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Spanish family clans in organized crime: characteristics, activities, and origin factors

Clanes familiares en España en el contexto del crimen organizado: características, actividades y factores de origen

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ABSTRACT. Groups and organizations dedicated mainly to the production, custody, and trafficking of illegal drugs have proliferated in Spain in recent years. Their distinctiveness is that they are opaque and endogamous structures united by family or ethnic ties, therefore, known as “family clans.” Despite increased police pressure, these structures continue to operate with significant margins of impunity and considerable economic benefit. Thus, this article, which is the first part of a broader research, analyzes these family clans’ characteristics in the Campo de Gibraltar and Granada, their criminal activities, and the different factors that have led to their birth and consolidation in Spanish territory.

KEYWORDS: corruption; crime prevention; drug trafficking; family clans; money laundering; organized crime

RESUMEN. Desde hace unos años han proliferado en España grupos y organizaciones dedicadas sobre todo a la producción, custodia y tráfico de drogas ilegales. Su peculiaridad es que son estructuras opacas y endogámicas unidas por lazos familiares o étnicos, por lo cual se conocen con el término de “clanes familiares”. A pesar del aumento de la presión policial, dichas estructuras siguen actuando con unos destacados márgenes de impunidad y un considerable beneficio económico. Así, este artículo, que constituye la primera parte de un extenso trabajo de investigación, se dedica a analizar las características de estos clanes familiares en el Campo de Gibraltar y en Granada, sus actividades delictivas, así como los distintos factores que han dado lugar a su nacimiento y consolidación en territorio español.

PALABRAS CLAVE: blanqueo de capitales; clanes familiares; corrupción; criminalidad organizada; narcotráfico; prevención del crimen

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Introduction: organized crime in Spain

The phenomenon of organized crime has been seated in Spain for decades. Looking back, these organizations and groups can be found as early as the eighties of the last century in regions such as Galicia. There, structures linked by family ties or camaraderie were dedicated, initially, to tobacco smuggling. In the 1990s, they became involved in drug trafficking, resulting from these organizations and groups' contact with primarily Colombian cartels¹. The vast majority of these groups, made up of Spanish nationals, was –and are– endowed with complex structures that have achieved an outstanding social and economic penetration (De la Corte & Giménez-Salinas, 2010, p. 355). Practically in parallel, the Costa del Sol in Andalusia has witnessed the settlement of multinational-membership criminal and mafia organizations, whose criminal activities have gone far beyond drug trafficking. One example is the Italian or Russian mafias, or the Colombian cartels, which manage grave cross-border crime and have perpetuated on Spanish territory.

Organized crime in Spain today has evolved considerably. On the one hand, it has shown great adaptability, thus becoming increasingly diversified in its structure and *modus operandi*, significantly impacting society (Consejo de Seguridad Nacional, 2019). This situation is evident in aspects such as the diversification of criminal activities, the opening of new routes and markets, the growing specialization of such activities, and the adoption of new techniques, methods, and procedures. Although foreign groups and organizations continue to proliferate in areas such as the Costa del Sol, local criminal structures have recently been consolidated, some with a shared ethnic background. As will be seen throughout this paper, some have certain similarities with family clans of Arab origin operating in other European countries, as is the case of Germany, for example (Cano, 2020).

Following the line of research developed by De la Corte and Giménez-Salinas in a paper published in 2010, in recent years, Spain has undergone the establishment and consolidation of three different forms of organized crime: 1) a strong, consolidated, and independent native organized criminality; 2) a native type establishing alliances with non-European criminal groups; 3) an exclusively foreign criminality operating independently and carrying out various illicit businesses in Spain, in some cases, entering and leaving the national territory, in others, establishing residence there. Undoubtedly, these three forms of organized crime are still in force today (De la Corte & Giménez-Salinas, 2010, p. 341).

1 There are two extremely interesting Spanish works that describe the activity of Galician drug traffickers in recent years, as well as their contacts with Colombian clans (see Carretero, 2015 and Méndez, 2018).

Based on the above, this paper aims to analyze the autochthonous family clans settled in Spain, which find in the criminal association, as well as in the ethnic and family ties, a series of advantages to facilitate and perpetuate their criminal activity. These criminal groups have many notable differences with classic organizations such as the Italian and Russian mafias. These differences are evident in aspects such as their internal structure, permanence over time, forms of action, or the types of crime they carry out. Nevertheless, they meet many of the characteristics associated with organized crime.

Regarding the definition of *organized crime*, the doctrine agrees on the need, as a starting point, to differentiate the criminal organization or group from a simple association to commit a crime or co-criminality. This means that when we speak of organized crime, we are dealing with something more than a mere grouping of people committing crimes sporadically. The European Police Office (Europol) establishes a list with the following indicators to define a criminal group or organization: 1) collaboration of more than two people; 2) specific allocation of tasks; 3) prolonged or indefinite performance over time; 4) use of some form of discipline or internal control; 5) commission of serious crimes; 6) extension of the activity to the international arena; 7) use of violence; 8) use of economic or commercial structures; 9) involvement in money laundering; 10) use of influence or corruption; and 11) pursuit of profit or power. Europol notes that six of these indicators are required to be an organized group; numbers 1, 3, 5, and 11 are compulsory, and at least two others are optional (Consejo de la Unión Europea, 2000, pp. 12-13).

