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**NAVAL  
POSTGRADUATE  
SCHOOL**

**MONTEREY, CALIFORNIA**

**THESIS**

**DRUG TRAFFICKING AND POLICE CORRUPTION:  
A COMPARISON OF COLOMBIA AND MEXICO**

by

Luis V. de la Torre

June 2008

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**DRUG TRAFFICKING AND POLICE CORRUPTION:  
A COMPARISON OF COLOMBIA AND MEXICO**

Luis V. de la Torre  
Lieutenant, United States Navy  
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Submitted in partial fulfillment of the  
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES  
(WESTERN HEMISPHERE)**

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## ABSTRACT

Police officers working in countries plagued by drug trafficking are often offered a choice between “*plata o plomo*” (“silver or lead”). Given this option, it is not surprising that levels of police corruption are high in these nation-states. Significantly, however, levels of police corruption do differ radically between those countries where the levels of drug production and trafficking are similar. This thesis examines the case of Mexico, where corruption has been historically high and has increased in recent times; and the case of Colombia, where levels of police corruption have been relatively low and might even be said to be on the decline. Specialists in police reform and anti-corruption typically look at administrative factors such as ethics, salary levels, the purging of corrupt officials, and the recruiting and training of “clean” officers as essential elements in the prevention of police corruption. While these factors explain some of the differences in levels of corruption, this thesis fills an important gap in the existing literature by moving beyond these conventional explanations. In particular, it introduces a country-specific approach to drug-related police corruption, including factors such as the organizational structure of the police force (centralized or decentralized), the legacy of the “political criminal nexus” in the country concerned, and both the size and “ideology” of the drug trafficking organizations involved.



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## LIST OF ABBREVIATIONS AND ACRONYMS

AFI	<i>Agencia Federal de Investigaciones</i> /Federal Investigative Police
CENDRO	<i>Centro de Planeación para el Control de Drogas</i> /National Drug Control Center
CISEN	<i>Centro de Información y Seguridad Nacional</i> /National Information and Security System
CGSB	Simón Bolívar National Guerrilla Coordination Committee
CNP	Colombian National Police
DEA	Drug Enforcement Administration
D.F.	Distrito Federal/Federal District (Mexico City)
DAS	<i>Departamento Administrativo de Seguridad</i>
DFS	<i>Dirección Federal de Seguridad</i> /Federal Security Directorate
DIFIN	Plain Cloth Investigation Police Corp-DAS
FARC	<i>Fuerzas Armadas Revolucionarias de Colombia</i>
GAFE	<i>Grupos Aeromóviles de Fuerzas Especiales</i>
GDP	Gross Domestic Product
INCD	<i>Instituto Nacional para el Combate a las Drogas</i> /National Institute to Combat Drugs
INCLE	International Narcotics Control and Law Enforcement program
Los Pepes	<i>Perseguidos por Pablo Escobar</i> /People Persecuted by Pablo Escobar
M-19	<i>March 19 Revolutionary Group</i>
PAN	<i>Partido Accion Nacional</i> /National Action Party
PCN	Political Criminal Nexus
PFP	<i>Policía Federal Preventiva</i> /Federal Preventative Police
PGJDF	<i>Procuraduría General de Justicia del Distrito Federal</i> /Office of the Attorney General of the Federal District
PGJE	<i>Procuraduría General de Justicia del Estado</i> /State Attorney General's Office
PGR	<i>Procuraduría General de la República</i> /Office of the Attorney General
PJF	<i>Policía Judicial Federal</i> /Federal Judicial Police



PRD	<i>Partido de la Revolución Democrática</i> /Party of the Democratic Revolution
SEDENA	<i>Secretaria de la Defensa Nacional</i> /National Defense Ministry
SIEDO	<i>Subprocuraduría de Investigación Especializada en Delincuencia Organizada</i> /Office of the Deputy Attorney for Special Investigation of Organized Crime
SM	<i>Secretaria de Marina</i> /Mexican Navy
SSP	<i>Secretaria de Seguridad Publica</i> /Ministry of Public Security
\$USD	United States Dollar
WOLA	Washington Office of Latin American Affairs

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## I. INTRODUCTION

A crooked cop is the oldest story in the book, nowhere more so than in Mexico and Colombia. However, the degree of corruption in Mexico is much worse today than in the past, and it was bad in the past, while police corruption appears to be on the decline in Colombia. Thus, although it has been a perennial problem, police corruption, especially drug-related police corruption in Mexico has assumed a new level of importance at the same time as drug-related violence has never been higher. In 2005, there were more than 600 drug-related murders in six Mexican states, all of which are located along the U.S.-Mexican border. Meanwhile, between 2007 and 2008, drug related killings averaged about two hundred a month in the country as a whole.<sup>1</sup>

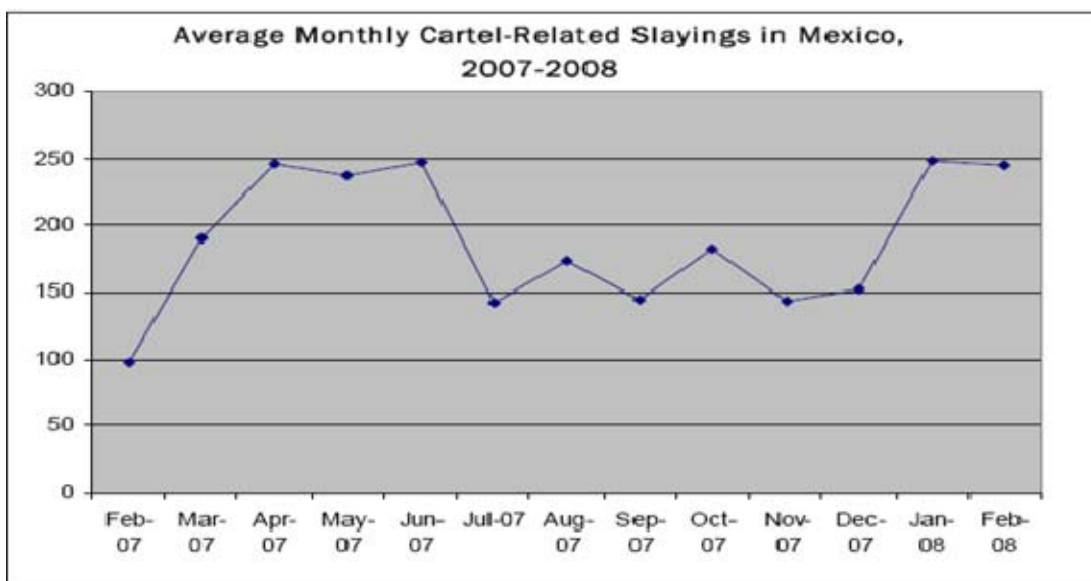


Figure 1. Average Monthly Cartel-related Slayings in Mexico, 2007-2008. (From Donnelley March 2008).

Mexico's northern states have experienced the highest levels of drug-related violence because drug traffickers are fighting for control over the lucrative drug routes into the United States. Lawlessness has become so rampant and impunity so complete,

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<sup>1</sup> Robert Donnelly, News Report March 2008 (University of San Diego: Trans-Border Institute, March 2008).

that experts on the illegal drug trade have begun comparing northern Mexico to the situation in Colombia a couple of decades ago. Superficially there are certainly similarities. But, as this thesis will make clear the similarities between drug-related police corruption and drug-related violence in Mexico on the one hand and Colombia on the other hand are much less pronounced than the differences. To put it colloquially, Mexico is the *manzana* (apple) and Colombia is the *naranja* (orange). Prior to his death in December 1993, Pablo Escobar (head of the Medellin Cartel) conducted violent, full-scale assaults on both the state and his main rival, the Cali Cartel. In Colombia in the 1980s, powerful drug cartels effectively took over large parts of the country by corrupting, politicians, judges, journalists, and to some degree police officers -- effectively co-opting the "state" itself. In the early 1990s, however, assassination and retaliatory violence increasingly displaced corruption in terms of the interaction between the Medellin Cartel, and to a lesser extent the Cali Cartel, and the "state". In Mexico, meanwhile, long before the recent upsurge in violence, in fact even before the Mexican Cartels displaced the Colombian Cartels as the dominant force in the drug trade in the Americas, police corruption was already endemic. In Mexico, this included the low-level bribery of police officers to avoid prosecution in relation to a range of minor crimes (from exceeding the speed limit to driving under the influence of alcohol) at one end of the spectrum. At the other end of the spectrum, the police are increasingly and actively assisting the drug cartels in Mexico at virtually every level of their operations.

According to most experts, very few, if any police officers along the U.S-Mexican Border are not involved in drug-related corruption.<sup>2</sup> President Vicente Fox in 2005 was forced to send over 1,000 soldiers and federal police agents to patrol Nuevo Laredo and other border cities as part of a special operation called *Operativo Mexico Seguro* (Operation Safe Mexico). This operation was set in motion after a gun battle broke out between federal and municipal police officers during a federal investigation of drug-related corruption. The incident resulted in the shooting death of two police chiefs and the president of the local chamber of commerce. As a result of the investigation Nuevo

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<sup>2</sup> Tomas Bravo, "Police Corruption Undermines Mexico's War on Drugs," Boston Globe, April 17, 2007, <http://members.boston.com/reg/login.do> (accessed August 23, 2007).

Laredo's mayor suspended 730 municipal police officers. All 730 officers were forced to take polygraph tests, the results of which indicated that over half of them were receiving payments from the Gulf Cartel.<sup>3</sup> Gun battles between municipal police, federal police, and the military are not uncommon in Mexico, where some, and sometimes virtually all members of the various police departments, are on the payroll of the drug cartels. In Colombia, as we will see in Chapter III, such events are much less common. In 2004 and 2005, however, two incidents made headlines; units of the Colombian National Police were massacred by Army units that were providing security for one or more of the numerous Colombian drug *cartelitos* that took over after the demise of the Medellin and Cali Cartels in the mid-1990s.

The conventional wisdom is that wherever there is drug trafficking there is police corruption and little can be done to combat it. Improved wages and greater attention to ethics can never compete with the choice between "*plata o plomo*" ("silver or lead") offered to the police by drug traffickers. While there is much truth to this, there is a great deal of variation in both the form and level of corruption amongst counter-drug police agencies in different countries where drug trafficking is a more or less equally important part of the overall political economy. In particular, this thesis demonstrates that levels of police corruption generally (and drug-related corruption specifically) are much higher in Mexico than in Colombia — a fact that has both virtually always been the case and has also almost always been overlooked in the literature on police corruption and drug-trafficking.

Specialists in police reform and anti-corruption typically look at administrative factors such as ethics, salary levels, the purging of corrupt officials, and the recruiting and training of "clean" officers as essential elements in the prevention of police corruption. While these factors do explain some of the differences in levels of police corruption in Colombia and Mexico, this thesis fills an important gap in the existing literature by moving beyond these conventional explanations. In particular, it introduces

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<sup>3</sup> Ginger Thomas, "Corruption Hampers Mexican Police in Border Drug War," New York Times, July 5, 2005 <http://www.nytimes.com/2005/07/05/international/americas/05mexico.html?ex=1278216000&en=317cb5e1316d6c70&ei=5088&partner=rssnyt&emc=rss&pagewanted=all> (accessed September 9, 2007).

a country-specific approach to drug-related police corruption, including factors such as the organizational structure of the police force (centralized or decentralized), the legacy of the “political criminal nexus” in the country concerned, and both the size and “ideology” of the drug trafficking organizations involved.

#### **A. IMPORTANCE**

Colombian and Mexican drug traffickers are responsible for the production and transportation of the vast majority of cocaine, heroin and methamphetamine that enters the United States today. Ninety percent of all street cocaine enters the United States through the porous two thousand-mile border with Mexico. At the present time, the international drug trade as a whole is thought to earn its operators a profit of three hundred to five hundred billion dollars a year. Back in 1994, the earnings of the Colombia-based Cali Cartel were estimated to be thirty billion dollars for that year alone; more recently, the Gulf Cartel in Mexico is thought to make between ten and twenty billion dollars a year.<sup>4</sup> The drug trade’s ability to corrupt police officers and public officials generally continues to threaten democratic governability and public security in both Mexico and Colombia.<sup>5</sup> However, the effects are not only felt in Mexico and Colombia: U.S. law enforcement and judiciary personnel are also subject to drug-related corruption. In Tucson, Arizona, Mexican drug lords paid huge bribes to U.S. border inspectors to help smuggle an estimated 20 tons of cocaine into Arizona. This particular operation was shut down on February 3, 2007 by federal investigators.<sup>6</sup> Since 2004, more than 200 U.S. law enforcement and judiciary personnel have been charged with drug-related corruption directly linked to Mexican drug cartels.<sup>7</sup>

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<sup>4</sup> Ron Chepesiuk, *The War on Drugs: An International Encyclopedia* (Santa Barbara, California: ABC-CLIO, 1999), 191.

<sup>5</sup> *Ibid.*, xix.

<sup>6</sup> Jerome R. Corsi, "WorldNet Daily: Border-Agent Investigator had Tie to Smuggler," *World Net Daily*, February 09, 2007. [http://www.worldnetdaily.com/news/article.asp?ARTICLE\\_ID=54166](http://www.worldnetdaily.com/news/article.asp?ARTICLE_ID=54166) (accessed August 28, 2007).

<sup>7</sup> Ralph Vartabedian, Richard A. Serrano and Richard Marosi, "Rise in Bribery Tests Integrity," *Los Angeles Times*, October 23, 2006. [http://www.sheldensays.com/rise\\_in\\_bribery\\_tests\\_integrity.htm](http://www.sheldensays.com/rise_in_bribery_tests_integrity.htm) (accessed November 26, 2007).

Clearly, the narcotics trade, because of its huge profits and destabilizing power, is one of the central factors generating violence in Colombia, Mexico and to some degree in the United States as well. In order to formulate strategies for mitigating or eliminating drug-related police corruption all three governments must focus significant attention on the problem and work on developing trans-national relationships. To do this, it is important to understand both the failures and strengths of each country in order to rectify their respective deficiencies in relation to law enforcement. Significantly, Colombia is doing a much better job controlling police corruption despite the fact that the cultivation, production and the initial stages of transportation takes place there. It is important to understand the Colombian and Mexican policing and anti-drug trafficking systems in terms of both their successes and failures. Lessons learned can lead to a more effective police system for both countries.

## **B. LITERATURE REVIEW AND METHODOLOGY**

For as long as there have been formal police forces, there has been police corruption. And, for as long as there have been social theorists, there have been theories of police corruption.<sup>8</sup> The literature on police corruption mainly addresses the cultural, organizational and economic factors behind the phenomenon. Theorists have focused on these key variables for most of the nineteenth and twentieth century and they are still at the center of virtually all reform efforts today. However the now conventional explanations cannot fully explain the important differences in the degree of drug-related police corruption in Mexico and Colombia, both of which are leading centers for the production and transportation of illegal drugs. To better comprehend police corruption both conventional and country-specific explanations will be used in an integrated fashion that explains the differences in drug-related police corruption in Mexico on the one hand and Colombia on the other hand.

Both general and drug-related police corruption in Mexico are much higher than in Colombia. Despite the need to know the exact nature and extent of police corruption,

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<sup>8</sup> Lawrence W. Sherman, *Police Corruption; a Sociological Perspective*, 1st ed. (Garden City, N.Y.: Anchor Press, 1974), 1.



the measurement of police corruption—or, for that matter, any other type of corruption—is surprisingly underdeveloped. Defined as the use of public office for private gain, corruption can take many forms. Unlike for most other crimes, official data on corruption rates is very hard to obtain; however there are several sources and various methods that can be used to estimate the extent of police corruption. These range from surveys of the general public and police officers, to sociological field studies, as well as independent commissions, case studies, books and periodicals, and reporting and interviews/correspondences with country specific experts on police corruption.<sup>9</sup> An example of this type of measurement for Mexico is illustrated by *Police Forces in Mexico: A Profile*, which reported in 2002 that the median Mexican household spends 8 percent of its income on bribes (*mordidas* or “bites”) paid to the police. An additional survey in the same report indicated that 90 percent of respondents in Mexico City had “little” or “no” trust in the police.<sup>10</sup>

By contrast, the public perception of the Colombian National Police (CNP) today is highly favorable. A 2007 article, enthusiastically entitled “*The people’s police: why the residents of Bogotá have come to love their police force, after years of suspicion and resentment*”, indicated that 86.3 percent of the population surveyed thought that “the community policing program had addressed their needs and complaints”. Meanwhile, 99 percent of those interviewed insisted that the “community police were friendly toward the public” and 86.5 percent thought that there had been an improvement in “police performance.”<sup>11</sup>

A survey of Colombian National police officers conducted in 1998 reported that drug-related corruption was one of the three least serious areas of corruption facing the CNP.<sup>12</sup> However this is not the case for Mexico. In 1995, the Mexican Attorney

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<sup>9</sup> Ivkovic S. Kutnjak, *Fallen Blue Knights: Controlling Police Corruption* (New York: Oxford University Press, 2005), 33-35.

<sup>10</sup> Benjamin N. Reames, “Police Forces in Mexico: A Profile” (La Jolla, CA: Center for U.S. Mexican Studies, May 2003).

<sup>11</sup> Charo Quesada, “The People’s Police,” Inter-American Development Bank, <http://www.iadb.org/idbamerica/index.cfm?thisid=2817> (accessed September 10, 2007).

<sup>12</sup> Nubia Uruena, “Police Corruption in Colombia” In *The Uncertainty Series*, eds. Stanley Einstein and Menachem Amir, Vol. 4.1 (Huntsville, TX: Office of International Criminal Justice, 2003), 574.

General's Office, *Procuraduría General de la República* (PGR), reported that upwards of 80 percent of the nation's police force could be considered corrupt and were receiving around eight hundred million dollars annually in the way of bribes from drug cartels.<sup>13</sup> While drug-related corruption is at its worst at the municipal and state level, where police officers are most likely to come into direct contact with traffickers, it does not end there.<sup>14</sup> Some of the most egregious acts of police corruption generally and drug-related police corruption specifically have been committed by Mexico's federal law enforcement agencies.<sup>15</sup>

This thesis seeks to explain the very different levels of police corruption in Mexico and Colombia. It describes and analyzes the divergent paths police corruption has taken in these two countries. During the 1980s and early 1990s, for example, the level of corruption in the Colombian police was much higher than today. By contrast, police corruption in Mexico has continued to get worse since the early 1980s. As chapter three will make clear, drug-related police corruption followed a very unique path in Colombia. This very particular situation provided the context in which the Colombian government was able to curb, if not nearly eliminate drug related police corruption by the late-1990s. This thesis will explain why, since the early 1980s under successive presidents, there have been a series of failures in police reform directed at corruption in Mexico.<sup>16</sup> It will also explain why in Colombia the CNP went through a largely successful anti-corruption reform process in 1995 under General José Serrano.<sup>17</sup>

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<sup>13</sup> S. D. Morris, "Corruption and the Mexican Political System," *Corruption and Reform* 2, no. 1 (1987), 7.

<sup>14</sup> Benjamin N. Reames, "A Profile of Police Forces in Mexico" In *Reforming The Administration Of Justice In Mexico*, eds. Wayne A. Cornelius and David A. Shirk (Notre Dame, IN: University of Notre Dame Press, 2007), 118.

<sup>15</sup> Laurie Freeman, *State of Siege: Drug-Related Violence and Corruption in Mexico, Unintended Consequences of the War on Drugs*. (Washington D.C.: Washington Office of Latin American Affairs, 2006). [www.wola.org](http://www.wola.org) (accessed November 26, 2007).

<sup>16</sup> Maureen Meyer, "WOLA.ORG – the Washington Office on Latin America – Mexico Aid Package should Improve Civilian Institutions, Says WOLA Director," [http://www.wola.org/index.php?option=com\\_content&task=viewp&id=590&Itemid=8](http://www.wola.org/index.php?option=com_content&task=viewp&id=590&Itemid=8) (accessed November 26, 2007).

<sup>17</sup> Marcos P. Moleznik, ed., *Public Security and Police Reform in the Americas* (Pittsburgh: University of Pittsburgh Press, 2006), 22; Jorge Chabat, "Mexico's War on Drugs: No Margin for Maneuver," *ANNALS, AAPSS* 582 (2002), 140.

For a long time, one of the dominant explanations for police corruption rested on the character, or lack thereof, of individual police officers. It was believed that those police officers that engaged in corruption did so because of their lack of ethics or moral values. Once it became public knowledge that a police officer was corrupt, administrators would quickly handle the problem or get rid of the “rotten apple or apples.” The remedy would be to apply harsh discipline and most typically fire or imprison the police officers concerned for their acts of corruption. However, independent commissions and sociological field studies increasingly made it clear that police corruption was a problem that went well beyond a handful of unethical and immoral police officers. Police forces often have a number of deep-seated organizational problems that transcend the very real issues of inadequate recruiting, a lack of training in ethics, not to mention relaxed supervision and the difficulties associated with carrying out effective investigations of corrupt behavior. Based on this, it is important to understand (1) individual factors related to particular officers or a particular situation, (2) organizational or agency-related factors, and (3) broader external or society-wide factors.

These three factors are extremely useful in terms of addressing general types of corruption, such as “traffic bribes or accepting money to look the other way” in relation to “low level felonies.” However, the focus of this thesis is on the causes of drug-related police corruption in both Colombia and Mexico and why levels of drug-related corruption are currently much worse in Mexico. By combining conventional explanations for police corruption generally with country specific factors (be they historical or related to a particular conjuncture of events) it becomes clear why drug-related police corruption is much worse in Mexico than in Colombia today.

Moving beyond, conventional explanations, then we need to look first at the structure of the police force and the key role this plays in the overall level of corruption. The Mexican police force is highly decentralized. There are about 400,000 police officers in the country and about 3,000 different police departments, at the municipal, state, and federal levels. The Colombian National police force, by contrast, consists of about 170,000 police officers within a highly centralized chain of command that falls

under the direct control of the national government.<sup>18</sup> Decentralized police forces are thought to be more susceptible to police corruption.<sup>19</sup>

Second, the size and ideology of drug-trafficking organizations shapes both the extent to and the way in which they rely on corruption in their interactions with the police. Today, in Mexico there are four major cartels (Tijuana, Juarez, Gulf and Sinaloa) which arguably have a much greater ability to corrupt than that of the smaller cartels or “*cartelitos*” currently dominating the drug trade in Colombia.<sup>20</sup> The Mexican cartels can be compared to the Cali and Medellin Cartels that dominated Colombia during the 1980s and continued to do so up to the mid-1990s. In this period levels of drug-related police corruption were somewhat higher in Colombia than today.

Third, the history of the “Political Criminal Nexus (PCN)” has a lasting effect on police culture. The manner in which the PCN evolved in Colombia and Mexico helps explain why we see higher levels of police corruption in present-day Mexico than in Colombia. Both Colombian and Mexican politics were and are grounded in patron-client relationships. However, as Ronald P. Archer and Matthew S. Shugart have emphasized, historically the PRI “successfully permeated the entire system of living in Mexico.” They argue “that everyone—the police officer on the street, the mayor of the city, the governor of the state, the Ministry of Finance, the attorney general of the nation—were all indebted to the party bosses and ultimately to the President.” Under these circumstances, “no controversial action could be taken by a patron without checking with his or her patron, and on up the line.”<sup>21</sup> Unlike Mexico, it can be argued that whatever its shortcomings

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18 Uruena, *Police Corruption in Colombia*, 583.

19 Ronald D. Hunter, "Three Models of Policing," *Police Studies* 13, no. 3 (1990), 118-122.

20 Freeman, *State of Siege: Drug-Related Violence and Corruption in Mexico*, Unintended Consequences of the War on Drugs, 23-26, 133, 142; Jeremy McDermott and Oscar Becerra, "Mexican Drug Trade Faces Fragmentation," *Jane's*, <http://www8.janes.com/Search/documentView.do?docId=/content1/janesdata/mags/jir/history/jir2003/jir00604.htm@current&pageSelected=allJanes&keyword=Mexican> drug trade faces fragmentation&backPath=[http://search.janes.com/Search&Prod\\_Name=JIR&](http://search.janes.com/Search&Prod_Name=JIR&) (accessed November 30, 2007).

21 Ronald P. Archer and Matthew S. Shugart, "the Unrealized Potential of Presidential Dominance in Colombia" in "Presidentialism and Democracy in Latin America" (Cambridge: Cambridge University Press, 1997), 177.; Stanley A. Pimentel, "the Nexus of Organized Crime and Politics in Mexico" in "Organized Crime & Democratic Governability: Mexico and the U.S.-Mexican Borderlands", ed. John Bailey and Roy Godson (Pittsburgh: University of Pittsburgh Press, 2000), 35-38.

the Colombian political system never reached this level of corruption. The patron-client system that existed in Mexico under the PRI in the twentieth century created the perfect environment for the PCN to evolve and flourish. Therefore, corruption in Mexico is a wide societal problem brought on by a political system that was controlled for nearly a century by a single party that had a little or no need to account for its actions.<sup>22</sup> Research shows that in some countries such as Mexico, police corruption may be a part of a highly organized network linking corrupt public officials, the police, the judiciary and the criminal underworld.<sup>23</sup> In Mexico, the government was and still might be a moneymaking machine for the people that run it.<sup>24</sup> This thesis does not argue that corruption is absent from the history of Colombian politics, nor does it argue that there is no corruption in the Colombian government at present. However, based on the fact that the Colombian government is one of the oldest (albeit exclusionary) democracies in Latin America, corruption was somewhat harder to conceal in the Colombian political system than in PRI-dominated Mexico. Although drug-related corruption has been traced to the highest levels of the Colombian government (e.g., President Ernesto Samper), by all accounts, corruption within the political system, the judicial branch, and more specifically the CNP is not nearly as rampant as in Mexico. According to some analysts, every Mexican President and chief cabinet member, since the 1970s, has been publicly accused of, or widely assumed to have been involved in, some form of drug-related corruption.<sup>25</sup>

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22 Robert J. Bunker and John P. Sullivan, "Cartel Evolution: Potentials and Consequences," *Transnational Organized Crime* 4, no. 2 (2001), 54-71; Richard Dortch, "Crime at AvtoVAZ: Is there a Management-Criminal Nexus?" *Transnational Organized Crime* 5, no. 2 (1999), 195-196; Pimentel, "the Nexus of Organized Crime and Politics in Mexico," in *Organized Crime & Democratic Governability: Mexico and the U.S.-Mexican Borderlands*, 33-57. Economic and Social Council, United Nations, Civil and Political Rights, Including Questions of: Independence of the Judiciary, Administration of Justice, Impunity, fifty- eighth sess., January 24, 2002, [http://www.juticeinmexico.org/resources/pdf/Civil\\_Political\\_rights.pdf](http://www.juticeinmexico.org/resources/pdf/Civil_Political_rights.pdf) (accessed August 28, 2007).

23 Jorge F. Menendez, "Mexico: The Traffickers' Judges," [http://www.transparency.org/publications/newsletter/2007/may\\_2007/spotlight](http://www.transparency.org/publications/newsletter/2007/may_2007/spotlight) (accessed June 21, 2007).

24 Sebastian Rotella, ed., *Twilight on the Line: Underworlds and Politics at the U.S.-Mexico Border*, 1st ed. (New York: Norton, 1998), 105.

25 Joseph S. Tulchin and Ralph H. Espach, *Combatting Corruption in Latin America* (Washington, D.C.; Baltimore, MD.: Published by Woodrow Wilson Center Press; Distributed by Johns Hopkins University Press, 2000), 118.

The functioning of the Political-Criminal Nexus in Mexico depended historically upon local political office holders having control over police appointments. Under the so-called “*plaza* system” (the significance of the term and its wider usage will be clarified in a moment), the criminal would pay the local police chief for a certain amount of protection and immunity; a certain percentage of this bribe would work its way up through the political party hierarchy until it reached the highest levels of the political system. *La Plaza* refers to police authority and its official jurisdiction; however, for Mexican drug dealers it has an alternative meaning: it is about “who has concession to run the narcotics racket” in a particular *plaza*.<sup>26</sup> Within the *plaza* system, the local police chiefs and federal agents typically operated as an intermediary between the criminal and the politician thus creating a situation where neither criminal nor politician ever had to conduct business directly with each other.<sup>27</sup> The *plaza* system in Mexico is particularly important in the context of this thesis, as there is no evidence of a comparable system linking drug traffickers, Colombian politicians, and the CNP. It draws attention to the importance of country-specific factors in explaining the difference between drug-related police corruption in Colombia and Mexico.

