

## **Criminal and Victim Profiles in Art Theft: Motive, Opportunity and Repeat Victimisation** Simon Mackenzie, Dept of Criminology, Keele University

In 1994, criminologist John Conklin published a book on a topic he noted to have 'so far escaped the attention of criminologists: crime that involves works of art'.<sup>1</sup> The material he focussed on in the book, which remains one of the few sources for criminologists interested in art crime, was largely drawn from the media:

'Because there was little social scientific research to draw on for this book, most of the raw material comes from newspapers, art magazines, and a newsletter published by the International Foundation for Art Research'.<sup>2</sup>

It remains the case a decade later that there is little social scientific research on which to draw in relation to the phenomenon of art theft. There have, however, been developments in three areas, which suggest that returning to Conklin's work and updating it may prove useful. These three areas are: advances made in techniques of criminal profiling; the generation of a considerable amount of criminological literature on patterns of repeat victimisation; and of course the additional raw data of the various art thefts which have occurred since Conklin published in the mid-nineties.

Conklin used the framework of Routine Activities Theory (RAT) to explain art theft. RAT was developed by criminologists in the late 1970s and early 1980s to explain, in highly practical terms, geographical patterns of crime.<sup>3</sup> The theory proposes that crime is likely to occur where three factors are present: a suitable target; a motivated offender; and an absence of capable guardians. This perhaps seems a statement of the blatantly obvious, but it does help to focus our attention on the central practical components of most art thefts.

In the first section below, we shall address the issue of the 'motivated offender': why are some people motivated to steal artworks, and what kind of people are they? In the second section we shall examine the other two components of RAT, under the auspices of repeat victimisation: is the repeated theft of certain artworks explicable with reference to some quality inherent to the work itself, or can repeat thefts be explained with reference to the suitability of the particular target and the habitual absence of adequate security measures?

### **Profile of an art thief: the myth of the gentleman thief dispelled**

Offender profiling brings a psychological approach to the task of crime detection through the provision of information designed to assist in the identification of offenders.<sup>4</sup> It works on the basis of probability. Prior solved offences of a certain type are aggregated with a detailed emphasis on consistencies that may be found between crime scene evidence and personality or other traits of the convicted offenders.<sup>5</sup> Categories of offender 'type' are then formed which can be applied to unsolved crimes with the purpose of inferring offender characteristics that might assist a police investigation. One of the great myths of offender profiling is that it can yield quite specific information.<sup>6</sup> In fact, what is produced is rather general: often some or all of demographic information; education level; family characteristics; age.

Offender profiling began as a study of the characteristics of rape and homicide offenders. It has since its inception branched out into property offences such as burglary. One of the considerable advantages the art theft profiler has over the burglary profiler is that whereas burglary victims often can tell the police nothing about the offenders, for obvious reasons, art thefts are frequently visible

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<sup>1</sup> J.E. Conklin (1994), *Art Crime*. Westport, CT: Praeger, preface.

<sup>2</sup> *Ibid*, p.2.

<sup>3</sup> L.E. Cohen and M. Felson (1979), 'Social Change and Crime Rate Trends: a Routine Activity Approach', *American Sociological Review*, 44: 588-608; P.J. Brantingham and P.L. Brantingham, eds., (1981), *Environmental Criminology*. Beverly Hills: Sage; P.J. Brantingham and P.L. Brantingham (1984), *Patterns in Crime*. New York: Macmillan.

<sup>4</sup> D. Canter (1989), 'Offender Profiles', *The Psychologist*, 2: 12-6.

<sup>5</sup> J.L. Jackson and D.A. Bekerian, eds., (1997), *Offender Profiling: Theory, Research and Practice*. Chichester, UK: John Wiley & Sons.

<sup>6</sup> J.L. Jackson, P. van den Eshof and E.E. de Kleuver (1997), 'A Research Approach to Offender Profiling', in J.L. Jackson and D.A. Bekerian, eds., *Offender Profiling: Research, Theory and Practice*. Chichester, UK: John Wiley & Sons.

either in real time or on CCTV. We therefore know more about art thieves who are not caught than we do about burglars who are not caught. Factors such as the number of offenders, their dress, the speed at which they perform their crime and any other idiosyncrasies not visible *ex post facto* at the crime scene, are frequently lost to police investigating routine surreptitious burglaries of unoccupied houses, but such data may be available in relation to thefts from galleries where staff and members of the public are present – particularly if these spaces are equipped with CCTV.

Geographic profiling, an aspect of offender profiling, actually finds its roots in the RAT that Conklin uses to analyse art crime. Brantingham and Brantingham have suggested that to understand the geographical location of crimes, we need a detailed understanding of what they call the 'target backcloth', which is to say that the spatial dynamics of opportunity influence crime sites.<sup>7</sup> As with many other offender profiling techniques, however, geographic profiling is of limited use in an analysis of art theft. This is because the geographic locations of art theft are generally wholly influenced by museum or gallery location and therefore are similarly wholly outwith the control of the offender. Thefts from private dwellings form an exception to this rule, but the general rule stands that if you want to steal the Mona Lisa (again) you have to do it at the Louvre.

The worth of geographic profiling is exemplified where an analysis of multiple crimes reveal consistencies suggesting a single offender, and where a mapping of these crimes reveals a relatively uniform target backcloth – i.e. randomly spaced crimes patterned throughout a given area. This area can be suspected to be the offender's 'activity area',<sup>8</sup> which RAT tells us will likely include his residence and/or places of work and leisure. No such pattern will emerge in relation to targeted crimes against non-random victims such as art thefts, but this is not to say that geographic profiling techniques are entirely useless in an analysis of thefts from such spatially-determined targets.

