Crime, Disorder, and Public Safety in Border Communities
David M. Eisenberg, PhD, Sergeant, Chula Vista Police Department
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Introduction
The borderline between Mexico and the United States is a geopolitical fiction showing the demarcation between two nations. The reality for those of us living in communities by the border is that we live in a binational region with a unique blended economy and culture. One of the many challenges with living in the border region, especially in the past few years, has been the rapid rise in serious crime, largely tied to the growth and aggressiveness of narcotics cartels. International borders are particularly susceptible to other forms of crime and disorder by their very nature. Some criminal activity exists uniquely at the border; other activity is greatly enhanced there. Addressing crime and disorder in border communities requires understanding the unique aspects of border life and, in this case, the close interplay between two very different national cultures.

This paper will look at a critical aspect of border life - the role of local police agencies in reducing crime and disorder and providing for a secure community. We will examine the nature of the border region, aspects of border related crime and disorder, policing in a multi-cultural environment, and the challenges to US and Mexican police agencies to collaborate across a wide gulf of cultural and institutional differences. Central to the paper is the notion that social scientists have a very significant contribution to make to our understanding of border public safety issues and can actually play a critical role in improving the bilateral security relationship. The paper will conclude with a recommendation to develop a research agenda and one or more "Centers for Binational Public Safety" envisioned as local law enforcement agency/university consortiums focused on research and policy development on binational community public safety issues.

In San Diego County, on the US side of the border, all of the federal law enforcement agencies (FBI, ICE, BP, DEA, US Marshals) have a considerable presence. They bring with them outstanding investigative resources and very talented personnel. But the responsibility for the day-to-day security of persons in their homes and on the street rests with the local police agencies. They manage behavior on the roadways, respond to

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1 Presented at the "Lineae Terrarum" International Borders Conference, El Paso-Juarez-Las Cruces, March 27-30, 2006. Please note that this paper is not a product of the Chula Vista Police Department, nor does it necessarily represent the views of Department staff.

2 Citizens of the United States of America typically call themselves "Americans" even though many countries are located in the Americas. Mexicans often call us "North Americans" even though Canadians are as well. In this paper, I will use convention of calling US citizens 'Americans'.

3 I include among local agencies state police who are locally assigned, like the California Highway Patrol (CHP) officers who police the freeways and provide patrol services in many unincorporated areas.
emergencies, investigate the majority of property crimes and crimes against persons. They have the greatest contact with local residents and help determine resident's perceptions of safety and security. Local crime and security problems and the response to them by local police set the tone for the entire binational region. In fact, local policing problems on one side of the border can have a significant impact on conditions on the other side.

While much has been written on policing in the United States\textsuperscript{4}, and a similar literature is developing in Mexico\textsuperscript{5}, the application of social science methods to understanding and improving policing along the border has yet to be developed in any systematic way. Of necessity, the discussion of border community public safety raises a whole host of culturally tied assumptions, feelings and even misunderstandings and resentments. Yet, the unquestionable fact is that residents of both nations must figure out a way to live with each other in the huge border region we so intimately share. This need to cooperate and work effectively together is repeated many times daily from the department store make-up counter where a salesperson is assisting a foreign national in making a purchase to the law enforcement personnel from both sides of the border working together to get a suspect into custody. Yet historical, cultural, institutional and political differences can make cooperating very difficult. As an example, and with the ever-present risk of over-generalizing -- in comparison, Mexicans rely heavily on relationships, Americans on rules. To the extent this is true, it has tremendous implications for how the two nations enforce the law and how members of each society view law enforcement personnel\textsuperscript{6}. Also, concepts like "police corruption" or "officer vetting" may have completely different

\textsuperscript{4} Many US universities have Criminal Justice Departments. These academic enterprises typically look at criminal theory, the justice system, and corrections. Aspiring police officers often attend such degree programs. To appreciate the contribution social scientists can make to the understanding of policing, see Jonathan Rubenstein's landmark participant observation study of the Philadelphia Police Department, \textit{City Police}, Farrar, Straus and Giroux, New York, 1974.

\textsuperscript{5} See Lopez Portillo Vargas, Ernesto, "The Police in Mexico: Political Functions and Needed Reforms", in Bailey, John, and Chabat, Jorge, eds., \textit{Transnational Crime and Public Security}, Center for US-Mexican Studies, UCSD, La Jolla, 2002 for an outstanding discussion of the history of Mexican policing and the huge historical, organizational, cultural, and political forces constraining its reform.

\textsuperscript{6} Imagine a police officer assigned by his Sergeant to do targeted enforcement with drivers parking illegally and interfering with patients' access to a hospital emergency room. The officer is directed to cite all offenders. The American officer, seeing an illegally parked vehicle belonging to his uncle, parked in a long line of vehicles he already cited, would be expected to cite the uncle's vehicle too. If the uncle later complained, the officer would scold him for embarrassing him by parking illegally. Mexican professionals participating in a summer exchange program at UCSD uniformly argued the Mexican officer would not issue the citation, explaining that family harmony was more important.
meanings and operational significance to the two sides. Understanding these differences where they exist is critical to forging an effective working public safety relationship and in best serving the residents of the border region.

