



PROJECT ON REFORMING THE ADMINISTRATION OF JUSTICE IN MEXICO
CENTER FOR U.S. MEXICAN STUDIES
9500 Gilman Drive, #0521, La Jolla CA 92093-0510
Tel. 858-534-4503; Fax: 858-534-6447
<http://usmex.ucsd.edu/justice>

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Police Forces in Mexico: A Profile

by

Benjamin Reames

Mexico Policing Project

Lawyers Committee for Human Rights

reamesb@lchr.org

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ABSTRACT: This “white paper” simply defines the police forces of Mexico, describes police organizations and identifies some of their major challenges. Mexican police institutions are complex, multifarious and changing; as a result, function and jurisdiction emerge as two key ways to understand the police. The major challenges to making the police more efficient, effective and accountable are the lack of resources, poor training, corruption and increasingly severe crime problems. This paper is intended as a resource and is a work in progress; comments, corrections and updates are welcome.

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General Background

As a large federation of 31 states and one federal district, Mexico maintains a complex variety of police forces with different functions and jurisdictions. Though estimates vary due to inadequate centralized data collection and changing conditions, it is safe to say there are more than 350,000 police officers in the country and about 3,000 different forces at municipal, state and federal levels. Besides the multiplicity of forces in Mexico, the other outstanding features of country's police are their corruption, growing militarization, poor preparation and ineffectiveness in the face of increasingly severe crime. Some causes and attempted redresses for these problems are explored, following functional and jurisdictional descriptions of the police below.

There is no predominant police force that represents Mexico policing in a definitive way. However, recent reforms in three of the most significant police bodies demonstrate the kaleidoscopic picture of Mexican policing. First, the Federal Attorney General's Office (*Procuraduría General de la República* – PGR) recently established a new police force, the Federal Agency of Investigation (*Agencia Federal de Investigaciones* – AFI) which replaced the notoriously corrupt Federal Judicial Police (*Policía Judicial Federal* – PJF) by the presidential decree of Vicente Fox (2000-2006) on November 1, 2001. The efforts to develop the AFI into a professional, uncorrupted force for the investigation of federal crimes are ongoing.

Second, the Federal Preventive Police (*Policía Federal Preventiva* – PFP) was created in 1999 by the initiative of President Ernesto Zedillo (1994-2000) to prevent and combat crime throughout the country. The PFP has been assuming its authority in stages over time, as its budget has grown and it has combined and reorganized police departments from major agencies such as those for migration, treasury, and highways.

Third, the Secretariat of Public Security of the Federal District (*Secretaría de Seguridad Pública del Distrito Federal* – SSP), unlike the previous two, does not have national reach, but it does manage a combined force of over 90,000 officers in the Federal District (DF). The SSP is charged with maintaining public order and safety in the center of Mexico City where public insecurity and crime rates are highest in the nation. As a result, there have been concurrent efforts to increase accountability and improve police effectiveness. Beginning in 1996, authorities began a dramatic restructuring of the SSP, which included replacing major officials with army officers. Recently, the most recent high-profile effort has been Mayor Andres Lopez Obrador's announcement in 2002 that the DF would contract former New York City Mayor Rudolph Giuliani as a consultant to the SSP.

The police in Mexico, properly understood, are the public security forces charged with the prevention and investigation of crimes; these forces are therefore meant to support the Public Ministry (*Ministerio Público*) and the judiciary. Given the changing, complex nature of these police institutions, two defining dimensions—function and jurisdiction—enable the clearest description.¹

Functional Description of the Police

Typical of Latin America, Mexico's police are divided into a dual set of preventive police (the order-controlling *policía preventiva*) and judicial police (the typically plain-clothes, investigative *policía judicial*). The preventive police do what is often called “ostensive policing” and thus maintain order and public security in cities and towns; they do not investigate crimes and only assist the Public Ministry at its request. They are empowered to act according to police and governmental regulations (Article 21 of the Constitution).

The judicial police are an auxiliary to the Public Ministry and act under its authority and command. The judicial police belong to institutions known as *procuraduría generales*, which are important justice institutions translated as attorney general offices or sometimes “procuracias”. There are three key types of police actors in this type of law enforcement: the police officers (*policías judiciales*), investigating agents of the public prosecutor (often simply called *ministerios públicos*), and technical experts (*peritos*). Depending on their jurisdiction, judicial police enforce federal law (*fuero federal*) or local law (*fuero común*).

