

30/11/2021

- Relevant European investigation tools and procedures (including those corresponding to the "Anomaly Indicators" of the Italian Guardia di Finanza).

With regard to the investigations related to the issue under discussion, in which it seems necessary to consider of primary importance also the aggression to illicitly obtained assets, exploratory activities on the standard of living, financial resources and sources of income of the subjects whose membership of criminal associations is assumed, extending them also to their family members, are fundamental.

The information research is based on the query of the numerous databases available to the P.G. such as ACI (public automotive register), TELEMACO (surveys of historical or current companies, company files, financial statements, licenses, and authorizations), SISTER (cadastral database), PUNTO FISCO (Revenue Agency database for the assessment of representations, ownership of VAT number, declared income, payments of taxes of various kinds, etc.), INPS (pension treatments or work emoluments), ARF (archive of financial reports). At the same time, it is necessary to involve foreign collaterals for carrying out investigations of the same nature, in order to establish whether there are assets acquired by the suspects or their family members in the countries of origin.

However, there are not always qualified units abroad to carry out financial investigations. In fact, in our case, in Romania, we have had the lack of reliability of the information sources available to them, noting that some external databases, in particular those referring to the public land register and that of financial reports, are not always fed and updated in real time. This criticality can be remedied, and has been remedied as far as we are concerned, through the performance of traditional investigative acts, in this case searches carried out at the homes of suspects and their family members both in Italy and in the country of origin, following which notarial deeds can be identified referring to the sale of land and buildings, special and general powers of attorney conferred to their family members for the management of real estate assets, delegations to operate on foreign current accounts.

The analysis of these documents, carried out hand in hand with a detailed study of the movement of Italian and foreign current accounts and the acquisition of testimonial statements by sellers / buyers and tenants about the economic relations entertained from the real estate point of view, allow to have a picture of the general situation.

- The use of SIT (Special Investigative Techniques) through technologies for the analysis of big data, OSINT and digital forensics.

The analysis systems are of primary importance to be able to process the immense amount of data that emerge in such an investigation, links that, once clarified, will be the foundations on which to build the entire investigative, investigative and judicial system.

In the investigation that concerns us there was a massive use of the "Sfera" software (of the company "RCS") which allowed an easy analysis of telephone and telematic traffic for the identification of the relationships between the subjects of interest and their movements. This is obviously fundamental in the context of the position and role of every member of a criminal organization. These applications can also be safely used to model money flows, verifying their direction and above all the centrality of any "hubs".

As far as OSINT is concerned, the most common social networks have been analyzed. In this regard, and by way of explanation, I can narrate the circumstance in which, thanks to a photo posted by a suspect who had himself portrayed on a balcony, we discovered and located, in Romania, an apartment of which we were not aware.

The "Sync.ME" site was then used, which allowed us to identify (or at least approach) the names of the real users of telephone users, a fundamental attribution because it is known that almost always those used by criminal organizations have fictitious headers.

As far as "digital forensics" is concerned, the seized computer devices were acquired and subsequently analyzed with the "UFED" software (of the company "Cellebrite"). This activity, which can only be carried out when it is already in "discovery" with respect to the investigation, is in practice an opportunity to corroborate and confirm the elements already collected in the preliminary phases, a fundamental activity in the debate. Moreover, it is precisely in the computer / telephone equipment that a possible home-banking could be revealed especially regarding those who are forced to carry out operations in the distance for the reasons explained above.

- Good practices for cooperation with private companies and public authorities;

It seems obvious to underline that a fiduciary relationship with Credit / Debit Institutions, Conservatories, Revenue Agencies, INPS Offices, etc. etc. are the cornerstone to achieve the desired operational, investigative and judicial results. We must start from the assumption that these entities are the ones that have the possession, in their data, of the economic results of the illegal activities of criminal

associations, what we can call the "booty", but in most cases they do not know its nature.

Obviously, when you have reference people, especially in public bodies (which tend to rarely replace the managers of certain delicate and qualified services), it is easier. It follows that the interpersonal and informal relationship at the territorial level must be taken care of so that it can prove decisive even before the "papers" certify the substance of the facts. Let me explain: often the news ascertained in a preliminary and "informal" way with the bodies in charge, allows to better center the target in the "official" request, shortens the access methods, directs us towards what is needed avoiding loading the system (the union man / machine) of analysis with useless or redundant elements. And in this it is fundamental who is on the other side compared to us, with his technical / operational address.

