

THE DIVERSIFICATION OF MEXICAN TRANSNATIONAL CRIMINAL
ORGANIZATIONS AND ITS EFFECTS ON SPILLOVER
VIOLENCE IN THE UNITED STATES

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by

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The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

ABSTRACT

THE DIVERSIFICATION OF MEXICAN TRANSNATIONAL CRIMINAL ORGANIZATIONS AND ITS EFFECTS ON SPILLOVER VIOLENCE IN THE UNITED STATES, by Nelson F. Hackmaster Jr., 96 pages.

Spillover violence describes violent crime occurring in the United States (U.S.) deriving from the drug trafficking enterprise in Mexico. Perpetrated by Mexican transnational criminal organizations (TCOs), the occurrence of spillover violence has increased since the Mexican Government declared war against the TCOs in 2006. As secondary effects, many of the operational dynamics of TCOs have evolved, resulting in an increase in the degree of violence. Diversification of criminal enterprises and the struggle for leadership positions left vacant by the Mexican Government's campaign of targeting the top leadership positions of the TCOs are most notable. This thesis looks at these secondary effects, along with domestic influences, to include the economy and education, in order to make a prediction as to the probability that spillover violence into the U.S. will increase.

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TABLE OF CONTENTS

	Page
MASTER OF MILITARY ART AND SCIENCE THESIS APPROVAL PAGE	iii
ABSTRACT.....	iv
ACKNOWLEDGMENTS	v
TABLE OF CONTENTS.....	vi
ACRONYMS.....	viii
CHAPTER 1 INTRODUCTION	1
A Synopsis of the Major Mexican Transnational Criminal Organizations	1
Sinaloa Cartel.....	2
Los Zetas	3
Gulf Cartel	4
Juarez Cartel.....	5
La Familia Michoacana.....	6
Tijuana Cartel.....	7
Beltran Leyva Organization	8
Defining Spillover Violence	9
Summary	10
Primary Research Question	12
Secondary Research Questions	13
Assumptions.....	14
Limitations and Delimitations	14
Definitions	15
Significance of Study.....	18
Organization.....	19
CHAPTER 2 LITERATURE REVIEW	26
Diversification of Criminal Enterprise	27
Economy	29
Education	30
The Merida Initiative	31
CHAPTER 3 RESEARCH METHODOLOGY	35
Economy	38
Education	38
Corruption in Mexico.....	39

TCO Leadership Vacuum	39
Fractionation	40
Criminal Enterprise	40
CHAPTER 4 ANALYSIS	43
The Evolving Operational Dynamics of Mexican TCOs.....	43
Corruption and Narco-Politics	47
The Merida Initiative	52
Mexico's Economy as an Indicator	55
Mexico's Current Economic Status	55
Mexico's Economic Forecast.....	58
Education as an Indicator.....	59
The Education System in Mexico	59
Mexican Education by the Numbers	61
CHAPTER 5 CONCLUSIONS AND RECOMMENDATIONS	71
Conclusions.....	71
Recommendations.....	75
Summary	78
BIBLIOGRAPHY	80

ACRONYMS

BLO	Beltran Leyva Organization
CIA	Central Intelligence Agency
CRS	Congressional Research Service
DTO	Drug Trafficking Organization
GDP	Gross Domestic Product
LFM	La Familia Michoacana
OECD	Organisation for Economic Co-operation and Development
PRI	Institutional Revolutionary Party
TCO	Transnational Criminal Organization
U.S.	United States
USD	United States Dollar

CHAPTER 1

INTRODUCTION

Transnational crime will be a defining issue of the 21st century for policymakers—as defining as the Cold War was for the 20th century and colonialism was for the 19th. Terrorists and transnational crime groups will proliferate because these crime groups are major beneficiaries of globalization. They take advantage of increased travel, trade, rapid money movements, telecommunications and computer links, and are well positioned for growth.

— Dr. Louise Shelley, *Crime Victimizes Both Society and Democracy*

A Synopsis of the Major Mexican Transnational Criminal Organizations

As a matter of reference, it is important to first provide a brief synopsis of the major Mexican transnational criminal organizations (TCOs) operating in Mexico. TCOs are the catalyst for much of the drug related violence occurring within Mexico. This research thesis; however, focused on the general phenomenon of spillover violence occurring in the United States (U.S.) related to organized crime deriving from Mexico in general, and will not be specifically related to any one organization.

Mexican TCO's leadership hierarchy, geographic territory, and operational tactics are constantly evolving. Changes in the dynamics of the TCOs are largely a response to external pressures from the Mexican government's campaign of eradication against these organizations. Although to a lesser extent, they are also a response to new direction provided by the constantly changing leadership within the TCOs. These changes do not serve to affect the historical perspective of these TCOs; however, the intelligence community must constantly update TCO changes to maintain the most current situational understanding.

Sinaloa Cartel

The Sinaloa Cartel, also referred to as the Pacific Cartel, has a presence in as many as 17 Mexican states, but they primarily operate in the states of Sinaloa, Durango, and Chihuahua. Known as the “golden triangle” (referring to the formation of a triangle shape when connecting the capitals of the three states on a map),¹ this region contains rich agricultural land that facilitates the growing of marijuana and poppies. Headed by Joaquin *El Chapo* (Spanish meaning short, referring to his 5’8 stature) Guzman, the Sinaloa Cartel is the most powerful of all the TCOs operating in the world accounting for as much as 45 percent of the illicit drug trade in Mexico.² Referenced as one of the world’s richest people, Guzman has controlled the organization since the mid-90s and has reaped the rewards.³ Forbes magazine also lists Guzman, as the world’s most wanted fugitive following the death of Osama bin Laden.⁴ The Sinaloa Cartel grows its own supply of opium and marijuana and traffics cocaine from Columbia and heroin from Southeast Asia. The Sinaloa Cartel controls the entire United States-Mexico border from Tijuana eastward to Ciudad Juarez.⁵ Unlike many of its rival TCOs, the Sinaloa Cartel has a reputation for living and operating outside of the public eye and tends to focus on narcotics rather than diversifying into other moneymaking propositions such as kidnapping for ransom and extortion.⁶ The Sinaloa Cartel; however, does have a reputation for the bribery of high-ranking government and military officials, creating the public perception within Mexico that it receives less scrutiny in the war on drugs than the other TCOs currently in operation.⁷ Recent intelligence indicates that the Sinaloa Cartel has now diversified into human trafficking and controls most of the migrant smuggling routes leading into Arizona.⁸

Los Zetas

Los Zetas is a TCO that originally formed as the security and enforcement muscle of the Gulf Cartel.⁹ Currently led by Miguel Trevino Morales, a former police officer from Nuevo Laredo, Los Zetas began with the recruitment of more than 30 elite Special Forces soldiers who deserted from the Mexican Army under the lure of money and fame.¹⁰ Los Zetas employs its advanced military training in the drug trafficking business and has an advanced arsenal to include assault rifles, machine guns, grenade launchers, and ground to air missiles.¹¹ The word Zeta is the Spanish name for the letter “z” and refers to the radio call sign (Z1) of its founder Arturo Guzman Decenas.¹² In 2010, Los Zetas broke away from the Gulf Cartel to form its own drug trafficking organization (DTO).¹³

Los Zetas, based out of the Mexican state of Tamaulipas, gained control of 11 states, making it the largest geographical TCO in existence.¹⁴ Additionally, Los Zetas has a presence in more than 30 U.S. cities and employs American street gangs to transport and sell much of its narcotics north of the Rio Grande.¹⁵ During the 2010 split from the Gulf Cartel, violence erupted, and Los Zetas found a safe haven in the largely rural state of Coahuila where they employed their tactics of extortion and extreme violence. Within a short time period, nearly 300 businessmen vanished; believed by Mexican authorities to have been victims of kidnapping for ransom and extortion at the hand of Los Zetas.¹⁶ Los Zetas, known for their extremely violent tactics, was one of the first TCOs to venture into non-narcotics based violent crimes as a source of income. A common phrase used when describing the extortion tactics of Los Zetas is “a thousand pesos or three

fingers,”¹⁷ referring to the penalty employed on business owners when they refuse to pay the cartel’s imposed “tax.”

Gulf Cartel

Based in Matamoros, in the Mexican state of Tamaulipas, the Gulf Cartel originated as bootleggers of liquor to the U.S. during the Prohibition Era in the early 1900s and traffickers of Central American cocaine 40 years later.¹⁸ The Gulf Cartel now makes its profits by smuggling drugs, kidnapping for ransom, and collecting taxes from businesses for unsolicited “protection.”¹⁹ Based on a threat of takeover by the Sinaloa Cartel, the Gulf Cartel developed the security arm of their organization; giving rise to the Los Zetas. Los Zetas would later break away from the Gulf Cartel to form their own organization, becoming a major threat to the Gulf Cartels existence.

Due to the turf war against the Los Zetas organization in recent years, the Gulf Cartel, once the most powerful of all the Mexican TCOs, is in a weakened state.²⁰ Operated by the Cardenas Guillen family for nearly two decades, Osiel Cardenas Guillen led the organization until his arrest in 2003. Guillen continued to successfully control the cartel while incarcerated in a Mexican prison resulting in his extradition to the U.S. by Mexican authorities in 2007.²¹ Three lieutenants from within the cartel took over the top leadership positions; each assigned their own drug trafficking routes to operate.²² Following a short stint as co-leader of the organization, Mexican authorities killed Hector Manuel Saucedo Gamboa in 2009.²³ Heriberto Lazcano, killed by the Mexican Military in October 2012, had just left the Gulf Cartel to take over leadership of Los Zetas.²⁴ The Mexican Military arrested the last of the lieutenants, Eduardo Castilla Sanchez, in September 2012.²⁵ Current intelligence reports in Mexico report that one of the four

siblings of Osiel Cardenas Guillen could potentially assume the leadership position within the organization.²⁶

Juarez Cartel

At the peak of its power, the Juarez Cartel had a presence in 230 U.S. cities and as many as 30 countries.²⁷ Based in Ciudad Juarez, across the border from El Paso, Texas, the Juarez Cartel has weakened in the last decade due to a violent turf battle with the Sinaloa Cartel.²⁸ The battle between these two TCOs served as the catalyst for much of the violence and murder in Ciudad Juarez, ranking the city as the deadliest city in Mexico with one of the highest homicide rates in the world.²⁹ Mexican intelligence sources believe that the Sinaloa Cartel has successfully taken control of Ciudad Juarez and its lucrative drug smuggling routes.³⁰ If accurate, the takeover by the Sinaloa Cartel would account for the recent marked decrease in homicide rates in Ciudad Juarez since its record high in 2010 and further leading to the assumption the battle for control is largely over.³¹

Led by Amado Carrillo Fuentes until his death in 1997 while undergoing plastic surgery (allegedly to change his appearance in order to avoid detection), his brother, Vicente Carrillo Fuentes, assumed control, and he has led the organization for the last 15 years.³² Fuentes is a wanted U.S. fugitive charged in a multi-count federal indictment for homicide, narcotics distribution, and money laundering charges in the Western District of Texas.³³ The question remains as to whether the Juarez Cartel will continue to exist independently or whether a consolidation of the remaining members will take place with the Sinaloa Cartel as they did prior to 2008.³⁴ Although Vicente Carrillo Fuentes has managed to keep control of the organization for more than 15 years, many of the top

leadership positions are vacant leaving the organization highly susceptible to take over by one of the other TCOs.

