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Drug Violence and Public (In)Security:  
Mexico's Federal Police and Human Rights Abuse

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By  
Dominic Joseph Pera  
International Relations

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## ***Introduction***

Recent media reports have been filled with violent and tragic situations in Mexico that cover stories about the police, gangs, drug cartels, and their involvement in crimes like mass murders and disappearances. Stories involving Mexico's Federal Police and the killing of unarmed civilians have gained publicity and caused international outcry.<sup>1</sup> Numerous reports have covered disappearances, police abuses, gang confrontations, and drug-related violence that involve Mexican police, military, and government officials.<sup>2</sup> More specifically, police abuse and brutality is not new in Mexico, yet it seems to be part of a trend in which police brutality is seen by international media as almost commonplace.<sup>3</sup> Furthermore, Mexico's Federal Police, the most powerful public security force in Mexico, has been involved in the regular violations of human rights, including torture, arbitrary detention, and mental and physical abuse.<sup>4</sup>

This paper sets out to examine recent violence, crime, and public insecurity in Mexico while analyzing the potential causes of police and drug cartel violence that perpetuate crime and tragedy throughout the country. While the majority of this violence takes place at home in Mexico, drug trafficking organizations and organized crime syndicates threaten state sovereignty, border security, and human populations on both sides of the US-Mexico border. Mexico's current crime situation involves multiple actors and all aspects of government and society. This paper will analyze modern violence in Mexico and look into historical, institutional, and cultural explanations of why Mexico and its people may be in the situation that they find themselves today. This paper will not only show that a relationship exists between drug

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<sup>1</sup> Reuters, "Media Reports Say Mexican Police Were Involved in January Killings," *The New York Times*, April 19, 2015, <http://www.nytimes.com/reuters/2015/04/19/world/americas/19reuters-mexico-violence-massacre.html>.

<sup>2</sup> Ibid.

<sup>3</sup> "Las Ejecuciones de Apatzingán: Policías Federales, Los Autores," *Proceso*, accessed April 20, 2015, <http://www.proceso.com.mx/?p=401646>.

<sup>4</sup> Maureen Meyer, *Mexico's Police: Many Reforms, Little Progress* (Washington Office on Latin America, May 2014).

trafficking organizations and police brutality, but will use what has been written on this important subject to give a deeper analysis of current public insecurity and why police and drug cartels perpetuate public vulnerability and crime. An examination of modern police reform efforts, human rights abuses committed by the Federal Police, trends in drug violence, and qualitative and quantitative comparisons to multiple factors contributing to Mexico's dangerous situation will hopefully provide policy makers with an understanding that allows them to implement new agendas that can break the vicious cycle of drug violence, corruption, police brutality, and public insecurity.

### ***Violence, Impunity, and Human Rights: A Bleak Situation***

In Mexico, crime rates and criminal activity have risen dramatically since the early 2000s. Donnelly and Shirk show that violence in Mexico related to organized crime and drug trafficking has increased due to the breakdown of major cartels over the past decade.<sup>5</sup> Moreover, in 2009 Mexico was deemed by US analysts to be one of two countries worldwide that was most likely to suffer a collapse into a failed state due to increasing levels of violence and crime.<sup>6</sup> Luckily, the past decade has proven to be fruitful in democratic elections and institutional reforms, yet violence and crime still abound. Criminal activity in Mexico is not simply attributed to that of organized crime and drug trafficking; rather, the recent increase in violence represents a twofold increase of both common and organized crime.<sup>7</sup>

It is important to note the difference between common crime and organized crime. While overlap between the two concepts can exist in the form of low-level organized crime (including mugging, burglary, or prostitution-rings), a clear difference exists in which organized crime is

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<sup>5</sup> Robert Donnelly and David Shirk, "Introduction," in *Police and Public Security in Mexico* (University Readers, Inc., 2009).

<sup>6</sup> David Shirk, "Future Directions for Police and Public Security in Mexico," in *Police and Public Security in Mexico* (University Readers, Inc., 2009).

<sup>7</sup> Donnelly and Shirk, "Introduction."

defined by higher-level crime syndicates carrying out sophisticated large-scale operations that can include kidnapping and the smuggling of drugs, weapons, money, and human beings.<sup>8</sup> Common crime includes violent forms of robbery, homicide, assault, and rape that are carried out by individuals or small groups of criminals who are unaffiliated with larger crime organizations.<sup>9</sup> In recent years, there have been increased occurrences of kidnapping, drug trafficking, and arms trafficking along the US-Mexico border by drug trafficking organizations and organized crime groups.<sup>10</sup> While common crime in Mexico is one of the biggest threats to its security, the presence of drug traffickers, armed groups, and terrorist organizations represents an important national and public security issue.<sup>11</sup>

Generally, Latin America has experienced a rise in homicide rates while those of the rest of the world are falling.<sup>12</sup> These increasing crime and violence trends in Mexico specifically are evidenced by increases in arrests for homicides, rapes, assaults, and robberies; while it is contested whether or not the data represents an increase or decrease in violent crime, there has been an obvious increase in activity by Mexico's public security apparatus over the last two decades, pointing to a significant challenge for Mexico's police and justice institutions.<sup>13</sup> A widespread sense of public insecurity in Mexico deepens the problematic trends in violence and crime.<sup>14</sup> Jiménez shows that growing feelings of public insecurity throughout Mexico are strongly correlated with current trends in violent crime.<sup>15</sup> While victims of crime generally feel

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<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Ana María Salazar, "Campañas Políticas ante la Inseguridad," in *Seguridad Pública: Voces diversas en un enfoque multidisciplinario* (México: Editorial Porrúa, 2005).

<sup>12</sup> Mariana Mota Prado, Michael Trebilcock, and Patrick Hartford, "Police Reform in Violent Democracies in Latin America," *Hague Journal on the Rule of Law* 4, no. 2 (2012): 252–85.

<sup>13</sup> Donnelly and Shirk, "Introduction."

<sup>14</sup> René Alejandro Jiménez Ornelas, "La percepción, componente indispensable contra la inseguridad," in *Seguridad Pública: Voces diversas en un enfoque multidisciplinario* (México: Editorial Porrúa, 2005).

<sup>15</sup> Ibid.

more insecure than the common public, Zepeda explains that the majority of Mexicans do not feel safe overall.<sup>16</sup> This can have dramatic effects on Mexican society, including the fractioning of cities, deterioration of public spaces, losses in the quality of life, and difficulties in attracting visitors.<sup>17</sup> Overall, a climate of insecurity and violence threatens the current Mexican state.

Mexico's public security institutions have been ineffective in preventing and confronting crime and criminals; this creates incentives for society to become more inclined to use crime as the means to achieve various ends, as they will have little trust in their own safety along with little incentive to follow the law in safeguarding their lives and property.<sup>18</sup> Even though Mexico has seen a major increase in activity by its public security apparatus in the last two decades, Mexico's law enforcement apparatus has been largely inefficient in combatting crime—especially that committed by the drug trafficking organizations.<sup>19</sup> According to Guillermo Zepeda Lecuona, the very institutions that were created to establish a sense of public security and law enforcement have currently been contributing to violence and insecurity.<sup>20</sup> He explains that in Mexico, fewer than one in five inquiries to the police conclude satisfactorily and that the police suffer from case overload on crime and prosecution.<sup>21</sup>

As a result of the violence, insecurity, and ineffective public security institutions, Mexicans have begun to arm themselves because they do not trust the state to provide personal and societal protection; this generates violence and population migration, which hinders development and education levels in Mexico.<sup>22</sup> This problem is further complicated by the fact that 75% of crimes in Mexico are unreported by the public, thus reflecting low confidence in

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<sup>16</sup> Guillermo Zepeda Lecuona, "Criminal Investigation and the Subversion of the Principles of the Justice System in Mexico," in *Reforming the Administration of Justice in Mexico* (University of Notre Dame Press, 2007), 133–52.

<sup>17</sup> Jiménez Ornelas, "La percepción, componente indispensable contra la inseguridad."

<sup>18</sup> Salazar, "Campañas Políticas ante la Inseguridad."

<sup>19</sup> Shirk, "Future Directions for Police and Public Security in Mexico."

<sup>20</sup> Zepeda Lecuona, "Criminal Investigation and the Subversion of the Principles of the Justice System in Mexico."

<sup>21</sup> Ibid.

<sup>22</sup> Salazar, "Campañas Políticas ante la Inseguridad."

public security.<sup>23</sup> Moreover, this demonstrates a major democratic and human rights problem for Mexico. Drug trafficking organizations have infiltrated government positions in many areas, and their influence over state personnel has dramatic implications.<sup>24</sup> A culture of impunity prevails in which human rights are not respected and crime flourishes.<sup>25</sup> High levels of violence, insecurity, and impunity contradict democratic ideals of peace, which hinder the social, political, and economic development of Mexico still today.<sup>26</sup>

Theoretically, Mexico is a democracy with a sense of human rights that have been adopted by the state and inputted into legislation. Human rights are the liberties, abilities, or recognitions to basic benefits that include the whole person for the simple fact that their human condition guarantees them a dignified life.<sup>27</sup> The purpose of public security, however, is to guarantee that these human rights are enforced and respected. Therefore, in the wake of corruption and drug violence, why have Mexico's public security forces failed?

Mario Vázquez Raña paints a bleak picture of Mexico. Private security organizations are on the rise, populations are attempting to emigrate, and the police are part of the human rights abuse problem in Mexico.<sup>28</sup> Democracy, and respect for human rights combined with a secure public, seems far way. The state must attempt to preserve itself in the wake of other issues such as poverty and inequality.<sup>29</sup> However, before the Mexican state can address its problems with public insecurity, violence, and police abuse, it must first determine what the initial causes are

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<sup>23</sup> Donnelly and Shirk, "Introduction."

<sup>24</sup> Ibid.

<sup>25</sup> Salazar, "Campañas Políticas ante la Inseguridad."

<sup>26</sup> Mota Prado, Trebilcock, and Hartford, "Police Reform in Violent Democracies in Latin America."

<sup>27</sup> Carlos Barrachina, "Seguridad Pública, democracia y derechos humanos," in *Los Derechos Humanos en el marco del Nuevo Modelo de Policía* (México: Centro de Investigación y Estudios en Seguridad, 2012).

<sup>28</sup> Mario Vázquez Raña, "La Seguridad Pública en México," in *Seguridad Pública: Voces diversas en un enfoque multidisciplinario* (México: Editorial Porrúa, 2005).

<sup>29</sup> Ibid.

that have allowed for a society in which police violence and impunity creates widespread insecurity.

***A Result of History: Why the PRI and War on Drugs Have Perpetuated Modern Insecurity***

**Mexico's PRI**

Mexico's Institutional Revolutionary Party (*Partido Revolucionario Institucional*—PRI) has dominated Mexican political institutions since its founding in 1929 until 2000 when a rival political party, the National Action Party (*Partido Acción Nacional*—PAN) stole the presidency in one of Mexico's first truly free and fair elections.<sup>30</sup> Although the party has undergone two name changes, it was able to remain in power through its ability to establish a party-state system that resulted in authoritarian rule by Mexico's only legitimate political party.<sup>31</sup> The party was able to monopolize all legislative, executive, and judicial government institutions during its 70 years in power through the use of co-optation and repression of rivals.<sup>32</sup> Combined with networks of patron-client relationships in all levels of society, the party created a dominating state under a façade of democracy in which successors to the presidency were “hand-picked” by party elites in control of political power.<sup>33</sup> During its hegemony, the PRI oversaw an informal system in which societal actors—police, military, drug lords, and local political officials—benefitted from the PRI's control over the maintenance of public stability and drug activity.<sup>34</sup> The PRI's dominance extended over all forms of power in Mexico and it used control as a

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<sup>30</sup> “Institutional Revolutionary Party (PRI) | Political Party, Mexico,” *Encyclopedia Britannica*, accessed March 5, 2015, <http://www.britannica.com/EBchecked/topic/289313/Institutional-Revolutionary-Party-PRI>.

<sup>31</sup> *Ibid.*

<sup>32</sup> Julien Mercille, “Violent Narco-Cartels or US Hegemony? The Political Economy of the ‘war on Drugs’ in Mexico,” *Third World Quarterly* 32, no. 9 (October 2011): 1637–53, doi:10.1080/01436597.2011.619881.

<sup>33</sup> “Institutional Revolutionary Party (PRI) | Political Party, Mexico.”

<sup>34</sup> Mercille, “Violent Narco-Cartels or US Hegemony?”



