

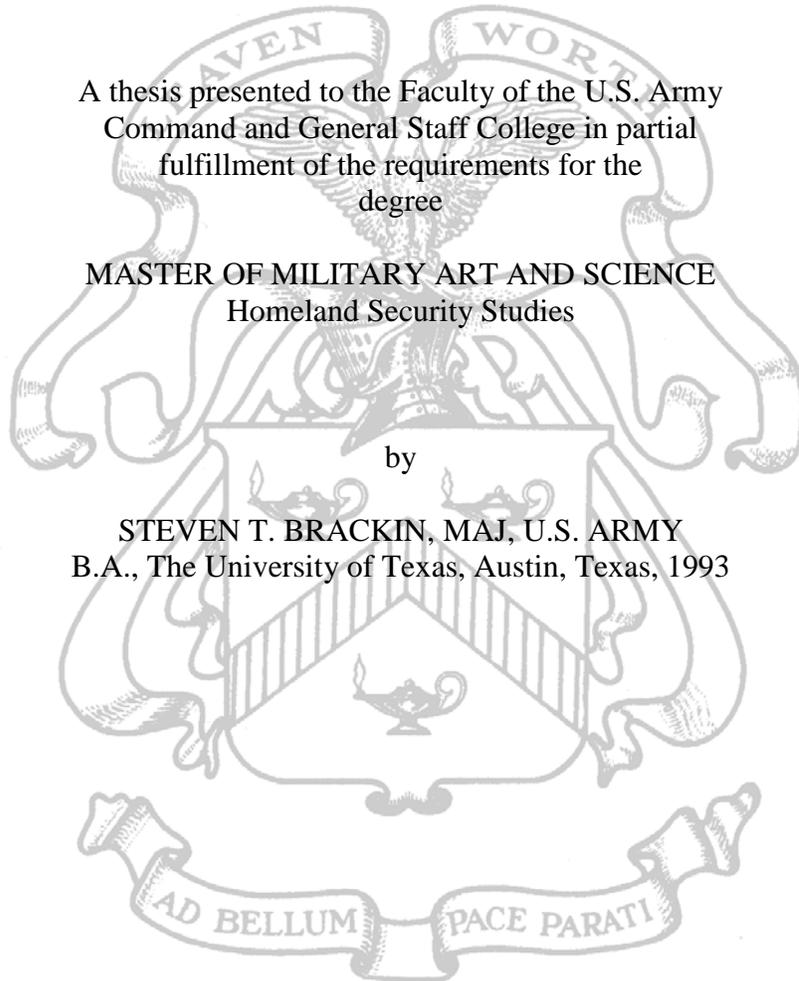
OPERATIONAL DESIGN APPLIED: REFRAMING
COUNTERDRUG SUPPORT TO LAW
ENFORCEMENT IN TEXAS

A thesis presented to the Faculty of the U.S. Army
Command and General Staff College in partial
fulfillment of the requirements for the
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Homeland Security Studies

by

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ABSTRACT

OPERATIONAL DESIGN APPLIED: REFRAMING COUNTERDRUG SUPPORT TO LAW ENFORCEMENT IN TEXAS, by Major Steven T. Brackin, U.S. Army, 108 pages.

The lessons learned from a decade of continuous conflict have direct application to the counterdrug mission conducted by the Texas National Guard standing 32 USC 112 task force. By applying the principles of Attack the Network, the Texas Counterdrug Task Force can make a significant contribution to an emerging comprehensive approach to confront Mexican TCOs—the center of gravity of a larger threat to hemispheric stability. Following the methodology of Operational Design, this study develops a contextual understanding of the operational environment, frames the ill-structured problem confronting the organization, and establishes an operational approach that maximizes the application of Texas National Guard critical capabilities in support of law enforcement to accomplish national and state-level strategic objectives.

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ACRONYMS

AtN	Attack the Network
CDC	Center for Disease Control
CD>	Counternarcotic and Global Threats Strategy
COG	Center of Gravity
COG-CFA	Center of Gravity Critical Factor Analysis
DoD	Department of Defense
IALETF	Interagency Law Enforcement Task Force
LEA	Law Enforcement Agency
NDCS	National Drug Control Strategy
NGIC	National Gang Intelligence Center
ONDCP	Office of National Drug Control Policy
POE	Point of Entry
TAG	The Adjutant General
TCO	Transnational Crime Organization
TxJCDTF	Texas Joint Counterdrug Task Force

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CHAPTER 1

INTRODUCTION

Escalating drug-related violence in Mexico and illegal immigration have combined to make security of the United States' (U.S.) Southwest Border a salient issue in American politics. In recognition of the increasing threat posed by Mexican drug cartels, the U.S. committed \$1.6 billion over three years to the Merida Initiative with the intent of building capacity within Mexican law enforcement and criminal justice agencies to fulfill its sovereign obligations, both internal and external.¹ The American electorates' concern with security of the Southwest Border appears persistent and will likely endure as long as the root causes of illegal immigration and drug-related violence remain unresolved. Evidence of this includes legislative efforts of the states expanding "proof of citizenship" requirements and debate among presidential candidates spanning two presidential election cycles over the efficacy of the nation's border enforcement strategies.

Southwest Border security arguably constitutes one of the Department of Defense's (DoD) most visible, if not most important, civil support missions. Taking into account Texas' geography and the capabilities of its Title 32 forces, the state's Counterdrug Support Program has the potential to make a major contribution to DoD's overall civil support to Southwest Border security. The purpose of this study is to analyze the current Texas Joint Counterdrug Task Force (TxJCDF) strategy to support law enforcement under Title 32 U.S. Code, Section 112 (32 USC 112), identify gaps in support, and propose a new conceptual approach that will bridge the gaps and better support national and state-level strategic objectives.

The TxJCTF, a component of the Texas National Guard, is a unique public sector organization that provides support to law enforcement agencies—local, state, and federal—throughout Texas in cases where there is a counter-narcotics or counter-narcoterrorism nexus. The intent of this DoD funded program is to apply critical military capabilities inherent to the National Guard to help confront the national security threat posed by illicit drug use and the criminal organizations that traffic drugs across and within the Nation’s borders. Texas has provided support to law enforcement under 32 USC 112 authorities through this standing counterdrug task force since the late 1980s.

Over the course of the last 25 years, there have been considerable changes in the operational environment. These changes include the emergence of Mexican Transnational Criminal Organizations (TCOs) as key actors in a larger “illegal economy” nexus of corruption, illicit trade and organized crime that threatens social and political stability throughout the Western Hemisphere. Texas National Guard capabilities have evolved because of their experiences in Iraq and Afghanistan. These organizational changes reflect significant evolution in U.S. military doctrine, organizations, and Tactics, Techniques and Procedures (TTP) used to counter non-state and networked clandestine organizations. Notwithstanding significant change in the operational environment and friendly capabilities over the course of the last two decades, the TxJCDF continues to steadfastly employ the self-limiting approach developed at its inception that generally constrains its support to providing individual augmentees to requesting law enforcement agencies, typically intelligence analysts embedded for the duration of an entire fiscal year.

The primary research question for this study is: Is the current concept of 32 USC 112 support in Texas adequate given the evolution within the operational environment? The secondary research questions for this study are: (1) What is the context of the current operational environment within which the TxJCDF operates to include evolution in threat and friendly objectives and capabilities? (2) What are the conditions of a desired system given strategic guidance and a contextual understanding of the TxJCDF operational environment? (3) What is the problem that must be resolved to move the current system to a desired system within the TxJCDF operational environment? (4) How can TxJCDF best apply its capabilities to the counterdrug mission?

The conclusions and recommendations of this study required the following assumptions: (1) The legal authorities and regulations that guide the employment of the TxJCDF, specifically 32 USC 112 and National Guard Regulation 500-2, will not materially change; and (2) 32 USC 112 Counterdrug Support Programs will continue to be funded by Congress through the DoD.

The following terms are defined for purposes of clarity. Definitions are generally derived from doctrinal and other government documents.

Attack the Network Methodology: The analytical methodology that forms the basis for identifying and exploiting threat network vulnerabilities;² enables a Commander, Joint Task Force (CJTF) and staff to fine tune its understanding of how a threat network operates and neutralize its ability to efficiently and effectively conduct its activities; designed to neutralize the threat network, create the conditions that enable friendly networks to effectively function with the support of the local population, and establish the conditions that will allow the disengagement of friendly forces; focus the

specialized assets required to identify the threat network's key operating nodes and links and applies the lethal and nonlethal capabilities that will have the greatest effect on that network's ability to operate.³

Center of Gravity: Comprises the source of power that provides moral or physical strength, freedom of action, or the will to fight.⁴

Operational Approach: A commander's description of the broad actions the force must take in order to achieve the desired end state;⁵ a visualization of broad, general actions—typically described using constructs such as center of gravity, lines of effort and lines of operations—to produce conditions that define the way the decision maker wants the operational environment to look when operations end.⁶

Operational Art: The cognitive approach by commanders and staffs—supported by their skill, knowledge, experience, creativity, and judgment—to develop strategies, campaigns, and operations and organize and employ military forces by integrating ends, ways, and means; provides the vision that links tactical actions to strategic objectives.⁷

Operational Design: A methodology that helps decision makers reduce the uncertainty of a complex Operational Environment (OE), understand the nature of the problem or challenge facing them, and construct an operational approach to achieve the desired end state;⁸ the conception and construction of the framework that underpins a campaign or major operation plan and its subsequent execution;⁹ provides a methodology that extends operational art's creative thinking and intuition;¹⁰ operational design elements, such as objective, end state, and line of operations, are tools that help the decision maker and staffs visualize, describe, and modify a joint operation's

framework;¹¹ supports operational art with a general methodology and elements of operational design.¹²

Operational Environment: Composite of the conditions, circumstances, and influences that affect the employment of capabilities and bear on the decisions of the commander.¹³

In order to support the study's widest distribution, only unclassified sources are utilized. Although this study considers the wider implications of the threats posed by organized crime to state stability throughout the Western Hemisphere, its conclusions and recommendations are framed by the limited legal and policy authorities dictated to the TxJCDF, as well as broader budgetary constraints. The principal legal and policy authorities include 32 USC 112 and NGR 500-2, respectively. 32 USC 112 limits TxJCDF activities to prescribed military capabilities require that these capabilities are performed by National Guard members in a Title 32 status, and dictates funding through the DoD. TxJCDF operations are further limited by National Guard implementing policy which proscribes law enforcement support to the legal constraints of posse commitatus, notwithstanding the fact that this statute applies only to Title 10 forces. Lastly, the constrained budget environment confronting all federal discretionary funded programs is considered a limiting factor in this study as well.

Beyond these broad legal, policy and budgetary limitations, the scope of this study is limited to National Guard support to law enforcement within Texas. Consideration of the physical environment, threat capabilities and friendly stakeholders will therefore be limited to the specific environment of the TxJCDF. Likewise, the conclusions and recommendations of this study will be limited specifically to Texas 32

USC 112 support to law enforcement. Although this report focuses on Texas, the approach used here may serve as a conceptual framework for the evaluation or reframing of the existing strategy and operational approach for other Southwest Border State Counterdrug programs, and perhaps even the strategies for 32 USC 112 counterdrug support developed at the national level.

¹Embassy of the United States Mexico City, “Merida Initiative,” <http://mexico.usembassy.gov/eng/ataglance/merida-initiative.html> (accessed 5 May 2012).

²Joint Forces Command, *Commander's Handbook for Attack the Network*, i.

³*Ibid.*, I-3.

⁴Joint Staff J-7, *Planner's Handbook for Operational Design* (Suffolk, VA: Joint Staff, 2011), II-9.

⁵*Ibid.*

⁶*Ibid.*, I-5.

⁷*Ibid.*, III-1.

⁸*Ibid.*, III-2.

⁹Joint Staff, Joint Publication 1-02, *Department of Defense Dictionary of Military and Associated Terms* (Washington, DC: Joint Staff, 8 November 2010), 254.

¹⁰Joint Staff J-7, *Planner's Handbook for Operational Design*, I-4.

¹¹*Ibid.*

¹²United States Joint Forces Command, *Commander's Handbook for Attack the Network* (Suffolk, VA: Joint Warfighting Center, 2011), I-2.

¹³Joint Staff J-7, *Planner's Handbook for Operational Design*, IV-1.

CHAPTER 2

LITERATURE REVIEW

If you know the enemy and know yourself, you need not fear the result of a hundred battles. If you know yourself but not the enemy, for every victory gained you will also suffer a defeat. If you know neither the enemy nor yourself, you will succumb in every battle.¹

— Sun Tzu, *The Art of War*

Introduction

The purpose of this study is to analyze the current TxJCDF strategy to support law enforcement under 32 USC 112, identify gaps in support, and propose a new conceptual approach that will bridge the gaps and better support national and state-level strategic objectives. In order to determine the operational approach that best leverages TxJCDF critical capabilities in support of strategic state and national objectives, it is important to understand the context of its operational environment. A contextual understanding of the current environment requires an appreciation of Mexican TCOs, how they function within the larger global illegal economy, and the threat they pose to US interests. Likewise, introspection into one's own relative strengths and vulnerabilities is critical to contextual understanding that will be served by an historical survey of DoD counterdrug operations.

Mexican TCOs Hemispheric Menace to Fragile State Stability

Today Mexico is the reluctant host to the leadership and core infrastructure of several of the most powerful TCOs in the Western Hemisphere, if not the world.² Through a vast system of illicit non-state commerce, these Mexican TCOs monopolize the illicit cross-border trafficking of drugs, people, weapons and bulk cash between

Mexico and its neighbors to the north and south.³ Leveraging illicit profits and an arsenal of small arms to corrupt, co-opt, intimidate and compel, Mexican TCOs have established zones of impunity throughout Mexico within which they manage their illicit infrastructure.⁴ Despite a primary objective of maximizing profit from illicit activities, second and third order effects of TCO activities stimulate crime, violence and instability, which together undermine the legitimacy of state institutions. By further fueling the already significant societal costs of illicit drug abuse, catalyzing the formation of sophisticated gangs and undermining the legitimacy of state institutions, Mexican-based TCOs constitute the center of gravity of a threat which is weakening states throughout the Western Hemisphere and thereby undermining the security of the U.S.

Societal Costs: Health Care, Criminal
Justice and Productivity Losses

By perpetuating the supply and therefore the abuse of illicit drugs and driving the significant costs to society that result, Mexican TCOs contribute to Hemispheric instability and undermine security in the U.S. Medical costs related to the abuse of illicit drugs—estimated to exceed \$11 billion annually—constitute a significant portion of these societal costs. Direct medical costs include emergency services, in-patient treatments as well as drug abuse and treatment research. In 2009 roughly 1.1 million people were admitted to publicly funded treatment facilities; the equivalent of the entire population of Dallas, Texas, the ninth largest city in the U.S. These and other drug-related hospital admissions alone are estimated at \$5.5 billion annually. Indirect medical costs, among others, include costs associated with parental neglect, driving under the influence of drugs and exposure to toxic methamphetamine laboratories.⁵ With respect to parental

neglect, no less than two-thirds of child foster care cases involve parents abusing drugs.⁶ Drug-related deaths demonstrate other indirect costs of drugs on society. Today, 17 states report that deaths attributed to drugs outnumber those from gunshot wounds; and, as an underlying cause of death, drugs have now surpassed automobile accidents (figure 1).⁷

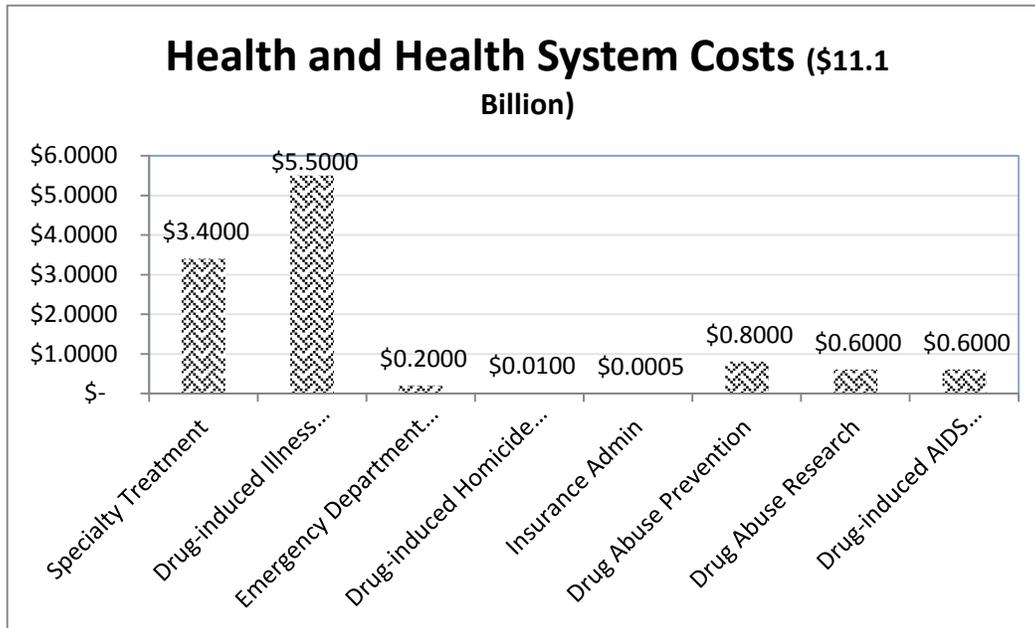


Figure 1. Health System Costs by Subcategory

Source: Created by author.

In addition to health and healthcare system costs, crime and crime related costs attributed to drugs and drug abuse constitute a significant cost to society as well. In order to comprehend the scale of this threat, consider this: of the entire incarcerated population in the U.S. as of 2010, one in three attribute their crime to drugs.⁸ Excluding possession and sales offenses, crimes attributed to drugs remains at almost one in five.⁹ Property crimes are most highly represented among “instrumental offenses,” those where the crime

is inherently drug-induced.¹⁰ Not surprisingly, almost one in five property crimes is attributed to heroin, the most significant driver of instrumental offenses.¹¹ “Related” offenses—those where drugs are correlated with the crime but not the definitive cause—are most associated with violent crimes. While heroin is most highly correlated with property crimes, crack cocaine and ice methamphetamine have been found to contribute most to crime overall. Reinforcing the overall strong correlation between drugs and crime is the high percentage of arrestees testing positive for drugs—60 percent—at the time of their arrest.¹² While the costs of crime are monetized and accounted for in criminal justice system and lost productivity costs, crime victim costs are estimated at over \$1 billion annually.¹³

Criminal justice system expenditures attributable to illicit drug use constitute another significant cost to society. Federal, state and local law enforcement expenditures attributed to drug-related crime total almost \$25 billion.¹⁴ While court system costs at all levels are estimated to exceed \$5 billion, combined corrections-related costs—to include jail, prison and parole system expenditures—add another \$26 billion annually to the total. Including other federal line-item expenditures associated with countering illicit drugs—DoD, Department of State, Coast Guard and others—overall annual criminal justice system costs attributed to illicit drug exceeds \$59 billion (figure 2).¹⁵

Criminal Justice System Costs (\$59.8 Billion)

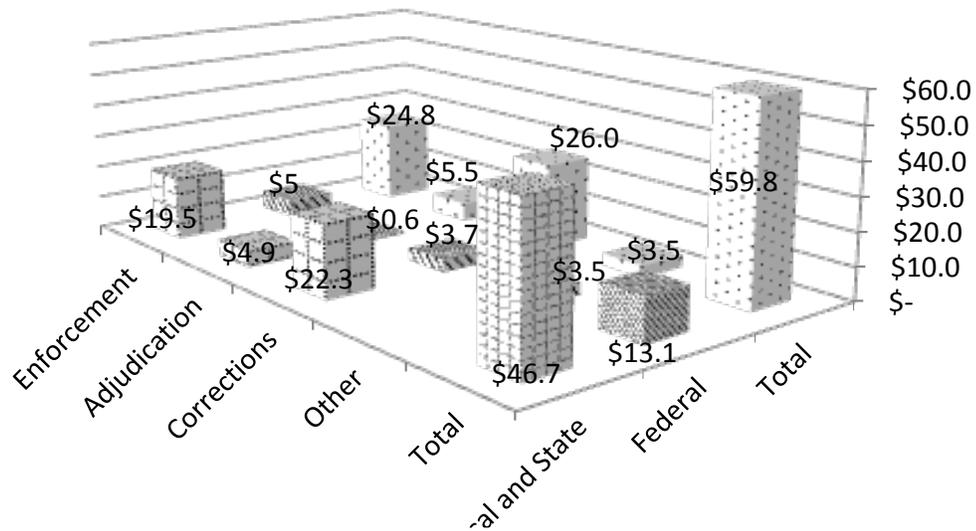


Figure 2. Criminal Justice System Costs Across State, Local, and Federal Domains by the Broad Categories of Enforcement, Adjudication, and Corrections

Source: Created by author.

