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**BALAS Y BARRIOS: AN ANALYSIS OF U.S.  
DOMESTIC AND REGIONAL ANTI-GANG  
POLICIES FROM A HUMAN SECURITY PERSPECTIVE**

Pfaffinger, Maximillian X.

Monterey, CA; Naval Postgraduate School

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**THESIS**

**BALAS Y BARRIOS: AN ANALYSIS OF U.S. DOMESTIC  
AND REGIONAL ANTI-GANG POLICIES FROM A  
HUMAN SECURITY PERSPECTIVE**

by

Maximillian X. Pfaffinger

December 2021

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ANTI-GANG POLICIES FROM A HUMAN SECURITY PERSPECTIVE**

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## **ABSTRACT**

Threats to human security from transnational organized crime (TOC) and gangs have increased since the 1990s in the Americas. The United States implemented the Strategy to Combat Transnational Organized Crime, the U.S. Strategy to Combat the Threat of Criminal Gangs from Central America and Mexico, and the Mérida Initiative in response. This thesis employs a multi-goal policy to evaluate how effectively U.S. policy responses achieved desired outcomes. For comparison, this thesis analyzes the Canadian gang violence strategy, examining what has worked and what has not worked. Findings demonstrate that law enforcement tactics prioritized within the U.S. strategy result in outputs, but they fail to impact gang violence outcomes. Prevention programs, on the other hand, both in Canadian and U.S. strategies, are effective in reducing gang crime and violence but are under-resourced and undervalued in U.S. endeavors. This thesis proposes that a comprehensive approach is better aligned with current expert gang research and more effective in producing desired outcomes. Recommendations include funding the Juvenile Justice Reform Act and rebalancing Mérida funding to support United States Agency for International Development prevention programs; integrating federal, state, and local partnerships through a community coalition council through the Department of Justice; evaluating the Treasury's TOC designation status; and supporting complementary prevention and rehabilitation.



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# TABLE OF CONTENTS

<b>I.</b>	<b>INTRODUCTION.....</b>	<b>1</b>
<b>A.</b>	<b>RESEARCH QUESTIONS.....</b>	<b>2</b>
<b>B.</b>	<b>LITERATURE REVIEW .....</b>	<b>2</b>
	<b>1. On the Effectiveness of U.S. Anti-Gang Strategies and Programs.....</b>	<b>2</b>
	<b>2. On the Underlying Causes of Gang Activity .....</b>	<b>9</b>
<b>C.</b>	<b>RESEARCH DESIGN.....</b>	<b>14</b>
<b>D.</b>	<b>OVERVIEW OF CHAPTERS.....</b>	<b>15</b>
<b>II.</b>	<b>U.S. DOMESTIC ANTI-GANG STRATEGY .....</b>	<b>17</b>
<b>A.</b>	<b>STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME.....</b>	<b>17</b>
	<b>1. A New Executive Order .....</b>	<b>18</b>
	<b>2. New Proposed Legislation .....</b>	<b>19</b>
	<b>3. Presidential Proclamation 8697 .....</b>	<b>20</b>
	<b>4. Incentive Program .....</b>	<b>21</b>
	<b>5. Interagency Threat Mitigation Working Group.....</b>	<b>22</b>
<b>B.</b>	<b>OTHER LEGISLATIVE APPROACHES.....</b>	<b>24</b>
	<b>1. Executive Order 13773 .....</b>	<b>24</b>
	<b>2. Illegal Immigration Reform and Immigrant Responsibility Act of 1996 .....</b>	<b>26</b>
	<b>3. Gang Abatement and Prevention Act and Youth PROMISE Act.....</b>	<b>28</b>
	<b>4. Juvenile Justice Reform Act .....</b>	<b>29</b>
<b>C.</b>	<b>CONCLUSION .....</b>	<b>30</b>
<b>III.</b>	<b>U.S. REGIONAL ANTI-GANG STRATEGY .....</b>	<b>31</b>
<b>A.</b>	<b>U.S. STRATEGY TO COMBAT THE THREAT OF CRIMINAL GANGS FROM CENTRAL AMERICA AND MEXICO.....</b>	<b>31</b>
	<b>1. Diplomacy .....</b>	<b>32</b>
	<b>2. Repatriation.....</b>	<b>33</b>
	<b>3. Law Enforcement.....</b>	<b>35</b>
	<b>4. Capacity Enhancement.....</b>	<b>36</b>
	<b>5. Prevention.....</b>	<b>41</b>
<b>B.</b>	<b>THE MÉRIDA INITIATIVE .....</b>	<b>44</b>
<b>C.</b>	<b>CONCLUSION .....</b>	<b>52</b>

<b>IV.</b>	<b>CANADIAN AND U.S. GANG PREVENTION .....</b>	<b>55</b>
<b>A.</b>	<b>THE CANADIAN APPROACH.....</b>	<b>55</b>
	<b>1. Structure .....</b>	<b>56</b>
	<b>2. Strategy .....</b>	<b>57</b>
	<b>3. Funding.....</b>	<b>58</b>
	<b>4. Innovative Programs .....</b>	<b>59</b>
	<b>5. Challenges and Counter-Arguments.....</b>	<b>64</b>
<b>B.</b>	<b>SUCCESSFUL U.S. GANG PREVENTION EFFORTS .....</b>	<b>64</b>
	<b>1. Structure .....</b>	<b>65</b>
	<b>2. Strategy .....</b>	<b>67</b>
	<b>3. Funding.....</b>	<b>68</b>
	<b>4. Innovative Programs .....</b>	<b>69</b>
	<b>5. Results of U.S. Efforts in Central America.....</b>	<b>72</b>
	<b>6. Challenges and Counter-Arguments.....</b>	<b>73</b>
<b>C.</b>	<b>CONCLUSION .....</b>	<b>74</b>
<b>V.</b>	<b>CONCLUSION .....</b>	<b>75</b>
<b>A.</b>	<b>MAIN FINDINGS.....</b>	<b>76</b>
<b>B.</b>	<b>BORDERS IN: STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME .....</b>	<b>77</b>
<b>C.</b>	<b>BORDERS OUT: U.S. STRATEGY AND THE MÉRIDA INITIATIVE.....</b>	<b>83</b>
<b>D.</b>	<b>CANADA: A NEIGHBOR’S PERSPECTIVE .....</b>	<b>89</b>
<b>E.</b>	<b>POLICY RECOMMENDATIONS .....</b>	<b>91</b>
	<b>1. Obligate Funds for Pub. L. No. 115–385 and Rebalance Mérida Initiative Funding.....</b>	<b>91</b>
	<b>2. Establish an OJP Community Coalition Council .....</b>	<b>91</b>
	<b>3. Evaluate Effectiveness of the Treasury’s TOC Designation .....</b>	<b>92</b>
	<b>4. Support Complementary Prevention and Rehabilitation Approaches .....</b>	<b>93</b>
	<b>LIST OF REFERENCES .....</b>	<b>95</b>
	<b>INITIAL DISTRIBUTION LIST .....</b>	<b>109</b>

## LIST OF FIGURES

Figure 1.	Output Statistics for INL Enforcement Activities. ....	38
Figure 2.	Comparison of Country Homicide Rates per 100,000 for El Salvador, Guatemala, Honduras, and Mexico, 2015–2020. ....	40
Figure 3.	Comparison of U.S. Foreign Aid Assistance, Education, and Social Services Account for El Salvador, Guatemala, Honduras, and Mexico, FY2018–FY2020. ....	49
Figure 4.	Homicide Trend Rates per 100,000 for Canada and the United States, 2011–2020. ....	80
Figure 5.	Perception of Neighborhood Safety in the United States, 2010–2020. ....	82
Figure 6.	Perception of Crime in the United States, 2010–2020. ....	83
Figure 7.	Homicide Trend Rates per 100,000 in El Salvador, Guatemala, Honduras, and Mexico, 2011–2020. ....	86
Figure 8.	Perceptions of Neighborhood Safety Nationally in Canada, El Salvador, Guatemala, Honduras, and Mexico, 2010–2019. ....	88
Figure 9.	Post-Treatment Perceptions of Neighborhood Safety in El Salvador, Guatemala, and Honduras. ....	89

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## LIST OF TABLES

Table 1.	Comparison of U.S. Foreign Aid Assistance, Workforce Development Account for El Salvador, Guatemala, Honduras, and Mexico, FY2018–FY2020. ....	50
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## LIST OF ACRONYMS AND ABBREVIATIONS

CGM	comprehensive gang model
COPS	Community Oriented Policing Services
CYGF	Canadian Youth Gang Fund
DOJ	Department of Justice
EO	executive order
ESDF	Economic Support and Development Fund
FBI	Federal Bureau of Investigation
FCM	Federation of Canadian Municipalities
FFT-G	functional family therapy (gang enhanced)
FY	fiscal year
G.R.E.A.T.	Gang Resistance Education and Training
GPS	Gang Prevention Strategy
ICE	Immigration and Customs Enforcement
IEEPA	International Emergency Economic Powers Act
IIRIRA	Illegal Immigration Reform and Immigrant Responsibility Act
INL	Bureau for International Narcotics and Law Enforcement Affairs
JCPD	Jersey City Police Department
JJDPA	Juvenile Justice and Delinquency Prevention Act
LAPOP	Latin America Public Opinion Project
MPP	model police precinct
MS-13	<i>Mara Salvatrucha</i>
NCPC	National Crime Prevention Center
NCPS	National Crime Prevention Strategy
OAS	Organization of American States
OJJDP	Office of Juvenile Justice and Delinquency Programs
OJP	Office of Justice Programs
PAYG	Positive Alternative to Youth Gangs
PIT	Project Prevention and Intervention Toronto
PSN	Project Safe Neighborhoods
SCTOC	<i>Strategy to Combat Transnational Organized Crime</i>



SICA	U.S.-Central American Security Integration System
TMWG	Threat Mitigation Working Group
TOC	transnational organized crime
USAID	United States Agency for International Development

## EXECUTIVE SUMMARY

This thesis asks how effectively U.S. domestic and regional policies designed to counter the threat from transnational organized crime and gangs in the United States and the Northern Triangle achieve desired outcomes. The growth in size and influence of these groups over nearly three decades elicited a response from the U.S. government in 2011 known as the *Strategy to Combat Transnational Organized Crime* (SCTOC).<sup>1</sup> Since implementation of the SCTOC, which relies heavily on a law enforcement response to the gangs, increasing homicide rates and the prevalence of other second-order effects associated with organized crime and gang violence—illegal mass migrations and the illicit drug trade—suggest that the damage to human security continues to grow despite U.S. strategic efforts.<sup>2</sup> Far from a new approach, the SCTOC applied long-standing law enforcement efforts unilaterally to solve a complex problem. Although law enforcement measures effectively solve law enforcement problems, long-term reductions in gang violence and activity stubbornly require a broader approach. The widening gap between policy objectives and performance outcomes indicates that U.S. strategic efforts fail because they are disconnected from the real problems.

This thesis also endeavors to identify the structural issues that contribute to the gang phenomenon and asks how well security programs and polices address them. Enforcement-only policies overlook the broader complex social problems that are risk factors for gang involvement. Extensive gang research shows that the gang problem is the interaction of many related socioeconomic and institutional factors that cannot be easily reduced or

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<sup>1</sup> Barack Obama, *Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security* (Washington, DC: White House, 2011), 3, <https://permanent.access.gpo.gov/gpo10506/2011-strategy-combat-transnational-organized-crime.pdf>.

<sup>2</sup> United Nations Office on Drugs and Crime, *Global Study on Homicide: Executive Summary* (Vienna: United Nations, 2019), 18, <https://www.unodc.org/documents/data-and-analysis/gsh/Booklet1.pdf>; Peter J. Meyer, *Central American Migration: Root Causes and U.S. Policy*, CRS Report No. IF11151 (Washington, DC: Congressional Research Service, 2021), <https://sgp.fas.org/crs/row/IF11151.pdf>; Department of State, *Congressional Budget Justification Foreign Operations: Appendix 2* (Washington, DC: Department of State, 2020), 37, <https://www.usaid.gov/sites/default/files/documents/1881/FY-2020-CBJ-State-and-USAID-Appendix-2.pdf>.

eliminated by short-term solutions alone. Many factors, such as exposure to violence and insecurity, social disorganization, problematic families, economic exclusion, lack of educational opportunities, and the search for significance, have been proven powerful drivers of criminal gang activity.<sup>3</sup> Therefore, suppression and enforcement options, although effective in addressing immediate concerns of physical security, are incomplete solutions on their own. On the other hand, comprehensive solutions—those that include all three elements of prevention, intervention, and enforcement—are more effective in the long-run because they account for the multi-dimensional aspects of the gang problem.<sup>4</sup> The research indicates that both Canadian and U.S. prevention efforts have proven successful because they address these structural issues.

To outline effective policies, the research first examines the current body of research in criminology to determine what works in gang prevention. Second, it examines three documents that frame U.S. anti-gang policy—the SCTOC, the Strategy to Combat the Threat from Criminal Gangs in Central America and Mexico (Strategy), and the Mérida Initiative—and analyzes how well they address gang violence from the law enforcement perspective. Then, for comparison, the study investigates Canadian gang violence-reduction policies and programs, examining which aspects have successfully addressed the underlying drivers of gang violence and which ones have not. Finally, this thesis concludes with a set of policy recommendations based on the findings that aim to strengthen and augment current U.S. policy against gang violence.

The findings of this thesis suggest that the U.S. strategy counters the threat from transnational organized crime (TOC) and gangs principally through deterrence and enforcement methods. Framing this approach, the SCTOC seeks to engage the threat by implementing criminal justice reform legislation and enhanced legal penalties against gang activity. Thus, targeting leadership structures and the illicit activities of the gangs emerges

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<sup>3</sup> José Miguel Cruz et al., *The New Face of Street Gangs: The Gang Phenomenon in El Salvador* (Miami: Florida International University, 2017), 65, [https://lacc.fiu.edu/research/the-new-face-of-street-gangs\\_final-report\\_eng.pdf](https://lacc.fiu.edu/research/the-new-face-of-street-gangs_final-report_eng.pdf).

<sup>4</sup> James C. Howell, “What Works with Gangs,” *Criminology & Public Policy* 17, no. 4 (2018): 993, <https://doi.org/10.1111/1745-9133.12398>.

as a top priority in U.S. domestic policy. Introduced as a new approach to the threat in 2011, the law enforcement solution in the SCTOC represents a de facto policy approach that does not fully engage the problem because it fails to address the root causes.<sup>5</sup>

Likewise, the Strategy and Mérida Initiative serve as guiding policy documents that implement similar enforcement strategy. Together, these documents shape strategic efforts in a larger U.S. anti-gang endeavor in the region, packaged and exported to neighboring countries—with heavy reliance on law enforcement solutions. The effectiveness of this approach is measured by the number of gang leader and gang-related arrests effected, conviction rates, gang-related incidents and homicides, and information sharing.<sup>6</sup> In short, the U.S. strategic blueprint in the region is a one-dimensional approach to the gang phenomenon that largely reflects its domestic efforts.

By contrast, the Canadian law enforcement approach to the gang problem seeks to address underlying causes of family disintegration, economic exclusion, and lack of education through highly individualized and coordinated community support services to both gang-involved youth and their families. This wraparound approach may provide some keys for success in U.S. endeavors. Comprehensive approaches, while not new, are supported in the literature on crime prevention and warrant consideration.

This thesis proposes that current U.S. policy can be enhanced by taking a more comprehensive approach that effectively balances elements of prevention, intervention, and enforcement. This thesis recommends the following. First, fund the Juvenile Justice Reform Act of 2018, which supports local community prevention efforts that address the drivers of gang violence and offers youth alternatives to criminal choices through enhanced educational and economic opportunities.<sup>7</sup> Moreover, it proposes rebalancing Mérida Initiative funding so that the United States Agency for International Development's

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<sup>5</sup> Obama, *Strategy to Combat Transnational Organized Crime*, 1.

<sup>6</sup> Eileen Larence, *Combating Gangs: Federal Agencies Have Implemented a Central American Gang Strategy, but Could Strengthen Oversight and Measurement of Efforts*, GAO-10-395 (Washington, DC: Government Accountability Office, 2010), 20, <https://www.gao.gov/new.items/d10395.pdf>.

<sup>7</sup> Juvenile Justice Reform Act of 2018, Pub. L. No. 115–385, 132 Stat. 5123.

prevention efforts in the region are equally represented in a comprehensive approach with the Bureau for International Narcotics and Law Enforcement Affairs (INL)'s enforcement-oriented campaigns. Second, establish a community coalition council within the Office of Justice Programs with the goal of providing federal aid and assistance to local experts and authorities to support prevention programs that fit the scope and scale of the problem locally. Third, evaluate the effectiveness of the Treasury's TOC designation on *Mara Salvatrucha*—more commonly known as MS-13—to reduce gang violence vis-à-vis the effectiveness of reducing violence through funding of intervention and desistance programs only made possible by its removal. Fourth, support complementary programs that work on one end of the spectrum to prevent gang recruitment and activity and, on the other, to rehabilitate former members back into society.

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## I. INTRODUCTION

This thesis posits that recent migrant caravans from Central America are triggered, in part, by underlying structural problems from violent crime that are not addressed in anti-gang programs. Specifically, the threat from transnational organized crime (TOC) has been a growing U.S. national security concern for the last two decades. Recent studies on TOC report that it has expanded dramatically in size, scope, and influence since 1995.<sup>1</sup> TOC syndicates perpetrate violence to intimidate law enforcement and local authorities and hedge their power positions. Specifically, violence from TOC networks, such as the *Mara Salvatrucha* (MS-13) in Central America—aimed at protecting smuggling routes used to facilitate the movement of people and illicit goods—is a destabilizing force threatening human security in the region. Migrant caravans are an example of the effects from criminal violence in the region as mass outflow migration not only threatens the security of the migrants themselves but also presents challenges for national border security forces tasked with maintaining order against a growing number of migrants. The cascading effect of violence in the region on U.S. national security has many policy implications.

Early regional policies, such as the U.S.-led Mérida Initiative and the more recent *Strategy to Combat Transnational Organized Crime*, have focused largely on activities that inhibit the ability of criminal enterprises to engage in illicit activity by strengthening interdictions, investigations, and prosecutions.<sup>2</sup> Still, gangs like MS-13 and the violence associated with them persist on the American continent despite these policy efforts. These policies have substituted short-term, reactive responses—focused on stopping the TOC threat at the border—for long-range strategies that take aim at the underlying causes of TOC and its violence.

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<sup>1</sup> Barack Obama, *Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security* (Washington, DC: White House, 2011), 3, <https://permanent.access.gpo.gov/gpo10506/2011-strategy-combat-transnational-organized-crime.pdf>.

<sup>2</sup> Clare Ribando Seelke and Kristin Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report No. R41349 (Washington, DC: Congressional Research Service, 2016), 31, <https://digital.library.unt.edu/ark:/67531/metadc824641/>; and Obama, *Strategy to Combat Transnational Organized Crime*.



## **A. RESEARCH QUESTIONS**

How effective are domestic and regional policies aimed at addressing the human security threat posed by gangs in the United States and the Northern Triangle? What are the underlying structural issues that contribute to the gang phenomenon, and how well are security programs and policies addressing them?

## **B. LITERATURE REVIEW**

This literature review aims to identify those scholarly expert voices that trace the academic debate on what works with gangs and the effectiveness of U.S. anti-gang strategies and programs. It identifies current theories and programs based on the different schools of thought of what works and signals the gaps in understanding. It explores the current focus of anti-gang policies, the crime prevention theory on which effective policies are based, and the root causes of the gang phenomenon.

### **1. On the Effectiveness of U.S. Anti-Gang Strategies and Programs**

Although the literature on what works in prevention science points to a wide range of potential responses along the prevention-intervention-suppression spectrum, there exists some common ground when it comes to gangs. First, while many programs for youth delinquency and crime prevention aim to tackle the gang problem, experts generally agree that no crime prevention programs have been designed specifically for the gang problem.<sup>3</sup> Second, of the delinquency and crime prevention programs that do exist and include gang elements, none have been evaluated in a manner consistent with the standards for model status.<sup>4</sup> Third, scholars agree that further research is required to more fully understand program impact results and effectiveness on gang-related crime and activity from

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<sup>3</sup> Terence P. Thornberry et al., “Reducing Crime among Youth at Risk for Gang Involvement,” *Criminology & Public Policy* 17, no. 4 (November 2018): 957, <https://doi.org/10.1111/1745-9133.12395>.

<sup>4</sup> For more information on Department of Justice–supported Blueprints for Healthy Development program criteria, see <https://www.blueprintsprograms.org/>. The National Institute of Justice maintains a repository of evidence-based delinquency prevention programs with designations of effective, promising, and no effects. See <https://www.crimesolutions.ojp.gov/>.

deterrence and community-based crime prevention models.<sup>5</sup> What experts appear to agree on most, however, is that several gaps exist in the current understanding within criminological frameworks of what works most effectively to combat gangs.

In the absence of any gang-specific models, some experts take an adaptive approach to the problem. This strategy seeks to use an existing evidence-based model program for youth delinquency, making appropriate adaptations to address gang-specific challenges. In one example, experts adapted a family-based prevention and intervention model proven effective in reducing youth delinquency—functional family therapy (FFT)—to include known risk factors for joining gangs, the role of guns and violence in gang activities, and retaliatory violence.<sup>6</sup> An evaluation of the resulting gang-adapted program, or FFT-G, indicated that youth at high risk for gang involvement are as likely as non-gang youth to complete the program, and for those same participants deemed high risk for gang involvement, official police records show a reduction in involvement in criminal behavior following treatment.<sup>7</sup>

Situational crime prevention is another type of strategy believed by some experts to be effective in combating gangs. With a focus on making crimes more difficult to commit and less appealing to offenders, the activities under this approach aim to alter the environments where crimes occur.<sup>8</sup> Scholars who support this approach point to results from several independent studies whereby high-crime areas received a targeted increase in police presence that resulted in lower crime rates over time.<sup>9</sup> One study in particular reviewed 149 evaluations of the effectiveness of situational crime prevention techniques

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<sup>5</sup> Mary Poulin Carlton, *Advancing Knowledge to Reduce Gangs and Gang Violence: Perspectives from Researchers and Practitioners* (Washington, DC: National Institute of Justice, 2021), <https://nij.ojp.gov/library/publications/advancing-knowledge-reduce-gangs-and-gang-violence-perspectives-researchers>.

<sup>6</sup> Thornberry et al., “Reducing Crime among Youth,” 958–60.

<sup>7</sup> Thornberry et al., 977–78.

<sup>8</sup> Delbert S. Elliott, *The Prevention of Crime* (West Sussex, UK: Wiley Blackwell, 2017), 170. The strategies under this approach developed in England in the 1970s and became popular in the U.S. in the 1980s.

<sup>9</sup> David Weisburd, “Hot Spots of Crime and Place-Based Prevention: Vollmer Award,” *Criminology & Public Policy* 17, no. 1 (February 2018): 11, <https://doi.org/10.1111/1745-9133.12350>.

and revealed a 77 percent rate of effectiveness in reducing crime.<sup>10</sup> Based on such strong evidence, these experts draw a causal link between environmental modifications and the reduced incidence of crime.

Additional support also exists for another type of situational crime prevention strategy known as problem-oriented policing. This approach requires police officers to observe, engage, and analyze the underlying drivers of crime specific to their jurisdictions and then design an appropriate response. The experts who support problem-oriented policing cite the success, for example, of the Jersey City Police Department (JCPD), which partnered with the Rutgers University Center for Crime Prevention Studies and mapped the high-crime areas within the city.<sup>11</sup> Based on the map, the JCPD implemented response measures in multiple treatment areas across the city that altered the physical environment—removal of trash piles and dilapidated structures—to reduce crime.<sup>12</sup> Experts who advocate for a problem-oriented policing approach argue that the JCPD program was successful in reducing crime in the treatment areas and lends support to the idea that controlling disorder within a neighborhood lessens criminal behavior.<sup>13</sup>

Other scholars take the position that situational crime prevention approaches demand further analysis before a determination of their effectiveness can be made. This group of experts points to the mixed results from various studies on target-hardening practices, such as closed-circuit television, street lighting, and other tools designed to change the surrounding environment, as evidence for their position.<sup>14</sup> Citing the lack of compelling data from methodologically sound research, experts on this side of the debate

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<sup>10</sup> Weisburd, 13. For more information on this study, see John E. Eck and Rob T. Guerette, “Place-Based Crime Prevention: Theory, Evidence, and Policy,” in *The Oxford Handbook of Crime Prevention*, ed. David P. Farrington and Brandon C. Welsh (New York: Oxford University Press, 2012), 360, <https://doi.org/10.1093/oxfordhb/9780195398823.013.0018>.

<sup>11</sup> Anthony A. Braga et al., “Problem-Oriented Policing in Violent Crime Places: A Randomized Controlled Experiment,” *Criminology* 37, no. 3 (1999): 549–50, <https://doi.org/10.1111/j.1745-9125.1999.tb00496.x>.

<sup>12</sup> Braga et al., 554–55.

<sup>13</sup> Braga et al., 570–71.

<sup>14</sup> Elliott, *Prevention of Crime*, 170–74.

conclude that available evidence is insufficient to demonstrate that situational crime prevention practices result in lower rates of crime.<sup>15</sup> In their view, the inconsistency in the data signals a need for continued research before a determination can be made about the effectiveness of this approach.

While some scholars argue for a situational crime prevention approach, others take the position that deterrence-based models are effective.<sup>16</sup> After an initial evaluation of program effectiveness, a group of researchers concluded that one program in particular, the Gang Resistance, Education, and Training (G.R.E.A.T.) program, was a “promising model for success.”<sup>17</sup> The program originally began in Phoenix, Arizona, in 1991 and consisted of nine lessons taught by local police officers to middle-school-aged children. Since then, the program curriculum has been modified and now consists of 13 lessons taught to school children nationwide.<sup>18</sup> The program today, according to gang expert Finn-Aage Esbensen at the University of Missouri’s Department of Criminology and Criminal Justice, has three main goals: “(1) to help youths avoid gang membership; (2) to help youths avoid violence and criminal activity and (3) to help youths develop a positive relationship with law enforcement.”<sup>19</sup> Supporters of G.R.E.A.T. base their position on the program’s overall effectiveness to address goals 1 and 3 at both one- and four-year post-treatment intervals.<sup>20</sup>

Another group of experts that argue for the effectiveness of deterrence theory claims another program, Operation Ceasefire, supports their position. Implemented during the 1990s in Boston, Operation Ceasefire was a purportedly successful community-based

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<sup>15</sup> Elliott, 175.

