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Drug related violence continued in January, after the close of Mexico's bloodiest year on record. January's violence included a grenade attack against a Televisa broadcasting station in Monterrey, Nuevo León. Mexican security forces made significant gains in capturing key leaders from the Beltran Leyva, La Familia, and Gulf cartels, as well as lower level operatives. Ten suspected cartel leaders captured previously were extradited to the United States at the close of 2008, bringing the year's total number to a record 95 extraditions. Also, several states—including Zacatecas, Coahuila, and Baja California—prepared to implement new reforms to their criminal justice systems, though concerns remain about the possible costs of implementing these reforms in a period of fiscal belt-tightening. Despite these gains, U.S. intelligence and defense officials warned that Mexico's precarious security situation represents a major threat to the United States. Also, more top Mexican officials were detained and investigated in cases of high-level corruption, a member of Pres. Calderón's special team of body guards was believed to have ties to the Beltran Leyva Cartel, and a new report found more than 750 police arrests in 16 states last year for corruption-related offenses. Efforts to combat corruption included a government-sponsored contest to identify excessive bureaucracy, the installation of cameras in the Chihuahua city police department, and a special initiative by Mexican customs to crack down on holiday extortion rackets by government officials. Meanwhile, Mexico's human rights commission found a significant increase in complaints last year about military and police abuses, bolstering concerns that the militarization of Mexico's drug war may have negative consequences for human rights.

LAW AND ORDER

DRUG TRAFFICKING

***Ejecuciones* more than double from 2007 to 2008; Baja California and Chihuahua see continued violence in early 2009**

According to national newspaper *Reforma's* running tally of *ejecuciones*, or cartel-related killings, the total number in 2008 more than doubled that of 2007, ending the year at 5207, compared to 2,275 in 2007. With 1,649, Chihuahua easily led Mexican states in both total number, as well as the rate of *ejecuciones* (with 49.32 per 100,000). Sinaloa, home of the drug cartel of the same name, ended the year with 680

ejecuciones (25.7 per 100,000 people), and after a particularly violent last three months, Baja California finished 2008 with 604 *ejecuciones* (19.89 per 100,000 people). By comparison, Sinaloa led all states in 2007 in both total *ejecuciones* and rate, with 346 killed and a rate of 13.09 per 100,000.

QuickTime™ and a decompressor are needed to see this picture.

Leading States in Drug Related Killings, 2006-2008

(Total Number of Killings, Rate Per 100,000 People, and Percent Share of Total)

State	2006	Rate	%	2007	Rate	%	2008	Rate	%
1. Chihuahua	130	3.9	6.1%	148	4.4	6.5%	1,649	49.3	32.0%
2. Sinaloa	350	13.3	16.5%	346	13.1	15.2%	680	25.7	13.2%
3. Baja California	163	5.6	7.7%	154	5.1	6.8%	604	19.9	11.7%
4. Mexico	31	0.2	1.5%	111	0.8	4.9%	359	2.5	7.0%
5. Guerrero	186	5.9	8.8%	253	8.0	11.1%	287	9.1	5.6%
6. Durango	64	4.2	3.0%	130	8.5	5.7%	268	17.4	5.2%
7. Michoacán	543	13.6	25.6%	238	6.0	10.5%	233	5.8	4.5%
8. Jalisco	45	0.7	2.1%	93	1.3	4.1%	145	2.1	2.8%
9. Fed. District	137	1.6	6.5%	145	1.6	6.4%	137	1.6	2.7%
10. Sonora	61	2.5	2.9%	125	5.1	5.5%	137	5.5	2.7%
Mexico	2,120	2.1	100%	2,280	2.3	100%	5,153	5.1	100%

Source: *Reforma*

Pres. Felipe Calderón deployed thousands of soldiers and federal police to all three troubled states in 2008, reinforcing an already sizable presence in Baja California and Sinaloa. In all three states, the deployments had no measurable effect in reducing cartel-related deaths. If anything, cartels appeared to become more brazen in their response, and violence grew more extreme. In Chihuahua and Baja California, decapitations have become more commonplace, as have the postings of the kind of taunting “narco-banners” that had previously appeared in other states across the nation. In Guerrero last month, eight Mexican soldiers were found decapitated with a message reading “For every one of ours you kill, we kill ten.”

In all, over 500 police officers were victims of *ejecuciones* in 2008. Since the beginning of 2009, at least 16 officers have died in cartel-related violence nationwide, including a commander whose head was left outside the office of his local police station in Ciudad Juárez, Chihuahua on Jan. 19. According to the chief of police, the officer, whose name had not been released, had been kidnapped the previous Saturday along with seven other officers and a number of civilians. The previous week, another commander and a sergeant were gunned down in Chihuahua city, a week after four officers from the same department were transferred to Mexico City on suspicion of offering protection to La Línea, a branch of the Carrillo Fuentes cartel.

Elsewhere, four police were killed in Tijuana during the first week of 2009 in three separate incidents, all municipal police officers. In Mexico State, which was particularly affected by police killings in recent months, three state police officers were abducted Jan. 7 by an armed group of 15. The body of one of the officers was recovered shortly after, while the whereabouts of the other two remain unknown.

SOURCES:

Gerardo Andrade, Luis. “Encobijado’ resultó ser policía; van 4 en 7 días.” *Frontera* 7 Jan. 2009.
“Hallan cadáver de uno de los judiciales levantados en Cuautitlán, Edomex.” *La Jornada* 7 Jan. 2009
“Matan a tiros de grueso calibre a 2 jefes policiales en Chihuahua.” *La Jornada* 11 Jan. 2009.
“Decapitan a jefe policiaco en Ciudad Juárez.” *El Financiero* 19 Jan. 2009.

Mexican security forces continue to capture cartel leaders

Mexican security forces struck blows over the past month against the Beltran Leyva, La Familia, and Gulf cartels, and in Veracruz arrested a suspected co-founder of the Zetas, the second in three months.

A Mexico City district judge has ordered the detention for 40 days (*arraigo*) of a municipal assistant director of public security for Zihuatanejo, Guerrero, along with 22 others suspected of involvement with the Beltran Leyva cartel. The 23 men were apprehended on Dec. 23 in Zihuatanejo, along with 39 firearms, over 3,000 rounds of ammunition, and bulletproof vests. Also seized were shirts and hats bearing the municipal police logo, 1,675 kilograms of marijuana, 1,475 kilograms of cocaine, 1,100 kilograms of crack cocaine, MEX\$201,526 and nine vehicles. Aside from the municipal police sub-director Gregorio de la Cruz Mendoza, five other local police officers were included among the 23 arrested.

In Morelia, Michoacán on Dec. 29 police and military personnel captured Alberto Espinoza, “La Fresa,” suspected of being third in the power structure of the La Familia cartel based in that state. Nine others, presumed to be Espinoza’s bodyguards, were also apprehended. Officials said that Espinoza maintained an intricate network of corrupt public officials, assassins, and kidnapping bands to maintain control in and around the city of Morelia, and coordinated cocaine shipments through the Port of Lázaro Cárdenas. La Familia de Michoacán is believed to have emerged in 2006 as a second-tier criminal organization affiliated with Osiel Cárdenas’ Gulf cartel.

