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MONTEREY, CALIFORNIA

THESIS

**FEDERAL LAW ENFORCEMENT IN BI-NATIONAL
PERSPECTIVE: THE UNITED STATES FBI
AND THE MEXICAN PFM**

by

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September 2014

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THE UNITED STATES FBI AND THE MEXICAN PFM**

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ABSTRACT

Mexico's Federal Ministerial Police (PFM) agency was structured similar to the United States Federal Bureau of Investigation (FBI). Although there have been significant reforms within the PFM, it has been ineffective at preventing criminals from orchestrating drug trafficking and organized crime. Institutional law enforcement policies drive the quality of police officers in an agency, and the policies in Mexico's PFM agency have not been effective to prevent crime. In fact, the Mexican government has continued to rely on the military for its public security. Therefore, this thesis analyzes the organizational factors that contribute to police effectiveness. It uncovers the institutional practices within the FBI to then apply them to those of the PFM. The thesis analyzes personnel recruitment policies that feed potential recruits into its training system. It then evaluates training and education regimens to identify gaps within the curriculum that can be improved upon. This is followed by an examination of career incentives, which attempts to lure and retain qualified officers. In addition, institutional oversight is assessed because of its potential to control rogue officers and leaders. The thesis concludes with an analysis of funding that is invested by domestic and international governments and institutions to improve the effectiveness of law enforcement. Based on the findings, policies will be recommended.

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LIST OF ACRONYMS AND ABBREVIATIONS

AFI	Federal Investigation Agency
BATT	ballistic armored tactical transport
CIRG	critical incident response group
CoC	chain of command
CRS	Congressional Research Service
CSRS	Civil Service Retirement System
DTO	drug trafficking organization
FBI	Federal Bureau of Investigation
FEHB	Federal Employees Health Benefits
FERS	Federal Employees Retirement System
FERS-RAE	Federal Employees Retirement System-Revised Annuity Employee
FFS	fee-for-service
FY	fiscal year
GAO	Government Accountability Office
GEO	<i>Grupo Especial de Operación</i>
GI	general inspector
GPS	global positioning system
GS	general schedule
HMO	health maintenance organizations
IA	Internal Affairs
INTERPOL	International Police
INACIPE	<i>Instituto Nacional de Ciencias Penales</i>
INCLE	International Narcotics Control and Law Enforcement
IT	information technology
LISSSTE	Ley del Instituto de Seguridad y Servicios Sociales de los Trabajadores del Estado
NEI	National Executive Institute
OECD	Organisation for Economic Co-operation and Development

PF	Federal Police (<i>Policía Federal</i>)
PFJ	Federal Judicial Police (<i>Policía Federal Judicial</i>)
PFM	Federal Ministerial Police (<i>Policía Federal Ministerial</i>)
PGR	Mexican Attorney General's Office (<i>Procuraduría General de la República</i>)
PPO	preferred provider organizations
SAC	special agent in charge
SCJN	The Mexican Supreme Court of Justice (<i>La Suprema Corte de Justicia de la Nación</i>)
SIRPS	National Personnel Accountability Registry System (<i>Sistema Institucional del Registro de Personal Sustantivo</i>)
SNSP	National System on Public Security (<i>Sistema Nacional de Seguridad Pública</i>)
TSP	Thrift Savings Plan
USMS	U.S. Marshall Service

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I. INTRODUCTION

A. MAJOR RESEARCH QUESTION

Mexico's police institutions have been overwhelmed by the magnitude and influence of organized crime.¹ In fact, presidents and their administrations have chosen to rely on the military instead of the police to combat crime.² This government strategy has hindered police effectiveness and undermined the development of democracy in Mexico.³ The consequences are evident in the increased number of human rights violations and homicide rates, as well as the drug abuse that has spilled into bordering states.⁴ This thesis explores and identifies the smart practices of the FBI that contribute to effective policing and attempts to answer the following question: Can these same smart practices be applied in Mexico to improve the effectiveness of its law enforcement?

According to Samuel P. Huntington, strong institutions are necessary for a state to uphold democratic principles and to maintain order within a country.⁵ North American democratic governments rely on police institutions to prevent crime and to maintain law and order. This thesis explores the strength of the U.S. Federal Bureau of Investigation (FBI) and the Mexican Federal Ministerial Police (Policía Federal Ministerial—PFM). These two federal police organizations share similar characteristics as investigative and crime prevention agencies. The terrorist attacks on September 11, 2001, in the United States have thus made crime prevention a more important mission to the FBI. This thesis assumes that institutional policies within the FBI contribute to police effectiveness.

¹ Sigrid Artz, "The Militarization of the Procuraduría General de la República [Office of the Attorney General]: Risks for Mexican Democracy," in *Reforming the Administration of Justice in Mexico*, ed. Wayne A. Cornelius and David A. Shirk (Notre Dame: University of Notre Dame Press, 2007), 153.

² Arturo Sotomayor, "Militarization in Mexico and Its Implications," in *The State of Security in Mexico: Transformation and Crisis in Regional Perspective*, ed. Brian Bow and Arturo Santa-Cruz (New York: Routledge, 2013), 44.

³ Coletta A. Youngers and Eileen Rosin, *Drugs and Democracy in Latin America: The Impact of U.S. Policy* (Boulder, CO: Lynne Rienner, 2004), 342.

⁴ Laurie Freeman and Jorge Luis Sierra, "Mexico: The Militarization Trap," in *Drugs and Democracy in Latin America: The Impact of U.S. Policy*, ed. Coletta A. Youngers and Eileen Rosin (Boulder, CO: Lynne Rienner Publishers, 2004), 264; Youngers and Rosin, *Drugs and Democracy*, 363.

⁵ Samuel P. Huntington, *Political Order in Changing Societies* (New Haven and London: Yale University Press, 1968), 4–5.

Therefore, it attempts to recommend policies that could increase the effectiveness of Mexico's PFM agency.

B. IMPORTANCE

The government's reliance on the military, vis-à-vis the war on drugs, decreased citizen security and hindered democratic development in Mexico. Approximately 70,000 people are believed to have died fighting organized crime over the past six years.⁶ Mexican drug cartels have repeatedly exploited corrupt police and government officials. In addition, economic progress and public security continue to be undermined by illicit drug trafficking and organized crime.⁷ Moreover, the development of democracy in the region is obstructed by the increased violence.

The decline in citizen security is cause for concern. Statistics shown in Figure 1 reveal that homicide rates have been rising since 2007. This upward trend significantly increased when Mexico began using the military for the war on drugs. In addition, a higher homicide rates detracts from the state's ability to provide citizen security. Moreover, the decline in citizen security limits the freedom of people to safe areas "out of fear of becoming victims of crime."⁸

⁶ Adraina Gomez Licon, "Mexico Drug War: Monument Sparks Debate about How to Mourn Victims," *The World Post*, updated April 5, 2013, http://www.huffingtonpost.com/2013/04/05/mexico-drug-war_n_3023732.html.

⁷ Rodrigo Serrano-Berthet and Humberto Lopez, "Crime and Violence in Central America: A Development Challenge," *The World Bank*, 2011, ii–iii.

⁸ United Nations Development Report, "Citizen Security with a Human Face: Evidence and Proposals for Latin America, 4, 2013, <http://www.undp.org/content/dam/rblac/docs/Research%20and%20Publications/IDH/IDH-AL-ExecutiveSummary.pdf>.

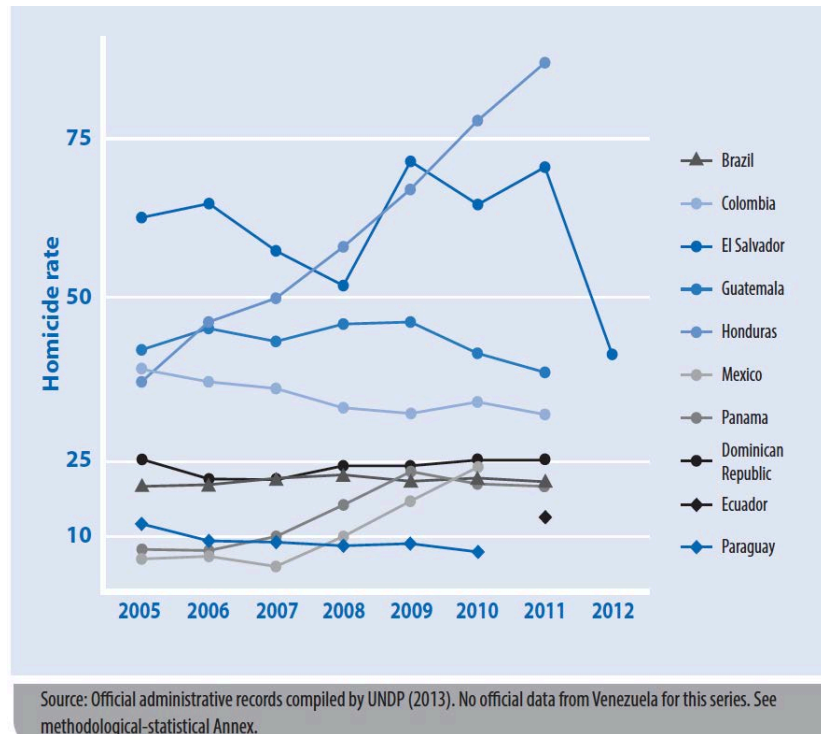


Figure 1. Evolution of Homicide Rates Per 100,000 Inhabitants, Countries with High Rates, Circa 2005–2011⁹

The concern with a decline in state security is that democratic development is hindered. A United Nations report stated that “crime, violence and fear severely limit the capabilities and freedoms of people, the way in which they organize their lives in society and the way they relate to the state and to other institutions.”¹⁰ Furthermore, the state can be the source of declining democratic principles. For example, the violations of human rights by Mexican authorities, such as “illegal arrests or torture,” are considered incompatible with democratic societies.¹¹

⁹ United Nations Development Report, “Citizen Security with a Human Face: Evidence and Proposals for Latin America,” 2.

¹⁰ Ibid., 4.

¹¹ Niels Uildriks, *Mexico’s Unrule of Law: Implementing Human Rights in Police and Judicial Reform Under Democratization* (Lanham, MA: Lexington Books, 2010), 89.

C. PROBLEMS AND HYPOTHESES

The main problem is that federal law enforcement agencies in Mexico have been unable to prevent drug trafficking and organized crime. According to Robert A. Donnelly and David A. Shirk:

The problem with Mexican law enforcement is rooted in institutional factors practically guarantee [sic] that police will not only fail to adequately serve the public, but will become a menace to society. From the outset, police are poorly trained and equipped, underpaid, and subject to an incentive system that leads naturally down a twisted path of extortion and corruption.¹²

Moreover, the ineffectiveness of federal law enforcement agency to combat crime has prompted the government to increase its reliance on the military. The risks to civilian control of the government are greater with the military at center of the nation's war on drugs. The other problem in Mexico is that corruption has rooted itself within public security institutions that often lead to violations of the rule of law.

