

## **Black, Green, Gold and Too Much Red: Jamaica's Struggle with Gang Violence**

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The heinous execution-style murder of 2-year-old Demario Whyte in downtown Kingston on August 23—along with unleashing a wave of fear, anger, and sorrow across the community—has highlighted the urgent need for a solution to Jamaica's epidemic of rampant gang violence. Authorities believe the child's murder was part of a gang feud possibly involving his father, who was also shot during the incident but survived.<sup>i</sup> Eighty percent of all illicit activity in Jamaica is connected to criminal gangs, of which nearly 300 exist island-wide.<sup>ii</sup>

Jamaica has struggled with gang violence for decades. Successive governments—including, so far, that of current Prime Minister Andrew Holness—have emphasized the use of punitive measures such as curfews and military deployment to stem the tide of violence. All have had only limited successes. While law enforcement is no doubt a necessary component in the fight against gang violence, Jamaican authorities must place significantly more focus than they have on social development programs in inner-city communities, and on building stronger relationships with the law-abiding majorities in these places who too often feel neglected and mistreated by the state.

### **Murder in Paradise**

As a nation, Jamaica has the world's sixth-highest intentional homicide rate—double that of Mexico and nearly ten times the U.S. rate.<sup>iii</sup> After an 11-year low of little over one thousand in 2014, its number of murders shot up in 2015, reaching a five-year high of nearly 1,200.<sup>iv</sup> The upward trend has continued, with the murder rate in the first six months of 2016 some 2.4 percent higher than in the first half of last year.<sup>v</sup> In terms of the proportion of the country's population being killed, Jamaica is suffering the equivalent of a 9/11 terrorist attack every week.<sup>vi</sup>

This summer saw a wave of violence primarily across the western half of the island, a wave which has yet to dissipate. There have been shootouts between police and gang members, including in the major cities of Kingston and Montego Bay, and close to 900 people have been killed so far this year.<sup>vii</sup> The violence resulted in calls for a state of emergency to be declared in Western Jamaica, but authorities decided against this course of action.<sup>viii</sup>

The recent upsurge in murders has been attributed to conflicts between gangs over money and "lead lists."<sup>ix</sup> They contain names and phone numbers of individuals

living abroad, potential targets for lottery scams which have become a financial windfall for criminal gangs. Scam victims are told they have won cash or prizes through a lottery but can only receive their winnings provided they wire certain "taxes" or "fees" upfront. These scams yield their perpetrators an estimated \$300 million USD a year.<sup>x</sup>

### **“Our Response Will Be Tougher”**

“Times are tough, the criminals are tough, but our response will be tougher,” said National Security Minister Robert Montague in a speech before Parliament in July.<sup>xi</sup> In order to stem the tide of violence, he said, the government plans to increase police presence in high-crime areas, promote the installation of security cameras in high-crime communities, procure more vehicles for law enforcement, and encourage citizens to record any crimes they witness with their cell phones.<sup>xii</sup> In an interview with the *Jamaica Gleaner*, Montague announced his intention to revisit the use of curfews in crime-ridden areas—a practice whose use was drastically reduced by his predecessor—as well as a commitment by the current administration to provide law enforcement with whatever crime-fighting tools they request.<sup>xiii</sup>

The administration has also announced plans to reform the criminal justice system. Attorney General Marlene Malahoo Forte told Parliament in July that to effectively fight crime the government planned “radical changes” to the criminal justice system under which some “fundamental rights and freedoms” constitutionally guaranteed to Jamaicans might need to be “abrogated, abridged or infringed.”<sup>xiv</sup> Some proposed reforms include the abolition of juries in murder cases, and a denial of bail to murder suspects.<sup>xv</sup>

The Jamaican Bar Association (JamBar) criticized the proposed measures, calling them “of great concern.” JamBar argues that while it understands the government’s need to address the murder wave, many similarly tough anti-crime measures implemented by previous governments “unjustifiably abrogated the rights of Jamaicans, including accused persons.”<sup>xvi</sup> Malahoo Forte, on the other hand, says evidence has shown the government that the proposed measures are “demonstrably justified.”<sup>xvii</sup> Prime Minister Holness has also countered that the rights of murder victims, their families, and law abiding citizens to safety and justice must also be considered.<sup>xviii</sup>

### **A Punitive Paradigm**

JamBar noted in a statement on the government’s proposed reforms that anti-crime measures focused solely on bolstering law enforcement are “failing to achieve the desired results.” The association insists the government “must pursue a much broader approach to fighting crime by making greater efforts at social intervention.”<sup>xix</sup>

The bar is correct in its assessment of the government's proposed measures, all of which emphasize the introduction of more punitive policies. While they might stem the current murder wave, they at best will only provide a short-term reprieve, and could cause more problems in the near future. The reason is that the underlying social problems, which have perpetuated gang violence and encumbered tough anti-crime policies in the past, remain largely unaddressed.

