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Author(s): Jocelyn Chi, Lila Hayatdavoudi, Sarah Kruszona, Brad Rowe, Mark A.R. Kleiman

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Reducing Drug Violence in Mexico: Options for Implementing Targeted Enforcement

Jocelyn Chi, Lila Hayatdavoudi,
Sarah Kruszona and Brad Rowe
UCLA Luskin School of Public Affairs
Masters in Public Policy program
bradrowe3@yahoo.com
(213) 500-8170

Mark A.R. Kleiman
University of California, Los Angeles
675 Westwood Plaza
Los Angeles, CA 90024
kleiman@ucla.edu
(310) 206-3234

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Abstract

This paper furthers the investigation into the merits of an application of targeted enforcement that could reduce violence related to drug trafficking in Mexico. The authors illustrate the failure of the Mexican President Calderon administration (2006-2012) to counter the escalation of violence while fighting the war on drugs. They then examine successful local violence reduction models and attempt to demonstrate the possibility of their external validity at a trans-national level. This version of targeted enforcement that prioritizes violence over drug flow reduction or organizational decapitation efforts would require unprecedented cooperation between the United States and Mexico for both intelligence and tactical purposes. The reader is left with a deeper appreciation for the promise of this approach and an understanding of what administrative elements require further research and fulfillment in order for Mexico to consider operationalizing this approach.

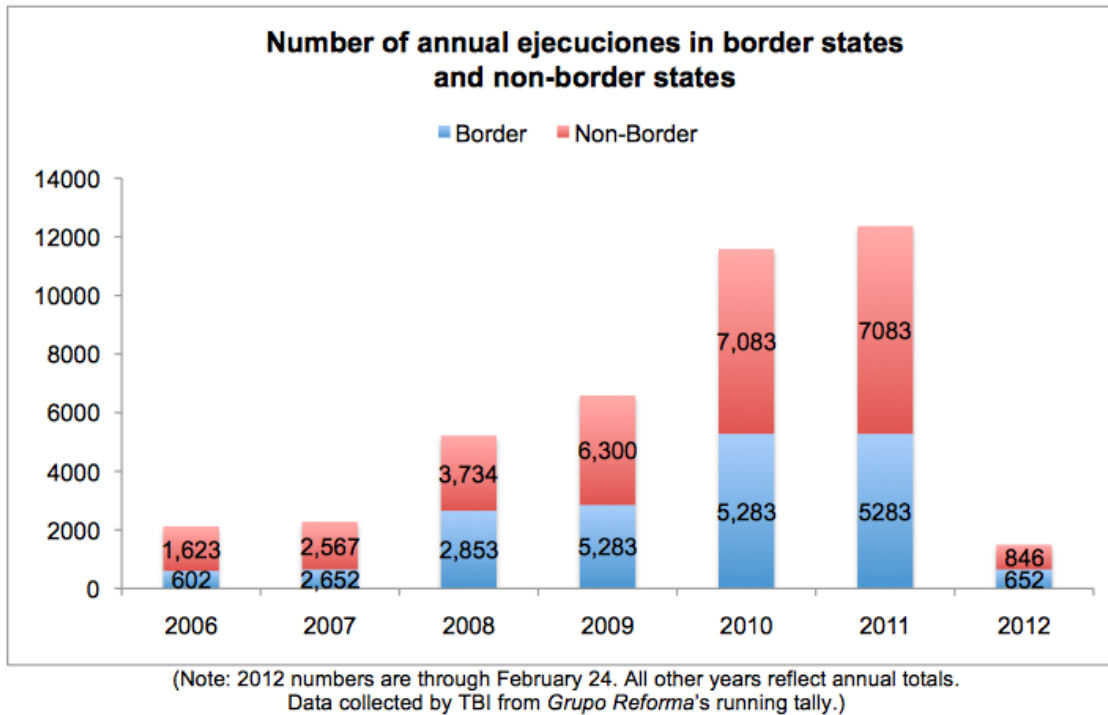
Introduction

Violence related to the production, transportation, and sale of illicit drugs has long been a significant problem. In Goldstein's tripartite framework for the analysis of the connections between drugs and crime (Goldstein 1985) these phenomena are referred to as "systemic crime." A substantial literature exists examining the dynamics of violence caused by the drug trade and retail sale of drugs in the United States (e.g. Blumstein, 1995). The systemic violence in foreign countries, particularly Latin America, associated with the production and transportation of drugs necessary

to supply the demand of American consumers, has also garnered sustained attention from a variety of perspectives (e.g. Bagley, 1988; Ayres, 1998; Briceño-León and Zubillaga, 2002). The recent escalation of violence in Mexico has focused attention on the particular challenges there (e.g. Brands, 2009; Kilmer et al., 2010; Rios, 2012; Grillo, 2013). We propose to expand these considerations of trafficking-related foreign violence by proposing a new strategy — targeted enforcement — to reduce the violence in Mexico.

Background

Mexico has long been the largest external supplier of illicit drugs to the United States. (Zedillo and Wheeler, 2012) The U.S. government has exerted substantial pressure on the Mexican government to reduce the flow of drugs. (Kleiman 2011) From 2006 to 2012 President Felipe Calderón’s administration directed the Mexican government to deploy increased law enforcement attention and military force against all Violent Drug Trafficking Organizations (VDTOs), with the twin goals of “decapitating” the organizations by capturing their top leadership and minimizing the flow of illegal drugs across the U.S.-Mexico border. Unfortunately, the homicide rate rapidly escalated from 2006 to 2011 (see Figure 1). Between 2006 and 2010, trafficking-related homicides increased by more than eighty percent (Rios, 2012), and an estimated 60,000 Mexicans died in drug-related violence between 2006-2012 (Olson, 2013). Five of the top ten most violent cities in the world were in Mexico in 2011 (Seguridad, 2013).



(Source: Trans-Border Institute - Justice in Mexico Project, February 2012 Report)

Mexico’s previous policies for addressing the violence focused on military assaults on *all* VDTOs, reduction of illegal drug flows, and decapitation of top trafficking kingpins. Following his inauguration on December 1, 2006, Mexican President Felipe Calderón pursued a five-part strategy for combating Mexican drug-trafficking organizations and the threat they posed to national security by “Using the full power of the state, including federal police and armed forces, to support local governments threatened by organized crime.” (U.S. Senate, 2011) President Calderón also looked to “weaken the financial and operational capacities of criminal gangs through seizures of drugs, money, and weapons.” (U.S. Senate, 2011)

This was not simply an effort to turn up the heat on criminal organizations, but included a substantial investment in systemic improvements in the justice continuum and social programming. Additional projects included “rebuilding institutions and

security forces, particularly at the federal level; transforming the justice system to provide more transparency and efficiency; and implementing social programs to prevent Mexican youth drug use, addiction, and membership in criminal gangs.” (U.S. Senate, 2011)

There was small doubt that this plan was built around a martial framework. Under President Calderón, the Mexican government invested heavily in building security forces, spending \$2.5 billion in 2007, nearly \$4 billion in 2008, and \$9.2 billion in 2010 (U.S. Senate, 2011). By 2011, the Mexican government had deployed nearly 50,000 military personnel to combat drug-trafficking organizations, more than ten times the number of troops that had been deployed in 2008 (U.S. Senate, 2011).

President Calderón was not alone in wanting to address this regional issue and its illicit roots. On October 22, 2007, President Calderón and President George W. Bush announced a bilateral security partnership dubbed the Mérida Initiative (Bagley, 2012). At the outset, Mérida assistance from the U.S. primarily focused on providing equipment and technology that Mexican security forces needed to combat organized crime (Olson, 2013) and on law enforcement activities, (U.S. Senate, 2011) including strengthening border, air, and maritime controls, breaking “the power and impunity of criminal organizations,” and curtailing gang activity and reducing the demand for drugs in Mexico and Central America (Seelke and Beittel, 2009).

Though time has passed, the cooperative approach the United States put forth with Mexico appears not to have eroded. Although the Mérida Initiative initially was intended to last through Fiscal-Year 2010, President Barack Obama subsequently indicated that his administration would support its continuance beyond 2012, in a

second phase that has been called “Beyond Mérida” or “Mérida 2.0” (U.S. Senate, 2011). The four “pillars” of the new strategy are to: (1) disrupt the operational capacity of organized criminal groups; (2) institutionalize the rule of law in Mexico; (3) create a 21st century border; and (4) build strong and resilient communities (U.S. Senate, 2011). Collaboration via the Mérida Initiative entails information- and intelligence-sharing and expanded interaction between the law enforcement agencies and militaries of both countries (Olson, 2013).

Despite this unified front, the policies have by in large failed for a variety of reasons. VDTO presence in poverty-stricken areas and the lack of economic opportunities for Mexico’s growing youth population provide strong incentives for VDTO participation among Mexican youth (Paul et al., 2011). Additionally, the corruption of Mexican police undermines Mexico’s capacity to single-handedly counteract VDTOs (Paul et al., 2011). Indeed, there is little evidence to suggest that the massive military efforts of the Calderón Administration against VDTOs have reduced the quantity of illegal drugs in Mexico or their flows to the United States (Guerrero, 2011). In fact, one possibility is the drug trafficking related violence in Mexico rapidly increased under the Calderón Administration because existing trafficking leadership was removed resulting in violent succession struggles (Beittel, 2012).

Pondering the counterfactual of what played out during Calderon’s administration is difficult. Had Calderon not focused his militia on drug flows and kingpins, it is entirely possible more DTO leaders would be alive and causing problems today. There may have even been reductions in violence in certain areas of

Mexico. The purpose of this paper, however, is to illustrate the lost potential gains in public safety and stability they could have yielded had they made violence a first order priority, and made flow reduction and DTO decapitation efforts secondary.