Productivity losses, the single largest category of societal cost, are estimated to exceed \$120 billion a year. Productivity costs represent the compounded losses attributed primarily to the categories previously discussed—health and crime related costs.

Productivity losses attributed to incarceration, for example, are estimated at \$48 billion annually. Productivity costs associated with drug-induced deaths and drug-related homicides approach \$19 billion a year, whereas losses attributed to hospitalization and specialty treatment exceed \$3 billion. The largest component of productivity costs is attributed to “labor participation”—derived from losses related to lowered individual productivity related to illicit drug abuse and addiction (figure 3).¹⁶

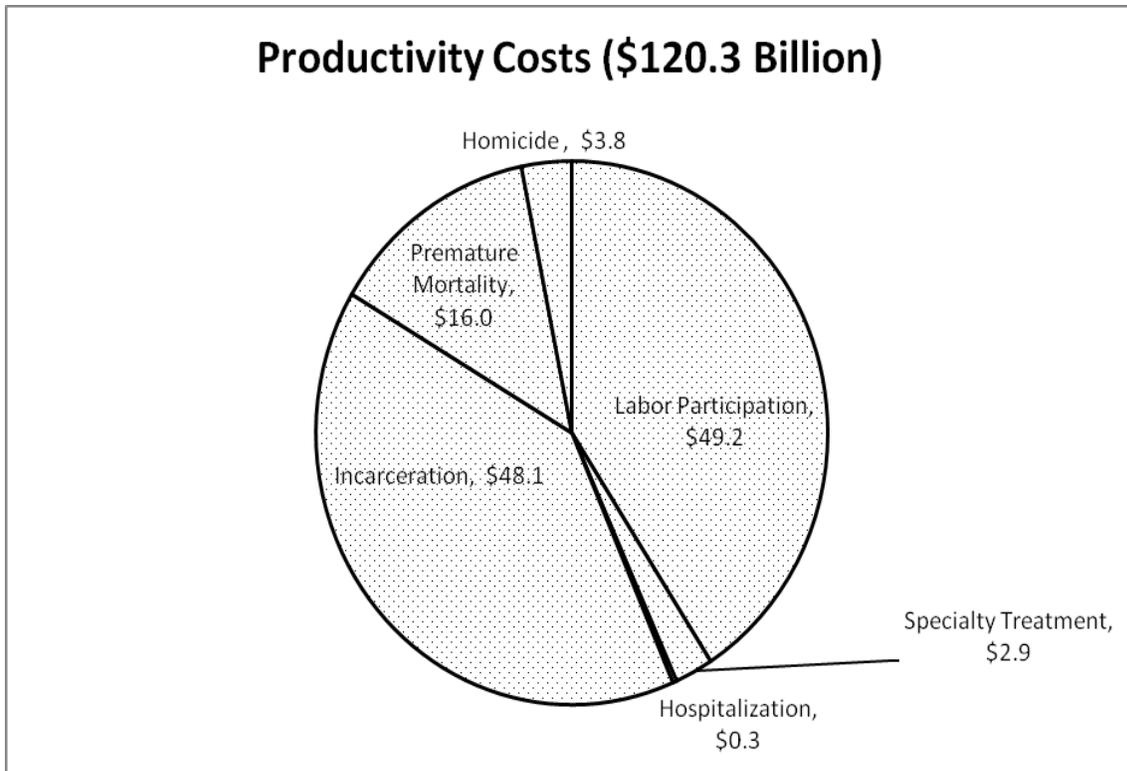


Figure 3. Productivity-Related Societal Costs

Source: Created by author.

Yet another “cost” associated with illicit drug use is money siphoned from the legitimate economy into the Mexican TCO’s illicit commercial system. Between \$19 and \$29 billion are estimated to flow from illicit drug consumers in the U.S. to TCOs in Mexico.¹⁷ Assuming the total lies somewhere in the middle, the importation of illicit drugs from Mexican TCOs completely offsets the \$25.7 billion worth of goods exported from the U.S. to France in 2011.¹⁸ Knowing that Mexican TCOs service the illicit commercial drug market at the wholesale-level¹⁹ and that drugs are significantly marked-up at the retail-level, one must account for the additional dollars siphoned from the licit economy by the criminal organizations that constitute the “bedrock” of retail sales.

Mexican TCOs—Catalyst for Second and Third Generation Gang Formation

In addition to fueling the societal costs of drug-abuse, Mexican TCOs are catalyzing the creation and expansion of sophisticated criminal enterprises—so called second and third generation gangs—which contribute significantly to instability throughout the Western Hemisphere and undermine security within the U.S. To appreciate what makes the “gang phenomenon” salient today, it is important to understand the scope and scale of “gangs,” the significant costs to society attributed to gangs, as well as academic and public policy conceptions of what the “gang phenomenon” entails. With this contextual understanding, a “systems perspective” of the relationship between TCOs and gangs supports the logic that second and third generation gang formation is driven by the activities of the TCOs.

A contextual understanding of the “gang phenomenon” begins with an appreciation of the scale and scope of “gangs” in contemporary society. According to a national survey of local law enforcement, there are approximately 1.4 million criminally active gang members—a 40 percent increase in a two year span—and 33,000 gangs operating in their combined jurisdictions throughout the U.S.²⁰ Gangs are highly correlated with densely populated urban areas. While only 10 percent of small cities with populations under 25,000 report persistent gang problems, 58 percent of urban areas with populations between 50,000 and 100,000 report persistent gang problems. This trend continues with 85 percent of cities between 100,000 and 250,000 reporting gang problems and 100 percent of the largest cities reporting persistent gang problems.²¹ A national survey found that 31 percent of urban schools reported the presence of gangs, followed by 18 percent in suburban schools and 12 percent in rural schools.²²

The issue of gang proliferation is not limited to the U.S., however. Central America is estimated to have some 70,000 gang members, mostly in the “northern triangle” countries of Guatemala, El Salvador and Honduras.²³ Local gangs, or pandillas, have emerged in the densely populated urban areas of Central America driven by the same socio-economic factors that foster other “turf”-type gangs. However, the maras—18th Street Gang and Mara Salvatrucha—are the product of U.S. deportation policy that has exported an estimated 20,000 criminals of Central American origin, many of whom served time in U.S. prisons for drug and gang-related crimes. The local pandillas now serve as a base of recruitment for the more sophisticated maras.

And while data on gangs outside of the U.S. is limited, open press reports document the ongoing efforts of the governments of Colombia and Brazil, among others, to deal with their gang problems.²⁴ In Colombia for example, the success of the government’s counterdrug policies has had several unintended consequences, one of which is the fracturing of larger cartels into smaller criminal organizations. And in Brazil, prison gangs have demonstrated their ability to organize and assert their power, both within and outside the prison system.

The scope of gang activities informs a contextual understanding as well. Research demonstrates that gang members are significantly more criminally active than non-gang youth, especially in violent offenses. One study found that active gang members were four times more criminally active than non-gang members. Another study found that adolescent gang members were seven times more likely to commit a violent crime than their non-gang counterparts.²⁵ Of these violent crimes, homicide is the most concerning. In 2004, over 500 of the almost 1,000 combined homicides in the cities of Los Angeles

and Chicago were attributed to gangs. The other 171 cities with populations over 250,000 attributed roughly a quarter of all homicides to gangs. Following the general trend in gang proliferation, the number of gang homicides in cities with populations over 100,000 increased by 34 percent between 1999 and 2003.²⁶

A national survey of law enforcement in 2001 estimated that few gang members participated in “all” of the common crimes attributed to gangs: aggravated assault, robbery, burglary, motor vehicle theft, larceny/theft, and drug sales. This survey indicated a belief among law enforcement that a “hard core” of individual gang members is responsible for most of the crimes in their jurisdictions.²⁷ Of the six serious or violent crimes identified in the survey, drug sales were most common. At the same time, a majority of law enforcement respondents indicated that only a subset of gang members in their jurisdictions was active in the distribution of drugs. Since 2001, this trend has continued to the extent that criminal gangs are now characterized by the National Gang Intelligence Center—the same organization that administered the 2001 survey—as the “bedrock” of retail-level illicit drug sales.²⁸ Today, 69 percent of U.S. law enforcement agencies report gang involvement in drug distribution within their jurisdictions.²⁹

Besides drug trafficking, many gangs have diversified their criminal activities by expanding into supposedly lower risk, high profit crimes such as alien smuggling, human trafficking and prostitution. Gangs along the U.S.-Mexico border in particular are well positioned to profit from the illegal movement of migrants, according to law enforcement reporting. For example, Barrio Azteca—the Texas prison gang centered in El Paso—has worked with a Mexican TCO to smuggle illegal aliens, transport drugs and control retail drug sales.³⁰ Human trafficking often involves forced or coerced participation in

prostitution or forced labor. The most recent survey of local, state and federal law enforcement indicates at least 35 states reporting gang participation in alien smuggling, human trafficking or prostitution, with 28 percent of respondents indicating gang involvement in prostitution specifically.³¹

Societal costs associated with gang violence, drug dealing and other criminal activities are significant. Research conducted in California in the mid-nineties estimated the total medical cost of gang violence in Los Angeles County alone to exceed \$1 billion annually.³² A 2006 study estimated a national average of roughly \$1 million per assault-related gunshot injury.³³ Another researcher estimated a taxpayer cost of between \$1.7 and \$2.3 million per adolescent gang member, assuming a 10 year criminal career.³⁴ Assuming that half of the 1.4 million active gang members reported by the Department of Justice (DOJ) in the 2011 National Gang Threat Assessment fall within the category of neighborhood gang members and meet the criteria of adolescent per this study, the cost to tax payers of these 700,000 gang members ranges between \$1.2 and \$1.8 trillion over the course of 10 years—an amount that is comparable to the entire annual gross domestic product of India, the eleventh largest economy in the world in 2010.³⁵

With an understanding of the scope, scale and impact of gangs on society, it is important to appreciate what a gang is and the nature of its relationship with TCOs. To better understand this, a typology of gangs is helpful. One method of categorizing gangs delineates organizations by their level of sophistication and strategic aspirations, while the DOJ's National Gang Intelligence Center (NGIC) defines gangs by types of in-group association. Also useful is the NGIC's characterization of the various levels of gang collaboration with TCOs.³⁶

From least to most sophisticated, gangs are described as first, second or third generation. First generation gangs are traditional street gangs that conduct opportunistic criminal activities, are characterized by an informal leadership and lack political aspirations. Second generation gangs are criminal entrepreneurial organizations that aim to expand control of their existing illicit retail drug markets as well as to pursue other opportunities for illicit profit by transacting with TCOs to establish wholesale-level supplies of illicit drugs or to provide specialized services to facilitate TCO operations.³⁷ Third generation gangs are distinguished by their sophisticated organizations with highly evolved command and control systems, specialized functional areas of operation, transnational footprint and detailed strategic aspirations. Third generation gangs leverage their capabilities to achieve strategic aspirations and expand global operations, even competing at the wholesale distribution level with other established TCOs.³⁸

An alternative classification of gangs is by in-group association. Based on this methodology, the NGIC has categorized gangs as Street, Prison, Outlaw Motorcycle or Neighborhood/Local. The 2011 National Gang Threat Assessment defines “Street” gangs as simply “criminal organizations formed on the street operating throughout the U.S.” Title 18, Chapter 26, U.S. Code defines a “criminal street gang” as an “ongoing group, club, organization, or association of five or more persons that has as one of its primary purposes the commission of one or more criminal offenses” that include certain federal felony offenses that impact interstate or foreign commerce involving controlled substances, crimes of violence, or the conspiracy to commit these offenses and that members of the gang “engage, or have engaged within the past five years, in a continuing series” of the qualifying federal felony offenses.

Of note is the explicit characterization of all but Neighborhood/Local gangs as “criminal organizations,” which are defined as “gangs (that) are confined to specific neighborhoods and jurisdictions and often imitate larger, more powerful national gangs. The primary purpose for many neighborhood gangs is drug distribution and sales.”³⁹ While taking exception to the latter assertion, subject matter experts on “youth gangs” would largely agree with this definition, and the purposeful exclusion of the term “criminal organization.” Contrary to the NGIC claim however, the literature on youth gangs provides evidence that the primary purpose of “Neighborhood/Local” gang formation is to mitigate collective social exclusion and to secure individual protection.⁴⁰ And while there is evidence that youth gangs participate in the retail distribution of drugs, these offenses typically fail to reach the threshold of 18 USC 521—federal controlled substance felony for which the maximum penalty is not less than five years’ incarceration.

NGIC defines prison gangs as “criminal organizations that originated within the penal system and operate within correctional facilities . . . although released members may be operating on the street. Prison gangs are also self-perpetuating criminal entities that can continue their criminal operations outside the confines of the penal system.” Outlaw Motorcycle gangs are outside of the purview of this inquiry and will not be defined here. There is no definition of either a prison gang or an outlaw motorcycle gang in the U.S. Code. Presumably, for legal prosecution purposes, Title 18, section 521 “criminal street gangs” would be applied to any criminal gang whose activities cross that threshold but fall below the definition of a “Racketeer Influenced and Corrupt Organization.”

Relating the “generational” typologies of gangs to the law, it seems as though the concept of a second or third generation gang transcends the idea of a “street gang.” These more sophisticated organizations conform more to the concept of a “criminal enterprise” as defined by the “Racketeer Influenced and Corrupt Organizations (RICO)” law. The Federal “RICO” law—Title 18, U.S. Code, Chapter 96, section 1961—defines “enterprise” as “any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity.” Under this same section, “racketeering activity” is given an expansive definition that ranges from murder and kidnapping to bribery and counterfeiting to drug trafficking and money laundering.

The NGIC typology characterizing the spectrum of collaboration between gangs and Mexican-based TCOs reinforces the conception that second and third generation gangs transcend the idea of a “street gang.” Though these relationships vary widely, they conform to one of three types: business, partnership, or franchise. Business-type collaboration is one where transactions are limited to the purchase of drugs from the Mexican-based TCO for the intended purpose of retail distribution by the criminal gang. On a spectrum of TCO-gang integration from most to least, Business-type collaborations represent the lowest level of integration.

In a partnership-type relationship, a gang may enter a relationship with a Mexican-based TCO to receive wholesale quantities of drugs in exchange for providing services such as providing security or transportation of wholesale drugs. This type of collaboration, while still transactional, moves up the spectrum toward greater TCO-gang integration. In the third category of TCO-gang collaboration, the criminal gang becomes

subsumed within the TCO itself and operates within the host country as an extension of the TCO, thereby representing the highest degree of TCO-gang integration.⁴¹

Examples of these various levels of collaboration include the business-type relationship between the 38th Street gang in Los Angeles and a Mexican-based TCO where the criminal gang purchases wholesale quantities of methamphetamine and cocaine for distribution throughout their retail-level network in southern California. Likewise, the Mexican Mafia criminal gang in San Diego has established a partnership with the Tijuana Cartel in exchange for drugs to supply their retail-level sales. Lastly, the Texas-based prison gang Barrio Azteca represents an example of a U.S. criminal gang that has been subsumed within a Mexican-based TCO. This criminal gang now serves as a franchise for the Juarez Cartel carrying out enforcement operations, providing retail distribution of cocaine and methamphetamine in the U.S., and facilitating cross border smuggling and transportation of illicit drugs north into the U.S. and bulk cash and weapons into Mexico.⁴²

By undermining the legitimacy of state institutions, particularly within fragile developing countries, gangs constitute a significant source of instability in the Western Hemisphere. Sophisticated criminal gangs leverage contested spaces within fragile states to establish zones of impunity within which they plan, prepare and carry out illicit activities. When these crimes are committed by gangs without the veil of anonymity, the weakness of the state becomes explicit, and its internal legitimacy seriously undermined. However, even when crimes are committed behind the veil of anonymity, the scale of criminal activity often overwhelms state institutions, which again reveals the inability of

the state to successfully confront the power and influence of clandestine criminal networks.

Indicators of the inability of fragile developing countries to cope with the influence of criminal organizations within its borders—symptoms of state illegitimacy—include high rates of homicide and dysfunctional prison systems. To illustrate these indicators of state dysfunction, consider Honduras. At 82.1 per 100,000 citizens, its per capita homicide rate is the highest in the world.⁴³ The conditions of Honduran prisons are another indicator of state dysfunction and a symptom of a failing criminal justice system. Built to incarcerate 6,000 prisoners, its prisons currently hold some 12,500 prisoners. In February of 2012, 359 prisoners were burned alive in a prison fire in Comayagua, Honduras many of whom had never been formally accused of a crime.⁴⁴

In South America, Brazilian prison gangs have demonstrated their ability to organize and assert their power, both within and outside the prison system. Examples of the influence of Brazilian prison gangs include the Comando Vermelho (CV) and Primeiro Comando da Capital (PCC). The actions of these two prison gangs succeeded in bringing the government to the negotiating table after successfully orchestrating coordinated prison riots and attacks on government personnel outside the prison system. Moreover, both the CV and PCC have established sophisticated criminal networks throughout the slums, or favelas, of Brazil, that not only control drug trafficking networks, but also provide basic services and security to the population that are normally within the domain of the state.⁴⁵

In Colombia, the success of the government's counterdrug policies has had several unintended consequences, one of which is the fracturing of larger cartels into

smaller criminal organizations. The recent increase in crime in Colombia—particularly violent crime—is attributed to “bandas criminales,” or “BACRIMS,” former Colombian Narco-paramilitaries that have reorganized as criminal drug trafficking gangs. BACRIMS are believed to be responsible for half of the 15,400 homicides in Colombia in 2010.⁴⁶

Mexican TCOs are destabilizing countries throughout the Western Hemisphere by undermining the legitimacy of state institutions, which in turn threatens the security of the U.S. To better understand how, it is important to understand the environment from which Mexican TCOs have emerged and the context of the system within which they currently operate and flourish. With a contextual understanding of the general and specific environment within which Mexican TCOs operate, the ideas of theorists on irregular warfare are applied to both the larger problem of the illegal economy and the specific threats posed by Mexican TCOs.

