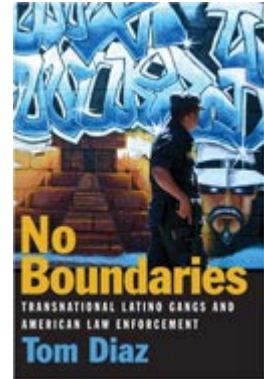


No Boundaries: Transnational Latino Gangs and American Law Enforcement
Tom Diaz
<http://www.press.umich.edu/titleDetailDesc.do?id=287594>
The University of Michigan Press, 2009.

Q&A with Tom Diaz, author of No Boundaries: Transnational Latino Gangs and American Law Enforcement



No Boundaries: Transnational Latino Gangs and American Law Enforcement is a former journalist's disturbing account of what many consider the "next Mafia" – Latino crime gangs. Like the Mafia, these gangs operate an international network, consider violence a matter of routine business, and defy U.S. law enforcement at every level, from city police departments to federal agencies.

Tom Diaz, a lawyer, author, and public speaker who conducts research on gun policy and violence for the Violence Policy Center, a Washington, D.C.-based think tank is with us to discuss his book.

University of Michigan Press: How important are Latino crime gangs in this country as compared with other sources of criminal activity?

Tom Diaz: Transnational Latino gangs are certainly among the top two or three law enforcement problems in the United States. Many law enforcement officials would argue that they are the number one crime problem, given that these Latino gangs are growing in size, becoming highly organized as criminal enterprises, and are increasingly integrated into transnational organized crime, especially the Mexican drug trafficking organizations, or "cartels" as they are popularly known.

The transnational Latino gangs, such as Mara Salvatrucha (MS-13), the 18th Street Gang, and to some extent the Latin Kings, have a very real potential to become a new U.S.-based international mafia. The difference between such a highly integrated Latino mafia and the older Italian mafia—the "mob" or La Cosa Nostra as it is also known—is primarily that transnational crime has become bigger, better organized, wealthier, and more ruthless than the Italian or Sicilian mafia which fed into the American mob. Someone described the concept of a fully matured Latino criminal syndicate as "the mafia on steroids."

Latino gangsters are not ten feet tall. They just have a lot more "juice" to plug into than John Gotti or any other old-style mobster could have wished for.

UMP: Do they share any unique characteristics?

TD: Yes. The characteristics that most people would identify with Latino gangs—a strong identity with ethnicity and to a lesser degree the Spanish language—are important. But for the most part they are superficial characteristics. That is, by definition the members of Latino gangs are for the most part Latinos, although some gangs such as the 18th Street Gang have opened their membership up to persons of any ethnicity. And many, but by no means all, Latino gangsters speak Spanish or at least have a working command of essential gang-related terms. But you could say similar things about any Latino civic organization.

An important point to know about Latino gangs is that their important characteristics have changed over the last 30 years or so, and that change has accelerated enormously over the last decade.

In the middle part of the last century language, ethnicity, and neighborhood turf defined Latino gangs. Depending on the gang, the location, and the date, criminality played a more or less important role, but it was not the driving or animating force of the gang.

Today criminality is the very essence of the important gangs—by that I mean the larger national and transnational street and prison gangs. Gangs have become criminal enterprises, overwhelmingly organized around the illicit traffic of drugs. Crime has eclipsed ethnicity and language as the defining characteristics of transnational Latino gangs.

But within their criminal being Latino gangs by and large share several characteristics that are unique, or at least much more strongly felt in Latino gangs than others. These are:

- **Territoriality** – Latino gangs characteristically assert “sovereignty” over defined geographic areas, whether it be a block, a part of a city, or a multi-state region. Within their “turf,” they arrogate as many aspects of a sort of governance as they can. It seems odd when put that way, but they impose “taxes” on criminal and legitimate business alike, violence settles disputes and dispenses “justice” according to their own code, and confronts “invaders” – including other gangs and law enforcement authorities.
- **Extraordinary violence** – For any number of historic, cultural, and mundane reasons, the transnational Latino gangs, and Latino prison gangs, have a proven record of a ruthless use of violence that often borders on the reckless: *locura* or craziness.
- **Opportunistic criminality** – Drug trafficking is certainly the mainstay of the criminal behavior of Latino gangs (and, in fact, virtually all U.S. gangs). But these gangs engage in virtually any criminal conduct that falls within their grasp.
- **Demand for “respect”** – Inadvertent “disrespect” for a gang member by an unknowing citizen is one likely way to end up “at the wrong place at the wrong time.” A traffic dispute, accidental bumping into a gangster, having any kind of dispute with a gangster’s family, a misinterpreted comment or glance have all led to the taking of innocent life by gang members who perceived themselves to have been “disrespected.”

UMP: What types of crimes are they most often involved in?

TD: Drug trafficking is the number one activity, and the most lucrative criminal trade in the world. Armed violence – murder and assault—is endemic. Extortion, home invasion, kidnapping, human trafficking, prostitution, money-laundering, auto theft, and gun-smuggling are other crimes Latino gangs frequently engage in.