Historically, the U.S. has had a mixed record in reducing production and exports of illegal drugs through host-government driven programs. Before the intensive intervention in Mexico, the most U.S. money had been spent in Colombia where Plan Colombia (approximately \$1 billion for per year from 2000 to 2008) was instrumental in helping strengthen the Colombian government. This aide, however, appears to have had little effect on the production and exports of cocaine from the Andean region as a whole (U.S. Drug Policy, Kilmer, 2012).

Path dependence critically shapes both political and policy options (Pierson, 2000). Electoral changes therefore can provide critical opportunities to alter the path of policy, so the timing for a change in strategy in Mexico is opportune. When current Mexican President Enrique Peña Nieto took office in December 2012, he announced that his administration would focus on *reducing crime and violence* and reduce the priority of bringing down drug cartel leaders. (Molzahn and Rodriguez Ferreira et al., 2013).

. A central element to this strategy could potentially be the commitment to shared responsibility between Mexico and the U.S. to coordinate efforts against violent drug-trafficking organizations.

Indeed, while the violence occurs on the Mexican side of the border, both the Bush and Obama Administrations have publicly acknowledged that the U.S. market for illegal drugs continues to fuel the Mexican drug trade (Olson, 2013). This

acknowledgment gives the U.S. an opportunity to play a more active role in addressing Mexico's security problem. The use of targeted U.S.-side enforcement on illegal drug revenues from *only the most violent VDTOs or regions in Mexico* could provide strong disincentives against continued violence in Mexico.

The explosive rise in drug trafficking organization deaths puts the nature of the security emergency into context. Although it is difficult to measure the exact share of total homicides that is attributable to organized crime, some data sources and homicide trends suggest that between 60,000 and 65,000 drug trafficking-related homicides occurred during President Calderón's tenure and some estimates indicate that as many as 125,000 total homicides occurred during this same period. (Molzahn and Rodriguez Ferreira et al., 2013).

Despite the increases in violence, President Calderón maintained his focus on restoring security in Mexico through the end of his administration in 2012. His efforts were not lacking but his operations may have been misguided. Using a "kingpin" strategy, the Calderón Administration "sought to destroy the upper leadership of major organized-crime groups and break their organizations into 'smaller, more manageable' pieces for law enforcement to tackle." (Molzahn and Rodriguez Ferreira et al., 2013). However, this strategy of non-selective arrests of criminal organization leaders increased fragmentation of cartels and conflict among the organizations (Guerrero Gutiérrez, 2011). Between 2006 and mid-2011, the number of Mexican cartels increased from six to sixteen, seven of which play a major role in the drug-trafficking business and nine of which exercise less influence in the drug market (Guerrero Gutiérrez, 2011).

Figure 1: Mexican Cartel by Areas of Dominant Influence



(Source: The Economist)

Beyond DTO organizational ruptures and increased mayhem during the Calderón Administration, the locations of concentrated drug related homicide shifted as well. Geographical dispersion of homicides increased between 2007 and 2011, but decreased significantly between 2011 and 2012. (Molzahn and Rodriguez Ferreira et al., 2013). In 2012, homicides tied to drug trafficking and organized crime were “most concentrated in the central and eastern border regions,” including the states of Chihuahua, Coahuila, and Nuevo León, and mainland states along the central Pacific Coast, including Sinaloa and Guerrero (Molzahn and Rodriguez Ferreira et al., 2013).

Data also suggest changing trends in the nature of violence and the victims of

criminal organizations during President Calderón's administration. For example; the share of victims showing signs of torture rose significantly between 2008 and 2012, and there was a slight rise in the percentage of victims who were decapitated.

Direct communication through these crimes has changed as well. Leaving "narco-messages" directed to government officials or rival cartels, often naming particular organized crime groups or their members, with victims' bodies, became more common between 2008 and 2012. The assassination of mayors and former mayors peaked in 2010 and 2011, and continued into 2012. (Molzahn and Rodriguez Ferreira et al. 2013). An additional negative consequence of this environment is that the integrity of information that reaches the public becomes more questionable as Mexico became one of the world's most dangerous places for journalists.

At the most basic level, providing security for ordinary citizens became more difficult as violence targeting military personnel and local police officers peaked in 2010, with police being the more likely target (Molzahn and Rodriguez Ferreira et al., 2013). Increasingly ordinary citizens, unaffiliated with the drug trade, have become victims of homicide, extortion, robbery, kidnapping for ransom, and other crimes, as drug-trafficking organizations diversify their criminal activity portfolios (Hernandez, 2012). Ongoing drug violence and threats also caused an estimated 1.6 million Mexicans to flee their homes between 2006 and 2011, leaving a landscape of more than 20 "ghost pueblos" in the place of once-prosperous farming communities. (Fausset, 2013). Unfortunately, some of the cities to which they fled have neither the jobs nor the social services to support the influx of Mexicans who had spent their entire lives in the countryside (Fausset, 2013).

On July 1, 2012, Mexican voters elected Enrique Peña Nieto as their new president. His central campaign promises included a shift in drug war strategy (Fabian, 2013). Since his inauguration on December 1, 2012, President Peña Nieto has made clear his plan to abandon the Calderón Administration's "kingpin" strategy and reliance on military personnel and, instead, prioritize crime prevention and violence reduction. The Pacto por México (Pact for Mexico), signed by President Peña Nieto and other major political party representatives and introduced in January 2013, sets forth his intention to focus on reducing homicides, kidnappings, and extortion, which most directly affect the daily lives of Mexican citizens (Fabian, 2013). Although the new president's plans for achieving his goals remain somewhat vague, principles of "shared responsibility," which provided the foundation for U.S.-Mexico collaboration during the Calderón Administration via the Mérida Initiative, likely will guide U.S. engagement in whatever security strategy the Peña Nieto Administration decides to pursue (Olson, 2013).

A Potential Strategy: Targeted Enforcement

Targeted enforcement, as the name would suggest, differentiates the level to which it focuses pressure on offending groups. The goal is to reduce offensive behavior perpetrated on society or some other group. In the case of Mexican drug-traffickers, the policy would dedicate greater enforcement duress upon those that cause more violence in Mexico than those that cause less.

Targeted enforcement traditionally attempts to create an asymmetrical advantage favoring law enforcement within a defined boundary. Under this

pressure, the perpetrator, under siege by law enforcement, is ideally deterred, surrenders, and disassembles entirely. Once that surrender and dismantling is secured, the enforcement body can move its heightened capacity to overwhelm criminal organizations on to the next perpetrator it deems worthy of this differentiated response.

Evidence tells us focused deterrence approaches reduce crime especially those concentrated on whole groups and gangs (Braga and Weisburd, 2012). When targeted groups are notified of the differentiated enforcement in place, it can be particularly effective at reducing violence. (Picard-Fritsche and Cerniglia, 2013) Penal and supportive strategies, such as these, can be the most routinely efficient strategies for reducing crime (Makarios and Pratt, 2012).

A group-based policing strategy from the “Pulling Levers” model: In May of 1996, the City of Boston began a program called Operation Ceasefire to counteract the growing number of gang-related homicides. In the face of limited resources, the city consolidated its efforts on deterring homicides. The ensuing months witnessed a remarkable decrease in violence and there was not a single gun-related homicide among Boston youth during the entire month of November. Over the next two years, the city experienced a two-thirds decrease in youth violence and a fifty percent reduction in homicides (Kennedy, 2010). The effectiveness of the operation prompted other cities across the nation to pursue similar strategies. In fact, some form of the strategy has been employed with success in cities including Minneapolis, Portland, Stockton, Winston-Salem, Dalton, Baltimore, and Los Angeles (Kennedy, 2010).

The success of the operation hinged on a new strategy of targeted enforcement against gang-related homicides in which entire gangs were arrested for an individual member's actions. While the operation certainly did not condone other types of gang activity, it focused available resources on increasing the cost of committing homicides dramatically, and the number of homicides promptly plummeted.

Operation Ceasefire differed from previous deterrence strategies in two primary ways. First, the enforcement was targeted on the violence rather than on the gang activities and their drug sales. Second, prevention was prioritized over prosecution, and law enforcement agents had numerous conversations with gangs to inform and warn them of the severe consequences of further violent behavior (Kennedy, 2010).

Operation Ceasefire is one example of a *group-based, offender-based policing strategy* (Bureau of Justice Assistance, 2013) in which policing strategies and efforts are focused primarily on repeat offenders and their organizations (Kennedy, 1997). The idea is that “pulling” the right “levers” to “impose costs on offenders across the many dimensions of vulnerability created by chronic offending” can drastically reduce their criminal activities (Kennedy 1997). These costs include the “full range of legal sanctions” against the primary perpetrators of crimes (Bureau of Justice Assistance, 2013).

While Operation Ceasefire was the first initiative to implement this strategy, U.S. law enforcement has utilized offender-based policing strategies in a number of other initiatives across the country, including the Department of Justice's Strategic Approaches to Community Safety Initiative (SACSI) in 1998 to replicate Operation

Ceasefire in ten other cities; Project Safe Neighborhoods (PSN) to further reduce gun violence in 2001; and High Point/Drug Market Intervention (DMI) to reduce drug dealing in High Point, NC in 2004 (Bureau of Justice Assistance, 2013). A similar strategy might be used to target the drug-related violence in Mexico today.

The Inability of Flow Reduction Strategies to Reduce Violence in Mexico

Inasmuch as drug-related violence is commonly understood to be a byproduct of the illegal drug trade, there are two primary strategies for its reduction. The first involves policies that focus on reducing the activity generating the violence, which results in flow-reduction policies. The second utilizes policies aimed at reducing the violence itself.