Mexican TCOs as a Source of Hemispheric Instability

Mexican transnational criminal organizations can trace their history to Los Tequileros of the prohibition era and the poppy cultivators that produced morphine for the U.S. during World War II to replace the disrupted Asian supply. Reminiscent of today’s Narco Ballads, songs were written in praise of heroic Los Tequileros who despite the Texas Rangers’ shoot-on-site policy, supplied the demand for illicit alcohol in the U.S.⁴⁷ It was during this period of prohibition that organized crime in Mexico consolidated control of the Plazas—the smuggling infrastructure along Mexico’s northern border with the U.S.⁴⁸

Despite official protest from the U.S., Mexican heroin—as well as marijuana—continued to flow north after the end of the Second World War. While acknowledging

these diplomatic protests and publicly pledging to suppress the illicit trade, Mexico's entrenched Institutional Revolutionary Party—synonymous with the Mexican government itself—in fact integrated the poppy and marijuana traffickers into its corporate system. In exchange for established tiers of contributions—bribes—to various state institutions, the drug cartels were allocated “plazas” in which to cultivate, manufacture, store and transport illicit contraband enroute to destinations within the U.S.⁴⁹

This complicity is alleged to have continued until the early 1990s when the Institutional Revolutionary Party's (PRI) hold on Mexico's national politics began to collapse. However, the emergence of the post-Cold War paradigm of “globalization” that coincided with the PRI's decline created enormous opportunities for Mexican TCOs and marked their transition from member of a corporate political entity to independent non-state actors.⁵⁰ Following the broader trends evolving within the new paradigm of globalization, Mexican TCOs leveraged the unprecedented integration and technological innovations in the fields of communications, finance and transportation to transform their business model.

This transition coincided with another change taking place as a result of globalization, namely diminishing state power relative to non-state actors. Unlike the bipolar Cold War era which was dominated by Nation States, the cumulative decisions and actions of non-state actors now combine to govern, direct or influence a significant proportion of the activities that effect global populations. Influential non-state actors include the largest multinational corporations that together employ 72 million people world-wide and hold \$119 trillion in assets as well as a majority of the global media which influence popular as well as elite opinion, but also includes the violent non-state

actors such as Al Qaeda and its affiliates that challenge the legitimacy of and seek to supplant the new global paradigm.⁵¹

In addition to reducing relative state power, globalization has contributed to the expansion of an illicit global economy. Using the World Trade Organization's estimate of global trade in 2009—the total of all exports—of \$18 trillion, and the World Economic Forum's estimated value of the illicit economy in that same year at \$1.6 trillion, the illicit economy is roughly 13 percent the size of the global economy.⁵² With a growth rate estimated to be faster than the legitimate economy, some suggest the illicit economy has the potential to account for 30 percent of Gross Domestic Product by 2020.⁵³

Anticipating these trends, Mexican TCOs effectively exploited both the unintended effects of Plan Colombia as well as the passage of the North American Free Trade Agreement to expand their illicit operations and secure their place as some of the most powerful illicit non-state actors on the globe. In addition to heroin and marijuana, Mexican TCOs expanded their operations to include methamphetamines and cocaine and increased the sophistication of their smuggling operations to exploit increases in legal trade flows.

Within their established zones of impunity, Mexican TCOs have built industrial-sized production facilities where precursor chemicals purchased in bulk from China are synthesized to meet the demand for methamphetamine in the U.S. Leveraging to their advantage the success of the U.S.' Plan Colombia to dismantle and disrupt Colombian Drug Trafficking Organization smuggling operations through the Caribbean, Mexican TCOs are now believed to smuggle 90 percent of South American cocaine into the U.S. With the enormous proceeds from these sales, Mexican TCOs have the resources to not

only corrupt state agents and secure the acquiescence of entire communities by dominating their economies, but to arm themselves with sufficient firepower to secure their operations against challengers—state or otherwise.

Exploiting a 2,000 mile-plus land border and annual legitimate trade exceeding \$260 billion in 2011, Mexican TCOs increased the sophistication of their smuggling operations to increase the flow of illicit drugs into the U.S. While traditional smuggling routes between the ports of entry are still used, the DOJ estimates that a majority of the drugs smuggled into the U.S. pass through legal ports of entry in commercial containers or the vehicles driven by the thousands of people that cross the border daily.⁵⁴ Techniques to conceal illicit drugs within legitimate products continues to evolve, from cocaine packaged in 34 ounce cans of jalapenos to the manufacture of secret compartments in commercial and private vehicles.⁵⁵

Once in the U.S., Mexican TCOs control the wholesale movement of drugs along interstates and highways to a network of warehouses throughout the nation where wholesale brokers distribute their supply to an array of retail supply networks—usually drug gangs that have established business, partnership or franchise relationships with the TCO. Proceeds from the drugs are then returned to Mexico smuggled as bulk cash through these same networks or laundered through TCO-owned or affiliated legitimate businesses.⁵⁶

Mexican TCOs have emerged as strong non-state actors that exploit the global economy to profit from their activities in the parallel illegal global economy, a significant change in the operational environment. It is important to understand, however, that the “illegal economy” nexus of illicit trade, organized crime and corruption combine to

produce a grave threat that the World Economic Forum places in its top three of threats to the global economy and global stability.⁵⁷

The nexus of the illegal economy is a chronic risk that is highly likely to persist and of central importance considering its impact on global stability in general, but on fragile states in particular. The danger of this nexus is the inherent feedback loop between illicit trade, organized crime, corruption and economic disparity. This destructive cycle further undermines economic development by raising the costs of legitimate business, increasing the wealth and power of the illicit or corrupt actors thereby increasing economic, social and political inequalities both within and between countries.⁵⁸ Due to the relative size of the illegal economy and the fact that it constitutes the major source of income in many instances, developing countries are at greatest risk.

Steven Metz, John Sullivan and Robert Bunker have articulated theories to describe the threats posed by organized crime within what the World Economic Forum describes as the nexus of the illegal economy. These theories on “criminal insurgency” seem to describe the delegitimizing and destabilizing activities of Mexican TCOs and gangs in parts of Mexico and many Central and South America nations.

The first stage in these criminal insurgencies is directed toward efforts to establish zones of impunity within which criminal organizations establish and control their illegal infrastructure and the commercial environment required to maximize illicit profits.⁵⁹ With zones of impunity established, a conflict over control emerges both between non-state criminal actors—an unconventional nonstate conflict—as well as a struggle between these same non-state criminal actors and the state—an intrastate conflict. These sustained, unchecked conflicts combine with endemic corruption and co-optation to destabilize local

areas, consume the attention of the state—to the neglect of other essential services—and ultimately delegitimize the state and its institutions both internally and externally. What emerges from this dystopia is characterized as a criminal state where the nominal authority of the state may exist but only at the discretion and with the approval of criminal organizations.⁶⁰

Applying the concept of insurgency to the acts and activities of criminal organizations invokes a passionate response from many. Another important writer, Geoff Demarest, argues that nomenclature is less important than an appreciation of the implications of the ability of criminal organizations to grant impunity. The extent to which the state maintains a monopoly on the granting—or withholding—of impunity, he argues, is the most appropriate measure of state success.⁶¹ When the state loses the power to hold individuals accountable for committing immoral and illegal acts within its territories, it has surrendered its sovereignty in that particular space. Demarest also describes the relationship between impunity and anonymity. Whereas a criminal organization may initially require anonymity to conduct its illicit activities, as it gains impunity, the requirement for anonymity is reduced.⁶²

Whether or not the activities of Mexican TCOs and gangs operating in the Western Hemisphere are captured by these models can be debated. It can be argued that the situation in Mexico and the northern triangle of Central America does indeed reflect the stages of criminal insurgency. It is clear that criminal organizations are producing, transporting, smuggling and selling vast quantities of illicit drugs, which require something resembling the zones of impunity described by the criminal insurgency model. Moreover, the homicide rates in some Central American countries and Mexico appear to

be the manifestation of the nonstate and intrastate conflict described in the second phase of the criminal insurgency model. It may even be argued that Honduras and Guatemala are approaching the final stages of criminal insurgency where the government is subsumed by endemic corruption and co-optation and unable to challenge the impunity of criminal non-state elements. Nomenclature aside, it is clear that organized crime is the malicious driving force of the corruption-illicit trade-organized crime nexus that is destabilizing fragile states.

Mexican TCOs are the center of gravity of a larger threat to the interests of the U.S. As the largest and most organized drug traffickers, they are responsible for supplying the overwhelming majority of illicit drugs to the U.S. through its Southwest which drive enormous social costs in terms of medical care, criminal justice system expenditures and productivity losses. The steady—and perhaps increasing—supply of illicit drugs facilitate by Mexican TCOs has established conditions for the expansion of sophisticated gangs throughout the U.S. and the Western Hemisphere that seek to profit from activity in the lucrative illegal economy. The methods employed by Mexican TCOs and other illicit actors combine to corrupt and delegitimize state institutions and destabilize societies throughout the Hemisphere as well, particularly among the fragile states in the Northern Triangle of Central America along Mexico's southern border.

This threat to the U.S. and its hemispheric partners has evolved and matured over the course of the last two decades. Mexican TCOs have strategically leveraged the trends of globalization to increase the flow of illicit drugs into the U.S. by successfully exploiting increased flows of legitimate trade through legal ports of entry. Moreover, they have benefited from the success of Plan Colombia to assert themselves as dominant

hemispheric actors in the illegal economy. Concurrent with these changes in the threat environment, there has been considerable evolution in the U.S. and its hemispheric partner nations as well. A decade of continuous conflict against a global networked threat has transformed the U.S. in terms of its understanding of the emerging threats to world order as well as its capabilities to confront those threats. This study will now consider these changes as they relate specifically to the TxJCDF.

Assessing the Existing TxJCDF Operational Approach: A Case for Reframing

Army doctrine describes “reframing” as a shift in understanding that results from significant change in the operational environment or the desired end state which leads to a new perspective on the problem or its resolution that requires significant refining—or discarding—of the hypotheses or models that constitute the basis of the existing strategy.⁶³ Decision makers deliberately incorporate reframing criteria into their assessment framework to determine if desired conditions have changed, are not achievable, or cannot be accomplished through the current operational approach. Reframing is essentially an organizational backstop that ensures daily tasks and procedures remain fundamentally linked to strategic objectives.⁶⁴ Beyond significant transformation in the threat environment, considerable change in the U.S. government’s assessment of this threat and its capabilities to confront it—evidenced by new strategic-level guidance and emerging doctrine—together constitute sufficient justification for a formal reframing of the TxJCDF strategy.

To establish context for an examination of the evolution in DoD capabilities and changes in strategic-level stakeholder guidance, a brief history of the counterdrug mission

in Texas is in order. With an understanding of the initial circumstances that led to the inception of the standing National Guard counterdrug support programs as well as the rationale for the development of the TxJCDF operational approach, it will be possible to contrast the significant evolution in the operational environment.

War on Drugs: The Inception of Standing National Guard Counterdrug Support Programs

In a direct response to the growing threat posed by Colombian drug trafficking organizations, the federal Anti-Drug Abuse Act was passed in 1988 that provided the Executive Branch greater authority to conduct the “war on drugs.”⁶⁵ Subsequently, National Security Directive 221 was published which elevated drug trafficking to a national security threat.⁶⁶ With these new executive powers, the heretofore uncoordinated—and arguably ineffective—counterdrug efforts of the U.S. would be overseen by a newly created agency, the Office of National Drug Control Policy (ONDCP).

Federal authorized legislation directed the ONDCP to develop, coordinate, and oversee implementation of a National Drug Control Strategy (NDCS). To ensure cooperation and compliance from participating agencies, the ONDCP was authorized to develop a consolidated National Drug Control Budget for the President and present it to the Congress on his behalf.⁶⁷ As its principal measure of effectiveness, the ONDCP established the reduction of drug use as its measure of success.⁶⁸ To accomplish this end, the ONDCP would develop and monitor implementation of a strategy that combined demand reduction with supply interdiction.⁶⁹ Two and 10 year objectives were

established that sought to reduce casual and frequent drug use as well as drug availability measured against a baseline of indicators in 1988.⁷⁰

Integrating domestic and foreign policy counterdrug efforts became an ONDCP priority and the DoD was given important roles in both. The National Defense Authorization Act of Fiscal Year 1989 provided specific guidance to the DoD for attacking the supply and demand of illegal drugs.⁷¹ Title 10 USC 124 assigned the DoD major responsibilities to include its principle mission, the Detection and Monitoring (D&M) of aerial and maritime transit of drugs into the U.S. as well as authorities to expand the use of the National Guard to support domestic law enforcement.

With these new legal authorities, DoD initiated ad hoc employment of Texas National Guard units to support surveillance operations along the border with Mexico. These missions, internally designated as “Unity” operations, provided ground reconnaissance support to U.S. Border Patrol to document and report smuggling activity along the border. Serving on Title 32 active duty orders for up to 90-days at a time, these teams deployed to augment Border Patrol with well concealed “observation posts” between established Points of Entry (POEs) overlooking approaches known to be used by drug traffickers. Border Patrol would dispatch interdiction elements when notified by the Unity teams who would remain in their concealed position for up to five days at a time.

Recognizing the valuable role that could be performed by National Guard forces nationwide, Title 32 U.S. Code Section 112 was enacted by the U.S. Congress which established the legal authority for standing National Guard Counterdrug Support Programs in all 54 states and territories of the U.S. When the TxJCDF was established in October 1989, a core element of G Company 143rd Long Range Surveillance (LRS)

soldiers, the original unit that conducted the Unity missions, was retained full time to carry on these missions. The ground reconnaissance section continued to conduct missions as a self-contained organization with its own internal leadership, staff and field operators who planned, prepared and executed surveillance support to law enforcement within the authority and constraints of 32 USC 112 and State law.

The first Counterdrug Coordinator appointed to lead the TxJCDF was Colonel William Petit, Texas Air National Guard. His leadership served to make an enduring imprint on the organization recognizable to the present date. With his assumption of command, COL Petit received direction from the The Adjutant General (TAG) to immediately stand-up a fully functional Counterdrug Task Force. Like the other Counterdrug Programs established throughout the nation, the TxJCDF was expected to expeditiously support law enforcement– and fully execute its first annual budget–within the guidance established by 32 USC 112. With very little time to plan, lack of an established “play book” and no example to emulate, COL Petit and his core staff quickly developed a feasible course of action that satisfied the TAG’s initial guidance. The established desired end state–consistent with the ONDCP strategy at the time–was simply to reduce the supply of drugs.

Despite the fact that it was a successful and established mission, ground reconnaissance operations presented limited potential for growth given the small number of qualified personnel available and the relatively high risk of the mission. Personnel conducting the ground reconnaissance mission carry weapons for self-protection after a thorough assessment of risk-. Rotary and fixed-wing surveillance expansion was

constrained by the limited number of airframes and the expense of the technical observation equipment.

Consensus emerged in support of a model where intelligence analysts would embed as individual augmentees within law enforcement agencies, thereby leveraging the considerable depth in military intelligence analysts in both the Army and Air National Guard. Utilizing this model, the TxJCDF could quickly deploy in support of law enforcement counterdrug efforts throughout Texas, reporting the successes of the supported agency as their own. Today, embedded intelligence analysts account for 70 percent of the TxJCDF budget that directly supports law enforcement, according to the 2011 Fiscal Year “State Plan.”⁷²

The TxJCDF strategy also reinforced an intuition—unarticulated in its strategy—that the organization could better serve law enforcement by supporting longer term investigations. In contrast to short term interdiction operations, investigative support led to broader and more substantial results in terms of arrests, successful prosecutions and drug and property seizures. Relying on the supported agency to articulate a strategy, performance was to be measured by the total number of cases supported, the number of “man-days” provided in support of these cases as well as the street value of drugs seized and drug trafficking arrests resulting from supported cases. Organizational success was determined by increases in these measures each fiscal year.

Since the ONDCP’s inception in the late 1980s, strategic guidance related to the counterdrug mission has evolved considerably. With respect to the ONDCP specifically, its national strategies have refined their guidance by providing specific objectives within its two broad operational approaches of supply interdiction and demand reduction. The

annual ONDCP National Drug Control Strategy now identifies lead and supporting agencies associated with each strategic objective in order to facilitate unity of effort among the various interagency contributors. Since 2009, the ONDCP has produced a supplemental National Southwest Border Counternarcotics Strategy to adapt to the changes in the threat environment, specifically with respect to the growing influence of Mexican TCOs.⁷³

Many of the ONDCPs national and Southwest border strategic objectives respond to the challenges identified in the language of the 2010 National Security Strategy. The 2010 National Security Strategy acknowledges the challenges of the post-Cold War paradigm, namely the opportunities that the world's interconnectedness present for both good and bad. This document provides broad strategies that seek to leverage these opportunities for the interests of the U.S. while responding effectively and comprehensively to its dangers.⁷⁴ To articulate in specific detail a national strategy to confront one of the primary emerging threats to the new world order, the National Security Council has produced the first ever National Strategy to Combat Transnational Organized Crime. This strategy document, signed by the President of the United States, establishes five key policy objectives that relate both directly and indirectly to the ONDCP's National Drug Control Strategy.

The DoD now provides specific strategic guidance through its Counternarcotics & Global Threats Strategy (DoD CD>). This strategy reflects the threat assessment in the National Security Strategy as well as the National Strategy to Combat Transnational Organized Crime. There is broad recognition of the pervasive threat that Transnational Criminal Organizations threaten the legitimate global economy as well as the stability of

fragile states. The DoD CD> strategy develops specific objectives to support whole-of-government efforts against TCOs that take into account limited DoD resources and authorities.⁷⁵

Moreover, the State of Texas now provides detailed counterdrug strategic guidance through its Texas Homeland Security Strategy. This document, a first in Texas, provides general and specific strategic guidance to Texas agencies through 2015.

Although intended as a stand-alone document, many of its strategies nest with national objectives to reduce the supply of drugs entering the U.S. across its border with Mexico and the importance of targeting TCOs.

In addition to significant evolution in strategic guidance, the capabilities of the U.S. to respond to emerging threats has transformed as well. As a result of a decade of constant conflict in Afghanistan and Iraq as well as confronting the global, networked threat posed by Al Qaeda, the DoD and its interagency partners have developed new planning methodologies, targeting frameworks and technical capabilities. Many of these concepts have been formally adopted into service doctrine while other ideas continue to develop as emerging doctrinal concepts, or tactics, techniques and procedures.

The conceptual planning methodology of Operational Design has been incorporated into formal joint and service doctrine in recognition of the inadequacies of the methodical Military Decision Making Process. The experiences of Afghanistan and Iraq in particular highlighted the need for a conceptual planning methodology that facilitated a deeper understanding of the problem to be solved. In contrast to previous military problems where objectives tended to follow physical lines of operation, the stability and counterinsurgency-centric operations that emerged in Afghanistan and Iraq

confronted decision makers with complex, ill-structured problems that could not be effectively resolved using doctrinal planning methodologies.

Another significant emerging doctrinal concept came about as a result of these experiences which came to be called “Attack the Network” (AtN). In contrast to the threat model U.S. forces had been training against for the previous two decades, the threat in Afghanistan and Iraq that emerged in phase IV operations was a particular type of networked threat that was capable of rapidly adapting its operations to offset U.S. advantages in numbers and technology. The AtN methodology emerged as a way for U.S. forces to develop a common understanding of how the threat network operated, its strengths and vulnerabilities, and to develop an operational approach to neutralize the threat. Among the concepts that have been formally incorporated into doctrine that together constitute AtN, the most significant are arguably the planning and command and control functions of the refined doctrinal concept of Mission Command as well as the special operations targeting model of Find, Fix, Finish, Exploit, Analyze, Disseminate (F3EAD).