### **C. SOURCES AND THESIS ORGANIZATION**

This thesis is based primarily on secondary sources. Congressional sources include the U.S. Congressional Research Service (CRS) reports. Other sources include periodicals, U.S. government and non-government reports, working papers, as well as books and journals articles pertaining to both general corruption and police corruption in Mexico and Colombia. Also accessed were official web sites of the Washington Office of Latin American Affairs (WOLA), the Justice in Mexico Project administered by the University of San Diego, the U.S. Department of State and the U.S. Drug Enforcement Administration (DEA), Transparency International and the World Bank. The JANE’S and STRATFOR databases were also used. Primary sources consist of interviews with

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<sup>26</sup> Terrence E. Poppa, *Drug Lord: The Life and Death of a Mexican Kingpin: A True Story* (New York: Pharos Books, 1990), 40-41.

<sup>27</sup> Rotella, *Twilight on the Line: Underworlds and Politics at the U.S.-Mexico Border*, 104.

Mexican and Colombian Naval Officers attending school at the Naval Postgraduate School and email correspondences with Mexican and Colombian regional experts both in and out of country.

Chapters II and III of the thesis present a comparative view of past and current levels and the nature of police corruption in Mexico and Colombia. As mentioned earlier, official data on corruption rates is incredibly hard to obtain. However, there are several sources or methods used to estimate the extent of corruption, including surveys of the general public and police officers, sociological field studies, independent commissions, case studies, books and periodicals and information provided by with specific country government officials. These will demonstrate tangible differences in the overall level of police corruption in Mexico and Colombia. These two chapters also look at drug-related corruption in various sub-national regions, thus pointing out that certain regions of both countries are or were more susceptible than others based on drug exposure and cartel presence.

These chapters also address the anti-corruption reform efforts in Mexico and Colombia. In the case of Colombia, the period of reform initiated by General José Serrano serves as a break in time separating two distinct periods containing different levels of corruption for the CNP. In the case of Mexico, successive reform efforts over the past two decades have been unable to ease the epidemic levels of drug-related police corruption.

Chapter IV is organized around the competing explanations for police corruption. It explains the difference in levels of drug-related police corruption in Mexico and Colombia as well as the relative success of police reform in Colombia and its failure in Mexico. Conventional explanations offered by criminologists and policy analysts that stress administrative factors are important in the two cases. However, the chapter also highlights the organizational structure of the police forces (decentralized versus centralized) and factors external to the organizations (political-criminal nexus, size and ideology of the cartels) that are needed to understand the significantly different levels of corruption between the two countries as well as change over time in each country.

Chapter V provides a summary of findings and then very briefly evaluates the extent to which President Calderon's proposals to reform the policy in Mexico are likely to reduce the endemic corruption that plagues the forces. It argues that, while there are some novel elements in the reform, it is too similar to past failed reform efforts to succeed. Those efforts, like the current initiative, do not make enough systematic administrative changes in areas such as infrastructure, salaries, training, recruiting, and internal control and transparency and fail to provide the resources necessary for the police, instead relying too heavily on the military for drug control efforts. Finally, the conclusion warns that the current effort by the CNP to increase its force levels rapidly, and establish a presence in parts of the country where the drug trade is suspected to be strongest, will have a negative effect on levels of police corruption.<sup>28</sup> In sum, this thesis looks at trends of drug-related police corruption over time using both conventional explanations and a country-specific approach in order to understand the marked differences in the levels of drug-related police corruption in two countries that are both leaders in the international drug trade.

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<sup>28</sup> Moleznik, *Public Security and Police Reform in the Americas*, 123.



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## II. DRUG-RELATED POLICE CORRUPTION IN MEXICO

### A. INTRODUCTION

One of the greatest challenges facing the Mexican government today is eliminating, or at least dramatically curtailing, the problem of drug-related police corruption. Mexican citizens for the past several decades have consistently ranked crime and corruption, and more recently drug-related police corruption as one of their top concerns.<sup>29</sup> Despite the government's best efforts, the majority of Mexicans continue to experience the day-to-day problem of corrupt police officers. At the street level Mexicans are regularly forced to pay a *mordida* (literally a bite, but best translated as bribe) in exchange for the dismissal of charges (real or imagined) by the police officers concerned, in relation to traffic violations and a range of petty crimes. This is a minor problem, however, when compared to the almost one billion dollars that drug traffickers distribute to Mexico's police force every year.<sup>30</sup> According to Jorge Chabat, a Mexican criminologist, drug money has made its way into every corner of law enforcement activity in Mexico.<sup>31</sup> Drug-related police corruption has reached endemic levels and is now a national security problem for Mexico and a major concern for its neighbor to the north.<sup>32</sup>

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29 Pablo Picato, ed., *A Historical Perspective on Crime in Twentieth Century Mexico* (Notre Dame, Ind.; San Diego: University of Notre Dame Press; Center for U.S.-Mexican Studies, University of California, 2007), 66-77; John Bailey and Jorge Chabat, *Transnational Crime and Public Security: Challenges to Mexico and the United States*, 18 (La Jolla, CA: Center for U.S.-Mexican Studies/University of California, San Diego, 2002), 12; Pablo Paras and Ph D. Coleman Ken, *The Political Culture of Democracy in Mexico: 2006* (Vanderbilt University: Latin American Opinion Project (LAPOP), December 2006.; Jay Root, "Mexico Crime Continues to Surge," McClatchy Washington Bureau, <http://www.mcclatchydc.com/homepage/story/19879.html> (accessed January 13, 2007); "Cpi / surveys indices / policy research / Home – Transparency International," [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi](http://www.transparency.org/policy_research/surveys_indices/cpi) (accessed February 13, 2008).

30 Steven D. Morris, "Corruption and Mexican Political Culture," University of South Alabama, 2006), <http://www.southalabama.edu/internationalstudies/sdmweb/crptn%20and%20political%20culture.pdf> (accessed October 16, 2007).

31 George Flacus, "Drug Money Worsens Corruption in Mexico," Voice of America, <http://www.voanews.com/english/archive/2006-07/2006-07-26-voa23.cfm?CFID=214387537&CFTOKEN=69174087> (accessed December 20, 2007).

32 David A. Shirk and Alejandra Rios Cazares, eds., *Reforming the Administration of Justice in Mexico* (Notre Dame, IN.; San Diego: University of Notre Dame Press; Center for U.S.-Mexican Studies, University of California, 2007), 1.

In the past few decades, drug-related corruption has increasingly eroded the already crippled Mexican law enforcement system. The drug cartels currently operating in Mexico are the contemporary equivalent of the Cali Cartel and the Medellín Cartel in Colombia when the latter were at the height of their power in the 1980s and the start of the 1990s. In this period Mexican cartels began to grow rapidly and by the mid-1990s, just as the Colombian cartels were spiraling out of control and then out of existence, the Mexican cartels had an annual income of about ten billion dollars. By 1997 the Mexican cartels were estimated to be worth more than forty billion dollars, which was equal to 10 percent of the country's total gross domestic product (GDP).<sup>33</sup> The enormous profits earned from the illegal drug trade since the 1980s have provided Mexican drug cartels with the ability to buy protection from official prosecution for smuggling drugs throughout Mexico and into the United States.

At the very broadest historical level, it can be said that corruption has flourished in Mexico since the conquest of the Aztec Empire by Hernan Cortes in 1519. The conquest and the establishment of New Spain led to three centuries of Spanish occupation, exploitation and neglect, followed after independence in the 1820s by a half century of post-Spanish instability. By the second half of the nineteenth century, the Mexican political system had stabilized under the corrupt dictatorship of Porfirio Diaz. What became known as the *Porfiriato* (1876-1910) collapsed in 1911 and a decade of revolution and civil war paved the way for the establishment of the one-party state under the *Partido Revolucionario Institucional* (PRI) which ruled Mexico down to the end of the twentieth century. Corruption flourished under both Diaz and the successor political system presided over by the PRI. The *Partido Revolucionario Institucional* (PRI), which went through a series of both organizational and name changes in the early decades, was consolidated under President Lazaro Cardenas (1934-1940) even though it was not formally established as the PRI until 1946. The PRI, and its precursors, provided political leadership for Mexico under the guise of democracy for a period of seventy-one years. The PRI method of leadership was an authoritarian "patron-client" system. For

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<sup>33</sup> James L. Zackrisson, "From Clothes to Cocaine: Five Hundred Years of Smuggling in Mexico." *Low Intensity Conflict & Law Enforcement* 10, no. 2 (2001), 104-105.

seven decades it used social control via an elaborate system of patronage to dominate every aspect of political and economic activity. In later years (via the military and police) it increasingly managed and taxed drug-traffickers and organized crime. Under this system, top government officials successfully subordinated criminals and provided the latter with impunity and protection for the right to operate within the particular areas of Mexican territory. As mentioned in the introduction, it appears that every PRI Mexican President (the jury is still out on the post-PRI presidency of Vicente Fox—2000-2006—while his successor Felipe Calderon is not scheduled to leave office until 2010) was involved directly or indirectly in drug-trafficking and profited from other forms of organized crime through key national level ministries (such as, defense, interior and justice).<sup>34</sup> In the Mexican case, all the state's federal or local security and justice structures were centralized. This guaranteed the exercise of power without a counterbalance, and ensured that the institutionalized power of the PRI was able to impose its informal rules on organized crime (see Figure 2).

The 2000 Mexican Presidential elections ended seventy-one years of political hegemony by the PRI. Among many other things, this shift displaced those who controlled the Political Criminal Nexus (PCN). This led to the eventual breakdown of the central control system over drug-traffickers. Thus as Mexico entered the 21<sup>st</sup> century no institutional figure, be they a military, interior ministry or justice official had sufficient executive power to force drug traffickers to observe the fixed rules—even if they were informal. The year 2000 clearly marked the passing of the baton from the hands of PRI to the opposition party *Partido Accion Nacional* (PAN: National Action Party). However many analysts agree that disruptions to the PCN had already begun to surface in 1994, before the transfer of presidential power from Carlos Salinas (1988-1994) to Ernesto Zedillo (1994-2000). In particular, one of President Ernesto Zedillo early initiatives was to appoint Fernando Lozano Gracia, a member of the PAN, as the *Procuraduría General de la República* (PGR). Appointing a non-PRI politician or official to a national level cabinet position was a hitherto unknown event. Zedillo clearly understood that in order

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34 Pimentel, "The Nexus of Organized Crime and Politics in Mexico" in *Organized Crime & Democratic Governability: Mexico and the U.S.-Mexican Borderlands*, 34, Bailey and Chabat, *Transnational Crime and Public Security: Challenges to Mexico and the United States*, 17.

to rid the PGR of drug-related corruption he would have to perform major surgery on the justice apparatus, and that would not and could not even get started with a PRI official in charge. For example, he wanted to conduct a legitimate independent investigation into allegations of PRI campaign funding irregularities.<sup>35</sup> Zedillo recognized that a clean PGR was vital for a cleaner Mexican system of government. In addition, it is important to note that as of July of 1997, the PRI was, for the first time, no longer the majority in the House of Delegates. It also lost two additional governorships to the PAN and the PRD. This, plus Zedillo's attack on his own political party caused a significant erosion of institutional authority. Because of this political shift, the PRI lost its capacity to centrally exercise control over the drug-traffickers. At the national level, the PRI was no longer able to provide the type of protection and immunity it once did to drug-traffickers, thus the leading drug-traffickers began seeking out new types of ad hoc coalitions, with municipal and state police officials, or with relatively isolated federal police officials (see Figure 6). This does not imply less corruption, but simply a greater degree of unpredictability in the relationships between organized crime and public officials. This set the scene for the ascendancy of a new style of drug trafficker. Since the late 1990s down to the present, the leaders of Mexico's main drug cartels, in a growing range of circumstances, now have the upper hand over government officials.<sup>36</sup>

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35 Sigrud Arzt, "PAN at the Head of the Attorney Generals Office" In *Organized Crime & Democratic Governability: Mexico and the U.S.-Mexican Borderlands*, eds. John J. Bailey and Roy Godson (Pittsburgh: University of Pittsburgh Press, 2000), 105. <http://www.loc.gov/catdir/enhancements/fy0743/00011649-d.html>; Leonardo Curzio, "Organized Crime and Political Campaign Finance" In *Organized Crime & Democratic Governability: Mexico and the U.S.-Mexican Borderlands*, eds. John J. Bailey and Roy Godson (Pittsburgh: University of Pittsburgh Press, 2000), 85-102, <http://www.loc.gov/catdir/enhancements/fy0743/00011649-d.html> (accessed December 20, 2007).

36 John J. Bailey and Roy Godson, "Introduction" In *Organized Crime & Democratic Governability: Mexico and the U.S.-Mexican Border Lands*, eds. John J. Bailey and Roy Godson (Pittsburgh: University of Pittsburgh Press, 2000), 20-21, <http://www.loc.gov/catdir/enhancements/fy0743/00011649-d.html> (accessed December 20, 2007).

## B. MEXICAN POLICE CORRUPTION DURING PRI HEGEMONY

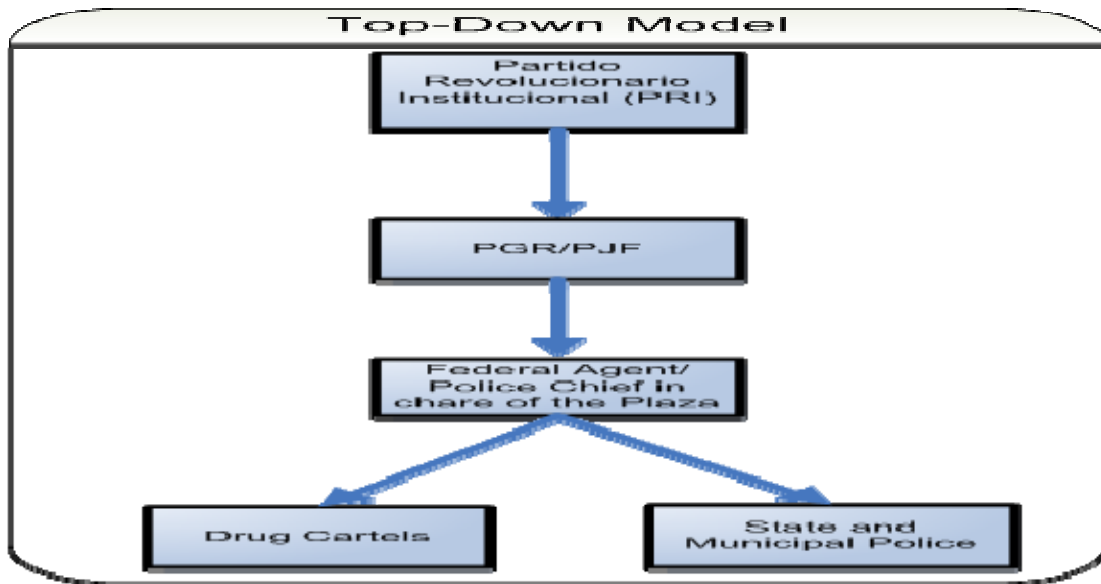


Figure 2. Top-Down System of Control (From: Perez, 2007).

In colloquial terms, *la plaza* is used to describe the jurisdiction of a particular policing authority. From the perspective of the drug-cartels, however, it refers to the individual or group that has permission to transport and/or sell illegal drugs in a particular region.<sup>37</sup> Originally, under the concept of the *plaza*, the drug-trafficker effectively bought a license from the local police chief, military commander or perhaps the mayor who had been given authority for the area by PRI. This license gave the drug-trafficker the right to operate and control the drug trade in a particular *plaza*. However, should a trafficker experience sufficient success and/or gain a degree of notoriety, he would then be visited by *judiciales* (federal law enforcement agents) and at this point licenses to operate would have to be purchased directly from federal agencies.<sup>38</sup> If drug-cartels were not granted permission to operate within a *plaza*, the Policía Judicial Federal would bust them (PJF: Federal Judicial Police).<sup>39</sup>

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37 Poppa, *Drug Lord: The Life and Death of a Mexican Kingpin: A True Story*, 41-42.

38 Pimentel, "The Nexus of Organized Crime and Politics in Mexico", 42.

39 Poppa, *Drug Lord: The Life and Death of a Mexican Kingpin: A True Story*, 175.

The police in a particular area collected “taxes” from the cartels and they in turn answered to higher-level officers, who were usually stationed in Mexico City. The “taxes” paid by the cartels would then filter up the PGR/PJF chain of command until important officials at the top got their cut. This process was referred to as “*la copa*” (best translated as “passing around the cup”); which served as a method of personal enrichment for both law enforcement personnel and politicians (see Figure 3).<sup>40</sup>

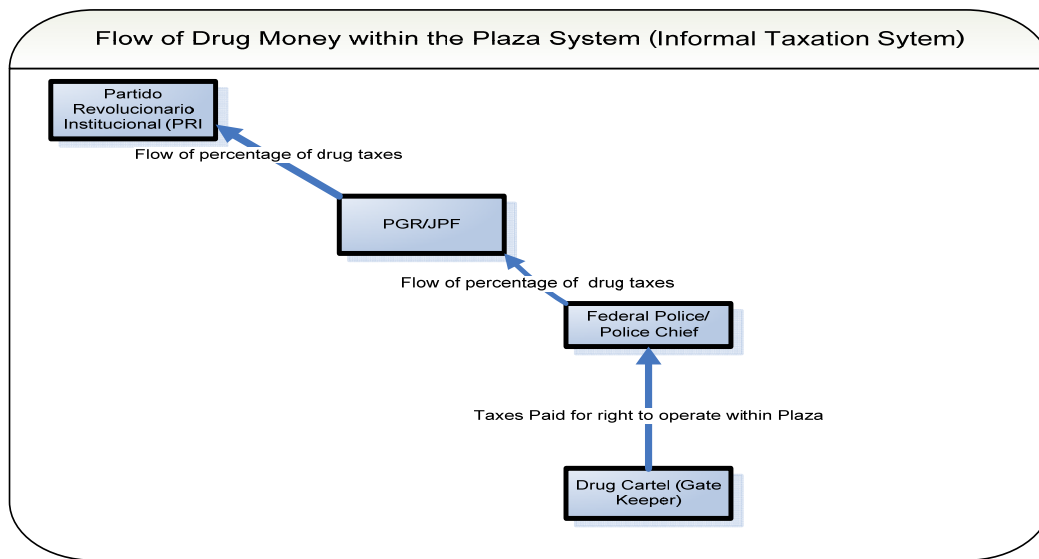


Figure 3. Informal Taxation System placed on drug traffickers, 1980s-to-mid-1990s. (From Pimentel, 2000)

Up until the late 1990s, very high-level PRI and PGR officials were notorious not only for receiving their share of *la copa*, but also for selling *plaza* law-enforcement positions to national and judicial police commanders.<sup>41</sup>

These *comandantes* would pay high prices for their positions, because their job would entail managing one or more *plazas* that paid huge dividends in the form of drug money and gifts. However, during this

40 Pimentel, "The Nexus of Organized Crime and Politics in Mexico," 43.

41 Carlos A. Perez, 2005 *El Estado En Crisis: Crimen Organizado y Política. Desafíos Para La Consolidación Democrática* (PhD, Universidad Nacional Autónoma de México), 124, <http://innova.fox.presidencia.gob.mx/archivos/8/2/4/1/files/archivos/sip-3766.pdf> (accessed December 10, 2007).

period at the top of the plaza system were the federal police who subordinated the state and municipal police within the drug plaza system.<sup>42</sup>

It has been estimated that *plazas* in the interior of Mexico, such as those in the states of Chiapas or Chihuahua, were sold for around \$USD1 million. Meanwhile, coastal *plazas*, such as Veracruz on the Caribbean and Jalisco on the Pacific, were sold for approximately \$USD2 million and border *plazas* (such as Baja California Norte and Juarez) could cost the official in charge about \$USD3 million to buy.<sup>43</sup> These federal *comandantes* would pay for their purchase in monthly installments up the chain of command, and their own income in turn came from the lease of the *plazas* to the drug-cartels and human smugglers.<sup>44</sup> This thesis has not uncovered any information that allows us to assign specific numbers to the profits earned by state officials in the past and by those who might still be operating in this fashion. The profits acquired can only be assumed to be enormous based on the fact that back in 1916 the going rate for the Baja California Norte *plaza* was an initial cost of USD\$45,000, with monthly rents between \$USD10,000 and \$USD15,000.<sup>45</sup> The importance of the *plaza* system by the 1980s is clearly illustrated in the following figure, which indicates that the major drug corridors run through the heart of Mexico's main drug *plazas*.

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42 Zackrison, "From Clothes to Cocaine: Five Hundred Years of Smuggling in Mexico," 118.

43 Ibid; Perez, *El Estado En Crisis: Crimen Organizado y Politica. Desafios Para La Consolidacion Democratica*, 124.

44 Zackrison, "From Clothes to Cocaine: Five Hundred Years of Smuggling in Mexico," 118.

45 Luis Astorga, *Crimen Organizado y Organización Del Crimen* (Mexico D.F.: Instituto de Investigaciones de la Univeridad Nacional Autonoma de Mexico, 1998), 6-7.



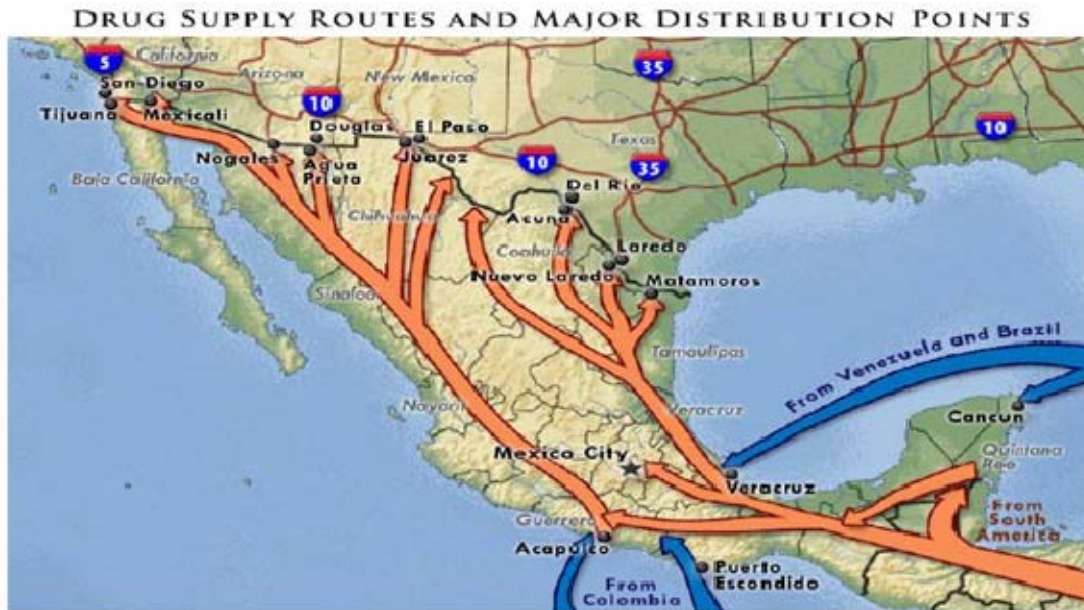


Figure 4. Major drug corridors correlated with known Mexican drug *plazas*. (From STRATFOR, 2007).

The primary government enforcer during the period of PRI hegemony was the federal police under the supervision of the PGR. As noted, data on government corruption is, not surprisingly, extremely difficult to come by. However, a general sense of the degree of corruption at the federal level during the 1980s and 1990s can be gleaned from a series of interviews with high-ranking former officials from the Mexican government. These interviews were conducted by the criminologist and twenty-nine-year veteran special agent of the United States Federal Bureau of Investigations (FBI), Stanley Pimentel. He spent the last five years of his career in the U.S. Embassy in Mexico City.

According to Pimentel, during the 1980s political elites used the police to put pressure on drug-traffickers. His source A stated that both prior to, and during the 1980s, the Minister of the Treasury (*Hacienda*) did not provide a budget for the Mexican Attorney General's Office, *Procuraduría General de la República* (PGR), or the *Policía Judicial Federal* (PJF: Federal Judicial Police). As a result, they had to find alternative ways of funding so that they could remain in operation. For decades, these agencies had assigned their personnel to offices (*plazas*) and in return expected them to carry out both their official and unofficial duties. The latter entailed "taxing" the drug cartels and ensuring that drug-traffickers and organized crime groups made their regular payment of

“taxes” in exchange for impunity and freedom to operate within the boundaries of the designated *plaza*. As long as the drug cartels adhered to the rules set by the PRI and the PGR, they were allowed to operate; however, if they broke the rules, they would be imprisoned or worse, killed. The police and their *commandantes* survived and profited from “taxes” paid by the drug traffickers. Source A stated that the chain of command looked the other way, even though it was well known at every level that the federal police were exploiting criminals and drug-traffickers. Ultimately, police officers and politicians, even those at the very top, continued to look the other way because they knew that a percentage of the “taxes” trickled up the chain of command, ultimately lining their own pockets in Mexico City.

Another source interviewed by the same researcher confirmed this information. Source B said that during this same period “the chief of police or some other public official such as the PGR, who is normally assigned to a *plaza* for a period of six years would serve as an intermediary between drug traffickers and the PGR/PJF hierarchy.”<sup>46</sup> According to both of Pimentel’s anonymous sources, personnel in official PGR uniform would fly from Mexico City to *plazas* in an official PGR/PJF aircraft. Upon arrival, they would take custody of suitcases full of money from PGR/PJF *plaza* holders and escort the money back to the PGR/PJF headquarters in Mexico City. From 1988-1994, the PJF was directed by Rodolfo Leon Aragon and Adrian Cerrera Fuentes, who would distribute the money between themselves and their PJF supervisors, before sending a portion to a slush fund assigned to *Los Pinos* (the presidential palace).<sup>47</sup> Meanwhile, Pimental was told by a third source (who was convicted of drug trafficking) that: “*nadie sin protectors*,” by which he meant that in order for drug traffickers to be successful and avoid death or imprisonment, the federal government had to bless their drug-trafficking operations. This source noted that official protection allowed marijuana and heroin to be cultivated in plain view for over three decades.

Starting in the 1990s, a new phenomenon began to unfold. Mexican law enforcement introduced what was referred to as the “limousine service”: the military and

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46 Pimentel, "The Nexus of Organized Crime and Politics in Mexico," 42-44.

47 Ibid., 43-46.

the PGR, through the use of the PJF, state and local police, would safeguard the passage of drugs from one destination to another.<sup>48</sup> During the 1990s, U.S. Customs Agents made over 120 arrests of Mexican military and police officials for unofficial incursions onto U.S. soil; virtually all these incursions were drug related.<sup>49</sup>

In 1997 General Jesús Gutiérrez Rebollo, head of the National Institute to Combat Drugs (ICND) in Mexico, was charged with aiding and abetting drug traffickers, providing undeniable evidence that even Mexico's top security agencies were doing the bidding of drug cartels. The ICND was essentially Mexico's version of the Drug Enforcement Administration (DEA) in the United States. The Rebollo scandal illustrates how deeply drug trafficking had burrowed into the Mexican security forces, subverting government officials at every level.<sup>50</sup> Rebollo was sentenced to more than seventy-five years in prison for being on the payroll of the Juarez Cartel (headed at the time by Carrillo Fuentes), while attempting to dismantle the Tijuana Cartel, headed by the Arellano Felix brothers. Rebollo sold sensitive government intelligence information and official PGR credentials to members of the Gulf Cartel.<sup>51</sup> The ICND was subsequently dismantled.

In addition to the endemic corruption within the federal law enforcement agencies, incidents of drug-related police corruption in the mid-1990s increasingly began to surface at the state and municipal level as well. Up to this point, the drug cartels had interacted primarily, directly or indirectly, with federal police officials and independent ties did not exist with state and municipal police, even though the latter may have dealt with drug traffickers on behalf of the *federales*. However, by the mid-1990s, as we have seen, the PRI's centralized control over security institutions began to falter. Towards the

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48 Pimentel, "The Nexus of Organized Crime and Politics in Mexico,". 46-47; Patrick O'day, "The Mexican Army as Cartel," J.Contemp.Crim.Justice 17, no. 278 (2001), 248, <http://ccj.sagepub.com/cgi/contents/abstract/17/3/278> (accessed March 23, 2007).

49 Phil Brennan, "Mexican Army Invades U.S." <http://www.newsmax.com/archives/articles/2003/3/7/134033.shtml> (accessed 6/4/2007, 2007).

50 Susan E. Reed, "Frontline: Murder Money & Mexico: Readings: Certifiable – Mexico's Corruption, Washington's Indifference," <http://www.pbs.org/wgbh/pages/frontline/shows/mexico/readings/newrepublic.html> (accessed December 13, 2007).

51 Reames, A Profile of Police Forces in Mexico, 124-128.

late 1990s, the federal police had more or less lost their control and influence over the major drug-cartels. The cartels increasingly established direct ties at the state and municipal level of policing, in addition to the federal level, and police corruption became “multi-directional” (see Figure 5).