The militarization of public security in Latin America has often resulted in more violence in the region. Militarization is defined by Jorge Saverucha as "a process of adoption and use of military models, methods, concepts, doctrines, procedures, and personnel in police activities, thus giving a military character to public safety (and public space)."¹³ Militarization generates an insecurity dilemma, a predicament in which groups operating to prevent violence only exacerbate the problem by creating increased threats and insecurity within a country's borders.¹⁴

The severity of the problem is illustrated by the government's increased reliance on the military to provide public and domestic security.¹⁵ The deployment of military

¹² Robert A. Donnelly and David A. Shirk, "Police and Public Security in Mexico," *Centro de Investigación y Docencia Económicas A.C.*, accessed January 3, 2014, 16, <http://seguridadpublica.cide.edu/documents/130662/131312/Police%20and%20Public%20Security%20in%20Mexico.%20Robert%20Donnelly%20and%20David%20A.%20Shirk?version=1.0&t=1355278250000>.

¹³ Jorge Zaverucha, "Fragile Democracy and the Militarization of Public Safety in Brazil," *Latin American Perspectives* 27, no. 3 (2000): 8, <http://www.jstor.org/stable/2634079>.

¹⁴ Sotomayor, "Militarization in Mexico and Its Implications," 43.

¹⁵ Marcos Pablo Moloeznik, "Public Security and Police Reform in Mexico," in *Public Security and Police Reform in the Americas*, ed. John Bailey and Lucia Dammert (Pittsburgh, PA: University of Pittsburgh Press, 2006), 179–180.

units to perform policing functions strongly suggests that Mexico's law enforcement institutions are unable to provide security for citizens. The government continues to rely on the military instead of the police to combat organized crime.¹⁶ On the one hand, Sigrid Arzt postulates that Mexico's public security institutions have been "overtaxed by the fight in organized crime."¹⁷ On the other hand, the military has been successful against drug trafficking. In January 2007, the military deployed 7,000 soldiers to the state of Guerrero to combat drug-related violence, as shown in Table 1.¹⁸

STATE	MONTH	TROOPS
Michoacán	Dec-06	6,700
Baja California	Jan-07	3,300
Guerrero	Jan-07	7,000
Golden Triangle (Chihuahua, Durango, Sinaloa)	Jan-07	4,000
Nuevo León and Tamaulipas	Feb-07	3,600
Veracruz	May-07	1,200
Nuevo Leon	Jun-07	1,600
Tamaulipas	Feb-08	n.a.
Chihuahua	Mar-08	2,500
Baja California	Oct-08	150

Note: Chihuahua received two separate deployments of 2,000 and 500 federal troops in March 2008.

Table 1. Approximation of Troop Deployments in Mexico¹⁹

In Mexico, the military continues to gain political support in public security matters while the police are falling behind. The military operates with impunity and like

¹⁶ Moloeznik, "Public Security and Police Reform in Mexico," 179–180.

¹⁷ Artz, "The Militarization of the Procuraduria General de la Republica," 153.

¹⁸ Robert A. Donnelly and David A. Shirk, *Police and Public Security in Mexico* (San Diego, CA: University Readers, 2010), 29.

¹⁹ Donnelly and Shirk, "Police and Public Security in Mexico," 22–23.

many other Latin American states, Mexico does not have sufficient civilian oversight.²⁰ For instance, now that the military is at the center of the war on drugs, civilians have less control over public security. For example, presidents in Mexico have appointed more military officers to the head of the Office of the Attorney General. The heightened involvement of the military in civilian affairs poses a real risk to civilian control.²¹

Mexico continues to strengthen the Procuraduría General de la República (Office of the Attorney General—PGR) with military leaders who prefer military tactics.²² The militarization of the PGR is cause for grave concern because the PFM falls under its command.²³ Furthermore, militarization detracts power from civilian control and enables the military to gather political sway in domestic affairs. Thus, democratic institutions require strong oversight to prevent other forms of government, such as authoritarianism, to take hold.²⁴

Providing police institutions with superior quality law enforcement officers improve their ability to stymie drug trafficking organizations (DTOs) and helps strengthen government control. Mark Ungar posits that without quality control, more crime suspects are slain, the quality of reports declines, promotion issues arise, and administrative demands draw energy away from law enforcement.²⁵ In addition, “educational shortcomings harm policing by limiting officers’ abilities to detect the causes of crime, to adapt to changing situations, and to convince their superiors to incorporate new ideas about police work in policy.”²⁶ However, unless more accountability occurs within Mexico’s justice system, a stronger effective police force

²⁰ Artz, “The Militarization of the Procuraduria General de la Republica,” 161.

²¹ Ibid.

²² Ibid.

²³ Ibid.

²⁴ James F. Hodgson and Catherine Orban, *Public Policing in the 21st Century: Issues and Dilemmas in the U.S. and Canada* (Monsey, NY: Criminal Justice Press, 2005), 13.

²⁵ Mark Ungar, *Policing Democracy: Overcoming Obstacles to Citizen Security in Latin America* (Baltimore, MD: John Hopkins University Press, 2011), 37.

²⁶ Ibid., 39.

may actually contribute to more injustices.²⁷ Justice and order are the two conditions to ensure that society follows the rule of law. Hence, a strong police force unsupported by the justice system cannot be an effective security institution.²⁸

Government corruption poses an ancillary threat to Mexico's democratic progress. Many federal officials, including high-ranking leaders, seem unable to resist bribes. For example, in September 1995, Chief of the Federal Judicial Police (PJF) Rodolfo Leon Aragon delivered US\$2 million to Deputy Attorney General Javier Coello Trejo in exchange for the release of cartel leader Amado Carrillo.²⁹ This policing failure stems from a corrupt government system in which officials do not fear repercussions when dealing with DTOs and cartels. In fact, police officials assist cartel hit squads in escaping to safety zones. For instance, in an opening statement before the Senate Committee on Foreign Relations at the World Policy Institute, Andrew A. Reding stated that the PJF sheltered an Arellano Felix hit squad that had gunned down Cardinal Juan Jesus Posadas Ocampo inside a Guadalajara airport.³⁰ Furthermore, as shown in Figure 2, a large majority of Mexicans believed the police participated in criminal activities. According to Stephen D. Morris:

Headlines periodically feature the arrest or detention of top officials within agencies spearheading the fight against drugs and organized crime (a federal responsibility); port and prison officials; military and police commanders; governors and gubernatorial candidates; state police, investigators, and district attorneys; mayors and city officials; and hundreds of municipal police, all for essentially aiding and abetting organized crime. For example, in November 2008, during the high profile Operación Limpieza (Operation Clean House), six members of SIEDO (Subprocuraduría de Investigación Especializada en Delincuencia Organizada), the attorney general's office in charge of investigating and prosecuting organized crime, the head of the Mexican office of Interpol, directors of the federal police, and close associates of the secretary of public security were arrested for their ties to the Beltrán Leyva cartel. Noé

²⁷ Donnelly and Shirk, "Police and Public Security in Mexico," 36.

²⁸ Ibid., 26.

²⁹ Ibid., 106.

³⁰ Andrew A. Reding, "The Drug Trade in Mexico and U.S. Policy Implications," *World Policy Institute*, August 8, 1995, <http://www.worldpolicy.org/sites/default/files/uploaded/image/Senate-1995-Political%20corruption%20and%20drug%20trafficking%20in%20Mexico.pdf>.

Ramírez, the former director of SIEDO, reportedly received \$450,000 per month for his services to the cartel’s leaders.³¹

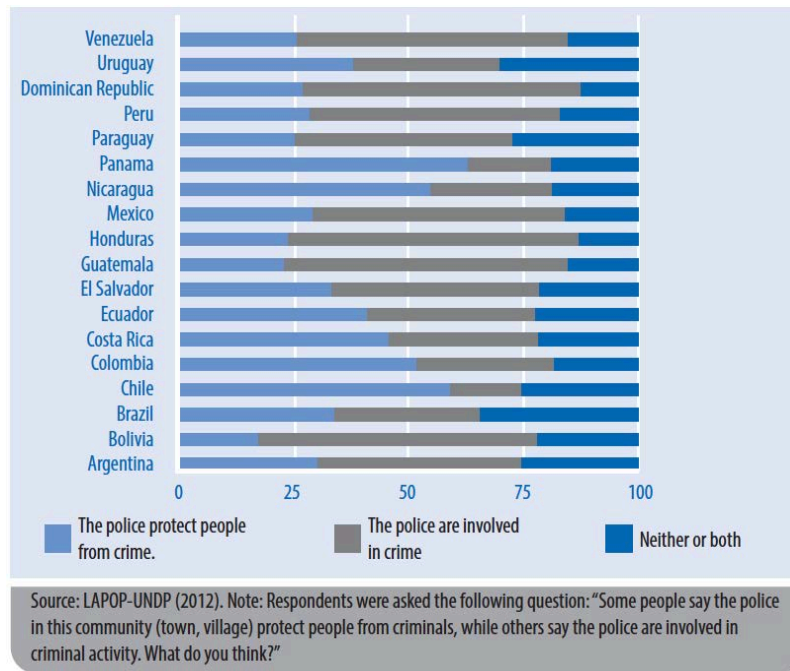


Figure 2. Public Perception (in percent) of Police Participation in Criminal Activities, Latin America, 2012³²

Preliminary research has shown that PFM structures are similar to and often modeled after those of the FBI. The hypothesis examined pays particular attention to the U.S. FBI and Mexico PFM law enforcement organizational structures. Therefore, this thesis analyzes five key factors, shown in Table 2, that are in poor condition but that may contribute to effective policing in Mexico: personnel recruitment, training and education, career incentives, institutional oversight, and funding.³³ These factors are critical to the

³¹ Stephen D. Morris, “Corruption, Drug Trafficking, and Violence in Mexico,” *Brown Journal of World Affairs* 18, no. 11 (Spring 2012): 30. <http://www.mtsu.edu/politicalscience/faculty/documents/Corruption%20Brown%20article%20Morris.pdf>.

³² United Nations Development Report, “Citizen Security with a Human Face: Evidence and Proposals for Latin America,” 9.

³³ Luis V. De la Torre, “Drug Trafficking and Police Corruption a Comparison of Colombia and Mexico,” (master’s thesis, Naval Postgraduate School, 2008), <http://hdl.handle.net/10945/4074>, 106.

performance of law enforcement officers because they are essential in developing an effective organization.

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

Table 2. Summary of Factors Accounting for Different Levels of Drug-Related Police Corruption within the Mexican and Colombian Police Forces³⁴

³⁴ De la Torre, "Drug Trafficking and Police Corruption a Comparison of Colombia and Mexico," 106.