The Gap in Knowledge

Despite the significant changes in the operational environment, the TxJCDF continues to employ an operational approach developed at its inception to satisfy organizational requirements and stakeholder expectations in the late 1980s. Over the course of the last two decades, TCOs—and Mexican TCOs in particular—have emerged as a significant threat to U.S. interests. Moreover, as a result of a decade of constant conflict, the U.S. has gained a new perspective and developed capabilities to confront networked transnational threats. Together, these changes in the operational environment

have caused a significant shift in understanding and desired end state which has led to a new perspective on the counterdrug problem. Given the extent of these changes contrasted with the inability of the TxJCDF to adapt its operational approach to these changes, a strong argument exists for a reframing of the TxJCDF strategy that takes into account the evolved threat and new approaches to confront networked transnational threats to achieve the strategic objectives outlined in current national and state strategic documents. By applying a methodical and comprehensive framework to analyze the operational environment, frame the problem and develop an operational approach, this study seeks to reframe the TxJCDF strategy to account for these changes.

¹Sun Tzu, *Art of War* (London: British Museum, 1910), 18.

²National Drug Intelligence Center, *National Drug Threat Assessment* (Washington, DC: U.S. Department of Justice, 2011), 7.

³Tony Payan, “The Drug War and the U.S.-Mexico Border: The State of Affairs,” *South Atlantic Quarterly* (2006): 868. Discussion of ‘black market’ mechanisms—an illicit, non-state system.

⁴Melvyn Levitsky, “Transnational Criminal Networks and International Security,” *Syracuse Journal of International Law and Commerce* (2003): 227.

⁵Office of National Drug Control Policy, *National Drug Control Strategy* (Washington, DC: Executive Office of the President of the United States, 2011), 4-6.

⁶*Ibid.*, 2. Per the Centers for Disease Control and Prevention, “Alcohol and Other Drug Use and Academic Achievement,” 2011, http://www.cdc.gov/HealthyYouth/health_and_academics/pdf/alcohol_other_drug.pdf (accessed 27 April 2012).

⁷*Ibid.* Center for Disease Control and Prevention, “Special Tabulations from CDC’s Wonder Database on Vital Statistics,” 2011; National Drug Intelligence Center, *The Economic Impact of Illicit Drug Use on American Society*, <http://wonder.cdc.gov> (accessed 10 April 2012).

⁸National Drug Intelligence Center, *The Economic Impact of Illicit Drug Use on American Society* (Washington, DC: U.S. Department of Justice, 2011), 8. NDIC provides a detailed description of their method for attribution in this report. Regarding

crime attributed to drugs, findings based on research conducted and published by Henrick J. Harwood, Douglas Fountain, and Gina Livermore, “The Economic Costs of Alcohol and Drug Abuse in the United States–1992” (Rockville, MD: National Institutes on Drug Abuse, 1988), <http://archives.drugabuse.gov/economiccosts/Index.html> (accessed 1 November 2010).

⁹National Drug Intelligence Center, *The Economic Impact of Illicit Drug Use on American Society*, 8.

¹⁰*Ibid.*

¹¹*Ibid.*

¹²For detailed quantitative information on the subject, see the primary source, Office of National Drug Control Policy (ONDCP) Arrestee Drug Abuse Monitoring Program *ADAM II 2010 Annual Report* (Washington, DC: Executive Office of the President of the United States, May 2011).

¹³National Drug Intelligence Center, *The Economic Impact of Illicit Drug Use on American Society*, 15.

¹⁴*Ibid.*, 9-12.

¹⁵*Ibid.*, 7-17.

¹⁶National Drug Intelligence Center, *The Economic Impact of Illicit Drug Use on American Society*, 29-54.

¹⁷Department of State, *International Narcotics Control Strategy Report Volume II Money Laundering and Financial Crimes* (Washington, DC: Department of State, 2011), 139.

¹⁸U.S. Census Bureau, “Foreign Trade,” 13 November 2011, <http://www.census.gov/foreign-trade/statistics/highlights/top/top1111yr.html> (accessed 28 January 2012).

¹⁹National Drug Intelligence Center, *National Drug Threat Assessment*, 7.

²⁰National Gang Intelligence Center, *National Gang Threat Assessment* (Washington, DC: Federal Bureau of Investigation), 9.

²¹James Howell, “The Impact of Gangs on Communities,” *Juvenile Justice Youth Bulletin* (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 2006), 1.

²²*Ibid.*, 5.

²³Clare Ribando Seelke, *Report for Congress on Gangs in Central America* (Washington, DC: Congressional Research Service, 2011), 5.

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²⁶*Ibid.*, 3.

²⁷*Ibid.*, 4.

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CHAPTER 3

RESEARCH METHODOLOGY

The purpose of this study is to analyze the current TxJCDF strategy to support law enforcement under 32 USC 112, identify gaps in support, and propose a new conceptual approach that will bridge those gaps and better support national and state-level strategic objectives. This study is qualitative in nature and approaches the topic with a pragmatic world view. This is a bounded case study of the TxJCTF, the Texas National Guard organization that provides counterdrug support to law enforcement throughout the state in accordance with 32 USC 112. This study uses document research and doctrinal analytic techniques to understand the complex, ill-structured problem confronting the TxJCDF. The author's personal knowledge gained through professional experience with the TxJCDF and as a Special Forces officer in Afghanistan and Iraq is leveraged to inform answers to the research questions as well. This chapter outlines the methodology used to conduct this analysis and summarizes the sources of information obtained to address the research questions.

The conceptual planning framework of Operational Design will be utilized as a methodology to examine the research questions and propose a new TxJCDF strategy. Solving the right problem and achieving the designated goals are fundamental to operational design. Through contextual understanding of the operational environment, decision makers conduct a purposeful analysis to identify the problem or problem set that the organization must resolve in order to be successful. Through problem solving, decision makers establish a course of action with strategic and intermediate objectives.

The design framework is comprised of three separate elements that together constitute the operational design methodology. These elements include the environmental frame, the problem frame and the operational approach. The general concept of framing applies to the development of both the operational environment and the problem statement that focuses consideration of the operational approach. When framing, decision makers seek to organize and describe variables within the environment and select those relevant to the mission in order to sufficiently scope the situation in support of “problem statement” development.

The general purpose of the environmental frame is to provide a contextual understanding of the operational environment through a description of significant historical events, identification and sorting of existing mandates, authorities and guidance as well as an accounting of relevant actors and their relationship within the environment. Key actors within the operational environment are analyzed independently to better understand the critical capabilities and vulnerabilities inherent to each and are subsequently compared to identify potential opportunities that can be exploited or risks that must be mitigated by the organization. Beyond the historical accounting of the operational environment, the environmental frame should provide a description of current conditions as well as future trends to help decision makers develop an operational approach that anticipates change and maintains initiative. The situational understanding developed as a result of environmental framing supports the formulation of desired end state objectives and conditions that will constitute the basis for an effective assessment framework.

From the environmental frame, operational design transitions to problem framing, the purpose of which is to understand and isolate the underlying causes of conflict in order to define the complex, ill-structured problem. Through refinement of the environmental frame, the problem frame identifies the specific conditions that must be influenced and changed to achieve the desired end state. The problem frame scopes the tension among and between actors within the operational environment and identifies opportunities that can be leveraged to the organization's advantage. The problem frame concludes with a concise problem statement that describes the requirements necessary to transform current conditions to the desired end state conditions.

Operational design concludes with development of the operational approach. This broad conceptualization provides the logic for the combination of tasks that together will produce the conditions associated with the desired end state. The operational approach relates and unites the intermediate objectives along separate physical and logical lines of effort to the accomplishment of strategic objectives and end state conditions.

Incorporating fundamental doctrinal principles and terms of art, a course of action is developed that favorably leverages tension within the operational environment to establish and maintain initiative and extend the organization's operational reach through the synchronization of operations in space and time to achieve clearly stated, quantifiable and decisive end state objectives.

A description of the broad actions required of the organization to achieve the desired strategic end state—the operational approach—is an embedded step within the methodology of operational design. A key element of operational design related to development of the operational approach includes Center of Gravity (COG) analysis.

COG analysis helps visualize and describe the broad operational approach by identifying friendly and adversary strategic ends, ways and means as well as the source of power that provides the moral or physical strength, freedom of action or the will to fight. With an understanding of relative strengths and vulnerabilities, it is possible to develop an operational approach that leverages critical capabilities to attack the threat COG applying either a direct or indirect approach.

In order to conduct the analysis required to address the specified research questions, this study examines primary and secondary written documents that provide specific legal authorities for 32 USC 112 standing counterdrug programs as well as more general, but applicable, counterdrug, Homeland and National security strategic guidance. Public policy and academic documents that support an understanding of the operational environment, particularly with respect to the influence of non-state actors on the stability of fragile states, are utilized as well. Existing and emerging U.S. Army and joint service doctrine that relate directly to the research questions are also applied.

In summary, this chapter outlines the operational design framework that will be applied as a methodology to examine the TxJCDF operational environment, frame its problem and propose an operational approach that reframes its current strategy to apply the functions and critical capabilities of the Texas National Guard to best support law enforcement to accomplish national and state-level strategic objectives. Operational design is particularly well suited to answer the research questions proposed in this study, guide the examination of documents relevant to 32 USC 112 counterdrug mission, and develop a broader understanding of the operational environment confronting the

TxJCDF. Moreover, use of this methodology will provide a doctrinal basis that enables implementation of the conclusions and recommendations of this study.

CHAPTER 4

APPLYING OPERATIONAL DESIGN METHODOLOGY TO THE TxJCDF

I shall proceed from the simple to the complex. But in war more than in any other subject we must begin by looking at the nature of the whole; for here more than elsewhere the part and the whole must always be thought of together.

—Karl Von Clausewitz, *On War*

The purpose of this study is to analyze the current TxJCDF strategy to support law enforcement under 32 USC 112, identify gaps in support, and propose a new conceptual approach that will bridge the gaps and better support national and state-level strategic objectives. To guide this analysis, the methodology of operational design will be applied to the TxJCDF operational environment. With a contextual understanding of the operational environment, the intent is to clearly articulate the complex problem confronting the TxJCDF and to inform the development of a broad conceptual approach to accomplish its strategic objectives.

The TxJCDF Threat Environment— Relevant Actors and Relationships

Within the scope of the TxJCDF environmental frame, the relevant adversarial actors include the criminal networks of transnational non-state actors that profit from illicit drug trafficking. The principal criminal non-state actor networks include Mexican TCOs and the various categories of gangs that together are responsible for the production, wholesale supply, and retail sale of illicit drugs. Mexican TCOs and their enabling networks are deeply entrenched in the U.S., with active operations in all nine Organized Crime Drug Enforcement Task Force (OCDETF) regions and each of the 32 High Intensity Drug Trafficking Areas (HIDTAs).¹

As described previously, Mexican TCOs are sophisticated organizations with long-term, strategic objectives to exploit the illegal economy to maximize their illicit profits. Mexican TCOs are highly adaptable organizations with shrewd leadership, competent management and networks of specialized infrastructure. In contrast to this strategic outlook, many of the enablers that support Mexican TCO illicit operations are opportunistic organizations and individuals that seek to exploit immediate opportunities for short-term gain. While these opportunistic enablers are responsible for a majority of the crimes committed in the pursuit of illicit drug trafficking, as the strategic architects of a broader hemispheric illegal economy, Mexican TCOs not only shape the conditions for illegal drug trafficking but are the central driving force.

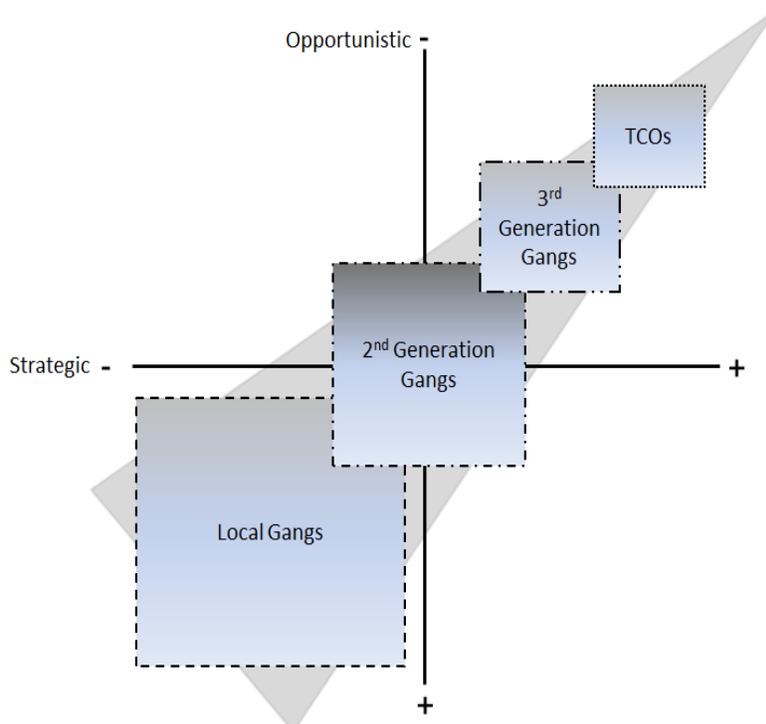


Figure 4. Strategic vs. Opportunistic Criminal Organizations

Source: Created by author.

Illicit drug trafficking operations in Texas can be divided into three separate categories: cross-border smuggling, wholesale distribution and retail sale. These functions occur along a physical line of operation. In some instances, these functions require physical infrastructure, such as “stash-houses” where drugs are warehoused as they move along the supply chain. Other functions, though they also have physical form, are more conceptual and transcend the entire physical line of operation. These conceptual lines of effort include security, communication, leadership and enforcement.

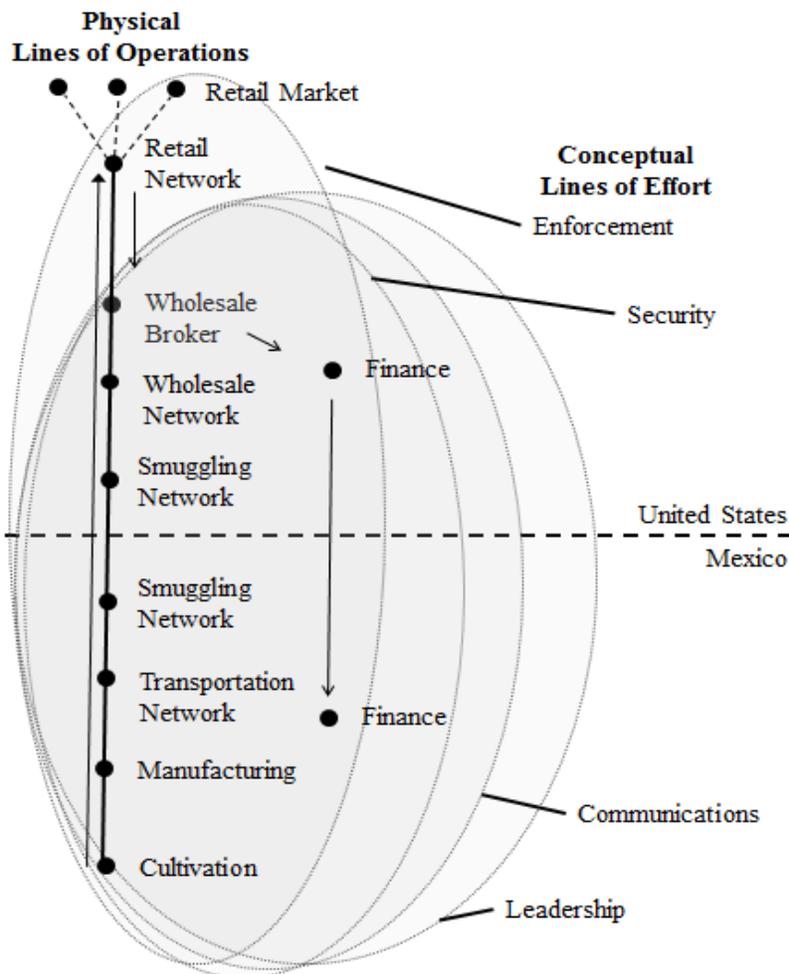


Figure 5. Mexican TCO Lines of Operation and Lines of Effort

Source: Created by author.

With respect to the first of three separate categories, cross-border smuggling operations are highly specialized according to the geography in which they occur and the vulnerabilities they seek to exploit. Smuggling operations at sanctioned POEs exploit the sheer volume of legitimate cross-border commerce to move illicit drugs north, and bulk cash and weapons south, in sophisticated concealed compartments.

Overland smuggling techniques between the POEs can be characterized “rural” or “urban.” Rural smugglers employ individual “mules” that carry backpack sized quantities of illicit drugs at night across long stretches of rugged, sparsely populated terrain to “rally points,” typically a radio tower, along Texas and Interstate Highways. Urban operations employ groups that “raft” a half-ton load of illicit drugs across the Rio Grande, within a span of two minutes, where they are met by another group, typically with a stolen Ford F-250, that then blends in with local traffic in densely populated neighborhoods. Other smuggling techniques vary from the employment of small aircraft using remote airstrips, to small boats along the coast that drop neutrally buoyant bundles near the coast where they “wash up” on the beach to be picked up by coordinated crews, or tunneling operations that use urban infrastructure to conceal the frequent movement of vehicles and personnel.²

Once successfully smuggled across the border, the wholesale distribution network takes possession of and consolidates the illicit drugs. Employing established counter-surveillance techniques, the wholesalers incrementally move the supply through a network of safe-houses further along the supply chain. Wholesalers coordinate onward movement and negotiate transactions with their retail network counterparts to move the illicit drug supply into retail markets. Illicit drug trafficking wholesale networks are

sophisticated operations with specialized internal functions. These functions include upper and midlevel management that generally coordinate operations, communication system specialists, surveillance and counter-surveillance teams, recruiters, safe-house managers, accounting and payroll specialists, and enforcers, to name a few.³

Likewise, at the retail level, illicit drugs are received, inventoried and divided among the sales network. This network is typically a local street gang with access to the population. The leadership of the retail network coordinates sales, oversees financial operations and maintains discipline within the network. An individual within the leadership of the retail network serves as the “broker” to the wholesale network which can be a higher echelon of leadership within the gang or an individual in an external organization.

While leadership plays an important role at each level and across all functions, illicit operations are driven as much by systemic factors as they are by individual leadership or overarching strategies.

COG and Critical Factor Analysis is a key element of operational design. It is conducted to develop an understanding of relationships among relevant actors in the operational environment and to identify vulnerabilities and strengths that can be leveraged. Center of Gravity Critical Factor Analysis (COG-CFA) of drug trafficking organizations begins with a definition of a desired end state: What is it drug traffickers hope to achieve? Bottom line, drug traffickers are in the business to make money. This motivation is limited only by a desire to stay alive and out of jail.

To maximize profits, however, criminal organizations must have impunity to carry out their illicit activities. In states with relatively strong institutions and adequate

penetration throughout the breadth of its physical space, impunity requires anonymity. For this reason, criminal non-state actor networks operate clandestinely in compartmented, cellular organizations to conceal their illicit activities and protect the larger operation. As the relative power—and hence, the impunity—of a criminal organization increases, however, it can afford to reduce its anonymity. In the extreme circumstance of criminal anarchy, criminal organizations enjoy total impunity and no longer require anonymity. Strategic criminal organizations like Mexican TCOs seek to maximize profits by maintaining a degree of anonymity and establishing sufficient impunity without undermining state stability and legitimacy to the degree that it interferes with the illegal economy. When criminal impunity passes this tipping point, the state’s ability to carry out its responsibilities for maintaining infrastructure and services such as roads, ports of entry, energy production and distribution and the like is undermined if not destroyed. This relationship is depicted in the model that relates anonymity to impunity.