Police agencies and the quest for secure communities provide exciting laboratories for the study of social issues. The organized analysis of them by social scientists could serve to greatly inform law enforcement personnel and improve the binational relationship. Anthropologists in particular could help develop a deeper understanding of culturally laden terms like "corruption" that would assist officers and their agencies to better understand each other and their limitations. This process of cultural interpretation to "the other" is a basic skill of applied anthropologists. Along with discussing crime, disorder and policing, this paper will also lay out a continuously developing research agenda noting the helpful assistance social scientists might play in understanding and advancing the complex issues.

The Potential Contribution of Applied Social Scientists

Social scientists adept at working in adventurous field settings bring special skills to border studies. Anthropologists' particular contribution to social science is ethnographic study, a form of organized participant observation that permits outsiders to understand and even explain the way cultural groups operate. This special way of observing often generates deep understanding of why people behave the way they do as well as how. The questions abound:

1. What is the status of cross border local law enforcement collaboration?
2. What processes or structural conditions enhance or inhibit collaboration?
3. Given the huge differences between systems, can the law enforcement and criminal justice systems on each side of the border be described in such a way as to be meaningful and useful to the other side?
4. What crime, disorder and public safety issues trouble the border region? Do both Mexicans and Americans view them similarly? Could a joint crime-control strategy be developed?
5. What contributions can each side make to the safety and security of the other?

Please note that after each section I have included a discussion of research questions that could form part of the agenda for working social scientists with an interest in this topic.

The United States and Mexico are writing a new chapter on bilateral relations absent clear and leading policy from central government. Life along the border goes on, indeed is ever developing, despite the limited direction and support from both capitals. The border region is a culturally rich area where two very different cultures meet, mix and create new combinations of human behavior. It is at the local level, in communities like Chula Vista and Rosarito, that Americans and Mexicans are defining the future of the two nations, coming to grips with the need to accommodate each other despite the national

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7 See Chapter 4 "Toward the Use of Ethnography in Health Care Program Evaluation", in McDonald, James, The Applied Anthropology Reader, Allyn and Bacon, Boston, 2002, pp. 88-105.
disagreements on immigration and national security. The design of this accommodation should not be left up to chance, but rather should make use of the special skills social scientists bring to understanding the possibilities for creating new modes of community. Social scientists have a unique opportunity to harness their special skills to the analysis of border crime and security issues and to develop actual policy recommendations for local governments and institutions on both sides of the border. Analysis in one community like Chula Vista is eminently replicable and would have value to communities across the 2000-mile border.

** Investigator Qualifications and Ethical Issues**

One contribution of anthropology to the discussion of border issues is its clarification of the perspective of the writer or analyst. Anthropologists strive to convey the "emic" view of a particular group or social dynamic, the view using the categories of the people under study. So in one respect, this paper is written from the perspective of a resident of a border community since I live in the border region. But, I am not a Mexican, I am an American\(^8\). So when discussing the issues or sensitivities of the Mexican residents of the border region, or Mexican approaches to law enforcement, I am embedded in "etic" categories, or the perspective of the outsider.

But there is an important dynamic operating that serves to soften the barriers of my etic viewpoint, my own slide into a sort of bicultural identity. Traditionally, on the US side of the border, when we use the term "bicultural" what is conjured up is a Latin American who now resides in the United States, speaks English and comfortably moves between both cultures. One of the consequences of living in the border region for Americans is that we too are becoming bicultural, learning Spanish, spending time in Mexico, and comfortably moving between both cultures. This immersion dynamic operates on both sides of the border, on Mexicans and Americans alike, and serves to dilute our perspective as a pure outsider. Nevertheless, the etic viewpoint does rear itself periodically and should be noted.\(^9\)

For the past thirteen years I have worked as a Police Officer for the Chula Vista Police Department. The City of Chula Vista is in the southwestern corner of San Diego County just a few miles from the international border with Mexico. The city occupies about 50 square miles, roughly the landmass of Boston. It is the 7th fastest growing city in the United States, adding about 10,000 new residents annually. Many of the new residents

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\(^8\) By "Mexican" I mean a citizen of Mexico; by "American" I mean a citizen of the United States. In this paper I use the term American to mean a US citizen irrespective of descent.

\(^9\) Some years ago, I was invited by a consultant from a Mexico-based office of an international consulting firm to help organize a crime control conference for a city in Northern Mexico. The consultant was a Mexican national, experienced, and highly educated. During our discussion of police officer selection, I was pontificating on the importance of hiring based on merit and not on political or family affiliation. At the end of my long dissertation, she smiled sweetly and informed me she was the daughter of the Managing Partner of her office.
are Mexican nationals or persons from the Pacific Rim. It currently has about 225,000 residents, of which 52% are of Hispanic descent. A considerable proportion of residents are Mexican nationals living in Chula Vista and working in Mexico. Many other Mexicans routinely come to the city to shop, go to the movies, visit family, and attend schools and other institutions. At any one moment, about 25% of the persons shopping at the Chula Vista Mall are Mexicans. As a result, I have daily contact with Mexicans. I have worked hard to learn Spanish. I have attended immersion language classes in Mexico and routinely travel in Baja and in the interior. My wife and children speak Spanish. About 25% of my police department partners were either born in Mexico or are of Latin American descent. Because of my interest in the border and in Mexico, I have written our Departmental policy on how we treat undocumented persons, our recognition of the Matricula Consular diplomatic identity card, and procedures governing the arrest of foreign nationals. I have had regular and frequent contact with Mexican residents and visitors, victims and suspects.

