

Police reform in Mexico: progress, setbacks and the way forward

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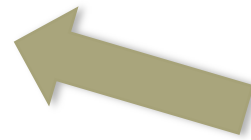
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Structure of the presentation

- Reform of the Mexican federal police bodies 2000-2012.
- Setbacks and structural limitations.
- The way forward.



Police reform until 2012

State institutions and police reform

- Legislative: normative reforms.
- Executive: security policy and operational reform (policing).
- Judiciary: adjudication process (criminal law system) and setting case law.

Police reform until 2012

Police bodies in Mexico (aprox. 450,000 officers)

Institution	%
Federal (PF + PFM or AFI)	9
State (preventive)	43
State (investigative)	6
Municipal (only preventive)	42
Total	100

Source: Mexican Public Security Department, 2012.

Police reform until 2012

Normative reforms

- National Public Security System Act, amended 2008.
- Anti-Organized Crime Act, passed 2008.
- Federal Police Act, amended 2008.
- Constitutional amendments regarding criminal law reform, passed 2008.
- Anti Small-scale Drug Dealing Reforms, passed 2008.

Police reform until 2012

Policy framework

- Priority on engaging public force in an all-out combat of drug cartels, instead of focusing on risk factors and crime prevention.
- ‘Open season’ on druglords, sidelining other important organized criminals.
- Extensive use of Armed Forces in public security tasks whilst police forces would ‘get reformed’.

Police reform until 2012

Operational framework

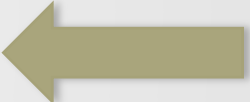
- Professionalization: recruiting, training, police career, promotions, police development.
- Deployment: nationwide presence of federal officers.
- Improved equipment and investment in technological developments against crime.
- Development of Systematic Operational Procedures for sworn officers.

Police reform until 2012

The Judiciary

- Until 2011 the Supreme Court could trigger fact-finding procedures in cases of police abuse. In two cases (Atenco and Oaxaca) the Court failed to hold high-rank police officers accountable for extreme human rights abuse.
- Minimal adjudication of police abuse cases, exceptions: Acteal (Chiapas) and the Florence Cassez case.

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- Setbacks and structural limitations. 
- The way forward.

Setbacks and structural limitations

- Lack of specific timeline and regulations on the participation of Armed Forces in public security / anti-narcotic tasks.
- Police reform efforts did not achieve proper regulations on the use of force.
- No institutional incentives for the respect of civil rights, particularly regarding detention and due process.
- Technological developments did not necessarily lead to their intelligent use.

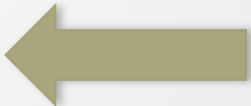
Setbacks and structural limitations

- The Systematic Operational Procedure system was normatively developed in the Federal Police, but no operational and chain-of-command endeavors were undertaken to make them real in police practice.

Some of the most notorious cases include:

1. Low-rank officer insubordination against mid and high-ranks in Ciudad Juárez (Aug 2010);
2. Cross-fire between corrupt police officers in Mexico City's international airport (June 2012);
3. Ambush of a US diplomatic vehicle in Cuernavaca (Aug 2012).

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The way forward – policy

- ***Rights-based policing***. Mainstreaming and prioritizing the respect of civil rights in police operations and incentives.
- ***Need to transform the accountability and vetting procedures*** from individual (case-based) certification to institutional assessment and accreditation.
- ***Federal funding for local policing*** needs to focus on capacity development and crime prevention.

The way forward – institutional setting

- ***Internal and external controls***, including effective internal auditing and civilian oversight of law enforcement agencies.
- ***Focus on crime prevention***. New institutional capacities and setting.
- ***New police reform model***. Comprising setting up a gendarmerie and another reform of the FP.
- ***Enhanced professionalization***. Setting standards for police career.

The way forward – structural challenges

- ***Standing of the National Public Security System.*** It is not clear whether it may or not continue to serve as a coordination body.
- ***Regional approach to fight against crime.*** Top-down model that underscores the leadership of the federal government.
- ***Centralization of decision-making.*** Whether police bodies are unified in a single command or not, the regional approach privileges collaboration between federation and states.

The way forward – normative reforms

- Law enforcement model (unified command).
- National (homeland?) security.
- Amendments to the military code.
- Revision of the Act to Protect Crime Victims, especially regarding tort law.
- Federal Police Act.