UMP: Do these gangs impact anyone who doesn’t actually live in the communities where they operate?

TD: Two preliminary points: First, it should be understood that the modern gang phenomenon is not primarily a function of neighborhood, as it used to be. The transnational and national gangs have

No Boundaries: Transnational Latino Gangs and American Law Enforcement

Tom Diaz

<http://www.press.umich.edu/titleDetailDesc.do?id=287594>

The University of Michigan Press, 2009.

exploded across the map of the United States. Latino gangsters now live and operate in many different and unlikely places, not only traditional “barrios.” Moreover, gangsters are highly mobile today: they and their operations readily cross state, regional, and national boundaries. There are no boundaries.

Second, it is really important to recall that the people who live in gang communities are overwhelmingly law-abiding citizens who are entitled to the basic human right of living free of fear and exploitation and the civic right of government protection from criminal conduct. Even if gangs only impacted the communities in which they live, the greater society would have an obligation to police them in the same way that we police – for example – a criminal fraud that only affects very wealthy investors or the operators of a particular business or kind of business. The rule of law is not bound by neighborhood boundaries.

Those two things said, the fact is that *everyone* who lives in the United States—without exception—everyone is affected by these gangs every day. Gangs are the primary retail outlets for drugs—cocaine, heroin, methamphetamine, marijuana, and various so-called “designer drugs”—in the United States. The direct and indirect costs of the use of illicit drugs are obviously enormous.

A corollary of the drug trade is armed violence. It is simply how the drug market is “rationalized.” Putting aside the lesser risk of being caught in a crossfire, the costs of armed violence are equally large. Every citizen bears the burden of funding law enforcement agencies, prosecutors, courts and court-related agencies, and health service.

The opportunistic criminal conduct of gangs—extortion, trafficking in contraband, prostitution—also impacts the broader community. Every business that is extorted is a business less able to thrive, less able to create jobs, and less able to pay taxes.

UMP: What is contributing to the success or rise of the gangs?

TD: The ongoing consolidation and enormous profitability of the illicit drug trade is without doubt the single most important factor in the rise of the modern transnational Latino gang. The specific elements are:

- The rise to power over the last several decades of the Mexican drug trafficking organizations. These transnational criminal enterprises now basically control the wholesale drug trade in the United States. Latino gangs have been natural resources for the cartels, and vice versa. The U.S.-based gangs have been increasingly integrated into the drug traffickers’ operations.
- Drug trafficking is simply the most lucrative crime there is.

Another strong element is the lack of understanding among many law enforcement jurisdictions of the Latino communities among them and more specifically, of the gang problem.

UMP: What has been done to stop them, and what can be done?

TD: The bad news is that the problem of gangs in general in the United States has been largely dumped in the lap of law enforcement.

No Boundaries: Transnational Latino Gangs and American Law Enforcement

Tom Diaz

<http://www.press.umich.edu/titleDetailDesc.do?id=287594>

The University of Michigan Press, 2009.

Most thoughtful law enforcement leaders are the first to say that “we cannot arrest our way out of this problem” and favor a much broader approach, including prevention and intervention. Local, state, and federal political leaders also give lip service to a broader approach. However, the only anti-gang approach that has been funded in any meaningful way at any level is gang suppression—using law enforcement to keep the lid on.

Until the early 1990s, gang suppression was almost entirely a function of local law enforcement. Gangs were viewed as local collections of thugs and special squads – modeled after the CRASH units of the Los Angeles Police Department – were assigned the task of keeping gangs in line, primarily through disruptive “sweeps” or mini-police invasions of gang turf.

In the mid to late 1990s, however, it began to be clear to the FBI and some thoughtful officials in Washington that gangs were changing from local groups to larger criminal enterprises and beginning to have national and in some cases international connections. Federal agencies began to form “task forces” with state, county, and local law enforcement agencies to approach gangs in a united way.

State and local agencies have also continued to develop more sophisticated anti-gang units, and a substantial amount of networking goes on now among law enforcement agencies at all levels, sharing experience and intelligence about gangs and their operations.

By the early 2000s it was apparent that the worst Latino gangs – MS-13 and the 18th Street Gang – were becoming full blown transnational gangs tending alarmingly toward the model of the Italian mafia: that is, a home grown element with criminal links abroad. Determined to prevent such a development, federal agencies responded by ramping up their involvement in gang-fighting, such as the creation of special units in the FBI and the U.S. Department of Justice. Federal prosecutors began using the RICO law developed to fight the Mafia against the bigger gangs and by now have developed a well-honed model.

The state of play today is that we have a fairly well-developed law enforcement effort, with increasing communication among all levels. However, we have almost no meaningful program to change the conditions under which gangs breed and thrive. To do that, we will have to confront and solve the most intractable of our social problems, including:

- A sensible immigration policy that brings millions of undocumented aliens into civic life.
- A gun control policy that restricts availability of the military-style weaponry that arms gangs in the United States and drug trafficking organizations in Mexico.
- An effective drug policy that addresses demand as well as supply issues.