<sup>16</sup> The deterrence model involved elements of prevention, intervention, and enforcement, and assumed that past prevention and social intervention attempts had failed. It emerged from an earlier transformational model based on the assumption that gangs could be transformed through dedicated and streetwise workers.

<sup>17</sup> Finn-Aage Esbensen et al., “Overview of: ‘Short- and Long-Term Outcome Results from a Multisite Evaluation of the G.R.E.A.T. Program,’” *Criminology & Public Policy* 12, no. 3 (2013): 373, <https://doi.org/10.1111/1745-9133.12045>.

<sup>18</sup> Finn-Aage Esbensen et al., *Process and Outcome Evaluation of the G.R.E.A.T. Program* (St. Louis: University of Missouri–St. Louis, 2013), 2, <https://www.ncjrs.gov/pdffiles1/nij/grants/244346.pdf>.

<sup>19</sup> Esbensen et al., 3.

<sup>20</sup> Esbensen et al., 10–11.

policing effort whereby multi-lateral efforts from law enforcement and members of society, including social service workers and religious groups, collaborated to deliver the message that violence would not be tolerated.<sup>21</sup> In this connection, consistent and direct messaging to violent and gang-involved youth was intended to incentivize and encourage lawful behavior by issuing the promise of swift responses if ignored.<sup>22</sup> While these experts' conclusions do not find Boston's Operation Ceasefire a model program, they do acknowledge that the underpinnings of deterrence theory and problem-oriented policing show promise in preventing crime.<sup>23</sup> Findings from their research support this view, indicating a statistically significant reduction in youth homicides and calls for shots fired that coincided with the implementation of Operation Ceasefire.<sup>24</sup>

A different group of scholars, however, argues that a deterrence-based model of combating gangs is not effective. For example, they point out that the activities known as the "L.A. Plan"—a 1980s Los Angeles County program with deterrence-based elements that involved suppressive crackdowns, punishment, and "sending the message"—failed because the model focused solely on one element of deterrence theory: the severity of punishment.<sup>25</sup> Pointing to the steady increase in gang homicides from 1983 until 1995, with more than 800 gang-related homicides that year and nearly 8,000 after 15 years of suppression, this group of scholars sees the lack of independent program evaluations of the Los Angeles efforts and rising gang violence as evidence of its failure.<sup>26</sup>

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<sup>21</sup> David M. Kennedy et al., *Reducing Gun Violence: The Boston Gun Project's Operation Ceasefire* (Washington, DC: Department of Justice, 2001), 3, <https://www.hsdl.org/?view&did=35667>.

<sup>22</sup> Kennedy et al., 28–30.

<sup>23</sup> Kennedy et al., 48–49.

<sup>24</sup> Kennedy et al., 58.

<sup>25</sup> Malcolm W. Klein and Cheryl L. Maxson, *Street Gang Patterns and Policies* (New York: Oxford University Press, 2006), 92–93, ProQuest.

<sup>26</sup> Klein and Maxson, 93.

This same group of experts criticizes the G.R.E.A.T. program as well.<sup>27</sup> Underscoring the program's lack of emphasis on gangs in the curriculum as evidence of its reliance on "conventional wisdom"—the taking for granted of presumptions and biases as a basis to establish fact—Klein and Maxson say that treating gang violence as just a more extreme degree of delinquency not only contradicts the literature but further demonstrates the program's failure.<sup>28</sup> These experts point to the empirical data of the program's effects on youth that highlight the ineffectiveness of the program in changing attitudes toward gang membership. They claim that only four of 24 measured variables—favorable attitudes toward police, higher attachment to parents, self-esteem, and greater commitment to school—achieved statistical significance that ordinarily would be considered a failure.<sup>29</sup>

Another school of thought holds that a community-based approach to gang control is more effective.<sup>30</sup> Life course developmental theory supports the use of contextual interventions that recognize critical environments—families, schools, peer groups, and communities—to guide this approach.<sup>31</sup> Howell, for one, believes that the comprehensive gang model (CGM) highlights the success of this approach. The CGM model combines a full spectrum of prevention, intervention, and suppression efforts in dealing with gangs. This model is also known as the Spergel model, after Irving Spergel at the University of Chicago.<sup>32</sup> Howell attributes the success of CGM to its implementation strategy, which combines elements of both outreach and intervention.<sup>33</sup>

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<sup>27</sup> Klein and Maxson, 98.

<sup>28</sup> Klein and Maxson, 99.

<sup>29</sup> Klein and Maxson, 100. For a list of the measured variables, see Finn-Aage Esbensen et al., "How Great Is G.R.E.A.T.? Results from a Longitudinal Quasi-Experimental Design," *Criminology & Public Policy* 1, no. 1 (November 2001): 103, <https://doi.org/10.1111/j.1745-9133.2001.tb00078.x>.

<sup>30</sup> For example, see James C. Howell, "What Works with Gangs," *Criminology & Public Policy* 17, no. 4 (2018), <https://doi.org/10.1111/1745-9133.12398>.

<sup>31</sup> Elliott, *Prevention of Crime*, 200.

<sup>32</sup> Erika Gebo, Brenda J. Bond, and Krystal S. Campos, "The OJJDP Comprehensive Gang Strategy," in *The Handbook of Gangs*, ed. Scott H. Decker and David C. Pyrooz (Hoboken, NJ: John Wiley & Sons, 2015), 392, 395, <https://doi.org/10.1002/9781118726822.ch21>.

<sup>33</sup> Howell, "What Works with Gangs," 993.

Although Howell supports both the G.R.E.A.T. and CGM models, noting their effectiveness in achieving small or moderate reductions in violence, he champions Terrence Thornberry and colleagues' FFT-G model as the breakthrough program.<sup>34</sup> Several reasons support his position. First, Howell argues that the program is based on scientifically sound research. As evidence for this claim, Howell underscores two important outcome measures in the data. He points to a decrease in antisocial behaviors as reported by participants in the treatment group as well as a reduction in the time spent in treatment facilities.<sup>35</sup>

Likewise, other outcomes buttress the argument in support of the FFT-G model. At the 18-month follow-up point, the reduction in recidivism rates for participants receiving treatment under the program was noteworthy, such that “the magnitude of some of the differences was large.”<sup>36</sup> The model's emphasis on high-risk youth, its low cost-to-benefit ratio, and the program's location in gang-ridden Philadelphia support Howell's conclusion that the program has been successful in its contributions.<sup>37</sup> “An ideal gang control program continuum,” claims Howell, “would consist of the G.R.E.A.T. program, to prevent gang joining; FFT-G to reduce criminal activity among youth at high risk of joining gangs; and the use of the Comprehensive Gang Program model to integrate these two programs.”<sup>38</sup>

Another group of scholars criticize the effectiveness of these all-encompassing, community-based anti-gang programs. Klein and Maxson, for example, criticize the Spergel model for its complexity, which accounts for both its strength and difficulty in application.<sup>39</sup> Klein and Maxson contend that an analysis of the program data shows no statistical significance between program participants and the control group. Thus, perhaps,

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<sup>34</sup> Howell, 994. For more detailed information on Thornberry's FFT-G model, see Thornberry et al., “Reducing Crime among Youth.”

<sup>35</sup> Howell, “What Works with Gangs,” 995.

<sup>36</sup> Howell, 995.

<sup>37</sup> Howell, 995.

<sup>38</sup> Howell, 996.

<sup>39</sup> Klein and Maxson, *Street Gang Patterns and Policies*, 119, 122.

it serves better as a delinquency reduction model than a gang reduction model.<sup>40</sup> To them, these two kinds of behavior are different and, therefore, need different approaches.

Although Howell concludes that the program has indeed been effective when implemented in a consistent manner, Klein and Maxson counter that this degree of inconsistency in program implementation detracts from the model itself and ultimately reduces its overall effectiveness. Klein and Maxson claim that the inconsistency has stemmed from the lack of a clearly communicated model during the time of program implementation across the five sites.<sup>41</sup>

## **2. On the Underlying Causes of Gang Activity**

Much attention in the literature focuses on why youth join gangs. Some experts, providing answers through a sociological lens, argue that human behavior is best understood through frameworks that study social interactions where they occur.<sup>42</sup> These experts elaborate on elements of control theory, which claims that the potential for deviant behavior corresponds to the weakening of bonds with society, and social learning theory, which states that delinquent behavior can be learned and reinforced through association with delinquent peers, to create an interactional theory of delinquency.<sup>43</sup> Interactional theory, then, is based on the assumption that behavior is not predetermined but, rather, influenced by the interaction of a child with one's parents, peers, and other institutions, such as schools, over time.<sup>44</sup> The importance of this view of delinquency, argue its proponents, is that it breaks from other theoretical explanations that look at unidirectional

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<sup>40</sup> Klein and Maxson, 128.

<sup>41</sup> Klein and Maxson, 123.

<sup>42</sup> Terence P. Thornberry, "Toward an Interactional Theory of Delinquency," *Criminology* 25, no. 4 (November 1987): 864, <https://doi.org/10.1111/j.1745-9125.1987.tb00823.x>.

<sup>43</sup> Thornberry, 865.

<sup>44</sup> Thornberry, 866.



causality by considering the reciprocity between an individual and his or her environment.<sup>45</sup>

In addition to applying a sociological interpretation, this same group of experts proposes the benefits of other research models to understand the underlying elements of gang activity. They acknowledge the contributions of early qualitative and cross-sectional research in helping to explain gang dynamics and gang member profiles, but they argue that because of the temporal focus on a single point in the participants' lives, these studies are constrained by correlates among gang members and non-gang members and lack other predictive elements and risk factors for gang activity.<sup>46</sup> This point has important policy implications, as these experts recognize that in the absence of known causal elements, correlates need to be separated from antecedent risk factors for effective gang prevention and intervention programs to be developed and tested.<sup>47</sup> Therefore, these scholars conclude that longitudinal studies that follow a group of youth as they age have helped explain why some youth join gangs while others do not.<sup>48</sup>

Advocates of longitudinal studies based on interactional theory have discovered several findings. First, only a small number of research projects exist, and an even smaller number have studied the same risk factors, resulting in few repeated results.<sup>49</sup> Second, three risk factors for gang activity in particular—prior delinquency, low parental supervision, and association with delinquent peers—are consistent across all research.<sup>50</sup> Third, other elements believed to be risk factors for gang activity—family poverty, family structure, self-esteem, parental bonding, and neighborhood crime—are not supported

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<sup>45</sup> Thornberry, 867.

<sup>46</sup> Marvin D. Krohn and Terence P. Thornberry, "Longitudinal Perspectives on Adolescent Street Gangs," in *The Long View of Crime: A Synthesis of Longitudinal Research*, ed. Akiva M. Liberman (New York: Springer, 2008), 129, [https://doi.org/10.1007/978-0-387-71165-2\\_4](https://doi.org/10.1007/978-0-387-71165-2_4).

<sup>47</sup> Krohn and Thornberry, 132–33.

<sup>48</sup> Krohn and Thornberry, 154.

<sup>49</sup> Krohn and Thornberry, 136.

<sup>50</sup> Krohn and Thornberry, 138.

through empirical evidence in scholarly research of this type.<sup>51</sup> Finally, most significant from the research is that no one risk factor appears more predictive than another, but rather, the accumulation of risk matters most.<sup>52</sup>

Providing additional contributions to the literature and theory for gang membership, another group of experts has modified interaction theory. As participants in earlier studies had been limited to boys 13 years old and older, the scholars examined risk factors from birth to childhood based on research indicating that predelinquent risk factors are present in earlier developmental ages.<sup>53</sup> The theoretical model produced from this research includes four developmental domains—from pre-school, to school entry, to childhood, to adolescence—that attempt to link early problem behaviors to later delinquent and gang-involved youth. The importance of these scholars' efforts contributes to a broader picture of gang membership that accounts for predelinquent risk factors before the onset of gang involvement.<sup>54</sup>

Other scholars suggest that certain push-and-pull factors can be used to explain gang activity. According to these experts, push factors are “individual or environmental characteristics that increase the likelihood of membership.”<sup>55</sup> Citing previous research from the Seattle Development Project—a multi-year, school-based intervention program designed to improve the bonds between youth and their parents and schools to improve behavioral outcomes—this group signals three push factors for why youth join gangs: “living with a gang member, living in a neighborhood with high rates of antisocial

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<sup>51</sup> Krohn and Thornberry, 138.

<sup>52</sup> Krohn and Thornberry, 138.

<sup>53</sup> James C. Howell and Arlen Egley, “Moving Risk Factors into Developmental Theories of Gang Membership,” *Youth Violence and Juvenile Justice* 3, no. 4 (2005): 338, <https://doi.org/10.1177/1541204005278679>.

<sup>54</sup> Howell and Egley, 347.

<sup>55</sup> B. Bradford Brown, Ian M. Hippensteele, and Simone M. Lawrence, “Commentary: Developmental Perspectives on Adolescents and Gangs,” *Journal of Research on Adolescence* 24, no. 2 (June 2014): 286, <https://doi.org/10.1111/jora.12127>.

behavior, and high levels of antisocial behavior within one's peer group."<sup>56</sup> According to the same group, pull factors, on the other hand, are "core characteristics of the gang that entice individuals into joining."<sup>57</sup> While these experts, and many others, agree that pull factors are not well documented in the literature, they nevertheless identify protection from bullying as an element that may draw youth to gangs.<sup>58</sup>

The same group of scholars also argue for the need to consider the social context in how these elements may influence the gang experience.<sup>59</sup> For example, these experts propose that while current research identifies "risk factors for gang involvement," they contend that more investigation into the effects of specific social context at the individual level is warranted to better understand why youth join gangs.<sup>60</sup> These scholars acknowledge the value-added research of longitudinal studies but, in pointing to their limitations, also signal a call for continued research into gangs as social organizations, identifying their place in the social context of surrounding neighborhoods to develop effective intervention policies and programs.<sup>61</sup>

Another group of experts asserts that understanding the psychological processes behind gang activity is as important as addressing the problem through criminological and sociological frameworks.<sup>62</sup> In a cross-sectional research design, these scholars studied 798 youth ages 12–18 identified as gang members, peripheral youth, and non-gang youth, aiming to identify psychological processes that predict gang membership.<sup>63</sup> Their findings

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<sup>56</sup> Brown, Hippensteele, and Lawrence, 287.

<sup>57</sup> Brown, Hippensteele, and Lawrence, 286.

<sup>58</sup> Brown, Hippensteele, and Lawrence, 287.

<sup>59</sup> Brown, Hippensteele, and Lawrence, 289.

<sup>60</sup> Brown, Hippensteele, and Lawrence, 289.

<sup>61</sup> Brown, Hippensteele, and Lawrence, 290.

<sup>62</sup> Emma Alleyne and Jane L. Wood, "Gang Involvement: Psychological and Behavioral Characteristics of Gang Members, Peripheral Youth, and Nongang Youth," *Aggressive Behavior* 36, no. 6 (2010): 423, <https://doi.org/10.1002/ab.20360>.

<sup>63</sup> Alleyne and Wood, 426.

revealed that gang and peripheral youth valued their social status more than non-gang youth and that gang-involved youth held more negative and anti-authority beliefs than non-gang members and might feel a sense of protection by the gang.<sup>64</sup> While acknowledging the limitations of their research design to identify causal directionality, these scholars contend their contributions demonstrate that psychological frameworks deserve more attention in the literature, for both theoretical and practical policy considerations.<sup>65</sup>

A different group of experts takes a similar position that a deeper dive into the psychology of gang involvement is warranted.<sup>66</sup> These experts argue that although little is known about the impacts of protective factors on gang membership, understanding their role is just as important as studying more commonly accepted risk factors such as antisocial attitudes, association with delinquent peers, and socioeconomic disadvantages.<sup>67</sup> In their research of 26,232 California students in grades 7, 9, and 11 who participated in the California Healthy Kids Survey from 2010 to 2011, these scholars examined two risk factors at the individual level—deviant peer groups and perceptions of an unsafe school environment—and tested the counter-effects of empathy and parental support on the decision to join a gang.<sup>68</sup> Their findings suggest an inverse relationship between empathy and gang joining, with higher levels of empathy allowing youth to form stronger social bonds with others and, therefore, depend less on gangs to meet their needs.<sup>69</sup>

Additionally, empathy appears to have a buffering effect on the impact of deviant peers as a risk factor, but no offsetting effects from perceptions of unsafe school

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<sup>64</sup> Alleyne and Wood, 432.

<sup>65</sup> Alleyne and Wood, 434.

<sup>66</sup> Michela Lenzi et al., “Adolescent Gang Involvement: The Role of Individual, Family, Peer, and School Factors in a Multilevel Perspective,” *Aggressive Behavior* 41, no. 4 (2015): 387, <https://doi.org/10.1002/ab.21562>.

<sup>67</sup> Lenzi et al., 388.

<sup>68</sup> Lenzi et al., 389.

<sup>69</sup> Lenzi et al., 394.

environments were observed.<sup>70</sup> Similarly, youth with higher levels of parental support were less likely to join a gang because of increased opportunities to meet one's needs of belonging and protection.<sup>71</sup> Research from these scholars supports the assumptions in interaction theory and highlights the importance of understanding the dynamics between risk and protective factors across all domains—individual, family, peer, school, and community—from a psychological perspective.<sup>72</sup>

### C. RESEARCH DESIGN

The scope of this thesis was to analyze the domestic and regional policies that embody the current U.S. approach to countering TOC with a specific emphasis on the gang phenomenon by placing them within the context of the debate over effective gang control policy. First, from the domestic perspective, it considered elements from national policy contained in the White House's *Strategy to Combat Transnational Organized Crime*. Second, from a U.S. perspective that focuses on Mexico, the author examined what is known as the Mérida Initiative. Third, from a U.S. regional perspective on Latin America, the author analyzed the Central American Regional Security Initiative. This thesis proposed that the threats to national security from TOC will only be successfully countered through a U.S. national security policy that effectively addresses the underlying root causes of its existence. This analysis aimed to determine how successful these policies have been at reducing gang violence both domestically and in the region by addressing its root causes.

This thesis employed open-source published documents and reports from U.S. governmental institutions and included hearings and testimonies from public officials; studies and reports from the international community, such as the United Nations; and academic sources and research from experts whose viewpoints represent both a U.S. and Northern Triangle perspective.

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<sup>70</sup> Lenzi et al., 394.

<sup>71</sup> Lenzi et al., 394.

<sup>72</sup> Lenzi et al., 394.

A multi-goal policy approach was used in the analysis because it best deals with situations in which there are multiple possible policy goals, and one or more of these cannot be quantified. The policy analysis used in this thesis is a modification of the approach by Eugene Bardach and Erik Patashnik.<sup>73</sup> The first step in this process was to define the problem. In this step, the author sought to identify the key assumptions in the current gang control policy by analyzing the underlying patterns and trends in the strategy across the three designated focus areas. In the second and third steps, evidence was assembled to construct possible solutions to the gang problem. Options for developing these alternatives were varied and constituted continuing with the status quo, modifying current policies, or formulating new solutions. Sources for possible solutions came from looking to analogous problems or debates in professional circles to see how they would attack the problem. Finally, the author proposed a set of policy recommendations based on the research to address the problem.

#### **D. OVERVIEW OF CHAPTERS**

Chapter II discusses the strategic document that frames U.S. domestic anti-gang policy, known as the *Strategy to Combat Transnational Organized Crime*, and the subsequent enforcement and legislative approaches that it produced. Chapter III examines the range of strategic U.S. anti-gang endeavors in Mexico and Central America through a discussion of a policy document known as the U.S. Strategy to Combat the Threat of Criminal Gangs from Mexico and Central America and a bilateral security agreement known as the Mérida Initiative. Chapter IV presents a comparative analysis of both Canadian and U.S. prevention measures that aim to address the underlying risk factors of gang involvement. Chapter V concludes with findings from the research through borders-out and borders-in perspectives, evaluates the overall current policy approach with a set of standardized effectiveness criteria, and offers policy recommendations.

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<sup>73</sup> Eugene Bardach and Eric M. Patashnik, *A Practical Guide for Policy Analysis: The Eightfold Path to More Effective Problem Solving*, 5th ed. (Los Angeles: CQ Press/SAGE, 2016).

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## II. U.S. DOMESTIC ANTI-GANG STRATEGY

Gang-related homicides in the United States continue to trend upward under the current anti-gang effort, further widening the gap between current policy measures and outcomes. This chapter outlines the U.S. domestic strategy against gang violence to establish a baseline approach to the problem. The findings demonstrate that past and current federal policies to counter the effects from criminal gang activity, while appearing new, repeat familiar law enforcement approaches. These “new” approaches also not surprisingly yield similar results, which fall short of their intended consequences. The current federal approach attacks the problem singularly through legislative reforms to the penal code and through the enforcement of secondary immigration laws. Although important, these efforts alone are insufficient solutions without complementary efforts that address the underlying causes of the gang phenomenon. The damaging effects from gang violence on human security will continue unless a more comprehensive approach—including both enforcement and prevention elements—takes priority.

The first section of this chapter begins with an overview of the strategic national document known as the *Strategy to Combat Transnational Organized Crime* and offers a discussion on each of the five tools that frame the strategy. The following section outlines the consistency of policy decisions over time that endorse law enforcement-oriented solutions and briefly discusses the impacts on violent crime rates. Finally, the chapter concludes by retracing legislative reform efforts to counter the problem of criminal gang activity.

### A. STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

In July 2011, the Obama administration developed the *Strategy to Combat Transnational Organized Crime* (SCTOC). This unifying document set the course for the U.S. strategy, characterized by the guiding principle “to build, balance, and integrate the tools of American power to combat transnational organized crime and related threats to



national security—and to urge our foreign partners to do the same.”<sup>74</sup> The SCTOC introduced five new executive and legislative instruments intended to enhance the federal government’s ability to address the growing problem from TOC and violent gangs. These include (1) Executive Order 13581; (2) new proposed legislation, S. 1612 and H.R. 3909; (3) Presidential Proclamation 8697; (4) a modified incentive program; and (5) the establishment of an interagency Threat Mitigation Working Group (TMWG).

### **1. A New Executive Order**

In support of the SCTOC, President Obama—pursuant to the authority granted to him by the U.S. Constitution and provisions in the International Emergency Economic Powers Act (IEEPA)—issued Executive Order (EO) 13581, which blocked the sale or transfer of property by persons directly involved in or associated with transnational criminal organizations as designated by the U.S. government.<sup>75</sup> This EO intended to weaken the ability of transnational criminal organizations to expand their scope of influence across borders through the disruption of their financial networks.<sup>76</sup> Impeding the ability of gang members to move illicit funds through the financial system is a tool in the U.S. strategy kit against organized crime and gang violence. Additionally, section 5 of EO 13581 gave the secretary of the Treasury authorization “to take such actions . . . and to employ all powers granted to the President by IEEPA, as may be necessary to carry out the purposes of this order.”<sup>77</sup> Subsequently, the U.S. Treasury acted swiftly, using its authority to expand the list of TOC groups to include violent street gangs for the first time. Although EO 13581 may have closed a loophole in the financial system, it does little more than treat the symptoms, rather than the root causes, of the problem.

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<sup>74</sup> Obama, *Strategy to Combat Transnational Organized Crime*, 1.

<sup>75</sup> Barack Obama, Executive Order 13581, “Blocking Property of Transnational Criminal Organizations,” *Code of Federal Regulations*, title 3 (2011), <https://obamawhitehouse.archives.gov/the-press-office/2011/07/25/executive-order-13581-blocking-property-transnational-criminal-organizat>. For more information on the provisions granted to the president under IEEPA, see <https://www.treasury.gov/resource-center/sanctions/Programs/pages/tco.aspx>.

<sup>76</sup> Obama.

<sup>77</sup> Obama.

In 2012, the Treasury Department officially named MS-13, a gang with origins in El Salvador, to the list of transnational criminal organizations.<sup>78</sup> Based on the assessment of its activities, which include extortion, sex trafficking, human smuggling, racketeering, and drug distribution, Treasury Under Secretary for Terrorism and Financial Intelligence David Cohen concluded that MS-13 represented “a very violent and powerful street gang,” engaging in illicit activities that had strengthened its financial position and influence.<sup>79</sup> Under the authority of EO 13581, the designation of MS-13 as a TOC allowed the Treasury to block all interests in assets held either by gang members or those with whom they did business. The implications of such policy are that legitimate businesses are considered complicit in those crimes if they suspect they are providing services to gang-affiliated members and fail to report that activity to the Treasury. In this way, economic sanctions are used as a tool in a coordinated government effort to strike at the financial network of the gang. Direct impacts from economic sanctions and the TOC designation on gang activity remain unclear, raising questions concerning the ability of the strategy to address the problem, especially considering violent crime statistics that have remained markedly unchanged over the same period.

## **2. New Proposed Legislation**

The second new instrument introduced in the fight against gangs relies heavily on the impact of the force of law. To counter the destabilizing second-order effects on communities from the violence often associated with the drug trade that gangs facilitate, the SCTOC includes a commitment to work with Congress to introduce a new legislative package designed to “enhance U.S. authorities to identify, investigate, interdict, and prosecute the activities of top transnational criminal networks.”<sup>80</sup> As a result of this commitment, a bill known as the Targeting Transnational Drug Trafficking Act of 2011

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<sup>78</sup> “Treasury Sanctions Latin American Criminal Organization,” Department of the Treasury, October 11, 2012, <https://www.treasury.gov/press-center/press-releases/Pages/tg1733.aspx>.

<sup>79</sup> Audie Cornish, “MS-13 Gang Now a ‘Transnational Criminal’ Group,” NPR, October 12, 2012, <https://www.npr.org/2012/10/12/162815186/ms-13-gang-now-a-transnational-criminal-group>.

<sup>80</sup> Obama, *Strategy to Combat Transnational Organized Crime*, 22.

(S. 1612) was introduced into the Senate on September 22, 2011. Intended to close a legal loophole in Section 1009 of the Controlled Substances Import and Export Act (21 U.S.C. § 959), the Senate bill declared it “unlawful for a person to make or manufacture a listed chemical; (1) intending or knowing that the listed chemical will be used to manufacture a controlled substance; and (2) intending, knowing, or having reasonable cause to believe that the controlled substance will be unlawfully imported into the United States” (emphasis added).<sup>81</sup> The goal of both Senate bill 1612 and its companion legislation in the House, H.R. 3909, was to provide the Department of Justice with additional enforcement tools to target extraterritorial drug trafficking activity.<sup>82</sup> Although S. 1612 passed the Senate and was eventually received in the House, neither it nor H.R. 3909 was ever enacted.<sup>83</sup> Had either of these legislative bills passed, however, it remains uncertain whether strict legal penalties against the production of precursor chemicals would have significantly deterred or diminished illicit drug activity. This point notwithstanding, these bills illustrate a single-sided approach to the problem that (1) relies on compliance with the law based on enforcement-only measures that are not clearly supported in the literature and (2) declares illicit the activities of the gangs but does not address their fundamental root causes.

