

# TARGETING DRUG VIOLENCE IN MEXICO

Mark A.R. Kleiman  
UCLA  
December 22, 2011

## The Problem

Drug enforcement aimed at reducing cross-border drug flows serves neither the interests of Mexico nor those of the United States. Reducing violence in Mexico deserves policy priority. But what form would a violence-minimizing policy take?

The challenges are severe. Drug trafficking organizations are large, wealthy, well-armed, and profligate in their use of violence. Mexican law enforcement, prosecution, and adjudication have deficits of resources, firepower, morale, competence, public trust, and, in some important areas, integrity. But, like war, the struggle for domestic tranquility must be waged with the forces actually at hand, not with forces merely wished for. Major systemic reforms are needed, and should be started right away, but the needs of the current moment are too urgent to make “justice reform” an immediate strategy. So policies need to be designed with existing constraints in mind.

Insofar as it is possible to carry out investigations and secure convictions in homicide cases involving drug dealers, such cases deserve priority over cases involving drug dealing itself. But the capacity of the Mexican enforcement machinery to punish murderers in substantial numbers remains to be demonstrated: the current score is dozens of convictions out of tens of thousands of killings.

Drug enforcement has substantial, and largely unused, powers to shape the behavior of traffickers because – aside from than the risks created by other traffickers – the primary cost in the illicit drug industry is the cost of avoiding, or suffering, enforcement; conventional cost categories such as the cost of goods sold are trivial in comparison. If traffickers believed that their risks of enforcement action rose with their use of violence, they might adjust their strategies to use less violence.

Such a diffuse, nuanced approach would be both operationally and managerially difficult to implement, facing the possibility that some enforcement officials and agencies might allow improper motives to influence target selection, or that, even if no such impropriety occurs, the public will believe that it is occurring. That argues for a more focused approach, which would create greater administrative simplicity and managerial control and also allow for sufficient transparency to soothe public concerns.

## The Proposal: Sequential Targeting Based on Violence Levels

Large Mexican drug trafficking organizations make most of their money selling drugs to distributors in the United States. The U.S. has very substantial drug enforcement capacity. If that capacity were focused on those U.S. domestic distributors receiving their drugs from any one of the Mexican DTOs, U.S. distributors would quickly find other sources, and the targeted group would quickly find itself without a market for its wares in the United States. That would dismantle it more effectively than putting its current leadership in prison.

Putting any one group out of business has only limited value, since its capacity can be replaced. But the *threat* to put any selected group out of business, and to select that group on the basis of violence, could create powerful disincentives for bloodshed.

That leads to the following proposal:

1. Create, and publish, a “scoring system” for violence.
2. Announce that, based on that scoring system, one of the DTOs will be selected as the first target at the end of a period of weeks.
3. Publicly announce the identity of the targeted organization, and have the Mexican and U.S. governments publicly commit to its destruction.
4. Identify U.S. domestic distributors buying drugs from the targeted organization, and communicate to them that continuing to do so will make them the focus of special enforcement attention.
5. If that maneuver succeeds, the first target will no longer have a market for its wares in the United States. Its members may re-affiliate, or the organization may engage in other criminal activities to keep in business, but its largest source of revenue will have been eliminated.
6. Announce that a new target selection process – again, public and transparent – has begun. That will give each of the remaining organizations a very strong incentive to be less violent than at least one of its rivals. The intent would be to create a “race to the bottom” in violence levels.
7. Repeat until no single organization stands out from the rest in terms of violence and the violence level in the illicit drug industry as a whole has returned to the levels of a decade ago.

### **The Need for Planning**

A properly-informed decision by the Government of Mexico – which, it might be hoped, would receive the full support of the United States – about whether to adopt a strategy so radically different from the strategies of the past would require the gathering and analysis of facts not currently in hand, and the preparation of a detailed operational plan for the (hypothetical) new strategy. Without such evidence and such a plan, any discussion of the virtues and vices of such an approach must remain hopelessly abstract.

# PLANNING PROCESS

## 1) DATA GATHERING

### a) Detailed mechanisms of violence.

- i) To what extent are killings centrally ordered or controlled?
- ii) What are the group-to-group variations in the degree of centralization?
- iii) How is violence currently advantageous for the individuals and groups that use it?

### b) Flows of drugs, arms, and money.

- i) Can DEA actually assign to each substantial U.S. drug distribution network one or more sources in Mexico?
- ii) How “networked” is the system: does a single organization have multiple sources?
- iii) How mobile are individuals and subunits from one major organization to another?
- iv) What happens when a major organization goes down (Beltran Leyva, for example)? How do trading patterns change? Does violence go up or down?

### c) Governmental capacities (Mexico and U.S.)

- i) Can the authorities convincingly attribute most killings or other violent gestures to specific organizations and sub-units?
- ii) How accurately can individuals in Mexico and drug distribution networks in the U.S. be linked to specific Mexican DTOs?
- iii) How much pressure could the combined efforts of the two governments put on any one designated organization?
- iv) How great a competitive disadvantage would that level of enforcement pressure create?

## **2) A SCORING SYSTEM FOR VIOLENCE**

### **a) Scoring elements**

- i) Number of killings.
- ii) Social roles of victims (other gang members, ordinary citizens, police, journalists, community leaders, elected or appointed public officials.
- iii) Terroristic actions and threats.
- iv) Extortion.
- v) Kidnapping.
- vi) Systematic intimidation of public and civil=society institutions
- vii) Systematic corruption?

### **b) A weighting system to combine those elements into a single “score for each organization**

- i) Assigning relative importance to different elements
- ii) Divide by revenues or drug flows to measure “violence-intensity”?

## **3) PROCESS CONSIDERATIONS**

- a) Scoring system development should be public and transparent.
- b) Data elements must be transparently verifiable and minimally subject to “false flag” operations.
- c) Scoring system must be announced and published, and some time-frame set out (weeks, not months) for the determination of the “winning” organization, with a pre-commitment to use U.S. and Mexican enforcement preferentially against that group until it goes out of existence. (Reduced violence is harder to observe and more transient, and thus threatening only to concentrate until that group reduces violence is a much less potent threat.
- d) U.S. must announce in advance its willingness to abide by the Mexican determination and to focus enforcement attention on the winning group

and its customers. The effective declaration of war against Los Zetas in the transnational crime strategy is problematic.

- e) Ideally, the management of the scoring system and the declaration of “the most dangerous organization” should be delegated to a body of respected experts not limited to public officials. Would anyone be willing to serve on that body, given the personal risks?
- f) The “winner” must be clearly announced, and enforcement progress against that group publicly updated so that “the fight against Los Zetas” or “against Golfo” becomes a public event with the government’s prestige invested in speedy victory.
- g) A new selection process should begin when victory is declared against the first target.

#### **4) OPERATIONAL PLANNING**

- a) Identify responsible agencies (Mexican and U.S.)
- b) Identify resource needs
  - i) Personnel
  - ii) Institutions: courts, prisons
  - iii) Weaponry
  - iv) Financial
  - v) Authority
- c) Develop internal accountability systems to ensure fidelity to the planned concentration on a single target
- d) Develop external reporting to make progress transparent to officials and citizens.