2 2014, ECLI:NL:HR:2014:3474, r.o. 3.2.2
38 HR July 5 2016, ECLI:NL:HR:2016:1316, r.o. 3.2.3

more persons who openly commit a violent act against a person or a property. To hold a person criminally liable under Art. 141 Dutch Criminal Code, it must be established that the person made a sufficiently substantial and fundamental contribution to the violent act.[39] A person's contribution must facilitate or must have an escalating 'effect' on the violence and may also constitute a non-violent act (De Hullu, 2018). A non-violent act may, for instance, involve supporting the violence by providing tools or vocal encouragement.[40] Merely numerically bolstering the group is, however, not enough to hold a person criminally liable for public violence: the offender must actually be involved in an act.[41] Furthermore, it needs to be established that the offenders 'deliberately and closely cooperated' in the commission of the violent act. In contrast to co-principalship (Art. 47 Dutch Criminal Code), the commission of public violence involves a less severe type of collaboration (Nan, 2016). The commission of public violence may, for instance, occur within an unstructured and spontaneous collaboration between two or more persons.[42] Participation in public violence can be punished by imprisonment for a maximum of four and a half years or a fine of the fourth category (maximum of € 20.500).

Participation in a criminal organization

Finally, participation in a criminal organization is punishable under Art. 140 of the Dutch Criminal Code, which is used in the fight against organized crime (Kesteloo, 2011). Participation in a criminal organization consists of three elements: the 'organization', the 'aim of committing crimes', and the criminally liable act of 'participation in'. The component 'organization' involves a lasting (period of time, planning of crime) and structured (the extent to which agreements have been made or certain rules apply) collaboration between two or more persons.[43] The collaboration can consist of natural or legal persons. Furthermore, the purpose of the organization must be aimed at committing (multiple) offenses.[44] Contrasted with the prior judicial classifications of co-offending, a person can be held criminally liable for participation in a criminal organization even if the crimes the organization is aimed for are not yet committed – the intention to commit a crime is already sufficient for criminal prosecution of participation in a criminal organization.[45] Lastly, for the criminally liable act 'participation in' it needs to be established that a person (1) belongs to the collaboration, and (2) participated in, or supported the conduct

---

[39] HR July 5 2016, ECLI:NL:HR:2016:1320, r.o. 3.1

[40] Ibid.

[41] HR July 7 2009, ECLI:NL:HR:BH9029, r.o. 2.6

[42] HR September 27 2016, ECLI:NL:HR:2016:2191, r.o. 3.2

[43] HR October 26 1993, ECLI:NL:HR:1993:AD1974

[44] HR May 15 2007, ECLI:NL:HR:2007:BA0502, r.o. 3.4

[45] Ibid.

conducive to the accomplishment of the criminal purpose.[46] A person does not necessarily need to be directly involved in the criminal act(s) upon which the aim of the organization is based; knowledge of the criminal aim(s) of the collaboration is sufficient to hold a person criminally liable by means of Art. 140. Participation in a criminal organization can be punished with imprisonment for a maximum of six years or a fine of the fifth category (maximum of € 87.000).

Important to note here is that in the case of multiple offenses carrying a prison sentence, the Dutch courts cannot impose a cumulation of prison sentences. The courts can instead impose a joint sentence, the maximum term of which may be one third higher than the maximum prison sentence for one of the criminal acts (Tak, 2003).[47] For example, if a suspect is found guilty of hostage-taking and theft with violence, the suspect's maximum prison sentence may then consist of the maximum sentence of 15 years (hostage-taking) increased by one-third, which amounts to 20 years in prison.

5.4 Present study

The aim of the present study is to examine the judicial responses to co-offending among OMCG members while distinguishing between the different scenarios that may link crime to OMCGs. By analyzing police files and court judgements of cases that were filed against members of Dutch OMCGs and by conducting interviews with public prosecutors involved in these cases, we specifically address the following research questions:

1. How is co-offending among OMCG members classified in legal terms?

2. To what extent is that legal classification associated with the different scenarios that link crime to the OMCG as an organizational entity?

3. To what extent does the symbolic contribution of OMCG membership to instances of co-offending among OMCG members play a role in legal outcomes?

4. What are the obstacles and motivations for public prosecution in pursuing one legal classification above others?

---

[46] HR December 21 2010, ECLI:NL:HR:2010:BM4415, r.o. 3.5.2
[47] Art. 55 and Art. 57 Dutch Criminal Code (concurrence of criminal offences)

5.5 Methodology

5.5.1   Police files and court judgements

We analyzed police files of cases that were filed against members of Dutch OMCGs since the start of the so-called 'whole-of-government approach' in 2012 up to 2018. The approach aimed to target OMCGs and their members via all legal options available, including criminal, civil, and administrative means.[48] We received a list from the Dutch Public Prosecution Office involving 110 police files of criminal cases in which members of Dutch OMCGs were accused of being involved in various types of criminal behavior. After a first inspection of the police files, some police files were found to merely concern project proposals (without any concrete police action: 13 files), some police files were related to people who were not members of Dutch OMCGs (2 files), and other police files could not be found by the regional Public Prosecution Offices (20 files). This resulted in 75 police files that involved criminal law cases against OMCG members. Next, we excluded police files if these documents consisted of solely procedural reports (i.e. only providing information on the investigative methods, without substantive case information) or police arrests (8 files); files that led to a 'policy dismissal' (2 files); and files that had an unclear link to a particular OMCG (i.e. no specific OMCG was mentioned, and only general terms, such as 'motor club', were used). The latter comprised only five of the files.

Consequently, for the present analysis, we were left with 60 police files in which at least one OMCG member was charged with a crime. The police files varied in size and degree of OMCG involvement: police investigations sometimes pertained to one or more OMCG members and/or leaders (individual level), and at other times to complete chapters (organizational level). The police files included transcripts of interrogations with suspects, victims, and witnesses, as well as observational and wiretap information, providing a unique opportunity to examine crime among members of Dutch OMCGs more closely. All police files were analyzed using an extensive checklist that was previously used in the Dutch Organized Crime Monitor (Kleemans, 2014). The checklist involved various topics, such as an overview of the criminal investigation, suspects involved, activities and *modus operandi*, specific criminal charges, and convictions. Based on the information resulting from the police files, each of the 60 police files (case level) and each of the 202 criminal charges (offense level) were classified under one of the three scenarios in a previous study (see, for a detailed description, Van Deuren et al., 2020).

---

[48]   TK II 2011/12, 29911, 59

Court judgements of 40 criminal law cases were included in the police files. Court judgements for an additional 18 police files were retrieved from Rechtspraak.nl.[49] Two police files (3.3%) and six (3%) criminal charges were still awaiting a final court decision at the time of data collection, and six police files (10%) and 58 (28.7%) criminal charges resulted in an acquittal and were left out of the analysis.[50]

The resulting 52 unique police files and court judgements used for this study contained 138 convictions in total. 37 (71.2%) police files and 66 (47.8%) convictions could be classified as a 'bad apple' scenario: of which 50 (75.8%) convictions involved crime committed by one OMCG member and 16 (24.2%) convictions involve crime committed by multiple parties, including one OMCG member.

Since our aim was to investigate the judicial qualifications of co-offending among Dutch OMCG members, we only took police files and court judgements into account in which at least two or more OMCG members were involved (i.e., the 'club within a club' scenario and the 'club as a criminal organization' scenario). The 'club within a club' scenario was present in 20 (38.5%) police files and 40 (29.0%) convictions, of which 25 (62.5%) convictions involved crime committed by solely OMCG members and 15 (37.5%) convictions involved crime committed by multiple OMCG members, and one or more non-OMCG members. The 'club as a criminal organization' was present in 13 (25.0%) police files and 32 (23.2%) convictions, of which 27 (84.4%) convictions involved crime committed by solely OMCG members (including the leadership of the OMCG) and 5 (15.6%) convictions involved crime committed by multiple OMCGs, and one or more non-OMCG members.

Two important issues with regard to the validity of the present study should be taken into account: (1) the extent to which the police files involving co-offending among OMCG members used for this study include the total number of criminal cases involving OMCG co-offending in the period 2012 up to 2018 and (2) whether the police files and convictions are rightfully classified under the different scenarios. Dutch law enforcement agencies have prioritized the prosecution of OMCG members as part of the whole-of-government approach since 2012. It is therefore highly likely that the cases studied here represent all criminal cases involving an OMCG member in this period. However, by definition the case files refer to registered crimes only, and we cannot rule out the possibility that over time, law enforcement actions increasingly focused on those OMCGs

---

[49]   Rechtspraak.nl is a website that publishes Dutch court files of various jurisdictions, such as criminal, civil, and administrative law cases

[50]   Art. 140 is charged in nine (15%) police files, one (11.1%) police file is still awaiting a final court decision, three (33.3%) police files resulted in an acquittal, and five (55.6%) police files resulted in a conviction for participation in a criminal organization.

deemed most heavily involved in violence and crime. Allocation of each criminal case to a theoretical scenario is based on information available in the case file. To the extent that it is more difficult to prosecute OMCG members for being part of a criminal organization – see below – law enforcement might have focused on individual members instead of organizational aspects, the proportion of cases falling under the 'club as criminal organization' scenario might hence be underestimated.

Members of Dutch OMCGs were convicted of various types of offenses, ranging from more entrepreneurial (drug crime, weapons crime, and extortion) to violent crimes (assault, threatening, and public violence). The judicial qualifications of the convictions were examined on the case level. For instance, a police file with four OMCG members convicted for participation in a criminal organization, was counted as a police file that involved participation in a criminal organization only once. Police files in which OMCG members were convicted under different legal qualifications were counted separately per police file. Furthermore, on occasion a police file involved two or more OMCG suspects, but not all were convicted of the criminal offense.

5.5.2   Interviews with public prosecutors

To increase our understanding of the Dutch judicial responses to OMCG members, we also interviewed five public prosecutors involved in various (large) criminal law cases examined for the current study. In total, the police files included nine criminal cases in which OMCG members were prosecuted for Art. 140 of the Dutch Criminal Code. Thirteen different public prosecutors were involved in these criminal cases, of which several were involved in more than one criminal case. The public prosecutors interviewed for the present study, were involved in five of the nine police files regarding the prosecutions of OMCG members for Art. 140, of which one resulted in an acquittal and four resulted in convictions for Art. 140.

The public prosecutors were selected via the Dutch Public Prosecution Office. The interviews started with an introduction and the signing of the informed consent forms. All interviews were tape-recorded and lasted between 1 and 1.5 hours. The interviews were semi-structured, following a list of topics and questions. The public prosecutors were interviewed about the choices and dilemmas in the investigation and prosecution of criminal law cases involving (multiple) OMCG members, the link between members' crime and OMCGs (and which links are relevant for criminal prosecution), and considerations in the investigation and prosecution of OMCG members under Art. 140 of the Dutch Criminal Code (Participation in a criminal organization). In addition to these questions, the public prosecutors were free to add anything they deemed important. All tape-recorded interviews were transcribed verbatim and analyzed with

the program Atlas-ti. The transcriptions of the interviews were coded along the themes of the topic list. The interviews were conducted in Dutch and held in the period May-June 2021. For privacy and safety reasons, quotes and statements of public prosecutors are generally shown without respondent identification numbers; similarly, information specific to criminal cases and names of OMCGs are also omitted.

5.6 Results

5.6.1 Judicial qualifications of co-offending among OMCG members

Figure 1 depicts, for each type of crime, which percentage is related to the 'club within a club' scenario or the 'club as a criminal organization' scenario.[51] Figure 1 shows that the 'club within a club' scenario predominantly involves convictions of profit-making crime, such as drugs, weapon crime, and theft.[52] The 'club as a criminal organization' scenario is often present in convictions of violent crime, including convictions of extortion (with violence) and arson. Closer inspection of police files revealed that these criminal cases typically involve collective violence aimed at rival OMCGs or fellow (ex-)club members. The police files show, for instance, that extortion (with violence) and arson may be the result of expulsion from the OMCG in so-called 'bad standing' – the heaviest sentence used by OMCGs as organizations to punish (ex-)OMCG members.

Next, we examined the judicial qualifications of different types of co-offending on the case level by the two scenarios (Table 1). Table 1 shows that 55.3% of the total convictions can be classified as a 'club within a club' scenario, the remaining 44.7% is characterized as falling under the 'club as criminal organization' scenario. Crimes falling under the 'club as a criminal organization' scenario are predominantly legally qualified as co-principalship to crime (73.5%). Only in 8.8% of the crimes under this scenario are OMCG members convicted of Art. 140. These convictions of Art. 140 involve police investigations in which an OMCG itself was the subject of the 'criminal organization'. In comparison, in 4.8% of the crimes falling under the 'club within a club' scenario, OMCG members were convicted of Art. 140. This percentage relates to police investigations in which a collaboration between OMCG members and non-members was regarded as the 'criminal organization', rather than the OMCG itself or the criminal structures of the OMCG members and the club's organizational structure did not overlap.

---

51 The category 'remaining' consists of convictions, such as vandalism (1), coercion (2), body disposal (1), forgery (1), and trademark counterfeiting (1).

