

# JUSTICE IN MEXICO

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*Despite government efforts, cartel-related killings in Mexico are on track to meet or surpass their 2008 numbers, largely due to sustained violence in Chihuahua and surge of killings in the states of Guerrero and Durango over 2008. Meanwhile, the Federal Attorney General Law and the Federal Police Law passed both chambers of Mexico's Congress, giving more investigative powers to the Public Security Secretariat (SSP) through the creation of a new Federal Police agency. Also, a series of corruption investigations swept the nation, with the arrest of 78 Nuevo León police officers suspected of working with drug smugglers and the investigation of nine military members for alleged ties to drug traffickers. Meanwhile, Sonora's state government faced criticism over possible official corruption related to a fire that claimed 46 victims in a Hermosillo daycare center. With regard to access to justice issues, complaints continued to surface against Mexican soldiers in Ciudad Juarez, and a report by the National Human Rights Commission found that an average of 54 undocumented Central and South American migrants are kidnapped each day in Mexico. The Archbishops of Tijuana and Acapulco suggested that the recent murders of a minister and two seminarians in Guerrero may have been reprisals for recent condemnations made by religious leaders against narcotraffickers. Around the states, the first oral trial carried out in Morelos was criticized by attorneys for a lack of evidence, and dozens marched in Oaxaca to demand justice for the killing of a young girl, whose accused murderer will be tried in an oral hearing.*

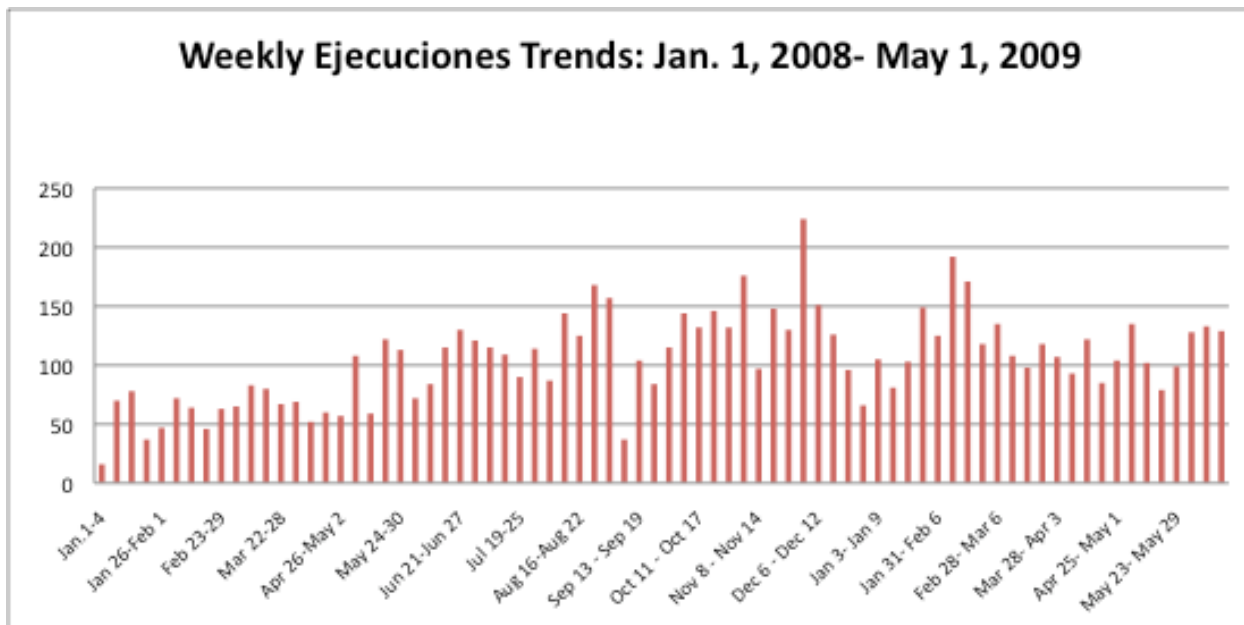
## LAW AND ORDER

### DRUG TRAFFICKING

#### ***Ejecuciones* remain relatively flat nationwide; increased violence in Chihuahua and Guerrero**

According to *Reforma's* running tally of cartel-related killings, or *ejecuciones*, such deaths had reached 2,677 nationwide as of June 12. With over two weeks before the end of the first half of 2009, *ejecuciones* are on track to meet or surpass their 2008 numbers, largely due to sustained violence in Chihuahua and a surge in killings in the states of Guerrero and Durango over 2008. In 2008, *Reforma* reported a total of 5,183 cartel-related slayings, while the Mexican government's figures estimated the number of cartel killings at more than 6,000. In either case, a continuation of similar levels of violence through the end of 2009 would nearly match or exceed either count.

*Ejecuciones* in Chihuahua were up by more than 30 percent for the current reporting period (as of June 12) to 787 for the year. While levels of violence in the state are not yet approaching those early in 2009, the number of killings is creeping up again since the late-March deployment of thousands of soldiers and federal police to Ciudad Juárez. A similar phenomenon occurred in the months following the troop deployments in March 2008, which saw an immediate decline in violence, followed by progressive weeks of escalating violence. Earlier this month, a professor of the Autonomous University of Ciudad Juarez was shot to death, prompting widespread citizen protest against cartel violence and the seeming inability of the Mexican government to stop it. On the evening of June 20, the federal government deployed another contingent of 1,500 additional troops to Ciudad Juárez, and also sent 1,000 replacement troops for soldiers previously deployed.



Guerrero saw a significant spike in killings over the past month, with 55 recorded between May 15 and June 12, a 35 percent increase over the previous four-week period. On June 6, gunmen and Mexican soldiers engaged in a firefight in the tourist zone of Acapulco, Guerrero, killing 16 of the presumed drug traffickers and two Mexican soldiers. The shootout followed the soldiers' response to an anonymous report of armed men in a home, where later were seized 36 "long arms," 13 pistols, and two grenade launchers, along with fragmentation grenades and eight vehicles.

In the face of continued violence and increasing public unrest, particularly in troubled regions such as Chihuahua and Guerrero, Pres. Calderón is adhering as strongly as ever to his message that the Mexican state must respond with all available resources to the challenges presented by organized crime. He reprimanded "governments," presumably state and municipal, for their complacency in the face of threats posed by the infiltration of organized crime into government functions, and the desire of some to live in a state of false security while state institutions remain vulnerable to criminal influence.

The Calderón administration also pointed to a report on the "Results of Mexican Policy Against Organized Crime," which suggests that his administration has significantly ramped up efforts to combat drug trafficking, having seized more than 10 times the amount of illicit cash from organized crime that his predecessor seized in a similar period. From December 1, 2000 to April 2003, the Fox administration had seized roughly \$31.6 million dollars, compared to the \$334 million seized by the Calderón administration. The Calderón administration also reported that it captured 66,621 participants in organized crime during the same period, nearly twice as many as the 35,678 captured by the Fox administration. In March 2009, a similar report, drawing on the Uniform Statistical System for the Analysis of Crime (SEUNAD), indicated

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that Calderón had made major gains compared to both Fox and his immediate predecessor, Ernesto Zedillo.