Also in late December, soldiers from the 6th Military Zone captured Javier Díaz Ramón, who authorities claim was the leader of a key Gulf cartel cell based in the Caribbean state of Quintana Roo with operations in that state and in Veracruz, where he was arrested. Díaz Ramón is also believed to have direct ties to Heriberto Lazcano, leader of the Zetas. Authorities characterized the arrest as a significant blow against the Gulf cartel, which is locked in a bloody struggle with the Sinaloa cartel over trafficking routes through Mexico’s Gulf states.

The federal Attorney General's Office (PGR) announced the detention in early January of Miguel Ángel Soto Parra, an ex-soldier believed to be one of the cofounders of the Zetas, the group of hired assassins for the Gulf cartel known for its brutal methods, including torture and decapitations. With Soto Parra's arrest, 10 original members of the Zetas have been captured in as many years, and authorities estimate that 17 remain at large, including Heriberto Lazcano, believed to be the head of the organization.

In related news, a Mexico State judge has indicted Jaime González Durán ("El Hummer"), detained in November on suspicion of being one of the principal leaders of the Zetas. At the time of his capture, Durán was considered by authorities to be one of the most violent and dangerous criminals in the country and was one of the most wanted. His arrest coincided with the largest weapons seizure in the nation's history, in which over 400 firearms along with grenades and anti-tank artillery were seized from a safe house in Reynosa, Tamaulipas.

In a late-January statement, the Federal Attorney General's office declared that the Gulf cartel represented the most dangerous violent organization in the country and accounted for the majority of weapons seized since 2005, when drug violence began to increase dramatically.

SOURCES:

- "Veracruz: captura de *El Java* desataría una narcoguerra." *Milenio* 26 Dec. 2008.
Sánchez, Julián. "Formal prisión a 'El Hummer.'" *El Universal* 27 Dec. 2008.
"Arraigán a 23 vinculados a los Beltrán." *El Universal* 27 Dec. 2008.
"Prevén arraigar a *La Fresa*." *El Universal* 1 Jan. 2009.
"Aprehende PGR a otro fundador de los Zetas." *Milenio* 9 Jan. 2009.
Associated Press "Mexico says Gulf Cartel is most violent gang," *San Diego Union Tribune*, 29 Jan. 2009

Seven suspects held on suspicion of murdering eight soldiers in Guerrero

A federal judge has authorized the Federal Attorney General's Office (PGR) to detain for forty days seven individuals suspected of participating in the murders and decapitations of eight Mexican soldiers in December. The men were apprehended in Teloloapan, Guerrero on Dec. 20 after a prolonged armed confrontation with soldiers. The suspects were then handed over to the PGR, which has elected to lead the investigation into the murders. Military intelligence sources and sources from the Center for Investigation and National Security (Cisen) have indicated that the Zetas, enforcement wing of the Gulf Cartel and founded by ex-special forces operatives, are presumed responsible for the killings.

Guerrero has experienced particularly widespread violence at the hands of drug cartels according to the PGR, which reports that more than a half of the state's 81 municipalities suffered a "bloodbath" in 2008. Over the past two years Guerrero has seen among the highest per-capita *ejecuciones* rates among Mexican states, with 294 total *ejecuciones* in 2008 (9.12 per 100,000), as compared to 235 in 2007 (8.03 per 100,000). Geographically, Guerrero is particularly attractive to drug trafficking organizations due to its 485 kilometers of Pacific shoreline, developed highway system, and mountainous regions that lend themselves to opium and marijuana cultivation.

SOURCES;

- Méndez, Alfredo. "Asesinatos en Guerrero apuntan a desertores del Ejército Mexicano, 'posiblemente zetas.'" *La Jornada* 23 Dec. 2008.
"Arraigán a sospechosos por crimen de militares." *El Universal* 27 Dec. 2008.
Gómez Enviado, Francisco. "Guerrero vive acorralado entre cárteles de la droga." *El Universal* 5 Jan. 2009.

8 killings in Chiapas lead to arrest of police commander, buildup of Guatemalan troops along border

State police in Chiapas detained the commander of Ciudad Hidalgo's municipal police on suspicion of offering protection to members of the Zetas organized crime group who were reportedly responsible for eight bodies found in Chiapas near the Guatemala border Dec. 23. The commander, Juan Ignacio García

Roda, is accused of allowing the group to operate freely in the area in exchange for an undisclosed amount of money.

Roughly two weeks after the killings, state police arrested at least six suspects, all from Ciudad Hidalgo, and reportedly Zeta members. The victims of the killings, some of whom showed signs of torture, all originated from Sinaloa. Chiapas' public prosecutor Amador Rodríguez Lozano has stated that the individuals were drug dealers who fell victim to the Zetas for turning to Guatemalan sources for their drug supply. It was those arrests that apparently led to the arrest of García Roda, also known as "El Nacho."

Immediately following the announcement of the presumed Zetas captured in Chiapas, Guatemala announced that it would strengthen its military presence along its northern border with Mexico, in direct response to increased Mexican cartel activity in the region. The Guatemalan government specifically pointed to heightened activity in its Zacapa and Huehuetenango departments, blaming the cartels on 28 deaths during 2008. In late November 2008, 17 people were killed in a gun battle between rival drug gangs in Huehuetenango. Guatemala Pres. Álvaro Colom attributes the increased violence to elements of the Gulf cartel working to extend their influence into Guatemala.

Meanwhile, Mexico has joined Guatemala, Panama, and Colombia in vowing to work together to counter warring drug gangs that threaten public security in all four nations. Guatemala and Panama, along with Mexico, saw a sharp upturn in cartel-related violence in 2008, and Colombia remains the top producer of cocaine in the world. The four nations agreed to increase intelligence sharing – a measure they have resisted in the past – as well as clamp down on money laundering and extradite captured cartel leaders.

SOURCES:

- "Realizan México y Guatemala operativo tras balacera." *El Universal* 2 Dec. 2008.
"Hallan 8 cuerpos en la frontera sur." *El Universal* 24 Dec. 2008.
"Aprehenden a presuntos zetas en Chiapas, ligados a asesinato de 8 narcos en diciembre." *La Jornada* 7 Jan. 2009.
De Jesus Peters, Maria. "Detienen a comandante por proteger a Zetas en Chiapas." *El Universal* 9 Jan. 2009.
Del Solar, Roberto. "Guatemala militariza frontera con México." *Excelsior* 8 Jan. 2009.
Beatty, Andrew. "Latin leaders aim for shared front on drug fight." *Reuters* 16 Jan. 2009.
Sergio Jiménez, "Pactan plan anticrimen en la region," *El Universal* 17 Jan. 2009.

