

RED NUMBERS

of the Criminal Justice System in Mexico

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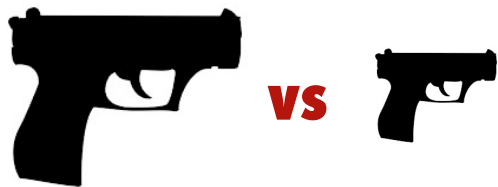
MARIEN RIVERA AND RAFAEL CH

CIDAC offers 27 figures for understanding the insecurity in our country

Figures of insecurity in Mexico are presented

Crime map since it is committed until it is, or not, punished.

2009



Mexico

EU

Crime incidence per state

Crime incidence per 100,000 inhabitants in Mexico is almost three times the one in United States in 2009.

Specialists insisted on comparing Mexico with Colombia during the eighties and nineties.

Murders in Mexico: a benchmark with Colombia

COLOMBIA
1995

CHIHUAHUA
2011



80 murders per
100,000 inhabitants



130 murders per
100,000 inhabitants

1997 - 2010

Investigated crimes vs. Reported crimes

In average, the state Public Prosecutors only investigate 20% of the total committed crimes in the country.



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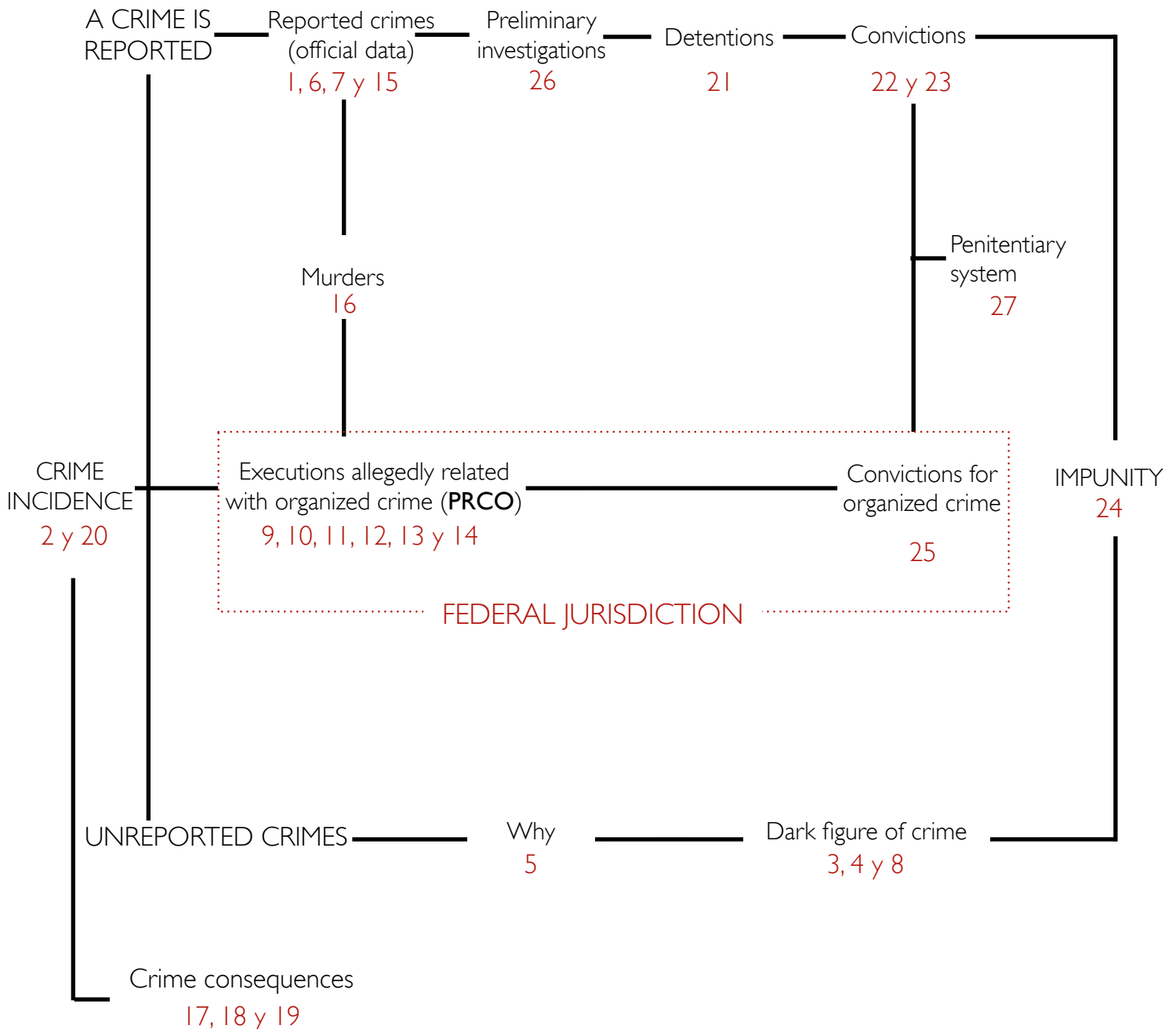
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Mexican criminal justice system is in crisis. We are facing historic rates of criminality and violence, mostly because of the State's inability to rise as a real threat of punishment for those who break the law. For understanding where the challenges of our criminal justice system lie, it is fundamental to know what happens in the process since a crime is committed until it is punished, or not; which authorities are involved and where the bottlenecks are. In this process, the statistics are an indispensable tool for measuring the institutions' performance on each phase of the process. Unfortunately, the available public data of security are difficult to compile, compare or systematize. Acknowledging that the first step for solving the problem is understanding it, CIDAC has worked with the public available data and, in this document, presents 27 figures for understanding the country's insecurity problem.

Diagram of the crime

The order of the document is designed for telling a story: what happens with a crime since it is committed until it is, or not, punished. The inferior diagram visualizes this process. Nevertheless, the reader could focus on a specific part of the map, like reported crimes, or a phenomenon's component, such as organized crime. The order of the factors does not alter the product if, with these 27 pieces of information, we achieve motivating other stories with new solutions.



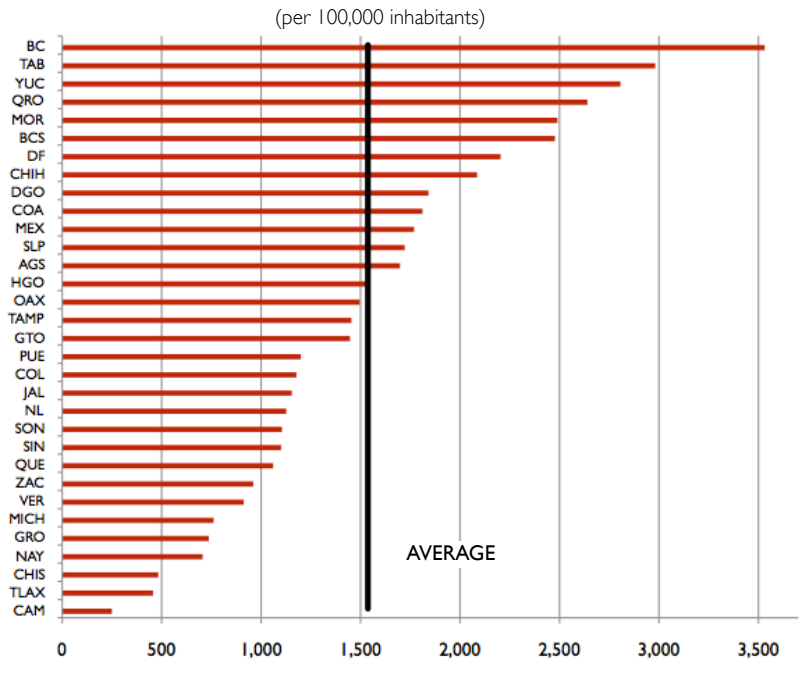
01 Reported crimes per state

When we talk about reported crimes per state, we are not referring to the actual number of crimes. These only account for the crimes that people decide to inform to the authorities for them to be investigated.