“highly effective political machine” in which clientelistic networks of patronage and graft determined political outcomes.<sup>35</sup>

The effect of the PRI on Mexico’s public security apparatus was significant. Due to historically authoritarian attitudes, there were not many rules that the police needed to follow with respect to human beings and human rights; rather, police existed to help guarantee the survival of the PRI regime.<sup>36</sup> In an authoritarian regime, political power is concentrated in few hands; the public then deals with arbitrary, selective, and difficult access to mediums and resources such as information, voting, and public participation.<sup>37</sup> Because decisions by those in power (including the public security apparatus) were adopted to favor one group, a sense of freedom and human rights was nonexistent. The PRI used institutions such as the police and military in order to survive, and these were closely linked to the office of the president.<sup>38</sup> Little attention was paid to the general public, and any dissenters against the regime were punished.<sup>39</sup>

Scholars who favor a historical cause of modern police impunity say that Mexico’s current situation is a legacy of the historical authoritarian regime and its dominance over the Mexico’s police and justice system.<sup>40</sup> In order to effectively suppress threats to the survival of the regime, the police in Mexico were trained and used as a tool by the PRI to do whatever it took to support the ruling party and either co-opt or repress anyone who was dangerous to the PRI’s authority.<sup>41</sup> Following the rule of law and attending to human rights would not guarantee

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<sup>35</sup> Marcos Pablo Moloeznik, “Public Security, Criminal Justice, and Human Rights: A Critique of PAN Governance in Jalisco, 1995-2006,” in *Reforming the Administration of Justice in Mexico* (University of Notre Dame Press, 2007), 463–87.

<sup>36</sup> Barrachina, “Seguridad Pública, democracia y derechos humanos.”

<sup>37</sup> Ibid.

<sup>38</sup> Sigrid Artz, “The Militarization of the Procuraduría General de La República: Risks for Mexican Democracy,” in *Reforming the Administration of Justice in Mexico* (University of Notre Dame Press, 2007), 153–74.

<sup>39</sup> Salazar, “Campañas Políticas ante la Inseguridad.”

<sup>40</sup> Pedro José Peñaloza, “Seguridad Pública: La crisis de un paradigma,” in *Seguridad Pública: Voces diversas en un enfoque multidisciplinario* (México: Editorial Porrúa, 2005).

<sup>41</sup> Ibid.

survival of the regime and scholars contest that this mindset continues today. The PRI became a “perfect dictatorship” in which violence not only existed in society, but also was utilized by public security forces to maintain public order.<sup>42</sup>

During the PRI, then, Mexican citizens suffered under a corrupt police force, weak judicial systems, and high instances of criminality.<sup>43</sup> Diane Davis contends that because Mexico had low levels of democracy in the past, human rights abuses and the “un-rule” of law that existed under the PRI have become part of Mexican culture and thus paralyzed the government in its attempts to enact police reform.<sup>44</sup> Today’s state of public security is similar to what it was during the PRI.<sup>45</sup> Supporters of this argument say that because the regime was so concerned with survival, Mexico has historically suffered from weak political institutions in which little attention was paid to the professional and technical development of political actors.<sup>46</sup> Therefore, it was natural for the police to become biased, corrupt, and abusive—they were solely concerned with maintaining internal order instead of protecting the citizenry.<sup>47</sup> The PRI has paved the way for establishing a society in which impunity prevails, rights are abused, and modern police forces abet historical norms.<sup>48</sup>

It is important to note, however, that the public security institutions of Mexico were altered and reformed throughout the PRI’s existence in response to the needs of the party and public stabilization; all reforms, either through centralization or decentralization, were produced

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<sup>42</sup> Martha Chew Sánchez, “Paramilitarism and State-Terrorism in Mexico as a Case Study for the Shrinking Functions of the Neoliberal State,” *Perspectives on Global Development and Technology* 13 (2014): 176–96.

<sup>43</sup> Diane E. Davis, “Undermining the Rule of Law: Democratization and the Dark Side of Police Reform in Mexico,” *Latin American Politics and Society* 48, no. 1 (April 1, 2006): 55–86.

<sup>44</sup> *Ibid.*

<sup>45</sup> Moloeznik, “Public Security, Criminal Justice, and Human Rights: A Critique of PAN Governance in Jalisco, 1995-2006.”

<sup>46</sup> Lucía Dammert and Mark Ungar, “La necesidad de un nuevo modelo de policía en México: Una perspectiva comparada,” in *El Nuevo Modelo de Policía en México* (México: Centro de Investigación y Estudios en Seguridad, 2012).

<sup>47</sup> *Ibid.*

<sup>48</sup> Salazar, “Campañas Políticas ante la Inseguridad.”

in order to maintain power.<sup>49</sup> Today's police force maintains legacies of corruption, insufficient personnel, low salaries, and poor equipment that were common throughout the PRI's rule. Unfortunately, the PRI cannot alone stand as the sole historical reason for police abuse in Mexico. Rather, the presence of growing common and organized crime that coincided with PRI hegemony must be examined in order to account for a deeper understanding of modern police violence and impunity.

### **Drug Violence, Organized Crime, and the Eventual War on Drugs**

Many authors say that the emergence of drug violence in Mexico, in combination with the PRI's hegemony, has allowed for public security and the abuse of human rights to flourish. While organized crime has existed in Mexico since the colonial era, Mexico's current crime organizations began to emerge in the 1920s and 1930s in light of drug and alcohol prohibition.<sup>50</sup> Drug trafficking in Mexico became more consolidated when US demand of Colombian cocaine grew in the 1970s and 1980s, causing Mexico to emerge as a major drug transit location.<sup>51</sup> In the 2000s, competition between the various drug trafficking organizations became intense and violent after Felix Gallardo's organization, the Guadalajara Cartel, fractured during the 1990s into a variety of regionally based and competitive groups.<sup>52</sup> This fracturing has led to a major increase in drug-related violence in Mexico at the hands of organized crime groups. It should be noted that the scale and scope of organized crime groups varies greatly throughout Mexico, yet the role that drug trafficking organizations and gangs have played in the increase of violence and

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<sup>49</sup> Davis, "Undermining the Rule of Law."

<sup>50</sup> Kimberly Heinle, Octavio Rodríguez Ferreira, and David Shirk, *Drug Violence In Mexico* (Justice in Mexico, April 2014).

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

corruption cannot be ignored when examining the causes of current police violence and public insecurity.<sup>53</sup>

Donnelly and Shirk note that the growth in violence related to drug-trafficking organizations is one of the most serious challenges facing Mexico's law enforcement authorities today.<sup>54</sup> Mexico has not only served as a transit route of drugs into the US from Colombia and other South American countries, but is also an important supplier of drugs to the United States.<sup>55</sup> Changing patterns in drug trafficking is a result of shifts in US consumption, changing counter-drug strategy, the weakening of Colombian organized crime, and political democratization as the PRI weakened and eventually lost power in 2000.<sup>56</sup>

Carlos Antonio Flores Pérez has noted that there have been four stages in the evolution of illicit activity and the ties of conspiracy between public officials and drug traffickers in Mexico; in this history, ties between government officials and organized crime groups emerged and evolved into what is today a corrupt, violent, and intertwined system of drug networks and government officials.<sup>57</sup> Organized crime related to drug production first emerged between 1914 and 1947, and it was during this time that local-level political powers attempted to subordinate illicit drug activities.<sup>58</sup> Between 1947 and 1985, federal security institutions were created to mediate between political powers and organized crime groups.<sup>59</sup> During this time period, a centralized and hierarchical regime between public officials and organized crime groups developed into top-down relationships in which Mexican security organizations protected the

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<sup>53</sup> Ibid.

<sup>54</sup> Donnelly and Shirk, "Introduction."

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> Carlos Antonio Flores Pérez, "Organized Crime and Official Corruption in Mexico," in *Police and Public Security in Mexico* (University Readers, Inc., 2009).

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

illicit drug trade.<sup>60</sup> This centralized-hierarchical relationship favored the expansion of drug trafficking in Mexico in the 70s and 80s and was a result of increased US demand, the geographic redistribution of drug traffickers in Mexico from Sinaloa to other parts, a shift in cocaine shipment routes from the Caribbean to Mexico, and the increased participation of Mexican security forces in the drug trade.<sup>61</sup>

However, these institutional relationships broke down between 1985 and 2000, coinciding with a worldwide increase in drug trafficking as well as a transfer of powers from security organizations to public safety officials in Mexico.<sup>62</sup> The centralized control over drug trafficking at the hands of public officials became what Flores Pérez describes as more atomized and multi-directional due to the weakening of PRI power towards the end of this period.<sup>63</sup> This means that instead of centralized control and protection of drug trafficking organizations by Mexico's high level security institutions, local agreements between various organized crime groups and public security officials began to determine the state-cartel relationship.<sup>64</sup> In the early 1990s, President Zedillo attempted to diffuse organized crime and the protection that had happened under his predecessors, shifting the power dynamics in Mexico; many government officials were arrested along with head drug traffickers, and the central control over the drug trade was damaged.<sup>65</sup> This, along with the splintering of DTO's into competitive and regionally based organizations paved the way for local agreements to take hold between drug traffickers and public security officials.<sup>66</sup> The Institutional Revolutionary Party's loss of control in 2000 resulted in a "[b]reakdown of the old rules, resulting not in a reduction of corruption but rather in

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<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

<sup>64</sup> Ibid.

<sup>65</sup> Ibid.

<sup>66</sup> Ibid.

decreased predictability in the relationships between organized crime and public officials,” which continues today.<sup>67</sup>

While it is clear that the PRI state had direct and centralized control of drug trafficking networks until about 1985, this corrupt system began to fail as the PRI started to lose power and the cartels started to fracture.<sup>68</sup> The cartels became divided, less predictable, and territorially overlapping.<sup>69</sup> It is important now, however, to turn to post-2000 drug violence and its implications on public security and Mexican society.

Marcos Moloeznik asserts that one of the primary causes of current violence in Mexico today is the dispute between the drug cartels and the government’s recent militarized response to gang violence that was implemented by President Fox in 2000 and expanded by President Calderón in 2006.<sup>70</sup> Drug related violence in Mexico has created a security situation in which violence and public security remain the primary governmental and societal concerns due to the loss of tens of thousands of lives.<sup>71</sup> Although the cartels have been decentralized, they remain very powerful and hold much sway over the public security and military officials that have been sent to combat them.

When Vicente Fox of the National Action Party (PAN) took control from the PRI in 2000, drug related violence increased because the PRI lost its monopoly and centralized control over the drug trade.<sup>72</sup> Cartels now began to fight each other for control over an unstable drug market, which had dramatic effects on political and social life. The PAN government, in an effort to put down drug cartels and bring an end to drug related violence, began to militarize its

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<sup>67</sup> Ibid.

<sup>68</sup> Donnelly and Shirk, “Introduction.”

<sup>69</sup> Ibid.

<sup>70</sup> Marcos Moloeznik, “Organized Crime, the Militarization of Public Security, and the Debate on the ‘New’ Police Model in Mexico,” *Trends in Organized Crime* 16, no. 2 (June 2013): 177–94, doi:10.1007/s12117-013-9186-4.

<sup>71</sup> Heinle, Rodríguez Ferreira, and Shirk, *Drug Violence In Mexico*.

<sup>72</sup> Mercille, “Violent Narco-Cartels or US Hegemony?”

response.<sup>73</sup> Beginning in 2005, waves of high profile drug violence began to intensify throughout the country.<sup>74</sup> In response, President Calderón (also of the PAN) declared war on the drug cartels in 2006, increasing the strength and number of forces to decrease drug trafficking in Mexico.<sup>75</sup>

As a result of modern political responses to organized crime and drug trafficking organizations, combined with changes in global supply, production, and demand of illicit drugs, society in Mexico has become highly fragmented and many parts of the country rely on organized crime groups and drug trafficking in order to survive.<sup>76</sup> The drug cartels are geographically expansive and intertwined in many aspects of Mexico's life, economy, and culture.<sup>77</sup> Martha Chew Sánchez has noted that the recent para-militarized government response to the drug cartels and its resulting increase in violence could signal the end of the stability in Mexico.<sup>78</sup> She notes that Mexico's security forces, which have increased in number throughout the 2000s in their response to drug trafficking, are corrupt and ineffective, leading to more violence and insecurity throughout the country.<sup>79</sup>

Today, a major drug trafficking problem still exists in Mexico. Organized crime groups have increased their weaponry through the growth of illegal firearms trafficking with the United States.<sup>80</sup> The cartels today are still powerful and able to corrupt many government officials, which has contributed to their survival and an increase in violence and human rights abuse.<sup>81</sup> Drug trafficking is now not the only problem; rather, trends in kidnapping, homicide, and

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<sup>73</sup> Ibid.

<sup>74</sup> Donnelly and Shirk, "Introduction."

<sup>75</sup> Moloeznik, "Organized Crime, the Militarization of Public Security, and the Debate on the 'New' Police Model in Mexico."

<sup>76</sup> Ibid.

<sup>77</sup> Chew Sánchez, "Paramilitarism and State-Terrorism in Mexico as a Case Study for the Shrinking Functions of the Neoliberal State."

<sup>78</sup> Ibid.

<sup>79</sup> Ibid.

<sup>80</sup> Donnelly and Shirk, "Introduction."