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II. LITERATURE REVIEW

Literature that focused on federal law enforcement surveyed the Federal Police (*Policía Federal—PF*) or the Mexican Attorney General (*Procuraduría General de la República—PGR*) but rarely did it discuss the PFM organization. Moreover, this literature does not elaborate on the organizational capacity-building factors or policies that contribute to effective policing. Therefore, this thesis attempts to fill this gap by evaluating personnel recruitment, training and education, career path, institutional oversight, and funding of the FBI and PFM. Isolating this paper’s analytical framework to North America ensures that the research is focused and geopolitically relevant for policy development.

A. PERSONNEL RECRUITMENT

Police officers are at the core function of law enforcement. For this reason, understanding the methods used to recruit them are important. According to Dwayne W. Orrick, “Crafting the ‘ideal’ candidate should be tied closely to organizational goals and mission and help establish criteria the department will use to hire.”³⁵ This approach is useful in the recruitment process because it takes the mission and goals of the agency into account. This mission-oriented framework ensures that only qualified candidates who meet institutionally supported criteria are employed, which is especially important for federal law enforcement agencies that desire specialized agents to investigate and prevent crime.

Other recruiting methods propose using the human resource perspective to select individuals based on recruiting practices. Literature on police administration processes recommend that applicants be selected based on recruiting practices. For example, the California Peace Officers Standards and Training Commission recommends that agencies develop recruitment plans that include the goals of the organization, community

³⁵ Jeremy M. Wilson, Erin Dalton, Charles Scheer, and Clifford A. Grammich, *Police Recruitment and Retention for the New Millennium* (Santa Monica, CA: Rand Publishing, 2010), 70.

demographics, the number of officers needed, and skills and diversity it desires.³⁶ This recruitment model complements Orrick's mission-oriented framework for recruiting officers.

Law enforcement experts argued for increased recruitment of college-educated applicants. Officers with a college degree have shown to be a tremendous asset to police organizations. According to Charles R. Swanson, Leonard Territo, and Robert W. Taylor, college education has been linked to the "professionalization of policing" and should be considered in the recruiting plan.³⁷

Furthermore, recruitment practices may determine the viability of potential recruits. For example, it is recommended that applicants undergo physical assessment tests, a background investigation, and an evaluation of character, a lie detector test, and medical examinations in both physical and mental health.³⁸ These additional requirements help scrutinize applicants who cannot perform the ardent task of a police officer.

B. TRAINING AND EDUCATION

The extent to which officers undergo training matters because institutions expect officers to codify policing practices into their behavior. According to Dennis J. Stevens, "training is designed to change a candidate's behavior, provide alternative solutions in problems and confrontations, and persuade a candidate to assume values and ideals of the department that employs him or her."³⁹ Training provides recruits with a practical way to implement knowledge, while "education is [the] sharing [of] [that] knowledge."⁴⁰ Training involves change. Steven argues that nothing is learned until it has "changed or

³⁶ Charles R. Swanson, Leonard Territo, and Robert W. Taylor, *Police Administration: Structures, Processes, and Behavior*, 8th ed. (Upper Saddle River, NJ: Prentice Hall, 2012), 380.

³⁷ *Ibid.*, 382.

³⁸ *Ibid.*, 382–389.

³⁹ Dennis J. Stevens, *An Introduction to American Policing* (Sudbury, MA: Jones and Bartlett, 2009), 269.

⁴⁰ *Ibid.*

influenced you.”⁴¹ More importantly, “Little is considered truly ‘learned’ until the expected behavior becomes institutionalized, automatic, and routine.”⁴² Police who have “learned” the skills necessary in dealing with citizens means that they do not have to resort to brutality.⁴³

Training is a necessary part of law enforcement. Rules and laws continually change, which need to be addressed and understood by police officers. Therefore, the level of training along with frequency is necessary for an effective police force. Experts who have studied entry-level police training find that effective training should reduce the number of police confrontations when dealing with disputes. According to the Department of Justice (DOJ) Community Relations Service, police training “should be conducted in environments simulating the ‘complex, and often bewildering, conditions in which deadly force episodes take place.” Moreover, training should be focused on the development of “a ‘thinking police officer’ who analyzes situations and responds in the appropriate manner based upon a value system” that the officer has gained from the institution.”⁴⁴

A 2002 report on police education found that “officers with degrees had fewer complaints filed against them, made better decisions, or were generally higher quality officers.”⁴⁵ Another study on disciplinary cases against officers in Florida showed that only 11 percent held a four-year degree (see Figure 3).⁴⁶ Other researchers have found

⁴¹ Ibid.

⁴² Stevens, *An Introduction to American Policing*, 269.

⁴³ Uildriks, *Mexico’s Unrule of Law: Implementing Human Rights in Police and Judicial Reform Under Democratization*, 201.

⁴⁴ Community Relations Office, “Principles of Good Policing: Avoiding Violence Between Police and Citizens,” *Department of Justice*, 2003, 29, <http://www.justice.gov/archive/crs/pubs/principlesofgoodpolicingfinal092003.pdf>.

⁴⁵ C. Wayne Johnston and Sutham Cheurprakobkit, “Educating Our Police: Perceptions of Police Administrators Regarding the Utility of a College Education, Police Academy Training and Preferences in Courses for Officers,” *National Criminal Justice Reference Service*, 2002, <https://www.ncjrs.gov/app/publications/abstract.aspx?ID=197615>.

⁴⁶ Stevens, *An Introduction to American Policing*, 260.

that officers with college degrees were less likely to end their career by involuntarily separating.⁴⁷

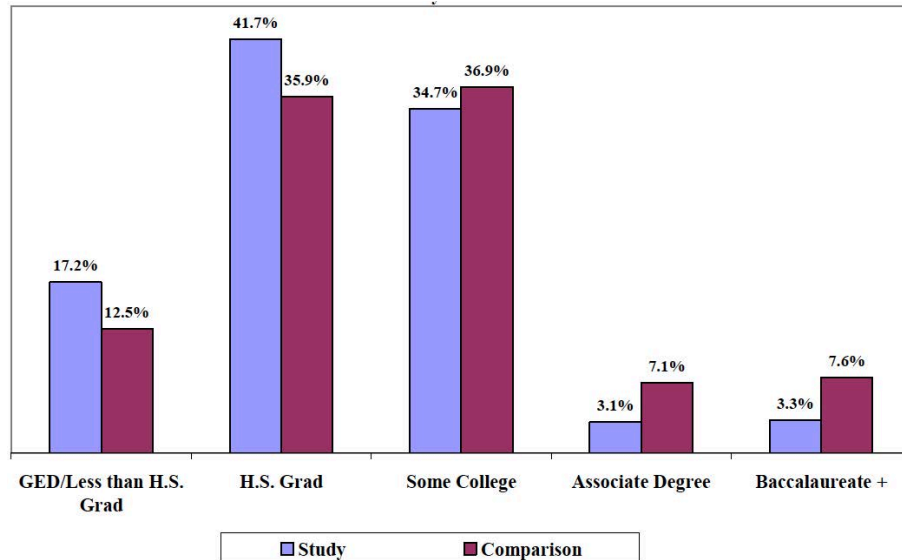


Figure 3. Separated and Control Officers' Educational Levels at Entry to the NYPD⁴⁸

C. CAREER PATH

A career path refers to the process in which police agencies retain high-caliber experienced officers. This process incentivizes the officer to remain in service for as long as possible. This thesis focuses on compensation factors within this process, such as salary potential, promotion opportunities, and retirement compensation.

Salaries or monetary compensation provides law enforcement officers with an exchangeable good. It is tangible and easier to exchange for other goods and services. "As Christopher Lee (2006, p. 53) notes, pay is usually a symptom of other things not going well. When employees complain about pay, they are usually indirectly indicating

⁴⁷ Ibid.

⁴⁸ James J. Fyfe and Robert Kane, "Bad Cops: A Study of Career-Ending Misconduct Among New York City Police Officers," *U.S. Department of Justice*, 264, September 2006, <https://www.ncjrs.gov/pdffiles1/nij/grants/215795.pdf>.

that they are not happy with their work situation. Pay is a lightning rod issue as it is more tangible than poor management and lack of appreciation.”⁴⁹

When pay is inadequate, officers in positions of power are more susceptible to bribery and corruption, and depend on it as a form of supplemental income.⁵⁰ For example from 1995 to 2000, the Zedillo administration in Mexico “fired hundreds of drug agents for accepting bribes.”⁵¹ Moreover, many law enforcement officers at every rank consider low wages the issue that justifies corruption.⁵²

According to Swanson Territo, and Taylor, law enforcement executives have a disparity dilemma between the number of available promotions and the number of well-qualified candidates. This disparity is reduced because some candidates do not participate in promotion tests because a promotion usually means they have to relocate. Doctrine does not allow promoted officers to lead those whom they worked with as equals.⁵³

Promotions are supposed to reward the performance of officers but very little is understood about police promotions in Latin America. According to Ungar, Latin American promotion systems are “not based on a critical evaluation of positive actions or specific skill development. Instead, it depends almost entirely on the officer’s seniority, academy exam score, ranking, and whether he or she has caused any problems.”⁵⁴ In addition, very little police work is taken into consideration for promotion. Moreover, many officers make promotion leaps in the system because of favoritism.⁵⁵ As shown, the Latin American promotion system leaves much to be desired. More often than not, promotions systems like these only limit the capability of law enforcement officers to prevent crime.

⁴⁹ Wilson et al., *Police Recruitment*, 38.

⁵⁰ De la Torre, “Drug Trafficking and Police Corruption a Comparison of Colombia and Mexico,” 83.

⁵¹ Uildriks, *Mexico’s Unrule of Law: Implementing Human Rights in Police and Judicial Reform Under Democratization* 94.

⁵² Donnelly and Shirk, *Police and Public Security in Mexico*, 126–127.

⁵³ Swanson, Territo, and Taylor, *Police Administration*, 408–409.

⁵⁴ Ungar, *Policing Democracy: Overcoming Obstacles to Citizen Security in Latin America*, 39; Donnelly and Shirk, “Police and Public Security in Mexico,” 131–133.

⁵⁵ Ungar, *Policing Democracy: Overcoming Obstacles to Citizen Security in Latin America*, 39.

Retirement pensions are viewed as a key component of an effective organization because it provides an end-goal or reward to officers at the end of their public service. However, very few authors have studied law enforcement retirement compensation in Latin America. To some, retirement is a method of strategically removing officers who tend to corrode the formation of a new organization.⁵⁶ This thesis provides a small contribution to the knowledge of retirement compensation by analyzing the FBI pension practices and those of the PFM, which is especially important because most law enforcement officers fail to plan for retirement.⁵⁷ Retirement compensation may be part of an applicant's consideration especially in Latin America where officers have historically earned low wages for an often-risky public security job.