For example, for 2010, Baja California is the state with more reported crimes per 100,000 inhabitants. This does not mean it is the entity with more crime incidence (reported crimes + unreported crimes), in which case Tabasco would be the entity where more crimes happen per 100,000 inhabitants.

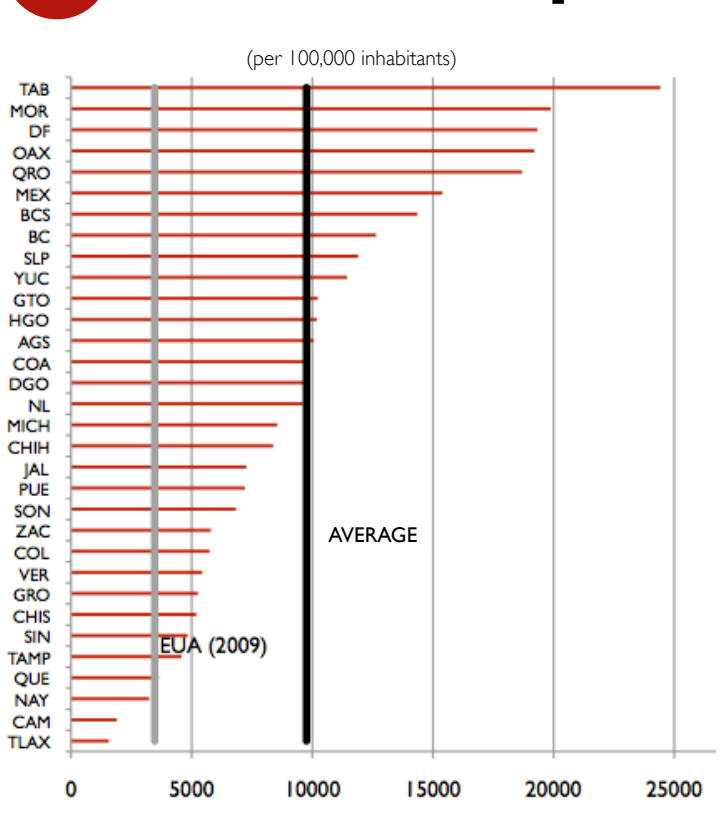
With more reported crimes		With less reported crimes	
Baja California	3,532	Guerrero	737
Tabasco	2,981	Nayarit	706
Yucatán	2,806	Chiapas	483
Quintana Roo	2,640	Tlaxcala	457
Morelos	2,490	Campeche	250

per 100,00 inhabitants



Source: CIDAC with data from Secretariado Ejecutivo del Sistema Nacional de Seguridad Pública; CONAPO and the Censo de Población y Vivienda 2010.

02 Crime incidence per state (Mex vs. EU)



State	Crime incidence per 100,000 inhabitants 2010
TAB	24,424
MOR	19,878
DF	19,319
OAX	19,200
QROO	18,692
MEX	15,392
BCS	14,353
BC	12,642
SLP	11,894
YUC	11,437
GTO	10,221
HGO	10,189
AGS	10,061
COA	9,894
DGO	9,687
NL	9,602
MICH	8,550
CHIH	8,372
JAL	7,271
PUE	7,206
SON	6,837
ZAC	5,795
COL	5,737
VER	5,439
GRO	5,258
CHIS	5,189
SIN	4,832
TAMP	4,579
QUE	3,630
NAY	3,240
CAM	1,897
TLAX	1,567

The crime incidence per 100,000 inhabitants in Mexico was almost three times the one in the United States in 2009. It is important to point out that while in the United States the incidence had a substantial growth during the eighties until around the middle of the nineties – period characterized for a population growth of 16.5% - during the last 15 years it has experienced a dramatic drop.

Nevertheless, the incidence in Mexico has remained practically unaltered due to the lack of structural changes in matters of security, and especially in procurement of justice (previous to the development and implementation of the current Criminal Justice Reform). Entities like Queretaro, Nayarit and Veracruz present a crime incidence similar to the one in the United States.

Source: CIDAC with data from Secretariado Ejecutivo del Sistema Nacional de Seguridad Pública; CONAPO and ICESI. United States data from FBI, Uniform Crime Reports.

*TAMP's crime incidence decline from 2009 to 2010 is the result of atypical dark figure of crime given by INEGI compared to the one observed in ICESI's victimization survey
 **Crime incidence data was developed using the same dark figure of crime for all crimes except for murders.
 ***The incidence does not reflect the type of committed crimes, just the total number.

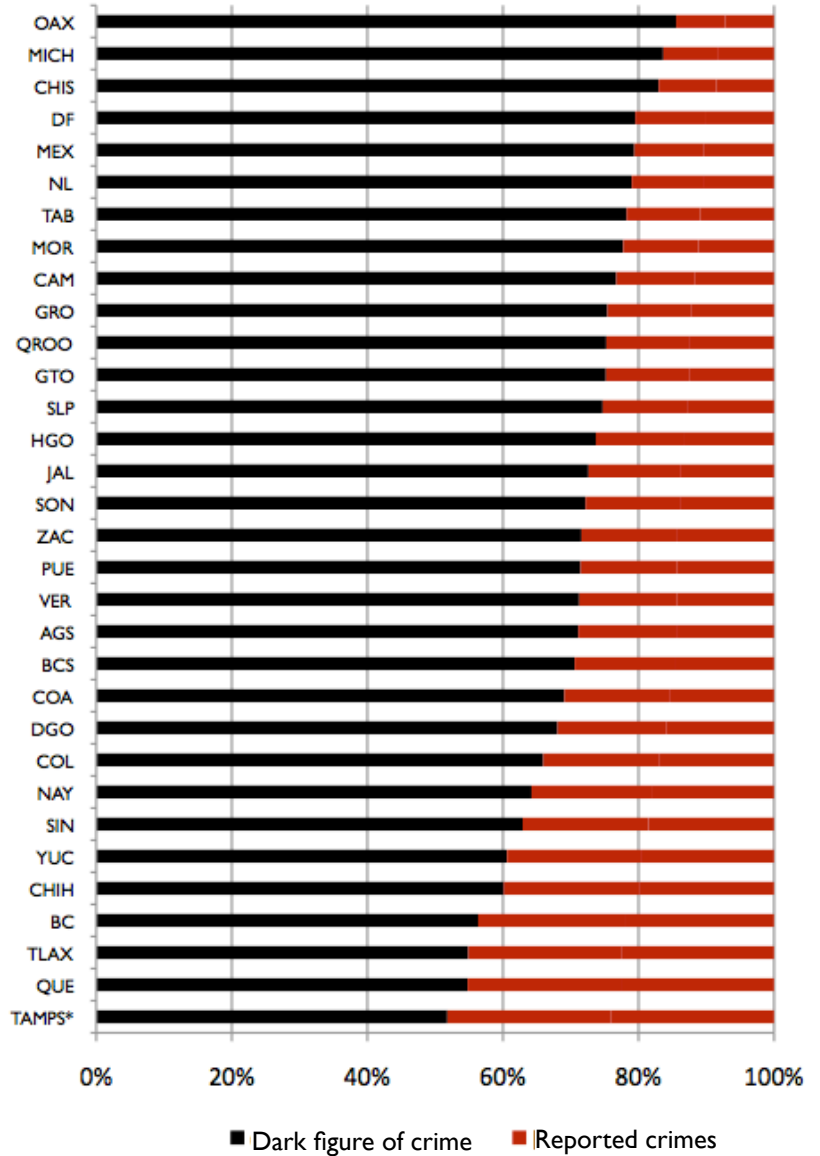
03

Dark figure of crime per state 2012

The percentage of unreported crimes is known as “dark figure”. As for 2010, the national average for it was 83%. That is, authorities never acknowledge 8 out of 10 crimes.