Specifically, from comparative criminological analysis, the family clans studied here show a particular affinity with the clans of Arab origin operating in Germany for some years, which were the subject of analysis in another recent study (Cano, 2020). As shown below, criminal activity in both cases is marked by a strictly economic dimension: maximizing profits and profitability.

This article is the first part of a two-part study. This article first analyzes the general characteristics of family clans in Spain. Then, it studies the criminal activities that mark these groups' actions. Finally, it explores the causes that have born and consolidated this phenomenon in the Spanish criminal reality.

It is worth noting that in Spain's case specifically, criminological studies on the subject of family clans are conspicuous by their absence. There is an extensive bibliography on organized crime, but it is focused almost exclusively on the groups and organizations traditional in Spain for decades. Therefore, for the production of this work, the primary source of information was articles published in the Spanish press, related to police operations against specific family clans, and especially on the information obtained in interviews conducted in July 2020 with two Spanish National Police officers from

the Drugs and Organized Crime Unit (UDYCO in Spanish) in the area of Campo de Gibraltar and the city of Granada, places with a proven presence of family clans linked above all to drug trafficking. These interviews provided new first-hand information on the characteristics and criminal activities of the family clans; information reproduced in the following sections.

General characteristics of family clans

As mentioned in several recently published reports (Consejo de Seguridad Nacional, 2019; Departamento de Seguridad Nacional, 2019), several groups and organizations exist in some regions of Spain. These groups monopolize the production, trafficking, and supply of illegal drugs, especially hashish and marijuana, and present a series of specific characteristics that partially distance them from traditional organized crime organizations. Clearly, the analysis of these characteristics is essential to design measures (police, criminal, judicial, and, if necessary, preventive measures) to deal with the phenomenon. Consequently, the first step to implementing successful control and prevention measures aimed at these dynamic but closed structures—thus difficult to understand from the outside—is to acquire a solid understanding of the peculiarities, structures, and realities of family clans associated with organized crime. What is more, these clans' descendants are socialized in a highly harmful environment, where the criminal business tends to perpetuate, with all its negative consequences.

Specifically, family clans in Spain have the following characteristics:

- They are opaque groupings, united in many cases by family, ethnic, or national ties. In most cases, family clans in Spain are of gypsy ethnicity (Ortega & Arroyo, 2020). Aspects such as endogamy, patriarchy or norms, values, and customs specific to that ethnic group (often in open contrast to those in general Spanish society) play an essential role not only in the context of criminal activities but also in their daily lives². As is the case with the Arab clans of Germany (Dienstbühl, 2020, p. 32), the family acts as a protection mechanism for the individual. Moreover, they are extended families; in some cases, the offspring may have as many as eight or ten children.

2 As is often the case with Gypsies living in Spain, these clans have an authority figure within the family. Thus, family matters are discussed and settled outside the legal system, based on agreements reached through the mediation of the family patriarch, even with events that have obvious criminal relevance. Moreover, masculinity and aggressiveness play an important role in these markedly patriarchal structures, attributes that are directly linked to power.

- They have considerable hierarchy and opacity. The *leader* of the organization (“the patriarch”) usually makes the decisions. He is respected and assisted by a select number of relatives also dedicated to the criminal business. However, as will be seen later, these clans often maintain contacts and business dealings with individuals not belonging to the clan, whether individuals or members of other organized groups, nationals, or foreigners. Not unlike in some South American countries (Bartolomé, 2018; Sampó & Quirós, 2018, p. 345), much of the drug trafficking-related crime in Spain is not linked to large cartels but to small, often family-based groups.
- These clans’ main criminal activity is drug trafficking, mainly hashish and marijuana, and secondarily cocaine and heroin. In addition to the production, storage, transport, and distribution of these toxic drugs, many family clans are also involved in stealing drugs from other groups and organizations (the so-called “rollovers”). However, other instrumental activities within the criminal spectrum must be mentioned. These activities, whose purpose is not strictly profit-generating but protecting or ensuring the criminal activity’s continuity, are necessary to develop the main activity. They include violent crime, extortion, and money laundering activities, which, as will be explained later, are gaining importance.
- For Spanish family clans, violence certainly plays a secondary role. In almost all cases, it is a question of *ad intra* violence against members of the clan itself, or other subjects and criminal groups, for instance, in cases of non-payment of debts, loss of merchandise, or betrayal. Also, the use of violence is noteworthy when stealing merchandise from rival organizations. Differently, violence against police forces is used only in exceptional cases. Thus, the levels of violence generated by family clans in Spain, without prejudice to the seriousness that, in specific cases, they can reach, are far from the violent activities carried out by traditional groups and organizations dedicated to drug trafficking and organized crime³.
- Several family clan members have criminal records not only for drug trafficking-related offenses but also common crimes. Many of the clans that operate in Campo de Gibraltar —mainly given its geographical location— initially engage in tobacco smuggling and later leap to drug trafficking. In more than

3 In this regard, recent episodes of violence by drug traffickers against the security forces in Campo de Gibraltar area have caused some alarm among the Spanish population. However, these violent acts cannot be directly attributed to the family clans, but rather to drug trafficking organizations dedicated, above all, to drug transportation (See Machado & Lázaro (2020)).

a few cases, a previous conviction for a crime of violent theft or injury has served to bring the subject, once in prison (the “university,” in clan slang), into contact with other inmates convicted of a drug trafficking crime.