It is unusual to include a first-person report like this in an academic paper, but I thought it very important to detail this authors’ background as the paper treats some sensitive topics. Mexico and the United States have had a difficult history together. Both countries are struggling with a bilateral policy agenda that includes immigration and narcotics trafficking, issues related directly to border community public safety, and even national security. The potential to cause offense in a candid assessment of the relationship is high. A critique of the challenges Mexico is facing as it reforms its criminal justice apparatus may be taken as a sign of disrespect. Those of us working in this area must be sympathetic but realistic. Treating each other with respect is an absolute requirement.

The ethical requirements of the Professional Code of Ethics of the Society for Applied Anthropology require investigators to show respect for the integrity and worth of the target community. As we shall see later, Mexican police organizations and the Mexican criminal justice system in general are receiving much needed scrutiny. We on the US side must grow to understand the forces that have formed these Mexican institutions and the forces that are involved in their reform. Participant observation by trained insiders who can then report their experiences is sorely needed, but potentially dangerous. We need to be developing a community of colleagues on both side of the border who can look closely at the institutions we serve and the bilateral relationships with a constructive view.

Lastly, it is difficult to write about crime and public safety issues in real time because the key sources for information may be part of open investigations. As a result, I have tried to be as comprehensive and factual as possible, but have used open sources exclusively. This is very important for social scientists studying the issue. Media reports, law enforcement press releases, and information from closed cases, when triangulated, paint an excellent picture of the crime, disorder and security challenges at the border.

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The Border Region Defined
The international border with Mexico is about 2000 miles long. Depending on how one defines the border, it can be as shallow as the line at the port of entry (POE) or as deep as the residents from each country penetrate the other on a regular basis. Not only a geographic notion, the border region has a unique blended cultural character. Residents of each side routinely cross the border for recreation, dinner, and to attend cultural events. Family members reside on both sides of the border so that holidays are marked by tremendous cross-border flows. We have easy access to each other's newspapers, radio stations and television programming. When an event of shared import occurs in Chula Vista, reporters from Mexican news services respond and report for their readers and viewers. San Diego news outlets cover events in Baja Norte. Border region residents engage in a kind of fusion cooking, using traditional ingredients and dishes from both sides. Many a San Diego resident has reported missing chilies at the table when traveling outside the border region.

The border region has a bilingual linguistic character. In addition to the penetration of both languages by the other in the vernacular of daily use, i.e. "Vamos a lunchar," (A horrible corruption of the proper Spanish for 'Let's go eat lunch.'), many border region residents are bilingual to varying degrees. While California recently defunded traditional bilingual education, the former Superintendent of San Diego Public Schools, Alan Bersin, seriously proposed the teaching of Spanish to all of its students, along with the required teaching of English. Bilingual skills have value in the marketplace. Police departments in San Diego County routinely offer Spanish language classes to their officers and provide bilingual compensation.

The border region has an important economic characteristic; residents on both sides are economically highly interdependent. The San Diego/Tijuana border crossing is the most active border crossing between any two nations in the world. Approximately 340,000 persons, 136,000 cars, and 6200 trucks cross the border in both directions at the three ports of entry every day. 11 The San Diego Association of Governments (SANDAG) estimates that Mexicans crossing the border to shop spend about $3.2 billion annually. About $1 billion is spent in Chula Vista. Because of the high demand, Chula Vista has 16 "box stores" - like Walmart, Target and Kmart. In a recent SANDAG study of border crossers coming from Mexico:

- 90% of the trips originated locally, in Baja Norte;
- 63% intended to shop on the US side; and
- 34% were headed to Chula Vista.12

Mexican shoppers are more likely to buy in quantity, buy with cash, and make few returns. At the Chula Vista Mall, the 25% of Mexican shoppers generate 40% of the revenue. Mexicans buy so much merchandise at the Mall that:

- Sears has the #5 sales volume among all Sears stores in the world;

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11 "Estimating Impacts of Border Wait Times at the San Diego Baja California Border Region ", SANDAG, Sept. 2004. This data includes crossings at the POE's at San Ysidro, Otay and Tecate.
12 Ibid.
• Sees Candies is #8 in sales volume among Sees stores nationwide;
• Macy’s is the #2 store nationally, #1 for the first quarter of 2005!\(^{13}\)

Similar economic activity occurs on the Mexican side by Americans crossing to shop, dine and vacation. In addition to shopping, many residents cross the border each day to work.

The border region and the communities within it share a complex pastiche of cultural, linguistic and economic activity, much of which is highly interdependent. Residents of the region recognize the international demarcation line, but think of it as a bureaucratic detail not the centerpiece of the binational relationship. The sense is that border flows will continue, will increase, and that ties between the two nations and the binational region itself will continue to grow. The issue for securing the region is not stopping and starting flow but facilitating and controlling it. Part of the development of good controls is the further development of the bilateral public safety arrangements between local policing authorities.