One obvious result of this shift was the increase in police-on-police violence as federal, state and municipal police officers found themselves in the service of rival cartels. Alternatively federal officers, attempting to crack down on drug trafficking, ended up in violent confrontation with municipal or state police. The latter was the case in Tijuana in December 1993 when a machine-gun battle erupted between federal anti-drug agents and state police guarding one of the Arellano Felix brothers. This incident led federal prosecutors to charge a dozen police officials from all three levels of law enforcement: federal, state and municipal.<sup>52</sup>

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<sup>52</sup> Rotella, *Twilight on the Line: Underworlds and Politics at the U.S.-Mexico Border*, 226-228.

### C. MEXICAN POLICE CORRUPTION FROM 2000-TO-PRESENT

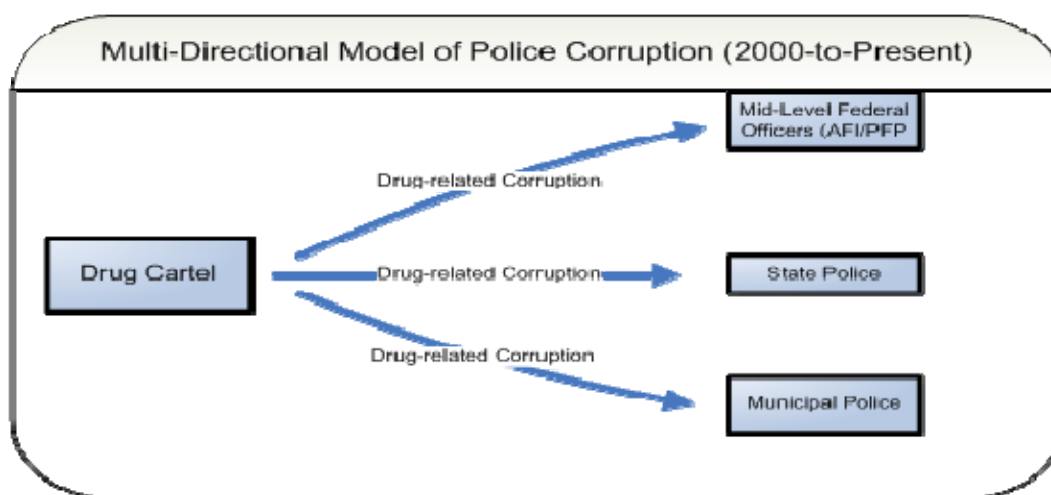


Figure 5. Multi-Directional Model of Police Corruption (2000-to-Present)-(From Perez, 2005)

Today much of the violence in Mexico is usually “cartel on cartel violence”; however, it also involves corrupt police forces under cartel control. The objective of each cartel is to maintain or gain control of the lucrative *plazas*. These brutal battles bring operatives from rival cartels into each other’s territory in an effort to take over *plazas* located around key drug transit points.<sup>53</sup> Drug cartels are only half the equation in terms of drug-related violence. Currently cartels are paying out more than 800 million dollars a year to the police at all three levels.<sup>54</sup> In 1998, the PGR estimated that over 80 percent of all of Mexico’s various branches of police were linked indirectly or directly to drug cartels.<sup>55</sup>

A good description of this shift in drug-related police corruption and the overall political economy of the Mexican drug trade is provided by Carlos F. Perez. His work is based on interviews with a former top-level official from the Office of the Attorney General of the Republic; a former local (state) attorney general; a retired officer of the

<sup>53</sup> STRATFOR, The Mexican Drug Cartels: The Evolution of Violence (Austin, TX: STRATFOR, October 15, 2007, <http://www.stratfor.com/products/premium/premium.php> (accessed December 5, 2007).

<sup>54</sup> Morris, Corruption and Mexican Political Culture, 12.

<sup>55</sup> Ibid. 7.

Mexican Army; and a former state undersecretary of Public Safety with broad experience in penitentiary management. His sources also include a former security advisor to the Presidency of the Republic; a member of a U.S. intelligence service operating in Mexico; and a former top-level official at the Attorney General's office who has also been a state attorney general.

When the central control structure gave way (2000-to-present), no institutional figure, or any member of the political class had sufficient executive power to force the different parties to observe fixed rules—even if they were informal--nor the agreements reached in the previous scheme of things. The new protection agreements were established with local authorities, or with relatively isolated federal officials, within a context where the new conditions imposed by the changes in the regime made difficult the establishment of general operating rules for the illegal business. No public figure now has sufficient institutional capacity of coercion to force the great leaders of drug trafficking organizations to accept his conditions. Therefore, as of this dismemberment of the centralized structure of protection, the rules and agreements would have to be more fluid.<sup>56</sup>

The control of drug traffickers prior to the new millennium was at the national level; in the present period, the political-criminal nexus is more decentralized. As one state level official noted:

Every important *narco* wanted to control his governor. And the governor who needed resources for his campaign, well, he lent himself, for this...Where I worked as an undersecretary, where the drug trafficking, the protection of drug traffickers and auto theft was controlled directly from the governor's office and the governance secretariat, it was in the papers, I know for the fact it's all true.<sup>57</sup>

Based on the above testimonies, drug cartels successfully adapted to a situation in which impunity and protection no longer came from top government officials. During the first period the federal government (PRI), successfully extorted drug cartels within a centralized system of control and the primary enforcer of this system was the federal police. However, because of the disruption caused by the change of power at the top of

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<sup>56</sup> Perez, *El Estado En Crisis: Crimen Organizado y Política. Desafíos Para La Consolidación Democrática*, 135-138.

<sup>57</sup> *Ibid.*, 134.

the political system, the relationship between drug cartels and the federal police began to breakdown, giving rise to the increased levels of drug-related police corruption at the municipal and state level beyond the purview of the federal authorities.

In 2005, public security in border cities was at an all time low as drug-related homicides soared. For example, groups of former elite soldiers on the Gulf cartel payroll carried out numerous kidnappings, killings and facilitated the corruption of huge numbers of municipal police officers in the city of Nuevo Laredo. Known as *los Zetas*, and formerly associated with *Grupos Aeromoviles de Fuerzas Especiales* (GAFE), United States Special Forces had trained them at locations such as Ft. Benning, GA and Ft. Bragg, NC. . The creation of GAFE had originally been intended to help fight the war on drugs. However, many of these specially trained soldiers deserted the Mexican Army in order to take up far more lucrative jobs as assassins and security personnel for the Gulf Cartel. Their inside knowledge of the Mexican security forces and their expertise with sophisticated weaponry, intelligence gathering, surveillance techniques, and operational planning gave the Gulf Cartel the upper hand over its competitors. The police were now outgunned and did not possess the training to counter the *Zetas*. The *Zetas* pursued a number of strategies for gaining control in Nuevo Laredo. They have cowed and corrupted large numbers of municipal police within their region of control, converting them into spies, protectors, and enforcers. Municipal police under their control have in the past kidnapped individuals suspected of being members of competing cartels and handed them over to the *Zetas*. The *Zetas* would hold them for ransom, and use torture to gain intelligence about pending operations before releasing, or killing them.<sup>58</sup>

The penetration and corruption of the municipal police in Nuevo Laredo by the *Zetas* in general and the June 8 2005, slaying of the newly appointed police chief, Alejandro Dominguez (who refused to negotiate with cartels) in particular, resulted in significant changes. The Fox administration responded by implementing, the previously mentioned *Operativo Mexico Seguro* (Operation Safe Mexico), which involved deploying hundreds of troops and federal police to Nuevo Laredo and other cities plagued by cartel

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<sup>58</sup> Freeman, *State of Siege: Drug-Related Violence and Corruption in Mexico, Unintended Consequences of the War on Drugs*, 2-4.

violence and police corruption. Federal forces encountered serious resistance entering Nuevo Laredo when the municipal police initially opened fire on them. Federal police removed almost seven hundred municipal police and fifty-seven federal agents from their posts and they rescued forty-four individuals who had been kidnapped by municipal police officers – making 2006 the worst year for incidents of drug-related police corruption and violence in Nuevo Laredo. The spike in violence and arrests was obviously due to the insertion of non-corrupt security forces into a hotbed of drug-related corruption within the municipal police force. In the wake of drug tests, interviews, firing and arrests, only one hundred fifty police officers remained on the job, compared to the seven hundred or more who were sacked or arrested. In March 2008, the Mexican government sent 600 more members of the Federal Preventative Police to Nuevo Laredo. Thus far, this has failed to bring an end to the violence and corruption. On September 22, 2007, there was a major gun battle between Gulf Cartel members and the Federal Preventative Police. Subsequently, a number of municipal officers were arrested for passing sensitive information to the Gulf Cartel (see Figure 6).<sup>59</sup> Meanwhile, in the Mexican state of Tamaulipas in October 2007, just prior to the arrest of the municipal officers in Nuevo Laredo, twenty-five federal police officers were also detained on suspicion of providing protection for the Gulf cartel.<sup>60</sup>

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<sup>59</sup> Fred Burton, "Mexico's Cartel Wars: The Threat Beyond the U.S. Border," STRATFOR Research Associates, [http://www.stratfor.com/mexicos\\_cartel\\_wars\\_threat\\_beyond\\_u\\_s\\_border](http://www.stratfor.com/mexicos_cartel_wars_threat_beyond_u_s_border) (accessed February 16, 2008).

<sup>60</sup> P. M. Corn, "Federal Police Arrest 11 Officers and Civilians in Nuevo Laredo," Mexico Trucker, <http://mexicotrucker.com/2008/01/21/11-nuevo-laredo-police-officers-civilians-arrested-by-federal-police/> (accessed February 16, 2008).





Figure 6. Nuevo Laredo Municipal Police arriving at PFP Headquarters in Mexico City. They were arrested for passing sensitive intelligence on police operations to the Gulf Cartel. (From Corn, 2008).

Other high profile incidences of drug-related corruption at the federal level of law enforcement have revolved around the newly constructed *Agencia Federal de Investigaciones* (AFI: Federal Investigations Agency) and other federal police agencies. Some of the most notable cases of corruption and human rights violations have been attributed to members of the AFI. Allegations have surfaced that a group of eight AFI agents kidnapped a group of *Zetas* in the resort-city of Acapulco and turned them over to the Sinaloa Cartel, which is a key rival to the Gulf Cartel to which the *Zetas* are connected. The four *Zetas* were tortured on video and killed just moments after the video was turned off. Shortly afterwards, five of the eight AFI agents were taken into custody and arrested for the kidnapping and murder of the four *Zetas*. However, three months later the AFI agents were set free, ostensibly due to lack of information. The waters were muddied further, when, following the release of the AFI agents the Mexican attorney general stated publicly that the video and the entire incident had been organized to undermine the prestige of the AFI. Then, the next day, and completely contrary to the previous announcement the attorney general's office released a report that called into question the trustworthiness of 1,493 members of the AFI. The report acknowledged that

all these agents were under criminal investigation, while 457 were already about to be prosecuted. The total number of AFI agents in all of Mexico is about 8,000.<sup>61</sup>



Figure 7. The Zetas captured by AFI agents and turned over to the Sinaloa Cartel. (From Freeman, 2006).

During the Fox Administration from 2000 to 2006, several thousand police officers were charged with and convicted for drug-related police corruption. Their convictions ranged from assistance in the day to day operations of the cartels to the receipt of commissions for drug-related kidnappings and murders. In addition to what was occurring in Nuevo Laredo, in 2005, the former state police chief in Ciudad Juárez was also under investigation for murder.<sup>62</sup> More recently, Mexico City's international airport has emerged as a key point of conflict between cartels struggling for control over drug supply chains. In February 2008, the Justice for Mexico Institute drew attention to a government study that indicated the police were involved in trafficking drugs through the airport. The study, *Operation of Cartels in Mexico City*, indicated that the so-called

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61 Freeman, *State of Siege*, 14-15.

62 Danna Harman, "Mexicans Take Over Drug Trade to US," *The Christian Science Monitor*, August 26, 2005, <http://www.csmonitor.com/2005/0816/p01s03-woam.html> (accessed January 3, 2008).

Charola Cartel (*charola* is Spanish for badge), made up of police from various agencies, was providing security and allowing shipments to pass through the city's international airport.<sup>63</sup>

#### D. PUBLIC TRUST IN THE MEXICAN POLICE

Given the evidence presented in studies like *Operation of Cartels in Mexico City*, it comes as no surprise that the Mexican police are one of the least trusted institutions. In fact, many observers believe that police corruption has only worsened since the transition to democracy in 2000. For example, in 2002, Mexico was ranked 57<sup>th</sup> on Transparency International's (TI) Corruption scale, but it had fallen to 74<sup>th</sup> by 2007.<sup>64</sup> It is clear that corruption (particularly drug-related corruption) is only getting worse in Mexico. National polling data from 2004 indicates that Mexicans perceive the problem of corruption as affecting every level of government (see Figure 8). However, the police were perceived to be *the* most corrupt institution in Mexico.<sup>65</sup>

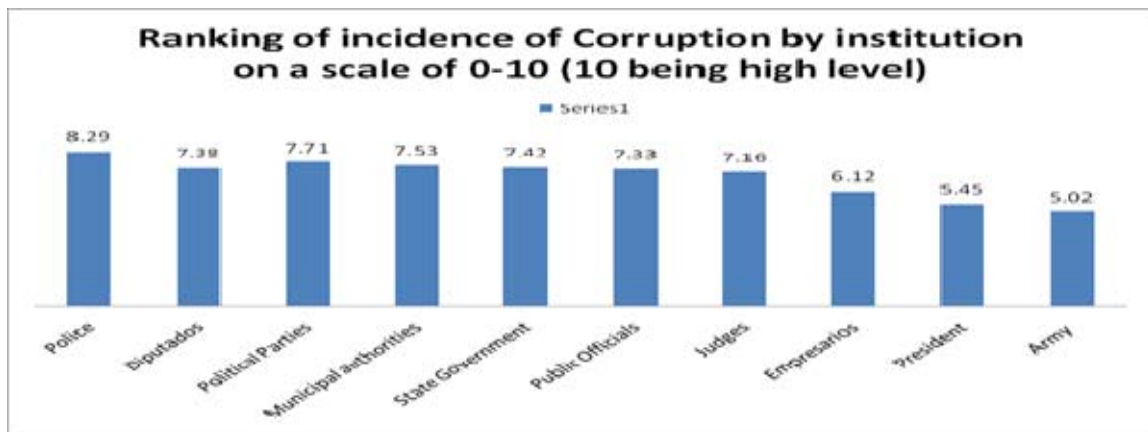


Figure 8. Ranking of incidence of corruption by institution on a scale of 0-10 (10 being high level of corruption)-2004. (From Morris, 2004)

63 Cory Molzahn, Justice in Mexico-Trans-Border Institute-February 2008 News Letter (San Diego, CA University of San Diego, February 2008).

64 Transparency International, "2007 / Cpi / surveys\_indices / policy\_research / Home – Transparency International," [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2007](http://www.transparency.org/policy_research/surveys_indices/cpi/2007) (accessed December 14, 2007).

65 Morris, *Corruption and Mexican Political Culture*, 12.

Even though the above data does not distinguish between general and more specific drug related corruption, presumably a significant amount is drug-related. This is supported by a study of police corruption in Mexico City. As shown in Table 1, the collection of bribes and extortion is both visible and frequent. This also includes police officers selling their services directly. As Table 1 also shows, police resources are often allocated to (1) wealthy businessmen and (2) criminals, primarily drug lords or drug dealers.<sup>66</sup> More generally, public opinion surveys show that residents of Mexico City believe that every level of the police (from municipal to the federal level) has officers within their ranks that have ties to the drug cartels.<sup>67</sup>

<b>Prevalent forms of police corruption</b>	<b>Public Visibility</b>	<b>Frequency</b>	<b>Private (Econ Cost)</b>	<b>Public (Econ Cost)</b>	<b>Monies involved per transaction</b>	<b>Level of police involvement</b>
<b>Bribery and extortion (Wealthy Businessmen)</b>	H	H	H	H	L	H
<b>Diversion of police resources</b>	L	M	L	L	M	H
<b>Kickbacks</b>	L	H	L	L	M	H
<b>Premeditated criminal activities (Kidnapping civilians)</b>	H	M	H	L	H	H
<b>Drug trafficking</b>	<b>H</b>	<b>M</b>	<b>L</b>	<b>UK</b>	<b>H</b>	<b>H</b>

Table 1. Corruption in the Mexico City Police Force--2004 Key: L=low; M=Medium; H=High; UK=Unknown. Although a distinction between local and federal police is important, this report was unable to identify which police were involved in different forms of corruption. (From Anozie et al., 2004).

Corruption is also widespread at the state and municipal levels, according to other studies. In 2003, the *Secretaría de Seguridad Pública de Guadalajara* and the *Contraloría de Estado de Jalisco* reported that, out of a total of 6,088 law enforcement positions, there were 1,373 dismissals due to suspected corruption generally, or drug-

<sup>66</sup> Anozie Valentine et al., *Reducing Incentives for Corruption in the Mexico City Police Force* (Madison, WI: La Follette School of Public Affairs--University of Wisconsin, 2004), [www.lafollette.wisc.edu](http://www.lafollette.wisc.edu) (accessed August 11, 2007).

<sup>67</sup> Freeman, *State of Siege*, 1-2.

related corruption specifically. If this report is representative, then at least 22.5 percent of all state and municipal police in metropolitan areas are corrupt. According to a separate university study, Jalisco's municipal, state and federal law enforcement agencies received an 8.49 on of a scale of 10, ranking as the most corrupt state institution in 2003 (1 being least corrupt, 10 being most corrupt). In 2003, 106 PGR and AFI officials were dismissed; given the focus of these agencies on combating drug trafficking, it is logical to assume that they were fired because of their ties to drug cartels.<sup>68</sup>

An unidentified chief of police, during an interview at a wake for a fellow policeman who was gunned down by drug traffickers, indicated that drug-related police corruption had reached epidemic levels within the municipal police forces in the state of Michoacán. Out of forty policemen under his supervision, he estimated that twenty to thirty had ties with drug cartels operating in the area.<sup>69</sup>

In another case, a state police commander and twelve other officers in the state of Chihuahua were arrested in connection with the killing of eleven people near Ciudad Juarez. In 2005, Mexico's deputy attorney general lamented that rather than "protecting and guaranteeing the safety of the population" the police "are openly working with drug cartels".<sup>70</sup> In response to the scale of the problem, the federal government has intervened to dismantle entire police departments, sending the military to perform the day-to-day operations of the police in many regions.<sup>71</sup> Evidence collected from various sources indicates that between 70 and 80 percent of Mexicans rate the municipal and state police

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68 Maureen Meyer, Coletta Youngers and Dave B. Taylor, *At A Crossroads: Drug trafficking, Violence and the Mexican State* (Washington D.C.: Washington Office On Latin American Affairs, 2007). [http://www.wola.org/?&option=com\\_content&task=blogsection&id=6&Itemid=&topic=Drug+Policy&sub=1&content\\_topic=Drug+Policy+in+Mexico](http://www.wola.org/?&option=com_content&task=blogsection&id=6&Itemid=&topic=Drug+Policy&sub=1&content_topic=Drug+Policy+in+Mexico) (accessed December 13, 2007).; Reames, *A Profile of Police Forces in Mexico*.

69 John Ydstie, *Mexico's Drug-Related Murders Rise* National Public Radio, December 17, 2007.

70 Ted G. Carpenter, "Foreign Policy Briefing: Mexico is Becoming the Next Colombia," *CATO Institute* 87 (November 15, 2005), 4.

71 Bravo, *Police Corruption Undermines Mexico's War on Drugs*, 1; Freeman, *State of Siege: Drug-Related Violence and Corruption in Mexico, Unintended Consequences of the War on Drugs*; Carpenter, *Foreign Policy Briefing: Mexico is Becoming the Next Colombia*, 1-8.

as incompetent if not corrupt, indicating that they have little or no confidence in their ability to perform the normal duties of a police force.<sup>72</sup>

Drug-related police corruption in Mexico today is not isolated to any specific region. The country's four major cartels control and operate over large areas. However, drug-related police corruption does tend to be highest in the major transit *plazas*, especially the northern drug *plazas* along the border with the United States.<sup>73</sup> There seems to be a positive correlation between areas with high crime rates, police corruption and the presence of drug cartels.<sup>74</sup> Of Mexico's thirty-one states, including the Federal District, the thirteen with the highest crime levels are all drug-trafficking areas: Baja California Norte, Baja California Sur, Chihuahua, the Federal District, Jalisco, Mexico State, Morelos, Nuevo Leon, Queretaro, Quintana Roo, San Luis Potosi, Tamaulipas, and the Yucatan. (See Figure 2 above for a map of the main drug-trafficking regions).<sup>75</sup> Added to the scourge of corruption is the failure to effectively enforce the law and, therefore, the high level of impunity for those that commit crimes. The national average for people who avoid any penalty following initially being arrested or charged with criminal activity is approximately 90 percent.<sup>76</sup> Based on Figure 9, it can be assumed that the presence and influence of the various drug cartels throughout much of the country is a major contributing factor to criminal impunity. Without a doubt, a large number of people avoid being charged and prosecuted due to drug-related corruption in the police and the justice system.<sup>77</sup>

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72 Ben Brown, Reed Benedict and William V. Wilkinson, "Public Perception of the Police in Mexico: A Case Study," *Policing Research Library* 29, no. 1 (2006), 13.

73 Danna Harman, "Mexican Drug Cartels' Wars Move Closer to U.S. Border," *USA Today*, [http://www.infowars.com/articles/world/mexican\\_drug\\_cartels\\_wars\\_move\\_closer\\_to\\_border.htm](http://www.infowars.com/articles/world/mexican_drug_cartels_wars_move_closer_to_border.htm) (accessed April 18, 2007).

74 Colleen W. Cook, *Mexico's Drug Cartels-CRS Report for Congress* (Washington D.C.: Congressional Research Service-Foreign Affairs, Defense, and Trade Division, October 16, 2007 (accessed November 1, 2007).; Moleznik, *Public Security and Police Reform in the Americas*, 468.

75 Wayne A. Cornelius and David A. Shirk, eds., *Reforming the Administration of Justice in Mexico* (Notre Dame, IN.; San Diego: University of Notre Dame Press; Center for U.S.-Mexican Studies, University of California, 2007), 468.

76 *Ibid.*, 470.

77 Menendez, *Mexico: The Traffickers' Judges*.



Figure 9. Mexican Cartel Areas of Influence. (From Congressional Reporting Service Report, October 16, 2007).

The growing power of the drug cartels and the negative side effects are only becoming worse. In March 2008, in a clear indication of the scale of the problem, the Mexican government reinforced the 500 federal police agents that were already deployed in Mexico's northern states with 30,000 more troops and federal police. This had been prompted by the 50 percent increase in drug-related homicides in the regions controlled by the drug cartels. Thirteen Mexican states reported higher than average homicide rates for the first two months of 2008. In addition, it is important to note that these areas also correlate with the same regions currently controlled by cartels (see Figure 10). The intervention by federal police and the military in such large numbers indicates that significant parts of both the state police and the municipal police are suspected of having been corrupted or at least intimidated by the drug cartels. This is similar to the 2007 deployment of federal police to clean up the state and municipal police forces in Nuevo Laredo.<sup>78</sup>

<sup>78</sup> Donnelly, News Report March 2008, JANE'S, "Mexico Deploys to US Border," Jane's Military and Security Assessments, <http://jmsa.janes.com/JDIC/JMSA/documentView.do?docId=/content1/janesdata/mags/iwr/history/iwr2008/iv15n062a.htm@current&backPath=http://jmsa.janes.com/JDIC/JMSA> (accessed March 31, 2008).



Figure 10. Rate of cartel-related slayings in Mexico, January-February 2008 (From Donnelly, 2008).

## E. MEXICAN POLICE REFORM EFFORTS

This section outlines the history of failed efforts to purge the Mexican police of personnel involved in drug-related corruption. At this stage the objective is primarily to provide a brief overview, as it will be left to chapter four to discuss in a little more depth why Mexico's historical and contemporary police reform efforts failed, in contrast to what are generally seen as successful police reform efforts in Colombia in the past few decades.

Under President Miguel de la Madrid (1982-1988), efforts were made to purge agents that were linked to drug trafficking within the highly corrupt Federal Security Directorate (*Dirección Federal de Seguridad, DFS*). De la Madrid publicly made drug trafficking a national security issue and ramped up the role of the military in both cleaning up the police and rooting out the drug traffickers.<sup>79</sup> However, it was widely

<sup>79</sup> Meyer, Youngers and Taylor, *At A Crossroads*, 4.



believed that de la Madrid's reform efforts were a masquerade to appease the United States. High-level government officials have described the collusion between the PRI and drug traffickers in this period specifically in the context of the PRI's indirect control over the drug trade generally. They emphasized that certain shipments were expected to be caught and scapegoats would go to jail in order to make it seem that the state was serious about the war on drugs.

For the protection structure to be profitable and the business to survive despite the pressure of the U.S. government and incipient public opinion, it was necessary to maintain a façade where the very institutional structures that protected the drug trafficking should also evince proof of their commitment in the battle against that activity. The disputes between lesser-rank officials belonging to various federal and/or state agencies; their arrest upon proof of their participation in drug trafficking; and the execution of some of them, allowed for the public presentation of an image of a continuing war by the State against drug trafficking organizations, and their supposed attempts to infiltrate security institutions. As has been pointed out, according to the evidence in the testimonies obtained, the upper echelon of decision makers protected the drug trafficking as a whole, even if this implied harm to the particular interests of certain officials and criminal organizations.<sup>80</sup>

In the late 1980s and early 1990s, De la Madrid's successor, president Carlos Salinas de Gortari (1988-1994) carried out a second set of reforms. Like his predecessor, he also declared drug trafficking a threat to national security and increased the role of the military in drug control efforts. By this time, the DFS has been disbanded, but its replacement agencies were equally corrupt. The *Policía Judicial Federal* (PJF: Federal Judicial Police) was the new federal law-enforcement agency charged with investigating drug-related crimes and the Salinas administration engaged in periodic purges of corrupt officers in the PJF. During this era, two new organizations, the *Instituto Nacional para el Combate a las Drogas*, (INCD: National Institute to Combat Drugs) and the *Centro de Planeación para el Control de Drogas* (CENDRO: National Drug Control Center) were brought on-line under the direction of the PGR, only to be dismantled years later after they too had been penetrated by drug traffickers.<sup>81</sup>

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<sup>80</sup> Perez, *El Estado en Crisis*, 135-138.

<sup>81</sup> Meyer, Youngers and Taylor, *At a Crossroads*, 4.

The use of the armed forces in counter-drug operations, as well as the assignment of military personnel to civilian designated positions within the sphere of public security and law enforcement, which had become increasingly common under Salinas, was intensified during the presidential administration of Ernesto Zedillo (1994-2000). The levels of corruption within the PJF and the PGR's drug intelligence center were so high that Zedillo appointed enlisted military personnel, mid-grade officers and high-ranking officers to all levels of both organizations. He also established the National Public Security Council which put the military (both the Army and the Navy) in the position of not just decision-making, but policy making role in relation to public security. In 1999, Zedillo created the *Policía Federal Preventiva* (PFP: Federal Preventive Police) to deal with federal crimes as well as to assist local and state agents in criminal investigations of federal level offenses. At the outset, the PFP included around five thousand military personnel, out of a total force of less than 10,000.<sup>82</sup>

Zedillo's administration ended in 2000. The election of Vicente Fox, of the *Partido Acción Nacional* (PAN) to the presidency at the start of the new millennium, ending seventy-one years of PRI control of the pinnacle of the political system, was widely expected to be a breath of fresh democratic air for Mexico. However, in relation to dealing with the drug cartels, Fox, like the three presidents that had preceded him, intensified the use of the military for both domestic security and the battle against the drug cartels. For example, he appointed military officers to head the newly created *Secretaría de Seguridad Pública* (SSP: Ministry of Public Security). He also scuttled the extremely corrupt *Policía Judicial Federal* (PJF: Federal Judicial Police) and replaced it in 2001 with the *Agencia Federal de Investigaciones* (AFI), which fell under the control of the PGR. In 2003, all personnel investigating drug traffickers specifically, and organized crime more generally, were consolidated under the Deputy Attorney General's Office for Special Investigation into Organized Crime (*Subprocuraduría de Investigación Especializada en Delincuencia Organizada*, SIEDO). However, even though Fox did a lot of shuffling of personnel, there was no real purging, nor was there any type of database available to track those officers who had been fired for corruption. Therefore

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<sup>82</sup> Meyer, Youngers and Taylor, *At a Crossroads*, 4.

when Fox disbanded the PJF, the bulk of the new AFI agents that were hired, were actually corrupt PJF officials, so that all this reform effort did was change the name of the PJF to the AFI. Since the creation of the AFI in 2001, more than 800 AFI officers had been under internal investigation for corruption or criminal acts, and during the first two years of its operations, over 600 AFI officers were found to have ties to drug cartels. As previously mentioned, Fox's growing reliance on the military became even more apparent when he launched "Operation Safe Mexico (*Operativo México Seguro*) in June 2005. The operation, which is aimed particularly at combating drug-related violence and corruption in the northern states of Mexico, targeted local police departments that had been infiltrated by drug cartels.<sup>83</sup>

## F. CONCLUSION

As Jorge Chabat noted "Mexico has a long track record in regards to police corruption and in the past has only implemented short-term solutions to long-term problems which are little better than patches on festering sores."<sup>84</sup> The waxing and waning of cartel-related and police-on-police, or police-on-military violence, over the past 20 years is exemplary of both the effort to implement reforms and of their failure. For example, there were major machine gun battles between federal and municipal police in the border city of Tijuana during the mid-1990s. And again, as mentioned above, the same type of event took place about a decade later in Nuevo Laredo. These are just two dramatic manifestations of the mounting level of drug-related corruption within Mexico's law enforcement agencies. Future packages such as the proposed Merida Initiative, modeled after Plan Colombia, may be step in the right direction. However, at the time of writing the Merida Initiative had been formally rejected by the Mexican government, and as some observers note, the results of increased funding and attention, whether

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<sup>83</sup> Meyer, The Washington Office on Latin America. Mexico Aid Package Should Improve Civilian Institutions, Says WOLA Director. [http://www.wola.org/index.php?option=com\\_content&task=blogsection&id=6&Itemid=&topic=Drug+Policy&sub=1&content\\_topic=Drug+Policy+in+Mexico](http://www.wola.org/index.php?option=com_content&task=blogsection&id=6&Itemid=&topic=Drug+Policy&sub=1&content_topic=Drug+Policy+in+Mexico) (accessed December 12, 2007).