In the past, Mexican and U.S. policies both focused on flow reduction. It could be said that these policies have not been successful in reducing drug-related violence in Mexico.. While the U.S. goal remained focused on the reduction of illegal drug flows into the U.S., the goal of Mexican enforcement has more recently morphed to include reduce drug-related violence there.. It seems worth considering that a violence-reduction strategy in the U.S. might reduce the brutality in Mexico without affecting current enforcement efforts against drug flows in the U.S.

Supply-side reduction strategies for flow reduction in the U.S. rely on two primary mechanisms: increasing the marginal cost of illegal drug production, and reducing the number of suppliers in the market. Notably, supply-side reduction can be obtained irrespective of the mechanisms for increasing the marginal cost of production, or the targeted selection of suppliers in the market.

It is worth examining the lack of success U.S. enforcement has had with increasing street drug prices through flow reduction strategies over the last several decades. Cocaine is now \$177.26 for one gram of pure cocaine, 74 percent cheaper than it was 30 years ago (Porter, 2012). A reprioritization of enforcement targets based upon their level of violence in Mexico seems at a minimum, an improvement in social benefits gleaned from the non-differentiated version currently employed.

As violence reduction through targeted enforcement ultimately reduces the number of suppliers in the market for illegal drugs, it is consistent with current U.S. flow reduction goals. Furthermore, to the extent that U.S. flow reduction strategies do not distinguish between drug flows from violent and non-violent organizations, U.S. policies are indifferent between targeted and untargeted selection of drug flows.

Therefore, we propose violence reduction as an alternative strategy that is consistent with current U.S. flow reduction goals, but which also has the potential to drastically reduce drug-related violence in Mexico.

A Bi-National approach

Just as the City of Boston successfully employed targeted enforcement to reduce gang-related homicides, a coordinated bi-national approach could reduce drug-related violence in Mexico by targeting existing U.S. resources against illegal drug revenues for the most violent VDTOs or Mexican regions. Such a strategy deters drug-related violence through the credible threat of U.S. sanctions on the worst offenders in Mexico. These sanctions include, but are not limited to arrest, prosecution, and drug and asset seizures.

A targeted enforcement strategy relies on the accurate attribution of violence to specific VDTOs or Mexican regions, and the ability to link VDTOs to their U.S. wholesalers. Evidence for reliable attribution appears promising (Molzahn, Rodriguez Ferreira et al. 2013). Indeed, if violence exists primarily as a byproduct of competition over drug-trafficking routes in Mexico, then the violence ought to be observable, and Mexican law enforcement should be able to identify the VDTOs responsible for drug-related crimes. Additionally, conversations with U.S. officials suggest that U.S. law enforcement can link specific VDTOs to their U.S. wholesalers (Kleiman, 2011a).

In the absence of VDTO attribution, however, geographic attribution might still allow indirect targeting of violent VDTOs in Mexico (Guerrero Gutiérrez, 2011). If we can trace U.S. drug supplies to specific Mexican regions, and if attribution information exists among the VDTOs, then regional targeted enforcement may result in self-enforced violence reduction (Coscia and Rios, 2012). When VDTOs operating in a Mexican region are responsible for the violence there, geographical targeting of revenues from those regions affects those VDTOs directly. Furthermore, when VDTOs external to the region are responsible for the bloodshed, the VDTOs operating within the region might be able to exact penalties on external organizations until the regional violence subsides.

In both cases, targeted enforcement imposes punitive sanctions on the most violent VDTOs, providing strong economic incentives against continued violence. Although short-term consequences might include increased competition and violence over temporary power vacuums, repetition of the strategy provides strong incentives

against continued violence to the remaining VDTOs. In particular, while continued violence among VDTOs as a side-effect of the illegal drug trade could be expected, evidence suggests that we can also expect a significant decrease in VDTO-sponsored attacks on civilians (Kennedy, 2010).

To the extent that business motives sustain VDTOs, a policy designed to make drug-related brutality extremely unprofitable disincentivizes violence. Indeed, due to the corruption of some Mexican police (Paul et al., 2011) and the ineffectiveness of monetary incentives against corrupt behavior (Asch, 2013) in Mexico, VDTOs may be most vulnerable to punitive sanctions on the U.S. rather than Mexican side of the border (Kleiman and Davenport, 2012).

Targeted Enforcement

The targeted enforcement strategy described here has four key distinctive features: focus on violence reduction; utilization of U.S.-side enforcement against U.S.-side VDTO revenues; group-based policing strategy; and clear and transparent warnings to VDTOs.

The first distinctive feature is the focus on violence reduction rather than flow reduction. As previously described, both of these methods are consistent with U.S. flow reduction goals as both are aimed at increasing the cost of illegal drug production and reducing the number of suppliers in the illegal drug market. Violence-focused enforcement, however, has the added benefit of potentially drastically reducing the drug-related violence in Mexico.

Targeted enforcement, as defined here, requires only U.S.-side enforcement.

Thus, the strategy complements the ongoing Mexican efforts for civil society and police reform. Adopting a targeted enforcement strategy does not necessarily detract from the goal of reducing drug flows and drug trafficking (even non-violent trafficking) would remain subject to enforcement (Kleiman, 2011 and Walsh, 2013). VDTOs engaged in violent trafficking in Mexico would simply be the target of differential enforcement in the U.S. (Kleiman and Davenport, 2012).

Group-based policing strategy is central to Targeted Enforcement. Operation Ceasefire employed punitive sanctions against entire gangs so that the gangs would pressure their members to cease engaging in homicidal violence. In the same way, targeting entire VDTOs, and not just individual offenders, increases the cost of individual offending through group social pressure in addition to the traditional legal sanctions against violence. In order for organizational pressure to be effective, we have to believe that communication is possible amongst the ranks in spite of the harassment that comes from enforcement focus. Anecdotally, US Army Colonel (Ret) Bob Killebrew confirmed the Los Zetas Cartel had both the expertise and technology to establish a communications network at a relatively low cost. (Clements, 2013).

Regarding accountability within DTOs: In theory, informal group sanctioning could be activated when underlings use narco signatures to take credit for a homicide. However evidence of DTO elites actually reprimanding the base for “signature” use is limited. (Loyola 2013) Perhaps DTOs are complacent or encourage signatures when they want to send a message. Further network analysis would be necessary to establish the actual control arrangements between DTO strata.

This is not a novel approach as it is currently being used in Mexico.

Nonetheless, it is worthwhile mentioning here because it is a salient feature of this strategy. While it is beyond the scope of this article, Mexican authorities could complement U.S.-side targeted enforcement by focusing their enforcement on the specific individuals responsible for particularly brutal acts. This would create incentives targeting both groups from U.S. enforcement and individuals through Mexican enforcement.

In contrast with current U.S. and Mexico policing efforts, targeted enforcement is a deterrence strategy and, accordingly, the emphasis is on prevention rather than prosecution. Consequently, an important element of the strategy requires clear warnings to VDTOs of the severe consequences for continued violence. These public warnings would further increase political transparency related to the enforcement process, dispelling concerns that VDTOs may be exerting undue influence over Mexican law enforcement officials.

IMPLEMENTATION OF THE TARGETED ENFORCEMENT STRATEGY

Design Options

There are four major targeted enforcement strategies Mexico can consider as it moves forward. Each option can proceed independently of the others, and, alternatively, a hybrid model allows for additional responsiveness to information and priority changes. Each option possesses unique strengths and weaknesses in addressing the prioritization of different evaluative dimensions, as described below (Walsh, 2013). The first two options (Options A and B) are organization-specific, whereas the last two options (Options C and D) are geography-specific.

The first alternative worth examining is option A, the “organizational all-in” strategy. This option is the framework described in existing literature on targeted enforcement in this context (Kleiman, 2011b). Under this approach, Mexican authorities identify the *most violent VDTO* as the target, and communicate that choice to their American counterparts. The U.S. then focuses its enforcement efforts on that VDTO’s specific revenue outlets and wholesale dealers in the U.S.

The goal is to disincentivize U.S. dealers away from doing business with the targeted VDTO, such that the VDTO no longer has a U.S. market for its drugs. Once that VDTO is out of business in the U.S., Mexican authorities identify the next most violent VDTO, and the process is repeated, sending a clear message that violence is bad for business (Kleiman, 2011a). To support the strategy, the stickiness of criminal identities and the ability of DTO membership to reorganize will have to be established. To be effective, the destruction of the DTO will have to be more than in name only.

The second alternative that merits analysis is option B, the “organizational proportional” strategy. Similarly, with this approach, Mexican authorities identify the *top two or three most violent VDTOs* as the targets. Multiple targets might be appropriate where several VDTOs are equally violent, if significant uncertainty exists over attribution,¹ or to reduce the ability of VDTOs to manipulate the scoring system

¹ For example, it may be that Mexican authorities can identify the top two or three most violent organizations, but due to imperfect attribution data, cannot precisely rank those VDTOs. In such a case, the U.S. could apportion its enforcement equally among those top offenders.

by altering their behavior.² The U.S. then focuses its enforcement efforts proportionally on the two or three targeted organizations. The goal is to disrupt U.S. revenues, but the response is targeted across multiple organizations.