According to the National Public Security System (*Sistema Nacional de Seguridad Pública* - SNSP) municipal and state level police forces employed some 280,000 officers in 1999. The nearly 34,000 preventive police of the federal district and the federal preventive police raised the number to 319,600 preventive police in 1999. Today there are probably over 330,000 preventive police; judicial police officers, which numbered 24,069 at the last official count in 1999, now certainly number over 25,000.

Jurisdictional Description of the Police

There are four types of jurisdictions that affect the nature, activity and organization of police institutions: the three levels of government—federal, state, and municipal—and the federal district.

Municipal

The *municipio* represents the local level of government and may contain many smaller towns and cities. Like counties in the U.S. that have sheriffs, they can maintain a police

¹This observation, like many others throughout which have not been cited, is owed to López Portillo Vargas, E. (2002). The Police in Mexico: Political Functions and Needed Reforms. In Bailey, J. & Chabat, J. (Ed.). (2002). *Transnational Crime and Public Security*. San Diego: Center for U.S.-Mexican Studies at the University of California San Diego.

force. *Municipios* only have preventive police, but not all do. There are 2,395 *municipios*; 335 have no police forces. There are 2,000 *municipios* with fewer than 100 officers, which implies that the police departments are not very developed and probably not very modernized. However, 87 of the largest *municipios* account for 68.7% of preventive police at all levels of government, so some are quite complex.

Federal District

The Federal District (the DF or *Distrito Federal*) contains the heart of Mexico City and the seat of federal government. There are 8.7 million residents of the DF, according to 2002 estimates, and another 18 million people in the metropolitan region.

Preventive Police - DF

The DF stands out for having the highest crime rates in Mexico, as well as a huge preventive police force of approximately 34,000 officers, not to mention 40,000 auxiliary police and 15,000 banking police. These nearly 90,000 officers work for the Secretariat of Public Security of the DF (*Secretaría de Seguridad Pública – SSP DF*). In 2000, the SSP had a budget of about \$10 billion pesos and six major divisions.

Slightly less than half of the Preventive Police are distributed geographically in the first major division, the Sectoral Police (*Policía Sectoral*), by six main regions with usually three precincts in each (a total of 16 precincts) and a number of sectors within each precinct (a total of 70 sectors).

Of the six divisions, the remaining five divisions of the Preventive Police (over 17,000 of the 34,000) are organized into special divisions, rather than geographically. The second, the Metropolitan Police (*Policía Metropolitana*), consists of six special units: the Public Transit Police, the Tourist Police, the Grenadiers (*Granaderos* protect the historic district), the Mounted Police, the Feminine Police (the *Policía Femenil* work in schools, with juveniles, at public events and in public parks and gardens), and the Emergency Rescue Squad (ERUM). The third division is a set of Special Squadrons (*Fuerzas Especiales*) consisting of four main groups: the Helicopter Squadron; the Special Unit, which specializes in motorcycles; the “Task Force” (*Fuerza de Tareas*) deals with terrorist and bomb threats; and the Alfa Group, which is a secretive, ad hoc force that works with the Special Unit and fights drug trafficking. The fourth division is Roadway Security (*Seguridad Vial*), which maintains a force of brown-uniformed police that patrol the roads and highways. An under-staffed Internal Affairs is the final division.

The SSP is not synonymous with preventive police. Two separate forces, under the SSP but not part of the Preventive Police, comprise the Complimentary Police: the Auxiliary Police (approximately 40,000 strong), which guards official buildings and other specific locations like the airport; and the Banking Police (about 15,000 officers), which guards businesses, financial institutions and banks.

Judicial Police of the DF – PGJ DF

The DF is also unique for maintaining its own force of judicial police, the Judicial Police of the Federal District (*Policía Judicial del Distrito Federal – PJDF*), which are

organized under the Office of the Attorney General of the DF (the *Procuraduría General de Justicia del Distrito Federal*). The PGJDF receives complaints and reports of possible crimes and investigates them. They maintain 16 precincts (*delegaciones*) with an estimated 3,500 judicial police, 1,100 investigating agents for prosecuting attorneys (*agentes del ministerio público*), and 941 experts or specialists (*peritos*). The PGJDF budget exceeds \$3 billion pesos each year.

States

The 31 states maintain, like the DF, both preventive and judicial police. The state-level preventive police are perhaps 90,000-strong. The judicial police, by definition, must enforce a set of laws or codes; in the states and the DF, the relevant jurisdiction is the local state law (commonly called *fuero común*). By the best but infrequent estimates, in 1995, there were 21,000 state-level judicial police officers from the State Judicial Police forces (*Policía Judicial de los Estados – PJE*) organized under the offices of the Attorneys General (*Procuradurías Generales de Justicia*).