52 The present study omits crimes falling under the 'bad apple' scenario. Consequently, contrasted to prior research of Van Deuren et al. (2020), the current study shows a shift in the types of crime that predominantly can be classified under the 'club within a club' scenario.
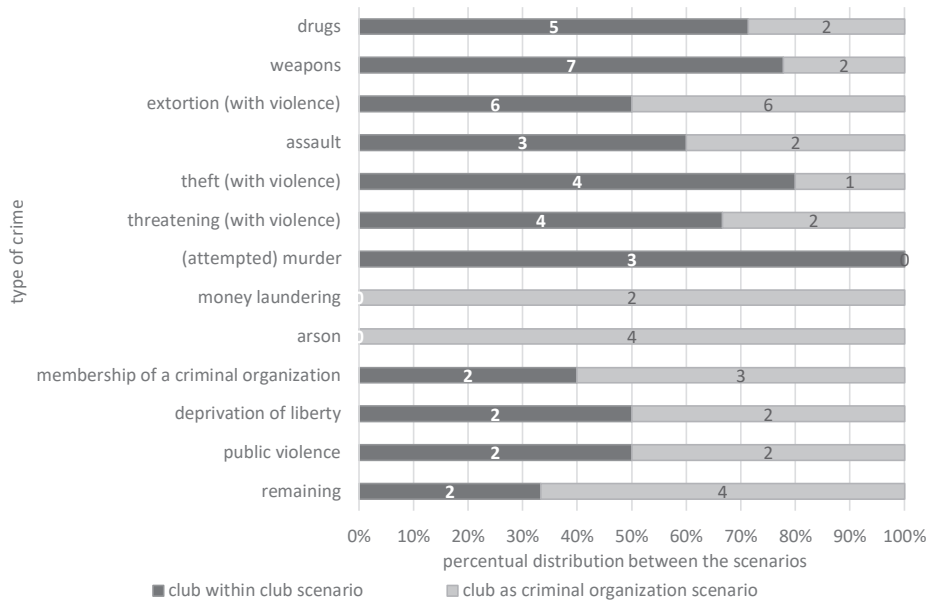
Figure 1. Type of crime by the scenarios

Table 1. Judicial qualifications of co-offending by the scenarios (on case level)

	Club within a club scenario		Club as criminal organization scenario		Total	
Principal	10	83,3%	2	16,7%	**12**	100%
	23,8%		5,9%		16,9%	
Accessoryship	2	50,0%	2	50,0%	**4**	100%
	4,8%		5,9%		5,6%	
Co-principalship	26	51,0%	25	49,0%	**51**	100%
	61,9%		73,5%		66,2%	
Art. 141 (public violence)	2	50,0%	2	50,0%	**4**	100%
	4,8%		5,9%		5,6%	
Art. 140 (participation criminal organization)	2	40,0%	3	60,0%	**5**	100%
	4,8%		8,8%		5,6%	
Total	**42**	55,3%	**34**	44,7%	**76**	100%
	100%		100%		100%	

5.6.2 The role of OMCGs' group symbolism in legal outcomes of co-offending among OMCG members

Prior research shows that during the commission of a crime, OMCG members may use group symbolism as a reference to their OMCG membership to stress numerical power (Van Deuren et al., 2020). Inspection of the court judgements involving instances of co-offending indicates that this so-called 'power of the patch' may be considered as an aggravating circumstance, influencing the sentencing outcome of individual OMCG members. In their sentencing decisions, judges take relevant aspects of the modus operandi of crimes committed by OMCG members into account, such as the verbal and visual presentation of OMCG membership. The sentencing decision in one of the court judgements, for instance, reads: '*The suspect and his co-offender(s) were members of an OMCG, and the victim was aware of this. This knowledge will have reinforced the intimidating effect of the extortion*'.

The court judgements also show that when OMCG members commit crime and violence together, the members are predominantly convicted for co-principalship to a particular crime, even when there are indications that the OMCG as an organizational entity had a coordinating role in the criminal behavior of the individual members. We interviewed five public prosecutors involved in various criminal cases used for this study, to get a better understanding of the legal decisions made during the investigation and prosecution of OMCG members. Why did the public prosecutors choose to prosecute OMCG members mainly for co-principalship, while there were indications that OMCGs were directly involved in crimes of their members? Which obstacles and opportunities do prosecutors see to include the indirect role of OMCG membership in the prosecution of the crimes committed?

5.6.3 Obstacles and incentives for pursuing one legal classification over others

Manpower and complexity

According to public prosecutors, prosecuting collective criminal behavior has a limited number of available options: '*You could use legal qualifications, such as Art. 11a and 11b of the Opium act; however, it often involves more than just drugs offenses. Actually, only Art. 140 (Participation in a criminal organization) works well to address collective crime*'. Though the interviewees indicate that Art. 140 is considered to be the only way to address OMCG members as a collective, Table 1 shows that it is rarely used in criminal law cases involving multiple OMCG members. From the interviews we learned that public prosecutors have various reasons to address OMCG members through legal qualifications other than Art. 140.

First, the decision whether or not to prosecute OMCG members through Art. 140 is influenced by the issue of manpower: '*do we have enough people and time, and do we see opportunities to start an investigation of OMCG members who show some form of criminal cooperation*'. As all elements of the article need to be established (the organization, the criminal purpose of the organization, and participation in the criminal purpose of the organization), a lack of manpower at the police and Public Prosecution Office can result in foregoing the opportunity to start an Art. 140 investigation. Second, prosecutors report that Art. 140 may entail many complexities with regard to the investigation and prosecution phase of OMCG members. One public prosecutor mentioned that it is particularly difficult to gather evidence that substantiates the assumption that criminal behavior of individual members can be legally attributed to the OMCG (e.g., the criminal purpose of the organization):

> '*One of the core problems in recent years has been that OMCGs are organized in such a way that is it difficult to gather evidence for a criminal case. Several things worked out very well, such as wiretaps in clubhouses, or in the case that some members were simply too foolish and told too much. OMCG members are not going to make that mistake again, so next time it will be more difficult to gather evidence for Art. 140. To gather evidence about the things OMCG members do, that that is really part of, almost part of the essence of the organization, of how OMCGs are organized […]. That the criminal acts are not just being committed by individual OMCG members, but are committed for the benefit of or in relation to the club*'.

Evidence to legally qualify the link between crimes of individual OMCG members and OMCGs as organizations can, for instance, be found by agreements made in a particular OMCG about committing certain crimes (for example during club meetings), the OMCG coordinating members' criminal behavior, or may result from finding evidence of criminal acts that benefit the OMCG (e.g., money, resources). The mere (visual) appearance as OMCG member in a criminal act does not provide sufficient evidence to assume that the purpose of the OMCG is aimed at committing crimes.[53] In addition, according to the public prosecutors, OMCGs are often successful in shielding their criminal activities from law enforcement:

> '*The shielding techniques of OMCGs make it hard to gather evidence of what has happened. You have to be really lucky to have wiretaps somewhere. We have been able to substantiate some criminal cases*

---

[53]   Rb Limburg July 9 2021, ECLI:NL:RBLIM:2021:5442

by using information resulting from the wiretaps [...]. That is really something that makes the investigation phase difficult, the shielding of activities and the fear of (ex-)members and victims to talk'.

The complexities regarding the investigation and prosecution of Art. 140 are, furthermore, amplified by the role of legal professionals. Several of the public prosecutors interviewed indicated that the prosecution of OMCG members through Art. 140 results in numerous investigatory requests by their defense lawyers, such as the hearing of many witnesses. Moreover, additional legal disclosure requests are made when (parts of) the criminal act takes place in a foreign country, for example, in the international drug- and weapon trade, resulting in more red tape and delays:

'Art. 140 opens the door for various requests from lawyers, to hear a lot of people who can say anything about the criminal organization. Most of the time, judges find it hard to reject the requests, so that often results in a lot of needless witness interviews, meaning that a case completely runs away from you, and that a case may sometimes take years, literally years [...]. If there is a way to avoid that, try to avoid that, so that is often an element in the decision not to prosecute members through Art. 140'.

'Also, if you are dealing with a criminal organization involved in the import of drugs, then do not say that the drugs are imported from Colombia, because that results in even more hearing requests. We deliberately choose to keep the criminal charges limited, honestly I always look to what a criminal case needs to deliver in terms of sentencing outcomes and what is useful for that'.

The various investigatory requests by lawyers frequently have a negative influence on the pace of a criminal case. As a result, the 'reasonable' period of time for the prosecution of a criminal case may be violated, which, in turn, can lead to OMCG members receiving a reduction of their final sentencing outcome.[54]

---

[54] Starting point for a 'reasonable' period of time is that a criminal case should have a verdict within two years (HR June 17 2008, ECLI:NL:HR:2008:BD2578, r.o. 3.14). In a criminal law case involving a member of the Bandidos MC, the judge points to the period of time between the arrest and conviction of the person in play (almost 5.5 years), and, as a result, reduces the sentence outcome by one-third (Rb July 9 2021, ECLI:NL:RBLIM:2021:5493).

Limited added value of Art. 140 regarding sentencing outcomes
The decisions of public prosecutors to use legal qualifications other than Art. 140 in order to combat collective crime and violence of OMCG members are, furthermore, driven by the perceived limited added value of Art. 140 regarding individual sentence outcomes:

> *'For example, if you have a criminal case in which a person is suspected of the import of 200 kilo drugs. Then I am, but not only me, then we are all convinced that there is not a judge that would say: you have imported 200 kilo drugs, and you are also member of a criminal organization, thus your sentence outcome will be extra high. The same applies to criminal cases involving a violent crime, or extortion. Then you do not have to prosecute a person also for participation in a criminal organization (Art. 140) because, if you have a criminal case in which you can prosecute someone for 8 to 9 years, yes…that is fine… Art. 140, then, does not add that much to the level of the sentencing outcome'.*

In contrast to Anglo-Saxon countries, Dutch prison sentences of individual offenses do not result in consecutive sentencing. Therefore, in a criminal case involving multiple custodial offenses, the added value of prosecuting OMCG members *also* for Art. 140 for the sentencing outcome is restricted due to being prosecuted alongside other crimes carrying high maximum penalties, such as drugs and violent crimes.

Summing up, Art. 140 adds complexities to the investigation and prosecution phase of OMCG members and often does not result in notably higher individual sentences. Some public prosecutors, however, note that the prosecution of OMCG members through Art. 140 can be useful in order to address OMCG members who did not *directly* take part in the criminal act. Most of the judicial qualifications of co-offending, such as complicity and co-principalship, require an individual contribution to a criminal act. Yet, the mere *knowledge* of the criminal aim(s) of the organization is sufficient to prosecute OMCG members through Art. 140. As a result, Art. 140 can be used to target those individuals who are predominantly indirectly involved in the criminal organization:

> *'The added value of Art. 140 is, for example, limited for those individuals who are involved in an extortion. However, if you want to address other people of the organization, then Art. 140 can really add something. So, for instance, when a motorcycle is stolen and you have people who subsequently unscrew the motorcycle for the benefit of the OMCG or other OMCG members, people who do that kind of stuff, that really takes place in club context, if you want to address those people, yes then Art. 140 can really add something'*

Difficulties in the criminal prosecution of OMCGs' group symbolism

The court judgements show that the use of group symbolism as a reference to the OMCG as a collective, may raise the sentencing outcomes of individual members. Nevertheless, throughout the interviews, we learned that it is quite challenging for public prosecutors to prosecute the mere contribution of 'the power of the patch' to instances of co-offending among OMCG members:

> *'For example, in the case of an extortion, in which an appointment in a McDonald's restaurant is made and two people conduct the actual conversation, but other OMCG members are visually present, they just sit there to numerically bolster the group. If you look at such a criminal act, then it is really hard to hold these OMCG members criminally liable for complicity or co-principalship. I think we managed to do that in our case, by using wiretap conversations, to establish that everybody who was present at the extortion also knew why they were there and what their role was. In the sense that they were there to show that the victim has to deal with an OMCG. If you do not have wiretaps, then it becomes quite difficult to prosecute the other OMCG members for complicity or co-principalship, because then you just have people who sit somewhere, not doing much, but who contribute to the image of having to do with a preponderance of people from a violent club'.*

The organized and shielded subculture of OMCGs ensures that it is not only difficult for public prosecutors to prove the direct organizing role of OMCGs in criminal behavior, but also to prosecute the role of the 'power of the patch' by merely wearing the colors in crime through criminal law.

5.7 The civil bans of Dutch OMCGs

The premise of criminal law is that it addresses a person's individual contribution to crime. Consequently, convictions of individual OMCG members through Art. 140 do not jeopardize the OMCG as a legal entity: only the criminally liable act of 'participation in' a criminal organization is punishable. The impossibilities of combating OMCGs through criminal law have led the Dutch Public Prosecution Office to seek other judicial approaches to combat the more structural aspects of OMCGs.

OMCGs' non-criminal origins have allowed them to register as legal associations. Therefore, Dutch law enforcement agencies recently sought to ban those Dutch

OMCGs deemed to be most heavily involved in crime and violence via a civil court ruling (Art. 2:20 of the Civil Code). For an association to be banned in the Netherlands, it needs to be established that the association in question is purposely creating a persistent environment or culture that facilitates actions contravening public order, for example, by showing that there is a link between the OMCG and criminal behavior of members, in such a way that the criminal behavior is part of the OMCGs' activities (Van der Ploeg, 2012). In contrast to criminal law, the civil bans address OMCGs as a collective: after an irrevocable civil ban, the OMCG as such is dissolved.

According to the interviewees, the motivation to prosecute OMCGs and their members through Art. 140 in recent years, does not primarily relate to the individual convictions of OMCG members themselves, but rather to the contribution of the evidence gathered in prosecuting an OMCG and their members under Art. 140 to the evidence needed for a successful civil ban.

> *'Back then, the idea was that we would start a criminal investigation based on Art. 140, and that the evidence gathered during the criminal law case, would be used to support the civil bans'.*

One public prosecutor stated that, in recent years, the investigation of OMCGs and their members has been increasingly aimed at gathering evidence showing that the criminal behavior of individual members can be attributed to the OMCGs as a legal entity. By using the convictions of OMCG members for Art. 140, public prosecutors have tried to link crime of individual OMCG members to the OMCGs' activities.

> *'When we just started with the civil bans, we indicated to also search for minutes or bad standing letters linked to money or things that have something to do with the coordination of crime by the OMCG. Things that for the prosecution of individual OMCG members through criminal law may not be relevant at all'.*

A civil ban of Dutch OMCGs, in turn, increases the possibilities to address the symbolic contribution of OMCG membership to members' crime through criminal law. After an irrevocable civil ban, individual OMCG members can be prosecuted for participation in the *continuation* of the activities of an organization that has been prohibited (Art. 140, subsection *2*).[55] We came across various examples in the interviews showing that public prosecutors deemed acts, such as publicly wearing the colors of the

---

[55] Participation to the continuation of the prohibited activity of the organization can be punished by imprisonment for a maximum of one year or a fine of the third category (maximum of € 8.700).

prohibited OMCG, were likely to be punishable through Art. 140, subsection 2. Consequently, the civil bans do not only address OMCGs as organizations, but also increase the public prosecutor's opportunities to prosecute individual members for contributing to the continuation of a prohibited organization on the basis of the mere visual appearance as member of a banned OMCG.

5.8 Discussion

Various countries have experienced crime and violence committed by groups (Ayling & Broadhurst, 2014; Geurtjens et al., 2018; Kazyrytski, 2017; Klein et al., 2006; Monterosso, 2018; Paoli, 2003; Van Ham et al., 2020; Varese, 2020). These countries have developed their own legal approach to combat the crimes and membership of these groups. The current study examined the Dutch judicial responses to various types of co-offending among OMCG members. To do so, we studied the police files and court judgements of criminal law cases that were filed against members of Dutch OMCGs between 2012 and 2018 involving multiple OMCG members. Furthermore, we conducted interviews with public prosecutors involved in criminal law cases to explore the dynamics behind the Dutch legal practice towards OMCGs and their members' crime.