The third selection worthy of conversation is option C, or “geographic all-in.” Under this approach, Mexican authorities identify the *most violent region* in Mexico as the target, and communicate that choice to their American counterparts. The U.S. then focuses its enforcement efforts on the American cities and regions receiving drugs from the target region or the sections of the border through which those drugs flow. The intent is to incentivize VDTOs in the targeted region to self-enforce violence reduction. If the organization responsible for the violence is also that which is responsible for the drugs, then the mechanism would be the same as in an organizational approach. However, if the organization responsible for the violence is not necessarily the same as that which is responsible for the drugs, then the mechanism would be slightly different. It seems reasonable to assume that even if law enforcement cannot attribute the violence to specific VDTOs, the organizations themselves can identify the perpetrators. If that is the case, then the VDTO responsible for the drugs might be incentivized to put pressure on the offending organization to stop using violence in order to protect its revenues (Guerrero Gutiérrez, 2011).

The final option is option D, or “geographic proportional.” With this approach, Mexican authorities identify the top two or three most violent regions in Mexico as

² For example, if in scoring violence, Mexican authorities give greater weight to violence against law enforcement than to kidnappings, VDTOs might be incentivized toward engaging in more kidnappings in order to lower their violence ranking.

the targets. Targeting multiple regions might be appropriate where several regions are equally violent, or if specific regions are strategically important.

The U.S. then focuses its enforcement efforts proportionally on the American cities and regions receiving drugs from the target regions or the sections of the border through which those drugs flow. The goal is still to either directly disrupt U.S. revenues or force VDTOs to put downward pressure on one another, but the response is targeted across a greater number of geographies.

Challenges and Solutions

All of these strategies come with their own logistical and intelligence challenges. In order to overcome these implementation challenges a methodological progression can be a useful framework from which to work. Several inter-governmental agreements and the development of new capacities may be necessary to move from theory to implementation.

The first step toward creating a functioning bi-national effort would be to secure an agreement between U.S. and Mexico, including significant input from relevant agencies on both sides of the border. Although this strategy utilizes U.S. enforcement, scoring and identifying the most violent VDTOs depends on Mexican intelligence.

Once an agreement has been forged, the second step would be to develop a functional scoring system for violence. This would require creating and publishing a “scoring system” for violence by which the most violent VDTO or geographic area will be selected (Kleiman and Davenport, 2012). Possible measures of violence for

consideration might include homicides, nature of violence, spectacular outrages, and other violence that create an atmosphere of fear and intimidation.

A reasonable measure of homicide activity could include VDTO-linked homicides, or homicide rates per 100,000 residents for geographical areas. Beyond using just raw homicide data, it is critical to take into account the *nature* of violence. Given the priority on establishing a robust civil society in Mexico, categorizing victims of the violence would go some distance toward legitimizing the violence scoring. For instance, a robust evaluation may weigh VDTO brutality against law enforcement agents, government officials, and civilians more heavily than violence among VDTOs.

In recent years, VDTO violence has expanded in the tier of extortion, kidnapping, and torture of civilians. These acts also seriously undermine Mexico's civil society and should be weighted accordingly in order to arrive at the most accurate measure. Over the last six years, the newspaper headlines have been full of spectacular outrages. These indignities include mass executions, public displays of gratuitous violence, and other acts designed to terrorize and intimidate the public. These types of offenses are as toxic as anything imaginable to the health and vitality of a community and its inhabitants.

After the full list of violent offenses for scoring is obtained, a single quantitative score can be attributed to each VDTO or geographic area through a weighting of the factors. Ultimately, the assignment of weights to each of these offending acts could be determined through a process of interviews and conversations with experts. The reliability of the scoring system would be contingent upon continued quality intelligence from Mexican law enforcement agencies.

Periodic review of the scoring system will allow flexibility in responding to changing priorities in Mexico.

In 1968, RAND developed an expert elicitation exercise for arriving at an accurate measure of evaluation (Brown, 1968). It was an early version of crowd sourcing, only with a smaller group of professionals intimately knowledgeable on the inner workings of the issue, which is elaborated upon below. Just such a working group could be invaluable for weighting different offenses toward a single “violence” score for each VDTO or region depending on which enforcement strategy one would employ.

Establishing a reliable and transparent “violence” scoring system to determine which VDTO or region will be selected as the “most violent” is critical to the legitimacy and success of the differentiated enforcement strategy. The following section outlines a process by which this scoring system could be created and who would have a hand in its development. These weights, in essence, would communicate how much emphasis Mexico places on each dimension when determining the target.

The Delphi, or “expert elicitation exercise” as used by the Brown group at RAND, would allow for as many as two-dozen evaluative dimensions, to which experts would assign weights according to their perception of relative importance. Christopher Paul and his collaborators (2011) more recently utilized the Delphi system in their insurgency work with consideration to Mexico’s ongoing challenges with non-state narcotics actors. They found that expert elicitation exercises yield assignments that indicate a good set of weights but noted that a rigorous

methodology is necessary and by definition, an expert elicitation is only as good as the experts elicited.

The exercise brought together authors of a wide range of materials close to the topic. Of the original 29 selected for the process, 14 initially agreed to participate and completed the first round of the exercise (Paul et al., 2011).

The group assembled to weight violence measures leading to scoring and eventual targeted enforcement would need to be engage a wide variety of experts. A group that includes reporters, news managers, think tank principals, independent analysts, police and intelligence authorities, human rights (official and nonprofit) leaders, court officials, and NGO principals could provide a strong coalition. This group could play an ongoing role by determining the continued relevance and relative importance of the previously established metrics (Walsh, 2013).

Involving a range of stakeholders would help to build the necessary level of trust. It would establish credibility by demonstrating that the scoring effort was not just a show on the outside that was being internally manipulated. Having a group of that size and diversity would create buy-in and could dispel the doubts that might be associated with a small group of drafters. Social dynamics play a role in the success of this process. In the 2011 RAND study, anonymity was key for the scorecard participants (Paul et al., 2011). Putting together a scoring committee can pose issues: It would seem reasonable that committee members should anonymous to prevent both retribution and corruption and simultaneously transparent and accountable to a trusted third party observers to reduce "false flagging" or other sabotage.

The RAND process, brought up to date by Christopher Paul and his collaborators, required experts to provide input and rationale for those determinations. These experts were then able to review the arguments used by other participants and revise their own after considering reasoning that they had failed to include. The anonymity of the process apparently allowed the experts to work “without any of the psychological pitfalls of committee work, such as ‘specious persuasion, the unwillingness to abandon publicly expressed opinions, and the bandwagon effect of majority opinion’” (Brown, 1968).

This process or a superior proxy would allow for the successful creation of a weighted scoring system. Mexican authorities can then proceed with collecting homicide and other relevant criminal data to score the violence levels of the different VDTOs. None of this is to say that there would not be political challenges to launching a scoring system like the one described above especially considering the ghoulish nature of valuating one death or violent act over another. Publicizing general violence-countering enforcement priorities rather than the specific algorithm used to calculate the targeting mechanism could circumvent this real issue. Even without public disclosure of these multipliers, the scoring system could still hold the private targeting process by the committee to a more objective standard.

It may also be important that those scoring numbers and priorities remain flexible as the public and scoring committees fine-tune their consideration of the social impact of one violent act against another. Considering the more than occasional distancing that the Mexican government does from US intelligence, it could be important that the system be set up for police collection of raw data and analysis done

mostly by Mexican authorities, only calling upon US for support on an “as needed” basis.

The third critical step in a successful targeted enforcement strategy is to inform and warn VDTOs of your resolve and expanded purpose. Targeted enforcement is a deterrence strategy, and prevention is thus prioritized over prosecution. Consequently, it is necessary that VDTOs be explicitly warned that the most violent group(s) will be selected for economic destruction in the U.S. market for illegal drugs. Government officials can issue warnings through formal channels, such as standard media, or through informal channels, such as prison communication networks.

Determination of the most violent VDTO(s) or geographic region(s) ought to utilize a transparent, accurate, and credible scoring system. Public support for the strategy requires an apolitical determination process. Therefore, both the method of scoring and the institution performing the scoring should be politically independent. Additionally, both governments must commit to protecting the scoring institutions and personnel from potential retaliation.

Given the stakes, there is room for abuse of this scoring system by the VDTOs that are the subject of this enhanced scrutiny. In order to reduce opportunities for perverse incentives, such as intentional false flagging and VDTO collusion, VDTOs should not have access to live scoring results prior to determination of the worst offender(s). Live information might provide incentives for VDTOs to frame competing organizations for gross brutality or to collude in an increase in collective violence. Murder and mayhem as a tool to obtain threat leverage, power or territory

provides motivation to the violent actor to take credit for the deed. False flagging forgoes these benefits to a certain extent to the betterment of the DTO's competition. Systematic covert false flagging, which draws significant attention to your competition, however, to the level where they would be targeted for destruction could be a game changing victory. For this reason, if this type of false flagging operation were discovered, it would need to be considered a highest-level threat to a targeted enforcement operation and sanctioned as such. Homicide data gathering would need the requisite level of sophistication to decipher real DTO signatures from a forgery.

The fourth component to advancing these strategies forward is to publicly announce results of violence scoring. After the scoring period, which may be as long as several weeks, the results of the scoring needs to be publicly announced. Once the identity of the targeted organizations or most violent geographical areas is known, the U.S. must publicly commit to imposing the sanctions necessary for destroying revenues from those targets (Kleiman, 2011b).

The next set of announcements *on the U.S. side* of the border would be the fifth piece. Once the most violent offenders or regions are identified, U.S. officials must inform domestic distributors of illegal drugs that business transactions with the targeted organizations or organizations from the selected regions will result in sanctions, (Kleiman and Davenport, 2012) in the same way that aiding and abetting known terrorists is a federal crime.

If this step proves successful, the top targets from the worst regions will no longer have a market for drugs in the U.S. The critical link of their U.S. distributors

will refuse to do business with them. Although the VDTO members may re-affiliate, or the organization may turn to alternative criminal activities for revenue, one of their primary sources of revenue will have been eliminated (Kleiman, 2011b).