La Familia Michoacana

La Familia Michoacana (LFM), based in the Mexican state of Michoacan, is a relatively new TCO; it has been in existence for less than a decade.³⁵ Formed by Nazario Moreno-Gonzalez, a charismatic cult-like leader, LFM began as a pseudo-vigilante group with the goal of thwarting drugs and preserving their territory.³⁶ The TCO quickly evolved into a violent narcotics based organization known for its extreme violence and control of politics through bribery and intimidation.³⁷ In 2009, the Mexican Government designated LFM as the most violent TCO operating in Mexico.³⁸ LFM specializes in the manufacturing and importation of methamphetamines into the U.S.³⁹ The strength of the organization is due, in part, to their ability to perpetuate political corruption within the government and “taxation” of businesses within the state. Mexican authorities estimate that 85 percent of the legitimate businesses in Michoacan are in some way influenced by LFM.⁴⁰ They also strive to win the support of the Michoacan citizens by their acts of charity and the construction of schools for the poor.⁴¹

The death of Moreno-Gonzalez in 2010 left a leadership vacuum within the TCO and created a fight for the top leadership position, which culminated in the creation of the Knights Templar TCO, still an emerging TCO, by dissidents of LFM.⁴² Filling the leadership void, Jose de Jesus Mendez Vargas took over control of LFM although it was short lived.⁴³ In June of 2011, Mexican authorities arrested Vargas and touted the end of LFM.⁴⁴ Speculation by analysts makes it more probable that the Knights Templar or Los

Zetas will absorb the remainder of the organization, which could potentially reescalate violence in Michoacan.⁴⁵

Tijuana Cartel

Depicted in the Hollywood movie *Traffic*, the Tijuana Cartel is a TCO based in the Baja Peninsula on the Pacific Coast of Mexico.⁴⁶ Miguel Angel Felix Gallardo founded the Tijuana Cartel and ran the organization until his arrest in 1989 for his role in the kidnapping, torture, and murder of U.S. Drug Enforcement Agency Special Agent Enrique “Kiki” Camarena.⁴⁷ Imprisoned for the murder, Gallardo handed down control of the organization to the Arellano Felix brothers. In the past decade, infighting between TCOs, along with Mexican President Felipe Calderon’s war waged against the cartels resulted in the death or arrest of all seven Arellano Felix brothers.⁴⁸ Gallardo remains incarcerated in Mexico serving a 40 year prison sentence and Luis Fernando Sanchez, nephew to the Arellano Felix brothers, continues to run the organization.⁴⁹

With Special Agent Camarena’s murder as the exception, the Tijuana Cartel has generally had a history of low key operations. Their method of operation is to avoid the public spotlight and high profile lavish lifestyles, although they have been no less violent.⁵⁰ The Tijuana Cartel, known for its use of electronic technology to conduct surveillance, counter surveillance, and phone intercepts, has several intelligence centers located throughout Mexico.⁵¹

The Tijuana Cartel has left itself vulnerable for takeover. Intelligence reports indicate that the Sinaloa Cartel will try to absorb the Tijuana Cartel and has already moved into its lucrative territory.⁵² The Sinaloa Cartel pays a *piso* or tariff to the Tijuana Cartel in exchange for operating in Tijuana however; the tariff paid by the Sinaloa Cartel

is only an attempt to avoid yet another cartel war. A renewed cartel war in Tijuana would bring unwanted attention from the Mexican authorities.

Beltran Leyva Organization

Founded by the five Beltran Leyva brothers, the Beltran Leyva Organization (BLO) has the ability to infiltrate political and law enforcement officials at the top echelons of the Mexican Government as well as having sophisticated intelligence capabilities.⁵³ Arrested in 2008, the Mexican Drug Czar, Noe Ramirez Mandujano reportedly accepted \$450,000 per month in bribes from the BLO.⁵⁴ In 2010, two American Central Intelligence Agency (CIA) agents died as the result of an ambush attack in Mexico.⁵⁵ Originally reported as a case of mistaken identity and as the result of the subsequent investigation, Mexican authorities arrested 12 Mexican Federal Police officers for the murders, all suspected of working for the BLO.⁵⁶

Based in the Mexican state of Sonora, and centered in Acapulco, at its peak strength, the BLO established operations in nearly a dozen Mexican states.⁵⁷ In 2008, the Mexican Military arrested the leader of the BLO, Alfredo Beltran Leyva. Rival TCO leader Joaquin Guzman Loera provided the information that led to Leyva's arrest,⁵⁸ and in retaliation, Leyva ordered the killing of Guzman Loera's son, Edgar, sparking a violent war between the two organizations.⁵⁹ In 2009, the Mexican Military killed Arturo Beltran Leyva, brother to Alfredo, leaving a third brother, Hector Beltran Leyva to assume the top leadership position. Hector renamed the TCO the Cartel del Pacifico Sur.⁶⁰

In 2010, Mexican authorities arrested one of the TCO's top echelon leaders, Edgar "La Barbie" Valdez. This marked a rare instance in which an American citizen climbed to the top of the leadership ranks of a Mexican TCO.⁶¹ Currently the

organization is in a weakened state and has aligned itself with Los Zetas as a means of survival.⁶² The BLO's survivability remains questionable.

Defining Spillover Violence

Spillover violence refers to the phenomenon of violence committed in the U.S. deriving from Mexican TCOs. Spillover violence in the U.S. is a result of the continued illicit drug trade between TCOs in Mexico, and the consumers of the drugs in the U.S. The illegal drug trade has taken place for decades, and the beginning of spillover violence started nearly as far back.

Until recently, spillover violence's mere existence was a source of intense national debate. While spillover violence is now generally recognized by the law enforcement community as occurring in the U.S., there is disagreement as to what amount of spillover violence is actually occurring. One of the issues complicating the identification of spillover violence is the lack of a formal definition. Testifying before the House Appropriations Committee, a representative from the Drug Enforcement Agency stated that the "interagency community has agreed to the definition of spillover violence as deliberate, planned attacks by the cartels on U.S. assets, including civilian, military, or law enforcement officials, innocent U.S. citizens, or physical institutions such as government buildings, consulates, or businesses. This definition does not include trafficker on trafficker violence."⁶³ As stated, this definition fails to take into account drug trafficker on drug trafficker violence committed in the U.S., even when the drug trafficking is originating from Mexico. This would prove important when measuring the social and political impacts of spillover violence, as well as collateral property damage, and unintended secondary victims. Additionally, the definition as stated, would exclude

all other nationalities of victims other than a U.S. citizen, and even then, the U.S. citizen would require the determination of “innocent.” This definition presumes that violence against illegal immigrants, often the victims of violence on the Southwest Border, would result in exclusion. Lastly, the condition that the violence be “planned and deliberate” is not in accord with the conduct of most drug traffickers who often do not premeditate their violent acts. For purposes of this thesis, the definition of spillover violence used is the one offered by the State of Texas Department of Public Safety, “Mexican cartel-related violence that occurs in Texas. We include aggravated assault, extortion, kidnapping, torture, rape, and murder.”⁶⁴ This definition does not exclude drug trafficker on drug trafficker violence, victims other than “innocent U.S. citizens.” Additionally, it does not contain any preconditions that it be planned and deliberate.

Another issue that complicates the classification of violent crime that occurs in the U.S. as spillover violence is the fact TCOs are diversifying their criminal enterprises. Consequently, many of the non-narcotics crimes that TCOs commit are difficult to distinguish from non-TCO perpetrators. Often, concrete classification requires additional resources and investigative effort, which many law enforcement agencies do not have available due to manpower and budgetary constraints. For these reasons, law enforcement agencies, particularly local and state agencies, potentially underreport the occurrence of spillover violence.

Summary

Mexican DTOs began more than 30 years ago when Miguel Angel Felix Gallardo organized the first cartel in Mexico and began transporting cocaine in support of the drug trade in Central America. Over time, Gallardo built the largest (DTO) in Mexico. In the

late 1980s, Mexican authorities arrested Gallardo for his drug trafficking crimes. The Mexican Police Officer credited with the arrest, and who himself was accused of being involved in drug trafficking, was gunned down in Texas in 2003.⁶⁵ This serves as an early substantiated example of spillover violence resulting from the Mexican drug trade.

Most commonly referred to in the past as DTOs, they are becoming better organized and increasingly more violent, and they no longer have an exclusive identity based solely on the enterprise of drug trafficking. They are diversifying their criminal enterprise to include any pursuit in which they can generate a profit including: murder, extortion, kidnapping for ransom, home invasions, and money laundering. This diversification has evolved over the last decade into a designation coined as transnational criminal organization or TCO.

There are seven major TCOs now operating in Mexico, their organizational structure is more complex and their footprint much bigger both in Mexico and in the U.S. A report generated in April of 2010 by the United States Department of Justice, National Drug Intelligence Center, placed the number of cities in the U.S. having the presence of Mexican TCOs at 1,286.⁶⁶ The same report placed the number of cities at 50 in 2006 although a change in the methodology for capturing the data may account for some of this growth. It however, does show the expansion of criminal enterprise by the TCOs and serves to negate much of the earlier debate as to whether spillover violence was occurring in the U.S.

The Mexican Government reported that between late 2006 and early 2012, there were 47,515 deaths resulting from the drug violence in Mexico (thought to be much higher by some estimates).⁶⁷ This is the same period of time in which Mexican President

Felipe Calderon took office and declared war on the cartels. Many critics of Calderon argue that the toll on the country has not been worth the success against the TCOs. A common perception among Mexican citizens is that although the dismantling of some of the TCO leadership is arguably a success, the end result is a TCO that is undisciplined, and has less restraint in committing violent acts.

In the last decade, Mexico suffered several successive years of poor economic conditions where over 50 percent of its citizens lived below the poverty line. A former political party, the Institutional Revolutionary Party (PRI), once again took over the Presidency in December of 2012, one that has a 70 year history of passive policy towards the cartels.⁶⁸ Mass political corruption continues to plague Mexico. In May of 2012, Mexican authorities arrested three Mexican Army generals for their suspected involvement in narcotics trafficking. One of the generals arrested was second-in-charge at the Defense Ministry and a former Defense Attaché at the Mexican Embassy in Washington D.C.⁶⁹ This research thesis studied these contributing factors in an attempt to answer the primary and secondary research questions.

Primary Research Question

Will the diversification of transnational criminal organizations in Mexico lead to increased occurrences of spillover violence in the U.S.?

This research thesis studied the changing operational factors in Mexico affecting TCOs in an attempt to answer the primary research question. Several factors have led to a change in the organizational makeup and operational behaviors of the Mexican TCOs, however, at its root; it is a consequence of the Mexican Government's intensified focus on the dismantling and disruption of these organizations. This declared war on drugs by

Calderon primarily began in 2006 and extends to the present day.⁷⁰ In an effort to arrive at the most logical and defensible conclusion, this research examines the relevant collateral consequences of the intensified focus rather than the actual catalyst for these changing dynamics. Some of the consequential factors addressed in this research thesis are: the diversification to non-narcotics based criminal enterprises by the TCOs, the leadership vacuum within the TCOs due to the targeting of the top leadership positions by law enforcement, and the battle over lucrative drug trading routes left up for grabs by the degradation of targeted TCOs. Chapter 4 expounds on these factors. By studying these known and evolving operational dynamics of the TCOs, a conclusion as to whether these changes will lead to an expected increase in spillover violence in the U.S. is determinable.

Secondary Research Questions

1. What impact does the current cultural, economic, and political environment in Mexico contribute to an increased risk of spillover violence in the U.S.?

To answer this secondary research question, a review of current domestic factors effecting Mexico is necessary, in order to determine if these factors disproportionately affect the Mexican TCOs ability to operate and recruit new members. In particular, does a combination of negative environmental indices increase the probability that TCOs will disregard the sanctity of the U.S. border in an attempt to continue their criminal enterprise, in order to maintain their illicit cash flow? Additionally, an understanding of the Mexican political environment and what role narco-politics play in the ability of TCOs to operate, contributes to answering whether this evolution lends itself to the propensity for increased spillover violence into the U.S.