Federal

PGR

The Federal Public Ministry has a separate judicial police force which operates nationwide under the Federal Attorney General's Office (*Procuraduría General de la República – PGR*) to investigate and prosecute federal crimes such as drug trafficking, arms trafficking, kidnapping, and environmental and public health crimes. The PGR budget is about \$5 billion pesos. The force consists of more than 4,000 judicial police officers, 1,600 investigators, and 450 specialists.

AFI – the Federal Judicial Police

The PGR reconfigured and renamed the Federal Judicial Police (*Policía Judicial Federal – PJF*), which was much maligned for corruption and ineffectiveness. They were replaced by a new police force, the Federal Agency of Investigation (*Agencia Federal de Investigaciones – AFI*), which was probably intended to invite comparisons to the FBI of the US.

The federal police are notable for their focus on illegal drugs and other types of organized crime. The PGR's Special Anti-Organized Crime Unit (*Unidad Especial contra la Delincuencia Organizada - UEDO*) appeared as a response to organized crime, which was first defined in Mexico's legal code in February 1994 as "three or more persons organized under rules of discipline and hierarchy in order to commit, in a violent and repeated way or with the purpose of profit, any of the crimes legally defined." The Federal Law against Organized Crime (*Ley Federal contra la Delincuencia Organizada – LFcDO*) was passed in November 1996 to deal with the problem of drug trafficking, though other crimes, such as migrant smuggling, trafficking in arms or infants, and terrorism, were covered and targeted as well.

The Office of the Special Prosecutor for Crimes against Health (*Fiscalía Especializada de Delitos Contra la Salud - FEADS*) appeared in 1997 after Gen. Gutiérrez Rebollo, head of the National Anti-Drugs Institute (*Instituto Nacional de Combate a las Drogas –*

INCD), was arrested on charges stemming from association with leaders of the Juárez cartel. So INCD, which previously dealt with drug trafficking, was dismantled and FEADS was put under the direction of a civilian, Mariano Herrán, and the UEDO operated out of FEADS headquarters in Mexico City. Two other key units within the FEADS are the Border Rapid Response Groups (*Grupos de Respuesta Rápida Fronteriza*) and the Special Anti-Money Laundering Unit (*Unidad Especializada contra el Lavado de Dinero* - UECLD). UECLD was created in January 1998 to implement anti-money laundering legislation, which dates from 1990. The problem of corruption in FEADS has not been entirely solved, with agents in Tijuana and Monterrey being arrested for extortion and kidnapping.

PFP

The Federal Preventive Police (*Policía Federal Preventiva* – PFP) was created in 1999 at the behest of the Zedillo administration (1994-2000) and the prompting of the SNSP to control crime throughout the country. The Mexican Senate passed legislation in December 1998 that called for the creation of a national law enforcement body that would combine the Federal Highway Police (*Policía Federal de Caminos*), the Federal Fiscal Police (*Policía Fiscal Federal*), and the Federal Immigration Police (*Policía Migratoria Federal*). Initially, concerns focused on the fact that the new police force could be politically repressive towards opposition parties, and then attention turned to their military training, service background and ethic.

At last count, in 2000, the PFP had 10,699 officers; 4,899 of these were from the military (3rd Brigade of the Military Police), about 4,000 came from the Federal Highway Police, 1,500 from the Fiscal Police, 600 from the Interior Ministry's intelligence agency, the Center for Research and National Security (*Centro de Investigación y Seguridad Nacional* - CISEN). In short, rather than creating an entirely new police force, the PFP has cobbled together a force with a decidedly militarized character.

The Criminal Justice System and Public Security

Other Security Organizations

CISEN

The Center for Research and National Security (*Centro de Investigación y Seguridad Nacional* - CISEN), created in 1989, is Mexico's principal civilian intelligence agency. CISEN is an instrument of the executive branch, subordinate to the Interior Ministry. CISEN's primary function is to collect and process intelligence and security-related information. Its director served as "technical secretary" for the National Security Cabinet (*Gabinete de Seguridad Nacional*) created by President Salinas in 1988. Salinas created within the presidency the Coordinator for National Public Security (*Coordinación de Seguridad Pública de la Nación*) in 1994. The difference between these two offices was that the former was a standing staff office within the presidency, while the latter was a special response to the upsurge in public security problems in 1994.