INTERNATIONAL RELATIONS

US intelligence, defense bosses warn of Mexico's threat to U.S. national security

As the Bush administration headed out of office and President-elect Barack Obama prepared to enter the White House, intelligence officials from the CIA and the Department of Defense ranked Mexico's internal conflict with organized crime groups as one of the top two threats to U.S. national security.

Outgoing CIA chief Michael Hayden told reporters in mid-January that Mexico shares company with Iran as one of Obama's greatest coming challenges, possibly greater than Iraq. The U.S. Joint Forces Command echoed Hayden's concern, warning that Mexico, along with Pakistan, is at risk of a "rapid and sudden collapse" due to its continued struggle against drug cartels. In a report released last month, the U.S. Justice Department said that Mexican drug gangs are the "biggest organized crime threat to the United States," because of their vast reach into U.S. metropolitan areas, as well as the influence they have over gangs on the U.S. side.

Mexican Interior Minister Fernando Gómez Mont dismissed the warnings as rhetoric of a few individuals from within the U.S. government. Gómez Mont acknowledged that Mexico faces serious challenges, but insisted that none are too great to be dealt with effectively and in time.

U.S. Pres. Obama has thus far shown support for continuing to work cooperatively with Mexico. In a meeting with Mexico Pres. Calderón last month, Obama promised to work to stem the flow of weapons from the United States into Mexico. He has also given no indication that he will in any way impede the continued fulfillment of the Merida Initiative, the 3-year, \$1.6 billion aid package meant to help modernize

Mexican and Central American security forces. Last month, Congress released the first installment of \$400 million to Mexico, and legislators have assured Mexico that the rest will come in a timely fashion.

Nevertheless, Pres. Obama faces an unprecedented security situation in Mexico upon entering office, with 5207 dead from cartel-related violence nationwide in 2008, well over double 2007. Nearly half of those dead were accounted for in the border states of Chihuahua, Baja California, Sonora, Tamaulipas, and Coahuila. With 67 and 38 dead in 2009 as of Jan. 16 in Chihuahua and Baja California respectively, the situation is unlikely to change without effective intervention from both governments.

For the Mexican side, Attorney General Eduardo Medina-Mora asserted the commitment of Pres. Calderón to develop a new bilateral approach to anti-drug security, to be announced soon, which will bring greater law enforcement presence and better intelligence to combat organized crime.

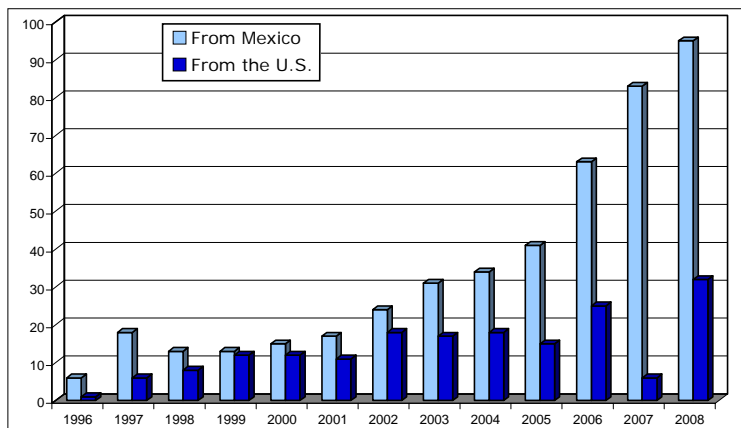
SOURCES:

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- Carl, Traci. "Mexican collapse? Drug wars worry some Americans." *The Associated Press* 18 Jan. 2009.
- Arrijoa, Juan and Andrea Merlos. "Impulsan Obama y Calderón estrategia anticrimen," *El Universal* Jan 31. 2009.
- Salazar, Claudia. "Revela PGR nueva ofensiva en frontera," *Reforma* Jan 31. 2009.

Ten suspected cartel leaders extradited to the United States

Ten high-profile drug defendants were extradited to the United States on Dec. 31, bringing the total number of extraditions from Mexico in 2008 to 95, 12 more than in 2007, and a record number to date. The men are accused of operations within Mexico's highest-impact drug trafficking organizations, including the Gulf Cartel, the Sinaloa Cartel, and the Arellano Felix cartel.

Total Number of Extraditions Between Mexico and the United States, 1996-2008



Sources: Mexican Embassy, Mexican Attorney General, and U.S. Embassy.

Among the 10 defendants is Armando Martinez Duarte, a former official of the Mexican Attorney General's Office, who allegedly acted as chief of security for the Arellano Felix organization. Also included was Jesús "Chuy" Labra Aviles, a Mexican citizen allegedly responsible for shipping thousands of kilograms of cocaine and marijuana from Mexico to the United States for the Arellano Felix organization from 1986 to 2001. He is also believed to have handled many of the organization's finances. Both men were indicted in San Diego in Dec. 2003 along with three others on drug trafficking, money laundering, and racketeering charges. The other five individuals, including one Colombian citizen who allegedly worked with the Sinaloa cartel, will face trial in California's Central District, Texas' Southern District, and Georgia's Northern District, predominantly on charges of conspiring to distribute cocaine and marijuana.

December's extraditions came nearly two years after the extradition of 10 cartel leaders wanted in the United States, including Gulf cartel leader Osiel Cárdenas, in January 2007.

The extradition of wanted drug suspects from Mexico to the United States has been a centerpiece of Pres. Calderón's campaign against drug trafficking organizations since he took office in late 2006, in which year 63 were extradited, followed by 83 in 2007. All told, the administration has extradited 192 suspected cartel members, 184 of whom were sent to the United States. The extraditions are part of a larger bilateral effort in combating drug cartels championed by both presidents Bush and Calderón and reinforced by the Merida Initiative, a \$1.6 billion three-year U.S. aid package to provide equipment and training to Mexican and Central American police and military forces.

SOURCES:

"10 Major Drug Defendants Extradited from Mexico to the United States." *Drug Enforcement Agency* 31 Dec. 2008.
León Zaragoza, Gabriel. "Este gobierno ya entregó a Estados Unidos a 192 supuestos narcos." *La Jornada* 2 Jan. 2009.
Lozano, Juan A. "Extradited drug suspects appear in court." *Houston Chronicle* 5 Jan. 2009.

Convicted smugglers of Middle Eastern migrants sentenced to 60 years in prison

A Mexico City district judge sentenced Salim Boughader Mucharriafille, convicted of orchestrating Mexico's largest smuggling ring of Middle Eastern migrants, to 60 years in prison. Boughader's accomplices, Orlando Alfaro Jiménez, Patricia Serrano Valdez, Hugo Torres, and José Guillermo Álvarez Dueñas, also received the same sentence. The prison term, harsh by Mexican standards, was due to charges of organized crime and immigrant trafficking.

The individuals were detained in Nov. 2003, accused of smuggling Middle Eastern migrants into the United States through border crossings in Tijuana and Tecate at a cost of between four and five thousand dollars apiece. According to *El Universal*, the smuggling ring led by Boughader, a Mexican national of Lebanese descent, helped some 200 people enter the United States, some of whom were reportedly sympathizers of Hezbollah, considered by the U.S. government to be a terrorist organization.