2. Are Mexican and U.S. efforts to dismantle TCOs proving successful?

The root cause of spillover violence in the U.S. is the continued survivability of Mexican TCOs. A review of the current efforts of both Mexican and U.S. law enforcement initiatives should provide evidence as to whether the net result of these initiatives is a decrease in the number of viable TCOs in operation. A review of Plan Merida should determine whether U.S funded training and equipment has contributed to the dismantling of Mexican TCOs and whether continued funding will likely increase effectiveness.

Assumptions

The major assumption associated with this research thesis is that the new Mexican President, Enrique Pena-Nieto, who took office in December of 2012, will continue with a similar policy in combating Mexican drug cartels as outgoing President Calderon instituted from 2006 to 2012. A drastic change in policy, particularly a policy of complacency, would likely lead to a reconstitution of the various Mexican TCOs in existence and an increase in the drug trade between Mexico and the U.S. In the short term, this could potentially serve to decrease the drug-related violence in Mexico as well as spillover violence in the U.S. In the long term, however, this would likely lead to an increase in drug related violence on both sides of the border.

Limitations and Delimitations

In conducting the research and analysis for this thesis, its intent is to serve as a notice to the law enforcement community, as well as the general public, that spillover violence resulting from Mexican TCOs is occurring. Additionally, the changing

environmental and operational dynamics of these organizations could potentially serve as a catalyst for an increased occurrence of spillover violence in the U.S. This phenomenon requires continued research without cultural or political bias, and instituting a national course of action.

A limitation in researching this topic is in the scrutiny of available resources to ascertain whether they are unbiased intellectual productions. This topic lends itself to emotionally biased opinions or partisan political agendas, and much of the information available is in opinion editorial, blog style information, or affiliated with partisan television or newspaper sources. The information available on this subject matter is constantly evolving. The intent of this paper is to remain current throughout the research and its publication. Its relevancy however, will be short lived without the efforts of updated research by others in academia.

Definitions

Congressional Research Service (CRS). “Works exclusively for the United States Congress, providing policy and legal analysis to committees and Members of both the House and Senate, regardless of party affiliation. As a legislative branch agency within the Library of Congress, CRS has been a valued and respected resource on Capitol Hill for nearly a century. CRS is well-known for analysis that is authoritative, confidential, objective and nonpartisan. Its highest priority is to ensure that Congress has 24/7 access to the nation’s best thinking.”⁷¹

Diversification. “In addition to selling illegal drugs, they [TCOs] have branched into other profitable crimes such as kidnapping, assassination for hire, auto theft,

controlling prostitution, extortion, money-laundering, software piracy, resource theft, and human smuggling.”⁷²

Drug Trafficking Organization (DTO). “Complex organizations with highly defined command-and-control structures that produce, transport, and/or distribute large quantities of one or more illicit drugs. Drug cartels are large, highly sophisticated organizations composed of multiple DTOs and cells with specific assignments such as drug transportation, security/enforcement, or money laundering. Drug cartel command-and-control structures are based outside the United States; however, they produce, transport, and distribute illicit drugs domestically with the assistance of DTOs that are either a part of or in an alliance with the cartel.”⁷³

Fractionation. The result of the “kingpin” strategy of Mexican law enforcement initiatives in targeting the top and mid-level leaders of the various Mexican TCOs.⁷⁴ This strategy leads to a decentralized organization with a leadership vacuum in which a violent struggle for control is most common. This phenomenon commonly results in the birth of smaller, emergent TCO groups, multiplying the number of TCOs that are in existence.⁷⁵

Gross Domestic Product (GDP). “Total market value of the goods and services produced by a nation’s economy during a specific period of time. It includes all final goods and services—that is, those that are produced by the economic resources located in that nation regardless of their ownership and that are not resold in any form. GDP differs from gross national product (GNP), which includes all final goods and services produced by resources owned by that nation’s residents, whether located in the nation or elsewhere. In 1991 the United States substituted GDP for GNP as the main measure of economic output.”⁷⁶

Institutional Revolutionary Party (PRI). “Spanish *Partido Revolucionario Institucional*, Mexican political party that dominated the country’s political institutions from its founding in 1929 until the end of the 20th century. Virtually all important figures in Mexican national and local politics belonged to the party, because the nomination of its candidate to a public office was almost always tantamount to election. Originally called the National Revolutionary Party (*Partido Revolucionario Nacional*), the party was renamed the Mexican Revolutionary Party (*Partido de la Revolución Mexicana*) in 1938 and took its current name in 1946.”⁷⁷

Organisation for Economic Co-operation and Development (OECD).
“International organization founded in 1961 to stimulate economic progress and world trade. Current members are Australia, Austria, Belgium, Canada, Chile, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, South Korea, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom, and the United States. Member countries produce two-thirds of the world’s goods and services. The convention establishing the OECD was signed on Dec. 14, 1960, by 18 European countries, the United States, and Canada and went into effect on Sept. 30, 1961.”⁷⁸

Spillover Violence. “Mexican cartel-related violence that occurs in Texas, including aggravated assault, extortion, kidnapping, torture, rape, and murder. The victims of these crimes include illegal immigrants being smuggled into the U.S., Mexican or U.S. citizens working with the cartels or their innocent family members, and those that are not associated in any way with the cartels or transnational gangs.”⁷⁹

Transnational Criminal Organization (TCO). “Transnational Criminal Organization refers to those self-perpetuating associations of individuals who operate transnationally for the purpose of obtaining power, influence, monetary and/or commercial gains, wholly or in part by illegal means, while protecting their activities through a pattern of corruption and/or violence, or while protecting their illegal activities through a transnational organizational structure and the exploitation of transnational commerce or communication mechanisms.”⁸⁰

Significance of Study

The study of spillover violence, particularly in determining the probability of an increase, serves to substantiate not only its existence but also highlights the importance of identifying and tracking its occurrence in the U.S. Devising a metric to measure spillover violence would provide the transparent data needed to convince politicians of its existence as well as the potential for its increase. The usefulness of this empirical data would be in broader support of law enforcement initiatives in the U.S. aimed at combating drug related violence deriving from Mexico. Developing a formal metric would negate the current dependency of anecdotal evidence as proof of spillover violence and further bolster efforts in procuring supplemental funding needed to identify, track, and combat its occurrence. Research showing a likely increase in spillover violence would serve useful in demonstrating the need for expanded law enforcement initiatives aimed at its prevention. Conversely, research projecting a decrease in spillover violence would substantiate the effectiveness of current law enforcement initiatives aimed at combating spillover violence as well as the effectiveness of current border security strategies. Lastly, the ability to effectively track trends in spillover violence deriving from

Mexico would serve as a barometer to measure the second and third order effects of various Mexican policies and strategies used in dismantling Mexican TCOs.

Organization

Chapter 1 is an introduction to the concept of spillover violence and a brief history of TCOs. Chapter 2 reviews the literature available for this research including published books, governmental reports, periodicals from vetted sources, non-classified intelligence reports, and previously published academic research. Chapter 3 examines the research methodology used to validate or invalidate the evidence researched and which evolutionary and environmental factors used are most relevant to answering the research questions stated. Chapter 4 reviews research data findings and provides analysis of this data. Chapter 5 describes conclusions reached and recommendations based on the research studied.

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CHAPTER 2

LITERATURE REVIEW

This chapter serves as an overview of the literature available to conduct the research for this thesis, divided into three main areas, corresponding to the primary and secondary research questions posed. This literature review examines whether or not the diversification of DTOs will increase the occurrence of spillover violence in the U.S. Also reviewed, is literature that addresses what current domestic factors has contributing effects, and what success, if any, the Mexican and U.S. Governments have had in dismantling Mexican TCOs. There is a voluminous body of literature on the Mexican TCOs and the war on drugs waged against them. Several governmental reports are available and comprise the preponderance of research used. In addition, scholarly articles as well as articles authored by subject matter experts offer alternative, but more often, supporting materials. Resources including Congressional Research Service (CRS) Reports prepared for Congress provide a statistical chronology of the recent trends of these organizations. By using statistical information in relation to the known events occurring within and towards these organizations, an accurate prediction of future outcomes becomes possible. Periodicals, governmental publications, and existing research theses provide accounts of the recent operational trends of these organizations, as well as the efforts of law enforcement initiatives to counter TCO proliferation. As a reiteration, the author omitted from use, publications and articles perceived to contain a bias, whether the bias was intentional or incidental.

Diversification of Criminal Enterprise

Diversification of criminal enterprise is a well documented trend of Mexican TCOs related to internal and external pressures inflicted on TCOs. These pressures are due in large part to the Mexican Government's dismantlement initiatives as well as the internal conflicts between TCOs vying for territories and trafficking routes. These pressures on TCOs necessitate their diversification into alternative criminal enterprises as a means to generate a profit. Several government publications identify this phenomenon. It is generally an unanticipated consequence contributing to the overall level of violence in Mexico and subsequently, serves to account for transnational crimes that potentially contribute to spillover violence. Additionally examined, were fractionation of TCOs, and the leadership vacuum created by targeting the top leadership positions of the organizations.

Numerous governmental institutions produce counterdrug intelligence, demographics, and related statistics pertaining to Mexican TCO's in an unclassified format such as the CRS, a governmental entity charged with providing updated informational reports to members of Congress. These reports generally offer current facts, statistics, and identification of challenges but rarely offer specific recommendations or proposed courses of action. Several of these government reports address diversification of crimes, the leadership vacuum, and fractionation by the TCOs. One such CRS report, *Mexico's Drug Trafficking Organizations: Source and Scope of the Rising Violence* by June S. Beittel, was particularly informative. In this report, Beittel offers examples of crimes diversified into by TCOs as well as statistical increases in these crimes as a result.¹ Beittel suggests that diversification is a result of the internal and external struggle

for control of the DTOs as well as the lucrative trafficking routes.² She asserts that the increase in violence accompanies an increase in kidnapping for ransom and other transnational crimes.³ This is important when drawing a correlation between the increase in violence and its relation to spillover violence. Also addressed in the report is research pertaining to “emergent groups.”⁴ This information proves useful when describing the behaviors of the “new generation” of TCO membership in relation to their lack of restraint in committing violent crime against the populous, traditionally an “off limits” venture for Mexican TCO members.

Additional sources used to study the subject of diversification included newspaper periodicals from major newspapers, as well as scholarly articles by subject matter experts. Several works by Sylvia Longmire were useful in researching this thesis. Longmire has an extensive background in intelligence and counterintelligence lending to her credibility.⁵ Longmire’s experience while serving in the military, as well as with state, and federal agencies qualifies her as a subject matter expert on drug cartels, she is an author of several books on TCOs and frequently presents academic lectures on the subject.⁶ Longmire contends that kidnapping for ransom is now the second most profitable crime for TCOs, and targets all social classes, to include migrants.⁷ This is relevant in that migrants traveling between Mexico and the U.S. are often the targets of violent crimes, some of which occur north of the border, constituting spillover violence.

Longmire also maintains a website, “Mexico’s Drug War,” in which she regularly updates information related to the major TCOs to include relevant intelligence, arrests or deaths, leadership changes, and other information pertaining to the organizations.⁸

Information contained in this website provided a basis for the synopsis of the major TCOs described in chapter 1.

Economy

A study of the Mexican economy serves to identify opportunities for Mexican citizens, particularly its youth, to earn a basic level of subsistence. An assumption made by the author, is that, as job opportunities improve, it will afford a higher earning potential and the perceived opportunities offered by TCOs will be less attractive. The strength of Mexico's economy, as a country, has implications in its abilities to attract foreign investment, as well as its ability to reform the social institutions that would create opportunities and subsequently, deter the proliferation of TCOs. Reports such as "Mexico Economic Forecast" offered by Economy Watch provided a broad overview of the current economic climate as well as a prediction of future economic indices.⁹ A review of literature that focuses on the economic indices of poverty, unemployment, wages earned, and the distribution of wealth, helped to determine how the economic strength of Mexico translates to meaningful economic viability of its citizens. Reports produced by the OECD,¹⁰ and the CIA's World Factbook¹¹ provided statistical information regarding these relevant indices.