<sup>81</sup> Shirk, "Future Directions for Police and Public Security in Mexico."

robbery have also grown, and these trends parallel the post-2005 increase in the trade of illicit drugs.<sup>82</sup> Unfortunately, kidnapping, drug trafficking, law enforcement corruption, and the proliferation of more fractionalized criminal enterprises are interrelated.<sup>83</sup> Government institutions that have been dedicated to providing public security in the wake of this are overtaxed, and there is a lack of checks and balances on public entities responsible for providing public security in the wake of drug violence.<sup>84</sup>

Obviously the presence and growth of drug trafficking, organized crime groups, and narco-violence has resulted in a violent and insecure Mexican society that suffers under the corruption of public security and subsequent human rights abuses. These arguments are very strong in pointing to the historical trends of violence and public security in Mexico. However, Mexico's current responses to organized crime and drug trafficking have changed. It is important to look at how institutions responsible for public security in the wake of this violence have contributed to human rights violations committed by Mexico's police. In order to gain deeper insight into the causes of police misbehavior, one must look at the public security institutions in charge of stopping the drug cartels, and why some scholars say that the violence and insecurity problem is a result of these institutions in Mexico.

### ***Mexico's Public Security Institutions: Promoting Insecurity?***

#### **The Militarization of Public Security**

Multiple authors have noted that the increase in drug violence since 2000 and eventual war on drugs implemented by President Felipe Calderón created a militarization of public security in Mexico that has resulted in human rights violations and police abuse. However, the concept of *militarization* is difficult to define and is interpreted differently by various scholars.

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<sup>82</sup> Donnelly and Shirk, "Introduction."

<sup>83</sup> Ibid.

<sup>84</sup> Artz, "The Militarization of the Procuraduría General de La República: Risks for Mexican Democracy."



Before continuing, this paper will examine what exactly a militarization of public security meant for Mexico in the wake of drug violence.

For some, a militarization of public security involves the use of the military (rather than or alongside the police) in maintaining public security; the involvement of the military in civilian issues extends back to the birth of Mexico.<sup>85</sup> During the PRI hegemony, the military was strongly linked to the President and the party and was widely used in the maintenance of civilian public security.<sup>86</sup> Sigrid Artz contends that the institutions dedicated to public security became overtaxed by the fight against organized crime and drug trafficking, paving the way for the use of the military in combatting organized crime groups.<sup>87</sup> Moloeznik explains this more, saying that the militarization of public security in Mexico is not a new problem; rather, there exists a long history of militarization of public security in Mexico that is rooted in public discontent with the performance of civilian police institutions who were ineffective in providing a sense of public safety.<sup>88</sup> Therefore, a sense of militarization has evolved in which Mexico's national security agenda has blended with its public security goals, and the military apparatus has been strengthened and expanded in a variety of government areas.<sup>89</sup>

It becomes clear then that one interpretation of "militarization" involves the expanded use of the military institution in the realm of public security, either in replace of the police or alongside Mexico's police forces. However, scholars have pointed to deeper instances of militarization in Mexico's history, especially in recent years with the expansion of the war on drugs. Chew Sánchez notes that although the military was always involved in Mexico's attempts

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<sup>85</sup> Ibid.

<sup>86</sup> Ibid.

<sup>87</sup> Ibid.

<sup>88</sup> Marcos Pablo Moloeznik, "The Militarization of Public Security and the Role of the Military in Mexico," in *Police and Public Security in Mexico* (University Readers, Inc., 2009).

<sup>89</sup> Artz, "The Militarization of the Procuraduría General de La República: Risks for Mexican Democracy."

to establish public security in the wake of drug violence, their role was widened under the Fox administration due to the fact that more drug dealers began to corrupt public security personnel (it was at this time that the drug cartels became more atomized and local agreements between organized crime groups and public security officers grew).<sup>90</sup> This notion of militarization describes an increase in the number of soldiers sent to target drug trafficking organizations.<sup>91</sup> However, as the numbers of military personnel deployed in Mexico to provide security in drug violence areas grew, so too did the amounts of corruption and violence, spurring the necessity for a new strategy at the end of the Fox administration.<sup>92</sup>

Chew Sánchez notes that during Calderón's war on drugs, paramilitary forces designed to fight organized crime grew.<sup>93</sup> These forces involved wide deployments of military troops, as well as an expansion of the powers and weaponry of police and public security institutions to fight alongside the armed forces.<sup>94</sup> The combination of police and military personnel and power manifested itself in strong and somewhat violent forces that used centralized and militarized tactics to target drug lords.<sup>95</sup> Furthermore, policymakers emphasized results when deploying more police and military personnel.<sup>96</sup> This generated more human rights abuses and instances of violence at the hands of military and police institutions when targeting drug dealers.<sup>97</sup> The trend of militarization became multifaceted. "Militarization of public security" expanded to include the

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<sup>90</sup> Chew Sánchez, "Paramilitarism and State-Terrorism in Mexico as a Case Study for the Shrinking Functions of the Neoliberal State."

<sup>91</sup> Ibid.

<sup>92</sup> Benjamin Nelson Reames, "A Profile of Police Forces in Mexico," in *Reforming the Administration of Justice in Mexico* (University of Notre Dame Press, 2007), 117–32.

<sup>93</sup> Chew Sánchez, "Paramilitarism and State-Terrorism in Mexico as a Case Study for the Shrinking Functions of the Neoliberal State."

<sup>94</sup> Ibid.

<sup>95</sup> Davis, "Undermining the Rule of Law."

<sup>96</sup> Moloeznik, "Public Security, Criminal Justice, and Human Rights: A Critique of PAN Governance in Jalisco, 1995-2006."

<sup>97</sup> Moloeznik, "Organized Crime, the Militarization of Public Security, and the Debate on the 'New' Police Model in Mexico."

enhanced role of the military in public security, increases to military budgets, the expansion of the power and weaponry of police institutions, the involvement of armed forces in public security efforts, the implementation of military personnel in top police and public security (civilian) positions, the integration of armed forces and the Federal Police, and the widespread increase in deployed officers and troops across the country.<sup>98</sup>

Scholars argue that the implications of this on modern Mexican society are highly problematic. For one, civilian police institutions have become more inefficient and distrusted by the public; furthermore, civilian police institutions are varied and exist at all levels of government, fragmenting the police forces that have been integrated with the military.<sup>99</sup> While there is no lack in police personnel, they are underprepared and lack efficiency, professionalism, and honesty, resulting in violations of human rights.<sup>100</sup> The militarization of public security itself due to the war on drugs has caused an acceleration of violence and corruption among the police, military, and drug mafias.<sup>101</sup> Many military and police personnel continue to be corrupted by (and even recruited into) drug cartels, weakening police institutions.<sup>102</sup> This undermines societal trust in police forces due to a lack of checks and balances on militarized institutions.<sup>103</sup> The existence of accountability and transparency is deficient in Mexico, and leads to impunity, institutional weaknesses, and human rights abuses.<sup>104</sup> Police are becoming more of a menace to society, and human rights are subordinated due to the emphasis on incentivized results.<sup>105</sup>

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<sup>98</sup> Ibid.

<sup>99</sup> Moloeznik, "The Militarization of Public Security and the Role of the Military in Mexico."

<sup>100</sup> Ibid.

<sup>101</sup> Davis, "Undermining the Rule of Law."

<sup>102</sup> Moloeznik, "Organized Crime, the Militarization of Public Security, and the Debate on the 'New' Police Model in Mexico."

<sup>103</sup> Artz, "The Militarization of the Procuraduría General de La República: Risks for Mexican Democracy."

<sup>104</sup> Ibid.

<sup>105</sup> Donnelly and Shirk, "Introduction."

Finally, a militarization of public security has created a phenomenon in which there is no clear distinction between the military and police.<sup>106</sup> In order to be effective, public security must be differentiated from national security; however, this is not the case in Mexico. Moloeznik points out the main differences between military and police (public security) institutions. The military is supposed to be committed to the state, in charge of national security, prepared for armed conflict, have a centralized and hierarchical command structure, and use heavy weaponry.<sup>107</sup> The police on the other hand, are supposed to be in charge of public security and safety, responsible for serving and protecting citizens, focused on preventing crime, act in smaller and decentralized units, and use light weaponry.<sup>108</sup> However, the roles of the two institutions in Mexico have intertwined and blended. In effect, both institutions are militarized in their focus on domestic public security functions and combatting drug trafficking and organized crime.<sup>109</sup> As discussed above, the implications of this police model are alarming. It is important to now move to Mexico's police model and why some argue that the police institution itself has failed to provide public security for Mexico's civilians in the wake of militarization.

### **Mexico's Police Model and Why They Aren't Safeguarding the Public**

While it is clear that the influence of the military in the public security apparatus has created problems of violence and impunity in Mexico, some scholars argue that Mexico's police institutions and model are the root causes of violence, corruption, and insecurity. In Mexico, there are over 400,000 police officers throughout the country with 3,000 different forces (2007 data) at all three levels of government (local, state, and federal).<sup>110</sup> Mexico has the most police in

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<sup>106</sup> Moloeznik, "Organized Crime, the Militarization of Public Security, and the Debate on the 'New' Police Model in Mexico."

<sup>107</sup> Ibid.

<sup>108</sup> Ibid.

<sup>109</sup> Ibid.

<sup>110</sup> Reames, "A Profile of Police Forces in Mexico."

the world per 100,000 inhabitants, showing that they are not suffering from a lack in public security personnel.<sup>111</sup> While the UN recommends 280 police per 100,000 people, Mexico has 354 police per 100,000 citizens (2009 data).<sup>112</sup> The separation of police institutions into three different types of forces (municipal, state, and federal) has created problems in Mexico because the forces at times have overlapping jurisdictions and powers with different institutional frameworks and structures. Reames points out that there are two basic ways to understand police: function and jurisdiction.<sup>113</sup> At each level, Mexico's police suffer from confusing organization and inefficient use of personnel, especially when placed in areas of high organized crime activity, which complicates these understandings.<sup>114</sup> Mexico's police institutions are weak and therefore vulnerable to penetration by organized crime.<sup>115</sup>

Guillermo Zepeda Lecuona notes that the shape of government institutions is a reflection of the distribution of power in society.<sup>116</sup> In Mexico, an inquisitorial system of criminal justice exists in which the police are said to be a reflection of a legal environment that is shaped by a hegemonic political system (the PRI) in which arbitrary criminal procedures containing little public participation takes place.<sup>117</sup> Other scholars expand on this, saying that the type of police model a country has is related to its national plan; in Mexico, an unclear and militarized police model exists, allowing for a weak institutional framework and a blurred line of division with the armed forces.<sup>118</sup> Some say that the lack of clarity in Mexico's police model can be partially attributed to its recent transition from authoritarianism to democracy. In an authoritarian state,

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<sup>111</sup> Peñaloza, "Seguridad Pública: La crisis de un paradigma."

<sup>112</sup> Guillermo Zepeda Lecuona, "Mexican Police and the Criminal Justice System," in *Police and Public Security in Mexico* (University Readers, Inc., 2009).

<sup>113</sup> Reames, "A Profile of Police Forces in Mexico."

<sup>114</sup> Ibid.

<sup>115</sup> Dammert and Ungar, "La necesidad de un nuevo modelo de policía en México: Una perspectiva comparada."

<sup>116</sup> Zepeda Lecuona, "Mexican Police and the Criminal Justice System."

<sup>117</sup> Zepeda Lecuona, "Criminal Investigation and the Subversion of the Principles of the Justice System in Mexico."

<sup>118</sup> Moloeznik, "Organized Crime, the Militarization of Public Security, and the Debate on the 'New' Police Model in Mexico."

the police model is one that favors those in power and their interests, rather than the rights of the citizens.<sup>119</sup> A democratic police model, however, adopts a structure in which the police are formed with community participation under principles of assistance and protection; the use of force is designed to only be to protect citizens.<sup>120</sup> Icaza Longoría argues that Mexico's police are not yet in a citizen-secure mindset in which the citizen and human rights are prioritized; rather, they are still in an authoritarian public security structure in which the police operate under arbitrary action and are willing to break the law in order to produce the results required of them.<sup>121</sup> Some say that Mexico's police are "criminal police" that work for the drug cartels, undermining rule of law institutions and giving no guarantees that citizens will be safe from abuse.<sup>122</sup>

Mario Vázquez Raña argues that the main obstacle to an effective public security institution in Mexico is the presence of different police forces with a wide diversity in legal jurisdictions and geography.<sup>123</sup> An absence of central coordination has caused inefficiency and deficiency due to lacks in communication, investigation, and information.<sup>124</sup> Mexico's police have been traditionally reactive rather than proactive, and this has led to institutional weakness and a loss in credibility.<sup>125</sup> Carlos Silva argues that police abuse comes from the nature of tasks performed by each police force; informal and formal aspects of the police have created

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<sup>119</sup> Emilio Álvarez Icaza Longoría, "Seguridad Pública, Constitución y Derechos Humanos," in *Seguridad Pública: Voces diversas en un enfoque multidisciplinario* (México: Editorial Porrúa, 2005).

<sup>120</sup> Ibid.

<sup>121</sup> Ibid.

<sup>122</sup> Ibid.

<sup>123</sup> Vázquez Raña, "La Seguridad Pública en México."

<sup>124</sup> Ibid.