Impunity is relative to the operating environment for the particular non-state actor network. It does not necessarily require “control,” only acquiescence, which can be, and often is, unwitting. For a street gang with a retail drug sales network, impunity is derived from the apathy or ambivalence of the community and recognition from potential competitors of its market territory. At the wholesale level, impunity may come from information or privileges provided by corrupt government officials that facilitate the movement of illicit drugs along linear “lines of communication.” Ascending the operational and strategic levels of the criminal enterprise, impunity requires political and bureaucratic complicity that, as in the case of Columbia in the 1980s or Mexico today, delegitimize the instruments of state power and ultimately threaten its sovereignty.

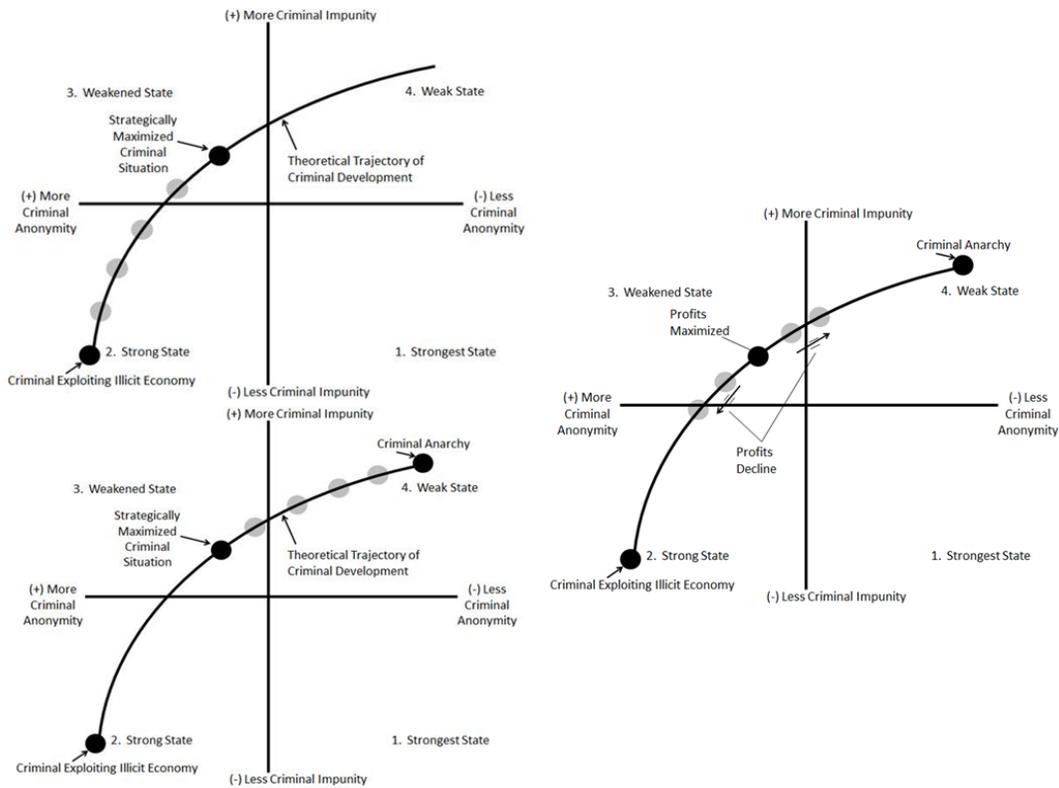


Figure 6. The Impunity Anonymity Relationship

Source: Created by author.

To achieve impunity TCOs and their enablers employ various “ways,” expressed as “critical capabilities” in COG-CFA. Critical capabilities are the decisive and unique ways or methods that the COG employs to its advantage to achieve strategic objectives. Drug traffickers at all levels employ a combination of critical capabilities that include compensation, co-optation, corruption and coercion, to name a few. The “means” that make this possible, critical requirements in COG-CFA terminology, include the money derived from drug sales, guns—and the willingness to employ them—as well as the prestige or “status” that gangs can offer vulnerable young people.⁴

Lastly, “critical vulnerabilities” are those critical requirements susceptible to defeat which offer an indirect means of attacking the COG. For illicit drug trafficking criminal non-state actor networks, the boundaries between the separate organizations constitute arguably the most significant critical vulnerability. The “nodes” that connect these networks, known as “brokers” in Social Network Analysis, comprise the nexus between wholesale suppliers and retail sellers; rupturing this relationship is key to the network’s destruction. The cascading effects that result from a breakdown in the relationship between these networks disrupt other critical requirements necessary to carry out the critical capabilities. Drug profits constitute the most direct critical vulnerability. As the strategic end of illicit drug trafficking, drug profits are directly connected to every aspect of TCO operations and the activities of its enabling networks. Within the environmental frame of the TxJCDF, these two threat critical vulnerabilities are most significant.

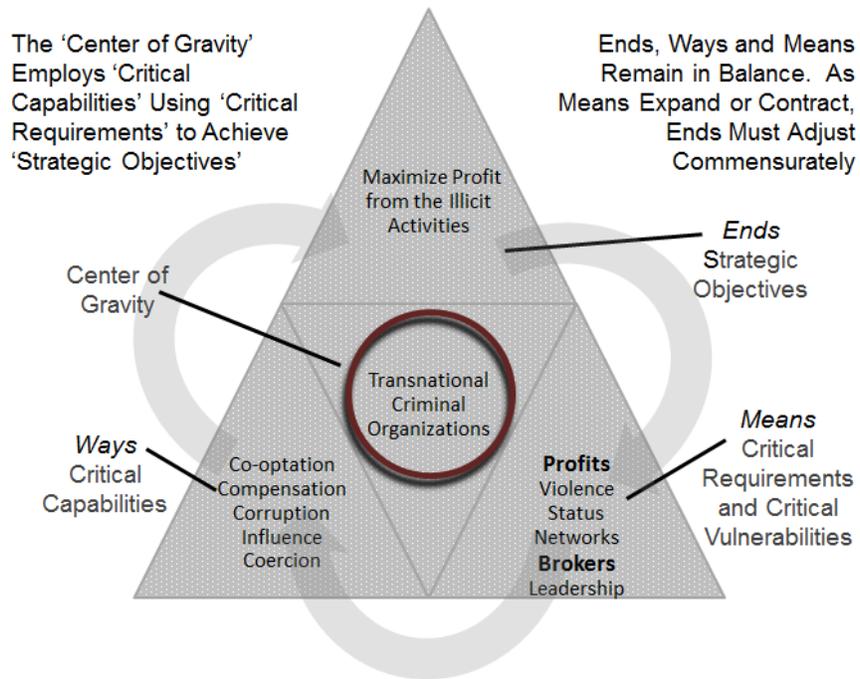


Figure 7. Ends, Ways, and Means of the Mexican TCO

Source: Created by author.

TxJCDDTF Friendly Environment—
Authorities and Stakeholders

As previously described, the 1988 Anti-Drug Abuse Act that created the ONDCP and authorized the DoD to expand its efforts to contribute to the “war on drugs” resulted in the establishment of standing National Guard Counterdrug Support Programs. This section details the authorities prescribed by 32 USC 112 and expands on the history as well as relevant actors in the TxJCDDTF environmental frame.

Joint Publication (JP) 3-07.4, *Joint Counterdrug Operations*, articulates the foundational doctrine for all DoD counterdrug operations. It affirms the principal DoD mission of detection and monitoring in support of law enforcement interdiction

operations designed to reduce or eliminate the supply of illegal drugs. Moreover, JP 3-07.4 provides doctrinal guidance directing DoD organizations to employ a joint and interagency comprehensive planning process, closely organized and coordinated with all support systems in place to effectively leverage critical capabilities and ensure unity of effort.⁵

The National Guard Bureau's Counterdrug Division (NGB-CD) serves as the national-level manager with specific responsibilities for reviewing and recommending state counterdrug plans, missions and budgets.⁶ Guided principally by 32 USC 112, NGB-CD prescribes policies, procedures and responsibilities governing the utilization of National Guard and related DoD resources for drug interdiction, demand reduction and narcoterrorism activities through NGR 500-2. In addition to providing specific mandates and constraints, this regulation details the formal, annual procedures required to authorize and fund National Guard Counterdrug Support Programs.

Each year, the Counterdrug Coordinator of the TxJCDF is responsible for submitting the "Governor's State Plan," drafted in accordance with NGB-CD instructions and guidance provided by the ONDCP, the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats (DASD/CN>) as well as the Governor. This document identifies the drug-related threats confronted by the state and affirms the specific mission categories that will be performed to counter these threats. The "State Plan" is certified by the Governor and Attorney General of the State of Texas to ensure compliance with state law and conformity to the Governor's initiatives and policies. NGB-CD reviews the State Plan to ensure only authorized missions are conducted and DoD guidance is implemented. In addition to its administrative and operational oversight

responsibilities, NGB-CD recommends the TxJCDF budget to DoD. Finally, the Assistant Secretary of Defense for Reserve Affairs (ASD RA) and the Assistant Secretary of Defense for Special Operations, Low Intensity Conflict (ASD SO/LIC) share coordinating and monitoring responsibilities for National Guard support to state drug enforcement operations.⁷

NGR 500-2 requires that TAG select a Counterdrug Coordinator (CDC) to serve as the focal point for all Counterdrug (CD) mission validation tasking within their respective states. Although the CDC is appointed by the TAG, the position is funded by the NGB-CD. The TAG, a position appointed by and accountable to the Governor, is the senior military officer responsible for the administration, training and deployment of the National Guard in support of civil authorities and federal mobilizations. As a component organization of the Texas National Guard, the TxJCDF chain of supervision runs through the TAG to the Governor who serves as the Commander-in-Chief. The influence exercised over the TxJCDF derives from budget and operational oversight authority; coordinating and monitoring responsibilities; policy guidance, or a combination of these three (figure 8).

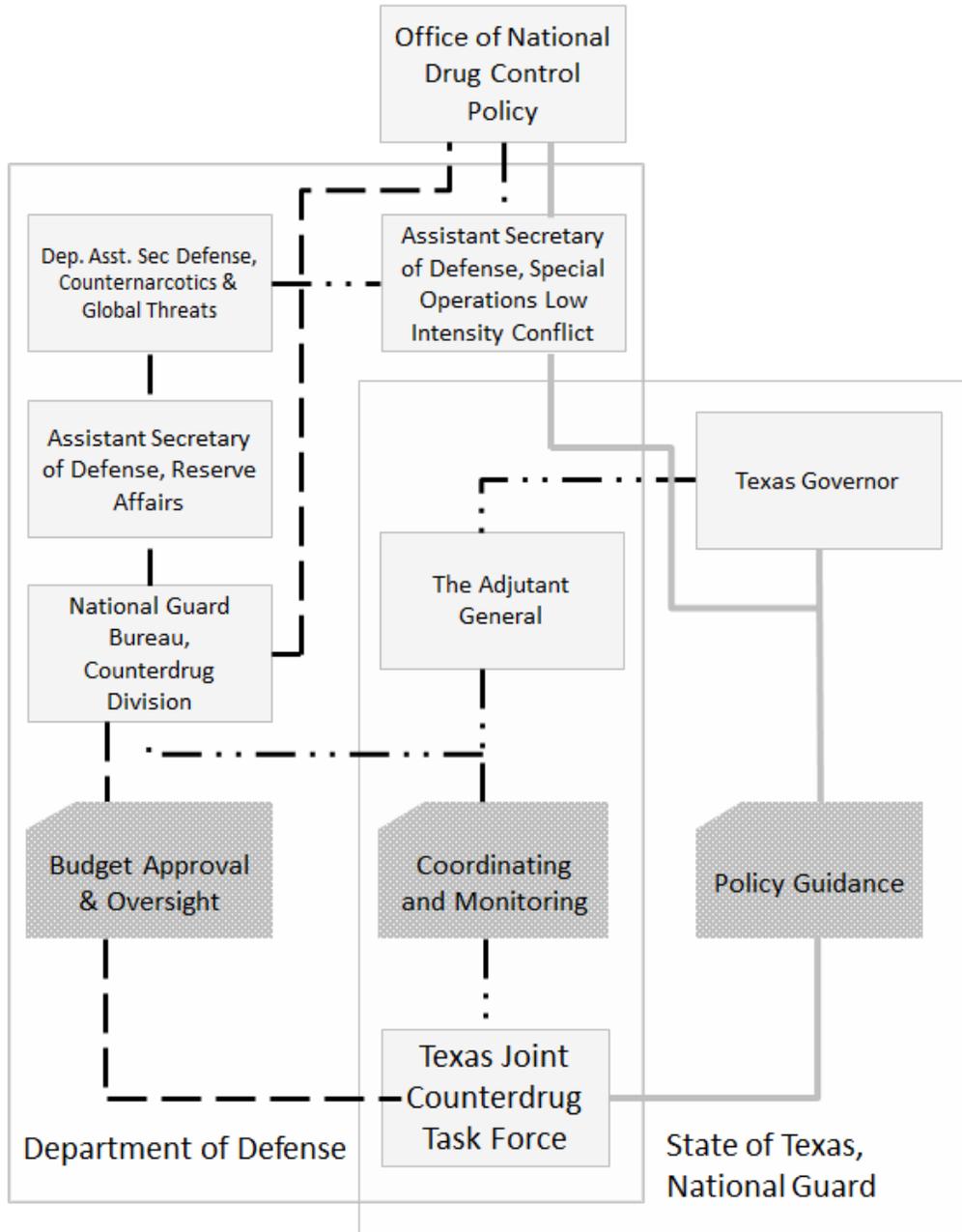


Figure 8. TxJCDTF Relevant Authorizing Environment Actors

Source: Created by author.

The support mission categories listed in NGR 500-2 are essentially subdivisions of the broader DoD missions and include program management, technical support,

general support, training, reconnaissance and observation, and demand reduction. Program management entails planning, coordinating and establishing liaison with LEAs in direct support of counterdrug operations as well as the internal administrative activities required to comply with regulations and policies. Technical support is intended to leverage critical capabilities inherent in the various Military Occupational Specialties with application to the counterdrug mission. Within this support mission category, military trained and qualified intelligence analysts, linguists, communications specialists and divers are able to apply their knowledge, experience and skill-set to the detection and monitoring mission. The primary “general support” mission provided by TxJCDF is rotary-wing transportation of law enforcement agents as part of coordinated “detect, monitor, interdict” operations. Counterdrug-related training allows Law Enforcement Agency (LEA) personnel to receive training in military subjects and skills useful in the conduct of counterdrug operation. Reconnaissance and observation support is categorized as either surface or aerial. Surface reconnaissance is further categorized as visual, radar or by unattended sensor. Demand reduction includes support to communities to prevent drug abuse among youth.⁸

Title 32 USC 112 provides general authority and constraints for the use of federally funded National Guard personnel and equipment in support of law enforcement counterdrug operations while NGR 500-2 details requirements and limitations imposed by this and other federal statutes, executive orders and DoD policy.⁹ In addition to specifying State Plan requirements, 32 USC 112 constrains the employment of counterdrug-funded personnel and equipment to performance of approved counterdrug missions.

Although it is not expressly stated, 32 USC 112 implies that counterdrug operations should support individual occupational specialty and collective military training tasks by stipulating that the military readiness of National Guard members supporting Counterdrug operations not be negatively impacted. Again, while not formally stated or quantified in NGR 500-2, the CDC may be held accountable for the Counterdrug Program's contribution to the core TAG mission of preparing capable military forces through collective and individual training in support of Title 10 Federal mobilizations. While not a formal stakeholder, the Texas Army National Guard G-3 can hold the TxJCDF accountable for this requirement through his advice to the TAG.

NGR 500-2 provides detailed guidance regarding National Guard support to civil authorities. Although not legally constrained by Posse Comitatus (18 USC 1385) while in Title 32 status, Counterdrug personnel nonetheless comply with its restrictions as a matter of NGR 500-2 policy. Except for exigent circumstances, Counterdrug personnel will not directly participate in the arrest of suspects, conduct of searches, or become involved in the chain of custody for any evidence. Supported LEAs are responsible for obtaining warrants required for searches or for determining the need for searches, inspections, and observations that do not require warrants. National Guard counterdrug support to law enforcement is contingent upon an identified drug or narcoterrorism nexus. NGR 500-2 provides force protection procedures for the carriage of lethal weapons if a risk to personnel has been identified by the CDC and annotated in the Governor's State Plan. However, the CDC is ultimately responsible for ensuring that National Guard members are not knowingly sent or directed to enter into life threatening situations. These and other requirements are documented in memorandums of

understanding between the National Guard Counterdrug Support programs and supported law enforcement agencies which remain archived and available for inspection by the NGB-CD, per NGR 500-2 regulations.

TxJCDF Environmental Frame–Strategic Guidance

Contextual understanding of TxJCDF authorities and relevant stakeholders helps establish a logical framework from which strategic objectives and measures of effectiveness can be derived. When developing end state objectives and conditions as part of operational design, reconciling the guidance and expectations of various–sometimes competing–relevant authorizing environment actors with legal mandates, regulations and policies is critical to developing a feasible, suitable and sustainable strategy. Accordingly, the TxJCDF must integrate current policy guidance with established regulations and appropriate U.S. service doctrine.

As stated in its authorizing regulation, NGR 500-2, TxJCDF operations should be guided by current policies established by the federal ONDCP strategy and the Governor of the State of Texas. Two separate ONDCP strategic documents provide current federal counterdrug policy: the 2011 National Southwest Border Counternarcotics Strategy (NSWBCNS) and the 2012 National Drug Control Strategy (NDCS). State counterdrug policy is articulated in the 2010-2015 Texas Homeland Security Strategic Plan. In addition to these strategy documents, DoD provides specific strategic guidance to 32 USC 112 Counterdrug Support Programs through the CN> strategy. Lastly, the newly released National Security Strategy to Combat Transnational Organized Crime provides guidance that is relevant to the TxJCDF as well, given the ONDCP strategic objective of dismantling Mexican TCOs and their affiliated network of enablers.

Entity	Policy	Purpose
Office of National Drug Control Policy	National Drug Control Strategy 2012	<i>"Disrupt Domestic Drug Trafficking and Production"</i>
Strategic Goals	Supporting Objectives	
Federal Enforcement Initiatives Must be Coordinated With State, Local, and Tribal Partners	Maximize Federal Support for Drug Law Enforcement Task Forces	
	Ensure Comprehensive Review of Domestic Drug Threat	
	Improve Intelligence Exchange and Information Sharing	
United States Borders Must be Secured	Implement the Southwest Border Counternarcotics Strategy	
	Deny Use of Ports of Entry and Routes of Ingress and Egress Between the Ports	
	Develop National Plan for Southbound Interdiction of Currency and Weapons	
Focus National Efforts on Specific Drug Problems	Counter Domestic Methamphetamine Production	
	Eradicate Marijuana Cultivation	

Figure 9. ONDCP 2012 National Strategy

Source: Created by author.

The ONDCP 2012 NDCS provides three strategic goals that are relevant to the TxJCDF. In support of its broad end state of disrupting domestic drug trafficking and production, its strategic goals include coordinating federal enforcement initiatives with state and local LEA, securing the Southwest border, and focusing efforts on the specific emerging drug problems. The ONDCP 2011 NSSWBCNS prescribes three more specific strategic goals to support its desired end state of substantially reducing the flow of illicit drugs, drug proceeds, and associated instruments of violence across the Southwest border. These strategic goals include interdicting drugs and weapons between the ports of entry, disrupting and dismantling TCOs, and targeting illicit drug profits (figure 10).