- Contrary to other studies’ conclusions, women play a very secondary role in the context of family clan criminality⁴. Their activity is limited to sporadic collaboration in some criminal activities, without a preponderant role. They accept these activities and their husbands’ and childrens’ roles in them. They use the money obtained illicitly, sometimes in an unconscionable manner.
- Family clans have marked territoriality. They are mainly located in deteriorated neighborhoods with a low socioeconomic level, in locations that are attractive for the production, trafficking, and distribution of drugs, as is often the case in Granada, Malaga, or the Campo de Gibraltar area. These clans operate almost exclusively in what the Spanish police call their “comfort zone”; this allows them to control all movements in the neighborhood and defend themselves against possible threats or aggressions from other clans or organizations. It also allows them to feel somewhat secure from police action. It is surprising to note that, despite these clan members’ enormous economic resources from drug trafficking, they do not leave their neighborhoods, located –as mentioned– in deteriorated areas. They prefer to continue living in the neighborhood, in the area under their control.
- The clans operating in Spain have wide margins of penetration and implantation in the areas where they are established. In most cases, this generates, among other things, a tacit acceptance of their activities, connivance with them, and even protection of the clans by the rest of the neighborhood inhabitants. In the long run, this reduces the police forces’ effectiveness in dismantling a particular clan. In the Galicia region, this is what happened with the clans initially involved in tobacco smuggling (in the 1980s) and later in drug trafficking⁵.

4 A study by Giménez-Salinas et al. (2011) found that women play an important role in drug trafficking activities in Spain, especially hashish, cocaine, and synthetic drugs (pp. 14-16). These results corroborate other investigations carried out in other countries, which show a not insignificant percentage of women involved in activities related to organized crime.

5 In fact, the Rías Baixas society accepted, tolerated, and even admired these clans. The phrase “bring money, bring wealth” was constantly repeated in the areas where they operated; it had been heard since the first tobacco capos. As a result, most people opted to acquiesce to their activities (“Better to work for the clans than to steal. The kids will have to do something ...”). Thus, the line separating crime from (a sector of) Galician society was blurred. It was further blurred by the capos’ philanthropic attentions (Carretero, 2015, p. 113). Currently, people have learned to live with things that are clearly illegal in the neighborhoods and areas where family clans operate; this has prompted these areas and neighborhoods’ inhabitants to refrain from hindering activities such as drug trafficking.

- Their members tend to be unemployed in the vast majority of cases, without showing any interest in seeking employment. Moreover, many of these families are beneficiaries of social assistance. However, despite the lack of duly justified economic income, these clans' members have significant assets, both in terms of movable and immovable property (Villalba, 2019).
- Like the Arab family clans settled in Germany, the Arab family clan members in Spain (Cano, 2020) display a more than marked ostentation, although, officially, they are families without financial resources. Thus, it is not uncommon to see high-end cars driving around their neighborhoods or even members shopping in luxury stores, always paying in cash. This excessive ostentation is even displayed unabashedly through social networks.
- Money laundering is a tool for transferring drug trafficking profits into the legal, economic circuit. As will be seen later, these laundering activities occur mainly in the real estate market (land, commercial facilities, luxury residences) and the purchase of jewelry and high-end cars.
- In most cases, these clans enjoy wide margins of impunity by using the mechanisms of blackmail and extortion against victims and witnesses. This, together with the possibility of hiring prestigious defense lawyers, allows them to escape unscathed from a possible criminal proceeding.

Criminal activities

Drug Trafficking

By way of introduction, it should be noted that, in Spain, drug trafficking has always been the main activity of 60% of the organized crime groups operating in the country. Both national and international reports attribute Spain a key position in the global drug trade, especially as a transit country for cocaine from Latin America and hashish from Morocco (De la Corte & Giménez-Salinas, 2010, p. 359).

Although the drug market is undergoing some changes as conventional drugs co-exist with new psychoactive substances, whose sale is also related to organized crime, the truth is that cannabis remains the most trafficked toxic drug in Spain. According to the data provided by the 2019 *Annual Homeland Security Report*, a total of 349,489 kilograms of hashish were seized in Spain that year, compared to 436,963 kilograms seized in 2018; 39,861 kilograms of marijuana, versus 37 220 kilograms in 2018; 1,538,995 cannabis plants, compared to 981 148 seized in 2018; 234 kilograms of heroin, compared to 251 kilograms in 2018; and 267,632 units of MDMA (ecstasy), compared to 300 571 units seized in 2018 (Departamento de Seguridad Nacional, 2020, p. 45).

In analyzing the links between family clans in Spain and the world of drug trafficking, it should first be noted that, as a faithful reflection of the above statistics, these clans are mainly involved in hashish and marijuana trafficking-related activities. The following description of these family clans' *modus operandi*, in the area of Campo de Gibraltar (extreme south of the country, a few kilometers from the coasts of the Kingdom of Morocco) and the city of Granada, resulted from conversations with National Police agents assigned to the Drug and Organized Crime Units (UDYCO).

Regarding those operating in Campo de Gibraltar, their criminal activity is practically limited to transporting and safeguarding hashish from Morocco (which, it should be noted, is still the largest producer of hashish in the world). Thus, on the one hand, are the criminal organizations located in the Alawite kingdom; on the other, other criminal organizations, based in central and northern Europe, which are the ones that finally receive the drugs for their subsequent distribution. In between are the Spanish family clans dedicated to bringing the drugs into Spain and guarding them.