The findings from this study show that there are a number of barriers to address OMCGs as (criminal) collectives and to take into account the symbolic contribution of group membership to crime through criminal law. Dutch law enforcement agencies therefore recently opted for requesting civil bans, focusing on OMCGs as legal associations and the use of 'the power of the patch'. A drawback of the civil bans, however, is that the judicial process towards an irrevocable ban is time-consuming. The civil procedures may take years and until then OMCG members may freely associate and engage in club activities, including wearing their biker vests in public. Aiming for a faster response to the problem of OMCGs, the Dutch government is working on a new administrative law that will enable the Minister of Justice and Security to issue an administrative ban on OMCGs. An important difference between the civil and the administrative ban is that the latter will be effective immediately, while OMCGs can only appeal in court afterwards.[56]

A similar administrative measure already exists in Germany (the 'Vereinsverbot'), where the Minister of Internal Affairs is authorized to ban criminal OMCGs. After this administrative ban, the OMCG is dissolved and members of the banned OMCG can be prosecuted for publicly wearing their club insignia and establishing new OMCGs

---

[56]   TK 2018/2019, 35079 nr. 3

that are in essence a continuation of the banned OMCG. Whether an OMCG is a continuation of a banned OMCG depends upon the extent to which the board of new established OMCG bears similarities to the board of the banned OMCG (Koornstra et al., 2019). Although Australian law does not provide a legal option to ban OMCGs as collectives, the Australian state Queensland has implemented the Vicious Lawless Association Disestablishment (VLAD) laws.[57] The VLAD laws provide the Attorney-General, instead of the courts, the possibility to declare an OMCG as 'criminal'. The VLAD laws predominantly address individual OMCG members: after an OMCG has been declared criminal, members of the criminal OMCG are, for instance, prohibited to associate with three or more other members of the same OMCG in public and cannot recruit individuals to become members of the 'criminal' OMCG, without making themselves liable to criminal prosecution (Ayling, 2017; Bartels et al., 2021; Monterosso, 2018). In Queensland, it is also possible for a Minister to add an OMCG to the 'Liquor Regulation 2002' list, upon which OMCG members are barred to wear their club colors in public areas, such as restaurants and bars (Koornstra et al., 2019).

Although it remains to be seen whether the Dutch administrative ban will come into effect and, if so, what the consequences will be for Dutch OMCGs and their members, future research could focus on interviewing public prosecutors involved in (criminal) cases following such an administrative ban to examine the expected sentencing outcomes, for instance for members using the club insignia in public places. This is particularly interesting, as until recently over 200 municipalities in the Netherlands applied a local 'color ban', stating that members are not allowed to publicly wear visible expressions of prohibited organizations. A member of the Hells Angels – an association that by that time was not yet irrevocably banned in the Netherlands – successfully challenged the legal validity of the municipalities' 'color ban'. In November 2021, the Dutch Supreme Court ruled that the municipal 'color ban' indeed infringes upon human rights, such as the freedom of expression, and argued that wearing club colors in public is only punishable – after an irrevocable civil ban - through a formal law, such as Art. 140 subsection 2 Dutch Criminal Code.[58]

Civil bans may be requested on the grounds of facilitating a culture contravening public order - a strategy sparsely used in the past to criminalize extreme right political parties and pedophile association 'Martijn'.[59] Especially the successful ban of the latter seems to have provided of a legal option for banning OMCGs and OMCG-

---

[57] Given members' fundamental human rights, such as freedom of assembly and expression, a large part of the VLAD laws was recently abolished, hence it is no longer possible to declare an organization as 'criminal' (see Bartels et al., 2021, for a review on the Australian legislation targeting OMCG members).

[58] HR November 2 2021, ECLI:NL:PHR:2021:1028

[59] HR April 18 2014, ECLI:NL:HR:2014:948

like brotherhoods. Dutch law enforcement, however, is able to request the civil court to ban OMCGs given the OMCGs' status as legal associations. More commonly, group crime is committed by groups without any legal basis, such as street gangs and organized crime groups (Kazyrytski, 2017; Klein et al., 2006; Paoli, 2003; Varese, 2020). Therefore, it would be interesting to compare the legal instrument(s) used to address membership of and crimes committed by such groups to those committed by OMCG members, in the Netherlands and in other countries.

The current study focused on the Netherlands. Other countries, such as Germany, Australia, and Denmark, are also confronted with (violent) incidents involving OMCG members. Studies, similar to the current one, could result in a different picture due to differences between the criminal law systems of these countries.[60] More generally, countries vary considerably in the ways they have addressed OMCGs and their members' crime, yet much is still unclear about the actual impact of the various approaches and legal instruments used to respond to OMCG membership and members' criminal behavior. The mere observation that different approaches towards outlaw biker crime exist, calls for a rigorous evaluation of the effects of these various legal instruments and interventions on members' criminal behavior. This will help establish which approaches are most successful to combat the crimes and, if needed, the membership of such groups.

---

[60] It should be noted that the criminal law systems between and - at times - within these countries differ considerably. Countries, such as the Netherlands, Germany and Denmark, are known for using a civil law system in which the law is based on codified legislation. Australia, on the other hand, has nine jurisdictions - six states, two territories, and the Commonwealth jurisdiction - with each having their own set of laws. Australia employs a hybrid criminal law system, combining common law jurisdictions, in which the law is based on court judgements and code law jurisdictions (Ayling, 2011; 2017).

CHAPTER 6

General conclusion

6.1 Introduction

The central aims of this dissertation were to empirically expand the extant knowledge on the extent to which OMCG membership is associated with the criminal careers of individual members, the ways in which OMCG membership is related to members' criminal behavior, and the judicial reactions to OMCGs and OMCG membership. A multi-method approach was employed to address these research aims. The concluding chapter is organized as follows. First, the main findings of the dissertation are summarized (section 6.2). Next, the results regarding the research aims are presented, while reflecting on the scientific contribution of the dissertation (section 6.3). After discussing the scientific contribution, the public relevance of the dissertation is discussed (section 6.4). The final part addresses the limitations and offers avenues for future research (section 6.5), and finishes with several overarching concluding remarks (section 6.6).

6.2 Summary of the main findings

6.2.1 Personal characteristics and criminal career patterns of OMCG members

This study sought to empirically examine the personal characteristics and criminal career backgrounds of (different types of) OMCG members compared to a large national representative comparison group of non-OMCG members, and – for the first time – addressed the association between desisting from OMCG membership and crime. Dutch population register data provided by Statistics Netherlands showed that the personal background and criminal history of members of Dutch OMCGs differ from that of the average Dutch adult male population. On average, the educational level and household income percentiles of Dutch OMCG members are lower than those of the comparison group. OMCG members are also more often unemployed or have no officially registered income. Comparisons of the criminal behavior of OMCG members to that of the Dutch adult male population also indicated substantial differences: during the 2005-2019 period over which data were available, 74% of the OMCG members was suspected of a crime at least once, compared to 16% of the comparison group. On average, OMCG members were suspected of committing five crimes during this period, of which violence (1.66) and property crimes (1.26) were the most prevalent. Observed differences in criminal involvement between OMCG members and non-OMCG members were especially large for drugs, weapons, and violent crime.

The personal characteristics and criminal behavior of OMCG members differed by 'generation'. Newly starting OMCG members – individuals who were newly identified by the police as OMCG members somewhere between 2016 and 2019 – were younger and more ethnically diverse than the persisting OMCG members – those registered as OMCG members both prior and after 2016. A large proportion of the starting OMCG members was already suspected of a crime in the years prior to their OMCG membership. When the age difference between starting and persisting OMCG members was taken into account, results showed that, on average, starting OMCG members were just as criminal *prior* to OMCG membership as were persistent OMCG members *during* their OMCG membership.

Contrary to what was expected given prior OMCG research (Blokland et al., 2017b; Klement, 2016b), no significant association was found between the onset of OMCG membership and crime. For the starting OMCG generation, OMCG membership was, in other words, not found to result in elevated crime rates. Nevertheless, hybrid random effect models showed that once members desisted from OMCG membership, their overall level of registered criminal behavior as well as their registered violence significantly decreased, with 33% and 69% respectively. Desisting from OMCG membership was not significantly related to members' suspicion rates of drugs- and weapon offenses.

6.2.2   Variation among OMCGs in the effects of OMCG membership on crime

Is the effect of OMCG membership conditional on the type of OMCG one becomes a member of? Although prior research found that OMCG membership has a criminogenic effect (Blokland et al., 2017b; Klement, 2016b), given the differences in the level of criminal involvement between Dutch OMCGs (Blokland et al., 2017a), the effect of OMCG membership on crime may differ among OMCGs. The present dissertation, therefore, contrasted the potential criminogenic effects of membership of one of the most criminal Dutch OMCGs to membership of one of the least criminal Dutch OMCGs.

This comparison yielded three main findings. First, future members of one of the most criminal OMCGs started their criminal career at an earlier age and had a higher frequency of conviction than future members of one of the least criminal OMCGs. Prior to their OMCG membership, future members of the most criminal OMCGs were, furthermore, more often fined or sentenced to prison than members in the comparison group, suggesting that the former commit more serious crimes than the latter. Second, after statistically controlling for these pre-existing differences,

results showed that membership of the most criminal OMCGs had a crime enhancing effect on members' criminal careers. Members of the most criminal OMCGs were convicted 1.6 times more often than were members of the least criminal OMCGs. Third, the effects of membership of the most criminal OMCGs were most outspoken for property and organized crime: members of the most criminal OMCGs were convicted almost two and a half times more often of property crimes and three times more often of organized crimes than were members of the Netherlands' least criminal OMCGs.

6.2.3   The role of OMCG membership in the criminal behavior of individual members

The finding of OMCG members' disproportionate involvement in crime and even the criminogenic effect of membership of the most crime-prone OMCGs, do not yet justify the conclusion that the criminal behavior of individual members is orchestrated by the OMCG as a criminal organization. It could very well be that OMCG members commit crime on their own behalf, without an organizing role of the OMCG. This dissertation, therefore, qualitatively addressed what role OMCG membership played in the criminal behavior of individual members based on information gathered from police files of criminal cases involving OMCG members. The police file analyses focused on the extent to which the formal hierarchical structure of the OMCG mirrored the criminal structures underlying individual OMCG members' crime, and how OMCG membership otherwise benefitted from or was involved in the crimes of individual members.

The results showed that the criminal structures of individual OMCG members operated relatively autonomously from the formal club structure, especially when it comes to drugs and weapons crimes, attempted murder, and money laundering offenses. Dutch OMCG members typically commit these types of crime on their own account, without a direct and organizing role of the OMCG as an organizational entity. A direct involvement of OMCGs as organizations was found in violent crime, especially in the case of violence towards rivalling OMCGs or violence directed towards fellow club members. In those cases, the organization of members' crime ran parallel to the formal hierarchical structure of the OMCG. An important finding of this study, therefore, is that in the Netherlands OMCG membership predominantly contributes to the crimes of individual members indirectly, for instance by members' making use of the violent reputation of the OMCG or fellow club members in the execution of the crime.

6.2.4 The Dutch judicial approach to OMCGs as collectives and OMCG membership

Whereas the fourth chapter of the dissertation provided insight into the mechanisms by which OMCG membership is involved in the criminal behavior of individual members, the fifth chapter examined the dynamics behind the Dutch judicial reactions towards OMCGs and OMCG membership. Police files and court judgements of criminal law cases that were filed against OMCG members and interviews with public prosecutors were used to study the ways in which collective criminal behavior (i.e., co-offending) among OMCG members and OMCG membership are legally addressed in the Netherlands.

Dutch criminal law has various legal qualifications to address co-offending, such as accessoryship, co-principalship, the commission of public violence, and participation in a criminal organization. The results of the police files and court judgements analyses showed that co-offending among OMCG members was predominantly legally qualified as co-principalship to crime. Despite the fact that some of the interviewed public prosecutors stated that Art. 140 of the Dutch Criminal Code is the only adequate way to address group crime through criminal law, Art. 140 turned out to play a minor role in the criminal law cases against OMCG members in the Netherlands. The interviews with public prosecutors involved in the criminal cases studied, suggested that this is due to various reasons, such as a lack of manpower and capacity, the limited added value of Art. 140 on the sentencing outcomes of individual OMCG members, and the difficulties to legally link crimes of individual OMCG members to the OMCG as an organization. The results of the dissertation, furthermore, show that although the use of the 'power of the patch' influences the sentencing outcomes of individual OMCG members, public prosecutors struggle to prosecute the role of the mere use of the 'power of the patch' in instances of co-offending among OMCG members.

6.3 Theoretical ramifications

6.3.1 Selection, facilitation, and enhancement

When it comes to the effects of OMCG membership on members' criminal careers, the *selection* hypothesis does not suggest a criminogenic effect of OMCG membership per se, but rather entails that OMCGs predominantly attract already crime prone individuals. The *facilitation* hypothesis assumes that prior to OMCG membership OMCG members are not involved in crime to a greater extent than are non-OMCG members, but that the criminal behavior of OMCG members increases during the

period of their membership. The *enhancement* hypothesis combines the selection and facilitation explanation by suggesting that OMCG members are more involved in crime than non-OMCG members already in their pre-membership years, while this difference is further amplified during the OMCG membership period (Thornberry et al., 1993).

Selection
The results presented in this dissertation offer support for the selection hypothesis: especially individuals with pre-existing criminal tendencies – as evidenced by a more elaborate juvenile criminal career - are attracted to OMCG membership, either by their own preferences or by OMCGs especially recruiting criminally inclined individuals (Chapter 2). The findings indicate that criminal involvement is an important risk factor for selection into OMCGs: individuals who have been suspected of committing a crime at least once are 8.5 times more likely to be registered as OMCG members than are individuals who have not been suspected of committing a crime (Chapter 2). These findings align with previous research which finds that a large part of the OMCG population is already criminally involved in their pre-membership years (Blokland et al., 2017b; Klement, 2016b; Voce et al., 2021).

This dissertation adds to this by showing that selection processes also take place *within* the OMCG subculture: future members of the most criminal OMCGs and future members of the least criminal OMCGs show differences in the level of criminal involvement already in the period prior to their membership (Chapter 3). Future members of the most criminal OMCGs show an earlier age of onset and more frequent and diverse offending patterns, particularly when it comes to organized crime, property crime, and violent offenses. The findings of the dissertation thus indicate that the most crime prone individuals eventually become members of the most criminal OMCGs.

Facilitation and enhancement
The results of Chapter 2 and 3, furthermore, confirm a positive association between OMCG membership and criminal behavior: being registered as OMCG member facilitates the criminal careers of individual OMCG members. Findings of both selection and facilitation mechanisms suggest that the enhancement hypothesis seems best to describe the positive relationship between OMCG membership and crime. OMCG members are more crime-prone than non-OMCG members in their pre-membership years and OMCG members' crime rates are further increased during the period of their membership. The current dissertation adds to the existing knowledge about the crime enhancing influence of OMCG membership in at least three ways.