SOURCES:

Gómez Enviado, Francisco. "Pena de 60 años a traficante de árabes en México." *El Universal* 29 Dec. 2008.
"Sentencian a 60 años a líder 'pollero.'" *Frontera* 29 Dec. 2008.

DOMESTIC TERRORISM

Televisa station in Monterrey, Nuevo León attacked

Three months after assailants fired on the U.S. consulate building in Monterrey, Nuevo León and threw a grenade that failed to detonate, a similar attack was carried out on the city's Televisa station on Jan. 7. This time the grenade did explode, causing light damage to the building, though no injuries were reported.

Investigations into the attack are ongoing, though initial signs pointed to cartel involvement, particularly a message on a nearby vehicle that read "Stop transmitting about us. Also, transmit about the *narcomanadatarios*," referring to public officials involved in the drug trade. Public messages presumably left by cartel members, particularly the "narco-banners" that have made fairly regular appearances in cities throughout Mexico over the past year, often make such claims against public officials, at times targeting individuals as high as Attorney General Eduardo Medina Mora.

Spokesmen for Nuevo León's major media outlets, including Televisa, were defiant following the attacks, vowing to continue to report the news as it happens. Francisco Cobos, news director at Televisa, appealed directly to organized crime: "...I would like to tell you that we have nothing against you. We are communicators, we are journalists, we are dedicated to informing, and I, as much as my colleagues, do not want to be in the middle of these bullets that hit our business today."

If journalists in Nuevo León do continue to cover the news as before, they will do so with police protection. Gov. Natividad González Parás announced that his administration will offer special protection to members of the media in direct response to the Televisa attack. He specified that the measures will include increased patrols around media facilities, as well as any other measures media outlets request. He said that to date no specific requests had been made, although Televisa announced the day following

the attack that its reporters covering drug trafficking and organized crime would begin wearing bulletproof vests.

The National Human Rights Commission and Reporters Without Borders have both made recent statements about the grave situation facing journalists in Mexico, with at least four killed and five kidnapped in 2008 as a direct consequence of their reporting. The brutal killing of a *Diario* reporter outside his home in Ciudad Juárez in November led several other reporters to come forward to tell stories of receiving threats over police scanners, and some news directors to announce that they would compromise their coverage of drug trafficking news in the interest of their reporters' safety.

SOURCES:

Castro, Héctor. "Atacan con granada a Televisa Monterrey." *Reforma* 7 Jan. 2009.
Estrop, Armando. "Ofrece NL protección a medios." *Reforma* 7 Jan. 2009.
"Usarán chaleco antibalas reporteros de Televisa Monterrey." *El Universal* 8 Jan. 2009.

TRANSPARENCY & ACCOUNTABILITY

CORRUPTION

Top officials face corruption charges

The investigation and arrest of top officials for drug-related and other corruption charges continued this month, including some of the highest-ranking officials to serve in Mexico's major law enforcement and anti-drug agencies in recent years.

The former-Mexican drug czar under Pres. Ernesto Zedillo, Mariano Herrán Salvatti, was arrested on charges of embezzling over 16 million dollars (175 million pesos) in public funds when he served a 5-month stint as State Secretary of Economic Development in Chiapas in early 2008.

Meanwhile, there were new revelations in the investigation of Noé Ramírez Mandujano, the former head of SIEDO, the Assistant Attorney General's Office for the Investigation of Organized Crime. Testimony by three protected witnesses alleged that Ramírez had ties to the Gulf Cartel and the Zetas.

Two former directors of Interpol Mexico were also arrested on suspicion of working with organized crime groups. The two officials, Rodolfo de la Guardia Garcia and Ricardo Gutierrez Vargas, are the latest in a string of public officials detained through the *Operación Limpieza* operation that has been targeting public officials who worked with the Sinaloa cartel. The Sinaloa organization is linked to Joaquin "El Chapo" Guzman.

Both Interpol Mexico officials were identified as close collaborators with Genaro Garcia Luna, who serves as the federal Secretary of Public Security but who previously oversaw the Federal Investigations Agency (AFI). Garcia Luna has not been implicated in what appears to have been an extensive ring of corrupt law enforcement officials. However, there have been mounting allegations that the Secretary could not have been so completely surrounded without becoming tainted himself; Pres. Calderón defended García's integrity against such allegations in late-November (see *TBI Justice in Mexico News Report*, November 2008).

One of the arrested officials, De la Guardia Garcia, was also a regional director for the Federal Investigations Agency (AFI). He is suspected of assigning AFI agents to certain strategic zones to work on behalf of the cartel's interests in exchange for a monthly payment of \$10,000. De la Guardia Garcia had been under temporary house arrest since Oct. 29 when he was detained by federal police.

Gutierrez Vargas, who oversaw Interpol Mexico until November, 2008, is accused of providing information related to investigations to members of the Sinaloa cartel in exchange for money. Interpol is an

international police organization set up to exchange information related to terrorism, organized crime, drug trafficking, arms trafficking and other federal crimes that cross borders.

SOURCES:

TBI Justice in Mexico News Report, Nov. 2008.
Blancase, Daniel. "Encarcelan en Tepic a dos ex directores de Interpol Mexico." *La Cronica de Hoy* 16 Jan. 2009.
Gonzalez, Maria de la Luz. "Dictan orden de aprehension contra dos ex directores de Interpol Mexico." *El Universal* 15 Jan. 2009.
Gómez, Francisco, "Ligan a ex zar antidrogas también con el cártel del Golfo," *El Universal* 21 Jan. 2009.

Tallying police corruption in 2008

A total of 759 police in 16 states were arrested in 2008, and most of them had ties to drug trafficking, according to a tally by *Reforma*.

The numbers include officers from tiny rural police forces all the way to the chief of the Federal Preventive Police force, Victor Gerardo Garay Cadena. *Reforma* found that the state with the highest numbers of detentions was the state of Mexico where charges were filed against 445 municipal police officers and 91 state agents. The other states identified in the study were: Tabasco, Coahuila, Chihuahua, Baja California, Michoacán, Nuevo León, Morelos, Puebla, Tamaulipas, Sinaloa, Guanajuato, Guerrero, Aguascalientes, Quintana Roo and the Distrito Federal.

Among *Reforma's* findings, 10 Federal Preventive Police members were arrested, including the former national commissioner Garay Cadena who is accused of robbery and abuse of authority during an operation on a home where suspected associates of the Beltran Leyva drug group were having a party.

Also, an investigation by the Mexican Attorney General's office into a network of police in Tabasco that was supposedly protecting the Gulf Cartel has led to 36 detentions of which 24 are currently facing charges.

The sub-director of Public Security for the municipality of Ixtapa-Zihuantanejo, Timoteo Mata Cruz, and seven other city police officers are being investigated for their suspected involvement with the Beltran Leyva cartel.

In Tijuana, 19 city police officers and two state investigators were being investigated for their links to organized crime.