It can be stated that criminal organizations composed of Moroccan individuals dominate all phases of large-scale drug trafficking: production, transportation, and wholesale distribution (Peláez, 2017, p. 321). These Moroccan organizations contact the family clans settled in Campo de Gibraltar, which is only 15 kilometers away from the African coast. These contacts occur mainly in the border area. There, the work of the family clans consists of transporting the drugs from Morocco to Spain, using various systems. The most common is the so-called "drug transport" via speedboats and jet skis, which can cross the Strait of Gibraltar in just ten minutes due to their great power. Once the shipment of hashish (in police jargon, "gomas") arrives on Spanish shores, family clan members or persons hired for this purpose quickly unloaded it. Often, it is the Moroccan groups that provide the family clans the infrastructure for transportation.

Another way of transporting the drug is by truck or maritime containers, taking advantage of the enormous daily transit of goods between the African continent and Europe and the Moroccan hashish-producing organizations' infrastructure and logistics. It is also transported in private vehicles using the double bottom system. Finally, the drug is often transported across the border attached to or inside an individual's body or hidden in luggage.

Once the drugs are received in Spain, they are stored in "nurseries" (homes, warehouses, or industrial buildings) for subsequent shipment and distribution to the rest of Europe. It should be noted that a Moroccan citizen member of the parent organization is usually present both during the drugs' transport and their subsequent storage in Spain to prevent drug theft by family clans or third parties. The Spanish family clans

are usually paid in cash for their activities. In some cases, they are also paid in specific quantities of hashish, which the clans traffic in Spanish territory.

From this, it can be affirmed that the family clans in the Campo de Gibraltar area act similarly to the Galician clans dedicated to the “narco-transportation” of cocaine from Latin America, especially in the 1990s and early 2000s. At this time, the large Colombian cartels contacted the Galician clans to introduce the drugs through the Galician coast. Considering this region’s extensive coastline and the terrain’s complicated orography, the Colombians relied on the Galicians’ expertise to bring the drugs into Spain using boats equipped with high-powered engines (*narco-boats*). Thus, the Galician clans’ mission was limited to the drugs’ transport and safekeeping. The Colombians, based in Spanish towns, were responsible for the distribution and sale of cocaine throughout Europe in association with other criminal organizations, mainly Italian, English, and French (Sampó, 2016, pp. 7-8). This *modus operandi* benefited both parties. For the Spanish clans, it represented a significant source of income without the worries of production and distribution. For the Colombian cartels, it enabled their access to the European market. The fee for transport and storage was usually requested in cash, sometimes in drugs, allowing the Galician clans, in turn, to become distributors (Peláez, 2017, p. 326).

As noted above, the final destination of hashish arriving in Spain is central and northern Europe. The reason is obvious: Moroccan organizations know that a kilogram of hashish is more expensive the more borders it crosses, so it is in their interest to distribute it in countries such as France, Germany, the United Kingdom, or Poland, places where a kilogram of hashish can cost well over 3000 euros. To this end, they have contacts with other European criminal organizations dedicated to distribution at the destination. The drugs are mainly transported by road from Spain using trucks. The drugs are hidden among tons of legal merchandise. Large-cylinder cars that cross the peninsula at high speed are also used, always preceded by another “shuttle vehicle” that drives several kilometers ahead and warns them of police checkpoints.

Although the family clans operating in Campo de Gibraltar are mainly involved in the transport and safeguarding of hashish from Morocco, they have recently discovered the volume of business from the cultivation of *indoor* marijuana plants; this activity has increased considerably in the last few years (Ortega & Arroyo, 2020).

In the case of the family clans living in Granada, their drug trafficking-related activities show certain similarities with the clans settled in Campo de Gibraltar. However, there are also marked differences, mainly due to environmental factors. Thus, contrary to the former, the Granada clans are mainly involved with marijuana, however, not restricted to transport-related tasks. Their main activity is cultivating *indoor* cannabis

plants in industrial warehouses, but above all, in homes in the neighborhoods where these families live and houses throughout Granada's metropolitan area. As reflected in the statistical data published by the *2019 Annual Homeland Security Report*, In Spain, as in other parts of Europe, there has been a considerable increase in the cultivation of cannabis in high-yield *indoor* facilities using modern cultivation techniques imported mainly from the Netherlands (Departamento de Seguridad Nacional, 2020).

These family clans dedicated to marijuana are increasingly diversifying their plantations. They are acquiring more apartments and houses for rent or ownership, able to harvest an average of four or five crops per year (Ortega & Arroyo, 2020). By way of example, a 60 m² apartment planted with marijuana represents 12,000 euros for a yield that takes two or three months to harvest (Villalba, 2020). In most cases, they obtain the electricity necessary for maintaining the crop illegally through electricity fraud. Often, these family clans buy the drugs from individuals outside a family clan who grow the drugs independently. Concerning this, it has been observed that Spain's recent economic crisis has pushed both families and young individuals to engage in the cultivation of marijuana, an activity yielding considerable economic benefits easily and with little risk. It is also worth noting that, on many occasions, family clans steal drugs from other clans, using violence if necessary (the so-called "*vuelcos*").

Once the drug is obtained, it is packaged and stored for subsequent sale and transport. Family clans contact criminal organizations in the rest of Europe and sell them the drugs for further distribution. Like the Campo de Gibraltar clans, the Granada family clans are aware that drugs are more valuable in central and northern Europe than the Spanish territory. When an agreement is reached with an organization, payment is received in cash or in-kind, in the same drugs (or others like cocaine) or material goods such as luxury cars.

