



# **Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.-Mexican Context**

**Luis Astorga**

**David A. Shirk**

Working Paper Series on U.S.-Mexico Security Cooperation

May 2010

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## **Brief Project Description**

This Working Paper is the product of a joint project on U.S.-Mexico Security Cooperation coordinated by the Mexico Institute at the Woodrow Wilson Center and the Trans-Border Institute at the University of San Diego. As part of the project, several leading experts have been invited to prepare research papers that provide background on organized crime in Mexico, the United States, and Central America, and analyze specific challenges for cooperation between the United States and Mexico, including efforts to address the consumption of narcotics, money laundering, arms trafficking, intelligence sharing, police strengthening, judicial reform, and the protection of journalists. This working paper is being released in a preliminary form to inform the public about key issues in the public and policy debate about the best way to confront drug trafficking and organized crime. Together the working paper series will form the basis of a forthcoming edited volume. All papers, along with other background information and analysis, can be accessed online at the web pages of the [Mexico Institute](#) or the [Trans-Border Institute](#) and are copyrighted to the author.

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## Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.-Mexican Context

Luis Astorga and David A. Shirk<sup>1</sup>

### Overview

The proliferation and impunity of organized crime groups involved in drug trafficking in recent years is one of the most pressing public concerns in Mexico and the U.S.-Mexico borderlands. These groups have perpetrated increasingly brazen, spectacular acts of violence that have resulted in thousands of deaths. From 2001 to 2009, there were more than 20,000 killings attributed to drug trafficking organizations (or DTOs), with the extreme levels of violence in 2008 and 2009 contributing to more than half of these.<sup>2</sup> While the vast majority of this violence reflects internecine conflicts between organized crime groups, at least 1,100 police officers and soldiers died in the line of fire from 2006 to 2009.<sup>3</sup> Moreover, while the vast majority of this violence remains concentrated within Mexico, particularly the central Pacific coast and northern Mexico, it has raised very serious concerns among U.S. observers about possible “spillover” into U.S. communities along the border.

In response to these trends, Mexico and the United States have taken significant measures to try to address the phenomenon of transnational organized crime. Mexico has relied heavily on the armed forces to combat drug trafficking organizations, particularly during the Calderón administration, which from its outset deployed tens of thousands of troops throughout the country. In terms of efforts to reduce the violence, the militarization of domestic public security in Mexico has brought mixed results, at best. At worst, it has produced a dramatic increase in human rights violations, contributed to corruption and defection among Mexican military personnel, and unnecessarily escalated the level of conflict and violence. Still, given the dysfunctions of civilian law enforcement agencies, Mexican officials appear to be at a loss for any effective alternative strategy.

For its part, the United States has sought to assist Mexico by channeling aid, in the form of training and equipment, through the Mérida Initiative. The Mérida Initiative will provide Mexico with \$1.4 billion in U.S. equipment, training and other assistance from 2008 through 2010, on top of the more than \$4 billion Mexico already spends annually combating drug trafficking.<sup>4</sup> In parallel, the United States has also deployed additional manpower and money to its southwest border in an attempt to stave off a possible cross-border overflow of violence from Mexican

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<sup>1</sup> The authors thank their research assistants Ángela Bacca Mejía, Judith Dávila and Elisse Larouche, as well as their colleagues Tani Adams, Sigrid Arzt, John Bailey, Kathleen Frydl, Chappell Lawson, Andrew Selee, Rob Donnelly, for the helpful comments and conversations that improved this paper. The authors take sole responsibility for any errors and conclusions offered.

<sup>2</sup> The Trans-Border Institute (TBI) maintains a database of drug killings reported by *Reforma* newspaper at the *Justice in Mexico* project website ([www.justiceinmexico.org](http://www.justiceinmexico.org)). See also: Moloeznik (2009a)

<sup>3</sup> The Mexican attorney general’s office released official figures in August 2008 that identified DTO-related violence as the cause of deaths for more than 450 police officers from December 2006 and June 2008. From June 2008 to September 2009, TBI recorded more than 700 additional police deaths.

<sup>4</sup> Chabat (2002) indicates that Mexico spent about \$100 million in counter drug efforts in 1991, \$500 million in 1995, and \$1 billion by 1997. An inquiry to the Mexican Embassy found that the allocation designated explicitly for counter-drug spending in Mexico’s federal budget for the 2009 fiscal year was \$4.3 billion.

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organizations. Thus far, the major successes of these efforts include a steady stream of arrests and extraditions targeting organized crime, as well as record seizures of drugs, guns, and cash. However, progress on the metrics that really matter—reducing the availability, consumption, or psychotropic potency of drugs—has remained illusive for both countries.<sup>5</sup> Indeed, by some accounts, despite a nearly forty year effort to wage the “war on drugs,” drugs are more accessible, more widely utilized, and more potent than ever before.<sup>6</sup>

This paper explores two fundamental questions pertaining to Mexico’s ongoing public security crisis. First, why has Mexico experienced this sudden increase in violence among trafficking organizations? Second, what are the current efforts and prospective strategies available to counter Mexican drug trafficking networks? In the process, we explore the development of Mexico’s DTOs, with particular emphasis on the relatively stable equilibrium among such groups in the 1980s and the subsequent fracturing of that arrangement. We also identify and consider the merits of four conceivable scenarios for managing drug use—complicity with traffickers, confrontation of traffickers, prevention and treatment, or tolerating consumption—all of which have significant limits or undesirable effects.

### **The Evolution of Drug Trafficking in Mexico**

Mexican drug trafficking organizations have roots dating back to the early twentieth century, when laws in the United States and worldwide began to prohibit the production, distribution, and consumption of alcohol and psychotropic substances. At the time, Mexico was a low-level supplier of drugs, and Mexican smugglers mainly trafficked in homegrown marijuana and opiates grown in areas that today remain important production zones. Most notable is the “Golden Triangle” region where the northern states of Durango, Chihuahua, and Sinaloa meet, though south coastal states like Michoacán and Guerrero remain important areas for cultivation. Traffickers like the notorious Enrique Diarte moved illicit drugs through Mexicali and Tijuana in the 1940s, in leagues with U.S. organized crime figures like Max Cossman (alias Max Weber). Meanwhile, around the same time, Enrique Fernández Puerta became known as the Al Capone of Ciudad Juárez, Mexico’s largest border city, through his activities as a bootlegger, counterfeiter, and drug trafficker and helped lay the foundations for the production and transit of drugs into the United States.

Over time, Mexican DTOs grew and flourished thanks in part to the “balloon effect,” as changing market dynamics and enforcement efforts displaced and redirected drug flows. By the 1970s, the emergence of the U.S. counter-culture movement and the breaking of the “French connection” for heroin trafficking in the late-1960s produced a significant increase in demand for illicit drugs from Mexico. Meanwhile, greater U.S. consumption of cocaine in the 1970s and 1980s led to the rise of powerful Colombian DTOs, which moved the Andean-produced drug into Miami via the Gulf of Mexico and the Caribbean. As U.S. interdiction efforts in the Gulf

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<sup>5</sup> Despite claims by authorities that drug enforcement efforts have had a positive effect in reducing supply and thereby increasing prices, these claims have been cast in doubt by recent WOLA findings that the Bush administration withheld information to the contrary. Reuters (2007) Walsh (2009).

<sup>6</sup> Use of the “drug war” metaphor dates back to the Nixon administration, which made important administrative changes—notably the creation of the Drug Enforcement Administration—to reorganize agencies and prioritize counter-drug efforts. The Obama administration has steadfastly avoided use of the term “war on drugs.” Brooks (2009).

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gained ground, the Colombians increasingly relied on Mexican smuggling networks to access the United States. Later, with the disintegration of Colombia's major DTOs in the late 1980s and early 1990s, Mexican DTOs began to play a larger role in controlling smuggling routes into the United States. By 1991, Mexico reportedly accounted for an estimated 300-350 tons of cocaine and roughly a third of all heroin and marijuana imported into the United States.<sup>7</sup>

Drug trafficking came to fruition in Mexico with excellent timing. On the one hand, Mexico was experiencing intense processes of economic integration that opened new channels of commerce with the United States. On the other hand, as discussed below, during the 1950s through the 1980s, Mexico had in place a highly centralized power structure that was not only permissive, but protective of organized criminal activities. Thanks to these conditions, Mexican drug trafficking organizations went virtually unchallenged by the state, operated in relative harmony, and grew extremely powerful. Today, the picture looks substantially different, in large part because of Mexico's domestic political transformation over the last fifteen years. Major institutional changes in the Mexican coercive apparatus in the late 1980s, the rise of democratic pluralism, and the decentralization of power in the Mexican political system complicated the equation, and destabilized the equilibrium that had developed between state actors and organized crime. These shifts have produced a more complicated and inconsistent relationship between the Mexican state and the transnational organized criminal networks that once enjoyed *carte blanche* in Mexico, who are now embroiled in a fierce fight to protect their *plazas*, or zones of control, and sustain their share of the lucrative U.S. market, where cocaine prices dramatically exceed those found in Mexico.<sup>8</sup>

While there was significant competition among Mexican DTOs in the past, they did not operate on the same scale, directly challenge the state, or employ violence to as great an extent as we have seen recently. The 1980s were an important turning point, as the protection and involvement of key government actors and institutions became critical to the evolution of Mexican DTOs. Thanks to single party rule under the Institutional Revolutionary Party (PRI), Mexico's power structure was extremely centralized and hierarchical, which had important implications for the locus and effects of official corruption. With a complete lock on control of the Mexican state, the PRI held a monopoly on legitimate use of force, territorial control, and the power to grant impunity to organized crime.<sup>9</sup> Of course, while the PRI regime was not tolerant of criminal activity in general, such activities were more likely to be tolerated or even protected when they promised a substantial payoff to corrupt government officials. Moreover, since corruption frequently occurred at very high levels, this produced a substantial "trickle down" effect, creating a blanket of impunity that offered considerable protections to those organized crime groups that could afford it. Particularly significant was the Federal Security Directorate (Dirección Federal de Seguridad, DFS), which oversaw domestic security matters from 1947 to 1985. DFS was a primary instrument of social and political control for the central government, and enjoyed vast, relatively unchecked powers. During the 1980s, under President Miguel de la Madrid (1982-88), Mexican DTOs developed especially close ties to the DFS, then headed by

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<sup>7</sup> Gerth (1988), Miller (1991)

<sup>8</sup> The extent to which violence among Mexican DTOs is driven by domestic competition is highly debatable. Simply having a sizeable domestic market does not, in itself, invoke violence elsewhere, so it is not clear that this is the primary explanation for Mexico's recent woes.