	Dark figure of crime		Dark figure of crime
OAX	92.2%	ZAC	83.4%
MICH	91.1%	PUE	83.3%
CHIS	90.7%	VER	83.2%
DF	88.6%	AGS	83.1%
MEX	88.5%	BCS	82.7%
NL	88.3%	COA	81.7%
TAB	87.8%	DGO	81.0%
MOR	87.5%	COL	79.5%
CAM	86.8%	NAY	78.2%
GRO	86.0%	SIN	77.2%
QROO	85.9%	YUC	75.5%
GTO	85.8%	CHIH	75.1%
SLP	85.5%	BC	72.1%
HGO	84.9%	TLAX	70.9%
JAL	84.1%	QUE	70.8%
SON	83.8%	TAMPS*	68.2%

per 100,000 inhabitants



* Data from Tamps under revision due to the difference of results of the dark figure in previous years.

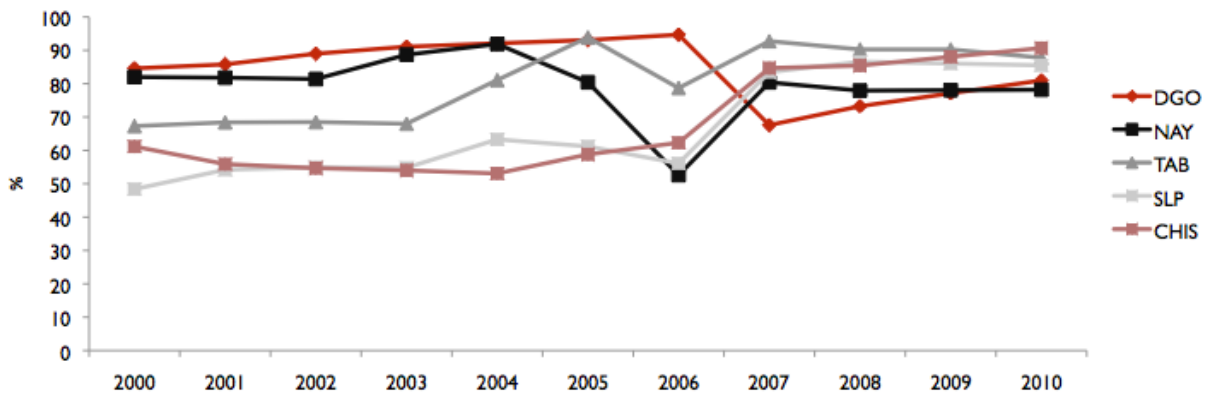
04

States with more variation in dark figure of crime 2000-2010

69% of the causes are attributable to the Public Prosecutor's inefficiency.

Durango, Nayarit, Tabasco, San Luis Potosí, and Chiapas have presented a high variation in the evolution of their dark figure along the last ten years. In fact, the percentage of crimes that are not reported has increased 30% in Chiapas, 37% in San Luis Potosí and 20% in Tabasco.

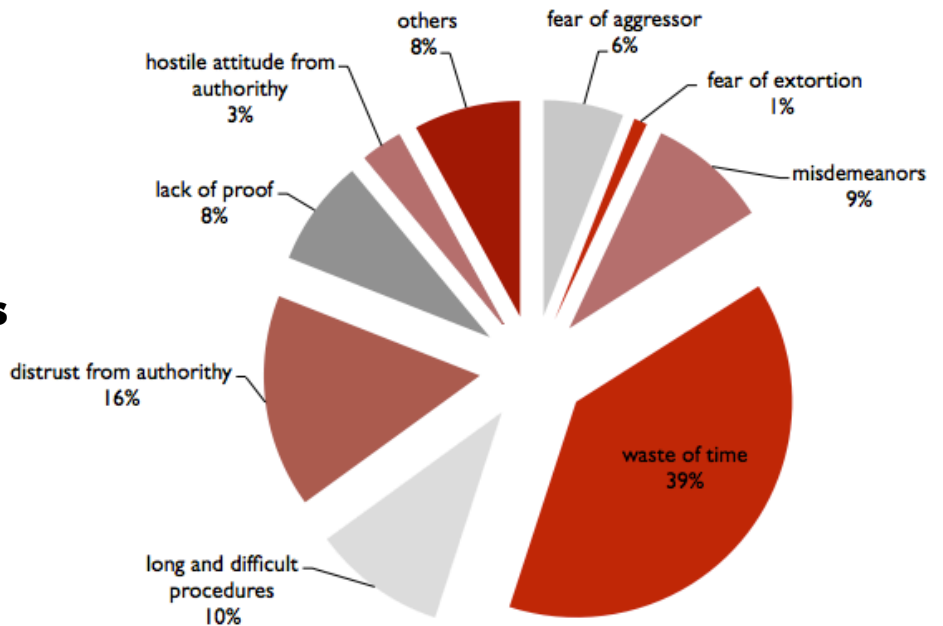
As we can see in chart 05, of all the possible reasons for not reporting a crime, 69% are directly attributable to the inefficiency of the Public Prosecutor. On the other side, the estimate of dark figure per federal entity holds a relatively high confidence interval.



Source: CIDAC with data from 2000 to 2008 of ICESI; 2010 data from INEGI (it is important to point out compatibility problems with the rest of the data and atypical data in the states of Tamps and Tab); 2009 is the average of 2008 and 2010.

05

Reasons why crimes are not reported

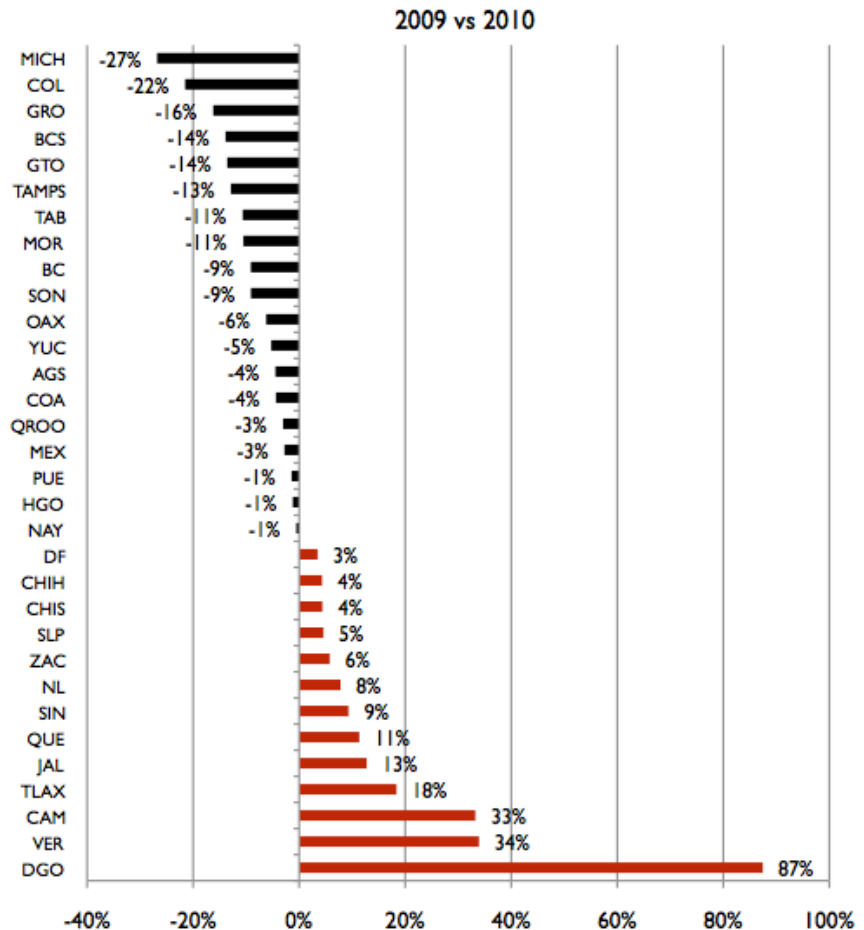


Source: CIDAC with data from the ENSI-6, ICESI.