What *is* within the offender's control in the planning of an art theft is in selecting a target based upon an appraisal of the opportunities it presents for success. Opportunity is always a perception, of course, and in this respect geographic profiling can be of some use in thinking about art theft. Davies describes the RAT approach to profiling:

[P]eople's activities are mainly confined to familiar neighbourhoods, which are often, but not always, close to their home base. Each individual has in his/her mind an internal representation of the world that surrounds him/her. This has been referred to as a 'cognitive map'. Familiar neighbourhoods are important components of these 'maps' and would typically include localities centred on 'anchor points' such as an individual's present and past homes, places of work, shopping and recreation, together with other frequently visited locations... The development of cognitive maps is affected by personal factors, such as age and socio-economic status together with environmental factors such as urban structure. Many criminals are both young and poor and, as might be expected, previous research studies have shown that many crimes occur close to offenders' homes.<sup>9</sup>

Cognitive mapping theory fits well with an observed history of theft by employees and other insiders. It also suggests that many art thieves are regular visitors to the museums they target, and may even live nearby. We must balance such a proposition with the observation that the more professional the thief, the more likely he is to have the capacity and willingness to travel to commit his crime. It has also been found that the distance travelled to commit a robbery is correlated to the value of the property obtained,<sup>10</sup> suggesting that thefts of high value art may well be an exception to normal geographical patterns of everyday offending.

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<sup>7</sup> P.J. Brantingham and P.L. Brantingham (1993), 'Environment, Routine and Situation: Toward a Pattern Theory of Crime', in R.V. Clarke and M. Felson, eds., *Routine Activity and Rational Choice*. New Brunswick, NJ: Transaction.

<sup>8</sup> D.K. Rossmo (1997), 'Geographic Profiling', in J.L. Jackson and D.A. Bekerian, eds., *Offender Profiling: Theory, Research and Practice*. Chichester, UK: John Wiley & Sons, p. 165.

<sup>9</sup> A. Davies (1997), 'Specific Profile Analysis: a Data-based Approach to Offender Profiling', in J.L. Jackson and D.A. Bekerian, eds., *Offender Profiling: Theory, Research and Practice*. Chichester, UK: John Wiley & Sons, p. 194; citing P.J. Brantingham and P.L. Brantingham (1984), *Patterns in Crime*. New York: Macmillan; R.M. Downs and D. Stea (1973), 'Cognitive Maps and Spatial Behaviour', in R.M. Downs and D. Stea, eds., *Image and Environment: Cognitive Mapping and Spatial Behaviour*. Chicago: Alstine; R.M. Downs and D. Stea (1977), *Maps in Mind: Reflections on Cognitive Mapping*. New York: Harper and Row; Brantingham and P.L. Brantingham, eds., (1981), *Environmental Criminology*. Prospect Heights, IL: Waveland.

<sup>10</sup> D. Capone and W.J. Nichols (1975), 'Crime and Distance: an Analysis of Offender Behaviour in Space', *Proceedings of the Association of American Geographers*, 7: 45-9.

The suitability of a target depends upon certain factors inherent to the object such as size, value, and marketability. It also, however, depends upon factors that have often gone under-analysed in relation to art theft: these are the possibility of a relationship between the offender and the object. Some art thefts appear rather random, committed by professional thieves motivated purely by money. We shall see in the next section that in fact even these thefts are not entirely random, and there are recurring features of major art heists that we can use to make sense of the crime. Here, though, we should focus on the offender. Certain things may transform an artwork into a 'suitable target' for a particular offender. The most obvious of these is if the offender has some level of privileged access to the work. Many thefts have been committed by employees of the institution where the target is held. Examples include the 1911 theft of the Mona Lisa from the Louvre; the 1961 theft by two Italian priests of \$1.2 million worth of objects from their church;<sup>11</sup> the 1978 theft of three Cezannes from the Art Institute of Chicago;<sup>12</sup> the 1988 theft of 81 Asian pieces from a museum in Baltimore by its night security supervisor; and the 2003 theft of a sketch of Christ from the cross from Riker's Island jail in New York by three of the prison guards.<sup>13</sup> It is a criminological truism that you are most likely to be killed by someone you know. Likewise, it appears that there is a parallel in the world of art crime: in suspicious disappearances of art works those with the opportunity should be the first subjects of investigation.

Speculating, Conklin supposes that:

... art thefts are probably better planned than the average theft, and probably executed by more experienced thieves as well...<sup>14</sup>

This may be so for some art thefts, but it is not true for all of them. So what types of art thieves are there? It may be useful to categorise art thieves according to motive: thus we can divide art thieves into art-motivated offenders and profit-motivated offenders. This is a helpful division as the characteristics of art-motivated thefts are usually very different from profit-motivated thefts. One might add a third category, based on past experience, of politically-motivated art theft, but these being relatively rare we shall focus on a two-fold division of motivation here.

### **Art-motivated thieves**

The art-motivated thief wants the art for his own personal possession. He wants to live with it, view it in detail, repeatedly and at his leisure; perhaps he wants to touch it and is not allowed to do so when it is on public display. He is not likely to be a professional thief, but merely someone for whom the particular work of art has taken on a special meaning as something ineluctably desirable. His lack of past criminal experience suggests two attributes: one psychological and one practical.

The psychological attribute is his likely use of what criminologists call 'techniques of neutralisation'. Habitual professional criminals can routinise the performance of illegal acts, taking on a criminal self-concept with which they are reasonably comfortable. Those who are not career criminals circumvent the psychological trauma of law-breaking by constructing arguments that justify or excuse their action. Art-motivated thieves will therefore perhaps focus on the ways museums diminish the viewing experience through crowded rooms, transparent screens around the artworks, and inappropriate illumination. They might also consider the love with which they will cherish the work to outweigh the loss to the museum or the public.<sup>15</sup>

The practical attribute is that he is likely to have to enjoy relatively unfettered access to the artwork in order to affect its theft. Not having experience in such matters, he will be unlikely to plan a convoluted heist. The crime will be relatively low-tech, perhaps involving some form of simple deception, or perhaps committed by an employee.

Examples of art-motivated thieves cited by Conklin include: Etoh Mvondo, who after stealing three paintings from different Paris museums in July 1990 told the court he was an art-lover fascinated by

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<sup>11</sup> H. McLeave (1981), *Rogues in the Gallery: the Modern Plague of Art Thefts*. Boston: David R. Godine, pp. 173-4.

<sup>12</sup> Conklin, 1994, p. 169.