<sup>84</sup> Robert Donnelly, Reforma De La Justicia En Mexico-Memoria De Conferencia (University of California San Diego: Center for U.S.-Mexican Studies, Trans-Border Institute (accessed December 5, 2007).

spearheaded by Washington or Mexico City, might be to turn a poorly equipped and highly corrupt police force into a better-trained and better-equipped and even more corrupt police force.

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### III. DRUG-RELATED POLICE CORRUPTION IN COLOMBIA

#### A. INTRODUCTION

In 1994, a senior official in the administration of President Bill Clinton (1992-2000) told *Time Magazine* that the United States was deeply worried about the possibility that Colombia could be in the process of becoming a “narcodemocracy.”<sup>85</sup> This term has been used at various times, both before and since, to highlight the fact that some erstwhile democratic countries have had their economic, political, security and social institutions corrupted by immensely wealthy and powerful drug-trafficking organizations. During the 1980s and mid-1990s drug-related corruption was a major problem in most government institutions in Colombia, including the Congress, courts, armed forces and to a lesser extent, the Colombian National Police (CNP).

During the 1980s, Colombian drug cartels reached the height of their power. The scale of their power and influence was such that that they directly challenged the sovereignty of the Colombian government itself.<sup>86</sup> The 1980s was the *golden age* for Pablo Escobar, head of the Medellin Cartel, whose annual profits were estimated to be around twenty five billion dollars in this period. The Cali Cartel, managed by the Rodriguez Orejuela brothers, was the Medellin Cartel’s number one competitor. Its earnings in this period are estimated to have been at least eight billion dollars a year.<sup>87</sup> In the 1980s, their combined profits were equal to 31 percent of Colombia’s official GDP.<sup>88</sup>

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85 Jammie L. Lane, "Birth of a Narcodemocracy?" <http://www.time.com/time/printout/0,8816,164158,00.html> (accessed February 21, 2008).

86 Gonzalo Z. Francisco, *Armed Conflict and Public Security in Colombia (Public Security and Police reform in the Americas)* (Pittsburgh: University of Pittsburgh Press, 2006), 98.

87 Chhikara Priya, "The Legend of Pablo Escobar," <http://www.mtholyoke.edu/~chhik20p/PabloEscobar/index.html> (accessed February 21, 2008).

88 Roberto Steiner and Alejandra Corchuelo, *Economic and Institutional Repercussions of the Drug Trade in Colombia* (Bogota, Colombia: Universidad de los Andes, December 1999), <http://www.mamacoca.org/feb2002/DrugTrade.PDF> (accessed February 25, 2008).

These huge sums provided the Medellin and Cali Cartels with the resources to buy influence with politicians and any other official at virtually any level of power in Colombia.<sup>89</sup>

By the start of the twenty-first century, however, the Medellin and Cali Cartels had disappeared and the Colombian National Police has increasingly strengthened its position vis-à-vis drug traffickers down to the present. This dramatic turnaround in the situation can only be understood in relation to developments specific to Colombia.<sup>90</sup> This shift had a profound impact on the current institutional character of the CNP and helped it to win back the respect of most Colombians after decades of public distrust and fear caused by the illegal drug trade.<sup>91</sup> Corruption and even more specifically drug-related corruption within the Colombian National Police (CNP) is now very minor in comparison to other agencies within the Colombian government. It is also well below that of other Latin American police departments according to data that will be presented below.<sup>92</sup> This chapter does not argue that the CNP is immune to drug-related police corruption, because reality is that wherever illegal drugs are produced, distributed and sold, there will be some degree of drug-related corruption, especially in the institutions that are closest to the problem, such as the police, the judiciary and the military. However, the data below makes clear that drug-related police corruption within the CNP never reached the same levels that it has in Mexico, despite the fact that Colombian drug-traffickers controlled and still produce and export 80 percent of the world's cocaine supply.<sup>93</sup> That said the CNP's greatest strength (its experience in fighting guerrillas, the paramilitaries and drug-traffickers and its military structure from the early 1980s through the mid-1990s), which enabled it to bring down the Medellin and Cali Cartels may also

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<sup>89</sup> U.S. Drug Enforcement Intelligence Division, *The Illicit Drug Situation in Colombia: Drug Intelligence Report* (Washington D.C.: U.S. Justice Department, November 1993, <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB243/19931100.pdf> (accessed February 21, 2008).

<sup>90</sup> Jorge Gutierrez, e-mail message to author, April 28, 2008.

<sup>91</sup> Francisco, *Armed Conflict and Public Security in Colombia*, 94.

<sup>92</sup> Jaun C. Rodriguez-Raga and Mitchell A. Seligson, *Democracy in Colombia: 2006* (Bogota, Colombia: Universidad de los Andes, January 2007).

<sup>93</sup> Ron Chepesiuk, *Hard Target: The United States War Against International Drug Trafficking, 1982-1997* (Jefferson, N.C.: McFarland, 1999), 139.

have been its greatest weakness. In its fight against drug traffickers, the CNP engaged in a vast amount of human rights violations. A large number of innocent Colombian citizens were literally caught in the middle of the struggle between the CNP and the Medellin and Cali Cartels in the 1990s.

At the same time, the level of violence in the battle between the CNP and the Medellin Cartel in particular (and the approach taken by Pablo Escobar's organization) contributed to the curbing corruption in the ranks of the CNP. As in the case of Mexico, official data on drug-related police corruption is hard to find. However, a general sense of drug-related corruption within the CNP from 1980 through the mid-1990s can be gleaned from de-classified State Department and CIA cable transmissions and from a series of interviews with former high level U.S. and Colombian government officials carried out by journalists. The government officials that were interviewed, who were involved in the dismantling of both the Medellin, and later the Cali drug organizations, ranged from the former President of Colombia, Cesar Gaviria, to the former Colombian Attorney Generals, Eduardo Mendoza and Gustavo de Greiff. The list also includes the former U.S. Ambassador to Colombia Morris D. Busby and several retired, high ranking U.S. and Colombian law enforcement officials, including Drug Enforcement Agency (DEA) Agent Joe Toft and CNP Generals, Hugo Martinez and Jose Serrano.<sup>94</sup> Prior to addressing the existence and character of the ties between the CNP and the Medellin and the Cali Cartels, however, what follows will discuss the widespread human rights abuses committed by the CNP. This is important, because, while committed to combating Colombia's most notorious drug organizations the CNP crossed the line far too often and abused their power as police officers, which in itself is a form of police corruption. As stated by Maria Llorente, in a telephone interview, "Medellin was a battleground between Escobar and the CNP".<sup>95</sup> More than anywhere else it was during the battle in Medellin that the CNP committed an excessive number of human rights violations.

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<sup>94</sup> Killing Pablo: The Official Companion Documentary Series, directed by Chris Mills (New York, NY: Knight Rider Video, May 2003).

<sup>95</sup> Maria V. Llorente, Telephonic Interview with Author of Demilitarization in a War Zone, May 6, 2008.



## B. THE COLOMBIAN NATIONAL POLICE—AS A SOURCE AND TARGET OF VIOLENCE

From early 1980s through the mid-1990s, members of the police were among the primary targets for attacks by both drug-trafficking organizations and leftist guerrilla forces. At least 2,834 police personnel were killed during this period, either by guerrillas or by assassins working for the Medellin drug organization.<sup>96</sup> At the same time as Pablo Escobar ratcheted up his attacks on the police in both Medellin and Bogota during the late 1980s and early 1990s, the Simón Bolívar National Guerilla Coordination Committee (CGSB) also increasingly targeted members of the CNP in Bogota.



Figure 11. *Departamento Administrativo de Seguridad (DAS) building in Bogota in 1989 after one of Pablo Escobar's bombs went off. DAS is equivalent to the United States Federal Bureau of Investigation. (From Bowden, 2001).*

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<sup>96</sup> Kutnjak, *Fallen Blue Knights: Controlling Police Corruption*, 68-69, Chuck Call and Leslie Wirpsa, *The Colombian National Police, Human Rights and U.S. Drug Policy* (Washington D.C.: Washington Office On Latin American Affairs, May 1993), [www.wola.org](http://www.wola.org) (accessed February 21, 2008).

This meant that the police had not only to deal with a violent urban guerrilla movement, but with Escobar's particular brand of "narco-terrorism" as well. In this period, Pablo Escobar effectively went to war against the Colombian state as a whole and the CNP in particular. At the center of his struggle with the state was the matter of his extradition to the United States. He publicly announced that he would prefer, "a tombstone in Colombia" over "a jail cell in the United States."<sup>97</sup> In an effort to prevent Escobar's capture and extradition the Medellin Cartel carried out bombings of government buildings and they hired and trained large numbers of hit-men, known as *sicarios*, who killed thousands of people, including some of the most prominent figures in Colombian politics at the time. For example, Rodrigo Lara Bonilla, the Colombian justice minister was assassinated in 1984; Jaime Gomez Ramirez, head of CNP anti-narcotics unit, was murdered in 1986. Meanwhile, Guillermo Cano Isaza and presidential candidate Luis Carlos Galan were both killed in 1989 at the behest of Escobar. The Medellin Cartel was not afraid of violent confrontation with anyone or any branch of the state. In fact, the Medellin Cartel can be said to have specialized in the murder of police officers.<sup>98</sup> In late 1989 and 1990, the war between the Medellin Cartel and the CNP escalated even further, when Escobar began offering bounties of USD\$4,000 for each CNP officer killed. At the same time, he promised as much as USD\$12,000 for certain important CNP officers and DIFIN (Plain Cloth Investigation Police Corp). The DIFIN is one component of the *Departamento Administrativo de Seguridad* (DAS) and was, and still is, basically Colombia's secret police. They were also extremely resistant to drug-related corruption.<sup>99</sup>

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<sup>97</sup> Mark Bowden, *Killing Pablo: The Hunt for the World's Greatest Outlaw*, 1st ed. (New York: Atlantic Monthly Press, 2001), 51.

<sup>98</sup> Chepesiuk, *Hard Target: The United States War Against International Drug Trafficking, 1982-1997*, 144.

<sup>99</sup> Bowden, *Killing Pablo: The Hunt for the World's Greatest Outlaw*, 296; Elvira María Restrepo, *Colombian Criminal Justice in Crisis: Fear and Distrust* (Houndmills, Basingstoke, Hampshire; New York: Palgrave Macmillan in association with St. Antony's College, Oxford, 2003), 140.

During the first five months of 1990, over two hundred police officers were gunned down by hit men working for the Medellin Cartel.<sup>100</sup> Towards the end of the operation of the *Bloque de Busqueda* [Search Bloc], which had been formed specifically to track down and capture Escobar, the latter offered a bounty of USD\$27,000 per member of the *Bloque de Busqueda* as part of an increasingly desperate effort to avoid capture.<sup>101</sup> The government responded by further intensifying the military and police presence in Medellin. It brought in military and police units, including four commands of the police's specialized Elite Corps strike force. As a result, the monthly homicide rate in Medellin climbed from 360 in February 1990 to 654 in June 1990, an alarming twenty-two murders per day. Meanwhile, CNP officers managed to bring Escobar's bombings in Medellin and Bogota to an end, but at great cost in terms of the lives of innocent civilians. CNP massacres escalated in the impoverished slums and shantytowns that house over one million people around Medellin.

Seventy percent of all murder victims between January and June were young men between the ages of twelve and twenty years old, because they fitted the profile of the *sicarios*, who played a prominent role in the violence organized by Escobar and directed at the rank and file members of the CNP.<sup>102</sup> An anonymous source interviewed by the Washington Office of Latin American Affairs (WOLA) had this to say about the massive and direct police involvement in human rights violations during the campaign against the Medellin Cartel:

Anti-narcotic law enforcement efforts have turned into a campaign of retaliation, extending beyond traffickers and their contract killers to include innocent residents. The police figure if they killed ten people in a

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100 Bowden, *Killing Pablo: The Hunt for the World's Greatest Outlaw*, 168,205; Call and Wirpsa, *The Colombian National Police, Human Rights and U.S. Drug Policy*, 17.

101 The *Bloque de Busqueda* was intensive manhunt for Pablo Escobar, and a key part was a secret U.S. Army unit known as Central Spike. The unit used a commercial airplane crammed with high-tech electronic gear to track the transmissions of Escobar's communications. On the ground, the *Bloque de Busqueda* consisted of a special unit of CNP officers trained by the U.S. Delta Force Commandos. Others U.S. agencies that served in an advisory roll were the U.S. Navy Seals, U.S. Drug Enforcement Agency and Central Intelligence Agency. Ron Chepesiuk, *The War on Drugs: An International Encyclopedia* (Santa Barbara, Calif.: ABC-CLIO, 1999), 141.

102 Call and Wirpsa, *The Colombian National Police, Human Rights and U.S. Drug Policy*, 17.

neighborhood where they know gangs of killers operate; they may get one or two *sicarios* in the bunch. This turned the whole population into an enemy.<sup>103</sup>

Even though the CNP was only responsible for a fraction of the total homicides committed in 1991, the statistics for that year are revealing. The Colombian Attorney General reported that CNP officers were responsible for 259 individual homicides, 14 massacres, which involved an overall total of 50 victims, not to mention 92 cases of disappeared persons. Even more alarming, the Attorney General's Office received more complaints of human rights violations by members of the CNP than those of any other single government force. Fifty five percent of the 3,161 complaints registered were directed at the CNP, while only 20 percent were attributed to members of the armed forces. This was reinforced by a survey conducted by the *Procuraduria General de la Nacion* in Bogota, which discovered that the police received more complaints than the military in relation to both homicides and torture.<sup>104</sup> Table 2 below is based on the Attorney General's Office's Statistics on complaints filed in relation to human rights violations as a direct result of the drug war and is broken-down on the basis of government agencies implicated, between January 1990 and April 1991.

State Agency	Homicides	Torture	Massacres	Disappearances
Military	31.60%	21.00%	38.23%	16.24%
Police	46.25%	48.48%	20.58%	14.45%
Others	3.57%	1.36%	1.47%	4.22%
Not Det'd.	18.57%	20.07%	39.70%	65.10
<b>Total # of Victims</b>	<b>560</b>	<b>664</b>	<b>589</b>	<b>616</b>

Table 2. Distribution of Human Rights violations committed by the CNP and Military in 1991. (From *Call, 1993*).

The overwhelming tilt towards the police in the above statistics is clearly attributable to the fact that they were the primary agency responsible for confronting the Medellin and Cali organizations. The particularly brutal and indiscriminate character of

<sup>103</sup> Call and Wirpsa, *The Colombian National Police, Human Rights and U.S. Drug Policy*, 17.

<sup>104</sup> *Ibid.*

the Medellin Cartel's approach to the CNP, and the CNP's violent, and far from surgical, retaliation, ensured that literally thousands of innocent Colombians were injured or died in the cross-fire.<sup>105</sup> Pablo Escobar's war on the state generally, and the CNP particularly, combined with the counter-insurgency war against the CGSB, served to further militarize the CNP. The growing anger at the drug-traffickers, on the part of the Colombian government, combined with their desire to create a safer Colombia also fueled the often inappropriate actions taken by the police up to the mid-1990s.<sup>106</sup> The death of thousands of CNP officers at the hands of the Medellin Cartel, meant that the CNP had a serious grudge to settle with Pablo Escobar. This led to the most controversial issue regarding the effort to bring down the Medellin Cartel and capture Escobar. The CNP and Colombian Government could not publicly condone the vigilante group known as *Los PEPES* (*Perseguidos por Pablo Escobar*—People Persecuted by Pablo Escobar). However *Los PEPES* were secretly applauded for their retaliatory strikes against Pablo Escobar and his drug organization.<sup>107</sup> And, as we will see, they also entered into an “unholy alliance” as it were and secretly assisted *Los PEPES* in their operations against the Medellin Cartel.

### **C. UNHOLY ALLIANCE: THE COLOMBIAN NATIONAL POLICE AND *LOS PEPES***

The vast majority of U.S. diplomatic and intelligence documents that pertain to the convoluted relationship between the U.S.-Colombian task force charged with tracking down Pablo Escobar and the CNP's ties with one of Colombia's most notorious paramilitary leaders and drug barons, Fidel Castano, was the leader of *Los PEPES*,

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105 Maria V. Llorente, "Demilitarization in Times of War? Police Reform in Colombia" In *Public Security and Police Reform in the Americas*, eds. John Bailey and Dammert Lucia (Pittsburgh: University of Pittsburgh Press, 2005), 10, [http://seguridadydefensa.uniandes.edu.co/grupo/documentos/documentos\\_general/Seguridad\\_ciudadana\\_documento/llorente\\_2005\\_demilitarization.pdf](http://seguridadydefensa.uniandes.edu.co/grupo/documentos/documentos_general/Seguridad_ciudadana_documento/llorente_2005_demilitarization.pdf) (accessed February 21, 2008).

106 Michael Evans, ed., "Paramilitaries and the United States: Unraveling the Pepes Tangled Web," The National Security Archive, <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB243/index.htm> (accessed March 11, 2008).

107 Bowden, *Killing Pablo: The Hunt for the World's Greatest Outlaw*, 176.

remain classified.<sup>108</sup> However, a series of de-classified U.S. intelligence documents, as well as interviews with high-level U.S and Colombian government officials provide evidence of the involvement of both governments in this “unholy alliance.” The de-classified documents, which are the main source for this section and were released under the U.S. Freedom of Information Act, outline an “alliance” between the CNP, right-wing paramilitary groups, particularly *Los PEPES* and the Cali Cartel with the goal of capturing or killing Escobar and dismantling the Medellin Cartel.<sup>109</sup>

This particular phase of the no-holds-barred war against Escobar and the Medellin Cartel, began in July 1992 after the former had escaped from the luxurious prison, *La Catedral*, where he had been confined since his surrender in June 1991 under a special plea agreement with the Colombian government.<sup>110</sup> The main factor that encouraged Escobar to “escape” was President Gaviria’s decision to transfer him to a real prison in Bogota. This flowed from the fact that the Colombian government had become aware that Escobar’s “imprisonment” had not changed the fact that he still ran the Medellin Cartel and they were particular incensed about the executions that were being carried out on his orders. The grizzly execution of two of Escobar’s former cronies, William and Gerardo Moncada, who were hung upside down and burned to death inside *La Catedral*, was the event that triggered the government’s decision, made on July 22, 1992, to move Escobar to a regular prison facility in Bogota.<sup>111</sup> These events eventually sparked the formation of *Los PEPES*, who first appeared on the scene in February 1993. The latter organization was set up and headed by Fidel Castano. A disaffected former associate of Escobar and a newfound ally of the Cali Cartel, Castano set out explicitly to seek revenge

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108 Evans, "Paramilitaries and the United States: Unraveling the Pepes Tangled Web."

109 "Pacto Con El Diablo," *Semana Magazine*,  
[http://www.semana.com/wf\\_InfoArticulo.aspx?IdArt=109450](http://www.semana.com/wf_InfoArticulo.aspx?IdArt=109450) (accessed March 22, 2008).

110 Mills, *Killing Pablo: The Official Companion Documentary Series*.

111 Bowden, *Killing Pablo: The Hunt for the World's Greatest Outlaw*, 120.

for the death of the Moncada brothers, as well as the many other people, his erstwhile comrade-in-crime had ordered to be killed directly or indirectly.<sup>112</sup>

By December 1992, Escobar had been at large for more than six months. In this period there had been more than a hundred unsuccessful raids aimed at his re-capture. The failure of the raids was primarily due to presence of corrupt police officers within the *Bloque de Busqueda*.<sup>113</sup> During the same period, meanwhile, as Ken Magee, of the U.S. Drug Enforcement Administration, stationed in Bogota has observed, “it seemed like there was a bomb going off” somewhere everyday. “At times the bombs were meant to cause mass destruction and claim lives and at other times they were just meant to cause damage to property.”<sup>114</sup>

Nevertheless, by the end of 1992 the authorities appeared to be finally getting the upper hand. In January 1993, after another one of the Escobar’s terror attacks, there was an immediate counter-attack. An apartment building where some of the drug lord’s family members resided was destroyed by a double car bomb, while a *hacienda*, owned by Escobar’s mother, was decimated by dynamite.<sup>115</sup> There is considerable speculation as to whether it was rival drug traffickers or rogue police officers, or both, who carried out the attacks. The idea that it might have involved policemen seeking to give Escobar a taste of his own medicine carries some weight, insofar as no one was actually injured

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112 These de-classified documents provide an outstanding description of the tangled web that wove the state, Los PEPES and the Cali drug-trafficking organization together around the common goal of dealing with Pablo Escobar and his organization. All documents can be found at the National Security Archive–George Washington University website. The first document titled, “Briefing of NSC and SSCI on “Los PEPES” Affair” was released on December 6, 1993. This document provides a background on the Los PEPES organization, and outlines the establishment of the U.S. Embassy Joint Task Force which was implemented to assist the CNP, who was picked by both Colombian and U.S. governments to lead the hunt and apprehension of Pablo Escobar and other members of the Medellin cartel. It was during this meeting that the U.S. government learned that the first four deaths of Medellin cartel members were at the hands of Los PEPES. Mills, *Killing Pablo: The Official Companion Documentary Series*.

113 Ibid.

114 All documents can be found at the National Security Archive–George Washington University website. The first document titled, “Briefing of NSC and SSCI on “Los PEPES” Affair” was released on December 6, 1993.

115 American Embassy Bogota, “Escobar Family Target of Medellin Bombings” (Official U.S. DTG Message, February 1, 1993), <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB243/19930201.pdf>. (accessed March 11, 2008).

despite the late hour of the explosion. In fact, in the case of his mother's *hacienda*, five men forced the caretaker, who was alone on the property at the time, to leave before they set off the bomb.<sup>116</sup>

In any event, two days later a group of self-described patriotic Colombians, *Los PEPES*, took responsibility for the destruction of the apartment building and by implication the bombing of the *hacienda*. In their statement, *Los PEPES* said they were dedicated to the total annihilation of Pablo Escobar, his underlings, collaborators, and property. Over the course of 1993, *Los PEPES* took credit for a series of killings and kidnappings of members of the Medellin Cartel, as well as the destruction of Escobar-owned property worth millions of dollars.<sup>117</sup> In short order, *Los PEPES* had killed at least thirty-seven of Escobar's associates. According to a de-classified CIA report, *Los PEPES* also posted a reward of USD\$5 million "for Escobar—dead or alive", asserting that it had a membership of 150 armed individuals, was backed financially by "big business" and had links to police.<sup>118</sup> Around the same time this CIA report appeared the Colombian defense minister, Rafeal Pardo began to express concern that the police were providing intelligence information to *Los PEPES* and were also responsible for some of the vigilante acts of terrorism committed against the Medellin Cartel. CIA analysts go even further and attribute the increase in activity by *Los PEPES* to President Gaviria's demand for an intensified effort to capture Escobar, thus encouraging the CNP to rely ever more heavily on extra-legal means to bring the Medellin Cartel and its leader.<sup>119</sup>

By this time, the Colombian and U.S. governments were expressing concern (and in retrospect were clearly correct) that the police were working with *Los PEPES*.<sup>120</sup> The U.S. Ambassador to Colombia reported that the country's attorney general had "new, very

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116 American Embassy Bogota, "Escobar Family Target of Medellin Bombings" (Official U.S. DTG Message, February 1, 1993), <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB243/19930201.pdf>.

117 Mills, Killing Pablo: The Official Companion Documentary Series.

118 Latin American Military Issues, Langley: Central Intelligence Agency, March 1993). <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB243/19930300.pdf> (accessed March 5, 2008).

119 Central Intelligence Agency, "Colombia: Extralegal Steps Against Escobar Possible" (Report, March 30, 1993), <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB243/19930400-cia.pdf> (accessed March 9, 2008).

120 Mills, Killing Pablo: The Official Companion Documentary Series.



good evidence linking key members of the police task force to criminal activities and human rights abuses committed by *Los PEPES*.” He added that the embassy’s own sources “suggested that the police were cooperating with the group at some level” and this “included” the passing on of “sensitive information”.<sup>121</sup> CIA sources report a series of meetings that took place in April of 1993. It was at one of these meetings that the director of the CNP, General Miguel Antonia Gomez Padilla told senior CNP intelligence officers to maintain contact with Fidel Castano, leader of *Los PEPES*, for the purpose of collecting intelligence on the Medellin Cartel.<sup>122</sup> At around the same time, however, on April 16, 1993 to be precise (according to the U.S. Ambassador), President Gaviria met with his top advisers including senior police officials, and told them to cease whatever was going on. Police intelligence commander, General Luis Enrique Montenegro Rinco was to pass the word to *Los PEPES* that they must dissolve immediately. It was believed that Montenegro Rinco was not a member of *Los PEPES*, as such, but he did know the names of some of the members and was aware of most of their activities. According to U.S. Embassy officials, it was significant that Gaviria delivered the message via one of his senior police commanders. Among other things, this served to strengthen U.S. suspicions that the Colombian President believed the CNP was collaborating directly with *Los PEPES*; however, to date, the precise scope and scale of the relationship remains unclear.<sup>123</sup> The *Los PEPES* episode is a good example of the convoluted character of drug-related corruption. What is clear is that there were ties between the CNP, the paramilitary organization called *Los PEPES* and last, but not least, the Cali Cartel. As a result of this, in the process of dismantling the Medellin Cartel, the CNP indirectly facilitated (at least in the short-term) the strengthening, if not the expansion, of the Cali Cartel. The latter became the pre-eminent drug trafficking organization in Colombia until it was subsequently dismantled by the CNP.

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121 Mills, Killing Pablo: The Official Companion Documentary Series.

122 Evans, "Paramilitaries and the United States: Unraveling the Pepes Tangled Web.

123 Ron Chepesiuk, The Bullet Or the Bribe: Taking Down Colombia's Cali Drug Cartel (Westport, CN: Praeger, 2003), 130, Evans, Paramilitaries and the United States: Unraveling the Pepes Tangled Web.

#### **D. COLOMBIAN NATIONAL POLICE OFFICERS ON THE CARTEL PAYROLL (1980-1994)**

The story of drug-related police corruption in Colombia since 1980 is obviously more than the rise and fall of the Medellin Cartel against the backdrop of the unholy alliance between the CNP, *Los PEPES* and the Cali Cartel. Corruption and more specifically drug-related police corruption is almost always a cartel-initiated, multi-directional problem for the Colombian government, with each cartel taking different approaches to corrupting the police. The Medellin cartel relied primarily on violence and intimidation to corrupt local police officials (see the red arrow in Figure 12 below), while its approach to the military was the extensive use of bribery. The Cali Cartel was much more low-key and business like in its approach, preferring to bribe police officers when necessary and avoid resorting to the bullet. In fact the Cali Cartel never pursued an all out strategy aimed at corrupting the police such as we have seen in the case of the Mexican cartels, nor as already mentioned did they use violence and intimidation against the police in the fashion that Escobar did. Finally, unlike Escobar they did not target the military for bribery. The drug-related corruption practiced by the Cali Cartel, as indicated by the broken arrow compared to the solid green arrow, was directed less towards the police and the military and more towards other sectors of Colombian society (see Figure 12).