<sup>125</sup> Genaro García Luna, "La Evolución del Modelo de Policía," in *Seguridad Pública: Voces diversas en un enfoque multidisciplinario* (México: Editorial Porrúa, 2005).

corruption networks in which police adhere to differing objectives while pursuing formal duties.<sup>126</sup>

Daniel Sabet explains the structure of Mexico's police model effectively. Geographically, there are municipal, state, and federal police departments with differing responsibilities and jurisdictions according to the level of crime.<sup>127</sup> The police are also divided into investigative, transit, and preventive departments. Preventive police are the largest part of Mexico's police force; they are organized at all three levels of government, and operate under the auspice of public security.<sup>128</sup> Preventive police's role is different from investigative and transit police because their job is to prevent crime, maintain public order, and respond to instances of violence.<sup>129</sup> While the three different types of police interact, Mexico's preventive police are the primary actors charged with the maintenance of public security and the rule of law in Mexico. It is clear now that the variety of police forces in function and jurisdiction is confusing. This is why scholars advocate for police reform, attributing problems of inefficiency and public insecurity to a complex police structure.

The Federal Police are Mexico's most powerful police force and charged with protecting the populace from organized crime and drug trafficking. It is important to understand their structure and powers in order to analyze the causes of violence and human rights abuse in Mexico. In 1995 President Ernesto Zedillo introduced the National Public Security System (*Sistema Nacional de Seguridad Pública*—SNSP) in order to coordinate public security efforts and establish strategies for planning and transparency.<sup>130</sup> In 1999, he created the Federal

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<sup>126</sup> Carlos Silva, "Police Abuse in Mexico City," in *Reforming the Administration of Justice in Mexico* (University of Notre Dame Press, 2007), 175–94.

<sup>127</sup> Daniel M. Sabet, "Two Steps Forward: Lessons from Chihuahua," in *Police and Public Security in Mexico* (University Readers, Inc., 2009).

<sup>128</sup> Ibid.

<sup>129</sup> Ibid.

<sup>130</sup> Meyer, *Mexico's Police: Many Reforms, Little Progress*.

Preventive Police (*Policía Federal Preventiva*—PFP) under the Ministry of the Interior (*Secretaría de Gobernación*—SEGOB) in order to work with local and state agents to maintain order and provide public security.<sup>131</sup> President Vicente Fox moved the PFP to the Ministry of Public Security (*Secretaría de Seguridad Pública*—SSP) while also creating the Federal Investigative Agency (*Agencia Federal Investigativa*—AFI) to replace Mexico’s corrupt Federal Judicial Police (*Policía Federal Judicial*) in 2009.<sup>132</sup> President Calderón then transformed the PFP to the Federal Police (*Policía Federal*—PF) and gave them increased functions of prevention, investigation, and control.<sup>133</sup> Today’s Federal Police in Mexico now have the following abilities:

[T]he power to conduct intelligence operations and undercover operations, direct or participate in the investigations under the instructions of the Public Ministry, preserve evidence, interview people who may have information useful for an investigation, and intercept private communications (with a warrant) among other functions.<sup>134</sup>

While it is clear that Mexico’s Federal Police are autonomous and powerful, many scholars point to problems within the Federal Police structure that ultimately cause officers to violate the human rights of Mexican citizens.

Daniel Sabet contends that police failures (due to structure and organization) ultimately undermine democracy and the rule of law.<sup>135</sup> When police failure happens, citizens may ignore laws, take the law into their own hands, or demand harmful laws that threaten individual rights.<sup>136</sup> While Mexico’s Federal Police have considerable discretion in using their authority,

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<sup>131</sup> Ibid.

<sup>132</sup> Ibid.

<sup>133</sup> Dammert and Ungar, “La necesidad de un nuevo modelo de policía en México: Una perspectiva comparada.”

<sup>134</sup> Meyer, *Mexico’s Police: Many Reforms, Little Progress*.

<sup>135</sup> Sabet, “Two Steps Forward: Lessons from Chihuahua.”

<sup>136</sup> Ibid.



there are structural problems present that have caused many to advocate for widespread police reform in Mexico.

A primary obstacle to respectful and effective police behavior is a lack in training.<sup>137</sup> Mary O’Rawe contends that police training forms the base for police functioning and that the learning environment during training must be thorough, broad-based, and consultative.<sup>138</sup> Training and education must engage with issues of police culture and subculture in order to integrate human rights norms, as this will create a society in which human rights and citizens become the center of police work.<sup>139</sup>

However, Mexico’s police suffer from quick and insufficient training.<sup>140</sup> Furthermore, the turnover rates of police officers and high-level officials in Mexico are quite high, resulting in a lack of institutional stability.<sup>141</sup> The police have deficient equipment, unrealistic performance goals established by their superiors, and little guidelines and mechanisms to prevent, correct, or punish abuses of power.<sup>142</sup> The police are highly reactive and unfocused on public security or social conflict, which results in an irrational use of human and material resources.<sup>143</sup> Finally, the police have low salaries and complain of terrible working conditions.<sup>144</sup> This, in combination with poor education and training, has created a Federal Police force in Mexico that is highly susceptible to corruption and therefore generates poor public perceptions and distrust.

While the arguments surrounding public security militarization and structural weakness of the police institutions in Mexico are strong in their attempts to explain police violence, there is

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<sup>137</sup> Ibid.

<sup>138</sup> Mary O’Rawe, “Human Rights and Police Training in Transitional Societies: Exporting the Lessons of Northern Ireland,” *Human Rights Quarterly* 27, no. 3 (August 1, 2005): 943–68.

<sup>139</sup> Ibid.

<sup>140</sup> Sabet, “Two Steps Forward: Lessons from Chihuahua.”

<sup>141</sup> Zepeda Lecuona, “Mexican Police and the Criminal Justice System.”

<sup>142</sup> Ibid.

<sup>143</sup> Ibid.

<sup>144</sup> Reames, “A Profile of Police Forces in Mexico.”

more needed to explain why Mexico's public security model produces police impunity. In other words, what other factors contribute to police brutality and violence, outside of the police institution itself? In order to give a more in depth analysis of the police institutions and their relationships with both drug cartels and the citizens of Mexico, this paper will examine a final school of thought on why there are so many human rights violations committed by Mexico's police. To answer this, scholars point to a cultural problem in Mexico in which corruption and distrust are norms that facilitate relationships that allow police impunity and drug violence to flourish in Mexican society.

### ***Corruption and Public Distrust: Cultural Obstacles to Mexican Security***

Scholars argue that rising insecurity and the lowered rule of law in Mexico are fueled by police corruption and impunity.<sup>145</sup> Davis argues that a corrupt police force and weak judicial system make criminality flourish in Mexico, even among the police officers themselves.<sup>146</sup> However, before the argument can be made that police brutality in Mexico is fueled by corruption, the question of where corruption comes from must be explored in order to assert that police violence and impunity is a cultural problem in which corruption is part of a society which allows human rights violations to flourish.

Davis asserts that a culture of corruption and impunity in Mexico dates back to the 1910 revolution with its roots in Mexico City.<sup>147</sup> In this period, post-revolutionary political leaders made deals with military leaders in the establishment of Mexico's new police forces; the most important priority for political leaders was to create a new police that was *loyal* to the regime so that they could consolidate their power over the Mexican state.<sup>148</sup> As a result, the Mexican police

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<sup>145</sup> Davis, "Undermining the Rule of Law."

<sup>146</sup> Ibid.

<sup>147</sup> Ibid.

<sup>148</sup> Ibid.

force was given considerable leeway and little discipline so that they could effectively stabilize the population.<sup>149</sup> This became a clientelistic system in which officers loyal to the presidency were given considerable autonomy and power as a reward for political support.<sup>150</sup> Davis argues that these power arrangements became the norm in Mexico and fueled a culture of corruption surrounding the relationship between law enforcement officers and the Mexican population because the police were able to ignore judicial and legal institutions in order to accomplish the goals created by those in power.<sup>151</sup> Scholars argue that this system of clientelistic relationships created a lasting culture of corrupt power dynamics in which citizens and state officials learned to operate through bribes and patronage.

Although corruption in Mexico is said to have started with the PRI and its use of military and police officers to bring stability to the emerging state, scholars still argue that it is a culture of corruption that has spread throughout Mexico that causes the police to continue to abuse their power. Before continuing on this, it is important to know what corruption in Mexico, and particularly among the police, looks like in everyday actions. Elena Azaola notes that Mexico's political (and police) system operates on the basis of personal and political connections, relating to a "mafia" culture of relationships.<sup>152</sup> Others note that a culture exists in which priority is given to illegal activities such as covering up crime and abusing authority, which fails to serve the public.<sup>153</sup>

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<sup>149</sup> Ibid.

<sup>150</sup> Ibid.

<sup>151</sup> Ibid.

<sup>152</sup> Elena Azaola, "The Weaknesses of Public Security Forces in Mexico City," in *Police and Public Security in Mexico* (University Readers, Inc., 2009).

<sup>153</sup> María Eugenia Suárez de Garay, "Mexican Law Enforcement Culture: Testimonies from Police Behind Bars," in *Police and Public Security in Mexico* (University Readers, Inc., 2009).

In reality, police corruption and criminality ranges from taking bribes to involvement in corruption scandals and the abuse of power on larger scales.<sup>154</sup> Day-to-day bribe payments occur between police and citizens alongside collusion with organized crime and payments for employment and promotions within state institutions.<sup>155</sup> Furthermore, bribery at traffic stops is extremely common, and the citizens have become willing participants in corruption throughout Mexico, establishing informal rules that govern the relationship between police and citizens.<sup>156</sup> The resulting effect is that the police in Mexico are now the most common recipients of bribe money and that organized crime leaders dominate the relationships between bribers and recipients.<sup>157</sup> Unfortunately, a lack of transparency and citizen oversight of the police in Mexico deepens the culture of corruption.<sup>158</sup>

Systemic reasons for this corruption cannot be ignored. Although the corruption is said to have originally stemmed from the clientelistic relationships generated by the PRI in post-revolutionary Mexico, a sense of commonplace corruption has been established and now fuels police abuse and violence. However, other societal factors fuel the culture of corruption. For one, deficient working conditions for the police (including low wages, long work shifts, and a lack of promotions), along with job insecurity and inconsistent rules and procedures that govern police institutions fuel corrupt police practices.<sup>159</sup> Police in Mexico complain of a lack in recognition of their efforts, poor uniforms, harsh treatment by their superiors, and low quality equipment that they are required to pay for.<sup>160</sup> While poor police salaries are commonly pointed to as a major

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<sup>154</sup> Ibid.

<sup>155</sup> Daniel M. Sabet, "Corruption or Insecurity? Understanding Dissatisfaction with Mexico's Police," *Latin American Politics & Society* 55, no. 1 (Spring 2013): 22–45, doi:10.1111/j.1548-2456.2012.00182.x.

<sup>156</sup> Ibid.

<sup>157</sup> Sabet, "Two Steps Forward: Lessons from Chihuahua."

<sup>158</sup> Ibid.

<sup>159</sup> Azaola, "The Weaknesses of Public Security Forces in Mexico City."

<sup>160</sup> Ibid.

contributors to police corruption, these bad working conditions help to explain why so many police participate in corrupt behavior that fuels impunity and the abuse of power.

Unfortunately, the public is unsympathetic to the police; rather, police corruption has generated a negative perception of the police nationwide along with widespread public distrust in the police institution. For years, the police force has been a primary public concern due to corruption and inefficiency.<sup>161</sup> In reality, bribery has a larger impact on public satisfaction of the police than does insecurity, and citizens feel forced to participate in the problem because they see no imminent solution.<sup>162</sup> Bribery, in combination with other factors, has resulted in massive citizen distrust of the police.<sup>163</sup> Other factors contributing to public distrust include a lack in investigative measures employed by the police, absence of professionalism, poor systems of information and intelligence, lack of mechanisms for the protection of human rights, faults in transparency, and confusion regarding the existence of so many different types of police.<sup>164</sup>

While it is clear that there are problems of transparency, legitimacy, and trust in Mexico's police, the results are problematic.<sup>165</sup> Two common citizen reactions stemming from distrust include failure to report crime when it happens and employment of private security forces or taking the law into their own hands in order to bring about a sense of public security.<sup>166</sup> In fact, 75% of crimes in Mexico are unreported due to citizen distrust in public security institutions.<sup>167</sup>

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<sup>161</sup> Reames, "A Profile of Police Forces in Mexico."

<sup>162</sup> Sabet, "Corruption or Insecurity?"

<sup>163</sup> José Ramón Gil García and María Gabriela Martínez Tiburcio, "El proceso de transformación y consolidación institucional de la Policía Federal," in *Policía Federal: Una Nueva Institución para México* (México: Centro de Investigación y Estudios en Seguridad, 2012).

<sup>164</sup> Ibid.

<sup>165</sup> Davis, "Undermining the Rule of Law."

<sup>166</sup> Mota Prado, Trebilcock, and Hartford, "Police Reform in Violent Democracies in Latin America."