The drugs are usually transported by road using the same system used by the clans in Campo de Gibraltar (high-end cars and cargo trucks); this is generally assumed by the group that has purchased the drugs. With two highways connecting it with the rest of the peninsula and the border with France, Granada's geographical location facilitates this means of transporting marijuana.

Finally, it should be noted that some of these family clans, both in Granada and Campo de Gibraltar areas, are also involved in cocaine and heroin retailing activities. They acquire them –in small doses– not only from Colombian cartels or Turkish or Nigerian groups but also as in-kind payment for the hashish and marijuana they traffic. However, this activity is carried out on a residual basis. Even considering the amount of profit that cocaine trafficking brings, the clan members are aware that the penalties for these two substances' trafficking and distribution are more severe than cannabis.

Violent crimes

As theory has shown, violence is a fundamental element in organized crime groups and organizations (Giménez-Salinas, 2012, p. 15); its use has different objectives depending on the victims to whom it is directed. On the one hand, we have *ad intra* violence, which usually serves disciplinary purposes when it is exercised against the organization's own members. On the other, there is *ad extra* violence directed at different groups. The latter has defensive purposes when it is directed at members of public institutions or subjects belonging to other organizations. In other cases, it has commercial or business purposes when violent acts are needed to develop the illegal business, for instance, when different organizations fight for control of a particular market. Finally, criminal groups and organizations also apply *ad extra* violence of an instrumental nature. Its addressee may be, for example, the general public when it directly or indirectly hinders the development of its activities.

As for the use of violence by family clans in Spain, the first thing to note is that it is nowhere near the volume attributable to traditional organized crime organizations. In fact, there has recently been an increase in violence (kidnappings and homicides) in *traditional* drug trafficking organizations in Spain, especially "inter-group" violence (Peláez, 2017, p. 323). For instance, the wave of violent deaths in the last two years in Costa del Sol, especially in Torremolinos and Estepona, responds to the settling of scores between rival groups or gangs involved in drug trafficking. This increase is attributed mainly to the settling of scores in contexts of non-payment of debts contracted in drug trafficking. These contexts have occasionally had the collateral effect of also directing violence against security forces (Machado & Lázaro, 2020). However, in the case of Spain, the victims of violence associated with drug trafficking are in the vast majority of cases related to the business itself, unlike in other countries (Méndez, 2018, p. 263).

In the case of family clans, violence certainly plays a secondary role. In almost all cases, the violence is *ad intra* against other clan members or other criminal groups, for example, in cases of non-payment of debts, loss of merchandise, or suspicion of denouncement. In practically none of the cases has this violence resulted in the death of the victim. Also noteworthy is the use of violence to steal merchandise from rival organizations (the so-called "*vuelcos*"), an activity that has proliferated recently, especially among family clans operating in Granada. There are also data indicating that, on specific occasions, members of the clans have used violence to get other individuals or families to make their homes available to them for *indoor* marijuana cultivation. The violence against police forces is absolutely exceptional, unlike the family clans of Arab origin settled in Germany's case (Cano, 2020).

Extortion

Extortion crimes also stand out among the activities carried out by these clans. In these cases, threats and coercion are mostly directed against victims and witnesses, who are forced to withdraw the complaint filed or refuse testimony before the police or judge (Villalba, 2019). These threats and coercions are often accompanied by the offer of a significant amount of money in exchange for silence, providing many members of the family vast margins of impunity, as the lack of evidence leads to the acquittal of the accused. Acts of extortion against members of the clan itself and other clans have also been observed. Their origin lies in the non-payment of debts contracted or the non-fulfillment of certain obligations. Finally, acts of extortion also occur in these clans' areas of residence, when, for example, a clan demands to use a family's home for the cultivation of marijuana.

On the other hand, and, again, in contrast to the family clans that operate in countries like Germany (Cano, 2020), no extortion acts have been recorded targeting individuals in the same ethnocultural or geographical context. For example, demanding sums of money from owners of entertainment venues, restaurants, or jewelry stores in exchange for protection or similar services.

Money laundering

The criminal groups and organizations' motivation for profit explains why money laundering is essential to mask and legally reuse illegally obtained funds. Money laundering, associated with specific crimes and, on occasions, concurrent with other forms of economic and financial crime, is the primary instrument used by criminal organizations and groups to hide, relocate, and make available the illicit profits generated by their criminal activity.

Here, there are also differences between the traditional organized crime groups operating in Spain and the family clans under study. Traditional organized crime groups have been masterfully using the circuits through which their profits must pass, making use of the most sophisticated mechanisms such as front companies, tax havens, and intermediary companies, among others. Professionals and experts hired at a very high price by the organization (lawyers, consultants, managers, and notaries, among others) usually carry out all these financial operations. They are assisted by an entire network of collaborators in charge of minor tasks, such as transporting, safekeeping, transferring, and depositing the money in bank accounts (De la Corte & Giménez-Salinas, 2010, pp. 365-366).

In contrast, the family clans' laundering activities are carried out in a simpler and less sophisticated manner. Mainly, through the acquisition of goods and services, sometimes in movable goods (high-end cars, jewelry, gold investments), but especially in real estate (investment properties or land on which to build them), or through businesses (stores, bars, restaurants, and entertainment venues, among others). Although they also have the relevant legal advice to carry out these laundering activities, it is more limited than in the case of large drug trafficking organizations. However, they do share the connivance or participation of individuals or companies that, despite knowing the money's illicit origin, show no qualms about collaborating with the laundering, using mechanisms like false invoices, or collecting the black money. These transactions occur in the construction sector, the automobile market, or even in the banking sector (Peláez, 2017, p. 330).