### **3. Presidential Proclamation 8697**

The third new instrument came from the executive branch and targeted immigration. A month after the SCTOC was introduced, President Obama issued a new presidential proclamation that denounced the unrestricted immigration of persons who

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<sup>81</sup> Targeting Transnational Drug Trafficking Act of 2011, S. 1612, 112th Cong., 1st sess. (September 22, 2011), 2.

<sup>82</sup> Targeting Transnational Drug Trafficking Act of 2011, H.R. 3909, 112th Cong., 2nd sess. (February 6, 2012).

<sup>83</sup> H.R. 3909 clarified the language under Sec. 2(b) Attempt and Conspiracy. Under this new language, it became sufficient to prove conspiracy of possession, manufacture, or distribution for purposes of unlawful importations, that only one member of the conspiracy intended, knew, or had reasonable cause to believe that the controlled substance would be unlawfully imported into the United States. Several more versions of these bills were introduced in Congress, with S. 32 being signed into law on May 16, 2016. See Transnational Drug Trafficking Act of 2015, Pub. L. No. 114–154, 130 Stat. 387.

have committed serious human rights violations.<sup>84</sup> Section 1(a)(b) of the proclamation restricts travel to the United States and suspends entry of persons guilty of committing “widespread or systematic violence against any civilian population . . . or who attempted, or conspired to do so.”<sup>85</sup> The intended consequence of the proclamation was to deter human rights’ violators from crossing U.S. borders. It set out to accomplish this by expanding the list of violations under the Immigration and Nationality Act and was viewed as a way to both “warn” and “shame” those engaged in prohibited activity.<sup>86</sup> The implications of this enforcement at the border belie other efforts aimed at cultivating regional security partnerships and consensus building with partner nations to solve complex regional problems. Immigration reform, although important, still does not address the gang problem, at least directly. Moreover, the underlying assumption that a gang member’s choice not to engage in the criminal act of illegal border crossing is motivated by warnings and shaming is not well documented in research and should give policymakers a reason to question its effectiveness.

#### **4. Incentive Program**

The fourth new instrument in the fight against gangs updates a program established over six decades ago. The original program intended to incentivize public and police informants to report on terrorists and drug dealers. The State Department Basic Authorities Act of 1956 (22 U.S.C. § 2708) established an incentive program allowing for cash payments to be “made to individuals in exchange for information leading to the arrest” of

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<sup>84</sup> Barack Obama, Proclamation 8697, “Suspension of Entry as Immigrants and Nonimmigrants of Persons Who Participate in Serious Human Rights and Humanitarian Law Violations and Other Abuses,” *Federal Register* 76, no. 153 (2011): 49277–78.

<sup>85</sup> Obama, 49277.

<sup>86</sup> White House, “Fact Sheet: President Obama Directs New Steps to Prevent Mass Atrocities and Impose Consequences on Serious Human Rights Violators” (Washington, DC: White House, August 4, 2011), <https://obamawhitehouse.archives.gov/the-press-office/2011/08/04/fact-sheet-president-obama-directs-new-steps-prevent-mass-atrocities-and>.

persons guilty of terrorism and drug trafficking charges.<sup>87</sup> In direct alignment with the SCTOC, legislation known as the Department of State Rewards Program Update and Technical Corrections Act of 2012 (S. 2318) became law and amended the Basic Authorities Act to account for TOC.<sup>88</sup> The amendment expanded the purpose of the original incentive program to include cash payments made in exchange for information of “serious violations of international humanitarian law” and “transnational organized crime.”<sup>89</sup> Pub. L. No. 112–283 established the State Department–led Transnational Organized Crime Rewards Program that targets the leadership structures of organizations like MS-13 by paying financial rewards to individuals with information leading to the arrest and conviction of known gang members. Although, on the one hand, this law incentivizes the public to be more vigilant and forthright in the reporting of information to authorities as an enforcement tool, it does not fundamentally address the risk factors of gang membership to begin with.

## 5. Interagency Threat Mitigation Working Group

Given the complexity of TOC networks and their threat to U.S. security interests, the SCTOC sought to establish an interagency TMWG designed to address this problem. Members from the national intelligence community, federal law enforcement, and Treasury and State Departments collaborate on the TMWG.<sup>90</sup> The idea is that the organizational structure of such groups requires an approach that harnesses all the available tools and resources of the federal government. Signaling this policy shift, Attorney General Eric Holder, on the day the SCTOC was introduced, acknowledged, “Addressing TOC is no longer just a law enforcement issue. It is a problem that demands the attention—and the

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<sup>87</sup> John Kerry, *State Rewards Program Update and Technical Corrections Act of 2012*, Senate Report 112–232 (Washington, DC: Government Printing Office, 2012), 9, <https://www.congress.gov/112/crpt/srpt232/CRPT-112srpt232.pdf>.

<sup>88</sup> Department of State Rewards Program Update and Technical Corrections Act of 2012, Pub. L. No. 112–283, 126 Stat. 2492 (2013), <https://www.congress.gov/112/plaws/publ283/PLAW-112publ283.pdf>.

<sup>89</sup> Kerry, *State Rewards Program Update and Technical Corrections Act of 2012*, 9.

<sup>90</sup> Marc A. Spinuzzi, *Measuring Transnational Organized Crime Threat to U.S. National Security* (Fort Leavenworth, KS: School of Advanced Military Studies, U.S. Army Command and General Staff College, 2016), 24, <https://www.hsdl.org/?view&did=797250>.

assistance—of a broad spectrum of partners.”<sup>91</sup> In essence, leaders at the highest levels acknowledged the need for a whole-of-government approach.

The SCTOC addresses this challenge through the TMWG, whose responsibility is to identify which criminal networks present the greatest risks.<sup>92</sup> The Interagency Policy Committee on Illicit Drugs and Transnational Criminal Threats is responsible for ensuring the fidelity of program execution.<sup>93</sup> Participants of the TMWG include representatives from civil law enforcement agencies, such as the Federal Bureau of Investigation (FBI) and the Drug Enforcement Agency, and the Department of Defense whose responsibility is to “determine the level of risk for each TOC” in an effort to prioritize the threat that each presents.<sup>94</sup> In this connection, the TMWG, and the threat assessment it provides, will determine both the scope and magnitude of the assets assigned to counter a specific threat.

Although government policy committees and working groups are not new, the TMWG is different in that its efforts are resourced specifically for TOC. The relevant question that policymakers ought to consider is whether the creation of a TMWG for TOC constitutes an effective response. The answer, according to some experts, depends. Citing the potential for competition over resources, prestige, and position and power between participating agencies over how to classify TOC threats, one study demonstrated that the absence of a framework to measure and rank these threats limits the ability of the TMWG

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<sup>91</sup> John Brennan, “Remarks at White House Release of Strategy to Combat Transnational Organized Crime,” White House, July 25, 2011, <https://obamawhitehouse.archives.gov/the-press-office/2011/07/25/remarks-white-house-release-strategy-combat-transnational-organized-crim>.

<sup>92</sup> Obama, *Strategy to Combat Transnational Organized Crime*, 13.

<sup>93</sup> Samuel Rubinfeld, “White House Announces Crackdown on Transnational Crime,” *Wall Street Journal*, July 25, 2011, <https://blogs.wsj.com/corruption-currents/2011/07/25/white-house-announces-crackdown-on-transnational-crime/>. Under the Obama administration, the Policy Coordination Committees that comprise part of the National Security Council’s organizational structure were called Interagency Policy Committees. For more information, see Kathleen J. McInnis and John W. Rollins, *Trump Administration Changes to the National Security Council: Frequently Asked Questions*, CRS Report No. IN10640 (Washington, DC: Congressional Research Service, 2017), <https://fas.org/sgp/crs/natsec/IN10640.pdf>.

<sup>94</sup> Connie Terrell, “Partners Join Forces to Take on Transnational Organized Crime,” *Coast Guard Compass* (blog), May 23, 2016, <https://coastguardblog.com.wpcomstaging.com/2016/05/23/partners-join-forces-to-take-on-transnational-organized-crime/>.

to function effectively.<sup>95</sup> The foregoing concerns notwithstanding, questions remain over whether this approach, on its own, can be considered comprehensive and fundamentally capable of addressing root concerns.

## **B. OTHER LEGISLATIVE APPROACHES**

The legacy of the domestic U.S. policy response to gangs continues a one-dimensional strategic approach, as reflected in executive and legislative action that fundamentally views the problem from a criminological standpoint. Statements made by the Trump administration over concerns that the country “cannot be safe” without a wall to protect against the “invasion” by “criminals, gangs, human traffickers, and drugs” illustrate this view.<sup>96</sup> Through this etiological lens, decisionmakers adopt policy options that perpetuate the gang problem by excluding and marginalizing populations that are disproportionately affected by disparate economic and educational opportunities. Taken together, few new approaches have emerged from one administration to the next.

### **1. Executive Order 13773**

Concern over the threat of transnational criminal organizations has now captured the attention of two U.S. administrations. The Trump administration signaled its concern and formulated a subsequent response to this security challenge with the issuance of EO 13773 wherein the spread of TOC groups, criminal gangs, and cartels were identified as the “drivers of crime” and “responsible for the corresponding rise in violent crime.”<sup>97</sup> EO 13773 contains six elements of the policy:

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<sup>95</sup> Spinuzzi, *Measuring Transnational Organized Crime Threat to U.S. National Security*, 24–36.

<sup>96</sup> Donald J. Trump (@realDonaldTrump), “Humanitarian Crisis at Our Southern Border,” Twitter, January 11, 2019, 8:04 a.m., <https://twitter.com/realDonaldTrump/status/1083756525196320773>; and Donald J. Trump (@realDonaldTrump), “...The Steel Barrier,” Twitter, January 11, 2019, 8:16 a.m., <https://twitter.com/realDonaldTrump/status/1083759500618805254>.

<sup>97</sup> Donald J. Trump, Executive Order 13773, “Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking,” *Code of Federal Regulations*, title 3 (2017), <https://www.federalregister.gov/documents/2017/02/14/2017-03113/enforcing-federal-law-with-respect-to-transnational-criminal-organizations-and-preventing>.

- (a) strengthen enforcement of Federal law in order to thwart transnational criminal organizations . . .
- (b) ensure that Federal law enforcement agencies give a high priority and devote sufficient resources to efforts to identify, interdict, disrupt, and dismantle transnational criminal organizations . . .
- (c) maximize the extent to which all Federal agencies share information and coordinate with Federal law enforcement agencies . . .
- (d) enhance cooperation with foreign counterparts against transnational criminal organizations . . .
- (e) develop strategies, under the guidance of the Secretary of State, the Attorney General, and the Secretary of Homeland Security, to maximize coordination among agencies . . .
- (f) pursue and support additional efforts to prevent the operational success of transnational criminal organizations and subsidiary organizations within and beyond the United States, to include prosecution of ancillary criminal offenses, such as immigration fraud and visa fraud, and the seizure of the implements of such organizations and forfeiture of the proceeds of their criminal activity.<sup>98</sup>

EO 13773 grounded U.S. domestic anti-gang policy squarely in a law enforcement approach. Current federal tools used to combat TOC rely on enhancing law enforcement capacity and training, as well as the ability of Congress to enact judicial reforms to exploit the vulnerabilities of these criminal enterprises through enforcement and prosecution efforts. However, the resulting impact from this approach on the reduction of violent crime and gang activity requires further evaluation to determine its overall effectiveness. The continued focus of presidential executive orders on the effects of violent crime that yield the same outcomes raises questions whether these approaches are addressing the risk factors of gang violence.

Although statistics from 2016 to 2017 show that violent crime is declining domestically, a critical evaluation of the data provides a different view.<sup>99</sup> For example,

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<sup>98</sup> Trump.

<sup>99</sup> “2017 Crime in the United States,” Federal Bureau of Investigation, accessed August 7, 2019, <https://ucr.fbi.gov/crime-in-the-u.s/2017/crime-in-the-u.s.-2017/topic-pages/tables/table-1>.



although the findings in the data indicate a statistically small *decrease* (-0.96 percent) in the violent crime rate, from 386.6 to 382.9 per 100,000 inhabitants, from 2016 to 2017, this number is overrepresented. This overrepresentation is highlighted when accounting for both the relatively steady total number of violent crimes reported (-.23 percent) (1,250,162 vs. 1,247,321) and the corresponding *increase* (+1.0071 percent) in population from 323,405,935 to 325,719,178 during the same period.<sup>100</sup> Moreover, 2016 marked the first time that the number of violent crimes reported dipped slightly below their previous high from 2010, indicating that the actual difference in the crime rates between these years is smaller than reported.<sup>101</sup> This analysis demonstrates that violent crime in the United States has remained unchanged a decade after the current strategic efforts to counter the gang problem were implemented, signaling that the present policy emphasis on law enforcement alone is not making the problem go away.

As the ripple effects from decades-long civil wars in Central America continue to impact migration patterns, border security elements in the region face increasing demands. Faced with a direct challenge to state sovereignty and protection of its borders, the United States, in this context, has focused on strategies that seek to establish protection from the outside in. Subsequently, immigration law reform was enacted to deal with the spillover effects from the wave of northward migration to the United States.

## **2. Illegal Immigration Reform and Immigrant Responsibility Act of 1996**

Instability in Central America spilled over into the United States, spurring legislation. The consequences of civil wars fought in Guatemala (1960–1996), El Salvador (1980–1992), and Nicaragua (1972–1991) fostered widespread regional insecurity and social disorder as people were internally displaced from their homes as a result of the

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<sup>100</sup> Federal Bureau of Investigation.

<sup>101</sup> Federal Bureau of Investigation.

violence.<sup>102</sup> Many immigrants came to the United States to escape the violence and the gangs who preyed on them to pursue economic opportunities but, instead, found themselves living in poor, marginalized communities in Los Angeles, on the outside looking in for hope of a better life.<sup>103</sup> Some immigrants facing tough choices joined the gangs as a way of escape and protection. Capitalizing on public fears of an immigrant invasion, U.S. politicians worked quickly within this window of opportunity to enact stricter removal policies.<sup>104</sup> Congress subsequently passed legislation known as the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996.<sup>105</sup> On their own, immigration reform efforts effectively address immigration issues, but when immigration stems in part from crime and violence associated with gangs, these go-to policy responses fall short in addressing the immigration drivers.

IIRIRA was intended to remove immigrants who crossed the southwest border between Mexico and the United States illegally. Under the law, this removal became possible by reducing the minimum statutory requirements that constituted an aggravated felony.<sup>106</sup> For example, illegal immigrants convicted of a crime of violence, theft, or burglary and given a minimum one-year sentence would fall under the new definition of aggravated felony and be subject to removal.<sup>107</sup> Once enacted, the law also became retroactive and even contained provisions for the early deportation of illegal immigrants

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<sup>102</sup> United Nations Office on Drugs and Crime, *Crime and Development in Central America: Caught in the Crossfire* (Vienna: United Nations, 2007), 14, <https://www.unodc.org/documents/data-and-analysis/Central-america-study-en.pdf>.

<sup>103</sup> Chris van der Borgh and Wim Savenije, “Gang Violence in Central America Comparing Anti-Gang Approaches and Policies,” *Broker*, April 2, 2009, <http://www.thebrokeronline.eu/Articles/Gang-violence-in-Central-America>.

<sup>104</sup> Max Fisher and Amanda Taub, “Border Crackdowns Feed a Self-Reinforcing Cycle of Fear and Backlash,” *New York Times*, April 2, 2019, <https://www.nytimes.com/2019/04/02/world/americas/us-immigration-crackdown.html>.

<sup>105</sup> Illegal Immigration Reform and Immigration Responsibility Act, Pub. L. No. 104–208, 110 Stat. 3009 (1996).

<sup>106</sup> Freddy Funes, “Removal of Central American Gang Members: How Immigration Laws Fail to Reflect Global Reality,” *University of Miami Law Review* 63, no. 1 (2008): 306.

<sup>107</sup> Funes, 306.

who were then currently serving out sentences in prison.<sup>108</sup> The language used to define a felony covered a broad range of crimes considered misdemeanors under existing laws.

The passage of the IIRIRA resulted in record deportations of illegal immigrants.<sup>109</sup> As the United States removed immigrants and returned them to their countries of origin, some of the deported took along the gang culture from the United States.<sup>110</sup> Some argue that the U.S. removal policy effectively catalyzed a new wave of gang violence within these countries as some deportees recruited new members and formed franchise groups.<sup>111</sup> Furthermore, newly deported immigrants strengthened the ties between gangs on either side of the border as they found their way back to the United States in a continuous northern loop of migration, detention, and deportation.<sup>112</sup> The implications of this deportation policy created a destabilizing element in the region, tipping off a new wave of human insecurity. Unintentionally, a policy response meant to stem illegal immigration aggravated the gang situation that originally contributed to the problem. For this reason, implementing policies that address the underlying risk factors for gang activity—dysfunctional families, lack of educational opportunities and work, poverty, violence, and insecurity—would likely have the most positive impacts.

### **3. Gang Abatement and Prevention Act and Youth PROMISE Act**

Several other legislative efforts following IIRIRA were designed to combat the gang problem as well. For example, on the heels of IIRIRA and before the Obama administration’s announcement of the SCTOC, the Gang Abatement and Prevention Act of 2009 (S. 132) proposed new federal laws and penalties for gang members and increased

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<sup>108</sup> Florina Cristiana Matei, “The Impact of U.S. Anti-Gang Policies in Central America: Quo Vadis?,” in *Maras Gang Violence and Security in Central America*, ed. Thomas C. Bruneau, Lucía Dammert, and Elizabeth Skinner (Austin: University of Texas Press, 2011), 198, ProQuest.

<sup>109</sup> Funes, “Removal of Central American Gang Members,” 307.

<sup>110</sup> United Nations Office on Drugs and Crime, *Crime and Development in Central America*, 16.

<sup>111</sup> Van der Borgh and Savenije, “Gang Violence in Central America.”

<sup>112</sup> Funes, “Removal of Central American Gang Members,” 319.

the investigative capacity of law enforcement.<sup>113</sup> It was never enacted. Taking a slightly different approach was the Youth PROMISE Act of 2009 (H.R. 1064), which sought “to provide federal assistance for evidence-based and promising practices related to delinquency and criminal street gang activity prevention and intervention.”<sup>114</sup> H.R. 1064 focused on enhancing the capacity of law enforcement agencies. For example, one of the aims was to establish the Youth-Oriented Policing Services—a federally funded grant program for state and local law enforcement, administered through the Community Oriented Policing Services (COPS) program—to subsidize the salaries of police officers who work with youth in upwards of \$100 million per year.<sup>115</sup> Although H.R. 1064 was well intentioned, it never passed the Senate.

#### 4. Juvenile Justice Reform Act

However, one preventive law did pass. In December 2018, the Juvenile Justice Reform Act (Pub. L. No. 115–385) was signed into law and reauthorized federal grant funding to states through fiscal year (FY) 2023 for prevention programs originally provided for by the Juvenile Justice and Delinquency Prevention Act (JJDP A) of 1974 (Pub. L. No. 93–415).<sup>116</sup> Similar to the earlier Youth PROMISE Act, Pub. L. No. 115–385 seeks to assist state, tribal, and local government in addressing juvenile crime and to support evidence-based or promising programs through grant funding. Challenge Grants are awarded under the JJDP A to state, local, and tribal governments and nongovernmental organizations for promising programs that may “prevent, control, or reduce juvenile delinquency.”<sup>117</sup> Additionally, Pub. L. No. 115–385 reauthorizes funding for Title V

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<sup>113</sup> Gang Abatement and Prevention Act of 2009, S. 132, 111th Cong., 1st sess. (January 6, 2009).

<sup>114</sup> Youth PROMISE Act, H.R. 1064, 111th Cong., 1st sess. (February 13, 2009).

<sup>115</sup> David Muhlhausen, *The Youth Promise Act: Outside the Scope and Expertise of the Federal Government* (Washington, DC: Heritage Foundation, 2009), <https://www.heritage.org/testimony/the-youth-promise-act-outside-the-scope-and-expertise-the-federal-government>.

<sup>116</sup> Kristin Finklea, *Juvenile Justice Funding Trends*, CRS Report No. R44879 (Washington, DC: Congressional Research Service, 2019), 1, <https://fas.org/sgp/crs/misc/R44879.pdf>.

<sup>117</sup> Finklea, 2.

Incentive Youth Promise Grants for Local Delinquency Prevention for programs that target youth at risk of or already in contact with the law.<sup>118</sup>

Although this latter law is promising, results are hard to measure, as not all provisions under Pub. L. No. 115–385 have been funded. For example, Challenge Grants have not received appropriation funding since 2010.<sup>119</sup> Additionally, no appropriations for Title V grants designated for gang prevention activities nor community-based violence prevention programs have been made.<sup>120</sup> Despite high-minded intentions, the lack of funding for these community programs undermines the purpose for which the law was intended.

### C. CONCLUSION

U.S. domestic strategy aimed at countering the threat from gang violence has taken a one-size-fits-all approach, relying almost exclusively on legal and law enforcement solutions. Although the strategy references a comprehensive approach, prevention efforts to minimize the risk factors that lead to gang membership need improvement. Moreover, the U.S. domestic approach leaves little room for rehabilitation and reintegration efforts for those who wish to leave the gangs. The tools introduced under the SCTOC do not constitute a new approach and are long-standing enforcement efforts to solve complex problems. Though introduced as new tools, in reality, the focus of these efforts conforms to more conventional patterns of thinking about how to reduce violent criminal gang activity. Furthermore, the new measures introduced under the SCTOC are limited in their long-term effectiveness because of the narrow scope of the solution. Although enforcement measures are effective near-term solutions, complementary prevention strategies that address the root causes of gang violence warrant more consideration.

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<sup>118</sup> Finklea, 2.

<sup>119</sup> Finklea, 2.

<sup>120</sup> Finklea, 4.

### **III. U.S. REGIONAL ANTI-GANG STRATEGY**

This chapter provides a high-level overview of this U.S. strategic package designed to combat gangs. First, it discusses what constitutes the U.S. national strategy to counter the gang phenomenon in Mexico and Central America and each of the five components of the key strategic document—diplomacy, repatriation, law enforcement, capacity enhancement, and prevention—revealing the scope and impact of U.S. policy efforts.<sup>121</sup> The second part of the chapter focuses on the Mérida Initiative—the multi-lateral security agreement between Mexico, Central America, and the United States—examining both the initiative’s original intent and its overlap with certain elements of the Strategy. Specifically, the research shows how Mérida funding directly assists the law enforcement and capacity enhancement measures of the Strategy. The chapter demonstrates that both the Strategy and Mérida appear to be working—when measured on their own terms. More importantly, though, the long-term persistence of gang violence coupled with the lack of outcome performance metrics for U.S. endeavors means that current solutions can be improved. Finally, U.S. prevention efforts in the region are successful even when measured against benchmark standards but remain chronically underfunded.

#### **A. U.S. STRATEGY TO COMBAT THE THREAT OF CRIMINAL GANGS FROM CENTRAL AMERICA AND MEXICO**

The corrosive effects from gang violence and organized crime on democracy and citizen security prompted the U.S. government to develop a counterstrategy in 2007. The Strategy to Combat the Threat of Criminal Gangs from Central America and Mexico (Strategy) features five central elements: diplomacy, repatriation, law enforcement, capacity enhancement, and prevention.<sup>122</sup> The Strategy’s five elements represent a principled approach to the problem from a strategic standpoint but, in practice, lack full

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<sup>121</sup> Bureau of Western Hemisphere Affairs, “U.S. Strategy to Combat the Threat of Criminal Gangs from Central America and Mexico,” Department of State Archive, July 18, 2007, <https://2001-2009.state.gov/p/wha/rls/89887.htm>.

<sup>122</sup> Bureau of Western Hemisphere Affairs.

and balanced implementation. The Strategy was a collaborative, two-year, interagency effort presented in July 2007 by U.S. Assistant Secretary of State Thomas Shannon at the U.S.-Central American Security Integration System (SICA) Conference on Democratic Security in Guatemala City.<sup>123</sup> The Strategy endeavored to align U.S. gang control efforts with the growing and broad international concern from member nations of the Organization of American States (OAS) over the threat from violent criminal gangs in the region.<sup>124</sup> Although the intention was to bring U.S. efforts into alignment with international concerns over the growing problem, instead, U.S. domestic reliance on law enforcement efforts were expanded regionally with little to no change in results.

## 1. Diplomacy

The first element of the Strategy is diplomacy, which is designed to accomplish three supporting objectives. First, the Strategy relies on diplomacy as a tool to improve communication with members of both SICA and the OAS to “coordinate and support a regional strategy.”<sup>125</sup> Second, through diplomatic channels, the Strategy also seeks to “identify key technical specialists” in the region to aid in the development of the strategy. Third, the U.S. Strategy relies on diplomatic efforts working with foreign partners to determine the “best initiatives” to pursue in the development of a comprehensive plan. The Strategy defines diplomacy in broad terms, describing both the reach and influence of U.S. actions that are important for setting the course of strategic policies to further national interests in the region. In sum, the first part of the Strategy is built on diplomatic relationships that aim to advance anti-gang policies using improved communication, key

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<sup>123</sup> H. Res. 564, 110th Cong., 2nd sess., (2007), <https://www.govtrack.us/congress/bills/110/hres564>. For more information on SICA, see *Tegucigalpa Protocol to the ODECA* from December 13, 1991, [http://www.sice.oas.org/SICA/instmt\\_e.asp](http://www.sice.oas.org/SICA/instmt_e.asp).

<sup>124</sup> Organization of American States, G.A. Res. 2299 (XXXVII-O/07), Promotion of Hemispheric Cooperation in Dealing with Criminal Gangs (June 5, 2007), 145–46, <http://www.oas.org/en/sla/docs/ag03738e14.pdf>.

<sup>125</sup> Bureau of Western Hemisphere Affairs, “U.S. Strategy to Combat the Threat of Criminal Gangs.”

experts, and best courses of action.<sup>126</sup> Although establishing clear lines of communication, knowing key constituents, and deciding on the best course of action are important steps in consensus building, a lack of specific goals with a lack of defined outcomes makes policy assessments difficult to measure.