The sixth installment is to repeat the violence scoring and attribution process. In order to maintain the deterrent effect, this process must be repeated and both governments must publicly announce that the target selection process will begin anew. The continued and credible threat of economic destruction in the U.S. market for illegal drugs gives remaining VDTOs strong incentive to be less violent than their rivals. Repetition must continue until VDTO violence is restored to acceptable conditions, as agreed upon by both governments.

Assumptions

Several key assumptions underlie the targeted enforcement strategy. The first assumption is that *high* levels of violence are non-essential to the drug-trade in Mexico. Although there is a long history of drug trafficking in Mexico, the drug-related violence only reached record levels in recent years. For this construct to work, one has to further assume that VDTO-related violence in Mexico is a side effect of the illicit drug trade there. Even when violence appears unmotivated by profit, opportunities for these incidences originate from the prevalence of weapons carried by those in the drug trade.

Additionally, these design options require a clear hierarchy for decision making within VDTOs. Indeed, while the strategy can still work even when VDTOs are not centrally ordered, it requires that VDTO leaders are able to order a cessation

of continued violence, or alternatively, to cut off non-complying members from the business.

Ultimately, targeted enforcement is a deterrence strategy and VDTOs must be able to respond immediately to strong disincentives against continued violence. A strategy of targeted enforcement against the U.S. revenues of the worst offenders in Mexico further requires the assumption that VDTOs are vulnerable to drastic reductions in their U.S. revenues from illegal drugs. Assuming that VDTOs exist primarily for business profit, this is a reasonable assumption as the U.S. market for illegal drugs constitutes the largest proportion of revenues for some VDTOs (Paul et al., 2011). Thus, the success of the strategy requires that VDTOs are not driven by other motives, and that they cannot easily substitute towards non-U.S. revenues.

The notion of the amount of economic loss that VDTOs are able to sustain in the U.S. without significant damage can be referred to as their *acceptable loss*. The effectiveness of the strategy requires a threat of economic sanctions exceeding their level of acceptable loss. A strategy of targeted enforcement on VDTO revenues can only succeed when financial interests motivate VDTO actions, particularly VDTO violence against civilians. Both organizational options require accurate, reliable, and transparent attribution of violence in Mexico to specific VDTOs. Inability to do this prevents us from targeting enforcement on specific VDTOs. This process requires access to reliable data and reporting on violence in Mexico. Both geographical options require the capacity to link violent regions in Mexico to U.S. border crossings or to drugs on the U.S. side of the border.

Perhaps one of the most important assumptions in this strategy is that U.S. law enforcement agencies have the requisite data and intelligence to link wholesale suppliers of illegal drugs in the U.S. to specific VDTOs in Mexico. As described previously, considerable evidence suggests that this attribution is possible.

Operational Procedures

The administrative and enforcement infrastructure for a targeted enforcement strategy already exists within the U.S. While not all of the agencies or programs described below would necessarily be involved in our vision of targeted enforcement, their existence demonstrates that the U.S. has the operational capacity to adopt such a strategy. Since 1982, the Organized Crime Drug Enforcement Task Forces (OCDETF) Program has existed for the purpose of coordinating federal, state, and local enforcement against drug-trafficking and money laundering organizations (U.S. D.O.J., 2013b). In the words of the U.S. Department of Justice (DOJ), “the OCDETF Program is the centerpiece of the United States Attorney General's drug strategy to reduce the availability of drugs by disrupting and dismantling major drug trafficking organizations” (U.S. D.O.J., 2013b).

Designed with the understanding that local U.S. enforcement agencies lack the ability to counteract VDTOs in isolation from the rest of the nation, the OCDETF Program “combines the resources and expertise of its seven federal agency members — the Drug Enforcement Administration (DEA); the Federal Bureau of Investigation (FBI); the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF); the U.S. Marshals Service (USMS); the Internal Revenue Service (IRS); the U.S.

Immigration and Customs Enforcement (ICE); and the U.S. Coast Guard (USCG) — in cooperation with DOJ’s Criminal Division, the 94 U.S. Attorneys’ Offices, and state and local law enforcement, to identify, disrupt, and dismantle the drug-trafficking and money laundering organizations most responsible for the Nation’s supply of illegal drugs and the violence the drug trade generates and fuels” (U.S. D.O.J., 2013b).

Through its vast network of U.S. agencies, OCDETF has the ability to devastate the “financial infrastructure of drug organizations by emphasizing financial investigations and asset forfeiture, redirecting federal drug enforcement resources to align them with existing and emerging drug threats, and conducting expanded, nationwide investigations against all the related parts of the targeted organizations” (U.S. D.O.J., 2013b).

As such, this inter-agency task force is uniquely positioned to coordinate and implement a strategy of targeted enforcement against the most violent VDTOs. Indeed, implementation of the strategy only requires a shift of priorities within the existing OCDETF framework to focus enforcement against the most violent VDTOs.

Additionally, the Anti-Drug Abuse Act of 1988 established the High Intensity Drug Trafficking Areas (HIDTA) Program through the Office of National Drug Control Policy (ONDCP) to provide timely and reliable data collection and sharing, resources, and coordination assistance to federal, state, and local law enforcement efforts against drug-trafficking activities (U.S. ONDCP, 2013). Currently, there are 28 HIDTAs and 57 Intelligence and Investigative Support Centers across the nation (U.S. ONDCP, 2013). Each HIDTA has autonomy to annually assess regional drug-trafficking threats and develop strategies, initiatives, and funding proposals for these initiatives (U.S. ONDCP, 2013).

Finally, the Office of Foreign Assets Control (OFAC) is a Department of Treasury office that “administers and enforces economic and trade sanctions based on US foreign policy and national security goals” against international narcotics traffickers among other organizations (U.S. Dept. Treasury, 2013). These sanctions block the assets of the target and restrict trade between U.S. persons and the target unless those transactions are authorized by OFAC (U.S. Dept. Treasury, 2013).

In 2011, President Obama signed an Executive Order identifying Los Zetas as an OFAC target, recognizing Los Zetas as a trans-national drug-trafficking organization that engages in “extortion, money laundering, intellectual property theft, and human smuggling” (U.S. Dept. Treasury, 2011). A number of its members have

already been indicted in federal district courts for violating U.S. narcotics laws, and those indictments further allege that Los Zetas has engaged in murder, kidnapping, and torture (U.S. Dept. Treasury, 2011).

Together, these organizations and programs demonstrate the capacity of the U.S. to mobilize and coordinate legal and extra-legal sanctions against VDTOs through all three branches of the U.S. government on the federal, state, and local levels.

Evaluative Dimensions

One or more of these design options might be preferable, depending upon U.S. and Mexican priorities and capacities. There are five categories that might inform the U.S. and Mexico's strategic preference. They are crime and violence, intelligence demands, implementation feasibility, political feasibility, and community impacts.

Though targeted enforcement has been successful in other contexts, it has not, to our knowledge, been attempted on this large a scale. Because violence reduction is the overarching goal, the potential for reducing crime and violence is an obvious dimension for evaluating and choosing among the four options. Evidence from Operation Ceasefire suggests that criminal organizations can reduce overall levels of violence in response to well-designed and communicated incentives. Likewise, a strategy of targeted enforcement requires that VDTOs respond to threats to revenue.

If VDTOs are economically driven, then it follows that they might respond to an attack on revenue. Thus, a clear understanding of how VDTOs are incentivized is crucial to developing an understanding of how violence might be affected by targeting

their businesses. To complicate matters, different VDTOs may operate in very different ways. For example, by some accounts, Los Zetas do not draw a large portion of its revenues from drug trafficking in the U.S. and, instead, rely on other revenue streams, such as extortion and money-laundering.

If that is the case, or is true for any other organization, then disrupting drug revenues in the U.S. may not provide a sufficient disincentive against violence. Likewise, although the Sinaloa Cartel has historically been more willing to negotiate with other groups to cohabit space in a way that is mutually beneficial, (Wood, 2013) there is some evidence that it has begun to adopt Los Zetas' more violent tactics (Beittel, 2012). Insofar as the use of violence is ideologically driven, as it may be in the case of Los Zetas, targeted enforcement may be less appropriate. In other words, this strategy will likely be more effective where the target is a drug profit-oriented organization.³

The potential impact of targeted enforcement would also need to be considered from a short- and long-run perspective. It is entirely possible that any new strategy, including targeted enforcement, could result in an *increase* in short-term violence. Likewise, lawmakers will need to consider potential shifts in the types of violence in which VDTOs are engaged. Presumably, confrontation between VDTOs is more acceptable than VDTO attacks on civilians or on government officials and law enforcement personnel (which we discuss more in the section on community impacts).

³ Although not considered here, there may be other points of VDTO vulnerability besides profit-motivations that could be exploited in the U.S.

Intelligence Demands

The ability of both U.S. and Mexican authorities to attribute violence and to source drugs is critical (to varying degrees) for all four design options. The type of information that is available and the intelligence capacities in both countries is a critical consideration.

While it is indisputable that violence in Mexico has risen dramatically over the last decade, observers disagree about whether the latter half of 2012 saw a leveling off (or possibly a slight decline) in levels of violence (Molzahn, 2013). Experts also disagree about the availability of quality data on this topic. Some have attempted to cobble together homicide data using a combination of government sources and media reports (Molzahn, 2013). Others contend that while quasi-private organizations collect administrative data on such dimensions as household income and access to guns, the Mexican government has remarkably little data on measures as “simple” as total homicides (Asch, 2013). The ability of the Mexican government to track levels of violence (however “violence” is defined) is a critical underpinning to each of the options.

