# NAVAL POSTGRADUATE SCHOOL

**MONTEREY, CALIFORNIA**

# THESIS

**EXPLAINING VARIATION IN THE APPREHENSION OF MEXICAN DRUG TRAFFICKING CARTEL LEADERS**

by

Maxwell E. Bjerke

June 2010

| | |
|---|---|
| Thesis Advisor: | Maiah Jaskoski |
| Second Reader: | Arturo Sotomayor |

**Approved for public release; distribution is unlimited**

THIS PAGE INTENTIONALLY LEFT BLANK

| REPORT DOCUMENTATION PAGE | | | *Form Approved OMB No. 0704-0188* |
|---|---|---|---|
| Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington DC 20503. | | | |
| **1. AGENCY USE ONLY** ***(Leave blank)*** | **2. REPORT DATE** June 2010 | **3. REPORT TYPE AND DATES COVERED** Master's Thesis | |
| **4. TITLE AND SUBTITLE** Explaining Variation in the Apprehension of Mexican Drug Trafficking Cartel Leaders | | | **5. FUNDING NUMBERS** |
| **6. AUTHOR(S)** Maxwell E. Bjerke | | | |
| **7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)** Naval Postgraduate School Monterey, CA 93943-5000 | | | **8. PERFORMING ORGANIZATION REPORT NUMBER** |
| **9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES)** N/A | | | **10. SPONSORING/MONITORING AGENCY REPORT NUMBER** |
| **11. SUPPLEMENTARY NOTES** The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government. IRB Protocol number _____. | | | |
| **12a. DISTRIBUTION / AVAILABILITY STATEMENT** Approved for public release; distribution is unlimited | | | **12b. DISTRIBUTION CODE** |

**13. ABSTRACT (maximum 200 words)**

Successive Mexican administrations have turned to the deployment of military and federal law enforcement agencies to respond to crises, recently focusing in particular on targeting the leaders of major drug cartels in their counternarcotics efforts. However, since 2000 Mexico's government's efforts to control criminal activities in these cities have met with varying success. During that period, the Mexican federal government has apprehended ten leading members of the Arellano-Felix Organization (AFO), one of the most prolific drug trafficking organizations. In contrast, only three major cartel leaders have been apprehended from the Carrillo Fuentes Organization, (CFO), another enduring drug trafficking organization. This thesis draws upon theories of organization and path dependence to explain variation in the Mexican government's success in arresting major cartel leaders. It argues that variation between the AFO and CFO in their internal structures—in particular, the AFO's low level of professionalism relative to that of the CFO—has facilitated the apprehension of the AFO leadership. In terms of path dependence, the thesis finds that the U.S. Drug Enforcement Administration's focus on the AFO is due to the legacy of a random event, the AFO predecessor's role in the 1985 kidnapping and murder of DEA Special Agent Enrique Camarena. The DEA has clung to this case across twenty-five years and therefore has remained focused on the AFO, in order to justify U.S. counterdrug efforts in Mexico. Changing U.S.-Mexico relations have facilitated the DEA's focus on the AFO, particularly since 2000.

| | | | |
|---|---|---|---|
| **14. SUBJECT TERMS** Mexico, drugs, cartel, organization theory, path dependent, DEA, and law enforcement. | | | **15. NUMBER OF PAGES** 105 |
| | | | **16. PRICE CODE** |
| **17. SECURITY CLASSIFICATION OF REPORT** Unclassified | **18. SECURITY CLASSIFICATION OF THIS PAGE** Unclassified | **19. SECURITY CLASSIFICATION OF ABSTRACT** Unclassified | **20. LIMITATION OF ABSTRACT** UU |

NSN 7540-01-280-5500

Standard Form 298 (Rev. 2-89)
Prescribed by ANSI Std. 239-18

THIS PAGE INTENTIONALLY LEFT BLANK

**Approved for public release; distribution is unlimited**

# EXPLAINING VARIATION IN THE APPREHENSION OF MEXICAN DRUG TRAFFICKING CARTEL LEADERS

Maxwell E. Bjerke
Lieutenant, United States Navy
B.A., Cornell College, 1995

Submitted in partial fulfillment of the
requirements for the degree of

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

from the

**NAVAL POSTGRADUATE SCHOOL**
**June 2010**

Author: Maxwell E. Bjerke

Approved by: Maiah Jaskoski
Thesis Co-Advisor

Arturo Sotomayor
Second Reader

Harold Trinkunas
Chairman, Department of National Security Affairs

THIS PAGE INTENTIONALLY LEFT BLANK

# ABSTRACT

Successive Mexican administrations have turned to the deployment of military and federal law enforcement agencies to respond to crises, recently focusing in particular on targeting the leaders of major drug cartels in their counternarcotics efforts. However, since 2000, Mexico's government's efforts to control criminal activities in these cities have met with varying success. During that period, the Mexican federal government has apprehended ten leading members of the Arellano-Felix Organization (AFO), one of the most prolific drug trafficking organizations. In contrast, only three major cartel leaders have been apprehended from the Carrillo Fuentes Organization, (CFO), another enduring drug trafficking organization. This thesis draws upon theories of organization and path dependence to explain variation in the Mexican government's success in arresting major cartel leaders. It argues that variation between the AFO and CFO in their internal structures—in particular, the AFO's low level of professionalism relative to that of the CFO—has facilitated the apprehension of the AFO leadership. In terms of path dependence, the thesis finds that the U.S. Drug Enforcement Administration's focus on the AFO is due to the legacy of a random event, the AFO predecessor's role in the 1985 kidnapping and murder of DEA Special Agent Enrique Camarena. The DEA has clung to this case across twenty-five years and therefore has remained focused on the AFO, in order to justify U.S. counterdrug efforts in Mexico. Changing U.S.-Mexico relations have facilitated the DEA's focus on the AFO, particularly since 2000.

THIS PAGE INTENTIONALLY LEFT BLANK

# TABLE OF CONTENTS


**I. INTRODUCTION ..... 1**
- **A. OVERVIEW ..... 1**
- **B. IMPORTANCE ..... 2**
- **C. OVERVIEW ..... 2**
- **D. LITERATURE REVIEW ..... 5**
  - **1. State Security Overview ..... 6**
  - **2. Cartel Structures and Behaviors ..... 8**
  - **3. The Path-Dependent Nature of U.S. Drug Policy in Mexico ..... 12**
- **E. METHODOLOGY ..... 14**
  - **1. State Security Overview ..... 14**
  - **2. Cartel Structures and Behaviors ..... 15**
  - **3. The Path-Dependent Nature of U.S. Drug Policy in Mexico ..... 15**
- **F. THESIS STRUCTURE ..... 16**

**II. STATE SECURITY OVERVIEW ..... 19**
- **A. INTRODUCTION ..... 19**
- **B. MEXICAN LAW ENFORCEMENT STRUCTURE AND RECENT HISTORY ..... 22**
  - **1. Size ..... 23**
  - **2. Jurisdiction ..... 24**
    - ***a. Municipal Level ..... 24***
    - ***b. State Level ..... 24***
    - ***c. Federal District ..... 24***
    - ***d. Federal Level ..... 25***
- **C. CIVILIAN FEDERAL AGENCIES ..... 26**
  - **1. Office of the Attorney General (PGR) ..... 28**
    - ***a. The Federal Investigations Agency (AFI) ..... 28***
    - ***b. Office of the Public Prosecutor (OPP) ..... 29***
    - ***c. Office of the Special Prosecutor for Crimes Against Health (FEADS) ..... 29***
    - ***d. Special Anti-Organized Crime Unit (UEDO) ..... 30***
    - ***e. Office of the Assistant Attorney General for Special Investigations and Organized Crime (SIEDO) ..... 30***
    - ***f. Office of the Deputy Attorney for Special Investigation of Federal Crimes (SIEDF) ..... 30***
    - ***g. Federal Preventative Police (PFP) ..... 31***
    - ***h. National Public Security System (SNSP) ..... 32***
  - **2. Interior Ministry ..... 32**
- **D. MEXICO'S MILITARY STRUCTURE ..... 33**
  - **1. Mexico's Military Involvement ..... 34**
  - **2. SEDENA's Efforts at Reform ..... 35**
- **E. CORRUPTION ..... 36**

1. Corruption in Juarez ..... 37
2. Corruption in Tijuana ..... 38
3. Reform Measures ..... 38
F. CONCLUSIONS ..... 39

III. CARTEL STRUCTURES AND BEHAVIORS ..... 41
A. INTRODUCTION ..... 41
B. CARTEL OVERVIEWS: ORGANIZATIONAL ORIGINS AND TRAJECTORIES ..... 42
1. Arellano Félix Organization (AFO) ..... 42
2. Carrillo Fuentes Organization (CFO) ..... 43
C. CARTEL STRUCTURES ..... 43
1. Professionalism as Expertise and Specialization: Insights from Public Administration Theory ..... 44
2. The CFO: Professionalism Through Internal Hires and Subcontracting ..... 46
3. The AFO: Unprofessional Nepotism and Multitasking ..... 47
D. CONCLUSIONS ..... 50

IV. THE PATH-DEPENDENT NATURE OF U.S. DRUG POLICY IN MEXICO ..... 53
A. INTRODUCTION ..... 53
B. ARRESTS OF AFO AND CFO CARTEL LEADERS ..... 53
1. Prosecution of the Arellano-Felix Organization ..... 54
2. Prosecution of the Carrillo-Fuentes Organization ..... 58
C. U.S.–MEXICO RELATIONS ..... 59
1. Economic Impetus for Integration ..... 61
2. Efforts to Avoid Decertification ..... 62
3. Increased Cooperation in the Drug War Since 2000 ..... 63
D. PATH DEPENDENCE AND THE DEA'S FOCUS ON THE AFO ..... 65
1. The Case of Enrique Camarena ..... 66
2. The DEA's Continued Focus on Camarena and the AFO ..... 69
E. CONCLUSIONS ..... 73

V. CONCLUSIONS ..... 75

LIST OF REFERENCES ..... 81

INITIAL DISTRIBUTION LIST ..... 87

# LIST OF FIGURES

Figure 1. Mexico's National Security Structure.....27
Figure 2. Arellano-Felix Hotline Posters. Wanted posters released by the U.S. DEA following updates to the status of numerous individuals. The image on the left is from 2007. The image on the right is following Eduardo's arrest in 2008.....73

THIS PAGE INTENTIONALLY LEFT BLANK

# LIST OF TABLES

Table 1. AFO Leadership Arrests. Information for this table provided by multiple sources.....57
Table 2. CFO Leadership Arrests. Information for this table was provided by multiple sources .....59

THIS PAGE INTENTIONALLY LEFT BLANK

# LIST OF ACRONYMS AND ABBREVIATIONS

| | |
|---|---|
| AFI | Federal Investigations Agency |
| AFO | Arellano-Felix Organization |
| CFO | Carrillo Fuentes Organization |
| CISEN | National Information and Security Center |
| DEA | Drug Enforcement Administration |
| DTO | Drug Trafficking Organization |
| FEADS | Office of the Special Prosecutor for Crimes Against Health |
| GAFES | Grupo Aeromovil de Fuerzas Especiales |
| INDC | National Anti-Drugs Institute |
| NAFTA | North American Free Trade Agreement |
| OPP | Office of the Public Prosecutor |
| PAN | National Action Party |
| PGR | Office of the Attorney General |
| PRI | Institutional Revolutionary Party |
| SEDENA | Secretary of National Defense |
| SIEDF | Office of the Deputy Attorney for Special Investigation of Federal Crimes |
| SIEDO | Office of the Assistant Attorney General for Special Investigations and Organized Crime |
| SSP | Ministry of Public Security |
| UEDO | Special Anti-Organized Crime Unit |

THIS PAGE INTENTIONALLY LEFT BLANK

# ACKNOWLEDGMENTS

I would like to begin by thanking my incredible family. Rita, you are the love of my life and my best friend. Thank you for everything you do for me. My life is better for having you in it. I am extraordinarily fortunate to have you in my life. To my amazing children, Jack and Emily Grace: thank you both for filling my life with wonder and joy. Gracie, you are my ray of sunshine on an otherwise cloudy day. Thank you for being such a wonderful young lady and for always brightening my day. Jack, you are an incredible young man. Thank you for making me laugh and reminding me often that basketball and Legos are so much more fun than work. There are no words to describe my absolute adoration for the three of you.

Maiah Jaskoski, thank you for your unbelievable help through this process. I can not thank you enough for the tireless revisions and guidance you provided throughout.

Arturo Sotomayor, thank you for providing me with a much better understanding of Mexico and the reality of thesis research and writing.

It has been a pleasure.

THIS PAGE INTENTIONALLY LEFT BLANK

# I. INTRODUCTION

## A. OVERVIEW

Since Vicente Fox won the 2000 Mexican Presidential election, Mexican federal agencies such as the Federal Investigations Agency (AFI), the Protective Federal Police, and the Mexican military—including elements of the Navy and Marines as well as the Special Air Mobile Force Group (Grupo Aeromovil de Fuerzas Especiales or GAFES)—have taken the lead in Mexico's "war" on drugs. This war has been fought against drug cartels and the corruption of local and regional officials, including the local police in Tijuana, Nuevo Laredo, and Ciudad Juarez, which have at various times been hotspots of violence as cartels compete for control of the major U.S.-Mexican border crossings (often referred to as *plazas*).

However, state efforts to control criminal activities in these cities have met with varying success. Since 2000, the Mexican federal government has apprehended at least eight leading members of the Arellano-Felix Organization (AFO), one of the most prolific drug trafficking organizations with control of the Tijuana border crossings.[1] Yet during the same period of time, only three major cartel leaders have been apprehended from the Juarez Cartel (known also as the Carrillo Fuentes Organization, CFO), another enduring drug trafficking organization in control of the Ciudad Juarez border crossing. We observe this variation in spite of similarities between the two cities in terms of their size, access to American markets, and relative importance to the free flow of Mexican goods across the border. This thesis seeks to explain this variation in the Mexican government's success in apprehending AFO and CFO leaders as well as the across-time variation—i.e., the increased success since 2000.

1 It is important to note that while this thesis analyzes the variation observed in captures of the leaders of these two drug trafficking organizations, some of the discussion places significance on the DTO's relative geographic centers of control and the federal governments attempts to increase state control of these areas. This focus of this thesis resides at the federal level; it does not attempt to analyze variations on a local level, which remains a possibility for future research.

## B. IMPORTANCE

As Mexico continues its process of democratization, it continues encountering tremendous challenges to its ability to control its territory, fight widespread corruption, and combat challenges to the state—i.e., its "monopoly of the legitimate use of physical force."[2] In confronting these challenges to its control, the government has routinely engaged in behavior that runs counter to democratic practices—including, for instance, human rights violations by state security forces and corruption at all levels of government—at the same time that it has sought to capture the leadership of these cartels. Given these very real challenges to security and democracy in Mexico, identifying and weighing factors that help to explain the government's successes in cartel leadership captures may allow policymakers to make more balanced and informed decisions in a more effective prosecution of criminal organizations while mitigating those elements that contradict the progress of democratization in Mexico.

## C. OVERVIEW

In 2000, President Fox and the National Action Party (PAN) defeated the Institutional Revolutionary Party (PRI) and broke the multitude of alliances that had existed between the government and drug cartels for over 70 years.[3] This schism not only destroyed many of the existing alliances between government leaders and the cartels, but the democratization process has also created opportunities for Mexican officials to initiate reforms to combat corruption. Under the Fox administration (2000-06), Mexico's federal government managed to achieve some level of success against the AFO by way of the arrests of five high-level cartel leaders.[4] Fox's successor, Felipe

---

2 Max Weber, "Politics as Vocation," in *Max Weber: Essays in Sociology*, ed. H. H. Gerth and C. Wright Mills, (New York, NY: Oxford University Press, 1946), 78.

3 Luis Astorga, *Drug Trafficking in Mexico; A First General Assessment*, Discussion Paper. No. 36 (Paris: Most Programme [UNESCO], 1999), 20.

4 Leading members of the AFO arrested by Mexican military, federal police, or federal agents include the following individuals: Benjamin Arellano-Felix, arrested by the military in 2002; Gilberto Higuera-Guerrero, arrested by federal agents in 2004; Efrain Perez, arrested by federal agents in 2004; Jorge Aureliano-Felix, arrested by federal agents in 2004; Eduard Arellano-Felix, arrested by Federal Public Security forces in 2008, Gustavo Rivera Martinez arrested in 2008 by Mexican law enforcement; Rigoberto Yanez Guerrero arrested by the PGR in 2001, and Teodoro Garcia Simental, arrested by federal agents in 2010.

Calderon (2006-present), went one step further in his campaign against corruption and the drug trafficking organizations to deploy thousands of troops across the country in the days following his inauguration an effort that has also resulted in the arrest of three of the remaining leaders of the cartel.

The same success cannot be said for the government's efforts against the CFO; over the same period, CFO leadership has gone largely untouched by the Mexican government and continues to assert control of the *plaza* in Juarez, though that control is contested on an ongoing basis by other drug cartels. The Mexican federal government (specifically, units of the Federal Public Security agency) only recently arrested Vicente Carrillo Leyva, a key member of CFO,[5] in Mexico City. With relative similarities between the cities in size, demographics, access to the lucrative U.S. markets, and federal agency responses, why have there been so many key AFO leaders arrested relative to the case of the CFO?

In the context of this thesis, "success" is defined by the government's capture and subsequent incarceration of the major leaders of these cartels. The capture of these leaders is a single key indicator that politicians and governmental agencies can point to as success to the public on the government's war on drugs.[6]

The thesis explains the Mexican government's varied success in capturing cartel leaders from the two cartels by pointing to two key factors. First, certain cartel structures and behaviors make it easier for law enforcement actors to capitalize upon by exploiting information gained by the arrest of one member to provide information about others. Second, and most important, the thesis identifies the role that the U.S. government has

---

5 Vicente Carillo Leyva is the nephew of the head of the Juarez Cartel, Vicente Carrillo-Fuentes. He was arrested in April 2009.

6 There is extensive literature on the varied methods used by governments in estimating failures of the drug trade such as the street price of cocaine, its purity, and amounts interdicted. For elaboration on these methods see Vanda Felbab-Brown. "Counternarcotics Policy Overview: Global Trends & Strategies." Washington D.C.: Brookings Institute, 2008; National Drug Intelligence Agency. "National Drug Threat Assessment, 2009" http://www.justice.gov/ndic/pubs31/31379/index.htm; Washington D.C.: National Drug Intelligence Agency, 2008; Office of National Drug Control Policy. "Cocaine Smuggling in 2007," Washington D.C.: ONDCP, 2007; U.S. Drug Enforcement Administration. "Cocaine Price/Purity Analysis of STRIDE Data," Washington D.C.: U.S. DEA http://www.usdoj.gov/dea/concern/cocaine_prices_purity.html; and WOLA. "Connecting the Dots ONDCP's (Reluctant) Update on Cocaine Price and Purity." Washington D.C.: Washington Office on Latin America, 2007.

played in Mexico's war against drugs. U.S.-Mexico security collaboration has evolved dramatically since the mid-1980s. Since the death of a U.S. Drug Enforcement Agent in 1985 and Mexico's increased security ties (as a byproduct of increased economic integration through NAFTA as well as the fall of the ruling PRI in 2000),[7] the Drug Enforcement Administration (DEA) has relentlessly pursued their agent's killers, focusing intensively on the AFO over other cartels. DEA behavior has therefore followed a path-dependent logic, whereby a single "random" event—the death of the DEA agent—triggered a long-term focus on the perpetrators and their organization. The DEA's pursuit of the AFO since the killing of the DEA agent in 1985 has been facilitated by two important shifts in U.S.-Mexico relations: the negotiations and signing of NAFTA in 1992 and President Fox's election in 2000. Understanding these two events is critical to explaining why we witness the systematic apprehension of AFO leaders two decades after the death the DEA agent. The DEA's focus on AFO has had direct implications for the behavior of Mexican federal law enforcement agencies, which have benefited directly from DEA activities in Mexico. The DEA is able to assist foreign governments in five different law enforcement areas,[8] two of which directly impact Mexico's ability to apprehend cartel leaders: intelligence gathering and bilateral investigations. And since the DEA has focused its attentions on the AFO, Mexican agencies have been able to apprehend the leaders of that cartel.

The CFO, heretofore, has lacked such a critical juncture in their history like that of the 1985 killing of the DEA agent and therefore have not attracted such tenacious pursuit by U.S. law enforcement agencies. Until the March 16, 2010, killings of two U.S. consulate employees in Juarez—incidents that occurred long after the 1985 killing of the DEA agent and therefore long after the DEA was set on its "path" of obsession with the

7 Peter Andreas, "Building Bridges and Barricades" *in Transnational Crime and Public Security: Challenges to Mexico and the United States*, edited by John Bailey and Jorge Chabat, (San Diego: Center for U.S.-Mexican Studies at the University of California, San Diego, 2002), 199.