D. INSTITUTIONAL OVERSIGHT

Of all the literature reviewed, most authors emphasize institutional oversight as a critical factor to an effective trustworthy organization. Advocates of civilian oversight argue that it empowers citizens with confidence to question the use of force.⁵⁸ Moreover, external review of police actions allows for trust in the police to take root. According to Charles Perrow, author of *complex organizations*, the effectiveness of civilian oversight depends on several factors, such as “the agency’s definition of its role, its resources, the quality of its staff, and the degree of political support it receives from the community.”⁵⁹ Niels Uildriks relies on several studies that reveal the need for institutional internal control. Without them, police would resort to violence and succumb to corruption.⁶⁰

Opposing arguments complain that civilian oversight “is expensive and duplicates the work of internal affairs.”⁶¹ In addition, concern exists that civilian oversight intrudes

⁵⁶ Frank Harris, “The Role of Capacity-Building in Police Reform,” *Department of Police Education and Development*, 42, 2005, <http://polis.osce.org/library/f/2643/527/OSCE-SRB-RPT-2643-EN-527>.

⁵⁷ Swanson, Territo, and Taylor, *Police Administration*, 418.

⁵⁸ *Ibid.*, 152–153.

⁵⁹ Uildriks, *Mexico’s Unrule of Law: Implementing Human Rights in Police and Judicial Reform Under Democratization*, 153.

⁶⁰ *Ibid.*, 16.

⁶¹ Swanson, Territo, and Taylor, *Police Administration*, 152.

on the professional independence of the police. Furthermore, external reviewers are not qualified to assess the practices and procedures of the police.⁶²

An Internal Affairs (IA) section presents an option to external civilian oversight. The reviewing officer is the police auditor whose role it is to “audit and monitor the operations of the police department.”⁶³ The auditor then provides recommendations for changes to policies.

E. FUNDING

Finally, police effectiveness may increase with properly funded programs, as shown by success in other North American law enforcement agencies like the FBI. However, reshaping institutions to mimic those of other nations may take more than just a reshuffle of the organization or an increased budget. Peter F. Drucker postulates that institutions also need a systemic approach to administration to make them perform.⁶⁴ In one of Drucker’s recommendations for success, he states:

Service institutions need to derive *clear objectives and goals* from their definition of function and mission. What they need is not ‘better people’ but people who do [sic] the management job systematically and who focus themselves and their institutions purposefully on performance and results. They do need efficiency—that is, control of costs. But, above all, they need effectiveness—that is, emphasis on the right results.⁶⁵

Drucker argues that management experience and a systematic approach increases the effectiveness of an institution. He further states that creating an organization of people adept at reaching performance objectives ensures the institution can reach its institutional goals.⁶⁶

⁶² Ibid.

⁶³ Swanson, Territo, and Taylor, *Police Administration*, 152.

⁶⁴ Peter F. Drucker, “Managing the Public Service Institution,” *National Affairs*, no. 33 (1973): 59, http://www.nationalaffairs.com/doclib/20080527_197303302managingthepublicserviceinstitutionpeterfdrucker.pdf.

⁶⁵ Ibid., 58.

⁶⁶ Ibid.

Donnelly and Shirk posit that Mexican law enforcement institutions are significantly limited and dysfunctional, and that more investment needs to be done than merely promoting greater police effectiveness.⁶⁷ Institutional investment in law enforcement processes, like the five organizational factors this thesis intends to examine, is just one solution that may increase the effectiveness of Mexico's federal law enforcement agencies.

F. METHODS AND SOURCES

This thesis analyzes organizational factors that make up the police institution, such as personnel recruitment, training and education, career path, institutional oversight, and funding. It analyzes law enforcement agencies in the United States and Mexico by first understanding the five factors that contribute to effectiveness. Chapter I begins with a brief overview of the law enforcement problem and provides an overview of the five factors effectiveness. Chapter II analyzes the five institutional factors within the U.S.' FBI to identify the organizational policies that have garnered a reputation as an effective law enforcement organization. Chapter III examines the institutional capacity and organizational factors of the PFM in Mexico. An analysis of this federal agency will help determine if the factors of effectiveness analyzed prior in Chapter II can be applied or improved upon to the PFM in Mexico. Last, the thesis ends with a brief summary and conclusion of what was learned, and recommendations are offered that may increase the effectiveness of Mexico's federal law enforcement agency.

The information researched encompasses sources within literature, such as current and past historical documents, edited works, and institutional reports. The U.S. Congressional Research Service (CRS) and the U.S. Government Accountability Office (GAO) reports are utilized to provide a baseline for assessing this thesis. Various Internet sources in the United States and Mexico, including those written in Spanish, are also reviewed. For raw statistical data, this thesis analyzes a variety of trusted international organizations, such as the World Bank, the United Nations, Transparency International, and Justice in Mexico websites among others.

⁶⁷ Donnelly and Shirk, "Police and Public Security in Mexico," 36.

G. THESIS OVERVIEW

The thesis first defines and explains organizational factors of effectiveness to ensure a consistent conceptualization of the topic followed by an analysis into the effectiveness of the U.S. FBI and Mexican PFM law enforcement agencies. The resulting evidence will help determine institutional variances among federal law enforcement agencies. The similarities and differences can, therefore, be used to illustrate contributing factors of effectiveness among North American federal law enforcement agencies and then applied to the case in Mexico.

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III. THE FEDERAL BUREAU OF INVESTIGATION INSTITUTIONAL CAPACITY

The FBI is considered one of the most powerful and effective federal law enforcement agencies in the world.⁶⁸ It has been recognized by local, state, and foreign agencies as the training model for effective law enforcement.⁶⁹ As will be mentioned later, Mexico's PFM aspires to become an effective and capable institution structured like the FBI. Hence, an examination of the FBI that focuses on the five factors of effectiveness will be useful in providing recommendations to policy makers and the PFM. The five factors reviewed are personnel recruitment, training and education, career path, institutional oversight, and funding.

A. BACKGROUND

The Bureau of Investigation was created on July 26, 1908 after Attorney General Charles J. Bonaparte and President Theodore Roosevelt determined the need for a special investigative force.⁷⁰ The reformist generation of this era believed that a federal agency would ensure justice within an industrial society.⁷¹ Initially, it consisted of 35 agents tasked to investigate crimes involving bankruptcy fraud, antitrust, neutrality violations, peonage, and law violations on Indian reservations.⁷² At the onset, special agents were poorly trained, ill-experienced at enforcing law, and often accused of violating civil rights.⁷³

Law enforcement agents were overwhelmed and ineffective against criminal gangster during what are known as the lawless 1920s and 1930s. Gangsters terrorized

⁶⁸ National Cable Satellite Corporation, "The FBI: Inside the World's Most Powerful Law Enforcement Agency," *Booknotes*, September 12, 1993, <http://www.booknotes.org/Watch/50306-1/Ronald+Kessler.aspx>.

⁶⁹ Kenneth W. Lucas, *Federal Law Enforcement Badges* (Takoma, MD: Kenneth W. Lucas, 1991), 107.

⁷⁰ *Ibid.*

⁷¹ Federal Bureau of Investigation, "A Brief History of the FBI," accessed June 12, 2014, <http://www.fbi.gov/about-us/history/brief-history>.

⁷² *Ibid.*

⁷³ Lucas, *Federal Law Enforcement Badges*, 108.

many communities with their powerful and well-armed groups. These criminals often fled across state lines where local and state police were unable to cross jurisdictions, which therefore, provided an advantage to criminals and made apprehension difficult. Affected communities began to lose trust in the ability of the agency. Rising violent conditions forced Herbert Hoover to expand the bureau's capacity in deterring crime to "gain legitimacy and authority in society."⁷⁴

In 1924, J. Edgar Hoover was appointed Director of the Bureau and pushed for reforms to ensure the bureau would become an efficient crime-fighting force. Director Hoover had enormous ambitions that brought in a new era of policing that extended beyond minor investigations. One of the most significant improvements was to establish and consolidate the nation's first fingerprint data repository. This storehouse helped bring the strength of collection and analysis to the forefront, which enabled the bureau to become a full-fledged investigative agency. In addition, Hoover expanded its capability of data analysis by establishing the first scientific forensic data analysis laboratory of its time.⁷⁵

The bureau continued to increase its authority with the support of Congress. The bureau's tough disciplinary code of conduct and an increasing rise in crime provided the rational for political support. In 1934, Congress passed the Fugitive Felon's Act, which significantly increased the bureau's jurisdiction and increased protection for special agents.⁷⁶ The act made it a felony to flee from prosecution or from providing testimony. The bureau was renamed the Federal Bureau of Investigation on July 1, 1935.⁷⁷ In 1961, the FBI's responsibilities expanded again to prevent and reduce money laundering and racketeering operations of organized criminal syndicates.⁷⁸ In addition, during World War II, espionage by Germany prompted another expansion of the FBI's intelligence and surveillance capabilities.

⁷⁴ Lucas, *Federal Law Enforcement Badges*, 108.

⁷⁵ *Ibid.*, 109.

⁷⁶ *Ibid.*, 110.

⁷⁷ *Ibid.*, 107.

⁷⁸ *Ibid.*, 115.

1. Mission

FBI reforms played a significant role in how the agency's mission has evolved. Since its establishment in 1908, the bureau's mission grew from a 35-agent force to more than 14,000 special agents. Today, much of the FBI's authority derives from Title 28 of the United States Code (U.S. Code), Section 533, which legally mandates the establishment of the FBI and delineates its responsibility.⁷⁹ Margaret E. Beare explains that the FBI's current role in conducting intelligence activities pertains to "domestic and transnational criminal networks that are capable of threatening national security, including criminal enterprises, terrorist organizations, weapons proliferators, and foreign intelligence services."⁸⁰ Given the complex role of the FBI, it is no surprise that its end goal is to protect and defend the country from internal and external threats and to enforce federal laws.⁸¹

Another aspect of its mission pertains to the sharing of intelligence with other agencies. The FBI provides intelligence collection to the director of national intelligence. The attorney general and the director of national intelligence jointly manage the law enforcement and intelligence roles of the FBI.⁸² Furthermore, like the PFM in Mexico, the FBI provides the Department of Justice (DOJ) with investigative and intelligence evidence to support the prosecution of criminals.⁸³

2. Organizational Structures

The FBI's multi-layer command structure ensures that rogue agents are less likely to violate the institution's policies that help protect agents and the public. The FBI has an established hierarchical structure that clearly defines the chain of command (CoC) and

⁷⁹ Federal Bureau of Investigation, "Frequently Asked Questions," accessed June 11, 2014, <http://www.fbi.gov/about-us/faqs>.

⁸⁰ Margaret E. Beare, *Encyclopedia of Transnational Crime and Justice* (Los Angeles, CA: Sage Publications, 2012), 197.