<sup>167</sup> Donnelly and Shirk, "Introduction."

The media helps to feed distrust of the police, and it seems unlikely that this cycle of distrust, police corruption, and violence will go away.<sup>168</sup>

The argument that a culture of corruption fuels police impunity is qualitatively strong. It is obvious that corruption has fueled a system of relationships in Mexico that is based on bribery and patronage, and that these relationships stem from the legacies of the PRI as well as institutional shortcomings within the police force. However, this argument is difficult to prove: the ability to quantitatively show that corrupt behaviors are commonplace in Mexican society is limited and even this argument faces obstacles when demonstrating causal relationships between corruption and police violence. Therefore, it is more believable that police violence in Mexico stems from a combination of institutional weakness and drug violence that help to generate corruption.

History, the drug war and subsequent militarization of public security, and institutional weakness have contributed to widespread corruption in Mexico and an abundance of human rights abuses. But, the purpose of the public security apparatus in Mexico is to protect the people; rather, the police are contributing to public insecurity. While the military has been shown to be part of this problem, it is necessary to look at Mexico's Federal Police (the most powerful police institution in Mexico) to understand where they are in the perpetuation of human rights abuses. This paper will look to show that while institutions can play a role in police behavior, they are not the only cause of human rights abuse in Mexico. Rather drug violence and the presence of organized crime seem to be highly related to police impunity in Mexico.

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<sup>168</sup> Victor Hugo Rascón Banda, "Seguridad y Cultura," in *Seguridad Pública: Voces diversas en un enfoque multidisciplinario* (México: Editorial Porrúa, 2005).

### ***Hypothesis and Methodology***

This paper argues that high levels of drug violence and organized crime are strongly correlated with increased levels of violence, insecurity, and human rights abuses in Mexico committed by the Federal Police apparatus. In order to analyze this, the institutional and historical schools of thought discussed above will be explored more deeply. It should be noted that Mexico has attempted to reform the police structure numerous times. Therefore, recent reform efforts to the police in the past decade will be examined. In order to analyze the effectiveness of these reforms, this paper will then present data on human rights abuses committed by Mexico's Federal Police. Using a quantitative and time-trend analyses, one can verify the effectiveness of police reform efforts.

In order to then show that drug violence seems to be the highest indicator of police violence and brutality in Mexico, the human rights abuse data will be matched to drug violence data in both geographic and time contexts. From this comparison numerous conclusions and recommendations for further research regarding the inherent causes of public insecurity and police misbehavior in Mexico can be generated.

### ***Mexico's Federal Police Institution and Reform Efforts***

Mexico's attempts at reforming the police institution since the inception of the first Federal Police force have been frequent and thorough. To start, President Ernesto Zedillo created Federal Preventive Police (*Policía Federal Preventiva*—PFP) in 1999 and constituted them under the Ministry of the Interior (*Secretaría de Gobernación*—SEGOB).<sup>169</sup> The institution began with about 10,000 members (some military) and was supposed to work with local and state agents on intelligence and investigative duties.<sup>170</sup> However, President Vicente Fox, who

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<sup>169</sup> Meyer, *Mexico's Police: Many Reforms, Little Progress*.

<sup>170</sup> *Ibid.*

came to power in 2000, reconstituted the PFP and moved them under the Ministry of Public Security (*Secretaría de Seguridad Pública*—SSP).<sup>171</sup> He also created the Federal Investigative Agency (*Agencia Federal de Investigación*—AFI) to replace the former federal judicial police, and they were entrusted with heightened investigative duties.<sup>172</sup> In 2008, however, President Felipe Calderón began a series of reforms that combined the AFI and PFP into the new Federal Police (*Policía Federal*—PF) under the National Security Commission (*Comisión Nacional de Seguridad*—CNS) with heightened powers, a new police model, and increased deployments of officers.<sup>173</sup>

The 2008/2009 reform package (that would continue for eight years) introduced by President Calderón sought to thoroughly reform the police and judicial system in Mexico. The constitutional reforms of 2008 included are listed in the following table.<sup>174</sup> The qualitative substances and objectives of the new laws and reforms will be described in more detail below.

<b>2008/2009 Police and Judicial Reform Package</b>	
<b>Ley General del Sistema Nacional de Seguridad Pública</b>	General Law of the National System of Public Security
<b>Ley de Policía Federal</b>	Law of the Federal Police
<b>Código Federal de Procedimientos Penales</b>	Federal Code of Penal Procedures
<b>Ley Federal contra la Delincuencia Organizada</b>	Federal Law against Organized Crime
<b>Normas Mínimas sobre Readaptación de Sentenciados</b>	Minimal Norms about the Re-adaptation of the Sentenced
<b>Código Penal Federal</b>	Federal Penal Code
<b>Ley Orgánica de la Procuraduría General de la República</b>	Organic Law of the Attorney General
<b>Sistema de Desarrollo Político (sidepol)</b>	System of Political Development
<b>Juntas de Seguimiento y Evaluación Policial (Jusep)</b>	Police Monitoring and Evaluation Plan
<b>Programa Sensores Juveniles</b>	Juvenile Sensor Program
<b>Plataforma México</b>	Platform Mexico (technological development)

<sup>171</sup> Ibid.

<sup>172</sup> Ibid.

<sup>173</sup> Ibid.

<sup>174</sup> Dammert and Ungar, “La necesidad de un nuevo modelo de policía en México: Una perspectiva comparada.”



President Calderón sought to centralize, modernize, and coordinate all police forces with solid, professional, transparent, and effective police institutions.<sup>175</sup> The new police reforms contained initiatives for better prevention/repression of crime, investigation, fairer trials of criminals, a new penitentiary/rehabilitation system for criminals, and a post-penitentiary system.<sup>176</sup> Through this, the goal was to make all internal institutional systems more efficient, effective, and economical.<sup>177</sup>

The police reforms were centered on tenets that included the creation of a police civil service degree, a unified police structure, a system of incentives based on higher-level objectives, and changes in legislation/legal proceedings.<sup>178</sup> In detail, the reforms sought to accomplish the following: redefine the police doctrine; improve the requirements for joining the police; create systems of modern and permanent formation; clarify training processes; professionalize institutional structures; establish social protection systems; redefine the relationship between the police and military; generate better internal control systems; create accountability; enhance institutional processes; and generate improved information systems.<sup>179</sup> Furthermore, human rights became an important part of the new police and justice systems in Mexico, and police were to be better educated in human rights standards as well as trained in methods to avoid violations; new sanctions were created for offenses.<sup>180</sup> In essence, the new police model was to

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<sup>175</sup> Ibid.

<sup>176</sup> Gil García and Martínez Tiburcio, “El proceso de transformación y consolidación institucional de la Policía Federal.”

<sup>177</sup> Ibid.

<sup>178</sup> Carlos Barrachina, “El Nuevo Modelo Policial y su relación con los derechos humanos,” in *Los Derechos Humanos en el marco del Nuevo Modelo de Policía* (México: Centro de Investigación y Estudios en Seguridad, 2012).

<sup>179</sup> Dammert and Ungar, “La necesidad de un nuevo modelo de policía en México: Una perspectiva comparada.”

<sup>180</sup> Barrachina, “El Nuevo Modelo Policial y su relación con los derechos humanos.”

become citizen-centered and human rights centered so that it could be more democratic in form.<sup>181</sup>

A new hallmark of the reformed police force was the implementation of investigatory and preventive operations that included technical, tactical, and strategic analyses of information obtained from the generation of intelligence.<sup>182</sup> This meant that the police (as part of the reform package) were given more autonomy, larger capacities to make decisions and evaluate situations, and investigatory powers (alongside previous technical and operative powers that were in place under the reactive model).<sup>183</sup> The preventive and intelligence based models needed new information and communication infrastructure; investments into these and better equipment were also part of the reform package.<sup>184</sup> New institutional divisions within forces, alongside special functions that include communication intervention and undercover operations were developed.<sup>185</sup> Better technology would be used for more integrated and interconnected collaboration between police forces.<sup>186</sup> Overall, the reforms sought to create a preventive and investigative police, rather than a solely reactive institution.<sup>187</sup>

Furthermore, the professionalization of officers became a key component of the new police model, as the reforms sought to evaluate and rule out weaknesses of the institution while formulating programs of transformation in order to create a modern and efficient police

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<sup>181</sup> Ibid.

<sup>182</sup> Juan Salgado Ibarra and Miguel Quintana Navarrete, “Construcción de las capacidades institucionales de la Policía Federal,” in *Policía Federal: Una Nueva Institución para México* (México: Centro de Investigación y Estudios en Seguridad, 2012).

<sup>183</sup> Octavio Rodríguez Ferreira, “La Policía Federal y el Nuevo Modelo de Policía: Análisis legislativo y consideraciones generales,” in *Policía Federal: Una Nueva Institución para México* (México: Centro de Investigación y Estudios en Seguridad, 2012).

<sup>184</sup> Ibarra and Quintana Navarrete, “Construcción de las capacidades institucionales de la Policía Federal.”

<sup>185</sup> Rodríguez Ferreira, “La Policía Federal y el Nuevo Modelo de Policía: Análisis legislativo y consideraciones generales.”

<sup>186</sup> Dammert and Ungar, “La necesidad de un nuevo modelo de policía en México: Una perspectiva comparada.”

<sup>187</sup> Ibid.

system.<sup>188</sup> Professionalization components also included new requirements, education curriculums, trainings, human resources procedures, and evaluations; therefore, the selection, evaluation, and formation of police elements would require more care and resources.<sup>189</sup>

Three strategic elements for the development of capable institutions included the prioritization of police activity in strategic areas, the strategic utilization of supervisors and informants, and the placement of intelligence in the center of the decision making process.<sup>190</sup> Alongside the new strategic elements were a restructuring of the police force to have scientific, intelligence, communication, collaboration, and managerial centers/divisions.<sup>191</sup> Accompanied with the reforms were increases in resources allocated to public security institutions.<sup>192</sup> This involved an increase in officer deployments as well as increases in the number of officers on the Federal Police force (about 40,000 by 2010), who were supposed to be better educated and more professionalized; this would be a quantitative and qualitative enhancement of the police force.<sup>193</sup>

Judicial reforms were also set to be major improvements for Mexico. For one, the judicial system was to become adversarial (rather than inquisitorial).<sup>194</sup> Simply put, this meant that the accused would be presumed innocent and Mexico would see the implementation of fairer judicial processes (including new rights and oral trials) at all levels of government.<sup>195</sup> Furthermore, the penitentiary system in Mexico was to undergo a transformation within the judicial reforms so

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<sup>188</sup> Barrachina, “Seguridad Pública, democracia y derechos humanos.”

<sup>189</sup> Dammert and Ungar, “La necesidad de un nuevo modelo de policía en México: Una perspectiva comparada.”

<sup>190</sup> Ibarra and Quintana Navarrete, “Construcción de las capacidades institucionales de la Policía Federal.”

<sup>191</sup> Ibid.

<sup>192</sup> Ibid.

<sup>193</sup> Ibid.

<sup>194</sup> Rodríguez Ferreira, “La Policía Federal y el Nuevo Modelo de Policía: Análisis legislativo y consideraciones generales.”

<sup>195</sup> Ibid.

that the rights of the accused as well as tried prisoners would be better treated alongside international human rights standards.<sup>196</sup>

In summary, the new police and justice models set out to improve fragmented procedures and structures, generate preventive and investigative forces, professionalize members, modernize systems of operation, improve coordination, introduce intelligence and information procedures and systems, and generate human-rights respecting institutions.<sup>197</sup> An analysis of trends in human rights abuses committed by the Federal Police is provided below in order to see how effective the 2008/2009 reforms have been. It is important to keep in mind that these reforms have a six-year implementation period. Therefore, they have until 2016 to be fully completed at all levels of government.