<sup>9</sup> Astorga Almanza (1995), Astorga Almanza (2000), Astorga Almanza (2003), Astorga Almanza (2005).

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José Antonio Zorrilla Pérez. Complicity between the DFS and Mexican DTOs ensured that organized criminal activity was extensively protected and well regulated.<sup>10</sup>

As such, Mexico's integration into the extremely profitable cocaine market in the 1970s and 1980s enabled Mexican DTOs to achieve a level of prosperity, access, and protection beyond the wildest dreams of Colombian traffickers. As Colombian DTOs fractionalized and imploded in the late 1980s and early 1990s, Mexico emerged as the hub of drug trafficking into the U.S. market, with Mexican DTOs increasingly controlling both the forward and backward linkages. Moreover, thanks to the protection of the state, competition among Mexican DTOs was significantly limited, with territories and markets often clearly demarcated, leading some to refer to these organizations as "cartels," a term that we avoid here for several reasons.<sup>11</sup> This relative harmony was possible in large part because of the explicit and implicit arrangements with government officials that established "plazas" and rules of the game.

The most important network of Mexican traffickers to benefit from this arrangement originated from the Pacific coastal state of Sinaloa, characterized by rough and difficult to access terrain and an ample coastline. The pioneering efforts of earlier Sinaloa traffickers had made the state the cradle of illicit drug cultivation and smuggling in Mexico. One legendary trafficker in Sinaloa during the 1960s and 1970s, Pedro Avilès Perez, helped lead the way by smuggling marijuana into the United States by air.<sup>12</sup> Such efforts laid the groundwork for later Sinaloan traffickers, perhaps most notably Miguel Angel Félix Gallardo, one of the first to develop ties with Colombian suppliers.<sup>13</sup> Félix Gallardo was a former police officer, who—thanks to close ties to political figures at the state and national level—developed an extensive trafficking empire and became one of Mexico's wealthiest drug barons. The network that Félix Gallardo cultivated—often called the Guadalajara DTO— included many of Mexico's most notorious contemporary drug traffickers, most of them also heralding from Sinaloa: members of the Arellano Felix family, Rafael Caro Quintero, Amado Carrillo Fuentes, Juan José "El Azul" Esparragoza, Ernesto Fonseca, Eduardo Gonzalez Quirarte, Joaquín Guzmán Loera, Héctor "El Güero" Palma, Manuel Salcido, and Ismael Zambada, among others.

This network constituted a vast, well-protected coalition that operated with substantial impunity, saw relatively little infighting, and attained incredible wealth. However, the relatively stable equilibrium among this coalition came to an end soon after the February 1985 kidnapping, torture and murder of DEA agent Enrique "Kiko" Camarena and his pilot, Alfredo Zavala

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<sup>10</sup> Astorga Almanza (2005).

<sup>11</sup> In modern commercial usage, the term "cartel" draws from the German word (*kartell*), which has earlier uses derived from Latin, French, and Italian. In the conventional sense, a cartel refers to formal agreements among business associations, or firms, to control production, fix prices, limit competition, and/or segment markets (by product, clientele, or territory). The term "drug cartel" is frequently used to describe organized crime syndicates involved in the production, distribution, and sale of psychotropic substances. However, this usage is controversial because of the common understanding of cartels as price-fixing arrangements; hence, in this paper we give preference to the term "drug-trafficking organizations." Ayto (1990), Levenstein (2008), *The Oxford English Dictionary* (1978).

<sup>12</sup> It should be noted that, while Avilès operated as one of the early pioneers of drug trafficking in Sinaloa, his death certificate indicates that he originated from the town of Las Ciénegas de los Silva in the state of Durango. Astorga Almanza (1995), Boudreaux (2005).

<sup>13</sup> At the height of his empire, Félix Gallardo was reportedly worth \$1 billion and owned 25 homes and seven ranches. Lieberman (1990).

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Avelar, in Mexico City. Camarena was instrumental in a major bust in November 1984, in which several thousand tons of marijuana were seized at “El Búfalo,” Rafael Caro Quintero’s 220 acre ranch in Chihuahua, which was manned by thousands of employees. Drawing on in-depth interviews, Flores (2009) recalls claims by alleged witnesses that top-level defense and interior ministry personnel were involved in the decision to torture and kill Camarena and Zavala. Flores also notes that the major traffickers who were ultimately prosecuted for the Camarena-Zavala killings —Félix Gallardo, Caro Quintero, and Fonseca Carrillo— each reportedly held false DFS credentials that they received directly from the agency’s head, Zorrilla Pérez. Accusations against high-ranking officials were never proved, but strong suspicions led to intense U.S. pressure on Mexico and the ultimate dismantling of the DFS.<sup>14</sup> Although other federal law enforcement organizations, notably the Federal Judicial Police, also became thoroughly corrupted in subsequent years, the hierarchy and controls that once protected and facilitated coordination among Mexican DTOs were significantly compromised and a once grand coalition began to fracture.<sup>15</sup>

Héctor Luis “El Guero” Palma Salazar was the first prominent defector. In 1988, Palma branched out to form his own organization, betraying Félix Gallardo, whom he once served as a bodyguard.<sup>16</sup> Palma’s defection drew a harsh response from Félix Gallardo—who never forgave his protégé—and marked the first break from the relatively disciplined, hierarchical model that had come to define organized crime in Mexico. In April 1989, months after Palma’s defection, Félix Gallardo was arrested and incarcerated in response to pressures resulting from the Camarena murder.<sup>17</sup> Félix Gallardo continued to have some influence from behind bars, yet his arrest signaled the end of a once cohesive network of traffickers, and a new era of competition and violence among Mexican DTOs.<sup>18</sup> From behind bars, Félix Gallardo exacted his revenge on Palma, arranging the murder of his wife and two children and reportedly sending Palma the woman’s decapitated head.<sup>19</sup> Thus, began a blood feud that went to unprecedented extremes of violence, and a new era of competition and conflict among Mexican drug trafficking organizations.<sup>20</sup> Following Félix Gallardo’s arrest, Palma and other Sinaloan traffickers battled

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<sup>14</sup> The Camarena murder was the subject of intense U.S. scrutiny. According to Mabry, in February and March of 1985, the case accounted for sixteen out of twenty-four articles in the New York Times, and a significant portion of Mexican television coverage. Mabry (1989) p. 148.

<sup>15</sup> In 1985, the DFS was integrated into the Dirección de Investigación y Seguridad Nacional (DISEN), which subsequently became the Centro de Investigación y Seguridad Nacional (CISEN) in 1989.

<sup>16</sup> Veledíaz (2007)

<sup>17</sup> According to L.A. Times reporter Marjorie Miller, at the time of his arrest, “authorities said he was trafficking four tons of cocaine per month to the United States, primarily to the West Coast.” A later article by Richard Boudreaux indicates that U.S. authorities estimated that Felix Gallardo moved 24 tons of cocaine to the United States each month. Boudreaux (2005), Miller (1991)

<sup>18</sup> Félix Gallardo allegedly continued to operate his trafficking networks from the confines of his prison cell, with the assistance of his brother Jose Luis and Clemete Soto Pena.

<sup>19</sup> Félix Gallardo ordered the infiltration of the Sinaloa DTO, and eventually the murder of Palma’s wife Guadalupe Laija Serrano Serrano—along with Palma’s children, Natali (aged 4) and Hector (aged 5)— by Rafael Clavel Moreno in 1989. Clavel Moreno, a Venezuelan nicknamed “El Bueno Mozo,” reportedly dated Palma’s sister Minerva to gain the druglord’s confidence. However, within months, Clavel Moreno seduced Serrano, who escaped with him to Los Angeles and later Caracas. There Clavel Moreno killed all three and allegedly sent Serrano’s severed head to Palma.

<sup>20</sup> In retaliation for the murder of his wife and children, Palma ordered the November 1990 murder of Félix Gallardo’s godson, Rodolfo Sánchez Duarte, the son of Sinaloa governor Leopoldo Sánchez Celis. El Universal (2005), Veledíaz (2007)

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over the remnants of the Guadalajara organization. After Palma was himself arrested in 1995, Joaquín Guzman Loera (alias “Shorty,” or El Chapo), fellow-Juárez affiliate Ismael Zambada, and members of the Beltran Leyva family continued to manage these operations. Guzman had previously coordinated airplane logistics for Félix Gallardo, and under his leadership a powerful new organization—often described as the Sinaloa DTO—gradually accumulated a major share (perhaps as much as half) of the Mexican drug trade. Guzman acquired a reputation for both ingenuity and brazen violence, and also accrued a massive fortune; by 2009, he was believed to be one of the world’s richest people.<sup>21</sup>

The rise of the Sinaloa DTO involved an intense conflict with another offshoot from Guadalajara DTO. This network—often referred to as the Arellano Felix organization, or the “AFO”—involved members of the Arellano Felix family (comprising six brothers and four sisters), who are believed to be blood relations to Félix Gallardo.<sup>22</sup> Initially, the eldest brother, Francisco Javier, headed the family’s business operations until his arrest in December 1993. Thereafter, two brothers, Benjamin and Ramon, respectively, took over the AFO’s operations and enforcement.<sup>23</sup> The AFO developed links to law enforcement and government officials—allegedly doling out \$1 million a week in bribes—and cordial relations with “Juniors,” the young scions from wealthy and powerful Mexican families.<sup>24</sup> The AFO also acquired a reputation for its unabashed use of violence and intimidation, including the assassinations of rivals and journalists.<sup>25</sup> In the process, the AFO developed a lucrative franchise system for moving drugs into the United States, exacting tolls and fees for protection to a loose confederation of other traffickers from Central Mexico.<sup>26</sup> This effort to extort other traffickers was a major source of conflict as the Sinaloa DTO attempted to branch into Baja California’s lucrative smuggling corridors, and refused to pay tribute to the AFO. In 1992, Guzman reportedly sent 40 gunmen to attack the Arellanos in a Puerto Vallarta discotheque; nine were killed, but the Arellanos escaped.<sup>27</sup> Later, in May 2003, Cardinal Juan Jesús Posadas Ocampo was shot to death at the Guadalajara airport in an alleged case of mistaken identity that brought intense scrutiny on DTOs.<sup>28</sup> In the aftermath of Posadas Ocampo’s murder, the AFO’s Sinaloa-based rivals suffered the arrest and incarceration of both Guzman in 1993 and Palma in 1995.<sup>29</sup>

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<sup>21</sup> According to Forbes, out of an estimated \$18 to 39 billion in Mexican profits estimated by U.S. authorities, Guzmán’s organization was believed to have garnered twenty percent. Guzman himself purportedly attained a fortune of over one billion. At the time of Forbes’ report, the U.S. government was offering a \$5 million reward on Guzman. Forbes (2009)

<sup>22</sup> There is some uncertainty about whether the Arellano Félix are direct kin to Félix Gallardo, and he himself reportedly denies a family relationship.