Either organizational approach would require two crucial pieces of data. First, the Mexican government (probably with U.S. assistance) would need to be able to attribute specific acts to specific VDTOs. Again, there is some disagreement about whether this is currently possible. Partly because VDTOs have been using “narco-messaging” to intimidate other VDTOs, law enforcement, and the public, there is reason to think violence can be attributed to specific organizations, (Kleiman and

Davenport, 2012). Others suggest that only ten percent of homicides have an attached message, and that “narco-messaging,” therefore, can only be used as one component in attributing violence (Hope, 2013). Furthermore, in the absence of a trustworthy judicial system, the Mexican government has been hesitant to attribute crimes to specific VDTOs without the ability to pursue criminal prosecutions (Molzahn and Rodriguez Ferreira, et al.,2013).

Collecting information on indicators such as type of firearm used, the presence of large quantities of drugs or money, the modus operandi for disposing of corpses, and whether the incident can be connected to a specific event, could be helpful in developing attribution data more thoroughly (Hope, 2013). In addition to collecting more information using traditional sources, such as police reports, information also can be obtained via data-mining techniques such as web-scraping (Coscia and Rios, 2012). While VDTOs might be incentivized to manipulate data mining results by using messaging to shift blame or to falsely flag acts of violence, data validation techniques, such as those employed in current software may mitigate this problem (Coscia and Rios, 2012). Ultimately, if all these methods fail, one alternative would be to publicly announce that the VDTO responsible for the next major publicized outrage would become the target for enforcement (Kleiman and Davenport, 2012).

Second, U.S. authorities would need to be able to source drugs in the U.S. to specific VDTOs. Here, again, there is conflicting evidence. In 2009, “Operation Xcellerator” resulted in the arrest of 52 alleged Sinaloa Cartel operatives and the seizure of more than 23 tons of narcotics and \$59 million in cash (DEA, 2009). Law enforcement officials also have confirmed that it is possible in some cases to source

drugs to a specific VDTO. However, some observers believe that U.S. intelligence is not sufficiently fine-tuned to identify specific drugs as sourced to specific VDTOs. (Walsh, 2013). Furthermore, criminal organizations are adaptable and evolve quickly in response to both Mexican and U.S. enforcement strategies (Schaefer, 2013).

Implementation Feasibility

A targeted enforcement approach requires a substantial amount of planning and execution flexibility and cooperation across agencies in both countries. For that reason, logistical feasibility and cost (both accounting and opportunity costs) could be constraints on implementation. All four targeted enforcement options would require a great deal of flexibility, coordination, and cooperation between federal, state, and local agencies within the U.S., and with their counterparts in Mexico. As previously described, existing OCDETF intelligence, coordination and cooperation “infrastructure” could provide the knowledge, expertise, and enforcement jurisdiction necessary for carrying out any form of targeted enforcement

In particular, the DEA is the most active member agency and consistently participates in at least eighty percent of OCDETF investigations. It plays a key role due to its “vast experience in th[e] field, its knowledge of international drug rings, its relationship with foreign law enforcement entities, and its working relationships with State and local authorities” (U.S. D.O.J., 2013b) Other member agencies include the FBI, ICE, USCG, USMS, ATF, and the IRS. They also provide necessary expertise and jurisdictional authority (U.S. D.O.J., 2013b).

Existing OCDETF Program components that facilitate information sharing among member agencies and its cooperative relationship with state and local law enforcement authorities also allow for effective communication in all four targeted enforcement options. For example, the OCDETF Fusion Center (OFC):

“is a comprehensive data center containing all drug and related financial intelligence information from all seven OCDETF-member investigative agencies, and the Financial Crimes Enforcement Network, as well as relevant data from many other agencies. The OFC is designed to conduct cross-agency integration and analysis of the data, to create comprehensive intelligence pictures of targeted organizations, including those identified as Consolidated Priority Organization Targets (CPOTs) and Regional Priority Organization Targets (RPOTs), and to pass actionable leads through the multi-agency Special Operations Division (SOD) to OCDETF participants in the field, including the OCDETF Co-located Strike Forces. These leads ultimately result in the development of better-coordinated, more comprehensive, multi-jurisdictional OCDETF investigations of the most significant drug trafficking and money laundering networks.” (U.S. D.O.J., 2013b)

Additionally, OCDETF Co-located Strike Forces have been established across the U.S., in New York, South Texas, Boston, Atlanta, Tampa, Puerto Rico, San Diego, Arizona, El Paso, Chicago and Denver (U.S. D.O.J., 2013b). The three primary functions of the Co-located Strike Forces include targeting the highest-level drug-trafficking organizations; serving as a focal point for intelligence-gathering and communication of investigative leads between OCDETF agents and prosecutors across the nation, as well as state and local law enforcement and prosecutors; and responding to OFC leads (U.S. D.O.J., 2013b). Consequently, they “produce some of the largest and most successful cases against national and international level drug trafficking organizations” (U.S. D.O.J., 2013b).

One example demonstrating successful coordination of U.S. law enforcement efforts under the OCDETF Program can be found in “Operation Xcellerator.” In this operation, the DOJ’s Special Operations Division⁴ coordinated the operation, and OCDETF contributed by mobilizing more than 200 federal, state, local, and foreign law enforcement resources in the effort (DEA, 2009).

The DEA and HIDTA Task Forces coordinated a similar operation, “Project Delirium,” which was a targeted strike against La Familia resulting in 1,985 arrests, \$62 million in seized assets, and the seizure of thousands of kilograms of narcotics (DEA, 2011). “Project Delirium” was a surgical strike intended to “disrupt and destroy one of the most violent Mexican cartels... La Familia,” which was “responsible for recklessly and violently destroying countless lives on both sides of the border,” (DEA, 2011) arguably demonstrating that U.S. authorities have both the willingness and ability to adopt a strategy targeting the most violent VDTOs in Mexico. It is not known to what level Delirium damaged La Familia, but Mexican daily journals, blogs and rival DTOs noted a steep decline in their influence that year. (Vega, 2011).

The success of “Project Delirium” further demonstrates that not only is cooperation between countries possible, but also desirable, and that mechanisms already exist to facilitate such cooperation. Indeed forty percent of OCDETF’s investigations are international in scope and involve the cooperation and participation of foreign officials (U.S. D.O.J., 2013a). Mexico’s Secretary of Public

⁴ The Special Operations Division is a multi-agency body comprised of Drug Enforcement Agency (DEA), Federal Bureau of Investigations (FBI), Immigration and Customs Enforcement (ICE), Customs and Border Patrol (CBP), Internal Revenue Service (IRS), and U.S. Marshals Service.

Security, Genaro Garcia Luna, expressed this sentiment acknowledging that the success of the operation was “[d]ue to increased information sharing and collaboration with the DEA” (DEA, 2011). A similar opinion was communicated by ICE director, John Morton, who remarked that “[l]aw enforcement officials here in the U.S., in Mexico and all around the world are cooperating at unprecedented levels. There is a willingness like never before to work hand-in-hand to fight the cartels, the criminal enterprises, and the violent gangs that threaten the peace and security of people on both sides of the border” (DEA, 2011).

In addition to its existing communication scaffolding, OCDETF’s current target selection procedures could also be easily adapted for use with any of the four design options. For instance, OCDETF’s Consolidated Priority Organization Target (CPOT) and Regional Priority Organization Targets (RPOT) designations might be expanded to include the results of the violence scoring system for determining the target VDTO in Mexico. Currently, the OCDETF Program annually requires its member agencies to nominate targets for inclusion on the CPOT and RPOT lists (U.S. D.O.J., 2013a). The CPOT and RPOT lists include “‘command and control’ elements of the most prolific international drug trafficking and money laundering organizations” and “organizations whose drug trafficking and money laundering activities have significant impact in a particular OCDETF Region,” respectively (U.S. Department of Justice, 2013a). This existing organizational focus appears to favor the organizational design options over the geographical ones. By including the highest-ranked VDTOs in Mexico according to a violence scoring system on these lists, OCDETF member agencies would be able to focus enforcement and investigative efforts on the target

VDTOs' revenue sources in the U.S.⁵ Because the OCDETF Program allocates its resources, in part, based on how well OCDETF members focus enforcement efforts on the designated CPOTs and RPOTs (U.S. D.O.J., 2013a), it appears that the Program could also provide enforcement incentives for actualizing the organizational design options.

Although the infrastructure and procedures already exist for a targeted enforcement approach in the U.S., the cost of implementation, and the opportunity costs associated with a shift in resources or expansion of priority targets, are also important factors in evaluating whether to adopt a targeted enforcement approach, or in choosing among the four design options. Cost considerations require an analysis of current capacity and distribution of resources. Given the current OCDETF structure, it appears plausible that a targeted enforcement strategy under any of the four design options would not require an increase in funding, extensive shifting of resources among agencies, or movement of personnel.

Currently, the U.S. spends approximately \$15 billion annually on drug control (Executive Office of the President, 2012), and the OCDETF Program Budget Request for FY 2013 includes 3,282 positions and nearly \$525 million of funding (U.S. D.O.J., 2013). Although the organizational and geographical options are hypothetical (in the sense that none of them has been implemented at all or on a large scale), the operational requirements for implementing a targeted enforcement strategy do not differ significantly from the drug enforcement strategy currently employed in the U.S.

⁵ Under the targeted enforcement options proposed in this report, nominations for CPOTs and RPOTs that address violence levels in Mexico might need to be submitted on more or less than an annual basis.

Rather than requesting additional funding for a targeted enforcement approach, the U.S. could allocate existing resources to pursue one or more of the four design options while continuing to work towards reducing drug flows.