<sup>13</sup> 'NYC Prison Guard Convicted in Dali Heist', 5 October 2004, *MSNBC* website at [www.msnbc.msn.com/id/6186235/](http://www.msnbc.msn.com/id/6186235/), accessed 5 September 2005.

<sup>14</sup> Conklin, 1994, p. 129.

<sup>15</sup> B. Burnham (1975), *The Art Crisis*. London: Collins, pp. 69-74.

'the idea of owning a Renoir at the age of twenty';<sup>16</sup> and Dr. Frank Waxman who over an eight year period ending in the early 1980s stole 170 artworks from galleries in several major US cities.<sup>17</sup> To these we might add Stephane Breitweiser, the former waiter who stole hundreds of valuable works from museums, galleries and churches across Europe over seven-years, which ended with his arrest in 2001. After serving time in Switzerland, he received a 26-month jail term in Paris on January 2005.<sup>18</sup> His mother attempted to destroy many of the stolen works after his arrest, and although not all of them have been found there is no suggestion that any were sold. Breitweiser has confessed his motivation as lying purely in a love of art.

Many thieves who purport to be art-motivated in fact prove to be profit-motivated. Vincenzo Perugia, the Italian who stole the Mona Lisa from the Louvre in 1911, told police he thought Da Vinci's picture should rightfully be in an Italian museum. He was arrested, however, attempting to sell the painting to a dealer in Florence for 500,000 lire. It seems, therefore, that art-motivated thieves can sometimes become profit-motivated once possession of the stolen work gives rise to the opportunity to make money from its disposal.

This, then, is one of the caveats we must employ when trying to profile criminals from case studies. It would be easy to conclude, as many journalistic accounts do, that Perugia was in fact always motivated by profit. It is quite understandable, however, that possession of a tremendously valuable object might give rise to temptation in that regard. It appears that Perugia better fits the profile of an art-motivated thief at the time of the theft – his attention devoted to one particular picture in respect of which he has constructed neutralising arguments justifying the theft. His subsequent attempt to profit from the sale of the painting should not necessarily lead us to doubt this analysis.

### Profit-motivated thieves

A profit-motivated crime is more likely to be committed by a group of criminals. The art-motivated criminal wants to keep the artwork(s) for himself, and therefore is more likely than the profit-motivated criminal to work alone. Artworks to which one has become psychologically attached are less amenable to division between thieves than is money. A profit-motivated crime will more likely damage the artwork than an art-motivated crime. Thieves in the Isabella Stewart Gardner Museum theft of March 1990 cut 13 paintings from their frames with minimum skill and precision, leaving frames that still contained the tattered remnants of the edges of the artworks. Although such destruction reduces the value of the paintings stolen, this discount in value is seen by the profit-motivated criminal as an acceptable consequence of a fast and effective theft.

Profit-motivated criminals are also more likely than their art-motivated counterparts to use violence. Take, for example, the Swedish National Museum theft in Stockholm in December 2000. Three masked men broke in near closing time, one of whom held up security guards in the lobby with a machine gun. They took two Renoirs – *Young Parisian* and *Conversation with the Gardner* – and a self-portrait by Rembrandt, valued in total at \$30 million, and uninsured. The thieves escaped in a speedboat, but eight men were subsequently arrested after demanding a ransom for the return of the paintings. One of the Renoirs – *Conversation with the Gardner* – was recovered in a drugs raid, but the other two pictures remain missing.

Certainly there are documented links between organised crime and art theft: these then are versatile criminals who will indulge in many different types of crime; profit is more important than specialism.<sup>19</sup> Specialist art criminals are supposed to exist, however:

Former New York "art cop" Robert Volpe suggests that some thieves do specialize in stealing art.<sup>20</sup> He claims that those thieves enjoy high prestige in the criminal underworld because of

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<sup>16</sup> A. Riding (1991), 'French Museum Chief vs Art Thieves', *The New York Times*, 15 June: 13 (New York).

<sup>17</sup> Conklin, 1994, p. 132.

<sup>18</sup> Amelia Gentleman, 'Court Jails Art Thief, Girlfriend and Mother', *The Guardian* (2005), 8 January. Available at *The Guardian* website at <http://www.guardian.co.uk/arts/arttheft/story/0,13883,1386860,00.html>, accessed 8 July 2005.

<sup>19</sup> S. Mackenzie (2002), 'Organised Crime & Common Transit Networks', *Trends & Issues in Crime and Criminal Justice No. 233*. Canberra: Australian Institute of Criminology.

<sup>20</sup> L. Adams (1974), *Art Cop: Robert Volpe: Art Crime Detective*. New York: Dodd, Mead.

their skill, the “touch of culture” involved in their crimes, and the high social standing of the clients for whom they steal.<sup>21</sup>

Contemporary criminological theory runs against this, however, and it is likely that Volpe attributed too great a specialism to his adversaries. Most criminals are not specialists in one particular crime, rather they are opportunists. If they are career criminals, they may have a bank of core skills, but these can be adapted to different criminal activities. Added to this is the observation that socialisation with other criminals, which at a minimum occurs when networks are established for the disposal of stolen goods, brings discussion of emerging criminal opportunities and lends itself to the making of plans.

Because of the near impossibility of on-sale of particularly famous works of art, it is often concluded that major art heists have been performed ‘to order’ at the request of a private collector. Conklin notes that:

An article in *IFAR Reports* claims, with no supporting evidence, that it “is hard to imagine theft for hire in real life, and there are very few, if any, examples of this type of theft”.<sup>22</sup>

He then goes on to assert that such thefts do take place, although he too is guilty of the same empirical deficit in that he supports his assertion with only a single example.

No doubt such thefts occur, and given the underground nature of the outlet for the stolen goods, it is very difficult to assess their frequency. It is worth proposing, though, that the fact that the theft may have been commissioned should not detract from an analysis of the theft as fundamentally profit-motivated. That is, although commissioned thefts will be of a particular work of art, and the ultimate beneficiary of the theft can fairly be said to be art-motivated, the thieves themselves will be profit-motivated and the theft will therefore bear the hallmarks of professionalism and violence that characterises these operations. There is, however, considerable weight of evidence of a general lack of sophistication among profit-motivated art thieves. Much of what we know about high-level art theft suggests that the thieves know little about their market, and have not considered the difficulties of disposing of the art on the open market until after the theft. Disposal has, in fact, been the undoing of many art thieves.