**Border Crimes**

The term "border crime" refers to crimes that are either border specific or are enhanced by the border. For example, the trafficking of contraband across borders can be directly related to the material being legal or uncontrolled in one state and illegal or highly controlled in the adjacent state. Freon might be legal in Mexico but highly controlled in the US. The variance creates the market at the border. The same dynamic occurs for some drugs or medicines. Auto theft is a problem in every community. But auto theft rates actually increase as one moves closer to the border. Thus, in a border community, we consider auto theft to be border crime.

The border between the United States and Mexico is the longest contiguous border between any first and third world nations in the world. The economic disparity between the two nations is one of the variables explaining the level and type of crime that occur in the border region.

**Auto Theft**

From a local standpoint, one of the most common and troubling crimes for residents is auto theft. Residents of the City of Chula Vista lose about 8 cars each day. The majority are not recovered. A significant proportion of them are older cars without theft coverage. The low-income family that loses such a vehicle absorbs a loss in the thousands since they typically need it for work and have to replace it. In 2003, with a grant from the US Department of Justice (DoJ), investigators at the Chula Vista Police Department intensively studied auto theft occurring in the City.\(^{14}\) The team was led by consultant Rana Sampson and included Capt. Don Hunter and Public Safety Analysts Nanci Plouffe and Karin Schmerler. They learned that auto theft rates increased as one moves closer to the border.

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\(^{13}\) Marketing Dept., Chula Vista Mall, 06/29/05

1. For 2001, there were 1,714 auto thefts and 1,656 vehicle burglaries (things stolen from inside locked vehicles) in Chula Vista representing 44% of all Part I (serious) crimes occurring within the City.15

2. Chula Vista has a higher auto theft rate than LA, New York, Chicago, San Diego, San Antonio, and Fort Worth. Similar Metropolitan Statistical Areas (MSA's) have vehicle theft rates of about 500 vehicles per 100,000 population. The Chula Vista rate is 984 vehicles stolen per 100,000 population, almost double.16

3. Several other border communities have exceedingly high theft rates, i.e. Nogales 1035; Calexico 1128.17

4. The northern most city in San Diego County (Oceanside, 60 miles north of the border) has a vehicle theft rate of 4.17 per 1000 vehicles registered. San Ysidro (adjacent to the border) has a rate of 15.89/1000.18

4. The clearance (recovery) rate nationally for motor vehicle thefts is around 14%; Chula Vista's rate is 3%.19

5. Owners suffered - monetary loss in 2001 was $12.9 million, more than three times the loss from all robberies, burglaries, and larcenies combined.20

The Chula Vista analysis showed that high rates of auto theft are likely to be border related; since few are recovered in any form, it is believed that most cars are taken south into Mexico. From anywhere in Chula Vista, a car thief can drive across the border within 10 minutes. No technology is in use to capture stolen autos heading south, although license plate readers at the POE's can be used to confirm the thefts. Vehicles are stolen for resale. Migrants going in both directions steal vehicles for basic transportation. And vehicles are stolen for use as "load" vehicles, either to transport narcotics or migrants. Unfortunately, in the recent past, Mexican law enforcement has been implicated in vehicle thefts on the US side.21

15 Ibid. p.8.
16 Ibid. p.8.
17 Ibid. p.8.
18 Ibid. p.8.
19 Ibid. p.8.
20 Ibid. p.9.
21 In 1994, a San Diego television crew observed a Federal Judicial Police (PGR) Agent driving a new Jeep Cherokee with a California license plate as he participated with other officers in the warrant arrest of a high profile major crimes suspect in Tijuana. The agent was questioned by his superiors but not arrested. The problems this story raises is that 1. a law enforcement officer was using a stolen vehicle, one of several it turns out, 2. he was using it with impunity - with a California plate, and 3. it was used with seeming organizational approval. Then US Consul General Edwin Cubbison stated that "the flow of stolen vehicles into
Mexico has its own problems with auto theft. Residents of Baja Norte may have their vehicle stolen in Mexico only for it to be re-sold and registered in the US. Local law enforcement personnel participate in a joint committee on auto theft but with limited success. Lack of access to a national vehicle database on the Mexico side, combined with security limitations on sharing the data make it difficult for buyers to know if a vehicle they purchased was stolen. The same limitations hamper recovery in both directions across the border.

**Questions for Investigators:**
Who are auto thieves and what is their motivation? How are stolen vehicles marketed and re-sold. Who are the typical buyers? Are buyers unaware or do they know they have received a stolen vehicle? Does it matter to buyers that they may be buying a stolen vehicle? Is there an unstated tolerance for using property stolen from across the border - in either direction?

**Official Corruption**
Corruption is part of the human condition. Official corruption exists to the extent societies and their institutions tolerate it. Official corruption exists in the United States. In 2005, San Diego residents saw the arrest and successful prosecution of three city council members for official corruption (actually two, one died of illness during prosecution). A distinguished and long serving US Congressman was indicted for accepting massive bribes. A century ago, Lincoln Steffens described the high level of corruption found in many major US cities. He looked at New York, Chicago, Philadelphia, Pittsburgh, Minneapolis, and St. Louis and found examples of profound political corruption and mismanagement. In the case of Minneapolis, he detailed the use of the city's police department in the furtherance of the Mayor's corrupt activities.  