06

Annual growth rate in reported crimes per state (per 100,000 inhabitants)

Initially, we could assume that the states with more violence, especially those with high levels of murders allegedly related with organized crime, should have a decline on the number of reported crimes in 2010 compared with 2009. This hypothesis would mostly deal with the citizen's fear of infiltration or cooption of groups related with organized crime in the state institutions. Nevertheless, even though a clear decline on the number of reported crimes is a fact in states with high levels of violence, like Tamaulipas, Michoacan, Guerrero or Morelos, the case of Durango and its increase seems to weaken this presumption.

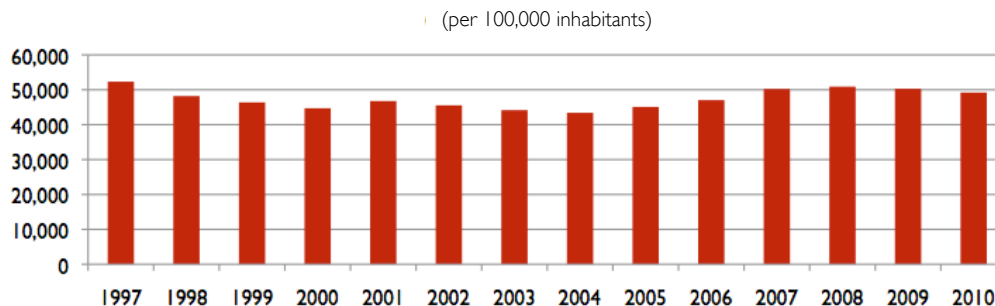


Source: CIDAC with data from Secretariado Ejecutivo del Sistema Nacional de Seguridad Pública; CONAPO and Censo de Población y Vivienda 2010.

07

Total reported crimes per 100,000 inhabitants 1997-2010

When we see reported crimes in the country throughout time, we can find that, compared with 1997, 2010 was a year with less registered crimes. Nevertheless, reported crimes have been relatively stable during the last 13 years. It is explained because reported crimes just show us the Public Prosecutor's capacity for processing crimes. Even though the criminality rates have skyrocketed in the last years, the Public Prosecutor has been incapable of reacting towards the insecurity phenomenon.



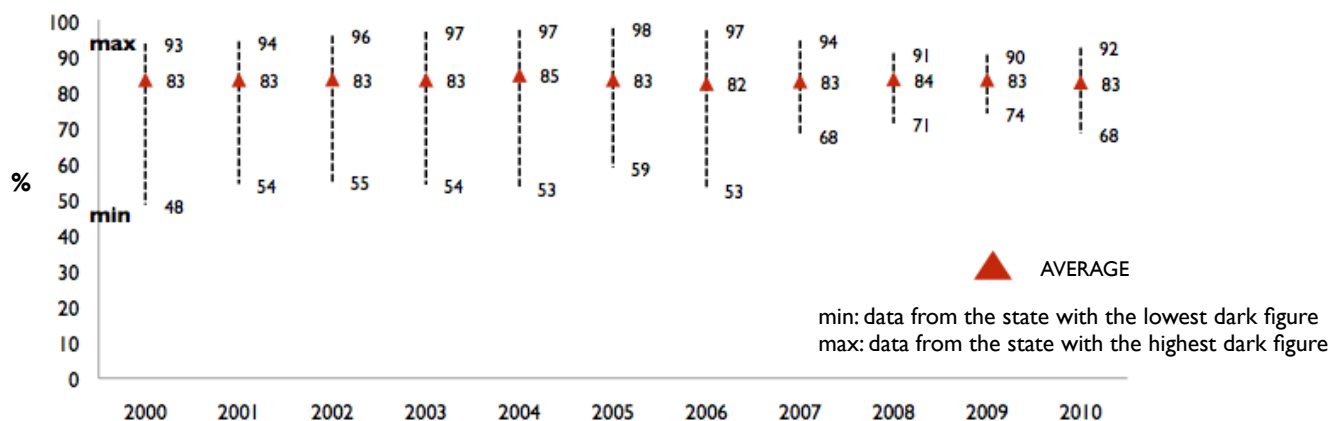
Source: CIDAC with data from Secretariado Ejecutivo del Sistema Nacional de Seguridad Pública; CONAPO and Conteo de Población y Vivienda 2010.

08

Evolution of the dark figure of crime 2000-2010

The negative performance of the Public Prosecutor (PP) has an effect on the people's confidence on it.

On the next chart we can see how, throughout the years, the difference between the state with the lowest dark figure and the one with the highest has been drastically reduced. As for 2010 we can see that the states are much more homogeneous in their lack of reporting crimes. It is important to point out that even though the difference of the dark figure between states has been diminished, the average dark figure has been constant during the last decade.



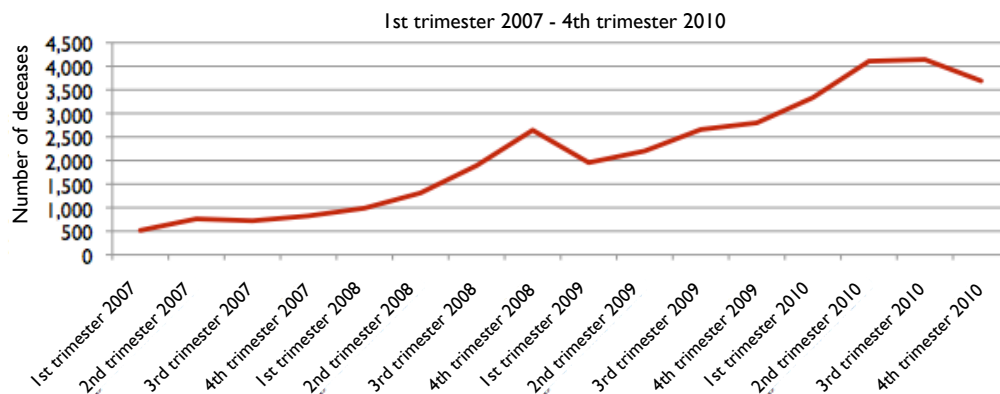
Source: CIDAC with data from 2000 to 2008 of ICESI; 2010 data from INEGI (it is important to point out compatibility problems with the rest of the data and atypical data in the states of Tamps and Tab); 2009 average of 2008 and 2010.

09

Murders allegedly related with organized crime throughout time

An increase of 700% in a period of just 3 years.

The rise of deaths allegedly related with organized crime is overwhelming. We passed from 500 deaths during the first trimester in 2007 to more than 4,000 during the third trimester of 2010.

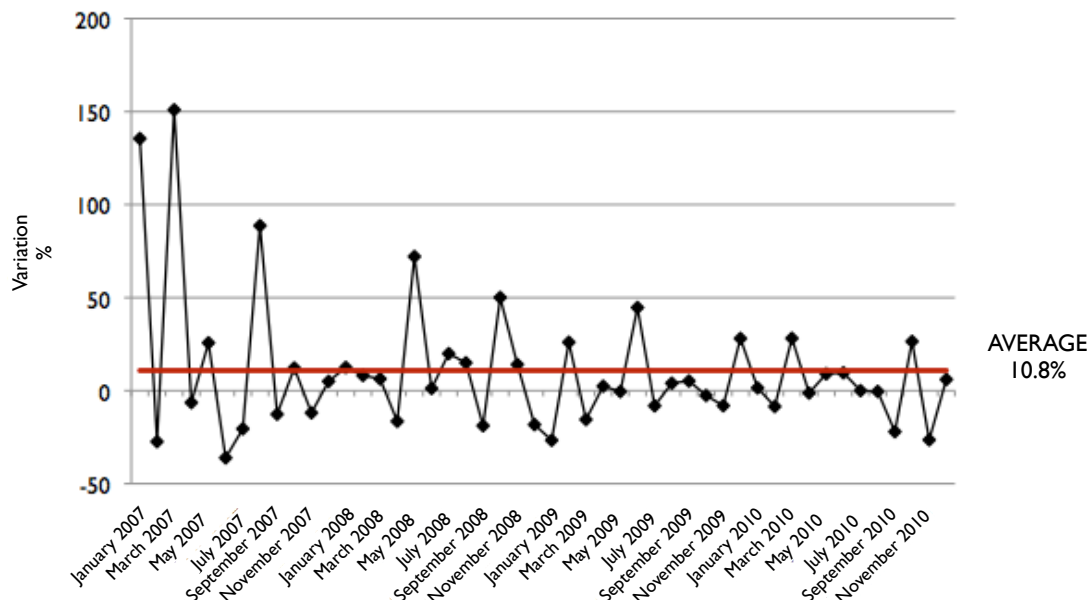


Source: CIDAC with data from Presidencia de la Republica's database: deceases occurred due to alleged criminal rivalry.