Literature useful in arriving at a conclusive finding of whether these indices were likely to improve or decline in future years was more difficult to find. Most resources reviewed, stopped short of making future forecasts of Mexico's economy. For purposes of considering future trends, periodicals offered by economic business periodicals were useful. "Mexico Economic Forecast" was useful in determining those areas relevant indices, particularly the prediction of unemployment rates and the informal labor

market.¹² Additionally, it provided a comprehensive explanation of the interference of the informal labor market when determining true unemployment rates. Informal employment most often offers meager pay, no benefits, and generates no tax benefits to the Mexican Government.¹³

Education

A review of the Mexican educational institution provides a barometer in assessing the ability of Mexico to support and employ its citizens in jobs requiring a higher degree of aptitude or technical abilities. These types of jobs will provide a livable wage that would afford better opportunities and prosperity to its citizens and conversely, would increase the motivation to achieve a higher degree of education by others. Used to access current educational statistics for Mexico, were reports generated by the RAND Corporation,¹⁴ a federally funded research and development center, as well as reports by the OECD¹⁵ which offered statistical information related to educational achievement in Mexico, as well areas in need of reform or creation. In an unbiased, third party approach, the RAND Corporation report *Education in Mexico: Challenges and Opportunities*, describes the current state of education in Mexico, which was instrumental in equating the educational progression from kindergarten through high school grade levels, to that of the U.S.¹⁶ The OECD report, *Education at a Glance 2011*, supplied the achievement rates of the various age demographics of Mexican students which was useful in showing the point at which attrition is most prevalent, as well as the low correlation between educational attainment and unemployment, and the Mexican GDP expenditures on education.¹⁷

A special report published in *USA Today* was useful in studying the powerful Teachers Union in Mexico. “Education system holding Mexico back, critics say,” describes a highly corrupt and nearly autonomous organization, identified as one of the major issues preventing the implementation of the changes necessary in reforming the educational institution in Mexico.¹⁸ Additionally, this report describes the pervasive corruption and political under handing of the union, as well as its control over the policies and curriculum within the education system that it controls.¹⁹

The Merida Initiative

A review of literature pertaining to the Merida Initiative is useful in determining if, and to what level, law enforcement efforts have succeeded in dismantling the TCOs. The Merida Initiative, a bilateral initiative between the U. S. and Mexico provides funding to combat Mexican DTOs, complemented by a set of benchmarks that both countries are to achieve as part of their obligation.

Several governmental research organizations report on the merits as well as the progress of the Merida Initiative, a requirement due to its use of taxpayer funding. The CRS has multiple reports on the initiative as a progress check used to inform Congress of current achievements. *U.S.-Mexican Security Cooperation: The Merida Initiative and Beyond* highlights the progress and shortfalls as of January 2013.²⁰ This report contains the basic tenets of the agreement, as well as some of the secondary efforts pursued in support of the initiative; such as curtailing bulk cash smuggling and firearms trafficking from the U.S. headed south.²¹ Additionally reported, is the growing demand for drugs by consumers in the U.S.; a point frequently pointed out by Mexican officials.²² Progress in human rights conditions was a benchmark responsibility of the Mexican Government and

monitored by the United States Department of State.²³ The release of a portion of the Merida Initiative funding is contingent on successful progress in this area.²⁴

Another report used was the prepared statement of John Bailey (Georgetown University) comparing and contrasting the Merida Initiative to Plan Columbia.²⁵ “The U.S. Homeland Security Role in the Mexican War against Drug Cartels” highlights the differences between the two plans as well the differences between the two countries. Lastly, Bailey highlights the changes in the Merida Initiative in Mexico due to lessons learned from Plan Columbia.²⁶

“The Merida Initiative: A Flawed Counterdrug Policy?” by Phillip Abbott and published in the *Small Wars Journal*, contained useful statistics regarding crime rates occurring as a result of the illicit drug trade, a frank discussion of the successes and failures derived from the Initiative, and the responsibilities bared by both countries.²⁷ In the conclusion, Abbot reminds the reader of the scope of the drug trade problem compared to the size of the initiative, suggesting that the Merida Initiative’s intent was to combat, not completely eradicate, the proliferation of DTOs.²⁸ Abbott acknowledges that some of the root causes of drug trafficking, namely drug demand and availability of weapons, are social issues requiring a complex solution and largely the responsibility of the U.S.²⁹

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²¹*Ibid.*

²²*Ibid.*

²³*Ibid.*

²⁴John Bailey, “The U.S. Homeland Security Role in the Mexican War against Drug Cartels” (Prepared statement before the House Committee on Homeland Security, Subcommittee on Oversight, Investigations, and Management), 31 March 2011, <http://www.homeland.house.gov/sites/homeland.house.gov/files/Testimony%20Bailey.pdf> (accessed 23 February 2013).

²⁵*Ibid.*

²⁶*Ibid.*

²⁷Phillip K. Abbott, “The Merida Initiative: A Flawed Counterdrug Policy?” *Small Wars Journal*, 6 January 2011, <http://www.smallwarsjournal.com/blog/journal/docs-temp/640-abbott.pdf> (accessed 7 March 2013).

²⁸*Ibid.*

²⁹*Ibid.*

CHAPTER 3

RESEARCH METHODOLOGY

The research methodology used in this thesis was a qualitative approach using descriptive analysis of secondary sources in order to formulate a prediction.¹ The analysis of secondary sources lends to the validity and strength of this thesis through the use of previously published statistics collected by subject matter experts and research institutions. Other advantages of using secondary sources for this thesis include the depth of statistics available for successive years that facilitate observable trends.² This serves to mitigate the potential for researcher bias by the author, as well as preventing collection errors. Additionally, the scope and complexity of gathering statistics on violent crimes, particularly when perpetrated by DTOs based in a foreign country would prove nearly impossible. The poor record keeping of crime statistics in Mexico, low reporting rates by Mexican citizens, and the reluctance to release statistics by the Mexican Government would exacerbate this challenge.³ Consequently, the use of secondary sources is an appropriate application for this thesis.

Correlating this statistical data with the observable and well documented changing dynamics of TCOs will result in a reasonable and defensible prediction as to the probability of an increase in spillover violence.⁴ Although the causality of these changing TCO dynamics is not integral to making a prediction, it lends to the credibility of the statistical data observed, as well as the reliable correlation between the data and observed changes.⁵ Well documented, is the use of reliable correlations in order to predict a future behavior and does not require the establishment of a theory.⁶

For purposes of this research, the following environmental markers were reviewed: economy, education, and corruption. Governmental reports and subject matter experts frequently reference these markers when reporting on the Mexican TCOs.⁷ However, this information is usually in the context of a lack of credible opportunities afforded to Mexican youth, who then resort to DTOs, as a lack of alternatives. This information is usually limited in scope to background information, supporting the current operational environment in which the Mexican TCOs operate. The more substantive data used to support this research thesis was the data conducted by research organizations such as the RAND Corporation and OECD, who usually receive greater access to the host country reported on.⁸ These organizations focus on the economic and educational prosperity of developing countries and consequently receive better access to accurate statistical information.

A noted weakness of this research methodology is in its use of forecasts of the Mexican economy. As with any forecast, it is subjective in nature and can vary with changing influences. Economic forecasts are generally pessimistic in nature.⁹ To mitigate this to an acceptable risk level, the author relied on credible economist reports, as opposed to private sector prospectus usually having an ulterior financial incentive. Additionally supporting this as an acceptable level of risk is that the economic forecast would not negate a qualitative finding of an increase or decrease in spillover violence. Seeking a quantitative prediction could result in a greater level of risk.

Also examined are the evolving operational dynamics of TCOs in an attempt to identify observable changes that will likely contribute to a change (decrease or increase) in the occurrence of spillover violence. Specifically, this research thesis will focus on the

leadership vacuum, fractionation, criminal enterprise, and law enforcement efforts as a result of the Merida Initiative. This does not serve as an all-inclusive list of operational markers but identifies evolving dynamics resulting from the intensified focus of Mexican and U.S. law enforcement efforts in the dismantlement of Mexican TCOs. Selection of the factors studied in order to answer the thesis research questions uses previously identified indicators attributed by government reports and subject matter experts as the observable changing dynamics of TCOs. Several reports conducted by the CRS attribute fractionation, diversification, and leadership vacuum as significant factors resulting from law enforcement initiatives aimed at dismantling the DTOs.¹⁰ Subject matter experts such as Sylvia Longmire also note these same changing dynamics.¹¹ The reoccurring identification of these changes by subject matter experts and governmental reports lends to the strength and credibility of their usage in this thesis.

Another weakness of the research methodology used in this thesis is that the statistics studied were not originally collected for the purpose of formulating a predictive analysis of future trends relating to spillover violence. This is a noted but surmountable disadvantage of using secondary data.¹² In order to mitigate any unsupportable inferences, assumptions were made, and consequently predictions, based solely on the statistics and indicators offered by credible sources. The author studied these statistics gathered over successive years to observe trends that, in concert with the changing dynamics of Mexican TCOs, would lead to a reasonable and defensible prediction of a future increase in spillover violence.

Economy

This thesis looked at indices of the Mexican economy to determine how past economic challenges influenced TCO behavior and whether a future economic forecast can be used to predict future TCO behaviors, particularly violence in its relation to the likelihood for spillover. This study will review poverty, unemployment, and worker remittance of U.S. dollars to determine whether these factors have a proportionate effect throughout Mexico or conversely, if they will have greater effect on Mexican states bordering the U.S. Examination of the forecast for manufacturing (assembly plants) in Mexico as well as oil production in the region is necessary, as both have a correlation to unemployment rates.¹³ Oil production is a major source of operating revenue for the Mexican Government as well.¹⁴

Education

A review of Mexican educational statistics is relevant in order to determine whether there is an improvement in the educational achievement levels of young Mexican citizens. Under-education and illiteracy conceivably contribute to the lack of formal employment opportunities and subsequently to the likelihood of an individual joining a TCO or committing an act of violence. Studies show a potential correlation between the level of educational achievement and the rate of violent crime.¹⁵ Analysis of additional factors such as corruption in the Mexican educational system, educational opportunities compared to social class, job training initiatives, and the availability of collegiate level educational opportunities is relevant to answering the stated research questions.

Corruption in Mexico

Research on the current level of corruption within the social and governmental institutions in Mexico will assist in determining whether initiatives designed to combat TCO proliferation will realize any success. Corruption has plagued Mexico for decades, and the newly elected Mexican President, Enrique Pena-Nieto of the PRI party, has made anti-corruption a tenet of his agenda while in office.¹⁶ For nearly seven decades, the PRI, known for its pervasive corruption and complacency in dealing with TCOs, held the Presidency.¹⁷ An examination of narco-politics, that is, corruption aiding the proliferation of drug trafficking, as well as anti-corruption efforts will determine the feasibility of law enforcement initiatives to combat and dismantle TCOs.

TCO Leadership Vacuum

Mexican President Calderon's war on the drug cartels has left a vacancy in many of the TCOs top leadership positions.¹⁸ Historically, these leadership "elders" have kept their organizations in check and spelled out what behaviors were permissible as part of their organizational culture. Largely, this unwritten rule dealt with the avoidance of civilian casualties or death, keeping a low profile when in the U.S., avoiding confrontation with law enforcement, particularly in the U.S., and concentrating their efforts solely on the pursuit of drug manufacturing and trafficking. The younger generation of TCO members assuming these top leadership positions within the organizations, no longer adhere to these unwritten rules. This leadership void warrants research into how this anomaly could potentially affect spillover violence.