First, prior studies on the influence of OMCG membership on crime have primarily treated OMCG membership as an all or nothing variable, contrasting those in an OMCG with those not in an OMCG, without differentiating between different types of OMCGs. Those previous studies suggest that OMCG membership has a criminogenic effect on members' individual criminal careers (Blokland et al., 2017b; Klement, 2016b). The current dissertation, however, emphasizes that the effects of OMCG membership on crime also differ between OMCGs (Chapter 3). It was shown that membership of the most criminal OMCGs results in members' heightened adult criminal involvement, even when controlling for the pre-existing crime differences between those members and future members of the least criminal OMCGs.

Second, the criminogenic influence of OMCG membership *within* the OMCG subculture may vary based on the type of crime under study. The results of Chapter 3 show substantial differences in the enhancement effects of membership of the most criminal OMCGs on different types of adult crime. The findings indicate that relative to membership of the least criminal OMCGs, membership of the most criminal OMCGs predominantly results in elevated crime rates for profit-making crime, particularly for property and organized crime. There were no criminogenic effects of membership of one of the most criminal OMCGs found for violent, damaging, and public order offenses. This finding suggests that these types of crime are likely to be part and parcel of the OMCG subculture as a whole. As a result, both members of one of the least criminal OMCGs and members of one of the most criminal OMCGs are equally involved in crimes of violence against persons, goods, or authority figures.

A third point that may be concluded from the present dissertation is that the enhancement explanation may be conditional on the 'generation' of OMCG members investigated. The results of Chapter 2 show that for the newly starting OMCG generation, OMCG membership did not result in amplified criminal involvement. The criminal profile of the average OMCG starting member is already highly frequent and varied long before their OMCG membership. These high levels of criminal involvement in the pre-membership years for the starting OMCG generation, likely results in a ceiling effect – the finding that OMCG membership does not further increase criminal involvement during the period of membership. This finding fits the hypotheses that the Dutch OMCG subculture has been facing substantial alterations in recent years, as a result of which the personal characteristics and criminal career patterns of the newly starting OMCG generation are different from that of 'older' OMCG generations.

6.3.2   The mechanisms through which OMCG membership influences members' criminal behavior

The limited role of OMCGs as collectives in crime
A key finding of the present dissertation is that Dutch OMCG members are predominantly involved in crime as autonomous individuals, indicating that the role of Dutch OMCGs as collectives in their members' criminal behavior is limited. Although OMCGs are formally organized according to a military-style hierarchy, with clearly defined ranks and functions, the results suggest that this hierarchical structure often does not mirror the way in which crime of individual OMCG members is organized. This corroborates results from previous studies into the structural and organizational features of OMCGs that show that the organization of OMCG crime regularly runs independent from the formal organizational structure, without board members directing criminal behavior to members lower in the organizational chain (Lauchs, 2019; Lauchs & Stains, 2019; Morselli, 2009).

The organization of members' criminal behavior follows the formal club structure of OMCGs only in a small share of criminal cases. This indicates that a leadership position in the hierarchical organizational chain of OMCGs is not equal to having full control over the criminal activities of all individual OMCG members (Chapter 4). When the organization of OMCG crime does follow the formal hierarchical structure of OMCGs, this primarily relates to instances of (organized) violence against fellow club members or rival OMCGs. The organization of these types of violent crime is hierarchically structured: OMCG board members use their position within the club to orchestrate the violent crime by directing other members in the organization. Results from this dissertation, for instance, show that board members often delegate violent retaliation acts following a bad standing[61] procedure, such as extortion and arson, to lower ranking members in the organization. At least one Dutch OMCG had implemented a special 'code red' procedure that board members could use to mobilize club members in cases of inter-gang violence (Chapter 4).

The indirect role of OMCG membership in crime
Despite finding little evidence of a direct organizing role of the OMCG in the criminal behavior of its members, findings from the current dissertation do show that OMCG membership is associated with the criminal career development of individual members: entering and exiting an OMCG impacts both the level and the nature of members' criminal behavior (Chapter 4).

---

[61]   OMCG members may leave the OMCG in either good (resulting from health problems or aging) or bad standing (resulting from breaking club rules). The latter may come with retaliation acts, such as paying fines, handing in motorcycles or violence against ex-OMCG members.

First, the current results provide empirical support for the notion that there is added value in overtly signaling the '*power of the patch*' in (violent) crime. The findings show that OMCG members deliberately use the 'power of the patch' in violent crime, such as threatening and extortion, to stress numerical power and to influence victims and witnesses, for instance, to force victims into paying large amounts of money for member's personal economic gain. The use of the fear-instilling effect of wearing the club colors enhances the criminal opportunities of OMCG members during periods of OMCG membership, making violent crime increasingly possible (Chapter 4). This finding corroborates findings from a previous study that showed that OMCG members make use of their club paraphernalia in crime (Blokland & David, 2016). Nevertheless, the police files also show that OMCG members sometimes have to ask permission of the club's leaders to be involved in crime in general and to use the 'power of the patch' in committing these crimes in particular. This implies that OMCG membership not only enhances the criminal opportunities of individual OMCG members, but also that OMCG membership may – at times - inhibit crime by OMCG members, as some (types of) crimes are perceived to interfere with the OMCGs' aspired image and goals.

A second crime-promoting result of being an OMCG member is that OMCG membership facilitates the development of criminal ties. The results of Chapter 4 show that individual OMCG members can count on the unconditional support of fellow club members when committing their crimes. Fellow club members may be used as co-offenders and as markets for the criminal enterprises of individual OMCG members. These findings suggest that OMCGs function as *offender convergence settings* in which motivated offenders can come into contact with potential suitable co-offenders (Felson, 2003). Offender convergence settings primarily refer to physical places, such as clubhouses and bars, where offenders meet and interact with other offenders. However, within the OMCG subculture, not the physical settings per se, but rather the shared OMCG membership provides members a basis of trust and offers them access to contacts, information, and knowledge that may pave the way for criminal cooperation. This suggests that OMCG membership also constitutes a *social opportunity structure* in which social ties, following from the shared OMCG membership, provide OMCG members access to criminal opportunities (Kleemans & De Poot, 2008).

The results presented in this dissertation indicate that membership of one of the most criminal OMCGs has a criminogenic effect on members' profit-making crime, such as property and organized crime (Chapter 3); nevertheless, Chapter 4 and 5 show that when OMCG members commit these types of crime, they regularly tend to operate

as individual offenders, without a direct organizing role of OMCGs as collectives. A possible explanation for this finding relates to the differences in the opportunity structures between the least criminal OMCGs and the most criminal OMCGs. The complexity of more serious profit-making crime presumes that offenders need *social* (criminal) ties and *criminal* capital (practical skills and criminal advice) to be able to successfully commit these types of crime (Kleemans & De Poot, 2008; Van Koppen, 2013). The selection of criminally inclined individuals into the most criminal OMCGs, indicates that the number of potential co-offenders and the amount of available criminal information is likely to be larger within the most criminal OMCGs (Chapter 3). This finding suggests that especially membership of one of the most criminal OMCGs may provide members the opportunity structure needed to successfully commit more serious crimes, without criminal OMCGs as collectives organizing the criminal behavior of their members. Future qualitative research could provide more insight into the different opportunity structures of the most criminal OMCGs and that of the least criminal OMCGs to help explain why membership of the former in particular influences the serious and organized crime rates of their members.

6.3.3   The dynamics behind the judicial reaction to OMCGs and OMCG membership

The present dissertation shows that in the legal response attention is needed to the various roles OMCGs as collectives and OMCG membership play in the criminal behavior of individual members. The results indicate that criminal law struggles to address collective criminal behavior among OMCG members. Criminal investigations in which the OMCG as an organizational entity played an orchestrating role in the criminal behavior of their members, for instance, rarely result in OMCGs being legally classified as criminal organizations or members being convicted for participation in a criminal organization (Art. 140 of the Dutch Criminal Code). The difficulties of addressing OMCGs as collectives through criminal law, stirred the Dutch public prosecutor's office to use other legal responses.

First, given that OMCGs have registered themselves as legal associations, in addition to prosecuting members based on criminal law, the Dutch public prosecutor's office requested the civil court to ban OMCGs on grounds of facilitating a culture contravening public order. As due to possible appeals it can take a considerable time for a civil ban to irrevocably come into effect, the Minister of Justice and Security has recently proposed legislation that provides for an administrative ban that would directly come into effect, and only offers the opportunity to contest the administrative decision after the fact.

Second, the 'power of the patch' and the numerical advantage of fellow club members provide important crime-promoting factors offered by OMCG membership (Chapter 4). Yet, the findings of the dissertation also stress the difficulties of prosecuting fellow OMCG members when their contribution to a crime is primarily symbolic in nature. When OMCG members are only present in club colors to numerically bolster the group, without any further (concrete) contributions to the crime committed, then it becomes difficult to prosecute those OMCG members (Chapter 5). One should keep in mind here that an irrevocable civil ban does not only target OMCGs as collectives, but also provide public prosecutors a legal option to prosecute individual members for the sheer public use of the OMCGs' group symbolism through criminal law (Art. 140, subsection *2*). This means that, in the Dutch integrated approach against OMCGs and their individual members, addressing OMCGs as collectives through a civil ban, results in an interplay between civil law and criminal law measures (Chapter 5).

6.4 Public relevance

The findings from the present dissertation are relevant for several discussions regarding the Dutch integrated approach against OMCGs and their members. First, one of the focal points of the integrated approach is the criminal prosecution of OMCG board members as the perception is that this will hamper the organizing capacity of chapters and clubs and hinder the criminal activities of OMCGs and individual OMCG members (LIEC, 2014; Van Ruitenburg, 2020). This focal point starts from the idea that OMCG crime is highly hierarchical in nature. The empirical results on the organization of OMCG crime reported in this dissertation, however, suggest that this might not always be the case (Chapter 4). Focusing on the criminal prosecution of OMCG board members therefore might not be as effective as desired to address the crimes of OMCG members. More promising, in this regard, would seem to focus the approach on the *symbolic* opportunity structures (by restricting the (public) use of the club colors) and the *social* opportunity structures in which OMCG members are embedded (by targeting investigation efforts on the criminal networks of OMCG members). Nevertheless, prosecuting and incarcerating board members, may act as a strong deterrent for present and potential members, and act to the detriment of the OMCGs' untouchable image.

Second, findings of previous research show large differences between Dutch OMCGs in the extent to which their members are involved in (serious and organized) crime (Blokland et al., 2017a; 2019), while the present results indicate that especially membership of the most prone-to-crime OMCGs sets individual members off on a pattern of more serious and organized crime offending (Chapter 3). These findings

suggest that a differentiated integrated approach – such as reflected in the requests of civil bans - aimed to specifically address (membership of) the most criminal OMCGs is warranted. Furthermore, the results from Chapter 2 show the upsurge of a newly starting OMCG 'generation', who is already frequently involved in various types of crime prior to their registered OMCG membership. Although OMCG membership itself does influence their criminal careers, this starting OMCG 'generation' may import new criminal ties, knowledge, and information into the OMCG subculture. This, in turn, may increase the criminal ties and opportunities for their fellow OMCG members. The findings of the dissertation hence advocate the continued importance of targeted attention for upcoming OMCGs and the new generation of OMCG members that populates these OMCGs.

6.5 Limitations and future research avenues

Despite the unique nature of the data used in the present dissertation, a few caveats need to be mentioned. The first quantitative part of the present dissertation examined the extent to which OMCG membership is associated with the criminal careers of their members. In doing so, police registered OMCG samples and official data on personal and criminal career characteristics were used (Chapter 2 and 3). A first limitation of the dissertation therefore relates to the nature of the OMCG samples. The dissertation could only take into account the personal and criminal career characteristics of OMCG members that are known to the Dutch police. It is, however, possible that the OMCG samples are influenced by selective police priorities that make OMCG members known for their criminal involvement more likely to end up in the OMCG samples than non-criminal OMCG members. This might have resulted in an overestimation of the overall crime level of the total Dutch OMCG population in general and differences in registered crime between members of more criminal OMCGs and members of less criminal OMCGs in particular.

Furthermore, due to the lack of information on the total size and composition of the Dutch OMCG subculture, it remains unknown to what extent the OMCG samples used in this dissertation are representative of the total Dutch OMCG population. Nevertheless, the size of the Dutch OMCG population can be estimated based on the number of known chapters and the average number of members per chapter. Previous research indicates that there were 148 known Dutch chapters in 2015 (Blokland, 2019), with an average number of 9 to 12 members per chapter[62] (Blokland

---

[62]   The numbers in this study are based on register data in which per OMCG, the number of police known chapters and members per chapter were used.

et al., 2022). This would suggest that the size of the total Dutch OMCG population in 2015 was likely somewhere between 1,332 and 1,776 OMCG members. The sample of 2,090 individuals who at some point between 2010 and 2015 were registered as either a member of a Dutch OMCG or support club, includes 1,617 members of Dutch OMCGs, indicating that this OMCG sample likely includes a large proportion of the total Dutch OMCG population at that time. Nevertheless, estimating the total size of the Dutch OMCG population after 2015, has become more difficult as the Dutch OMCG subculture has become increasingly fluid and dynamic in recent years.

Second, the police registered OMCG samples include no information on the exact timing of first OMCG membership and, for those to whom this applies, desistance from OMCG membership. The OMCG samples only speak on the 4 to 5-year period in which the men in the sample were at some point registered as OMCG members, but do not provide information on the onset and duration of OMCG membership. In Chapter 3 a first attempt of addressing the issue of the onset of OMCG membership was made by including sensitivity analyses in which the effect of the most criminal OMCGs on members' criminal careers is estimated for different ages of first OMCG membership. Although for many years OMCG membership was seen as something 'for life' (Wolf, 1991), given the possibilities of leaving the OMCG in either good or bad standing, together with the increasingly fluid and dynamic nature of the Dutch OMCG scene (Chapter 2; Roks & Densley, 2020), in reality, OMCG membership may not last for a lifetime. Under the assumption that individuals were OMCG members throughout their entire adult life, the results of the dissertation show a crime-enhancing effect of membership of the most crime prone OMCGs (Chapter 3), and a crime-decreasing influence of desisting from OMCG membership (Chapter 2). If the actual duration of OMCG membership was relatively short and offending also occurred after OMCG membership, the analyses of the present dissertation may, therefore, have underestimated the criminogenic effect of membership of one of the most criminal OMCGs. This limitation primarily relates to the analyses in which the outcome variable extends beyond the period in which OMCG membership was established.