8 The DEA's Foreign Cooperative Investigation program consists of five different law enforcement areas: international training; foreign liaisons, institution building; intelligence gathering, and bilateral investigations. Intelligence gathering and bilateral investigations provide direct assistance to host nations in their investigations of drug traffickers. U.S. Drug Enforcement Administration. "Foreign Cooperative Investigations," n.d.. Retrieved from http://www.justice.gov/dea/programs/fci.htm on June 11, 2010.

AFO—there has been no impetus on the U.S. to commit vast (both real and political) resources to a venture that may not produce the results already achieved in fighting the AFO.[9]

## D. LITERATURE REVIEW

This thesis draws on three main bodies of literature to provide background on Mexico's political and security reality and to explain (1) across-time variation—i.e., why we have observed a marked increase in captures since 2000—and (2) variation in Mexican state captures of AFO versus CFO leaders.

In terms of across-time variation, analysis of Reames (2007), Freeman and Sierra (2005), and Schaefer et al. (2009) provide an overview of the Mexican federal government's different agencies—both civilian and military—tasked with investigating and capturing cartel members and analyze reforms that have improved those agencies' capacity in performing this work. The thesis also draws on research about U.S.-Mexican relations to show how improved relations have facilitated increased flows in resources from the U.S. government to Mexican agencies, further increasing the Mexican government's ability to capture cartel leaders.

Importantly, the thesis takes seriously the complex and sometimes contradictory goals of strengthening democracy and decreasing criminal activity. It draws on Lopez Portillo's work, which asserts that the primary mandate of Mexico's police has been to support political loyalty, which is guaranteed through an agreement that ensures police impunity. Lopez Portillo argues that this mutually beneficial agreement allows law enforcement to maintain autonomy while ensuring political power for the regime. Law enforcement's political mandate takes precedence even over providing public security, a dynamic that erodes the social contract between the police and the community.[10]

---

9 The murder of the three individuals tied to the U.S. Consulate in Juarez, may well provide the motivation for the U.S. Justice department to dedicate more law enforcement resources and effort to the pursuit of organized crime elements in the Juarez region. However, the path-dependent argument put forth here predicts that the DEA will remain on the same "path" of focusing on the AFO.

10 The social contract between police and the populace is generally mutually beneficial whereby the police enforce socially acceptable rules (mandated by popular consensus) and the population supports the police with information on the activities in their jurisdiction.

Because of this erosion, Mexican officials run the risk of drawing the wrong lessons by responding to crime by "immediately and exponentially increasing the resources assigned to the police and the justice system."[11]

In addition to addressing the question of state capacity and across-time change in Mexican government successes against cartel leaders, the thesis also seeks to explain variation in leadership captures between the AFO and CFO. It draws on theories of organizations focused on networks, professionalism, and specialization, to help explain why AFO leaders have been more susceptible to arrests than CFO leaders. It argues that the CFO's greater degree of specialization and professionalism has meant that CFO leaders have been relatively insulated from other components of the CFO organization, which has, in turn, protected them from captures through informant chains.

### 1. State Security Overview

State capacity, or what Corrales refers to as *stateness*, is the state's ability to formulate and implement policy (essentially, the state's ability to impose its will), extract revenues (via taxes), create and maintain links to the international community, and govern the economy.[12] At the law enforcement end, this capacity constitutes the composition, capabilities (reflective of the training and equipping of those forces), and organization of the majority of the government's agencies. For decades, Mexican presidents have relied on the military to bolster federal law enforcement units for responding to crises throughout Mexico.[13] As such, the use of the army and/or navy to

11 Luis Armando Gonzalez Plascencia, "Hacia un modelo democratico de seguridad cuidadana: entre la justicia civica y el sistema penal," in *Transnational Crime and Public Security: Challenges to Mexico and the United States*, ed. John Bailey and Jorge Chabat, (San Diego: Center for U.S.-Mexican Studies at the University of California, San Diego, 2002), 114.

12 Javier Corrales, "Market Reforms," in Jorge Dominguez and Michael Shifter's *Constructing Democratic Governance in Latin America, 2nd ed.* (Baltimore, MD: The Johns Hopkins University Press, 2003), 76.

13 Mexico deployed troops in response to the Zapatista's Movement in 1994, in drug eradication efforts since the 1940s, and to combat organized crime and corruption specifically since 2006.

provide a "surge" capacity has gained some proponents throughout Mexico as an effective security option in difficult times including human rights ombudsman Jose Luis Soberanes.[14]

Mexico's security structure is a complex, overlapping entanglement of jurisdictions of over 1,600 independent law enforcement forces, not including the military. Drug interdiction falls under the auspices of the Secretaries of National Defense, the Navy, the Interior, and Public Security, and with state and local police, but investigations of drug-related crime is the responsibility of municipal police and the Federal Agency of Investigation (AFI).[15] The sheer numbers of agencies greatly complicate the efforts of law enforcement agencies to share information much less analyze multiple reports from separate sources on specific individuals.[16] Public funding of Mexican law enforcement may also contribute to its ineffectiveness, concentrating its resources on technology and equipment as opposed to training and salaries. In Mexico City, a beat police earns around $700 a month, and yet the city pays its pay roll personnel $900 a month,[17] a disparity that facilitates ease of corrupting of the city police by the cartels. While this disparity may not automatically translate to variation between the two cities, it is worth noting as a source of potential liability for the Mexican government. These challenges to Mexican law enforcement each contribute directly or indirectly to increases in effectiveness the government may have gained through these changes.[18]

---

14 Ken Ellingwood. Mexico vs. Drug Gangs: A Deadly Clash for Control, *Los Angeles Times*. June 3, 2008.

15 It is also important to note that the Protective Federal Police (PFP) and the AFI have merged into one organization under the Secretary of Public Safety. Bahney, Benjamin, Agnes Gereben Schaefer, and Jack K. Riley. "Security in Mexico." Santa Monica, CA; Arlington, VA; Pittsburgh, PA: The Rand Corporation, 2009, 15–18.

16 Perhaps the most notable recent example of this has been the 9/11 Commission Report's depiction of the various U.S. agencies with individual pieces of information regarding the attacks (such as not watch-listing Hamzi and Mihdhar or connecting Zacarias Moussaoui to a possible future attack) but with no one agency able to put enough of the information together in order to stop the attacks. 9/11 Commission . "9/11 Commission Report Executive Summary." Washington D.C.: W.W. Norton & Company, July 22, 2004, 8–9.

17 Schaefer et al. Security in Mexico, 15.

18 Laurie Freeman and Jorge Luis Sierra, "Mexico: The Militarization Trap," in *Drugs and Democracy In Latin America: The Impact of U.S. Policy* (Boulder, London: Lynne Rienner Publishers, Inc., 2005), 263.

It is important to note that this thesis (particularly Chapter II) focuses on Mexico's federal law enforcement system. This thesis does not provide an analysis of local level variations that exist between the many law municipal enforcement agencies. These variations include but are not limited to the education, training, and pay rates of their officers. The variations can and likely do have implications on the variation seen in Mexico's apprehensions of the leaders of the CFO and AFO.

Reames (2007), Freeman and Sierra (2005), and Schaefer et al. (2009) provide extensive overviews of the many transformations Mexico's security apparatuses have undergone over the last two decades. Most of these attempts at security reform have been directed at reducing the level of corruption in Mexico's security forces. A few of the reforms have been aimed at otherwise professionalizing those same forces, from human rights training to structural changes to clarify command and control mechanisms. These reforms are critical to the overall evolution of a transparent and effective Mexican security apparatus. However, while federal security reforms are a necessary condition for long-term security reform, they are not sufficient to explain success in captures of AFO leaders relative to the CFO leaders.

### 2. Cartel Structures and Behaviors

Due to the illicit nature of the activities of organized crime, there is a relative dearth of academic literature to explain the organizational structures of drug trafficking organizations. Michael Kenney provides a unique view into the network structures of Colombian drug cartels prominent in the 1980s, yet these structures do not capture the key characteristics of the AFO and CFO that ultimately help to explain the variation of interest across the cartels. Moving beyond Kenney, this thesis turns to other theories of organizations, from the tradition of public administration theory, to help to explain the varied success of cartel leader captures.

In *From Pablo to Osama*, Kenney provides an organizational theory approach to understanding how drug traffickers and terrorist organizations learn.[19] According to

19 Kenney, Michael, *From Pablo to Osama* (University City, PA: Pennsylvania State University Press, 2007).

Kenney, the structural and functional make up of drug trafficking organizations are designed to be adaptive and flexible in order to achieve a "competitive advantage" over law enforcement agencies, maintaining security while maximizing their capacity to smuggle drugs.[20]

In this analysis, Kenney argues that structures of these networks are based primarily upon the need for security of operation (while maintaining necessary methods for communication) and are therefore compartmentalized to prevent the loss of any particular node of the trade from collapsing the organization as a whole. For example, in a hierarchical organization, the loss of a key leader with a monopoly on the inner-workings of that organization may lead to the collapse of the organization. In contrast, in a loose, decentralized network, each node of the organization may know members of the organization on each end of their particular piece of the trade, but may be removed from knowing anything about the trade beyond their small piece. However, it often takes longer to reconstitute the sections of these enterprises lost to law enforcement or otherwise.[21] In reality, and different from the Colombian cartels that Kenney models, the AFO and CFO are essentially comprised of a loose combination of the two structures with a fairly hierarchical upper-management structure and a decentralized network of lower-level traffickers.

According to Kenney, the cartels are organized according to one of two models of networks, "wheel networks" and "chain networks," and they also vary in their degree of vertical accountability and responsibilities.[22] This variation in cartel structure may create critical vulnerabilities for cartels that do not effectively compartmentalize their operations. Some DTOs utilize a chain network that is horizontally accountable, whereby each node of the organization may only know individuals in one or two other nodes out of many. Other DTOs employ a wheel network that provides a number of vertically accountable levels. Wheel networks may include individuals that are aware of multiple nodes of the operation and may also use trusted individuals as a protective barrier to the

20 Kenney, *From Pablo to Osama*, 27.

21 Kenney, *From Pablo to Osama*, 31.

22 Kenney, *From Pablo to Osama*, 29.

leaders of the organization in the event that lower level agents are apprehended.[23] However, arrests of even trusted individuals can provide information that leads to further arrests by the intelligence gathered through evidence collection, i.e., cell phones, notes, receipts, etc. While each of these structures provides certain advantages and disadvantages, the horizontal accountability provided by chain networks remain "more resistant to head hunting approaches to drug control: there are no 'high value' core group leaders for law enforcers to capture, and those participants who are detained are generally easy to replace."[24]

Applying Kenney's research to the AFO and CFO offers an explanation of how variations in structures facilitates the Mexican government's relative success against the AFO. Consistent with predictions from Kenney's study, a number of analyses of the CFO suggest that the cartel turns to what amount to subcontractors to carry out some functions. Specifically, La Linea, Barrio Aztecas, and Los Linces organizations provide the CFO with specific capabilities and services. La Linea is an enforcement arm of the CFO and is comprised of active and former police, often from the Ciudad Juarez area. The unique access to the local law enforcement allows La Linea to provide warning to other members of the CFO and its associates of impending government actions against the CFO.[25] Barrio Aztecas is an American prison gang that has been involved in enforcement and trafficking for the CFO. Members of Barrio Aztecas typically operate on the U.S. side of the border but have been involved increasingly on the Mexican side.[26] Los Linces represents the enforcement arm of Barrio Aztecas and remains in connection with the CFO. The evolution of specialized units that focus on enforcement is a relatively new occurrence in the Mexican drug trade. These connections between the CFO and outside organizations likely provide additional security to the leadership of the

23 Kenney, *From Pablo to Osama*, 27.

24 Kenney, *From Pablo to Osama*, 31.

25 U.S. Consulate Worker in Juarez was Targeted for Assassination," *Salem News*, May 4, 2010; "Mexican Drug Cartels: Government Progress and Growing Violence," STRATFOR, 2008, 7–8.

26 The 2010 killing of three people tied to the U.S. Consulate in Juarez has been connected to members of the Barrio Aztecas. Ricardo "Chino" Valles de la Rosa, a member of the Aztecas, was arrested on suspicion of being a lookout for the assassins. James C. McKinley. "Suspect Says Juarez Killers Had Pursued Jail Guard," *New York Times*, March 31, 2010.

organization and can therefore help explain why Mexican law enforcement agencies have captured relatively few CFO leaders.[27] While Kenney does not consider the possibility for such subcontracting in his analysis of the structures of Colombian Cartels in the 1990s, the dynamic is definitely congruent with his point that these organizations learn and adapt to their operational environments.

Given that Kenney's analysis of networks does not satisfactorily explain the variation of concern, this thesis draws on other theories of organization, within the tradition of public administration theory, to understand the relevance of cartel structures. First, the thesis finds that the CFO's greater level of professionalism has helped to protect its leaders from capture. In *The Soldier and the State*, Samuel P. Huntington delineates the differences between "amateurs" in a given profession and "professionals," noting that amateurs have traditionally been viewed as monetarily motivated whereas professionals are moved by a "higher calling."[28] He goes on to elaborate on the roles "expertise," "responsibility" and "corporateness" play in the level of professionalism found in modern soldiers.[29] Applying Huntington to the AFO and CFO, this thesis finds that the AFO's less professional structure—specifically, one in which family and friendship ties are more important than professional background or skill level for membership and assignments—means that law enforcement agents are able to utilize information gained from the arrest of one member of the cartel's leadership for follow-on investigations of other key leaders. Conversely, by maintaining a more professional organization, the CFO is able to limit the information gained from any single member of the organization.

Huntington's point on "expertise" becomes increasingly salient when viewed through Gulick and Urwick's discussions on the benefits of specialization in

---

27 "Mexican Drug Cartels: Government Progress and Growing Violence", STRATFOR, (2008), 7–8. Daniel Borunda, "'Lynxes,' Azteca formed hit squad: Birthday party attack directed by cartel, gang," El Paso Times. February 11, 2010.

28 Samuel Huntington, *The Soldier and the State* (Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 1957), 7–8.

29 Importantly, DTOs do not fulfill all of Huntington's requirements for a professional organization. Huntington ties the responsibility of the individuals to the "greater good" of society and argues financial compensation "cannot be the primary aim of the professional man."

29 In contrast, participating in the trafficking of narcotics is done for the prospect of earning money for taking on the risks associated with the trade, such as incarceration and death.

organizations. Specialization distributes disparate activities within an organization between departments.[30] This allows various departments (or in the case of DTOs, cells) to consolidate homogenous activities.[31] It creates units capable of providing relative expertise through repetition of unique capabilities.[32] Specialization also reduces the transaction costs of units having to shift to heterogeneous activities regularly. DTOs, like corporations are likely to benefit from savings in the form of transaction and training costs in the long run. This is especially true when they are able to form specialized units that increase a unit's expertise in a particular skill and reduce the costs of reforming critical contacts and agreements with outside agents. Specialization appears to be more readily manifest in the CFO construct with associated criminal organizations that provide specific capabilities and activities to the CFO (as demonstrated by the CFO's practice of subcontracting, discussed above). In contrast, it appears that members of the AFO perform various functions, without specializing. This thesis finds that the CFO's use of La Linea, Barrio Aztecas, and Los Linces provide specialized skill sets (and hence expertise in those areas) that increase efficiency as well as access to useful contacts that can be used to protect the organization.

### 3. The Path-Dependent Nature of U.S. Drug Policy in Mexico

The thesis draws mainly on theories of path dependence to explain DEA behavior and, in turn, variation in Mexican government successes in AFO versus CFO leadership captures. Specifically, consistent with the central idea behind path dependency, the thesis argues that the random event of the 1985 assassination of the DEA agent in Tijuana set the DEA on a "path," focusing to the present more on the AFO than on other cartels, irrespective of the high levels of activity and violence of other cartels since then.

To illustrate the logic of path dependence, we can look to Boas' work, which draws on the example of the QWERTY keyboard to illustrate how patterns can resist

---

30 W. Richard Scott, *Organizations Rational, Natural, and Open Systems*, Fifth (Upper Saddle River, NJ: Prentice Hall, 2003), 42.

31 Scott. Organizations Rational, Natural, and Open Systems, 42.

32 Luther Gullick and L. Urwick, Papers on the Science of Administration (New York, NY: Routledge, 1937), in Scott, *Organizations Rational, Natural, and Open Systems*, 42.

change over time.[33] The QWERTY keyboard was initially developed in 1867 to lower the occurrence of jammed typebars by placing common letter pairs on opposite sides of the typewriter. Over time and technological advancements such as the personal computer the issue of jammed keys became moot, yet the QWERTY keyboard has persisted. Resistant to even incremental change, moving even a single key would result in tremendous efficiency costs of retraining countless individuals already proficient on the QWERTY-style keyboard.

Utilizing Boas' contributions to the theory of path dependency, this thesis demonstrates how the DEA has become "locked in" to their pursuit of the AFO.[34] Following the death of DEA Special Agent Enrique Camarena, the agency launched a massive investigation in Mexico to capture his killers. This investigation led the DEA to the leaders of the Guadalajara Cartel, one of which (Miguel Angel Felix Gallardo) was related to the Arellano-Felix family that was to inherit the remnants of the cartel following the arrest of Gallardo. This relationship, in conjunction with the DEA's adoption of the Camarena narrative as an influential motivate, directed the DEA toward a relentless pursuit of the AFO.

The individual hypotheses do not necessarily provide a single, "silver bullet" answer to the question of governmental success in capturing leaders of the AFO. However, when viewed as an evolutionary history of the contest with each side responding in kind to the actions of the other, this analysis points to a confluence of events, the killing of a DEA agent and subsequent path dependency of the DEA to that narrative combined with the tightly linked structures of the AFO, that has lead to the arrests of the leaders of the AFO.

---

33 Taylor C. Boas. "Conceptualizing Continuity and Change: The Composite-Standard Model of Path Dependence," *Journal of Theoretical Politics*, 19(1), Sage Publications, London, Thousand Oaks, and New Delhi, 2007, 35.

34 Paul Pierson. "Increasing Returns, Path Dependence, and the Study of Politics," *American Political Science Review* 94(2), 2000, 251–67, in Boas. "Conceptualizing Continuity and Change: The Composite-Standard Model of Path Dependence," *Journal of Theoretical Politics*, 19(1), Sage Publications, London, Thousand Oaks, and New Delhi, 2007, 33–35.

## E. METHODOLOGY

Research for this thesis was conducted by way of a comparative case analysis in order to study the variables involved in generating successful capture operations of the major leaders of drug trafficking organizations. Each case will be investigated individually for the role of each theoretical proposition to explain the Mexican government's success against the AFO and their lack of success against the CFO. Any findings of this thesis will then be evaluated in the hopes of creating a better understanding of the critical elements necessary to prosecute further capture operations.

There are intrinsic difficulties that reside with the study of illicit activities. Not only are these activities performed outside the view of the public at large, but they are also concealed and protected from attempts by researchers to shed light upon them. Keeping their activities in the dark is a logical action that allows DTOs to continue to operate and make money while remaining out of the view of law enforcement efforts. On the other hand, many law enforcement efforts are also kept from view of their adversaries and the general public, and a similar logic follows. Any information gleaned from efforts to interrupt the operations of the DTOs provides an opportunity for adapting to these efforts by DTOs so that they can remain free from incarceration and continue to practice their trade. The secretive nature of both sides of this cat and mouse game make research difficult, but there remain a number of sources of information that may shed light on these various activities.

### 1. State Security Overview

Understanding the Mexican government's law enforcement capacity and challenges (as they apply to this thesis) was conducted through an analysis of the federal government's various agencies - specifically the Federal Preventative Police (PFP), the AFI, and the military. The analysis of these agencies focuses on the reforms, structures, size, composition, and gives an overview of the deployments of federal agencies to regions such as the plazas in Tijuana and Ciudad Juarez. Other factors considered were the levels of interoperability and the sharing of information between agencies.

Interoperability and information sharing is determined through an examination of the numbers of arrests and interdictions made by multiple agencies working together.