Fractionation

As both the U.S. and Mexican Governments have experienced some level of success in combating Mexican TCOs, it is not only affecting leadership within the organizations but internal fighting for these leadership positions creates a fractionation effect.¹⁹ Historically, there were three or four major cartels operating in Mexico. Since 2006, the beginning point of Calderon's concerted effort against the cartels, the number of TCOs has increased to seven or more recognized organizations. Notably the TCO posing the greatest risk to spillover violence and infamous for the degree of violence they inflict on their enemies, the Zetas, are a product of the fractionation of the Gulf Cartel TCO.²⁰ This research thesis will look at this fractionation effect to ascertain whether this will increase the propensity for future spillover violence.

Criminal Enterprise

As the diversification of Mexican TCOs transpires, many non-narcotics based criminal enterprises become more attractive as a way to generate secondary profits. Violent crimes committed as a collateral enterprise vary among TCOs, however, kidnapping for ransom, murder for hire, and violent robberies and home invasions appear to be the most prevalent of these crimes.²¹ In relation to spillover violence, this thesis will look at these crimes to ascertain whether there is a greater propensity for spillover violence as a result, or if there is a more direct correlation between violence deriving from narcotics trafficking and spillover violence.

¹Anol Bhattacharjee, "Social Science Research: Principles, Methods, and Practices," (USF Open Access Textbooks Collection. Book 3, http://scholarcommns.usf.edu/ca_textbooks/3), 6, 23, 39.

²Ashley Crossman, "Secondary Data Analysis," <http://www.Sociology.about.com/od/Research-Methods/a/Secondary-Data-Analysis.htm> (accessed 2 April 2013).

³Cory Molzahn, Viridiana Rios, and David A. Shirk, "Drug Violence in Mexico-Data and Analysis Through 2011-Trans-Border Institute," WordPress.com, March 2012, <http://www.justiceinmexico.files.wordpress.com/2012/03/2012-tbi-drugviolence.pdf> (accessed 2 April 2013), 2.

⁴Russell A. Dewey, PhD., "Correlation and Prediction," *Psychology: An Introduction*, 2007, <http://www.intropsych.com/index.html> (accessed 4 April 2013).

⁵Ibid.

⁶Ibid.

⁷Mark P. Sullivan and June S. Beittel, *Mexico-U.S. Relations: Issues for Congress* (Washington, DC: Congressional Research Service, 18 December 2008), http://www.assets.opencrs.com/rpts/RL32724_20081218.pdf (accessed 2 April 2013), 4-8, 12, 24.

⁸Santibanez, Vernez, and Razquin, *Education in Mexico*, 1-8; OECD, "Economic Surveys," 1-6.

⁹Marc Schindler, "How Accurate Are Our Economic Forecasts?" FiGuide, 9 March 2011, <http://www.figuide.com/how-accurate-are-our-economic-forecasts.html> (accessed 2 April 2013).

¹⁰Beittel, *Mexico's Drug Trafficking Organizations* (2012), 17-19.

¹¹Sylvia Longmire, "Mexico's Drug War," <http://www.borderviolenceanalysis.typepad.com/> (accessed 2 April 2013).

¹²Crossman, "Secondary Data Analysis."

¹³David Bacon, "The Rebirth of Solidarity on the Border," *La Prensa San Diego*, 3 June 2011, <http://www.laprensa-sandiego.org/stories/the-rebirth-of-solidarity-on-the-border/> (accessed 3 April 2013).

¹⁴U.S. Energy Information Administration, "Mexico," Last updated 17 October 2012, <http://www.eia.gov/countries/analysisbriefs/Mexico/Mexico.pdf> (accessed 3 April 2013).

¹⁵Denise James, "Report: Link Between Violence and Education," *6 ABC Action News*, 20 August 2008, <http://www.abclocal.go.com/wpvi/story?section=news/local&id=6340015> (accessed 3 April 2013).

¹⁶Sara Miller Llana, “Mexico Inaugurates New President Pena Nieto, But Takes on ‘Old’ Part Reputation,” *The Christian Science Monitor*, 1 December 2012, <http://www.csmonitor.com/World/Americas/2012/1201/Mexico-inaugurates-new-President-Pena-Nieto-but-takes-on-old-party-reputation> (accessed 3 April 2013).

¹⁷Ibid.

¹⁸Beittel, *Mexico’s Drug Trafficking Organizations* (2012), 17-18.

¹⁹Ibid.

²⁰Ibid.

²¹Ibid., 18-19.

CHAPTER 4

ANALYSIS

The Evolving Operational Dynamics of Mexican TCOs

An analysis of the evolving operational dynamics of Mexican TCOs is necessary in order to determine whether these relevant factors will result in an increase of spillover violence in the U.S. Diversification of Mexican TCOs is a complex cause-and-effect scenario, and at the top is the Mexican Government's war waged against the cartels. This war has a causal relationship to fractionation of the TCOs through the targeting of the top leadership positions within the organizations. An observation of the changes in the organizational structure and behavior of the Mexican TCOs contribute to determining the probability of increased spillover violence into the U.S.

The "kingpin" strategy used by the Mexican Government, targets the upper echelon leadership positions of the TCOs in an effort to dismantle them.¹ Subject matter experts debate the effectiveness of this strategy. A similar strategy, implemented in Columbia more than 20 years ago, dismantled the Cali and Medellin drug organizations successfully.²

One of the unintended consequences of targeting the top leaders of Mexican TCOs was that it resulted in larger TCOs fractionating into multiple smaller emergent organizations. In 2006, there were four major TCOs: the Juarez Cartel, the Tijuana Cartel, the Sinaloa Cartel, and the Gulf Cartel.³ After six years of war waged by the Mexican Government against the cartels (2006 to 2012), there are now seven major cartels as outlined in chapter 1. Additionally, there are as many as 60 to 80 medium and

smaller sized emergent TCOs.⁴ Some experts argue that the result is a worse situation than the one originally confronted, due to the increased number of TCOs that require dismantlement, as well as the potential for these organizations to grow. Others argue that this is a sign of the deterioration of the TCOs and of their nearing demise, and that the emergent organizations are a temporary phenomenon. Irrefutable, is the fact that as a secondary effect of fractionation, violence has significantly increased in Mexico.

The relevancy of drug related homicide rates in Mexico to spillover violence in the U.S. is two-fold. First, trends in the homicide rate serve as a general barometer in determining an increase or decrease in the overall drug related violence in Mexico. This demonstrates the continued violence between TCOs, intra-TCO violence, as well as violence in response to the crackdown by the Mexican Government.

Secondly, in relation to the diversification of criminal enterprises, analyzing trends in the locations where the homicides are committed, contributes to the determination of an increase or decrease in spillover violence. The emergent TCOs, in addition to drug related homicides, commit various other violent crimes. The proximity to the border is relevant, particularly when committing crimes that bring them in more frequent contact with the general public, such as human trafficking, kidnapping for ransom, and alien smuggling.

An analysis of drug related homicides showed that they have increased each year since 2006, as reported by the Mexican Government.⁵ In 2008 the increase was reported as a 141.9 percent increase over 2007 rates, 2009 was plus 40.0 percent over 2008 rates, 2010 was plus 58.8 percent over 2009, and 2011 was an 11 percent increase over 2010. These reported numbers of drug related homicides may be even higher in actuality, due to

the questionable classification methodology used and poor record keeping that plague the Mexican Government, which likely contributes to under reporting.⁶ Creating a perception of progress in the war on drugs is potentially a factor as well. Equally alarming, is the fact that in addition to the significant increases measured each year, the violence is spreading geographically as well as demographically.

While it is accurate that the drug related homicide rates in select Mexican municipalities have decreased, the numbers show displaced, and not decreasing violence. Cities with 50 to 100 drug related homicides increased from three cities in 2007, to 26 cities through the third quarter of 2011.⁷ Mexican cities reporting 10 to 50 drug related homicides increased from 10 cities in 2007, to 163 through the third quarter of 2011.⁸ These numbers do not reflect homicides incurred as a result of violence between TCOs and the law enforcement initiatives of the Mexican Government. In 2011, Mexico contained 19 of the 50 most violent cities in the world.⁹ Affecting the likelihood of increased spillover violence into the U.S. in 2010, 50 percent of the drug related homicides occurred in Mexican states bordering the U.S. and in 2011, it was 44 percent.¹⁰ Demographically, of the 47 drug related homicides that occur each day, on average, two women and 10 young people are the victims.¹¹

Many of the new criminal ventures result in increased contact between TCOs and the public, particularly in the diversification of criminal enterprises such as human smuggling, kidnapping for ransom, controlling prostitution, and alien smuggling.¹² Under a Mexican-U.S. bilateral initiative (Operation against Smuggling Initiative on Safety and Security) between 2005 and 2011, the U.S. Government referred nearly 3,000 cases of alien smugglers and human traffickers apprehended in the U.S. back to Mexico for

prosecution.¹³ This represents the number of cases referred to Mexico and does not constitute the total number of apprehensions. This secondary effect increases the likelihood of violence against innocent victims on both sides of the Mexican-U.S. Border, as many of these violent crime categories are transnational in nature. Case in point, as of mid 2011, the United States Department of Justice reported the arrest of more than 5,500 Mexican TCO members and their associates in the U.S. as a result of major investigations.¹⁴

In addition to the problematic reporting of drug related homicide rates, the tracking of other violent crimes occurring in Mexico suffers the same fate. Experts estimate that Mexican citizens do not report 75 percent of violent crimes occurring in Mexico, due to a distrust of Mexican law enforcement and a lack of confidence in the Mexican judicial system.¹⁵ TCO related violence has spread to every Mexican state and risen in the states bordering the U.S. In the U.S., drug trafficking related violence has occurred for nearly three decades, yet there is no separate metric for classifying violent crimes as having a nexus to Mexican TCOs. For these reasons, measuring an increase or decrease of the amount of spillover violence occurring in the U.S. is challenging. Professor Howard Campbell, of the University of Texas at El Paso, stated that although there have been relatively few homicides attributed to Mexican drug traffickers in the U.S., “there is definitely a lot of other crime.”¹⁶ Anecdotal evidence reported by various law enforcement agencies throughout the country serves to substantiate the occurrence and arguably the increase of spillover violence. The Texas Department of Public Safety places the number of Mexican TCO related homicides at more than 20, with nearly 125 kidnappings, and more than 60 instances of TCO members shooting at law enforcement

officers.¹⁷ Associated gangs such as the Texas Syndicate, Mexican Mafia, Barrios Azteca, and Mara Salvatrucha carry out street level drug trafficking, distribution, and enforcement for Mexican TCOs as documented in many instances.¹⁸ Since this derives from Mexican TCOs, this is arguably an additional source of spillover violence, even though perpetrated by persons on U.S. soil. Of the 1,286 cities reporting the presence of Mexican DTOs in 2009, as documented in chapter 1, at least 229 were positively linked to specific cartels; Sinaloa (75), Gulf/Zetas (37), Juarez (33), Beltran Leyva (30) La Familia Michoacana (27) and Tijuana (27).¹⁹

Fractionation and the dynamics surrounding it serve as the catalyst for much of the violence in Mexico. The diversification of criminal enterprises, a secondary effect to fractionation, is the greatest threat to an increase in spillover violence in the U.S. Mexican domestic issues analyzed in the proceeding sections could serve to contribute to the probability of increased occurrences.