Nonetheless, it should be noted that economic and budget concerns will also play a significant role in determining whether or not to adopt a targeted enforcement approach. For example, the ODCETF Program's FY 2013 Budget Request reduced funding in the amount of \$12.5 million for 49 agent positions and one support position within the DOJ's Criminal Division to assist the U.S. Attorney General in "fund[ing] higher priorities within the Department." (U.S. D.O.J., 2013a) Additionally, because OCDEF investigations rely heavily on state and local law enforcement agencies nationwide, their political and budgetary conditions may significantly shape their ability to function as "effective law enforcement partners" (U.S. D.O.J., 2013a).

Finally, while current OCDEF investigations focus on targeting leaders of organizations to increase the chances of having a "lasting impact against significant organizations and their operations," (U.S. D.O.J., 2013a) the organizational design options proposed in this report would require OCDEF to focus enforcement efforts on targeted VDTOs' specific revenue outlets and wholesale dealers in the U.S. to disrupt revenues. Although the targets differ, differences may be illusory as the "goal of every OCDEF case is to continually work up and across the supply chain to make connections among related organizations nationwide" (U.S. D.O.J., 2013a).

Political Feasibility

Another significant consideration in adopting a targeted enforcement approach is political feasibility on both sides of the border. In the U.S., the approach might receive pushback from officials or the public. For instance, prosecutors may be reluctant to shift their priorities away from arresting and prosecuting VDTO heads. Additionally, both prosecutors and other law enforcement personnel might resent the approach as an edict that tampers with local law enforcement priorities. Addressing such concerns would require efforts to inform political actors on the requirements and benefits of a targeted enforcement approach (Walsh, 2013).

Furthermore, the American public may be concerned with the prudence of investing such a large amount of American taxpayer dollars on reducing violence in Mexico rather than addressing American needs. Beyond the humanitarian arguments, there are a number of reasons why reducing violence in Mexico ought to matter to Americans. First, the U.S. has deep economic ties with Mexico; not only is economic stability beneficial for U.S. businesses, but violence also increases the cost of doing business there (Senate, 2011). Second, there is concern about “spillover” violence in the U.S. from Mexico although the fear appears unlikely at the moment (Wood, 2013). Finally, it can be argued that the U.S. has moral obligations to Mexico as the mayhem there is “due in no small part to our policies as a neighbor and a country.” (Walsh, 2013)

In addition to U.S. political concerns, implementation of the targeted enforcement approach also requires political feasibility in Mexico. As previously noted, President Peña Nieto has indicated a desire to shift the Mexican strategy away

from flow-reduction towards one that has a greater chance of reducing violence. Additionally, high levels of corruption and distrust in government and law enforcement currently exist in Mexico: Mexico ranked 105 out of 176 countries on a prominent corruption perceptions index (Transparency International, 2012). Targeting the most violent VDTO could potentially be viewed as an implicit deal that Mexican authorities are not enforcing the laws against other VDTOs or that a particular VDTO has deciding authorities in its pocket (Walsh, 2013). A transparent and reliable target selection mechanism would be necessary in combatting these perceptions (Walsh, 2013).

Community Impact

In addition to the dimensions discussed above, a targeted enforcement approach could also have other potential repercussions. These may include vacancy chains, balloon effects, VDTO fragmentation, diversification of VDTO revenues, increased violence due to camouflaging perpetrators through false flagging, and migration within Mexico

Vacancy chains are created when the leaders of VDTOs are targeted in a sequential manner, there is a competitive opportunity within and between VDTOs to increase their territories (Vázquez del Mercado Almada, 2012). Likewise, if the U.S. were to successfully disrupt the distribution networks of one group through targeted enforcement, you would likely see a struggle to replace the targeted VDTO, with the potential for accompanying violence (Beittel, 2011). This problem probably would be especially pronounced in an organizational approach, where the goal is not

necessarily to disrupt an entire market based on geography, but instead on the operations of one or more specific VDTOs.

The opposite problem could occur in a geographical enforcement approach, causing a phenomenon known as the “balloon effect.” If the U.S. were to put pressure on drug markets based on geography, VDTOs may adjust to simply take their business to other markets (Paul et al., 2011). Even though it takes time to build networks, VDTOs have proven to be extremely adaptable in responding to enforcement efforts (Walsh, 2013).

Partially as a result of unstable leadership structures resulting from Mexican and U.S. targeting of kingpins), there has been an increase in the fragmentation of VDTOs into smaller factions (Guerrero-Gutiérrez, 2011). Thus, the violence is no longer limited to traditionally strategic regions for drug-trafficking, but has expanded into previously peaceful areas of the country (Beittel, 2011). The same fragmentation could occur in response to a strategy of targeted enforcement, as targeted VDTOs are dismembered.

Another way in which these strategies can impact communities is when VDTOs diversify their activities in order to continue to generate revenue. Obviously, where targeted enforcement looks to disrupt revenues, a possible consequence could be to make smuggling narcotics much more expensive for all VDTOs. If selling narcotics becomes too expensive, VDTOs may diversify their activities to include other profitable crimes. A diversification towards other revenue sources could result in an increase in the type of crime that more directly affects non-VDTO actors. Already, Mexican VDTOs have demonstrated an ability to diversify into other crimes such as

“kidnapping, assassination for hire, auto theft, operating prostitution rings, extortion, money-laundering, software piracy, resource theft, and human smuggling.” (Beittel, 2011) This is especially concerning because these crimes affect Mexican civilians more profoundly than conflicts directly related to drug trafficking (Beittel, September 7, 2011).

Increased violence due to false flagging cannot be ignored either. Under an organizational approach, if Mexican authorities were to rely, even in part, on “narco-messaging,” VDTOs would have an incentive to stop publicly claiming their violent acts (Paul et al., 2011). Alternatively, VDTOs might also be incentivized to make it look as though the acts they are perpetrating should be attributed to another VDTO, while using informal or subtle means to send a message to other VDTOs, the public, and law enforcement (Hope, 2013).

Finally, migration has increased throughout Mexico as a result of the narco-violence. As a result of drug violence over the last decade, more than 1.6 million Mexicans have left their homes (Fausset, 2013). Though they may have escaped the violence, these individuals are often faced with financial hardship and heartbreak, and often move to regions without sufficient social services to support mass migration (Fausset, 2013). If the adoption of a targeted enforcement strategy results in a short-term surge in violence, problems associated with internal migration could be exacerbated.

Summary of Findings

Crime and Violence

While a targeted enforcement strategy under any of the organizational or geographical design options disincentivizes Mexican VDTOs from committing violent acts by attacking drug-trafficking revenue generated in the U.S., the deterrence effect of a targeted enforcement approach on crime and violence depends on VDTO reliance on U.S. drug revenues.

Unfortunately, not all Mexican VDTOs derive a substantial portion of their revenues from drug trafficking into the U.S. or commit violent acts to advance their drug-trafficking business interests. A targeted enforcement strategy might consequently be more effective when the VDTOs that are responsible for the violence in Mexico also heavily rely upon drug-related revenues generated in the U.S. and engage in violent activity to maintain or increase those revenues. The deterrence effect of a targeted enforcement approach on crime and violence is likely to be more successful when these VDTOs rely more heavily on U.S. drug revenues, and are likely to be more responsive to U.S.-side attacks on revenue.

In addition to the deterrence effect, the targeted enforcement approach also entails significant possible spillover effects on crime and violence. In fact, implementing a targeted enforcement strategy could result in a surge in violence, at least in the short term, or shifts in the nature (e.g., VDTO-VDTO violence, VDTO-government and law enforcement violence, VDTO-civilian violence) or types (e.g., extortion, kidnapping, torture of civilians) of VDTO violence.

Before committing to a targeted enforcement approach, both U.S. and Mexican governments would need to invest resources towards understanding the revenue portfolios of Mexican VDTOs. This includes an understanding of the sources and

amount of VDTO revenues from trafficking drugs into the U.S., extortion, kidnapping, human smuggling, money-laundering, auto theft, and other criminal activities, and comparing these revenue amounts to total VDTO revenues for each organization. Additional resources would also be needed to understand how Mexican VDTOs are incentivized. For instance, whether and how Mexican VDTOs use violence to advance their U.S. business interests.

Intelligence Demands

Any implementation of a targeted enforcement approach depends on the ability of both U.S. and Mexican authorities to track and attribute violence (to either specific VDTOs or geographic regions), and to source drugs (to varying degrees). While attribution to specific VDTOs remains necessary for the organizational options, there is disagreement about the degree to which attribution of specific violent acts and sourcing drugs in the U.S. to specific VDTOs is possible. Although a geographical approach requires less information since attribution to specific VDTOs is not required for these options, there are still several major intelligence concerns. For instance, “hidden violence” such as the discovery of mass graves and missing persons poses significant challenges to identifying the most violent regions in Mexico. Additionally, tracing drugs to particular geographic regions in Mexico might be particularly difficult once the drugs cross the U.S.-Mexico border.

If sufficient information to pursue both organizational and geographical approaches to targeted enforcement exists or is developed over time, then employing a combination of all the different options could provide the greatest flexibility in

responding to evolving VDTO behavior and changing levels of government intelligence.

Before committing to a targeted enforcement approach, attribution information methods and processes require further development. For instance, the Mexican government will need information on violence-related data, indicating patterns within the drug trade (e.g., type of firearm used, presence of large sums of money or quantity of drugs, VDTO modus operandi, etc.). Methods for this data collection might utilize traditional sources, such as police reports, as well as data-mining techniques. Meanwhile, the U.S. government will require additional information and methods to trace drugs entering the U.S. from regions in Mexico beyond known border crossings.