### ***Human Rights Abuses Committed by the Federal Police***

Mexico's National Human Rights Commission (*Comisión Nacional de los Derechos Humanos*—CNDH) is responsible for overseeing and protecting human rights of all people in Mexico, especially if infringed upon by government officials. In doing this, it collects complaints regarding human rights abuses, investigates these complaints, and then publishes recommendations (to be sent to the violating government institution) that outline the abuse that was committed as well as what should be done to remedy the human rights violation. Anyone in Mexico is able to submit a complaint, and it can be done so anonymously. Unfortunately, the CNDH holds no judicial power and cannot try perpetrators of human rights abuses. Rather, it can

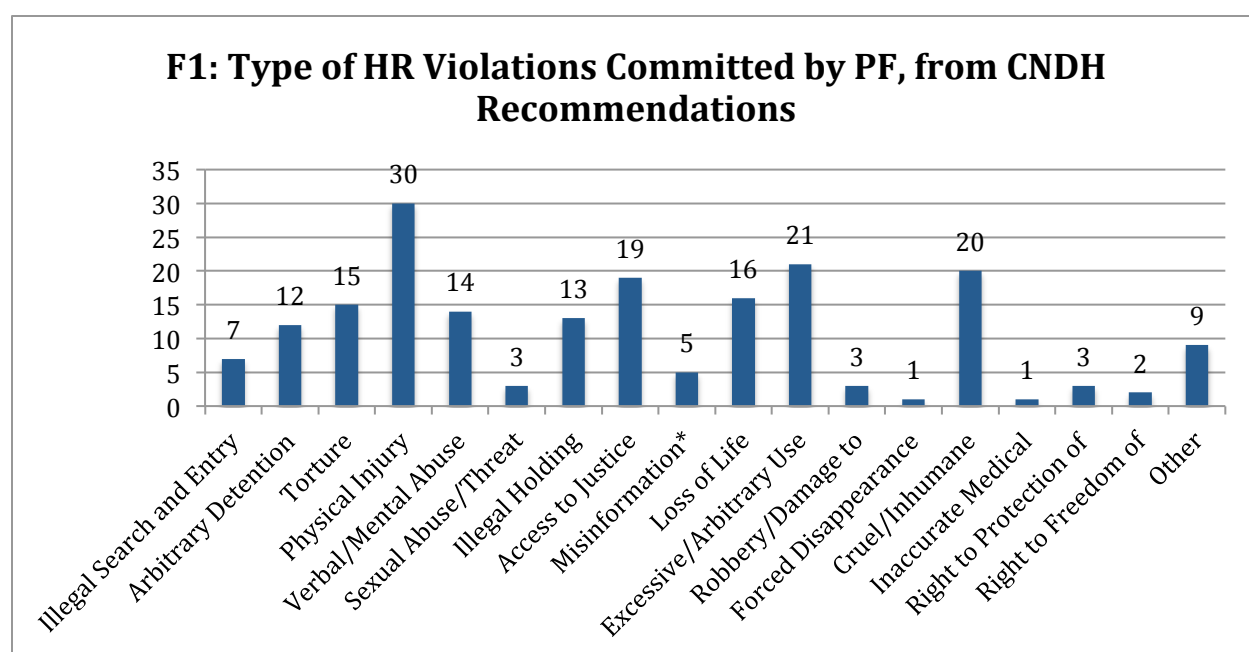
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<sup>196</sup> Ann Laura Magaloni Kerpel, "Un nuevo marco normativo para un nuevo modelo de instituciones de seguridad pública," in *El Nuevo Modelo de Policía en México* (México: Centro de Investigación y Estudios en Seguridad, 2012).

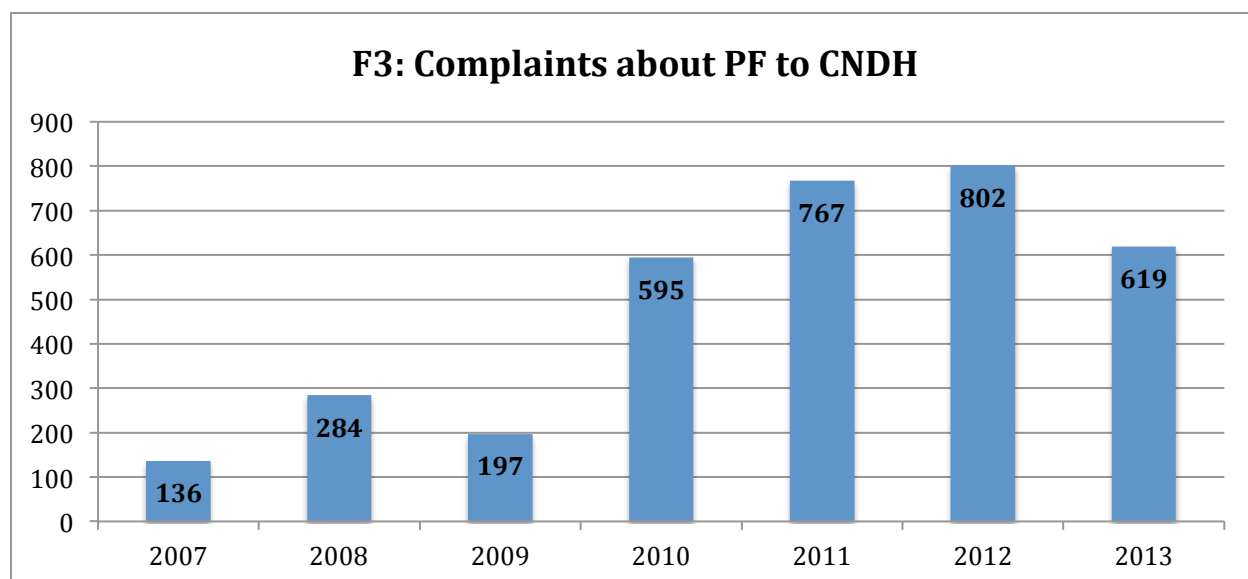
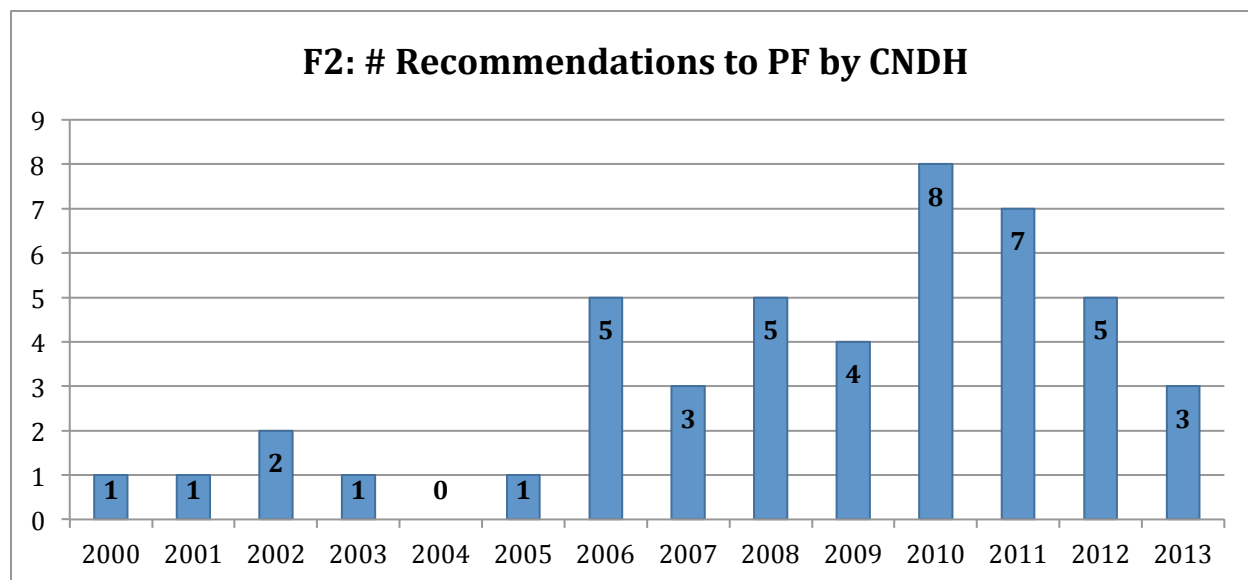
<sup>197</sup> María Cristina Rosas, "Las instituciones de seguridad pública frente a la delincuencia en México: Retrovisión y perspectivas," in *El Nuevo Modelo de Policía en México* (México: Centro de Investigación y Estudios en Seguridad, 2012).

only collect data on human rights violations and recommend to offending institutions ways to remedy the abuse.

This analysis will first look at the recommendations that have been published against the Federal Police in Mexico and see what type of abuses are being committed by Federal Police officers. It is important to note that this analysis only looks at the Federal Police; state and municipal level forces are not included in this dataset. However, any collection on abuses committed by these forces would enhance this research. Figure 1 illustrates the types of abuses committed by Mexico's Federal Police based on CNDH Recommendations.<sup>198</sup> The most common violations that Federal Police officers seem to commit are those that include physical injury, excessive/arbitrary use of force, and cruel/inhumane treatment. These types of violations show that officers are abusing their authority in an attempt to eliminate crime. Also notable are the instances of torture, denial of access to justice, abuse, illegal holding, and arbitrary detention. While the motivations behind these violations need further analysis, it is important to note that the 2008/2009 police reforms that sought to professionalize, better train, and improve police coordination are meant to prevent these violations from occurring.



To see whether or not the reform efforts have been effective, it is important to now look at how human rights violations have either increased or decreased by year. Figure 2 outlines the number of recommendations that the CNDH has published about the Federal Police each year since 2000.<sup>199</sup> It is important to note that these numbers only reflect CNDH *recommendations*, not the number of complaints that the institution has received. Therefore, better variance among



<sup>199</sup> Ibid.

years is provided by Figure 3, which illustrates the number of complaints the CNDH has received about the Federal Police each year since 2007.<sup>200</sup>

The purpose of providing data on both the number of recommendations and complaints is twofold. First, both can show whether or not police reforms have been helpful since their inception in 2008 and 2009. Second, they present a new problem involving the massive lack of CNDH complaints that become recommendations. This obviously warrants further investigation and is outlined below.

Primarily, the figures showing the numbers of recommendations and complaints point to potential ineffectiveness of police reform efforts. In both, the numbers of complaints and recommendations regarding human rights violations by the Federal Police escalated in 2010, after the police reforms had already been put in place. While the reform efforts likely did not cause the police to commit more human rights violations, there are a variety of correlating factors that could be causing this to happen, including drug violence trends, changes in recommendation and complaint processes in the CNDH, or the slow implementation of police reforms. However, this data implies that the institutional school of thought is not best when analyzing the motivations behind police misbehavior in Mexico, as reforms are not affecting police behavior. The institutional reforms are not helping the police to respect human rights and generate better public security. Therefore, other variables must be more effective in predicting human rights violations by the police in Mexico other than the police institution itself.

The quantitative differences between the numbers of complaints and recommendations by the CNDH are significant. On average, 1.3% of complaints to the CNDH about the Federal Police have become published recommendations. While there is always the possibility that a complaint is resolved during the investigation process (investigations can take anywhere from 3-

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<sup>200</sup> Meyer, *Mexico's Police: Many Reforms, Little Progress*.

36 months), there is a clear issue at hand that continues to warrant more investigation into why so many complaints are not published as recommendations after submission to the CNDH.

Furthermore, as stated above, the recommendation does not guarantee justice. Therefore, this paper encourages further analysis into Mexico's CNDH processes as well as the investment of deeper judicial authority into the human rights commission.

### ***Drug Violence and Police Brutality: A Comparison***

This paper will now turn to a comparison of drug violence data and CNDH data on human rights violations in an attempt to demonstrate a relationship between drug violence and police behavior. This paper uses data on organized crime related homicides separated by state and year from 2007-2014. Then, it compares this to complaints to the CNDH about Federal Police human rights violations (also separated by state and year from 2007-2014). After, a p-value is provided to demonstrate potential statistical significance.

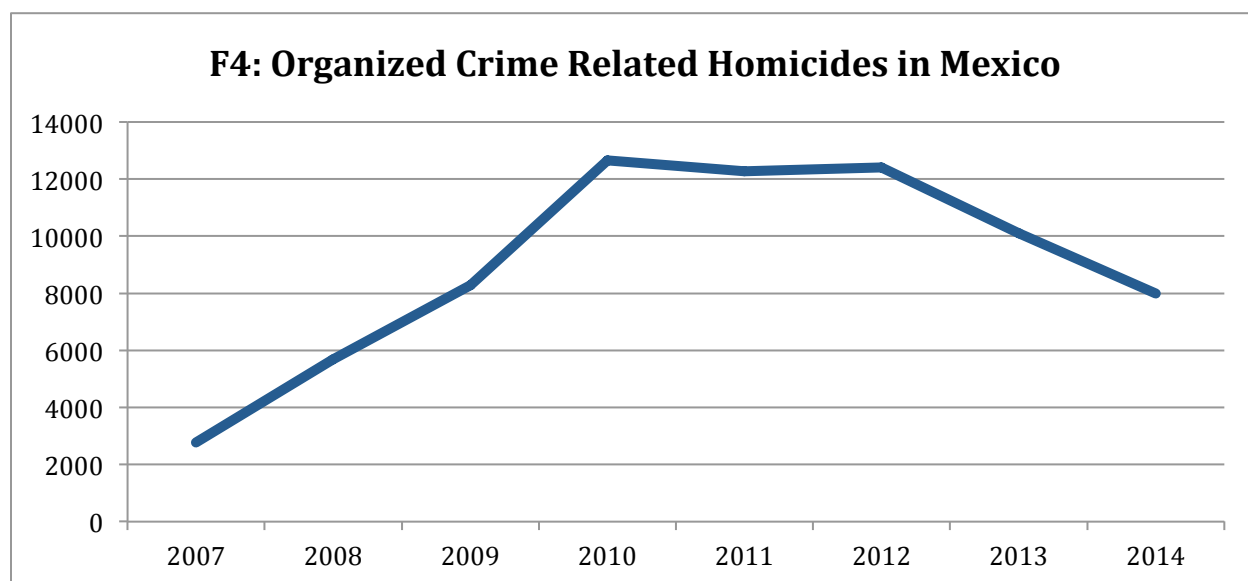


Figure 4 illustrates aggregate organized crime related homicides in Mexico from 2007 to 2014.<sup>201</sup> It slightly parallels trends in Federal Police human rights violations, showing a jump in 2009 and 2010 which was followed by a slight decline in 2013 and 2014 in organized crime

<sup>201</sup> *Justice in Mexico*, justiceinmexico.org.