<sup>23</sup> Ramon Arellano is reputed to have worked with U.S.-based enforcer group known as the “Logan Heights Calle 30” gang. Richards (1999), p. 24.

<sup>24</sup> During its heyday, the AFO also allegedly developed ties to international crime syndicates, including Russian organized crime and the Revolutionary Armed Forces of Colombia. Miro (2003), p. 7. See also: Richards (1999)p. 24.

<sup>25</sup> For example, the Arellanos are suspected of the 2004 murder of *Zeta* editor Francisco Ortiz Franco. Frontera Norte Sur (2004)

<sup>26</sup> “According an unnamed Mexican police official, the AFO charged 60 percent of the value of a 500 kilogram or greater shipment of marijuana to organizations that wanted to use Arellano territory to ship drugs into the United States.” Miro (2003), p. 7.

<sup>27</sup> Miller (1993)

<sup>28</sup> The official story suggested that as AFO gunmen seeking to assassinate Guzman confused the Cardinal’s limousine for that of the drug kingpin. There is significant controversy and mystery around the Posadas Ocampo killing. It would be difficult to mistake Guzman for a man of God. There were also allegations that Posadas Ocampo



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Meanwhile, the AFO faced continued competition, since the Sinaloan DTO was closely allied to the organization headed by Amado Carrillo Fuentes. As noted above, Carrillo Fuentes, a.k.a. the “Lord of the Skies,” had also worked with Félix Gallardo and pioneered large airborne shipments to transport drugs from Colombia to the United States.<sup>30</sup> During the 1990s, Carrillo Fuentes rose to become Mexico’s wealthiest and most powerful trafficker by developing an organization with substantial operations in the El Paso-Ciudad Juárez trade corridor.<sup>31</sup> This network, also known as the Juárez DTO, involved “approximately 3,300 persons in as many as 400 cells distributed across 17 Mexican states.”<sup>32</sup> The Juárez DTO enjoyed protection from high level officials in the Mexican Federal Judicial Police, as well as Mexico’s drug “czar” Gen. Jesús Gutiérrez Rebollo, who was eventually arrested for corruption in February 1997.<sup>33</sup> Months later, in July 1997, Carrillo Fuentes mysteriously died on the operating table of his plastic surgeon.<sup>34</sup> Thereafter, the overall influence of the Carrillo Fuentes network was significantly diminished, though it is believed that Amado Carrillo Fuentes’ brother, Vicente, took over the coordination of its operations in collaboration other family members,<sup>35</sup> Ricardo García Urquiza, and Juan José “El Azul” Esparragoza.<sup>36</sup>

While the trafficking organizations described above had a common heritage derived from the Felix Gallardo network originating in Sinaloa, the late 1990s also saw the rise of another important network, known as the Gulf DTO because of its origins and operations in the border state of Tamaulipas, along the Gulf of Mexico. Its founder, Juan Nepomuceno Guerra, got his start in cross-border smuggling by bootlegging alcohol in the Prohibition era. Later, in the 1980s, the networks he forged were taken to a new level by his nephew, Juan García Abrego, who developed ties with Colombia’s Cali-based DTO and secured protections from the Mexican government.<sup>37</sup> Indeed, over the course of the next several years, García Abrego and the Gulf DTO allegedly enjoyed protection from the Federal Judicial Police and the Attorney General’s

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was in fact the actual target of the assassination, which raises controversial questions about possible links between the Church and traffickers. Guzman was also allegedly responsible for nine more bodies —relatives and associates of Félix Gallardo— that showed up on a highway in Guerrero later that year.

<sup>29</sup> Héctor “El Guero” Palma Salazar took off in a private jet from Ciudad Obregón toward Toluca. However, he was unable to land there due to Federal Police waiting for him at the airport. He attempted to head to Zacatecas and Guadalajara, but was also blocked there. Attempting to head to Tepic, his plane ran out of fuel and crashed, killing the pilot and co-pilot, and badly injuring Palma. Palma was transported to Guadalajara, where he was incapacitated. As noted below, La Palma was captured by Capt. Horacio Montenegro. Veledíaz (2007)

<sup>30</sup> Specifically, Carrillo Fuentes is alleged to have developed relations with Gilberto Rodríguez Orejuela, head of the Cali cartel, and the three brothers who headed the Medellín cartel after the demise of Pablo Escobar: Juan David, Jorge Luis, and Fabio Ochoa Vásquez. Reed (1997).

<sup>31</sup> Cook (2008).

<sup>32</sup> Miro (2003), p. 8.; Richards (1999).

<sup>33</sup> PBS Website (2009).

<sup>34</sup> Some speculate that the greatest trick the trafficker ever pulled was his own death.

<sup>35</sup> In April 2009, Mexican authorities captured Juárez DTO scion Vicente Carrillo Fuentes, the son of Amado Carrillo Fuentes. Reuters (2009).

<sup>36</sup> Esparragoza evidently joined the Juárez cartel after his incarceration from 1986 to 1992 for the murder of DEA agent Enrique Camarena.

<sup>37</sup> Nepomuceno Guerra was never successfully charged with drug-related offenses, and died on July 12, 2001. Castillo and Torres Barbosa (2003), Dillon (1996b)

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office.<sup>38</sup> By 1989, Abrego's organization was reportedly moving an annual total of 40 tons of cocaine into the United States. In 1996, however, García Abrego was arrested and later extradited to the United States, where he had been added as the first drug trafficker on the FBI's 10 most wanted list in 1995.<sup>39</sup>

García Abrego's downfall led to an internal contest for power between members of his own organization.<sup>40</sup> After a series of clashes and betrayals, Osiel Cárdenas Guillén, a former quasi-official police informant, or *madrina*, emerged as the new leader of the organization.<sup>41</sup> In 2001, Cárdenas succeeded in attracting new muscle by corrupting elite Mexican military personnel from the Army Special Forces Air and Amphibian units (known by their Spanish acronyms, GAFE and GANFE, respectively) that had been sent to capture Cárdenas. Becoming Gulf DTO enforcers, this group formed a masked commando brigade commonly known as *Los Zetas*, and fusing with the Gulf DTO to form an amalgam known simply as "La Compañía."<sup>42</sup>

In short, DTOs in Mexico consist of numerous actors working within a vast supply chain, consisting of individuals operating independently, specialized and tightly knit groups, as well as larger, more hierarchical networks. These connections, of course, included important mid-level drug trafficking networks, like the Sonora-based Caro Quintero organization<sup>43</sup> and the Colima-based Amezcua organization, to which we give less attention.<sup>44</sup> What is clear is that, as Mexico's DTOs began to take on greater market share in the 1980s, they enjoyed a significant degree of hierarchy and cohesion, thanks in large part to the existence of a protective centralized power structure. By the late 1990s, however, there were four major DTOs fiercely vying for control of Mexico's lucrative drug trade in a new era of competition characterized by levels of extreme,

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<sup>38</sup> According to New York Times reporter Sam Dillon, "A notebook seized from Mr. Garcia Abrego's organization detailed one batch of payments: \$1 million to the national commander of Mexico's Federal Judicial Police; \$500,000 to the force's operations chief; \$100,000 to the Federal Police commander in Matamoros... Francisco Perez, Mr. Garcia Abrego's cousin, testified in one Federal trial in Texas in 1994 that he delivered \$500,000 to Javier Coello, Mexico's Deputy Attorney General who from 1988 to 1991 decided which drug lords to investigate and which loads to seize." Dillon (1996c)

<sup>39</sup> Abrego's organization was infiltrated by F.B.I. agent Claude de la O. De la O had feigned corruption—initially accepting a \$100,000 cash bribe wrapped in paper bags—and gained Abrego's close confidence during a three year investigation. Dillon (1996a), Dillon (1996c)

<sup>40</sup> Vying for power were Salvador "El Chava" Reyes; Adán "El Licenciado" Medrano; Gilberto García Mena; and Hugo Baldomero Medina Garza, alias "El señor de los trailers." Though Reyes emerged triumphant, he was eventually betrayed and killed in 1998 by Cárdenas (his protégé and top lieutenant), while Medrano, Medina, and García were later captured. Castillo and Torres Barbosa (2003)

<sup>41</sup> In the process, his traitorous reputation earned Cárdenas the nickname "the friend killer," (or *mata amigos*); Among other betrayals, Cárdenas is rumored to have killed Rolando Gómez in order to steal Gomez's wife.. Cárdenas also acquired a reputation for his effective control of the "small border" (*frontera chica*) of Tamaulipas until his arrest in a spectacular, televised shoot out in Matamoros in March 2003.

<sup>42</sup> The Zetas derive their name from the radio code (Z-1) used by their leader, Arturo Guzmán Decena. Grayson (2008), Veledíaz (2007)

<sup>43</sup> This mid-level DTO is operated by Miguel Caro Quintero and his brothers Jorge and Genaro. Another sibling, Rafael, is currently in prison on charges related to the torture and murder of Enrique Camarena.