⁸¹ Federal Bureau of Investigation, "What We Investigate," accessed June 8, 2014, http://www.fbi.gov/about-us/investigate/what_we_investigate.

⁸² Department of Justice, "Today's FBI: Fact and Figures 2013–2014," 5, March 14, 2013, <http://www0.fbi.gov/stats-services/publications/todays-fbi-facts-figures/facts-and-figures-031413.pdf/view>.

⁸³ Beare, *Encyclopedia of Transnational Crime and Justice*, 200.

outlines its reporting responsibilities. The top authority figure can thereby delegate tasks and missions to subordinates.⁸⁴ Furthermore, each layer of command reports to someone who the government can hold accountable for the actions of the institution.

a. The FBI Chain of Command

Understanding the FBI's command structure is important because the internal interactions of a law enforcement agency provide a clearer insight to how the organization operates. Table 3 shows how the FBI is organized.

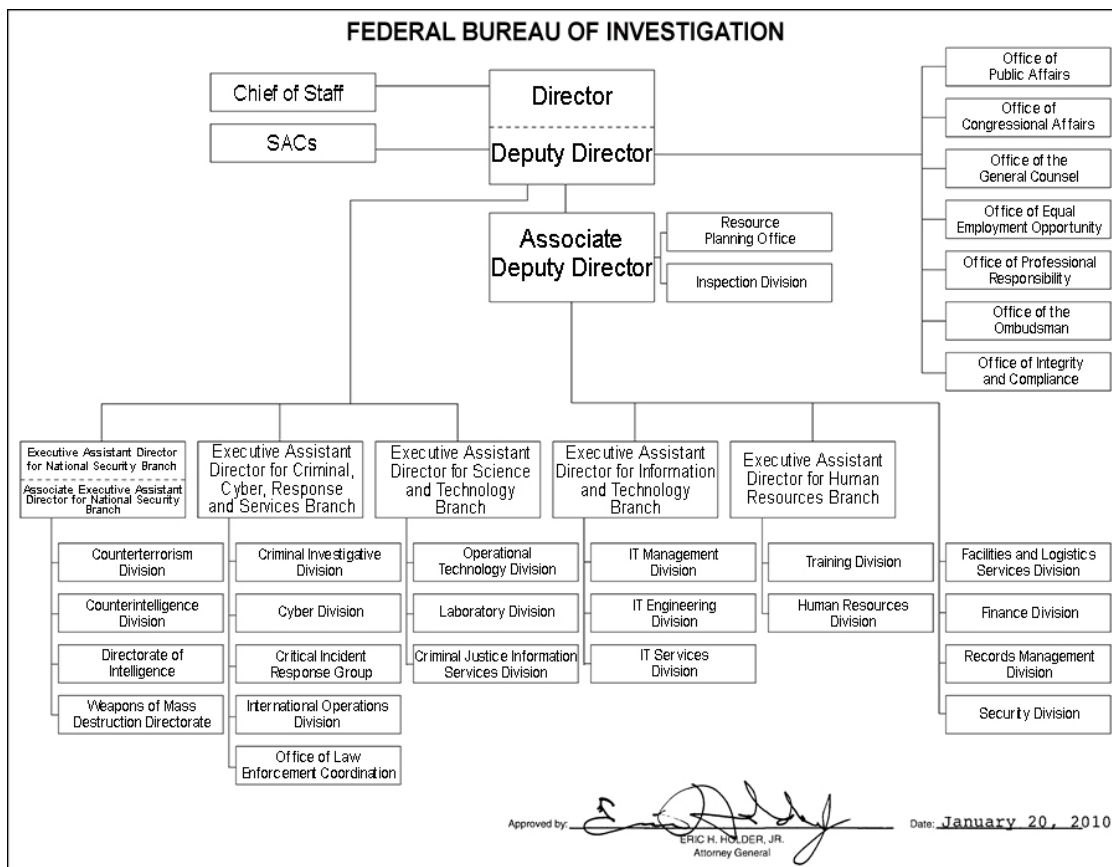


Table 3. The FBI Organizational Chart⁸⁵

⁸⁴ Swanson, Territo, and Taylor, *Police Administration; Structures, Processes, and Behavior*, 221.

⁸⁵ Federal Bureau of Investigation, "Organizational Chart," January 20, 2010, http://www.fbi.gov/contact-us/fbi-headquarters/org_chart/organizational_chart.

The FBI director is first appointed by the president and then confirmed by the Senate. Each director cannot serve more than 10 years or one term.⁸⁶ Under the supervision of the Deputy Director, special agents in charge (SACs) provide guidance to the director on matters of interest to the public and congress, as well as on matters of internal concerns, such as professionalism, integrity and compliance.⁸⁷ Much like the support staff for a commanding general, SACs keep the director apprised of internally or externally influential situations that affect the FBI's mission. The deputy director is also responsible for three other branches. First, the national security branch provides counterterrorism, counterintelligence, and weapons of mass destruction intelligence, and analysis products to top leaders. Second, the cyber, response, and services branch encompasses a criminal investigative division, a cyber division, the critical incident response group (CIRG), the international operations division, and an office of law enforcement coordination. Third, the science and technology branch combines an operational technology division, a laboratory division, and a criminal justice information services division.⁸⁸

The FBI associate deputy director reports to the deputy director and supervises the information technology (IT) branch, the human resources branch, and four other administrative divisions. The IT branch manages, engineers, and provides technological services to the FBI force. The human resource branch hires and administers the FBI training program. The other four divisions, under the supervision of the associate director, provide administrative, logistical, financial, security, and record management support to the entire agency. Furthermore, the associate director is responsible for overseeing the office of resource planning and the inspection division.⁸⁹

⁸⁶ Department of Justice, "Today's FBI: Fact and Figures 2013–2014," 24.

⁸⁷ Federal Bureau of Investigation, "FBI Headquarters," accessed June 11, 2014, <https://www.fbijobs.gov/3111.asp>.

⁸⁸ Federal Bureau of Investigation, "Organizational Chart."

⁸⁹ Ibid.

B. PERSONNEL RECRUITMENT

1. Employment

The FBI's increased mission load has required the increased the employment of specialty focused officers. These specialized or support staffs outnumber special agents by more than half. However, support staffs are essential to special agents who need data analysis to help build cases for the prosecution of criminals. The tragic events of September 11, 2001 propelled the FBI to increase its number of employees. As Table 4 demonstrates, it employed 14,690 special agents in the year 2001. In 2012, the DOJ revealed that the FBI had a total of 36,074 active employees; the highest number in its history.⁹⁰ In October 31, 2013, the FBI reported that it decreased the number of employees to 35,344.⁹¹ Of those currently working with the FBI, some 13,598 are special agents, and another 21,746 are support professionals (intelligence analysts, language specialists, scientists, IT specialists, and other professionals).⁹² Statistics show the number of FBI employees and their specialties have increased in response to the FBI's evolving mission.

⁹⁰ Department of Justice, "Today's FBI: Fact and Figures 2013–2014," 9.

⁹¹ Federal Bureau of Investigation, "Quick Facts," accessed May 9, 2104, <http://www.fbi.gov/about-us/quick-facts>.

⁹² Ibid.

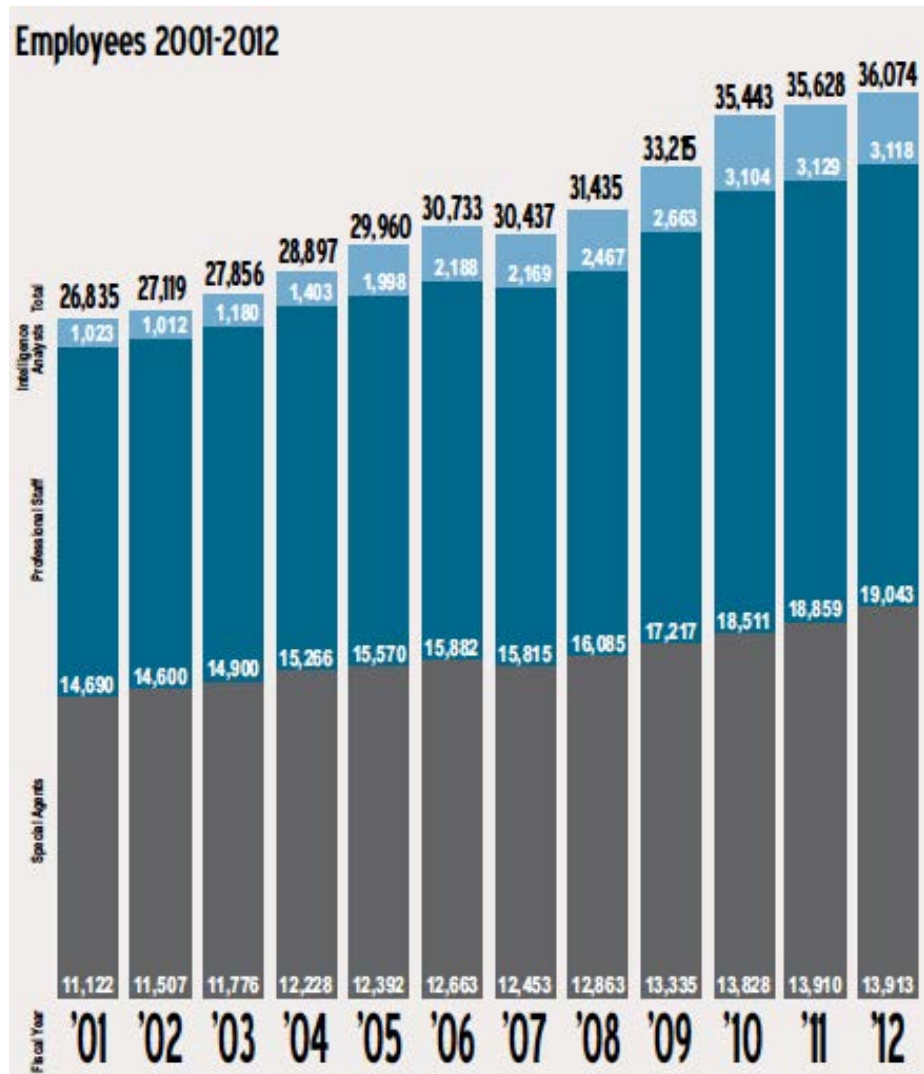


Table 4. The Bureau—Employment History⁹³

2. Recruitment

The FBI scrutinizes applications to ensure only the best available candidates enter its force. With the exception of military veterans who may apply for age waivers, the FBI accepts applications from candidates between the ages of 23 and 37. To be a special agent recruit, applicants must be citizens of the United States or of the commonwealth of the

⁹³ Department of Justice, “Today’s FBI: Fact and Figures 2013–2014,” 9.