Given these caveats of the use of official data, a next step for future research is to include other data and methods to increase knowledge on OMCG crime. Future studies could benefit from including in-depth interviews in which (ex-)OMCG members may be asked questions about the timing of entering and exiting the OMCG, the total size of their chapter and OMCG, and their (level of) criminal involvement. These questions could for example help to better grasp the exact onset of first OMCG membership and the average duration of OMCG membership that, in turn, can be used to estimate the criminogenic effects of OMCG membership using longitudinal

registered criminal career data more precisely. More generally, interviewing (ex-) OMCG members touches on the broader need to include the perspective of OMCG members in empirical research, as current Dutch studies, including this dissertation, have so far relied on official data and interviews with officials, such as public prosecutors, the police, and mayors (Blokland et al., 2017a; 2017b; 2019; Van Ruitenburg, 2020). Previous international studies in which (ex-)OMCG members were interviewed show that conducting this type of research among OMCG members is feasible and yields novel insights into the OMCG subculture and the motivations for, and mechanisms by which OMCG members have entered and left the OMCG (Boland et al., 2021; Grundvall, 2018; Kuldova, 2018).

The qualitative part of the dissertation addressed the ways in which OMCG membership is related to members' criminal behavior and explored the Dutch judicial reactions to OMCGs and OMCG membership. This was studied using police files, court judgements, and interviews with public prosecutors (Chapter 4 and 5). Although the police files provided a unique window into the ways OMCGs are functional to their members when they engage in different types of crime, a third limitation of the dissertation is the selective nature of these police files. First, police priorities influenced which Dutch OMCGs were investigated. In this dissertation, the police files mainly related to the larger Dutch OMCGs that were later confronted with a civil ban. Although the scope of the results therefore should be limited to the analyzed cases in the present study, there are no obvious reasons to argue that other Dutch OMCGs direct and organize the criminal behavior of their members in different ways. Regarding generalizations to other countries, however, more caution is needed due to differences between Dutch OMCGs and those abroad, in terms of culture, norms, and rules (Dowling et al., 2021; Lauchs et al., 2015). Second, selectivity also relates to the type of information that law enforcement included in the police files. The police files are constructed for criminal prosecution purposes rather than for research aims. Information deemed relevant for research purposes, such as information on the personal background and motivational aspects of crime, might be absent in the police files (Soudijn & Kleemans, 2009). Important to note here is, however, that the availability of wiretap information in these files and the absence of plea bargaining, provide researchers in the Netherlands the opportunity to directly assess objective evidence from the police files (Kleemans, 2014).

Fourth, the results of Chapter 5 emphasize that some caution is warranted regarding the findings on the orchestrating role of OMCGs as collectives in members' criminal behavior. For a direct and organizing role of OMCGs as collectives to become apparent in the police files, it is needed that law enforcement criminally investigated

the organizational aspects of OMCGs. Chapter 5 shows that it is difficult and time-consuming for Dutch law enforcement to investigate and prosecute OMCGs as criminal collectives through criminal law. Law enforcement may, therefore, have primarily focused on individual members, instead of the organizational aspects of OMCGs. This finding could have resulted in the direct and organizing role of OMCGs being underestimated in the present study.

The limitations of the qualitative data underline the importance of extending the empirical analyses of the present dissertation on the role of OMCGs in crime in future research. This could, for example, be done by police file research in other countries that are also confronted with crime and violence of OMCG members, such as Australia, Denmark, and Germany. In this way, the results of this dissertation can be compared with findings from other countries to see whether similar mechanisms and conclusions are at play. In addition, the emergence of OMCG-like brotherhoods in the Netherlands - clubs that imitate the structure, symbols, and rituals of traditional OMCGs, but whose members do not ride motorcycles (LIEC, 2020) - indicates that another possible path for future research is to examine the ways in which these types of clubs are involved in members' criminal behavior.

6.6 Concluding remarks

The findings of the present dissertation contribute to a better understanding of the relationship between OMCG membership and crime. This dissertation suggests that OMCG membership influences the criminal careers of individual members, especially when it comes to membership of one of the most criminal OMCGs. Nevertheless, the involvement of OMCGs as collectives in members' criminal behavior is limited: OMCGs, in most criminal cases, do not appear to orchestrate the criminal behavior to their members. OMCG membership predominantly contributes to the criminal behavior of individual members through various crime-promoting mechanisms, such as the 'power of the patch' and access to criminal ties. At the same time, Dutch law enforcement struggles to legally address OMCGs as criminal collectives and the symbolic contribution of fellow club members to crime through criminal law. Criminal law, after all, is primarily focused on individual liability and, therefore, has difficulties to address collective criminal behavior and criminal groups. The status of OMCGs as associations, however, provides law enforcement the option to ban Dutch OMCGs as legal collectives through civil law.

Although the present dissertation has primarily focused on OMCGs, the impact of collective behavior and group membership in Dutch society extends beyond OMCGs. The Netherlands has also been confronted with other formal and informal collectives whose members appear to be disproportionately involved in criminal behavior, such as hooligan firms, (street) gangs, and organized crime groups. The level of societal harm associated with these collectives urge authorities to act, by means of criminal law, or otherwise. The present dissertation underlines the importance of examining the precise relationship between criminal behavior of members of such collectives and the role collectives and group membership play in it. Based on the empirical knowledge on the ways in which collectives influence members' criminal activities and criminal careers, law enforcement agencies can take suitable legal actions to combat the crimes of these collectives. In this way, legal instruments available, or those yet to be proposed, will be based on what we actually *know* about the impact of collectives and group membership on crime, rather than on how we *think* collectives function and influence their members' criminal behavior.

6

APPENDICES

References

Allison, P. D. (2009). *Fixed effects regression models*. Thousand Oaks, CA: Sage Publications.

Austin, P. C. (2011). An introduction to propensity score methods for reducing the effects of confounding in observational studies. *Multivariate behavioral research, 46*(3), 399-424.

Austin, P. C., & Stuart, E. A. (2015). Moving towards best practice when using inverse probability of treatment weighting (IPTW) using the propensity score to estimate causal treatment effects in observational studies. *Statistics in medicine, 34*(28), 3661-3679.

Ayling, J., & Broadhurst, R. (2014). Organized Crime Control in Australia and New Zealand. *Oxford handbook of organized crime*.

Ayling, J. (2017). Combating organized crime Aussie-style: from law enforcement to prevention. In *Contemporary organized crime* (pp. 189-212): Springer, Cham.

Banks, D., & Gottfredson, D. C. (2003). The effects of drug treatment and supervision on time to rearrest among drug treatment court participants. *Journal of Drug Issues, 33*(2), 385-412.

Barger, R. (2000). *Hell's Angel*. New York: HarperCollins.

Barker, T. (2011). American Based Biker Gangs: International Organized Crime. *American Journal of Criminal Justice : The Journal of the Southern Criminal Justice Association, 36*(3), 207-215. doi:10.1007/s12103-011-9104-8.

Barker, T. (2017). Motorcycle clubs or criminal gangs on wheels? In Bain, A., & Lauchs, M. (eds). *Understanding the Outlaw Motorcycle Gangs*. Durham, NC: Carolina Academic Press.

Barker, T. (2018). *The outlaw biker legacy of violence*. Routledge.

Barker, T., & Human, K. M. (2009). Crimes of the Big Four motorcycle gangs. *Journal of criminal justice, 37*(2), 174-179. doi:10.1016/j.jcrimjus.2009.02.005.

Barnes, J., Beaver, K. M., & Miller, J. M. (2010). Estimating the effect of gang membership on nonviolent and violent delinquency: A counterfactual analysis. *Aggressive behavior, 36*(6), 437-451.

Bartels, L., Henshaw, M., & Taylor, H. (2021). Cross-jurisdictional review of Australian legislation governing outlaw motorcycle gangs. *Trends in Organized Crime, 24*(3), 343-360. doi:10.1007/s12117-021-09407-0.

Bingenheimer, J. B., Brennan, R. T., & Earls, F. J. (2005). Firearm violence exposure and serious violent behavior. *Science, 308*(5726), 1323-1326.

Bjørgo, T. (2017). Preventing organised crime originating from outlaw motorcycle clubs. *Trends in Organized Crime*, *22*, 84-122. doi:10.1007/s12117-017-9322-7.

Bland, J. M., & Altman, D. G. (1997). Statistics notes: cronback's alpha. *British Medical Journal, 314*: 572. doi: 10.1136/bmj.314.7080.572.

Blokland, A. (2019). Woorden maken werelden (en cijfers ook): hoe hoog is nu het percentage veroordeelde outlawbikers? *Tijdschrift voor Criminologie, 61*(3), 246-259.

Blokland, A., & David, J. (2016). Outlawbikers voor de rechter: een analyse van rechterlijke uitspraken in de periode 1999-2015. *Tijdschrift voor Criminologie, 58*(3), 246-259.

Blokland, A., Soudijn, M., & Teng, E. (2014). Een verkennend onderzoek naar de criminele carrieres van leden van 1%-motorclubs. *Tijdschrift voor Criminologie, 56*, 3-29.

Blokland, A., Van der Leest, W., & Soudijn, M. (2017a). *Profielen van Nederlandse outlawbikers en Nederlandse outlawbikerclubs*. Politie & Wetenschap, Apeldoorn: Universiteit Leiden.

Blokland, A., Van der Leest, W., & Soudijn, M. (2020). Officially registered criminal careers of members of Dutch outlaw motorcycle gangs and their support clubs. *Deviant Behavior, 41*(11), 1393-1412.

Blokland, A., Van der Leest, W., Soudijn, M., Berger, E.,…Rostami, A. (2022). *Nederlandse outlawbikers in internationaal perspectief.* Politie & Wetenschap, Apeldoorn: Universiteit Leiden.

Blokland, A., Van Hout, L., Van der Leest, W., & Soudijn, M. (2017b). Not your average biker; criminal careers of members of Dutch outlaw motorcycle gangs. *Trends in Organized Crime, 22*, 10-33. doi:10.1007/s12117-017-9303-x.

Boland, D., Morgan, A., Cubitt, T., Voce, I., Chiu, Y.-N., Webster, J., … Lowe, R. (2021). Effects of outlaw motorcycle gang membership and the support needs of former members. *Trends & Issues in Crime and Criminal Justice, 614,* 1-16.

Bovenkerk, F., & Fijnaut, C. (1996). *De georganiseerde criminaliteit in Nederland.* Gouda Quint, Deventer.

Brame, R., Bushway, S. D., Paternoster, R., & Apel, R. (2004). Assessing the effect of adolescent employment on involvement in criminal activity. *Journal of Contemporary Criminal Justice, 20*(3), 236-256.

Bruinsma, M., & Moors, J. (2005*). Illegale vuurwapens in Nederland. Gebruik, bezit en handel in de periode 2001-2003.* Den Haag: WODC.

Campedelli, G. M., Calderoni, F., Comunale, T., & Meneghini, C. (2021). Life-course criminal trajectories of mafia members. *Crime & Delinquency, 67*(1), 111-141.

Cornils, K., & Greve, V. (2004). Denmark on the road to organised crime. In *Organised Crime in Europe. Concepts, Patterns and Control Policies in the European Union and Beyond.* Fijnaut, C., & Paoli, L. (eds). Springer: Dordrecht, 853-878.

David, C. P., Jillian, J. T., Scott, H. D., & Jun, W. (2016). Taking Stock of the Relationship Between Gang Membership and Offending : A Meta-Analysis. *Criminal Justice and Behavior, 43*(3), 365-397. doi:10.1177/0093854815605528.

Davis, R. H. (1984). *Outlaw motorcyclists: a problem for police.* [Washington, D.C.]: Federal Bureau of Investigation, U.S. Dept. of Justice.

Decker, S. H. (1996). Collective and normative features of gang violence. *Justice Quarterly, 13*(2), 243-264.

Decker, S. H., & Curry, G. D. (2000). Addressing key features of gang membership: Measuring the involvement of young members. *Journal of criminal justice, 28*(6), 473-482.

DeLisi, M., Barnes, J., Beaver, K. M., & Gibson, C. L. (2009). Delinquent gangs and adolescent victimization revisited: A propensity score matching approach. *Criminal Justice and Behavior, 36*(8), 808-823.

Deng, N., Allison, J. J., Fang, H. J., Ash, A. S., & Ware, J. E. (2013). Using the bootstrap to establish statistical significance for relative validity comparisons among patient-reported outcome measures. *Health and quality of life outcomes, 11*(1), 1-12.

Densley, J. A. (2012). Street gang recruitment: Signaling, screening, and selection. *Social problems, 59*(3), 301-321.

Descormiers, K., & Corrado, R. R. (2016). The right to belong: Individual motives and youth gang initiation rites. *Deviant Behavior, 37*(11), 1341-1359.

Dowling, C., Boland, D., Morgan, A., Webster, J., Chiu, Y.-N., & Lowe, R. (2021). The changing culture of outlaw motorcycle gangs in Australia. *Trends & Issues in Crime and Criminal Justice, 615,* 1-16.

Felson, M. (2003). The process of co-offending. In *Crime and Prevention Studies.* Smith, M.J., & Cornish, D.B. (eds). Criminal Justice Press: Monsey, NY, 149-168.

Felson, M. (2006). *Crime and nature.* Thousand Oaks CA: Sage publications.

*

Firestone, T. A. (1993). Mafia Memoirs: What They Tell Us About Organized Crime. *Journal of Contemporary Criminal Justice, 9*(3), 197-220. doi:10.1177/104398629300900303.

Francis, B., Humphreys, L., Kirby, S., & Soothill, K. (2013). *Understanding criminal careers in organised crime.* London: Home Office.

Geurtjens, K., Nelen, H., & Vanderhallen, M. (2018). From Bikers to Gangsters: On the Development of and the Public Response to Outlaw Biker Clubs in Germany, the Netherlands and Belgium. In *Outlaw Motorcycle Clubs and Street Gangs: Scheming Legality, Resisting Criminalization* (pp. 93-121): Cham: Springer International Publishing: Palgrave Macmillan.

Gordon, R. A., Lahey, B. B., Kawai, E., Loeber, R., Stouthamer-Loeber, M., & Farrington, D. P. (2004). Antisocial behavior and youth gang membership: Selection and socialization. *Criminology, 42*(1), 55-88.

Grundvall, S. (2018). Inside the brotherhood: Some theoretical aspects of group dynamics in biker clubs. In *Outlaw Motorcycle Clubs and Street Gangs: scheming legality, resisting criminalization.* (pp. 205-223): UK: Palgrave Studies in Risk, Crime and Society.