<sup>44</sup> This organization is operated by Jesus, Adan, and Luis Amezcua Contreras, and allegedly controls all methamphetamine trafficking in Mexico, from the smuggling of precursor chemicals (ephedrine and pseudoephedrine) from Asia to production labs throughout North America and Europe. In one major bust in 1997, it was found that the Colima DTO has connections to U.S.-based organizations, including one operated by Rafael Anguiano-Chavez in Los Angeles and by Daniel Virgin in Dallas. Richards (1999), p. 24-5.

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high profile violence of a kind never seen before. This pattern has continued to unfold over the course of the last decade.

### **Fractionalization and Conflict Among Mexican Drug Trafficking Organizations**

After 2000, the degree of competition and conflict among the major Mexican DTOs intensified dramatically. We noted above that this dissolution was partly attributable to reorganization of Mexico's police agencies in the late-1980s, but also important was the rise of political pluralism in Mexico and the destabilizing effects of counter-drug enforcement efforts on drug trafficking networks. Over the 1990s, a gradual trend toward pluralism at the local and state level created a more diverse and complex political landscape. With the 1997 defeat of the PRI in the federal legislature and the 2000 election of President Vicente Fox, a candidate of the National Action Party (PAN), this trend advanced to the national level. In some cases, political change increased the political impetus to promote transparency, good governance, and a tougher approach toward organized crime; in others, it merely disrupted political connections to favor one organized crime group over another.

To be sure, none of Mexico's major parties remained ethically or genetically immune from corruption. Today, a look at Mexico's political map after the 2009 elections shows us that the trafficking corridors for cocaine and other drugs are concentrated states still governed—in most cases without interruption—by the old ruling party: the Pacific Coast (Oaxaca, Colima, Nayarit, and Sinaloa), the Yucatán peninsula (Campeche, Quintana Roo, and Yucatán), the Gulf states (Tabasco and Veracruz), and the better part of the northern border region (Tamaulipas, Chihuahua, Nuevo León, and Coahuila). However, other major corridors are controlled by parties from the PRI's traditional opposition, including states in the border regions (Baja California-PAN, Sonora-PAN, and Chiapas-PRD) and states along the Pacific Coast (Jalisco-PAN, Michoacán-PRD, and Guerrero-PRD). Mexico City, another major drug trafficking zone, is governed by the PRD. Still, while no party is immune from the effects of corruption, there have been more visible efforts by Mexican authorities to take on crime and corruption, particularly at the federal level. At the outset of the Fox administration, the federal government sacked 46 top customs officials, while his successor dismissed hundreds of mid-level customs officials in 2009. In 2009, ten mayors (and other state and local officials) in the state of Michoacán were arrested by federal authorities for having ties to drug trafficking organizations in May 2009.<sup>45</sup> While corruption no doubt persists at all levels and across all parties, these efforts represent a significant shift from the 1980s.

Meanwhile, U.S. law enforcement and interdiction measures also had important, if sometimes unintended effects on Mexican DTOs. Numerous U.S. federal and subnational law enforcement initiatives have helped dismantle Mexican DTOs in recent years, sharing intelligence and arresting and prosecuting several major Mexican traffickers. For some Mexican analysts, there is some question as to whether sufficient efforts have been made to target the "U.S. cartels." This is a point beyond the scope of this paper, but it is important to note here the very different structure and function of organized crime in the two countries. In the United States, there is less need—and arguably less impunity—for retail operations to develop highly sophisticated organized

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<sup>45</sup> This operation was highly controversial because it primarily targeted members of the government's political opposition immediately prior to the 2009 midterm elections.

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crime networks to connect to their Mexican wholesalers. To be sure, like other global enterprises, these networks incorporate foreign elements in ways that significantly confuses what constitutes a “Mexican” trafficking organization. However, while leaving minor retail distribution to U.S. gangs and other groups operating at a lower level, it is the more sophisticated Mexican DTOs that primarily handle the difficult challenge of smuggling goods across the border and into major markets. Indeed, this particular challenge increased for Mexican smugglers over the 1990s, and especially in the aftermath of the September 11, 2001 terrorist attacks, as tighter border security controls made it more difficult to traffic illicit contraband into the United States. This, in turn, led to more innovative smuggling methods, including the use of tunnels and maritime vessels.<sup>46</sup>

Partly due to the above-noted factors, Mexican DTOs suffered disruptions that altered the balance of power and contributed to even greater fractionalization and infighting. In February 2002, Ramón Arellano Félix was killed in a shoot-out with police in Mazatlán, Sinaloa (possibly in a clash with Zambada’s forces), while Benjamín was arrested in the state of Puebla the next month.<sup>47</sup> In 2003, the arrest of Osiel Cárdenas and his top lieutenant, Adán Medrano Rodríguez, delivered a significant blow to the Gulf DTO.<sup>48</sup> In 2005, authorities arrested Juárez DTO leader Ricardo García Urquiza. In the wake of these upsets, the major DTOs became locked in an intense struggle for control, with the remnants of the Tijuana and Gulf DTOs battling the Juárez and Sinaloa DTOs, whose allied forces became known as “The Federation” or the “Golden Triangle” alliance.<sup>49</sup> In the process, the AFO suffered additional losses —Eduardo Arellano Félix was captured in October 2008— and a bloody clash ensued between Fernando Sánchez Arellano Félix (son of Enedina Arellano Félix) and Teodoro García Simentel (head of one of the AFO’s subsidiary smuggling operations). Meanwhile, newly emergent groups —notably the Beltran Leyva organization (which broke from the Sinaloa DTO) and La Familia Michoacána (LFM)— entered the fray. The splitting of the Beltran Leyva Organization (BLO) from Sinaloa appeared to be the factor that contributed most directly to the dramatic increase in violence in northern Mexico, and specifically Ciudad Juárez, beginning in 2008.<sup>50</sup> Meanwhile, the emergence of the LFM provoked a spike in violence in Michoacán, a strategically positioned marijuana growing area and receiving point for cocaine shipments. Because the LMF lacks control of any significant smuggling points into the United States, it had to fight vigorously for market share and forge alliances with more established DTOs in Sinaloa and the Gulf.<sup>51</sup>

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<sup>46</sup> Ellingwood (2008)

<sup>47</sup> After the loss of Benjamin and Ramón, operation of the AFO was believed to fall to siblings Francisco “El Tigrillo,” Javier, Eduardo, and Enedina Arellano Félix. Miro (2003)

<sup>48</sup> Cárdenas continued to coordinate the Gulf DTO’s operations from his jail cell until he was extradited to the United States in January 2007. Thereafter, Gulf DTO operations continued under his brother Antonio “Tony” Esquiél Cárdenas Guillén and top lieutenant, Jorge “El Coss” Eduardo Costilla.

<sup>49</sup> Trahan, et al. (2005/12/13)

<sup>50</sup> The reason why the splitting of the BLO also contributed to conflict between Sinaloa and Juárez is not entirely clear. However, it may suggest that the move by the Sinaloa DTO posed a threat to both of its partners, that BLO was able to enlist the indirect support of Juárez, or that Sinaloa’s need for access to the Juárez-controlled smuggling routes became more intense, or none of the above.

<sup>51</sup> In 2009, the LMF organization became the focus of intense government anti-drug efforts. In April 2009, Rafael Cedeño, an alleged collaborator of LFM leader Nazario Moreno González was arrested. At the time of his arrest, Cedeño was in possession of false credentials identifying him as a permanent observer for the State Human Rights Commission, a position that evidently does not exist. In February 2008, Cedeño headed a demonstration against the military’s involvement in counter-drug operations in the state of Michoacán. After Cedeño’s detention, his brother

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In addition, recent years have seen the proliferation of lower level organized crime networks, with new groups and gangs operating at the street level and contributing to the growing phenomenon of “*narcomenudeo*,” or small-time drug dealing. Moreover, as Mexican DTOs have become more decentralized and fractionalized, their operations have diversified to include other criminal activities, such as kidnapping and even petty crime that would have been below such organizations in the past (e.g., bank robbery, grand larceny, etc.). Above all, each successive disruption of drug trafficking networks has intensified conflict and competition among organized crime groups, thereby contributing to unprecedented, high intensity violence.

Indeed, since the outset of the Fox administration, DTOs have contributed to a startling number of killings, or “*narcoejecuciones*.” From 2001 to 2004, the number of killings attributed to DTOs each year gradually increased from 1,080 to 1,304, while the number increased to 1,776 in 2005 to 2,221 in 2006, when central Mexican states like Michoacán and Guerrero experienced the largest number of killings.<sup>52</sup> Later, however, the larger share of killings shifted to northern and border states, with a significant portion of the 2,300 DTO-related killings in 2007 concentrated in Baja California (154 drug killings, or 5.14 per 100,000), Sonora (125, or 5.07 per 100,000), and Chihuahua (148, or 4.45 per 100,000). In 2008, there was a dramatic increase to more than 5,000 DTO-related killings, with violence heavily centered in the state of Chihuahua, and especially the border city of Ciudad Juárez. The more than 1,600 DTO-related killings that Chihuahua experienced in 2008 reflected a rate of 49.3 per 100,000 inhabitants, a five fold increase in the state’s rate of killings from the previous year.<sup>53</sup> By mid-year 2009, *Reforma* reported more than 3,000 killings, including nearly 900 in the state of Chihuahua. This represented a slight decrease in activity from the previous six months, but remained on track for record levels of DTO-related violence in 2009.

By comparison, a recent study by Fernando Escalante examined homicide rates in Mexico, Colombia, and the United States between 1990 and 2007, and found that “the problem of homicide in Mexico is much more similar to that of the United States than that of Colombia.”<sup>54</sup> In 1991, with a rate of about 380 per 100,000, the city of Medellín alone accounted for roughly 6,500 out of 28,280 homicides in Colombia (Osorno 2009). Even after 2007, when violence surged sharply in Mexico, U.S. Ambassador Carlos Pascual pointed out that the 2007 homicide rate for New Orleans was much greater than that of Ciudad Juárez in 2009. Such palliatives offer little comfort, of course, given that Mexico’s public security challenges are distinctly different from those of the United States, as is the capacity of the two countries to manage problems of crime and violence.

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Rafael stepped down as a congressional candidate for the Mexican Green Ecological Party (PVEM) in the 10<sup>th</sup> District located in Moreliavi, Michoacán.