10

Variation in murders allegedly related with organized crime 2007-2010

Perhaps the worst thing about the violence phenomenon in Mexico is that it has stabilized on very high rates. During the first month of 2007, the number of murders increased more than 100% compared to the month before, and, for march of the same year, the rise was higher than 150%. Each month, since December 2006, there has been an average of 10% more murders than the month before. Even though the growth rate stopped in the last months of 2010, the total figure of that growth – on average more than 700 deaths per month – is very high.

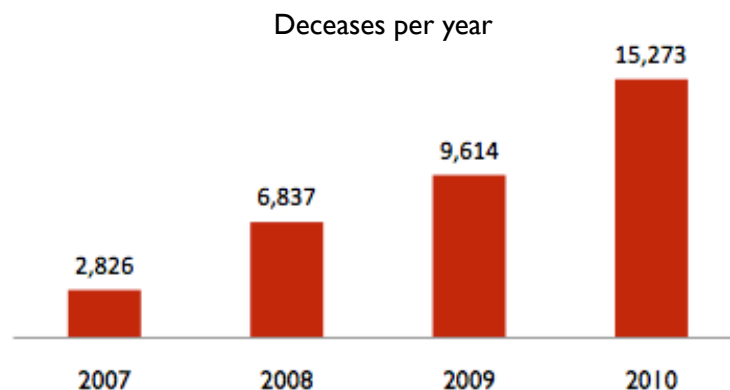


Source: CIDAC with data from Presidencia de la Republica's database: deceases occurred due to alleged criminal rivalry.

11

Evolution of murders allegedly related with organized crime on absolute numbers 2007-2010

In the course of three years, almost 35,000 people died in Mexico as a result of situations allegedly related to organized crime. The problem starts with the label. First, there is a general presumption that the victims were also criminals. Second, even if we assume that each person that died was a crime organization member, not investigating every case would mean punishing, without a proper process and with capital punishment, every crime classified as organized crime – from minor drug dealing to an execution.

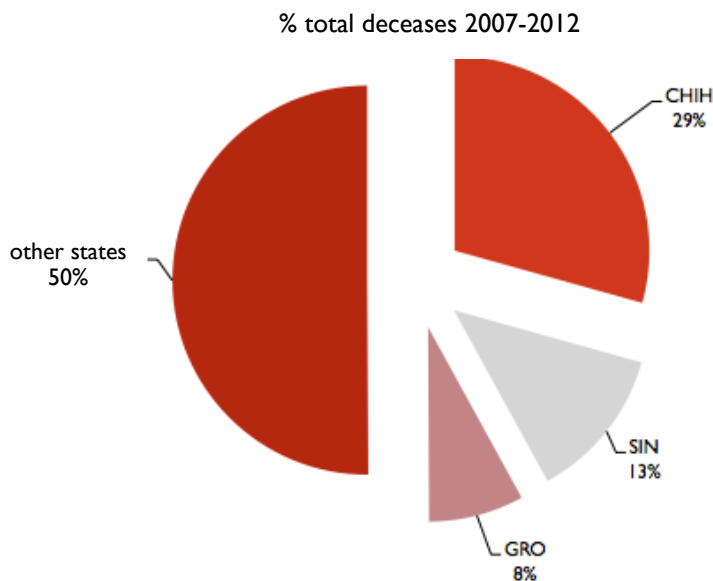


Source: CIDAC with data from Presidencia de la Republica's database: deceases occurred due to alleged criminal rivalry.

12

Murders allegedly related with organized crime per state

50% of the murders related with organized crime are committed in just 9% of Mexican territory: Chihuahua, Sinaloa and Guerrero.



Source: Source: CIDAC with data from Presidencia de la Republica's database: deceses occurred due to alleged criminal rivalry.

13

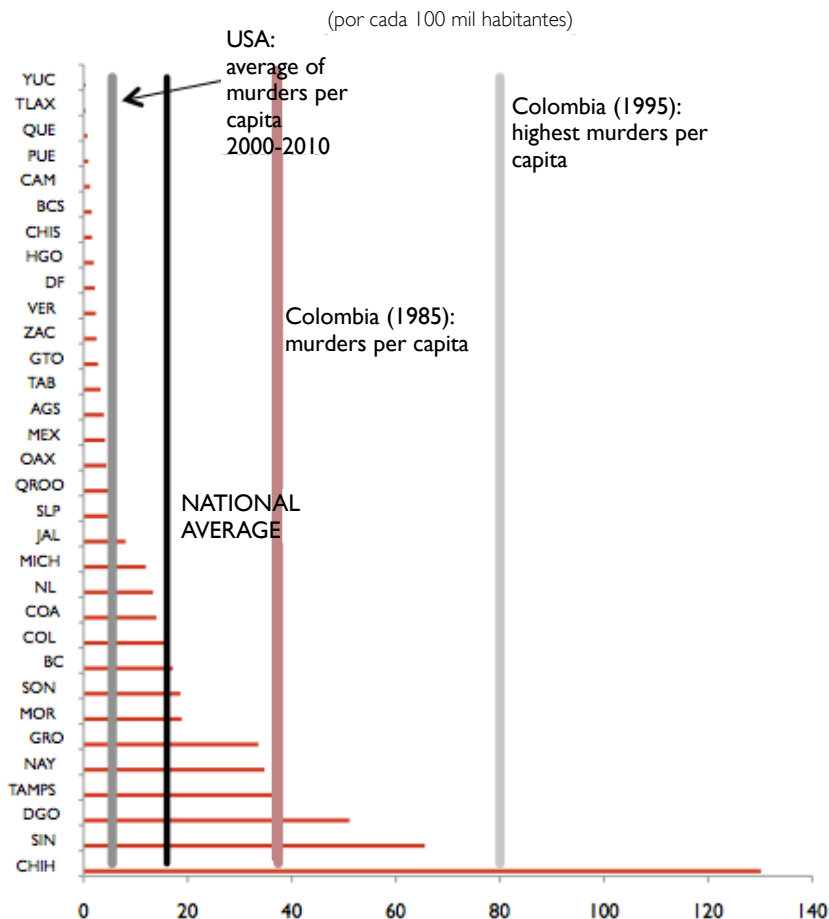
Murders: a benchmark with Colombia

During this six-year presidential term, specialists insisted on comparing Mexico's situation with Colombia's during the eighties and nineties. Even though the average murder per 100,000 inhabitants in Mexico until 2010 was only 20% of highest rate in Colombia during 1995 (80 murders per 100,000 inhabitants), when we focus in the states reality, we can see Chihuahua presents a much worse situation with more than 130 murders per 100,000 inhabitants.

States with more murders allegedly related with organized crime 2010

Chihuahua	130
Sinaloa	65
Durango	51
Tamaulipas	36
Nayarit	34

per 100,000 inhabitants



Source: Source: CIDAC with data from Presidencia de la Republica's database: deceses occurred due to alleged criminal rivalry; USA, Crime Index Rate; Colombia, UN Demographic Yearbook.