SOURCES:

"Detienen a 759 policas ligados al narco en 2008." *Reforma* 6 Jan. 2009.

Possible drug trafficking infiltration among Mexican president's special guard unit

A Mexican officer who was part of a special team of army officials protecting Mexican President Felipe Calderón and his family are now being investigated for drug trafficking ties, government sources told news agencies.

The officer is believed to have sold confidential information to the Beltran Leyva drug group in exchange for \$100,000 a month. He also is suspected of selling military weapons to the drug group and providing them with military training. He was placed under house arrest in December as authorities collect additional proof to file charges. Authorities acted on the tip based on information from a protected witness who previously worked for the Beltran Leyva group, according to reports.

SOURCES:

Gutierrez, Miguel Angel and Rosenberg, Mica. "Militar Mexico ligado a narcos participo en custodia de Calderon." 27 *Reuters* Dec. 2008.

Siemens agrees to settle bribery charges regarding projects worldwide, including in Mexico

The German company Siemens agreed to pay \$1.6 billion in fines to U.S. and European authorities in connection with their use of bribery to secure contracts for public works projects throughout the world, including in Mexico.

The December settlement is meant to address charges filed by the U.S. Department of Justice and SEC for violations of the Foreign Corrupt Practices Act, according to industry publication *RCRWireless*. The projects in Mexico involved oil refineries and that revenue was to be used to help fix a dispute over a project to modernize the country's refineries.

In Mexico, about \$2.6 million in bribes were paid to a high-ranking official with PEMEX who has not been identified, according to *La Jornada*. The actions took place sometime between 2001 and 2007.

The case sheds light on the extent to which companies will go to obtain valuable contracts in countries where corruption continues to exist and it raises questions as to the transparency of future projects. Mexico has not constructed a refinery since 1979, according to various news reports, but last year the Mexican government announced the construction of a new refinery as part of an extensive plan to improve its oil production.

The bribery efforts by Siemens were extensive, with money reportedly transported in suitcases and authorizations documented on disposable notes to avoid proper documentation. Off-book accounts and business consultants were part of the scheme, which reportedly involved employees at all levels.

PEMEX officials have reportedly requested that Siemens provide the names of the Mexican workers and others involved in the scheme.

Siemens officials told the media that the company has since created greater oversight and remediation to prevent future problems. "Siemens is closing a painful chapter in its history," Siemens Chairman Gerhard Cromme said in a statement published in industry publication *RCR Wireless*.

Siemens' bribery efforts were not isolated to Mexico. The company reportedly used pay-offs to obtain contracts to develop mobile networks in Bangladesh, national identity cards in Argentina and the design and construction of metro transit lines in Venezuela and power plants in Israel.

SOURCES:

Rodriguez, Israel. "Siemens soborno a funcionario de Pemex para influir en juicio ante corte de Paris." *La Jornada* 20 Dec. 2008.
Salazar, Gary. "Siemens pays \$1.6B in fines to settle bribery charges." *RCR Wireless* 24 Dec. 2008.

ACCOUNTABILITY

Senator proposes special judges to oversee treatment of prisoners

Senator Fernando Castro Trenti (PRI – Baja California) has proposed a constitutional reform to create a "prison judge" to manage charges of abuse and other human rights violations against prisoners. The judge would also play a role in preventing corruption, prostitution and extortion within prison walls. The judge would have jurisdiction over monitoring the legality of actions and decisions of prison authorities.

The proposal comes at the heels of a prolonged prison riot that took place in Tijuana's La Mesa prison last year. At least 23 inmates died and dozens were injured in the prison, which has been criticized for overcrowded conditions, human rights violations and corruption. Prison officials were being investigated regarding the death of an inmate that may have triggered the riot.

SOURCES:

Marosi, Richard. "Mexican prison toll rises." *Los Angeles Times* 19 September 2008.
Ramos Perez, Jorge. "Proponen crear figura de juez de vigilancia penitenciaria." *El Universal* 16 January 2009.

Visitors file 26 reports of abuse against Mexican Customs Agency during Christmas break

A total of 26 complaints of abuse were filed against Mexican Customs officials during the busy Christmas season, according to Mexican authorities.

Most of the complaints alleged acts of bribery that ranged in amounts from \$100 to \$150. The Christmas season is one of the busiest times of year for Mexican Americans to return home for the holidays, often with cars loaded with gifts bought in the United States. Mexican Customs officials have traditionally taken advantage of the situation to demand bribes in exchange for clearance into the country. Mexico has taken steps to improve the situation through its so-called Paisano Program, which is meant to educate both Mexican officials and visitors as to how the system should actually work and what dollar amount of goods can be brought into the country without having to pay duty fees.

The majority of incidents this most recent holiday season, which lasted from mid-December through the first part of January, took place along the ports of entry at the Mexico-U.S. border, though one case took place in the Federal District.

SOURCES:

Mendea, Enrique. "Migrantes presentan en San Lazaro 26 quejas por abusos en aduanas." *La Jornada* 6 Jan., 2009.

"Do Not Drink and Drive" Program in Mexico City Under Scrutiny

Government officials in the Federal District are taking a closer look at some numbers that do not add up during the latest period of the "Do not Drink and Drive" program, in which revision points are set up around the urban area to stop and test motorists suspected of driving under the influence of alcohol. Notimex reports that between Dec. 16 and January 6, 1,638 drivers were detained this way after failing to pass a breath test used to detect alcohol levels. However, only 1,498 motorists were processed through the legal system, of which 207 were able to obtain an *amparo* – or injunction. As a result, the Secretary of Public Security of the Federal District is investigating "possible irregularities and corrupt acts" among certain members of the 330-strong force that runs the program. The officials are particularly concerned that some of the motorists never appeared before a judge as required by law. Emilio Serrano Juárez told Mexican media the investigation will determine whether this is due to "an error in numbers" or due to corruption within the force.

SOURCES:

No author, Notimex. "Posible corrupción en programa conduce sin alcohol investigará SSPDF." *Milenio* 12 Jan. 2009.

Digital brain scans proposed for PGR

A congressman with the Green Ecology Party (Partido Verde Ecologista), Manuel Portilla Dieguez, is proposing to use digital brain scans as way of evaluating the likelihood of PGR employees and applicants to become involved in criminal acts.

Portilla noted that digital scans are used by Mexico's Superior Tribunal of Justice in certain cases. The congressman said the digital scan would map out reactions in parts of the brain that could determine the inclination for people to react in unethical or corrupt ways.

While the idea of brain scans may seem more science fiction than reality, scientists in other parts of the world are developing a process called functional magnetic resonance imaging that could potentially transform judicial systems by detecting more accurately than a lie detector the difference between truth and lies. Such scanners cost about \$3 million each, according to a 2006 *Wired* article.

It is unclear if Portilla was talking about this particular brain scan or some other technology, since his statements indicate that adopting the program in Mexico would be inexpensive. Portilla said that despite the use of lie detectors and other screening measures, the institution has been unable to come up with a better way to prevent people with questionable ethics from entering the agency.