### 2. Cartel Structures and Behaviors

An explicit perspective of the operations, structures, rules, and routines of prominent DTOs and particularly specific cartels such as the AFO or CFO may be impossible to gain without direct access to core members of both organizations. Even with direct access to the group, it may remain impossible to gain the fidelity of information that is sought by researchers because of the compartmentalization that occurs within these organizations. However, it is possible to review research and interviews previously conducted by academics and law enforcement agents following the incarceration of individuals that have participated in the various activities associated with narcotics trafficking. There have been a number of insightful additions to the literature in recent years. However, the bulk of the work is done by primary source reports from various news media outlets and is hampered even further by the fact that much of this reporting is done in the United States, as many Mexican journalists have come under fire by the cartels and government alike for their coverage of the Mexican war on drugs.[35]

### 3. The Path-Dependent Nature of U.S. Drug Policy in Mexico

Evaluating the influences that the United States, specifically the DEA has played in Mexico's war against the cartels, it is evident that a review of U.S. strategies[36] is critically important. Equally important is a review of the interviews, testimonies, and media reports that depict the arrests and indictments of various high-level members of

35 Tracy Wilkenson. "Mexico crime reporters face deadly perils." *Los Angeles Times*, December 29, 2009.

36 Two recent U.S. government documents provide overviews of U.S. strategies on the border: Office of National Drug Control Policy, "U.S. National Southwest Border Counternarcotics Strategy, 2009," ONDCP, Washington D.C. 2009. House Committee on Homeland Security Subcommittee on Investigations, "A Line in the Sand: Confronting the Threat at the Southwest Border," House Committee on Homeland Security, Washington D.C. 2006.

government, including the military, law enforcement agencies, and politicians that have been either associated in some way with either the Tijuana Cartel or the Juarez Cartel or aligned against either cartel.

## F. THESIS STRUCTURE

This thesis begins by providing a detailed background of the complicated nature of the Mexican security structures as well as the many attempts at reform these institutions have undergone, primarily aimed at fighting corruption. Chapter III analyzes variation in the structures and behaviors of the two DTOs that have potential ramifications for the government's varied success in capturing CFO and AFO leaders. Chapter IV assesses the impact U.S.-Mexican relations have had on the capture of cartel leaders in the two cases and the path-dependent nature of the U.S. DEA's pursuit of the AFO. The thesis concludes with a synopsis of the critical findings of the research conducted for this project.

Chapter II refers to Reames (2007, Freeman and Sierra (2005), and Schaefer et al. (2009) for an overview of Mexico's security structures and the historical background of the many reforms that have been implemented over the last two decades. Lopez Portillo (2002) imparts a critical lesson on how political security has undermined the social contract between Mexican police and the population they are charged with protecting.

Chapter III provides a review of Michael Kenney's examination of the networks and structures of the Colombian cartels prominent in the 1980s offers some insights into the various structures that make up the two organizations. It then moves to Samuel Huntington's theory on the professionalization of modern military officers found in his 1957 book *The Soldier and the State* that provides another opportunity to partially explain variation that exists between the AFO and the CFO. Chapter III concludes following a review of the contribution of "specialization" as it applies to organizational administrative theory that has relevance to the behaviors of DTOs found in Gulick and Urwick's 1937 *Papers on the Science of Administration.*

Chapter IV uses theories of path-dependency to illustrate how the U.S. DEA became dependent upon a single critical moment of the organizations theory. The chapter also highlights the evolution of U.S.-Mexico relations and how they have affected the local-level variations in leadership arrests. The two critical moments that help explain the across-time variation in leadership arrests: the signing of NAFTA; and the election of President Fox, signaling the fall of the PRI.

The thesis concludes with a summary of significant findings. This thesis utilizes elements of organization and path dependence theories to explain variation in the Mexican government's success in arresting key cartel leaders. The findings hold several implications for influencing U.S. counter-drug policy abroad, specifically in Mexico.

THIS PAGE INTENTIONALLY LEFT BLANK

# II. STATE SECURITY OVERVIEW

## A. INTRODUCTION

A study of Mexico's federal security apparatuses and the many reforms they have undergone over the years fails to provide adequate explanation for Mexico's success in apprehending leaders of the AFO. This chapter focuses on Mexico's federal agencies, as they have been primarily responsible for the preponderance (ten out of twelve) of leadership arrests between the two cartels.[37] It analyzes the relationships among the agencies as well as government efforts to reduce corruption within them.

An examination of Mexico's federal law enforcement entities (to include the military) is warranted especially in light of how often these agencies have been used in response to crises. Since the 1970s, Mexican administrations have deployed the military in such cases. Vicente Fox's inauguration marked the beginning of the militarization of federal law enforcement with the appointment of General Rafael Macedo as Attorney General. Felipe Calderon followed suit with the deployment of 45,000 troops and thousands of federal agents throughout Mexico to combat drug trafficking.

This chapter focuses on an overview of Mexico's federal security apparatuses to provide an understanding of the complexity of these systems. The concentration on these forces is derived largely from the fact that these are the units largely responsible for the apprehensions of the leaders of the cartels. Federal law enforcement not only has competence over federal crimes (such as drug trafficking) but since the cartels are not limited to any specific geographic area, federal units are often the only agencies that can traverse state and municipal jurisdictional boundaries.[38] The chapter, unfortunately, does not provide a similar analysis of local-level variation that may have implications in the

37 These numbers include only those members of the organizations that were apprehended in Mexico, by Mexican authorities and have definitive membership in the organizations. For these reasons, Heriberto Santilan Tabares, Ramon Arellano-Felix, and Francisco Javier Arellano-Felix are not included in these figures.

38 It is important to note that while the cartels control specific plazas (such as Tijuana and Juarez) and tend to be thought of as geographically tied to those areas, the leaders of these cartels are not. In fact all but three arrests of the leaders of these two cartels were made outside Tijuana and Juarez.

variation witnessed in arrest levels of the AFO leadership relative the CFO leadership. An analysis of the municipal or state security forces provides another possible avenue for further research.

Though knowledge of the nature of Mexico's federal security apparatuses is important to provides background on captures, including an understanding of how Mexico's government has attempted to reform these systems critical to the prosecution of the war on drugs, it does not explain variation between the AFO and CFO in terms of state arrests of leaders. In fact, to the extent to which federal agencies have focused more on one cartel, it would be the CFO, the leadership of which has largely evaded arrest. Provided that an increase in security agents in a given region generally increases state capacity, it seems rational to expect a corresponding increase of arrests of individuals, to include the leaders of the cartels. However, these are not the results that are observed. Despite the disparity in law enforcement agents in favor of the Juarez region, Mexico's success in apprehensions still resides with its focus on the AFO. Nearly six thousand troops and another two thousand federal agents have been deployed to Ciudad Juarez since 2009. In Tijuana, the Mexican government deployed 3,300 soldiers and federal agents in 2007;[39] this number was increased to just over four thousand in 2010. This means that for the last three years there have been more than twice as many federal law enforcement agents in the Juarez area than there have been in Tijuana.[40] However, the arrest records of cartel leadership do not reflect any correlation between an increase in numbers of agents and an increased number of arrests of high-ranking individuals.

Importantly, a greater concentration of public security forces does not necessarily suggest greater security in a given region. Public calls for increased security (as indicated above) often results in increases in law enforcement resources. However, these are the same entities that Lopez Portillo argues have traditionally been used in Mexico to protect

39 The initial deployment consisted of 2,620 soldiers, 162 marines, and 510 federal police.

40 Considering the military is being used as an arm of law enforcement in Mexico, it stands to reason that they are also referred to as "law enforcement agents."

not the populace, but the political regime.[41] Gomez Cespedes highlights the tremendous challenges facing any administration seeking reform when "corrupt politicians, businessmen, and commanders of the police and the army, who as a rule were primary actors in criminal organizations."[42]

At issue with the deployment of military troops to confront corruption is the systemic failure of the social contract between law enforcement and the populace. A 1999 public opinion poll conducted in Mexico City found seventy percent of the population did not trust the police and believed that they are connected to crime, indicating a significant distrust of law enforcement. Lopez Portillo extrapolates this finding to a related hypothesis that the police themselves are creating insecurity.[43] By extension, the deployment of large numbers of law enforcement agents exacerbates the security situation. This is particularly true if those agents have not reformed with public safety as their primary mandate as opposed to their traditional mandate of protecting the political regime.

With these caveats in mind, the present chapter proceeds as follows. Beginning with an overview of Mexico's law enforcement structures to include the size and jurisdictions of those agencies as well as their recent history and reforms, the chapter then proceeds through an overview of the civilian federal agencies. This is followed by a similar treatment of Mexico's military structures and their role in the war on drugs. The final section provides a brief discussion of how these agencies are affected by corruption before concluding.

---

41 Ernesto Lopez Portillo Vargas, "The Police in Mexico: Political Functions and Needed Reforms," in Chabat and Bailey, *Transnational Crime and Public Security: Challenges to Mexico and the United States*, Center for U.S.-Mexican Studies at the University of California, San Diego, 2002.110–111

42 Gomez Cespedes, Alejandra. "The Dynamics of Organized Crime in Mexico" (Ph D. dissertation, Cardiff University, 1998), in Chabat and Bailey, *Transnational Crime and Public Security: Challenges to Mexico and the United States*, Center for U.S.-Mexican Studies at the University of California, San Diego 2002, 121.

43 Lopez Portillo. "The Police in Mexico," 120.

## B. MEXICAN LAW ENFORCEMENT STRUCTURE AND RECENT HISTORY

Vicente Fox's election and subsequent fracturing of the PRI's stranglehold on government institutions tore down the patron-client control mechanisms the party had maintained for nearly seventy years. Mexican law enforcement, in particular, has been beset at all levels with massive corruption and collaboration, which, in turn, has undermined the public's view of these apparatuses. The dramatic shift following Fox's election was not the first time a sitting president acknowledged Mexico's law enforcement deficiencies. Beginning with the administration of President Salinas (1988-1994), successive executives have attempted to purge, restructure, and reorganize the Mexican federal law enforcement system, particularly the Attorney General's Office (*Procuraduria General de la Republica*, PGR). These reforms have been attempts to eliminate or at least diminish corruption.

Understanding Mexican federal law enforcement's efficacy in battling AFO and CFO has to begin with an understanding of Mexico's law enforcement structures, jurisdictions, and mandates. It is only after this understanding is established, including the reform measures the government has undertaken, that it becomes apparent that these entities and their reforms alter Mexico's application of law enforcement across all of Mexico. Any change in federal law enforcement in Mexico is applied equally in all jurisdictions; therefore these changes do not provide Mexico with variation in leadership arrest results. Increased troop and federal agent levels are not likely to provide any Mexican administration a corresponding increase in arrest of cartel leadership. However, a review of these forces and their evolution is important in formulating a full understanding of the complexity of Mexico's drug war and their efforts to apprehend the leaders of DTOs.

Mexico is a federation of thirty-one states and a federal district and divides its law enforcement system by jurisdiction and function. Mexico divides its law enforcement jurisdictions into federal, state, municipal, levels as well as the Federal District, and these forces are also bifurcated by function. There are preventative police, charged with keeping the peace, and judicial or investigative police that are responsible for

investigating crimes. An overview of security structures follows, starting with a brief summary of the numerical size of Mexican law enforcement and then covering the topic of jurisdiction and finally the breakdown of the security structure via function.

### 1. Size

In deploying troops to resolve crises in troubled areas, the administrations of Vicente Fox and Felipe Calderon have assumed that increased law enforcement presence will correspond with an increase in security. According to this logic, an increase in law enforcement agent presence in regions most affected by organized crime can be expected to result in increased arrests of criminal actors, to include the leaders of these organizations. Contrary to such an approach, this thesis shows that increases in law enforcement agents does not automatically equate to increased captures.

There are approximately 350,000 federal, state, and municipal police officers. Ninety percent (317,000) of them fall under the authority of state and local authorities, and with the remaining ten percent (33,000) falling under the auspices of federal authorities.[44] Mexico has approximately 370 police officers compared with the United State's 225 per 100,000 people,[45] which highlights the point that the size of the force is important but is not the defining characteristic in the application of security.[46] While inadequate numbers of law enforcement officials often lead to overloads within the system and create investigative and prosecutorial backlogs, this statistic would seem to indicate that there should be no such backlog in Mexico's public law enforcement entities. However, this is not the case in Mexico, because the officers within the Office of the Public Prosecutor (OPP) charged with prosecuting reported crimes are the same officers responsible for investigating crimes and make up only a small fraction of Mexico's security system, which limits the collection of information and possible leads or connections to other criminal acts.

---

44 Agnes Gereben Schaefer, Benjamin Bahney and K. Jack Riley, "Security in Mexico," Santa Monica, CA; Arlington, VA; Pittsburgh, PA: The RAND Corporation, 2009, 19.

45 Jane's, 2008 Jane's Sentinel Country Assessments in Schaefer et al. "Security in Mexico," 18.

46 Schaefer et al., Security in Mexico, 18.

### 2. Jurisdiction

#### *a. Municipal Level*

Similar to counties in the United States, the municipal level of government represents the smallest unit of elected government granted authority through elections and state resources in Mexico, of which there are around 2,400 municipal governments.[47] There exists large variation within the range of municipal governments: not all of these municipal governments have police forces and of those that do, around 2,000 of those municipalities have police forces that number less than one hundred officers. Consequently, these police forces are not well-developed and are often not modernized police forces.[48] However, unlike the elected sheriffs in the United States, municipal police chiefs in Mexico are appointed, (as is the case with U.S. county sheriffs). Mexican municipalities do maintain police forces but are limited to preventive police functions, which consequently means they do not have investigative authority.

#### *b. State Level*

At the state level, the State Judicial Police (PJE) operate in each of the 31 states and consist of preventative police (90,000 officers nationally) and judicial police (somewhere between 21,000 and 25,000 officers nationally). The judicial police are organized under the Offices of the Attorneys General (*Procuradurias Generales de Justicia*), the state-level institution charged with carrying out local state law (*fuero comun*).

#### *c. Federal District*

Mexico's Federal District encompasses Mexico City's greater metropolitan area that includes roughly 18.7 million inhabitants and is governed by a directly elected head of government (colloquially known as the Mayor of Mexico City),

47 Reames, Benjamin Nelson. "A Profile of Police Forces in Mexico" in Cornelius and Shirk's Reforming the Administration of Justice in Mexico. University of Notre Dame, South Bend, IN, 2007, 121.

48 Reames, "A Profile of Police Forces," 121.

who appoints the public security secretary and the attorney general of the federal district who are in charge of the districts' law enforcement efforts. The federal district consists of around 34,000 regular officers, 40,000 auxiliary police, and 15,000 bank police divided between geographic and functional responsibilities.[49]

#### *d. Federal Level*

At the federal level, responsibility for national security is split between the president and eight cabinet-level departments (see figure 1). These departments have mandates to investigate and prosecute federal crimes, specifically organized crime, human trafficking, kidnapping, and drug trafficking. The division of labor among these organizations is often overlapping and duplicative due to ambiguously defined authorities and responsibilities. For example, not less than four different cabinet departments (the Secretary of the Navy, Secretary of National Defense, Secretary of the Interior, and the Secretary of Public Security) carry out drug interdiction activities,[50] and the investigations of drug trafficking are usually conducted by the Federal Investigations Agency (*Agencia Federal de Investigación*, AFI), and on rare occasions, the Secretary of National Defense (*Secretaris de la Defensa Nacional,* SEDENA).[51] Within these eight departments, five are tasked specifically with carrying out the nation's anti-narcotics and anti-organized crime policies, the Secretary of the Navy, SEDENA, the Ministry of Public Security (*Secretaria de Seguridad Publica,* SSP), the Office of the Attorney General (*Procurador General de la Republica*, PGR), and the Interior Ministry (*Secretaria de Governacion*). For the purposes of this thesis, these five departments will be divided between civilian and military entities for research and analysis, beginning with a review of the civilian departments and agencies relevant to combating the drug trafficking organizations.

---

49 Reames, "A Profile of Police Forces," 121.

50 This is also true of U.S. counter-drug efforts where the DEA, FBI, Coast Guard, Customs and Border Protection, as well as state and local police all have competence over drug enforcement.

51 Schaefer et al. Security in Mexico, 15.

## C. CIVILIAN FEDERAL AGENCIES

Cabinet level officials head the three primary civilian agencies, the Office of the Attorney General (PGR), the Ministry of Public Security (SSP), and the Interior Ministry. Officials appointed by the president lead each of these organizations. However, the national congress must approve the attorney general. Each of these offices is (or, as is the case with the PGR, "was")[52] responsible for agencies charged with of much of Mexico's federal law enforcement efforts. In order to understanding the effectiveness of the Mexican federal efforts, a description of the major agencies is in order. This description will begin with changes in the Office of the Attorney General then move to the Ministry of Public Security and finally to the Interior Ministry.

52 I include the PGR in the discussion due to its history of control of the AFI; however, it has recently been merged with the PFP into a single organization under the operational control of the Ministry of Public Security. Schaefer et al., Security in Mexico, 17.

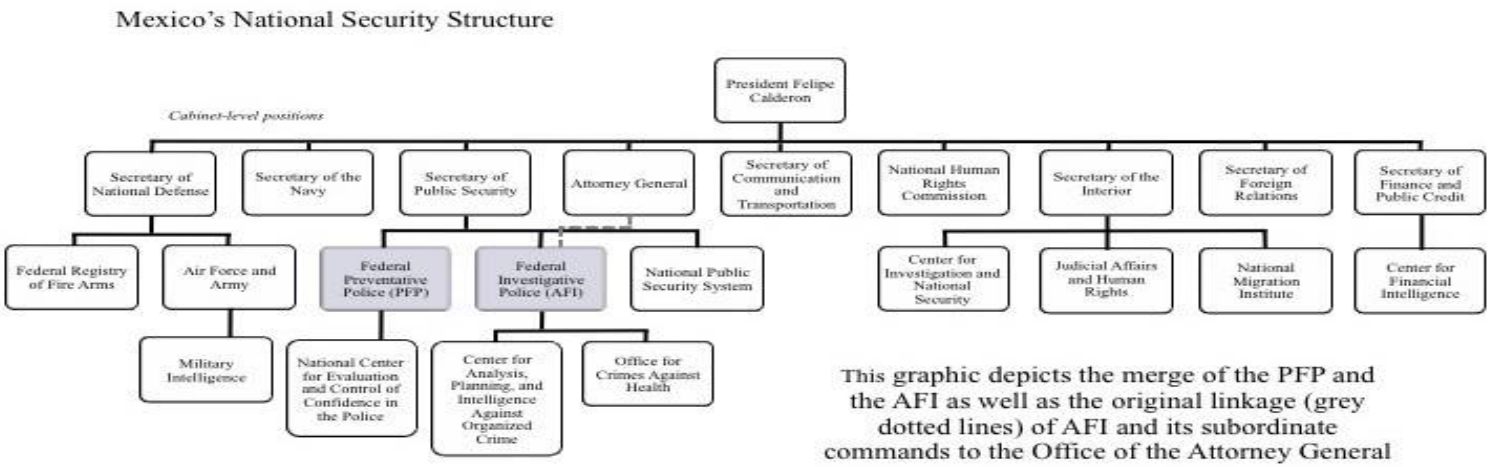


Figure 1. Mexico's National Security Structure.

### 1. Office of the Attorney General (PGR)

The Office of the Attorney General (PGR) has a mandate to investigate and prosecute federal crimes such as drug and arms trafficking, kidnapping, public health, and environmental crimes. To perform these duties, President Fox disbanded the notoriously corrupt Federal Judicial Police and replaced it with the Federal Investigations Agency (AFI), similar in construct and mandate to the U.S. FBI.[53] The AFI has since been reassigned and merged with the PFP under the Ministry of Public Security, yet the volume of work it has done since 2000 has been under the auspices of the PGR and so it is addressed here. The PGR's annual budget is around five billion pesos to fund their force of over 6,000 officers, with approximately two-thirds of the force judicial police and the other third split between about 1,600 investigators and 450 specialists.

#### *a. The Federal Investigations Agency (AFI)*

In 2001, early in his term as president, Vicente Fox disbanded the Federal Judicial Police force and replaced it with the Federal Investigations Agency in an attempt to address corruption within the agency. The move was intended to create a more professional and effective investigative agency with clear command structures and missions, better internal control mechanisms, and compartmentalized intelligence and operations sections.[54] The results of the restructuring were not quite what the administration anticipated when many of the officers working in the Federal Judicial Police were incorporated into the newly minted AFI and with those officers came some of the corrupt legacies of the AFI's predecessor.[55]

There are four other agencies that currently fall under the auspices of the attorney general: the Office of the Public Prosecutor (OPP), the Special Anti-Organized

---

53 Laurie Freeman and Jorge Luis Sierra, "Mexico: The Militarization Trap," in *Drugs and Democracy In Latin America: The Impact of U.S. Policy* (Boulder, Colorado; London: Lynne Rienner Publishers, Inc.) 2005, 275.

54 Jane's. Government of Mexico, Primer Informe de Labores (Mexico City: Procuraduria General de la Republica, September 1, 2001, as quoted in Freeman and Sierra, "Mexico: The Militarization Trap," 275.

55 Freeman and Sierra. "Mexico: The Militarization Trap," 272.

Crime Unit (UEDO), Office of the Assistant Attorney General for Special Investigations and Organized Crime (Subprocuraduría de Investigación Especializada en Delincuencia Organizadad, SIEDO), Office of the Deputy Attorney for Special Investigation of Federal Crimes (SIEDF), and the Office of the Special Prosecutor for Crimes Against Health, (Fiscalía Especializada en Atención de Delitos contra la Salud, FEADS).