<sup>52</sup> Moloeznik (2009a)

<sup>53</sup> This was nearly double the rate in the next closest state, Sinaloa (25.7 per 100,000), and more than fifteen times the national average (5 per 100,000). In 2006 and 2007, the national rate of cartel-related killings stood at 2.1 and 2.3 per 100,000, respectively. These statistics were gathered from *Reforma* by the Justice in Mexico Project and are available at [www.justiceinmexico.org](http://www.justiceinmexico.org).

<sup>54</sup> Escalante Gonzalbo, F. (2009). "Homicidios 1990-2007." *Nexos En Línea*, from <http://www.nexos.com.mx/?P=leerarticulo&Article=776>.

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Particularly disturbing is that high-profile violence in Mexico has come to threaten law enforcement personnel, journalists, and even elected officials. For example, in February 2009, retired brigadier general Mauro Enrique Tello Quiñones and two others were tortured and killed in Quintana Roo, apparently by members of the *Zetas*, soon after his appointment as head of public security in the resort city of Cancun.<sup>55</sup> In May 2009, Carlos Ortega Melo Samper, a reporter for *Tiempo de Durango*, was killed during an attempted kidnapping while he was returning home in the state of Durango, days after he had been threatened by the mayor and local prosecutor's office.<sup>56</sup> In August 2009, PRD politician Armando Chavarría, a local deputy from Chilpancingo, Guerrero, was assassinated outside his home. A high-ranking member of the PRD in his state, Chavarría had been secretary general of the Guerrero state government from 2006 to 2008, but resigned in May of that year after 17 assassinations with high-powered weapons (AK-47s and AR-15s).<sup>57</sup> Such examples give serious pause, as they illustrate the type of violence that has coincided with the unraveling of Mexican drug trafficking networks, and the degree to which representatives of the Mexican state are under siege. Below, we consider the efforts that have been made to confront such organizations.

### **Evaluating Efforts to Combat Mexican Drug Trafficking**

We look at three levels of analysis in efforts to combat DTOs. First, we consider multi-lateral efforts at the international level, which largely reflect the policies and agendas of the major Western powers, particularly the United States. Second, we consider how Mexico and the United States have worked to develop stronger collaborative relationships, including closer cooperation on extraditions and a new aid package to bolster Mexican security. Finally, we consider Mexico's efforts to combat organized crime domestically by deploying its well-respected military to combat drug trafficking and efforts to improve the integrity of its law enforcement agencies.

#### International Counter Drug Trafficking Initiatives

Multilateral efforts to combat drug consumption began with the 1909 International Opium Commission conference brought together 13 countries in Shanghai, resulting in a 1912

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<sup>55</sup> Tello Quiñones was the highest-ranking military member to be assassinated to date by organized crime elements. Killed with Tello Quiñones were his bodyguard and driver, and the mayor's nephew. Aranda, et al. (2009), Blancas Madrigal (2009), Medellín (2009)

<sup>56</sup> Ortega had recently published an article alleging police corruption and unsanitary working conditions at a local slaughterhouse. Four days before he was killed, he sent a letter to the editor of his paper saying that he had been threatened by the mayor of El Oro, Martín Silvestre Herrera, along with two other officials including an agent with the local Public Prosecutor's Office. La Jornada (2009), Maldonado (2009)

<sup>57</sup> Chavarría was head of the PRD caucus in the state legislature, leader of the Polo Guerrerense de Izquierda faction of his party, president of the Comisión de Gobierno in the State Congress of Guerrero, and considered to be one of the strongest candidates for the Guerrero governorship in 2011. Among the 17 assassinations that preceded his resignation as state secretary general were two children of Roganciano Alba, whose niece was also kidnapped in the fray. Alba was mayor of Petatlán and leader of a local agricultural union affiliated with the PRI, and had been linked in the press to drug trafficking as well as the 2001 assassination of human rights attorney Digna Ochoa Cervantes Gómez (2008), Cervantes (2009b), El Universal (2008). However, the PRD's immediate reaction —on the heels of narco-corruption scandals involving PRD elected officials in the state of Michoacán— was to allege possible political motivations and demand the resignation of top state law enforcement officials Cervantes (2009a), Cervantes and Covarrubias (2009).

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agreement to monitor and restrict the manufacture and distribution of opium. While this initiative was interrupted by World War I, the provisions of the Shanghai convention were ultimately incorporated into the 1919 Treaty of Versailles. Subsequent international conventions initiated under the auspices of the League of Nations—in 1925, 1931, and 1936—were later interrupted by World War II, postponing further coordination on these efforts until the creation of the United Nations and the convocation of a new series of international agreements in 1953, 1961, and 1971 (International Narcotics Control Board (INCB) 2009).<sup>58</sup> In 1988, a new convention broadened the scope of these efforts by including other forms of organized crime, including money laundering, as part of the agenda. In general, most of these agreements were driven by the United States and other developed countries, and established the international framework—and the essentially punitive approach—that dominates worldwide today in regulating the production, distribution, and consumption of psychotropic substances.

As a result of these initiatives, there are numerous international governmental organizations (IGOs) that work at a global level to combat drug trafficking, with particularly important roles played by the U.N. International Narcotics Control Board (INCB), the U.N. Office on Drugs and Crime (UNODC), the World Customs Organization, and the international police organization known as Interpol. However, some analysts suggest that international efforts to combat DTOs and other forms of organized crime are being decentralized and increasingly channeled to regional IGOs (as well as multi- and bi-lateral initiatives) in Europe and the Americas. Fazy theorizes that this trend reflects the greater difficulty with which developed countries like the United States are able to maintain control of the international agenda, due to the growing role of lesser developed countries that are less supportive of sustaining current drug policy (Fazy 2007). While this may be the case, at a March 2009 forum to evaluate the last ten years of international drug policy that was hosted by the United Nations in Vienna, the General Assembly offered no major changes to an overall strategy that remains heavily slanted toward punitive, rather than preventive measures. Hence, international drug control efforts remain largely focused on the use of interdiction and coercive law enforcement measures rather than on harm reduction and public health approaches. As we discuss below, this general tendency is visible in the U.S.-Mexican context, although there appears to be increasing consideration of alternative approaches, both in terms of bilateral initiatives to combat organized crime and greater emphasis on reducing and regulating demand.

### U.S.-Mexico Collaboration

U.S.-Mexican cooperation in security matters has been subject to significant fits and starts throughout the post-war era. In September 1969, for example, the Nixon administration sought to clamp down on drug flows from Mexico by dramatically and unilaterally slowing traffic at the border in Operation Intercept; the move reflected Nixon's campaign promises to the U.S. "silent majority" that he would take a tough stance against drugs, but drew the ire of Mexican

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<sup>58</sup> Three successive agreements were promulgated in Geneva in the 1920s and 30s: the International Opium Convention in 1925, the Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs in 1931, and the Convention for the Suppression of Illicit Traffic in Dangerous Drugs in 1936. In a series of negotiations forged in New York, the United Nations oversaw the 1953 Protocol for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium, the 1961 Single Convention on Narcotic Drugs, and the 1971 Convention on Psychotropic Substances. International Narcotics Control Board (INCB) (2009)

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politicians who saw the move as a serious breach of trust (Doyle 2003). Although the two countries subsequently made important strides —joint border control efforts through “Operation Cooperation” in October 1969, collaboration on “Operation Condor” in 1975,<sup>59</sup> and the 1978 U.S.-Mexican Extradition Treaty— bi-national cooperation also saw significant setbacks in the 1980s and 1990s, with U.S. frustration over the aforementioned Camarena murder in 1985 and revelations of high-level corruption in Mexico. Meanwhile, Mexico also experienced frustration as a result of U.S. unilateralism (e.g., Operation Casablanca) and significant violations of Mexican sovereignty (e.g., the abduction of Dr. Álvarez Machain) that hindered greater cooperation. Moreover, the aftermath of the September 11, 2001 terrorist attacks produced serious tensions —U.S. pressure on Mexico related to the Iraq war effort and controversies regarding U.S. border security measures— between the two countries.

In recent years, however, Mexico and the United States have engaged in much closer collaboration in counter-drug efforts. Cooperation has advanced significantly on the extradition of criminals, exchange of information, police and legal training, and the sharing of equipment and technology, thanks in large part to high-level diplomacy. During U.S. President George Bush’s 2007 goodwill tour of Latin America, conversations with Guatemalan President Oscar Berguer and Felipe Calderón laid the groundwork for the development of a regional security plan to control immigration and combat drugs, arms trafficking, and transnational gangs.<sup>60</sup> Some elements of this plan developed into what became known as the Mérida Initiative, a three-year agreement to provide U.S. support for Mexican security measures. In 2008, the U.S. Congress released the first installment of \$400 million to Mexico, and though U.S. legislators initially delayed the second installment in 2009 due to concerns about Mexican human rights violations, the Obama administration remained supportive of the policy.<sup>61</sup>

Under President Obama, the United States and Mexico have sought to step up efforts to disrupt south bound weapons trafficking and bulk cash smuggling. The widespread availability of firearms in the United States —particularly high-powered weapons (including high caliber pistols, machine guns, and even grenades)— creates a readily accessible market for illegal weapons trafficking into Mexico, where there are strict limitations on the possession of firearms.<sup>62</sup> According to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE), of all weapons confiscated in Mexico and turned over to U.S. authorities for tracing, more than 90 percent came from the United States.<sup>63</sup> While there is some controversy about these estimates, a significant number of weapons clearly make their way from the United States into Mexico. About one in eight registered gun dealers —an estimated 6,700 out of some 54,000 nationwide

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<sup>59</sup> While this was a Mexican initiative, there was considerable collaboration with U.S. law enforcement agencies, notably the newly created Drug Enforcement Agency. Craig (1980), Toro (1999)

<sup>60</sup> El Universal (2007)

<sup>61</sup> When they met with their counterparts in April 2009, President Barack Obama, as well as his Secretary of State, Hillary Clinton, indicated that the United States shares responsibility for drug trafficking and its related problems, and urged the Senate to make haste in approving continued funding for the Mérida Initiative.