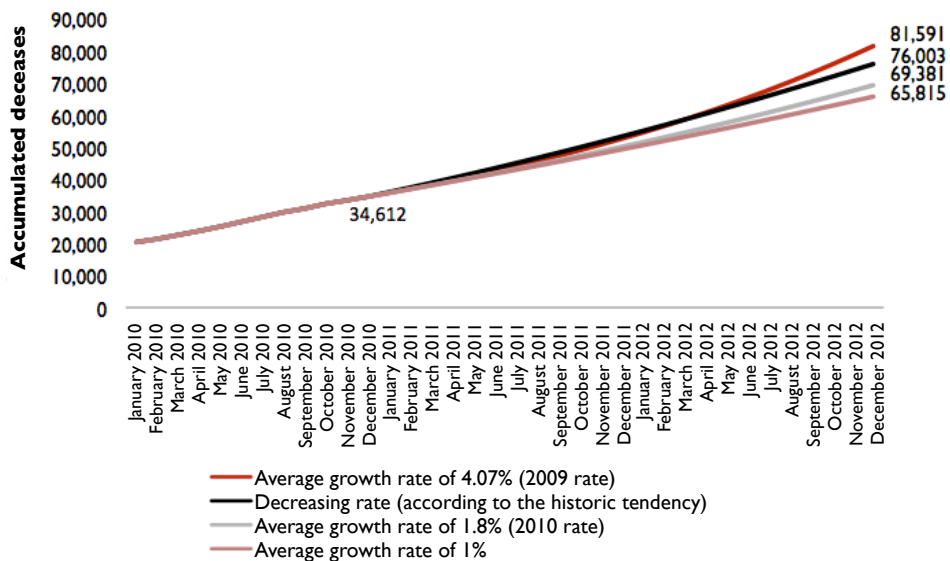
14

Growth of murders allegedly related with organized crime in Mexico

Several speculations have shown a substantial increase of murders allegedly related with organized crime during the first semester of 2011. According to the number of reported murders in December 2010 -34,612- there are different forecasts of its increase. The 50,000 will be surpassed in the last trimester of 2011 regardless of the growth rate. Considering a high growth rate with a monthly increase of 4.07% -the existing rate in 2009- the number of murders at the end of 2012 will be around 81,500. Considering a medium growth rate the number will be around 76,000. With a growth rate

of 1.8% -average rate of 2010- the murders will reach 69,400. Finally, on a scenario of a low growth rate -a monthly 1%- the murders will surpass 65,000. All the prosppections, regardless of their considered rates, raise a 50% growth on murders from December 2010 to December 2012.

Projection of murders allegedly related with organized crime to December 2012

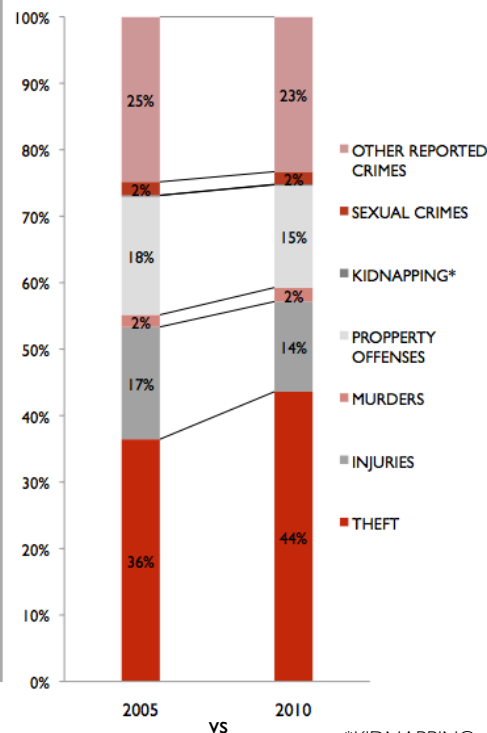


Source: CIDAC with data from Presidencia de la Republica's database: deceases occurred due to alleged criminal rivalry.

15

Composition of reported crimes

Despite the increase on murders allegedly related with organized crime during this presidential term, the proportion of committed murders in 2010 is identical to the one in 2005. We observe these inconsistencies on data over and over again: there is no record of reported murders consistent with the number of murders allegedly related with organized crime registered by authorities. In some states - Chihuahua, Colima, Nayarit, and Tamaulipas- there are more executions or murders allegedly related with organized crime than total murders. It is important to consider the classification and lack of categorization of "other murders" of the Sistema Nacional de Seguridad Pública.



*KIDNAPPING: 2005: 0.02%; 2010: 0.08%

Source: CIDAC with data from Secretariado Ejecutivo del Sistema Nacional de Seguridad Pública.

16 Who miscounted?

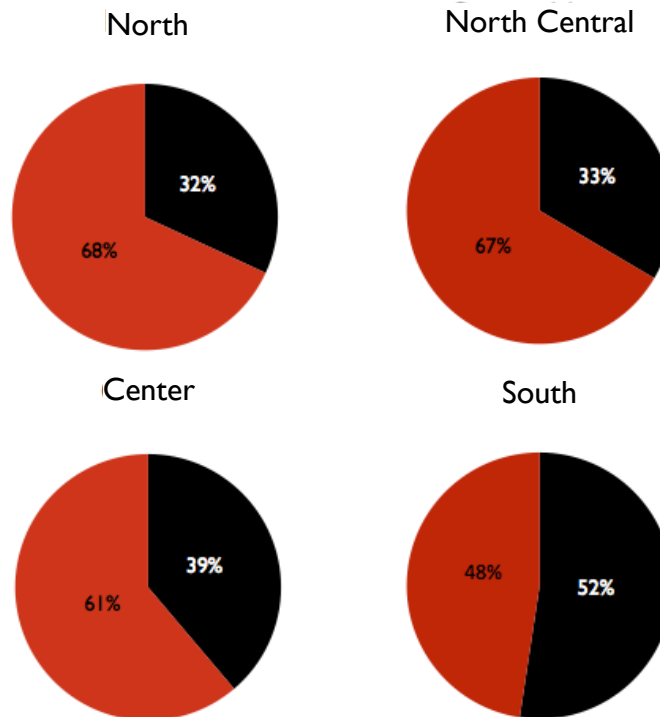
States with **more murders** allegedly related with organized crime than total murders

	Murders 2010	Murders allegedly related with organized crime 2010	Difference
CHIH	3,806	4,427	-621
COL	93	101	-8
NAY	367	377	-10
TAMPS	719	1,209	-490

If we compare the number of registered murders in SNSP database with murders allegedly related with organized crime database, both from 2010, we find out that in four states –Chihuahua, Colima, Nayarit, and Tamaulipas– there are more murders related with organized crime than total murders. Even if it was true that murders not related with organized crime experienced a dramatic fall for that year, the numbers of both sources should coincide. The data from the SNSP comes from the attorney general’s office, and murders allegedly related comes from a counting of different public security agencies. Who miscounted?