Portilla is also proposing better screening of candidates. This would include more stringent psychological tests to determine which candidates are mentally prepared to face the challenges they are likely to encounter in the line of their work.

SOURCES:

Press release from Partido Verde Ecologista de Mexico. "Mejorar sistema de seleccion del personal de la PGR: PVEM" 8 Jan. 2009.

Pacheco, Roberto Jose. "Piden test cerebral a elementos de la PGR." *Excelsior* 12 Jan. 2009.

Silberman, Steve. "Do not even think about lying." *Wired* Jan. 2006.

TRANSPARENCY

Winners announced for “Most useless paperwork” contest

A woman who spends four days a month to obtain her son’s prescription drugs from the Mexican Social Security Institute was the winner of a national contest sponsored by the Mexican government to identify the country’s “Most Useless Paperwork Process” The winner, Cecilia Deyanira Velazquez’s tale of government red tape was among 21,000 entries received by the Mexican government and her story earned her \$22,000.

The contest is meant to create a more efficient government culture by shedding light on painfully-long bureaucratic processes. Examples like this one are believed to prompt many people to resort to bribery and corruption to snip away at red tape.

The Mexican government also recognized the bureaucratic suffering of two other winners at the state and local levels. The winner in the municipality category was Montserrat Contreras Castaneda of Toluca, whose attempt to obtain proof of residency required that she provide three years’ worth of bank statements unless she obtained a document to speed up the process at her local representative’s office. She pursued that option only to find that she would have to wait four more days for someone to make a house visit and verify her residency. Contreras was awarded \$7,500 for sharing her ordeal. The winner of the state category was Ana Maria Calvo Irurita for her story about filling out paperwork related to a birth certificate in the Federal District.

The Mexican government realizes it has a problem and has announced it plans to reduce the 4,300 registered procedures, known as *tramites*, to 3,000 by 2012. Irma Sandoval, director of the Laboratory of Documentation and Analysis of Corruption and Transparency at the National Autonomous University of Mexico told *The Christian Science Monitor* that the government is creating a paradox by calling for less paperwork and more documentation at the same time.

“There was an aspiration to have a leaner state but on the other hand, with laws such as the transparency law (2002), there was a push to keep a historic memory,” she told the newspaper, expressing doubts that the result has proven to be very efficient.

Government officials said the point of the first-ever contest was not to punish bureaucrats, but to help the public identify ways the government could refine its procedures. The non-profit *Transparencia Mexicana* estimates that Mexicans pay more than \$2 billion a year in bribes. Eduardo Bohorquez, director of *Transparencia Mexicana*, told the *Los Angeles Times* that the cost is comparable to money spent on the entire federal judiciary system. Some of the solutions to reducing the amount of paperwork, according to the *Times*, include providing options for people to fill out forms and make appointments online.

SOURCES:

Secretaria de Funcion Publica, Press Release. “Entrega gobierno federal reconocimientos a ganadores del concurso para mejorar tramites del servicio publico.” http://portal.funcionpublica.gob.mx:8080/wb3/wb/SFP/comunicado_080109
Ellingwood, Ken. “No stamp of approval for Mexico bureaucrats.” *Los Angeles Times* 2 Jan. 2009.
Miller Llana, Sara. “Mexico rewards tales of red tape.” *The Christian Science Monitor* 13 Jan. 2009.

Chihuahua police open their offices to television cameras

The Chihuahua Police Department has posted video cameras inside its installations and is allowing human rights workers to view the live footage from their own offices as a way of deterring abuses within the jails, according to *The Christian Science Monitor*.

The article quotes Juan Salgado, a police reform expert who is studying Chihuahua’s multi-faceted program, as saying that the city’s force may be the most accountable in the country. The city’s police force is the only one in Mexico accredited by the Virginia-based Commission on Accreditation for Law

Enforcement Agencies (CALEA), according to the article. The camera program has been used in two of the city jails since fall, 2008, and it is seen as an accountability and prevention tool.

A human rights official told the *Monitor*, however, that he does not see every interaction that takes place inside the jail. It may be too soon to say whether the cameras have an impact on the amount of human rights complaints. The article noted that in 2008 the Chihuahua human rights office received about 96 complaints compared to 108 in 2007, though it was not clear if those numbers were cumulative complaints or specifically related to problems that arise in police stations.

SOURCES:

Miller LLana, Sara. "Chihuahua City now a model for cleaning up Mexico's police." *The Christian Science Monitor* 31 Dec. 2008.

Reforestation agency accused of lack of transparency, inefficiency and possible corruption

A federal tree-planting program that received millions of dollars from the government is coming under scrutiny for failing to account for how some of the money has been used. Critics also allege as much as 90 percent of the trees planted in 2007 have since died, a number that government officials say may be exaggerated.

Greenpeace Mexico has estimated that the country ranks number five in the world in terms of amount of deforestation. ProArbol was created, in part, to address international concerns over exploitation of natural resources and Mexico's renewed efforts to plant more trees attracted international attention.

An investigation by Mexican environmental groups and *El Universal* has raised concerns over a lack of transparency in ProArbol's finances. The case is an example of how the work of independent civic groups and media can raise community consciousness of possible inconsistencies in government affairs.

Meanwhile, Juan Rafael Elvira Quesada, Mexico's Secretary of Environment and Natural Resources, said that the government is assessing the program with the help of a team of independent experts. He told *El Universal* that preliminary data shows that 58 percent of the reforested plants have survived and that this is a number that's in line with other country's rates of re-forestation.

Greenpeace Mexico, which has challenged those numbers, estimates that due to inefficient administration, the agency has lost about \$180 million, according to *El Universal*. In turn, the federal government has assigned its team to evaluate the questions raised over the misuse of funds.

In an extensive report, *El Universal* interviewed community members in areas where the reforestation program took place and where the trees have died. In some cases, it appears that the trees were introduced to areas where they were not suited for or in areas where they affected the area's ecosystem negatively. In at least one case, in Aguascalientes, eucalyptus trees planted there ended up draining the water supply as the trees' roots bore into natural aquifers.

Meanwhile, critics say that 56 percent of the reforestation was in the form of agaves, nopals and magueys instead of in trees in forests, which is what many assumed was to be the focus of the program. Also, the program was supposed to include an economic stimulus for rural communities to plant the trees. However, *El Universal* reported examples of places where residents who had participated in the program have not received any financial compensation. In other cases, people's names appeared on a list of participants who say they had never been involved in the program. *El Universal* found that in the state of Chiapas alone the management of about \$1.4 million is unclear.

Elvira Quesada told *El Universal* that the program is not intended solely for forests, but to conserve the country's many different ecosystems. He said 95 percent of the planting has been done with local species. Addressing questions over the lack of information regarding the financial investment in the program, Elvira Quesada responded that the agency's finances are being reviewed and he would be willing to share those findings in upcoming weeks.

SOURCES:

Arvizu, Juan and Merlos, Andrea. "Piden diputados castigar corrupcion en ProArbol." *El Universal* 14 Jan. 2009.