<sup>62</sup> Firearms are widely available in the United States, but owned by a relatively small portion of the population. According to the 2004 national firearms survey conducted by Hepburn, et al. (2007), there are an estimated 218 million privately owned firearms in the United States. However, only one in four U.S. citizens (26 percent) and two in five households (38 percent) actually owned a firearm. This means that the vast majority of firearms are owned by a small percentage of the population, with nearly half of all individual gun owners (48 percent) possessing four or more weapons and only 20 percent of owners holding 65 percent of all guns.

<sup>63</sup> Serrano, Richard A. 2008. “U.S. Guns Arm Mexican Drug Cartels,” *Los Angeles Times*, August 10.



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—are located along the U.S.-Mexico border, and U.S. gun shops are weakly regulated, with only 5 percent of the country’s gun dealers inspected annually.<sup>64</sup> Meanwhile, there are significant barriers to cooperation, since Mexican law enforcement authorities do not have direct access to search U.S. gun registration databases. At the same time, both countries have looked to bulk cash smuggling as another area of possible collaboration. DTOs generally smuggle their bulk cash profits into Mexico, since U.S. law establishes strict reporting requirements for monetary instruments in the United States [§ 31 U.S.C. 5316] and U.S. law enforcement targets money laundering operations more actively than in Mexico.<sup>65</sup> Still, overall U.S. seizures of bulk cash capture a relatively small portion of the estimated \$18 to \$39 billion that various sources estimate as the total repatriated profits of Mexican drug trafficking organizations. Hence, there is room for greater cooperation in attacking DTOs financial operations, as well as other areas, such as satellite and communications surveillance.

### Mexico’s Domestic Efforts to Combat Drug Trafficking

In Mexico, law enforcement and judicial institutions suffer significant limitations in capacity — and, in some cases, troubling dysfunctions— that reduce their effectiveness in combating even ordinary forms of crime, sophisticated transnational organized crime syndicates. Local and state law enforcement agencies, in particular, suffer a lack of institutional capacity and, in any event, most drug-related crimes pertain to federal jurisdiction. Most Mexican police officers have had few opportunities for educational development, and lead lives that are terribly impoverished. Operationally, local law enforcement officers —who represent the vast majority of Mexican police— are not authorized to receive crime reports from citizens, are not equipped to conduct criminal investigations, and are not properly prepared to preserve crime scenes and evidence. Even at the federal level there have been obstacles and troubling breaches of institutional integrity, including corruption at the highest levels. All of this impedes effective law enforcement, hinders international security cooperation, and results in low public confidence in the Mexican justice sector as a whole. The imperfections of Mexico’s domestic police forces have paved the way for the “militarization” of public security, as Mexican public officials have encouraged ever deeper military involvement in counter drug efforts and other aspects of public safety.<sup>66</sup>

In contrast to police, the military enjoys a high degree of public confidence —typically ranked higher than any other government institution in public opinion polls— and is widely believed to be the best hope for promoting law and order in Mexico. Moreover, the militarization of Mexico’s anti-drug initiatives is a decades long phenomenon, a “permanent campaign” that

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<sup>64</sup> Estimates for the total number of gun dealers and gun shops in the United States vary. In January 2008, Mexican Ambassador Arturo Sarukhán criticized the availability of weapons along the border: “Between Texas and Arizona alone, you’ve got 12,000 gun shops along that border with Mexico.” Corchado (2008) More commonly, the figure of 6,700—three dealers for every mile along the border—has been used by the ATF and in media reports Serrano (2008), Marks (2006)

<sup>65</sup> Beginning in 2005, CBP and U.S. Immigration and Customs Enforcement (ICE) launched a joint-operation titled “Operation Firewall,” which resulted in the arrest of more than 260 people and seizures of more than \$115 million in monetary instruments from 2005 to early 2008. U.S. Immigration and Customs Enforcement (2008)

<sup>66</sup> Moloeznik (2009b)

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stretches back to the deployment of troops in counter-drug initiatives as early as the 1930s.<sup>67</sup> The militarization of Mexican domestic security has included not only the deployment of military troops in troubled states, but also the appointment of military personnel to head civilian law enforcement agencies and the wholesale recruitment of soldiers to the ranks of law enforcement agencies. By the mid-1990s, more than half of Mexico's 32 states had military officers assigned to police command positions, and hundreds of military personnel were incorporated into rank and file positions in other civilian police agencies, according to a 1997 report by the Strategic Studies Institute of the U.S. Army War College.<sup>68</sup> After 2000, Mexican presidents Vicente Fox (2000-2006) and Felipe Calderón (2006-2012) significantly deepened military participation in domestic public security initiatives. During the Calderón administration, in particular, tens of thousands of troops were deployed throughout the country, though the overall effectiveness of this strategy is highly questionable. While the government claims that its troop deployments to Chihuahua produced a 30% decrease in violence from January to March 2009 compared to the previous three months, a comparison of the last six months of 2008 and the first six months of 2009 reveals a decrease of only 16% (from 1,068 to 896 killings). Worse, comparing the same six-month time periods revealed dramatic *increases* in other Mexican states —Coahuila (from 8 to 108), Durango (from 161 to 343), and Michoacán (from 135 to 203)— which have sustained overall high levels of violence nationwide. Thus, at best, troop deployments appeared to merely displace the violence, perpetuating the so-called “balloon effect” that has manifested throughout the history of drug control efforts.

Meanwhile, there are several hazards to military participation in domestic public security, since it lacks the proper mandate and training for law enforcement and criminal investigations. Indeed, the military's involvement in Mexico's drug war has been accompanied by significant allegations of human rights abuses.<sup>69</sup> Moreover, there are major questions about whether the military is truly immune from the kind of corruption found in Mexican police agencies, and whether its integrity can be sustained over an extended period. Indeed, there have been important examples of military corruption, as noted above. Also, as Moloeznik points out, there have been disturbingly high levels of defection by Mexican military personnel, with at least some developing ties to organized crime (Moloeznik 2009a). Indeed, organized crime groups have brazenly recruited military personnel to join their ranks, with promises of higher pay, better food, and a more glamorous lifestyle. In some cases the defection of military forces —such as the Zetas— to work with DTOs has led to more extreme use of violence; indeed, escalating in direct response to the Zetas, the Sinaloa DTO developed its own elite enforcer groups: Los Negros, Los Pelones, and La Gente Nueva. Also concerning is that, while its overall popularity remains high, the military has become a target of popular protest. In February 2009, protestors demonstrated in Monterrey, Ciudad Juárez, Nuevo Laredo, and Reynosa, criticizing the military's involvement and blocking roadways and ports of entry. The fact that these protests were likely instigated by drug traffickers offers little comfort, since it suggests a troubling capacity for such groups to manipulate certain sectors of society and public opinion at large (Emmott 2009a; Gutiérrez 2009;

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<sup>67</sup> Astorga Almanza (2003), Astorga Almanza (2007), Ruiz-Cabañas (1993).

<sup>68</sup> Schulz (1997)

<sup>69</sup> In January 2009, the National Human Rights Commission (CNDH) reported that complaints of human rights abuses at the hands of the military had nearly doubled from 2007 to 2008, with 631 complaints against the military by mid-December 2008 (*Reforma* 2009).

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López Velasco 2009; Reforma 2009b; Tapía 2009).

Still, the Calderón administration views the military's involvement in domestic security matters as a necessary measure to break organized crime —perceived as a national security threat— into a public security problem. Still, the idea that the military is “temporarily” involved in the drug war is questionable. Considering how long the military has been involved in the drug war, it is unclear when the military's mandate for participation in domestic affairs will finally end. Government authorities have insisted that the military remain involved in the fight against organized crime until there are significant advances in the professionalization of domestic police forces.<sup>70</sup> For example, by late summer 2009, there were 10,000 federal forces (including about 2,000 federal police and 8,000 soldiers) stationed in Ciudad Juárez, and the top civilian police forces were headed by military personnel. PRI Mayor José Reyes Ferriz said in April 2009 that these troops would be gone within six months, since it would take that long to install a well equipped local police force. Later, he indicated that troops would slowly reduce their street patrols after September 15<sup>th</sup>, while federal forces (PGR, SEDENA, and federal police) would continue to combat organized crime in the city. However, with more killings in early September, Reyes indicated: “we believe it will be convenient for the Army to remain in the city for six more months” (Reforma 2009).

Meanwhile, a major reform of Mexico's domestic public security apparatus appears a distant prospect. That said, Mexico has made important efforts to “purify” its domestic police forces. Indeed, the Mexico City newspaper *Reforma* reported that in 2008 there were 759 police arrested in sixteen Mexican states (most of them with ties to drug trafficking). In 2008 and 2009, a sweep called “Operation Cleanup” exposed corruption among some of the highest-ranking officials in Mexican law enforcement, including Mexico's drug czar in the 1990s, two former directors of Interpol Mexico, personnel in the office of the Attorney General's special prosecutor against organized crime. Such steps against law enforcement corruption constitute important efforts to introduce greater integrity to domestic law enforcement organizations.

Meanwhile, Mexico has also introduced significant institutional changes, passing new legislation in 2009 giving more investigative powers to the Public Security Ministry (SSP), creating a new Federal Police force, and replacing the Attorney General's Federal Agency of Investigations (AFI) with the new Federal Ministerial Police.<sup>71</sup> Under these reforms, agents of the Attorney General's new police force will have greater powers to investigate crimes but will also be subjected to more rigorous vetting.<sup>72</sup> These reforms also effectively bestowed investigative

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<sup>70</sup> Monte Alejandro Rubido, the executive secretary of the National Public Security System, declared that the military would only return to its barracks when the country's police were properly qualified to handle public security matters, and not before.

<sup>71</sup> The AFI was created by presidential decree in 2001 to bolster the investigative capacity of the Federal Attorney General's Office (PGR), but faced allegations of widespread corruption by 2005; the PGR later announced that nearly one-fifth of AFI agents were under investigation for suspected involvement in organized crime. AFI agents took to the streets in April 2009 to demand that the PGR and Congress not allow the agency to disappear. Nonetheless, reforms were approved by Congress, and President Calderón signed them into law in May 2009. *El Economista* (2005), *El Financiero* (2009)

<sup>72</sup> The Federal Ministerial Police will be led by Nicandra Castro Escarpulli, who in the past worked as head of the kidnapping department under the Assistant Attorney General for Special Investigation of Organized Crime (Subprocurador de Investigación Especializada de Delincuencia Organizada, SIEDO). Former AFI agents would be required to pass toxicology, medical, psychological, and background checks to continue in the new agency.