Diplomacy's place in the Strategy may play a key role in political relationships, but in terms of measuring the impacts of diplomatic efforts on gang violence, its impact on results is hard to define. Perhaps through diplomatic channels, tactics such as intelligence sharing and extradition agreements may measure some degree of effectiveness but would be a difficult evaluation at best. The problem of measuring aside, diplomacy is no magic bullet to the gang problem, and any improvement depends on monitoring progress. The problem is complex, and if measuring the impact of diplomacy outcomes is left open to interpretation, it is likely the steps taken to reach those objectives will be ambiguous as well.<sup>127</sup>

## **2. Repatriation**

The second element in the Strategy centers on repatriation. Under this element, the Strategy aims to “expedite the repatriation process and develop an efficient way to provide receiving countries with criminal history information and gang affiliation.”<sup>128</sup> The underlying assumption is that expedited repatriation efforts and the sharing of information with foreign law enforcement officials will help reduce the gang problem. A statistical comparison from 2005 to 2008 indicates an upward trend in the number of expedited

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<sup>126</sup> Experts refer to a government's ability to shape the choices of others through non-coercive means as soft power. Joseph Nye says, “Soft power rests on the ability to set the political agenda in a way that shapes the preferences of others.” Joseph S. Nye, “Limits of American Power,” *Political Science Quarterly* 117, no. 4 (2002): 552, <https://doi.org/10.2307/798134>.

<sup>127</sup> Eileen Larence, *Combating Gangs: Federal Agencies Have Implemented a Central American Gang Strategy, but Could Strengthen Oversight and Measurement of Efforts*, GAO-10-395 (Washington, DC: Government Accountability Office, 2010), 19–20, <https://www.gao.gov/new.items/d10395.pdf>.

<sup>128</sup> Bureau of Western Hemisphere Affairs, “U.S. Strategy to Combat the Threat of Criminal Gangs.”



removals by nearly 30 percent—from 87,888 to 113, 462.<sup>129</sup> Regarding information sharing, however, the type of information actually shared with countries on the receiving end raises concerns.<sup>130</sup> For example, of the removal categories reported, information pertaining to gang affiliation is missing.<sup>131</sup> Thus, in 2006 for example, although 95,752 people were deported on criminal charges, how many were gang members and how this information was communicated remain unknown.<sup>132</sup> In 2017, the number of criminal deportations was approximately 121,301, with about 60 percent convicted for immigration, drug, and trafficking related offenses, but again, information on gang affiliation is missing.<sup>133</sup> Overall, these data suggest a functioning immigration enforcement mechanism but do not measure a reduction in violent gang-related crime.

A correlation between reported rates of violent crime within certain regions of the United States and Central America and an increase in the number of illegal immigrants to the United States and subsequent deportations, critics argue, does not prove causation.<sup>134</sup> In other words, although the Strategy effectively provides a mechanism for the expeditious removal of criminals, little evidence supports the assumption that removal efforts correlate with a decrease in gang activity within the United States. In similar fashion, the deportation of criminals does not necessarily explain an increase in violent gang crime in the receiving countries.<sup>135</sup> Arguably, then, the Strategy provides an enforcement mechanism for the

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<sup>129</sup> Office of Immigration Statistics, *Immigrant Enforcement Actions: 2008 Annual Report* (Washington, DC: Office of Immigration Statistics, 2009), 4, [https://cis.org/sites/default/files/2017-12/Enforcement\\_Actions\\_2008.pdf](https://cis.org/sites/default/files/2017-12/Enforcement_Actions_2008.pdf).

<sup>130</sup> Clare Ribando Seelke, *Gangs in Central America*, CRS Report No. RL34112 (Washington, DC: Congressional Research Service, 2016), 9, <https://www.hsdl.org/?view&did=795162>.

<sup>131</sup> Office of Immigration Statistics, *Immigrant Enforcement Actions: 2006 Annual Report* (Washington, DC: Office of Immigration Statistics, 2008), 4, [https://cis.org/sites/default/files/2017-12/Enforcement\\_Actions\\_2006.pdf](https://cis.org/sites/default/files/2017-12/Enforcement_Actions_2006.pdf).

<sup>132</sup> Office of Immigration Statistics, 4.

<sup>133</sup> Office of Immigration Statistics, *Immigrant Enforcement Actions: 2017 Annual Report* (Washington, DC: Office of Immigration Statistics, 2019), 9, 13, <https://cis.org/sites/default/files/2019-05/Immigration%20Enforcement%20Actions%202017.pdf>.

<sup>134</sup> Matei, “The Impact of U.S. Anti-Gang Policies in Central America,” 207.

<sup>135</sup> Matei, 208.

efficient removal of immigrants who have entered the United States by illegal means or who have been convicted of a crime, but it does little to specifically counter the gang problem.

### 3. Law Enforcement

The third element in the Strategy is the role of law enforcement in quelling criminal violence. The Strategy envisions this role in three ways. First, law enforcement measures are used to build an operational network picture of identified gang members as a means of pinpointing their command and control structures.<sup>136</sup> Second, the U.S. Strategy relies on law enforcement to disrupt the criminal activities of gangs and to “deter and deny” their ability to operate across borders, including leveraging asset seizures that weaken a gang’s ability to use the U.S. financial system.<sup>137</sup> Third, law enforcement efforts seek to “dismantle [transnational criminal gangs] criminal infrastructure and investigate, prosecute and incarcerate key members of the gangs.”<sup>138</sup> In support of these goals, arrest reporting for the first year of the Strategy in 2007 indicates that the number of gang-related criminal arrests more than doubled from those reported in 2006, while the number of gang-related administrative arrests were just under 1,900 for the same period.<sup>139</sup> Recent U.S. Immigration and Customs Enforcement (ICE) reports indicate that 3,635 gang members

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<sup>136</sup> Bureau of Western Hemisphere Affairs, “U.S. Strategy to Combat the Threat of Criminal Gangs.” ICE’s Operation Community Shield is an example of a large-scale law enforcement effort that has led to the arrest of more than 32,200 gang members in the United States since 2005. See Seelke, *Gangs in Central America*.

<sup>137</sup> Bureau of Western Hemisphere Affairs, “U.S. Strategy to Combat the Threat of Criminal Gangs.” Joint efforts from ICE and CBP in Operation Firewall, a program against bulk cash smuggling between Mexico and the United States, resulted in eight arrests and the seizure of \$6 million in currency from January 2010 to April 2011. See Seelke and Finklea, *U.S.-Mexican Security Cooperation*, 2016.

<sup>138</sup> Bureau of Western Hemisphere Affairs, “U.S. Strategy to Combat the Threat of Criminal Gangs.” U.S. and Mexican efforts have resulted in the apprehension of 25 of the most wanted drug lords since 2009. See Shannon K. O’Neil, “Refocusing U.S.-Mexico Security Cooperation,” Policy Innovation Memorandum No. 27 (Washington, DC: Council on Foreign Relations, 2012), <https://www.cfr.org/report/refocusing-us-mexico-security-cooperation>.

<sup>139</sup> Seelke, *Gangs in Central America*, 32.

were arrested in 2018.<sup>140</sup> Moreover, during the same year in El Salvador, for example, law enforcement efforts produced 17,614 gang member arrests, accounting for 46 percent of the total prison population.<sup>141</sup> The spike in these numbers illustrates increased law enforcement efforts under the Strategy to crack down on gang-related violence through the incarceration of gang members. On balance, the law enforcement element of the U.S. Strategy seeks to identify, disrupt, and dismantle violent criminal gangs by simultaneously leveraging the vulnerabilities of their organizational structures, attacking their key activities and sources of revenue, and enforcing tough criminal penalties.

#### **4. Capacity Enhancement**

The fourth element in the Strategy, capacity enhancement, consists of amplifying law enforcement capacity to counter criminal gangs. The goal is to enhance the ability of law enforcement to “identify . . . prosecute, and effectively incarcerate key gang leaders and operatives, and identify, seize and forfeit their assets while respecting human rights.”<sup>142</sup> To accomplish this goal, the Strategy provides police training and technical assistance to foreign law enforcement agencies. Types of activities under this focus area include the training and support of police units and task forces and the professionalization of police officers through training provided at the international law enforcement academies.<sup>143</sup>

Mandated congressional reporting of regional performance indicators for the U.S. Strategy in Central America demonstrates relative success in the measured outputs of

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<sup>140</sup> “Combating Gangs: Overview,” Immigration and Customs Enforcement, January 27, 2021, <https://www.ice.gov/features/gangs>.

<sup>141</sup> Department of State, *2018 Country Reports on Human Rights Practices: El Salvador* (Washington, DC: Department of State, 2019), <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/el-salvador/>.

<sup>142</sup> Bureau of Western Hemisphere Affairs, “U.S. Strategy to Combat the Threat of Criminal Gangs.”

<sup>143</sup> Seelke, *Gangs in Central America*, 16.

capacity enhancement efforts, as illustrated in Figure 1.<sup>144</sup> For example, 15,708 civilian police officers from the Northern Triangle received training in FY2018 from the State Department Bureau for International Narcotics and Law Enforcement Affairs (INL)–related programs. Over the same period, INL-supported vetted units made 1,331 arrests that led to successful convictions. Model police precinct (MPP) sites—which combine community-oriented and problem-solving police methods to improve community–police relations—also have demonstrated a measure of success. El Salvador, for example, experienced a 14 percent decrease in homicide rates in MPPs, Guatemala a slightly smaller decrease at 11 percent, and Honduras the greatest overall decrease at 19 percent. The dollar value of assets seized by INL-supported units in the Northern Triangle in 2018 was \$33,673,678, and the weight of illegal narcotics seized was 82,155 kg. Additionally, 254 regional officers became certified to teach G.R.E.A.T classes, and 146,385 youth under 18 graduated from these classes.

Although the numbers speak for themselves, the larger question remains: How effective have efforts to increase law enforcement capacity been in reducing gang-related violence? In other words, what has been the impact on gang-related violence as the Strategy has shifted from providing high-value equipment and technology to enhancing capacity of specialized vetted units and police officers through training programs? Figure 1 illustrates the outputs from law enforcement and capacity enhancement efforts.

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<sup>144</sup> The evolution of the U.S. Strategy to Combat Criminal Gangs from Mexico and Central America and the Mérida Initiative—which is discussed in the next section—has led to a derivative policy known as the U.S. Strategy for Engagement in Central America. Considered together, these policies drive foreign interventions in Mexico and Central America. See Peter J. Meyer, *U.S. Strategy for Engagement in Central America: Policy Issues for Congress*, CRS Report No. R44812 (Washington, DC: Congressional Research Service, 2019), <https://fas.org/sgp/crs/row/R44812.pdf>.

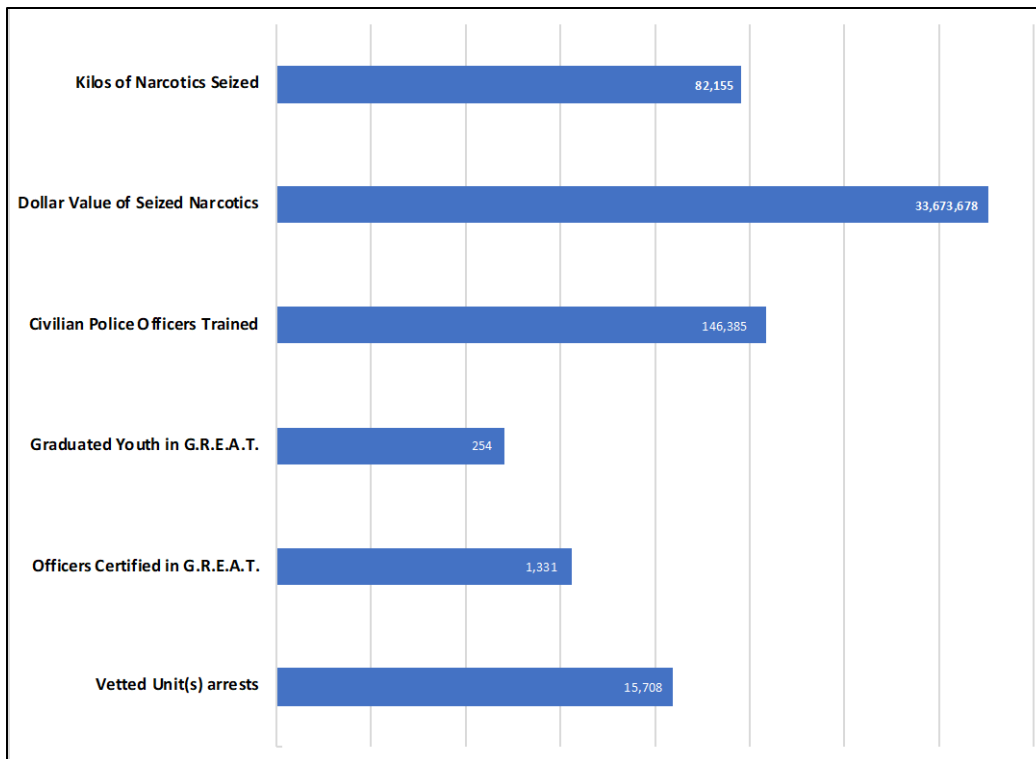


Figure 1. Output Statistics for INL Enforcement Activities.<sup>145</sup>

Although efforts to enhance law enforcement capacity through vetted units and training have resulted in the arrest and prosecution of many gang members, the unintended consequences of these efforts are concerning. Mexican law enforcement efforts to attack and disrupt gang leadership structures have incited violence between warring gangs and drug cartels as they compete for access to drug transit corridors to the north.<sup>146</sup> For example, following the 2016 capture of Joaquín “El Chapo” Guzmán, infamous leader of the Sinaloa cartel, the New Generation Jalisco Cartel, perceiving weakness in its rival, exacerbated violence as the warring cartels fought for control of lucrative smuggling routes

<sup>145</sup> Adapted from Bureau of Western Hemisphere Affairs, *Progress Report for the United States Strategy for Central America’s Plan for Monitoring and Evaluation* (Washington, DC: Department of State, 2019), 11–16, <https://www.state.gov/wp-content/uploads/2019/05/FY-2019-Central-America-Strategy-Progress-Report.pdf>.

<sup>146</sup> Vanda Felbab-Brown, *Mexico’s Out-of-Control Criminal Market* (Washington, DC: Brookings Institution, 2019), 7, [https://www.brookings.edu/wp-content/uploads/2019/03/FP\\_20190322\\_mexico\\_crime-2.pdf](https://www.brookings.edu/wp-content/uploads/2019/03/FP_20190322_mexico_crime-2.pdf).

into the United States.<sup>147</sup> Although the strategy that targets the leaders of the gangs has produced results, counterevidence suggests this same strategy has exacerbated the problem by fracturing the gangs as new would-be leaders struggle for control.<sup>148</sup>

Even with an increase in the number of trained officers and vetted units that result in more arrests, violence levels continue to remain high throughout the region as measured by the homicide rates illustrated in Figure 2.

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<sup>147</sup> Felbab-Brown, 8.

<sup>148</sup> Felbab-Brown, 8.

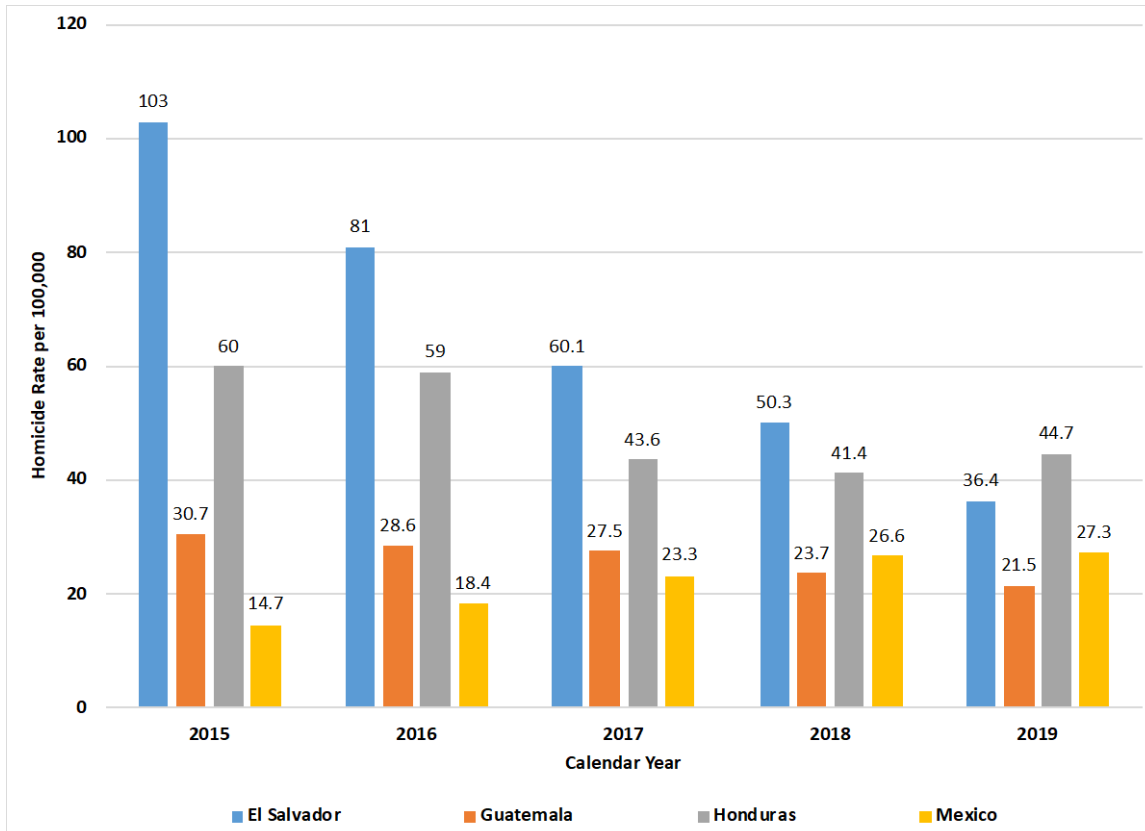


Figure 2. Comparison of Country Homicide Rates per 100,000 for El Salvador, Guatemala, Honduras, and Mexico, 2015–2020.<sup>149</sup>

In Mexico, for example, the homicide rate, expressed as a proportion of the population per 100,000 people, has increased dramatically from 2016 to 2019, according to Igarapé Institute reporting for Mexico.<sup>150</sup> The same source reports a significant decline overall during the same period for El Salvador and a more modest decline in Honduras, but with rates increasing again from 2018 to 2019.<sup>151</sup> Guatemala, too, experienced more modest declines. To put these numbers into perspective, though, Guatemala’s homicide rate is more than two times greater than the World Health Organization’s threshold for an

<sup>149</sup> Adapted from “Homicide Monitor,” Igarapé Institute, accessed October 21, 2020, <https://homicide.igarape.org.br/>.

<sup>150</sup> Igarapé Institute.

<sup>151</sup> Igarapé Institute.

endemic problem.<sup>152</sup> These data points show that even a person living in Guatemala—the country with the lowest relative homicide rate—faces a risk of homicide over two times greater than what has been established as a pervasive problem. Unfortunately, the tactics that yield these kinds of substandard results receive majority support in the current strategy.

## 5. Prevention

The fifth element of the Strategy includes prevention-led efforts that aim to bolster the level of community resilience against the corrosive effects of criminal behavior. Funded primarily through the United States Agency for International Development (USAID), prevention programs are designed to discourage gang membership by providing increased education and employment opportunities for at-risk youth.<sup>153</sup> These types of activities align with crime prevention models that attempt to increase incentives and entice law-abiding behavior based on the presumption that offering alternative choices to youth will reduce the risk factors that can lead to gang membership. One example of prevention work is the METAS program in Honduras, which aims to provide alternative education and workforce readiness training targeted at youth living in high-risk neighborhoods. IMPACTOS/Community Action for Prosperity is another USAID-funded program that seeks to strengthen local governance to protect youth against the harmful influence of gangs and drug trafficking. A third program, Honduran Youth Alliance, works in collective partnerships to extend job training and reintegration resources to gang members.<sup>154</sup> These programs, as well as others like them in Honduras, have achieved positive outcomes under evaluation. For example, each of the treatment communities demonstrated significant reductions in the expected level of crime victimization, violence, and neighborhood

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<sup>152</sup> “Urban Violence: A Challenge of Epidemic Proportions,” World Bank, September 6, 2016, <https://www.worldbank.org/en/news/feature/2016/09/06/urban-violence-a-challenge-of-epidemic-proportions>.

<sup>153</sup> Bureau of Western Hemisphere Affairs, “U.S. Strategy to Combat the Threat of Criminal Gangs.”

<sup>154</sup> Susan Berk-Seligson et al., *Impact Evaluation: Honduras Country Report* (Nashville, TN: Latin American Public Opinion Project, Vanderbilt University, 2014), 35–38, [https://www.vanderbilt.edu/lapop/carsi/CARSI\\_Honduras\\_v1\\_Formatted\\_W\\_02.16.16.pdf](https://www.vanderbilt.edu/lapop/carsi/CARSI_Honduras_v1_Formatted_W_02.16.16.pdf).



disorder.<sup>155</sup> Likewise, program outcomes included a “significant increase in the expected level of citizens’ sense of security,” a “significant decline [in the] perception of neighborhood disorder,” improved “social control of disorder,” increased “satisfaction with police performance,” and the “strengthening [of] democratic values.”<sup>156</sup> Overall, these prevention measures are working but would benefit from expanded financial support.

Similar to the workforce programs in Honduras, USAID-supported *centros de alcance* (outreach centers) provide training and educational opportunities to at-risk youth in El Salvador to reduce the attractiveness of gangs by offering positive alternatives. One comprehensive quantitative study of USAID’s prevention efforts has demonstrated the outreach centers’ effectiveness in reducing the reported crime rate compared to control communities.<sup>157</sup> In the same report, qualitative, structured interview responses from individuals receiving program benefits provide further support for their overall effectiveness in providing job training skills that lead to actual employment.<sup>158</sup> Similarly, several outreach center directors attest to the overall positive impact of the program on crime reduction.<sup>159</sup> Specifically, one coordinator of an outreach center in Santa Ana, El Salvador, states that murders in the neighborhood diminished significantly since before the center opened and attributes the improvement directly to the center’s prevention efforts.<sup>160</sup>

Likewise, another center coordinator in Chalchuapa, El Salvador, has reported a dramatic turn-around in the attitudes of the youth who participate in the center and attribute the change in behavior to the mentoring services provided.<sup>161</sup> Attesting to the success of

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<sup>155</sup> Berk-Seligson et al., 12.

<sup>156</sup> Berk-Seligson et al., 12.

<sup>157</sup> Susan Berk-Seligson et al., *Impact Evaluation of USAID’s Community-Based Crime and Violence Prevention Approach in Central America: El Salvador Country Report* (Nashville, TN: Latin American Public Opinion Project, Vanderbilt University, 2014), 10–11, [https://www.vanderbilt.edu/lapop/carsi/El\\_Salvador\\_v22\\_English\\_W\\_2\\_04.08.15.pdf](https://www.vanderbilt.edu/lapop/carsi/El_Salvador_v22_English_W_2_04.08.15.pdf).

<sup>158</sup> Berk-Seligson et al., 167–86.

<sup>159</sup> Berk-Seligson et al., 187–221.

<sup>160</sup> Berk-Seligson et al., 187.

<sup>161</sup> Berk-Seligson et al., 187.

partnerships between a center in Santa Ana and the local community to effect change, another coordinator reports that 39 former gang members have begun attending the church since the center opened.<sup>162</sup> Further evidence for the importance of partnerships comes from another coordinator who attributes their center’s success in part to a partnership with the local police.<sup>163</sup> Finally, three more coordinators each attribute the success of keeping youth from joining gangs in their neighborhoods to the work of the centers.<sup>164</sup> The evidence clearly demonstrates that this strategy works and should be increased in scale.

USAID also supports the goal of strengthening community resilience in at-risk neighborhoods through the establishment of *comités de prevención comunitario* (community prevention committees).<sup>165</sup> Prevention committees comprise representatives from local law enforcement, public schools, clergy, health department officials, and neighborhood volunteers who work together to establish a local action plan to reduce crime and violence. Overall, quantitative and qualitative analysis validates their effectiveness in reducing crime rates. For example, when compared to control communities, neighborhoods receiving treatment in Guatemala were shown to have significant reductions in reported robberies, illegal drug sales, and cases of extortion and blackmail.<sup>166</sup> The takeaway for policymakers is that prevention-based strategies are effective complementary measures to law enforcement–only methods. Evidence from randomized experimental research models suggest that prevention strategies are working and have effectively reduced gang-related crime and violence. Therefore, more relative weight should be given to prevention measures within the U.S. strategy overall.

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<sup>162</sup> Berk-Seligson et al., 194.

<sup>163</sup> Berk-Seligson et al., 198.

<sup>164</sup> Berk-Seligson et al., 202.

<sup>165</sup> Nicholas Phillips, “CARSI in Guatemala: Progress, Failure, and Uncertainty,” in *Crime and Violence in Central America’s Northern Triangle: How U.S. Policy Responses Are Helping, Hurting, and Can Be Improved*, ed. Eric L. Olson (Washington, DC: Wilson Center Latin America Program, 2015), 148, <https://www.wilsoncenter.org/publication/crime-and-violence-central-americas-northern-triangle-how-us-policy-responses-are>.

<sup>166</sup> Phillips, 149.

## B. THE MÉRIDA INITIATIVE

The Calderón administration’s joint civil–military mobilization in Mexico’s declared war on drugs in 2006 heightened the level of criminal violence. Accordingly, Mexico requested U.S. assistance for a bi-lateral initiative and funding for Mexico and other Central American countries to combat illegal drug trafficking.<sup>167</sup> Its outcome was the Mérida Initiative, a multi-lateral security agreement that supports the U.S. Strategy to Combat the Threat of Criminal Gangs from Mexico and Central America.<sup>168</sup> Mérida supports the Strategy through funding efforts that directly assist the law enforcement and capacity enhancement elements within the Strategy. The work of meetings between former U.S. President George W. Bush and former Mexican President Felipe Calderón in 2007, the Mérida Initiative was heralded as a “new paradigm of security cooperation.”<sup>169</sup> Funding for Mexico and Central America was originally combined under Mérida, but by 2010, aid assistance for Central America was provided for separately under the Central American Regional Security Initiative program.<sup>170</sup>

The Mérida Initiative’s \$3 billion in appropriated funding from 2008 to 2020 represent a little less than 3 percent of Mexico’s total security budget for the same period, focused on curtailing gang activity and drug trafficking.<sup>171</sup> To be certain, Mexico’s use of this funding to procure real technology assets and training has been a force multiplier,

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<sup>167</sup> Jess T. Ford, *Status of Funds for the Mérida Initiative*, GAO-10-253R (Washington, DC: Government Accountability Office, 2009), 4–5, <https://www.gao.gov/products/GAO-10-253R>. Mérida’s goals are as follows: “(1) break the power and impunity of criminal organizations; (2) strengthen border, air, and maritime controls; (3) improve the capacity of justice systems in the region; and (4) curtail gang activity and diminish the demand for drugs in the region.”