**SOURCES:**

- “Ejecutómetro.” *Reforma*: [www.reforma.com](http://www.reforma.com).  
“Supera Calderón a Zedillo en lucha contra el hampa,” *Milenio*, March 1, 2009.  
“Visita la Universidad por última ocasión.” *El Diario de Juarez* June 2, 2009.  
Flores Contreras, Ezequiel. “Chocan militares y narcos en Acapulco 18 muertos.” *Proceso* June 7, 2009.  
“Descomisos, 10 veces más que Fox,” *El Universal*, June 14, 2009.  
Melgar, Ivonne. “Reprueba Calderón indiferencias por lucha antinarco.” *Excelsior* June 19, 2009.

**Amid key arrests, Baja California remains embroiled in a deadly turf battle**

Baja California, while not experiencing the levels of violence it suffered in the final months of 2008, still captures headlines for the explosive nature of violent outbreaks, particularly in Tijuana. On June 5, there were six recorded *ejecuciones* in Tijuana over the course of nine hours – in two cases, only heads were found. The murders have been referred to the Federal Attorney General’s Office for investigation. In at least two of the cases, the bodies were found with *narcomensajes*, messages left with victims’ bodies with warnings for rival gang members. In response to the wave of killings, Baja California Attorney General Rommel Moreno Manjarrez said that they were a result of an ongoing drug war in the region. Since last December, the remnants of the Arellano Felix cartel have been locked in a turf battle with the gang of assassins led by Teodoro García Simental, or “El Teo,” who is a former member of the Arellano Felix cartel and now allegedly heads Sinaloa Cartel operations in the region.

Mexican authorities report having made arrests of key members of El Teo’s organization over the past month. A federal judge on June 13 announced a 40-day pretrial detention for José Filiberto Parra Ramos, “La perra,” allegedly a top lieutenant for El Teo. Parra, who reportedly broke from the Arellano Felix cartel last year along with El Teo, is wanted by the DEA, and has been blamed for perpetrating much of the violence suffered late last year in the region, including the murders of two agents of the now-extinct Federal Agency of Investigations (AFI) in Tecate April of last year. Earlier, authorities announced the capture by Mexican soldiers of Bernardo Cristóbal Arellano Mejía, “El Morete,” another suspected lieutenant of El Teo’s to whom authorities have attributed the killings of three municipal police officers in Tecate, where Arellano Mejía allegedly operated.

**SOURCES:**

- “Homicidios de hoy a la PGR: Rommel.” *El Sol de Tijuana* June 5, 2009.  
Martínez, Julieta. “Capturan a sobrino de los Arellano Félix.” *El Universal* June 6, 2009.  
Tulio Castro, Marco. “Capturan al Morete.” *El Sol de Tijuana* June 7, 2009.  
“Drug-trafficking suspect in custody.” *San Diego Union Tribune* June 11, 2009.

**POLICE REFORM**

**Creation of Federal Police puts more investigative powers in hands of Public Security Secretariat**

The Federal Attorney General Law (*Ley Orgánica de la Procuradora General de la República*) and the Federal Police Law (*Ley de la Policía Federal*) passed both chambers of congress in May, giving more investigative powers to the Public Security Secretariat (SSP) through the creation of the Federal Police; and effectively dissolving the Federal Agency of Investigations (AFI) of the federal Attorney General’s Office’s (PGR), to be replaced by the Federal Ministerial Police.

The Federal Attorney General Law aims to give the PGR an investigative police force that can respond to the new challenges posed by organized crime in Mexico, a function that the AFI carried out until early June when the law went into effect. The AFI was created by presidential decree in 2001 to bolster the investigative capacity of the Federal Attorney General’s Office (PGR). At that time, the AFI replaced the corruption-plagued Federal Judicial Police in order to bring about a more professional, scientific, and comprehensive investigative process that would take aim at the operational foundations of organized crime – similar to the stated goals of the new Federal Ministerial Police. The agency came under fire in 2005 under widespread allegations of corruption, and in December of that year the PGR announced that nearly one-fifth of its officers were under investigation for suspected involvement in organized crime.

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Agents of the AFI took to the streets in April of this year to demand that the PGR and congress not allow the agency to disappear. Nonetheless, the measure was approved by congress, and Pres. Calderón signed it into law on May 29.

According to the reforms, agents of the new police force will have greater powers to investigate crimes, but will also be subjected to more rigorous compatibility tests. The Federal Ministerial Police will be led by Nicandra Castro Escarpulli, who in the past worked as head of the kidnapping department at SIEDO, the PGR's office for investigations of organized crime. From the date the new law went into effect, the PGR had 30 days to purge its rosters of undesirable personnel. Former AFI agents who can pass toxicology, medical, psychological, and background checks will be given priority in the new agency.

For its part, the Federal Police Law effectively bestows investigative powers upon what was previously the Federal Preventive Police (PFP), which carried out a strictly preventive function. The agency will remain within the Public Security Secretariat (SSP). Under the new law, Federal Police officers will be able to collaborate with the PGR on its investigations; but the law is clear in stating that in such cases, the Federal Police will act under the supervision of the PGR. In that light, SSP director Genaro García Luna has initiated a 12-week course in the Iztapalapa Central Command for the agency's first aspiring investigative police.

Among the Federal Police's new investigative powers are included the ability to seek judicial orders to monitor telephone, satellite, and internet communications in the investigations of organized crime activity. All such measures also must be performed under the supervision of the PGR. Other functions include securing crime scenes, executing arrest orders, and processing evidence, all formerly functions of the AFI. Federal Police agents will also have the authorization to operate undercover to infiltrate criminal organizations.

The changes come as part of broad justice reforms passed by congress last year which, aside from overhauling the criminal justice system, seek to professionalize the nation's federal, state, and municipal police; give them an enhanced investigative capacity; and standardize the vetting process for perspective officers at all levels. In his original justice reform initiative, Pres. Calderón proposed a total unification of the nation's federal police, an idea that was generally not received well in congress. For that reason, the Federal Attorney General Law will maintain an investigative police force in the Federal Ministerial Police.

**SOURCES:**

"AFI, entre la corrupción y la eficacia." *El Economista* Dec. 6, 2005.

"Desaparece la AFI." *El Financiero* May 29, 2009.

Ramos Pérez, Jorge and María de la Luz González. "Surge la Policía Federal Ministerial." *El Universal* May 30, 2009.

Méndez, Alfredo. "Nace este martes la Policía Federal; podrá investigar delitos e intervenir telefonemas." *La Jornada* June 2, 2009.

**Police in Mexican border states to receive training from Colombian military**

There have been reports that Colombia has offered specialists from its Unified Action Group (Gaula), the anti-kidnapping office of that nation's national police, to help train their counterparts in the Mexican border states of Baja California and Chihuahua.

In Baja California, state attorney general Rommel Moreno Manjarrez said that 35 agents from Baja's Anti-kidnapping Unit of the State Attorney General's Office (PGJE) will receive training from Colombian police in tactical operations, intelligence, investigative methods, and negotiation. The agreement came as a result of a meeting in May between Moreno Manjarrez and the Colombian ambassador.