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powers upon what was previously the Federal Preventive Police (PFP), which carried out a strictly preventive function, and created the new Federal Police (PF) within SSP.<sup>73</sup> Under the new law, Federal Police officers will be able to collaborate with the PGR on its investigations, operating under the supervision of the Attorney General. Of significant concern to advocates of civil liberties, the Federal Police's new investigative powers include the ability to seek judicial orders to monitor telephone, satellite, and internet communications in the investigations of organized crime activity.<sup>74</sup> Other dedicated responsibilities of the Federal Police now include functions formerly performed by the AFI: securing crime scenes, carrying out arrest warrants, and processing evidence. Federal Police agents will also have authorization to operate undercover to infiltrate criminal organizations.

### **Prospective Scenarios and Policy Recommendations**

We have examined the recent evolution of drug trafficking in Mexico, the underlying causes of the violence that has proliferated among DTOs over the last two decades. We have also provided an assessment of the strategies used to combat organized crime the international context and in Mexico, emphasizing the significant role that the military and recent efforts to reform domestic law enforcement. We now turn to the possible course of future events and the strategic options for meaningful bi-national cooperation to address Mexico's current crisis. Looking forward, we see four conceivable scenarios for reducing violence among Mexican DTOs: complicity with organized crime, confrontation with drug trafficking networks, reducing drug consumption through prevention and treatment, or increased toleration of drug consumption.

The first scenario —complicity— is the prospect of some sort of pact, or *pax mafioso*, established between state actors and organized crime groups, which could help to reduce conflict among organized crime syndicates, as in the past. Generally speaking, complicity with organized crime is highly undesirable to officials on both sides of the border. That said, it is clear some politicians —particularly at the state and local level— have considered or entered into explicit relationships with drug trafficking organizations in an attempt to keep the peace. The case of Mauricio Fernández Garza, the 2009 PAN mayoral candidate and former mayor (1989-91) in the city of San Pedro Garza García in the state of Nuevo León is illustrative. Fernández Garza, the scion of one of the wealthiest families in Mexico and mayoral candidate in the country's wealthiest municipality, reportedly indicated his willingness to negotiate with traffickers in audio-recorded statements that were leaked to the press mid-campaign. Fernández Garza defended his remarks, which he claimed were taken out of context, and went on to win the election.<sup>75</sup>

However, immediately upon taking office, Fernández Garza stated that an alleged local drug trafficker named Héctor “El Negro” Salgada was no longer a threat, indicating the mayor's prior

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<sup>73</sup> Upon approval of the Federal Police Law, SSP director Genaro García Luna initiated a twelve-week course in the Iztapalapa Central Command for the agency's first aspiring investigative police.

<sup>74</sup> Under the law, the exercise of such functions must again be performed under the supervision of the PGR.

<sup>75</sup> On the audio tapes, Fernández Garza indicated to a select group of prominent citizens that he had met with representatives of the Beltrán Leyva organization and established an arrangement to tolerate low profile drug trafficking and prevent violent incursions by hostile trafficking organizations (specifically, the *Zetas*). In his recorded remarks, Fernández Garza notes that the drug traffickers “give much importance to living in peace,” and that they are willing to modify their activities for a quantum of solace. El Universal (2009), Richards (1999)

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knowledge of Salgada's imminent death (his body was found a few hours later in the trunk of a car). Later, in the aftermath of the Beltrán Leyva raid in December 2009, a vehicle bearing the insignia of San Pedro Garza García was found in the possession of drug-traffickers. The mayor also admitted employing an informant named Alberto Mendoza Contreras, who was later arrested in March 2009 and found to have ties to the BLO (of which the mayor denied any knowledge). All these incidents have further fueled speculation that the mayor had struck an agreement with drug traffickers. True or not, the prospect is especially troubling because — unlike the past, when national level state structures effectively dominated and controlled organized crime— sub-national authorities lack the coercive capability to control organized crime, and are more likely to be controlled by it. As Sergio Arredondo, head of the PRI's association of mayors, observed: "What organized crime mainly asks from mayors is very simple: 'You see nothing,'... [Mayors are caught] between the sword and the wall... They're fighting against an enemy that's much better equipped, much better financed."<sup>76</sup>

In this context, a return to the centralized, hierarchical model that once characterized Mexican organized crime is not likely to be feasible, given Mexico's more pluralistic and decentralized political system. Indeed, even if Mexico's once powerful PRI —which continues to govern more than half of Mexico's state governments and the vast majority of municipalities— were to recapture presidency 2009, it is not clear that it could recreate the top-down controls of organized crime that formerly existed under past PRI governments, even if this was desirable. Perhaps the best hope for a *pax mafiosa* is for traffickers themselves to arrive at some cooperative arrangement —either explicit or implicit— to establish clearly demarcated territories, distinct product lines, pooled resources, or even shared distribution channels. However, this would require extraordinary negotiating or mediating capabilities that do not appear to exist among Mexican organized crime groups at present. Hence, the prospects for the state and/or organized crime groups to sort out their differences and cohabitate peacefully seem very limited for the foreseeable future.

A second scenario would involve reducing DTOs capacity to sustain large-scale operations through a strategy of direct confrontation. The Mexican federal government explicitly embraces this outcome as the objective of its strategy to confront organized crime, which essentially seeks to accomplish two goals. First, the federal government seeks to disrupt and dismantle major DTOs, breaking them into smaller groups and networks that can be more readily managed by state and local law enforcement agencies. Second, these efforts would necessarily redirect major drug trafficking operations to other smuggling routes outside of Mexico, perpetuating the "balloon effect" that has characterized the drug war since its inception. From the Mexican government's perspective, diverting major DTO activity from Mexico would be highly desirable; the critical question is whether this can in fact be accomplished using the government's current tactics. Given the problems noted above with regard to the government's current approach, a tactical shift from large-scale military deployments to more precisely targeted counter-drug operations seems necessary. According to former Colombian president Caesar Gaviria, while the message that President Calderón has sent —that violence and impunity will not be tolerated— is appropriate, massive military deployments simply do not work in the long run, and bring significant short- and medium-term risks of corruption and violations to human rights.<sup>77</sup> Gaviria

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<sup>76</sup> Ellingwood (2009)

<sup>77</sup> Otero (2009)

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asserts that a more effective strategy employs elite counter-drug units and effective intelligence work of the kind that has proved successful elsewhere.

At the same time, it is also necessary to continue to reduce the margins of impunity for Mexican organized crime groups through continued reforms to Mexico's criminal justice system, particularly police, the judiciary, and penitentiaries. Mexican police are woefully under-equipped to handle the tasks they face on a daily basis, and recent police reforms have been concentrated at the federal level, not at the local level where 90% of crimes occur. To correct this, Mexico will need to make sustained investments over the next decade, akin to the major investments made in the United States following the 1968 Safe Streets Act. Meanwhile, Mexico will need to experience a significant transformation of its criminal courts and judiciary over the next decade in order to properly implement the judicial reforms passed in 2008. Lastly, Mexico will need to make major investments to modernize its prison system, which suffers from chronic overcrowding, riots and escapes, and continued criminal activity among inmates.

A third option is eliminate the black market for illicit drugs through prevention and treatment. In May 2010, the Obama administration announced that its domestic strategy for combating illicit drug consumption would place renewed focusing on prevention and treatment. Specifically, the administration unveiled a target of reducing illicit drug consumption among teens by 15% over the next five years, and additional resources for programs to help those who struggle with abuse. In recent years, there have been relatively few resources directed toward drug treatment programs. The National Institute on Drug Abuse (NIDA) estimates that in 2006 only 2.5 million U.S. citizens received treatment for drug and alcohol addiction, out of an estimated 23.6 million U.S. citizens in need. NIDA also estimates that illicit drug consumption costs the United States more than \$181 billion annually, and that "for every dollar spent on addiction treatment programs, there is a \$4 to \$7 reduction in the cost of drug-related crimes. With some outpatient programs, total savings can exceed costs by a ratio of 12:1."<sup>78</sup>

Hence, prevention and treatment programs offer some promise as a strategy for dealing with drug consumption. The question is whether such programs can have a significant impact on aggregate consumption, and how this will affect organized crime. Unfortunately, even reducing drug consumption by the seemingly small fraction would likely require a substantially greater investment than currently contemplated. Indeed, while the Obama administration's new 2011 budget proposal includes a 13% increase for alcohol and drug prevention programs and a 3.7% increase for treatment programs, the total budget for the latter is still reportedly lower than it was in 2009.<sup>79</sup>

Moreover, it is important to underscore that the program will target prevention of teen drug use, with the objective of reducing future consumption, which would be likely to have demonstrable effects perhaps five to ten years into the future. Hence, the proposed strategy will have very little

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<sup>78</sup> The National Center on Addiction and Substance Abuse at Columbia University actually provides higher estimates suggesting that the U.S. federal, state, and local governments spent a combined total of \$467.7 billion in 2005 alone to combating drugs. National Institute on Drug Abuse (2008)

<sup>79</sup> According to his otherwise favorable comments about the approach, the former drug control office spokesperson Robert Weiner noted that the Obama administration's proposed plan constitutes "more tweaking the edges than a bold vision... It's not enough." Hananel (2010), Song (2010).

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immediate impact in reducing the customer base of the illegal drug traffickers wreaking havoc in Mexico. Moreover, even if total consumption (not just among teens) were reduced by 15% in the intermediate or long term, the effect on drug traffickers would likely be minimal. If anything, it could simply make drug traffickers hungrier to increase profits to protect the bottom line, thereby driving them to more extreme forms of competition and other illicit criminal activities.

Meanwhile, a final scenario for reducing DTO-related violence is to move away from the absolute prohibition of drug production, distribution and consumption toward a policy regime in which the state regulates these activities in some significant way. Many view this scenario as the least politically viable of the four. Yet, in recent years, there has been a growing number of calls to rethink international and domestic policies for managing drug consumption and addiction. There are basically two possible strategic options: decriminalization or re-legalization. Both countries have moved tentatively in this direction. In August 2009, President Calderón moved to decriminalize the possession of amounts of illicit drugs deemed for personal use.<sup>80</sup> Over the last decade, in part due to the growing costs of drug-related arrests, many U.S. states have moved to eliminate jail time and reduce fines associated with minor possession of illicit drugs, and 13 have laws permitting medical use of marijuana.