Lara Klahr, Marco. "Es para proteger, no solo reforestar." *El Universal* 14 Jan. 2009.
Rocha, Carolina "Corrupcion verde en Chiapas." *El Universal* 14 Jan. 2009.
Velediaz, Juan " ' Siembran' dudas con ProArbol." *El Universal* 14 Jan. 2009.
Velediaz, Juan "Fracasa Pro Arbol; acusan corrupcion" *El Universal* 14 Jan. 2009.

ACCESS TO JUSTICE

HUMAN RIGHTS

Human Rights Commission reports complaints for 2008; Concerns about military abuses

The National Human Rights Commission (CNDH) has reported data on the human rights complaints it received between Jan. 1 and Dec. 15 of 2008, which detail the government bodies against which complaints were made, and the nature of the claims. Out of a total of 5,921 complaints received, the National Defense Secretariat (Sedena) led the pack. Other government bodies receiving substantial numbers of claims were the Social Security Institute (IMSS), the Federal Attorney General's Office (PGR), the Public Education Secretariat (SEP), and the Social Services and Security Institute for State Workers (ISSSTE). Among the leading categories of complaints received were illegal home searches, inadequate health services, arbitrary detention, cruel and degrading treatment, and theft.

As of Dec. 15, CNDH had received 631 complaints against Sedena, more than any other government body, and almost 300 more than were reported against Sedena in 2007. The PGR, by contrast, received 303 complaints in 2008, down from 671 in 2007. Although it received 478 complaints in 2008, second only to Sedena, the IMSS was down substantially from 2007, when 1,015 complaints were filed against the institute, nearly a fifth of the total claims filed with CNDH for the year.

Of the total complaints, nearly one-third were for undue use of force by security forces, including 731 for illegal home searches, 665 for arbitrary detention, and 588 for cruel and/or degrading treatment. It was not detailed which security agencies corresponded to which categories, but the concentration of complaints made against Sedena is consistent with increasingly strident criticism from CNDH president José Soberanes of the military's role in fighting Mexico's drug cartels. In the past month alone, the CNDH has sent two recommendations to Sedena that it initiate criminal proceedings in two cases involving alleged torture at the hands of soldiers in Coahuila.

Many legislators from the PRD and PRI parties in the House of Deputies agree with the CNDH that increased presence of the military in Mexico's drug war was the principal cause for the increase in human rights complaints against the military in 2008. Expressing an opposing view, PRI deputy and president of the Public Security Commission Francisco Rivera Bedoya attributed the rise in complaints to the simple fact that the military detained more criminals than ever in 2008, adding that many of the complaints came from criminals and their families, and that such complaints are often made with the intention of discrediting authority. He also expressed his view that the CNDH operates with too little oversight and might need to be censured, as well as an evaluation to determine and criticize what the organization has done and how it has benefited the country.

SOURCES:

Martínez Carballo, Nurit. "Ejército, el que más quejas recibe: CNDH." *El Universal* 25 Dec. 2008.
"Lidera Sedena quejas presentadas a CNDH." *Reforma* 26 Dec. 2008.
"La CNDH emitió en 2008 casi 6 mil recomendaciones." *Excélsior* 28 Dec. 2008.
Morales, Luis. "Emite CNDH dos recomendaciones contra el Ejército." *El Siglo de Torreón* 5 Jan. 2009.
"Consideran que muchas quejas contra Sedena provienen de delincuentes." *El Informador* 19 Jan. 2009.

PRISON CONDITIONS

Government report reveals systematic overcrowding in nation's prisons

According to a report released by the Public Security Secretariat (SSP), 21 Mexican states suffer from prison overcrowding. Nationwide, Mexico's 439 prisons house 222,671 prisoners, more than 30 percent over capacity. The report also found a sharply uneven distribution of prisoners: 65 percent of inmates are concentrated in 25 percent of the nation's prisons. Among the worst states are Baja California, the Federal District, Sonora, Nayarit, Mexico State, Morelos, Jalisco, and Quintana Roo, all with at least 60 percent overpopulation. The SSP report labels the condition of these states' prisons as critical.

The overcrowding in Baja California prisons is particularly dire. Of all states, it is the only one whose prisons are operating at nearly twice their capacity. Its prisons currently house 18,625 prisoners, but were only built to accommodate 9,379. The situation in Baja California came to a head in mid-September when two riots broke out in the La Mesa prison facility known as "La Peni," killing nearly two dozen people, injuring hundreds, and leading to ten escaped prisoners (see *Justice in Mexico* September News Report). In November, riots in Tamaulipas, Durango, and Sinaloa left at least 35 dead. In Tamaulipas, 17 prisoners had escaped through the front door two weeks prior to the November riot with the help of prison guards.

José Luis Mussi, an expert on the nation's prison system, said that recent prison riots are a direct result of overcrowding. "Overcrowding leads to a lack of attention to the resolve, satisfaction, and human needs of the interns and respect for their dignity," he said. Despite the grave findings of the SSP study and expert analysis, the National Human Rights Commission (CNDH) found improvements in Baja California's prisons, giving them a rating of 6.37, compared to 5.99 in 2006. Nationwide, CNDH's assessment of prisons rose to 6.45, up from 5.99 in 2006.

SOURCES:

"Tijuana prison riots kill at least 23 people." *Justice in Mexico* News Report Sep. 2008.
Ramírez, Julio. "Desbordan presos penales de 21 estados." *Reforma* 24 Dec. 2008.

INDIGENOUS RIGHTS

Hidalgo communities' "indigenous police" creates tension with state, federal authorities

Two cases of detentions by so-called "indigenous police" in the Ixmiquilpan municipality in Hidalgo over the past month have led to the arrest of at least 38 community members, and demands from the communities for the right to practice their traditional customs.

Around 180 demonstrators from the San Juanico community in Hidalgo marched through the streets early January to demand the release of 35 of their community members detained during an operation carried out by the Federal Preventive Police (PFP) on Dec. 30. The PFP accused the men of illegally detaining two federal officers on Dec. 29. 700 PFP officers descended on the community to rescue the two agents, whom San Juanico community members claimed had extorted a migrant from the area.

The same day that the PFP agents were detained, state, local, and federal police rescued a 15 year-old boy from San Juanico who community members accused of killing a resident in a hit-and-run accident. After the accident, members of the "indigenous police" entered the boy's home in a neighboring community and took him away, later demanding 250,000 pesos to turn him into the authorities. The boy was detained in the San Juanico community for 21 days before Hidalgo Gov. Miguel Ángel Osorio Chong ordered the operation to gain his release. In that raid, three community members were detained.

A vigilante police force has been formed in at least one other Hidalgo community in the Mezquital Valley, where in response to impunity in a series of robberies community members arrested and detained a number of individuals in late November they said had perpetrated the crimes. They then blocked roads entering the community, a tactic also employed in San Jacinto.