This ability to camouflage their criminal activity in the legal economy evidences the insufficiency of convicting their leaders and members to confine these clans. A clan's blocking would undoubtedly involve eliminating patrimonial advantages, that is, the profit motive. First, this suppression must be achieved through the adequate incrimination of the crime of money laundering and, second, through the establishment of an effective system of confiscation of the proceeds of crime. All these issues will be addressed in the second part of this paper, which will be published soon.

Factors facilitating the phenomenon

Geographical and criminal environment

There is no doubt that Spain enjoys a particularly favorable geographical location for organized crime organizations. Three factors have favored the illegal opportunities that Spain presents to organized crime –not only limited to drug trafficking: 1) proximity to the African continent; 2) the extensive coastal perimeter of the Iberian Peninsula; and 3) the historical ties that unite Spain with the American continent.

If the distance separating the Iberian Peninsula from Morocco –the world's largest producer of hashish– were not so short, Spain's relationship with trafficking in this substance would not be so tight. Drug (or human) trafficking activities have also benefited from the advantages offered by the Spanish orography, with its abundant and extensive coastline (De la Corte & Giménez-Salinas, 2010, pp. 368-369). This geographical particularity makes it possible to move illegal goods and people by sea, which is more difficult to monitor and control than overland routes. Finally, a third variable to be taken into account, particularly relevant in drug trafficking, is the relations of Latin American cocaine trafficking cartels with groups and organizations based in Spain.

Sharing a somewhat common language and culture has long made Spain the gateway for cocaine to Europe. These factors not only influence the criminal activities of large criminal groups and organizations but also that of family clans.

On the other hand, in Spain as elsewhere, organized crime is not randomly distributed geographically. Specific territorial enclaves, especially urban ones, are much more favorable than others. In many cases, there is an existing criminal environment before the actual emergence of organized crime (De la Corte & Giménez-Salinas, 2010, pp. 238-239). This situation is apparent upon analyzing the environmental element associated with family clans operating in Spain. Their place of settlement is traditionally characterized by high crime rates and high urban decay, which encourages deviant and criminal activities. Thus, both types of crime (common and organized) are fueled by equivalent environmental, economic, and social conditions.

Moreover, environments characterized by a particular local tradition of connivance or tolerance of common crime are an excellent breeding ground for the genesis and consolidation of organizations and groups linked to organized crime. This is, precisely, what has happened, for example, with the family clans settled in the area of Campo de Gibraltar and Granada. In both cases, the neighborhoods where these clans settle are areas of social exclusion, where urban deterioration and high crime rates have persisted over the years.

Family factors

For decades, criminology has been involved with investigating the family factors that contribute to the genesis and consolidation of criminal activity within groups or organizations linked by family ties (Ianni & Reuss-Ianni, 1972). It is undeniable that, in general, the nuclear family constitutes a microcosm where a series of norms, values, and attitudes are transferred to the following generations, which may be prosocial or, on the contrary, deviant. In the case of family clans operating in Spain, a series of family factors can be considered risk factors explaining their repeated criminal activity.

First, parents with a criminal record or involved in criminal activities are less able or motivated to teach their children a series of prosocial values when they fail to be role models (Farrington, 2002). On the contrary, these parents teach their children criminal skills, or, at least, they repeatedly display certain deviant behaviors that their offspring tend to imitate. As Spapens and Moors (2019) indicate in their study on the intergenerational transmission of crime in several families linked to organized crime in the Netherlands, growing up in a family where crime is accepted as a way of life and where criminal activities functionally contribute to wealth and independence is a major educational (risk) factor (p. 236). Moreover, a minor's internalization that violence is a

useful tool to solve problems will encourage its use throughout the minor's life whenever the opportunity arises. Well, this is evident in the family clans settled in Spain.

Secondly, inbreeding –a characteristic element of the family clans (certainly the majority) of gypsy ethnicity– should be considered a risk factor, especially when observing these clans' closed and opaque nature, which is manifested in institutions such as marriage. Their members generally choose partners with whom they may even have family ties but who, above all, have a similar set of ideas and behaviors, so they willingly accept criminal activities as a way of life.

Thirdly, and in connection with their opaque and closed structure, the family clan members voluntarily distance themselves from the institutional environment, especially from authorities that claim to positively influence their behavior (school, and social services, among others). From a strictly criminological perspective, it could be unequivocally stated that family clans constitute authentic criminal subcultures (Cohen, 1955), meaning that agencies such as social services are completely unaware of the minors' situation, which prevents them from intervening in situations of risk. The same applies to school. This aspect will be referred to later from another perspective.

Fourth and lastly, the mothers in the family clans do not seem to have the resources and tools necessary to raise their children adequately. Hence, they are unable to provide them with the educational and emotional structure they need. In more than a few cases, these children do not have their father as a role model, either because he has passed away or is in prison, making the mother a figure of crucial importance to them. Therefore, if she is also to a greater or lesser extent involved in criminal activities or instills norms and values that justify crime in her children, they will find it tremendously difficult to escape the criminal environment.

These four family factors, which act as risk factors, could explain the criminal dynamics associated with the clans studied. However, as noted at the beginning of this article, the relevant criminological studies are still insufficient to support these assumptions empirically.