Source: CIDAC with data from Presidencia de la Republica’s and SNSP’s database: deceses occurred due to alleged criminal rivalry

17 Economic affectations associated with insecurity per region

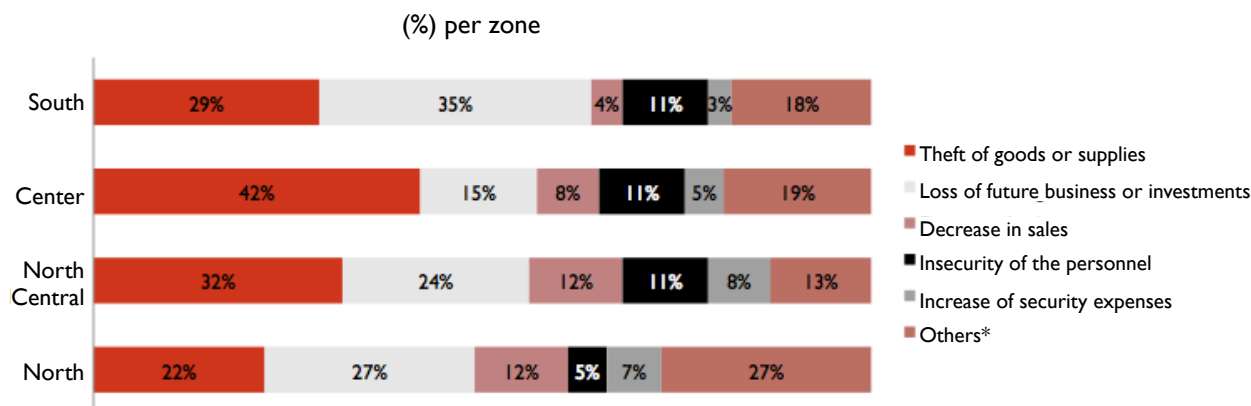


■ Some kind of affectation (average or serious)
 ■ No affectation

Source: CIDAC with data from BM, Encuesta Mensual de Actividad Económica en los Sectores Manufactureros y No Manufactureros, December 2010.

18

Kind of affection associated with insecurity in companies

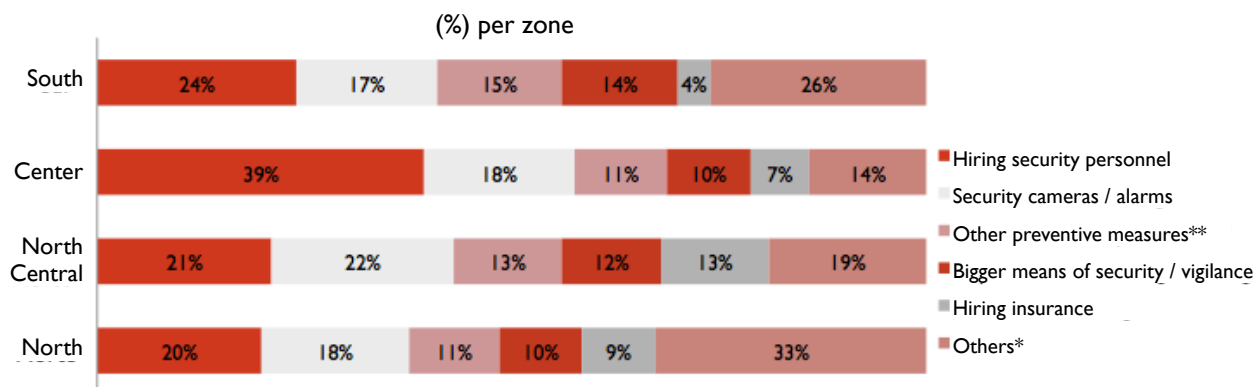


*Includes phone extortion, decrease on attendance or absence of the personnel, delay on goods delivery, changes in working hours, executives' distrust in traveling, decrease of frontier deliveries, etc.

Source: CIDAC with data from BM. Encuesta Mensual de Actividad Económica en los Sectores Manufactureros y No Manufactureros, December 2010.

19

Prevention and protection actions made by companies against crimes in 2010



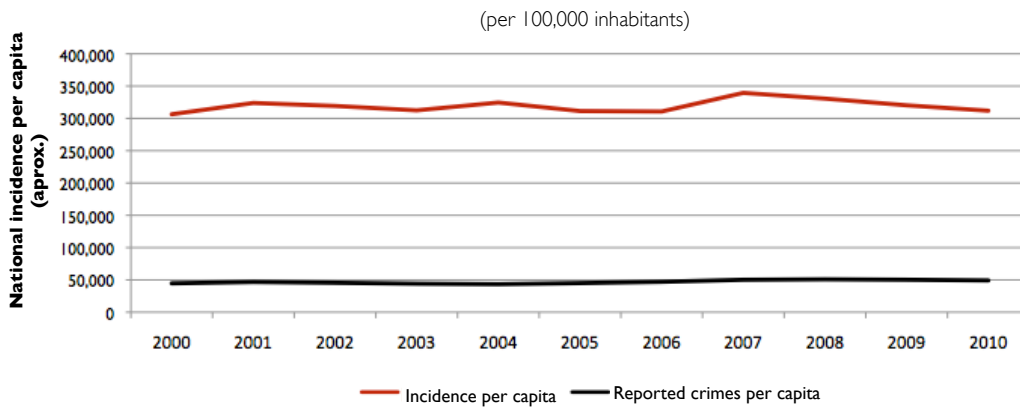
* Changes in the schedule and working hours are included; access restriction; limitations in the use of cash; reported crimes or lawsuits; means of personnel support

** Selection of delivery routes, satellite tracking, etc.

Source: CIDAC with data from BM. Encuesta Mensual de Actividad Económica en los Sectores Manufactureros y No Manufactureros, December 2010.

20 Incidence vs. Reported crimes 2000-2010

The crime incidence is the result of the total sum of reported crimes plus the percentage of unreported crimes (dark figure). Even though the crime incidence moves through time, rate of reported crimes remains stable. This shows us that the Public Prosecutor's performance has nothing to do with the insecurity phenomenon. That is, it makes no difference if the number of crimes increases or decreases: the Public Prosecutor always processes the same number of cases.



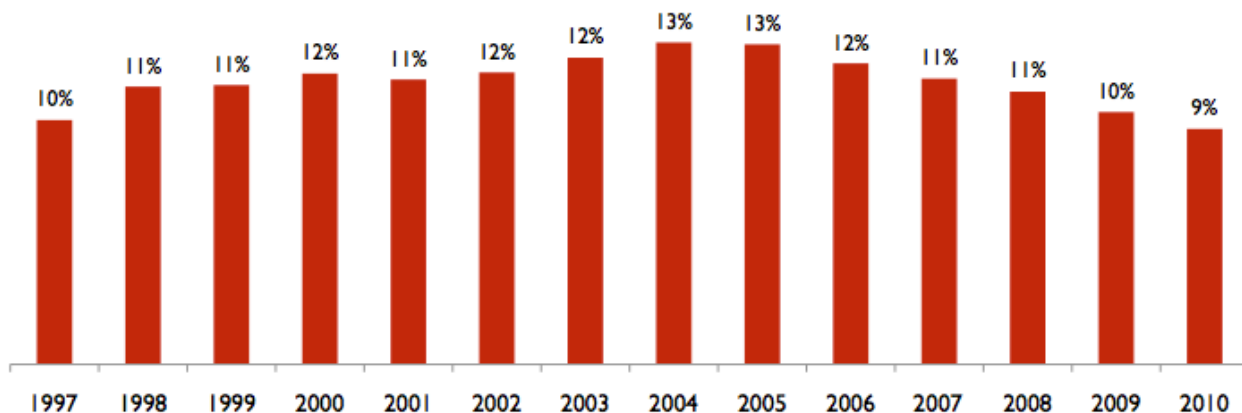
	Incidence per 100,00 inhabitants	Reported crimes per 100,000 inhabitants
2000	306,387	44,705
2001	323,888	46,764
2002	319,290	45,536
2003	312,459	44,157
2004	324,524	43,392
2005	311,363	45,085
2006	310,663	47,023
2007	339,505	50,211
2008	330,641	50,892
2009	325,967	50,531
2010	312,284	49,186

*It was assumed that every crime had the same dark figure.

Source: CIDAC with data from Secretariado Ejecutivo del Sistema Nacional de Seguridad Pública, CONAPO. Censo de Población y Vivienda 2010. ICESI INEGI.