#### *b. Office of the Public Prosecutor (OPP)*

Subordinate to the PGR is the Public Prosecutor's Office, which is charged with investigating and prosecuting crime throughout Mexico. This dual responsibility is attributed to be one major source of impunity within the Mexican system as the same officers charged with investigating crimes are also charged with bringing them to court for prosecution. This situation creates massive backlogs within the criminal justice system due to overload. As an example, out of every one hundred crimes that are committed only twenty-five are reported (most Mexicans believe reporting crime to be a waste of time)[56] and out of those twenty-five, only 1.6 are prosecuted and of those 1.6, only 1.06 are sentenced, most of which are sentenced to fewer than three years.[57] This backlog has tremendous implications in the federal government's ability to investigate serious crimes. Needing to balance investigations with prosecutions divides time and skills between the two responsibilities as well as a requirement for very different skills. The OPP will be discussed in more detail below as it has implications within the size and composition of the security forces.

#### *c. Office of the Special Prosecutor for Crimes Against Health (FEADS)*

FEADS grew out of the National Anti-Drugs Institute (Instituto Nacional de Combate a las Drogas, INDC) following the arrest of the head of the INDC, General Gutiérrez Rebollo, on charges of collaboration with the Juarez Cartel. The restructuring

56 Lecuona, Zepeda. "Criminal Investigation and Subversion of Justice System Principles" in Cornelius and Shirk's Reforming the Administration of Justice in Mexico, University of Notre Dame, South Bend, IN, 2007, 142.

57 Lecuona, "Criminal Investigation and Subversion," 142.

of INDC to FEADS, however, did not overcome the issue of corruption and ultimately, FEADS was also disbanded in 2003 after it was discovered that its agents were extorting drug traffickers.

#### *d. Special Anti-Organized Crime Unit (UEDO)*

In 1994, Mexico first defined organized crime in the legal code, as a result, the office of the PGR created the Special Anti-Organized Crime Unit (Unidad Especial contra la Delicuencia Organizada). This definition in Mexico's legal code was followed in 1996 by the passage of the Federal Law against Organized Crime (Ley Federal contra la Delincuencia Organizada – LFCDO) with the intent of dealing with problems such as drug, migrant, and arms trafficking.[58]

#### *e. Office of the Assistant Attorney General for Special Investigations and Organized Crime (SIEDO)*

SIEDO is charged with investigating crimes against public health, the trafficking of arms, minors, organs, and undocumented people, terrorism, counterfeiting, kidnappings, auto theft, and robbery. SIEDO's budget for 2004 was 357 million pesos.

#### *f. Office of the Deputy Attorney for Special Investigation of Federal Crimes (SIEDF)*

SIEDF prosecutes the obstruction of justice by public officials, intellectual property and financial crimes, and environmental damage. SIEDF operated on a budget of 15.9 million pesos in 2004.

### 1. Ministry of Public Safety

The Ministry of Public Safety, headed by the Secretary of Public Safety, controls two agencies with responsibilities in the war on drugs and organized crime, the PFP and the National Public Security System (SNSP) and has just recently inherited responsibility for the AFI. Although the merger of the AFI and PFP occurred in the summer of 2008, the agencies have retained their respective uniforms and identities. The two agencies

58 Reames, "A Profile of Police Forces," 125.

have traditionally held different law enforcement roles, the AFI has had an investigative role, whereas the PFP has had held a public safety mandate. Following the merger, hundreds of PFP officers were called up to the office of the Attorney General to remove more than one hundred AFI officers protesting the move.[59]

#### *g. Federal Preventative Police (PFP)*

The PFP was created out of legislature proposed by the Mexican Senate in response to public safety concerns. The Senate legislature called for combining the federal highway police, the federal fiscal police, and the federal immigration police.[60] In 2000, the PFP had 10,699 officers, with 4,899 of those officers coming from the active duty military, around 4000 were from the Federal Highway Police, 1,500 from the Fiscal Police and 600 from the National Information and Security Center (CISEN) under the Interior Minister.[61] While the military presence within the civilian law enforcement agency has its detractors, it has also had influences upon how the agency has been restructured, reorganizing the PFP into regions and functions with coordination departments to oversee and plan operations. The PFP is further divided into the Department of Intelligence for Crime Prevention, the Department for Regional Security, and the Federal Support Forces.

The Department of Intelligence for Crime Prevention has been styled upon their contemporary units within the PGR for information handling and analysis as well as for federal crimes such as terrorism, trafficking, and kidnapping. The Department for Regional Security is divided into four sections; there are thirty-four regional commands and three federal divisions: federal highways, ports and borders, and other federal zones. The Federal Support Forces consist of units anticipated to be used for emergency deployments in support of special operations and emergency response. Considering the number of officers, the PFP's 2004 budget of 3.6 billion pesos made up over half of the

---

59 Jane's. STRATFOR. "Mexico Security Memo: September 29, 2008" 29 September 2008. Retrieved from http://www.stratfor.com/analysis/20080929_mexico_security_memo_sept_29_2008 on March 2, 2010.

60 Reames, "A Profile of Police Forces," 126.

61 Reames, "A Profile of Police Forces," 126–127.

SSP's entire budget for the year. Yet, the incorporation of the military, its subsequent restructuring and the vast budget, the PFP was merged with the AFI in 2008 in an attempt by President Calderon to consolidate the federal law enforcement agencies into one centralized organization to increase their effectiveness, efficiency, and to prevent corruption.[62] The presumption here is that by merging the AFI and the PFP, they will eliminate confusion over jurisdiction and mandates by clarifying the roles of their parent departments, the PGR and the SSP.

#### *h. National Public Security System (SNSP)*

In an effort to elevate public security to national policy and coordinate the efforts of the myriad security agencies (for instance, in order to collect information and draw up operational plans), the Zedillo administration officially created the Executive Secretariat of the National Public Security System (SE-SNSP) in 1995, which is governed by the National Public Security Council (CNSP). Mexico's President is the head of the CNSP, and the council includes the Secretaries of the Interior, Public Security, the Attorney General, National Defense, Navy, the governors of each of Mexico's thirty-one states, the head of the Federal District, and an SNSP executive. Coordinating councils at the state and local levels were also created in an effort by the federal government to highlight their efforts were toward planning and coordination as opposed to controlling the state and local efforts.

### 2. Interior Ministry

The Federal Ministry of the Interior's principle role in domestic law enforcement resides within the intelligence field. The National Information and Security Center (CISEN) was created in 1989 and is Mexico's primary civilian intelligence agency. Modeled on the CIA and Israel's Mossad, the CISEN performs intelligence operations ranging from signals intelligence (SIGINT) to include communications intelligence (COMINT) as well as human intelligence (HUMINT).[63] However, unlike the restrictions

62 Schaefer et al., Security in Mexico, 17.

63 Christophe Leroy. Mexican Intelligence at a Crossroad. SAIS Review, XXIV no 1 (Winter-Spring, 2004), 109.

put on domestic spying within the United States, CISEN focuses on domestic national security concerns, with agents in a variety of groups, organizations and social movements throughout Mexico.[64] Interestingly, drug traffickers' ability to penetrate Mexico's security institutions resulted in the anti-drug arm of CISEN being transferred to the National Drug Control Center (CENDRO), a component of INCD in 1992 then to FEADS when INCD was disbanded.

## D. MEXICO'S MILITARY STRUCTURE

As depicted in Figure 1, the Secretary of National Defense and the Secretary of the Navy each occupy cabinet level positions, without a single point of formal contact. The army and navy are distributed throughout Mexico by region, with the national headquarters in Mexico City. This regional distribution allows non-commissioned members of the armed forces to remain close to family while serving in the military; however, officers are not afforded the same considerations. Officers are made more mobile throughout the country to prevent them from establishing long lasting connections in any one area and possibly becoming too powerful.[65]

Mexico's army is commanded by the Secretary of National Defense and is a very centralized organization. Mexico is divided by the military in to twelve separate regions; the applicable regions for the purposes of this thesis are located in Mexicali, Baja California and Torreon, Coahuila. Each of these regions is further divided into subordinate Military Zones that can be tailored to meet operational requirements.

The Navy, on the other hand, utilized the "Junta of Admirals" in an advisory capacity. The members of this council place a high priority on the seniority of the individuals serving on the council and this priority reflects these admirals' military history all the way back to their days at the naval academy. The navy is divided geographically between the Gulf Force and the Pacific Force, each with its own

64 Leroy, Mexican Intelligence at a Crossroads, 109–110.

65 Jordi Diez and Ian Nicholls. "The Mexican Armed Forces in Transition." Monograph, Ft. Leavenworth, KS, Carlisle: Strategic Studies Institute, 2006, 12.

headquarters and attendant naval forces. These forces typically consist of a destroyer group, a Marine Infantry Group, and a Special Forces group.

All told, Mexico has around 277,000 troops serving in the armed forces with over 200,000 serving in the army, about 56,000 in the navy, and roughly 11,000 serving in the air force.[66] Since taking office in 2006, President Calderon has continued to escalate the number of troops involved in his war against organized crime and currently has over 45,000 troops deployed in support of operations throughout Mexico.

### 1. Mexico's Military Involvement

Beginning in 1977, with Plan Condor,[67] Mexico has been using its military to combat the war on drugs and accelerating through the Salinas administration in the 1980s, every subsequent Mexican President has deployed the military in an attempt to calm violence and combat drug trafficking organizations. Yet since Calderon's election in 2006, the military deployments have increased dramatically and military leaders have been used in a wide range of capacities that they had previously not been utilized. As examples, we can point to the appointments of senior members of the military to traditionally civilian roles such as President Fox's appointment of Rafael Macedo de la Concha as Attorney General or the Tijuana Mayor Jorge Ramos' appointment of an army colonel as the head of Tijuana's municipal police force (detailed below), as well as the use of military personnel as "force multipliers" to support municipal, state, and federal agencies frequently outgunned or ambushed by the DTOs.

The appointment of Macedo as Attorney General in 2000 meant an increased interoperability between the civilian agencies (AFI) with the armed forces, giving the AFI the military might and a significantly less corrupted force to employ to attack organized crime. Using a less corrupt entity to conduct operations against the DTOs

---

66 Jane's. Jane's Sentinel Security Assessments; Mexico's Armed Forces, July 1, 2009. Retrieved from http://www8.janes.com.libproxy.nps.edu/JDIC/JMSA/documentView.do?docId=/content1/janesdata/sent/cacsu/mexis100.htm@current&pageSelected=&keyword=&backPath=http://jmsa.janes.com/JDIC/JMSA&Prod_Name=CACS&activeNav=http://www8.janes.com/JDIC/JMSA on February 27, 2010.

67 Plan Condor was the army's most significant attempt at drug eradication. Around 3000 Mexican soldiers conducted eradication operating in the states of Sinaloa, Durango, and Chihuahua.

equates to a lower probability that a member of the Mexican security forces would compromise the operations. However, Macedo's appointment as Attorney General while increasing the effectiveness of the AFI and the military against the DTOs, does not lead to greater efficacy against one cartel vis-à-vis another.

### 2. SEDENA's Efforts at Reform

While the civilian sector has undergone regular reforms, the Ministry of National Defense also recognized some significant challenges that Mexico' armed forces have faced. For example, from 2000-2006, SEDENA lost over 120,000 soldiers to defections, many of which joined the ranks of organized crime. This problem was temporarily exasperated following Calderon's election when defections rose to over 1,000 a month.[68]

SEDENA announced a strategy for reforming its doctrine in its 2007-2012 Sectorial Programme that hopes to accomplish a number of goals including:[69]

- Making its human resources a greater priority by increasing the standard of living for its service members while simultaneously increasing pay and benefits in order to reduce defections.
- Increasing training and the budget for fuel and maintenance.
- Reorganizing the army's units as well as its deployments while decentralizing the air force to better balance its current operational requirements with the resources available.
- Shifting Mexico's internal security policy from insurgencies and guerrilla movements to drug production and organized crime, clarifying SEDENA's mission in Mexico.[70]

---

68 Jorge Ramos. "Senado posterga analizar iniciativas de Calderón." El Universal May 9, 2009. Calderón, Felipe. "El Presidente Calderón en la visita a las Tropas que participan en la Operación Conjunta Chihuahua." Presidencia de la República Press Release. May 14, 2009. Moloeznik, Marcos Pablo, "The Militarization of Public Security and the Role of the Military in Mexico," in Robert A. Donnelly and David Shirk (eds.), *Police and Public Security*, forthcoming 2009. "PUBLIC SECURITY LEGISLATION: Calderón proposes new security initiative; Senate postpones debate until after election." From Justice in Mexico, May, 2009. Retrieved from www.justiceinmexico.org on November 26, 2009.

69 Jane's. Jane's Sentinel Security Assessments; Mexico's Armed Forces, 2009 Retrieved from http://www8.janes.com.libproxy.nps.edu/JDIC/JMSA/documentView.do?docId=/content1/janesdata/sent/cacsu/mexis100.htm@current&pageSelected=&keyword=&backPath=http://jmsa.janes.com/JDIC/JMSA&Prod_Name=CACS&activeNav=http://www8.janes.com/JDIC/JMSA on February 27, 2010.

- Performing social development actions to the benefit of the country and the populace. While promoting transparency and accountability within the realm of civil-military relations, this has been accompanied by the creation of a human rights office within SEDENA's high command.

## E. CORRUPTION

In Mexico, corruption pervades much of Mexico's political system. Mexico's history of patronage and corruption begins even before the Mexican Revolution; although immediately following the revolution corruption was not only allowed to continue but the government itself fostered the practice. Porfirio Diaz's (President from 1876–80 and again from 1884–1911) policy of "pan o palo" (bread or stick) was the precursor for today's "plata o plumo" (silver or lead), the use of patronage and/or coercion to forward his policies. If Porfirio's constituencies did not accept the charitable consolations he provided, they were often arrested, beaten, and occasionally murdered. Mexico's pervasive corruption has certainly not been limited to the Porfiriato period of the late 1800s, in fact the brother of Carlos Salinas (President from December 1988 to November 1994) was implicated in corrupt dealings with organized crime.[71] Former governor of Quintana Roo, Mario Ernesto Villanueva Madrid was arrested in 2001 for accepting bribes from members of the CFO for the safe passage of narcotics through his state is yet another example of the legacy of corruption in Mexico.

The violence and corruption produced by the spectrum of illicit trade in Mexico has permitted criminal organizations to penetrate all aspects of the legal apparatuses and undercut the rule of law. The ability to destabilize these elements is essential to criminal organizations in order for them to flourish and avoid accountability for their actions, but their success in doing so is harmful to the government's ability to further rule of law and human rights and further undermines the credibility of the government. As Laurie

---

70 This represents a doctrinal shift away from Mexico's army combating guerrilla organizations (Guerrero "The Dirty War" [1970s], Zapatistas in Chiapas [1994], and the Popular Revolution Army [EPR] Guerrero [1996]; towards a five year focus on drug trafficking and eradication.

71 Raul Salinas was implicated in a number of illegal activities tied to drug trafficking throughout the 1980s.

Freeman of Washington Office on Latin America succinctly puts it, "corruption can exist without organized crime, but organized crime cannot survive without corruption."[72]

If successful integration of criminals into the local, regional, and national government with a complete disregard for rule of law is perhaps the worst-case scenario for state control of its territory, and localized criminal activity is most likely the best-case scenario, where does Mexico fit into this spectrum? According to Transparency International, Mexico experienced a significant drop in its perceived corruption rating and has fallen to 89th place among nations of the world.[73] This trend is also reflected in the many ways officials are implicated in not only corruption but in complicity in the drug trade. There have also been numerous occasions where municipal police have violently challenged the military units and federal police that have been deployed to stabilize the violence and combat the DTOs. Juarez and Tijuana have both witnessed significant efforts by the federal government to fight the corruption and participation in the drug trade by government officials at any level as detailed below. The pervasiveness of corruption in Mexico provides opportunities for both cartels to minimize and mitigate the security systems that work to govern the cartels' territories.

### 1. Corruption in Juarez

According to the Dallas Observer, the Juarez Cartel spends on the order of half a billion dollars annually on bribes to law enforcement and local officials.[74] This number is remarkably high. El Chapo Guzman, leader of the Sinaloa Cartel has also reportedly bragged that he pays over $5 million a month on bribes to law enforcement. Over the course of a year it that is still $60 million, no small sum to be sure. Regardless of the amount, it is safe to say the CFO pays a significant amount in order to get their product across the border into the United States.

---

72 Laurie Freeman, "State of Siege: Drug-Related Violence and Corruption in Mexico Unintended Consequences of the War on Drugs," Special Report, WOLA (Washington D.C.: Washington Office on Latin America, 2006),12.

73 "Corruption Perception Index 2009—Regional Highlights: Americas," Transparency International. Retrieved from www.transparency.org on November 17, 2009.

74 Jesse Hyde, "House of Death," *Dallas News Observer*, March 7, 2007). Retrieved from http://www.dallasobserver.com/2007-03-08/news/house-of-death/5 on December 16, 2009.

To give an indication as to the level of corruption in the local government, in March of 2009, the Mexican federal government ordered over 5000 troops and federal police to Ciudad Juarez to bolster the nearly 2500 soldiers and police already deployed to Juarez. The troops had already taken over basic patrolling efforts from the local police after Police Chief Robert Orduna had replaced half of Juarez's 1600-member police force.[75]

### 2. Corruption in Tijuana

Tijuana is not without its corruption as well. Despite past purges, the Tijuana police force is still viewed by many to be complicit and even cooperative in the drug trade, much as the police in Juarez. The Tijuana police witnessed a major purge in 2008, the purge consisted of one hundred officers and later, and 500 officers were replaced by members of the army so they could be sent to a police academy and receive background checks.[76] The military and federal agencies have been deployed to provide security for Tijuana and Juarez while the local police forces undergo the various reform measures (background checks and professional training).

### 3. Reform Measures

With Mexican security reform has come a number of initiatives to identify officers at every level of law enforcement already corrupted, and to vet new recruits to replace those officers found to be cooperating in some way with organized crime elements. One other initiative has been pay increases for those agents and officers most susceptible to corruption. However, the salary and benefits still cannot compete with the salaries offered by the cartels. As mentioned earlier, even in Tijuana, where salaries for police are the highest in the country, an officer only makes around 1200 pesos a month. Whereas there is a rough pay scale offered by the cartels whereby informants (at the low

75 Jane's. "Death threats force Juarez police chief to resign, mayor says," *CNN*. February 20, 2009.

76 Richard Marosi. "500 Officers replaced in Tijuana," *Los Angeles Times*. November 19, 2008.

end) make between 2,000-5,000 pesos a week, a recruiter makes between 3,000-6,000 pesos a week, and hit men (*sicarios*) make about 10,000 pesos weekly.[77]

The military is not immune from the cartels recruitment efforts; in fact, they are actually the focus of much of the cartels' recruitment efforts, offering benefits in much the same manner as any well-established employer. In a "narco-banner" hung from a bridge in the state of Tamaulipas, the Gulf Cartel stated that they "offer salaries in dollars, loans, life insurance, money to send your children to school, and housing for your family."[78]

## F. CONCLUSIONS

Successive Mexican administrations have used the military and federal law enforcement agencies to respond to crises. However, the historical mandates of Mexico's police run counter to the intended purpose of a law enforcement agency. Instead of ensuring the safety of the Mexican people, for nearly seventy years the police ensured the durability of the PRI: the party granted the autonomy and impunity to the police, and in return the police provided social control and delivered loyalty of the population to the regime. Since Vicente Fox's election in 2000, that contract has changed. President Calderon has actively sought to combat corruption throughout Mexico since 2006. However, the historic legacy of poor/low public opinion of the police hinders the progress of the reforms. In this context, multiple deployments of law enforcement agents throughout Mexico may exacerbate the security situation by increasing the presence of what are effectively un-trusted agents of the state.

These same agencies have also been the focus of multiple iterations of reforms in the hopes of reducing corruption across the spectrum of Mexico's security system. While they may yet prove critical to Mexico's fight against organized crime and corruption, these changes cannot provide adequate explanation for the variation that exists between the arrests of significant leaders of the AFO vis-à-vis the CFO. Law enforcement

77 Brenda Fiegel. Foreign Military Studies Office, "An Open Source Perspective: The Evolution of Organized Crime Activity in Mexico since 2006," presented at the 2009 New Mexico Border Security and Intelligence Conference.

78 Fiegel. "An Open Source Perspective."

reforms, to include the military, are certainly a necessary condition for Mexico to provide enduring, transparent security in Mexico. Understanding the complexity of Mexico's security structures helps to put the drug war into perspective, especially as the government's policy continues to evolve.