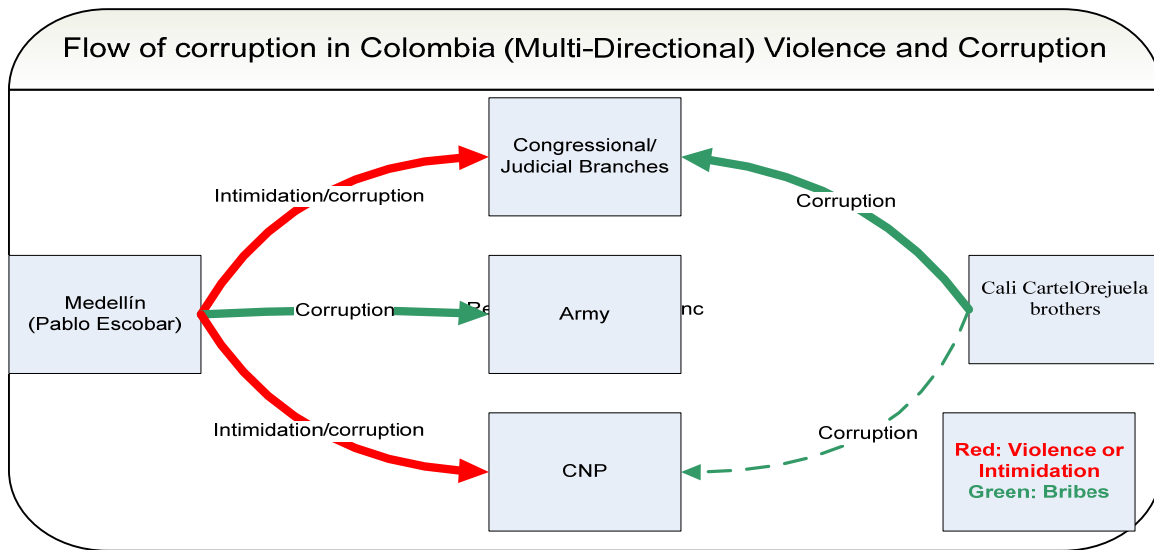


Figure 12. Multi-Directional Model of institutional corruption, 1980s-to-1990s. (From Chespesiuk, 1999)

Unlike the Cali Cartel’s emphasis primarily on bribery, standard operating procedure for Escobar included bombing, assassination, intimidation and bribery. “*Plata o plomo,*” and increasingly, simply “*plomo*” as practiced by the Medellín Cartel ultimately threatened to undermine Colombia’s, already, circumscribed form of democratic government. The drug-related security crisis between 1980 and the mid-1990s, which centered on the fate of Escobar himself, both impacted on and transformed the criminal justice system in the country. The use of violence and fear by Pablo Escobar to advance his interests is indicated by the red arrows in the above diagram.<sup>124</sup>

That said both cartels had police officers on the payroll, although their numbers never reached the levels we have seen in the case of Mexico, where a very large number of police officers work directly for, or receive regularly payments from, with the drug cartels. The Medellín Cartel was successful in corrupting large numbers of police officers who lived, and operated, in and around the city of Medellín from the early 1980s up to Escobar’s death in 1993.<sup>125</sup> The security environment in Medellín was horrific and made being an honest police officer extremely hard for those who resided in Medellín, not to

124 Bowden, *Killing Pablo*, 51.

125 Llorente, Telephonic Interview with Author of *Demilitarization in a War Zone*, May 6, 2008.

mention Bogota. Unlike CNP officers in other regions battling guerillas, police solidarity hardly existed in Medellin. Those honest CNP officers in Medellin did not know if members of their own ranks would sell them out to cartel members due to the large bounties being offered. An anonymous CNP officer had this to say about the many killings of CNP officers sponsored by Escobar:

Mr. Pablo Escobar paid two, three million pesos for each agent's head. Many of the policemen working in the Medellin command would sell the addresses of their own partners. And the hit men would show up and kill them and their family members.<sup>126</sup>

In order to counter suspected drug-related corruption within the CNP in Medellin, the Colombian government declared that no native CNP officer from the departments of Antioquia, or Paisa could be part of the *Bloque de Busqueda*, for fear he would secretly be on Escobar's payroll. Senior Colombian government and CNP officials had good reason to suspect that Escobar owned a large portion of the Medellin police force.<sup>127</sup> In response, the CNP assembled a collection of men from different units, including Colombia's FBI, the DAS and its special branch of judicial police, the DIFIN (*Dirección Central de Policía Judicial e Investigación*), as well as select CNP officers from regions that were a long distance from Medellin.<sup>128</sup> These officers were also rotated in and out; in order to both limit their exposure to opportunities for corruption and to conceal their identity for fear that Escobar might attempt to intimidate them via threats on their families. Therefore during the entire period of operation of the *Bloque de Busqueda*, the local Medellin CNP force was excluded from all information about, and participation in the search operations. However as mentioned above, hundreds of police raids were still hampered. As DEA agent Joe Toft, stationed at the U.S. Embassy in Bogota during this time, makes clear "corruption within the *Bloque de Busqueda* was the main reason" for the organization's shortcomings in bringing down Escobar and the Medellin cartel.<sup>129</sup>

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126 Mills, Killing Pablo.

127 Llorente, Demilitarization in Times of War? Police Reform in Colombia, 10.

128 Bowden, Killing Pablo: The Hunt for the World's Greatest Outlaw, 67.

129 Mills, Killing Pablo: The Official Companion Documentary Series.

According to other U.S embassy sources, the “corruption” inside the *Bloque de Busqueda* was also “the determining factor” in the drug lord’s escape from *La Catedral* on July 22 1992.<sup>130</sup>

During the prison break, Pablo Escobar and associates also managed to slip out without the apparent knowledge of the Colombian 4th Infantry Brigade, which had responsibility for the area where Escobar was being held. This was taken as clear evidence by the U.S. that the Colombian Army could not be trusted in the ‘War on Drugs’. In fact, the Medellin Cartel had provided the equipment and training for the paramilitary groups that shared the Army’s goal of fighting leftist guerrillas, and they even worked together on occasion. Drug cartels, like the Army were anti-communist. On the other hand, the Colombian National Police, due to the murder of thousands of policemen by the Medellin Cartel, hated Escobar and, outside of his stronghold in Medellin, were largely resistant to being corrupted by him.<sup>131</sup> Nor were the vast majority of police officers that were part of the *Bloque de Busqueda* on the Cartel’s payroll. Unfortunately, according to General *Hugo Martinez*, (Former CNP General) a handful of corrupt officers within the CNP (even if they were not inside the *Bloque de Busqueda*) were often enough to alert the entire countryside of impending operations against Escobar.<sup>132</sup> Despite these hindrances the *Bloque de Busqueda* eventually tracked down and killed Escobar on December 2 1993. More generally, with Escobar’s death the CNP brought down the Medellin Cartel. By allowing his grasp to exceed his reach, Escobar galvanized the Colombian state generally, and the CNP more specifically contributing to his own demise, and leaving a less corrupt more effective CNP as his legacy.

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130 "State Department Cable Transmission-Monthly Status Report-Identification no. 12356," University of George Washington, <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB243/19930406a.pdf>, (accessed March 14, 2008).

131 Mills, *Killing Pablo: The Official Companion Documentary Series*, 80. Bowden, *Killing Pablo: The Hunt for the World's Greatest Outlaw*, 296.

132 Hugo Martinez, in an interview with CNN, told a story about when he was offered a large sum of drug money. He was approached, on behalf of the Medellin Cartel, by a long time friend and retired high ranking CNP officer. This long time friend informed him that Pablo Escobar was willing to pay him USD \$6,000,000.00, if he would continue to pretend to work against Escobar but do no real harm to him or his business. His long time friend also conveyed that Escobar said that he would kill him and his entire family if he did not accept the bribe. Martinez told his long time friend, “(t)ell Pablo you came but did not find me here, and then leave this matter as if it never occurred.” Mills, *Killing Pablo: The Official Companion Documentary Series*, 80.



Figure 13. Members of Colonel Martinez's Bloque de Busqueda celebrate over Pablo Escobar's body on December 2, 1993, in a photograph taken by DEA agent Steve Murphy. Pablo's death ended a fifteen-month effort that cost hundreds of millions of dollars. It effectively eliminated the Medellin Cartel. (From: Bowden, 2001)

Until the death of Escobar in late 1993, the Medellin Cartel had engaged in an unrelenting campaign of violent bullying and assassination against the agents of the Colombian state, while the Cali Cartel worked quietly, content with the Medellin Cartel being in the spotlight.<sup>133</sup> Even before the fall of the Medellin Cartel, the Cali Cartel had learned from Escobar's mistakes as it were and sought to buy the state and even society at large rather than wage war on it.<sup>134</sup> By the mid-1990s, with the Medellin Cartel effectively gone, the Cali Cartel had corrupted most key sectors of society. By the end of the 1980s, the Cali cartel already controlled a vast intelligence gathering network that included all public telephone lines in Cali, enabling them to intercept all police and military calls. For good measure, they also had more than 5,000 taxi drivers on their payroll.<sup>135</sup>

As the Cali organization grew, so did its expenses. Apart from the telephone system and taxi drivers, it had a sizeable and growing payroll of informants and spies who worked in virtually all the key national institutions—the armed forces, the police,

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133 Chepesiuk, *The Bullet Or the Bribe*, 62.

134 *Ibid.*, 68.

135 *Ibid.*, 67.

the courts, the government, the legislature and the news media. By 1989, the DEA estimated that the Cali cartel was paying a CNP private about USD\$ 1,550 per week, a captain about USD\$ 5,000 per week and a general about USD\$ 15,000 per week. Even though these were enormous sums of money, this was viewed as a necessary cost to maintain and expand the Cali operation both nationally and internationally.<sup>136</sup> As already suggested the Cali Cartel focused its corruption efforts on a wide range of government officials and the police were important but not their primary focus. No example better supports this claim than the “narco-cassette scandal”, which provided evidence that the Cali Cartel had contributed USD\$ 6,000,000.00 to the presidential campaign of Ernesto Samper. Meanwhile, during Colombia’s second *Bloque de Búsqueda* in pursuit of Miguel Rodriguez of the Cali Cartel, the CNP found documents and computer files listing more than 2,800 politicians, journalists, congress members, state governors, and military personnel, all of whom were on the Cali Cartel payroll.<sup>137</sup> Only sixty-four names on the list were police officers.<sup>138</sup> Shortly after General Rosso Serano apprehended Rodriguez and dismantled the Cali Cartel, Ernesto Samper’s vice-president, Carlos Lemos spoke publically about certain Liberal congressmen receiving as much as USD\$500,000 from the Cali Cartel. He also argued that the Cali Cartel often spent as much as USD\$ 25,000, per vote in Congress to try to block the extradition treaty being asked for by Washington.<sup>139</sup> During this period, the Cali Cartel successfully corrupted key areas of government throughout Colombia, but drug-related police corruption compared to Mexico was low and concentrated in the immediate vicinity of Cali.

#### **E. REFORMING THE CNP: THE 1991, 1993 AND 1995 POLICE REFORM EFFORTS**

In response to the security crisis precipitated by the escalating conflict with drug traffickers in the 1980s and early 1990s, the Colombian government proposed a series of

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<sup>136</sup> Chepesiuk, *The Bullet Or the Bribe*, 95.

<sup>137</sup> *Ibid.*, 224.

<sup>138</sup> Maria V. Llorente, "Demilitarization in a War Zone," In *Public Security and Police Reform in the Americas*, eds. John Bailey and Lucía Dammert (Pittsburgh: University of Pittsburgh Press, 2006), 118, 274.

<sup>139</sup> Chepesiuk, *The Bullet Or the Bribe: Taking Down Colombia's Cali Drug Cartel*, 241.

police reforms. The civilian-led reform efforts of 1991 and 1993 under the Gaviria administration were resisted by the police and failed. However, many of the ideas from these reforms (minus increased civilian control) were incorporated into a reform package directed by the head of the Colombian National Police, General Jose Serrano that began in 1995. These reforms were successful in many ways, increasing the effectiveness of the police, improving their public image, and curtailing the human rights violations, which as argued earlier in this chapter, can be seen as a form of drug-related corruption in this instance.

The first reform package in 1991, which took place under the Gaviria Administration was an attempt to make structural and organizational changes within the CNP. The basic elements were, first, the creation of a mechanism to ensure greater civilian control over the police and provide civilian incentives for participation in public security matters. Second, the re-organization of the police force was carried out to ensure that in the future the CNP would respond to both citizen security and national security concerns. Third, a new professional career track, which would create a less hierarchical command structure while increasing the ratio of supervisors over rank and file officers, was created.<sup>140</sup> These first reforms also introduced regulations that would strengthen mayoral and gubernatorial control over policing within their jurisdictions. Also significant was the creation of a civilian police commissioner at the national level that would head an external office and provide civilian oversight over the CNP. The last initiative in this first package of reforms was the implementation of the National System for Citizen Participation in Police Matters. This system was ultimately designed to allow citizens from all strata of society to provide input on police matters, which would in turn assist police officials in guiding and directing their rank and file police officers. As already suggested these 1991 reforms never took hold, but did influence later, successful reform efforts.

The second reform initiative, begun in 1993, aimed to change the existing structure of the CNP as an institution. The plan was to create three separate police forces,

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<sup>140</sup> Llorente, *Demilitarization in a War Zone*, 122.



which would include urban-, rural- and criminal-oriented organizations, as well as a separate investigation unit. The goal was to setup a police force that could respond to two distinct security issues. The urban force would possess a more civilian profile, while the rural force would possess more of a military profile and get specialized military training in order to operate effectively in regions where guerilla insurgents were based. The main goal was to create less of a military-style command structure and one that was in keeping with international police trends. The end product of this last initiative was that there would only be two levels. The last reform initiative laid out a system that gave rank and file officers the ability to advance to the executive level (middle management) based on their potential and merit as police officers. The end goal, as one observer has noted, was “one career track for high-ranking officers, equivalent to officers found in the military and the executive level with only five ranks”. This arrangement “would give patrol officers the opportunity to advance to middle management and supervisory positions after five years of being a patrol officer.”<sup>141</sup> But, like the 1991 effort the 1993 reform package was never really implemented.

Ultimately, the 1991 and 1993 reform measures failed because of “institutional obstruction and poor planning.”<sup>142</sup> For example, the National System for Citizen Participation in Police Matters proved to be too complicated. One of the components necessary for this to operate was the creation of a commission with 23 members from varied backgrounds. At the same time, the CNP senior leadership was patently unwilling to even accept recommendations for who should be on the commission from outside the CNP organization. Had the commission got off the ground, its ability to reflect any sort of input from “citizens” across a broad spectrum was already undermined by the CNP’s efforts to control the appointment of members of the commission. Meanwhile, the idea of three separate forces never got beyond the planning stage. Instead, the urban orientation that had existed since the 1980s remained intact and much later the current administration of President Alvaro Uribe increased the size of the rural police (*Carabineros*) in order to maintain rule of law in rural areas where the counter-

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<sup>141</sup> Llorente, *Demilitarization in a War Zone*, 123.

<sup>142</sup> *Ibid.*

insurgency-insurgency conflict was, or is, significant. Also, measures to strengthen government oversight never got anywhere, because of both poor planning and opposition from senior police officers. Finally, the old career track for high level and mid-grade officers remained in place. This initiative also failed because of poor planning and because it would have negatively affected the prestige and privileges of high ranking CNP officers.<sup>143</sup>

The presidency of Gaviria's successor, Ernesto Samper (1994-1998) was plagued from the start by allegations of receiving a \$6 million campaign contribution from the Cali cartel. As a result, Samper was unable to continue with the Gaviria's efforts to assert civilian governmental control over the police. Samper did, however, realize that police reform was sorely needed to confront the public security crisis posed by drug trafficking. He delegated responsibility for this to the head of the police, General Jose Serrano, who was leading the aggressive and ultimately successful campaign against the Cali Cartel, following the vanquishing of the Medellin Cartel in 1993, also had a great deal of credibility with the government of the United States. Serrano's priorities were to combat both drug-traffickers specifically and corruption within the CNP generally. Under his leadership, the CNP had more or less dismantled the Cali Cartel by the end of 1994. Then in 1995, by presidential decree he purged more than 8,000 officers from the CNP who were thought to be involved in illegal activities. He used both of these accomplishments to argue that there was no need for civilian governmental oversight.<sup>144</sup>

Preventing corruption and increasing effectiveness, however, depends on much more than just purging officers. Serrano's reform efforts included several smaller initiatives that fall under the umbrella of the cultural transformation of the police. This was aimed at giving the police a more civilian-oriented style, with better leadership, an emphasis on improved management, better personnel training and the notion that citizens were "clients."<sup>145</sup> Probably the most critical part of this reform effort was the

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143 Llorente, *Demilitarization in a War Zone*, 124.

144 *Ibid.*, 126-128.

145 Llorente, *Demilitarization in a War Zone*, 124-128.

development of a strategic planning board that consisted of all the top commanders from every department. It was to meet on a regular basis in order to measure progress and plan for the future at a regional and national level.

Serrano attempted to replace the quasi-military structure with one that would present a more horizontal relationship between senior commanders and mid-low ranking officers and assignments would be based on the officer's ability. In order to accomplish this goal the CNP developed contracts with various Colombian Universities to teach top commanders courses in a more civilian oriented form of leadership and management. As with previous reforms, this initiative met with resistance because senior officers felt it was important to maintain distance from mid and low ranking officers. Serrano's last reform initiative was a less complex version of the National System for Citizen Participation in Police Matters. Instead of having elected representatives for every strata of society, the new system allowed the entire community to participate through the use of police surveys. The surveys were intended to gauge police efficiency in areas of response and crime control and also serve as a method for the police to improve in the areas in which the population deemed it to be deficient. The second part of this last initiative also involved a neighborhood watch program, adopted from a British model. The Colombian model was named, *Frentes de Seguridad Local* (Local Security Fronts) and *Escuelas de Seguridad* (Security Schools). The community fronts went from 2,700 in 1995 to over 6,800 by 2001. It is estimated that over a half million urban Colombians were participating in the Local Security Fronts by the start of the 21<sup>st</sup> century.<sup>146</sup> According to researchers, this program did improve public perception of the police in areas where they Fronts operated. However, by 2003 many researchers were skeptical about whether this program could be successfully implemented beyond the regions where the Fronts were already in place. It is unknown to what degree this program affects rural municipalities, however, it is firmly rooted in two of the country's three biggest cities, Bogota and Medellin. In these cities in particular, it appeared to be producing positive results in

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146 Llorente, *Demilitarization in a War Zone*, 128.

crime control and a positive image for the police.<sup>147</sup> There is little no information regarding the results of this program in Colombia's third major city, Cali. However, statistics for violent crimes in 2006 were significantly higher in Cali than the other two cities. It is not unreasonable to take this as an indication that the Front program has not been as successful in Cali as it has in Medellin and Bogota.<sup>148</sup>

## **F. CURRENT LEVELS OF POLICE CORRUPTION, 1995 TO 2008**

Police reform efforts, including increased spending on the police, combined with changes in the overall operation of the drug industry have contributed to a decline in both drug-related police corruption particularly and police corruption more generally in Colombia since 1995. The fall of the Medellin and Cali Cartels led to the emergence of more than three hundred *cartelitos* in Colombia as of the present day.<sup>149</sup> The large number of small drug cartels are less inclined to utilize open forms of intimidation and/or extensive networks of corrupt police and other officials as was the case with the Medellin and Cali Cartels.<sup>150</sup>

As the increase in the cultivation of coca (the basis for cocaine) and opium poppies (the basis for heroin) in Colombia increased between 1990 and the early 21<sup>st</sup> century, small drug-trafficking organizations emerged to manufacture cocaine and heroin for delivery. The vast majority of *cartelitos* are content to let the non-Colombian cartels, principally the large Mexican cartels take charge of delivery to the consumer.<sup>151</sup> The willingness of the Colombian *cartelitos* to cede most transportation and delivery responsibilities to the Mexicans for distribution within the United States has worked to keep the Colombian cartels out of the spotlight and beyond the reach of U.S. extradition laws. As a result of this (and their smaller cellular structure), they do not need to engage

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147 "Plan Colombia and Beyond: Notes from Medellín," <http://www.ciponline.org/colombia/blog/archives/000296.htm> (accessed May 1, 2008).

148 "Policia Nacional De Colombia," <http://www.policia.gov.co/> (accessed April 25, 2008).

149 STRATFOR, Colombia: The Cartels Reorganize (February 1, 2008). <http://www.stratfor.com/> (accessed March 20, 2008).

150 Restrepo, Colombian Criminal Justice in Crisis: Fear and Distrust, 149.

151 Francisco, Armed Conflict and Public Security in Colombia, 96.

in corruption of any form on the grand scale that characterized the defunct Medellin and Cali Cartels. Instead, bribery and intimidation are likely to be used on key lower level officials to ease the passage of shipments.<sup>152</sup>

Since the mid-1990s, no case of wide spread organizational corruption in the Colombian police, comparable to the scale and scope of police corruption uncovered in the case of Mexico can be found. Drug-related corruption since the mid-1990s has mostly taken place at individual or small group level, and usually among more senior personnel within the organizational hierarchy of the CNP. For example, in 2002 two high ranking CNP generals were arrested for skimming money off the top of United States assistance funds (Plan Colombia). In both cases, the CNP generals were forced to resign and they were then prosecuted for their crimes.<sup>153</sup> Other cases of drug-related police corruption have implicated several DAS custom officials, and senior CNP intelligence officers, accused of providing advance intelligence and information about future law enforcement operations against drug-traffickers.<sup>154</sup>

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152 McDermott and Becerra, Mexican Drug Trade Faces Fragmentation, 5.

153 Jaun Forero, "Colombian Police Chief Resigns," New York Times, <http://query.nytimes.com/gst/fullpage.html?res=9D04E2D61F39F931A25752C1A9659C8B63&scp=1&sq=colombian+national+police&st=nyt> (accessed March 30, 2008); Jaun Forero, "\$2 Million in U.S. Aid is Missing from Colombian Police Fund," New York Times, <http://query.nytimes.com/gst/fullpage.html?res=9A0DE5DB1F30F932A25756C0A9649C8B63&partner=ssnyt&emc=rss&st=cse&sq=colombian+national+police&scp=5> (accessed March 30, 2008).

154 David Adams, "Danilo's War: The Story of One Officer's Rise and Fall in Colombia Drug Wars Illustrates the Challenges Police Face." St. Petersburg Times [http://www.sptimes.com/2005/01/03/Worldandnation/Danilo\\_s\\_war.shtml](http://www.sptimes.com/2005/01/03/Worldandnation/Danilo_s_war.shtml) (accessed April 21, 2008).

Another common form of police corruption tend to be associated with human rights rather than drugs, which can be attributed to the on-going armed conflict between security forces and leftist guerillas and other criminal organizations. The data below was gathered from an archive of two hundred and twenty nine news paper articles published between 2005 and 2007 in Colombia’s leading newspapers.<sup>155</sup>

State Agency	Homicides	Torture	Massacres	Disappearances
<b>Military</b>	<b>50</b>	<b>6</b>	<b>23</b>	<b>14</b>
<b>Police</b>	<b>16</b>	<b>1</b>	<b>3</b>	<b>2</b>

Table 3. Table 2: Distribution of Human Rights violations committed by the CNP and Military based on 229 excerpted newspapers articles from 2005-2007, in which events dating back to 1997 were mentioned.

Both the previous and the next table are not based on any strict rules of social research. However, the data in Table 3 suggests that the CNP is no longer may be the main source of violence and human rights violations as it was in 1991. This shift may be the result of the CNP no longer being at war with the Medellin drug cartel and the fact that *cartelitos* are less likely to confront the state.

State Agency	Drug Traffickers	Paramilitary	Guerillas groups
Military	28	6	1
<b>Police</b>	<b>11</b>	<b>3</b>	<b>0</b>

Table 4. Military and Police Collaboration with Illegal groups (Author’s calculation based on articles summarized in Colombian Support Network, 2007)

Similarly, Table 4 suggests that the CNP is far less likely to collaborate with illegal groups such as paramilitaries and drug-traffickers than the military. This has contributed to police-military confrontations between the police and the military on at least two separate occasions when several CNP units clashed violently with Army units

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<sup>155</sup> See Colombia Support Network for the summarized news articles. The chart reports the number of incidents identified and not the number of victims. This is because several articles only state, “several civilians were killed where as others actually provide exact numbers of victims involved.

that were guarding cocaine shipments for drug-traffickers. In one case, the Army unit opened fire on the CNP, killing all the officers in the unit.<sup>156</sup>

#### **G. WINNING PUBLIC TRUST: THE CHANGING PERCEPTION OF THE CNP**

As the above discussion suggests the drug cartels have penetrated the military. This may in part be as a means of securing protection from leftist guerrillas. This section, meanwhile makes clear that, in contrast to the military, corruption may actually be a very minor problem within the CNP. There is no doubt that the police have won back the trust of the Colombian civilian population after decades of distrust. The loss of public trust for the police seems to have been primarily a result of their egregious human rights violations during the period when they were at war with both guerrillas and the Medellin and Cali Cartels. According to Maria Llorente, the early 1990s was a period when Colombian society began to lose confidence in the CNP compared to previous levels of public trust.<sup>157</sup> At the start of the 1990s, public confidence in the CNP was no higher than 35 percent whereas the confidence in the Army was 50 percent.<sup>158</sup> By 1993, public confidence in the police had dropped to 21 percent. This decline in public trust flowed directly from the fact that throughout the 1980s, successive administrations placed a priority on counter-insurgency and battling drug-traffickers, which led increasingly to a rise in human rights violations. It also meant that more general crime control, which should have been the CNP's primary responsibility, was put on the back burner.<sup>159</sup>

As already suggested, however, the CNP began to regain the trust of the Colombian people from the mid- to late-1990s. There were several factors that contributed to this change. The first factor was that the CNP was the primary institution

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156 Llorente, Telephonic Interview with Author of Demilitarization in a War Zone, May 6, 2008; Colombia Support Network, "The Colombian Army: Terrorism, Thievery, and Bungling and Massacres," Colombia Support Network: Human Rights for Colombia, [http://www.colombiasupport.net/2007/Colombian\\_Army.pdf](http://www.colombiasupport.net/2007/Colombian_Army.pdf) (accessed May 29, 2008).

157 For more information on the history of the CNP, see Llorente, 391-468, Maria V. Llorente, ed., *Peril De Policia Colombiana* (Barcelona, Spain: Grupo Editorial Uniandos, 1999).

158 Llorente, *Demilitarization in a War Zone*, 116.

159 *Ibid.*, 117.

involved in dismantling the Medellin and Cali drug cartels, and while the process of doing so had alienated the public, their eventual success helped to lay the foundations for the restoration of confidence in the police. The second and related factor, which had a lasting effect, was the highly publicized 1995 police reform carried out by the charismatic police General Jose Serrano, who is still regularly referred to within the international law enforcement community as the “world’s best cop.”<sup>160</sup> The third critical factor that helped the CNP regain public trust was the cultural transformation of the police by Serrano that followed on from the purging of a significant number of corrupt officers.<sup>161</sup> By 2002 the public trust in the CNP had reached, upwards of, 57 percent and climbing.<sup>162</sup> The average level of public trust for the police throughout Latin America as a whole today is only about 30 percent.<sup>163</sup>

Furthermore, when the people were asked in 2006 about their trust in state institutions that are charged with ensuring and protecting the people’s rights, the CNP scored above 50 percent, and had been doing so since 2004. Also this data is significant because it correlates to data gathered by Llorente (see below graph). In this study, the courts, the police, the Human Rights Ombudsman (*Defensoria de Pueblo*) and Prosecutor General (*Fiscalia General de la Nacion*) all were found to be held in high regard by Colombian citizens.<sup>164</sup>

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160 Jose R. Serrano, "Target America: Traffickers, Terrorists and Your Kids: A National Symposium on Narco-Terrorism" (DEA Headquarters, U.S. Drug Enforcement Agency, December 4, 2001), <http://www.targetamerica.org/symposium.html> (accessed March 21, 2008).