Attempting to extract a ransom for the return of stolen artworks is a popular tactic, and one which gives police the opportunity to plan ‘sting’ operations for the capture of thieves. Thus was Paal Enger captured after his theft of *The Scream* in 1994<sup>23</sup>; a theft which was in an unusual manner performed ‘to order’ and displays the links to organised criminality we have mentioned. Enger was a renowned lover of Munch’s work. He was released in 1994 after serving a jail term for the theft of *The Vampire* which was found hanging on his wall: an art-motivated thief, in our proposed schema. On release from prison he was commissioned by a group of professional armed robbers to steal *The Scream* in order to provide a distraction for police, which would allow the group to perform a spate of robberies. The gang paid Enger for this service and allowed him to keep the painting, which he tried to ransom for £700,000. Enger therefore is a difficult case for our system of categorisation: art-loving, but profit oriented; semi-professional but in many ways blundering and incompetent. Aside from now having been caught and convicted for two Munch thefts, he is implicated in the third and was taken into custody in May 2005. Current police suspicions are that the theft of the second version of *The Scream* in August 2004 was a repeat of the diversionary tactics underlying the first theft in 1994.<sup>24</sup>

If the stereotype of the gentleman art thief has been discredited then, we still have a profile of rather more common thieves who would like to buy into that image. After the 1994 theft of *The Scream*, Enger is reported on the birth of a son to have published a notice in a newspaper announcing the baby had come into the world with a scream<sup>25</sup> – a ludicrously ostentatious move that proved self-destructive given that police attention was already on him.

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<sup>21</sup> Conklin, 1994, p. 129.

<sup>22</sup> Conklin, 1994, p.135, citing L.S. Pearson (1986), ‘Current Trends in Art Theft’, *IFAR Reports*, 7: 3-4, at p. 3.

<sup>23</sup> Kris Hollington ‘Master Plan’ (2005), 13 June, *The Guardian*. Available at *The Guardian* website at <http://www.guardian.co.uk/arts/arttheft/story/0,13883,1505351,00.html>, accessed 8 July 2005.

<sup>24</sup> *Ibid.*

<sup>25</sup> *Ibid.*

Often thieves do not appear to know the relative value of the works that hang in rooms they have broken into. The Isabella Stewart Gardner Museum theft in 1990 has provided a celebrated example of this: the Vermeer was of course the prize of the theft, but one of the three Rembrandt's taken was no longer attributed to him; the museum's highly desirable collection of Italian Renaissance art remained untouched; and most notably the thieves left behind Rembrandt's *Self Portrait* and Titian's *Rape of Europa*, generally thought to be a great masterpiece. Does this mean we should interpret the theft as the work of amateurish thieves with a poor knowledge of the value of art, or as professional contractors instructed only to steal certain works? The latter proposition cannot be ruled out but seems unlikely – why would the commissioner of such a theft not want the great Titian?

The question of disposal appears with reliable frequency in discussions of stolen artworks, particularly those that are relatively famous: how does one realise a profit from such a theft? It has been observed that:

stolen art must re-enter the legitimate market if it is to regain its financial value: successful criminals and forgers need knowledge of the art market, the provenance of the works they hold, a professional position or contacts, and access to a legitimate market portal.<sup>26</sup>

This analysis echoes the words of the judge who sentenced French dealer Paul Petrides for knowingly receiving stolen paintings:

Specialist art thieves only act because they are assured of getting rid of their booty with the complicity of go-betweens and receivers of stolen property.<sup>27</sup>

This recognition of the supply-inducing effects of a market for stolen goods has led to the development of a 'market reduction' approach to controlling markets in stolen goods, based on the work of a criminologist called Sutton.<sup>28</sup> The market reduction approach has been piloted by the Home Office as a means of reducing the incidence of burglary through reducing the opportunities for burglars to dispose of their stolen goods.<sup>29</sup> Such an approach is also reflected in the art market through the work of organisations such as the Art Loss Register, which are geared towards reducing the number of willing buyers for stolen pieces.

The work of the fence is central to the effective disposal of stolen goods, including art. Research has shown that a fence provides a conduit to buyers, which involves a psychological distancing of the buyer from the theft. Fences often possess social and marketing skills which thieves do not, and are thus able to access non-criminal buyers who can neutralise any suspicions of the illicit status of the goods with reference to the presentability of the fence, and the legitimate business face he sets up.<sup>30</sup> For art thieves who do not have access to a knowledgeable fence, the problem of their lack of knowledge even of the approximate value of the artworks they have stolen recurs: some thieves have been caught out by approaching legitimate dealers with offers to sell objects at suspiciously low, or suspiciously high, prices.<sup>31</sup>

Stories also abound, some with apparent foundation, of stolen art being used as payment for drug deals, and as gifts to cement relations among organised crime groups. There is a considerable amount of evidence that the Italian mafia have been involved in the theft of artworks, including allegedly Caravaggio's *Nativity of Christ*, stolen in 1969 from a Sicilian chapel,<sup>32</sup> as have South American drug cartels.<sup>33</sup> Much of the 'research' that unveils this underground market in stolen artworks is in fact sensationalist journalism. One must of course exercise due caution when interpreting the literature this discipline produces; many journalists write with impeccable research and ethics credentials, but

<sup>26</sup> T. Porter, 'Art Crime: Protecting Art, Protecting Artists and Protecting Consumers', *Art Antiquity and Law*, Vol. V, Iss. 1, March 2000, p.99, quoting Ken Polk speaking at a conference of the same name in Sydney, 2-3 December 1999.

<sup>27</sup> McLeave, 1981 at p. 258.

<sup>28</sup> M. Sutton (1998), 'Handling Stolen Goods and Theft: a Market Reduction Approach', *Home Office Research Study No. 178*. London: Home Office.