In the case of Chihuahua, Governor José Reyes Baeza and federal representative César Duarte visited Colombia in May on the invitation of Pres. Álvaro Uribe to discuss public security challenges in both locations and also to strengthen contacts between the two nations battling shared organized crime networks. Uribe offered the same support to the state of Chihuahua as he did to Baja California in helping to develop a comprehensive anti-kidnapping strategy.

It was not clear how Pres. Calderón felt about Reyes Baeza's diplomatic trip to Colombia, given that interactions between the governor and leading members of the president's National Action Party (PAN)

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have been strained in the buildup to July's elections. PAN senator Teresa Ortuño accused the governor, from the Institutional Revolutionary Party (PRI), of links to organized crime. Reyes Baeza countered with charges of libel against the senator. Reyes Baeza and his attorney general have in the past been critical of the Calderón administration's response to violence in Chihuahua, particularly by the federal Attorney General's Office in their unwillingness to investigate crimes committed in the state.

**SOURCES:**

"Firma Chihuahua convenio con Colombia para crear grupo antisequestros." *Milenio* May 22, 2009.  
"César Duarte y gobernador de Chihuahua visitan Colombia." *El Universal* May 23, 2009.  
"Capacitará Colombia a agentes de Baja California." *La Jornada* June 2, 2009.

## **PRISON SECURITY**

### **Prisons to receive military oversight**

After the prison break in Cieneguillas Zacatecas last month in which 53 prisoners including some confirmed Zetas escaped with the aid of prison officials, the Mexican Army has reinforced security in select state prisons. Military sources revealed in May that soldiers would be sent to prisons in Puebla, Guanajuato, Durango, San Luis Potosí, Tamaulipas, and Aguascalientes. Of the 253 state prisons in the nation, the Army, along with federal police agents, has performed searches of 28 prisons so far this year, and currently is running operations in a Chihuahua state prison where an armed group entered and killed scores of prisoners, also with the help of prison officials.

In the case of last month's Zacatecas prison break, three of the escaped prisoners have been recovered, and the federal Attorney General's Office has offered US\$1 million for each remaining escaped prisoner. Meanwhile, the ex-director of the prison and 51 guards of the prison have been detained under orders from the newly formed Federal Ministerial Police. Federal Police officers loaded the guards into airplanes amidst protests from family members and were taken to a federal prison in Nayarit.

**SOURCES:**

Jiménez, Benito. "Prevén reforzar cárceles con militares." *Reforma* May 24, 2009.  
"Declaran en SIEDO dos de los fugados del penal de Cieneguillas." *Milenio* June 5, 2009.  
Mejía, Irma. "PGR consigna a 51 custodios de Cieneguillas." *El Universal* June 15, 2009.

## **UNITED STATES-MEXICO COOPERATION**

### **Obama administration continues to define its southwest border strategy**

In early June, U.S. Homeland Security Secretary Janet Napolitano, Director of National Drug Control Policy Gil Kerlikowske and Attorney General Eric Holder announced the National Southwest Border Counternarcotics Strategy. The initiative emphasizes operational collaboration and information sharing among federal law enforcement agencies, between federal and local agencies, as well as between U.S. and Mexican counterparts. The initiative will also deploy increased technology and agents to points of entry along the southwest border to curb the flow of drugs northbound and weapons and illicit cash southbound.

On Monday June 15, Janet Napolitano announced an initiative signed by U.S. and Mexican officials to increase inspections of southbound vehicles for weapons and money. The agreement, signed by Napolitano and Mexico's minister of finance and public credit Agustin Carstens, also outlines a plan for a standardized form to facilitate the crossing of tourists and workers from both countries. According to the *Arizona Republic*, the measure also calls for the United States to help train an estimated 1500 new Mexican customs officers.

An investigation conducted by the Government Accountability Office (GAO) concludes that U.S. efforts to slow the flow of weapons south across the border have suffered from a lack of coordination until recently

between the United States and Mexico, and poor communication between U.S. enforcement agencies. The GAO is the investigative arm of the U.S. Congress.

The report points to Immigration and Customs Enforcement and the Bureau of Alcohol, Tobacco, Firearms and Explosives in particular for failing to coordinate their efforts to curb gun smuggling. U.S. Rep. Eliot Engel, chair of the GAO subcommittee, questioned why there was not a comprehensive plan to combat arms trafficking integrated into the Merida Initiative, a US\$1.4 billion effort to aid Mexico in combating drug cartels moving drugs into the United States. The report cited specific examples of the ATF conducting trans-border operations without notifying ICE of its activities, and of cases in which the two agencies refused to share documentation required for investigations.

There has been some debate as to the percentage of weapons in the hands of Mexico's drug cartels originating in the United States, GAO director of Internal Affairs and Trade Jess T. Ford points out that over the past 5 years over 20,000 firearms seized by Mexican authorities were traced back to the United States, accounting for around 87 percent of all traceable weapons.

#### SOURCES:

- Kelly, Erin. "US, Mexico partner on border checks." *Arizona Republic* June 16, 2009.  
"Obama Administration Announces National southwest Border Counternarcotics Strategy." *Office of National drug Control Policy* website: <http://www.whitehousedrugpolicy.gov>. Accessed June 16, 2009.  
Barrett, Devlin and Eileen Sullivan. "Report Faults US efforts to curb gun smuggling." *Associate Press* June 17, 2009.  
Meyer, Josh. "U.S. lacks a strategy to stop arms trafficking to Mexico, report says." *Los Angeles Times* June 17, 2009.

## TRANSPARENCY & ACCOUNTABILITY

### CORRUPTION

#### **Nuevo León police forces come under scrutiny for alleged links to traffickers**

Nuevo León's police forces have come under scrutiny recently in relation to corruption charges. Earlier this month, 78 officers who were suspected of working with drug smugglers were arrested in Nuevo León. Among them was a local police chief.

News media reported that the military had found the officers' names on a list linked to suspected drug traffickers in May. The ensuing investigations resulted in raids on police stations across the state as well as inspections of officers' weapons and cell phones.

Local police reacted defensively to the detentions, alleging that the officers are being arrested on hearsay and uncorroborated evidence. On June 8, local officers in Monterrey blocked streets with their patrol cars, creating traffic jams, in protest of the arrest of a colleague who was alleged to be collaborating with the Gulf Cartel. Some media reports estimated the protestors to number about 100 people.

When confronted by federal agents, the officers aimed pistols and assault weapons at them in a tense standoff that lasted several hours. Federal police eventually arrested seven people and impounded ten of the police cars. Some media reported that there were local officers among the detainees. As further result, state officials stripped local officers of their automatic rifles, and began issuing such weapons to local officers only with special permission. Some state officials alleged that the protests were instigated by drug gangs allegedly working with certain officers.

In an attempt to prevent police from communicating with drug traffickers, the Nuevo León state legislature unanimously passed a bill in June that bans city and state officers from carrying personal cell phones while on duty. The bill is expected to go into effect later this month.

