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

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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)

<table>
<thead>
<tr>
<th>Institution</th>
<th>%</th>
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</thead>
<tbody>
<tr>
<td>Federal (PF + PFM or AFI)</td>
<td>9</td>
</tr>
<tr>
<td>State (preventive)</td>
<td>43</td>
</tr>
<tr>
<td>State (investigative)</td>
<td>6</td>
</tr>
<tr>
<td>Municipal (only preventive)</td>
<td>42</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
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Police reform until 2012

Normative reforms

• Anti-Organized Crime Act, passed 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 held high-rank police officers accountable for extreme human rights abuse.

• Minimal adjudication of police abuse cases, exceptions: Acteal (Chiapas) and the Florence Cassez case.
Structure of the presentation

• Advance in police reform 2000-2012.

• 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);
Structure of the presentation

• Advance in police reform 2000-2012.

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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.