Corruption and Narco-Politics

Government corruption in Mexico related to drug trafficking, often referred to as narco-politics, allows the unfettered sustainment of drug trafficking operations to exist. Corruption in Mexico has existed for generations, dating as far back as the 16th century where governing officials supported their own salaries by taking assets from the local population.²⁰ The analysis conducted for this research thesis revealed that there has been no significant improvement in curtailing corruption, and in fact, corruption appears to be increasing to systemic proportions. Corruption costs Mexico an estimated 9 percent of its GDP annually, and involves all levels of government, elected officials, law enforcement, and the judiciary.²¹ The fear of criminal prosecution for corruption is low as elected

officials have a procedural immunity from prosecution termed *fuero* that gives them a certain level of invincibility and lessens the repercussions.²² The process to withdraw this immunity by the Mexican Congress is complex and often takes multiple years to execute.²³ In the Mexican state of Michoacan, arrests for corruption in one month alone included 10 mayors and nearly 20 other elected officials.²⁴ Elected officials are often the victims of corruption as well. Between 2000 and 2012, there have been as many as 14 Mexican Mayors executed.²⁵ Without an end to corruption, Mexico cannot improve the rule of law deficiencies that plague the country, and subsequently cannot combat drug violence effectively.

The relevancy of corruption to spillover violence is in the fact that corruption not only allows Mexican TCOs to operate with little impedance, but it also facilitates the perpetuation of non-drug related violent crimes that are associated with a greater risk of spillover violence, such as human trafficking, kidnapping for ransom, and extortion.

From 2006 until 2012, there have been more than 880 *Instituto Nacional de Migracion* (National Institute of Migration) Mexican Immigration officials sanctioned for corruption in facilitating Mexican trafficking organizations, who operate human smuggling rings and the selling of migrants to Mexican TCOs.²⁶ In response the Mexican Government in 2011, announced reforms within the *Instituto Nacional de Migracion*, however, there were nearly 200 additional corruption cases documented in 2012.²⁷ In 2011, Mexican Immigration officials detained more than 100 migrants traveling to the U.S., and then turned them over to Mexican TCOs for use in extortion. This provides an example of the extortion perpetrated by TCOs as well as the corruption of the Mexican Government in perpetuating violent crimes.²⁸ “Coyotes,” are guides paid to escort

migrants across the border to the U.S. Often working for the TCOs, the coyote's true intent is extorting the migrants or recruiting them to work for the TCO.²⁹ Death is often the penalty for refusal.³⁰

Corruption in Mexican Law Enforcement is rampant as well. Numerous news articles refer to law enforcement officials working for the Mexican TCOs. The prosecution of law enforcement officers, and in some instances, entire police forces is the result of their criminal involvement in DTOs. In September 2011, in a municipality in Nuevo Leon, the Mexican Government arrested 44 police officers for their involvement with the Los Zetas TCO.³¹ On the low end, law enforcement officers work as lookouts for the TCOs, monitoring law enforcement movement as well as rival TCOs.³² On the high end, law enforcement officers orchestrate the kidnappings and carry out the executions for the TCOs.³³

Another instance of police corruption resulted in the termination of the entire Police Force in Veracruz, including 800 officers and 300 administrative personnel.³⁴ Reemployment to the Police Force, offered to only a select few, required successfully passing a background check and polygraph examination.³⁵ As a stopgap measure, the Mexican Military now performs law enforcement functions in Veracruz.³⁶ These stories of police corruption are nearly endless and support the perceptions held by most Mexican citizens that law enforcement cannot be trusted, subsequently accounting for the low percentage of crimes reported.

Anti-corruption campaigns are often a pledge by Mexican presidential candidates. President Vicente Fox (2000 to 2006) made little or no progress in combating corruption and was more often defending himself against corruption allegation.³⁷ President Felipe

Calderon (2006 to 2012) initiated an anti-corruption campaign specific to the nearly half million law enforcement officers using background checks and polygraph examinations.³⁸ Of the officers vetted by the end of 2011, only 8 percent successfully passed.³⁹ On a positive note, a new mandate now requires testing for prospective officers.⁴⁰ President Pena-Nieto, the current Mexican President, ran for president by addressing corruption and advocacy for a new hybrid gendarmerie force that would replace the military now employed in the drug war.⁴¹ As the military has arguably had the most success, this has many experts doubtful. Also part of Pena-Nieto's platform was a focus on combating violent crime, particularly mentioning kidnapping and extortion. Noticeably absent though, was any mention of directly targeting the dismantlement of TCOs.⁴²

American citizens are not immune for police corruption in Mexico. There have been at least four attacks on U.S. Government personnel in the recent past.⁴³ In August of 2012, while working under the direction of a TCO, Mexican federal police officers ambushed two CIA agents in Mexico City. Mexican federal police officers are usually thought to be the least corruptible in Mexican law enforcement.⁴⁴ The 12 officers reportedly mistook the CIA agents for rival TCO members.⁴⁵ Ironically, the CIA agents were supporting the Mexican Government in combating the TCOs.⁴⁶

In another example, in 2010, the murder of an employee of the U.S. Consulate, along with her husband, occurred in Ciudad Juarez, directly across the Mexican border from El Paso, Texas.⁴⁷ The murder of another consulate employee's husband and the serious injury of their two children occurred on the same day. Federal police officers are possible suspects in both cases.⁴⁸

Given the low salaries paid to law enforcement officers in Mexico, some near or at the poverty level, and the endless supply of money possessed by the TCOs, ending law enforcement corruption appears to be a daunting, if not impossible task. In 2011, the Corruption Perception Index listed Mexico as number 100 out of 183 countries. The metric used by the Corruption Perception Index to measure corruption earned Mexico a score of 3.0 out of 10, with the higher number being the least corrupt.⁴⁹ Comparing this ranking among the 34 member nations of the OECD, Mexico fared the worst.⁵⁰ Showing the pervasive level of corruption, in 2001, Mexico scored a 3.3, showing a slight but statistically significant increase in corruption over the last decade.⁵¹ Further substantiated, in 2012, a similar study by a separate research institute classified Mexico as an “extreme risk” country ranking it 59th out of 197 countries, where the lower number represents the higher level of corruption.⁵²

In combating corruption, the numbers are as dismal. The Global Integrity Report, which measures anti-corruption efforts, ranked Mexico one of only three countries that regressed in anti-corruption efforts since the last rankings in 2009.⁵³ The Global Integrity Report marked declines for Mexico in every category measured and stated, “the most striking issue in Mexico is the extent to which the drug war has negatively influenced the country’s anti-corruption and transparency efforts.”⁵⁴ Additionally noted in the report and of particular significance to the probability of spillover violence, was that the northern states were the most notably effected by corruption, the unwillingness of government authorities to release accurate death toll reports, and lack of autonomy and safety of the judiciary.⁵⁵

The Merida Initiative

Implemented in 2008, the Merida Initiative is funding appropriated by the United States Congress in order to establish a partnership and assist Mexico in a bilateral initiative to combat illicit drug trafficking between the two countries.⁵⁶ Recognized as a shared responsibility, the primary focus of this initiative is in the training and equipping of Mexican law enforcement agencies, as well improving the rule of law through the reform of Mexico's criminal justice system. The initial allocation of \$1.4 billion United States Dollar (USD) served to implement a three year security assistance program at the request of former Mexican President Calderon.⁵⁷ This request for assistance in combating the growing drug trafficking business marked an era of new cooperation between the U.S. and Mexico. Although widely supported, some experts viewed the initiative as divisive, in that it was similar to a plan used in Central America in the early 2000s that had questionable results.⁵⁸ However controversial the merits of the Merida Initiative were, unprecedented was the idea that it originated with a request for assistance from the Mexican Government. Past reception for assistance or partnership with the U.S. on most any initiative drew concerns from Mexico over sovereignty and ulterior motives.

The Merida Initiative, as originally framed, provided funding for both combating drugs as well as other anti-crime initiatives, largely through equipment and training.⁵⁹ The initiative, subdivided into four areas of approach, provides for: (1) direct dismantlement of criminal organizations, (2) strengthening Mexican borders to include land, sea, and air, (3) improvements in the judicial systems, and (4) addressing gang activity and the demand for drugs.⁶⁰ Additionally, the funding was contingent on meeting certain benchmarks by both countries. As part of the bilateral agreement, the U.S. agreed

to increase focus on the demand for illegal drugs by consumers, and Mexico agreed to heighten focus on its human rights issues within the country.⁶¹ In addressing human rights improvements, modification to the language of the agreement eased objections by the Mexican Government that the language encroached on Mexican sovereignty.⁶² This was largely due to mandated benchmarks put in place by the U.S. and tied to funding.⁶³ The final version addressed human rights issues less forcefully and recognized ongoing Mexican efforts.

Concerns raised at the onset of the Merida Initiative drew a parallel to Plan Columbia, as using military intervention to address drug trafficking enforcement had historically been unsuccessful. Additional skepticism highlighted the differences in the drug trafficking problem addressed in Central America to those of Mexico. Mexico's drug trafficking problem is much larger and complex than those of Central America. Mexico contains twice the population and land area, while being supported with a third of the funding that Plan Columbia received.⁶⁴ While Plan Columbia realized some success in stabilizing the country, a 2008 Government Accountability Office Report concluded, that there has been no significant reduction in the trafficking of illegal narcotics into the U.S.⁶⁵

Obligations of the U.S. under the Merida Initiative include addressing the consumer end of the drug trafficking business as well as curtailing the bulk currency and weapons headed south into Mexico.⁶⁶ Experts suggest the U.S. has not held up its agreements in these areas. Bulk cash, returning to Mexico as proceeds from Mexican drug trafficking, range from \$15 to \$25 billion USD annually.⁶⁷ Analysts estimate that 90 percent of the firearms recovered in Mexico came from the U.S., particularly Texas,

Arizona, and California, often bought through straw purchases made through legal transactions and then sold and smuggled to DTOs in Mexico.⁶⁸ Success in curtailing cash and arms smuggling into Mexico, as a result of the Merida Initiative, pales in comparison to the amount of both that still flow.⁶⁹ Ironically, the increased focus on the laundering of Mexican drug money in the U.S. through businesses and the banking system resulted in an increased amount of bulk cash smuggling.⁷⁰

Combating the consumer end of the drug business by the U.S. is evidently a lesser priority, although frequently cited by Mexican officials as the root cause of the drug trafficking business. Estimates show 18 percent of Americans ages 12 and older have used illegal drugs, affecting 25 percent of American households.⁷¹ The 2010 federal drug control request submitted to Congress was less than the request made for the preceding year, reinforcing its billing as a second-tier priority.⁷²

Recent changes to the Merida Initiative shift focus away from equipment and training and renew focus on social and governmental reforms.⁷³ As part of the new approach, the four renewed areas of focus are: (1) disrupting the TCOs, (2) establishing the rule of law, (3) securing the borders, and (4) improving communities.⁷⁴ The significant drop in funding in 2012 and 2013 however, suggests uncertainty of the initiatives' success by the U.S. Government.⁷⁵

Taking office in December 2012, Mexican President Enrique Pena-Nieto of the PRI, has noted that Mexico will institute a new approach as well, concentrating on reducing violent crime in Mexico.⁷⁶ Some experts infer this to be a sign of less focus by the Mexican Government in dismantling TCOs. The PRI has a history of pacification in dealing with TCOs, which has drawn strong concerns by officials in both the U.S. and

Mexico alike. The \$234 million USD request, as part of the 2013 Budget request by the Obama Administration suggests less intensity by the U.S. as well.⁷⁷

Mexico's Economy as an Indicator

The Mexican economy, studied as an indicator to predict the future proliferation of TCOs, highlights the potential contribution to an increase in spillover violence. An assumption made is that the better the economy in Mexico becomes the less success TCOs would likely have in recruiting and retaining new members. If the main recruits of the TCOs (young males) have better job opportunities and a higher earning potential, they would be less likely attracted to the perceived opportunities offered by TCOs as a means of subsistence. It would also likely affect a TCO's ability to garner substantial populous support, based largely on the reliance of the frequent handouts received from the TCOs. Conversely, a worsening economy would result in the opposite effect. The indices thought to have the most relevance in assessing the economic impact on TCO proliferation are unemployment rates, poverty rates, and wages earned. These indices serve to provide a better reflection of the economic status of the lower class populous and not a reflection of the Mexican elite or state-owned economy. To observe any discernible changes that would serve to affect the Mexican economy and subsequently, the future proliferation of TCOs, warrants a review of Mexico's future economic forecast.