161 Llorente, *Demilitarization in a War Zone*, 125.

162 Llorente, Telephonic Interview with Author of *Demilitarization in a War Zone*, May 6, 2008.

163 Llorente, *Demilitarization in a War Zone*, 129.

164 Rodriguez-Raga and Seligson, *Democracy in Colombia: 2006*, 136, 173.



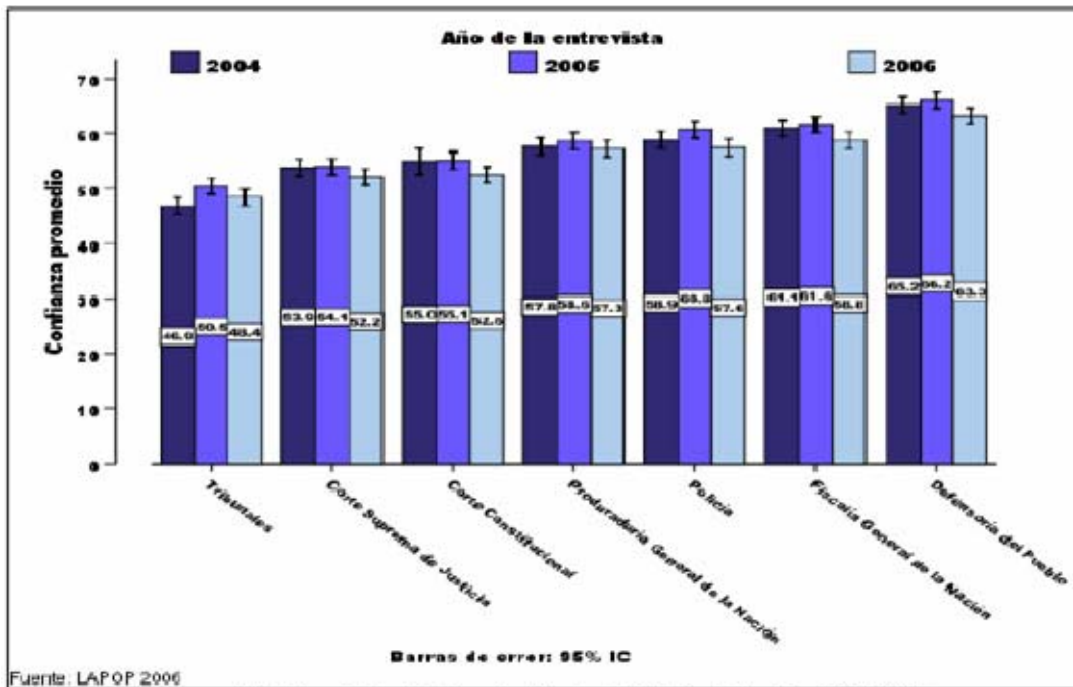


Figure VI-7. Trust in Institutions that Protect Rights in Colombia - 2004-2006

Figure 14. Trust in Institution that Protect Rights in Colombia. (From: Raga, 2006).

Although it is difficult to tell how much the lack of corruption within the police force accounts for its positive evaluation, there are reasons to believe this is important. The chart below shows that Colombia, after Chile, is one of the countries in Latin America where people report the lowest rate of police officers demanding or receiving bribes. Only 4.5 percent of those surveyed indicated that they had been victims of extortion on behalf of the CNP.

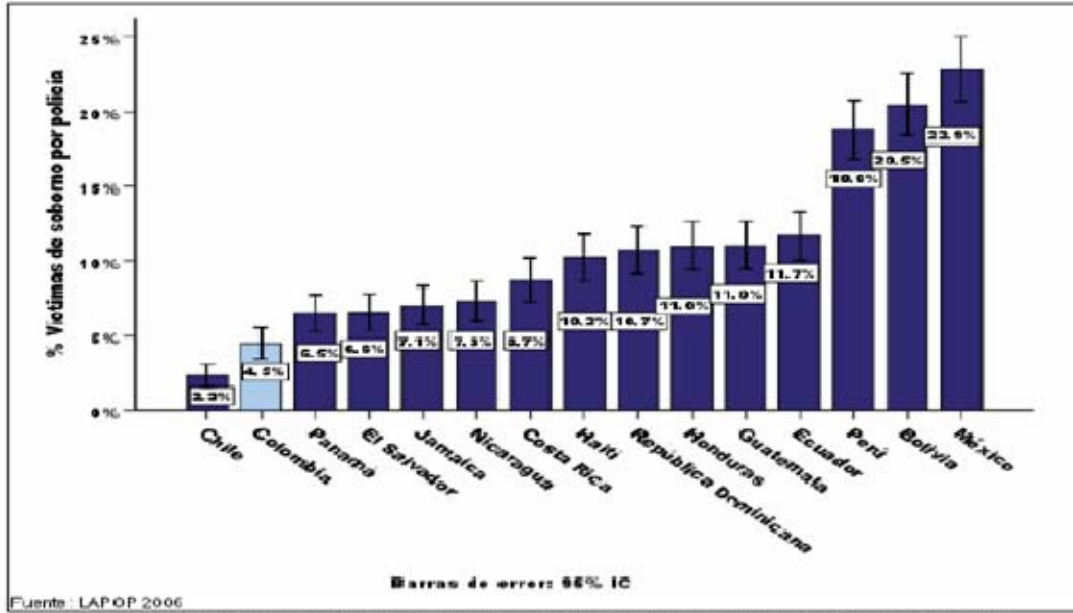


Figure V-3. Victimization: Police Officers Demanding Bribes in Comparative Perspective - 2006

Figure 15. Victimization: Police Officers Demanding Bribes in Comparative Perspective. (From: Raga, 2006).

Meanwhile, a survey of CNP officers revealed that they themselves thought that the three most serious problems that could undermine their institution, in the eyes of the public, were first, the commission of human rights violations by the police. Second, police failure to prevent the destruction of property and third a general perception that they were neglecting their duties, In contrast, the actions most commonly seen as police corruption—demanding or receiving bribes and collaboration with illegal groups, including drug traffickers was listed well below these top three.<sup>165</sup>

<sup>165</sup> Uruena, Police Corruption in Colombia, 574.

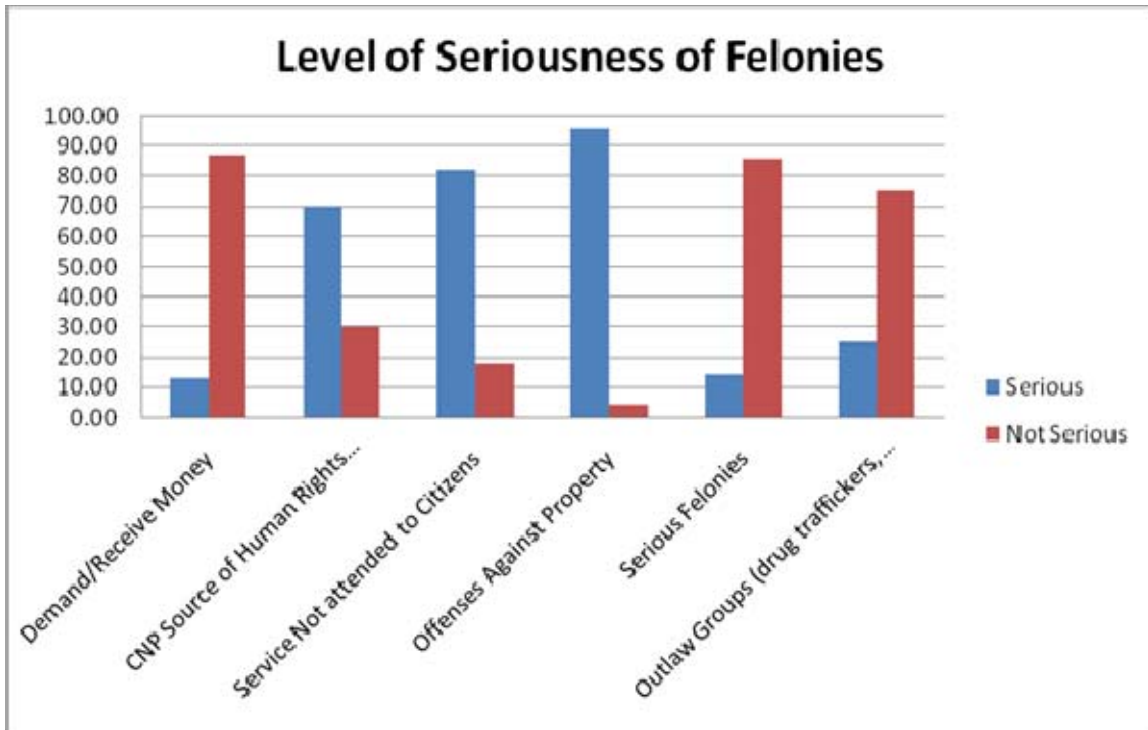


Figure 16. Human Rights Violations and other forms of corruption are perceived by the CNP as larger problems than drug-related corruption. (From Urena, 2006).

The CNP, controlled by a central bureaucracy, has successfully regained the respect of the majority of Colombians in the majority of its departments. The significance of it being centrally controlled is that it has regained the population's trust, without, or because, its primary loyalty does not lie with municipal leaders or departmental governors. For example, a survey conducted in Medellin in early 1993 showed that approximately 50 percent of respondents from all social strata felt distrust, fear and hatred towards the police, while only 16 percent respected and felt protected by the CNP. The CNP was so hated that the municipal leaders repeatedly requested that the CNP be withdrawn so that a local force could be created, however, the national government never agreed to the request.<sup>166</sup> Of course, in this period, Medellin was literally a battleground between the CNP and the Medellin Cartel, both of which were responsible for high levels of bloodshed amongst innocent civilians. In 1991, the annual murder rate in Medellin was 381 per 100,000 people. This equates to more than five hundred murders a month. In

<sup>166</sup> Llorente, *Demilitarization in a War Zone*, 119.

2002, it was 184 per 100,000 and last year it fell below thirty, making Washington D.C., look bad in comparison.<sup>167</sup> The consistent drop in violent crime in Medellin has made it once again an attractive city for foreign investment, which has increased by 300 percent since the late 1990s. The same trend seems to be the case throughout Colombia since the 1995 police reform initiative down to President Alvaro Uribe's security crackdown, which called for the CNP to take a proactive approach to crime control, while still combating counter-insurgents in both rural and urban areas. Today, unlike in the past, every major city and almost all rural municipalities now have a CNP presence after the latter had to withdraw from 157 *cabeceras municipales* in 2003, due to widespread guerrilla attacks on police stations.<sup>168</sup>

## H. CONCLUSION

It should be clear from this chapter that drug-related police corruption within the Colombian police has always been distinct from police corruption in Mexico. In Colombia, drug-related police corruption has primarily been an individual or small group problem, except for certain instances, such as when a large portions of the CNP in Medellin was controlled by Pablo Escobar. However it remains unclear just how much of the Medellin police force was actually on the take. Based on the testimony given by an anonymous CNP officer, mentioned earlier in this chapter, one can assume that there were still a relatively large number of honest cops in Medellin. The murder of literally thousands of CNP officers on Escobar's orders combined with attacks on the police by urban guerrillas led the CNP to effectively declare war on the Medellin Cartel and collaborate with the paramilitary organization, *Los PEPES*, with links to the Cali Cartel. Both the CNP and *Los PEPES* sought to engage Escobar on his own terms, which was nothing less than a fight to the death, which ended with the literal death of Escobar and the figurative death of the Medellin Cartel. In the process, the CNP was increasingly militarized and increasingly indiscriminate in its pursuit of its goal, developments which

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<sup>167</sup> Daniel Kurtz-Phelan, "Colombia's City on A Hill: Medellin Goes from Murder Capital to Model City," Newsweek, November 10, 2007, <http://www.medellininfo.com/others/newsweek.html> (accessed March 31, 2008).

<sup>168</sup> Francisco, *Armed Conflict and Public Security in Colombia*, 98.

led to a dramatic increase in human rights violations by the CNP. However, despite, or because of its recent history as a major violator of human rights, the CNP has now been transformed into a model police force. It is now regarded as one of the most efficient and least corrupt anti-narcotics police forces in the world. As the next chapter will show, many of the CNP's organizational strengths derive from its centralized force structure and a significant increase in resources devoted to the CNP during the reformation of the organization after the Medellin and the Cali Cartels had been destroyed in the mid-1990s.

## IV. EXPLAINING POLICE CORRUPTION

### A INTRODUCTION

As demonstrated in the previous two chapters, drug-related police corruption in Colombia and Mexico have very different, country-specific, histories and equally distinct contemporary configurations. The first part of this chapter outlines the organizational factors that explain why present day, Mexico and Colombia are at the opposite ends of the spectrum in terms of levels of police corruption generally and drug related corruption specifically. As we have seen, at the present time, the Colombian National Police (CNP) are considered to be one of the most efficient anti-narcotic policing institutions in all of Latin America.<sup>169</sup> In the case of Mexico, meanwhile, the police once upon a time exploited drug-traffickers, the former are now the ones being exploited by drug-traffickers. In many areas in fact some branches of the police have effectively been completely co-opted by, or domesticated to, the large drug cartels, at the same time as they continue their pervasive exploitation of average citizen through the *mordida*. Conventional organizational factors clearly help explain many of the weaknesses of the Mexican police, while also explaining the strengths of the CNP. At the same time, the country specific factors that have already been outlined in the respective chapters above on Colombia and Mexican will be revisited in a directly comparative approach. This will carry us beyond the conventional organizational explanations for different levels of police corruption in Colombia and Mexico to provide a deeper country-specific understanding, which encompasses history, political economy and social and cultural dynamics, to explain why contemporary Mexico and Colombia are at completely opposite ends of the spectrum in relation to levels of drug-related police corruption.

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<sup>169</sup> Francisco, *Armed Conflict and Public Security in Colombia*, 110.

## **B. POLICE SUBCULTURE AND THE POLITICAL CRIMINAL NEXUS (PCN)**

Police corruption in Mexico is just one of the many problems that is best understood as the result of hundreds of years during which the political system, the social order and the economy, has gone through many changes but continues to be permeated by an elaborate network of patron-client relations.<sup>170</sup> At the level of government this provided the context in which criminality flourished. In fact, in most cases the police themselves were, and often still are, the criminals. Police impunity came of age during the presidential-dictatorship of Porfirio Diaz (1876-1910). Under Diaz the police were empowered by the state to act above the law in order to maintain and consolidate power in a political context where democracy only existed in name and civil unrest in many parts of Mexico constantly threatened those in power. Police corruption and later drug-related police corruption intensified under the authoritarian and centralized government of the *Partido Revolucionario Institucional* (PRI) from the 1930s to 2000. Furthermore, because of a weak judicial system, the police had an extra incentive to resolve problems at the street level using coercion and/or the extraction of bribes.<sup>171</sup> This has meant that over generations the vast majority of Mexican citizens have come to accept corruption in both government and the police as a normal part of every-day life.<sup>172</sup>

In Colombia, meanwhile, police culture and everyday practice was forged under a very different set of historical circumstances. Colombia is Latin America's oldest "democracy" (since 1861) apart from a short period of military dictatorship. The country's political system has been dominated by two major political parties: the Liberals and the Conservatives. Thus, Colombia has a fairly strong, albeit narrow, democratic system with the two main parties alternating their control over the executive branch of government, and jockeying for power in the legislature. Because one political party did not have a monopoly on power, Colombian politicians were never able to penetrate the

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<sup>170</sup> Robert Donnelly, *Reforma De La Justicia En Mexico: Reforming the Administration of Justice in Mexico* (Mexico City, Mexico, Justice for Mexico Project, September 22, 2006).

<sup>171</sup> Diane E. Davis, "Undermining the Rule of Law: Democratization and the Dark Side of Police Reform in Mexico," *Latin American Politics and Society* 48, no. 1 (April 3, 2006), 2-3.

<sup>172</sup> Anonymous Mexican Government Official, Personal Interview (February 5, 2008).

state to the degree that the PRI did in Mexico and establish a system for the extraction of kickbacks from drug traffickers specifically and criminal networks generally.<sup>173</sup> Furthermore, it is logical to assume that the police share views similar to the population from which the officers themselves are recruited. An individual's propensity to break the law before becoming a police officer flows from broader societal factors that shape the views of the individual police recruit or officer. Both the country-specific-historical factors, the more specific social and cultural differences between Mexico and Colombia, have over time set the parameters for the formation and transformation of police culture. As this chapter will make clear, this provides the backdrop for the more conventional organizational factors that are deployed to explain and address both police corruption and drug-related police corruption. The conventional organization factors that are the focus of research and reform include, as already noted; recruitment and selection, training and promotion, and, most importantly salary levels and the quality of equipment and resources.

## **C ADMINISTRATIVE FACTORS IN MEXICO AND COLOMBIA**

### **1. The Police Recruitment Process in Mexico**

The recruitment process may be one of the most important pieces of the puzzle when trying to find the root causes of police corruption. Research has shown that individuals that have violated the law before becoming police officers are more likely to commit acts of corruption once they have been recruited into the force.<sup>174</sup> It has also been established that there is a clear trend on the part of police officers to move from minor to more serious acts of corruption and criminality over time. Once the police officers concerned have crossed the line as it were, they can be expected to continue to do so and to do so in ever more substantive ways. This may explain why a vast number of Mexican police officers move from the extraction of bribes in day-to-day street operations to working with the drug cartels. For example, prior to the dismantling of the

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<sup>173</sup> Perez, *El Estado En Crisis*, 150-156.

<sup>174</sup> Kutnjak, *Fallen Blue Knights: Controlling Police Corruption*, 65.



PJF and its replacement by the AFI, it has been made clear that many officers who had joined the PJF did so because they were predisposed to the abuse of their power to enrich themselves illegally.<sup>175</sup> The new recruits to the PJF were from the outset willingly, even enthusiastically embraced the corrupt structure of the organization.<sup>176</sup> Unfortunately, in Mexico it was certainly the case in the past, and is still the case in many instances that those already engaged in police corruption enroll novice recruits into the process immediately upon their entry into the force. In fact this process often starts before the recruits have even finished being trained.

In September of 2006, Sigrid Artz, the national security advisor to the newly installed administration of president Felipe Calderon, informed senior Mexican government officials that the a more professional police force could only be created by paying higher salaries and using a more standardized system of recruitment.<sup>177</sup> Mexico's lack of automated databases and in some cases no records or incomplete police personnel files has created a situation where a police officer dismissed for police corruption can simply re-locate to a different region and rejoin the police force. Even worse, it appears that prior to the appointment of Attorney General Lozano in 1997 the federal police were acquiring new recruits who had been selected by, and then sent to the police academies by, the country's major organized crime organizations.<sup>178</sup> The majority of Mexican police officers have at best only completed elementary school.<sup>179</sup> Meanwhile, based on article 14 of Mexico's public security reform act of 1999, the minimum educational requirement for joining the country's elite federal police is a high school diploma.<sup>180</sup>

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175 Sigrid Arzt, *The Militarization of the Procuraduria General De La Republica: Risk for Mexican Democracy*, eds. Wayne A. Cornelius and David A. Shirk (Notre Dame, IN; San Diego: University of Notre Dame Press: Center for U.S.-Mexican Studies, University of California, 2007), 119.

176 Sigrid Arzt, ed., *Pan at the Head of the Attorney General's Office* (Pittsburgh: University of Pittsburgh Press, 2000), 119.

177 Donnelly, *Reforma De La Justicia En Mexico: Reforming the Administration of Justice in Mexico*, 25.

178 Arzt, *Pan at the Head of the Attorney General's Office*, 119-125.

179 Reames, *A Profile of Police Forces in Mexico*, 130.

180 "Policia Federal Preventiva," *Secretaria de Seguridad Publica*, [http://www.ssp.gob.mx/portalWebApp/page/portal/pfp/INFORMACION\\_NOV\\_2004.htm/Policia+Federal+Preventiva/Ley+de+Transparencia+en+la+PFP/SOLICITUDES+Y+RESPUESTAS/Solicitudes+y+respuestas+de+noviembre+de+2004](http://www.ssp.gob.mx/portalWebApp/page/portal/pfp/INFORMACION_NOV_2004.htm/Policia+Federal+Preventiva/Ley+de+Transparencia+en+la+PFP/SOLICITUDES+Y+RESPUESTAS/Solicitudes+y+respuestas+de+noviembre+de+2004) (accessed April 2008).

## 2. The Police Recruitment Process in Colombia

In contrast to Mexico, the CNP has recognized the importance of screening recruits prior to their admission to the police academies. This is the first of many factors that explain much lower levels of corruption within the CNP. In 1998, *La Universidad of Los Andes* developed a psychological and biographical inventory test designed exclusively for the CNP in order to weed out candidates who viewed the police force as a place where they could engage in corruption under the protection of the CNP uniform. Since 1998, using this screening process, the CNP has added about 1,500 new officers per year to its ranks. This screening process has not only decreased the level of police officers dismissed for acts of corruption, but it has also decreased the number of recruits who fail to make it through the training process once they are enrolled at one of the police academies. Thus, there is a clear trend that increasingly ensures that from the outset it can be assumed that the majority of officers will be capable of fulfilling their mandated police roles and tasks.<sup>181</sup> Furthermore, every individual entering the CNP training academies possesses at least a high school degree and CNP commissioned officers possess a bachelor degree from the CNP's service academy. The latter is equivalent to the Colombian Armed Forces service academies (Naval, Army and Air force).<sup>182</sup> Approximately 20 percent of the CNP are auxiliary police officers and even the great majority of them have at least high school diplomas and the few that do not are fulfilling their mandatory military service requirement within the CNP instead of in the army.<sup>183</sup> As was made clear in chapters two and three, Colombia's more stringent police recruitment process is one of the major factors in the past decade that has helped to make the CNP one of the least corrupt police forces in Latin America.<sup>184</sup> Research has shown that that there are far few complaints about more educated police officers abusing their

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181 Urueña, *Police Corruption in Colombia*, 579.

182 "Comparative Criminology – South America – Colombia," University of San Diego, <http://www-rohan.sdsu.edu/faculty/rwinslow/samerica/colombia.html> (accessed April 27, 2008). "Colombia – National Police (Policia Nacional)," Global Security, [http://www.globalsecurity.org/military/world/colombia/colombia\\_police.htm](http://www.globalsecurity.org/military/world/colombia/colombia_police.htm) (accessed April 2008).

183 Llorente, *Demilitarization in a War Zone*, 115.

184 Valentine, et al., *Reducing Incentives for Corruption in the Mexico City Police Force*, 19.

authority. Clearly, the lack of adequate education in the case of the majority of the Mexican police forces means they are unprepared from the outset to deal with the discretionary power they possess as uniformed representatives of the state.<sup>185</sup>

### **3 Police Salaries, Resources, Promotion and Training in Mexico**

Excessively low salaries and no bullets for their side arms are common problems for the vast majority of Mexico's police forces. In Tijuana, one of Mexico's most violent cities, as well as many other regions in Mexico, the police are often required to purchase their basic equipment, such as bullets, firearms, uniforms and bulletproof vests. To further highlight this problem, there have been instances where, U.S. Custom Officials have caught Mexican police officers attempting to cross back into Mexico after having visited the local Wal-Mart in U.S. border cities to purchase ammunition.<sup>186</sup> This is just one more organizational problem that motivates Mexican police officers to seek out and supplement their incomes through acts of police corruption. However, instead of addressing the corruption problem, particularly drug-related police corruption as a problem to do with salaries and resources, when he came to power in 1994 President Ernesto Zedillo opted to increase the military's role in domestic security and President Vicente Fox (2000-2006) only intensified this strategy.

In fact, they did what every Mexican President since Miguel de la Madrid (1982-1988) had done. In an effort to provide a quick fix for a deeply rooted and worsening problem within the police force, they have increasingly inserted the military into domestic security matters. However, military involvement has not eased Mexico's domestic security problems concerning drug traffickers and police corruption. If anything, it has exacerbated police corruption by allowing the state to continue to ignore the real issue: the institutionalized incompetence, corruption and open criminality of the great majority of police officers throughout Mexico. This trend is demonstrated by

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185 Sean W. Malinowski, "The Conceptualization of Police Corruption: A Historical Perspective," In *Police Corruption: Paradigms, Models, and Concepts: Challenges for Developing Countries*, Stanley Einstein and Menachem Amir eds, Vol. 4.1 (Huntsville, TX: Office of International Criminal Justice, 2003), 30-31.

186 Anonymous Mexican Government Official, Personal Interview, November 25, 2008.

Figure 17 below, in which the military’s budget grew between 1996 and 2003, while the federal police budget grew minimally over the same period. Furthermore, by 2003, there were 18,000 PGR employees but only 10 percent were actual police officers; 86 percent occupied administrative positions, while the remaining 4 percent were public prosecutors.<sup>187</sup> Meanwhile, state and municipal governments are responsible for the allocation of funds for their police forces. Due to the difficulty of attempting to gather data for thirty-one states and over 2,400 municipalities, this thesis was not able to obtain substantial budget information about Mexican state and municipal police departments. However, it is safe to assume based on the situation on the ground in most states and municipalities that the police force is seriously under-paid and under funded at all levels. Figure 17 below covers Mexico’s national civilian law enforcement budget in comparison to the army and military from 1996 to 2003. It is safe to assume that the situation was probably even worse in previous decades because, as was made clear in chapter two, in earlier years there were no provisions made at all for a budget for the federal police.

Years	Civilian Law Enforcement	Armed Forces Budget	
	Attorney General Office (PGR)	Ministry of Defense (SEDENA)	Ministry of Navy (SM)
1996	1.7	10.0	3.4
1997	2.5	12.1	4.4
1998	3.5	14.2	5.9
1999	4.0	17.0	6.7
2000	4.9	20.5	8.0
2001	5.6	22.4	8.9
2002	7.0	22.7	8.5
2003	7.2	23.0	8.9

Figure 17. Diario Oficial de la Federación--Amounts are in billions of Mexican peso. (Artz, 2001)

<sup>187</sup> Artz, The Militarization of the Procuraduria General de la República: Risk for Mexican Democracy, 165.

The average salary for Mexican police officers, as of July 2007 was approximately USD\$ 375 a month. This is well below the USD\$ 660 that the Mexican government says is the bare minimum required to feed a family and cover basic needs.<sup>188</sup> In 2005, police salaries were even lower in Mexico's border cities at around USD\$ 300 a month, while a patrol officer operating in Mexico's federal district only earned about USD\$ 500 a month. Table 5 below provides a comparison of the average salary in Mexico's federal district in February 2005. The exchange rate at the time was USD\$1=MXP\$11.16.

Police	Manufacturing	Maquiladoras	Construction	Services
\$13.45	\$35.77	\$23.33	\$15.27	\$22.09

Table 5. Daily Income by Sector (average daily wage in 2005 was USD\$ 4.05). (Cornelius 2005).

Police salaries are still substandard at all three levels of policing. For example in 2007 an honest policeman in Tijuana resigned after watching his boss turn a blind eye to drug smuggling for a bribe of USD\$ 5000 given to him by members of the Tijuana Cartel. During the same year in Monterey, Mexico's richest city, the state government arrested 141 state police officers for working with the Gulf Cartel.<sup>189</sup> For more such examples refer back to chapter two. Also inadequate salaries and low educational attainment go far in explaining the lack of leadership within the majority of the state and municipal police forces throughout Mexico. Senior municipal and state law enforcement officials still pass around *la copa* (tin cup) to collect their share of the bribes that subordinates have received. However, this system is different today insofar as it is much more of a closed loop. During the 1980s, money and gifts would flow from the municipal level all the way through the federal level of policing until they reached

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188 Genaro Garcia Luna, "Secretaria De Seguridad Publica: Palabras Del Seguridad Publica, Genaro Garcia Luna, Drante La Reunion Nacional De Municipios, Seguridad Publica Y Procuracion De Justicia." [http://www.ssp.gob.mx/portalWebApp/appmanager/ssp/desk?\\_nfpb=true&\\_pageLabel=ssp\\_page\\_3&nodeId=/BEA\\_Repository/270235//archivo&docName=Discurso\\_GGL,13-07-07](http://www.ssp.gob.mx/portalWebApp/appmanager/ssp/desk?_nfpb=true&_pageLabel=ssp_page_3&nodeId=/BEA_Repository/270235//archivo&docName=Discurso_GGL,13-07-07) (accessed 4/15/2008).

189 Robin Emmott, "Police Corruption Undermines Mexico's War on Drugs," The Boston Globe, [http://www.boston.com/news/world/latinamerica/articles/2007/05/23/police\\_corruption\\_undermines\\_mexicos\\_war\\_on\\_drugs/?page=1](http://www.boston.com/news/world/latinamerica/articles/2007/05/23/police_corruption_undermines_mexicos_war_on_drugs/?page=1) (accessed April 2008).

important people at the top of the PRI. In present day Mexico, the federal police are not showing up in PGR airplanes to make collections, today this money remains in the hands of local police officials and state and municipal government officials. Thus, the top-down system of police exploitation has been transformed at the municipal and state level of policing only insofar the dividends of corruption no longer flow up to the top, nor does the top end of the system have the power to make it so. Today the corruption exists in a more fragmented fashion to supplement the fact that the police forces in Mexico are characterized by an extremely large base of poorly paid officers at the bottom, with a few better paid individuals at the top.<sup>190</sup> Because of the low wages at the bottom, *mordidas*, or bites, allow police officers to augment their salaries and avoid processing citizens for minor infractions.<sup>191</sup> Furthermore, this system and the passing around of *la copa* fosters a situation where low ranking officers throughout Mexico feel intense pressure from senior departmental leadership to buy into the patron client promotion system. As an observer has made clear, for a police officer “to ascend the ladder,” he, or she, “will have to resort to the *mordida*.” If they fail to do so, they “will be forced to remain at the bottom of the departmental command structure and remain content with low wages or leave the force all together.”<sup>192</sup>

Another very important factor in Mexico is the amount and quality of training received by the average Mexican police officer. In 2007, Mexico’s Public Security Minister, Genaro Garcia Luna announced that the federal government was attempting to initiate an ambitious program for a national police academy that would retrain Mexico’s 400,000 police. More than anything else, this public statement indicates that prior to 2007, the vast majority of Mexico’s police forces had received little or no formal training prior to putting on their uniforms. At last count, Mexico had fifty-eight academies designed specifically for Mexico’s preventative police force; of these 58, 23 had opened

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190 Donnelly, News Report March 2008, 66.