Entity	Policy	Purpose
Office of National Drug Control Policy	National Drug Control 2011 SWB Strategy	<i>"Substantially reduce the flow of illicit drugs, drug proceeds, and associated instruments of violence across the Southwest border"</i>
Strategic Goals	Supporting Objectives	
Interdict drugs, drug proceeds, and associated instruments of violence between the ports of entry	Enhance interagency planning processes and apply best practices	
	Improve coordinated operations and partnerships on the Southwest border	
	Expand the operational capabilities of U.S. personnel at or near the border	
Disrupt and dismantle TCOs operating along the Southwest border	Use joint and coordinated efforts among U.S. law enforcement agencies to disrupt and dismantle drug trafficking organizations operating along the Southwest border	
	Increase the Federal, state, tribal and local law enforcement resources dedicated to Southwest border-related investigations	
	Enhance capacity of investigative agencies and maximize use of the Kingpin Act to dismantle the financial infrastructure of TCOs along the Southwest border	
Stem the flow of illicit proceeds across the Southwest border into Mexico	Enhance OCDETF operations along the Southwest border to target bulk cash movements	
	Identify, investigate, and prosecute the illegal use money services, electronic payments, money laundering and other financial crimes leveraged by TCOs	
	Continue intelligence sharing and joint strategic projects with financial intelligence units	

Figure 10. ONDCP 2011 SWB Strategy

Source: Created by author.

Governor Perry's 2010-2015 Texas Homeland Security Strategic Plan establishes three relevant strategic goals to prevent criminal enterprises from operating successfully in the state. These strategic goals are to expand and enhance statewide intelligence capabilities, expand and enhance investigative capabilities and integrating state efforts to protect the Southwest border (figure 11).

Entity	Policy	Purpose
Governor of Texas	Texas Homeland Security Strategic Plan 2010-1015	<i>"Prevent criminal enterprises from operating successfully in Texas"</i>
Strategic Goals	Supporting Objectives	
Expand and Enhance Statewide Intelligence Capability	Expand and enhance multi-agency, multi-jurisdictional fusion capabilities throughout the state.	
Ensure Robust Investigative Capability to Address Criminal Enterprises	Expand and enhance the network of human sources that can provide detailed and relevant information on known or suspected criminal enterprises that provide direct material support to criminal enterprises indirectly supporting terrorists.	
	Expand and enhance the state's integrated, multi-agency counter crime and counterterrorism investigative capabilities that address criminal enterprises engaged in drug trafficking, human trafficking and smuggling, weapon smuggling, extortion, homicide, money laundering, prostitution, and other index crimes.	
Prevent Criminal Enterprises from Exploiting Texas' International Border, Including Land, Air, and Sea	Increase local and state patrols of the border region to increase security, particularly between the ports-of-entry.	
	Support integrated multi-agency, multi-jurisdictional operations and investigations to address criminal enterprises operating in the Texas border region.	
	Integrate technology to the maximum extent to assist in monitoring the border, particularly in remote areas.	

Figure 11. Texas Homeland Security Strategy

Source: Created by author.

The DoD CD> strategy of 2011 reconciles constraining legal authorities with the strategic objectives of the ONDCP as well as other relevant National Security Strategy documents. The CD> strategy describes its end state as limiting substantially and sustainably the impact of illegal drugs and other illicit trafficking organizations. The two relevant strategic goals of the CD> strategy include support to a whole-of-government approach to dismantle Mexican TCOs and interdiction of illicit drugs and illicit drug profits (figure 12).

Entity	Policy	Purpose
Department of Defense	Counternarcotics & Global Threats Strategy, 2011	<i>"Limit substantially and sustainably the impact of illegal drugs and other illicit trafficking organizations"</i>
Strategic Goals	Supporting Objectives	
Illicit drug trafficking and related organized criminal threats to U.S. national security interests in Western Hemisphere are reduced sharply	Support U.S. government and ONDCP policy to reduce the quantity of illicit drugs entering the United States from Mexico and Central and South America	
	Support the establishment of whole-of-government concept of operations for interdicting bulk cash and weapons exiting the United States to Mexico	
	Support efforts of U.S. Federal, state, and tribal law enforcement to interdict the flow of illegal drugs and combat trafficking from Mexico in accordance with 32 USC 112 by enhancing National Guard support to border areas using its critical capabilities	
Global Objectives	By FY 2015, enhance or develop cooperative mechanisms with law enforcement agencies to maximize both the impact and the efficiency of DoD contributions to combating TCOs	
	By FY 2015, within existing DoD authorities, in cooperation with interagency partners, incorporate counter threat finance capabilities into DoD-wide strategic, operational, and tactical planning and operations to undermine threats contrary to U.S. interests	

Figure 12. DoD CNGT 2011 Strategy

Source: Created by author.

The 2011 *National Security Strategy to Combat Transnational Organized Crime* (NSSCTOC) provides strategic guidance relevant to the TxJCDF as well. Consistent with DoD Defense Support to Civil Authority (DSCA) operations, the NSSCTOC end state is to reduce TCOs from a national security threat to a manageable public safety problem. The two strategic goals that relate to the TxJCDF mission include strengthening interdiction, investigation and prosecution of TCOs and disrupting drug trafficking by targeting enabling networks (figure 13).

Entity	Policy	Purpose
National Security Council	Strategy to Combat Transnational Organized Crime, 2011	<i>"Reduce TCOs from a national security threat to a manageable public safety problem"</i>
Strategic Goals	Supporting Objectives	
Strengthen Interdiction, Investigation, and Prosecutions	Develop a strategy that denies TCO networks and individuals in the U.S. access to their infrastructure and their enabling means	
	Fully intergrate financial, weapons, and TCO-related corruption investigations into comprehensive ogranizational attack activities and operations	
	Deny TCO access to secure facilities and locations	
Disrupt Drug Trafficking and Its Facilitation of Other Transnational Threats	Reduce the global supply of and demand for illegal drugs to deny funding to TCO networks	
	Maximize use of the Kingpin Act to pursue transnational drug organizations	

Figure 13. The National 2011 TCO Strategy

Source: Created by author.

An important product of operational design is the development of assessment criteria used to evaluate the overall effectiveness of the strategy. A properly devised measure of effectiveness determines if, and the extent to which, the actions taken to implement a strategy to produce their intended results and lead to the attainment of established objectives and the desired end state. Measures of effectiveness attempt to capture the relationship of cause and effect within the operational environment while considering the effects of variance. Indicators, both quantitative and qualitative, are selected from reliable, readily available sources that provide balanced insight into the current status a measure of effectiveness. Both the ONDCP and Governor Perry offer consistent guidance with respect to end state “conditions” and the development of assessment criteria.

Both strategies subordinate drug seizures to other, broader measures that assess the disruption and dismantling of drug trafficking organizations and gangs. The following excerpt from the 2010 NDCS best articulates federal policy regarding seizures:

Federal, State, and local law enforcement agencies must consistently seek not just to seize drugs, money, and guns, but to identify and disrupt trafficking and associated criminal networks. Seizures of these items must continue—they remain an important part of drug enforcement—but they ought to be employed primarily as mechanisms to deepen our understanding of how traffickers operate and to augment our ability to penetrate and dismantle whole organizations. Information that leads to the disruption of drug-trafficking organizations often starts with a seizure of drugs, money, or guns by State, local, or tribal officers. This is true, however, only if the seizure is treated as the start of a criminal investigation, not the end of it.¹⁰

This ONDCS guidance is recognition of the fact that drug seizures as a measure of effectiveness is counterproductive to dismantling criminal enterprises. While there is value in documenting the type and quantity of drugs seized as a measure of performance, the information alone is insufficient in determining the overall effectiveness of a strategy, and in fact undermines long term investigations by pressuring law enforcement agencies to capitalize on immediate results. This example is illustrative of the complexity inherent in the proper engineering of assessment measures.

Governor Perry provides alternative guidance focused on quantifiable measurements of “index” crimes and the retail price of illegal drugs. This measure of effectiveness would claim that interdiction of a gang network that controls a given area causes a corresponding reduction in index crimes and of retail drug supply in the area. Indicators that reflect an increase in the retail price of drugs in that area would confirm the success of the strategy. Likewise, indicators confirming a reduction in index crimes—murder, rape, robbery, aggravated assault, motor vehicle theft and other crimes closely associated with gangs—would corroborate a successful strategy.

TxJCDF–Client Actors

To understand the TxJCDF environmental frame, it is important to appreciate its client actors—the law enforcement agencies that it supports. In a broad sense, law enforcement agencies can be divided into two categories: interdiction and investigation. Law enforcement agencies with an interdiction mandate are the first responders responsible for protecting the lives and property of the citizenry. Interdiction agencies maintain a persistent presence to deter crime and remain on call to respond to criminal activity. At the federal level, these law enforcement agencies include the U.S. Border Patrol and the Office of Field Operations within U.S. Customs and Border Protection. At the state level, interdiction law enforcement agencies include the Highway Patrol. At the local county and city level, most uniformed police perform interdiction functions.

In contrast to interdiction agencies, law enforcement agencies responsible for investigations focus on solving crimes and pursuing justice for its citizens. Investigative law enforcement agencies work closely with federal, state and county attorneys general and district attorneys to identify, investigate and prosecute criminal activity. Unlike interdiction operations that are generally reactive in nature and short in duration, investigative law enforcement operations require a deliberate focus and often require long periods of time to successfully develop.

Overlaying these two categories of law enforcement in physical space, it becomes evident that federal interdiction law enforcement agencies operate far forward on the U.S. borders while state and local interdiction law enforcement perform related functions in greater depth. Investigative law enforcement agencies operate largely away from the borders, typically in more densely populated areas where relative rates of crime are

higher. While some interdiction law enforcement agencies maintain liaison with counterparts in Mexico and other countries, investigative law enforcement agencies have a more robust presence outside of the U.S. in order to coordinate bilateral investigations of criminal activity.

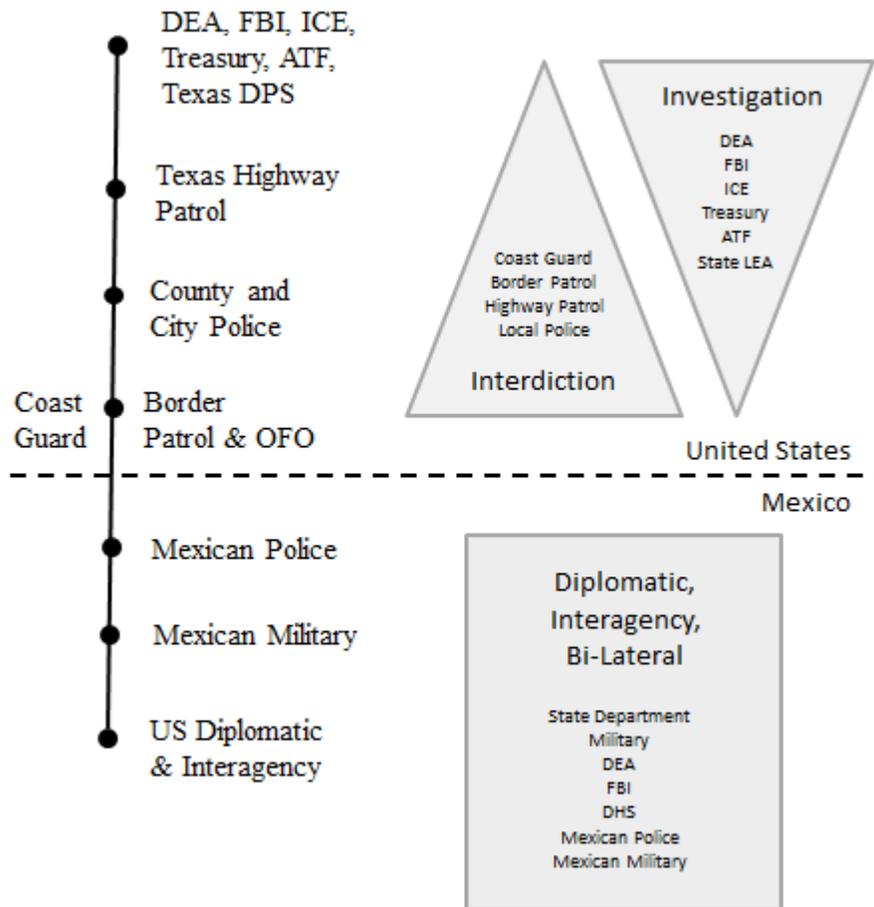


Figure 14. Law Enforcement Lines of Effort

Source: Created by author.

Friendly COG-CFA

COG-CFA of the TxJCDF and its client LEAs reveal the strengths and vulnerabilities of civil authorities that confront the criminal enterprises responsible for transnational illicit drug trafficking. Comparing the strengths and vulnerabilities of these competing entities exposes potential opportunities that can be exploited and latent risks that should be mitigated to facilitate accomplishment of desired end state conditions.¹¹

The point of departure for COG analysis is consideration of the desired end state or strategic objective. Within the environmental frame of the TxJCDF, the strategic objective to “dismantle transnational drug trafficking organizations” most clearly describes a recognizable, feasible and achievable end state objective, the accomplishment of which will satisfy the desired conditions described by both federal and state policy makers. Interagency Law Enforcement Task Force(s) (IALETf) with multi-jurisdictional authority constitute the COG for civil authorities confronting transnational drug trafficking organizations, as recognized and described by both the NDCS and the Texas Homeland Security Strategic Plan (TxHSSP).

The critical capabilities possessed by these IALETfs include the ability to investigate, arrest, and prosecute individuals within drug trafficking organizations, and ultimately the ability to incarcerate and seize their illicit property as a result of successful prosecution. In order to exercise these critical capabilities, IALETfs employ legal surveillance techniques that leverage technology to monitor the communications, movements and activities of targeted drug traffickers. Applying these highly technical, manpower intensive, limited surveillance resources requires the ability to plan in comprehensive detail, compile an overall depiction of the drug trafficking network’s

operations, and prioritize Task Force “targeting” efforts. From this “common operating picture” and the resulting development of a “prioritized targeting list,” the command and control element responsible for coordinating all of these activities in turn develops a properly timed strategy to arrest individuals within the criminal networks that support the strategic objective of dismantling the entire organization.

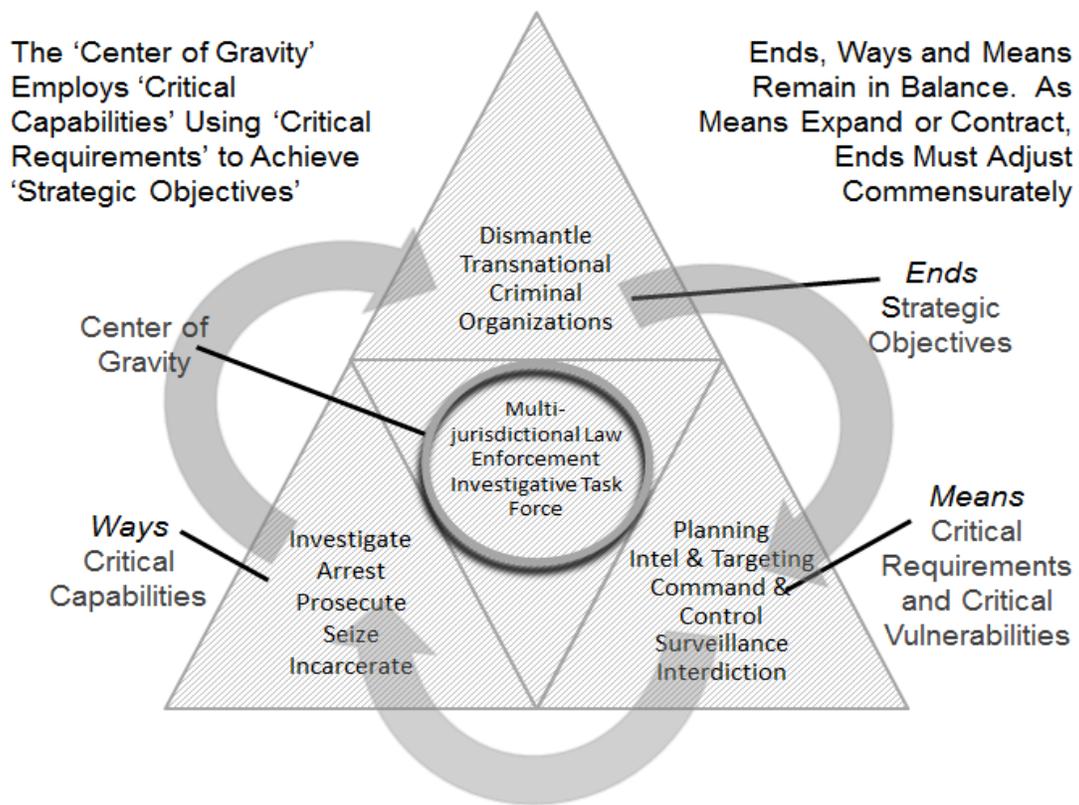


Figure 15. Interagency Law Enforcement Task Force COG and CFA Analysis

Source: Created by author.

Critical vulnerabilities attributable to the IALETs are shared by civil authorities nationwide. These critical vulnerabilities exploited by criminal drug trafficking organizations include the legal and Constitutional privacy guarantees that duly limit law enforcement methods; the proliferation of technical communications technologies that enable clandestine command and control techniques; law enforcement jurisdictional boundaries; and general insufficient capacity.

As discussed previously, transnational drug traffickers exploit the laws of open, commercial societies to conduct illicit activities such as the smuggling of drugs, weapons and people across international and internal borders and boundaries. Privacy laws, combined with the volume of commercial activity at international ports-of-entry and along America's highways, preclude intrusive, time-consuming searches of private and commercial vehicles that might otherwise reveal illicit contraband in concealed compartments.

The proliferation of communication technologies that leverage the internet, wireless communications platforms and personal "smart" devices offers a myriad of options to facilitate communication, and command and control of transnational criminal enterprises. Directives that coordinate and facilitate these illicit activities can be easily concealed within conventional social networking sites through the use of coded "cipher" or sophisticated "steganographic" tools and techniques.

Criminal networks intentionally exploit jurisdictional boundaries to infiltrate drugs, weapons, people and cash, with the knowledge that these "seams" are often times neglected due to failures in communication and coordination. Likewise, individuals targeted by law enforcement in one jurisdiction find "refuge" in the "sanctuary" of other

jurisdictions. This issue is related to the significant issue of “under-governed” areas where criminal networks find refuge in areas where penetration by civil authorities is shallow and the attitudes of the population are ambivalent or tolerant of illicit activities.

Other critical vulnerabilities stem from insufficient operational capacity ranging from specific skill-sets and specialized equipment to general manpower. The knowledge and experience to plan, execute and resource complex, enduring operations that target sophisticated criminal enterprises is outside of the means of most local law enforcement agencies. Generally, the public sector cannot support the infrastructure–human or capital–required to contest each and every illicit act committed by transnational criminal enterprises. To do so would require a politically unacceptable increase in taxes and a socially untenable move away from liberal democracy. Drug trafficking organizations exploit this vulnerability and “mitigate” their losses by leveraging production capacity and cross-border smuggling operations to overwhelm civil authorities. The scale of production and smuggling are calculated to take into account these “acceptable” losses in order to sustain or increase retail supply.

Current State

To conclude the environmental frame, design methodology requires a graphic depiction of the current and desired state in order to convey a conceptual understanding of the dynamics of the operational environment. The model of the relationship between impunity and anonymity illustrates both concepts well. The current model depicts TCOs and their enabling networks in Texas as occupying the lower left quadrant of the chart, but exploiting anonymity to increase their relative power–and impunity–to carry out illicit activities to profit from the sale of illegal drugs and other criminal activity. This

model is intended to illustrate the general trend of TCOs and their networks throughout the state. While the model is conceptual and not intended to be a quantitative representation of relationships, it can be used intuitively to describe the relative development of specific organizations operating in bounded geographic spaces.