Since drug trafficking organizations have proved successful in penetrating the security institutions, the anti-drug trafficking part of CISEN's intelligence and operations was

transferred in 1992 to the newly created INCD and to its intelligence arm, the Anti-Drugs Center (*Centro de Planeación para el Combate contra las Drogas* - CENDRO). INCD did not solve corruption problems and FEADS was subsequently created. (See PGR, above).

SNSP

Another important and relatively recent addition to the public security apparatus is the National Public Security System (*Sistema Nacional de Seguridad Pública* – SNSP), which began creation in 1994 with constitutional changes (Articles 21 and 73) that raised public security to the status of a state policy. The Zedillo administration followed the next year with legislation formally creating the SNSP. A key decision was to locate the SNSP within the Interior Department (*Secretaría de Gobernación*) rather than the Attorney General's Office (PGR). Also created was a series of coordinating councils at the state and local levels, emphasizing the central government's role in data collection, coordination and planning rather than control. The SNSP has grown exponentially, in budgetary terms: From 1996 to 1998, the federal budget allocations to the SNSP jumped from 226.6 million to 2.72 billion pesos. By 1999, the resources allocated by federal and state governments reached about \$9 billion pesos.

Police Corruption and Public Confidence

Corruption and severe inefficiency plague the Mexican police. Further, low pay and lack of resources have hindered efforts at improving police performance, battling corruption and professionalizing the forces. A related lack of public confidence has further eroded the ability of the police to respond to crime: A survey in 1999 found that 90% of respondents in Mexico City had “little” or “no” trust in the police. Such a lack of public confidence translates into a lack of support—that is, an unwillingness to report crimes or assist in investigations, which is crucial to solving crimes. Nationwide, only 12% of the population has expressed confidence in the police.

In 2002, an advocacy group (Transparency International) estimated that the median Mexican household spends 8% of its income on bribes (*mordidas* or “bites”). On the TI scale, Mexico ranks 57th worldwide in perception of corruption, one notch better than China at 58 and well below Brazil and Peru at 45. In 1997, Mexico ranked 47th; in 1998, 55th. A management consulting firm (A.T. Kearney) reported, also in 2002, that Mexico's attractiveness to foreign investors dropped, from fifth to ninth place worldwide, due to concerns with corruption and crime (see Crime and Public Security, below).

Police and the Justice System

Overload is a significant problem in the Mexican criminal justice system. When a complaint is received and a preliminary inquiry (*averiguación previa*) begun, a criminal case is opened. Alternatively, cases can be initiated when a law officer detains a person caught in the act of committing a crime. The person can be detained for up to 48 hours before being brought before a judge for preliminary hearing. The judge has up to 72 hours to decide on three options: the person is jailed subject to trial, freed on bail, or freed due to lack of evidence. If the person is not freed due to lack of evidence, the judge may ask the police to gather more evidence. When the investigation is complete, the judge

concludes the trial portion of the process and issues a sentence. Part of the overload problem arises because investigating officers, on average, receive a new complaint for each day of the year. Reported crimes practically doubled from 1991 to 1997, and reported crimes are only a small fraction of actual crimes. As the DF in particular considers policing policies known as “zero tolerance,” which require a high number of arrests, this administrative backlog could worsen.

Human Resources

Training, preparation and institutional support for the police are generally poor. For the preventive police, academic and professional training are recent additions to policy. Of the 58 police academies, 25 began training operations within in the last 23 years; most do not enforce a minimum educational requirement. Basic training lasts an average of 4.5 months. The majority of Mexican police officers have completed only elementary school or less. This situation has accelerated the erosion of institutional standards and postponed the modernization of the police. Police departments often lack: tools to evaluate job performance, guidelines for performance, methods to ferret out corruption, technical support, and understanding of human rights and community relations.

Crime and Public Security

Crime rates and the perception of public insecurity grew substantially in the 1990s. Three major cities, Mexico City, Tijuana and Ciudad Juarez, stood out with high rates. Kidnapping has gained the most media attention, but the most common crime is theft (*robo*) and has increased the most since 1993; theft represented 42 percent of reported crimes in 1998. Homicides rates also increased in Mexico, though not as severely as in other parts of Latin America. Based on victimization studies, it is clear that crime reporting is low. Surveys reveal that the main reason is lack of confidence in the police. However, there were 1.37 million crimes reported in 1998; less than 9% resulted in arrest warrants. According to official data (INEGI) in 2001 there were 24,742 sentenced criminals and 28,619 people charged (*delinquentes presuntos*) in the federal jurisdiction (*fuero federal*) and 123,071 sentenced criminals and 163,995 people charged in local crimes. Thus, Mexico had a conviction rate of 1 person for every 10 crimes reported (from a total of about 150,000 conviction for over 1.5 million reported crimes, which may involve multiple people) in 2001.