It is unfortunately too easy to historically document examples of brutal, racist, oppressive and corrupt police practices in the United States. On the other hand, policing has been improving steadily during the last 50 years. Police officers in California are very carefully screened prior to hiring. The hiring process as required by the State includes:

1. an initial written exam,
2. an initial panel interview,
3. a physical fitness test,
4. written psychological test,
5. psychological clinical interview,
6. background investigation, including family, employer, neighbor interviews,
7. credit, driving and arrest records check,

Mexico is "a borderwide phenomenon" of many years standing. There have been loads of instances in the past where cars have been found in the hands of municipal, state, or federal police under various explanations." See Gregory Gross, *San Diego Union Tribune*, 05/11/94. Occurrences like this, that seem to have institutional approval, make cross-border collaboration more difficult.

8. drug screening,  
9. medical and stress testing, and to make sure no fidelity issue is missed; a  
10. polygraph test.  

Formal training is about 14 months. The probationary period is 18 months. Poorly performing employees can be fired with or without notice or cause during this period. Local departments have systems to monitor corruption and poor performance. In each field office in the United States, the FBI has an active official corruption group that can respond to allegations of local police corruption. Policing is professionalizing. About one-half of the new hires at the Chula Vista Police Department have college degrees. California local and state police officers are paid very well. Officers are expected to handle sophisticated social and legal issues in the field as independent decision makers.

The quality of police service has inspired new levels of confidence by the public. The Chula Vista Police Department has engaged SANDAG since 1997 to carry out an independent, random survey of Chula Vista residents measuring among other things, their confidence in the police, their satisfaction with police contact, and their impression of police professionalism. Over 8 years and 4 surveys of thousands of Chula Vista residents, confidence levels are consistently in the high 80th to low 90th percentile. The most recent survey of residents was performed in 2004. SANDAG provided a randomly selected stratified sample with a mailed survey in English and Spanish. The return rate was 31%, high for a mailed survey. Of those surveyed, 45% had contact with the Chula Vista Police during the previous year. Eight-nine percent of respondents were satisfied with the police department. Respondents described the police as:

- knowledgeable 92%  
- fair 91%  
- professional 91%  
- respectful 90%  
- helpful 87%.

Respondents included persons arrested and cited. The data varied little across racial and ethnic groups.23

A primary issue confronting American law enforcement officials working in the binational region today is that it is difficult to determine if Mexican police officers are working to legally resolve a shared crime issue or are furthering the very criminal activity under investigation. Mexico is and has been struggling with a history of profound police corruption for many years. For example, at the federal level:

1. General Jesus Gutierrez Rebollo, Director, Instituto Nacional para el Contra las Drogas, (INCD) was arrested for his collaboration with the Juarez cartel. Then President Ernesto Zedillo disbanded the INCD and created FEADS (la Fiscalía Especializada en la Atención de Delitos Contra la Salud) as a confidence building and anti-corruption measure.

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23 Burk, Cynthia, Project Director, "2005 Chula Vista Resident Survey", SANDAG, 07/05.
2. In 2003 the Zedillo administration raided all FEADS offices and disbanded the organization for being hopelessly corrupt. It was replaced by the newly created AFI (Agencia Federal de Investigacion), a federal investigative agency roughly modeled after our FBI.

3. On 12/06/05 Reuters reported that the Mexican attorney general's office released a report showing that 1,493 AFI officers -- or around one-in-five of the force -- are under investigation for committing crimes.

   Formed in 2001, the AFI played an important role in putting top drug capos behind bars, including Benjamin Arellano Felix and Osiel Cardenas, of the Tijuana and Gulf cartels, and won praise from the U.S. Drug Enforcement Administration. But despite Fox's best hopes, a top government minister said the 7,000-strong corps might have been compromised from the start by corrupt cops recruited from the former federal police force, who brought a culture of graft to the new institution.\(^{24}\)

Mexico has a very different colonial history than the US. Government service as patterned by the Spanish was a license from the Crown to extract tribute from the locals. As Octavio Paz muses:

   Some people claim that the only difference between the North Americans and ourselves [the Mexicans] is that ... their legacy is Democracy, Capitalism, and the Industrial Revolution, ours is the Counter-reformation, Monopoly and Feudalism.\(^{25}\)

Comparatively, the US model of government service recognizes the pre-eminence of the public interest. The historical differences can be felt today. Mexico has a different view of their police. They are low paid. They are not considered professionals. They do not inspire confidence from the larger public. Note the following recent examples:

   Reports received by the Human Rights Office in Baja against police are increasingly serious since they're not only extortion cases but also homicides, stated Baja ombudsman Ismael Chacon. Chacon added that the Tijuana municipal police receive the most complaints from local citizens. "We have around 300 reports against police, which is very close to last year's figures, but what worries us is the seriousness of [the crimes in the] complaints we receive," stated Chacon. Frontera (3A) 9/18/05

   The head of the Human Rights Binational Center in Tijuana Victor Clark Alfaro stated that the municipal police have become the main predators of those attempting to [illegally] cross the border by taking advantage of their

\(^{24}\) Reuters, 12/06/05.