Northern Mariana Islands.⁹⁴ The intents may provide recruits who are apt to be loyal to the United States. The FBI is thereby increasing its effectiveness. Applicants must also possess a four-year college or university degree from an accredited institution. In addition, the FBI expects applicants to have worked for three years in some professional capacity. Applicants must also possess a valid driver's license. Persons who have been convicted of a felony or have a defaulted government-insured student loan may not apply. Candidates must be able to pass a comprehensive background investigation that involves social and economic assessments, illegal drug tests, and a polygraph.⁹⁵ The FBI has shown a desire to recruit responsible and trustworthy individuals by being very diligent in the recruiting process. The diagram in Figure 4 depicts the process of an application, which takes over a year to complete.⁹⁶ The FBI clearly has a very rigid and effective way of tracking recruits through the application process and the option of selecting only those applicants who meet the FBI's stringent criteria.

⁹⁴ Federal Bureau of Investigation, "Special Agent Qualification Requirements," accessed May 9, 2014, <https://www.fbijobs.gov/111.asp>.

⁹⁵ Federal Bureau of Investigation, "Background Investigation," accessed June 8, 2014, <https://www.fbijobs.gov/5.asp>.

⁹⁶ David M. Walker, "FBI Reorganization: Progress Made in Efforts to Transform, but Major Challenges Continue," *United States General Accounting Office*, 38, issued June 18, 2003, <http://www.gao.gov/assets/120/110065.pdf>.

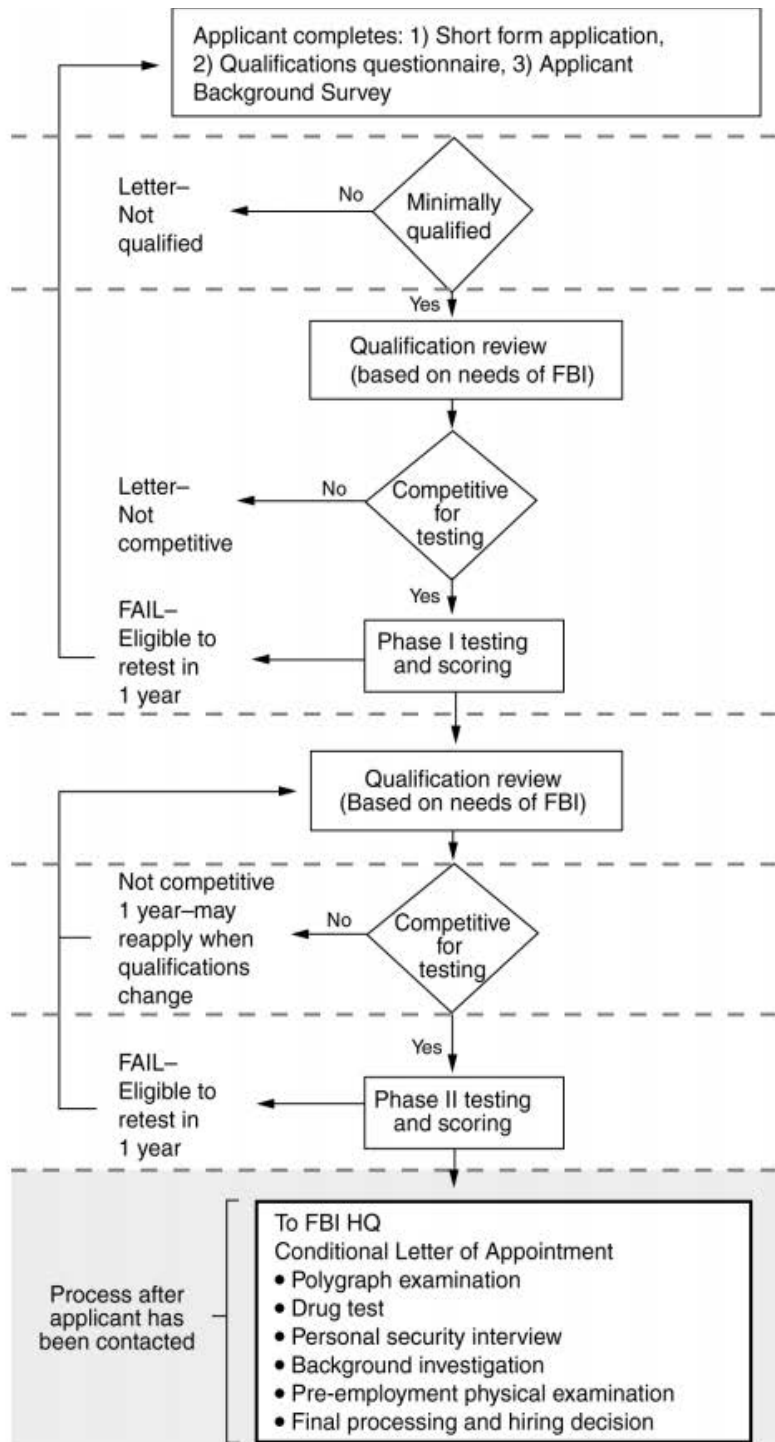


Figure 4. FBI Hiring Process for Special Agent Positions⁹⁷

⁹⁷ Walker, "FBI Reorganization: Progress Made in Efforts to Transform, but Major Challenges Continue," 38.

C. TRAINING AND EDUCATION

1. Special Agent Trainees

Training provides officers the necessary tools and knowledge that helps contribute to policing effectiveness. An FBI recruit begins learning the basics of law enforcement throughout a 20-week course located in Quantico, Virginia.⁹⁸ This 800-hour course focuses on “four major concentrations: academics, case exercises, firearms training, and operational skills.”⁹⁹ After basic training is completed, recruits must learn the technical and legal aspects of the law. The curriculum entails skills in the “fundamentals of law, ethics, behavioral science, interviewing and report writing, basic and advanced investigative and intelligence techniques, interrogation, and forensic science.”¹⁰⁰ The integration of this core curriculum provides recruits with a value-based law enforcement framework in which to investigate and apprehend criminals. The Quantico training site has its own “mock city” called Hogan’s Alley at which recruits can practice role-based scenarios. Recruits are also presented with real life case scenarios that provide additional pragmatic approaches to a variety of situations in which to utilize basic skills and academic training by performing simulated investigations.¹⁰¹

The two most important instructions that trainees receive are the use of firearms and operational skills. Recruits go through a live-fire exercise to learn to handle a bureau-issued pistol, carbine, and shotgun. Once agents have successfully qualified with their weapons, they transition into operational skill training. The FBI academy provides these skills through a variety of tactical, technical, and administrative courses. For example, recruits will practice self-defense techniques, learn how to conduct surveillance, practice apprehension methods, and attend a driving school. During this phase, instructors evaluate trainees as they perform in these real-live scenarios and in virtual simulator environments. Senior agents, called field counselors, are also integrated into the academy

⁹⁸ Federal Bureau of Investigation, “New Agent Training,” accessed May 9, 2014, <http://www.fbi.gov/about-us/training/sat>.

⁹⁹ Ibid.

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

during several phases of courses to enhance the trainees' experience and prepare them to serve as a special agent.¹⁰² Moreover, trainees must maintain their physical and mental abilities throughout the courses, as they are required to pass a physical-fitness test.

Statistical data provided by the FBI in Figure 5 attest to the FBI's training regimen. In 2012, the FBI experienced a 66.6 percent criminal conviction rate for every apprehension by it. As depicted by Figure 5, the report also revealed that more criminal investigators were employed in law enforcement than other areas of police responsibility.¹⁰³

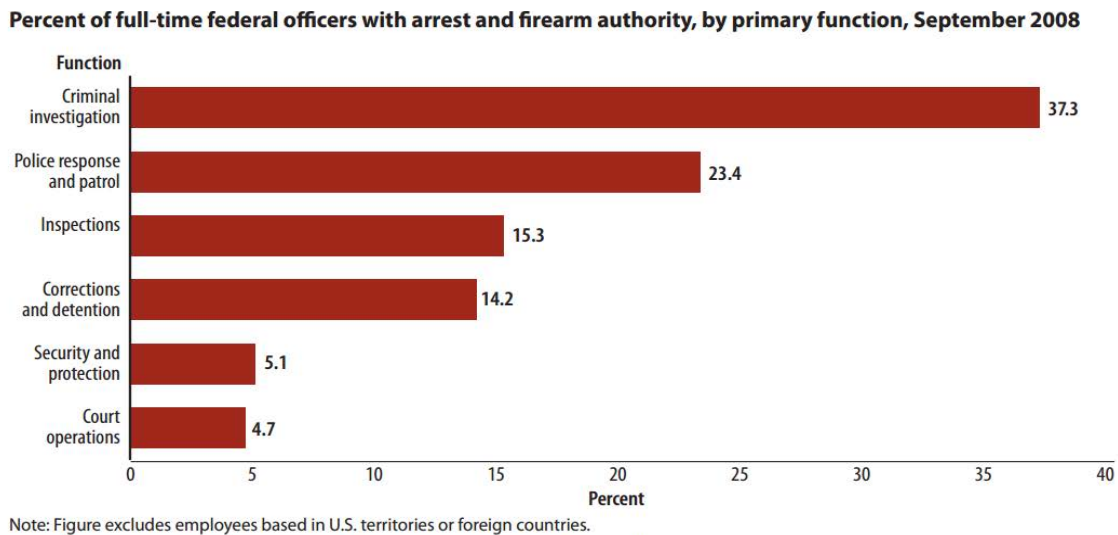


Figure 5. Federal Officers by Primary Function¹⁰⁴

The FBI has been an influential agency in training law enforcement executives to manage their local and state police forces. Since October 2001, the FBI has trained 60,400 law enforcement officers worldwide.¹⁰⁵ It reports training 46,082 executive-level investigative officers from local and state law enforcement agencies. In addition, the FBI trained 394 upper-level executives (chiefs and deputy chiefs) at local agencies in

¹⁰² Federal Bureau of Investigation, "New Agent Training."

¹⁰³ Brian A. Reaves, "Federal Law Enforcement Officers, 2008," *U.S. Department of Justice*, 1, June 2012, <http://www.bjs.gov/content/pub/pdf/fleo08.pdf>.

¹⁰⁴ Ibid.

¹⁰⁵ Department of Justice, "Today's FBI: Fact and Figures 2013–2014," 8.

counterterrorism. Of the 150 largest U.S. law enforcement agencies, an estimated 1,200 executives were trained at the FBI's National Executive Institute (NEI) to help them with management responsibilities.¹⁰⁶ In addition, 257 federal executives and fortune 1,000 corporate security executives have been trained on domestic security. Some 2,750 additional police chiefs, with less than 500 police officers in their force, were also trained. Finally, the FBI trained 9,717 international police managers at various institutional locations.¹⁰⁷ Evidently, many law enforcement agencies revere the FBI as a model of police effectiveness.