191 Reames, A Profile of Police Forces in Mexico, 128.

192 Donnelly, Reforma de la Justicia En Mexico: Reforming the Administration of Justice in Mexico, 67.

their doors in the last twenty years. Basic training is four and a half months except for Mexico City where officers to posted to the capital receive six months of training.

Criminologists argue that more educated individuals do better in police training and retain the vital knowledge necessary for police work, which requires clear thinkers that can solve dynamic social situations that require both initiative and discretion.<sup>193</sup> When the *Secretariado Nacional de Seguridad Publica* (SNSP) conducted a test that sought to gauge the training and experience of the Mexican police force, the results revealed that out of 130,000 police officers surveyed, the average score was 71.79% with more than 12,000 failures. The survey also revealed that the police were extremely incompetent in basic law enforcement duties and tactics. The great majority of police surveyed did not possess even a basic knowledge of the operation of the criminal justice system.<sup>194</sup> It was argued that these poor results flowed from low levels of education, which meant that during their training, prior to becoming police officers, left a limited impact on them. This is part of the wider and steady erosion of a law enforcement system in crisis. The great majority Mexican police departments lack the necessary tools required to evaluate incoming recruits establish guidelines for performance and more importantly databases that would allow them to successfully weed out and track officers dismissed for acts of corruption.<sup>195</sup> Because of these organizational problems, it is not surprising that, *La Organización Transparencia Mexicana* reported that there were 197 million acts of corruption reported by Mexican citizens for the year of 2007.<sup>196</sup>

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193 Reames, A Profile of Police Forces in Mexico, 130; Malinowski, The Conceptualization of Police Corruption: A Historical Perspective, 31.

194 Donnelly, Reforma de la Justicia En Mexico: Reforming the Administration of Justice in Mexico, 24.

195 Reames, A Profile of Police Forces in Mexico, 130.

196 Jose Perez, "Corrupción Cuesta 27 Mil Mdp a Hogares Mexicanos," Noticias Televisa Mexico, <http://www.esmas.com/noticierostelevisa/mexico/723541.html> (accessed April 2008).

#### **4 Police Salaries, Resources, Promotion and Training in Colombia**

In the wake of the security crisis in the early 1990s, outlined in detail in an earlier chapter, the Pastrana administration (1998-2002) increased the Colombian defense budget to 3.6 percent of Colombia's total GDP. This produced quick results in terms of modernizing and professionalizing both the military and police forces.<sup>197</sup> President Alvaro Uribe (2002 to present) "hit the deck plates running" in order to broaden the policies of his predecessor, further strengthening the armed forces and police. He restored the police presence in every municipality throughout the country, including all regions where the police had earlier been forced to leave by guerrillas.<sup>198</sup> While Uribe has been in office, the defense budget has continued to grow. At last report in 2006, it was estimated to be about USD\$ 6.9 billion, Uribe also took a bold approach by imposing a special tax on wealthy Colombians and/or their businesses. This has allowed him to expand the CNP from 110,000 to 170,000 officers and increase their salaries as well. In addition to the effort made by Pastrana and Uribe, Colombia has also been benefiting from U.S. Assistance of approximately USD\$ 1.6 billion a year. During the early 1990s, the average police officer in Colombia only earned about USD\$ 190 a month.<sup>199</sup> Today, by contrast, he or she earns about USD\$ 700 a month.<sup>200</sup> This is more than three times the official minimum wage in Colombia of USD\$ 220 a month.<sup>201</sup> One police officer stated that prior to salary increases; he had to go ten years without vacations in order to take care of his family. He also noted that in the 1990s, outlaw groups would rob financial centers throughout Medellin and these financial centers would contract off duty CNP officers for the purpose of providing security. He stated that a patrol officer could

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197 Peter DeShazo, Primiani Tanya and McLean Phillip, *Back from the Brink: Evaluating Progress in Colombia from 1999 to 2007* (Washington DC: Center for Strategic and International Studies, November 2007).

198 Colleen W. Cook, *Colombia: Issues for Congress* (Washington D.C.: United States Congressional Reporting Service, February 8, 2008).

199 Call and Wirpsa, *The Colombian National Police, Human Rights and U.S. Drug Policy*, 29.

200 Gutierrez, e-mail message to Author, April 28, 2008.

201 Maria Yoreme, "SALARIO MINIMO EN MEXICO, VERGUENZA MAXIMA," <http://yoreme.wordpress.com/2008/04/03/salario-minimo-en-mexico-verguenza-maxima/> (accessed April 2008).



make double his police salary in one month by moonlighting as a security guard.<sup>202</sup> However not all CNP supplemented their salaries in such relatively “legitimate” ways. The low salaries of the early 1990s made extortion and bribes attractive for some CNP officers.<sup>203</sup>

According to CNP Colonel Jorge, Gutierrez, Special Advisor for the CNP to the United States at the Colombian Embassy in Washington D.C., the alleviation of the problem of inadequate salaries was crucial to the creation of an internationally recognized professional police force. Via personal correspondence, he told the author that the CNP is now dedicated to ensuring that police officers are provided with competitive salaries. Officers of all ranks receive extra allowances for being married or having dependants and receive special incentive pay based on types of duty.<sup>204</sup> The table below is an approximation based on a single officer with less than one year of in pay grade. This table only accounts for base pay and does not take into account cost of living, dependent status or any special pay that the officer might receive.

<b>Rank</b>	<b>Patrolman (Enlisted)</b>	<b>First Sergeant</b>	<b>Second Lieutenant</b>	<b>Mid-grade commissioned officer</b>	<b>Commanders</b>
<b>Average Base Salary</b>	\$ 700	\$850	\$900	\$1200	\$2050

Figure 18. Average Salary for CNP officers of various ranks. Amounts are in \$USD. Minimum wage for 2007 was set at USD \$220 by Colombian Government. (From Gutiérrez, 2008)

Crucially, and unlike Mexico’s decentralized police force where state and municipal police depend on the municipal and state level of government for resources, the CNP is centralized and receives resources from the Colombian defense budget, not to mention a large portion of funds provided by Plan Colombia. Furthermore, unlike Mexico, the Colombian police receive training assistance from the United States.

202 Alejandro José Castaño, "Policías Sin Vacaciones-Colombia," ALMA Magazine, <http://www2.alma.fm/nota.cfm/n.426.t.colombia-policias-sin-vacaciones.htm> (accessed April 2008).

203 Call and Wirpsa, The Colombian National Police, Human Rights and U.S. Drug Policy, 19.

204 Gutierrez, email message to Author, April 29, 2008.

Prior to discussing the resources and training provided by the U.S., it is important to briefly discuss the Colombian National Police's training and education process along with its system of promotion. Colombia has recognized that selection and training are both vital factors in the prevention of police corruption. As already mentioned, 80 percent of all officers (non-commissioned), attend a minimum six months of formal law enforcement training at one of Colombia's various training academies and all possess at least a high-school degree before entering the academy.<sup>205</sup> Those individuals selected to become commissioned officers, all attend the, *Escuela de Cadetes General Francisco de Paula Santander*, located in Bogota, which is a formally accredited university under the auspices of the *Ministerio de Educación Nacional de Colombia*. Cadets who successfully complete seven intense semesters of formal academic and police training graduate with a bachelor's degree in Political Administration. The other track that is offered to aspiring commissioned officers, who already have a bachelor's degree from another Colombian University, is two semesters of police training at the *Escuela de Cadetes General Francisco de Paula Santander*. As commissioned officer becomes more senior he or she will normally return to the academy for a masters degree especially tailored to policing. Finally, select individuals can also go on to receive even more technical training. When this is successfully completed they join the force and are placed at various technical positions at the executive level of the CNP.<sup>206</sup>

Most police training academies tend to place an emphasis on training in operational, judicial and police theory and provide far less instruction in ethics. However, as Nubia Ureña has outlined Colombian police training academies have linked ethics to overall training in three specific areas.<sup>207</sup>

1: Revised curriculums in training schools and in police advancement courses that includes training in ethical and anti-corruption subjects so that a balance is accomplished with the more traditional and excessive emphasis made on operational subjects.

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205 Comparative Criminology - South America - Colombia.

206 Gutierrez, email message to Author, April 29, 2008.

207 Uruña, Police Corruption in Colombia, 580.

2: The police academies teaching staff must be individuals with outstanding moral values and character as should their superior officers once they have graduated,

3: There are also ethics-sensitive training programs for each unit and service level, making police aware—and maintaining this awareness—of possible judicial, disciplinary and ethical implications that they could face should they become involved in corruption or any other deviant behavior.<sup>208</sup>

In addition to the above corruption control measures taken at the training academy level, Serrano's cultural transformation reforms also increased the level of leadership and management, personal training and client service precepts for the National Police. Through contracts with various Colombian universities, the senior police leadership regularly take business courses, while mid- and lower ranking officers are required to frequently to receive updated training at police academies.. Even though the CNP receives less training than the army in small unit tactics, it has been reported that the CNP is usually better led, which is a direct result of it being better trained, having the proper resources and having a closer relationship with the civilian population.<sup>209</sup> The CNP also provides incentives for rank and file officers to excel at police work by providing them with the opportunity to advance to supervisory positions within the sub-official-executive level. After four years as a patrolman and based on merit, they can move to the executive level of policing. However, this ladder of upward mobility for aspiring patrolmen, *carabineros* and criminal investigators who did not begin their career as commissioned officers is capped at the level of mid-grade officer.<sup>210</sup> Most importantly, and in sharp contrast to municipal and state police in Mexico, there was no evidence of a patron-client system driving promotion in the CNP.

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208 Uruña, *Police Corruption in Colombia*, 580.

209 David Becker, *Morphing War: Counter-Narcotics, Counter-Insurgency, and Counter-Terrorism Doctrine in Colombia* (National Defense University-National War College, 2004).

210 Llorente, *Peril de Policia Colombiana*, 422-23.

## **5. U.S. Military and Police Aid to Mexico and Colombia**

Mexico is considered to be one of the largest recipients of U.S. counter-narcotics assistance although it receives significantly less assistance than larger programs in Afghanistan and Colombia. The resources and training provided by the United States – and particularly the decision by the Colombian government to accept counter-drug assistance for the police and not for the army between 1996 and 1999 – reinforced Colombian police reform efforts in a way that did not happen in Mexico. Meanwhile, current U.S. counter-narcotics policy towards Mexico focuses on the interdiction and eradication of drug shipments, primarily via border security screening efforts along the U.S.-Mexican border. Since 2002 border security has accounted for 35 percent of all Washington’s International Narcotics Control and Law Enforcement (INCLE) assistance to Mexico.<sup>211</sup> However, the primary recipients of training and equipment are mainly the Mexican Air Force and Navy. There continues to be a heavy emphasis on training both these services in areas of maritime interdiction and aerial spraying efforts. To a lesser degree, the United States also supports a variety of PGR counter drugs programs. However the PGR only sees a small fraction of this money, which goes towards its helicopter fleet for aerial crop eradication and interdiction efforts. An even smaller amount is provided for the training of federal law enforcement officials. This means hardly any if none of this assistance goes to state and municipal police departments. Unlike Colombia, the Mexican municipal and state police must rely completely on local government for departmental resources.

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<sup>211</sup> Cook, "Mexico's Drug Cartels", CRS Report for Congress, 17-19.

Figure 19 shows the amount the U.S. allocated for military and police assistance to Mexico over the last eleven or so years.

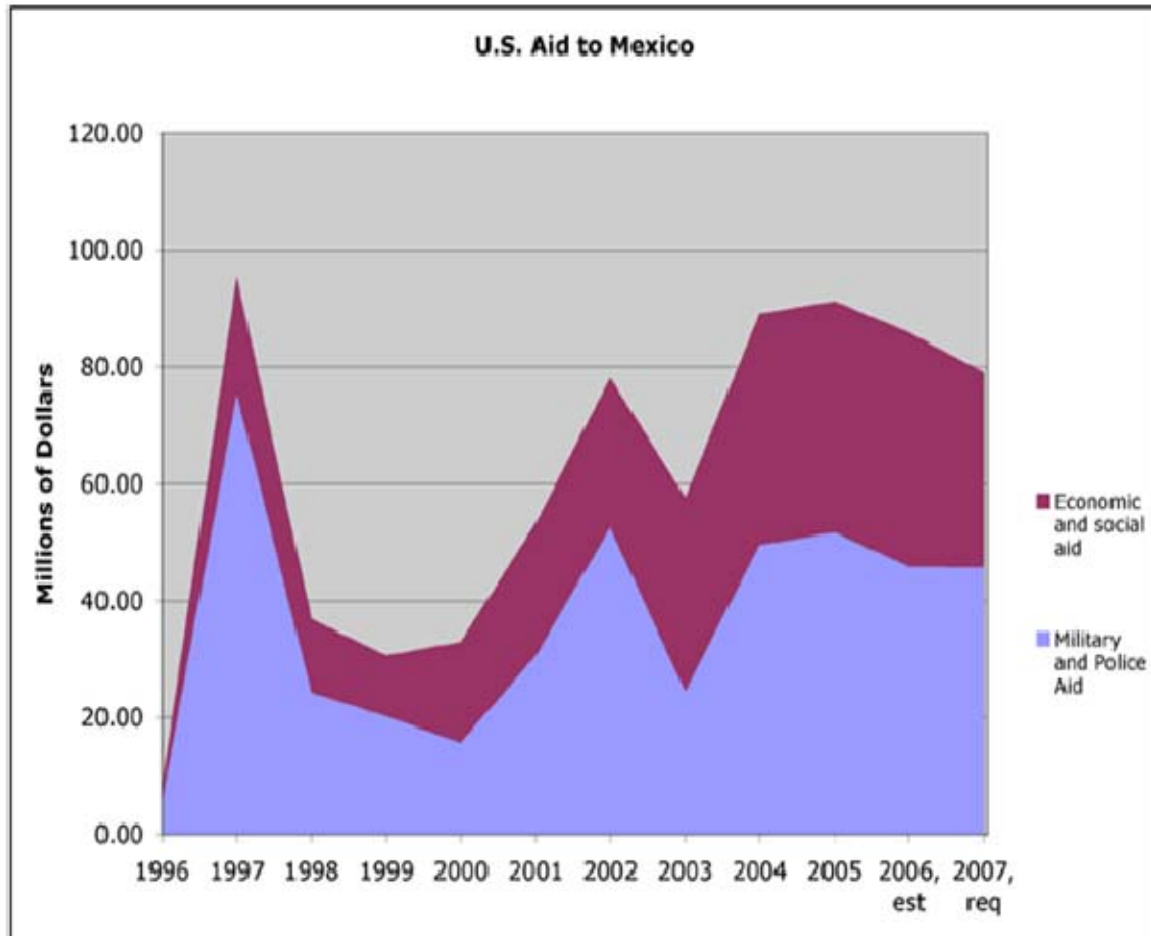


Figure 19. U.S Military and Police Aid to Mexico—all millions are in U.S dollars. (From WOLA, 2006).

Unlike Mexico, Colombia was willing to accept not just monetary aid from Washington, but also American military and law enforcement advisors. The CNP began receiving specialized training and equipment during the period when it was trying to bring down the Medellin and later the Cali Cartel. Furthermore, from 1989 to 1999, the CNP also received U.S. aid in the form of training, equipment and the expansion of its

counter-narcotic forces and air brigades.<sup>212</sup> It is also argued that U.S. assistance facilitated continuous improvement and the professionalization of the Colombian Police.<sup>213</sup>

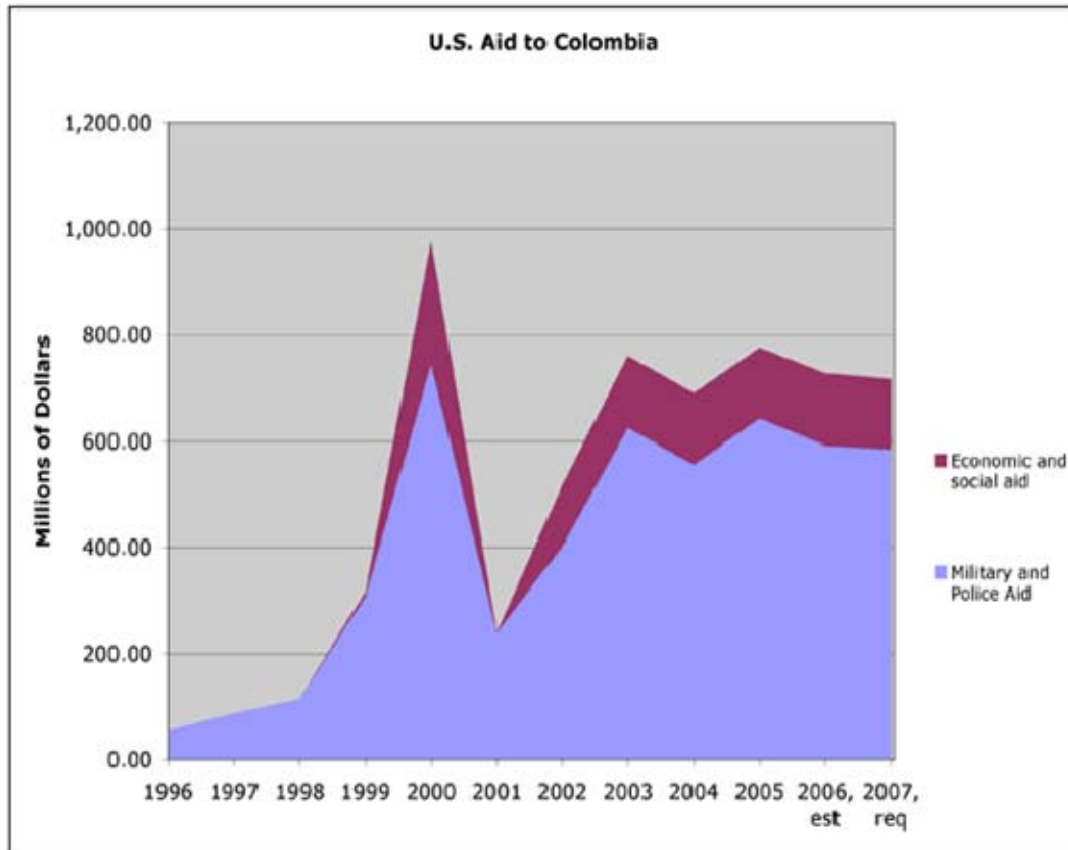


Figure 20. US Military and Police Aid to Colombia in millions (From WOLA, 2006)

In 1999, meanwhile, there was a shift in the direction of U.S. assistance from the police to the military in order to assist the army with its counter-insurgency operations. The Army, Navy and Air force now receive by far the largest portion of monetary assistance, but the CNP still receives a considerable amount of money earmarked for counter-drug operations.<sup>214</sup>

<sup>212</sup> Bruce M. Bagley, *Drug Trafficking, Political Violence and U.S. Policy in Colombia in the 1990s* (University of Miami: University of Miami Press, 2001).

<sup>213</sup> Gutierrez, e-mail Message to Author, April 28, 2008.

<sup>214</sup> Cook, *Colombia: Issues for Congress*, 25.

#### **D. COLOMBIA'S SUCCESS AND MEXICO'S FAILURE AT REFORMING THE POLICE**

Mexico has a long history of trying to reform the various levels of the police via military interjection into domestic security. Rather than solving the problem, successive governments have avoided organizational deficiencies that cannot be resolved by shuffling personnel, partial purges of corrupt officers, and creating new organizations or re-naming existing forces of a large and highly decentralized law enforcement system. As has been made clear the problem include inadequate salaries, a lack of departmental resources, substandard recruitment processes, little or no training before and after being hired as a police officers, and poor oversight.

Colombia by contrast attacked the organizational deficiencies directly in the mid-1990s focusing on the root causes of police corruption, which continue to cripple Mexican law enforcement: salaries, recruiting, training and oversight. Furthermore, US support for the CNP during this period led to tangible results in terms of professionalization and modernization. Furthermore, the transformation of police culture succeeded in Colombia because the importance of gradual change through education and training for the police and a more accessible form of citizen participation in matters of domestic security was seen as crucial.

#### **E. CENTRALIZED VERSUS DECENTRALIZED POLICE SYSTEMS**

While administrative changes helped reduced Colombian police corruption over time and also account for some of the differences in the levels of police corruption between Mexico and Colombia, they do not explain the endemic level of drug-related and every-day police corruption in Mexico. To understand this, it is necessary to examine the force structures of the police in the two countries. Police forces worldwide can be divided into three distinct models: decentralized, centralized and integrated. This thesis generally, and the remainder of this chapter more specifically, covers the first two models. Mexico is a classic example of the decentralized model, while Colombia is exemplary of the centralized model. Neither country has an integrated system of law enforcement. A decentralized system of policing is easily recognized by its numerous

autonomous agencies, while a centralized system of policing is effectively one organization, under the direct control of the national government.<sup>215</sup>

Mexico exemplifies the decentralized model better than most countries and stands out because of its confusing and inefficient organization and ineffective use of personnel.<sup>216</sup> Mexico consists of a large federation of 31 states and a Federal District and maintains a very complex and decentralized police force.<sup>217</sup> Structural and jurisdictional functions are also a useful way in terms of understanding how the police operate. First the legal structure is like that of other large federations in the region, (such as Brazil and Argentina) allows for a high degree of autonomy between the federal, state and municipal level of policing. Second, the forces are divided into either investigative (or judicial) police and patrol (order) police departments.<sup>218</sup> There is no particular dominant police force in Mexico. The current organizational hierarchy is extremely complex and organizational changes are made frequently by governmental officials attempting to reform the system. The actual size of Mexico's police forces is about 400,000 officers, while there are about 3000 different departments at the municipal, state and federal levels. This means that there is about one police officer for every 295 citizens based of an overall Mexican population of 104,000,000.<sup>219</sup> Mexico demonstrates that the sheer number of police officers has no relationship to effective policing and crime prevention.

The fact that Mexico has no definitive over-arching police agency, coupled with jurisdictional issues places huge limitations on the policing system as a whole.<sup>220</sup> The federal level has several major law enforcement organizations, with national jurisdiction (*fuero federal*—federal jurisdiction) for serious offenses such as drug trafficking and other forms of organized crime. In 2007 there were approximately 8,000 AFI agents<sup>221</sup>

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215 Hunter, Three Models of Policing, 118.

216 Reames, A Profile of Police Forces in Mexico, 118-128.

217 Hunter, Three Models of Policing, 120, George T. Kurian, "Mexico," World Encyclopedia of Police Forces and Correctional Systems, Second Edition 2 (2006), 643-644.

218 Reames, A Profile of Police Forces in Mexico, 117.

219 Kurian, Mexico, 643, 645.

220 Reames, A Profile of Police Forces in Mexico, 119.

221 STRATFOR, The Mexican Drug Cartels: The Evolution of Violence



and 20,000 PFP officers (see Figure 21).<sup>222</sup> The figure below illustrates the complexities of the decentralized policing system in Mexico. The next four figures were constructed based on information provided by Reames and with the assistance of an anonymous Mexican government official.

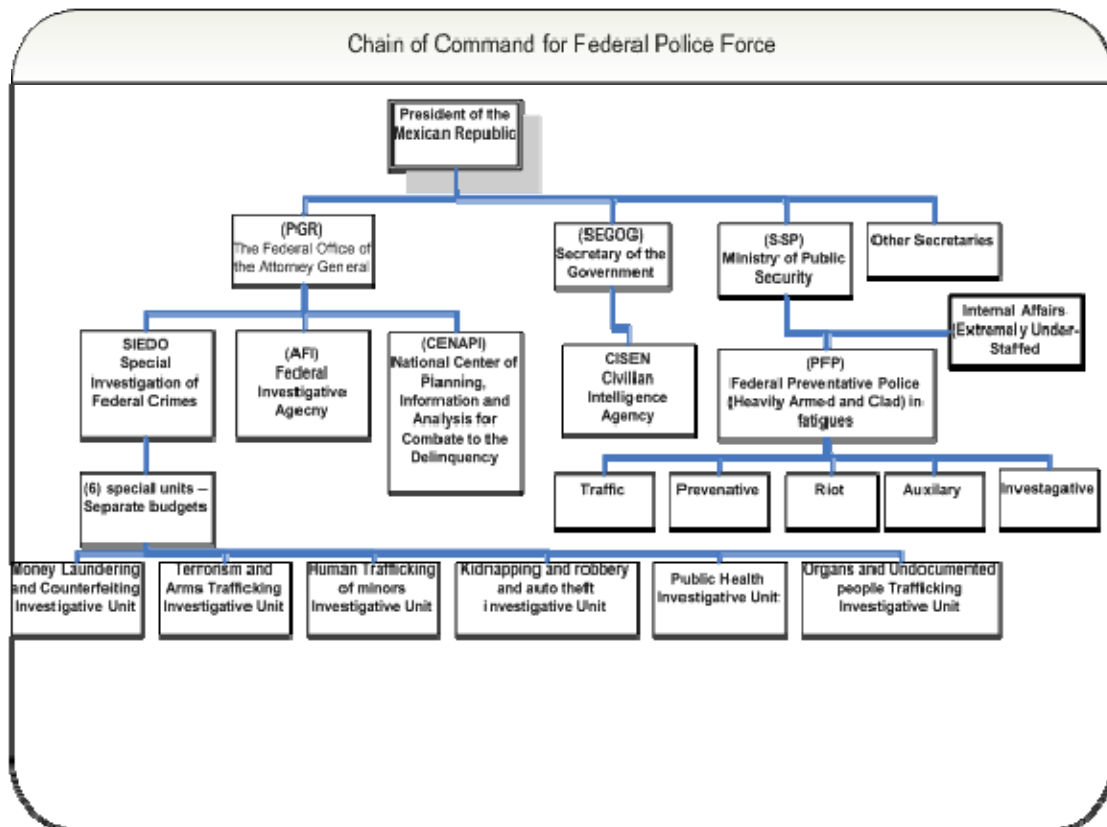


Figure 21. Federal police and current chain of command. (From Reames and Anonymous Mexican Government Official, 2007).

<sup>222</sup> Reames, A Profile of Police Forces in Mexico, 119.

The Federal District, centered on Mexico City, meanwhile, is unique because it is responsible for maintaining its own autonomous force of preventive and judicial police: the judicial police (PJDF). The PJDF consists of approximately 3,500 agents and falls under the jurisdiction of the Attorney General of the Federal district (PGJDF), which is similar to a U.S. State Attorney (see Figure 22). In addition to its own Judicial Police force, the preventive police force in the Federal District (*Distrito Federal*—DF) is much larger than any other metropolitan area of responsibility. Greater Mexico City is home to 25 to 30 million people, and is listed as the ninth largest city in the world. The police, PFP in the Federal District are divided geographically and distributed into precincts (*delegaciones*). Best estimate puts the PFP (DF) at approximately 34,000 officers. However, there are also about 40,000 auxiliary police and 15,000 bank police.<sup>223</sup>

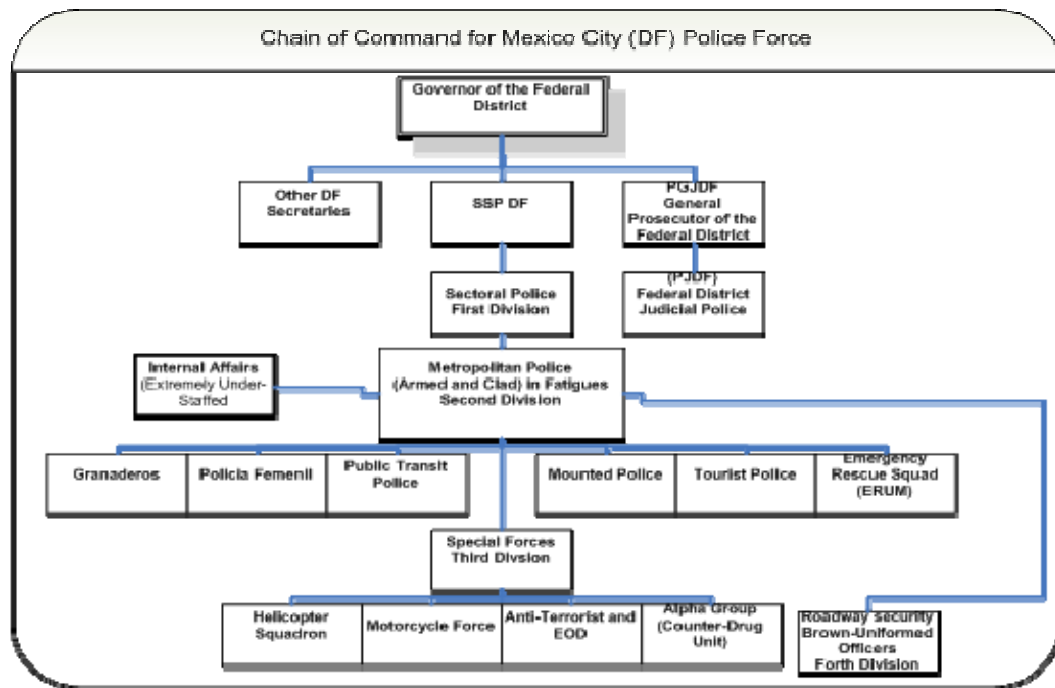


Figure 22. Mexico City (DF) Federal police and current chain of command. (From Reames and Anonymous Mexican Government Official, 2007).