21 Investigated vs. Reported crimes

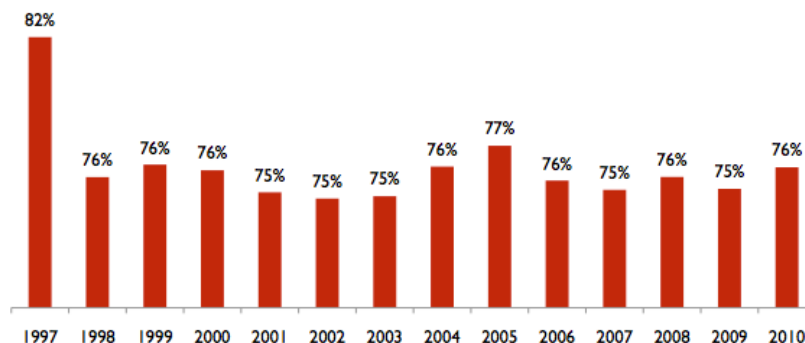
In average, the state Public Prosecutor only investigates 20% of the total committed crimes in Mexico. Once the reported crime reaches the PP, the institution must obtain proof and make the required formalities for accrediting the crime's perpetration and the probable responsibility of a person. When this investigation is solid enough, a judge orders the beginning of a judicial process. As for 2010, a judge accepted only 9% of the cases investigated by the Public Prosecutor.



Source: CIDAC with data from INEGI. Judicial statistics in criminal matters.

22 Convicted vs. Investigated

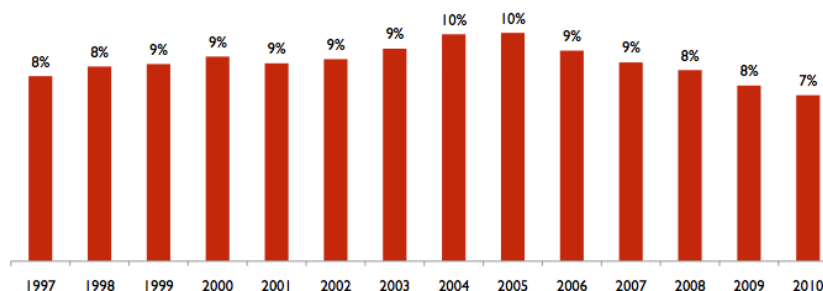
Once a case enters the judicial process, the Public Prosecutor's accusation confronts the defense of the investigated. The judge's task is to decide which of both arguments has more legal weight. As for 2010, 76% of cases presented by the Public Prosecutor received a conviction.



Source: CIDAC with data from INEGI. Estadísticas judiciales en material penal.

23 Convicted vs. Reported

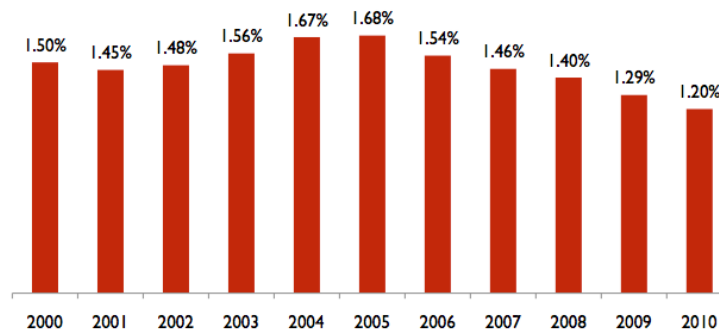
As for 2010, 76% of the cases the Public Prosecutor took to a judge received a conviction. However, in the same year, only 9% of the total reported crimes reached a judge. That is, only 7% of the total reported crimes before a Public Prosecutor received punishment.



Source: CIDAC with data from INEGI. Estadísticas judiciales en material penal.

24 Impunity (Convictions/crime incidence)

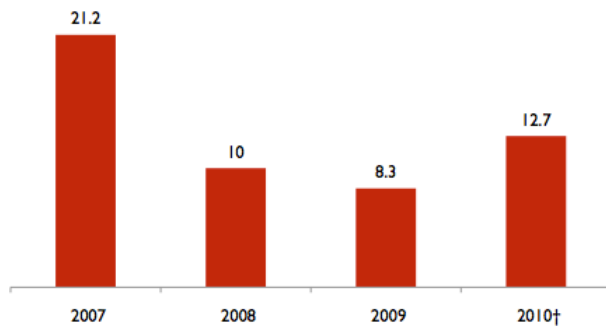
The biggest problem faced by the procurement of justice in Mexico is that the state has not been able to rise as a believable punishment threat for those who deserve it. For ten years, the impunity rates have remained stable: only one out of every 100 committed crimes receives a punishment.



Source: CIDAC with data from INEGI. Estadísticas judiciales en material penal.

25

Convictions for every 100 reported federal crimes in matters of organized crime



Despite the Federal Government's open war against organized crime, the Federal Public Prosecutor demonstrates the weaknesses of the justice system. In spite of the invested resources, and of the capacitation of attorneys and policemen, only 12 out of 100 crimes related with organized crime receive punishment.

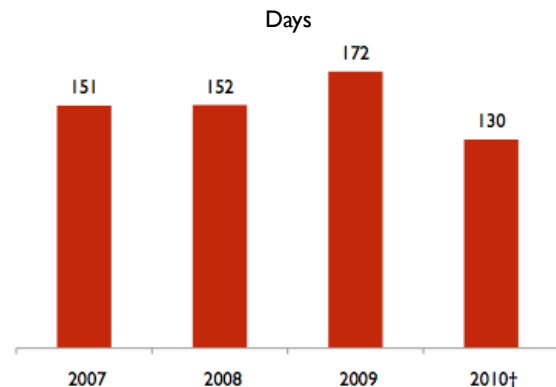
† Preliminary figures January-June 2010

Source: CIDAC with data from Cuarto Informe de Gobierno, Procuraduría General de la República.

26

Time to integrate a previous investigation

The time it takes to do a criminal investigation in this country reflects the nature of the procedures. In every case, it deals with the fulfilling of requirements in order to complete a procedure. And that, precisely, is the aim: to finish the file – and not punishing the guilty or catching a criminal. And, as it focuses more on administrative procedures rather than on criminal intelligence, more cases require more employers, more bureaucracy and more time.



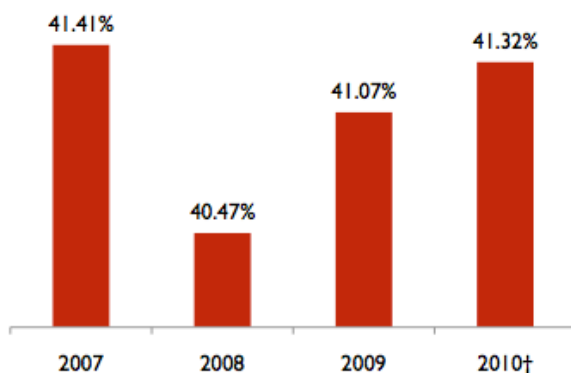
† Preliminary figures January-June 2010

Source: CIDAC with data from Cuarto Informe de Gobierno, Procuraduría General de la República.

27

Population of the penitentiary system

Inmates subject to processing / total penitentiary population



The prison system still remains a pending subject on the Mexican agenda. Apart from the overpopulation subject – that as for 2009 presented a 30% rate – the unlimited use of the preventive prison figure reaffirms the idea that in Mexico there is no presumption of innocence. Almost half of the penitentiary population is still waiting for a trial to confirm or deny their culpability.

† Preliminary figures January-June 2010

* Investigated and convicted inmates regarding available space. The annual variation is expressed in percentage points.

Source: CIDAC with data from Cuarto Informe de Gobierno, Secretaría de Seguridad Pública, Subsecretaría del Sistema Penitenciario Federal, Órgano Administrativo Desconcentrado de Prevención y Readaptación Social

With 25 years of existence, the Centro de Investigación para el Desarrollo A.C. (Center of Research for Development) is an independent, not-for-profit think tank that undertakes research and proposes viable policy alternatives for the medium and long-term development of Mexico. It seeks to promote open, pluralistic debates in pursuit of: strengthening the Rule of Law and creating favorable conditions for Mexico's economic and social development. Enriching Mexican public opinion and providing analyses and information for societal decision-making.

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