<sup>168</sup> Kevin Casas-Zamora et al., *The Merida Initiative and Central America* (Washington, DC: Brookings Institution, 2009), 3, <https://www.brookings.edu/events/the-merida-initiative-and-central-america/>.

<sup>169</sup> David T. Johnson, “The Merida Initiative: Examining U.S. Efforts to Combat Transnational Criminal Organizations,” Department of State Archive, June 5, 2008, 2–3, <https://2001-2009.state.gov/p/inl/rls/rm/105695.htm>.

<sup>170</sup> Larence, *Combating Gangs: Federal Agencies*, 13.

<sup>171</sup> Clare Ribando Seelke, *Mexico: Evolution of the Merida Initiative, 2007–2020*, CRS Report No. IF10578 (Washington, DC: Congressional Research Service, 2019), 1, <https://fas.org/sgp/crs/row/IF10578.pdf>.

mainly for Mexico’s military and civil security forces. Closer attention reveals that the Mérida Initiative accomplished a historic political shift that increased the level of security cooperation between Mexico and the United States, not a wholly new paradigm.<sup>172</sup> Still, the focus remained on law enforcement.

Examining the scope and scale of Mérida assistance is key to understanding the focus of U.S. security efforts in the region.<sup>173</sup> The initial three-year agreement appropriated \$1.4 billion in funding to support the initiative’s three broad categories: (1) counter-narcotics, border security and counter-terrorism; (2) public security and law enforcement; and (3) institution building and the rule of law.<sup>174</sup> Reports show that in FY2008–FY2010, each of these three categories received approximately 62.59 percent, 22.37 percent, and 15.04 percent of the total expended funds.<sup>175</sup> As noted, this initial funding was used mainly to acquire technology assets such as Black Hawk helicopters for the rapid deployment of police officers, inspection and security systems for mail facilities, communications and data management systems for the police and Mexican intelligence services, mobile police inspection units, both fixed-wing and rotary aircraft for the Mexican Navy and Mexican Army/Air Force, and ion scanners for drug detection in remote

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<sup>172</sup> Steven E. Hendrix, “The Merida Initiative for Mexico and Central America: The New Paradigm for Security Cooperation, Attacking Organized Crime, Corruption and Violence,” *Loyola University Chicago International Law Review* 5, no. 2 (Spring 2008): 110.

<sup>173</sup> Mérida funding comes from three appropriations accounts: (1) the Economic Support and Development Fund and (2) the Development Assistance account, both managed by the U.S. Agency for International Development; and (3) the International Narcotics Control and Law Enforcement fund, administered by the Department of State’s Bureau for International Narcotics and Law Enforcement Affairs. The Foreign Military Financing account administered by the Department of Defense was included under Mérida funding for FY2008–2010. See Jenny Grover, *U.S. Assistance to Mexico: State and USAID Allocated over \$700 Million to Support Criminal Justice, Border Security, and Related Efforts from Fiscal Year 2014 through 2018*, GAO-19-647 (Washington, DC: Government Accountability Office, 2019), 4, <https://www.gao.gov/assets/710/701281.pdf>.

<sup>174</sup> Clare Ribando Seelke and Kristin Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report No. R41349 (Washington, DC: Congressional Research Service, 2017), 9, <https://crsreports.congress.gov/product/pdf/R/R41349>. For spending totals between FY2007–2010, see Table 1, p. 11.

<sup>175</sup> Eric L. Olson, *The Evolving Merida Initiative and the Policy of Shared Responsibility in U.S.-Mexico Security Relations* (Washington, DC: Wilson Center Mexico Institute, 2017), 5–6, <https://www.wilsoncenter.org/publication/the-evolving-merida-initiative-and-the-policy-shared-responsibility-us-mexico-security>.

areas, as well as to support Mexico’s efforts to modernize its criminal justice system.<sup>176</sup> Following the money, at least during the first phase of the Mérida Initiative, reveals a strategy that tackles a complex criminal problem with immediate technological assistance intended to give law enforcement and security sector forces a competitive advantage in fighting criminal enterprises.

By 2011, however, the Mérida Initiative refocused on a four-pillar strategy that shifted priority from delivering law enforcement technology and training to institution building and justice capacity enhancement.<sup>177</sup> Lending support to Mérida’s focus on strengthening the rule of law, USAID and the State Department took a lead role in helping Mexico comply with its legal requirement of transitioning to an accusatory justice system by 2016 through the provision of \$367 million in aid between FY2014 and FY2018.<sup>178</sup> Transition to the new justice system was seen as an effort to decrease impunity rates and increase transparency and efficiency in Mexico’s criminal justice system.<sup>179</sup> Also accompanying this shift in priorities was a new focus on building resilient communities that ostensibly signaled the move to strike a balance between enforcement and prevention. *Todos Somos Juárez* (We are all Juárez)—a U.S.-supported, local community-based project started in 2011, aimed at reducing organized crime in Juárez, Mexico—serves as one example of crime prevention efforts with a new emphasis on community building.<sup>180</sup>

Although the program’s ambitious community-led effort to implement 168 projects over one year was a laudable goal, the lack of analytical assessments made evaluating its

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<sup>176</sup> Ford, *Status of Funds for the Mérida Initiative*, 22.

<sup>177</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation*, 2017, 9–10. The four pillars included “disrupting organized criminal groups, institutionalizing the rule of law while protecting human rights, creating a 21st century border, building strong and resilient communities.”

<sup>178</sup> Grover, *U.S. Assistance to Mexico*, 8. See also Figures 3 and 4.

<sup>179</sup> Alejandro Ponce et al., *Mexico’s New Criminal Justice System: Substantial Progress and Persistent Challenges* (Washington, DC: World Justice Project and Lawyers with Cameras, 2018), 1, [https://worldjusticeproject.org/sites/default/files/documents/WJP-NewJusticeSystemMexico\\_.pdf](https://worldjusticeproject.org/sites/default/files/documents/WJP-NewJusticeSystemMexico_.pdf).

<sup>180</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation*, 2017, 22–23.

impact on crime reduction in Juárez difficult.<sup>181</sup> Analysts suggest that observable changes in crime and violence occur over the long view—a component missing from Todos Somos Juárez.<sup>182</sup> These criticisms aside, the program nevertheless provides an example of an augmented approach to law enforcement that promotes stronger social cohesion and resiliency against the effects of organized crime through community policing and prevention efforts.

Following the 2011 inclusion of the fourth pillar—building resilient communities—Mérida continued to be funded through a State Department foreign aid assistance account designed to support law enforcement efforts. For example, between FY2014 and FY2018, approximately \$723 million of Mérida aid assistance was appropriated for Mexico through USAID and the Department of State’s Bureau for International Narcotics and Law Enforcement Affairs, with approximately \$542 million (75 percent) allocated to INL over this period.<sup>183</sup> The importance of this point cannot be overstated as the INL is primarily a counter-narcotics-focused state bureau bringing law enforcement tools to combat the illicit flow of drugs into the United States.<sup>184</sup> At least part of Mérida’s intent is to build strong and resilient communities, but as some experts have pointed out, most of its funding through the INL demonstrates the priority of law enforcement over prevention in U.S. foreign policy efforts to counter transnational

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<sup>181</sup> Diana Villiers Negroponte, “Pillar IV of ‘Beyond Merida’: Addressing the Socio-Economic Causes of Drug Related Crime and Violence in Mexico” (Washington, DC: Woodrow Wilson International Center for Scholars Mexico Institute, 2011), 7, <https://www.wilsoncenter.org/publication/pillar-iv-beyond-merida-addressing-the-socio-economic-causes-drug-related-crime-and>.

<sup>182</sup> Vanda Felbab-Brown, *Calderón’s Calderon Lessons from Mexico’s Battle against Organized Crime and Drug Trafficking in Tijuana, Ciudad Juárez, and Michoacán* (Washington, DC: Brookings Latin America Initiative, 2011), 19, [https://www.brookings.edu/wp-content/uploads/2016/06/09\\_calderon\\_felbab\\_brown.pdf](https://www.brookings.edu/wp-content/uploads/2016/06/09_calderon_felbab_brown.pdf).

<sup>183</sup> Grover, *U.S. Assistance to Mexico*, 7.

<sup>184</sup> Department of State, *Congressional Budget Justification Foreign Operations: Appendix 2* (Washington, DC: Department of State, 2020), 58, <https://www.usaid.gov/sites/default/files/documents/1881/FY-2020-CBJ-State-and-USAID-Appendix-2.pdf>.

crime.<sup>185</sup> Policymakers should consider how other state foreign aid assistance accounts, such as the Economic Support Development Fund (ESDF)—which supports U.S. allies in advancing shared security interests through economic and educational opportunities and provides aid to counter the causes of irregular migration—may better align with Mérida’s intent to build resilient communities and balance funding accordingly.<sup>186</sup>

Ongoing concerns over security notwithstanding, the trend in U.S. security-related foreign aid assistance to the region has steadily declined over time. According to a detailed Congressional Research Service report on U.S. foreign aid, funds for Latin America accounted for approximately 7 percent of the U.S. total foreign aid assistance budget in 1997, decreased to 6 percent by 2007, and set a new low in 2017 at just 5 percent overall.<sup>187</sup> In particular, U.S. crime prevention efforts—aimed at providing increased educational and job training opportunities for youth in high-crime areas—funded through the USAID-managed ESDF education and social services account, reveals further evidence of insufficient support, as measured by current funding levels for Mexico, Guatemala, El Salvador, and Honduras. For example, Figure 3 shows the range of requested funding in this area from high to low for FY2020, with Honduras receiving \$13 million and Mexico receiving nothing.<sup>188</sup>

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<sup>185</sup> Eric L. Olson and Christine Zaino, “The Central America Regional Security Initiative: Losing the Good Fight: When Good Intentions Are Not Enough,” in *Crime and Violence in Central America’s Northern Triangle: How U.S. Policy Responses Are Helping, Hurting, and Can Be Improved*, ed. Eric L. Olson (Washington, DC: Wilson Center Latin America Program, 2015), 37, <https://www.wilsoncenter.org/publication/crime-and-violence-central-americas-northern-triangle-how-us-policy-responses-are>.

<sup>186</sup> Department of State, *Congressional Budget Justification*, 159.

<sup>187</sup> Marian L. Lawson and Emily M. Morgenstern, *Foreign Aid: An Introduction to U.S. Programs and Policy*, CRS Report No. R40213 (Washington, DC: Congressional Research Service, 2019), 20, <https://crsreports.congress.gov/product/pdf/R/R40213/28>.

<sup>188</sup> Department of State, *Congressional Budget Justification*, 522. Monetary figures in this chapter are listed in U.S. dollars.

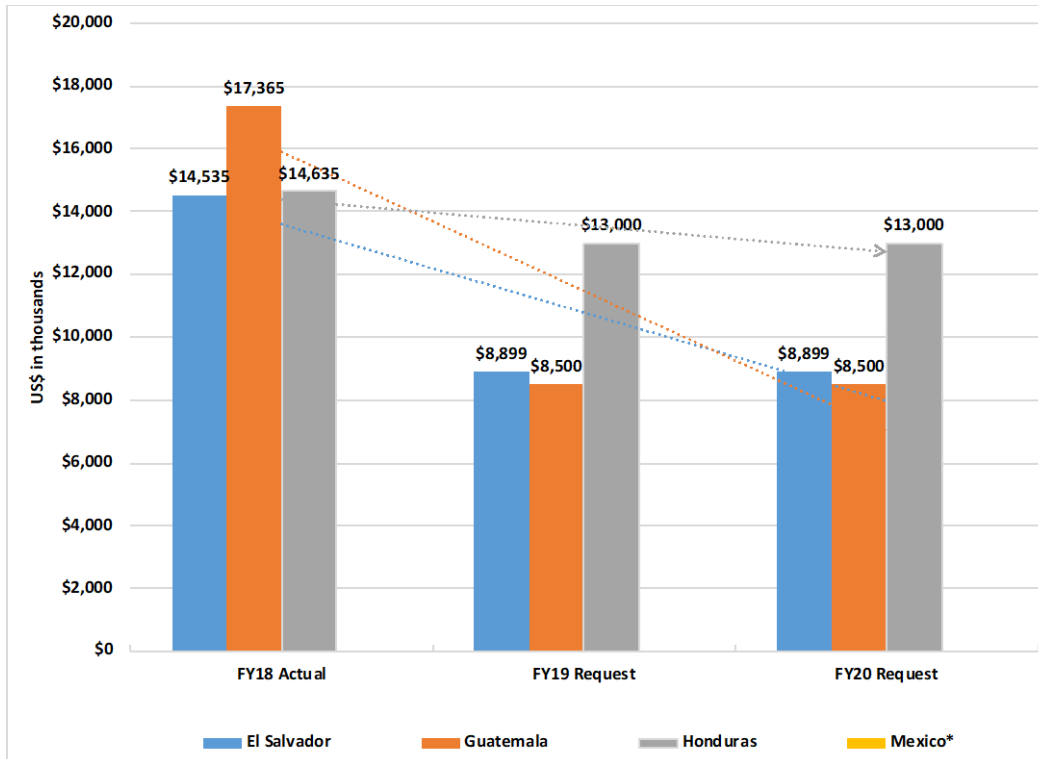


Figure 3. Comparison of U.S. Foreign Aid Assistance, Education, and Social Services Account for El Salvador, Guatemala, Honduras, and Mexico, FY2018–FY2020.<sup>189</sup>

Other crime prevention efforts funded through the ESDF and designated as workforce development—activities designed to increase job readiness for at-risk youth—show Guatemala receiving a high of \$8.3 million but neither Mexico nor Honduras receiving funding (see Table 1).<sup>190</sup>

<sup>189</sup> Adapted from Department of State, *Congressional Budget Justification*, 518–23.

<sup>190</sup> Department of State, 519, 522.



Table 1. Comparison of U.S. Foreign Aid Assistance, Workforce Development Account for El Salvador, Guatemala, Honduras, and Mexico, FY2018–FY2020.<sup>191</sup>

U.S. Foreign Aid Assistance Economic Support and Development Fund, Workforce Development Account (\$ in thousands)			
	FY18 Actual	FY19 Request	FY20 Request
El Salvador	0	0	3,465
Guatemala	1	0	8,250
Honduras	0	0	0
Mexico	0	0	0

Without a commitment to allocate sufficient and balanced funding to adequately scale U.S. crime prevention policies, the outlook for an improved security environment remains unlikely.

The current U.S. approach to counter the effects from transnational criminal activity in Mexico and Central America now resembles Mérida’s initial law enforcement emphasis.<sup>192</sup> For example, U.S. policy emphasizes border security and law enforcement measures as solutions to recent problems of illegal mass migration—a second-order effect related to crime and violence in the Northern Triangle and Mexico.<sup>193</sup> Although current policy actions seek to prevent illegal immigration, a successful long-term comprehensive crime prevention approach should also look at complementary efforts to address some of the root causes of crime that drive decisions to migrate in the first place. Furthermore, U.S. attempts to attack the problem by “disrupting the business model of transnational criminal organizations” overlook the broader localized issues that provide context for the formation of these groups.<sup>194</sup>

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<sup>191</sup> Adapted from Department of State, *Congressional Budget Justification*, 518–23.

<sup>192</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation*, 2017, 10.

<sup>193</sup> Amelia Cheatham, *Central America’s Turbulent Northern Triangle* (Washington, DC: Council on Foreign Relations, 2019), <https://www.cfr.org/background/central-americas-turbulent-northern-triangle>.

<sup>194</sup> Department of State, *Congressional Budget Justification*, 59.

At a time when the Northern Triangle needs support to confront issues of violence and impunity, funding for the region has declined by almost 30 percent since FY2018.<sup>195</sup> Exacerbating the situation further, the United States has announced its intention to withhold assistance from Guatemala, Honduras, and El Salvador in an effort to exert political pressure on these governments to stem the flow of northward migration through Mexico.<sup>196</sup> Although evidence from USAID-funded prevention measures demonstrate success in addressing systemic problems considered to be risk factors for gang activity, the United States continues to rely heavily on law enforcement solutions.

Enforcement and prevention activities within the U.S. strategy have been measured differently. Mérida-funded law enforcement programs and training measure success by output numbers. This output includes the number of arrests and prosecutions of gang members, gang crime statistics, officers trained, and frequency of information sharing between law enforcement partners.<sup>197</sup> In contrast, Mérida's prevention programs have been measured with both quantitative and qualitative assessments that measure outcomes—surveys, interviews, and focus groups—to identify the attitudes and perceptions of crime.<sup>198</sup> This significant difference in the way that U.S. efforts are measured is noteworthy. Whereas the effectiveness of enforcement activities is measured by outputs that are produced and certified by the reporting agencies, the same effectiveness of prevention activities to reduce crime have been independently evaluated using scientific methodology. The bottom line is that prevention outcomes are dependable because they have not only been shown to work to reduce crime but also been verified through a rigorous process.

Vanderbilt University's evaluation reports of USAID's crime prevention programs show a link to positive changes in perceptions of crime and security in treatment communities. For example, at the end of three years of crime prevention programs in El

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<sup>195</sup> Meyer, *U.S. Strategy for Engagement in Central America*, 13.

<sup>196</sup> Meyer, 14.

<sup>197</sup> Larence, *Combating Gangs: Federal Agencies*, 19.

<sup>198</sup> Larence, 20.

Salvador, citizens living in treatment neighborhoods were 17 percent less likely to report feeling unsafe in their neighborhoods than expected in the absence of treatment.<sup>199</sup> Additionally, reports of feeling unsafe when walking alone at night show that residents of treatment neighborhoods felt safer in the third year than the first by a margin of 13 percent.<sup>200</sup> Similarly, in Guatemala, perceptions of insecurity also improved in treatment neighborhoods when compared to control communities as measured by responses to the same questions.<sup>201</sup>

In Honduras, residents from both treatment and control communities reported feeling less secure when walking alone at night in their neighborhoods in the third year than in the first. Researchers note this difference, explaining that “perception of insecurity increased much more, and at a faster pace in the control communities compare [d] to the communities that received treatment.”<sup>202</sup> In fact, the treatment communities were 15 percent less likely to report feelings of insecurity compared to responses from residents living in control communities.<sup>203</sup> Taken together, these statistics illustrate a generally positive trend pattern in perceptions of security among communities receiving crime prevention programming.

### C. CONCLUSION

Considering the range of U.S. strategic endeavors to combat the threat of violent gangs as encapsulated through both the Strategy and the Mérida Initiative, decisionmakers have a responsibility to ensure that efforts are achieving their intended goals. On the one hand, U.S. anti-gang policies are achieving exactly what they set out to do. The ability to open diplomatic relations, repatriate illegal immigrants, increase cross-border law

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<sup>199</sup> Berk-Seligson et al., *El Salvador Country Report*, 84.

<sup>200</sup> Berk-Seligson et al., 85.

<sup>201</sup> Susan Berk-Seligson et al., *Impact Evaluation: Guatemala Country Report* (Nashville, TN: Latin America Public Opinion Project, Vanderbilt University, 2014), 48–49, [https://www.vanderbilt.edu/lapop/carsi/CARSI\\_GUATEMALA\\_final\\_report\\_v8c\\_Shortversion\\_W\\_02.17.16.pdf](https://www.vanderbilt.edu/lapop/carsi/CARSI_GUATEMALA_final_report_v8c_Shortversion_W_02.17.16.pdf).

<sup>202</sup> Berk-Seligson et al., *Honduras Country Report*, 79.

<sup>203</sup> Berk-Seligson et al., 79.

enforcement cooperation and capacity enhancement, and provide for elements of prevention demonstrates that the Strategy and Mérida Initiative are working. On the other hand, the pervasive violence in Mexico and Central America that gangs perpetuate continues to erode citizen security in the region, casting doubt on the overall ability of U.S. policy to reduce gang activity. Furthermore, violence-produced instability causes second-order immigration effects that ultimately place greater demands on U.S. law enforcement.

With all the assistance provided to Mexico and the Northern Triangle countries, the absence of impact evaluation on the reduction of gang-related crime is noticeable. The lack of evaluation of performance outcomes should be troubling to members of Congress when faced with making program assessments and determining the level of future funding requests for U.S. campaign efforts. Outputs such as arrest numbers, conviction rates, officers trained, officers enrolled, and numbers of classes are used as measures of program success. Substituting outputs for outcomes occurs for a few reasons. First, measuring outcomes usually requires longer intervals to realize observable changes compared to the process of reporting immediate output statistics. A preference for outputs is understandable given the real tension that exists to do something immediately to stop crime. In this connection, political and social acceptance barriers to strategic policies, which take a long view of the problem, can ultimately short-circuit their chances for success. Second, the lack of performance evaluation may also be a matter of cognitive bias that prefers the known to the unknown. In other words, the Strategy focuses on capacity enhancement and training because that is what we know how to do. Relatedly, a third reason for using outputs as a measure of success is that acknowledging policy limitations and changing course require more political will than maintaining the status quo. Whatever the explanation, the constant level of gang-related crime and violence over the course of U.S. efforts suggests a need for decisionmakers to evaluate current priorities.

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## IV. CANADIAN AND U.S. GANG PREVENTION

This chapter examines what has worked in both the Canadian and U.S. efforts to reduce gang-related crime and violence in light of enhancements for Central America. The first part of the chapter focuses on the Canadian public safety model as an example of a balanced approach to gangs. The second part of the chapter then discusses U.S. domestic and regional initiatives that have proven successful in reducing the drivers of gang-related activity. The goal is to explore gang control policy options that might augment U.S. strategic efforts and move the needle toward a more balanced approach. This chapter demonstrates that prevention approaches ultimately reduce gang activity because, based on sound research, they address the underlying risk factors associated with the problem.

### A. THE CANADIAN APPROACH

The Canadian approach to crime prevention and gang violence centers on partnerships with local authorities serving as subject-matter experts in the design and implementation of comprehensive wraparound solutions.<sup>204</sup> These solutions—marked by attempts to treat both criminal activity and the complex underlying behavioral aspects of such activity—are derived from the collaborative efforts of experts in law enforcement, corrections, social work, counseling, and public education.<sup>205</sup> This multi-disciplined strategy ensures the delivery of a range of services to youth at high risk of or already involved in gang activity. Overall, Canada’s approach seems to have made a positive impact on the gang problem in communities that have received treatment. The following sections detail this approach encompassing the elements of structure, strategy, funding, programs, and challenges.

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<sup>204</sup> “Gang Prevention Strategy GPS,” Public Safety Canada, December 21, 2018, <https://www.publicsafety.gc.ca/cnt/cntrng-crm/crm-prvntn/nvntn/dtln-en.aspx?i=10068>.

<sup>205</sup> Public Safety Canada.

## 1. Structure

The principal agency responsible for the safety of Canadian citizens is Public Safety Canada. Created in 2003, Public Safety Canada operates under the mandate “to keep Canadians safe from a range of risks such as natural disasters, crime, and terrorism.”<sup>206</sup> Under the leadership of the minister of public safety, the mission of the department “is to build a safe and resilient Canada.”<sup>207</sup> Using a two-fold approach, Public Safety Canada executes its mission both internally, through the development of cooperative and integrated government partnerships, and externally, through cooperation with public and private sector stakeholders.<sup>208</sup> This extensive network of national and local partnerships ensures that Public Safety Canada can successfully discharge its duties.<sup>209</sup>

The National Crime Prevention Center (NCPC), which operates under Public Safety Canada, serves a pivotal role in keeping Canadians safe. Founded to establish partnerships with community agencies at the local level, the NCPC serves to coordinate activities and programs aimed at reducing the risk factors that lead to crime. The NCPC supports efforts to coordinate a whole-of-government approach to crime prevention by working closely with local, provincial, and territorial leaders to “develop and implement results-driven programs that target persons who are at higher risk of offending because they present known risk factors.”<sup>210</sup> The main function of the NCPC is to provide national leadership to support local initiatives and innovative programs that mitigate risk factors associated with crime activity to prevent crime from occurring in the first place.<sup>211</sup>

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<sup>206</sup> “About Public Safety Canada,” Public Safety Canada, December 21, 2018, <https://www.publicsafety.gc.ca/cnt/bt/index-en.aspx>.

<sup>207</sup> Public Safety Canada.

<sup>208</sup> Public Safety Canada.

<sup>209</sup> Public Safety Canada.

<sup>210</sup> “National Crime Prevention Centre,” Public Safety Canada, December 21, 2018, <https://www.publicsafety.gc.ca/cnt/cntrng-crm/crm-prvntn/ntnl-crm-prvntn-cntr-en.aspx>.

<sup>211</sup> Public Safety Canada.

## 2. Strategy

The distinguishing feature of the Canadian model for national crime prevention is its emphasis on integrated partnerships. Since its inception, local partnerships formed the foundation of the NCPC. Underscoring the key role that cooperation plays in the program’s overall success, Canada’s National Crime Prevention Strategy (NCPS) employs a working group that develops partnerships between national and local authorities to coordinate supported activities.<sup>212</sup> Recent progress toward increasing neighborhood safety in 2018 included support for restorative justice efforts that, among other important outcomes, “provides opportunity for healing, repairing harm, and reintegration.”<sup>213</sup> In this effort, the working group provides funding grants for community-based anti-gang programs to departments like Thunder Bay Police and Toronto Police Services that seek to prevent gang recruitment and activity.<sup>214</sup> These partnerships are key to developing solutions that fit the scope and landscape of the local context. Three significant types of partnerships—local departments, the Canadian Association of Chiefs of Police, and the Federation of Canadian Municipalities (FCM)—are highlighted below.

The first is a partnership with local police services. The Canadian approach to security views the officers who work in a local context as uniquely positioned to assess, develop, and implement solutions to local crime challenges. The value of their expertise and “practical experience” is recognized within the framework of the NCPS, and it relies on the ability of these officers to collect and analyze crime data within their jurisdictions. The second is a robust partnership with the Canadian Association of Chiefs of Police, whose role is to provide subject-matter expertise and guidance to develop strategies that address “the root causes of crime”—another distinguishing characteristic of Canada’s

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<sup>212</sup> Public Safety Canada.

<sup>213</sup> “News Release—Federal-Provincial-Territorial Meeting of Ministers Responsible for Justice and Public Safety,” Canadian Intergovernmental Conference Secretariat, November 16, 2018, <http://scics.ca/en/product-produit/news-release-federal-provincial-territorial-meeting-of-ministers-responsible-for-justice-and-public-safety/>.