# III. CARTEL STRUCTURES AND BEHAVIORS

## A. INTRODUCTION

This chapter provides an analysis of the structures and behaviors of the Arellano-Felix and Carrillo-Fuentes organizations to delineate variations between the two DTOs. These variations provide insights that help to explain greater success the Mexican government has had in capturing leaders of the AFO relative to the CFO. The chapter starts with brief overviews of each of the two cartels followed by a description of the structures of their organizations.

Utilizing elements of three frameworks for analyzing organizations, the chapter finds that structural and behavioral differences between the two cartels has made it easier for law enforcement agencies to capture AFO leaders. First, it draws on Michael Kenney's argument that DTO structures evolve over time to maximize security for the organization while simultaneously providing modes of communication.[79] In line with the expectation, this chapter finds that the two cartels are loose, decentralized networks of traffickers that have some vertical accountability to a semi-hierarchical leadership structure.

Second, in order to explain variation between the cartels in leadership captures, the chapter draws on public administration theory to analyze the varied levels of professionalism—specifically, expertise and specialization—displayed by the AFO and CFO. Specifically, the analysis focuses mainly on DTO leadership structure. The AFO's leadership structure is comprised predominately of members of the Arellano-Felix family and a number of close associates. This close-knit group provides increased social ties between the members, which increase the risk of apprehension of those members should any other member of that group be arrested. The CFO, on the other hand, appears to have a more professional organization that is made up of members selected based on

79 Michael Kenney, *From Pablo to Osama* (University City, PA: Pennsylvania State University Press) 2007, 27.

expertise and that relies on its associations with other groups (La Linea, Barrio Aztecas, and Los Linces) to perform specialized activities, such as security and enforcement.

These structural and behavioral variations between the criminal organizations provide opportunities for exploitation by providing law enforcement agents with information gathered from one arrest that leads to additional arrests. However, importantly, they do not adequately explain Mexico's relative success in capturing the leadership of the AFO when compared to the CFO apprehensions. Chapter IV will analyze other factors that, combined with DTO structures, more fully explain the outcome of interest.

## B. CARTEL OVERVIEWS: ORGANIZATIONAL ORIGINS AND TRAJECTORIES

### 1. Arellano Félix Organization (AFO)

The Arellano Félix family runs the Arellano Félix Organization (AFO), or Tijuana Cartel. It was believed to be the largest and most sophisticated of the Mexican DTOs until the 2000-02 timeframe, during which its leader Benjamin Arellano-Felix and that the AFO's enforcer Ramon Arellano-Felix, were killed. Shortly thereafter, Mexican Attorney General Rafael Macedo de la Concha claimed that more than 2,000 AFO-affiliates had been arrested.[80] Additional leadership captures have allegedly led to infighting over control of the organization and a split within the organization, with one side (Teodoro "El Teo" Garcia Simental) aligned with the Sinaloa Cartel and the other side (Arellano-Felix) aligned with the Juarez/Beltran Leyva/and Gulf Cartels.[81] The

80 Alfredo Joyner, "El cartel de Tijuana sigue vivo," *Milenio*, June 12, 2002 in Federal Research Division, "Organized Crime and Terrorist Activity in Mexico," 1999–2002. Federal Research Division, Library of Congress, 2003, 7.

81 "Aligned" in the context of Mexican DTOS means a temporary security alliance with other DTOs for purposes of combating other DTOs for control of a plaza or corridor.

Tijuana cartel has been known to operate in at least fifteen states with major areas of influence in Tijuana, Mexicali, Tecate, and Ensenada in Baja California and in parts of Sinaloa.[82]

### 2. Carrillo Fuentes Organization (CFO)

The Juarez Cartel, also known as the Carrillo Fuentes Organization (CFO), operates largely in Ciudad Juárez and Reynosa in north central Mexico. Throughout much of the 1990s, the CFO was led by Amado Carrillo Fuentes, known as "Lord of the Skies" for loading jet airplanes full of cocaine for transporting to the United States. Amado subsequently died in 1997 from complications while undergoing plastic surgery to alter his appearance. By 2003, with Amado's brother Vicente Carrillo Fuentes leading the cartel, the CFO overshadowed the both the Tijuana and the Gulf cartels as the most influential, powerful, and geographically extensive trafficking organization, with operations found throughout seventeen Mexican states.[83]

## C. CARTEL STRUCTURES

With these brief histories as a foundation, we can turn now to research on organizations—specifically, analysis of DTOs as networks and insights from public administration theory—to better understand the internal functioning of the AFO and CFO. One important characteristic of both cartels' organizational structures is that overall they operate as loose networks, in which the individual cells enjoy considerable protection from capture by law enforcement agencies. This characteristic is anticipated by Kenney, who argues that structures of drug trafficking organizations are typically based primarily upon the need for security of operation (which tends limit contact between members) while maintaining to the degree possible methods for communication in order to coordinate their activities (which is best accomplished by increased contact between members) such as delivery times and dispute resolution.[84] These organizations

82 Federal Research Division, "Organized Crime and Terrorist Activity in Mexico," 1999–2002. Federal Research Division, Library of Congress, (2003), 7.

83 Federal Research Division, "Organized Crime and Terrorist Activity in Mexico," 8.

84 Kenney. *From Pablo to Osama*, 27.

therefore practice compartmentalization to prevent the loss of any particular node of the trade from collapsing the organization as a whole. For example, in a hierarchical organization, the loss of a key leader with a monopoly on the inner-workings of that organization may lead to the collapse of the organization.[85] In contrast, in a loose, decentralized organization, each node of the organization may know members of the organization on each end of their particular section of the trade, but not know anything about the trade beyond their section.[86] However, this compartmentalization comes at a cost: members practice security by withholding potentially incriminating information from one another, a practice that potentially inhibits effective operations.[87] Furthermore, while decentralized networks provide greater security, that security comes at the price of an increase in the time it takes for these networks to reconstitute themselves when members are arrested or killed.[88]

### 1. Professionalism as Expertise and Specialization: Insights from Public Administration Theory

Although the CFO and AFO have both developed organizational structures that perform many of the functions listed above, those structures vary across the two cartels in ways not captured by Kenney's descriptions of DTO networks. In order to appreciate those characteristics and link them to the variation in leadership arrests, we can draw on insights from other studies of organizations, within the tradition of public administration theory. Specifically, these insights help us analyze the vulnerability of cartel leadership, a hierarchy sitting atop each cartel's network.

In his 1957 book *The Soldier and the State*, Samuel Huntington presents his theory on the professionalization of modern military officers. Two of Huntington's key dimensions of "professionalism" in his analysis of professional soldiers—as opposed to "amateurs"—are corporateness and expertise. Corporateness is a "sense of organic unity

85 Kenney. *From Pablo to Osama*, 30.

86 Kenney, *From Pablo to Osama*, 34.

87 Kenney, *From Pablo to Osama*, 34.

88 Kenney, *From Pablo to Osama*, 31.

and consciousness of a group that separates them from common laymen."[89] In terms of expertise, a professional is an "expert with special knowledge and skill in a significant field of human endeavor."[90] Huntington continues by stating this expertise is gained by "prolonged education and experience."[91]

We can draw on Gulick and Urwick's element of "specialization" as it applies to public administrative theory in general to expand on Huntington's point of expertise within professional militaries. Gulick and Urwick argue that units of an organization that are able to specialize in homogeneous activities increase that organization's efficiency by creating expertise in those individuals engaged in the repetition of unique activities.[92] Specialization offers further efficiencies by decreasing transaction and training costs required for individuals regularly engaged in a wide range of disparate activities.

DTOs that are able to professionalize specifically by increasing their expertise are more able to adapt and evolve to new challenges presented by law enforcement. The following sections will demonstrate that the AFO and CFO present substantial variation in both expertise and specialization, and that this variation helps to explain differences in adaptation and, therefore, leadership captures across the two cases. Specifically, the CFO exhibits a high level of expertise and specialization, due in part to its practice of contracting its work out to outside organizations. These characteristics have made the cartel highly adaptive to changing Mexican law enforcement strategies. In contrast, the AFO enjoys no such ongoing associations and is not divided into specialized units, and it would be inaccurate to characterize its permanent members as "experts" by Huntington's standards, given that the cartel's core leadership is composed mostly of members of the Arellano-Felix family.

---

89 Samuel Huntington, *The Soldier and the State* (Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 1957), 10.

90 Huntington, *The Soldier and the State*, 8.

91 Huntington, *The Soldier and the State*, 8.

92 Luther Gullick and L. Urwick, "Papers on the Science of Administration" (New York, NY: Routledge, 1937) in W. Richard Scott, *Organizations Rational, Natural, and Open Systems*, Fifth edition (New York: Prentice Hall, 2003), 42.

### 2. The CFO: Professionalism Through Internal Hires and Subcontracting

Consistent with Kenney's expectations of DTO structures, the CFO is a relatively flat organization with insulated units that provide the leadership protection against captures, retaining a degree of hierarchy with as few as four levels of management from a wholesale trafficker to Vicente Carrillo Fuentes himself. The case of the Juarez House of Death illustrates the organization's shallow hierarchy: Guillermo Ramierez Peyro or "Lalo" was an informant for the U.S. Immigration and Customs Agency (ICE) while working initially as a trafficker and later as a witness and participant in multiple murders perpetrated by members of the Juarez Cartel. While the narrative of the story and subsequent scandal is interesting, it is also telling in how this particular cartel is structured and how the roles of individuals are fluid. During his tenure as informant/participant for ICE and the Juarez Cartel, Lalo claims that he was called upon by Heriberto "Il Ingeniero" Santillan Tabares to purchase quicklime to dissolve the body of a victim.[93] He also claims that at the time, Il Ingeniero was only one level away from Vicente Carrillo Fuentes. If indeed, that is the case then this case indicates a hierarchical structure that employs vertical accountability.

The CFO also employs the use of "subcontractors" to provide necessary services for the drug trafficking organization. The CFO maintains relationships with at least one prominent prison gang, "Barrio Aztecas," and has been aligned with a group of (active and former) police officers that provide security and enforcement for the organizations operations. The CFO's close connections with La Linea, Barrio Aztecas, and Los Linces provide not only specialized services for the organization, but also an additional level of compartmentalization that further insulates the leaders of the CFO. By using outside organizations to conduct large portions of illicit activity, the CFO affords itself an additional degree of separation from those activities. The use of these organizations for specialized, homogenous activities allows these organizations to gain expertise in their

93 Rose, David. "The House of Death." The Observer, 3 December 2006. Retrieved from http://www.guardian.co.uk/world/2006/dec/03/usa.davidrose on December 14, 2009.

respective fields. It also frees the CFO from having to divert manpower and resources toward those activities and allows the CFO to focus on those activities most pertinent to their core competencies.

The employment of outside organizations that are able to specialize in security and enforcement operations is a relatively recent development in the Mexican drug trade that likely began with Los Zetas in the late 1990s.[94] This development of specialized units marks an evolution in the structure of these organizations, indicating a higher level of professionalism that facilitates more efficient operations while providing greater security for the leadership elements of the cartels. Generally, these organizations may have members or cells of members that have specific skills that are used by the group to increase the organization's effectiveness. These members or cells of members may be trained or used for intelligence collection, infiltration tactics, military equipment, or communication systems. Several drug cartels use the cells in much the same way they are utilized by the military, bringing a level of specialization and synergy to the group as a whole. Cartels have also been reported using specially designed uniforms, have a rank structure, and may teach their ideology to new members.[95]

### 3. The AFO: Unprofessional Nepotism and Multitasking

A look at the AFO's money laundering operations indicates a network very similar to the semi-hierarchical structure described in the Lalo case, and yet poor expertise and a lack of specialization distinguish the AFO from the CFO. Illustrative of the AFO's hierarchy, the Lorenzo Arce Flores money-laundering cell has a single individual (Lorenzo Arce Flores) in contact with members of the AFO. This relationship

94 Los Zetas were a group of Mexican army Special Forces soldiers that defected from the army only to be hired by the leaders of the Gulf Cartel as an armed enforcement entity to provide security for the organization. The use of such organizations has become somewhat of a trend with the Sinaloa Cartel creating Los Negros and the Juarez Cartel's La Linea.

95 Fiegel. "An Open Source Perspective."

between the AFO and Arce is a verbal contract for money laundering services.[96] This single point of contact to the leaders provides some insulation from the leaders of the AFO by limiting that particular interaction to a single individual; both the AFO and Arce minimize the number of people aware of their operations. From Arce, there are two subordinate individuals who have connections with a network of businesses and associates that perform the laundering services for the cartel indicating an overall management system remarkably similar to that of the Lalo case.[97]

Despite the similarity in the overall shape of the CFO and AFO cartels—i.e., a shallow hierarchy above a loose network—the cartel leaderships differ in terms of expertise and specialization. The AFO does not employ outside organizations to the same degree as the CFO. Rather, permanent members appear to perform all of the organization's tasks. The AFO's lack of affiliation with outside organizations indicates that the level to which the AFO engages in specialization is maintained within the parent organization itself. However, in contrast to the CFO leadership, the leadership of the AFO is comprised nearly entirely of family members of the Arellano-Felix family. This indicates an inclination to promote family relations over individuals that may have more experience at performing the necessary functions of a cartel (e.g. contract enforcement, distribution, trainer, investor) and therefore be more qualified to lead the organization. Those individuals that are not members of the Arellano-Felix that make up the rest of the AFO leadership are closely connected to the eleven members of the Arellano-Felix family. The fact that the key members of the Arellano-Felix cartel are all blood relatives increases the number of very close ties these members have to one another. This means that the leaders of the AFO not members of the Arellano-Felix family with even a single link to any one member of the family automatically have only two degrees of separation

96 Frontline interview with "Steve" in a 2000 documentary, Drug Wars, in conjunction with the U.S. Treasury's Foreign Narcotics Kingpin Designation of the AFO money laundering cell (referenced below). "Steve" worked as both a trafficker and a launderer for the AFO, and described his dealings as "Just like a commodities contract, except it's verbal, but it's signed in your blood, basically." Retrieved from http://www.pbs.org/wgbh/pages/frontline/shows/drugs/interviews/steve.html on December 13 2009.

97 U.S. Treasury Foreign Narcotics Kingpin Designation Act: Arellano Felix Organization. July 2006. Retrieved from http://www.treas.gov/offices/enforcement/ofac/programs/narco/charts/afo_chart_072006.pdf. on December 14, 2009.

between themselves and any member of the Arellano-Felix family. Therefore, the capture of any single member of the Arellano-Felix family or those leaders on the periphery of the family can result in the transfer of vast amounts of information about the leadership operations of the AFO to law enforcement agents. The 1997 arrest of Everardo Arturo Paez-Martinez indicates just how much information can be gained from the apprehension of a single member of the AFO's leadership.

Paez's arrest and subsequent extradition to the United States provided tremendous insights into the operations and participant's roles in the organization's operations. Information provided by Paez indicated Benjamin Arellano's authorization of the killing of a Mexican prosecutor as well as his brother Eduardo's role as Benjamin's key advisor. Paez's testimony also indicated Ramon Arellano as the cartel's chief enforcer whose brutality greatly reduced any outside attempts at contesting the AFO's control of the Tijuana plaza. The testimony of this one member of the cartel not only provided information on the roles these individual's played in the organization's operations but also provided specific case information in the cartel's attempts to thwart any law enforcement prosecution for the accidental murder of a prominent Mexican cardinal.

AFO enforcers killed Cardinal Posadas Ocampo by accident in a bungled attempt to kill rival cartel leader Joaquin "El Chapo" Guzman. The AFO immediately tried to control the damage by giving the chief of the Federal Judicial Police, Rodolfo Leon Aragona, a $10 million bribe. The bribe was an effort to get the head of the agency to "do what he could" to protect the AFO from the subsequent investigations.[98]

Interestingly, the AFO leadership has failed to adapt to the DEA and Mexican government's systematic targeting of the leaders of the organization. The AFO's failure to adapt and insistence on promoting from within the family is indicative of an organization that places preference on familial relations over competence. This practice is indicative of an organization that is less pragmatic in its approach to leadership and alludes to less professional leadership behaviors. Being a member of the Arellano-Felix family equates to being drug trafficking royalty in Mexico and membership has its

98 Robert J. Caldwell. "The narco bosses," *The San Diego Union Tribune*. July 1, 2007.

privileges and drawbacks. The privilege lies in the access to quick wealth and relative power within the organization. The drawbacks, equally powerful, reside in the fact that as a participant at the higher echelons of the Mexican drug trade, these individuals are subject to a lifetime of pursuit by law enforcement agents on either side of the border.

## D. CONCLUSIONS

These two major cartels seem to have very similar structures: both are remarkably flat yet retain some level of vertical accountability as illustrated by the Lalo and Arce cases. Yet upon closer examination, the similarities begin to diverge when reviewing the social links of the AFO leadership and the outside organizations affiliated with the CFO. Variations between the structures and behaviors of the AFO and CFO in terms of level of professionalism provide some limited basis for explaining the Mexican government's relative success in capturing the leaders of the AFO when compared with the CFO. With regard to one dimension of professionalism, specialization, it is apparent that the CFO benefits from subcontracting much of the risky services to other organizations, such as La Linea and Barrio Aztecas. These relationships afford the core group of drug traffickers an additional degree of separation from a number of high-risk activities. Conversely, the AFO lacks such affiliations and therefore must incur the costs associated with those activities.

The structure of these organizations also speaks to varying levels of expertise—another dimension of professionalism—displayed by the organizations. By subcontracting high-risk activities, CFO affiliates are able to specialize and therefore gain expertise in those homogeneous activities, giving them a competitive advantage over rivals that are unable or unwilling to specialize. This arrangement also affords the CFO the opportunity to specialize in those activities most relevant to the organization's primary mission. In contrast, the AFO has a nepotistic leadership structure, which creates a large number of social ties between its members. By promoting from within the Arellano-Felix family, the organization preferences less-professional family connections over individuals that may have more experience and competence. This leadership structure also facilitates law enforcement's efforts to apprehend the leaders of this

organization through the exploitation of these close social ties. The example of the 1997 arrest of Everardo Arturo Paez-Martinez provides evidence of the potential downfall of a single member of the AFO's leadership. Through Paez's arrest, law enforcement agencies gained critical insights to the AFO's leadership operations. Importantly, there are limits to the degree to which we can apply the concept of "professionalism" to drug cartels. For instance, while DTOs can professionalize in their expertise and corporateness, the financially driven drug trade runs counter to Huntington's assertion that professionals cannot be primarily motivated by money.[99]

This chapter has argued that the AFO and CFO's networks, relations, and interactions help to explain why the Mexican government has been so successful in systematic dismantling the AFO leadership. However, these variables do not provide a compete explanation for the disparity. The structures of the leadership regimes in the AFO lend themselves to greater exploitation by law enforcement, yet an examination of the history of the DEA provides some very significant influences in the outcomes witnessed between the AFO and CFO, the focus of the next chapter.

99 Huntington, *The Soldier and the State*, 8–9.

THIS PAGE INTENTIONALLY LEFT BLANK

# IV. THE PATH-DEPENDENT NATURE OF U.S. DRUG POLICY IN MEXICO

## A. INTRODUCTION

The prior chapter argued that certain characteristics of the AFO and CFO organizations—namely their degree of structural differentiation and professionalism—help to explain Mexican government agencies' varied success in capturing cartel leaders of these two groups. This chapter presents an additional, overlapping factor. Research conducted for this thesis finds that the United States' involvement in investigating DTOs in Mexico has played a significant part in explaining the Mexican government's success in capturing leaders of two organizations. This chapter begins with an analysis of the arrests of individual leaders of both cartels to illustrate the great extent to which the DEA has been involved in AFO leadership arrests relative to the (few) arrests of CFO leaders. It then turns to a review of U.S.-Mexico relations as they apply to the prosecution of the drug war. The chapter then focuses its attention on a defining moment in the U.S. Drug Enforcement Administration's (DEA) history and subsequent investigation, in order to explain how an event that occurred in 1985 shaped U.S. anti-drug operations, and in turn, Mexican law enforcement agency success over the next twenty-five years. The analysis subsequently examines how across-time changes in U.S.-Mexico economic and political relations have resulted in a significant increase in arrests of AFO leaders since 2000, without a corresponding change in the case of the CFO.

## B. ARRESTS OF AFO AND CFO CARTEL LEADERS

This section reviews the central outcome of interest for this research: variation across time and across cartel in leadership arrests. The discussion will show that there were a few, important arrests of leaders of the AFO's antecedent, the Guadalajara cartel, starting in the late 1980s. Once the Guadalajara cartel was disbanded, Mexican law enforcement officials continued their successful capture of leaders in the group's successor cartel, arresting many AFO leaders in the post-2000 period. In contrast, we

observe a trend of very few arrests of CFO leaders from the founding of the cartel in the 1970s, through its leadership transfer to Amado Carrillo Fuentes in the early 1990s, and up through the present.