Mexico's Current Economic Status

Mexico serves as a significant player, ranked the 14th largest, in the world's economy.⁷⁸ Mexico is a free market economy, with free trade agreements with more than 50 countries, primarily in the agricultural and industrial sectors.⁷⁹ The three major

occupational sectors of the country's estimated 49 million person labor force is; services (63 percent), agriculture (14 percent), and industry (23 percent).⁸⁰ The U.S. is Mexico's largest trade partner, accounting for nearly 80 percent of Mexican exports.⁸¹ Conversely, as a result of the North American Free Trade Agreement, the U.S. supplies approximately 50 percent of Mexico's imports.⁸² With a per capita GDP purchasing power parity⁸³ of approximately \$15,000 USD (one-third that of the U.S.), Mexico continues to struggle with infrastructure improvement, modernization of labor law, and private ownership in the energy sector.⁸⁴ Monopolies and oligopolies by a few elite economic powerhouses in Mexico have driven up the price of goods as well as curtailed competition in exports, largely in the telecommunications and banking sectors.⁸⁵ This has allowed China to compete against Mexico in exports and Brazil to surpass Mexico as the largest economy in Latin America.⁸⁶ Accounting for the strength of currency, workers in China have closed the gap, now earning only 20 percent less than their counterparts in Mexico.⁸⁷ Mexico's unemployment rate ranks a respectable 51st in the world⁸⁸ however; more significant than the unemployment rate, Mexico's underemployment rate is nearly 25 percent.⁸⁹ Some estimates approximate the unemployment and underemployment rates collectively, at around 40 percent.⁹⁰ The OECD lists Mexico as the second to worst in wealth distribution of the 34 member nations.⁹¹ Mexico's top 10 percent of the population shares nearly 43 percent of the wealth.⁹² Poverty in Mexico is pervasive, over 50 percent is food based poverty by some estimates, near the same levels reported in the 1980s.⁹³ The distribution of poverty is largely comprised of the Indian and Mixed Origin ethnicities. Actual levels of poverty in Mexico may be even higher, as the metrics used in measuring poverty are determined by the reporting country. This leaves the poverty rates

reported, highly subjective.⁹⁴ The tendency is for the less wealthy nations to consider far less stringent standards. The wealthiest of the ethnic groups in Mexico, the population with European ethnicity, accounts for approximately 9 percent of the total Mexican population.⁹⁵ Mexican President Enrique Pena-Nieto, who took office in December of 2012, has pledged to reduce poverty by 15 million people.⁹⁶ Mexico has no real welfare system or unemployment benefits and the minimum wage is approximately \$4 USD per day.⁹⁷ As a comparison, the lowest ranking scout often referred to as “hawks,” responsible for observing and reporting law enforcement activity back to the TCOs, can earn \$600 USD per month.⁹⁸ Mexico, like many other industrialized countries, had a catastrophic economic recession in 2009 in which the economy shrank by more than 6 percent.⁹⁹ One of the worst hit regions was the northern Mexican states of Coahuila, which saw a 12.3 percent loss, and Tamaulipas, a 7.5 percent loss.¹⁰⁰ A unique dynamic, the northern states contain most of Mexico’s foreign investment, but also contain some of the highest unemployment rates and incidents of drug violence.¹⁰¹ Ciudad Juarez has numerous factories (*Maquiladoras* in Spanish) responsible for much of the foreign investment and export production for Mexico, but also one of the highest homicide rates in the world.¹⁰² Most of the severity of the recession was short lived however, and Mexico has made up much of the economic loss through slow and consistent growth, averaging 2.7 percent growth annually from 2004 to 2012 including the almost 10 percent drop in 2009.¹⁰³ Income per person has not experienced the same rebound and has grown by only 0.6 percent in the last decade.¹⁰⁴ As an indication of the stagnant growth in personal income, when adjusted for inflation, income per person in 2010 in real terms was less than it was in 1994.¹⁰⁵ To add to the lack of income for the Mexican poor,

remittances, a source of income provided from family members working abroad and sending money home fell to \$50 USD per capita from \$240 USD in 2007.¹⁰⁶

Mexico's Economic Forecast

Mexico's economy, most often mirroring the economic trends of the U.S., continues a slow albeit consistent growth pattern reflecting overall economic stability.¹⁰⁷ The inflation rate has declined since 2009, and is projected to reach a low of 3 percent by 2016.¹⁰⁸ Some experts warn however, that Mexico needs to grow its export base by reaching out to emerging economies in developing countries, using its more than 50 existing free trade agreements, as opposed to its heavy reliance on the U.S.¹⁰⁹ Mexico currently exports 90 percent of its goods to developed countries.¹¹⁰ Brazil, its economic rival in Latin America, has used these emerging markets to surpass Mexico for the largest economy, although Mexico's economy has made a turn around, outpacing Brazil's in both 2011 and 2012.¹¹¹ Several car manufacturers have announced plans to build plants in Mexico, bringing higher wages for skilled workers.¹¹² As a result, Brazil has threatened to end a 10 year automotive trade agreement with Mexico.¹¹³ Easily misinterpreted is the projected downward trend of Mexico's unemployment rate, potentially reaching pre-2009 rates. The caveat is that underemployment and "informal" labor continues to trend upwards with many Mexicans now falling into this category.¹¹⁴ Informal labor, usually performed by the poor, is an unofficial labor market marked by extremely low wages for jobs such as shoe shining, house cleaning, and street vending. Between 2009 and 2010, informal labor increased by 660,000 jobs, signaling a still struggling economy, according to some economists.¹¹⁵ The largest challenge for Mexico is not merely the economic viability of the country, but moreover, the ability of the lower

working class to earn a livable wage. In the last six years, 12 million Mexicans have joined the ranks of poverty and the newly elected President Pena-Nieto has made this a major part of his political platform, identifying education and infrastructure improvements as the keys to success.¹¹⁶ In addition to income inequality, major issues that could affect Mexico's economic forecast, is the ability of the Mexican Government to institute improvements in infrastructure, labor laws, and tax reform.

Education as an Indicator

Education in Mexico is a relevant indicator in determining the relationship between the availability of job opportunities (reviewed previously under the Economy Section in chapter 4) compared to the level of education needed to secure these types of employment. The author makes the assumption, that there is a potential relationship between the attainment of a post-secondary education (equal to a high school education in the U.S.), and the ability to secure the types of employment that would provide a standard of living that would deter the attraction, to the perceived opportunities offered by the Mexican TCOs. The research conducted for this thesis reviewed all aspects of the education system in Mexico; however, young males between the ages of 15 and 24 were the primary focus, as this is the segment of the population most susceptible to recruitment by the TCOs.

The Education System in Mexico

Public education in Mexico is a free education, guaranteed to its citizens since 1917 by the Mexican Constitution.¹¹⁷ Currently there are more than 32 million Mexican students enrolled, encompassing nearly 100 percent of the student population

demographic.¹¹⁸ Closely modeled after the U.S.' educational system, it is structured into four levels: Preschool (k1 through k3), Primary (the U.S.' equivalent to Elementary Education encompassing grades k through 6th), Lower Secondary (the U.S.' equivalent to Middle School encompassing grades 7th through 9th), and Upper Secondary (the U.S.' equivalent to High School encompassing 10th through 12th).¹¹⁹ The Mexican Government mandates only compulsory basic education to the 9th grade level.¹²⁰

The public education system in Mexico falls under the purview of the Secretary of Education, although an education reform gave some cursory administrative powers back to the states in 1992.¹²¹ Government taxation provides most of the \$28 billion USD¹²² in annual funding for the public education system, mounting to merely 6 percent of Mexico's GDP.¹²³

Infrastructure¹²⁴ and corruption plague the public education system in Mexico.¹²⁵ The National Education Workers' Union, the most powerful union in the country, represents nearly 1.5 million teachers.¹²⁶ The president of the Teachers Union is highly feared as a political entity and the support of the union by any political candidate is highly sought after.¹²⁷ Instances of teachers loaned out to work on political campaigns in lieu of teaching students are numerous.¹²⁸ Protests, often violent, curtail most attempts at modernization or reformation of the educational system.¹²⁹ Several attempts at implementing an objective teacher evaluation system, common to most education systems in developed countries, have met with fierce opposition and failed.¹³⁰ The Teachers Union has nearly exclusive control over evaluating and hiring teachers, as well as the course curriculum.¹³¹ School principals get a percentage of the concessions sold at school, and absenteeism by teachers is rampant.¹³² Still practiced, is the selling or willing

of coveted teaching positions by retiring teachers to family members, to the highest bidder.¹³³ Oblivious to the dire straits of the public education system, the current Teachers Union President, Elba Esther Gordillo, was quoted as saying “I don’t accept that Mexican schools are a failure . . . the Mexican school system has fulfilled its duty for the 20th century . . . we have to recognize its success.”¹³⁴ Projected by economists to be one of the top 10 world’s largest economies within the next 40 years,¹³⁵ Mexico spends nearly 6 percent of its GDP on the public education system, which is close to the average of the 35 member nations of the OECD.¹³⁶ Remarkably, this translates to only one fourth of the annual expenditure per student as compared to the rest of the OECD countries, which average more than \$8000 USD and a ranking of last place for the Mexican educational system.¹³⁷ The discrepancy lies within the corruption of the education system, particularly within the Teachers Union.

Infrastructure problems are common within the school system, including the necessity to hold outdoor classes due to insufficient schools. Also noted are schools having no drinkable water, and a lack of available teachers, particularly in the rural areas.¹³⁸ Schools are often double-shifted¹³⁹ due to the high teacher to student ratio (1:28 as compared to the OECD average of 1:24).¹⁴⁰

Mexican Education by the Numbers

As a product of the corruption and infrastructure plaguing the educational system in Mexico, the statistics are not to the contrary. Data shows that the level of educational achievement is statistically lower than many other industrialized nations, and near the bottom of the OECD member-nation rankings. Studying the educational statistics of young Mexican’s ages 5 to 24 requires minimal interpretation. Attendance of students in

primary education (grades 1 through 6) is near 100 percent, largely a result of compulsory education mandated by the Mexican Government.¹⁴¹ Attendance in lower secondary education (grades 7 through 9) falls to near 86 percent,¹⁴² and attendance in upper secondary education (grades 10 through 12) falls to 62 percent.¹⁴³ Of the 62 percent that attend the equivalent of high school, less than half (near 45 percent) will successfully graduate.¹⁴⁴ Of Mexicans between the ages of 20 and 29, only 11 percent are involved in education,¹⁴⁵ and the statistics for those that have completed a collegiate level course of study is 8 percent, for all Mexican citizens 18 years of age and older.¹⁴⁶ The total years of education, as an average, for the population is 8 years, but on a slightly positive note, it is up from 6.8 years in 1993.¹⁴⁷ Mexico has made some slight improvements in education in recent years, however; they continue to rank near the bottom when compared to the other industrialized countries. In a 2010 study, Mexican 15 year olds ranked near 50th place in all three categories: reading, mathematics, and science.¹⁴⁸ This is particularly significant when considering Mexico's status as a ranking world economic power.