223 Reames, A Profile of Police Forces in Mexico, 119-124.

The state level of law enforcement is similar to the Federal District. The state preventive police number about 90,000 members throughout Mexico. The state level police are charged with enforcing what is referred to as (*fuero común*) which is best translated as local law. The state preventative police fall under the direct authority of the (SSP) at the state level. Within the state, there is another body of judicial police that has investigative authority but only at the state level and fall under the direction of the State Office of the Attorney General (see Figure 23).<sup>224</sup>

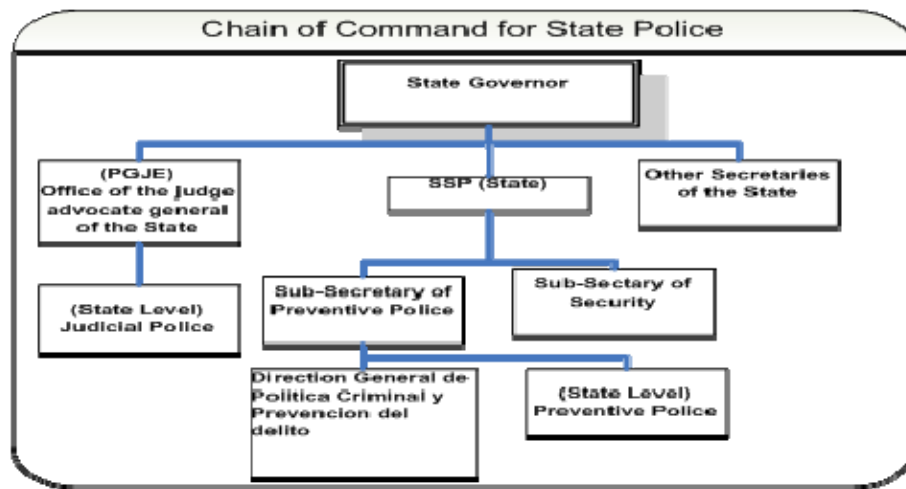


Figure 23. State Police and current chain of command. (From Reames and Anonymous Mexican Government Official, 2007).

Finally, municipal law enforcement represents the largest number of police officers, and is completely preventative in nature (see Figure 24). The municipal government can be compared to a county government in the United States. Mexico is comprised of 2,400 municipalities. There are significant differences across the country in terms of manpower, with 335 municipalities (12 percent of the total) having no police presence at all. Roughly 2000 of them have fewer than 100 officers and a very basic organizational structure. However in larger municipalities, police departments are much more organizationally complex. Eighty-seven of the largest municipalities account for 68 percent of all municipal level police officers in the country as a whole. This Byzantine

<sup>224</sup> Reames, A Profile of Police Forces in Mexico, 123.

system of law enforcement makes clear that the system itself contributes to, rather than prevents, high levels of drug-related police corruption.

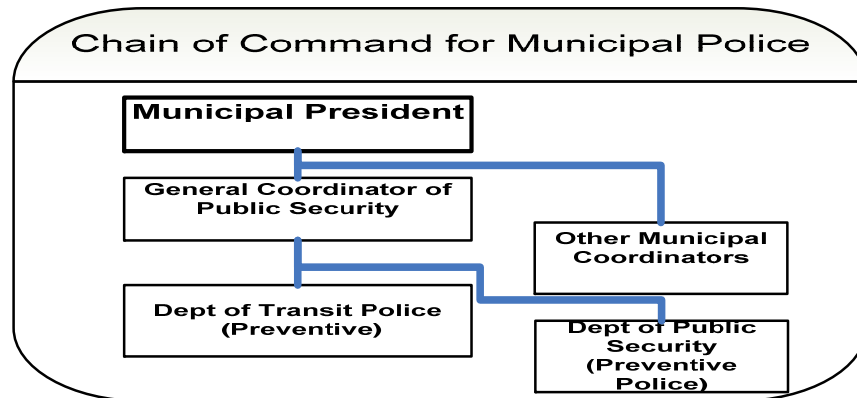


Figure 24. Municipal Police and current chain of command. (From Reames and Anonymous Mexican Government Official, 2007).

On the other hand, the CNP exemplifies the centralized form of policing, with one chain of command and strong vertical administrative linkages and lines of communication throughout the overall organization. The CNP is essentially a military corp. tightly bound to the Ministry of Defense. The Colombian National Police have grown in a sustained manner in the 1960s and today is comprised of approximately 170,000 officers.<sup>225</sup> The CNP's hierarchical structure is very similar to the Colombian Armed Forces. The CNP has three career paths. First: high ranking officers ranging from lieutenants to generals; second: sub-officials (mid-grade officers, including sergeants and corporals); third rank and file officers or patrolmen who are equivalent to army privates.<sup>226</sup> Within this pyramidal structure, 4 percent are high-ranking officers, 20 percent are mid-grade and senior enlisted officers and the remaining 76 percent are rank and file officers. Unlike a decentralized system of policing a centralized system does not suffer from jurisdictional problems, which is a key weakness in Mexico. However, as already mentioned the CNP is divided into urban and rural forces. Each group receives

<sup>225</sup> Llorente, *Demilitarization in a War Zone*, 115.

<sup>226</sup> *Ibid.*, 115.

separate and specialized training in order to function properly in distinct security contexts. The CNP rural force is charged with ensuring law and order in rural municipalities and is also secondary to the army in regards to Colombia's struggle with leftist guerillas.<sup>227</sup> In the cities, where the majority of the police force is based, 80 percent are uniformed officers performing various tasks ranging from patrolling, responding to calls from the public and enforcing national, departmental and municipal statutes. They are also engaged in guarding highways and power infrastructures such as power plants and oil pipelines. The CNP are also responsible for personnel protection details for senior Colombian government officials.<sup>228</sup>

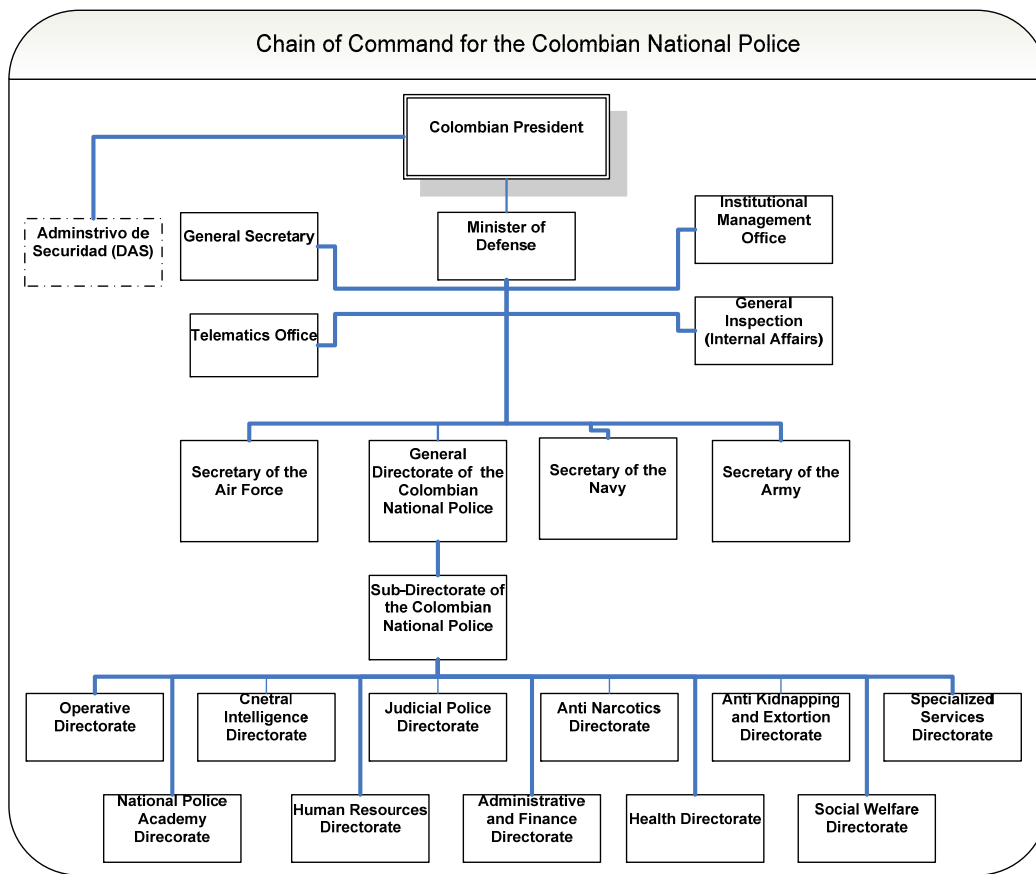


Figure 25. Colombian National Police and current chain of command. (From Policía Nacional De Colombia Official Government Website).

227 Llorente, *Demilitarization in a War Zone*, 113.

228 *Ibid.*, 116.

As already mentioned, the Colombian National Police has measures embedded within its system to ensure civilian control over its police force. The existence of a centralized police force with obvious military characteristics, is no more a threat to democracy in Colombia today than a decentralized or integrated policing system is in those countries where the latter or the former is in use. The Colombian model is widely viewed as having produced an effective police force. It too has the potential for corruption but not to the same extent or in the same form as a decentralized system of policing. Typically, with a centralized system, when corruption occurs, it occurs at the more senior levels of the chain of command instead of the mid and lower levels of the system.<sup>229</sup>

#### **F. CARTEL SIZE AND IDEOLOGY**

During the 1980s through the mid-1990s, the Medellin cartel's "ideology" was articulated by men whose formative years were profoundly shaped by life on the streets of Medellin. As one author has observed they were survivors, "habituated to violence who, at times, resembled more closely a pack of mad dogs than leaders of a multi-billion dollar-cocaine enterprise."<sup>230</sup> Pablo Escobar's frontal attack on the state in general and the CNP in particular goes is central to understanding why drug-related police corruption remained relatively low throughout Colombia, with the exception of corruption of the CNP command in Medellin, when Escobar was at the apex of his power.

Unlike the Medellin Cartel, the Cali cartel was, from the outset low key and business like criminal enterprise that depended on corruption and avoided violence if possible. The latter form of ideology and command structure is exhibited by the four main Mexican cartels (Tijuana, Gulfo, Juarez and Sinaloa—also referred to as the Mexican Federation).<sup>231</sup> As already discussed in Chapter II, this greatly explains why drug-related police corruption in Mexico is multi-directional, focused mainly at

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<sup>229</sup> Hunter, *Three Models of Policing*, 123.

<sup>230</sup> Robert J Bunker and John P. Sullivan, "Cartel Evolution: Potentials and Consequences," *Transnational Organized Crime* 4, no. 2 (2001), 59-60.

<sup>231</sup> *Ibid.*, 62.

municipal, state and mid-level police officials. Today's Mexican cartels, just as the Cali Cartel before it, understands that Escobar-style "narco-terrorism" is an approach that can ultimately be defeated, primarily because it pushes the state to ratchet up its commitment to bringing down the cartel or cartel concerned. In the case of the demise of the Medellin Cartel for example, it sowed the seeds of its own destruction. It went to war with the Colombian state, putting the CNP on a war-like footing, without the former having the benefits that allow rural based insurgencies to survive via retreat and maneuver. For completely different reasons, Escobar made the same mistake that the ultra-Peronist urban guerillas in Argentina made in the 1970s. They launched frontal assaults on police stations and military barracks creating a situation where they had no real lines of retreat and ensuring that the Argentine state would respond via a steady escalation of violence, including the attendant plethora of human rights abuses.<sup>232</sup> An anonymous Mexican special forces officer told the author that as of the present time:

The greater majority of violence continues to be cartel on cartel despite the cartels's recent attempts to deter federal security forces by assassinating several high level PFP officers. Mexican cartels typically only confront security forces using violence when the security forces have initiated the confrontation and the cartel concerned has no other option but to respond with bloodshed.<sup>233</sup>

The main difference between the Mexican cartels and the Cali Cartel was the latter's focus on corrupting important people and organizations in Colombian society in general. For the most part the CNP was not their main focus. This was due to both the particulars of their 'business plan' and increasingly because of the fact that the Medellin Cartel had generated such hatred amongst the ranks of the CNP. The only major connection the Cali Cartel had with the police was the former's provision of indirect assistance to the CNP in the bringing down of the Medellin Cartel. In addition, in the medium term this approach simply cleared the way for the CNP to eliminate the Cali Cartel once they had dealt with Pablo Escobar and his organization. Mexican cartels no longer possess the top cover that

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<sup>232</sup> Maria J. Moyano, *Argentina's Lost Patrol: Armed Struggle, 1969-1979* (Yale University Press-New Haven and London) 1995.

<sup>233</sup> Personal Interview with an anonymous Mexican government official.

they once enjoyed under PRI. But they have learned that they can continue to operate with the same degree of success and in fact their operations continue to grow and they continue to become stronger by corrupting large numbers of police officers at the municipal, state level and the mid-level of federal law enforcement. The Mexican attorney general estimates that each drug of the four drug cartels makes a net profit of at least USD\$ 10 billion annually. The stakes are high, and the discretionary funds available are substantial. This ensures that the Mexican drug cartels are one of the major facilitators of corruption in every branch of Mexican law enforcement.<sup>234</sup>

Because there are only four cartels that dominate Mexico nation-wide, profits for each of these cartels are extremely large in comparison to three hundred or more *cartelitos* operating in Colombia today. In the case of Mexico, where one cartel controls all aspects of the drug trade within their region, each Colombian *cartelito* usually manages one stage of the overall process. In Colombia, each cartel specializes in either agrochemicals, cultivation of the coca leaf, chemical inputs, sale of coca base, laboratory operations, procurement of chemical precursors, the sale, or export of cocaine and the operation of clandestine airplane runways.<sup>235</sup> The *cartelitos* make substantial, but far from excessive profits and have neither the resources nor the need to engage in a great deal of corruption in relation to the government and the police, or the military. Furthermore, the Medellin and Cali Cartels were large, urban-based organizations that focused on the production and export of cocaine. They purchased large amounts of coca leaf from growers in Peru and Bolivia. However, today 80 percent of cocaine being produced within Colombia's borders uses coca leaf grown in the country. This has meant that the small drug cartels have shifted the center of their operations increasingly to rural areas, making them more elusive and harder to apprehend. They are more inclined to simply hide from the police rather than try and corrupt them, whereas the Mexican Cartels main emphasis is on the transportation of drugs to market north of the border. To this end the latter have spent decades corrupting the police and relevant officials, while

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234 Robert Donnelly, et al., Trans-Border Institute: Fact Sheet on Narco-Trafficking and Violence in Mexico (San Diego, CA: University of San Diego-Trans-Border Institute, February 19, 2008). [www.sandiego.edu/tbi](http://www.sandiego.edu/tbi). (accessed February 25, 2008).

235 For more information see Francisco, *Armed Conflict and Public Security in Colombia*, 96.



they are large hierarchical organizations centered in, and around the Mexican cities or states for which three of the four cartels are named: Tijuana, Juarez and Sinaloa.

Based on information provided within this chapter, it should be apparent that there are no easy answers. If nothing else this chapter has made clear that conventional explanations assist in understanding the drastic differences in police corruption. However, it is ultimately the country-specific histories, political economics and social dynamics that has meant that as of the present day drug-related police corruption in Colombia is extremely low. In Mexico meanwhile, drug-related police corruption is both deeply rooted and getting worse, while the approach to the problem by successive administrations at the national level for almost thirty years has been like a ship with a jammed rudder, cutting circles in the sea.

## **V. CONCLUSION AND RECOMMENDATIONS**

### **A. INTRODUCTION**

This thesis has argued that the level of police corruption (and more specifically drug-related police corruption since the 1970s) has always been much higher in Mexico than in Colombia. Using a comparative analysis it has shown that the Colombian authorities are doing a much better job of controlling police corruption, despite the fact that the cultivation, production and the initial stage of transportation of 80 percent of the world's supply of cocaine occurs in Colombia. Meanwhile, the greatest challenge facing the Mexican government today and for the foreseeable future is pervasive day-to-day and drug-related police corruption. By understanding the Colombian National Police's successes and the Mexican police's failures perhaps Mexican policy makers can learn from the Colombian model and address the numerous organizational and structural deficiencies that foster all forms of police corruption. Conventional wisdom holds that wherever there is drug trafficking there is police corruption and little can be done to combat it, however, the Colombian National Police fly in the face of such thinking. As illustrated in chapters two and three, the problem of drug-related police corruption in Mexico is deeply rooted, whereas in Colombia drug-related corruption remains confined to individual or small groups of police officers.

### **B. COMPARING CORRUPTION IN MEXICO AND COLOMBIA**

Chapter II illustrated that corruption in all its forms has flourished in Mexico throughout its history. For centuries, elaborate systems of patronage dominated every aspect of political, social and economic life in Mexico. In the twentieth century, the *Partido Revolucionario Institucional* (PRI), via the military and police, successfully managed and taxed drug-traffickers and organized crime. Under this system, top government officials provided criminals with impunity and protection for the right to operate within a given territory. The 2000 elections in Mexico ended seventy-one years of political hegemony by the PRI. This led to the eventual breakdown of the central

control system over drug traffickers. The PRI was no longer able to provide the type of protection and immunity it once did, thus the drug-traffickers began to seek out new types of ad hoc coalitions primarily with municipal and state police officials, or with relatively isolated federal police officials. Furthermore, as emphasized in Chapter II, this did not and does not mean less drug-related corruption, but simply a greater degree of unpredictability in the relationships between organized crime and law enforcement officials. The collapse of the corrupt national PRI system of interaction between the Mexican cartels and the state, preceded a few years earlier by the fall of the Medellin and Cali Cartels in Colombia, set the scene for the ascendancy of the Mexican cartels in their contemporary and particularly powerful form. The Mexican cartels are increasingly become quasi-states that focus on the wholesale corruption of sub-state and municipal levels of police and government.

Chapter III argued that the number of police officers on the payroll of the cartels in Colombia never reached the same level as in Mexico. However, based on available literature, it does appear that the Medellin Cartel was successful in corrupting relatively large numbers of police officers who lived and operated in and around the city of Medellin between the early 1980s up to Pablo Escobar's death in December 1993. The number of CNP officers on the Medellin Cartel's payroll in this period is unknown. However, it can be assumed that because of Escobar's war against the state in which the CNP was one of the main institutions that he targeted the figure remained relatively low. In the case of the Colombian National Police, police corruption took the form of human rights violations against Colombian citizens, police participation with *Los Pepes*, a paramilitary group led by Fidel Castano and the Cali cartel, all with a unified objective of taking down the Medellin Cartel.

Unlike Mexico, Colombia has historically had a fairly strong, but narrow democratic system with alternating control over the executive branch of government. This meant that the Colombian government never had the same capacity to exploit drug-traffickers the way the one-party state in Mexico did. That is the Colombian government and Colombian politicians were never able to extract kickbacks from the drug traffickers

to the extent that Mexican officials were able to.<sup>236</sup> Meanwhile, as chapters two and three make clear Colombia and Mexico are at opposite ends of the spectrum in terms of fielding an effective anti-narcotics force with the ability to prevent drug-related police corruption. Chapter IV laid out all the current strengths and weaknesses, and the domestic and international support that each police force receives, clarifying the organizational problems that pertain to the Mexican model. This thesis does not attempt to argue that the CNP is corruption free, but it can certainly be argued that levels of police corruption are relatively low, not only in comparison to Mexico, but to the rest of Latin America, with the exception of Chile. The organizational factors when linked to country specific factors provide a very clear explanation of drug-related police corruption in Colombia, and why it has never had the scale or scope that is the case in Mexico. This thesis also provided insights into the CNP's success in terms of relatively low levels of corruption when compared to the rest of Latin America. The table below sums up all organizational and country specific differences, which have shaped the Colombian and the Mexican police forces for better or for worse.

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<sup>236</sup> Perez, *El Estado En Crisis*, 150-156.

	Mexico	Colombia
<b>ADMINISTRATIVE FACTORS</b>		
<b>Recruiting /Selection</b>	Poor	Excellent
<b>Salaries (USD)</b>	Poor	Excellent
<b>Training</b>	Poor	Excellent
<b>System of Promotion</b>	Corrupt	Fair
<b>Internal control</b>	Poor	Fair
<b>Police Resources (Domestic)</b>	Poor	Excellent
<b>Police Resources (U.S. Allocated)</b>	= to most Latin American countries but considerably less than that provided to Colombia	# 1 recipient of U.S. military and police aid in Latin America since 1999
<b>ORGANIZATIONAL FACTORS</b>		
<b>Force Structure</b>	Decentralized	Centralized
<b>EXTERNAL FACTORS</b>		
<b>Legacy of Political-Criminal Nexus</b>	Created corrupt police subculture	No impact on police subculture
<b>Cartel Size and Ideology</b>	<ol style="list-style-type: none"> <li>1. Four large cartels controlling large regions.</li> <li>2. Huge monetary resources available for corruption purposes</li> <li>3. Corruption aimed at municipal state level and isolated mid-level federal officials.</li> <li>4. Avoids direct confrontations with military and federal police when possible.</li> </ol>	<ol style="list-style-type: none"> <li>1. (1980-1994) Medellin cartel: Narco-terrorism against the state and its law enforcement institutions. Cali Cartel (Huge monetary resources, preferred the bribe over violence. Corruption was mostly at the political and judicial levels of government.</li> <li>2. (1994 to Present) 300 plus <b>carelitos</b> operating independently of each other.</li> </ol> <ul style="list-style-type: none"> <li>*. Fewer resources available for mass corruption of law enforcement personnel</li> <li>*.Very elusive because of size, there less need to corrupt.</li> <li>* If confronted by the CNP more likely to fight due to the fact that smaller cartels don't have luxury of writing off drug ships as losses because they only control one small piece of the puzzle.</li> </ul>

Table 6. Summary of factors accounting for different levels of drug-related police corruption within the Mexican and Colombian Police Forces.

As the above table makes clear Colombia is doing extremely well in terms of correcting its organizational deficiencies and building a police force that is less likely to become involved in drug-related police corruption. Since the early 1980s, Mexico, meanwhile, has increasingly sought short-term solutions by deepening military involvement in its war on drugs, something that was further strengthened in 2007 by transferring Mexico's eradication program from the PGR to SEDENA (Defense Department). As long as the military is doing what the police should be doing, the much needed resources and training will continue to be diverted away from the police, perpetuating Mexico's domestic security problem.

On a positive note, however, the Calderon administration, which came into office in 2006, is making an attempt to professionalize domestic law enforcement through the creation of a national criminal database and the re-structuring of the federal level of law enforcement under one unified chain of command. However, Calderon's ability to carry out these changes will depend on his ability to muster political support. If successful, it will represent an important transformation for Mexico's police forces because it would ultimately strengthen police investigation capabilities, ensure more accountability and enhance coordination among the different agencies.<sup>237</sup> However, even if the government brings about this reform its success may be short lived, unless other much needed structural reforms such as increased salaries, stricter recruiting criteria and enhanced recruit training are not introduced. Mexico has a long road to travel in regards to reforming institutional deficiency at all three levels of policing.

At the same time, although there are lessons to be learned from the Colombian experience a dramatic turnaround in the organization and operation of Mexico's police forces will be far more difficult because of the country specific factors outlined in this thesis. It is possible to go so far as to argue that reduction of corruption in the police in Colombia was the result of a unique conjuncture. First, the early to mid-1990s saw the collapse of the Medellin and Cali cartels and the rise of the *cartelitos*. Perversely, the CNP has Pablo Escobar to thank for its dramatic transformation, insofar as his ratcheting

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<sup>237</sup> Meyer, Youngers and Taylor, At A Crossroads: Drug trafficking, Violence and the Mexican State, 8-12 .

up the level of violence against the CNP served to galvanize both the CNP specifically and the government more generally and eliminate Escobar and his organization and the Cali Cartel shortly thereafter. The *cartelitos* that emerged in the wake of the passing of the Medellin and Cali Cartels were far more numerous and more diffuse and less capable of, and less interested in, corrupting the police. Meanwhile, this period saw the emergence to a position of leadership of General Serrano who helped foster Colombian reform and facilitated a certain degree of bonding between the police and a growing number of Colombian citizens. At the same time, by the end of the 1990s a strong Colombian–U.S. alliance had developed, in which the CNP was the main partner in the war on drugs in Colombia. All these changes have dramatically strengthened the institutional capacity of the CNP right down to the present.

Unfortunately for those observers looking for a repetition of this scenario in Mexico today, they need to realize that the transformation of the CNP, beginning in the early 1990s, is best viewed metaphorically as an astrological event in which all the stars were in alignment. At the present time, there is nothing to suggest that the stars are moving into a position of alignment in Mexico as far as the government is concerned. If anything, there is the danger that the current crisis in Mexico as of mid-2008 is more likely to represent an opportunity for one or more of the four major cartels. If there is going to be another alignment of the stars, the beneficiaries may not necessarily be the Mexican government or the Mexican people. The pressure being put on the cartels at the moment is more likely to lead to various realignments and/or even mergers or takeovers. There is a lot at stake, and the cartels remain in a strong position to protect their interests; one way of doing so would be to strengthen the connections between them. The current crisis in Mexico is more likely to lead to stronger and few cartels, rather than their demise and replacement by a large number of small operations as happened in Colombia. The latter was the context in which drug-related police corruption was sharply curtailed in Colombia. However, to mix metaphors, this exercise in comparing Colombia and Mexico has drawn attention to the fact that it will require a magician, rather than a politician, to turn the Mexican *manzana* (apple) into a Colombian *naranja* (orange). While the latter is freshly washed and ready to eat, the former is rotten to the core.

### C. RECOMMENDATIONS FOR BOTH POLICING SYSTEMS

Any attempt to deal with the problem at hand needs to start from the assumption that it would be unwise to dismantle the entire police force and try to re-build a new force. If anything, this would only worsen the problem because you would lose too many experienced officers. However, at this point, Mexico should consider bringing all three levels of policing under the central control of the government, though under the Ministry of Interior rather than the Ministry of Defense as in Colombia. Fifty years ago, disorderly departmental and municipal police were placed under the supervision and control of the Colombian National Police and no longer depended on municipal and state governments to provide salaries, training, resources and leadership.<sup>238</sup> As the experiences of many European countries show (not to mention Canada), a centralized law enforcement system does not necessarily hinder democracy, nor lead to human rights violations. Centralization – in conjunction with the necessary administrative reforms – would help address the majority of drug-related corruption. As the anonymous source interviewed by Carlos Perez stated “every narco wants to own his own state and local government.”<sup>239</sup> Colombia is not a model as such, and the right set of circumstances could threaten what is currently a successful and centralized policing system. Nevertheless, a move towards a more centralized police force in Mexico would at least represent the first step towards weakening the power of the Mexican cartels and force the government to begin to deal with the downward spiral of what is a profoundly dysfunctional policing system.

While this thesis has argued that the CNP is moving in the right direction and can even provide a model for Mexico, it is not the intention to hold the CNP up as a model devoid of problems. One possible negative implication for Colombia in the future is that President Uribe’s *Mano Dura* initiative increased the overall size of the force from 110,000 to approximately 170,000 police officers. In order to meet this goal, the police academy had to reduce training time from one year to six months for professional track

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238 Llorente, telephonic interview with Author of Demilitarization in a War Zone, May 6, 2008.

239 Perez, *El Estado En Crisis*, 134.



rank and file officers. An increase in the number of police officers may well be a good idea, but it would be a serious mistake for the CNP to reduce the quantity and quality of training in order to meet a higher demand for police officers. Mexico is a glaring example of a country where a high ratio of police officers to citizens does not translate into a high level of public safety and security and low levels of corruption, quite the opposite. Nor should the Colombian government elect to bring in more auxiliary non-professional police officers. As indicated by criminologists and as clearly evident in the case of Mexico, there is a direct correlation between low levels of education and the propensity to commit criminal acts. As noted earlier this pattern does not disappear simply because an individual decides become a police officer. Therefore, the CNP must always maintain a much higher ratio of professional track, high school-educated, career oriented police officers in comparison to those auxiliary non-professionals who are simply completing their mandatory military obligation by serving in the National Police.

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