## **“We’s Her Police”**

Distrust of the police and somewhat favorable attitudes towards the gangs in the inner-cities are some such underlying social problems. According to a 2014 report by the UK-based Overseas Development Institute (ODI), residents in many inner-city communities see the gangs not as criminals, but as “legitimate providers of security.”<sup>xx</sup> A poll of inner-city residents taken in 2009 found that 43 percent share this point of view, believing that their community’s “don,” or gang leader, “keeps order.”<sup>xxi</sup>

While the gangs sometimes enjoy a high degree of support from the communities in which they operate, authorities cannot always say the same. There is strong sentiment among many in Jamaica’s inner-cities—including among those who do not view the gangs positively—that the police are ineffective at protecting or helping people, and are excessively violent with innocent civilians.<sup>xxii</sup>

Amnesty International and other human rights groups have accused Jamaican police of torturing suspects and witnesses, harassing the families of suspected criminals, arbitrary detentions, and “cruel, inhuman and degrading treatment” of suspects held in police lock-ups.<sup>xxiii</sup> Instances of police brutality however, have sharply declined since Jamaica established an independent, civilian-run complaints investigation commission in 2010.<sup>xxiv</sup>

Distrust between police and inner-city residents has had serious ramifications in terms of the ability of authorities to engage residents in investigations. Police can make arrests in only 45 percent of murder cases annually, largely as a result of residents’ unwillingness to cooperate with authorities, either out of fear for their safety or distrust of the police.<sup>xxv</sup> In a 2013 interview in the National Geographic documentary series *Drugs Inc.*, one Kingston gang member boasted “[even] the oldest lady in the community, she don’t work with police ... we’s her police.”<sup>xxvi</sup> Cooperation between the police and inner-city residents is key in bringing murderers to justice. Unless the relationship between the two sides is improved, any reforms to the penal system can yield only limited benefits.

## **Punitive to Positive**

Jamaica has taken steps towards bettering police-community relations. In 2006, the Community Security and Safety Branch (CSSB) of the Jamaica Constabulary Force (JCF) was established. CSSB officers engage with community residents by attending local events such as church services, performing foot patrols as opposed to vehicle patrols, and making regular visits to schools.<sup>xxvii</sup>

However, as the Overseas Development Institute reports, these new policing strategies have had a negligible impact. This has been attributed to the failure of the JCF to accept community policing—which promotes partnerships between law enforcement and communities as the key to fighting crime—as a “force-wide philosophy.” Community policing tactics are utilized almost exclusively by CSSB officers, and neither the behavior nor the “dominant culture” of the police force at large has changed.<sup>xxviii</sup> Inner-city residents largely view CSSB efforts as a disingenuous “community relations spin.”<sup>xxix</sup>

For the community engagement approach to policing in Jamaica to be effective, all levels of law enforcement need to prioritize the construction of strong relationships with the law-abiding majorities in the inner-cities, as much as they do the use of force against criminals.

### **Community Policing Successes**

Many police departments in the United States and elsewhere have employed community policing strategies in problem communities to good effect. They have bettered police-community relations while contributing to significant reductions in crime. Some of these approaches may prove successful in Jamaican communities.

The Jacksonville, Florida police department, also facing strong resentment within the community, tackled the problem first by asking residents to evaluate the quality of police service and reforming its practices based on responses.<sup>xxx</sup> In the Bahamas, police partnered with local churches, residents, businesses, and reformed gang members to create a community task force, which patrolled the streets 24 hours a day. This strategy left criminals with little time or space in which to operate.<sup>xxxii</sup> A similar task force in West Perrine, near Miami, Florida, established a community hotline, conducted interventions for troubled residents, and documented families' needs. Within a year, violent crime in the neighborhood decreased by one-third.<sup>xxxiii</sup>

### **“We Nah Turn Them Down”**

Though effective, community policing is no cure-all to Jamaica's murder epidemic. Even a democratically elected government must earn the trust and respect of its citizens, and in many of Jamaica's inner-city communities, the country's government enjoys neither—but gangs sometimes do. With one in five Jamaicans living in poverty and more than 30 percent of youth unemployed, many on the island are struggling and feel that the government has failed to address their needs.<sup>xxxiii</sup> Some in inner cities turn to the gangs for aid, and, as a Kingston gang member told *Drugs Inc.*, when they do “we nah turn them down.”<sup>xxxiv</sup>

Fifty-four percent of inner-city residents responding to a 2008 poll reported that local “dons” provided social welfare services. These have included the provision of money for school tuition, school supplies for children, food, community festivities, and in some cases even housing.<sup>xxxv</sup>

On the other hand, as the Small Arms Survey (SAS)—a Swiss-based think tank which studies armed violence—reports “the state is often absent” in the inner cities.<sup>xxxvi</sup> Police enter only to conduct operations against the gangs, sanitation services are sporadic, and political representatives intervene only during election campaigns.<sup>xxxvii</sup>

In fact, the same gang member who told *Drugs Inc.* that gangs do not deny community requests for aid, added that residents often go first to their political representatives for help but receive none.<sup>xxxviii</sup> In many inner-city communities, the gangs have effectively usurped the place of the state.