Decriminalization is deemed to have two main advantages. First, it theoretically allows beleaguered law enforcement agencies to concentrate on large-scale trafficking operations (though opponents object that it also increases other illegal activities).<sup>81</sup> Second, decriminalization eliminates harsh criminal penalties, theoretically making addicts more inclined to seek treatment and making it possible to deal with drug use as a public health problem. Despite these supposed benefits, however, Mexico's minor possession law does not provide significantly greater support for the treatment of addicts, and only decriminalizes very small quantities. Moreover, as long as the production and distribution of drugs remains illegal, decriminalization may make law enforcement's job more difficult by expanding the market share of the criminal organizations that purvey and profit from illicit drugs. As a drug control strategy, decriminalization therefore faces critics on both sides: those who view it as promoting greater illicit drug use and profits, and those who see it as an inadequate substitute for full-scale legalization.

For most policy makers, however, the subject of legalization is considered taboo, as it has little popular support, especially for drugs deemed highly addictive and destructive (such as cocaine, heroin, and methamphetamines).<sup>82</sup> Still, the possibility of drug legalization has long been

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<sup>80</sup> By means of the new *narcomenudeo* law, Mexico moved to revamp its minor possession laws (dating back to 1978) to establish new regulations for minor possession of a wide array of drugs, including marijuana, cocaine, heroin, and LSD. Mexico's Supreme Court upheld the government's move toward decriminalization in September 2009, echoing a similar ruling by Argentina's Supreme Court the month before that ruled incarceration for marijuana possession unconstitutional. Avilés Allende (2009)

<sup>81</sup> For example, U.S. drug czar Gil Kerlikowske supported Mexico's new decriminalization law, characterizing it as a "tool" in the struggle against drug traffickers since it will free up law enforcement resources to address larger players in the drug trade. Before his appointment as the Director of the Office of Drug Control Policy Kerlikowske served as chief of police for Seattle, where he oversaw the de-prioritization of marijuana possession for personal use. Emmott (2009)

<sup>82</sup> While the General Social Survey (GSS) conducted biannually since 1972 demonstrated an increase in support for marijuana legalization beginning in the 1990s, public approval has never exceeded 35 percent of GSS respondents. In Mexico, an April 2009 BGC-Ulises Beltrán poll suggested that support for legalization was slightly higher than in

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championed by libertarians,<sup>83</sup> and has begun to gain political traction in both Mexico and the United States, as well as internationally. Indeed, in a joint statement to the Latin American Commission on Drugs and Democracy, former presidents Fernando Henrique Cardoso (Brazil), César Gaviria (Colombia), and Ernesto Zedillo (Mexico) expressed their opinion that prohibition and criminalization of consumption has not worked and alternative approaches are needed.<sup>84</sup> Meanwhile, in November 2010, California will vote on a major ballot initiative to legalize marijuana, the Marijuana Control, Regulation, and Education Act (AB 390); recent polling results suggest that a majority of voters will approve the measure.<sup>85</sup>

Generally speaking, however, there has been little serious attempt to gauge the possible consequences of legalization for the United States, Mexico, or other drug-producing countries. Many pro-legalization activists assume that it will be a simple cure-all for drug-related crime and violence. Yet organized crime is highly adaptable and would no doubt continue to expand into other high-profile criminal activities (such as kidnapping or pirated materials). Legalization is therefore unlikely to be a magic bullet in the fight against organized crime. Moreover, as with other controlled substances, like tobacco and alcohol (whose costs to society arguably outweigh any tax revenue they generate), legal recreational drug use represents a potentially serious harm, including traffic fatalities, overdoses, addiction, and other impacts (such as second-hand effects on unborn children).

In the end, any effort to evaluate the merits of current policy versus legalization must conduct a careful accounting of the likely costs and benefits of either approach. Also, whether permitted or prohibited, more resources must be directed to preventing and treating drug abuse. However, our assessment suggests that moving toward a policy regime that treats drug use as a public health problem could yield significant dividends, at significantly lower cost than both countries are currently paying in the war on drugs. Given changing U.S. demographic patterns (i.e., the aging of the generation of 1968), pressures to find new sources of tax revenue, and the potential profits and jobs that could be created through marijuana production and sales, the trend toward decriminalization or even partial legalization of drug consumption appears likely to continue.

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the United States, with 40 percent supporting the legalization of marijuana. Mexicans showed much less support for legalization of other drugs, like cocaine (17 percent), crack cocaine (14 percent), ecstasy (13 percent), methamphetamines (12 percent), and heroin (11 percent). The same poll reported that more than two-thirds of respondents perceived drug consumption to be a national problem in Mexico, rather than a regional problem. Forty-six percent supported giving addicts legal access to drugs during rehabilitation, while 49 percent opposed this option. Beltrán (2009), Center (2009)

<sup>83</sup> At a keynote address presented at the Fifth International Conference on Drug Policy Reform in Washington, DC, on November 16, 1991, Nobel Prize-winning economist Milton Friedman argued that, “The war on drugs is a failure because it is a socialist enterprise.... The U.S. government enforces a drug cartel. The major beneficiaries from drug prohibition are the drug lords, who can maintain a cartel that they would be unable to maintain without current government policy.” Trebach and Zeese (1992)

<sup>84</sup> In their words: “The war on drugs has failed. And it’s high time to replace an ineffective strategy with more humane and efficient drug policies.... Prohibitionist policies based on eradication, interdiction and criminalization of consumption simply haven’t worked.” Cardoso, et al. (2009)

<sup>85</sup> While a majority of U.S. citizens oppose marijuana legalization, a majority of Californians support the measure according to a recent field poll. California’s state budget woes factor heavily into the debate, with many favoring the legalization of marijuana as a means of reducing state expenditures on law enforcement while increasing revenues from vice taxation. Grad (2010), Sabatini (2010).



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## Conclusion

Over the last two decades, there have been three successive generations of Mexican drug trafficking organizations. With each generation there has been a shift in the balance of power, and the emergence of different poles of dominance in Mexico's drug trafficking underworld. First, there was a relatively uni-polar arrangement under Miguel Angel Felix Gallardo in the mid-1980s. Next, there came a fractioning of trafficking networks, and a brief bipolar moment as the Arellano Félix organization faced competition from Amado Carrillo Fuentes and his allies in the 1990s. Finally, there has developed an increasingly multi-polar constellation of trafficking organizations with varying specializations and capacities in the late 1990s and 2000s. In the process, like other global supply chains, organized crime groups operating via Mexico have become increasingly decentralized, diversified, and complex. Smaller affiliated criminal organizations play varying roles as franchisees, precursor and retail suppliers, local and wholesale distributors, cross-border smugglers and logistical facilitators, and enforcers, among other activities.<sup>86</sup>

Generally speaking, efforts to combat trans-national crime —particularly with regard to drug trafficking— through tougher security measures have borne less than satisfactory results. Governmental and intergovernmental reports —such as the U.S. State Department's *International Narcotics Control Strategy Report* (INCSR) and the *United Nations Office on Drugs and Crime's World Drug Report* (UNODC-WDR)— tend to measure the drug war's accomplishments in terms of eradication, interdiction, and disruption of drug production and distribution networks. Yet, despite billions spent in anti-drug enforcement and heightened border security measures, there is no indication that illicit northbound flows of drugs —not to mention southbound flows of weapons and cash— have been significantly diminished as a result of these efforts. Indeed, for every dollar invested in U.S. counter-drug enforcement, it is not clear that there is any significant impact on either of the two performance indicators that matter: the availability of drugs (in terms of quantity, price, or accessibility) or people's inclination to consume them. Hence, our assessment is that there is a need to seriously reevaluate current approaches, and work toward alternative solutions to dealing with drugs and organized crime as separate problems.

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<sup>86</sup> Miro (2003), p. 15.

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## About the Authors:

### **Luis Astorga**

#### **Universidad Nacional Autónoma de México**

Luis Astorga is a Professor at the Institute for Social Research (Instituto de Investigaciones Sociales) at the National Autonomous University of Mexico (UNAM). He currently coordinates UNESCO's program on "Economic and Social Transformations and the International Drug Problem." He is a member of the National System of Researchers (Sistema Nacional de Investigadores) and of the Mexican Academy of Sciences. Astorga is the author of *Seguridad, traficantes y militares*, Publisher in 2007; *Drogas sin fronteras*, Publisher in 2003; *El siglo de las drogas* (2005), and of *Mitología del 'narcotraficante' en México* (1995). He has published numerous journal articles about the trafficking of illegal drugs in Mexico, the United States, Colombia, France, Italy, India, Great Britain, and Belgium. He earned a doctorate in sociology from the University of Paris.

### **David Shirk**

#### **Director, Trans-Border Institute, University of San Diego;**

#### **Woodrow Wilson Center Fellow 2009-2010**

Currently a Woodrow Wilson Center Fellow, David A. Shirk is the Director of the Trans-Border Institute and Associate Professor in the Political Science Department at the University of San Diego. Dr. Shirk was a fellow at the Center for U.S.-Mexican Studies from 1998-99 and 2001-2003. He conducts research on Mexican politics, U.S.-Mexican relations, and law enforcement and security along the U.S.-Mexican border. He is the principal investigator for the Justice in Mexico project, a bi-national research initiative on criminal justice and the rule of law in Mexico. Recent publications by Dr. Shirk include *Police and Public Security in Mexico*, co-edited with Robert Donnelly (Trans-Border Institute, 2009) and *Contemporary Mexican Politics*, co-authored with Emily Edmonds-Poli (Rowman and Littlefield Publishers, 2008). Shirk has a BA in International Studies from Lock Haven University and an MA and PhD in Political Science from the University of California-San Diego.

**The Wilson Center's Mexico Institute and the Trans-Border Institute wish to thank our project interns Miguel Salazar and Christopher Wilson for their invaluable assistance in reviewing, editing, and formatting this Working Paper.**