By way of comparative analysis, we can conclude with family factors by mentioning the situation in Germany (Cano, 2020). In this country, most of the minors of Arab family clans in the mentioned criminal structures grow up unchecked. As a result, from a very early age, these minors also commit criminal acts. The children find no possibility of support and education in these families towards their integration into German society. The adult male members show a marked disposition to exercise violence, which they also display within the family, either towards their children, spouse, or relatives. Thus, the children of Arab clans mostly internalize these behavioral patterns. They have learned that their actions are not subject to limits and progressively terrorizing practically the entire extra-familial environment.

Recognition in the neighborhood and at school reinforces these behaviors. Everyone knows that behind a ten-year-old child, there is a family known to willingly use violence to defend one of its members and impose its interests without contemplation (Heisig, 2010, p. 93), which sometimes leads to a lack of action by the school or social services. There is no doubt that for these young people who have not integrated into German society and have low educational success, delinquency ultimately serves as a springboard for their establishment in the ethnic community. It is also a means of access to material goods, which also bring them a certain status.

Political and institutional factors

Following the mentioned study on organized crime by De la Corte and Giménez-Salinas (2010), political and institutional factors exist that may be conducive to the emergence and consolidation of activities linked to the organized crime context of a given country. As shown below, these factors may also explain the phenomenon of family clans and their criminal activities. Specifically, these are the following: 1) the legal system, 2) institutional control of crime, and 3) corruption (De la Corte & Giménez-Salinas, 2010, pp. 231-234).

As for the former, the existence of criminal laws that punish organized crime-related offenses more leniently than in other countries may undoubtedly favor the phenomenon; this is currently the case in Spain. The drug trafficking offenses included in the Penal Code (PC) have typologies that, in some cases, carry a penalty that is, clearly, more lenient than that provided for in other European countries. In this regard, the provisions of article 368 of the PC, which contains the following wording, are enlightening:

Those who carry out acts of cultivation, processing, or trafficking, or otherwise promote, favor or facilitate the illegal consumption of intoxicating drugs, narcotic drugs, or psychotropic substances, or possess them for those purposes, shall be punished with imprisonment of three to six years and a fine of three times the value of the drug that is the object of the crime if the substances or products in question cause serious damage to health, and imprisonment of one to three years and a fine of one to two times the amount in other cases. Notwithstanding the provisions of the preceding paragraph, the courts may impose a penalty lower in degree than those indicated in view of the minor nature of the act and the personal circumstances of the guilty party.

As reiterated by law enforcement agencies working against drug trafficking, such lenient sentences are not in any way intimidating for clan members. They assume that, if convicted, their stay in prison will be short.

Regarding the factor of institutional control of crime, regardless of the criminal legal system's severity or laxity, the fact that it cannot be applied to criminal reality means that organized crime can move unchecked with wide margins of impunity. The previous occurs when the established legal order is not supported by an upstanding justice system and strong security agencies. According to De la Corte & Giménez-Salinas (2010), these deficiencies may be due, on the one hand, to a lack of means, preparation, and resources of judicial and police bodies; on the other, they may be due to the existence of repressive priorities that, in some instances, may relegate the treatment of organized crime to a secondary plane (p. 233). This situation has been seen recently in Spain, where the violence and spectacle associated with terrorist crime (which Spain has suffered directly) has translated into an investment in efforts and resources to combat it far greater than those invested in pursuing organized crime. However, as will be seen in the second part of this article, police and judicial activity against organized crime has improved significantly in recent times.

Finally, corruption –that, if necessary, can permeate the political, social, or institutional segments of a country– is a factor that undoubtedly fosters organized crime (Chabat, 2010, p. 9). In this regard, research corroborates that organized crime is more prevalent in countries that suffer from widespread corruption at all levels, affecting private citizens, businesses, political parties, and government officials. Spain –not reaching the levels of corruption of some Latin American countries (Mejías, 2016, pp. 15-16)– is a glaring example of how corruption can favor the birth and survival of organized crime, including the linked to family clans. The reason for this is that, as De la Corte and Giménez-Salinas (2010, p. 234) rightly point out, it is much easier to deploy organized crime activities where corruption is an ingrained habit in society.

Social factors

It should be noted that the risk factors related to the social environment in which family clans operate are either similar to family factors or their indirect consequence. The fact that the clans are isolated and closed subcultures, with norms and values that differ considerably from those of the rest of society, eventually leads to stigmatization (*labeling*), social exclusion, and negative reputation (Spapens & Moors, 2019, p. 230); this is especially true for clan minors. Some studies indicate that the children of families linked to organized crime witness more traumatic experiences in their childhood and youth than the children of other criminals, such as witnessing a police raid on the home in the wee hours of the morning or the shooting of a family member by members of another clan, for example (Van Dijk et al., 2018, p. 356).

Furthermore, a family clan's bad reputation can have social effects that are projected into different contexts. On the one hand, victims and witnesses who have had contact with a family clan may be reluctant to report a particular event or testify before the police or the judge, as it is precisely the bad reputation that acts as an intimidating element (Spapens & Moors, 2019, p. 236). As noted previously, this is an inherent characteristic of the family clans settled in Spain. On the other, as mentioned, a clan's links to organized crime also motivate social and youth protection services to be reluctant to work with these families for fear of threats or coercion. Social service workers, for example, may decide not to interact with these families, thus failing to carry out interventions that are otherwise normal in less severe cases. Again, the corresponding criminological studies are required to ratify these assumptions. Similarly, schools may prefer not to provide information to the authorities in cases of absenteeism or violent or unruly acts by minors belonging to a clan out of fear of possible reprisals from adult clan members known for their violence. As some studies point out in these cases, likely, the children do not receive the necessary support to prevent them from following in their parents' footsteps (Van Dijk et al., 2018, p. 358).