D. CAREER PATH

1. Salary Compensation

Salaries are an important part of an agent's career path because it presents an obstacle to corruption. The federal government utilizes a general schedule (GS) to pay employees. New special agents start at level 10 step one and earn an average salary of \$43,441 dollars and are also allotted an additional locality pay, which is dependent upon the assignment location.¹⁰⁸ In addition, because agents are expected to work an average of 50 hours per week, they are compensated with an availability pay that consists of 25 percent of their base salary. After considering all entitlements, a new agent can expect to be earn anywhere from \$61,100 to \$69,900.¹⁰⁹ Special agents are given the opportunity to advance to grade level GS-13 in field or non-supervisory assignments. Agents selected to supervisory, management, and/or executive positions may reach even higher-grade levels up to GS-14, GS-15, and Senior Executive Service pay grades, as indicated in Tables 5 and 6.¹¹⁰ FBI agents are able to reach high levels of responsibility, and are adequately compensated. This compensation is important because corruption within the force can be reduced or prevented by properly compensating employees for their work.

¹⁰⁶ Department of Justice, "Today's FBI: Fact and Figures 2013–2014," 8.

¹⁰⁷ Ibid.

¹⁰⁸ Federal Bureau of Investigation, "Special Agents Frequently Asked Questions," accessed June 5, 2014, <https://www.fbijobs.gov/114.asp>.

¹⁰⁹ Ibid.

¹¹⁰ Federal Bureau of Investigation, "Special Agent Career Path Program," accessed June 8, 2014, <https://www.fbijobs.gov/113.asp>.

**SALARY TABLE 2014-GS
INCORPORATING THE 1% GENERAL SCHEDULE INCREASE
EFFECTIVE JANUARY 2014**

Annual Rates by Grade and Step

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	WITHIN GRADE AMOUNTS
1	\$ 17,981	\$ 18,582	\$ 19,180	\$ 19,775	\$ 20,373	\$ 20,724	\$ 21,315	\$ 21,911	\$ 21,934	\$ 22,494	VARIES
2	20,217	20,698	21,367	21,934	22,179	22,831	23,483	24,135	24,787	25,439	VARIES
3	22,058	22,793	23,528	24,263	24,998	25,733	26,468	27,203	27,938	28,673	735
4	24,763	25,588	26,413	27,238	28,063	28,888	29,713	30,538	31,363	32,188	825
5	27,705	28,629	29,553	30,477	31,401	32,325	33,249	34,173	35,097	36,021	924
6	30,883	31,912	32,941	33,970	34,999	36,028	37,057	38,086	39,115	40,144	1,029
7	34,319	35,463	36,607	37,751	38,895	40,039	41,183	42,327	43,471	44,615	1,144
8	38,007	39,274	40,541	41,808	43,075	44,342	45,609	46,876	48,143	49,410	1,267
9	41,979	43,378	44,777	46,176	47,575	48,974	50,373	51,772	53,171	54,570	1,399
10	46,229	47,770	49,311	50,852	52,393	53,934	55,475	57,016	58,557	60,098	1,541
11	50,790	52,483	54,176	55,869	57,562	59,255	60,948	62,641	64,334	66,027	1,693
12	60,877	62,906	64,935	66,964	68,993	71,022	73,051	75,080	77,109	79,138	2,029
13	72,391	74,804	77,217	79,630	82,043	84,456	86,869	89,282	91,695	94,108	2,413
14	85,544	88,395	91,246	94,097	96,948	99,799	102,650	105,501	108,352	111,203	2,851
15	100,624	103,978	107,332	110,686	114,040	117,394	120,748	124,102	127,456	130,810	3,354

Table 5. General Schedule for Federal Employees, 2014¹¹¹

Salary Table No. 2014-EX

Rates of Basic Pay for the Executive Schedule (EX)

Effective January 2014

Level	Rate
Level I	\$201,700
Level II	\$181,500
Level III	\$167,000
Level IV	\$157,100
Level V	\$147,200

Table 6. Service Executive Schedule, 2014¹¹²

2. Medical Compensation

FBI agents are medically compensated for their service using the most comprehensive medical system the U.S. government can provide to federal employees. FBI employees are offered medical coverage plans under the Federal Employees Health Benefits (FEHB) program. The FEHB offers over 270 health plans ranging from standard

¹¹¹ Office of Personnel Management, “2014 General Schedule (Base),” 2014, <http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2014/GS.pdf>.

¹¹² Office of Personnel Management, “Rates of Pay for the Executive Schedule,” 2014, <http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2014/EX.pdf>.

fee-for-service (FFS), preferred provider organizations (PPO), to health maintenance organizations (HMO).¹¹³ Federal employees can add dependents to their health care plans by sharing their health care costs with the government. After retirement, health care rates may remain the same as when on active status as long as the employee was enrolled in the plan five years prior to retirement.¹¹⁴ Providing agents with sufficient medical care enhances morale and increases the likelihood that employees will stay.

3. Retirement Compensation

According to DOJ fiscal year (FY) 2013 statistics, the FBI retirement system provides coverage to employees with one of three plans. The first plan considers the aging group of workers employed prior to January 1, 1984. These aging employees are covered by the Civil Service Retirement System (CSRS). Under the CSRS, “the FBI contributes 7.0 percent of the support employees’ gross pay for normal retirement and [sic] 7.5 percent for law enforcement officers’ retirement.”¹¹⁵ The second plan covers employees hired after January 1, 1984 and prior to December 31, 2012. The employees who fall under this category are covered by the Federal Employees Retirement System (FERS). Under FERS, FBI support-role employees receive 11.9 percent of their gross pay, while law enforcement agents receive a 26.3 percent contribution to their retirement account.¹¹⁶ Third, FBI employees hired on January 1, 2013 and beyond fall under the FERS-Revised Annuity Employee system (FERS-RAE). Under the FERS-RAE, the FBI contributes less than the previous system but more than the first retirement plan offered prior to January 1, 1984. Under the FERS-RAE retirement system, FBI support-role staff receives 9.6 percent of their gross pay. Law enforcement agents receive 24.0 percent of their gross pay in FBI contributions.¹¹⁷ Furthermore, FBI employees who fall under

¹¹³ Federal Bureau of Investigation, “Health Insurance Benefits,” accessed June 7, 2014, <https://www.fbijobs.gov/331.asp>.

¹¹⁴ *Ibid.*

¹¹⁵ U.S. Department of Justice Office of the Inspector General Audit Division, “Audit of the Federal Bureau of Investigation Annual Financial Statements Fiscal Year 2013,” 47, February 2014, <http://www.justice.gov/oig/reports/2014/a1410.pdf>.

¹¹⁶ *Ibid.*

¹¹⁷ U.S. Department of Justice Office of the Inspector General Audit Division, “Audit of the Federal Bureau of Investigation Annual Financial Statements Fiscal Year 2013,” 47.

either the FERS or FERS-RAE retirement plans are allowed to contribute to the Federal Thrift Savings Plan (TSP), which is automatically initiated upon employment. The TSP is a federal retirement system similar to a corporate 401-K plan and thus allows the investment of retirement contributions into six optional funds, as illustrated in Table 7.¹¹⁸ The FBI is required to contribute an additional 1.0 percent to an employee's TSP and must match employee TSP contributions up to a maximum of 4.0 percent.¹¹⁹ As of year 2014, FBI employees under FERS can contribute a maximum of \$17,500 dollars to their TSP fund.¹²⁰

FBI employees can begin collecting full retirement benefits after 20 years of service. In 2012, the average federal employee received a \$32,824 annual pension.¹²¹ Comparatively speaking, in 2010, the average 65-year-old retiree only had \$30,000 in their retiree accounts.¹²² The method used to calculate FBI retirement pensions is stated as follows.

The annual FERS Basic Benefit for retiring Special Agents is 1.7 percent of the "high-3 average salary" (the average annual salary earned during the 36 consecutive months of federal employment that would produce the highest average), multiplied by 20 (representing the first 20 years of creditable service), plus one percent of the "high-3" times the number of remaining years of service.¹²³

Retiring FBI agents benefit from a mandated pension retirement account and an optional (for individuals) investment account. As shown in Table 7, a special agent with

¹¹⁸ Thrift Savings Plan, "Funds Comparison Matrix," accessed June 16, 2014, <https://www.tsp.gov/investmentfunds/fundsoverview/comparisonMatrix.shtml>; Thrift Savings Plan, "Summary of the Thrift Savings Plan," 13, May 2014, <https://www.tsp.gov/PDF/formspubs/tspb08.pdf>.

¹¹⁹ U.S. Department of Justice Office of the Inspector General Audit Division, "Audit of the Federal Bureau of Investigation Annual Financial Statements Fiscal Year 2013," 47.

¹²⁰ Thrift Savings Plan, "How Much Can I Contribute," accessed June 16, 2014, <https://www.tsp.gov/planningtools/electivecontributions/electiveContributions.shtml>.

¹²¹ Dennis Cauchon and Paul D'Ambrosio, "Some Federal Pensions Pay Handsome Rewards," *USA Today*, updated August 15, 2012, <http://usatoday30.usatoday.com/money/perfi/retirement/story/2012-07-19/federal-pensions-in-excess-of-100-thousand/57059716/1>.

¹²² Edward Siedle, "The Greatest Retirement Crisis in American History," *Forbes*, updated March 20, 2013, <http://www.forbes.com/sites/edwardsiedle/2013/03/20/the-greatest-retirement-crisis-in-american-history/>.

¹²³ Federal Bureau of Investigation, "Retirement Benefits," accessed June 5, 2014, <https://www.fbijobs.gov/333.asp>.

20 years of service who earned a gross pay of \$40,000 per year may accumulate up to \$154,220 dollars in their TSP. Clearly, the federal government’s retirement plan available to special agents is far better off than the average American citizen can attain.

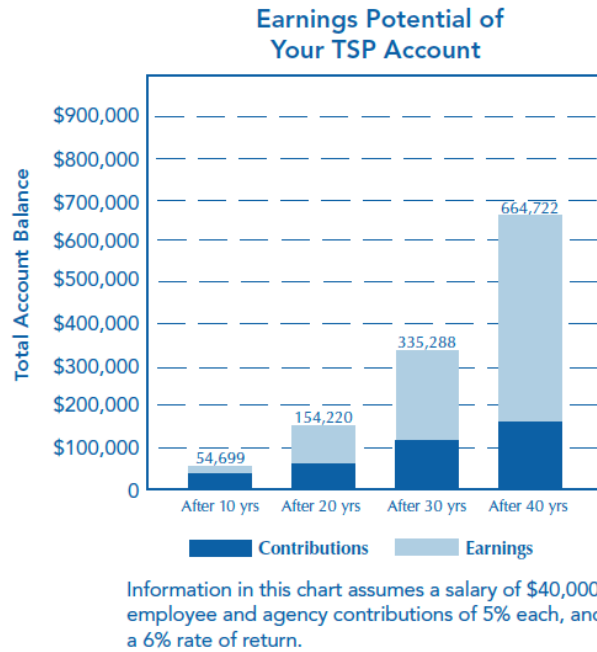


Table 7. Federal Thrift Savings Plan Potential¹²⁴

4. Career Progression

After being accepted into the FBI, special agent recruits are assigned to one of the five career paths available: the intelligence directorate, the counterintelligence division, the counterterrorism division, the criminal investigative division, or the cyber division.¹²⁵ In addition, depending on an agent’s special qualifications and after being assigned to either the counterintelligence or counterterrorism career paths, a special agent can specialize in the weapons of mass destruction program.