Haviland, A., Nagin, D. S., & Rosenbaum, P. R. (2007). Combining propensity score matching and group-based trajectory analysis in an observational study. *Psychological methods, 12*(3), 247.

Ho, D. E., Imai, K., King, G., Stuart, E. A. (2007). Matching as nonparametric preprocessing for reducing model dependence in parametric causal interference. *Political Analysis*, 15: 199:236. doi:10.1093/pan/mpl013.

Hobbs, R. (2013). *Lush life: Constructing organized crime in the UK*. Oxford University Press.

Hoffman, I., & Mast, E. (2019). Heterogeneity in the effect of federal spending on local crime: Evidence from causal forests. *Regional Science and Urban Economics, 78*, 103463.

Hullu, J. D. (2018). *Materieel strafrecht : Over algemene leerstukken van strafrechtelijke aansprakelijkheid naar Nederlands recht* (Zevende druk. ed.). Deventer: Wolters Kluwer.

Jahnsen, S. O. (2018). Scandinavian approaches to outlaw motorcycle gangs. *Trends and Issues in Crime and Criminal Justice*, *543*, 1-15.

Kazyrytski, L. (2017). Construction of the problem of Latin gangs in Spain and response of the law enforcement system. *European Journal on Criminal Policy and Research, 23*(3), 301-317. doi:10.1007/s10610-017-9344-3.

Kesteloo, A. N. (2011). *Deelneming aan een criminele organisatie: een onderzoek naar de strafbaarstellingen in artikel 140 Sr*. Wolf Legal Publishers: Nijmegen.

King, R. D., Massoglia, M., & MacMillan, R. (2007). The context of marriage and crime: Gender, the propensity to marry, and offending in early adulthood. *Criminology, 45*(1), 33-65.

Kleemans, E. R. (2014). Organized crime research: challenging assumptions and informing policy. In *Applied Police Research: Challenges and Opportunities*. Cockbain, E., & Knutsson, J. (eds). Routlegde: New York, 57-67.

Kleemans, E. R., & Van Koppen, M. (2014). Careers in organized crime. *Encyclopedia of criminology and criminal justice*, 285-295.

Klein, M. (1995). *The American street gang: Its nature, prevalence, and control.* New York: Oxford University Press.

Klein, M. W., & Maxson, C. L. (2010). *Street gang patterns and policies*: Oxford University Press.

Klein, M. W., Weerman, F. M., & Thornberry, T. P. (2006). Street gang violence in Europe. *European Journal of Criminology, 3*(4), 413-437.

Klement, C. (2016a). Crime prevalence and frequency among Danish outlaw bikers. *Journal of Scandinavian Studies in Criminology and Crime Prevention, 17*(2), 131-149.

Klement, C. (2016b). Outlaw biker affiliations and criminal involvement. *European Journal of Criminology, 13*(4), 453-472.

Klement, C., & Blokland, A. (2021). Preventing outlaw biker crime in the Netherlands or just changing the dark figure? Estimating the impact of the Dutch whole-of-government approach on outlaw biker crime using interrupted time series analysis. *European Journal of Criminology*, 14773708211024845.

Klement, C., Kyvsgaard, B., & Pedersen, A.-J. B. (2010). *Rockere, bander og risikofaktorer*: Justitsministeriets Forskningskontor København.

Koornstra, J., Roorda, B., Vols, M., & Brouwer, J. G. (2019). *Bestrijding van outlaw motorcycle gangs: een rechtsvergelijkende studie naar de aanpak van onrechtmatige organisaties vanuit rechtsstatelijk perspectief*. Politie en Wetenschap, Den Haag: Rijksuniversiteit Groningen.

Krohn, M. D., Ward, J. T., Thornberry, T. P., Lizotte, A. J., & Chu, R. (2011). The cascading effects of adolescent gang involvement across the life course. *Criminology, 49*(4), 991-1028. doi:10.1111/j.1745-9125.2011.00250.x

Kuldova, T., & Sánchez-Jankowski, M. (2018). *Outlaw motorcycle clubs and street gangs: scheming legality, resisting criminalization*. UK: Palgrave Studies in Risk, Crime and Society.

Lahey, B. B., Gordon, R. A., Loeber, R., Stouthamer-Loeber, M., & Farrington, D. P. (1999). Boys Who Join Gangs: A Prospective Study of Pre.dictors of First Gang Entry. *Journal of Abnormal Child Psychology : An official publication of the International Society for Research in Child and Adolescent Psychopathology, 27*(4), 261-276. doi:10.1023/B:JACP.0000039775.83318.57.

Landelijke Eenheid. (2014). *Outlawbikers in Nederland*. Woerden: DLIO.

Lauchs, M. (2018). Are Outlaw Motorcycle Gangs Organized Crime Groups? An Analysis of the Finks MC. *Deviant Behavior*, 1-14.

Lauchs, M., Bain, A., & Bell, P. (2015). *Outlaw Motorcycle Gangs A Theoretical Perspective.* New York: Palgrave MacMillan.

Lauchs, M., & Gilbert, J. (2017). Outlaw Motorcycle Gangs. In *The Palgrave Handbook of Australian and New Zealand Criminology, Crime and Justice* (pp. 159-174): Cham: Springer International Publishing: Palgrave Macmillan.

Lauchs, M., & Staines, Z. (2019). An analysis of outlaw motorcycle gang crime: are bikers organised criminals? *Global Crime, 20*(2), 69-89.

Leeb, R. T. P. D., Barker, L. E. P. D., & Strine, T. W. M. P. H. (2007). The Effect of Childhood Physical and Sexual Abuse on Adolescent Weapon Carrying. *Journal of Adolescent Health, 40*(6), 551-558. doi:10.1016/j.jadohealth.2007.01.006.

Li, L., & Greene, T. (2013). A weighting analogue to pair matching in propensity score analysis. *The international journal of biostatistics, 9*(2), 215-234. doi:10.1515/ijb-2012-0030.

LIEC. (2014). Integrale landelijke voortgangsrapportage Outlaw Motorcycle Gangs (OMG's). Den Haag: Landelijke Informatie en Expertise Centrum.

LIEC. (2020). *Voortgangsrapportage Outlaw Motorcycle Gangs 2020. Landelijk Strategisch Overleg integrale aanpak OMG's*. Den Haag: Landelijke Informatie en Expertise Centrum.

Liddick, D. (2008). Nontraditional organized crime: Outlaw Motorcycle Gangs. In *Organized Crime: From Trafficking to Terrorism*. Shanty, F (eds). ABC-CLIO: Santa Barbara, 211-214.

Loeber, R., & Farrington, D. P. (2012). Advancing knowledge about direct protective factors that may reduce youth violence. *American journal of preventive medicine, 43*(2), 24-27. doi:10.1016/j.amepre.2012.04.031.

Mocan, N. H., & Tekin, E. (2006). Catholic Schools and Bad Behavior: A Propensity Score Matching Analysis. *The B.E. Journal of Economic Analysis & Policy, 5*(1). doi:10.1515/1538-0645.1403.

*

Monterosso, S. (2018). From bikers to savvy criminals. Outlaw motorcycle gangs in Australia: implications for legislators and law enforcement. *Crime, Law and Social Change : An Interdisciplinary Journal, 69*(5), 681-701. doi:10.1007/s10611-018-9771-1.

Morgan, A., Dowling, C., & Voce, I. (2020). Australian outlaw motorcycle gang involvement in violent and organised crime. *Trends and Issues in Crime and Criminal Justice, 586*, 1-16.

Morselli, C. (2009). Hells Angels in springtime. *Trends in Organized Crime, 12*(2), 145-158.

Mowen, T. J., & Visher, C. A. (2015). Drug Use and Crime after Incarceration: The Role of Family Support and Family Conflict. *Justice Quarterly, 32*(2), 337-359. doi:10.1080/07418825.2013.771207.

Nan, J. (2016). Het 'medeplegen'van openlijk geweld2. *Tijdschrift Praktijkwijzer Strafrecht, 2016*(19), 148-152.

Paoli, L. (2003). *Mafia brotherhoods: organized crime, Italian style*. Oxford: Oxford University Press.

Paoli, L., & Vander Beken, T. (2014). Organized crime: a contested concept. *Oxford handbook of organized crime*.

Papachristos, A. V. (2009). Murder by structure: dominance relations and the social structure of gang homicide. *American Journal of Sociology, 115*(1), 74-128.

Pek, J., Wong, O., & Wong, A. C. M. (2018). How to Address Non-normality: A Taxonomy of Approaches, Reviewed, and Illustrated. *Frontiers in psychology, 9*, 2104. doi:10.3389/fpsyg.2018.02104.

Peterson, D., Taylor, T., & Esbensen, F.-A. (2004). Gang membership and violent victimization. *Justice Quarterly, 21*(4), 793-815.

Piano, E. E. (2017b). Outlaw and economics: Biker gangs and club goods. *Rationality and Society*, 1043463117743242.

Queen, W. (2005). *Under and Alone*. New York: Random House.

Quinn, J., & Koch, D. S. (2003). The nature of criminality within one-percent motorcycle clubs. *Deviant Behavior, 24*(3), 281-305.

Quinn, J. F. (2001). Angels, bandidos, outlaws, and pagans: The evolution of organized crime among the big four 1% motorcycle clubs. *Deviant Behavior, 22*(4), 379-399.

Quinn, J. F., & Forsyth, C. J. (2011). The Tools, Tactics, and Mentality of Outlaw Biker Wars. *American Journal of Criminal Justice : The Journal of the Southern Criminal Justice Association, 36*(3), 216-230. doi:10.1007/s12103-011-9107-5.

Reuter, P., & Paoli, L. (2020). How Similar Are Modern Criminal Syndicates to Traditional Mafias? *Crime and Justice, 49*, 223-287. doi:10.1086/708869.

Roks, R. (2016). *In de h200d: een eigentijdse etnografie over de inbedding van criminaliteit en identiteit*. Rotterdam: Erasmus Universiteit Rotterdam.

Roks, R. A., & Densley, J. A. (2020). From Breakers to Bikers: The Evolution of the Dutch Crips 'Gang'. *Deviant Behavior, 41*(4), 525-542. doi:10.1080/01639625.2019.1572301.

Rosenbaum, P. R., & Rubin, D. B. (1983). The Central Role of the Propensity Score in Observational Studies for Causal Effects. *Biometrika, 70*(1). doi:10.2307/2335942.

Rostami, A., & Mondani, H. (2019). Organizing on two wheels: uncovering the organizational patterns of Hells Angels MC in Sweden. *Trends in Organized Crime, 22*(1), 34-50. doi:10.1007/s12117-017-9310-y.

Ruddell, R., & Gottschall, S. (2011). Are All Gangs Equal Security Risks? An Investigation of Gang Types and Prison Misconduct. *American Journal of Criminal Justice : The Journal of the Southern Criminal Justice Association, 36*(3), 265-279. doi:10.1007/s12103-011-9108-4.

Sampson, R. J., Laub, J. H., & Wimer, C. (2006). Does marriage reduce crime? A counterfactual approach to within-individual causal effects. *Criminology, 44*(3), 465-508. doi:10.1111/j.1745-9125.2006.00055.x.

Savona, E.U., Calderoni, F., Superchi, E., Comunale, T., Campedelli, G.M., Marchesi, M., & Kamprad, A. (2017). Systematic review of the social, psychological and economic factors relating to criminalization and recruitment to OC. In *Report on Factors Relating to Organized Crime,* 5-71. Milan: Universita Catollica del Sacro Cuore.

Schunck, R. (2013). Within and between estimates in random-effects models: Advantages and drawbacks of correlated random effects and hybrid models. *Stata Journal, 13*(1), 65-76.

Scotti, B. (2002). Rico vs. 416-bis: a comparison of US and Italian anti-organized crime legislation. *Loy. LA Int'l & Comp. L. Rev., 25*, 143.

Soudijn, M. R., & Kleemans, E. R. (2009). Chinese organized crime and situational context: comparing human smuggling and synthetic drugs trafficking. *Crime, Law and Social Change, 52*(5), 457-474.

Stuart, E. A., King, G., Imai, K., & Ho, D. (2011). MatchIt: nonparametric preprocessing for parametric causal inference. *Journal of statistical software*.

Sutherland, E.H. (1945). Is 'white collar crime' crime? *American Sociological Review, 10*(2): 132-139.

Sweeten, G., & Apel, R. (2007). Incapacitation: Revisiting an Old Question with a New Method and New Data. *Journal of Quantitative Criminology, 23*(4), 303-326.

Tak, P. (2003). *The Dutch Criminal Justice System: Organization and Operation.* Den Haag: WODC.

Tappan, P. (1947). Who is the criminal? *American Sociological Review, 12*(1), 96-102.

Thompson, H.S. (1967). *Hells Angel's. A strange and terrible sage.* New York: Ballatine Books.

Thompson, T. (2011). *Outlaws: inside the Hells Angels biker wars: inside the violent world of biker gangs.* London: Hodder & Stoughton.

Thornberry, T. P., Krohn, M.D., Lizotte, A.J., Smith, C.A., & Tobin, K. (2003). *Gangs and delinquency in developmental perspective.* New York: Cambridge University Press.

Thornberry, T. P., Krohn, M. D., Lizotte, A. J., & Chard-Wierschem, D. (1993). The Role of Juvenile Gangs in Facilitating Delinquent Behavior. *Journal of Research in Crime and Delinquency, 30*(1), 55-87. doi:10.1177/0022427893030001005.

Van der Ploeg, T. (2012). Hoe moeilijk is het om een vereniging – of een andere rechtspersoon- te verbieden? *Nederlands Juristen Blad*, 16, 1094-110.

Van Deuren, S., Blokland, A., & Kleemans, E. R. (2021). Examining membership of Dutch Outlaw Motorcycle Gangs and its association with individual criminal careers. *Deviant Behavior*, 1-16.

Van Deuren, S., Blokland, A., & Kleemans, E. R. (2021). Differentiating Between Outlaw Motorcycle Gangs (OMCGs): Estimating the Effect of Membership of the Most Crime-Prone OMCGs on Crime Using Matching Weights. *Journal of Developmental and Life-Course Criminology*, 1-27.

Van Deuren, S., Kleemans, E.R, & Blokland, A. (2020). Outlaw motorcycle gangs and their members' crime: Examining the social organization of crime and its relationship to formal club hierarchy. *European Journal of Criminology*, 1477370820980440.

Van Ham, T., Adang, O. M. J., Ferwerda, H. B., Doreleijers, T. A. H., & Blokland, A. A. J. (2020). Planned hooligan fights: Contributing factors and significance for individuals who take part. *European Journal of Criminology*, 1-20.