Two questions therefore emerge from the following description of arrests. First, why was there an increase in arrests starting in 2000? Second, why were those arrests of AFO leaders and not CFO leaders? The analysis of the arrest cases suggests the need to analyze U.S.-Mexico relations and U.S. interests, given that the DOJ has assisted in some way in the majority of the AFO cartel arrests. Subsequent sections therefore turn to considering the role of the U.S. government, especially the DEA, in Mexico's drug war.

### 1. Prosecution of the Arellano-Felix Organization

This discussion of AFO leadership arrests focuses on the period since 2000. Nonetheless, it is important to note that the focus on the AFO is best traced back to the AFO's precursor, the Guadalajara Cartel, led by Miguel Angel Felix Gallardo.[100] When Gallardo and other members of the Guadalajara Cartel leadership were captured in the late 1980s and early 1990s, the cartel was disbanded. Gallardo's nephews Benjamin and Ramon Arellano-Felix stepped in to fill the void, and their organization became known as the Tijuana/Arellano Felix Cartel.[101]

- Against this historical backdrop of the AFO's genesis, the most significant increase in arrests of the AFO cartel line began after 2000. Collaborating with U.S. law enforcement agencies from 2000 through April 2010, Mexican law enforcement agencies have had considerable success capturing members of the AFO. Mexican authorities have arrested no less than eight individuals that figure prominently in the cartel. Mexican police are also credited with the death of another during a shootout. The U.S. Coast Guard was able to apprehend a tenth member while out to sea

100 The Guadalajara Cartel was formed in the 1980s with connections to Colombian drug producing cartels.

101 Seven brothers and four sisters (including Benjamin, Ramon Eduardo, Francisco Javier, Francisco Rafael, and Eduardo) of the Arellano-Felix family inherited the cartel from Miguel Angel Felix Gallardo, following his arrest. U.S. Drug Enforcement Agency, "2003–2008." Retrieved from http://www.justice.gov/dea/pubs/history/2003–2008.pdf. on April 16, 2010.

in international waters. An overview of the pertinent information is provided below in Table 2 with a description of the individual cases to follow. The analysis not only presents the high number of successful arrests, but it also demonstrates the great extent to which U.S. agencies were involved in those arrests. Units of the Mexican Army arrested the leader of the AFO, Benjamin Arellano-Felix, on March 9, 2002 following a combined investigation conducted by U.S. and Mexican authorities.[102]

- Ramon Arellano-Felix was killed in a shootout with a Mexican police officer in February 2002 following a routine traffic violation. The officer credited with killing the older Arellano-Felix was unaware of the identity of the man he had shot when he stopped him for the traffic violation.
- As of December 31, 2004, a combined U.S.-Mexico investigation, code-named Operation United Eagles,[103] resulted in the arrest of nineteen members of the AFO. Of the nineteen individuals arrested, five were included in the Department of Justices' Consolidated Priority Organization Target (CPOT) "Tier 1" wanted lists.[104] As a result of Operation United Eagles, Efrain Perez and Jorge Aureliano-Felix, were arrested on June 4 2004. AFO member Gilberto Higuera-Guerrero was arrested a month later, also as a result of the combined operation.
- The ever-evolving and tightening of the relationships between U.S. and Mexican authorities lead directly to the arrest of Eduardo Arellano-Felix. Responding to information provided by the DEA, Mexican authorities arrested Arellano-Felix on October 27, 2008.

---

102 According to Asa Hutchinson (former director of the DEA), the arrest was conducted without any prior U.S. knowledge of the raid.

103 Operation United Eagles was established in 2003, consisting of about fifty members of the Mexican Federal Investigative Agency (AFI) in coordination with the DEA and USMS. The program was launched to facilitate information between the countries in an effort to apprehend fugitives in Mexico.

104 U.S. Drug Enforcement Administration. "Congressional Testimony, 14 July 2005." Retrieved from http://www.justice.gov/dea/pubs/cngrtest/ct061205.html on April 21, 2010.

- According to a PGR press report, Rigobeto Yanez Guerrero was arrested in March 2001 and subsequently entered a witness protection program in Mexico.[105] Yanez remains on DEA international fugitives list, pending extradition.
- Secretary of Public Security (SSP) agents arrested U.S. citizen Gustavo Rivera-Martinez on March 12, 2008, in the Mexican state of Baja Sur. Rivera-Martinez was arrested following an investigation conducted by Mexican federal police in conjunction with their DEA counterparts.
- Mexican Federal Police arrested Eduardo Teodoro Garcia Simental on January 12, 2010, following a five-month investigation conducted in conjunction with the DEA. Garcia was a former leader in the AFO that had split with the AFO to run an independent operation. The two cartels fought for the plaza in Tijuana from 2006 until late 2008 and while Garcia was no longer working for the AFO, he seems to be the exception that proves the rule. Regardless of the current status of his affiliation with the AFO, the DEA and Mexican authorities maintained a focus on Garcia's influences in Tijuana.
- The tenth high-ranking member of the AFO arrested since 2000 was also a member of the Arellano-Felix family. The U.S. Coast Guard arrested Francisco Javier Arellano-Felix in August 2006 following information provided by the DEA.

105 Procuraduría General de la República (PGR), "Press Release." March 10, 2002. Retrieved from http://www.pgr.gob.mx/cmsocial/press02/mar/b21402.html on April 20, 2010.

## Arellano-Felix Organization

| NAME | DATE | ARRESTING UNIT | LOCATION OF CAPTURE | U.S. INVOLVEMENT |
|---|---|---|---|---|
| Rigoberto Yanez Guerrero | 23 March 2001 | PGR/ Mexican Federal Police | Mexico City, Federal District | |
| Benjamin Arellano-Felix | 09 March 2002 | Mexican Army | Puebla, Puebla | DEA, FBI, U.S. Attorney (Southern Dist.) |
| Ramon Arellano-Felix | February 2002 | Killed by Mexican Law Enforcement | Mazatlan, Sinaloa | N/A |
| Efrain Perez | 03 June 2004 | AFI | Tijuana, Baja Norte | DEA (Operation United Eagles) |
| Jorge Aureliano-Felix | 03 June 2004 | AFI | Tijuana, Baja Norte | DEA (Operation United Eagles) |
| Gilberto Higuera Guerrero | 22 August 2004 | AFI | Mexicali, Baja Norte | DEA |
| Francisco Javier Arellano-Felix | 17 August 2006 | US Coast Guard | Pacific Ocean, off the coast of Baja Sur | US Coast Guard/DEA |
| Eduardo Arellano-Felix | 27 October 2007 | Mexican Federal Police | Tijuana, Baja Norte | DEA/Marshals Service |
| Gustavo Rivera-Martinez | 11 March 2008 | SSP/Federal Police* | San Jose del Cabo, Baja Sur | DEA* |
| Eduardo Teodoro "El Teo" Garcia Simental | 12 January 2010 | SSP/PFP/Army/Navy | La Paz, Baja Sur | DEA |

Table 1. AFO Leadership Arrests. Information for this table provided by multiple sources[106]

106 Procuraduria General de la Republica. "Press Release," March 10, 2002. Retrieved from http://www.pgr.gob.mx/cmsocial/press02/mar/b21402.html on April 20, 2010. The Washington Post, March 10, 2002; Presidentia de la Republica, "Press Release," January 12, 2010. Retrieved from http://www.pgr.gob.mx/cmsocial/press02/abr/b35902.html on April 20, 2010; U.S. Drug Enforcement Administration. "News Release," Washington, D.C.: U.S. Drug Enforcement Administration, April 27, 2007. Retrieved from http://www.justice.gov/dea/pubs/states/newsrel/sd042707.html on May 29, 2010; U.S. DEA. "News Release." Washington, D.C.: U.S. DEA, June 7, 2004. Retrieved from http://www.justice.gov/dea/major/united_eagles/ on May 29, 2010; U.S. DEA. "Beginning of the End for the Arellano-Felix Organization." Washington, D.C.: U.S. Drug Enforcement Administration, n.d.; Robert J. Caldwell. "A fourth leader of the Arellano Félix Organization falls as Mexican and U.S. law enforcement make unprecedented strides together to crush the cartel," San Diego Tribune, August 29, 2004; U.S. DEA. "Congressional Testimony," Washington D.C.: U.S. Drug Enforcement Administration, June 14, 2005. Retrieved from http://www.justice.gov/dea/pubs/cngrtest/ct061205.html on May 26, 2010; Jennifer Steinhauer. U.S. Officials Arrest Suspect in Top Mexican Gang," New York Times, August 17, 2006.

### 2. Prosecution of the Carrillo-Fuentes Organization

Since 2000, Mexican officials have arrested a number of individuals in collaboration with the Carrillo-Fuentes Organization, but fewer than in the case of the AFO. The most notable arrest has been the nephew of Vicente Carrillo-Fuentes (the leader of the cartel). U.S. authorities in El Paso arrested one other member of the cartel. Figure 2 provides an overview of the major arrests against the CFO and the details of each apprehension are further discussed below. In contrast to the AFO arrests, we observe relatively little U.S. involvement in the CFO cases. The three cases listed below are significant members of the CFO.

- Agents of the Ministry of Public Security (*Secretaria de Seguridad Publica*, SSP) arrested Vicente Carrillo-Leyva in 2009. Carrillo-Leyva had been using an alias. However, the SSP agents were able to track him down through his wife because she had not changed her identity.
- Mexican federal agents arrested Alcides Ramón Magaña in July 2001 following a long investigation by Mexican authorities. Officials from the DEA commented on Magana's position in the cartel and his illicit activities, yet no mention was made of U.S. involvement in his arrest.
- Agents from SIEDO arrested Pedro Sanchez Arras on 13 May 2008 along with six gunmen. The group was found to be in possession of numerous military and police uniforms. At the time of his arrest, multiple media reports site Sanchez as one of the highest-ranking members of the CFO, yet no mention is made of his arrest on by the Department of Justice.[107]

107 "Mexican Army Captures Juarez Cartel Leader's Brother," *Latin American Herald Tribune*, April 22, 2010.

Carrillo-Fuentes Organization

| NAME | DATE | ARRESTING UNIT | LOCATION OF CAPTURE | U.S. INVOLVEMENT |
|---|---|---|---|---|
| Alcides Ramón Magaña | 12 July 2001 | Mexican Police | Villahermosa, Tabasco | None |
| Pedro Sanchez Arras | 13 May 2006 | Mexican Military/ SIEDO | Villa Ahumada, Chihuahua | None |
| Vicente Carrillo Leyva | 2 April 2009 | SSP | Mexico City, Federal District | None |

Table 2. CFO Leadership Arrests. Information for this table was provided by multiple sources[108]

This analysis of cartel leader arrests points to an important increase in AFO arrests since 2000, in contrast to very few in the case of the CFO. The task at hand therefore remains to explain both across-time and across-cartel variation. Because the discussion demonstrates a high level of U.S. involvement in AFO arrests, a logical place to look for answers is in U.S. involvement in Mexico's drug war.

## C. U.S.–MEXICO RELATIONS

Understanding changes in U.S.-Mexico relations, particularly since the debt crisis in the early 1980s, is critical to understanding how U.S. participation in Mexico's counterdrug efforts ultimately helps to explain arrests of AFO and CFO cartel leaders. This section analyzes how improved U.S.-Mexico relations in the years after the debt crisis facilitated increased U.S. influence on the Mexican government's counterdrug efforts. More specifically, it argues that Mexico's increased efforts to arrest cartel leaders have been the result of three important events: the U.S. certification program; the negotiations for NAFTA; and the election of President Fox. With improved relations, the U.S. was better able to channel resources—including intelligence and investigative assistance—to the Mexican government and its law enforcement agencies. A subsequent

108 Chris Kraul. "Mexico arrests accused drug cartel leader," *Los Angeles Times*, June 14, 2001; DEA News Release, June 27, 2001; *Associated Press*, June 21, 2001; Alfredo Corchado. "Border official demoted during inquiry," The Dallas Morning News, January 4, 2006; Ken Ellingwood. "Suspected No. 2 figure in Juarez drug cartel arrested the son of a dead kingpin had been on a list of the most wanted." *Los Angeles Times*, April 3, 2009.

section will analyze the source of the DEA on the AFO, as opposed to the CFO: the 1985 killing of a DEA agent in Tijuana.

It is important to remember that these improved international relations between the two countries occurred in parallel along with another dynamic that may have increased Mexican capacity to capture cartel leaders, and therefore that may help to explain across-time variation in cartel captures: ongoing efforts within the Mexican government since the 1990s to increase effectiveness of its agencies (see Chapter II) and significant efforts since the 2000s to reduce corruption.

As background for the analysis of U.S.-Mexico relations since the 1980s, an inauspicious U.S.-Mexican history has influenced Mexican foreign policy. Mexico's government has maintained a preference for non-intervention in international affairs, in large part due to the various military escapades of the United States. The loss of one-third of Mexico in the U.S.-Mexico War (1846), General Pershing's unsuccessful foray into Mexico after Pancho Villa (1916), and the Marine Corps' landing at Vera Cruz in 1915 are stark reminders of U.S. meddling in Mexican sovereign lands. This history has also influenced how Mexican officials may perceive U.S. pressures to further their own agendas.[109]

Mexico's government has held its sovereignty sacrosanct ever since the U.S.-Mexican War in 1846. This position has been reinforced by the multiple incursions by U.S. military forces. As the following discussion will show with regard to U.S.-Mexico relations in the drug policy arena, Mexican officials have disdained the American certification process (in place from 1986 until 2002) that directly tied U.S. foreign assistance funding to recipient nations' participation in international counternarcotics and human rights programs.[110] The U.S. bureaucratic infighting over human rights violations has resulted in the withholding of most of the $1.1 billion Merida Initiative funding that was proposed in 2006 as a three-year program. Since its inception, three years after the

109 Hesitation and second thoughts on the part of Mexican officials' may be warranted given the United States' proclivity to intervene in the affairs of Latin American countries (Chile, 1973; Cuba, 1961; Granada, 1983; Panama, 1989 to name a few contemporary examples).

110 "Mexico grumbles about perceived U.S. interference in its internal affairs," *SourceMex Economic News & Analysis on Mexico*. March 9, 2005

program began, Mexico has received just $161 million. Most of the infighting is over a significant rise in human rights violations in the last three years and is the most recent occurrence of U.S. domestic politics altering in some way the U.S. end of an international agreement. Although the funding was eventually released, the event is illustrative of the complex and intertwined nature of United States aid programs and how events within one branch of the U.S. government can affect the intentions of another. U.S.-Mexico relations have improved over the last two decades, predominately due to economic incentives but additionally as a result of the changing political environment in Mexico resulting from the election of the first political party other than the PRI in nearly seventy years. This improvement in foreign relations has afforded new opportunities for increased security cooperation between the two nations.

### 1. Economic Impetus for Integration

U.S.-Mexico relations on the drug war front began to improve only after Mexico succumbed to an unsustainable financial crisis in 1982, when out of desperation to achieve economic stability through increased economic integration with its northern neighbor, Mexico's government gave in to U.S. pressures to pursue aggressively drug trafficking organizations.

Improved U.S.-Mexico relations, and therefore U.S. influence on Mexican security policy can be traced to Latin America's debt crisis on the 1980s. Mexico's inability to service massive loans in the early 1980s had reached an unsustainable level in 1982 when Mexico declared it would be unable to meet its debt obligations. Mexico was merely first in a line of countries that were to experience disastrous financial straits in 1980s. The financial crisis of 1982 resulted in a shift in Mexico's economic future towards greater integration with its regional neighbors, including the United States. Greater integration began in the form of the North American Free Trade Agreement, which tied Mexico's ascension to the free trade agreement to greater participation in the

drug war.[111] The process of integration expanded with the fall of the PRI in 2000 and the presidential election of Vicente Fox (2000–06) and continues to develop through the efforts of President Felipe Calderon (2006-current). However, before the dramatic shifts toward greater economic and security integration began, the United States utilized a process of certification in order to influence foreign governments to make efforts to comply with international counternarcotics laws.

### 2. Efforts to Avoid Decertification

In 1986, the U.S. government initiated a process of certification for countries assessed to be either major source or transit points for narcotics trafficking.[112] The certification process was tied to criteria designed to evaluate a country's efforts to combat drug trafficking, such as the requirement that the country's government provide a counternarcotics budget, demonstrate interdiction and eradication efforts, implement legal reforms, and cooperate with the U.S. government. For Mexico, cooperation included allowing U.S. DEA agents in Mexico. Beginning in the 1980s with the Salinas administration (1988-1994) and continued through the presidency of Ernesto Zedillo (1994-2000), Mexico made symbolic efforts to avoid decertification.[113] Each year, the Mexican government attempted to arrest leaders of the drug cartels in order to gain the favor of the U.S. president. President Fox not only continued this trend but also accelerated it by focusing his efforts on capturing the leaders of the cartels.[114]

The case of the North American Free Trade Agreement (NAFTA) highlights the tight linkages between the Mexican government's meeting U.S. counterdrug criteria and

---

111 The war on drugs is largely a United States derived policy as it is understood to be a policy priority of President Nixon's administration. The war on drugs was initiated and punctuated with the establishment of the Drug Enforcement Agency as well as entities such as the El Paso Intelligence Center (EPIC), which focuses on the narcotics trade along the border. Latin American governments (until recently as Latin American source and transit nations have increased in their own demand for narcotics) generally have viewed the drug war as a "gringo problem." *Los Angeles Times*, March 4, 2000; Bruce Bagely. "Colombia and the War on Drugs," *Foreign Affairs*, Vol. 67, No. 1, [Fall 1988], 82.

112 Jorge Chabat, "Drug Trafficking in U.S.-Mexico Relations: The Sources of Conflict", paper presented at CIDE as part of the Seminar on Mexico's Security Problematique: Domestic and International Dimensions, Mexico City, 25 February, 2008, 296.

113 Chabat. "Drug Trafficking in U.S.-Mexico Relations," 2008, 297.

114 Chabat. "Drug Trafficking in U.S.-Mexico Relations," 2008, 299.

economic integration between the two countries. When President Salinas took office in 1988, he sought to expand U.S.-Mexico economic integration with his neighbor to the North. Although not formally part of the ongoing U.S.-Canada free trade negotiations at the time, Salinas suggested the inclusion of Mexico in the negotiations. Salinas appreciated the relative importance the war on drugs had on U.S. domestic policies. He went so far as to sign the 1988 United Nations Convention Against Trafficking in Illicit Narcotics and Dangerous Drugs and widely expanded Mexico's anti-drug operations to show the U.S. audience that Mexico was determined to do their part in the war on drugs.[115] This understanding of the U.S. domestic political scene was not only recognized by both sides of the border, but was also promoted by U.S. officials as the primary obstacle toward the greater economic integration via NAFTA.[116]

President Salinas' interest in free trade with the United States provided the U.S. Justice Department with an opportunity to gain some traction in its war on drugs. This increased integration with U.S. law enforcement agencies was just the opportunity the Drug Enforcement Agency (DEA) needed to pursue the individuals and organizations that were implicated in the most notorious event in the DEA's history, discussed below.

### 3. Increased Cooperation in the Drug War Since 2000

While events in Mexico and in the United States paved the way for the smooth passage of NAFTA, Mexico's increased participation in the drug war began to manifest itself in a number of ways through the 1990s and have accelerated dramatically since Fox's election in 2000. Some initiatives have included bilateral border task forces consisting of members from Mexico's Public Ministry and federal anti-drug agents, and the DEA, FBI, and Customs agents in an effort to coordinate information and operations. The DEA has led numerous U.S.-Mexico combined operations since the mid-1990s and

---

115 Peter Andreas. "Building Bridges and Barricades" in Transnational Crime and Public Security: Challenges to Mexico and the United States, edited by John Bailey and Jorge Chabat, (Center for U.S.-Mexican Studies at the University of California, San Diego, 2002) 199.

116 Defense Intelligence Agency, Defense Intelligence Assessment. Mexican Counterdrug Security Forces: Problems and Prospects (Washington, D.D.: Defense Intelligence Agency, June 1992), iv. (Obtained through the Freedom of Information Act by the National Security Archive.) in Bailey and Chabat, 2002, 212.

has made significant strides towards greater cooperation and coordination. The U.S. military interactions with Mexico are limited to anti-narcotics operations and senior officer visits.[117]

There have also been regional and local initiatives over the course of the last two decades. The Border Liaison Mechanism (BLM) was established between the U.S. State Department and the Secretaria de Relaciones Exteriores in 1992. The BLM provided a legal framework for cooperation between regional transborder governments. This framework established the conditions for the sharing of information between local law enforcement agencies on either side of the border. "In the San Diego-Tijuana region, most U.S. and Mexican law enforcement agencies at every level—federal, state, and local—have liaison teams for dealing directly with their cross-border counterparts."[118] This increased cooperation has been characterized by law enforcement agencies as an important mechanism in fighting crime along the border.[119]

With the election of Vicente Fox in 2000, the level of security cooperation between the United States and Mexico has increased dramatically. Perhaps the most representative of increased cooperation was Fox's endorsement for establishing an FBI training school in Mexico to train its police. And despite the fact the two governments signed an extradition treaty in 1978, for over two decades extraditions were sporadic at best and were one sided with the United States extraditing far more individuals to

---

117 The limited interaction with the Mexican military is a result of Mexican defense structures lacking a combatant command level counterpart to the Commander of U.S. NORTHCOM. Historically, the Office of the Secretary of Defense is the primary point of contact with Mexican defense official. This relationship exists due to NORTHCOM's relatively recent establishment in 2002. Previously, Mexico went unassigned to any particular U.S. combatant command's area of responsibility. John A. Cope, "A Prescription for Protecting the Southern Approach," *Joint Forces Quarterly*, issue 42, 3rd quarter 2006, 19.