<sup>29</sup> Home Office Crime Reduction Website at <http://www.crimereduction.gov.uk/burglaryminisite07.htm>, accessed 6 September 2005.

<sup>30</sup> C. B. Klockars (1974), *The Professional Fence*. New York: Free Press.

<sup>31</sup> Conklin, 1994, p. 142-3.

<sup>32</sup> R. Suro, 'Going Undercover for Art's Sake', *The New York Times Magazine*, 13 December 1987, pp. 42-52.

<sup>33</sup> R. Belfield, T. Follett and S. Fernando (1998), *The Fine Art of Crime*. London: Channel 4 Television.

many do not. We can also, however, find reliable support for the links between organised crime groups and illicit art in reports from law enforcement agents who have intercepted shipments or otherwise come upon hoards containing more than one type of illicit commodity, including art.<sup>34</sup>

### Repeat victimisation

A fairly recent development in criminology has been the discovery of repeat victimisation as a phenomenon of major theoretical and practical importance. One of the leading researchers in this area, Ken Pease, has proposed that repeat victimisation is 'arguably the best single variable predictor [of crime] routinely available to the police in the absence of specific intelligence'.<sup>35</sup> That is, the best 'characteristic' to predict who will become a victim of crime is prior victimisation. Just as there are figures to support the assertion that 6% of juveniles commit 50% of juvenile delinquency,<sup>36</sup> it is thought that 4% of people suffer 44% of recorded crime.<sup>37</sup> One survey of crime against commercial premises has found 2% of manufacturers to suffer 25% of burglaries<sup>38</sup> and another survey of small businesses in Leicester found 69% of burglaries to be suffered by 17% of businesses.<sup>39</sup> There is therefore some consistency to the findings in respect of repeat victimisation. Of relevance for the present inquiry, similar concentrations of victimisation have been found in respect of burglaries generally,<sup>40</sup> and bank robberies.<sup>41</sup> In the majority of cases of repeat victimisation the same offender is implicated, and as might be expected these repeat criminal offenders have been found to be more likely to be 'career criminals' than others.<sup>42</sup>

Two factors are proposed as explaining a high incidence of repeat victimisation in burglary. These are the 'flag' effect, and the 'known quantity' effect. The flag effect argues that certain properties stand out as attractive to thieves. Bennett and Wright talked burglars through various 'targets' and learned that some aspects of a property's appearance mark it out as a suitable target.<sup>43</sup> Lack of visible security was found to be a factor in the targeting of a property for burglary, particularly the absence of an alarm, as was an entry-point that was obscured from view. The burglars in Bennett and Wright's sample also favoured properties with small windows, which were thought to be easier to force open than large ones, and favoured some types of locks over others for similar reasons. Some of these observations have become rather mundane now that their implications have been adopted by commercial manufacturers of alarm systems and fed back to the public, but remain important.

Museums, galleries and private residences that suffer from the flag effect – that are perceived as soft targets – can react by beefing up visible security systems, to remove the 'flag'.

The 'known quantity' effect argues that burglars return to the scene of a prior crime for either or both of psychological or practical reasons. The successful completion of a burglary can lead the offender to feel somewhat more at home with the idea of repeating the crime in a known setting than with

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<sup>34</sup> Mackenzie, 2001; E. Neuffer, 'DEA Seizes Art Cache Owned by Alleged Drug Traffickers', *The Boston Globe*, 20 November 1990, p. 39; Philip Bennett, 'Crimes Solved, Mexico Rejoices', *The Boston Globe*, 15 June 1989, p. 2.

<sup>35</sup> K. Pease (1996), *Repeat Victimization and Policing*. Unpublished manuscript: University of Huddersfield, p. 3, cited in P.B. Ainsworth (2000), *Psychology and Crime: Myths and Reality*. Harlow, UK: Longman (Pearson Education), p.31.

<sup>36</sup> M. Wolfgang, R. M. Figlio and T. Sellin (1987), *Delinquency in a Birth Cohort (Studies in Crime and Justice)* Reprint edition, Chicago: University of Chicago Press.

<sup>37</sup> G. Farrell and K. Pease (1993), 'Once Bitten, Twice Bitten: Repeat Victimization and its Implications for Crime Prevention', *Crime Prevention Unit Paper 46*. London: Home Office.

<sup>38</sup> C. Mirrlees-Black and A. Ross (1995), 'Crime against Retail and Manufacturing Premises: Findings from the 1994 Commercial Victimization Survey', *Home Office Research Study 146*. London: HMSO.

<sup>39</sup> J. Wood, G. Wheelwright and J. Burrows (1997), *Crime against Small Businesses: Facing the Challenge*. Swindon: Crime Concern.

<sup>40</sup> M. Shaw and K. Pease (2000), *Research on Repeat Victimization in Scotland*. Edinburgh: Scottish Executive.

<sup>41</sup> R. Matthews, C. Pease and K. Pease (2001), 'Repeated Bank Robbery: Theme and Variations', in G. Farrell and K. Pease, eds., *Repeat Victimization*. Monsey, NY: Criminal Justice Press.

<sup>42</sup> J. Ashton, B. Senior and I. Brown (1998), 'Repeat Victimization: Offender Accounts', *International Journal of Risk, Security and Crime Prevention*, 3: 269-80; S. Everson and K. Pease (2001), 'Crime Against the Same Person and Place: Detection Opportunity and Offender Targeting', in G. Farrell and K. Pease, eds., *Repeat Victimization*. Monsey, NY: Criminal Justice Press.