In comparing educational attainment to employment ratings in Mexico, the disparity is lower than the OECD average.¹⁴⁹ Completing an upper secondary education, equivalent to a high school diploma in the U.S., the employment rate increased by a nearly insignificant, 1.6 percent points.¹⁵⁰ This is potentially a result of the unskilled labor force that dominates the Mexican economy.

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¹¹*Ibid.*, 20.

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²⁸*Ibid.*

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CHAPTER 5

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

The primary research question asked in this thesis is whether the diversification of TCOs in Mexico leads to increased occurrences of spillover violence in the U.S.?

Supporting the primary research question requires addressing two secondary questions.

First, what impact does the current cultural, economic, and political environment in Mexico contribute to an increased risk of spillover violence in the U.S.? Second, are Mexican and U.S. efforts to dismantle TCOs proving successful?

In answering the primary research question, it proved necessary to look at the diversification of TCOs in the context of the secondary effects and then drawing a relationship to the likelihood of spillover into the United States. Research showed the focus on the dismantlement of Mexican TCOs left many of the top leadership positions vacant and subsequently created a struggle for control of the organizations. This leadership vacuum increased violence between and around the TCOs as the struggle for control ensues and accounts for a significant amount of the violence in Mexico. As the struggle for control of the organizations continues, so does the opportunity for stronger, more stable TCOs to take over territories and smuggling routes. This phenomenon created a division of TCOs into fewer major organizations but subsequently, increased the number of smaller emergent TCOs. The increase in the overall number of Mexican TCOs that now need dismantling, in addition to the probability for at least a percentage of these organizations to become major players in the drug trade, presents a substantial risk leading to an increase of spillover violence.

Because the emergent TCOs cannot successfully compete for a significant portion of the drug trade, they diversify into other violent criminal enterprises as a means to generate a profit. The rates of violent crime in Mexico, particularly homicide rates, show an overall significant increase since 2006.¹ Also highlighted, is the trend of homicides to spread demographically, with half of all drug related homicides in 2010 and 2011 occurring in northern Mexican states bordering the U.S.² Equally disconcerting are the number of transnational crimes that take place, as well as the instances of official corruption used to perpetuate it. Transnational crimes against persons bring the TCOs into more frequent contact with the public and present a substantial risk to the occurrence of spillover violence, as many are committed in close proximity to the border and the victims are often en route to the U.S. Research indicated human trafficking, kidnapping for ransom, and alien smuggling as the transnational crimes most likely to contribute to spillover violence.

The increased presence of TCOs operating in the U.S., as well as the use of American street gangs to carry out their street level drug trafficking is cause for concern, as their presence is already well documented in nearly 1,300 cities.³ The statistic of 5,500 Mexican TCO members and their associates prosecuted as a result of major investigations in the U.S., as reported by Department of Justice, substantiates the propensity for crimes committed in the U.S. and the potential for increased violence.⁴

Corruption in the Mexican Government is pervasive. Research revealed that corruption has increased in Mexico and compounding the situation is that anti-corruption efforts have decreased. Corruption in Mexico affects all levels of government and the corruption of entire law enforcement agencies, particularly at the state and local levels, is

commonplace. Corruption not only serves to perpetuate the violence, including those violent crimes transnational in nature, but also undermines any government initiatives to end it. Research showed corruption levels occurring at a higher rate in the northern Mexican states, bringing not only violent crimes, but also the corrupt institutions tasked with preventing it, closer to the border with the U.S.

The Merida Initiative serves as the sole source of bilateral initiatives to combat and dismantle the drug trafficking trade between Mexico and the U.S. In its infancy, the emphasis on training and equipment seemed as a preparatory step towards achieving this goal, however, the transition to the Whole of Government approach, particularly in addressing issues related to reforming the rule of law, will likely yield more positive results. Similar to the U.S. military's approach to counterinsurgency, reestablishing the social and government institutions will address the root causes that allow the TCOs to flourish. An unknown entity, however, is the perceptions and priorities of Mexican President Enrique Peña-Nieto. Concerns over his shift of focus to addressing violent crime in Mexico and less on the dismantlement of the TCOs, leads to the possibility that TCOs will exist unopposed, as long as they do not inflict violence within the civilian population. While initially this will likely lead to a limited decrease in the amount of violent crime and even the amount of spillover violence, given time, it will lead to the ability of the DTOs to regain strength. Given the number of emergent TCOs in existence, this stands to increase violence in successive years, as they gain the ability to compete with the major TCOs and the violence ensues over control of the drug trafficking trade. As equally uncertain is the ability and willingness of the U.S. Government to address the consumer end of the drug trade. A growing epidemic, the demand for drugs in the U.S. is

the main contributor to the proliferation of DTOs. Given the relatively low amount of Mexican drugs reaching other nations, it is arguably certain that without the consumer demand in the U.S., the Mexican TCOs would become a shell of their current existence.

Mexico's economy, especially when considering the current global economic climate, is doing well and economic growth is out pacing some of the most prosperous countries in the world, the U.S. included. Mexico's economic trends tend to shadow that of the U.S., which has accounted for the slightly lower growth rate seen than originally predicted by economists. Mexico's economic shortcomings come into play when talking about the distribution of wealth between the social classes, with Mexico ranking as one of the worst in the world. Unemployment and underemployment account for about 40 percent of the workforce, creating a significant growth in the informal employment sector.⁵ These jobs are "unofficial" jobs in Mexico that neither contribute to the government's tax base nor provide the income or benefits needed to sustain a family. The average daily wage earned by a Mexican citizen is somewhere around \$4 USD per day.⁶ In recent years, Mexico's poverty rate has risen sharply, yielding a presidential campaign platform from President Pena-Nieto vowing to make reducing it, a top priority. Creating jobs is not enough and the root of the problem lies in crime, education, and corruption. The research conducted for this thesis revealed the disparity between an average day's wages, as compared to the potential income earned working for a TCO, makes it difficult not to appreciate the allure of working for a DTO. Applied to answering the research questions outlined in this thesis, the author made the determination that the economy, particularly that of the millions of Mexican citizens living at or below the poverty level, is a significant contributor to the recruitment of citizens, particularly young unemployed

males, into the TCOs. There is a direct linkage between the organizational strength of the various DTOs and their ability to perpetuate violent crimes, at least some of which will likely be transnational in nature, subsequently resulting in spillover violence.

Education in Mexico is relevant in determining the social and institutional improvements needed in Mexico to promote achievement, provide opportunities, and subsequently deter the attraction to DTOs. Mexico's education system, like many other of its institutions, has a high level of corruption. When compared to other industrialized countries, Mexico is on par for the percentage of its GDP dedicated to education.⁷ The difference lies in the amount of funding that actually makes it to educating the student, for which Mexico ranks at the bottom.⁸ The highly corrupt Teachers Union bares a significant portion of the blame, as they dictate curriculum, policies, and hiring. Attendance, as well as scholastic achievement in high school level education is poor, due in part to a lack of perceived opportunities associated with successful completion. Reforming the educational system, building much needed infrastructure, and promoting the value in continuing education, would help to improve the education level of Mexican youth and create a more marketable job applicant. Without economic reforms however, job opportunities are a moot issue.

Recommendations

The U.S. law enforcement community needs to develop a metric for identifying and categorizing spillover violence coming from Mexico. Without a metric to identify it and a system to track it, its level of occurrence is largely anecdotal and we cannot accurately determine the scope of the problem. In conducting the research used in this thesis, many instances of spillover violence have unequivocally occurred in the U.S.

However, without a process to enable classification of its occurrences and a statistical tracking metric implemented to measure its frequency, subjective interpretation by elected officials and policy makers may be made, using skewed and biased information. A reporting and measuring tool would better facilitate tracking an increase or decrease from year to year; a requirement necessary in measuring the success or failure of law enforcement initiatives aimed at dismantling TCOs and curtailing spillover violence.

Necessary to the development of a metric for measuring spillover violence is the need to accurately define it. Spillover violence needs to be defined and agreed upon by the U.S. Government and law enforcement community. An established definition uniformly applied, would aid in its accurate identification and measurement. Attempts to define spillover violence using geographical parameters is flawed and leads to misidentification. As noted in this research thesis, spillover violence, as well as the presence of Mexican drug organizations is present throughout the interior of the U.S. The tendency to identify spillover violence as a phenomenon unique to the Southwest border leaves other areas of the Country vulnerable to a lack of mitigating initiatives and public awareness. Additionally, any exclusion of spillover violence, based on any factors including victims other than U.S. citizens, as well as victims involved in the criminal drug trade, should be avoided as an accurate assessment of spillover violence should include all instances in order to accurately determine the manifestation of spillover violence in the U.S.

Areas for Further Research

Due to limitations in scope and time, there are areas of research that warrant further study and implementation. The study and mitigation of spillover violence and its various issues is integral to the sanctity of the U.S. and the protection of its citizens.

Defining spillover violence. There is no concrete definition for spillover violence universally accepted within the interagency community. The establishment of a definition should include accounting for all victims, regardless of nationality or culpability, as well as all classes of violent crimes having a nexus to drug trafficking deriving from Mexico. Defining spillover violence is a preliminary step necessary in developing a metric to track its occurrence.

Drug Use. This thesis focused on predicting the likelihood of an increase of spillover violence into the U.S. although without a consumer demand for illegal drugs in the U.S. it is not likely that spillover violence would be such an emerging phenomenon. In conducting the research necessary for this thesis, it appears that the consumer (user) end of the drug trade is a secondary issue.

Measuring spillover violence. The absence of a metric needed for identifying and tracking spillover violence makes it difficult to study and easy to debate. Measuring spillover violence on anecdotal evidence allows for subjective interpretation. With a metric in place to identify and track occurrences, trends over time would prove useful in determining success of various law enforcement initiatives aimed at combating spillover violence as well as identifying short falls that require additional resources.

Summary

The research findings for this thesis, indicates that the changing operational dynamics of TCOs, as well as the current domestic environment in Mexico supports a future increase in spillover violence into the U.S. The downward trends in the economy and the low priority of education will continue to perpetuate a lack of job opportunities for Mexican youth. The numerous new emergent TCOs in existence will mature and strengthen through less focus on their dismantlement by new Mexican Government priorities, and systemic corruption. Future implications will be a major battle over the limited territories and supply routes, resulting in a renewed resurgence in the diversification into other violent criminal enterprises as a means to generate a profit. Law enforcement efforts, particularly the Merida Initiative, will realize some progress in improving the rule of law to include law enforcement and judicial reforms however, the size and scope of the pervasive problem, along with future years of economic uncertainty will prevent any significant changes that would serve to deter the proliferation of DTOs. It will take years, possibly generations, before Mexico is able to completely dissolve the TCOs. Deterring these DTOs only slows their growth. Complete and pervasive corruption will continue to inhibit reform efforts and will likely contribute to the strengthening of Mexican TCOs. The U.S.' failure to successfully address the use of drugs will continue to support TCOs with an endless supply of consumers, and subsequently, cash and weapons. Eradication of TCOs and the ensuing spillover violence will not occur until the demand for drugs in the U.S. ends.

The U.S. has not experienced spillover violence in epidemic proportions thus far, and due to a strong law enforcement institution and steadfast sovereignty, it likely never

will. However, there will be a future increase of spillover violence that will require a concerted law enforcement effort to counter.

¹Molzahn, Rios, and Shirk, “Drug Violence in Mexico,” executive summary.

²Ibid., 18.

³U.S. Department of Justice.

⁴Clare Ribando Seelke, *Mexico and the 122th Congress*, 16.

⁵Mexico Child Link, “Mexico-Factfile and Statistics.”

⁶Cattan, “Mexico’s Stable Economic Outlook a Rare Piece of Good News.”

⁷Indicator and Analysis Division, “Country Note-Mexico,” 6.

⁸Ibid., 5.

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