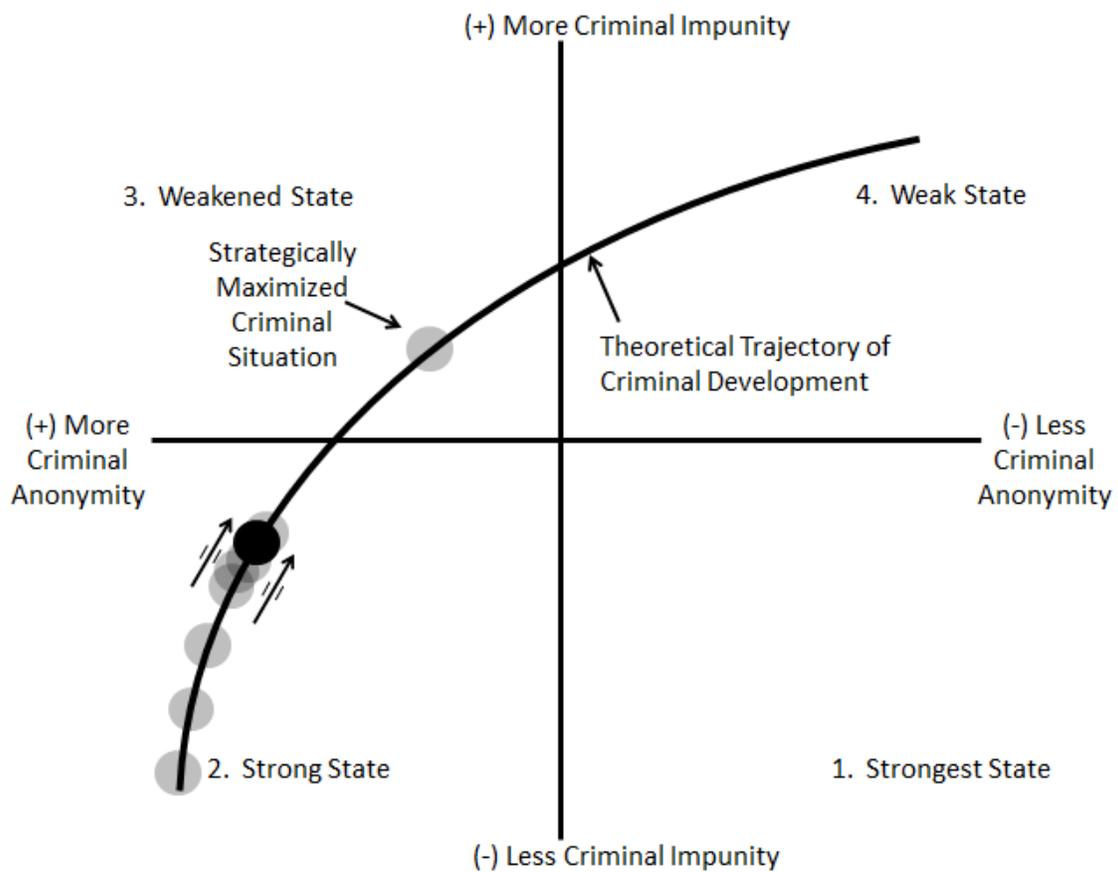


Figure 16. Current State of Mexican TCOs in Texas

Source: Created by author.

Desired State

The same model is used to depict the desired state. As articulated throughout the various strategic documents, law enforcement seeks to disrupt and dismantle TCOs and their enabling networks by identifying, investigating and prosecuting these organizations. Law enforcement seeks to move criminal organizations off of the trajectory of criminal development and into the lower right quadrant first by reducing their anonymity through deliberate surveillance and investigations to reveal their clandestine networks and to reduce their impunity through arrests, successful prosecution, incarceration and asset seizure.

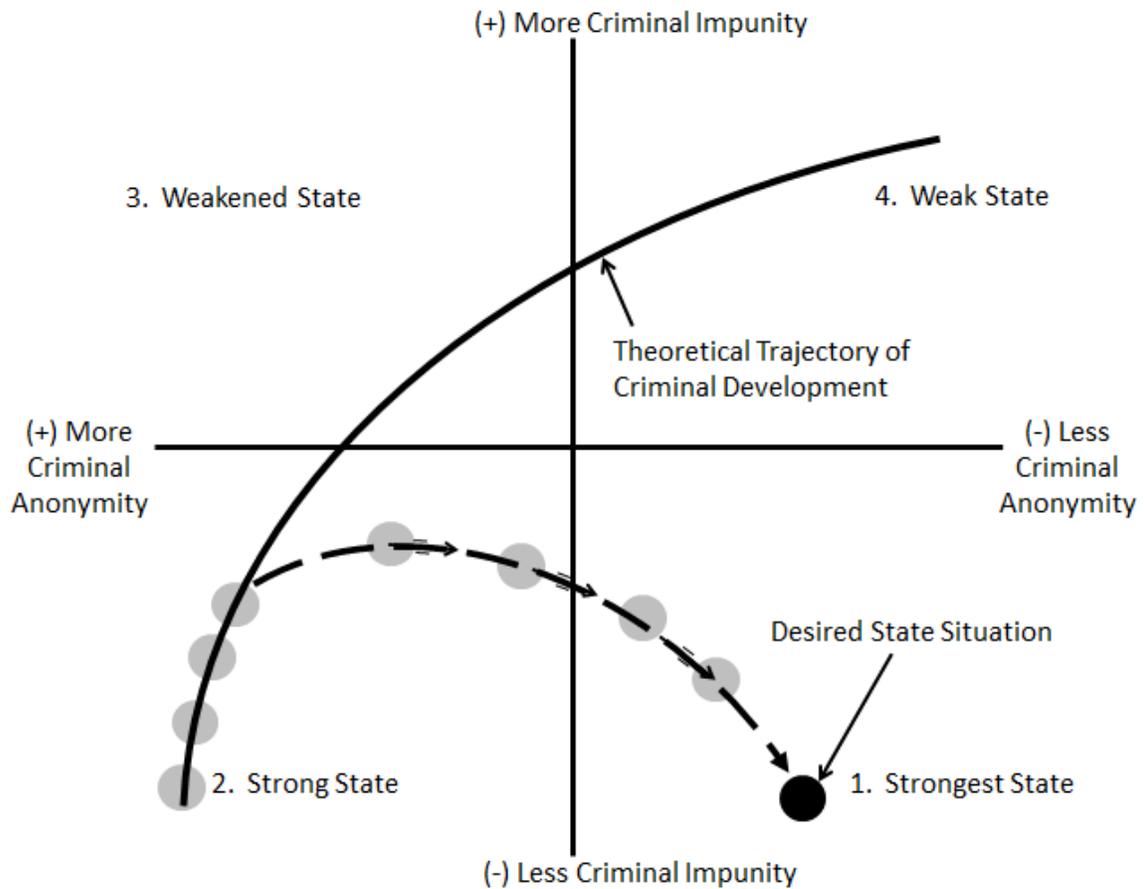


Figure 17. LEA Desired State

Source: Created by author.

Problem Frame

After developing a contextual understanding of the operational environment, operational design proceeds to problem framing to focus development of a broad, conceptual operational approach. Considering its authorities, stakeholder strategic guidance and the critical capabilities required to exploit threat critical vulnerabilities, the TxJCDF problem statement reads as follows: To identify, organize, integrate and synchronize Texas National Guard capabilities to help reduce criminal anonymity in

support of investigations which diminish criminal impunity through the arrest and prosecution of key TCO actors and enablers.

Operational Approach

Operational design concludes with the development of a broad, conceptual strategy—an operational approach—that will accomplish organizational end state objectives and achieve the desired end state conditions. The operational approach can be described through lines of effort, the COG-CFA and with the broad doctrinal defeat mechanisms. Given the environmental and problem frame of the TxJCDF, the two broad lines of effort emerge: support to investigation and support to interdiction. Of these two, support to investigative LEA constitutes the line of effort that most directly relates to the decisive end state of dismantling Mexican TCOs (figure 18).

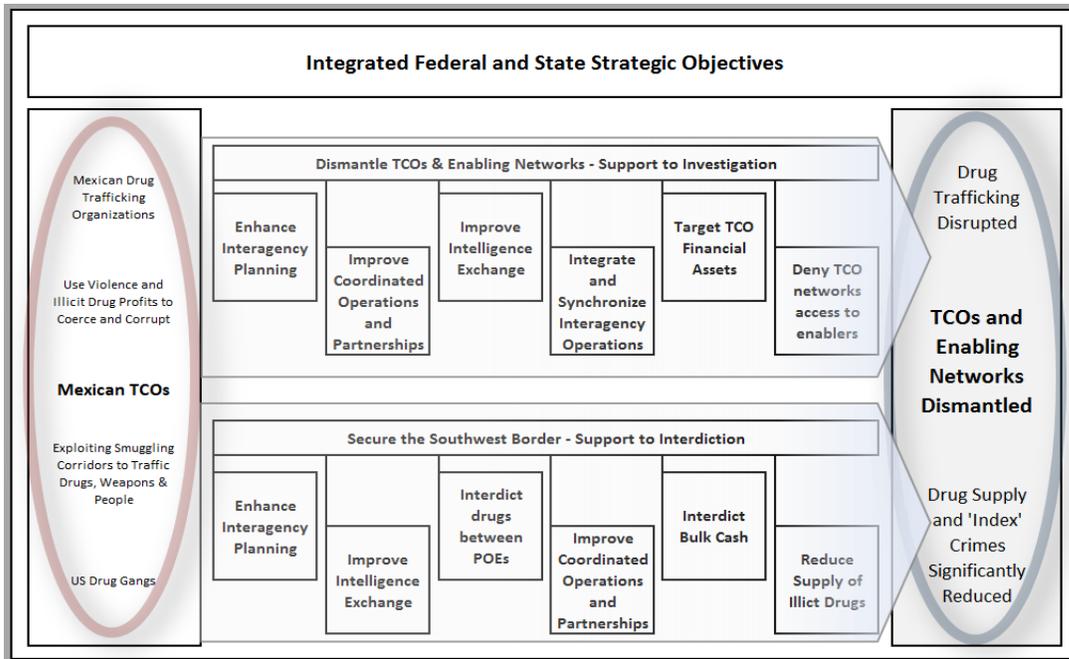


Figure 18. Integrated Federal and State Strategic Objectives

Source: Created by author.

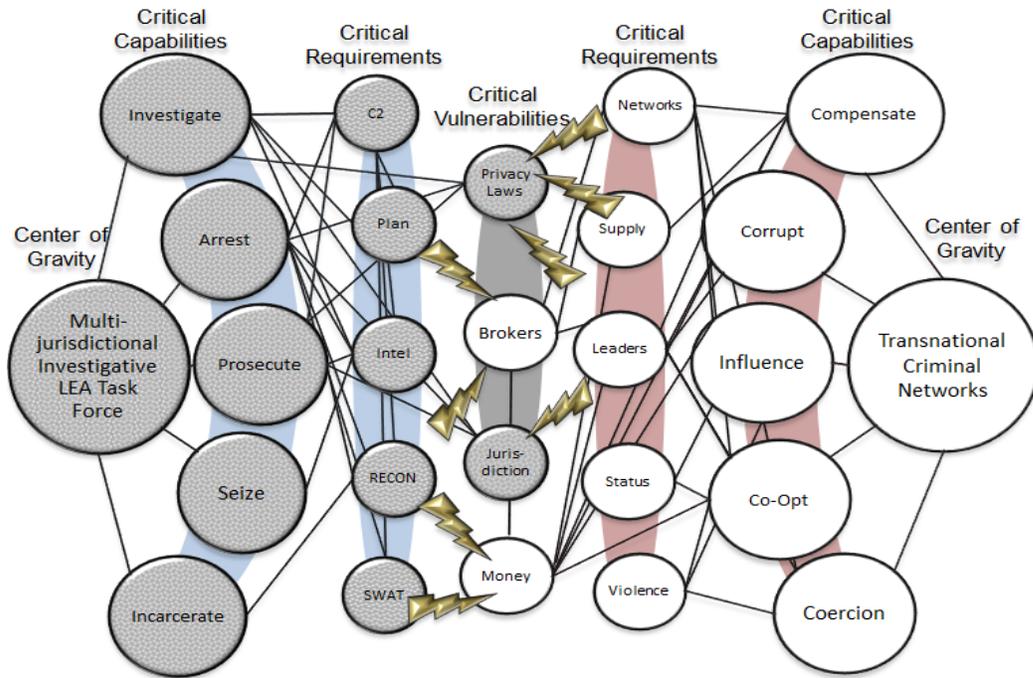


Figure 19. COG Critical Factor Analysis

Source: Created by author.

COG-CFA analysis indicates that wholesale brokers and financial experts constitute critical vulnerabilities within the frame of TxJCDDTF operations. TxJCDDTF critical capabilities that leverage the exploitation of these threat vulnerabilities include its core competencies of planning, command and control—specifically integration and synchronization of surveillance and reconnaissance assets and targeting expertise—as well as intelligence analysis. The defeat mechanisms of isolation and disintegration best support the COG-CFA analysis. By isolating TCOs wholesale networks from their enabling retail networks and targeting financial specialists, the TxJCDDTF can disintegrate the wider wholesale network. By applying its critical capabilities to achieve the combined

effects of isolation and disintegration, the TxJCDF can best support the strategic objective of dismantling Mexican TCOs and their enabling networks.

¹Office of National Drug Control Policy, *National Drug Control Strategy*, 1-3.

²Steven T. Brackin, professional experience as the commander for the ground reconnaissance section of the TxJCDF, July 2008 to October 2010.

³Steven T. Brackin, professional experience.

⁴Dr. Joseph Strange, "Understanding Centers of Gravity and Critical Vulnerabilities, Part 1," Air War College, United States Air Force, <http://www.au.af.mil/au/awc/awcgate/usmc/cog1.pdf> (accessed 21 October 2010).

⁵Joint Staff, Joint Publication 3-07.4, chapter IV.

⁶*Ibid.*, I-9.

⁷Joint Staff, Joint Publication 3-07.4, III-4.

⁸National Guard Bureau, National Guard Regulation (NGR) 500-2, *Counterdrug Support Program* (Arlington: National Guard Bureau, 2008), Chapter 2.

⁹U.S. Congress, "32 USC 112," Department of Defense, <http://policy.defense.gov/hdasa/references/refdocs/32%20USC%20112.pdf> (accessed 2 February 2012).

¹⁰Office of National Drug Control Policy, *National Drug Control Strategy*, 63.

¹¹Colonel Dale C. Eikmeier, "A Logical Method for Center-of-Gravity Analysis," *Military Review* (2007): 62-66; Dr. Joseph Strange, "Understanding Centers of Gravity and Critical Vulnerabilities, Part 1."

CHAPTER 5

Strategy without tactics is the slowest route to victory. Tactics without strategy is the noise before defeat.

—Sun Tzu, *The Art of War*

The intended purpose of this study is to analyze the current TxJCDF strategy to support law enforcement under 32 USC 112, identify gaps in support, and propose a new conceptual approach that will bridge those gaps and better support national and state-level strategic objectives. To accomplish this purpose, this study employed the methodology of operational design to establish a contextual understanding of the TxJCDF operational environment, clearly articulate the organizational problem and develop a broad operational approach that addresses the framed problem.

In the analysis of the environmental frame, two significant changes were found to have occurred: Mexican TCOs have emerged as a significant threat to U.S. interests; and the U.S. has developed successful strategies and tactics to confront clandestine, networked threats like the one posed by Mexican TCOs. Notwithstanding significant evolution in the operational environment however, the TxJCDF operational approach has remained unchanged. Analyzing the operational environment in accordance with the methodology of operational design, this study concluded that the current TxJCDF concept of 32 USC 112 support to law enforcement is inadequate and requires reframing.

This study now concludes with specific recommendations to implement the conceptual approach developed through the methodology of operational design. These recommendations are intended to assist in the development of future campaign planning guidance for the TxJCDF as well as other Southwest border 32 USC 112 Counterdrug

Support Programs. To properly address the problem frame and implement the broad operational approach identified to maximize support to law enforcement, the TxJCDF must identify strategic end state conditions and objectives from which true measure of effectiveness can be developed, prioritize its support to law enforcement in accordance with these objectives, and implement its support through a new organizational structure that synergizes National Guard critical capabilities.

Clearly State Reframed Strategic Objectives

The first priority in establishing strategy is to identify clear objectives. To support effective evaluation framework—a necessary tool for organizational decision making—strategic objectives must be articulated as quantifiable conditions. Following national and state strategic guidance, the TxJCDF must identify strategic objectives that are broader and more substantive than the measures of inputs and outputs than it currently utilizes. Framing national and state strategic guidance within the authorities and capabilities of 32 USC 112 and the Texas National Guard, the TxJCDF should consider the following strategic end state: “To support Law Enforcement investigations that dismantle Mexican Transnational Criminal Organizations and their network of enablers to reduce the supply of drugs within Texas and protect affected communities throughout the state.”

From this strategic end state, TxJCDF planners can develop specific end state conditions that support an evaluation framework with true measures of effectiveness that can be used to determine the success of the organization’s policies and operational approach. These end state conditions would include indicators from which decision makers could determine whether or not—and the degree to which—targeted TCO networks are disrupted or dismantled and the supply of illicit drugs within its geographic area of

operation reduced. In contrast to existing TxJCDF measures of success that serve a “rearview mirror” function, these indicators will help guide future operations, policies and resources to accomplish strategic objectives.

Guided by the problem statement developed through framing of the TxJCDF environmental frame, three strategic goals support the end state articulated above within an operational framework of sustaining, decisive and shaping operations. These strategic goals—identifying and reorganizing critical capabilities to maximize support to law enforcement, prioritizing support to LEA investigations that dismantle Mexican TCOs, and contributing to security of the Southwest border—constitute the three conceptual lines of effort that should serve to organize a reframed TxJCDF operational approach (figure 20).

Entity	Policy	Purpose
Texas Joint Counterdrug Task Force	Texas 'State Counterdrug Support Plan'	<i>"Support Law Enforcement investigations that dismantle Transnational Criminal Organizations to reduce the supply of drugs and protect communities"</i>
Strategic Goals	Supporting Objectives	
Identify, Organize and Enhance Internal Capabilities to Maximize Support LEA	Identify and organize critical capabilities to achieve synergistic effects that enhance law enforcement operations to dismantle TCOs and enabling networks	
	Work with key stakeholders to develop and implement a reframed operational approach that consolidates and unifies the efforts of the Texas 32 USC 112 Task Force	
Support Law Enforcement Investigations to Dismantle TCOs	Prioritize TxJCDF support to state-led multijurisdictional investigations to dismantle TCOs	
	Prioritize TxJCDF support to investigations that target TCO finance operations and isolate them from their networks of retail distribution enablers	
	Prioritize TxJCDF support to investigations that are geographically and threat-organization focused in order accomplish strategic measures of effectiveness	
Prevent TCOs from Exploiting Texas' International Border	Plan, coordinate and monitor the integration of Texas Army National Guard critical capabilities to support Texas and National Homeland Security strategies	
	Plan and coordinate the integration of National Guard border security support operations into broader TxJCDF investigative support operations to achieve synergistic effects	

Figure 20. Recommended TxJCDF Strategy

Source: Created by author.