118 Jose Maria Ramos, "Managing Transborder Cooperation on Public Security: The Tijuana-San Diego Region," Center for U.S.-Mexican Studies, UC San Diego, (2003) 7.

119 Despite these advancements in cooperation between the regional governments, there are limits to the level of institutionalization of this cooperation because of its reliance on personal relationships between individuals on either side of the border. Shirk, David and Jose Ramos, "Binational Collaboration in Law Enforcement and Public Security Issues on the U.S.-Mexican Border," paper presented at the Conference on reforming the Administration of Justice in Mexico," Center for U.S.-Mexican Studies, UCSD, May 15–17, 2003, in Ramos, *Managing Transborder Cooperation on Public Security*, 7.

Mexico.[120] In the new context of stronger bilateral relations, between 2001 and 2003, Mexico dramatically increased the number of extraditions to seventy-two individuals.[121] From his inauguration in 2006 until 2009, President Calderon had more than doubled the extradition rate of his predecessors, sending more than 200 individuals to the United States for prosecution.

In this most recent period, we have observed ongoing parallels between the security and economic arenas. Along with the increased international cooperation on the security front, there have been ongoing and increasing, strong trade relations between the two countries. In 2008, trade with the United States accounted for $234 billion of Mexico's $292 billion in exports, up from $34.6 billion since the 1994 adoption of NAFTA.[122] In fact, trade between Mexico, the United States, and Canada has tripled since the introduction of NAFTA,[123] while the United States' trade with Mexico grew eightfold since 1986.[124]

## D. PATH DEPENDENCE AND THE DEA'S FOCUS ON THE AFO

The history of the United States' agencies charged with prosecuting the war on drugs has fundamentally shaped the direction of the Mexican government's war on drugs. The increased security cooperation between the United States and Mexico analyzed in the prior section has allowed the DEA to capitalize on its determination to apprehend the leaders of the AFO. This section establishes the source of that focus, the 1985

---

120 From 1980 to 2000, Mexico extradited 69 individuals to the United States, while the U.S. extradited 110 persons to Mexico. Mexican Foreign Ministry, "Mexican Embassy to the United States: Extradition." Retrieved from http://portal.sre.gob.mx/usa/index.php?option=displaypage&Itemid=107&op=page&SubMenu on April 21, 2010.

121 Mexican Foreign Ministry, "Mexican Embassy to the United States: Extradition." Retrieved from http://portal.sre.gob.mx/usa/index.php?option=displaypage&Itemid=107&op=page&SubMenu on April 21, 2010.

122 CIA, "CIA World Factbook." Retrieved from https://www.cia.gov/library/publications/the-world-factbook/geos/mx.html on April 20, 2010.

123 CIA. "CIA World Factbook," Retrieved from https://www.cia.gov/library/publications/the-world-factbook/geos/mx.html on April 20, 2010.

124 Douglas Massey. "Uneasy Neighbors: A Brief History of Mexican-U.S. Migration Harvard Magazine (May-June 2007). Retrieved from http://harvardmagazine.com/2007/05/uneasy-neighbors-a-brief.html on April 19, 2010.

assassination of Enrique "Kiki" Camarena, a DEA agent in Tijuana, using path dependence as a way to understand the DEA's focus on the AFO since that event. It argues that the 1985 case served as a critical juncture that set the DEA on a path of persecuting the AFO rather than the CFO.

As background for the analysis, a brief note about the U.S. DEA is in order. The DEA is a component of the Department of Justice (DOJ). The DOJ is the United States' executive government agency charged with enforcing "the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic."[125] To that end, the DOJ has several subordinate agencies under its command: the DEA, the Federal Bureau of Investigation (FBI), the National Drug Intelligence Agency (NDIC), and the U.S. Marshals Service (USMS). The 1985 kidnapping and murder of Camarena, a member of the DEA, was a death of a DOJ agent by extension. Therefore, subsequent pursuit of the AFO was carried out not only by the DEA, the United States' lead counternarcotics agency, but also by other DOJ agencies, such as the FBI and USMS.

### 1. The Case of Enrique Camarena

The 1985, murder of DEA agent, Enrique "Kiki" Camarena, was a defining moment in the history of the war on drugs and the DEA's part in combating it. A review of the case and the U.S. and Mexican agencies' responses to it demonstrates that the governments on both sides of the border devoted a high level of attention to the case. The discussion also reveals significant international tensions, which are understandable within the broader context of delicate U.S.-Mexico relations that had not yet warmed, as analyzed above.

In 1985, Special Agent Camarena was working in Guadalajara to identify the identities of drug kingpins active in the area. On February 7, he left his office in Guadalajara to meet his wife for lunch when he was abducted. Camarena's abduction was reported almost immediately and the remaining agents in Guadalajara began an

125 U.S. Justice Department. Mission Statement. Retrieved from www.justice.gov/jmd/mps/manual/overview.htm on May 21, 2010.

investigation. Based upon information gathered from the initial queries, the DEA requested the Mexican Federal Judicial Police (MFJP) investigate Rafael Caro-Quintero, Miguel Felix-Gallardo, and Ernesto Fonseca-Carrillo in connection with the abduction. MFJP agents confronted Caro-Quintero at the Guadalajara airport. Following a brief standoff between Caro-Quintero and the MFJP, Caro-Quintero was released by the MFJP commander and allowed to board his plane. A farm worker later found Camarena's body in a field outside Michoacán, Mexico.

Camarena's murder and the subsequent refusal of Mexican authorities to adequately (in the eyes of U.S. Department of Justice) investigate the crime resulted in the United States government initiating a massive border search, creating substantial traffic jams that slowed business along the border for both countries. In a second incident, Raphael Carlo-Quintero, a drug trafficker wanted for his possible connection with Camarena's murder, was waiting to board a plane to leave Guadalajara when the Mexican Federal Jurisdiction Police confronted him. Instead of being held for questioning in connection with Camarena's death as the U.S. DOJ had requested, Carlo-Quintero was allowed to board his plane and depart following a brief armed standoff and discussion with Mexican federal agents.[126] Caro-Quintero was later arrested by local authorities with help from the DEA in Costa Rica and deported back to Mexico for prosecution.

Following Camarena's murder, the DEA focused its attentions on a number of members of the Guadalajara Cartel as part of the overall efforts of the U.S. Department of Justice, to include the FBI, Customs, and the Marshals Service. The subsequent investigation was given the codename Operation Leyenda and "turned out to be the most comprehensive homicide investigation ever undertaken by DEA."[127] Three other suspects in the kidnapping implicated Miguel Angel Felix Gallardo in Camarena's

126 U.S. Drug Enforcement Agency, "1985–1990."Retrieved from http://www.justice.gov/dea/pubs/history/1985–1990.html on April 16, 2010.

127 U.S. Drug Enforcement Agency. "News Release," March 4, 2010. Retrieved from http://www.justice.gov/dea/pubs/pressrel/pr030410.html on May 29, 2010.

murder.[128] Gallardo, a key leader of the Guadalajara Cartel also happened to be the uncle of Benjamin and Ramon Arellano-Felix, the founding leaders of the AFO.[129]

Operation Leyenda created a great deal of animosity on both sides of the border. In April of 1990, six individuals, controlled by the DEA,[130] captured Dr. Humberto Alvarez-Machain in Mexico and delivered him to the DEA in El Paso, Texas. Dr. Alvarez was later convicted of participating in Camarenas's murder.[131] Mexico lodged three formal diplomatic protests against the illegal kidnapping. The Los Angeles District Court as well as the Ninth Circuit court dismissed the charges against Alvarez-Machain because they argued his seizure violated the extant extradition treaty between the United States and Mexico. The U.S. Supreme Court overruled the decisions of the lower courts, arguing that the defendant's abduction took place on foreign soil and as a slight extension of past precedence *(Ker v Illinois* and *Frisbie v Collins)*: "abduction does not affect or preclude personal jurisdiction"[132] Although Alvarez was subject to prosecution in the United States, he was later acquitted of wrongdoing in the Camarena case.

Combined with DEA agents implicated in the abduction of Dr. Alvarez, U.S.-Mexican government behaviors in the investigation of Camarena's murder led to in criticisms from both sides of the border. As a result, the investigation was less than transparent and each side has criticized the other side's handling of the case. It is also

---

128 Rafael Caro-Quintero, Ernesto Fonseca-Carrillo, and Samuel Ramirez-Razo were all implicated in Camarena's kidnapping but stated they knew nothing of his murder. During the course of their interrogations, they each stated that Gallardo was likely responsible.

129 PBS. Frontline: Thirty Years of America's Drug War. (1995-2010, WGBH Educational Foundation). Retrieved from http://www.pbs.org/wgbh/pages/frontline/shows/drugs/cron/index.html, on May 4, 2010.

130 Although it is not entirely clear how much the DEA participated in the abduction, Alvarez himself claims there was at least one DEA agent that participated and further the U.S. Supreme court determined DEA agents were responsible for the abduction. United States v. Alvarez-Machain, June 15, 1992. Retrieved from http://www.law.cornell.edu/supct/html/91-712.ZS.html on April 24, 2010.

131 Dr. Alvarez was implicated in aiding Camarena's kidnappers by providing life-extending medical care in order for Camarena's abductors to continue to torture him. U.S. agents initially attempted to obtain Alvarez through informal negotiations with their Mexican counterparts for his role in the DEA agent's murder, but when Mexican officials rebuffed the proposal, the Los Angeles regional office arranged to have him abducted and delivered to officers waiting in El Paso. (*Los Angeles Times*, April 18, 1990).

132 That is, the Court ruled that the abducted individual remains subject to U.S. law. Ellen L. Lutz State-Sponsored Abductions: The Human Rights Ramifications of "Alvarez Machain," *World Policy Journal*, Vol. 9, No. 4 (Fall - Winter, 1992), pp. 687–703, The MIT Press and the World Policy Institute. Retrieved from http://www.jstor.org/stable/40209276 on April 20, 2010.

widely believed that members of the Mexican police were complicit in Camarena's kidnapping and facilitated the escape of one of the perpetrators to Costa Rica.[133] In March 1985, Mexican officials notified the DEA that five Jalisco State Police officers had been arrested in connection with Camarena's death, yet the U.S. agents were not allowed to participate in the subsequent interrogation of the officers.[134]

Therefore, at the time of the murder, the Camarena case received significant public attention in the United States. As the next section will show, the DEA—as well as other U.S. law enforcement agencies—embraced this case for decades to come as a means of justifying U.S. involvement in the Mexican drug war.

### 2. The DEA's Continued Focus on Camarena and the AFO

The kidnapping, torture, and murder of "Kiki" Camarena provided a critical juncture in the DEA's historical narrative. It has come to define the identity of the agency as the DEA has taken Camarena's story and understandably framed it to create support for the agency's mission as well as develop esprit de corps. While providing a sounding board for the agency, the DEA has become path dependent upon Camarena's legacy. This section analyzes this path-dependent dynamic, as well as the modes by which the DEA has demonstrated its near obsession with the Camarena case and with the AFO.

The discussion argues that, following Camarena's highly visible murder, it was necessary for the DEA's credibility as a law enforcement entity to pursue and capture his abductors. The successes of Operation Leyenda were nearly as significant and defining the DEA's legacy as Camarena's murder. The agency's successes against the AFO in the last decade are the composite manifestation of this story. This narrative has since become institutionalized in the annals of the DEA history and has since been utilized to

133 U.S. Drug Enforcement Agency. "1985–1990," Retrieved from http://www.justice.gov/dea/pubs/history/1985–1990.html on April 16, 2010, 63-64.

134 U.S. Drug Enforcement Agency. "1985–1990," 64.

create and maintain support for the agency and its mission.[135] The DEA's incremental successes with regard to the AFO have further driven the agency to focus on remaining members of the AFO. These incremental increases in success, illustrated by the number of arrests, have resulted in what Boas would consider the DEA's "lock in" to the path of AFO prosecution and a relative neglect of the CFO.[136]

Prior to the analysis, it is important to understand the logic behind the research methods of the section. Much of the information in this discussion was derived from media sources and U.S. open indictments of the individuals in detention in the U.S. or in Mexico. There are inherent limitations to obtaining information from parties with a vested interest in having the image of their institution viewed in a positive light. These organizations, such as the DEA, hope to garner support for their institutions through their publications, which are therefore likely to present a skewed picture of DEA activities. However, this thesis uses DEA sources in order to demonstrate that the DEA has been focused on the AFO and not the CFO, a focus that the DEA would be unlikely to fabricate for purposes of promoting itself. A review of the DEA's Web site for press releases and histories for information regarding both cartels yields a wealth of information on the AFO and at the same time, a relative dearth of information regarding the CFO. The U.S. concentration on the AFO is also reflected in the investigating and arresting units attributed by either side with the successful apprehension (see Tables 1 and 2).

In reviewing DEA statements, it becomes readily apparent that the AFO earned the agencies ire from its relationships to Camarena's murderers. The 1985–1990 history of the DEA (written by the DEA) claims that the "1985 torture and murder of Agent

135 Interestingly, Camarena's murder also hardened United States' resolve in its war on drugs with First Lady Nancy Reagan's embrace of the drug-free proclamations of the Red Ribbon campaign established in Camarena's honor.

136 Boas. "Conceptualizing Continuity and Change," 34.

Camarena marked a turning point in the war on drugs."[137] The history succinctly places the perspective of the death of their agent within the context of the Drug Enforcement Agency's motivations as follows:

> Perhaps no single event had a more significant impact on the DEA than the abduction and murder of Special Agent Enrique Camarena in Mexico in 1985. His murder led to the most comprehensive homicide investigation ever undertaken by the DEA, which ultimately uncovered corruption and complicity by numerous Mexican officials.[138]

The DEA's focus on the AFO, and on the case of Camarena, has continued to the present, as illustrated by the following excerpt drawn from the DEA's web-site in April 2010:

> The DEA has systematically pursued members of the AFO since the 1980's. Seven brothers and four sisters of the ARELLANO-FELIX family inherited the Tijuana Cartel from Miguel Angel Felix Gallardo in 1989, after his arrest for drug trafficking. Gallardo has been indicted in the U.S. for his involvement in the torture and brutal murder of DEA Special Agent Enrique "Kiki" Camarena.[139]

Camarena's legacy has survived not only in DEA rhetoric but also in the form of the DEA's drug war prosecution from 1985 to the present. The DOJ's determination to pursue the key leaders of the AFO are evident in various sources ranging from statements it has issued, to rewards that are offered for information on these individuals and their placement on "most wanted" lists. Nearly all of the high-priority members[140] of the AFO

---

137 U.S. Drug Enforcement Agency, "1985–1990." Retrieved from http://www.justice.gov/dea/pubs/history/1985-1990.html on April 16, 2010, 64.

138 U.S. Drug Enforcement Agency, "1985–1990." Retrieved from http://www.justice.gov/dea/pubs/history/1985-1990.html on April 16, 2010.

139 U.S. Drug Enforcement Agency, "Major Cartel Lieutenants Arrested in Mexico." June 7, 2004. Retrieved from http://www.justice.gov/dea/major/united_eagles/ on April 21, 2010.

140 The U.S. Justice Department (DOJ) created the Consolidated Priority Organization Targets (CPOT) in 2002 in an effort to create "a unified list of international 'command and control' drug traffickers and money launderers." While this list was established two years after the starting date of the research for this thesis, it still demonstrates the selective targeting of individuals by the various organizations of the DOJ. White House. Office of Management and Budget, 2005. Retrieved from http://www.whitehouse.gov/omb/rewrite/budget/fy2005/justice.html on May 4, 2010.

that have been apprehended by Mexican and U.S. agencies have been a part of focused and systematic targeting by the DOJ, driven by its pursuit to dismantle the organization that was responsible for the killing of Camarena.

Camarena's murder and subsequent investigation focused the DEA's attentions toward members of the Guadalajara Organization (that would later become known as the AFO, led by the Arellano-Felix family). The DEA, in conjunction with the Federal Bureau of Investigation (FBI), the United States Marshals Service (USMS), the U.S. Treasury Department, and various California law enforcement agencies, has pursued members of the AFO relentlessly since the death of the DEA agent. This relentless pursuit of the AFO is reflected best in some of the tools with which the U.S. Justice Department uses to pursue its members. Over the years, the Justice Department has offered rewards for information leading to the arrest or conviction of the leaders of the cartel and has placed images of the individuals on major international fugitive posters in both English and Spanish language versions. The AFO has been the subject of multiple reward posters (see Figure 1 below). In comparison, the Justice Department has only one individual from the Carrillo-Fuentes Organization on its major international fugitive list, Vicente.[141]

As Figure 1 depicts, the specific targeting and reward system has been successful in the case of the Arellano-Felix organization. Seven out of nine individuals have been captured following efforts initiated by the U.S. Justice Department and conducted largely by Mexican agencies. It is also important to note that Figure 1 represents only two iterations out of many of the DEA's reward posters. The following section focuses on the historical background of the Enrique Camarena case and its subsequent investigation.

141 U.S. Drug Enforcement Agency, "Major International Fugitives." Retrieved from http://www.justice.gov/dea/fugitives/internl/internllist.htm on 19 April, 2010.

Figure 2. Arellano-Felix Hotline Posters. Wanted posters released by the U.S. DEA following updates to the status of numerous individuals. The image on the left is from 2007. The image on the right is following Eduardo's arrest in 2008.[142]

## E. CONCLUSIONS

This chapter has demonstrated that Mexican agents have been highly successful in capturing AFO leaders vis-à-vis the leaders of the CFO. There are obvious disparities between the involvement of U.S. agents in the investigations of AFO leaders when compared to the investigations and arrests of the leaders of the CFO. Eight out of ten key leaders of the AFO had some U.S. involvement in their investigation or arrest.[143] In contrast, none of the CFO leadership captures involved U.S. collaboration.

The chapter has argued that this U.S. focus can be understood as a path-dependent dynamic that began with the 1985 killing of U.S. DEA Special Agent Camarena. Camarena's kidnapping and murder spurred the DEA to focus on the agent's killers, the

142 U.S. Drug Enforcement Agency. U.S. Department of Justice. Retrieved from www.justice.gov/dea/pubs/.../sandiego_afo_poster020607_eng.pdf on April 21, 2010.

143 These numbers reflect the inclusion of the Coast Guard arrest of Francisco Arellano-Felix in 2006.

Guadalajara Cartel and later the AFO. As a direct result of the Camarena murder, the DEA has pursued the AFO disproportionately to the CFO. The dogged pursuit of the AFO therefore accounts for a great deal of the variation that is observed between the leaders of these two criminal organizations.

Importantly, the DEA's ability to pursue the AFO has not been constant over time. The DEA was not able to fully capitalize on its determined pursuit of the AFO leadership until after three significant events in U.S.-Mexico relations: first, the establishment of a certification process for foreign countries receiving U.S. aid; second, the negotiations and signing of NAFTA; and finally, President Vicente Fox's election that signaled the fall of the PRI and increased cooperation with the United States. The analysis, therefore, not only accounts for differences in leadership captures across the two cartels, but it also explains across-time variation, toward significant captures of AFO leaders since 2000.

# V. CONCLUSIONS

Mexico's prosecution of its part in the war on drugs has yielded disparate results, especially when viewed through the lens of cartel leader captures. Mexican federal law enforcement agencies have experienced much greater success in capturing the leaders of the Arellano-Felix Organization than they have in the case of the Carrillo-Fuentes Organization. Research conducted for this thesis indicates that this variation is not the direct result of any increased military or federal law enforcement deployments to the regions in which these organizations operate. Rather, the variation is best explained as a product of the unique history of the U.S. DEA, increased cooperation with Mexican law enforcement agencies, and these entities' ability to exploit the unique management structures of the AFO.