<sup>214</sup> “Current Community Safety Project Grant Recipients,” Ministry of the Solicitor General, accessed November 3, 2020, <http://www.mcscs.jus.gov.on.ca/english/Policing/ProgramDevelopmentandGrants/GrantsandInitiatives/PSDPolicingGrantsRecipients.html#>.



NCPS.<sup>215</sup> The third important partnership is with the FCM, an organization that serves as the voice of the municipal government on important matters that fall within federal jurisdiction.<sup>216</sup> With more than 2,000 members representing over 90 percent of Canadians, the FCM supports municipalities in ensuring their citizens' needs are reflected in federal policies and programs.<sup>217</sup> The strength of Canada's crime prevention approach, as reflected in the NCPS, recognizes that the key to success depends on the scope of its partnerships with the men and women working in local communities.

### 3. Funding

Coupled with this emphasis on partnerships is a strong commitment to fund programs that contain an integrated approach—those with elements of prevention, intervention, and suppression—to combat criminal activity. As an example of this commitment, the Canadian government in 2017 passed a C\$327.6 million spending bill over five years to fund new programs starting in 2018–2019 with C\$100 million annually thereafter to tackle the increase in gun violence and gang-related crime.<sup>218</sup> Nearly C\$43 million is to be funneled through the NCPC's Canadian Youth Gang Fund (CYGF).<sup>219</sup> With this robust financial commitment, the Canadian strategy has adequate resources to pursue a balanced approach to crime prevention generally and gun and gang violence specifically through its network of collaborative local partnerships.

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<sup>215</sup> Public Safety Canada, "National Crime Prevention Centre."

<sup>216</sup> Public Safety Canada,

<sup>217</sup> "About FCM," Federation of Canadian Municipalities, accessed May 28, 2019, <https://fcm.ca/en/about-fcm>.

<sup>218</sup> Public Safety Canada, *Summit on Gun and Gang Violence: Summary Report* (Ottawa: Public Safety Canada, 2018), <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2018-smmt-gng-vlnce-smmry/index-en.aspx#a08>.

<sup>219</sup> "Criminal Gun and Gang Violence in Canada," Public Safety Canada, March 8, 2018, <https://www.canada.ca/en/public-safety-canada/news/2018/03/criminal-gun-and-gang-violence-in-canada.html>.

#### 4. Innovative Programs

So-called wraparound programs are comprehensive strategies that include prevention and intervention—two elements on the crime prevention spectrum often replaced by suppression tactics because of the challenges they pose in addressing immediate law enforcement needs.<sup>220</sup> Although Canada’s crime prevention approach includes suppressive police action, it recognizes that these techniques need “to be integrated into a broader, more comprehensive strategy” as they are not effective in reducing gang crime alone.<sup>221</sup> In his opening comments made during the Summit of Gun and Gang Violence held in Ottawa on March 7, 2018, Minister of Public Safety Ralph Goodale confirmed Canada’s commitment to a wraparound approach, saying, “we cannot arrest, charge, and imprison our way out of this problem” and emphasizing the need for better prevention strategies through a collaborative effort.<sup>222</sup> Canada’s NCPS is unique in the sense that it attempts to prevent crime before it happens. Several examples of wraparound crime prevention programs are noted below.

##### a. *Gang Prevention Strategy*

In response to a 2009 report produced by the Hamilton Police Service showing an increase in youth gang activity in Ontario, Living Rock Ministries, a non-profit Christian outreach organization, delivered the Gang Prevention Strategy (GPS) with \$2.3 million in funding from the NCPC to address the growing concern.<sup>223</sup> Based on the wraparound approach, GPS is a crime prevention program that targets youth ages 13–25 who are at risk

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<sup>220</sup> Wraparound programs target both the behavioral and emotional wellbeing of a person and often comprise a team of professionals from various backgrounds. For more information, see Public Safety Canada, “Gang Prevention Strategy GPS.”

<sup>221</sup> National Crime Prevention Centre, *Addressing Youth Gang Problems: An Overview of Programs and Practices* (Ottawa: Public Safety Canada, 2018), <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/ddrsng-prblms/index-en.aspx#a6>.

<sup>222</sup> Public Safety Canada, *Summit on Gun and Gang Violence*, 8.

<sup>223</sup> National Crime Prevention Centre, *Gang Prevention Strategy* (Ottawa: Public Safety Canada, 2018), <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/gng-prvntn-strtg/index-en.aspx> The GPS targeted youth ages 13–25 who were at risk of gang involvement or who were already gang-involved.

for gang involvement.<sup>224</sup> Meeting several program objectives, including motivating high-risk youth away from gang involvement toward adopting more pro-social attitudes and behaviors, evaluation results indicated that GPS was, overall, a successful local initiative. For example, it resulted in lower rates of drug use, gang involvement, delinquent behavior, and reliance on illegal sources of income.<sup>225</sup> Although program evaluators point out that the lack of comparison against a matched control group is a shortcoming, GPS is one example of the success of Canada’s crime prevention approach using problem-solving policing in concert with community partnerships to address a chronic problem.

***b. A Positive Alternative to Youth Gangs***

Between 2008 and 2011, in Toronto’s Jane Finch community, Positive Alternative to Youth Gangs (PAYG) targeted minority youth ages 11–14 considered at high risk of joining a gang and helped existing gang members exit their gangs safely. It accomplished this by bringing together several stakeholders and providing them with the knowledge and tools necessary to develop local gang prevention strategies.<sup>226</sup> Although results could be strengthened through more rigorous evaluation methods, they do demonstrate that the program was successful in several respects. For example, in addition to being rated favorable by program participants and their families, the program demonstrated its ability to improve pro-social attitudes as well as reduce some gang-related risk factors.<sup>227</sup> Ultimately, reducing gang activity in the long term requires programs like PAYG that address the root of the problem.

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<sup>224</sup> Public Safety Canada, “National Crime Prevention Centre.”

<sup>225</sup> National Crime Prevention Centre, *Gang Prevention Strategy*.

<sup>226</sup> National Crime Prevention Centre, *The Achievers: Positive Alternatives to Youth Gangs (PAYG)* (Ottawa: Public Safety Canada, 2018), <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/payg/index-en.aspx?wbdisable=true>.

<sup>227</sup> National Crime Prevention Centre.

*c. Project Prevention and Intervention Toronto*

Addressing violent youth gangs, the city of Toronto, Ontario, developed and implemented Project Prevention and Intervention Toronto (PIT) from 2009 to 2012 and relied on evidence-based gang prevention programming to treat health and behavioral problems for youth and young adults ages 12–24.<sup>228</sup> Demonstrating a range of positive program results in attitudes, risk and protective factors, and behaviors for a group of 306 participants matched to a comparison group, PIT showed success in improving attitudes toward gangs and the justice system, which is often viewed by experts as a precursor to changed behavior.<sup>229</sup> Two program impact areas from the evaluation—criminal offending and gang involvement—are highlighted here. For violent criminal offending, the treatment group showed steeper declines in both the short term and long term than the non-treatment group.<sup>230</sup> In addition, PIT demonstrated a significant decrease in gang involvement for the treatment group by 25 percent, from the pre-test to one-year follow-up interview.<sup>231</sup> These results suggest that PIT helped to reduce violent offending and gang involvement in Toronto’s most difficult neighborhoods and should be considered a viable long-term strategic solution.

*d. Velocity*

Originally known as Adventure Youth Initiative, Velocity was an outdoor adventure program implemented in St. John’s Newfoundland from 2009 to 2014, made available by funding from the NCPS. The program targeted at-risk or criminally involved youth 13 years old or older using activities designed to enhance pro-social attitudes through

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<sup>228</sup> D. Laliberté et al., *Results of Crime Prevention Programs for 12 to 17 Year Olds* (Ottawa: Public Safety Canada, 2018), <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/rslts-crm-prvntn-12-17/index-en.aspx#ftn7-ref>.

<sup>229</sup> Laliberté et al.

<sup>230</sup> “Prevention Intervention Toronto (PIT),” Public Safety Canada, December 21, 2018, <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/prvntn-ntrvntn-trnt/index-en.aspx>.

<sup>231</sup> Public Safety Canada.

counseling relationships.<sup>232</sup> With emphasis on both individual and group activities, Velocity incorporated daylong to weeklong outdoor programming.<sup>233</sup> In program impact findings, Velocity successfully improved attitudes toward schooling, increased participants' resiliency against drug abuse while improving refusal skills, and decreased law enforcement contacts.<sup>234</sup> For example, police records show that police contacts were reduced by 61 percent during program implementation with an overall reduction of 49 percent one year after the program compared to pre-program figures.<sup>235</sup> As a program that addresses both risk and protective factors associated with gang activity, Velocity demonstrates that complementary law enforcement approaches can work.

*e. Remix Project and Just TV*

Initiated in 2006, the Remix Project is a free six-month program that continues to serve youth and young adults today from marginalized communities in Toronto by helping them turn their creative talents into viable sources of income and providing alternatives to crime.<sup>236</sup> Matching participants with mentors from the community, the program has graduated 357 young people over the last 11 semesters through the Academies of Business, Creative Arts, and Recording Arts who have gone on to develop a successful career or business.<sup>237</sup> Reports indicate that Remix has been highly successful in addressing evidence-based risk and protective factors for violent youth by providing them with the tools, resources, and networks to support them in becoming successful and productive

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<sup>232</sup> Laliberté et al., *Results of Crime Prevention Programs for 12 to 17 Year Olds*.

<sup>233</sup> Laliberté et al.

<sup>234</sup> Laliberté et al.

<sup>235</sup> Public Safety Canada, *Velocity Adventure Program*, Research Summary 2015–S012 (Ottawa: Public Safety Canada, 2018), <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2015-s012/2015-s012-eng.pdf>.

<sup>236</sup> International Centre for the Prevention of Crime, *Comparative Report on Types of Intervention Used for Youth at Risk of Joining a Street Gang: Practices from Belgium, Canada and France* (Montreal: International Centre for the Prevention of Crime, 2011), <https://cipc-icpc.org/en/reports/comparative-report-on-types-of-intervention-used-for-youth-at-risk-of-joining-a-street-gang/>.

<sup>237</sup> Fiona Scott, "Impact of the Remix Project 11.0" (Toronto: Remix Project, 2016), <http://fionascott.ca/wp-content/uploads/2016/03/RemixOutcomes-Infographicv6.compressed.pdf>.

citizens.<sup>238</sup> Just TV, a program delivered by the Broadway Neighbourhood Community Centre and funded by CYGF in 2007, targeted gang-involved Aboriginal youth in Winnipeg by teaching them television production skills.<sup>239</sup> Program youth made and presented videos to the community on issues such as gang life and substance abuse. While Just TV provided at-risk youth with an avenue for “creative, self-expression,” program results did not show any statistically significant changes in gang affiliation.<sup>240</sup> Program evaluators cite missing information that prevented the use of a modified scale to gauge results for this outcome as a possible explanation for why there were no significant changes in gang membership.<sup>241</sup> Though Just TV fell short of its intended program result, the NCPC places equal value on knowing what *does not* work as in knowing what does.

As all the preceding examples illustrate, Canada’s approach to crime and gang activity focuses on a commitment to prevention programs offering a range of approaches that highlight prevention and community resilience, which complements law enforcement efforts. Supported by current research on crime prevention that demonstrates the relative success of comprehensive wraparound programs, Canada’s NCPS incorporates elements of prevention, intervention, and suppression into its strategy.<sup>242</sup> The government of Canada recognizes the growing research that points to the need for a comprehensive effort to combat criminal and gang violence and actively supports innovative, full-spectrum programs and initiatives.

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<sup>238</sup> Fiona Scott, *Remix Addresses the Roots of Youth Violence* (Toronto: Remix Project, 2012), 12, <https://theremixproject.com/wp-content/uploads/2017/01/youthviolencedecks-small-copy.pdf>.

<sup>239</sup> Rick Linden, *Comprehensive Approaches to Address Street Gangs in Canada* (Ottawa: Public Safety Canada, 2010), <http://publications.gc.ca/site/eng/412373/publication.html>.

<sup>240</sup> National Crime Prevention Centre, *Winnipeg Youth Gang Prevention Fund* (Ottawa: Public Safety Canada, 2018), 5, <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/wnnpg-prvntn/index-en.aspx>.

<sup>241</sup> National Crime Prevention Centre, 5.

<sup>242</sup> Linden, *Comprehensive Approaches to Address Street Gangs in Canada*, 5.

## 5. Challenges and Counter-Arguments

The corpus of literature points to a continual need for scientifically rigorous evaluation to determine the overall effectiveness of crime prevention programs.<sup>243</sup> Although the highlighted Canadian programs have demonstrated varying degrees of effectiveness, some experts point to the lack of independent program evaluations as a drawback in adapting them as model programs. However, issues of replicability notwithstanding, not all gang experts agree that these programs should be disregarded. To the contrary, some argue that programs implemented even with modest results should be considered for the value they provide.<sup>244</sup> Support for only model programs may contribute to lost opportunities by overlooking other evidence-based strategies that provide value-added prevention benefits to an enduring problem. For example, none of the programs in the preceding analysis are considered model programs due largely to research designs and evaluation methods that are less scientifically rigorous. However, they have all produced favorable results in addressing underlying risk factors for gang involvement and, therefore, merit further investigative analysis into their potential benefits.

### B. SUCCESSFUL U.S. GANG PREVENTION EFFORTS

Successful domestic and regional U.S. gang prevention efforts have been those based on the theoretical framework of the Comprehensive Community-Wide Approach to Gang Prevention, Intervention, and Suppression Program originally developed by Dr. Irving Spergel.<sup>245</sup> Referred to as the comprehensive gang model (CGM), this approach recognizes the complexity of the gang problem by encompassing five strategies—“community mobilization, opportunities provision, social intervention, suppression, organizational change and development”—in working with gang-involved youth and their families.<sup>246</sup> The Department of Justice (DOJ)’s Office of Juvenile Justice and Delinquency

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<sup>243</sup> Linden, 10.

<sup>244</sup> Klein and Maxson, *Street Gang Patterns and Policies*.

<sup>245</sup> “About the OJJDP Comprehensive Gang Model,” National Gang Center, accessed November 4, 2020, <https://www.nationalgangcenter.gov/Comprehensive-Gang-Model/About>.

<sup>246</sup> National Gang Center.

Prevention (OJJDP) promotes the framework of the CGM through local grant funding to community programs based on the CGM strategy. When implemented correctly, programs using CGM principles have reduced total arrests and criminal offenses, including gang crime, at some sites by as much as 18 percent and 10.4 percent, respectively, demonstrating statistical significance compared to non-treatment control groups.<sup>247</sup>

## 1. Structure

The DOJ is responsible for providing federal oversight of domestic U.S. gang prevention and control efforts. Created in 1974 by provisions in the JJDPA (Pub. L. No. 93–415), the OJJDP, under the direction of an appointed administrator, is the lead entity responsible for coordinating best gang control practices with state and local authorities.<sup>248</sup> Two supporting organizational structures aid in this objective. Sec. 206 established the Coordinating Council on Juvenile Justice and Delinquency Prevention with the purpose of coordinating and making recommendations directly to the council chairman and the U.S. president on matters of policy.<sup>249</sup> The 19-member council comprises nine federal senior executives and ten citizens appointed by the U.S. president, the speaker of the house, and the Senate majority leader.<sup>250</sup> Sec. 207 established the National Advisory Committee on Juvenile Justice and Delinquency Prevention to advise the OJJDP administrator.<sup>251</sup> The committee consists of the nine council members plus additional majority members

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<sup>247</sup> Irving A. Spergel, Kwai Ming Wa, and Rolando V. Sosa, *Evaluation of the Mesa Gang Intervention Program (MGIP)* (Chicago: School of Social Service Administration, University of Chicago, 2002), 471–72, <https://www.ojp.gov/pdffiles1/ojjdp/grants/209187.pdf>.

<sup>248</sup> Juvenile Justice and Delinquency Prevention Act of 1974, Pub. L. No. 93–415, 88 Stat. 1109, 1112 (1974), <https://uscode.house.gov/statutes/pl/93/415.pdf>.

<sup>249</sup> Juvenile Justice and Delinquency Prevention Act, 1116.

<sup>250</sup> Coordinating Council on Juvenile Justice and Delinquency Prevention, “Members,” Office of Justice Programs, accessed November 6, 2020, <https://juvenilecouncil.ojp.gov/members>.

<sup>251</sup> Juvenile Justice and Delinquency Prevention Act, 1117.



appointed by the president.<sup>252</sup> There are currently 14 presidential appointees.<sup>253</sup> Providing federal assistance to state and local governments, the JJDPA also grants authority to the OJJDP administrator to provide formula grants to aid with delinquency programming.<sup>254</sup>

USAID is responsible for coordinating and funding U.S. regional gang prevention efforts.<sup>255</sup> It was established in 1961 under the Foreign Assistance Act as a means of coordinating U.S. foreign assistance globally.<sup>256</sup> The central mission of USAID is to promote democratic values through partnerships in support of U.S. foreign policy with the ultimate goal being self-sustaining reliance for partner nations.<sup>257</sup> The work of two USAID bureaus helps to promote this mission specifically for Latin America. The first is USAID's Bureau for Economic Growth, Education, and Environment, Office of Education, which works to promote expanded educational and workforce opportunities in poverty-stricken areas.<sup>258</sup> The second is the Bureau for Latin America and the Caribbean, which works, among other areas, to reduce crime and violence in the region.<sup>259</sup>

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<sup>252</sup> Juvenile Justice and Delinquency Prevention Act, 1117.

<sup>253</sup> Department of Justice, Office of Justice Programs, "List of Members," Federal Advisory Committee on Juvenile Justice, accessed November 6, 2020, <https://facjj.ojp.gov/about/members>.

<sup>254</sup> Juvenile Justice and Delinquency Prevention Act, 1118.

<sup>255</sup> Larence, *Combating Gangs: Federal Agencies*, 11.

<sup>256</sup> "USAID History," United States Agency for International Development, May 7, 2019, <https://www.usaid.gov/who-we-are/usaid-history>.

<sup>257</sup> "Mission, Vision and Values," United States Agency for International Development, February 16, 2018, <https://www.usaid.gov/who-we-are/mission-vision-values>.

<sup>258</sup> "Bureau for Economic Growth, Education and Environment," United States Agency for International Development, January 24, 2020, <https://www.usaid.gov/who-we-are/organization/bureaus/bureau-economic-growth-education-and-environment>; "Office of Education," United States Agency for International Development, December 27, 2017, <https://www.usaid.gov/who-we-are/organization/bureaus/bureau-economic-growth-education-and-environment/office-education>.

<sup>259</sup> "Bureau for Latin America and the Caribbean," United States Agency for International Development, May 10, 2021, <https://www.usaid.gov/who-we-are/organization/bureaus/bureau-latin-america-and-caribbean>.

## 2. Strategy

U.S. gang prevention efforts are based on the CGM, which comprises five core elements—“community mobilization, opportunities provision, social intervention, suppression, organizational change and development”—forming the basis of an integrated approach to gang prevention.<sup>260</sup> This approach means that U.S. prevention efforts aim to serve the whole person through a continuum of coordinated services to at-risk and gang-involved individuals. “Community mobilization” in the CGM refers to the collective effort of local community members working in collaboration to align goals and outcomes.<sup>261</sup> A key principle of the *opportunities provision* is that community leaders and organizations coordinate increased training and workforce development opportunities for program participants with local employers.<sup>262</sup> Key principles of *social intervention* center on the ability to provide increased social services, such as drug intervention, job preparation, counseling, and tattoo removal, through street-worker outreach efforts.<sup>263</sup> Elements of *suppression* in the CGM refer to the problem-oriented policing efforts of officers and tactical units that include information sharing as appropriate to the entire intervention team, enforcement operations, and community outreach.<sup>264</sup> *Organizational change and development* prioritize activities that train cooperating organizations to align their internal practices with program goals, thus ensuring that participating organizations are not at cross purposes with each other.<sup>265</sup>

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<sup>260</sup> Office of Juvenile Justice and Delinquency Prevention, *Best Practices to Address Community Gang Problems: OJJDP’s Comprehensive Gang Model*, 2nd ed. (Washington, DC: Department of Justice, 2010), 2, <https://ojjdp.ojp.gov/library/publications/best-practices-address-community-gang-problems-ojjdps-comprehensive-gang-0>.

<sup>261</sup> Office of Juvenile Justice and Delinquency Prevention, 6.

<sup>262</sup> Office of Juvenile Justice and Delinquency Prevention, 17.

<sup>263</sup> Office of Juvenile Justice and Delinquency Prevention, 19.

<sup>264</sup> Office of Juvenile Justice and Delinquency Prevention, 26.

<sup>265</sup> Office of Juvenile Justice and Delinquency Prevention, 11.

### 3. Funding

Two different mechanisms exist for the funding of U.S. domestic and regional gang prevention endeavors. Domestically, the OJJDP is responsible for funding community-based programs that build on the core elements of the CGM. Under the name Project Safe Neighborhoods (PSN), this current DOJ/OJJDP nationwide flagship program provides funding support for CGM-style community programs and, in FY2020, received nearly \$18.2 million for this purpose.<sup>266</sup> Additional FY2020 funding in excess of \$6.5 million was made available as grant money for up to 19 communities nationwide that implemented programs to support the goal of countering violent crime and gang activity under a second PSN initiative known as Comprehensive Anti-Gang Programs for Youth.<sup>267</sup> Within the Northern Triangle region of Central America, INL and USAID fund anti-gang initiatives through foreign aid assistance accounts.

Funding for USAID-supported crime and violence prevention programs in the Northern Triangle comes from two primary accounts—(1) Education and Social Services and (2) Economic Growth Workforce Development—which fall under the ESDF.<sup>268</sup> State Department requests for education and social services funding in FY2020 totaled \$13 million for Honduras, \$7.03 million for El Salvador, and \$6 million for Guatemala.<sup>269</sup> The State Department request for workforce development funding in FY2020 totaled \$3.7 million for El Salvador and \$8.25 million for Guatemala.<sup>270</sup>

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<sup>266</sup> “Project Safe Neighborhoods (PSN) Overview,” Bureau of Justice Assistance, February 20, 2012, <https://bja.ojp.gov/program/project-safe-neighborhoods-psn/overview>.

<sup>267</sup> Office of Juvenile Justice and Delinquency Prevention, *OJJDP FY 2020 Comprehensive Anti-Gang Programs for Youth: FY 2020 Competitive Grant Solicitation*, OJJDP-2020-17092 (Washington, DC: Department of Justice, 2020), 8, <https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/media/document/ojjdp-2020-17092.pdf>.

<sup>268</sup> Department of State, *Congressional Budget Justification*, 211–18.

<sup>269</sup> Department of State, 395–96.

<sup>270</sup> Department of State, 418.

#### **4. Innovative Programs**

Although most of the emphasis in U.S. gang control efforts rests largely on an enforcement approach with prevention and intervention elements underrepresented, the following are examples of successful, comprehensive strategic programs.

##### ***a. Boston Gun Project's Operation Ceasefire***

Boston Gun Project's Operation Ceasefire, a program implemented in high-crime neighborhoods during the 1990s, exemplifies a successful community-wide policing paradigm. Based on focused deterrence research from David Kennedy, the program emphasized multi-lateral efforts from local and federal law enforcement officials and members of civil society groups, including gang outreach workers and churches, collaborating to deliver the message that violence would not be tolerated.<sup>271</sup> In this connection, consistent messaging was intended to incentivize or encourage compliance by issuing the promise of swift responses if ignored. Post-program evaluation reports of the Boston Gun Project demonstrate the program owed its success to the use of carrots and sticks to reduce gang-related gun violence. Most noteworthy, after Boston youth homicide rates rose precipitously in the early 1990s, one study, using rigorous evaluation methods, showed a 63 percent decrease as a direct result of the project.<sup>272</sup> Since Boston Ceasefire, focused deterrence has provided the basis for violence reduction strategies at John Jay College's National Network for Safe Communities, which has supported cities across the country in successfully reducing criminal and gang violence.<sup>273</sup>

##### ***b. Jersey City Police Department***

A second program, designed and implemented by the Jersey City Police Department (JCPD) in response to the increase in violent crime during the 1990s, also represents a successful alternative policing method. Based on problem-oriented policing—

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<sup>271</sup> Kennedy et al., *Reducing Gun Violence*, 3.

<sup>272</sup> Kennedy et al., 3.

<sup>273</sup> "Mission," National Network for Safe Communities at John Jay College, accessed November 27, 2019, <https://nnscommunities.org/who-we-are/mission/>.

a strategy that requires police officers to analyze the underlying drivers of crime—the JCPD and members of Rutgers University Center for Crime Prevention Studies partnered on a crime-mapping project to visualize clustering of high-crime areas in the city.<sup>274</sup> Using the map, officers implemented 28 response measures across 10 of the 12 treatment areas in the city, including actions to alter the physical environment—for example, removing piles of trash and taking down abandoned buildings—to reduce crime.<sup>275</sup> Analysis of the results shows that the program was successful in reducing crime in the treatment areas, with no indication that the problem was simply displaced from one neighborhood to another as a result of treatment. Project results support the idea that controlling disorder can affect a rational actor’s decision to avoid criminal behavior when signs of police guardianship over an area are increased.<sup>276</sup> Not only do the results align with research that supports environmental design and problem-oriented policing theory, but the implications also suggest the same prevention elements work to reduce gang-related criminal violence.

*c. USAID Programs*

USAID-supported community-based programs in the Northern Triangle serve as a third example of successful U.S. crime prevention efforts. These programs aim to increase protection factors that counter the risks to gang involvement by providing youth in high-crime communities with positive alternatives to criminal lifestyles. Such programs are funded by USAID in support of both the Strategy and the Mérida Initiative.<sup>277</sup> These programs form part of a broader USAID effort of foreign involvement guided by its Regional Development Cooperation Strategy, which considers gang violence and the resulting insecurity drivers of illegal immigration.<sup>278</sup> To execute the mission of expanding

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<sup>274</sup> Braga et al., “Problem-Oriented Policing in Violent Crime Places,” 549–50.

<sup>275</sup> Braga et al., 554–55.

<sup>276</sup> Braga et al., 570–71.

<sup>277</sup> Larence, *Combating Gangs: Federal Agencies*, 11.