During the last recruitment session held by the Tijuana Police Training Institute (ICAP), at least 50% of the police applicants were turned down for not passing the psychology test. Frontera (3A) 9/11/05

A 2004 survey by the Mexican survey research group Parametria showed that 90% of respondents interviewed in Mexico City considered the Transit Police were corrupt; 48% because it was "inherent", 24% because they were low paid, and 19% because they were required to extort money from citizens by their superiors. 27

Most difficult for local police on both sides is the evidence that suggests massive penetration of Mexican police agencies by organized crime. Bailey and Chabat assembled a group of American and Mexican analysts who draw a close connection between the previous dominant national political party Partido Revolucionario Institucional (PRI), government agencies, and organized crime, in particular the cartels. 28

Note the following:

A heroin shipment hidden inside a cooler filled with shrimp is the link between the detention of an armed commando of 5 police officers and the homicide of two drivers (found Friday) from a foreign bus company. The 5 policemen tortured their victims first and then stole their drugs. Frontera (18A), El Mexicano (front page) 10/18/05

Baja Attorney General (PGJE) Antonio Martinez Luna clarified that federal law enforcement authorities (PGR) are just holding under house arrest the 3 municipal and 2 state policemen detained Thursday for allegedly being part of “commandos” committing several crimes at this border. El Mexicano (front page) 10/19/05

The 7th District Judge for Penal Trails in Mexico City sentenced the 7 former Ensenada municipal policemen who offered police protection to an organized crime group better known as “Black Commandoes”, allegedly one of the armed forces of the Tijuana cartel specialized in killing people in public sites. El Mexicano (5A) 11/18/05

At least 5 Tijuana businessmen are currently kidnapped and their cases are under investigation by the Office against Organized Crime (SCDO). There’s a firm

26 Press Information Officer Lorena Blanco of the US Consulate in Tijuana prepares and distributes a daily news summary drawn from open source Baja newspapers. She reports heavily on border security issues. These abstracts are drawn from those summaries.
suspicion that in one of the cases there were some municipal policemen involved. Baja Attorney General Antonio Martinez Luna confirmed the investigation of at least 5 cases with similar characteristics. Frontera (front page) 12/9/05

It is important to note that the organizational issues Mexican police agencies face take nothing from the courageous work of the many dedicated Mexican police officers who work tirelessly to make their communities safer. Despite the problems, the relationship between police agencies and their respective international liaison officers from both sides of the border have never been stronger. Recently, US officers recognized the critical role played by their Tijuana and Baja State counterparts:

Tijuana state agent (ministerial) Jose Trinidad Camberos Gonzalez was recognized yesterday in National City by the International Border Liaisons Association for his more than 30 years as police officer, revealed Baja State Attorney officials (PGJE). Frontera (8A) 9/13/05

The San Diego Police Department honored a contingent of Mexican law enforcement officers for their help in capturing four slaying suspects in Mexico over the last 18 months. "The cases could not have been solved without them," said Homicide Lt. Kevin Rooney. "There were many times when we were getting leads in cases that needed to followed up in Mexico and some [Mexican officers] dropped everything they were doing in the middle of the night and weekends to work hand in hand..." Union Tribune (B3) 11/18/05.

Questions for Investigators
Many of the local law enforcement agencies along the border on both sides have International Liaison Officers (ILO's and Enlaces). These officers have a unique perspective because they routinely work criminal cases across the border, routinely interact with their foreign counterparts, have developed close professional ties with their foreign counterparts, and have a very realistic and in depth understanding of the limitations and opportunities possible in the bilateral relationship. They also probably have a useful critique of their counterparts and the institutions they serve. This is an almost wholly unexploited pool of expertise. No government agency has identified these officers as a group much less tapped into their extensive knowledge. Prof. David Shirk of the Transborder Institute at San Diego University has done some initial surveying of the San Diego ILOA. It would be very useful to engage a subset of this group in a rapid assessment to begin the process of detailing the appropriate categories for understanding the bilateral law enforcement relationship, exploring problems and opportunities in improving the relationship, and further the nature of crime and disorder on each side of the border.

Community and Institutional Penetration
Unlike their federal counterparts, local police move in and out of households responding to calls for service every hour of every day. The average Chula Vista patrol officer enters about 1000 households annually and, as a result, gets to know members of the community and their problems intimately. Because of the relative safety of the US side, high-ranking
members of Mexican law enforcement, Mexican appointed and elected officials, and members of organized crime rent or purchase homes and install their families. Patrol officers interact with them and their families and have a sense of who they are. Crime problems from across the border also occasionally follow these persons. Police in San Diego County find bodies that have been tortured and dumped, casualties of the drug wars. Families residing in Chula Vista have members kidnapped and murdered on the Mexican side, while those on the US side have received threats. Recently a Chula Vista police officer foiling a kidnapping attempt was shot at repeatedly by escaping cartel members. Other border communities have their own incidents to recount - see especially El Paso/Juarez and Nogales/Nogales. The trend trajectory of serious incidents seemingly is on the rise.

Mexican organized crime has untold resources to support its trafficking enterprises. Not only is the San Diego/Tijuana border crossing busy with resident and commercial traffic, it is also a major crossing point for contraband. Two freeways run north from the busy San Ysidro and Otay points of entry - 15 and 1805. Both freeways traverse Chula Vista from north to south. As a result, much illegal "product" and the people associated with it move through the city. Chula vista is a convenient stopping off point for repackaging loads, for storing loads in stash houses for trans-shipment north and for homes for the mid and high-level traffickers. These trafficking groups need logistical and supply support - vehicles, houses, "mules" to cross loads. Border communities on both sides are therefore resource points for organized crime. As a result, businesses have been organized to supply the cartels. It takes officers serving just a few warrants at rented houses to surmise that a US-side real estate agent might be aiding the cartel. Expand that notion a hundred fold, and one begins to see that organized crime may be a source of important business - real estate, banking, and vehicles sales - for the host communities. The next step in penetration is entering and ultimately controlling community institutions themselves - city councils, water boards, port and airport authorities.