Finally, reference should be made to the real or perceived deprivations of family clans settled in Spain. Like with other family structures linked to organized crime in countries such as Germany or the Netherlands, it cannot be assumed that socio-economic marginalization exists in the strict sense of the word (Cano, 2020; Van Dijk et al., 2018). Indeed, most of the children who belong to family clans in Spain do not grow up in situations of poverty, so this cannot be a trigger for them to leap into delinquency. However, although deprivation in terms of poverty or socioeconomic standards does not apply to this type of family, other types of deprivation (e.g., social, moral) can be the basis for the intergenerational continuation of criminal behavior. For example, the theory of tension (Merton, 1938) establishes that socioeconomic factors should not only be considered risk factors for criminal behavior, but other factors (namely, "stressors") such as negative family reputation may have a correlation with criminal behavior in these clans' successive generations.

The opportunity factor

In one way or another, the opportunity factor is linked to the environment in which criminal activities occur. In other words, it is not found in the individual or the social group to which the individual belongs, but rather in the physical environment, which provokes or facilitates the criminal act. In the case of family clans operating in Spain, their relationship with crime does not originate in drug trafficking; instead, they are

individuals and families who have become involved in criminal activities over the years and in successive generations⁶. At some point, for the reasons explained below, these families decided to leap into organized crime because of the vast profit margins compared to the benevolent penalties foreseen for these conducts.

First, as the case has been in the Netherlands and the United Kingdom (Spapens & Moors, 2019, p. 238), the possibility of growing marijuana plants in homes or industrial buildings has allowed these clans to produce the drug themselves at meager costs (as indicated, using illegal electricity hook-ups) and large profit margins. In other cases, the clans buy the drugs cultivated by hundreds of individuals living in their “comfort zone.” Regarding the family clans operating in Campo de Gibraltar, it is important to remember the proximity of the area where they live to Morocco, the world’s leading producer of hashish.

Secondly, the high demand for cannabis, both in Spain and the rest of Europe, encourages the clans to continue this flourishing business (Ortega & Arroyo, 2020). Thirdly and lastly, the penalties for their criminal activities have no inhibitory effect whatsoever. On the one hand, it is very unlikely that they will go to prison, given the wide margins of impunity they enjoy. On the other, in the event of serving a prison sentence, its short duration ensures that other family clan members can maintain the business during that time of inactivity.

These aspects, associated with the opportunity factor, explain why, despite increased police activity, family clans can continue to operate in different locations, aware that the benefits they obtain through drug trafficking more than compensate for any setbacks caused by government activity.

Conclusions

As various police reports point out, groups and organizations have monopolized the production, trafficking, and supply of illegal drugs in some regions of Spain for some years now. They display many of the characteristics associated with family clans in the context of organized crime. These are opaque structures linked in many cases by family, ethnic, or national ties that, in addition to crimes against public health, also commit other violent crimes in the context of their activities. Moreover, they often enjoy wide

6 Something similar happened with the Galician clans dedicated to bringing cocaine shipments from Latin America into Spain. In the 1980s, these clans were already involved in tobacco smuggling. When the Spanish legislator finally criminalized smuggling, Galician smugglers shifted to toxic drugs, mainly due to the opportunity presented by this illicit business. The logistical structure was similar to smuggling, but with two crucial innovations: 1) transporting cocaine involved less effort than bringing in tobacco, basically because of size; 2) the profits they made from drug trafficking were infinitely higher from tobacco smuggling.

margins of impunity by using the mechanisms of blackmail and extortion against victims and witnesses, which, coupled with the possibility of retaining prestigious defense attorneys, allows them to escape liability for any possible criminal prosecution. Lastly, these clans use money laundering as a tool to transfer the profits from drug trafficking to the legal, economic circuit. Thus, these family clans based in Spain are becoming one of the most pressing concerns for law enforcement agencies because, among other reasons, despite the increase in police operations against these structures, they continue to act with significant margins of impunity. These criminal structures have consolidated over the years, increasing their presence and, above all, power in the areas where they are based.

Besides analyzing the characteristics and criminal activities associated with clan criminality from a criminological perspective, this article has addressed the risk factors considered in making the birth and consolidation of these criminal family structures possible. However, in Spain, these are hypotheses that still need the corresponding empirical support from criminology. At this point, the question that arises is what police, criminal, and judicial measures should be put on the table in Spain to act as effectively as possible against this phenomenon.

Based on the above, the first conclusion is that the fight against this growing social problem must be tackled from different institutional levels, not only through police prosecution. This action and a zero-tolerance strategy –although necessary measures– are not sufficient on their own. Furthermore, the penalties currently provided for drug trafficking activities linked to these clans are, in some cases, not sufficiently dissuasive. Consequently, effective police and judicial work must be combined with both criminal legislation and preventive work; this has yet to be developed in Spain. Logically, this preventive work should not be the exclusive competence of the police.

This article will be completed in the second research and expected to be published in this journal. It will analyze police, criminal, judicial, and other measures of a preventive strategy promoted –or that should be promoted– to address the phenomenon of criminality in these clans in Spain.

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