<sup>278</sup> United States Agency for International Development, *Central America and Mexico (CAM) Regional Development Cooperation Strategy 2015–2019* (Washington, DC: United States Agency for International Development, 2019), 6, [https://www.usaid.gov/sites/default/files/documents/1862/FINAL\\_CAM\\_RDCS\\_public.pdf](https://www.usaid.gov/sites/default/files/documents/1862/FINAL_CAM_RDCS_public.pdf).

educational and economic opportunities to youth at risk of gang membership, USAID partners with and provides funding oversight for third-party contractors that implement the programs.<sup>279</sup> One such contractor, Creative Associates, works in partnership with the Salvadoran government to implement the Crime and Violence Prevention Project—a program that aligns with the Salvadoran National Strategy for Violence Prevention—to develop local municipalities’ capacity to deal with violent crime.<sup>280</sup> A six-year project that began in March 2013, Creative’s Crime and Violence Prevention Project is funded with \$39.8 million through December 2019 and targets 31 priority municipalities under El Salvador’s security plan.<sup>281</sup> Under the Crime and Violence Prevention Program, Creative is implementing many projects.

One of these projects is an outreach center program that creates safe places for youth while offering them educational and job-oriented services. In late October 2019, under shared investment from USAID and the municipality of San Salvador, the program opened the last of its planned 169 outreach centers—named the Libertad Outreach Center—across the country and is expected to provide services to more than 2,000 youth monthly.<sup>282</sup> To date, the 169 outreach centers have served nearly 40,000 youth, equipping them with job skills and providing alternatives to crime and insecurity—efforts that aim to raise resiliency against gang involvement.<sup>283</sup> Local political support and funding for the

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<sup>279</sup> Cristina Eguizábal, “The Central America Regional Security Initiative: A Key Piece of U.S. Security Assistance to El Salvador, but Not the Only One,” in *Crime and Violence in Central America’s Northern Triangle: How U.S. Policy Responses Are Helping, Hurting, and Can Be Improved*, ed. Eric L. Olson (Washington, DC: Wilson Center Latin America Program, 2015), 91, <https://www.wilsoncenter.org/publication/crime-and-violence-central-americas-northern-triangle-how-us-policy-responses-are>.

<sup>280</sup> “El Salvador—Crime and Violence Prevention Project,” Creative Associates International, September 17, 2014, <https://www.creativeassociatesinternational.com/projects/el-salvador-crime-and-violence-prevention-project/>.

<sup>281</sup> United States Agency for International Development, “USAID Crime and Violence Prevention Project: Fact Sheet” (Washington, DC: United States Agency for International Development, 2019), [https://www.usaid.gov/sites/default/files/documents/1862/Fact\\_Sheet\\_-\\_USAID\\_Crime\\_and\\_Violence\\_Prevention\\_Project.pdf](https://www.usaid.gov/sites/default/files/documents/1862/Fact_Sheet_-_USAID_Crime_and_Violence_Prevention_Project.pdf).

<sup>282</sup> Evelyn Rupert, “San Salvador Inaugurates Outreach Center to Serve City’s Vulnerable Youth,” Creative Associates International, November 7, 2019, <https://www.creativeassociatesinternational.com/stories/san-salvador-inaugurates-outreach-center-to-serve-citys-vulnerable-youth/>.

<sup>283</sup> Rupert.

Libertad Outreach Center provide positive indications for the future sustainability of the project.<sup>284</sup>

In Guatemala, the police, public schools, nongovernmental organizations, public health, local churches, and volunteer agencies partner within the framework of community-based prevention councils to develop contextualized solutions to local community crime problems.<sup>285</sup> The TITA Beauty and Cosmetology School, Casa Barrilete (Kite House), and the information technology classes offered at the Universidad del Valle are all examples of targeted activities for youth within Villa Nueva that offer both educational and recreational programming opportunities designed to enhance protective measures against crime.<sup>286</sup>

## 5. Results of U.S. Efforts in Central America

The impact evaluation of violence prevention programming by Vanderbilt University's Latin America Public Opinion Project (LAPOP) demonstrates solid evidence of success for USAID efforts.<sup>287</sup> Compared to control communities, for example, Guatemalan communities receiving Violence Prevention Program treatment demonstrated the following empirical changes from the first year of treatment to the third:

- 27 percent lower reporting of robberies than would have been expected without USAID intervention.
- 43 percent lower reporting of extortion than would have been expected without intervention.
- 50 percent lower reporting of residents' awareness of drug sales than would have been expected without treatment.
- 60 percent lower reporting of residents' awareness of murders in their neighborhoods compared to what would have been expected without treatment.

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<sup>284</sup> Rupert.

<sup>285</sup> Susan Berk-Seligson et al., *Impact Evaluation of USAID's Community-Based Crime and Violence Prevention Approach in Central America: Regional Report for El Salvador, Guatemala, Honduras and Panama* (Nashville, TN: Latin American Public Opinion Project, Vanderbilt University, 2014), 16, [https://www.vanderbilt.edu/lapop/carsi/Regional\\_Report\\_v12d\\_final\\_W\\_120814.pdf](https://www.vanderbilt.edu/lapop/carsi/Regional_Report_v12d_final_W_120814.pdf).

<sup>286</sup> Phillips, "CARSI in Guatemala," 145–46.

<sup>287</sup> Berk-Seligson et al., *Regional Report for El Salvador, Guatemala, Honduras and Panama*, 11.

- 22 percent less reporting of feelings of insecurity than would be expected without treatment.<sup>288</sup>

LAIPOP country reports for Honduras and El Salvador also demonstrate similar impact results from USAID crime and violence prevention programs, providing further evidence of their success.<sup>289</sup>

## 6. Challenges and Counter-Arguments

Researchers have highlighted two important limitations concerning USAID violence prevention programs. The first concerns future program sustainability through the establishment of local sources of funding once initial funding streams end.<sup>290</sup> Some argue that program sustainability should remain a priority by identifying local funding streams and creative self-sustaining enterprises.<sup>291</sup> A second priority should be to base outcomes on perceptions of safety as opposed to crime statistics in isolation.<sup>292</sup> On the one hand, perceptions, as compared to crime statistics, are not as reliable an indicator in proving program effectiveness. On the other, perceptions and beliefs drive behavior. To the degree that programs can influence these elements in positive ways toward law-abiding behavior, which drives down levels of crime and violence, the greater the impact on citizen security. In either case, changing behavioral outcomes requires a long view of crime and, by extension, a long commitment to seeing solutions carried through. These limitations aside, compelling evidence suggests that continued and increased support of crime prevention programs in the Northern Triangle is merited.

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<sup>288</sup> Berk-Seligson et al., *Guatemala Country Report*, 10.

<sup>289</sup> Berk-Seligson et al., *Honduras Country Report*, 12; and Berk-Seligson et al., *El Salvador Country Report*, 10–11.

<sup>290</sup> Aaron Korthuis, “CARSI in Honduras: Isolated Successes and Limited Impact,” in *Crime and Violence in Central America’s Northern Triangle: How U.S. Policy Responses Are Helping, Hurting, and Can Be Improved*, ed. Eric L. Olson (Washington, DC: Wilson Center Latin America Program, 2015), 232, <https://www.wilsoncenter.org/publication/crime-and-violence-central-americas-northern-triangle-how-us-policy-responses-are>.

<sup>291</sup> Korthuis, 234.

<sup>292</sup> Phillips, “CARSI in Guatemala,” 139.



## C. CONCLUSION

U.S. gang prevention efforts based on elements of the OJJDP's CGM show effectiveness in reducing gang crime and violence.<sup>293</sup> The CGM relies on partnerships with community leaders to deliver a wide range of prevention, intervention, and suppression activities to at-risk and gang-involved individuals. The OJJDP's National Advisory Committee seeks to support the coordination of local partnerships for this purpose. USAID-supported gang prevention efforts based on elements of the CGM and implemented in the Northern Triangle region of Central America have also delivered net positive results in reducing gang violence. In order to move the needle of gang violence in a positive direction, though, it is imperative that evidence-based prevention measures be provided with more support in U.S. endeavors.

Overall, U.S. gang prevention efforts are working. They are successful because the theory behind the CGM accounts for the complex drivers of the gang phenomenon—family dysfunction, weak social bonds, delinquent peers, community disorder, poverty, and a lack of educational and job opportunities—and seeks to reduce these risk factors. Comprehensive efforts are working despite being underrepresented in the strategy and could benefit from increased funding to match the scale of the problem domestically and within the Northern Triangle. Finally, based on the Canadian model, the OJJDP's Advisory Committee could increase its effectiveness by establishing broad coalitions with local-level experts to strengthen its prevention efforts at the community level.

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<sup>293</sup> Office of Juvenile Justice and Delinquency Prevention, *Best Practices to Address Community Gang Problems*, 37–42.

## V. CONCLUSION

This thesis began by asking two questions: How effective are domestic and regional policies aimed at addressing the human security threat posed by gangs in the United States and the Northern Triangle? What are the underlying structural issues that contribute to the gang phenomenon, and how well are they being addressed in the strategy? The research shows that there is a robust U.S. government effort to counter the gang problem, but improvements can be made. Overarching domestic and regional endeavors include prevention and enforcement elements, although each is represented unequally in practice.

From an enforcement perspective, gang strategies are working as measured on their own terms. The same can be said of prevention efforts, but with much more limited funding, which inhibits scale and affects outcomes. Using homicide rates and gang membership as measures of effectiveness, the strategy has a net neutral and negative impact, respectively. This conclusion evaluates the three strategy documents that combine to provide guidance for the U.S. gang strategy to answer the research questions.

Crime prevention requires a long-term policy approach that begins by addressing the drivers of criminal activity. Several risk factors for gang involvement have been identified and observed temporally before the onset of actual gang membership. Empathy, parental support, and delinquent peers are sociopsychological factors present in all longitudinal studies of gang activity. An effective long-term approach minimizes these elements. Effective policy alternatives must consider both political and social levels of tolerance for long-term solutions that balance prevention and enforcement measures.

The law enforcement approach to gangs, although effective when measured on its own terms, is not achieving the enduring solution of making the problem go away. Continued U.S. reliance on near-term enforcement approaches without a concurrent long-term commitment to prevention will continue to yield the same results. The current strategy does not account for the multi-dimensional aspects of the problem; rather, it relies on a one-size-fits-all approach to human security. Furthermore, this approach is not aligned with what we know about gangs and can perpetuate the very problem that policymakers aim to

reduce and eliminate in the first place. Current policy could be amplified from a comprehensive and multi-sector approach with a balanced emphasis on prevention, intervention, and law enforcement efforts.

To this end, this thesis assesses gang policies that balance both prevention and enforcement are more likely to be effective in decreasing the attractiveness of gangs by decreasing gang activity and gang membership, reversing the trend in gang-related violence, and increasing perceptions of safety judged to be the best possible outcomes. To this end, the three strategic policy documents are measured each by its degree of impact—high, medium, or low—in effecting positive change on the following criteria:

1. Gang activity/gang membership
2. Gang-related violence and homicide rates
3. Influence over perceptions of personal/community safety

## **A. MAIN FINDINGS**

This thesis finds three broad trends in U.S. anti-gang efforts to reduce violence. First, legislative criminal justice reform efforts and policy documents focus on giving a strategic advantage to law enforcement with reduced emphasis on gang prevention efforts. The U.S. domestic strategy, guided by the SCTOC, reflects this approach. Second, the current U.S. regional policy posture attempts to balance prevention and enforcement activities, but prevention efforts remain underfunded and lack effective scale. In practice, the response to gangs in the Northern Triangle focuses heavily on law enforcement activities. The Strategy and Mérida policy documents bear out this observation. Third, domestic and regional policy responses in the Northern Triangle have been effective as measured by the outputs for which they were implemented—including increases in repatriation, criminal arrests, incarcerations, drug interdictions, and officers trained.

However, law enforcement precincts report rising gang membership levels and gang-related violence within these countries, suggesting a gap in policy performance and a lack of long-term effectiveness in an enforcement-oriented policy approach. Thus, this thesis finds that law enforcement measures have been successful in identifying and

arresting gang members, but long-term effects on the gang problem are potentially eroded by under-resourcing complementary prevention strategies.

## **B. BORDERS IN: STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME**

The SCTOC encapsulates a borders-in approach to the gang problem and provides the framework for a domestic strategy that addresses the consequences rather than the underlying risk factors of gang activity. First, EO 13581 blocked the sale or transfer of property with gang ownership interests.<sup>294</sup> Although the intention was to reduce the ability of criminal organizations to move illicit funds through the financial system and thus impede their activities, it is unclear what the net impact has been from this response. Second, the Targeting Transnational Drug Trafficking Act of 2011 (S. 1612) proposed to render the transport of precursor chemicals into the United States illegal, curtailing profits from downstream sales of illicit drugs manufactured from these chemicals as a source of gang-related revenue.<sup>295</sup> Since this bill was never enacted, any potential impact on the gang problem is unknown. Third, Presidential Proclamation 8697 restricted the immigration of human rights violators by aiming to reduce their freedom of movement across U.S. borders.<sup>296</sup> There is no evidentiary support showing that gang members are deterred in either their movements or migration patterns by shame. Fourth, the State Department's Rewards Program Update and Technical Corrections Act of 2012 (S. 2318) expanded an existing government program to include cash payments made to individuals for information leading to gang member arrests.<sup>297</sup> The use of informants has aided in the prosecution of gang members, but unlike traditional witnesses, the identity of an informant remains protected from public records, rendering the overall success of confidential informant

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<sup>294</sup> Obama, Executive Order 13581.

<sup>295</sup> Targeting Transnational Drug Trafficking Act.

<sup>296</sup> Obama, Proclamation 8697.

<sup>297</sup> Kerry, *State Rewards Program Update and Technical Corrections Act of 2012*.

programs unknown.<sup>298</sup> Fifth, the interagency TMWG was established and charged to prioritize threats from transnational criminal organizations on a national scale so that resources could be utilized effectively.<sup>299</sup> The absence of an applied matrix in the TMWG analysis of each TOC group leaves questions for researchers about its effectiveness and impact on gang activity.<sup>300</sup> From a high-level perspective, then, the SCTOC's five-prong approach leverages the weight of federal executive and legislative powers to treat the consequences of gangs, but net impact results on the actual gang problem from this approach appear muted at best.

Subsequent presidential EOs and proposed anti-gang legislation in the wake of the SCTOC have been attempts to maintain the status quo, focus on immigration, or focus on good intentions. For example, EO 13773 mandated that federal law enforcement agencies commit resources for enforcement of crimes and activities associated with transnational criminal organizations and for the increased sharing of information and cooperation between these agencies.<sup>301</sup> A status quo reliance on law enforcement as the primary solution to the gang problem has yielded no enduring long-term effects on the rates of violent crime as measured by homicide rates (see Figure 4). The IIRIRA of 1996 attempted, in part, through immigration efforts to counter the wave of migrants fleeing Northern Central America from gang-related violence. While the IIRIRA was successful in deporting record numbers of migrants who entered the United States by illegal means, scholars argue that this policy exacerbated the gang situation by strengthening social ties between cells in the United States and those in receiving countries.<sup>302</sup> Meanwhile, two other pieces of anti-gang legislation, the Gang Abatement and Prevention Act of 2009 and

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<sup>298</sup> Federal Bureau of Investigation, Office of the Inspector General, *The Federal Bureau of Investigation's Compliance with the Attorney General's Investigative Guidelines (Redacted)* (Washington, DC: Federal Bureau of Investigation, 2005), <https://oig.justice.gov/sites/default/files/archive/special/0509/chapter3.htm>.

<sup>299</sup> Obama, *Strategy to Combat Transnational Organized Crime*, 1.

<sup>300</sup> Spinuzzi, *Measuring Transnational Organized Crime Threat to U.S. National Security*, 24–36.

<sup>301</sup> Trump, Executive Order 13773.

<sup>302</sup> Funes, "Removal of Central American Gang Members," 317.

the Youth PROMISE Act, each focused on strengthening law enforcement capacity for investigations and enforcement, but neither was ever enacted. Only one piece of legislation, the Juvenile Justice Reform Act (Pub. L. No. 115–385), was passed in 2018, but no funding has been appropriated for either Title V or the Challenge Grants designated for promising evidence-based prevention and intervention community programs.<sup>303</sup> In summation, the federal approach to the domestic gang problem has remained focused largely on a status quo law enforcement strategy that in itself has produced measurable near-term outputs but, left by itself, remains limited in achieving long-term success in an enduring problem.

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<sup>303</sup> Finklea, *Juvenile Justice Funding Trends*, 2–4.

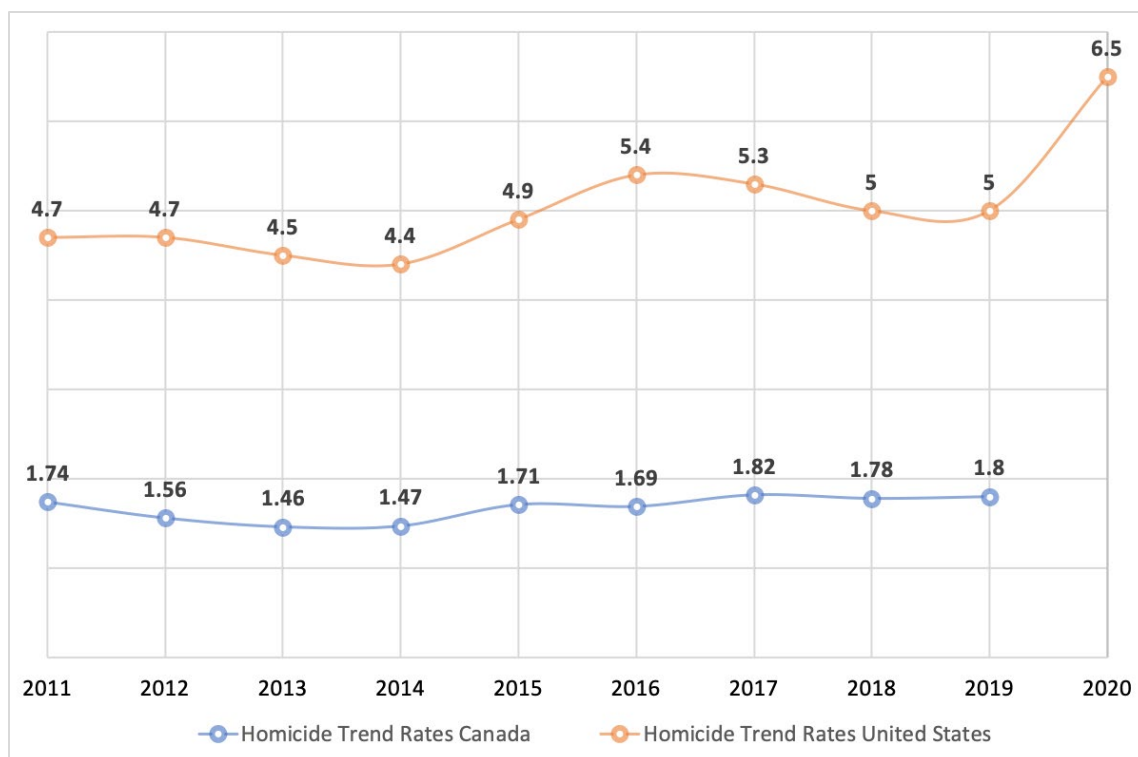


Figure 4. Homicide Trend Rates per 100,000 for Canada and the United States, 2011–2020.<sup>304</sup>

Despite being underfunded relative to the scope of the problem, prevention efforts show promise in their impacts on reducing violence. Programs based on the CGM were funded \$18.2 million in FY2020 with an additional \$6.5 million in grants to 19 communities nationwide for countering violent crimes and gang activity under the Comprehensive Anti-Gang Programs for Youth initiative.<sup>305</sup> The Boston Gun Project’s Operation Ceasefire and a cooperative partnership between Rutgers University and the Jersey City Police Department are examples of innovative strategies to combat chronic violence in these cities. Based on partnerships between police and community services, the

<sup>304</sup> Adapted from “Crime Data Explorer,” Federal Bureau of Investigation, accessed November 10, 2021, <https://crime-data-explorer.app.cloud.gov/pages/explorer/crime/crime-trend>; “Canada and United States Homicide Rate 2019,” Statista, accessed November 10, 2021, <https://www.statista.com/statistics/526539/canada-us-homicide-rate/>.

<sup>305</sup> Office of Juvenile Justice and Delinquency Prevention, *Comprehensive Anti-Gang Programs*.

Boston Gun Project reduced homicide rates by as much as 63 percent after treatment.<sup>306</sup> Also producing impactful results, the Jersey City Police Department’s problem-oriented policing efforts to map out high-crime areas in the city allowed the police to critically assess the root causes of crime, resulting in a decrease of reported violent crime incidents.<sup>307</sup> Although limited in scope to the cities where implemented, these programs are based on sound crime prevention practices and show promise in reducing gang-related violence.

This thesis assesses the U.S. domestic approach to the gang problem is within an upper-low to medium-lower range in its degree of effectiveness. As support for this position, the National Gang Intelligence Center identified that more than half of all responding precincts saw an increase in gang-related activity in their jurisdictions, both in street and prison gang categories.<sup>308</sup> Moreover, the FBI’s Uniform Crime Reporting data illustrate a steady increase over time in the domestic homicide rate from 4.7 to 6.5 per 100,000 since the SCTOC was implemented (see Figure 4). In a positive trend, Figure 5 shows results from surveys about the perception of neighborhood safety, indicating a decrease in the percent of respondents over time who answered “yes” to the question “Is there any area near where you live—that is, within a mile—where you would be afraid to walk alone at night?”<sup>309</sup>

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<sup>306</sup> Kennedy et al., *Reducing Gun Violence*, 3.

<sup>307</sup> Braga et al., “Problem-Oriented Policing in Violent Crime Places,” 571.

<sup>308</sup> National Gang Intelligence Center, *National Gang Report 2015* (Washington, DC: National Gang Intelligence Center, 2015), 9, <https://www.fbi.gov/file-repository/stats-services-publications-national-gang-report-2015.pdf/view>.

<sup>309</sup> Gallup Inc, “Perceptions of Increased U.S. Crime at Highest Since 1993,” Gallup.com, November 13, 2020, <https://news.gallup.com/poll/323996/perceptions-increased-crime-highest-1993.aspx>.



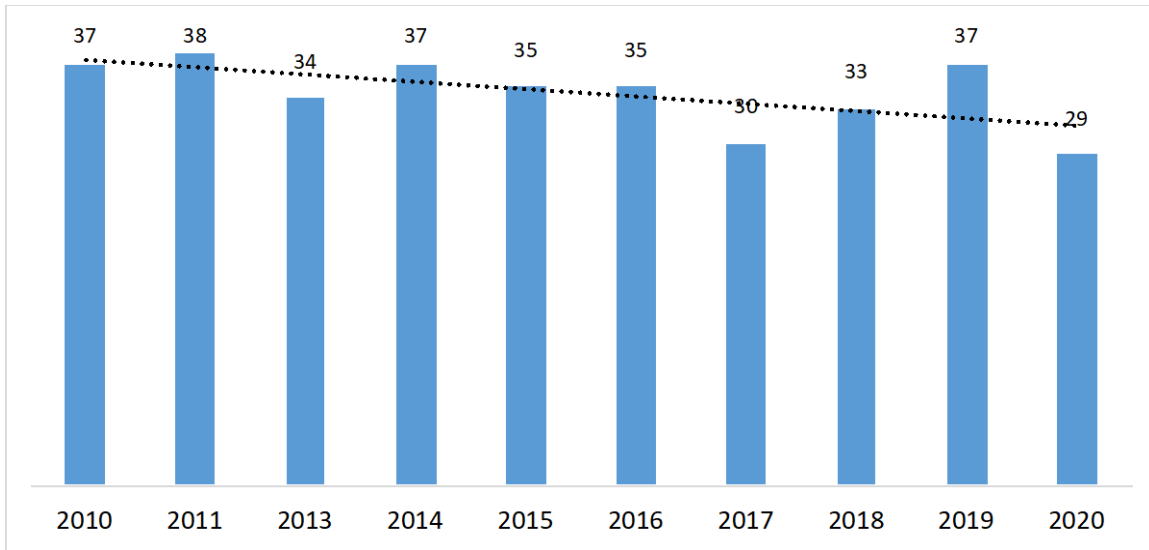


Figure 5. Perception of Neighborhood Safety in the United States, 2010–2020.<sup>310</sup>

Finally, Figure 6 shows a slight downward trend in the percent of respondents who answered “extremely serious” or “very serious” to the question “Overall, how would you describe the problem of crime where you live—is it extremely serious, very serious, moderately serious, not too serious, or not serious at all?” In sum, the borders-in domestic approach to the gang problem has not significantly impacted two of the three long-term trends—gang activity/membership and homicide rates—which are proposed as the best possible expected policy outcomes.

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<sup>310</sup> Adapted from “Perceptions of Increased U.S. Crime at Highest Since 1993,” Gallup, November 13, 2020, <https://news.gallup.com/poll/323996/perceptions-increased-crime-highest-1993.aspx>.

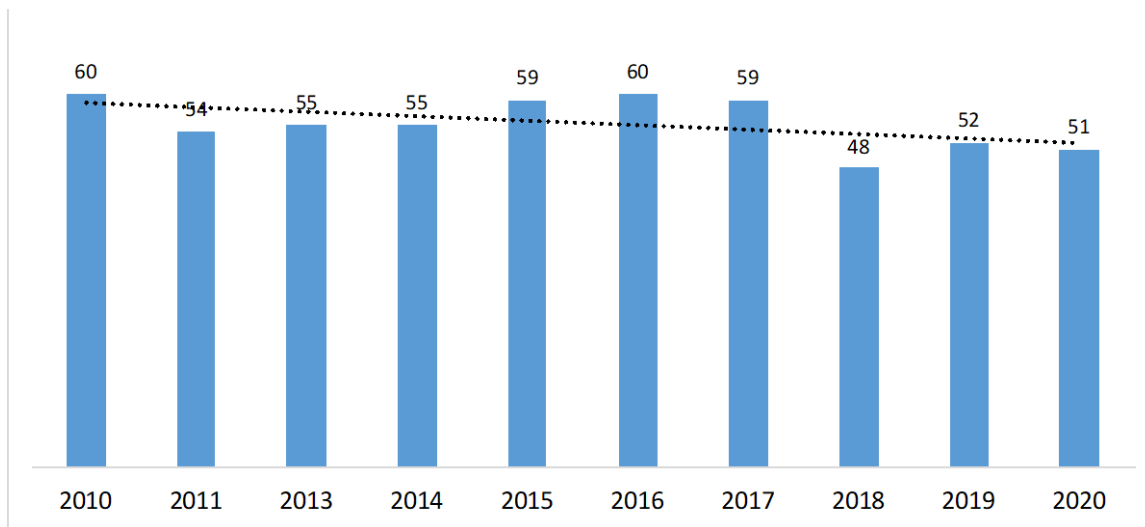


Figure 6. Perception of Crime in the United States, 2010–2020.<sup>311</sup>

### C. BORDERS OUT: U.S. STRATEGY AND THE MÉRIDA INITIATIVE

Focused on a borders-out approach to the gang problem, both the Strategy and Mérida Initiative bring to bear the weight of U.S. efforts in the region that broadly resemble domestic endeavors. For example, embedded within the Strategy is a focus on repatriation of individuals and the sharing of their criminal histories with receiving countries.<sup>312</sup> However, as earlier scholarship has noted, there is little evidence to support the assumption that the removal of criminals in the United States has a positive impact on the gang problem.<sup>313</sup> The end result of this policy is a functioning immigration enforcement mechanism that allows for the expedited repatriation of individuals with criminal histories but does little to address the long-term risk factors for the problem it purports to remedy. Instead of treating the identified risk factors for gang activity as documented in the literature, this element of the Strategy simply displaces criminals from one country to another in the region.