<sup>43</sup> T. Bennett and R. Wright (1984), *Burglars on Burglary: Prevention and the Offender*. Aldershot: Gower; T. Bennett (1995), 'Identifying, Explaining and Targeting Burglary Hot Spots', *European Journal of Criminal Policy and Research*, 13: 113-23.

targeting another property that may offer up hazards unknown.<sup>44</sup> This applies not just to the original burglar, but to criminal acquaintances to whom he relays details of the successful crime and who themselves come to see the target as an attractive 'known quantity'. In practical terms, burglars may have seen on their first entry into the property attractive objects they could not take (perhaps for want of a vehicle). Such knowledge invites repeat victimisation; and again can function vicariously if the information is passed on to associates. Pease has called this explanation the 'boost' effect:

... a first offence alters offender perceptions of the target... Thus crime *boosts* the probability of repetition.<sup>45</sup>

The practical aspect of the 'known quantity' argument is divested of weight in relation to public galleries as one might presume their contents to be known to the public generally and not just to prior thieves. It will still apply to thefts from private residences, however, and the psychological aspects of a 'known quantity' can be seen to operate in relation to all targets. There is also the issue of 'virtual repeats', which Pease has raised.<sup>46</sup> Here he suggests that burglars may target different premises due to similarities in floor plan – or in the case of museums, we might speculate, security system – as the target of a previous successful crime. Storehouses of valuable works of art must maintain a constant interest in thefts from other premises, therefore, lest a flag be placed on their collection consequent upon a theft from another repository that bears some similarity to theirs that might be exploited by a criminal who wishes to repeat his success.

Both the flag effect and the known quantity effect can be linked to broken windows theory, which famously argues that the non-repair of visible signs of neighbourhood decay accelerates the rate of that decay by sending a message to offenders that nobody is policing the neighbourhood (formally or informally), and that neglected buildings are suitable targets for crime.<sup>47</sup> This might be seen to apply equally to museums that are the subject of theft, which highlights the inadequacy of their security systems. Once a flag has been placed, one must work hard to remove it.

The three RAT factors proposed by Conklin appear to work rather well in explaining repeat victimisation, but in some cases we need to avoid the superficial approach towards which they lure us. In other words, RAT can explain repeat victimisation in art theft, but sometimes only when we look deeper into the question of the 'suitable' target.

Certainly, a lack of capable guardians is a risk factor. Poor, or absent, security provides an opportunity for theft which can explain some cases of repeat theft. Given what we have discovered in our profiling of the average art thief, the argument does not hold up that sophisticated art criminals use their intellect and technological skills to defeat advanced security systems. This is not to say that clever and progressive criminals do not exist; but it is not the norm. Poor security creates opportunity.

An example here is the repeat thefts of the Rembrandt portrait from the Picture Gallery at Dulwich College in London (stolen four times). The Dulwich Picture Gallery cannot afford advanced electronic safeguards, and with every repeat theft this fact becomes more widely known.

The effectiveness, and of course apparent effectiveness, of security guards is another factor we can propose to be important in analysing patterns of repeat victimisation. Effective, energetic, dedicated, well-trained guards will more adequately protect collections than their less costly, and less effective, equivalents. They will be wise to scams by groups of criminals who use some members to distract them while others perform the theft. A constant in thefts of art from museums and antiquities from sites of archaeological importance, is poorly-trained and poorly-paid security guards who do not perform their duties with the vigour that more expensive but fully devoted guards might. Low-wage

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<sup>44</sup> Ashton, Senior and Brown, 1998.

<sup>45</sup> K. Pease (1998), 'Repeat Victimization: Taking Stock', *Crime Prevention and Detection Series Paper 90*. London: Home Office Police Research Group, p.12.

<sup>46</sup> *Ibid.*

<sup>47</sup> J.O. Wilson and G. Kelling (1982), 'Broken Windows', *The Atlantic Monthly*, March: 29-38; G. Kelling and C.M. Coles (1996), *Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities*. New York: Free Press.



positions inevitably result in high employee turnover, and this has implications for the experience and dedication of those protecting collections.<sup>48</sup>

The importance of the 'human element' in art crime is highlighted in relation to a famous art theft by Conklin:

A 1990 theft at Boston's Isabella Stewart Gardner Museum, which produced an estimated loss of \$200 million worth of art, was made possible by the unprofessional guard behaviour of two young art school students who had been trained for only a week and were being paid \$6.85 an hour. Disguised as Boston police officers, two thieves gained entry to the museum at 1:15am by luring one guard away from his desk, telling him they had a warrant for his arrest, and asking him for identification. The other guard violated procedure by returning to the museum's entrance rather than just staying in radio contact with the first guard.<sup>49</sup>

The police impersonators were in fact admitted to the museum by claiming over the intercom that they had been dispatched to investigate an alleged disturbance in the grounds of the museum. Once admitted, they lured the first guard away from his post behind a desk – and next to the main security alarm – with the story of the warrant for his arrest.<sup>50</sup> Both guards thus broke security protocol. Once past this point of entry, the thieves were relatively protected from discovery: the museum security system did not involve alarms on individual artworks, so the intruders could work at their leisure in removing what works they chose.<sup>51</sup> They remained in the museum for 81 minutes, during which time they collected 13 works of art including three Rembrandt's, a Vermeer, a Manet, and five sketches by Degas.

The latest theft of a version of Munch's *The Scream* highlights both types of deficient security – the technological and the human. Of the four versions of the picture Munch painted in 1893, two have been stolen: both from museums in Oslo.<sup>52</sup> The more famous version was taken from the National Art Museum in Oslo in February 1994. That painting was recovered three months after the theft, when the thieves tried to extract a ransom for its return. The latest theft, of another version, took place at the Munch Museum in Oslo in August 2004. The painting was wired up to a silent alarm, and screwed to the wall. Despite this, a single thief managed to pull the painting, and one other called *Madonna*, from the wall, while his accomplice held back security guards with a gun. This was the first time a gun had been used in a museum theft in Norway, and it seems the security systems simply were not prepared for such a predictable development. The Munch Museum was closed for six months after the theft in August 2004 for a £4.3 million security upgrade.<sup>53</sup>

Security, therefore, is key. When the first *Scream* theft took place in 1994, the thieves gained entry to the National Gallery of Norway by climbing up a ladder and breaking a first floor window. They set off an alarm, which was ignored by the security guard. They left him a note, which read 'thanks for the poor security'. In 2003 three paintings by Van Gogh, Picasso and Gauguin valued at £4 million were stolen from Manchester's Whitworth Gallery. The Gallery was protected by 24-hour security, CCTV and alarms, but to no avail. The stolen works were found in a public toilet the day after the theft together with a note explaining that the purpose of the heist was to draw attention to the museum's inadequate security. The V & A in London was the subject of three thefts between October and December 2004 so similar in their modus operandi that it seems likely the same person or persons were involved. In each circumstance the thieves targeted old timber cases containing relatively small

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<sup>48</sup> D.L. Mason (1979), *The Fine Art of Security: Protecting Public and Private Collections against Theft, Fire and Vandalism*. New York: Van Nostrand Reinhold.