Implementation Feasibility

If the necessary intelligence demands can be met, existing U.S. agencies and law enforcement already have the capacity to implement a targeted enforcement approach. In fact, the OCDETF Program could provide mechanisms for achieving effective coordination of law enforcement agencies and cooperation between the U.S. and Mexico under any of the four targeted enforcement options. Although any of the four design options may be feasible, it is useful to note that OCDETF's existing organizational focus, via CPOT and RPOT designations, appears to favor the organizational approaches to targeted enforcement.

Furthermore, the operational requirements for implementing a targeted enforcement strategy do not appear to be significantly different from the drug

enforcement strategy that is currently being pursued in the U.S. Most significantly, the four design options might not require additional funding; instead, the U.S. may be able to reallocate existing funding towards one or more of the design options.

Before committing to a targeted enforcement approach, the U.S. Department of Justice will need to make a determination about whether additional funding is necessary to implement a targeted enforcement strategy, and whether existing funding and resources can be reallocated.

Political Feasibility

Although a targeted enforcement approach can be easily implemented using existing U.S. frameworks and resources, there are still several concerns for its political feasibility. In particular, U.S. prosecutors, law enforcement and the American public might be reluctant to shift existing strategies and priorities to pursue a targeted enforcement strategy aimed at reducing violence in Mexico. Additionally, given the extremely high level of corruption and related distrust in government and law enforcement in Mexico, the process of selecting the most violent VDTO could be read as an implicit deal that Mexican authorities are not enforcing the laws against other VDTOs or that a particular VDTO has deciding authorities “in its pocket.”

Prior to committing to a targeted enforcement approach, U.S. authorities may utilize outreach efforts to inform law enforcement authorities and the public on the benefits of focusing U.S. domestic law enforcement efforts and resources toward reducing violence in Mexico. Specifically, these efforts may want to highlight the fact that the strategy does not conflict with (or negatively impact) existing drug

enforcement efforts aimed at reducing the availability of drugs in the U.S., as well as the shared economic interests and responsibility for drug trafficking-related violence in Mexico. Along the same lines, the Mexican government may wish to ensure the Mexican public that the target selection process is legitimate and free of corruption.

Community Impacts

A targeted enforcement strategy could result in a number of undesirable consequences in Mexico. These include vacancy chains and their attendant violence; a balloon effect, as VDTOs respond to enforcement efforts by taking their businesses to other markets; fragmentation as targeted VDTOs are dismembered; diversification into crimes affecting non-VDTO members as targeted enforcement increases the cost of drug trafficking; increased violence due to false flagging; and exacerbation of migration problems.

In order to allow for successful monitoring of these unintended effects, the Mexican government (possibly with U.S. assistance) may wish to establish mechanisms for collecting data and tracking trends related to the community impacts of targeted enforcement. Such information may allow the Mexican and U.S. governments to modify the targeted enforcement strategy (or, specifically, the scoring system) as necessary.

Post-Implementation Considerations

The following section, outlines several short- and long-term indicators that the Mexican and U.S. governments could use to measure the post-implementation success

of a targeted enforcement approach. It is important to note again that a successful targeted enforcement strategy need not be exclusively tied to any one of the four design options discussed in our report. Rather, all four of the options could be used concurrently and applied adaptively as VDTOs respond to the threat of sanctions and differential enforcement in the U.S.

In the short term, the foremost measure of progress would be a quantifiable drop in crime and violence in Mexico, particularly among those unaffiliated with the drug trade. Reliable and consistent data collection on crime and violence, as well as contextual information (e.g., whether the victim was affiliated with a VDTO, a member or a family member of Mexican law enforcement, government or the judiciary, a civilian with no previous affiliation with the perpetrator(s) or involvement in the drug trade, etc.), would help to inform the violence scoring system, evaluations of the effectiveness of the targeted enforcement strategy in reducing violence, and decisions regarding whether and how the selected strategy should be modified in response to changes in VDTO behavior and violence trends.

In the longer term, many topical experts note that evaluating the success of a targeted enforcement strategy requires more than just a sustained reduction in crime and violence in Mexico (Asch, 2013; Walsh, 2013; Wood, 2013). Rather, it requires a holistic understanding of how implementing the strategy affects the Mexican public's perception of personal security, as well as the legitimacy, integrity, and effectiveness of the law enforcement and justice systems — i.e., that they work in the way that they are designed to work (Wood, 2013). For example, long-term indicators of progress might include the extent to which the targeted enforcement strategy reduces the level

of fear and intimidation among the Mexican public, journalists, and law enforcement and local government officials (Walsh, 2013),⁶ reduces accusations and instances of post-arrest and pre-conviction human rights abuses by government actors, and increases the public's confidence in government institutions and law enforcement. Measuring these indicators may require an independent evaluation, possibly by international organizations, of effective government and fair judicial systems (Wood, 2013), in addition to surveys of public opinion and research on self-censorship by journalists. A number of development and economic indicators might be used as indirect measures of improvements in the public's perception of security in the long run (i.e., "second round effects"), including increased immigration into Mexico, decreased emigration from Mexico, a reduction in the number of displaced families within Mexico, increased foreign direct investment in Mexico, and increased tourism (Asch, 2013).

Conclusion

Over the last half-decade we have seen a massive increase in violence in Mexico. During this time, headlines noted that several of Mexico's most productive and prominent urban areas were now considered among the most dangerous cities in the world (Seguridad, 2013) and were home to many of the over 60,000 drug trafficking related deaths. This culture shock has triggered or runs in parallel to a

⁶ For a detailed account of acts of intimidation and threats of violence against journalists from organized crime groups in Mexico, an important resource is O'Connor, M. "The Zacatecas Rules: Cartel's Reign Cannot Be Covered." Available from <http://www.cpj.org/2013/02/attacks-on-the-press-mexican-self-censorship-takes.php>.

reign of terror that has expanded to include extortion, robbery, kidnapping, and spectacular public displays of violence. Equally alarmingly, VDTO victims increasingly count ordinary citizens, journalists, law enforcement and military, and other government officials among their ranks.

To date, enforcement efforts in the United States have focused almost exclusively on reducing the flow of drugs from, and through, Mexico. Violence reduction has been at best a secondary concern, and has been mostly considered as a potential side-benefit of flow reduction policies. Until recently, Mexican authorities have focused their attacks on the upper leadership of major organized crime groups in “decapitation efforts” as a method of reducing flows, and in an effort to address threats to public safety. The violence associated with these flow reduction and decapitation efforts have created public interest, especially in Mexico, for strategies that will more effectively minimize the violence there.

In this context freshly elected President Enrique Peña Nieto has indicated that his administration will shift focus away from drug flows, in order to prioritize crime prevention and violence reduction. Given that both the Bush and Obama Administrations have acknowledged that the U.S. market for illegal drugs is largely responsible for fueling the Mexican drug trade, there is presently a moment of strategic opportunity for shifting the approach to drug trafficking and violence prevention.

This analysis indicates that a strategy of targeted enforcement to reduce violence and address the security problem in Mexico holds definite promise. By utilizing existing administrative and enforcement infrastructures, the U.S. could

allocate current resources to differentially target the most violent Mexican VDTOs. This approach is novel in several respects. While targeted enforcement is not inconsistent with flow-reduction goals, the strategy leverages enforcement resources *in the United States* to effect *violence reduction in Mexico*. Furthermore, because it is a deterrent strategy, targeted enforcement requires authorities on both sides to *clearly and publicly* identify the target and communicate that violence will no longer be accepted as a method of conducting business. Finally, the target will encompass entire VDTOs, and not just individual offenders, which increases the cost of individual offending through *internal organizational pressure*.

The violence-minded policy options put forth here carefully consider current federal, state and local budgetary constraints. Other measures by which these options can be measured are: the potential for crime and violence reduction, intelligence demands, implementation and political feasibility, and community impacts. It seems that not only is U.S. adoption of targeted enforcement possible within existing frameworks, but that this approach has great potential for reducing Mexican-side violence.

In summary: First and foremost, the adoption of a targeted violence-reduction approach need not conflict with current U.S. efforts to reduce drug flows; thus, there should be little cost in terms of increased drug abuse in the U.S. While a short-term surge in violence is possible, attacking drug-trafficking revenues in the U.S. should incentivize VDTOs away from using violence to advance their drug-trafficking interests. Authorities would need to better understand the revenue portfolios of

VDTOs in order to estimate how responsive organizations might be to attacks on revenues, and measure the cost-effectiveness of such a strategy.

Successful implementation requires sophisticated intelligence, and while there is some indication that both the U.S. and Mexico possess the capacity to gather this intelligence, this capacity would likely need to be refined and expanded. The necessary administrative and enforcement infrastructures appear to be in place in the U.S., though resources would need to be reallocated, and additional funding might be necessary.

In the U.S., policies targeting drug flows are popular due to a perception that they decrease drug consumption; a shift towards violence reduction would probably require intensive outreach to educate stakeholders. In Mexico, current distrust in government would require clear and public communication about target selection and the role of Mexican authorities in U.S.-side enforcement.

Finally, a number of possible community impacts exist, and U.S. and Mexican authorities would need to establish mechanisms for collecting data and tracking trends in order to respond to unintended negative effects. The approach is certainly timely: while President Peña Nieto has clearly indicated that his administration will focus on violence reduction, he has yet to articulate an approach for achieving that goal. Adoption of targeted enforcement in the U.S. would allow Mexican authorities to independently engage in parallel violence-reduction efforts, in addition to pursuing other ongoing social reforms.

Regardless of whether the U.S. were to adopt this vision of targeted enforcement, a shift towards a set of violence-focused policies would send a clear

message of support to the Mexican government, and could go a long way in addressing the incredible violence that is devastating our southern neighbor.

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