<sup>311</sup> Adapted from Gallup, “Perceptions of Increased U.S. Crime at Highest Since 1993.”

<sup>312</sup> Bureau of Western Hemisphere Affairs, “U.S. Strategy to Combat the Threat of Criminal Gangs.”

<sup>313</sup> Matei, “The Impact of U.S. Anti-Gang Policies in Central America,” 207.

Law enforcement, capacity enhancement, and prevention are three additional Strategy focus areas that address both the proximal and distal concerns of the gang problem with both performance and impact results. For example, in 2018, 15,708 civilian police in El Salvador, Guatemala, and Honduras received training through U.S. efforts while U.S.-supported specialized police units in these countries made 1,331 arrests that led to successful convictions.<sup>314</sup> In addition, law enforcement and prevention efforts resulted in the reduction of homicides where MPPs exist in El Salvador, Guatemala, and Honduras by 14, 11, and 19 percent, respectively.<sup>315</sup> Moreover, enforcement efforts also produced in excess of \$33 million in assets seized and more than 82,000 kg of illegal narcotics taken off the streets.<sup>316</sup> Therefore, while enforcement strategies attempt to neutralize immediate public safety concerns that gangs pose to personal security, coordinated prevention efforts show impacts on longer-term homicide rates for the treatment communities, thus increasing the level of safety and security.

The Mérida Initiative aligns with and supports the Strategy in all three areas of enforcement, capacity enhancement, and prevention, although not all in equal amounts. For example, reports on Mérida funding show that 75 percent is designated for law enforcement purposes through the INL and approximately 25 percent for prevention programs funded through USAID.<sup>317</sup> Funding not only indicates priorities within the strategy but also has implications for its long-term success in reducing gang violence and activity, as prevention programs that focus on underlying risk factors receive less support. This is important because policies that do not have a balanced focus on the near-term consequences of gang activity on one side with long-term underlying risk factors on the other are at risk of becoming unmoored from evidence-based research. In the end, this produces less-than-optimal policy responses to a complex problem.

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<sup>314</sup> Bureau of Western Hemisphere Affairs, *Progress Report*, 11.

<sup>315</sup> Bureau of Western Hemisphere Affairs, 12.

<sup>316</sup> Bureau of Western Hemisphere Affairs, 15.

<sup>317</sup> Grover, *U.S. Assistance to Mexico*, 7.

Overall, this thesis assesses that the impact from U.S. regional policy on the gang problem falls within a medium-lower range. Official state statistics on gang membership and activity for El Salvador, Guatemala, and Honduras do not exist, and reporting varies widely for each country. For example, according to the Center for National Economic Investigation in Guatemala, active gang members in these countries in 2020 vary from a high of 70,000 in El Salvador to a low of 15,000–20,000 in Guatemala, with an estimated 25,000–35,000 in Honduras.<sup>318</sup> In the absence of official statistics, other reports indicate that the COVID-19 pandemic has provided a new opportunity for local gangs in the region to step up recruiting efforts and expand their territory and, by extension, their illicit activities, resulting from the economic contraction and a concurrent shift in state resources away from security toward a focus on public health issues.<sup>319</sup> Additional indicators signal heightened gang activity/membership in the region, with the Office of the United Nations High Commissioner for Refugees and U.S. government sources reporting that approximately 71,500 people in El Salvador and 247,000 people in Honduras were displaced internally since 2018 as a result of violence in these countries.<sup>320</sup>

Homicide rate indicators show measured improvements and give pause for cautious optimism, although significant work remains for continued improvement to personal security in the region. For example, Figure 7 shows that while Honduras had the highest homicide rate in 2011 and remains atop the region for homicides in 2019, its rate has dropped by nearly half over that time. El Salvador, which peaked in 2015 with a homicide rate of 103 per 100,000, has slowly declined since to 36.4. Guatemala, too, has shown a slight yet steady decline in the homicide rate since 2011. The situation in Mexico, by

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<sup>318</sup> María del Carmen Aceña, “El Fenómeno de las pandillas requiere un abordaje integral,” Centro de Investigaciones Económicas Nacionales, accessed November 8, 2021, <https://cien.org.gt/index.php/el-fenomeno-de-las-pandillas-requiere-un-abordaje-integral/>.

<sup>319</sup> International Crisis Group, *Virus-Proof Violence: Crime and Covid-19 in Mexico and the Northern Triangle*, Latin America Report No. 83 (Brussels: International Crisis Group, 2020), 10–14, <https://www.crisisgroup.org/latin-america-caribbean/83-virus-proof-violence-crime-and-covid-19-mexico-and-northern-triangle>.

<sup>320</sup> Peter J. Meyer, *Central American Migration: Root Causes and U.S. Policy*, CRS Report No. IF11151 (Washington, DC: Congressional Research Service, 2021), <https://sgp.fas.org/crs/row/IF11151.pdf>.

contrast, has steadily worsened between 2011 and 2020. While an improvement, these numbers still place Mexico and the countries of the Northern Triangle among the most dangerous countries in the world, with gang activity continuing to threaten security at a high rate.

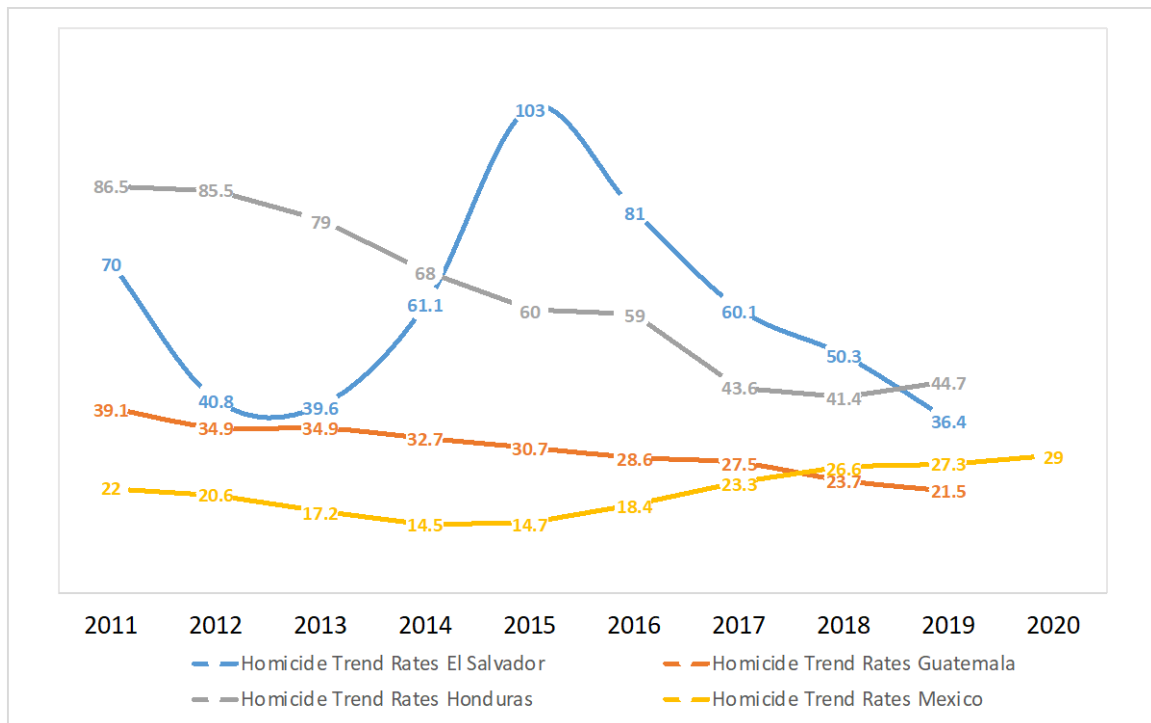


Figure 7. Homicide Trend Rates per 100,000 in El Salvador, Guatemala, Honduras, and Mexico, 2011–2020.<sup>321</sup>

At the same time, national perceptions of neighborhood safety within the Northern Triangle countries and Mexico have deteriorated, as shown in Figure 8. Every country except for El Salvador experienced an increase in the percent of respondents who reported their neighborhoods as “somewhat safe” or “very unsafe” when answering the question “Do you feel very safe, somewhat safe, somewhat unsafe, or very unsafe?” However, neighborhoods supported by U.S. prevention efforts show different results. For example, when posed with the question “How safe do you feel in the neighborhood when walking

<sup>321</sup> Adapted from Igarapé Institute, “Homicide Monitor.”

alone at night?,” respondents from neighborhoods in El Salvador, Guatemala, and Honduras who received treatment from programs designed to discourage gang membership through increased education and employment opportunities were less likely to feel unsafe in the third year of treatment compared to the first year, by a statistically significant margin (see Figure 9). Taken together, positive impacts on gang membership/activity, homicide rates, and perceptions of security in the region vary by country, but fundamentally, the strategy could be enhanced through a larger focus on evidence-based prevention programs to addresses long-term risk factors.

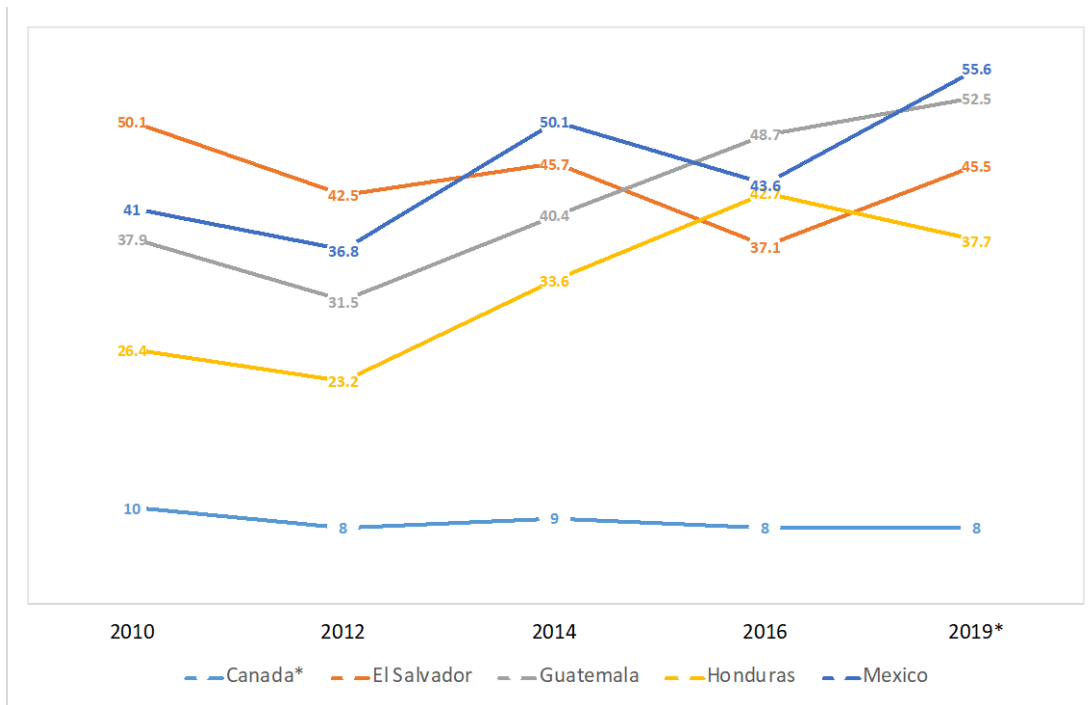


Figure 8. Perceptions of Neighborhood Safety Nationally in Canada, El Salvador, Guatemala, Honduras, and Mexico, 2010–2019.<sup>322</sup>

<sup>322</sup> Adapted from “Canada,” Latin America Public Opinion Project, accessed October 5, 2021, <https://www.vanderbilt.edu/lapop/canada.php>; Daniela Osorio Michel, “Análisis preliminar del barómetro de las Américas de LAPOP: El Salvador 2018,” ed. Maitagorri Schade and J. Daniel Montalvo (Latin America Public Opinion Project, 2018), [https://www.vanderbilt.edu/lapop/es/AB2018-19\\_El\\_Salvador\\_RRR\\_Presentation\\_W\\_09.25.19.pdf](https://www.vanderbilt.edu/lapop/es/AB2018-19_El_Salvador_RRR_Presentation_W_09.25.19.pdf); Dinorah Azpuru, “Estudio de la cultura política de la democracia en Guatemala, 2019: Barómetro de las Américas,” ed. Fernanda Boidi, J. Daniel Montalvo, and Elizabeth J. Zechmeister (Latin America Public Opinion Project, 2019), [https://www.vanderbilt.edu/lapop/guatemala/AB2018-19\\_Guatemala\\_RRR\\_Presentation\\_W\\_09.25.19.pdf](https://www.vanderbilt.edu/lapop/guatemala/AB2018-19_Guatemala_RRR_Presentation_W_09.25.19.pdf); J. Daniel Montalvo, “Resultados preliminares 2019: Barómetro de las Américas en Honduras” (Latin America Public Opinion Project, 2018), [https://www.vanderbilt.edu/lapop/honduras/AB2018-19\\_Honduras\\_RRR\\_W\\_09.25.19.pdf](https://www.vanderbilt.edu/lapop/honduras/AB2018-19_Honduras_RRR_W_09.25.19.pdf); Georgina Pizzolitto, “Estudio de la cultura política de la democracia en México: 2019 barómetro de las Américas LAPOP 2004–2019” (Latin America Public Opinion Project, 2019), [https://www.vanderbilt.edu/lapop/mexico/AB2018-19\\_Mexico\\_RRR\\_Presentation\\_W\\_09.25.19.pdf](https://www.vanderbilt.edu/lapop/mexico/AB2018-19_Mexico_RRR_Presentation_W_09.25.19.pdf). No data were available for 2019.

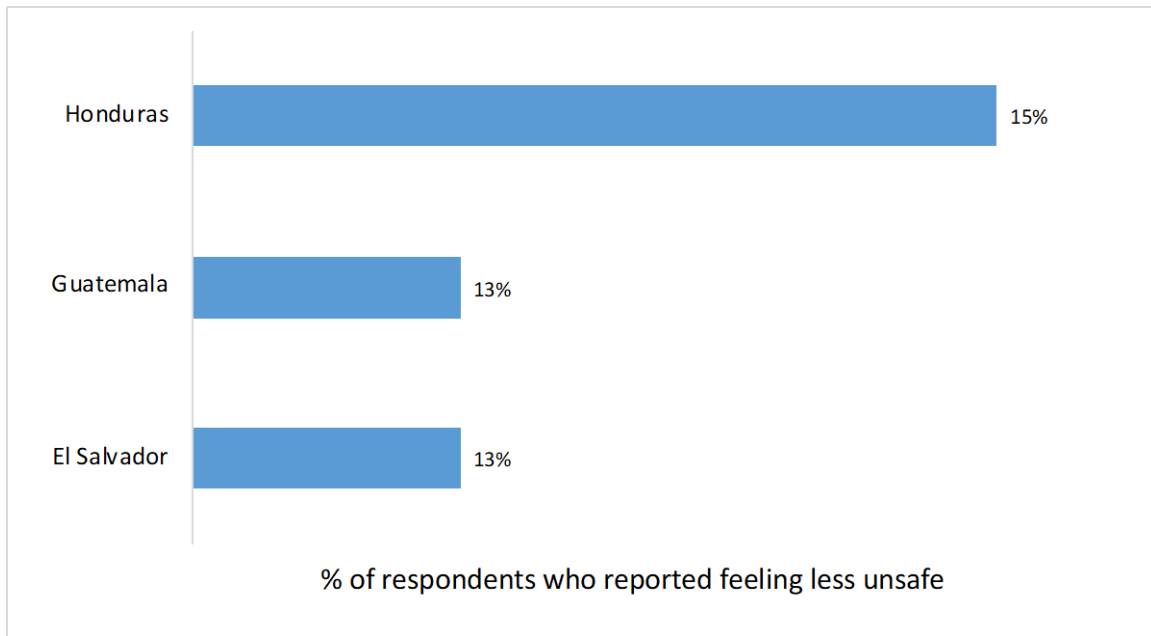


Figure 9. Post-Treatment Perceptions of Neighborhood Safety in El Salvador, Guatemala, and Honduras.<sup>323</sup>

#### D. CANADA: A NEIGHBOR’S PERSPECTIVE

The Canadian approach to the gang problem encompasses a range of responses based on the premise that crime must be stopped before it happens. Canadian authorities recognize that law enforcement alone cannot solve the problem of gangs and thus promote innovative prevention strategies.<sup>324</sup> Results from a sampling of programs show progress in reducing gang violence in the areas implemented. For example, PAYG was a three-year program that improved the pro-social attitudes in youth at high risk of joining a gang in Toronto’s Jane Finch neighborhood, often viewed as a protective factor against gang membership in the literature.<sup>325</sup> PIT demonstrated improved attitudes toward gangs and the justice system and was viewed by experts as a precursor to behavioral change. The PIT treatment group showed steeper declines in violent offending compared to the control

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<sup>323</sup> Adapted from Berk-Seligson et al., *El Salvador Country Report*, 10–11; Berk-Seligson et al., *Guatemala Country Report*, 10; Berk-Seligson et al., *Honduras Country Report*, 12.

<sup>324</sup> Public Safety Canada, “Gang Prevention Strategy GPS.”

<sup>325</sup> National Crime Prevention Centre, *The Achievers*.



group both in the near and far term, with a 25 percent decrease in gang involvement overall.<sup>326</sup> Police reporting shows that Velocity, a five-year program implemented in Newfoundland that targeted at-risk youth, not only was effective at reducing police contacts by 61 percent during implementation but had a sustained 49 percent decrease one year after treatment.<sup>327</sup> Remix, another promising program, has graduated hundreds of youth in its six-month program aimed at providing resources to support them in becoming successful and productive citizens through educational opportunities and mentorship.<sup>328</sup> Together, these local successes from the preceding prevention programs signal promising support for the research on comprehensive approaches to youth gang-related violence by encompassing a range of responses that address underlying risk and protective factors.

This thesis assesses the overall impact from Canada's policy approach to the gang problem as medium-low. Several reasons exist for this position. First, while Canada's prevention programs have shown promise in reducing gang-related activity for those neighborhoods and cities where they have been implemented, challenges remain from a national-level perspective. For example, public authorities who point to the seriousness of the gang threat to community safety highlight that although crime rates have been on a downward trend, homicides involving a firearm nearly doubled in 2018, and nearly half of those were gang-related.<sup>329</sup> Reporting from Public Safety Canada indicates that authorities consider the gang threat to public safety a serious national concern. Second, concerns from public authorities notwithstanding, Figure 4 shows that the homicide rate for Canada from 2011 to 2019 was relatively stable with no significant changes. Canada, however, as opposed to the United States, does track data on gang-related homicide. These data diverge from the general homicide rate and show a positive downward trend from .45 to .39 per

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<sup>326</sup> Public Safety Canada, "Prevention Intervention Toronto."

<sup>327</sup> Public Safety Canada, Velocity Adventure Program.

<sup>328</sup> Scott, *Remix*, 12.

<sup>329</sup> Paul Northcott, "Just the Facts—Gangs," *Gazette Magazine* 80, no. 3 (2018), <https://www.rcmp-grc.gc.ca/en/gazette/gangs>.

100,000 from 2017 to 2020.<sup>330</sup> Third, Figure 8 shows that the perception of personal safety in Canada remained stable from 2010 to 2019, with data trending downward from 2014 with approximately 8 percent of survey respondents reporting their neighborhoods as somewhat or very unsafe. Taken together, Canada’s efforts to curb gang violence have produced varied measures of success.

## **E. POLICY RECOMMENDATIONS**

The following recommendations are based on the findings of this thesis: (1) Obligate funds to support Pub. L. No. 115–385 and rebalance financial priorities to sufficiently support all pillars of the Mérida Initiative; (2) Pilot a community coalition council program through the Office of Justice Programs (OJP); (3) Evaluate the Treasury Department’s TOC designation; and (4) Support complementary prevention and rehabilitation approaches.

### **1. Obligate Funds for Pub. L. No. 115–385 and Rebalance Mérida Initiative Funding**

First, Pub. L. No. 115–385 should obligate funds to the purposes the law was intended. The legal framework establishes a mechanism to fund countermeasures against the drivers of gang violence, but without financial commitments, they remain toothless. Funding of grants in support of local gang prevention and reduction programs not only aligns policy with empirically validated research but also allows the current strategy to function as intended. Second, without adequate funding, Mérida’s fourth pillar lacks the support necessary to match the scale of the problem in the Northern Triangle countries and diminishes its effectiveness to create resilient communities. Therefore, initiatives that provide for prevention elements need to be backed with fully funded appropriations.

### **2. Establish an OJP Community Coalition Council**

Effective strategies to counter street-level gang violence are best developed through a coordinated local effort between the police, courts, probation officers, school

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<sup>330</sup> “Number, Percentage and Rate of Gang-Related Homicide Victims,” Statistics Canada, December 1, 2014, <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=3510007501>.

administration officials, professionally trained counselors, non-profit organizations, clergy, and other members of civil society who engage the problem of gang violence. In this connection, this thesis recommends that the DOJ, through the OJP, establish a community coalition council to develop partnerships with local government officials and members of civil society organizations to support local efforts against gang-related crime. Since the effects of gang crime often manifest themselves most clearly in local neighborhood contexts, strategies must be developed from within those contexts for federal support to be maximally effective. Establishing a community coalition council serves to better integrate partnerships between federal, state, and local levels of government, providing for a more coordinated view of the problem and greater opportunities to develop effective countermeasures. A central institution like the NCPC would aid in facilitating these integrated partnerships, ensuring that local concerns are adequately represented within federal policies and joint efforts align appropriately.

Overlooking strategic partnerships with local subject-matter experts creates a situation whereby those closest to the problem are the least supported in developing effective solutions. Establishing a community coalition council that prioritizes support for local approaches through partnerships with subject-matter experts allows for the implementation of solutions that fit the scale and scope of the local landscape. Partnerships with the National Association of Chiefs of Police and the National Sheriff's Association are a good place to begin.

### **3. Evaluate Effectiveness of the Treasury's TOC Designation**

Further evaluation and analysis must be made of the long-term impacts on gang violence from designating gangs such as MS-13 as transnational criminal organizations.<sup>331</sup> Although the Department of Treasury's Office of Financial Asset Control designation allows the U.S. government to limit the ability of such criminal groups to use the financial system to move illicit profits, it also creates other challenges. Principally, it creates a barrier for U.S. agencies and other organizations to lend financial support to intervention and

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<sup>331</sup> Department of the Treasury, "Treasury Sanctions Latin American Criminal Organization."

reinsertion programs for gang members wishing to leave the gang and reintegrate into society. Research on the current gang problem in El Salvador clearly demonstrates the success of gang desistance through intervention and reinsertion programs.<sup>332</sup> However, programs that work directly with active gang members are ineligible to receive U.S. government assistance without a waiver under the current U.S. Treasury TOC designation.<sup>333</sup> Based on strong evidence of the effectiveness of tertiary intervention approaches, this sweeping strategy narrows the range of options available to combat the problem of gang violence among people at the highest risk levels.

#### **4. Support Complementary Prevention and Rehabilitation Approaches**

The range of strategic U.S. gang policies should include support for programs, organizations, and initiatives that work directly with gang members seeking rehabilitation and reinsertion back into society. Given the FBI's current estimate of 33,000 gangs in the United States, policies focused solely on enforcement come with the opportunity cost of rehabilitation and reintegration of those wishing to leave the gangs or those who have aged out.<sup>334</sup> Overlooking this opportunity reduces the potential future economic contributions of tens of thousands of people, increasing the public cost burden through incarceration. Exploring complementary law enforcement approaches would require a refocusing of the current perspective on gangs with the long-term view that seeks to address the root causes of the problem. As the Canadian experience provides evidence of how restorative justice programs can work to restore and reintegrate members of this population into society, the United States should consider developing a similar element in its approach to enhance current efforts.

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<sup>332</sup> José Miguel Cruz et al., *The New Face of Street Gangs: The Gang Phenomenon in El Salvador* (Miami: Florida International University, 2017), 59–66, [https://lacc.fiu.edu/research/the-new-face-of-street-gangs\\_final-report\\_eng.pdf](https://lacc.fiu.edu/research/the-new-face-of-street-gangs_final-report_eng.pdf).

<sup>333</sup> Danielle Mackey and Cora Currier, "El Salvador Is Trying to Stop Gang Violence. But the Trump Administration Keeps Pushing Failed 'Iron Fist' Policing," *Intercept*, October 2, 2018, <https://theintercept.com/2018/10/02/el-salvador-gang-violence-prevention/>.

<sup>334</sup> "What We Investigate: Gangs," Federal Bureau of Investigation, accessed July 12, 2019, <https://www.fbi.gov/investigate/violent-crime/gangs>.

In summary, these recommendations would ensure that U.S. policy is focused on what matters most—reducing the chronic gang problem through balanced enforcement and prevention. Policy that incorporates both prevention and enforcement efforts neutralizes the immediate dangers gangs pose to public safety while addresses the underlying risk factors for their existence. As this thesis demonstrates, prevention and enforcement are not mutually exclusive strategies but rather complementary elements that work together to address the complex problem that gangs pose to human security. Policies anchored to sound research—rather than those hurried and reactive and often tethered to familiar but untested assumptions—are required to make positive changes to the gang problem moving forward.

This thesis discovered that a considerable amount of scholarship is focused on the risk factors for gang membership. However, considering the consensus among scholars that several gaps exist in the current understanding of gangs, future research to evaluate gang prevention programs that focus on protective factors and their impacts on gang activity is warranted. In addition, another focus area meriting future scholarship is the legislative trend within Central American governments to expand the terrorist definition to include gang members and its long-term impact on efforts to facilitate rehabilitation and integration back into society.

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