<sup>49</sup> Conklin, 1994, p. 126.

<sup>50</sup> E. Butler, 'The Art of the Heist', *The Guardian*, 18 November 2000. Available at *The Guardian* website at <http://www.guardian.co.uk/arts/arttheft/story/0,13883,1035002,00.html>, accessed 8 July 2005; A. Dabilis and J. Ellement, '\$200 million Gardner Museum Art Theft, Two Men Posing as Police Tie Up Night Guards' *Boston Globe*, 19 March 1990; E. Neuffer, 'Gardner: Masterworks of Crime. Retracing the Steps of a Robbery's Twisted Trail' *Boston Globe*, 13 May 1990.

<sup>51</sup> *Ibid*, Butler, 2000.

<sup>52</sup> Here we might mention as an aside, one reason why 'certain pictures appear to be targeted more often than others'. If there are several versions of these paintings in circulation, and they are famous, it perhaps appears to the casual observer that it is the same painting being stolen time and again when in fact they are different items.

<sup>53</sup> Hollington, 2005.

objects in quiet areas out of the line of sight of CCTV cameras.<sup>54</sup> Gustav Klimt's *Portrait of a Lady* was stolen in 1997 from the Gallery of Modern Art in Piacenza in Italy by thieves who used a fishing line to hook it through a skylight on the roof of the building.

Despite having been the subject of a potentially devastating theft in 1991, the Vincent Van Gogh Museum in Amsterdam did not implement security adequate to prevent a distressingly low-tech theft in December 2002. The 1991 theft had resulted in the temporary loss of twenty paintings, among them the most famous of Van Gogh's works, *Sunflowers*. All of the paintings were discovered within hours of the theft in the abandoned getaway car, prompting speculation that the thieves had rapidly discovered the paintings to be so famous as to be unsaleable. In 2002 thieves broke into the museum and stole two paintings, *View of the Sea at Scheveningen* and *Congregation Leaving the Reformed Church in Nuenen*, using a ladder, a length of rope and a piece of cloth: hardly the technological gadgetry one might assume would be required to effect a theft from a modern gallery. The ladder was propped against a wall, the cloth was used to protect hands against broken glass when a window was smashed, and the rope was used to effect a speedier getaway than would have been made had the time been taken to climb down the ladder. The forced entry set off an alarm, but by the time police reached the scene the thieves had gone. The two men were subsequently traced and convicted on the basis of DNA evidence left at the scene, but the pictures remain missing.

As well as 'flags' being placed on galleries and museums by virtue of their poor security, we can propose examples of the boost effect in relation to art crime. McLeave cites an example of an insurance company payout as ransom for the return of six paintings stolen from the Toronto Art Gallery in 1959, which was followed by a rash of thefts across Canada, inspired by the prospect of a reward.<sup>55</sup> Conklin notes:

In a similar situation, a ransom was paid for the return of twenty-eight paintings stolen from Milan's Gallery of Modern Art in 1975; three months later, thieves stole thirty-eight pictures from the same gallery, including half the ones taken in the first theft.<sup>56</sup>

McLeave's example, then, is an example of the flag effect in operation, while Conklin's is evidence of the boost effect. The successful exploitation of a short-sighted insurance practice generated an impression of a certain target as 'suitable' for further theft attempts. In the Conklin example, the target was a particular gallery, whose attractiveness to theft was boosted in the eyes, one presumes, of the original thieves or persons to whom they passed information. In McLeave's example, unless the spate of thefts were all carried out by the original thieves or their associates, the crime wave is a result of a flag effect placed on art in general. The point of considerable importance for insurers here is that although they might like to imagine that by keeping ransom payments quiet they are avoiding a flag effect on art crime, they cannot avoid a boost effect in relation to the particular criminals who are rewarded.

One could not complete a discussion of repeat victimisation in art theft without considering the Beit collection. The collection of Lord and Lady Beit, held at Russborough House in County Wicklow, has been the subject of 4 thefts, most famously by Rose Dugdale and her IRA accomplices in 1974 and by Martin Cahill's Dublin crime gang in 1986; but also again in 2001 and 2002.<sup>57</sup> It is likely that the publicity surrounding the 1974 theft placed a flag on the Beit collection which operated to bring it to mind as a suitable target for Cahill's gang in 1986, and that in keeping with the predictions of repeat victimisation, each subsequent theft reinforces the likelihood of another.

These thefts provide an interesting permutation of the profit motivation. While the Cahill theft appears to have been purely profit motivated, unsuccessful attempts having been made to sell the stolen paintings to underworld collectors who never materialised, and the Dugdale theft was primarily so, involving a ransom demand for the return of the works as well as a demand for the relocation of IRA

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<sup>54</sup> M. Kennedy, 'V & A Hit by Third Theft Since October', *The Guardian*, 31 December 2004. Available at *The Guardian* website at <http://www.guardian.co.uk/arts/arttheft/story/0,13883,1381299,00.html>, accessed 8 July 2005.

<sup>55</sup> McLeave, 1981, pp. 39-41.

<sup>56</sup> Conklin, 1994, p. 145.

<sup>57</sup> M. Carey, 'An Artful Dodge' *Time Europe Magazine*, 16 December 2002. The Beit thefts have been made the subject of a true crime novel which also contains a chapter on the 1990 Isabella Stewart Gardner theft, and the 1994 theft of the *Scream*: M. Hart (2005), *The Irish Game*. London: Vintage.

prisoners from mainland British to Ulster jails), there have been strong suggestions in the last two thefts that the paintings were stolen as a form of 'criminal insurance'. In keeping with a trend perhaps started by Myles Connor Jr. in Boston, the paintings are commonly supposed to have been stolen to use as plea bargaining tools to achieve a reduction in sentence when the thieves were the subject of projected unrelated criminal charges in the future. This, then, is a form of 'profit' peculiar to career criminals.