Van Koppen, M. V. (2013). Involvement mechanisms for organized crime. *Crime, Law and Social Change, 59*(1), 1-20.

Van Koppen, M. V., & de Poot, C. J. (2013). The truck driver who bought a café: Offenders on their involvement mechanisms for organized crime. *European Journal of Criminology, 10*(1), 74-88. doi:10.1177/1477370812456346.

Van Ooyen-Houben, M., & Kleemans, E.R. (2015). Drug policy: the 'Dutch Model'. *Crime and Justice, 44*, 165-226.

Van Ruitenburg, T. (2016). Raising Barriers to 'Outlaw Motorcycle Gang-Related Events'. *Erasmus Law Review vol. 9 no. 3, pp. 122-134*. doi:10.5553/ELR.000072.

Van Ruitenburg, T. (2020). *Raising moral barriers: an empirical study on the Dutch approach to outlaw motorcycle gangs*. Rotterdam: Erasmus Universiteit Rotterdam.

Varese, F. (2020). How Mafias Migrate: Transplantation, Functional Diversification, and Separation. *Crime and Justice, 49*, 289-337. doi:10.1086/708870.

Veno, A. (2009). *The brotherhoods: Inside the Outlaw Motorcycle Clubs*. Crows Nest: NSW: Allen & Unwin.

Vissers, J. (2016, 8 april). De bloedige bikerwar van de Mongols en de Hells Angels. *De Volkskrant*. https://www.volkskrant.nl/nieuws-achtergrond/de-bloedige-bikerwar-van-de-mongols-en-de-hells-angels~b6484do5.

Voce, I., Morgan, A., & Dowling, C. (2021). Early-career offending trajectories among outlaw motorcycle gang members. *Trends and Issues in Crime and Criminal Justice, 625*, 1-18.

Von Lampe, K. (2015). *Organized crime: analyzing illegal activities, criminal structures, and extra-legal governance*. Thousand Oaks, CA: Sage.

Von Lampe, K., & Blokland, A. (2020). Outlaw Motorcycle Clubs and Organized Crime. *Crime and Justice, 49*(1), 521-578.

Wolf, D. (1991). *The Rebels: a brotherhood of outlaw bikers*. Toronto: University of Toronto.

Yanev, L. D. (2018). *Theories of co-perpetration in international criminal law*. Nijhoff Brill: Leiden.

Yoshida, K., Hernández-Díaz, S., Solomon, D. H., Jackson, J. W., Gagne, J. J., Glynn, R. J., & Franklin, J. M. (2017). Matching Weights to Simultaneously Compare Three Treatment Groups: Comparison to Three-way Matching. *Epidemiology, 28*(3), 387-395. doi:10.1097/EDE.0000000000000627.

Nederlandse samenvatting / Dutch summary

In dit promotieonderzoek wordt ingegaan op de relatie tussen het Outlaw Motorcycle Gang (OMCG) lidmaatschap en crimineel gedrag van individuele OMCG leden. Het doel van het promotieonderzoek is om de empirische kennis te vergroten over of, en zo ja, in welke mate en op welke wijze, het OMCG lidmaatschap verband houdt met criminaliteit van OMCG leden. Bovendien wordt de Nederlandse juridische reactie op OMCGs als collectieven en de rol van het OMCG lidmaatschap in crimineel gedrag onderzocht.

De theoretische achtergrond in het eerste deel van het promotieonderzoek wordt gevormd door de drie mechanismen die in de literatuur omtrent straatbendes worden onderscheiden om het positieve verband tussen bendelidmaatschap en crimineel gedrag van leden te kunnen verklaren: selectie, facilitatie en versterking (Thornberry et al., 1993). *Selectie* veronderstelt dat met name personen die zich crimineel gedragen lid worden van een OMCG of door OMCGs als lid worden geworven. Van *facilitatie* is sprake als OMCG leden voorafgaand aan hun lidmaatschap niet crimineler zijn dan niet-OMCG leden, maar het criminele gedrag van OMCG leden hoger is in tijden van het daadwerkelijke lidmaatschap. *Versterking* combineert de selectie en facilitatie mechanismen en veronderstelt dat OMCG leden zich voorafgaand aan het lidmaatschap al vaker inlaten met criminaliteit dan niet-OMCG leden en dat de bestaande verschillen in crimineel gedrag tussen OMCG leden en niet-OMCG leden verder worden vergroot vanaf het moment dat OMCG leden lid zijn van een OMCG.

De empirische basis van het eerste deel van het promotieonderzoek bestaat uit twee steekproeven van bij de politie bekende leden van Nederlandse OMCGs. OMCG lidmaatschap werd op verschillende manieren door de politie vastgesteld, bijvoorbeeld wanneer bij een persoon werd gezien dat hij club-insignes zoals kleding en tatoeages droeg, of dat hij regelmatig besloten clubavonden bezocht. Identificatie als OMCG lid kon resulteren in een verscheidenheid aan politieacties, zoals verkeerscontroles, observaties van wijkagenten en aanhoudingen. Identificatie als lid van een Nederlandse OMCG of supportclub impliceert derhalve niet per definitie dat de persoon op het moment van de identificatie werd verdacht van een strafbaar feit. De eerste OMCG-steekproef bestaat uit 2714 personen die tussen 2010 en 2019 door de politie als lid van een OMCG zijn geïdentificeerd. Deze OMCG-steekproef is gekoppeld aan gegevens van het Centraal Bureau voor de Statistiek (CBS). Op basis van de registers van het CBS werden van de OMCG leden gegevens verzameld omtrent de persoonlijke (demografische en sociaaleconomische

informatie) en criminele carrièrekenmerken (verdachtenregistraties over 2005 en 2019). De tweede OMCG-steekproef bestaat uit 2090 personen die tussen 2010 en 2015 door de politie als OMCG lid zijn geïdentificeerd. Deze OMCG-steekproef is gekoppeld aan veroordelingsgegevens van het Justitieel Documentatie Systeem (JDS). Het JDS bevat naast persoonlijke achtergrondinformatie gegevens over de complete criminele carrière van personen vanaf het twaalfde levensjaar.

De theoretische achtergrond van het tweede deel van het promotieonderzoek wordt gevormd door drie theoretische scenario's die de relatie tussen het OMCG lidmaatschap en criminaliteit kunnen verklaren: het 'rotte-appel'-scenario, het 'club-binnen-een-club'-scenario en het 'club-als-criminele-organisatie'-scenario (Von Lampe & Blokland, 2020). In het 'rotte-appel'-scenario pleegt een OMCG lid of plegen enkele OMCG leden criminaliteit op eigen initiatief, zonder een organiserende betrokkenheid van de OMCG. De betrokkenheid van meerdere OMCG leden in crimineel gedrag wekt voor de buitenwereld al snel de schijn dat het gaat om een clubaangelegenheid. Het 'club-binnen-een-club'-scenario laat zien dat meerdere OMCG leden samen criminaliteit kunnen plegen zonder dat het criminele gedrag wordt aangestuurd of gecoördineerd door de OMCG. Het 'club-binnen-een-club'-scenario is daarmee alleen in getalsmatig opzicht verschillend van het 'rotte-appel'-scenario. In het 'club-als-criminele-organisatie'-scenario neemt de OMCG een organiserende rol in het criminele gedrag van leden in, bijvoorbeeld doordat OMCG leden gebruik maken van hun hiërarchische positie binnen de OMCG om criminele orders aan leden in lagere rangen te geven. In dit scenario wordt verondersteld dat de criminaliteit door OMCG leden voor de OMCG wordt gepleegd.

De empirische basis van het tweede deel van het promotieonderzoek bestaat allereerst uit zestig politiedossiers die aanhangig zijn gemaakt tegen leden van Nederlandse OMCGs tussen 2012 en 2018. De politiedossiers bestaan uit feitelijke informatie over individuen, samenwerkingsverbanden en al dan niet gezamenlijk en/of in clubverband uitgevoerde criminele activiteiten, gebaseerd op tapgesprekken, opnames van vertrouwelijke communicatie (OVC), observaties en verslagen van verhoren en/of gesprekken met verdachten, slachtoffers en getuigen. Bovendien is in het tweede deel van het promotieonderzoek gebruik gemaakt van rechterlijke vonnissen over strafrechtelijke vervolgingen waar leden van Nederlandse OMCGs bij betrokken waren. Tot slot zijn vijf officieren van justitie geïnterviewd die betrokken waren bij de politiedossiers die in dit promotieonderzoek zijn onderzocht.

In hoofdstuk twee worden de persoonlijke en criminele carrièrekenmerken van (verschillende typen) OMCG leden in vergelijking met een grote nationale representatieve

vergelijkingsgroep van niet-OMCG leden beschreven. Mannen die bij de politie bekend zijn als leden van Nederlandse OMCGs verschillen op sociaaleconomisch vlak van de gemiddelde Nederlandse volwassen man. OMCG leden hebben gemiddeld genomen een lager opleidingsniveau en huishoudelijk inkomensniveau dan Nederlandse volwassen mannen die geen lid zijn van een OMCG. Bovendien ontvangen OMCG leden vaker een uitkering of ze hebben helemaal geen geregistreerd inkomen (werk of uitkering). De criminele betrokkenheid van OMCG leden verschilt ook van die van Nederlandse volwassen mannen: 74 procent van de OMCG leden werd in de periode 2005-2019 ten minste één keer door de politie als verdachte van een strafbaar feit geregistreerd, ten opzichte van 16 procent van de vergelijkingsgroep. OMCG leden werden in die periode gemiddeld meer dan vijf keer als verdachte aangemerkt. De verschillen in geregistreerd crimineel gedrag tussen OMCG leden en niet-leden zijn met name groot op het gebied van wapen-, drugs- en geweldsdelicten.

De persoonlijke en criminele carrière kenmerken van OMCG leden verschillen per 'generatie'. Startende OMCG leden – personen die voor het eerst tussen 2016 en 2019 door de politie als OMCG lid zijn geïdentificeerd – zijn jonger en meer etnisch divers ten opzichte van blijvende OMCG leden – die zowel voor als na 2016 als OMCG lid zijn geregistreerd. Een aanzienlijk deel van de startende OMCG leden komt voorafgaand aan hun lidmaatschap al in aanraking met de politie. Wanneer rekening wordt gehouden met het leeftijdsverschil tussen startende en blijvende OMCG leden, laten de resultaten zien dat startende OMCG leden *voorafgaand* aan hun lidmaatschap gemiddeld net zo crimineel zijn als blijvende OMCG leden *tijdens* hun lidmaatschap. Het OMCG lidmaatschap leidt, in tegenstelling tot eerdere 'generaties', voor de startende OMCG-'generatie' niet tot verhoogde criminele betrokkenheid. Zodra leden stoppen met het OMCG lidmaatschap, neemt hun totale geregistreerde criminele gedrag en het aantal geregistreerde geweldsdelicten met respectievelijk 33 procent en 69 procent af. Het stoppen met het OMCG lidmaatschap is niet significant gerelateerd aan veranderingen in het aantal verdenkingen van drugs- en wapendelicten.

In hoofdstuk drie wordt ingegaan op de vraag of het criminogene effect van het OMCG lidmaatschap afhankelijk is van het type OMCG waar mannen lid van worden. In dit hoofdstuk worden de potentieel criminogene effecten van lidmaatschap van een van de meest criminele Nederlandse OMCGs vergeleken met lidmaatschap van een van de minst criminele Nederlandse OMCGs. Toekomstige leden van een van de meest criminele OMCGs starten hun criminele carrière eerder en hebben een hogere veroordelingsfrequentie dan toekomstige leden van een van de minst criminele OMCGs. Toekomstige leden van de meest criminele OMCGs krijgen voorafgaand aan hun OMCG lidmaatschap bovendien vaker een geldboete of gevangenisstraf

opgelegd dan leden in de vergelijkingsgroep. Wanneer wordt gecontroleerd voor de reeds bestaande verschillen tussen beide groepen, laten de resultaten een criminaliteitsverhogend effect van lidmaatschap van een van de meest criminele OMCGs op de criminele carrières van leden zien. Leden van de meest criminele OMCGs worden anderhalf keer vaker veroordeeld dan leden van de minst criminele OMCGs. De effecten van het lidmaatschap van de meest criminele OMCGs zijn het meest uitgesproken voor vermogensdelicten en georganiseerde criminaliteit. Leden van de meest criminele OMCGs werden bijna tweeënhalf keer zo vaak veroordeeld voor vermogensdelicten en drie keer zo vaak voor georganiseerde criminaliteit dan leden van de minst criminele OMCGs in Nederland.

In hoofdstuk vier wordt nader ingegaan op de rol van het OMCG lidmaatschap in crimineel gedrag van individuele leden. Een directe en aansturende rol van OMCGs in het criminele gedrag van leden is in de meeste gevallen beperkt. Van de 202 strafbare feiten uit de politiedossiers kan 48 procent worden ingedeeld in het 'rotte-appel'-scenario, 27 procent in het 'club-binnen-een-club'-scenario en 25 procent in het 'club-als-criminele-organisatie'-scenario. Binnen drugs-, wapen-, en witwasstructuren opereren individuele OMCG leden relatief autonoom ten opzichte van de formele organisatie van de club. Wel bieden OMCGs hun leden een gelegenheidsstructuur die crimineel gedrag kan bevorderen door gebruik te maken van de dreiging die uitgaat van de gewelddadige reputatie van de OMCG en de beschikbaarheid van mededaders binnen de OMCG. Hoewel de criminele mogelijkheden van OMCG leden via het clublidmaatschap kunnen worden vergroot, komt uit de politiedossiers naar voren dat leden ook nadelen kunnen ondervinden van het OMCG lidmaatschap bij het plegen van criminaliteit. De criminele autonomie van OMCG leden kan worden beperkt doordat leden soms toestemming via de formele clubstructuur moeten vragen voor het plegen van bepaalde strafbare feiten. In Nederland komt een directe en aansturende rol van OMCGs in het criminele gedrag van individuele leden voornamelijk naar voren bij georganiseerd geweld tegen rivaliserende clubs en wanneer er geweld wordt gepleegd tegen de eigen leden.