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In an interview with *El Universal*, Nuevo León's Secretary of Public Security Aldo Fasci Zuazua said that since 2007 the number of state and local police forced out of their posts due to suspicions over their collusion with organized crime has risen to 2,500. He said that most police are collaborating out of fear of the drug traffickers and not for huge sums of money.

Fasci also explained in *El Universal* how the current actions are the result of long-standing investigations into suspicions of police corruption: "For some years we have seen that there were executions and there were not any patrols, but later we started to review these cases and we found that there were patrols but they would leave the scene. This obligated us to follow up on what was happening with the police, which were starting to operate more in favor of these groups."

One concrete example of this collaboration, he told *El Universal*, was the case of the "narco mantas," which are messages (evidently written by traffickers) on sheets and blankets and directed primarily at state and federal authorities. Fasci told the newspaper that *narco mantas* bearing the messages were displayed in Nuevo León and other Mexican states without any intervention of the police departments:

"The police agencies did not take them down and that was when one asks how that is possible. We called their coordinators and asked them to take them down, but they did not do it. We also sent state police to take them down and they were attacked and the city police put the mantas back. So we had to sent the SWAT team and ask the help of the Mexican army to take the sheets down."

**SOURCES:**

- Luhnow, David. "Mexico Cracks Down on Local Police Corruption." *The Wall Street Journal*. June 10, 2009.  
Tapia, Jonathan. "Policías se corrompen por miedo y unas monedas." *El Universal*. June 10, 2009.  
Watson, Julie. "Mexican state bans cops from carrying cell phones." *Associated Press*. June 10, 2009.

### **Nine Tecate police arrested for suspected links to organized crime**

In Tecate, a border town in rural Baja California, federal authorities arrested a high-ranking police officer and placed nine others under temporary arrest to allow for time for additional investigations into their suspected link to criminal activities.

*El Sol de Tijuana* initially reported that the detentions were linked to an armed assault that occurred near a gasoline station in April against two federal police officers. More than 20 people were detained in connection with that attack, and they were suspected of working for Teodoro "El Teo" Eduardo Garcia Simentel, according to the paper. As noted in the previous section, Garcia Simentel is suspected of having broken from the Arellano Felix cartel and joined the Sinaloa drug cartel.

This month, during a military operation, Mexican authorities arrested ten Tecate officers including a Tecate commander, Adrian Cordero Gutierrez. Cordero Gutierrez has been arrested on suspicion of drug ties in relation to his alleged involvement in the April attack. The other officers are being investigated for their connection with a kidnapping group detained in May, according to *El Universal*.

On June 10, a federal judge determined the nine officers could be held under *arraigo* —without charges— for up to 40 days during the criminal investigation. The extra time gives authorities the opportunity to build a stronger case against the officers that could lead to formal charges. The officers were identified by Mexican media as: Vicente Soto Leyva, Rodrigo Escobar Galván, Alejandro Cádiz Ruiz, Víctor Meza Vergara, Rubén Mora Becerra, Carlos Armando Carrasco López, Aarón Reyes Herrera, César Antonio Chavira Uriarte y Jesús Isaías Reyes. Tecate's director of public security, Erick Lara Cabrera, said he would cooperate with federal authorities in the investigation into his officers now, as well as in the future, so that the force can be cleared of corruption and any links to criminal groups.

**SOURCES:**

- "Arraigan a nueve policías detenidos en Tecate." *El Sol de Tijuana*. June 10, 2009. June 9, 2009.  
Martínez, Julieta. "Juez ordena arraigo de 10 policías en Tecate." *El Universal*.  
Ramos, German. "Arraigan a 9 policías de Tecate por presuntos nexos con 'narco'." *Frontera*. June 10, 2009.

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### **PEMEX executive resigns amid allegations of corruption**

A senior executive with the Mexican state oil company PEMEX resigned after the Mexican newspaper *Reforma* reported that he accepted a free trip from a software company that had recently won a \$30 million contract from PEMEX.

The German software company – SAP - reportedly footed the bill for PEMEX executive Manuel Reynaud to take a four-day trip to Monaco's Formula One Grand Prix. Reynaud was PEMEX's director of business processes and technology and infrastructure. The executive apparently took the trip not long after PEMEX awarded the software company a \$30 million contract.

PEMEX responded by saying they have initiated an internal investigation and the agency is also seeking additional details about the arrangement from SAP. PEMEX chief executive Jesus Reyes Heróles told media that "with regard to ethics and the fight against corruption, the policy of PEMEX will be zero tolerance."

Speaking this month in Veracruz, Mexican President Felipe Calderon addressed the issue of corruption in PEMEX in particularly strong language, admitting that corruption affects PEMEX in "diverse areas" which including the assignments of contracts. Calderon said that the transformation of the agency is being held back by politics, ideology and special interests.

The Mexican president appeared to chide PEMEX officials by saying that it is not possible to continue doing business as usual because that has proved to be ineffective. Calderon said PEMEX production has declined and reached a negative commercial balance in 2008, but that he is hopeful that with recent reforms to the system the situation will improve.

PEMEX has faced other corruption scandals in recent history. In December 2008, 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. In that case about \$2.6 million in bribes were paid to a high-ranking official with PEMEX. The actions took place sometime between 2001 and 2007.

Last year, Mexico's Congress approved an energy reform package that included specific measures to prevent corruption within PEMEX. Under the reforms, PEMEX has the option of entering into contracts with private groups, primarily for exploration purposes. It also allows for ordinary citizens to invest in PEMEX for the first time in the institution's history. In order to attract this kind of outside funding, greater transparency measures were included as a way to ensure better accountability.

#### **SOURCES:**

Melgar, Ivonne. "Llama Calderon a erradicar corrupcion en Pemex." *Excelsior*. June 11, 2009.  
"Pemex exec quits after report of trip paid by SAP." *Reuters*. June 5, 2009.

### **DEA report alleges former Mexican drug czar was corrupted**

Jose Luis Santiago Vasconcelos, Mexico's former drug czar who died in a plane crash last November, is among three high-ranking law enforcement officials who are named in a Drug Enforcement Administration report as being linked to drug traffickers, according to the *Houston Chronicle*.

The report was released in April 2009. In May, the *Chronicle* reported excerpts from the DEA paper in which Santiago Vasconcelos was allegedly bribed by the Beltran Leyva drug organization. The source for the information was unclear; however, a DEA spokesman told the paper that the information about Santiago Vasconcelos' alleged ties to traffickers had been included without being approved for public release.



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Santiago Vasconcelos, who also worked as Mexico's former attorney general, was never charged with any crimes while he was alive and he was considered by many U.S. officials to be highly trusted, according to the *Chronicle*.

For example, Santiago Vasconcelos had helped oversee a dramatic increase in cross-border extraditions, including that of Gulf cartel leader Osiel Cardenas. Santiago Vasconcelos was appointed assistant attorney general for Judicial and International Affairs in 2007, and was slated to oversee the implementation of the ambitious 8-year judicial reform approved by the Mexican Congress in March 2008 (See News Report, November 2008).