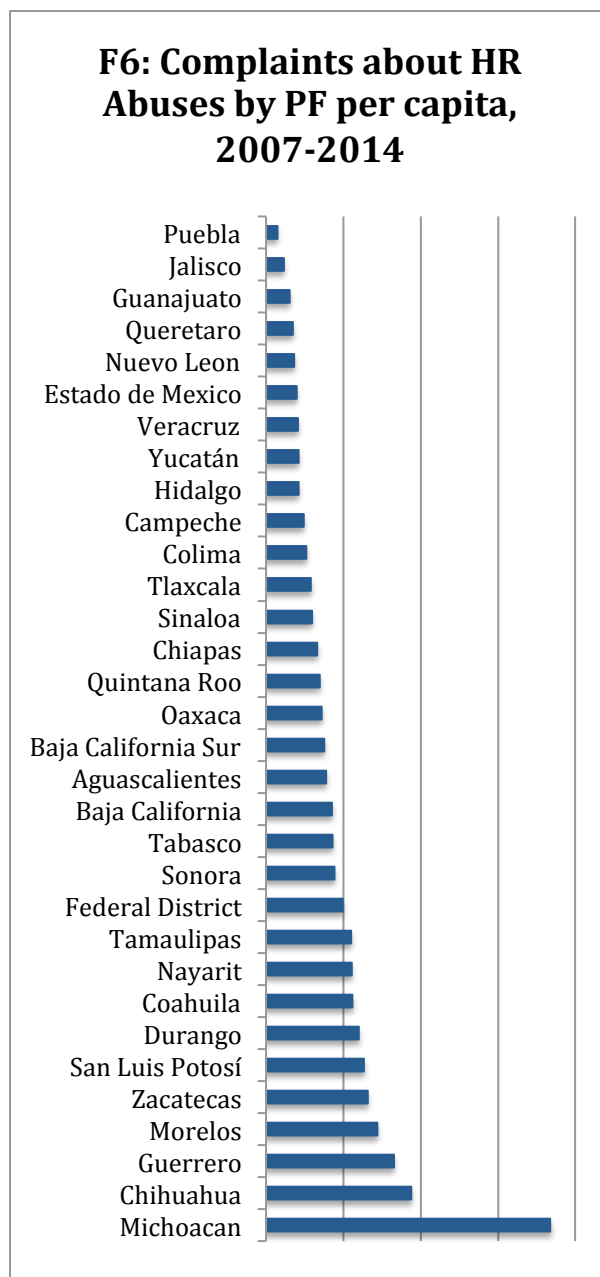
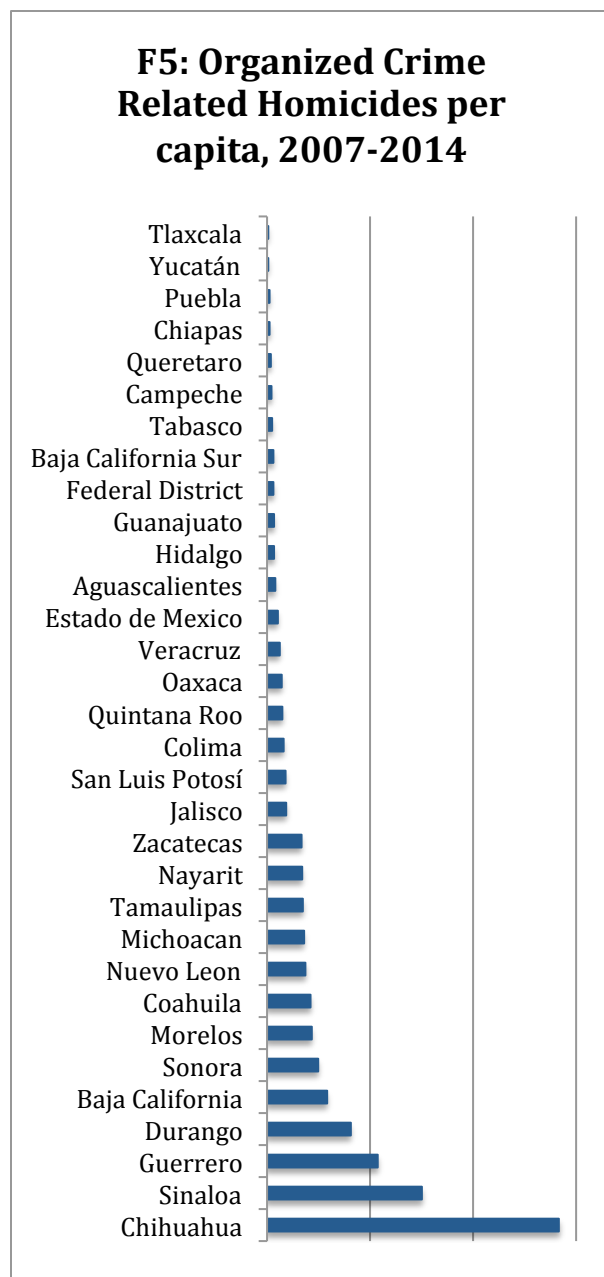
related homicides. This begins to show a national-level correlation between drug violence and police human rights abuse because both drug related homicides and police abuses seemed to increase around 2010 and decrease near 2014. While a variety of factors could be responsible for these trends, the data points to the possibility that police behavior is affected by drug-related activity and organized crime violence. However, conclusions cannot yet be drawn because it is quite possible that the two instances of violence (drug-related and police-related) differ by geographic region or state. This would mean that some states may have seen increases in drug-related violence while other states experienced increases in police-related violence. In order to demonstrate whether or not this variation exists, data on state-level violence (both organized crime related and police related) are provided below.

Figures 5 and 6 show state-level variance between 2007 and 2014 for organized crime related homicides<sup>202</sup> and complaints about Federal Police human rights violations<sup>203</sup>. The data is separated in per capita measures in order to illustrate true state-level variance. This means that the sets of information provided show which populations suffered from the most instances of police related violence or organized crime related violence. Per capita measures are able to put each state on an even base when taking measurements and to show true variance. The graphs demonstrate that between 2007 and 2014, there are similarities between states with the highest levels of drug violence and the highest instances of police human rights abuse. For example, states such as Baja California, Guerrero, and Durango all saw higher instances of both drug violence and Federal Police human rights abuse. Furthermore, states such as Puebla and Queretaro saw lower instances of both during the same seven years.

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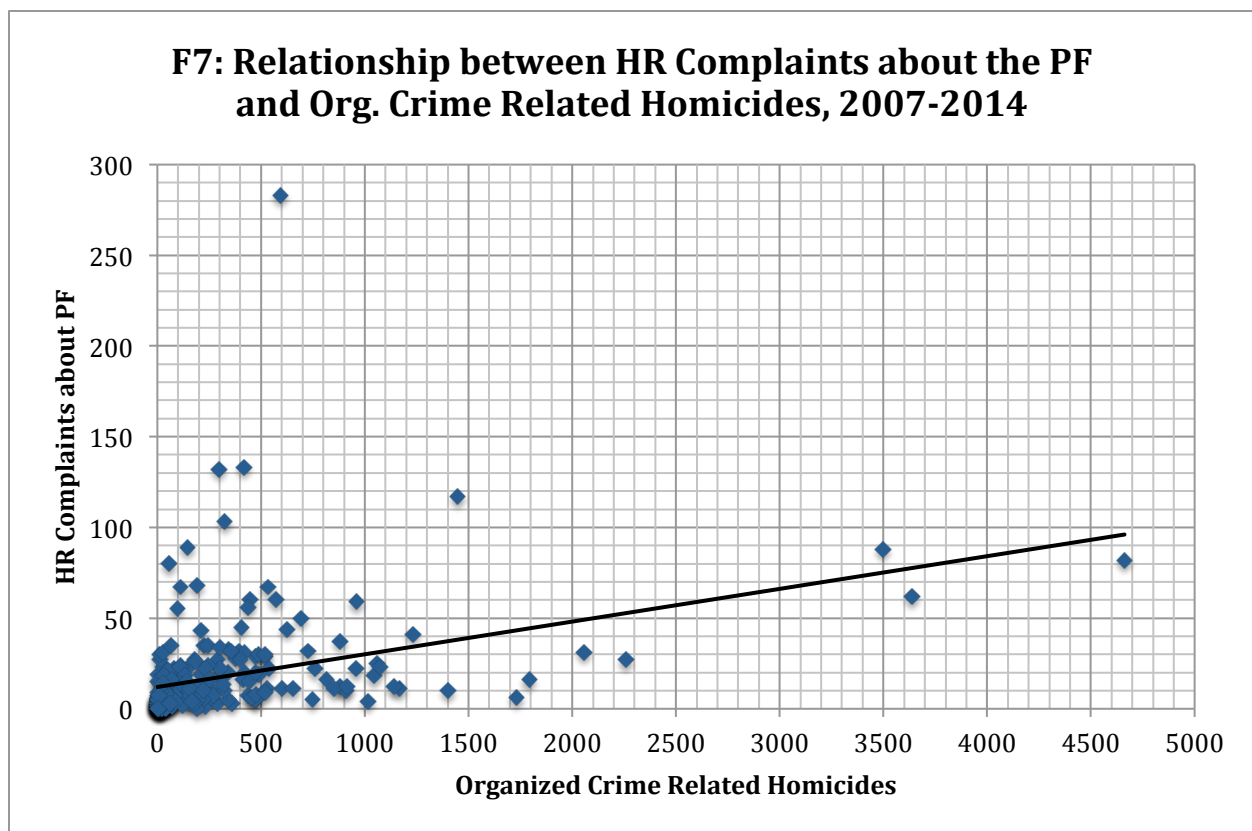
<sup>202</sup> Ibid.

<sup>203</sup> *Comisión Nacional de Los Derechos Humanos.*



However, it is important to note that in both drug-related homicides and human rights violations committed by the police, data can vary by year within states. Figure 4 showed that some years saw highly increased instances of drug violence, and Figure 3 shows that some years saw higher instances of human rights violations by the Federal Police. While these increases on a national level paralleled each other, it is quite possible that during these years, drug violence and human rights violations also varied and changed by state. Put more clearly, this data does not

show if a state like Sinaloa saw an increase in drug violence in 2009 while other states may have seen a decrease, or if a state like Michoacán saw an increase in human rights abuses committed by the Federal Police while other states may have seen a decrease or stagnant rate in the same year. Therefore, it is necessary to examine each state's number of organized crime related homicides and each state's number of human rights violations during each measured year to get a truly accurate portrayal of potential correlation. To do that, all data (each state, year, and



variable) have been combined into a scatter plot. Figure 7 shows the relationship between the two measured variables (the number of organized crime related homicides and the number of complaints against the Federal Police to the CNDH occurring in each state during each year).

While the chart above does not show an extremely strong statistical relationship, it should be noted that a correlation value of 0.362 was generated when comparing the relationship between complaints to the CNDH about the Federal Police and the numbers of organized crime

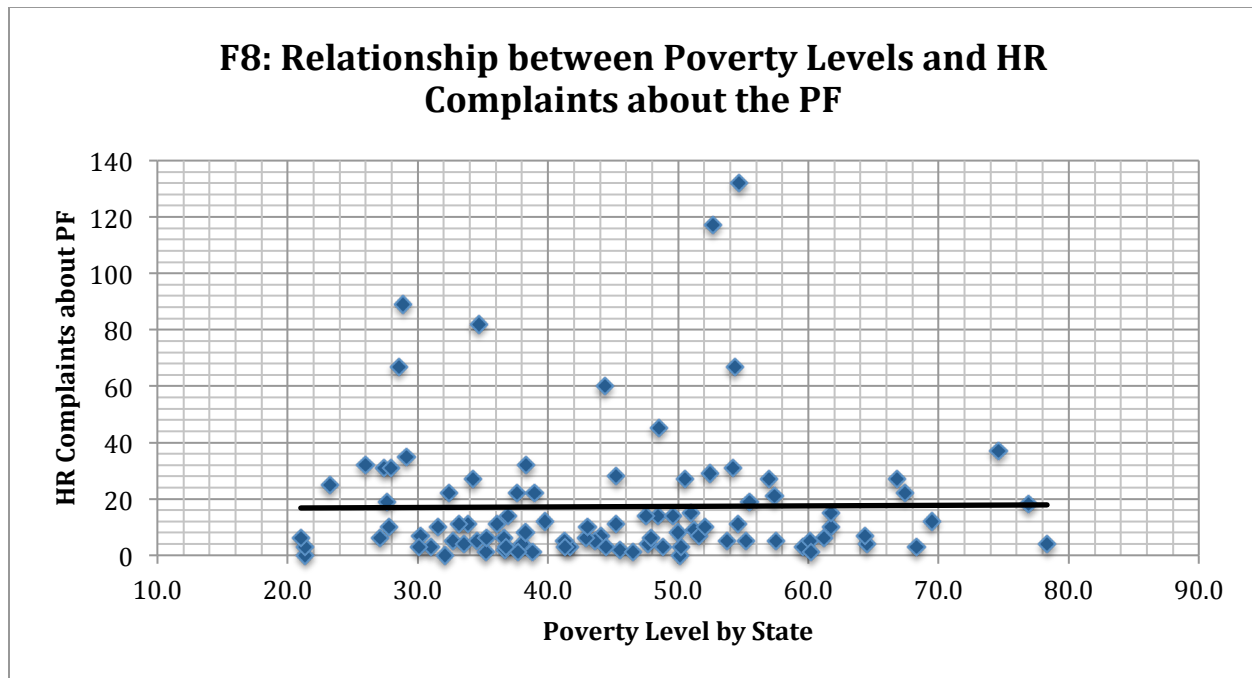
related homicides in each state between 2007 and 2014. While this value does not show causation, it points to a significant relationship between the two variables. Therefore, it is clear that a relationship between drug violence and police abuse exists in Mexico. The fact that human rights abuses committed by the Federal Police are related to organized crime related homicides points to the idea that police behavior can be predicted by drug-related activity. Because it is a positive correlation, areas with higher instances of drug violence are more likely to see increased abuses by police forces. While the factors behind this behavior need examination, this trend shows that the police in Mexico are more likely to abuse their power in areas with higher amounts of illicit drug activity. However, other factors may exist that can also affect police behavior in Mexico, which are explored in more detail below.