In hoofdstuk vijf wordt tenslotte de dynamiek achter de Nederlandse juridische reacties op groepscriminaliteit onder OMCG leden en het OMCG lidmaatschap in crimineel gedrag onderzocht. Het Nederlandse strafrecht kent verschillende juridische kwalificaties om collectief gedrag aan te pakken, zoals medeplichtigheid, medeplegen, openlijke geweldspleging en deelname aan een criminele organisatie. Groepscriminaliteit onder OMCG leden wordt juridisch voornamelijk gekwalificeerd als het medeplegen van criminaliteit. Ondanks dat sommige officieren van justitie stellen dat artikel 140 Sr (deelname aan een criminele organisatie) de enige adequate

manier is om groepscriminaliteit via het strafrecht aan te pakken, blijkt artikel 140 Sr in de strafzaken tegen OMCG leden in Nederland een ondergeschikte rol te spelen. De officieren van justitie die bij de onderzochte strafzaken betrokken waren suggereren dat dit te wijten is aan verschillende redenen, zoals een gebrek aan mankracht en capaciteit, de beperkte toegevoegde waarde van artikel 140 Sr op de strafmaat van individuele OMCG leden en de moeilijkheden om misdrijven van individuele OMCG leden juridisch in verband te brengen met de OMCG als organisatie. Bovendien hebben officieren van justitie – gelet op het vereiste bewijs voor medeplegen of openlijke geweldpleging – moeite om OMCG leden die enkel in de clubkleuren (de 'power of the patch') aanwezig zijn om de groep numeriek te versterken, zonder verdere (concrete) bijdragen aan het delict, strafrechtelijk te vervolgen.

Wat is nu de relatie tussen het OMCG lidmaatschap en criminaliteit van individuele leden? De resultaten van het promotieonderzoek ondersteunen de selectiehypothese: vooral personen met reeds bestaande criminele neigingen – zoals blijkt uit een meer uitgebreide jeugdige criminele carrière – worden aangetrokken tot het OMCG lidmaatschap, hetzij door hun eigen voorkeur, hetzij doordat OMCGs criminele personen aantrekken. Selectie vindt ook plaats *binnen* de OMCG-subcultuur: toekomstige leden van de meest criminele OMCGs komen eerder en vaker in hun leven met politie in aanraking dan toekomstige leden van minder criminele OMCGs. De relatie tussen het OMCG lidmaatschap en criminaliteit berust echter niet alleen op selectie. Het OMCG lidmaatschap verhoogt de criminele betrokkenheid van haar leden, vooral wanneer het lidmaatschap van een van de meest criminele OMCGs betreft. Bovendien komt uit het onderzoek naar voren dat het criminele gedrag, met name geweldscriminaliteit, afneemt in de jaren nadat leden de OMCG hebben verlaten.

Alhoewel het OMCG lidmaatschap de criminele carrière van leden positief beïnvloedt, is de rol van de OMCG als collectief in crimineel gedrag in veel gevallen beperkt. Dit wijst erop dat een leidinggevende positie binnen de OMCG niet gelijkstaat aan volledige controle over de criminele activiteiten van alle individuele OMCG leden. Een organiserende rol van OMCGs in crimineel gedrag van leden komt voornamelijk terug in geweld tegen rivaliserende motorclubs en geweld tegen de eigen leden. In deze gewelddadige delictsvormen gebruiken kaderleden[63] hun hiërarchische positie binnen de club om criminaliteit te organiseren. Hoewel er weinig aanwijzingen zijn gevonden voor een organiserende rol van de OMCG in het criminele gedrag van zijn

---

[63] OMCGs kennen van oudsher een hiërarchische, op militaire leest geschoeide structuur met duidelijk omschreven rangen en functies. De president, vice-president, secretary, sergeant at arms, treasurer en road captain vormen de kaderleden. In de hiërarchie volgen na de kaderleden de fully patched members en mannen die nog bezig zijn om volwaardig lid te worden, zoals de prospects en hang-a-rounds.

leden, laten de onderzoeksbevindingen wel zien dat het criminele gedrag van leden wordt beïnvloed door de meerwaarde die het OMCG lidmaatschap kan bieden bij het plegen van strafbare feiten. OMCG leden maken gebruik van de gewelddadige reputatie van het OMCG lidmaatschap en/of van mededaders binnen de club. Ook functioneren OMCGs als afzetmarkt voor criminele ondernemingen van individuele leden.

Uit de resultaten van het promotieonderzoek komt naar voren dat er aanleiding bestaat om in de juridische reacties aandacht te besteden aan de rol van OMCGs en het OMCG lidmaatschap in crimineel gedrag. Het strafrecht heeft moeite om collectief gedrag van OMCG leden aan te pakken. Strafrechtelijke onderzoeken naar strafbare feiten waarin de OMCG een organiserende rol heeft gespeeld, leiden er om verschillende redenen zelden toe dat OMCGs in strafrechtelijke zin worden aangemerkt als criminele organisaties of dat leden worden veroordeeld voor deelname aan een criminele organisatie (art. 140 Sr). Bovendien heeft het aanmerken van een OMCG als criminele organisatie via het strafrecht geen gevolgen voor het voortbestaan van de OMCG. De moeilijkheden om OMCGs als collectieven via het strafrecht aan te pakken, hebben ertoe geleid dat het Openbaar Ministerie andere juridische instrumenten zoals het verzoeken van een civiel verbod bij de burgerlijke rechter op grond van artikel 2:20 BW, in de geïntegreerde aanpak heeft ingezet. Een onherroepelijk civiel verbod is niet alleen gericht tegen OMCGs als legale entiteiten, maar biedt het Openbaar Ministerie ook de wettelijke mogelijkheid om individuele leden voor het enkele (openbare) gebruik van de 'power of the patch' strafrechtelijk te vervolgen (na een verbod strafbaar op grond van art. 140, lid 2 Sr). Meer recent hebben parlementsleden bovendien in plaats van een civiel verbod gepleit voor de totstandkoming van een bestuurlijk verbod waarmee OMCGs via de minister voor Rechtsbescherming als collectieven nog sneller kunnen worden aangepakt.

Dankwoord

Ik wil een aantal mensen bedanken die – op welke manier dan ook - een bijdrage hebben geleverd aan dit proefschrift. Aan mijn promotoren en copromotor met wie ik het geluk heb gehad dat zij deel uitmaakten van mijn begeleidingsteam. Edward, ik wil je bedanken voor het vertrouwen dat je mij hebt gegeven om mezelf verder te ontwikkelen in de wetenschap. Bedankt voor alle adviezen, hulp en het delen van jouw kennis rondom de georganiseerde criminaliteit. Arjan, ik bewonder de manier waarop je altijd in heldere bewoordingen structuur weet aan te brengen in teksten en ideeën. Ik heb bijzonder veel van je mogen leren de afgelopen jaren. Bedankt voor je begeleiding, geduld en de gezellige tijd in Canberra, waar we gelukkig nog een aantal kangoeroes hebben weten te spotten. Marianne, ik wil je bedanken voor jouw waardevolle juridische perspectief op het proefschrift.

Aan Wouter van der Leest en Melvin Soudijn, voor het verlenen van de toegang tot de politiegegevens. Het onderzoek zou niet mogelijk zijn geweest zonder jullie hulp en medewerking.

Aan Peter van Koppen en Peter van der Laan. Peter van Koppen, jij gaf na het afronden van de master Criminologie ter overweging mee of een promotietraject niet iets voor mij was. Vervolgens stuurde je binnen een week een e-mail met 'Voor het geval je nog geen baan hebt. Ik sprak met Peter van der Laan'. De rest is geschiedenis. Bedankt voor het geven van het laatste zetje richting de wetenschap. Peter van der Laan, ik weet niet waarom, maar op de een of andere manier durfde je het aan om samen onderzoek te doen en het nieuwe vak Strafrechtelijk Ingrijpen vanuit Juridisch en Pedagogisch Perspectief te geven. Ik heb altijd prettig met je samengewerkt en een enorm vertrouwen gevoeld, dank je wel daarvoor.

Aan m'n (oud-)collega's van de Vrije Universiteit (VU) en het Nederlands Studiecentrum voor Criminaliteit en Rechtshandhaving (NSCR), met in het bijzonder: Andrew, Anne, Camiel, Carlijn, Elanie, Fabienne, Ida, Iris, Jim, Joska, Lenneke, Machiel, Marigo, Marly, Meintje, Perry, Peter E, Robin, Sabine, Steve, Suzanne, Teun en Veroni. Ik kijk met veel plezier terug op de werkborrels, het beerpong en het stappen in onder meer de Blauwe Engel en de Exit. Ondanks dat mij door een aantal van jullie vaak wordt verweten dat ik niet 'buiten Amsterdam kom', heb ik mooie herinneringen aan de Corona-camping in Deurne, de ASC in San Francisco en de party villa in Málaga. Bedankt voor alle gezellige momenten en gesprekken de afgelopen jaren. In het bijzonder wil ik Veroni en Steve bedanken. Veroni, ik heb meer met je gemeen dan ik aanvankelijk dacht. Ik wil je bedanken voor alle support, zowel binnen als

buiten werk, dat heeft enorm veel voor mij betekend. Steve, ondanks dat je voor een verkeerde voetbalclub juicht (hang a.u.b. geen PSV vlaggen meer voor mijn beeldscherm), ben je niet alleen een uitstekende onderzoeker, maar bovenal ook een bijzonder goed persoon.

Aan mijn paranimfen, Shannice en Fabienne, wat ben ik blij dat jullie achter mij willen staan tijdens deze bijzondere dag. Shannice, toen wij elkaar leerden kennen op het hockeyveld van AMVJ in 2017 duurde het niet lang voordat een dierbare vriendschap ontstond. Fabienne, ik ben blij dat we elkaar via het NSCR/de VU hebben leren kennen en hoop dat we elkaar in de toekomst zowel binnen als buiten werk blijven zien. Dank je wel dat jullie mijn paranimfen willen zijn.

Aan mijn vrienden die het leven van kleur voorzien: Alexandra, Anne, Bas, Cathelijne, Claire, Demi, Esmee, Jeroen, Laura, Leonne, Malu, Maysa, Michelle, Nina, Shannice, Steffen, Rochelle en Vita. Ik ben ontzettend blij met en dankbaar voor jullie vriendschap.

Aan mijn schoonfamilie die mij met veel warmte, gezelligheid en – soms de nodige – chaos heeft verwelkomd: Edwin, Joke, Osman, Joyce, Florence, Céderic en Céleste.

Aan mijn familie die mij onvoorwaardelijk steunt: mama, Patrick, Margriet, Frank, Liesbeth, Pim, Jaap, Ria en Rianne. Met in het bijzonder aan Tjerk, m'n broer, ik ben onnoemelijk trots op je.

Aan Fabiënne, je bent de afgelopen jaren van onschatbare waarde voor mij geweest. Dank je wel voor alle support en geduld tijdens de totstandkoming van dit proefschrift. Ik heb je lief.

Ten slotte aan mijn oma, ik ben je dankbaar voor alles wat je in mijn leven hebt betekend en enorm blij dat je erbij kunt zijn tijdens mijn promotie. Ik draag dit proefschrift op aan jou.

Contributions by the authors of each article

Chapter 2:
Sjoukje van Deuren performed the analyses and wrote the manuscript. Arjan Blokland and Edward Kleemans provided feedback on the drafts and final version of the manuscript.

Chapter 3:
Sjoukje van Deuren and Arjan Blokland performed the analyses. Sjoukje van Deuren wrote the manuscript. Arjan Blokland and Edward Kleemans provided feedback on the drafts and final version of the manuscript.

Chapter 4:
Sjoukje van Deuren performed the police file research and wrote the manuscript. Edward Kleemans and Arjan Blokland provided feedback on the drafts and final version of the manuscript.

Chapter 5:
Sjoukje van Deuren performed the police file and court judgement research, interviewed the public prosecutors, and wrote the manuscript. Marianne Hirsch Ballin, Edward Kleemans, and Arjan Blokland provided feedback on the drafts and final version of the manuscript.

About the author

Curiculum vitae

Sjoukje van Deuren was born on January 27th 1993 in Alphen aan den Rijn, the Netherlands. She obtained her bachelor's degree in Communication Science (2014) and her master's degree in Public Administration (2016) and Criminology (2017) at the Vrije Universiteit Amsterdam (VU). After her graduation, Sjoukje worked as a junior research at the Netherlands Institute for the Study of Crime and Law Enforcement (NSCR) and as a teacher at the VU. In 2018, Sjoukje started as a PhD candidate at the VU, Department of Criminology. As of September 2022, she works as an Assistant Professor at the VU. Her current research project involves youth's involvement in organized crime.

List of publications

Schlette, A., Coomans, A., **Van Deuren, S**., Van de Weijer, S., Blokland, A., & Eichelsheim, V. (in press). Stay Home, Stay Safe? Pandemie-specifieke gevolgen voor adviesaanvragen bij Veilig Thuis. *Tijdschrift voor Criminologie*.

Coomans, A., Kühling-Romero, D., **Van Deuren, S**., Van Dijk, M., Van de Weijer, S., Blokland, A., & Eichelsheim, V. (2022). Stay Home, Stay Safe? The Impact of the COVID-19 Measures on the Prevalence, Nature, and Type of Reporter of Domestic Violence in the Netherlands. *Journal of Family Violence*, 1-17.

Van Deuren, S., Hirsch Ballin, M.F.H., Kleemans, E., & Blokland, A. (2022). The Dutch judicial approach to various types of co-offending among members of Outlaw Motorcycle Gangs. *Trends in Organized Crime,* 1-21.

Van Deuren, S., Blokland, A., Kleemans, E. (2021). Differentiating between outlaw motorcycle gangs (OMCGs): estimating the effect of membership of the most crime prone OMCGs on crime using matching weights. *Journal of Developmental and Life-Course Criminology*, *7*, 649-675.

Van Deuren, S., Blokland, A., & Kleemans, E. (2021). Examining membership of Dutch Outlaw Motorcycle Gangs and its association with individual criminal careers. *Deviant Behavior*, 1-16.

Van Deuren, S., Kroese, J., Van Dijk, M., Eichelsheim, V., Blokland, A., & Van der Weijer, S. (2021). *Criminaliteit en huiselijk geweld: twee kanten van dezelfde medaille?* Politie en Wetenschap, Den Haag: SDU Uitgevers.

Van Deuren, S., Kleemans, E., & Blokland, A. (2020). Outlaw Motorcycle Gangs and their members' crime: examining the social organization of crime and its relationship to formal club hierarchy. *European Journal of Criminology*, *19*(6), 1461-1482.

Vredeveldt, A., **Van Deuren, S**., & Van Koppen, P.J. (2019). Remembering with a friend or a stranger: comparing acquainted and unacquainted pairs in collaborative eyewitness interviews. *Memory, 27*(10), 1390-1403.

Van Deuren, S., Van der Laan, P., & Weerman, F. (2018). *Verscherpt toezicht minderjarige plegers van High Impact Crimes*. WODC: Den Haag.