Also, in July 2008, Mexican Attorney General Eduardo Median Mora indicated publicly that the DEA had supported Santiago Vasconcelos' promotion within the PGR because of his esteemed track record of investigating and prosecuting organized crime (See News Report, July 2008). Santiago Vasconcelos died months later in a plane crash that also killed Interior Minister Juan Camilo Mouriño.

Rumors of collusion between high-ranking Mexican investigators and drug traffickers are not unusual, though it is often difficult to verify their accuracy. The DEA paper obtained by the *Chronicle* did not detail any evidence as to bribery involving Santiago Vasconcelos. The other two Mexican officials are facing charges in connection with their alleged collaboration with drug cartels. Former deputy attorney general Noe Ramirez is accused of taking \$450,000 in bribes from traffickers and Victor Gerardo Garay was also accused of being involved with organized crime.

**SOURCES:**

Schiller, Dane. "DEA: Bribes taint late Mexican czar." *The Houston Chronicle*. May 13, 2009.

**Nine military members under investigation for assisting drug traffickers**

Nine members of the military are being investigated for connections to drug trafficking groups. A federal judge allowed authorities 40 days to come up with sufficient evidence to file charges against the suspects, who are believed to have been working in collusion with suspected trafficker Ismael Zambada Garcia.

Initial reports alleged they were colluding with suspected trafficker Joaquin Guzman, though it may be that they were working for both traffickers since Zambada and Guzman have been known to work together in the past.

The nine allegedly provided drug traffickers with information from Mexican investigations. *El Universal* reported information from unnamed sources that the suspects had received \$100,000 monthly for providing drug groups with information on upcoming government operations and investigations. The nine military personnel were also allegedly based out of the states of Sinaloa and Durango.

Ten military members were initially detained and of that total nine have been held over for further investigations. This is the latest of a series of investigations targeting members of the military. In March, a dozen were arrested for suspected ties to a drug trafficking group called the Golfo en Aguascalientes. Six months ago, a soldier was detained for allegedly infiltrating information to the Beltran Leyva drug organization.

**SOURCES:**

Aviles, Carlos. "Arraigan a 9 oficiales que ligan al narco." *El Universal*. June 15, 2009.  
Mendez, Alfredo. "Arraigan a militares arrestados por filtrar datos a El Chapo." *La Jornada*. June 15, 2009.

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## ACCOUNTABILITY

### **Sonora state government faces criticism following Hermosillo day care center blaze**

Criticism against the Mexican government continued to rise along with the number of the victims of a June 5 that broke out in a government-subsidized day care center located in the northern state of Sonora. The fire claimed its 46<sup>th</sup> victim June 15 as reports surfaced that family members of the state's governor have benefitted financially from contracts to provide similar day care services.

The tragedy, in the city of Hermosillo, was prompting some media commentators to call for greater accountability and transparency regarding the operation of such centers. *El Universal* reported that siblings and cousins of Sonoran governor Eduardo Bours Castelo collectively receive about \$300,000 each month for the services they provide to operate at least 13 day care centers in the state.

The ABC day care center was not found to have those same connections with the governor. However, some media have reported that ABC day care center, where the June 5 fire took place, is co-owned by a cousin of Mexican President Felipe Calderon's wife.

The privately owned day care center was meant to provide parents with affordable options for their children. The fire is believed to have started in an air-conditioning unit that was in the same building as the ABC day care center, and it spread along the roof. About 140 children were in the facility when the fire broke out. Attempts to rescue the children were hindered by a lack of available exit and entry points, which forced rescuers to break holes into the building to reach the children.

About 80 of the children were saved, and the other survivors were in critical condition immediately following the fire. Some of the children are being treated at burn facilities in the United States.

Parents are blaming the government for what they see as a failure to enforce safety regulations at the day care center. *El Universal* reported that initial investigations into the day care building found "numerous deficiencies," such as a false emergency door, deficient electrical installations, and fire detectors that were installed improperly. Despite these apparent problems, *El Universal* reported that the annual inspection by civil protection authorities had determined the day care center was "secure."

On June 13, an estimated 5,000 people marched through the streets of Hermosillo, demanding justice and answers from Mexican authorities.

The Mexican Attorney General, Eduardo Medina Mora, said that the ABC day care center had been found to have safety irregularities in 2005, but it was unclear whether they had been fixed since then, and day care officials denied being told of any such problems. It had passed a safety inspection in May of this year.

Some of the accusations are aimed squarely at high-ranking officials, with some parents calling for the resignation of Sonora governor Eduardo Bours. At least six officials have resigned or been fired since the fires. They include: Noemi Lopez, the Sonora state day care center coordinator; Delia Botello, the Hermosillo city day care coordinator, and Emigdio Martinez, the Sonora chief of economic and social benefits.

The institute's top delegate in Sonora, Arturo Leyva, was asked to step down, and two state government officials whose wives were connected to the day care center had also resigned. Gov. Bours said that political interests are behind some of the attacks aimed at him and others. He said the investigation is ongoing into how the tragedy elapsed.

The National Commission of Human Rights in Mexico has called for federal, state and local authorities to ensure that the investigations result in full accountability. *Notimex* reported that a representative with the United Nations Children's Fund had called for a nationwide investigation into all day care centers to prevent similar outcomes.

**SOURCES:**

"Mexico suspends 3 officials over day care fires." *Associated Press*. June 13, 2009.  
"Marchan y denuncian atencion deficiente a ninos quemados en Mexico." *La Prensa Grafica*. June 14, 2009.  
"El Millionario Negocio de los Bours." *El Universal*. June 15, 2009.  
Brice, Arthur. "Anger boils in Mexico over 46 deaths at day care center." *CNN*. June 15, 2009.

**Missing 2007 budget funds come under scrutiny**

An audit into Mexico's federal budget has found that the ultimate destination of more than US\$8.5 billion (120 billion pesos) in the 2007 budget remains unclear. The money was supposed to have been used for public security, social programs and infrastructure purposes. It was instead dispersed among *fidicomisos*, special funds and contracts with little or no explanation, according to Arturo Gonzalez de Aragon, who holds a federal post that oversees audits.

In the case of the public security budget, as much as between 43 and 44 percent of the money was not accounted for in the actual budget, according to the audit. That translates to US\$200 million (2.86 billion pesos) of the US\$474.2 million (6.65 billion pesos) authorized in 2007 for distribution among the states, according to one estimate in *Millenio*.

Gonzalez de Aragon called the movement of these public funds into special accounts as "a way of avoiding fulfilling obligations in regards to the spending of public money." Once the money is placed in these alternative monetary funds, it becomes extremely difficult to corroborate their final destination and outcome, according to Gonzalez de Aragon. The auditing agency has formally requested that the information be provided as to how the funds were used.

Congressional members of the oppositional PRI and PRD are demanding more information on what the money was supposed to be used for. Legislators want to know in particular how much of the money was destined for firearms, bulletproof vests, cars and training for public security purposes. They are threatening to hold functionaries accountable for not using the money.