### ***Other Factors Affecting Police Brutality***

Before it can be concluded that drug violence is a strong predictor of police brutality, two other variables are looked at. Figure 8 compares poverty levels in each state with complaints to the CNDH about the Federal Police. The purpose of comparing state-level poverty measures and complaints about human rights violations by the Federal Police is to see if there is a statistically significant relationship between poverty and police abuse. If there is, then it may be that socio-economic status has a stronger effect on police behavior than drug violence. For the purposes of this measure, the hypothesis is that states with a larger percentage of the population living in poverty are more likely to experience human rights abuses committed by the Federal Police. Poverty measures are given by the percentage of the population in each state living below the poverty level.<sup>204</sup> For this measure each state's poverty level in the years of 2008, 2010, and 2012 are compared.

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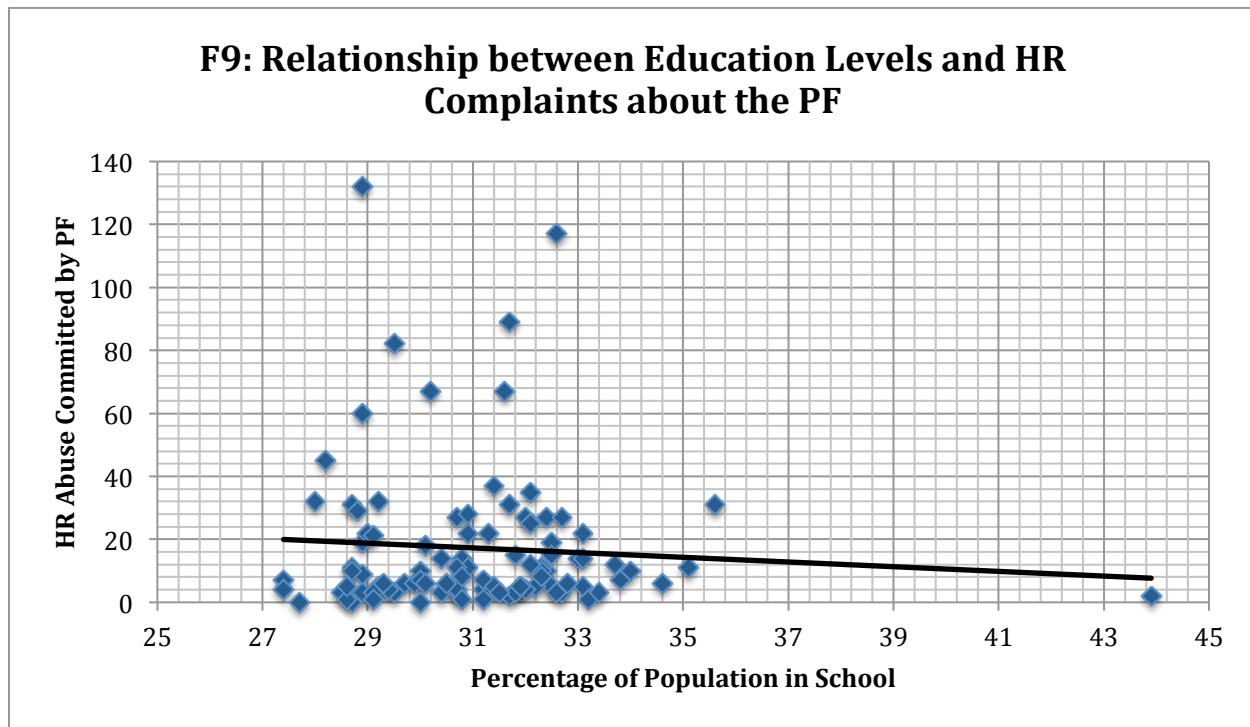
<sup>204</sup> Consejo Nacional de Evaluación de La Política de Desarrollo Social, [coneval.gob.mx](http://coneval.gob.mx).



The figure shows that no relationship exists between state poverty levels and complaints about human rights abuses committed by the Federal Police. Furthermore, the two datasets generated a correlation value of 0.011, demonstrating no relationship between poverty levels and police behavior. This means that no matter the poverty rate in each state, the police are likely to act in the same way or continue to abuse human rights. Poverty cannot serve as a predictor of police behavior in Mexico.

Figure 9 compares the final variable, state education levels, with complaints to the CNDH about the Federal Police. The purpose of comparing education levels and complaints about Federal Police human rights violations is to see whether or not more or less educated states in Mexico experience different relationships with the police. For the purposes of this test, the hypothesis is that states with more educated populations are more likely to see lowered instances of human rights abuses committed by the Federal Police. Measures on education levels were

taken by the percentage of the population in each state that has completed secondary education.<sup>205</sup> For this measure, the years of 2008, 2010, and 2012 are compared.



The two datasets for this test generated a correlation value of  $-0.071$ , demonstrating a very small negative correlation. While a statistically significant relationship is nonexistent, this data shows that areas with higher education rates have a slightly smaller chance of seeing police human rights violations. However, the weak correlation value means that in reality, education levels do not predict police behavior. There, both poverty and education levels are weak predictors of police abuse while drug violence is much stronger. From this all, it can be determined that drug violence is a strong predictor for human rights violations committed by Mexico's police and that a statistically significant relationship between drug activity and police behavior exists in Mexico. The police in Mexico, therefore, are likely to be influenced by the presence and activities of drug cartels and organized crime groups.

<sup>205</sup> *Secretaría de Educación Pública*, [www.sep.gob.mx](http://www.sep.gob.mx).

### ***Explaining Outlying Cases***

Before concluding, however, one last explanation is needed. As Figures 5 and 6 showed, multiple states see high levels of drug violence and very low levels of human rights violations committed by Mexico's Federal Police. For example, states such as Sinaloa and Nuevo Leon sit on opposite sides of the two graphs. Multiple factors could be contributing to this difference, and each requires deeper research.

Primarily, drug cartels in certain areas of Mexico likely operate differently. They may manipulate the population in different ways, and some cartels may have more influence over police behavior than others. Furthermore, police protection mechanisms may exist in different areas, making it either easier or harder for them to be held accountable to human rights violations. Even though the Federal Police is one police force, it may interact with each population differently in various states depending on the relationships between societies, cartels, the military, and the police.

Finally, some populations may be either more or less trusting of the police, which could affect their ability and desire to report human rights abuses. For instance, it is possible that the public is more fearful of police behavior in some areas than others, and this may hinder their ability to report abuses to the CNDH. For each of these possibilities, local or state level research is needed that examines the relationships between cartels, the population, and public security forces.

### ***Conclusions and Recommendations***

This paper has examined the reasons behind increasing levels of crime, insecurity, and police violence in Mexico. More specifically, an analysis of Mexico's Federal Police in the perpetuation of such high levels of violence in Mexico has been given. While they are Mexico's

most powerful police force, the Federal Police seem to be contributing to increasingly high levels of violence, crime, and insecurity.

Three perspectives have been provided to analyze this problem and helped explore important answers. The historical school of thought said that Mexico's current public insecurity and police violence is a result of the old Institutional Revolutionary Party's authoritarian manipulation of public security forces. The ruling style of PRI, combined with its relationship with drug cartels, helped to stimulate the rise of drug violence in Mexico that led to the eventual War on Drugs. The institutional argument said that a highly militarized public security apparatus, combined with structural police weaknesses and inefficiencies, has contributed to Mexico's modern problems of police misbehavior, human rights violations, and public insecurity. Finally, a cultural school of thought said that a culture of corruption in Mexico prevails which results in public mistrust of the police and allows for violence and police brutality to abound.

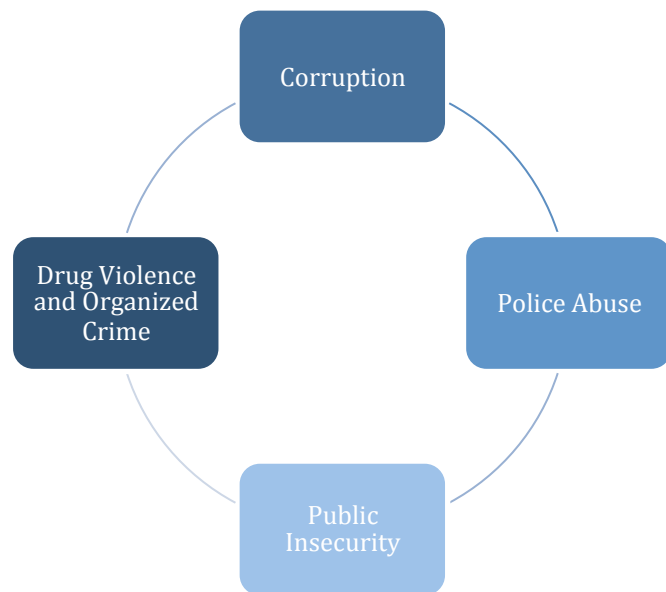
This paper argued that drug violence and the presence of organized crime in Mexico is most strongly correlated with high levels of violence, insecurity, and human rights abuses committed by the police in Mexico. After an analysis of modern police reforms efforts, human rights violation data, drug violence data, and comparisons of poverty and education levels, it can be concluded that the presence of drug violence in Mexico has the potential to strongly affect police behavior and public security. While this is not a causal relationship, Mexico's police are affected by drug trafficking organizations and areas with heightened drug violence are more inclined to experience a violent police force and enhanced public insecurity.

While no explanation is perfect in pointing to a causal factor, a history of drug trafficking in Mexico has created a situation in which the police abuse human rights either out of the need to provide sufficient results in police work or because they may be corrupted by drug cartels. When



comparing all information presented, it seems that a cycle exists in which drug violence and Mexico's authoritarian past have generated large levels of corruption that the police buy into. This then fuels human rights abuses committed by the police and perpetuates public insecurity. Unfortunately, drug cartels and organized crime groups in Mexico thrive off of this public vulnerability and the deteriorated rule of law, which allows this drug violence-police abuse cycle to strengthen. Unfortunately, it is not easy to break this cycle; simply addressing drug traffickers or the police institution will not solve problems of corruption. As has been seen, corruption can continue to fuel public insecurity and the

subsequent strength of drug cartels, which are able to negatively affect police behavior. To enrich this examination, further research is needed at local levels. The relationships between police, public, military, and drug trafficking organizations should be examined at state and municipal levels so that stronger conclusions regarding the reasons behind police



misbehavior and public insecurity can be uncovered. This will allow policy to better adapt to the violent situations throughout Mexico and at the US-Mexico border.

No one strategy can be implemented in order to solve the situation in Mexico. Rather, a multi-level combination of strategies should be taken on by both the United States and Mexico in order to bring about a heightened sense of public security in the region. For one, police reform efforts that Mexico installed in 2008/2009 should be hurried and cared for at all levels of

government so that the police can be better incentivized and trained to work against organized crime and for the common citizens. Second, efforts to limit the power of drug trafficking organizations should be examined so they can be weakened from the top-down and bottom-up. Furthermore, public security should be de-militarized and poverty should be rooted out so that the population is less vulnerable to powerful organized crime groups. Finally, Mexico's human rights commission should be strengthened and given more judicial powers to enhance their efforts to protect human rights in Mexico. There is much that the international community can do to help this situation; knowing the root causes of Mexico's public insecurity can help to stop the high levels of drug violence, military abuse, and police brutality that plague Mexico's population and threaten the human and state security of Mexico and the United States.

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