Restructuring Organizational Support to Law Enforcement

The first line of effort, a sustaining operation that corresponds with the AtN concept “build the friendly network,” focuses on internal organizational restructuring to support the reframed strategic end state. A critical decision point within this strategic goal is to identify and organize critical National Guard capabilities to achieve synergistic effects that enhance law enforcement operations to dismantle TCOs and their enabling networks. Based on national and state-level strategic guidance as well as the COG-CFA conducted previously, Texas National Guard capabilities that are critical to supporting LEA operations to dismantle TCOs include targeting, planning, command and control as well as surveillance and intelligence analysis (figure 21). While TxJCDF provides individual augmentees to LEAs that provide intelligence analysis support as well as limited ground and aerial surveillance, it does not provide planning, command and control or targeting support.

As evidenced by its inclusion within the AtN methodology, the targeting process of F3EAD has proven critical to U.S. efforts to reveal, attack and defeat clandestine networked threat organizations. The Texas Army National Guard (TxARNG) has developed expertise in this critical capability over the course of the last decade through unit deployments in support of operations in Iraq and Afghanistan. Most recently, the 36th Infantry Division of the TxARNG deployed to Iraq as the United States Division-South where it provided oversight and coordination of the targeting efforts of three brigades operating from southern Baghdad to the borders with Kuwait, Iran and Saudi Arabia in the south. This critical capability should be leveraged by the TxJCDF to support law enforcement.

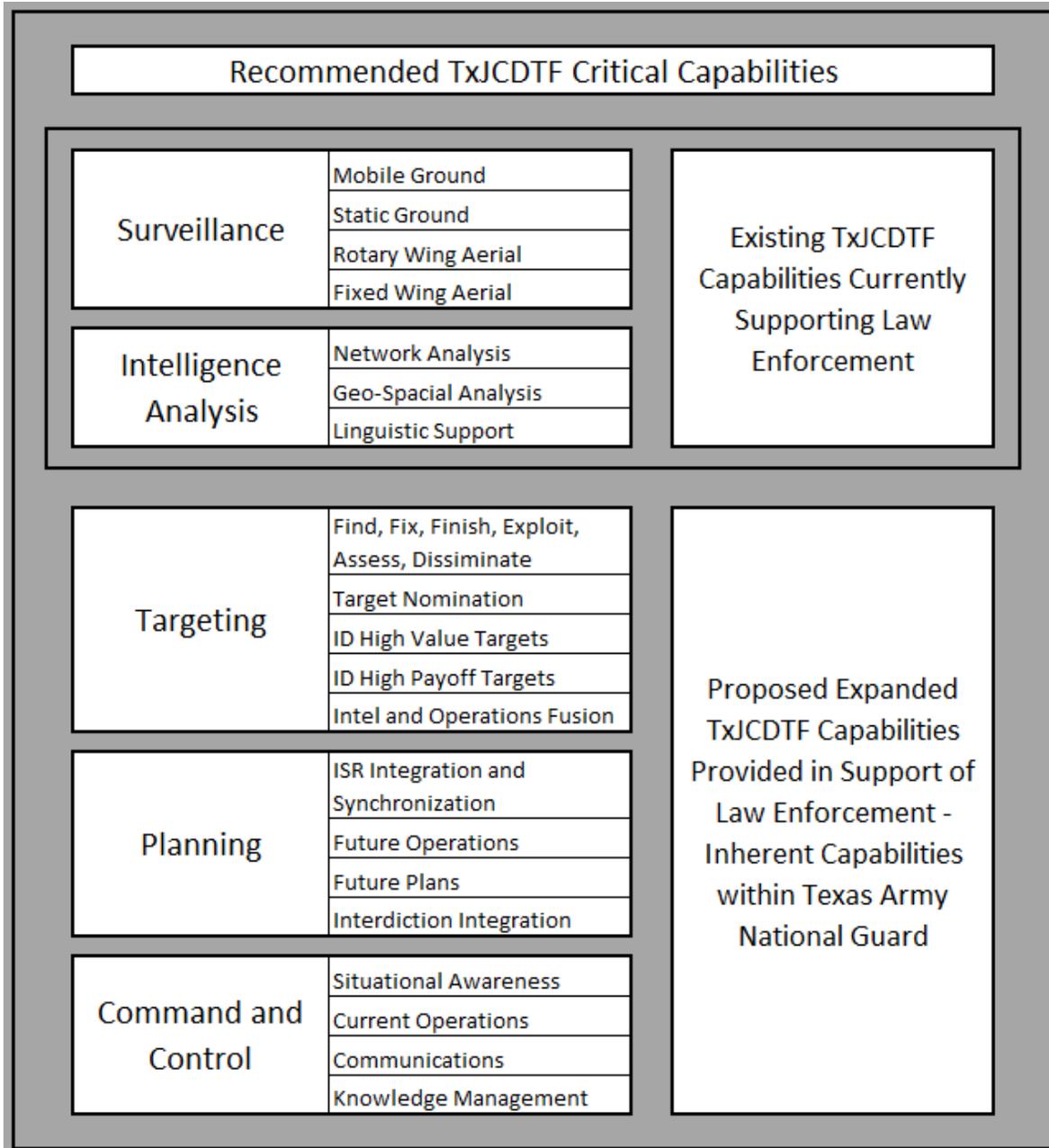


Figure 21. Recommended TxJCDF Capabilities

Source: Created by author.

Through required professional education and experience gained in overseas Title 10 deployments, Texas National Guard officers and noncommissioned officers possess

unique planning skills that also constitute a critical capability. These skills include the application of conceptual as well as detailed planning methodologies that are critical to developing integrated and synchronized courses of action that best leverage limited resources to achieve strategic objectives. While many law enforcement personnel have extensive experience in planning gained through on-the-job training, they often lack the comprehensive understanding of planning methodologies gained through mid-career professional education and development from which their TxJCDF counterparts benefit.

In addition to targeting and planning capabilities, the function of command and control constitutes another important capability inherent to the Texas National Guard that can be leveraged by the TxJCDF to better support law enforcement. In addition to the experience gained by the 36th Infantry Division in Iraq, every National Guard unit that deploys in support of Title 10 contingency operations must maintain situational awareness of its forces through the course of its operations. Through the combined activities of a tactical operations center, units maintain continuous communication with their various elements, accounting for their location, personnel, equipment and mission status. This command and control function is critical to ensuring tactical tasks are accomplished according to standard.

While these functions constitute valuable critical capabilities that can and should be leveraged to support law enforcement investigations targeting Mexican TCOs, when applied separately their value is limited. However, when these critical capabilities are combined and collectively employed in accordance with the doctrinal operations process through the unified action of a single organization pursuing a focused mission, the effects are synergistic. To achieve these synergistic effects, this study recommends a

fundamental restructuring of TxJCDF operations that combines the critical capabilities of planning, targeting, command and control as well as intelligence analysis and surveillance to provide exclusive support to a multijurisdictional law enforcement task force led by the Texas Department of Public Safety (DPS).

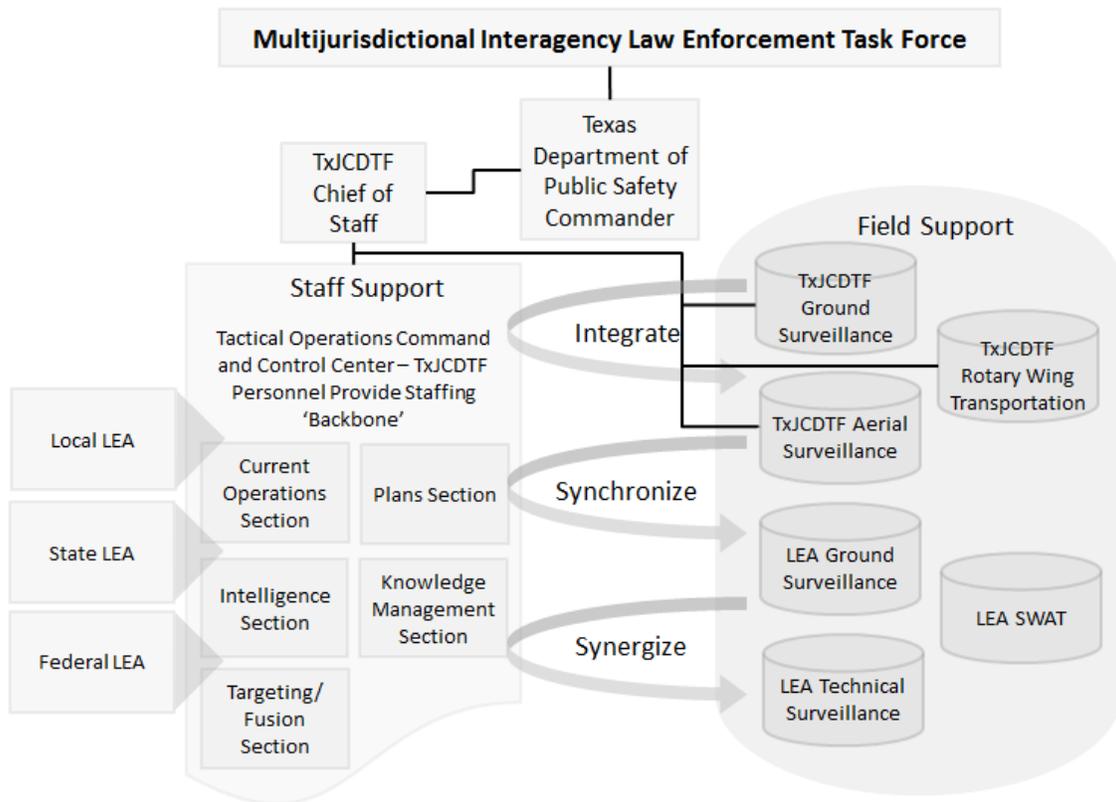


Figure 22. Multijurisdictional Interagency Law Enforcement Task Force

Source: Created by author.

Working through key stakeholders to quantitatively establish geographic and TCO-focused objectives, the TxJCDF would provide the core staff of this multijurisdictional interagency law enforcement task force. This staff, led by a TxJCDF

Chief of Staff would advise and assist the Commander—a commissioned law enforcement officer—by supervising integrated and synchronized planning, targeting, analysis and command and control of surveillance resources to investigate, arrest and prosecute Mexican TCOs and their enabling networks. The TxJCDF staff would be capable of supporting twenty-four/seven operations to facilitate situational awareness and command and control of large and sophisticated investigations. In accordance with the authorities and requirements of 32 USC 112, the TxJCDF chief of staff would maintain tactical control of all TxJCDF surveillance elements to provide agile and responsive support to task force investigations (figure 22).

Prioritizing Support to Law Enforcement

With critical capabilities identified, integrated and synchronized to provide synergistic effects, the TxJCDF should work with key stakeholders to prioritize its support to law enforcement. As evidenced by the environmental frame and articulated within the TxJCDF problem statement, law enforcement investigations are decisive to dismantling Mexican TCOs and their enabling networks. Deliberate, focused law enforcement investigations are critical to reducing the anonymity of clandestine networks which in turn supports the arrest, prosecution and conviction of key criminal actors. Through its unique critical capabilities and 32 USC 112 authorities, the TxJCDF can provide long-term, continuous support sophisticated law enforcement investigations that no other DoD element can provide. The TxJCDF should therefore prioritize its support to law enforcement investigations as the decisive effort and support law enforcement interdiction as a supporting effort.

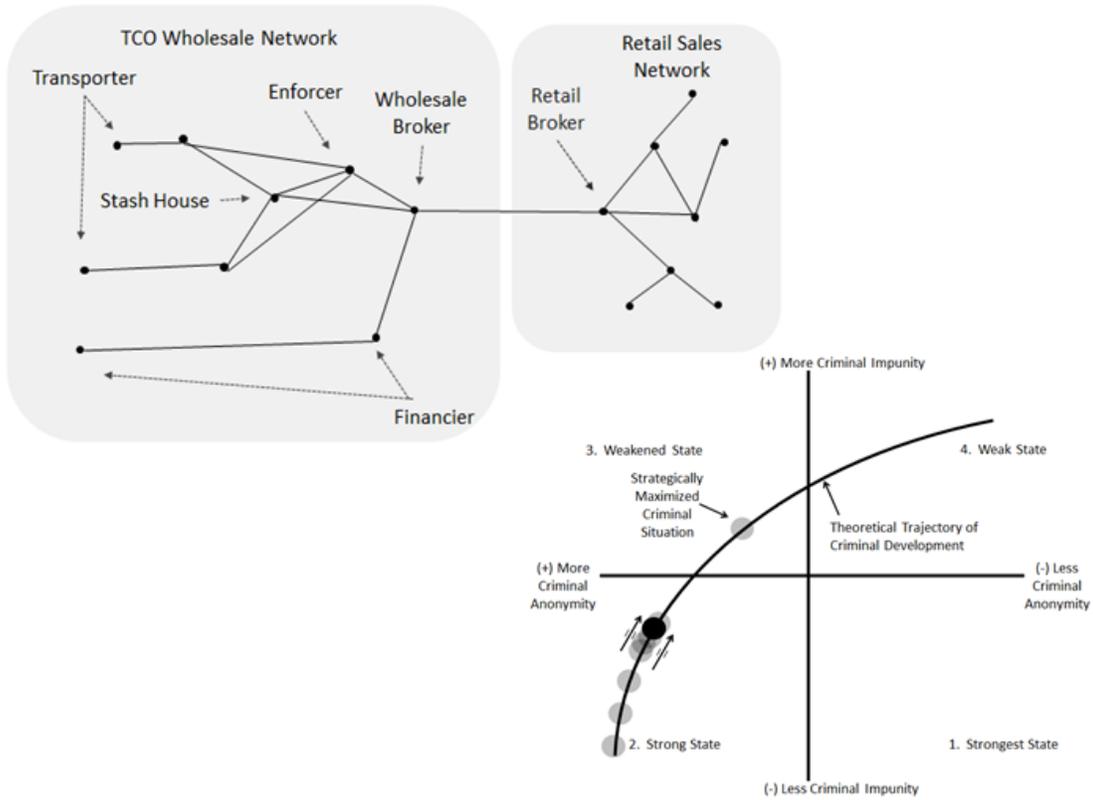


Figure 23. Generic TCO-Gang Enabler Nexus

Source: Created by author.

Within this line of effort to support law enforcement investigations, the TxJCDF should work with the DPS-led multijurisdictional interagency task force to prioritize support to operations that implement the defeat mechanisms of disintegration and isolation to disrupt and dismantle Mexican TCOs and their enabling networks. Given the context of the domestic law enforcement environmental frame, law enforcement in Texas is generally limited to an indirect approach that attacks Mexican TCO critical vulnerabilities. The most significant impact that domestic law enforcement can contribute to the larger whole-of-government effort to dismantle Mexican TCOs is to target their

key financial actors as well as the brokers that connect the TCO wholesale network to its enabling retail networks (figure 23). With the critical planning and targeting capabilities of the TxJCDF working through the unified efforts of a multijurisdictional interagency law enforcement task force, an overall strategy and tactical plan can be developed (figure 24).

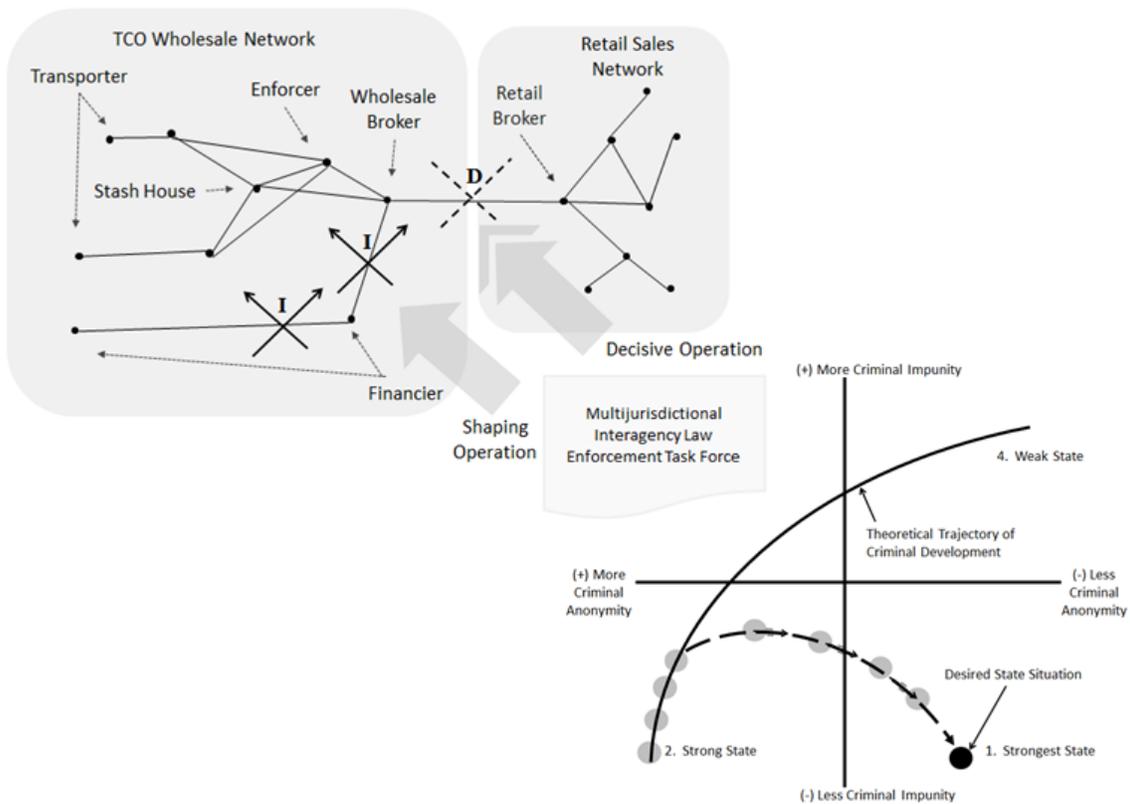


Figure 24. Generic TCO-Gang Enabler Nexus

Source: Created by author.

To ensure that TxJCDF supported investigations achieve and sustain initiative, they must be focused in time and physical space. In doing so, the critical capabilities of

the multijurisdictional interagency law enforcement task force can be deployed in depth and phased in time to extend its operational reach and accomplish measurable results. Prioritized law enforcement investigations bounded within specified geographic space and focused on precisely defined organizations mitigates the potential for diffusion of resources that risk early culmination of law enforcement task force operations. With its expertise in planning and command and control, the TxJCDF can contribute to focused, unified law enforcement investigations.

Given the strategic guidance of its key stakeholders and the broader capabilities of the Texas National Guard, the TxJCDF should prioritize as a shaping effort support to security of the Southwest border. To accomplish this objective, the TxJCDF can leverage its knowledge of the operational environment to include the physical terrain, key law enforcement clients as well as its understanding of Texas National Guard capabilities to plan, coordinate and facilitate Title 32 support to state and national interdiction operations along the border. Working through the J3 and G3, the TxJCDF can establish an annual conference that synchronizes unit training requirements with U.S. Customs and Border Protection and Texas DPS requests for support. With knowledge of broader whole-of-government efforts to target and dismantle TCOs in Texas, the TxJCDF could plan and coordinate the employment of these forces in support of larger law enforcement operations. In this way, Texas National Guard units achieve their training requirements while supporting ongoing law enforcement operations.

In summary, the TxJCDF environmental frame has significantly evolved. With Mexican TCOs now dominating both the smuggling and distribution of illicit drugs throughout the U.S., the TxJCDF has an even more important role to play supporting

law enforcement counterdrug operations. To maximize this support, the TxJCDF must reflect on the changes in the operational environment and adapt its capabilities and operational approach. This study leverages the doctrinal methodology of operational design to propose an operational approach that prioritizes critical capabilities and support efforts, identifies defeat mechanisms, and proposes a framework for organizational restructuring that integrates critical capabilities to achieve synergistic effects.

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