**SOURCES:**

"Solicitan transparencia en fideicomisos por 120 mmdp por subejercicio." *El Financiero*. June 7, 2009.  
Damian, Fernando and Venegas, Daniel. ""Estados dejaron de aplicar 43% de fondos anticrimen." *Millenio*. June 5, 2009.  
Garduno, Robert. "Multimillonario subejercicio del gasto el primer anos de Calderon." *La Jornada*. June 5, 2009.

**Legislation goes into effect to ensure proper use of public funds**

The federal law of control and accountability went into effect in the end of May. The law provides additional powers to a branch of the federal government - the Auditoria Superior de la Federacion - to process complaints and work with investigators in pursuing more serious charges in cases involving budget irregularities in accounting, subsidies, transfer, donations, federal spending and the public debt.

The Auditoria Superior will also need to reach agreements with state and local governmental agencies to guarantee its effectiveness in investigating cases that involve money distributions to states. The law is being touted as an example of how Mexican president Felipe Calderon is fulfilling his promises to provide greater governmental transparency and prevent official corruption in the use of public funds.

**SOURCES:**

"SFP celebra publicacion de Ley de Fiscalizacion." *Millenio*. May 30, 2009.  
Ramos, Jorge. "Funcion Publica destaca nuevas atribuciones de Auditoria Superior." *El Universal*. May 30, 2009.

**TRANSPARENCY****IFE coordinates with UNAM to monitor election news; Meets initial resistance from Radio and Television Chamber**

The *Instituto Federal Electoral* (IFE) is coordinating with researchers at the *Universidad Nacional Autonoma de Mexico* (UNAM) to monitor the coverage of the electoral process this year among several

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hundred media groups. Among the metrics being used is the amount of coverage given to candidates from different political parties.

IFE officials say that they are focusing strictly on the federal electoral campaigns and not other aspects of the political actors and that the monitoring is being done with the intent of transparency. However, the monitoring met with some initial resistance from the National Chamber of the Radio and Television Industry, which was concerned that some of the findings might end up being distorted. For example, differences in the time reserved for coverage of certain candidates might be a matter of just a few seconds but they could be exaggerated with the use of certain graphics that do not reflect the actual minor differentiation.

The initial analysis was done by the UNAM during the first few weeks of May, and it focused on 270 radio and television programs around the country. In that initial finding, the media groups' coverage was mostly split among the National Action Party (24.3 percent), the Party of the Democratic Revolution (22.5 percent), and the Institutional Revolutionary Party (22.3 percent).

The monitoring schedule involves releasing findings every 15 days and the scope of media monitoring could eventually include more than 300 news outlets. In response to the initial criticism from the National Chamber of the Radio and Television Industry, the IFE stood by the analysis being done by the UNAM, calling it "independent and the most important in our electoral history."

This is the first time in the IFE's 14-year history that they have designated the UNAM to monitor the media coverage of an electoral campaign. The information can be reviewed on this IFE web page: <http://monitoreodenoticiarios2009.ife.org.mx/>

**SOURCES:**

- "IFE publica primeros resultados de monitoreo de spots." *El Universal*. May 26, 2009.  
Gerardo, Jose. "IFE defiende monitoreo a noticiarios realizado por la UNAM." *El Universal*. June 4, 2009.  
Martinez F. and Urrutia A. "El Monitoreo de noticiarios, ejercicio transparente, responde el IFE a la CIRT." *La Jornada*. June 5, 2009.  
Urrutia, Alonso and Martinez, Fabiola. "CIRT e IF aclaran diferendo por monitoreo de noticiarios." *La Jornada*. June 10, 2009.

**Sonoran journalist on tour with book critical of Sonoran governor Eduard Bours**

Late last year, journalist Alvaro Neri released a book called *El expediente Bours. La corrupcion de la transparencia. La transparencia de corrupcion*, which is a compilation of 350 public information requests filed by Neri in the state of Sonora in recent years. Now the author is visiting cities in Sonora to drum up publicity for the 800-page book, and facing some resistance.

Neri claims that he received death threats prior to his June presentation in Hermosillo, and he also alleged that local media refused to publish announcements of his visit to the city. The book includes cases in which the requests yielded information from the government, as well as those that resulted in the government rejecting the requests. The publication of the book is meant to highlight what Alvaro Neri claims is a systemic vacuum of information within the government administration of Sonoran governor Eduardo Bours.

Speaking in Hermosillo, Neri said that public documents he acquired showed that Bours arrived to his post with about half a million dollars in assets and is leaving with more than \$67 million. Neri alleges that the governor has been involved in public misuse of funds. The journalist said he was able to obtain certain information on the governor's finances after pursuing public information requests for three years.

**SOURCES:**

- Bandin, Ignacio. "Presento Cepeda Neri 'El expediente Bours'." *Kiosco Mayor*. June 5, 2009.  
Gutierrez, Ulises. "Cepeda Neri: Llego Bours con 7 millones y se va con mas de 900." *Dossier Politico*. June 6, 2009.

### HUMAN RIGHTS

#### **Claims of abuses by soldiers in Juárez continue to surface**

Amidst a renewed escalation of violence in Ciudad Juárez, across the border from El Paso, complaints of human rights abuses continue to surface against Mexican soldiers, who now are carrying out law enforcement functions in the city. Random traffic stops and searches have been commonplace, as have been home searches. The situation has been troubling and frustrating for human rights groups, who complain that there is no viable path for accountability, given that alleged abuses by Army forces are handled by an accountability office within the corporation itself. An initiative sent to congress by Pres. Calderón in May to define the terms and limits for the Army's role in public security operations has been tabled until after the July elections.

Human rights groups now blame soldiers for four deaths, eight disappearances, and the torture of many more. Gustavo de la Rosa, from the Chihuahua state human rights commission, said that public security in Juárez has worsened since the arrival of thousands of soldiers in late March. The *Houston Chronicle* reported one Juárez attorney claiming to have received more than 500 complaints against soldiers during that time.

For his part, Guillermo Galván, Secretary of Defense for Mexico, denied that Mexican soldiers played any part in the deaths and disappearances for which they are accused. Enrique Torres, spokesperson for the joint military and federal police operation to stabilize Ciudad Juárez, insisted that all claims of abuse will be investigated. He also warned that criminals could be disguising themselves as soldiers in order to carry out attacks and torture. This has been suggested by officials in the past as a possible method for drug traffickers to undermine public support for military operations.

In related news, reporters from two Juárez television networks and a radio station filed formal complaints with the Army office that investigates complaints of abuse at the hands of soldiers operating under Joint Operation Chihuahua. The accused soldiers reportedly beat the reporters with the butts of their rifles in an effort to keep them from reporting on a traffic accident caused by police and soldiers. To date, the implicated soldiers have been arrested, and officials say the allegations will be investigated by an Army special prosecutor. The Mexican congress recently passed a bill making attacks against journalists federal crimes to be investigated by the federal Attorney General's Office, though again, soldiers fall outside this jurisdiction.