Security Threats

In January 1994, the Zapatista Army of National Liberation (EZLN) appeared in the southern state of Chiapas. Due to uprisings, reported human rights abuses, assassinations, and political turbulence, concerns about internal security have increased since then. In addition, other guerilla groups have appeared in the south, such as the Insurgent People’s Army (ERPI) and the more lethal Popular Revolutionary Army (EPR), which have inflicted casualties on police as well as army in Guerrero and Oaxaca, among several other states. These popular insurgencies, like endemic corruption, have naturally led to the increased involvement of the military in police work and order maintenance.

Private security

Mexican security companies have grown significantly in recent years, in response to the state's failure to provide security. Mexico holds third place world-wide in the purchase of security equipment. Between 1998 and 1999, private security companies increased some 40 percent. The Mexican government has had serious problems in regulating these companies, most of which are illegitimate since they lack the necessary legal permits. It was estimated in 1999, that about 10,000 private security firms operated in Mexico, yet only 2,000 had some form of official permit. According to official figures in December 2000, there were 2,984 private security companies registered with 153,885 employees. The inability to regulate or control these forces creates potential security problem. Since many of these companies are unregulated, some will engage in criminality instead of (or as a means of) protecting their clients, thus exacerbating the problem of insecurity. According to a study by the Mexico City legislative assembly, in 1998 there were more private security guards than police. A substantial number of private security guards were formerly police officers or presently work as security guards while off-duty; these dynamics increase the likelihood of police corruption.

GLOSSARY:

Attorney General's Office (*Procuraduría General de la República – PGR*)

Attorney General's Office of the Federal District (*Procuraduría General de Justicia del Distrito Federal – PGJ-DF*)

Center for Research and National Security (*Centro de Investigación y Seguridad Nacional - CISEN*)

Experts, technical experts or specialists (*peritos*)

Federal Agency of Investigation (*Agencia Federal de Investigaciones – AFI*)

Federal District (*Distrito Federal – DF*)

Federal Judicial Police (*Policía Judicial Federal – PJF*)

federal law (*fuero federal*)

Federal Preventive Police (*Policía Federal Preventiva – PFP*)

Interior Department (*Secretaría de Gobernación*)

investigator for the prosecuting attorney/public prosecutor (*Ministerio Público*)

Judicial Police of the Federal District (*Policía Judicial del Distrito Federal – PJDF*)

local law (*fuero común*)

Office of the Special Prosecutor for Crimes against Health (*Fiscalía Especializada de Delitos Contra la Salud - FEADS*)

Public Ministry (*Ministerio Público*)

Secretary of Public Security of the D.F. (*Secretaría de Seguridad Pública - SSP*)

BIBLIOGRAPHY:

Aguayo Quezada, S. (Ed.). (2000). *El almanaque mexicano*. México, DF: Editorial Grijalbo, S.A. de C.V.

Alvarado, A & Arzt, S. (Ed.). (2001). *El desafío democrático de México: seguridad y Estado de derecho*. México: El Colegio de México, Centro de Estudios.

Attorney General's Office (*Procuraduría General de la República – PGR*)
<http://www.pgr.gob.mx/intro.html>

Bailey, J. & Chabat, J. (Ed.). (2002). *Transnational Crime and Public Security*. San Diego: Center for U.S.-Mexican Studies at the University of California San Diego.

Central Intelligence Agency. (n.d.) *2003 World Factbook*. Updated March 12, 2003 at
<http://www.odci.gov/cia/publications/factbook/geos/mx.html>

The Economist (n.d.) *Country Briefing*. Accessed on April 1, 2003 at
<http://www.economist.com/countries/Mexico/profile.cfm>

Lawyers Committee for Human Rights and Centro de Derechos Humanos “Miguel Agustín Pro Juárez”, (2001). *Injusticia legalizada*. New York: Lawyers Committee for Human Rights.

López Portillo Vargas, E. (2002). The Police in Mexico: Political Functions and Needed Reforms. In Bailey, J. & Chabat, J. (Ed.). (2002). *Transnational Crime and Public Security*. San Diego: Center for U.S.-Mexican Studies at the University of California San Diego.

Secretary of Public Security of the D.F. (*Secretaría de Seguridad Pública - SSP*). Accessed on April 2, 2003 from <http://www.ssp.df.gob.mx>