## **The Politics of Neglect**

Over the past decade, the Jamaican government has introduced programs to increase its presence in the inner cities, reduce crime, and provide for residents in need. The Peace Management Initiative, the Community Security Initiative, and the Jamaica Social Investment Fund have been established and funded through partnerships between the government, the private sector, foreign governments, and international aid organizations.<sup>xxxix</sup> Ultimately, SAS reports, these programs have had little national impact.<sup>xl</sup> Their failures been attributed to a lack of coordination between them, insufficient monitoring, improper evaluation of program results, and some politicians' unwillingness to participate.<sup>xli</sup>

Politicians who depend on community "dons" to garner votes and local support for them or their party are often reluctant to push the implementation of programs and policies which may endanger this arrangement.<sup>xlii</sup> While outright collusion between the gangs and political figures has much diminished over the past decades as gangs turn to drugs and lottery scams as sources of income, and groups with differing agendas have formed or splintered off from politically-aligned gangs, it remains a problem.

The main problem for social development in the inner city is not a lack of state programs—there are many—but rather a lack of proper commitment and evaluation. Program efficacy should be determined by if and how the lives of inner-city residents have improved, and whether their dependency on the gangs has fallen. Currently, efficacy among development programs is sometimes determined just by how many people attended sponsored workshops.<sup>xliii</sup>

There also needs to be a change in the culture of governance in Jamaica. Decisive legal action must be taken against politicians who collude with organized crime, just as in Bosnia and Italy, for example, which are also dealing with connections between politicians and organized crime.<sup>xliv</sup> Furthermore, political representatives must be consistently attentive to their constituents' needs, and to the best of their ability provide for those who come to them in need. Community engagement and development programs must be vigorously executed in order to lay the foundations for lasting social and economic development. Only through this kind of diligence can the influence of the gangs be permanently eroded in the inner-cities, as any usefulness of theirs to the law-abiding majority dwindles.

## **A Preventive War**

Another hindrance to the effectiveness of Jamaica's social intervention programs has been difficulty in engaging young men, the group most at risk for involvement in criminal activity.<sup>xlv</sup> A government study revealed that actual income-generating activities as well as sports and popular music events are the most effective in appealing to young men, but state programs rarely involve these.<sup>xlvi</sup> According to SAS, women receive most of the education and skills training provided by state programs. Meanwhile, gangs appeal quite successfully to young men in the inner-cities. Gang leaders not only engage young men, but sometimes act as a "substitute parent" to them, thus endearing them to gang values and the criminal lifestyle.<sup>xlvii</sup>



Not only must social programs better appeal to young men in the inner city, they also work to stop the cradle-to-gang pipeline at its beginning by engaging as much as possible with at-risk children from their early years. Many of the risk factors for future gang involvement are identifiable in young children. According to the U.S Department of Justice (DOJ), aggression and disruptive behavior, learning impairments, poor self-esteem and victimization, especially in young boys from poor socio-economic backgrounds, can lead to gang involvement in the future.<sup>xlvi</sup>

These problems can be successfully addressed in early childhood. For example, the Montreal Preventive Treatment Program succeeded in reducing delinquency and gang involvement among teenagers in the city by engaging boys from poor families who displayed disruptive behavior in school between ages 7 and 9. The children were taught self-control and proper behavior, while training was offered to parents on how to monitor their children's conduct, give positive reinforcement for good behavior, use punishment effectively, and properly manage family crises.<sup>xlix</sup>

For older children, the DOJ has identified community-based initiatives such as "manhood development" programs which connect young men with positive adult role models and mentors, the establishment of neighborhood youth recreation centers, and outreach efforts to youth involving former gang members as effective strategies in impeding gang recruitment.<sup>1</sup> These initiatives can be carried out by way of partnerships between law enforcement, local clergy, volunteers, and small business owners.

For pre-teens and teens already displaying tendencies towards criminal behavior, Singapore's family law may offer a solution. Parents with children under 16 who feel that their children are out of control and may become criminals may petition the court for a "Beyond Parental Control Order." Before the application is granted, a social worker will be assigned to assess and attempt to resolve the problem without further state intervention. If intervention is deemed necessary, the court will require parents and children to undergo counseling, and children will be supervised by a welfare officer provided by the state or another organization or, in severe instances, sent to reform school.<sup>li</sup> For actual juvenile offenders, emphasis is placed on counseling and rehabilitation, as opposed to incarceration.<sup>lii</sup>

## **Conclusion**

Like weeds in a garden, gangs in Jamaica continue to mar a beautiful and culturally rich nation. The government continues to fight them, with overwhelming emphasis on the use of force. However, they will persist as long their roots remain entangled so deeply within the communities they infest. What is needed in Jamaica is a concerted, multi-faceted, bi-partisan approach, not only to fight the gangs militarily, but to engage and uplift the crime-ridden communities. This can be accomplished by improving police relations through a force-wide shift towards community policing, addressing the needs of struggling inner-city residents, and working to turn young men away from the allure of gang life from their earliest years.

The problem in Jamaica is not that officials do not understand these things or know how to do them, rather that the necessary amount of commitment has not yet been put in. There are communities in Jamaica where it is no exaggeration to say the

streets have run with blood. They will again, and more so unless there is a major shift in how Jamaica conducts its war on gangs.

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