Indigenous communities like San Juanico claim the right to bring to justice those who commit crimes against them, citing article 2 of the constitution, which guarantees indigenous communities the right to self-determination and autonomy. The Hidalgo government, however, has strongly denounced such indigenous police groups, warning that it will rigorously punish those who violate anybody's human rights in the name of traditional customs, and stressed that the rule of law must be maintained above all else. For their part, indigenous communities of Ixmiquilpan have demanded that the state congress pass legislation authorizing them to determine and carry out their own systems of justice.

SOURCES:

- Mota López, Dinorath. "Retiene policía indígena de Hidalgo a presuntos delincuentes." *El Universal* 3 Dec. 2008.
Jiménez, Verónica. "En Hidalgo no habrá impunidad – Gobierno." *Reforma* 29 Dec. 2008.
"Ante todo, preservar Estado de Derecho." *El Sol de Hidalgo* 29 Dec. 2008.
"Marchan indígenas por liberación de 35 detenidos en Ixmiquilpan." *El Universal* 5 Jan. 2008.
Mota, Dinorath. "Exigen legislar sobre usos y costumbres en pueblos indígenas de Hidalgo." *El Universal* 7 Jan. 2009.

AROUND THE STATES

Oral trials begin in Zacatecas

In early January Zacatecas joined Chihuahua, Nuevo León, Morelos, and Oaxaca in applying oral trials to court proceedings. Zacatecas, like all of the above states except for Oaxaca, will apply the new, accusatorial justice system gradually, beginning in just one of its 18 districts. Oral trials are currently underway in the Zacatecas district; the districts of Fresnillo and Calera are expected to follow in July, and the rest in Jan. 2010.

As in other states, the transfer to an accusatorial, oral system places an emphasis on speedier, more transparent trials, as well as alternative justice in which arbitrators seek to reach agreements between plaintiffs and defendants outside of the courtroom. By expediting court proceedings and limiting the use of pretrial detention to those who present a clear danger to the public, it is hoped that overburdened court and prison systems will operate more efficiently and effectively and that the penal system, from investigation to trial to prison, will become more professional and seen as legitimate by the public at large.

According to the federal justice reform package passed by Congress in March 2008, individual states have a period of 8 years to implement the changes. Like Baja California, another state to initiate oral trials this year, Zacatecas' plans to introduce oral trials pre-dated the reform.

SOURCES:

- Ibarra, Fátima. "Entran en vigor los juicios orales." *El Sol de Zacatecas* 6 Jan. 2009.
"Arrancan en Zacatecas los primeros juicios orales." *Reforma* 6 Jan. 2009.

Police in Cuernavaca, Morelos trained for new justice system

Around 50 police in Morelos' capital Cuernavaca are receiving training in accordance with the new justice system now in effect in the state. Specifically, the police are being trained in proper methods for detentions, with the goal of minimizing irregularities in arrests and human rights abuses that could ultimately lead to acquittals by judges under new accusatory criminal proceedings.

Under the justice reforms, police play a much stronger role in investigations, and judges known as *jueces de garantías* are assigned to cases to ensure that proper procedures have been adhered to throughout each reform, and that defendants' human rights have not been violated. Judge José Luis Jaimes Olmos stressed the importance of such training, saying that police currently have little or no knowledge of the new justice system, particularly of contentious details such as determining flagrancy in performing a home search or making an apprehension.

Public security officials have said that the training will be implemented gradually so as not to interfere with police officers' duties.

SOURCE:

Cuevas Villalobos, Elizabeth. "Capacitan a policía capitalina sobre el nuevo sistema de juicios orales." *La Jornada Morelos* 9 Jan. 2009.

Tlaxcala latest sign Mexico's budget woes affecting justice reform

Tlaxcala's president of the Supreme Court Luis Aquíhuatl Hernández announced that budget limitations have already impeded the advancement of adolescent justice, alternative justice, and training in oral trials, which still have not been implemented in the state. Aquíhuatl Hernández faulted the legislature for the setbacks, in not prioritizing the justice system in the state budget, and for not taking action to reform the state constitution to adhere to the federal justice reform package passed in late March 2008. Last month, the president of Nuevo León's Supreme Court voiced similar concerns that budgetary limitations would prevent necessary improvements and additions to infrastructure and administrative training. Aquíhuatl Hernández said that the Supreme Court will carefully examine the 2009 budget to determine which, if any, legal actions to take.

SOURCE:

Márquez, Yvonn. "Reconocen debilidad de áreas jurisdiccionales por bajo presupuesto." *E-Consulta* 12 Jan. 2008.

Nuevo León congress approves expansion of oral trials

Nuevo León legislators recently approved a bill that extends oral trials to administrative and civil proceedings, among other proceedings including divorce, and crimes of familial abandonment, abortion, and child pornography. Legislators praised the effort, saying that it represents a maturation of the justice system in the state, which unlike neighboring Chihuahua, implemented oral trials statewide, and has since gradually applied them to a broad spectrum of legal contexts. Yet to be included in the reforms are *delitos graves*, more serious crimes including kidnapping, drug trafficking and organized crime. Congress also passed a law authorizing prison officials to arrange for special conditions for detention of those convicted of organized crime.

Meanwhile, *Renace*, a Mexico-based organization that for years has promoted and worked toward nationwide justice reform, will in coming weeks release a report on the initial outcomes from Nuevo León's experience with justice reform, which is expected to be dismal. As summarized by *Reforma's* Juan Ciudadano, among the findings is that gradual implementation by category of crime, as opposed to by region, is ineffective. Also criticized is the prosecutorial discretion granted to the Office of the Public Prosecutor without judicial oversight, resulting in opportunity for corruption equal to the previous system. *Renace's* findings also criticize the new system for allowing public prosecutors to essentially read the same reports that previously would have been submitted to a judge instead of articulating arguments and rebuttals in a natural and intelligible fashion, in effect preserving the old system.

All of these criticisms reflect concerns expressed by many legal experts, judges, and attorneys that fundamental changes of such magnitude will require more care and time to implement than is being allowed in some cases, particularly in the arena of training police, judges, public prosecutors, and public defenders for the investigative and procedural changes inherent in the reforms.

SOURCES:

Juan Ciudadano. "Nuevo León: Cómo no." *Reforma* 29 Dec. 2008.
Medina Espinosa, Alberto. "Amplían oralidad en Nuevo León." *El Porvenir* 20 Jan. 2009.

The Justice in Mexico Project *researches justice sector and rule of law developments in Mexico at the national and sub-national levels. Through its host institution, the Trans-Border Institute (TBI) at the University of San Diego, the Project disseminates research organized under three broad categories related to the rule of law: law and order, transparency and accountability, and access to justice.*

As a research output, the Project produces monthly reports based on news monitoring of federal- and state-level developments in Mexico. An archive of these reports is available at <http://www.justiceinmexico.org>. Click on the news tab and then the news archive selection to access the archive. To provide financial support for our organization, please visit: <http://www.sandiego.edu/tbi/support>. Finally, please report any questions, corrections, or concerns to transborder@sandiego.edu.