### Concluding comments

Conklin cited figures from the International Foundation for Art Research that showed that for the years 1983-86, 11% of art thefts in the US and abroad were from museums. The figure for thefts from US galleries for those years was 37%.<sup>58</sup> We can draw out from our discussion two factors that support this pattern of theft. Both of these stem from RAT, and work on the assumption that the presence of a motivated offender remains constant. The first factor is the absence of capable guardians: galleries are less likely to have the levels of security enjoyed by museums, human or technological. The second factor is the suitability of the target. By the target here we mean the artwork itself, rather than the premises: works of art in a gallery are probably perceived to be less internationally renowned than those in a museum, and therefore more susceptible to disposal by the thief. We hear more about the museum thefts in the media because although they occur more rarely than thefts from galleries, the value of the art stolen when these thefts do occur is worthy of a headline.

What has changed since Conklin's analysis, and what has not? Let us, by way of conclusion, look at four of his statements in turn. In 1994 he noted that:

1. '[B]eing a museum guard is not a career position, but rather a minimum wage job with high turnover. Most museum guards in the United States are college students and retired people.'<sup>59</sup> This situation appears to persist. A recent report highlights the continuing trend in this regard, stating that according to salary.com security guards at the Boston Museum of Fine Arts are in the lower 25th percentile of all security guards in Boston, subsisting on 'salaries which place them among the working poor'. It also reports that the museum director has cut 40% of the full-time gallery guard force since coming into office, a move which increases the proportion of part-time shift workers and which we might suggest will dilute professionalism and dedication to duty among the security staff.<sup>60</sup>

2. 'Guardianship can affect the kind of crime that is committed. If a museum is well protected against being broken into, thieves may commit an armed robbery rather than a burglary, thereby increasing the level of violence associated with the theft'<sup>61</sup> ... 'The use of force or the threat of force to steal art is probably still the least common form of art theft, but art robberies have increased in recent years, probably because more effective security measures in museums and houses have produced functional displacement, the shifting of offenders from one kind of crime (burglary) to another (robbery)'.<sup>62</sup> Looking back at such thefts as the Swedish National Museum theft in 2000, and the theft of the *Scream* from the Munch museum in 2004, we can agree that Conklin's prediction of an increasing resort to armed incursions in art thefts from relatively well-protected museums has come to pass. Although it ultimately did undergo a security upgrade, the Munch museum's initial statements after the theft were that it had no immediate plans to increase security measures, acknowledging that there is a compromise to be struck between security and provision of access to artworks to visitors.<sup>63</sup> Such statements recognise that target hardening is only as effective as the resources and will of criminals is thin – a longer term solution to art theft will involve interventions other than those that are situational, like Sutton's market reduction approach. Conklin predicted that dealers would increasingly

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<sup>58</sup> Conklin, 1994, p.121, reproducing figures from *Stolen Art Alert*, 1983 cumulative issue, December 1984, and *IFAR Reports*, December 1985 and December 1986.

<sup>59</sup> Conklin, 1994, p.125.

<sup>60</sup> M. Raysson, 'The New Corporate MFA' *The Boston Globe*, 1 September 2005, available at the *Boston Globe* website at [http://www.boston.com/news/globe/editorial\\_opinion/oped/articles/2005/09/01/the\\_new\\_corporate\\_mfa/](http://www.boston.com/news/globe/editorial_opinion/oped/articles/2005/09/01/the_new_corporate_mfa/), accessed 6 September 2005.

<sup>61</sup> Conklin, 1994, p. 126.

<sup>62</sup> *Ibid*, p. 154.

<sup>63</sup> D. Mellgren, 'Art Theft Stirs Security Debate' *The Detroit News* 24 August 2004, available at the *Detroit News* website at <http://www.detnews.com/2004/nation/0408/24/a06-252219.htm>, accessed 6 September 2005.

be subject to a similar compromise: 'Dealers may... hire security guards for their galleries, though doing so undermines the ambience of gentility and civility that dealers try to cultivate'.<sup>64</sup>

3. 'Art thieves often study their targets in advance of their crimes in order to assure themselves of easy access and exit, to assess their ability to remove the artworks, and to learn of obstacles they may encounter during the theft'.<sup>65</sup> Perhaps museums need to adopt the approach of the intelligence services in this regard, and try to make themselves aware when such surveillance is taking place. If thieves pay more than a single visit to their targets, security and surveillance operatives have more than a single chance to identify them: something which will surely be easier when thieves enter posing as members of the public and are noted to act suspiciously, than when they eventually break in with the object of evading detection. The man who stole Goya's *The Duke of Wellington* from London's National Gallery in 1961 learned how to evade the security systems through casual conversations with the guards who told him the electronic security system was lax when the cleaners were in the building. He had spent more than two months planning the theft, during which time he had visited the Gallery several times and even propped a window open to aid his illicit access.<sup>66</sup>

4. 'Illicit transactions can be minimized by publicizing stolen and illegally exported artworks and by buyers investigating the origin of all pieces they consider for purchase'.<sup>67</sup> This final point is a recognition that in many respects what emerges from a criminological analysis of art theft is the proposition that the best protection the trade has against art theft is the trade itself. If artworks must re-enter the legitimate market to regain their full value, a legitimate dealer will at some point have to accept them. Institutions like the Art Loss Register, which provide a mechanism for dealers to research the possible illicit nature of an object they are offered, work on precisely this premise: preventing objects from being stolen is tough, but recapturing them should, in theory, be easier.

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<sup>64</sup> Conklin, 1994, p.126.

<sup>65</sup> Conklin, 1994, p. 165.

<sup>66</sup> McLeave, 1981, pp. 70-78.

<sup>67</sup> Conklin, 1994, p. 255.