The same attitude with private entities is more difficult, especially with those linked to the world of credit, for reasons related both to the high mobility of officials that does not allow the consolidation of human relations themselves, but also for the lack of "sense of the State" as the main assumption that public offices have while the "sense of enterprise" can prevail. This is especially noticeable in their basic territorial levels and is the reason why it is always advisable to turn to the "central" offices, far from the risk of unfavorable personal acquaintances with the actors of the relationships in question. However, it should be noted that, at least in the national territory, the field is so "delicate", even in the face of jurisprudence and the judicial consequences of any bad faith, that there are hardly obstacles except in some sometimes flooded timing. The situation abroad is different, especially in countries where the risk of corruption and / or unreliability in certain environments can be high and it is therefore inevitable to have to rely *on* those who know the dynamics, at least at the information level, whether they are colleagues in the Joint Investigation Team or with Interpol channels, Europol up to the Liaison Officers assigned to the Embassies.

On the other hand, investigations with small private companies (e.g. local car rentals, internet points, commercial activities in general) with which we cannot speak of cooperation are certainly uphill. On the contrary, recourse to contacts with these small entities must be an *extreme ratio* of irreplaceable value. The risk of "discovery" of investigative intentions is clearly high given the probable connivance between certain environments, such that it must really be worth it, after a thorough preliminary and in-depth information analysis on the subjects of interest and their links.

- How to use financial data to investigate suspected cases of human trafficking, indicators of illicit monetary flows and how to identify them.

To the three questions that I have put together and that you had asked separately, I would tend to give a single answer because, in a very questionable opinion, for me they are related aspects.

The asset analysis of a subject or a criminal group suspected of the crime under examination is essential to understand its profitability and consequently to be able to assess the extent of the crime. It is obvious that a cross-referencing of data between relations with the tax authorities, compared with official income and standard of living, are the main "alert" in the face of their disproportion. As it seems very important to realize that even the unwary now know that Italian laws, in the field of anti-money laundering, create objective difficulties to the carefree accumulation of sums of illicit proceeds.

At this point there is the need for suspects to turn to third parties, both in Italy and abroad. Obviously we refer to people very close to each other, generally more or less close relatives, but also to people linked by associative ties, (a concept more difficult to understand in foreign jurisdictions being a phenomenon whose jurisprudential aggression is typical in our nation). It is therefore necessary an exchange with foreign countries that allows a quick knowledge of the respective data in order to create immediate feedback and not plastered in bureaucratic lengths that risk invalidating everything if the underworld is organized by distracting and "shielding" the possessions with financial operations in rapid sequence on which you can not keep up.

The identification of the flows can therefore take place if upstream there is a full knowledge of the world (even private) of the suspects, their possessions, their reinvestment activities, the "SOS", the "transfer" operations detectable both in normal international circuits and with the classic "shoulder", the trusted courier with the briefcase. In this regard, I point out that we also happened to have a driver of a normal private minibus service, more or less periodic, who was known by all compatriots as a transporter of cash "envelopes" from Italy to Romania. Finally, also on how the "loot" is divided (the shares of the gain) we can be shown a picture of the hierarchies and roles within the organizations. And this is (very personal opinion) the demonstration that there can never be the only "follow the money" to be able to "attack" crime without the combination with traditional, technical, dynamic investigations, in the territories, "on the road" with the sandwich consumed on the dashboard of the car during the stalking, if you pass me the expression. Only the analysis of technical activities (interceptions, localizations, video surveillance) and dynamics (stalking, stalking), can lead us to make a real picture of the patrimonial discourse (through income analysis, real estate, typicality of expenses). They are therefore activities which, carried out individually, would never be fully satisfactory in the attack on the crime in question, but which achieve the objective only in their compendium.

- Response and reporting procedures;

I could summarize the answer with "what laws, regulations and regulations of the individual actors provide", if I understood the question correctly (if not, forgive the Carabinieri ☺).

- Good practices for cooperation with law enforcement agencies

Overtuning the concept previously expressed in the cooperative relationship with public and private bodies, I can provide an obviously partisan vision. Allow me to say, however, that a practice that is certainly appreciated is that which streamlines procedures and allows the speed of conveying information, transmitted with simple computer systems, whose extrapolation does not require the "downloading" of some semi-unknown program and difficult to find. In the end we process most of the data in word, excel, power-point, windows media player. There is no need to send data with NASA programs, so to speak. The transmission of data subject to password opening is certainly appreciated, but only in cases where a preliminary comparison between the parties determines the need.

- Conclusion

I hope I have understood the meaning of the request and that I have managed at least in part to explain myself by making me understandable. It is obvious that my considerations arise from the practical field in which I operated. I therefore apologize if what is expressed in the individual answers may not be tailored to your needs / requests or, even worse, scholastically incorrect with respect to your postulates, which I do not know. Specifically, however, I can say that our investigation, with the strategic outline set out in the various answers, beyond the personal precautionary aspects on the members of the association (then sentenced to severe penalties - over 10 years in prison - even in the second degree) has allowed us to reach the seizure of apartments in Italy and Romania, land in Romania and numerous bank accounts in Italy, Romania and Germany.

Obviously I remain available for any clarification.

Good luck for the project and greetings also to Dr. Golin with a fervent wish for good work.