Penetration of communities on the US side also includes penetration of law enforcement. A uniformed Border Patrol Agent on duty at the Calexico station was caught recently with 750 pounds of marijuana in a US government vehicle and was sentenced to 5 years in prison. The US Attorney prosecuting the case said in open court that federal investigators are looking at much deeper corruption at the station.

Questions for Investigators
Chula Vista requires businesses to purchase a business license in order to operate. With the exception of a few categories of police-supervised businesses (i.e. massage parlors) no vetting of the new owner occurs. A sex crimes registrant could open a comic book

29 "Cearley, Anna, "Drug War in Tijuana spills over the border", Union Tribune, 12/12/05. Cearley, a UT reporter assigned to Tijuana, addressed the spillover in Chula Vista. In fact, the spillover is throughout the 2000-mile border region in both directions.

30 Berenstein, Leslie, "Former border agent gets prison time for pot smuggling," Union Tribune, 07/06/05.
store and the city would be none the wiser. Marginal businesses that serve as fronts for contraband receipt and shipment could proliferate with little scrutiny, and some have. Chula Vista is not alone. The whole issue of border related organized crime penetration of community structures cries out for study. Especially troubling is that the city that does look at this issue is doing it alone, yet cities all along the border are affected in exactly the same way. Again, social scientists studying this aspect of formal community life could play an invaluable role in broadening our understanding of border crime and security issues.

**Other Serious Border Crime: Arms Smuggling, Smuggling of Persons, and Sex Tourism**

This paper was not intended to be an exhaustive review of all border related crime. The crimes noted above merit similar treatment. Arms smuggling and sexual tourism strongly and negatively affect Mexico. The traditional interpretation of the 2nd Amendment of the US Constitution means from an operational perspective, Mexican organized crime groups have easy access to an almost unlimited supply of guns from the US communities lining the border. The government of Mexico is as concerned about the movement of US supplied weapons crossing south as the US is about Mexican supplied narcotics crossing north. Mexico is similarly affected by US pedophiles crossing south to take advantage of the poverty, corruption, and comparatively weak child protection systems there.

A total of 27 presumed cases of child sexual/commercial exploitation and human trafficking are currently under investigation by Baja law enforcement authorities (PGJE), after being channeled by the Binational Safety Corridor in Tijuana, stated the head of the corridor Jorge Bedoya. Frontera (19A) 12/7/05

Much has been written about human trafficking. Coyotes live and work in the binational region. Their particular form of human misery is well known to border community residents. Both federal governments have had difficulty controlling the unspeakable carnage caused by human trafficking.

**Border Disorder**

**Drunken and Disorderly Behavior**

Not all disruptive behavior, or behavior that negatively impacts the quality of life is illegal. San Diego one of the nations “superports” and is the home to many naval vessels, the Marines, and special warfare groups. It is a tradition to go on leave and cruise south to the bars in Tijuana. Unhappily, it also is a tradition to return and drive drunk on US streets causing a considerable amount of death and destruction. In similar fashion, Spring Break is a rite of passage for many underage US students. Often they choose a Mexican venue to celebrate because the federal drinking age is 18. Note the warning on the US Embassy to Mexico website:

Over 100,000 American teenagers and young adults travel to resort areas throughout Mexico over Spring Break each year. While the vast majority enjoy their vacations without incident, several may die, hundreds will be arrested and still more will make mistakes that could affect them for the rest of their lives. While traveling in Mexico, American citizens are subject to Mexican law. An arrest or accident in Mexico can result in a difficult legal or medical situation,
sometimes at great expense to the traveler. Mexican law can impose harsh penalties for violations that would be considered minor in the United States, and U.S. citizenship in no way exempts one from full prosecution under the Mexican criminal justice systems. Excessive alcohol consumption and unruly or uncontrolled behavior can lead to serious problems with Mexican authorities. Alcohol is involved in the vast majority of arrests, accidents, violent crimes and deaths suffered by American students on Spring Break. *Disturbing the peace, lewd or indecent behavior, littering, driving under the influence, drinking on the street or on public transportation, using public transportation without payment, or making obscene or insulting remarks are considered criminal activities by Mexican authorities. The importation, purchase, possession or use of drugs can incur severe penalties, including imprisonment without bail for up to a year before a case is tried, and imprisonment of several years following a conviction. All individuals 16 years of age or older are tried as adults.* [My emphasis.]

Mexican hosts in communities along the border want US business but don't want the disrespect and abuse that comes from excessive behavior. US communities do little to instill respect among US nationals heading south. This is a source of irritation that deserves being addressed.