In terms of state security forces' actions in Tijuana and Ciudad Juarez, the thesis has painted a dismal picture. Understanding the complex nature of Mexico's security system places the current drug war into perspective as it evolves, specifically by demonstrating ongoing state ineffectiveness in ensuring the rule of law for the Mexican public. For decades, Mexican administrations have deployed the military and federal law enforcement agencies in response to crises throughout Mexico. In the case of combating drug cartels, the government has used these agencies to capture the leaders of the cartels. Leader captures are considered tangible "successes" that public officials can point to in order to garner further support for their operations. However, Mexico's law enforcement system has historically followed a mandate that runs counter to the intended purpose of law enforcement agencies. Mexico's police and security systems were created to provide security for the political regime while affording impunity for the police, as opposed to providing public safety. The same organizations have also been subject to numerous rounds of reforms aimed at stemming corruption. While these institutions may be Mexico's best hope against organized crime and corruption, these changes do not provide sufficient explanation for the variation between the leadership arrests of the AFO relative to those of the CFO.

The analysis gains considerable traction in explaining this variation by turning to theories of organizations. Specifically, the thesis finds that, although the lower and middle levels of the two cartels appear to be similar in structure, variation exists between the CFO and the AFO in the leadership structures, and that this variation matters. At the lower and middle levels of the cartels, these organizations appear to be relatively flat in nature. However, the fact that the Arellano-Felix Organization leadership has been largely comprised of the seven brothers and four sisters of the Arellano-Felix family itself provides greater opportunities for law enforcement agencies to gather intelligence on the leaders. In keeping the leadership largely within a single family, the AFO has greatly increased the quantity of linkages they have in common. Any arrest by the DEA or the Mexican federal government of the cartel leaders compromises the integrity of the organization's leadership. Early arrests of AFO members on the periphery of the Arellano-Felix family have produced large quantities of information on the rest of the organization, to include its leadership.

In contrast, the CFO leadership appears to be less nepotistic and perhaps more professional in its structure, given its use of subcontractors to provide a level of specialization and expertise to a number of high-risk activities. Relying upon relationships with entities such as Barrio Aztecas and La Linea to supply necessary capabilities to conduct their operations insulates cartel leaders from Mexican law enforcement operations. The contracting of services also affords the CFO the ability to concentrate its efforts in the activities that are most relevant to the organization without expending time and resources performing heterogeneous activities. The AFO lacks such a system and therefore is subject to incurring the costs of those activities.

The AFO and CFO's structures and behaviors help explain why the Mexican government has been successful in its systematic pursuit of the leaders of the AFO. However, these variables do not provide adequate explanation for the disparity between the AFO and CFO arrests. Rather, the structural disparity between the two organizations has facilitated the tremendous efforts of the U.S. DEA as they have, by their own admission, doggedly pursued the AFO for over a decade. That is, a more complete explanation comes as an extension of the DEA's history of operations within Mexico.

There are obvious disparities between the levels of involvement of U.S. agents in the investigations of AFO leaders when compared with CFO leadership arrests. Eight out of the ten AFO cases reviewed in this thesis involved the use of U.S. agencies during their investigations, compared with none of the high-level arrests of CFO leaders.

This disparity can be understood using a path-dependent approach, beginning with the 1985 killing of U.S. DEA agent Enrique Camarena. The dramatic kidnapping and death of Enrique Camarena has been the pivotal in the formation of the DEA's legacy. Immediately after Camarena's death, the high-profile case provided ample incentive for the DEA to focus on the agent's killers in the Guadalajara Cartel. However, the DEA's ongoing focus for twenty-five years on the Camarena case and the Guadalajara Cartel's successor, the AFO, is better understood as the result of a kind of lock-in process, whereby the story of the Camarena murder has continued to serve as a rallying point for justifying U.S. law enforcement agencies' focus on the drug war in Mexico. By the agencies' own admission, Camarena's death accounts for the agency's tenacious pursuit of the AFO disproportionately to their pursuit of the CFO. Importantly, only after the enabling events of the U.S. certification process, NAFTA, and the fall of the PRI represented by Vicente Fox's election is there sufficient U.S.-Mexico security cooperation to allow the DEA to influence the dismantling of the AFO.

The findings of the thesis have several implications for what we might expect in terms of how U.S. drug policy is performed abroad and how it can affect local-level variations in law enforcement efforts. First, the DEA's dependence on the legacy of Camarena's death suggests that agencies that are established with the mandate to pursue justice within the confines of the law are not immune from the influences of the emotive reactions that gather public support for such an event. The analysis suggests that the DEA has not worked with Mexican agencies so as to best decrease insecurity or illegal drugs from spilling across the border but, rather, that it has focused on the perpetrators of a single violent act against one of its own. Furthermore, the DEA's specific focus on the AFO is in fact random: Camarena was not the first DEA agent killed in the line of duty, nor was he the last, but he has absolutely been the most influential in terms of formulating the direction of the agency's policy in Mexico. In the interest of increasing

the effectiveness and efficiency of U.S. agencies in the "war" against drugs, this thesis therefore suggests the need to examine in careful detail the logic by which the resources of those agencies are employed, both within the United States and abroad.

Second, the DEA's pursuit of the AFO also reconfirms that even "successful counter-narcotics efforts provide only limited successes in combating the war on drugs." As the DEA has dismantled the Arellano-Felix family, the AFO continues to reconstitute itself to provide more high-priority targets for the DEA. Despite the loss of four Arellano-Felix brothers, the organization remains a powerful influence in the Tijuana border area. While the DEA has remained focused on the AFO, other drug cartels have grown in strength and influence throughout Mexico, to include the CFO. As organizations affiliated with the CFO continue to specialize and organize, they become more powerful and audacious, as evidenced in the 2010 killings of three individuals tied to the U.S. consulate. However, these killings are also very significant in that they hold the potential to become another critical juncture, this time potentially drawing U.S. law enforcement attentions not toward the AFO but rather toward the CFO.

Findings within this thesis allow for projection beyond the two cases of the AFO and CFO. The study's discussion of the role law enforcement has within Mexican society speaks to the inherent challenges of the government to try to introduce these forces into society as a protectorate of the people rather than of the political party. Lopez Portillo's description of the populace's poor view of the police does not bode well for the federal governments' repeated deployments of thousands of troops and law enforcement agents. As Lopez Portillo argues, the increase in the federal law enforcement agents likely exacerbates the population's already poor perceptions.[144] Until law enforcement agents in Mexico can demonstrate that they are no longer beholden to political parties and have become invested in providing security for the people, they will continue to struggle to gain the trust of the populace.

Finally, the analysis provides insights into the evolution of cartels, specifically, increasing insecurity in Mexico arising from the significant professionalization of these

144 Lopez Portillo. 2002, p. 120.

organizations. As is true of the CFO, other major cartels have developed specialized enforcement groups, which exhibit expertise in military attacks to levels that rival and sometimes outperform even the military. In fact, a number of these groups consist largely of ex-special forces members who have defected from the Mexican military to work for the DTOs. These organizations, such as the Zetas, have become more brazen in their attacks on other cartels and law enforcement units, police stations, and even prisons in order to secure the release of members of the organization.[145] Therefore, as policymakers in Mexico and the United States look ahead in search of more effective counterdrug strategies, they should take into consideration the highly complex, professionalized nature of these cartels.

145 Fiegel, "An Open Source Perspective."

THIS PAGE INTENTIONALLY LEFT BLANK

# LIST OF REFERENCES


9/11 Commission . "9/11 Commission Report Executive Summary." Washington, D.C.: W.W. Norton & Company, July 22, 2004.

Andreas, Peter. "Building Bridges and Barricades." In *Transnational Crime and Public Security: Challenges to Mexico and the United States*, edited by John Bailey and Jorge Chabat. San Diego: Center for U.S.-Mexican Studies at the University of California, 2002.

Astorga, Luis. "Drug Trafficking in Mexico: A First General Assessment." Discussion Paper No. 36, UNESCO, 1999.

Bagely, Bruce. "Colombia and the War on Drugs," *Foreign Affairs* 67, (1988).

Boas, Taylor C. "Conceptualizing Continuity and Change: The Composite-Standard Model of Path Dependence." *Journal of Theoretical Politics*, Sage Publications, 19, no. 1, London, Thousand Oaks, and New Delhi, 2007.

Center for U.S.-Mexican Studies, University of California, San Diego and Project on Reforming the Administration of Justice in Mexico. "Justice in Mexico." October, 2000. Retrieved March 17, 2010 from http://www.justiceinmexico.org/resources/pdf/Working_Group_Binational_Collaboration_Law_Enforcement_Public_Security.pdf.

Center for U.S.-Mexican Studies. (October 2002). "Justice in Mexico Project." San Diego and the Project on Reforming the Administration of Justice in Mexico University of California. Retrieved March, 17, 2010 from www.justiceinmexico.org.

Chabat, Jorge. "Drug Trafficking in U.S.-Mexico Relations: The Sources of Conflict," paper presented at CIDE as part of the Seminar on Mexico's Security Problematique: Domestic and International Dimensions, Mexico City, 25 February, 2008.

CIA. *CIA World Factbook.* Retrieved April 20, 2010 from https://www.cia.gov/library/publications/the-world-factbook/geos/mx.html.

Corrales, Javier. "Market Reforms." In *Constructing Democratic Governance in Latin America*, edited by Jorge Dominguez and Michael Shifter. Baltimore, MD: The Johns Hopkins University Press, 2003.

Defense Intelligence Agency, Defense Intelligence Assessment. Mexican Counterdrug Security Forces: Problems and Prospects (Washington, D.D.: Defense Intelligence Agency, June 1992), iv. (Obtained through the Freedom of Information Act by the National Security Archive.) in Bailey and Chabat, 2002.

Diez, Jordi, and Ian Nicholls. “The Mexican Armed Forces in Transition.” Monograph, Ft. Leavenworth, KS, Strategic Studies Institute, Carlisle, 2006.

Federal Research Division. “Organized Crime and Terrorist Activity in Mexico, 1999–2002.” Washington D.C.: Library of Congress, 2003.

Felbab-Brown, Vanda. “Counternarcotics Policy Overview: Global Trends & Strategies.” Washington, D.C.: Brookings Institute, 2008.

Fiegel, Brenda. “An Open Source Perspective: The Evolution of Organized Crime Activity in Mexico since 2006.” *New Mexico Border Security and Intelligence Conference*, 2009.

Freeman, Laurie, and Jorge Luis Sierra. “Mexico: The Militarization Trap.” In *Drugs and Democracy in Latin America: The Impact of U.S. Policy*. Boulder, CO, London: Lynne Rienner Publishers, Inc., 2005.

Freeman, Laurie. “State of Siege: Drug-Related Violence and Corruption in Mexico Unintended Consequences of the War on Drugs.. Special Report, WOLA, Washington, D.C.: WOLA, 2006.

Gomez Cespedes, Alejandra. “The Dynamics of Organized Crime in Mexico.” PhD diss., Cardiff University, 1998.

Government of Mexico. “Primer Informe de Labores.” Mexico City: Procuraduria General de la Republica, 2001 in Freeman and Sierra, 2005.

Grayson, George. “Mexico and the Drug Cartels.” *Foreign Policy in Review*, April 2007.

Gullick, Luther and Urwick, L. Papers on the Science of Administration (New York, NY: Routledge, 1937) in W. Richard Scott, *Organizations Rational, Natural, and Open Systems*, Fifth Ed. Upper Saddle River, NJ: Prentice Hall, 2003.

House Committee on Homeland Security Subcomittee on Investigations. “A Line in the Sand: Confronting the Threat at the Southwest Border.” Washington, D.C.: House Committee on Homeland Security, 2006.

Huntington, Samuel. *The Soldier and the State.* Cambridge, MA: The Belknap Press of Harvard University Press, 1957.

Isenberg, David. “Rise of the Stupid Network.” Computer Telephony, August (1997).

Jane’s. “2008 Jane’s Sentinel Country Assessments” in Schaefer et al. *Security in Mexico*, 18, 2008.

Jane's. "Sentinel Security Assessments; Mexico's Armed Forces." 2009. Retrieved February 27, 2010 from http://jmsa.janes.com/JDIC/JMSA/nonTaxonomySelection.do?nonTaxonomySelection=CountryRoot:::Mexico.

Justice in Mexico. "Public Security Legislation: Calderon Proposes new security initiative; Senate postpones debate until after election." May 2009. Retreived November 26, 2009 from http://justiceinmexico.wordpress.com/2009/05/.

Kenney, Michael. *From Pablo to Osama.* University City, PA: Pennsylvania State University Press, 2007.

Lea, John, and Jock Young. *What is to be done about Law and Order,* Harmondsworth, England: Penguin Publishing, 1984, in Chabat and Bailey, 2002.

Lecuona, Zepeda. "Criminal Investigation and Subversion of Justice System Principles." In *Reforming the Administration of Justice in Mexico,* edited by Wayne Cornelius and David Shirk. South Bend, IN: University of Notre Dame, 2007.

Leroy, Christophe. "Mexican Intelligence at a Crossroad." *SAIS Review* XXIV, no. 1 (Winter-Spring 2004).

Linz, Juan A., and Alfred Stephan. *Problems of Democratic Transition and Consolidation.* Baltimore/London: The Johns Hopkins University Press, 1996.

Lutz, Ellen L. "State-Sponsered Abductions: The Human Rights Ramifications of 'Alvarez Machain.'" *World Policy Journal* (The MIT Press and the World Policy Institute) 9, no. 4 (Fall-Winter 1992).

Massey, Douglas. "Uneasy Neighbors: A Brief History of Mexican-U.S. Migration." *Harvard Magazine*, May-June 2007.

Mexican Foreign Ministry. "Mexican embassy to the United States: Extradition," n.d. Retrieved April 21, 2010 from http://portal.sre.gob.mx/usa/index.php?option=displaypage&Itemid=107&op=page&SubMenu=.

Moloeznik, Marcos Pablo. "The Militarization of Public Security and the Role of the Military in Mexico." In *Police and Public Security, forthcoming,* edited by Robert A. Donnelly and David Shirk. 2009.

National Drug Intelligence Agency. "National Drug Threat Assessment, 2009." Washington, D.C.: National Drug Intelligence Agency, 2009.

Office of National Drug Control Policy. "Cocaine Smuggling in 2007." Washington, D.C.: Office of National Drug Control Policy, 2007.

Office of National Drug Control Policy. "U.S. National Southwest Border Counternarcotics Strategy, 2009." Washington, D.C. 2009.

Paul Pierson. "Increasing Returns, Path Dependence, and the Study of Politics," American Political Science Review 94(2), 2000, 251–67, in Boas. "Conceptualizing Continuity and Change: The Composite-Standard Model of Path Dependence," *Journal of Theoretical Politics*, 19(1), Sage Publications: London, Thousand Oaks, and New Delhi, 2007.

PBS. "Frontline: Thirty Years of America's Drug War." Retrieved May 4, 2010 from http://www.pbs.org/wgbh/pages/frontline/shows/drugs/cron/index.html.

Plascencia, Luis Armando Gonzalez. "Hacia un modelo democratico de seguridad cuidadana: Entre la justicia civica y el sistema penal." In *Transnatinoal Crime and Public Security: Challenges to Mexico and the United States*, edited by John Bailey and Jorge Chabat, 114. Center for U.S.-Mexican Studies at the University of California, San Diego, 2002.

Portillo Vargas, Ernesto Lopez. "The Police in Mexico: Political Functions and Needed Reforms," in *Transnational Crime and Public Security: Challenges to Mexico and the United States*, ed. John Bailey and Jorge Chabat (San Diego: Center for U.S.-Mexican Studies at the University of California, San Diego, 2002).

Presidencia de la Republica . "El Presidente Calderon en la visita a las Tropas que participan en la Operacion Conjunta Chihuahua." Press Release, May 14, 2009. Retrieved April 20, 2010 from http://www.presidencia.gob.mx/prensa/discursos/?contenido=44940.

Presidentia de la Republica. "Press Release." January 12, 2010. Retrieved April 20, 2010 from http://www.pgr.gob.mx/cmsocial/press02/abr/b35902.html.

Procuraduria General de la Republica. "Press Release." March 10, 2002. Retrieved from http://www.pgr.gob.mx/cmsocial/press02/mar/b21402.html on April 20, 2010.

———. "PUBLIC SECURITY LEGISLATION: Calderón proposes new security initiative; Senate postpones debate until after election." From Justice in Mexico, May, 2009. Retrieved November 26, 2009 from www.justiceinmexico.org.

Ramos, Jose Maria. *Managing Transborder Cooperation on Public Security: The Tijuana-San Diego Region.* Center for U.S.-Mexican Studies, UC San Diego, 2003.

Reames, Benjamin Nelson. "A Profile of Police Forces in Mexico," in *Reforming the Administration of Justice Mexico*. South Bend, IN: University of Notre Dame, 2007.

Schaefer, Agnes Gereben, Benjamin Bahney, and K. Jack Riley. “Security in Mexico.” Santa Monica, CA; Arlington, VA; Pittsburgh, PA: The Rand Corporation, 2009.

Scott, W. Richard. *Organizations Rational, Natural, and Open Systems*. Fifth ed. Upper Saddle River, NJ: Prentice Hall, 2003.

Shirk, David, and Jose Ramos. “Binational Collaboration in Law Enforcement and Public Security Issues on the U.S.-Mexican Border.” *Conference on Reforming the Administration of Justice in Mexico.* Center for U.S.-Mexican Studies, UC San Diego, 2003.

STRATFOR. “Mexico Security Memo: September 29, 2008.” 2008. Retrieved March 2, 2010 from http://www.stratfor.com/analysis/20080929_mexico_security_memo_Sept_29_2008.

STRATFOR. *Mexican Drug Cartels: Government Progress and Growing Violence.* STRATFOR, 2008.

U.S. Drug Enforcement Administration. U.S. Department of Justice. Retrieved April 21, 2010 from http://www.ustreas.gov/offices/enforcement/ofac/programs/narco/narco.shtml from www.justice.gov/dea/pubs/.../sandiego_afo_poster020607_eng.pdf.

———. “1985–1990.” Washington, D.C.: U.S. Drug Enforcement Administration, n.d.

———. “2003–2008.” Washington, D.C.: U.S. Drug Enforcement Administration, n.d.

———. “Beginning of the End for the Arellano-Felix Organization.” Washington, D.C.: U.S. Drug Enforcement Administration, n.d.

———. “Cocaine Price/Purity Analysis of Stride Data.” Washington, D.C.: U.S. Drug Enforcement Administration, n.d.

———. “Congressional Testimony.” Washington, D.C.: U.S. Drug Enforcement Administration, June 14, 2005. Retrieved May 26, 2010 from http://www.justice.gov/dea/pubs/cngrtest/ct061205.html.

———. “Major Cartel Lieutenants Arrested In Mexico.” Washington, D.C.: U.S. Drug Enforcement Administration, June 7, 2004. Retrieved April 20, 2010 from http://www.justice.gov/dea/major/united_eagles/index.html.

———. “Major International Fugitives.” Washington, D.C.: U.S. Drug Enforcement Administration, n.d. Retrieved May 17, 2010 from http://www.justice.gov/dea/fugitives/internl/internllist.htm.

———. “News Release,” Washington, D.C.: U.S. Drug Enforcement Administration, April 27, 2007. Retrieved May 29, 2010 from http://www.justice.gov/dea/pubs/states/newsrel/sd042707.html.

———. “News Release.” Washington, D.C.: U.S. Drug Enforcement Administration, March 4, 2010. Retrieved May 29, 2010 from http://www.justice.gov/dea/pubs/pressrel/pr030410.html.

———. “News Release.” Washington, D.C.: U.S. Drug Enforcement Administration, June 7, 2004. Retrieved May 29, 2010 from http://www.justice.gov/dea/major/united_eagles/.

“U.S. DEA Congressional Testimony, July 14, 2005.” 2005. Retrieved April 21, 2010 from http://www.justice.gov/dea/pubs/cngrtest/ct061205.html.

“U.S. Treasury Foreign Narcotics Kingpin Designation Act: Arellano Felix Organization.” 2006. Retrieved December 14, 2009 from http://www.ustreas.gov/offices/enforcement/ofac/programs/narco/charts/afo_chart_072006.pdf.

“United States v. Alvarez-Machain.” June 15, 1992.

Washington Office on Latin America. “Connecting the Dots: ONDCP's (Reluctant) Update on Cocaine Price and Purity.” Washington, D.C.: WOLA, 2007.

Weber, Max. *The Fundamental Concepts on Sociology.* New York: Free Press, 1964.

White House. Office of Management and Budget, 2005. Retrieved May 4, 2010.from http://www.whitehouse.gov/omb/rewrite/budget/fy2005/justice.html.

# INITIAL DISTRIBUTION LIST

1. Defense Technical Information Center
   Ft. Belvoir, Virginia

2. Dudley Knox Library
   Naval Postgraduate School
   Monterey, California

3. Maiah Jaskoski
   Naval Postgraduate School
   Monterey, California

4. Arturo Sotomayor
   Naval Postgraduate School
   Monterey, California