#### **SOURCES:**

"Ejército agredió a periodistas en Juárez." *El Paso Times* June 5, 2009.  
Salazar García, Juan. "Arrestados...nada más." *El Mexicano* June 6, 2009.  
Althaus, Dudley. "Soldados Acusados de desapariciones y abusos en Ciudad Juárez." *Houston Chronicle* June 17, 2009.

#### **54 through-migrants kidnapped per day in Mexico: National Human Rights Commission**

A report released in mid-June by the National Human Rights Commission (CNDH) found that an average of 54 undocumented Central and South American migrants are kidnapped each day in Mexico. The victims are subjected to physical and emotional violence during their captivity, and their families are contacted to pay ransoms for their release. Others are forced into slavery, prostitution, and other forms of exploitation. In a press conference on June 15, José Luis Soberanes Fernández, the commission's president, said that the study identified 9,758 migrants who were kidnapped between September 2008 and February of this year, who represent a mere snapshot of a widespread and often ignored human rights issue.

The plight of through-migrants in Mexico en route to the United States has long been a concern for human rights groups in and outside of Mexico, given their vulnerability due to their unfamiliarity with their protections under Mexican and international law and an unwillingness to present themselves to Mexican authorities; and their chosen methods of transportation, particularly via cargo trains and trucks through

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remote parts of the country. The report by CNDH attempts to quantify the problem, and discuss its implications for human rights, public security, and the integrity of the criminal justice system.

CNDH interviewed migrants in shelters run by interested human rights groups and religious organizations over the course of the six month period, and also compiled complaints registered by the CNDH at its central and regional offices during the same time. In all, the investigation documented 198 “kidnapping events,” the vast majority of them on a large scale, where many migrants were rounded up at once. The report attributes 9,194 of the cases to organized crime, and the rest to Mexican law enforcement authorities, or a combination of the two. Of all the migrants that the report documents, 67 percent are from Honduras, 18 percent from El Salvador, and 13 percent from Guatemala. The report also documents claims from Nicaraguan, Ecuadorian, Brazilian, Chilean, Costa Rican, and Peruvian migrants. The southern states of Veracruz and Tabasco were the most heavily represented, with more than 2000 cases each, while the border state of Tamaulipas accounted for more than 900. The report is clear in highlighting its own limitations given the time constraints and the hidden nature of undocumented migrants, but points out that these investigative shortcomings only suggest that the numbers are higher.

The report also points to the financial gains made by organized crime and corrupt officials by way of kidnapping and extorting migrants. Based on its interviews, the CNDH found that ransoms demanded by kidnapers ranged from US\$1500 to US\$5000, with an average of US\$2500. By that measure, the report calculates approximately US\$25 million in illicit profit over the 6-month period. The report did not, however, clarify whether these numbers represented amounts ultimately collected.

The report concludes that there exist dire shortcomings at all levels of the justice system in protecting undocumented migrants, from prevention to punishment of crimes. Upon citing several protections offered to undocumented migrants under Mexico’s constitution, penal code, and international human rights treaties, the report points out that there still does not exist uniformity in punishing convicted kidnapers in Mexico. Minimum sentences have been left to individual states to define, and vary greatly – Campeche and Quintana Roo have established a minimum sentence of 5 years, while in Oaxaca and Guerrero the minimum is 40. The report also denounces a systematic unwillingness of Mexican authorities to respond to reports of kidnapping and abuse of undocumented migrants, underscored by the numerous reports of officials perpetrating the crimes, or acting in complicity.

**SOURCES:**

“Informe especial de la comisión nacional de los derechos humanos sobre los casos de secuestro en contra de migrantes.”  
*Comisión Nacional de los Derechos Humanos* Special Report June, 2009.  
Ballinos, Víctor. “Registra CNDH 9,758 plagios de migrantes en sólo seis meses, conganancia de 25 mdd.” *La Jornada* June 16, 2009.

**Yucatán Attorney General investigating a possible prostitution and human trafficking ring**

The state of Yucatán’s Attorney General’s Office announced in mid-June that it had opened an investigation into claims made by two Costa Rican women that they were kidnapped by Mexican Immigration (INM) officers and forced into prostitution. Their report implicates several INM officers, including the Yucatán sub-delegate for the INM Alejandro Barrera Perera, and the former delegate Hernán Vega Burgos. Vega Burgos resigned his position immediately following the accusations.

Rosa María Casanova May, a Yucatecan woman arrested for presumably keeping charge of the Costa Rican women, rejected the claims against her and denied knowing the INM officials, insisting that she believed she was only housing university students. The INM officials have likewise denied any involvement in human trafficking or prostitution.

Since the allegations surfaced, the federal Attorney General’s Office has announced that it will investigate whether the two INM officials and other state officials profited from offering “regularization” to migrants entering the country both legally and illegally and later selling them into prostitution.

**SOURCES:**

“Hay más involucrados.” *Diario de Yucatán* June 13, 2009.

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Rodríguez, Yazmín. "Ligan a más mandos del INM con prostitución." *El Universal* June 14, 2009.  
Castillo García, Gustavo. "Investigará la PGR red de tráfico de mujeres." *La Jornada* June 17, 2009.

### **Mexican Episcopal Conference demands justice in killing of minister, two seminarians in Guerrero**

The Mexican Episcopal Conference (*Conferencia del Episcopado Mexicano, CEM*), is demanding justice in the killings of father Habacuc Hernández and seminarians Eduardo Oregón Benítez and Silvestre González, who were shot dead with high-caliber rifles on their way to a meeting in Ciudad Altamirano in the state of Guerrero.

The archbishops of Tijuana and Acapulco suggested that the murders could be reprisal for recent condemnations by religious leaders of narcotraffickers. Rafael Romo Muñoz, archbishop of Tijuana, said that the Catholic Church in Mexico has not been threatened by cartels due to their shared faith and drug traffickers' "religious fanaticism," which stops them short of attacking those they see as protecting them. For his part, the archbishop of Acapulco, Felipe Aguirre Franco, denounced not only the recent wave of violence in his state, but also the inability of troop deployments to effectively address what he termed a "war without end."

In a meeting with Catholic leaders, Guerrero mayor Zeferino Torreblanca Galindo promised to vigorously pursue the case. To date, no suspects or motive have been identified, and there is no sign yet that the Federal Attorney General's Office will investigate the case.

#### **SOURCES:**

Gutiérrez, Noemí. "Episcopado Mexicano exige castiguen a homicidas de sacerdotes." *El Universal* June 15, 2009.  
"Se comprometen a investigar triple asesinato en Guerrero." *El Financiero* June 15, 2009.

## **PRESS FREEDOM**

### **Second Durango reporter murdered in less than a month**

Eliseo Barrón Hernández, reporter for the newspaper *La Opinión* in Torreón, Coahuila, was found dead in a canal wrapped in plastic May 26, with at least 10 bullet wounds. He had been kidnapped the previous evening from his Durango home in front of his wife and two children. Five men have been apprehended in connection with the murder.

Barrón Hernández, who covered the police beat for *La Opinión*, had recently reported on police corruption in Torreón. His report was followed by the firing of 302 police officers and the investigation of at least 20 more in mid-May.