**Driving**

Mexico and the US have different rules governing licensing and driving. Not possessing a driver's license is a relatively minor offense in Mexico. On the US side it is a major offense that can lead to arrest and the impounding of the offenders vehicle. Similarly, the Mexican approach to rules of the road is more "freestyle". US driving instruction and convention place much greater emphasis on observing the right of way and driver courtesy. Some of the public health related aspects of driving are still comparatively underdeveloped in Mexico - using seat belts, driving while drinking alcohol, using child seats. The border region would benefit from campaigns to assess and improve driving behavior on both sides of the border.

**Other Border Disorder Issues**

One man's music is another man's noise. Police officers routinely handle noise disturbance calls. Cities on the US side typically prohibit "disturbing the peace" of neighbors, so that barking dogs, home construction projects and auto maintenance on the street have different levels of acceptability depending on culture and tradition. These differences can become a source of chronic irritation between neighbors. Community Relation's Officers from the Chula Vista Police Department have developed a 90 minute block for use at adult schools that addresses some of these acculturation issues. A similar need exists on the Mexican side.

**Questions for Investigators**

Disorder issues are often related to lifestyle and culture. If understood, they can be addressed and modified. Thirty years ago, Americans did not routinely use seat belts, littered everywhere, and smoked incessantly. The public did not recognize drunk driving as the hazard it really is. Carefully designed public health campaigns have effectively
altered group behavior. Similar campaigns can be mounted to address the disorder issues enumerated above. Because of the high incidence of drunk driving among Latinos, in 2001 Mothers Against Drunk Driving (MADD) initiated a special targeted program called "Pasa Las Llaves" (roughly "Hand over the keys"). Careful study of the problematic behaviors that includes a clear view of their attraction is the first step in developing appropriate interventions. There is clearly a role here for a well designed needs assessment, that could be used as the initial step in designing such campaigns. Making it even more challenging is that the intervention needs to be effective across two cultures.

**Improving Binational Cross-border Law Enforcement Collaboration**

Despite the ambivalent histories, and the current challenges, both the United States and Mexico have a lot to gain from improving collaboration in the binational region. There is ample interest; commitment, good planning and needed resources are absent.

1. Mexican election cycles run every three years. Because of the importance of party affiliation, changes in a city or state administration mean local public safety personnel are replaced. Turnover reaches as low as the line supervisor level. Mexico has not yet embraced the idea of a professional, career civil service at the state and local level. While Mexico considers such changes, it is even more important that US agencies have long-term ILO's in their employ. ILO's who can retain institutional memory and support long term bilateral planning efforts. But typically on the US side only the largest police agencies have the resources to do so. Both governments should consider allocating resources to develop a network of trained International Liaison Officers in the local police agencies serving the border communities. Included should be specialized training and resources to support interaction - dedicated vehicles, communications equipment, smart border passes or visas, and resources for regular meetings on both sides of the border.

2. Language and culture are closely interrelated. American police who speak Spanish have a much better understanding of the Hispanic community. Mexican police speaking English are much better able to interact effectively with visitors from the US. Police operating in the border region have regular contact with language speakers from the other side of the border. Police personnel should have easy access to continuous language training offered at their place of employment. Language training in English and Spanish will make officers safer and improve service levels.

3. Policing is sometimes a dangerous business. Basic officer safety techniques (i.e. how to do a "routine" traffic stop, cuffing techniques, reasonable use of force) improve officer longevity. Mexican officers are starved for training resources and often lack the opportunity to develop basic officer safety skills. US academies and trainers could assist Mexican counterparts by offering such skills training on both sides of the border. Basic

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31 See http\www.madd.org. "In the Latino community, motor vehicle crashes are the leading cause of death from infancy through the age of 24, and the second leading cause of death for ages 25 to 44."
training like this will not require officer vetting and will not risk passing sensitive tactical procedures to potential adversaries.

4. Americans have a tradition of distrust of central authority. This is one of the reasons we do not have a national police force. Local police forces permit greater sensitivity to local crime and disorder issues, but their numbers make regional community public safety planning much more difficult. Mexican and American local authorities should consider the development of a series of border public safety planning groups located along the length of the border that address local safety issues. Binational mechanisms have been created, but typically address federal issues on a grand scale. What is missing is a mechanism that supports local public safety planning involving local police agency partners.32

Conclusion
The international border between the United States and Mexico is much more than a simple demarcation; it is the confluence of powerful social forces that define a rapidly developing region. The many communities that make up the border region - the binational region, combine some of the best and worst characteristics of each country. The security picture of the binational region is complex and is significantly defined by the efforts of local law enforcement agencies on both sides. Both nations and the residents of the binational region would benefit from an organized study of the bilateral law enforcement relationship, especially one that addressed the complex cultural issues that define it. Social scientists and the tools they bring - participant observation, policy oriented ethnographic study, rapid assessment, and needs assessment - can play a key role in defining and improving the bilateral relationship and the public safety arrangements in the binational region. A partnership between local law enforcement and universities with social science resources could form the base for assessing and further developing this critical area.

Bibliography

Burk, Cynthia, Project Director, "2005 Chula Vista Resident Survey", SANDAG, 07/05.


McDonald, James, The Applied Anthropology Reader, Allyn and Bacon, Boston, 2002.


32 For a prescient and thorough discussion of this point see also Shirk, David and Ramos, Jose, "Binational Collaboration in Law Enforcement and Public Security Issues on the US-Mexican Border".


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