In related news, the case of another journalist murdered in Durango earlier in May was turned over to the special prosecutor for crimes against journalists in the Federal Attorney General's Office (PGR). Carlos Ortega Melo Samper, a reporter for the Durango daily *Tiempo* was shot three times on May 3. Like Barrón Hernández, Ortega had reported on municipal police corruption prior to his death. In the weeks leading up to his murder, his home had been shot at, and he had an altercation with the mayor of his town and a police officer. He wrote a note three days before his death blaming three local officials should something happen to him.

Less than two weeks before Barrón Hernández's murder, the Director-General of UNESCO condemned the murder of Carlos Ortega Melo Samper, warning that the impunity surrounding murders of journalists in Mexico would only lead to more attacks on press freedom in the country. UNESCO echoed its condemnation for the killing of Barrón Hernández. Perhaps in response to such outcries from UNESCO and continued pressure from media watch groups like Reporters Without Borders, the Mexican government offered up to a US\$375,000 reward for information leading to the capture of Barrón Hernández's killers. The reward was the first of its kind in recent memory.

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A military patrol in the Durango municipality of Tlahualilo apprehended five armed men on June 12. One of the detained, a presumed Zeta, has reportedly admitted to participating in Barrón Hernández's murder, calling it a "lesson" to journalists in the area in order to discourage them from reporting on criminal activities.

According to the International Federation of Journalists, five reporters have been murdered in Mexico so far this year. 49 have been killed since 2000, according to the organization.

**SOURCES:**

- "Director-General condemns murder of Mexican journalist Carlos Ortega Melo Samper." *UNESCO Press Release* May 18, 2009.  
Barrón, Eliseo. "302 policías son dados de baja en Torreón." *Milenio* May 21, 2009.  
"Asesinado el quinto periodista mexicano en 2009. La FIP se interroga por la falta de verdadera reaccion de las autoridades."  
*Federación Internacional de Periodistas* May 27, 2009.  
Castillo García, Gustavo. "Ofrecen \$5 millones por asesinatos de periodistas." *La Jornada* May 29, 2009.  
"Zeta detenido confiesa homicidio de reportero." *El Universal* June 13, 2009.

## AROUND THE STATES

### **Autonomous University of Baja California prepares for oral trials course**

Beginning in August, the Autonomous University of Baja California's law school will incorporate oral trials into its curriculum in preparation for such hearings to begin in Mexicali next year, and in Tijuana in 2011. The university has sent professors to Oaxaca to receive training in preparation for the new curriculum. Oaxaca, along with Chihuahua and Nuevo León, was one of the first states in the nation to implement oral trials. It is estimated that around 200 students will be trained under the new curriculum. The university will offer the courses this summer for those students about to graduate at the end of the current term.

**SOURCE:**

Ramírez, Lorena García. "Preparan a alumnos para juicios orales." *El Mexicano* June 7, 2009.

### **New Special Prosecutor for Human Rights in Baja California**

After questioning nine candidates, the congress of Baja California selected Heriberto García García to act as the next Special Prosecutor for Human Rights for the state, a position that carries a term of three years. García García has replaced Francisco Javier Sánchez Corona, who declined to seek a second term. He has experience as a delegate for the National Human Rights Commission (CNDH) in the state, as well as in the office that he now directs.

**SOURCE:**

"Nombran nuevo procurador de Derechos Humanos en Baja California." *El Financiero* June 1, 2009.

### **San Luis Potosí begins process of training personnel for justice reform implementation**

The state of San Luis Potosí has begun training justice personnel for the implementation of federal justice reforms passed by the nation's congress in March of last year and signed into law the following June. The training process – which will include all stages of the judicial process, from investigation to execution of sentences – is expected to conclude October 31 of this year. The centerpieces of the reforms are bestowing increased investigative responsibilities on police forces and implementing oral trials. The reforms have significant resource implications for states, which aside from training personnel at every stage of the justice system, must also overhaul justice facilities in order to accommodate the changes. According to the reforms, states have until 2016 to fully implement the reforms.

**SOURCE:**

Cárdenas Quibrera, Felipe. "Nuevo sistema de justicia." *El Sol de San Luis* June 13, 2009.



### **First oral trial in Morelos criticized for insufficient evidence**

The first oral trial carried out in Morelos, the most recent state to engage in such hearings, is being criticized by attorneys, who claim that the case, involving a man accused of possessing a stolen car, was brought to trial without sufficient evidence to establish the defendant's guilt. Judge Andrés Hipólito Prieto blamed the perceived miscarriage of justice on a lack of preparation on the part of the investigating agents for the demands of the new system. Days following the trial, the first training course for ministerial police in investigative methods came to a close, certifying 95 officers to continue on to the next phase of training.

**SOURCE:**

Cuevas Villalobos, Elizabeth. "Clausuran los cursos sobre nuevo sistema de justicia penal." *La Jornada Morelos* June 15, 2009.

### **Oral trials in Oaxaca to face challenge after the murder of a young girl**

Dozens marched in Salina Cruz, Oaxaca, to demand justice for the killing of Heidi Yoselín Bacilo Gómez, a young girl murdered in early June, whose accused killer will be tried in an oral hearing. During the demonstrations, family, friends, and neighbors of the victim distributed pamphlets to passers-by warning that oral trials can allow the guilty – in this case a family member of the victim who has reportedly confessed to the crime – to go free if insufficient evidence is presented, suggesting a lack of trust in investigating agents in the collecting and handling of evidence. Salina Cruz mayor Héctor Becerril Morales joined the family in its demands for justice in the case.

Oaxaca has taken a particularly aggressive approach to implementing oral trials statewide and applying them to all crimes. Supreme court president Anuar Mafud has championed the reforms since their inception, particularly their prompt application in the Mixtec indigenous region of the state. Many states preparing to implement the reforms, such as Baja California, have looked to Oaxaca as a model, and have engaged in training exercises with justice officials and experts from the state. Many attorneys, however, have been critical of the process, claiming that the reforms are being implemented faster than personnel can be adequately trained.

**SOURCE:**

Bautista Ramírez, Epigmenio Fidel. "Repudian juicios orales." *El Sol del Istmo* June 12, 2009.

### **State of Mexico Public Defender's Office hopes that oral trials will reduce prison overcrowding**

Omar Zedillo Villavicencio, director of the Public Defender's Office for the State of Mexico (Edomex), said that he expects oral trials to help alleviate prison overpopulation in the state by speeding up the judicial process and ultimately keeping petty criminals out of the state's prisons. According to the director, at least 75 percent of the interns in the state's 21 prisons committed minor infractions, and generally wait for more than a year before facing trial. If the reforms go as expected, the time for resolving cases will be cut to 72 days.

Zedillo Villavicencio also announced that 262 defense attorneys have now been trained in oral trials procedures in the state. The justice reforms will be implemented regionally in Edomex, beginning with Toluco, Lerma and Santiago this August.

**SOURCE:**

Chávez González. "Prevén agilizar procesos en el Edomex con juicios orales." *La Jornada* June 13, 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](mailto:transborder@sandiego.edu).