¹²⁴ Thrift Savings Plan, “Summary of the Thrift Savings Plan,” 1.

¹²⁵ Federal Bureau of Investigation, “Special Agent Career Path Program.”

New special agents are typically assigned to small or medium sized field offices in which veteran special agents provide monitoring and mentorship to new agents. On the third year of service, special agents are transferred to larger field offices.

E. INSTITUTIONAL OVERSIGHT

1. Internal Controls

Institutional oversight refers to the “review, monitoring, and supervision of federal agencies, programs, activities, and policy implementation [by Congress].”¹²⁶ The control mechanisms in place help protect FBI agents and citizens. In addition, institutional oversight and guidelines ensures agents stay within established boundaries. Without these controls, agents would be free to pursue cases in a manner that could violate civil liberties. For example, terrorist attacks on September 11, 2001 (9/11) in the United States prompted the Attorney General to issue new general guidelines to the FBI regarding investigation and intelligence gathering. The guidelines clarified policies and ensured investigators were “confined to legitimate law enforcement interest.”¹²⁷ Figure 6 shows the five components of internal control recommend by the GAO.

¹²⁶ Frederick M. Kaiser, “Congressional Oversight,” *Congressional Research Service*, January 2001, <http://www.senate.gov/artandhistory/history/resources/pdf/CRS.Oversight.pdf>.

¹²⁷ Walker, “FBI Reorganization: Progress Made in Efforts to Transform, but Major Challenges Continue,” 27.

<p>Control environment</p> <p>1. The oversight body and management should demonstrate a commitment to integrity and ethical values.</p> <p>2. The oversight body should oversee the entity's internal control system.</p> <p>3. Management should establish an organizational structure, assign responsibility, and delegate authority to achieve the entity's objectives.</p> <p>4. Management should demonstrate a commitment to attract, develop, and retain competent individuals.</p> <p>5. Management should evaluate performance and hold individuals accountable for their internal control responsibilities.</p> <p>Risk assessment</p> <p>6. Management should define objectives and risk tolerances.</p> <p>7. Management should identify, analyze, and respond to risks related to achieving the defined objectives.</p> <p>8. Management should consider the potential for fraud when identifying, analyzing, and responding to risks.</p> <p>9. Management should identify, analyze, and respond to significant changes in the internal control system.</p>	<p>Control activities</p> <p>10. Management should design control activities to achieve objectives and risk responses.</p> <p>11. Management should design control activities for the entity's information system.</p> <p>12. Management should implement control activities.</p> <p>Information and communication</p> <p>13. Management should use quality information.</p> <p>14. Management should internally communicate the necessary quality information.</p> <p>15. Management should externally communicate the necessary quality information.</p> <p>Monitoring</p> <p>16. Management should establish monitoring activities to monitor the internal control system and evaluate the results.</p> <p>17. Management should ensure identified internal control deficiencies are remediated on a timely basis.</p>
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Figure 6. GAO's Five Internal Control Components¹²⁸

Institutional controls help protect the public from civil liberty abuses by FBI agents. The GAO revealed that the FBI had additional controls in place to ensure compliance and to keep agents within authorized guidelines.¹²⁹ The implementation of internal controls within the FBI “are a key component for ensuring that these new [rules] are implemented in a manner that protects civil liberties.”¹³⁰ They address procedures, training and supervision that aim to protect civil liberties.¹³¹ For instance, David M. Walker states:

Changes related to the process for conducting preliminary inquiries [to determine validity of alleged criminal activity] and terrorism investigations specify criteria for authorizing the activity, who is authorized to approve the activity, how long the activity may remain

¹²⁸ Comptroller General of the United States, “Standards for Internal Control in the Federal Government,” September 2013, <http://www.gao.gov/assets/660/657383.pdf>.

¹²⁹ Walker, “FBI Reorganization: Progress Made in Efforts to Transform, but Major Challenges Continue,” 28.

¹³⁰ Ibid., 27.

¹³¹ Ibid., 28.

initially authorized until re-approval [sic] is required, and what notifications of the activity are required within and outside the FBI.¹³²

To certify recruit compliance with internal controls, FBI agents are provided a manual of the internal control guidelines and classroom training, supervision, and inspections.¹³³ In addition, the FBI uses classroom training, supervision, and inspections to certify recruit compliance with internal controls.¹³⁴ The FBI follows the United States *Standards for Internal Control in the Federal Government* more commonly referred to as the Green Book.¹³⁵

On the contrary, in 2003, the GAO revealed that the FBI had been approved to conduct various counterterrorism activities with no control mechanism in place. For example, no specific mandates were related to access and retention of data acquired during the course of FBI missions.¹³⁶ Therefore, Walker presented to Congress that investigative regulations are not specific enough to ensure agents' compliance with the internal controls and protection of civil liberties.¹³⁷ Although 1,579 alleged cases of FBI misconduct were reported from 2000 to 2003, not one case was found to have violated the investigative authority guidelines in place during that time period.¹³⁸ Institutional oversight of the FBI is essential to the effectiveness of the organization. Oversight is a positive thing that benefits the agency, helps the organization become more effective, and protects the public from unnecessary civil rights violations.

¹³² Walker, "FBI Reorganization: Progress Made in Efforts to Transform, but Major Challenges Continue," 28.

¹³³ Ibid

¹³⁴ Ibid., 29.

¹³⁵ Comptroller General of the United States, "Standards for Internal Control in the Federal Government," 5.

¹³⁶ Walker, "FBI Reorganization: Progress Made in Efforts to Transform, but Major Challenges Continue," 29.

¹³⁷ Ibid., 28.

¹³⁸ Ibid., 30.

F. FUNDING

Properly resourcing law enforcement institutions have shown to increase effectiveness. The FBI received a significant amount of U.S. tax dollars in 2013 and was tasked with three strategic goals: (1) to prevent terrorism and promote the nation's security consistent with the rule of law, (2) to prevent crime, protect the rights of the American people, and enforce federal law, and (3) to ensure and support the fair, impartial, efficient, and transparent administration of justice at the federal, state, local, tribal, and international levels.¹³⁹

The DOJ's Inspector General (IG) audit division reported that over nine billion dollars were required to achieve the FBI's three strategic goals in FY2013.¹⁴⁰ Funding for strategic goal number two resulted in a net increase of two percent from FY2012, which was attributed to a cyber realignment initiative, as well as mortgage and financial fraud.¹⁴¹ Strategic goal number three was aimed at providing the FBI with a variety of investigative tools like automation fingerprint identification systems, background checks, law enforcement data exchange, and other services delivered to various law enforcement agencies.¹⁴² See Table 8.

¹³⁹ U.S. Department of Justice Office of the Inspector General Audit Division, "Audit of the Federal Bureau of Investigation Annual Financial Statements Fiscal Year 2013," 6.

¹⁴⁰ Ibid.

¹⁴¹ Ibid., 7.

¹⁴² Ibid.

Strategic Goal (SG)	FY 2013	FY 2012	Change%
SG 1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law			
Gross Cost	\$ 5,011,528	\$ 5,341,870	
Less: Earned Revenue	473,594	460,839	
Net Cost	\$ 4,537,934	\$ 4,881,031	(7%)
SG 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law			
Gross Cost	\$ 3,029,264	\$ 2,964,275	
Less: Earned Revenue	343,140	340,061	
Net Cost	\$ 2,686,124	\$ 2,624,214	2%
SG 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal, and International Levels			
Gross Cost	\$ 1,053,013	\$ 1,050,783	
Less: Earned Revenue	513,384	485,894	
Net Cost	\$ 539,629	\$ 564,889	(4%)
Total Gross Cost	\$ 9,093,805	\$ 9,356,928	
Less: Total Earned Revenue	1,330,118	1,286,794	
Total Net Cost of Operations	\$ 7,763,687	\$ 8,070,134	(4%)

Table 8. Strategic Goals and Funding Allocated¹⁴³

1. Reports of Effectiveness

Statistics provide a measurement of success for the FBI. Thus, the DOJ required the FBI to maintain a track record of its accomplishments. Tracking accomplishments are useful because they can be tied to budget allocations and can help determine if the FBI was adequately funded to execute its mission. As illustrated by Table 9, the FBI arrested and investigated 25,186 alleged criminals. Out of those alleged criminals arrested, the prosecution was able to convince the legal courts to convict 59 percent or 15,274 criminals for violating federal law.¹⁴⁴ In other points of success, the FBI located 1,147 missing children and confiscated over \$8.2 trillion dollars in criminal assets. It must be noted that federal suspects are usually transferred to the custody of the U.S. Marshall Service (USMS) for booking, processing, and detention.¹⁴⁵

¹⁴³ U.S. Department of Justice Office of the Inspector General Audit Division, "Audit of the Federal Bureau of Investigation Annual Financial Statements Fiscal Year 2013," 6.

¹⁴⁴ Department of Justice, "Today's FBI: Fact and Figures 2013–2014," 8.

¹⁴⁵ Bureau of Justice Statistics, "Compendium of Federal Justice Statistics, 2004," *U.S. Department of Justice*, 3, December 2013, <http://www.bjs.gov/content/pub/pdf/fjs10.pdf>.

According to the IG audit report, the FBI exceeded statistical accomplishments in 2013 in the number of gang arrests. It dismantled over 162 criminal organizations, which has been the most in 14 years.¹⁴⁶ Currently, for year 2014, the FBI was given a direct-funded budget of 8.3 billion dollars.¹⁴⁷



Table 9. Bureau Effectiveness by the Numbers, FY2012¹⁴⁸

Figures 7 and 8 provide a glimpse into the institutional success of law enforcement agencies. From 2006 to 2010, the FBI averaged a 4.2 percent annual

¹⁴⁶ U.S. Department of Justice Office of the Inspector General Audit Division, “Audit of the Federal Bureau of Investigation Annual Financial Statements Fiscal Year 2013,” 10.

¹⁴⁷ Federal Bureau of Investigation, “Quick Facts.”

¹⁴⁸ Department of Justice, “Today’s FBI: Fact and Figures 2013–2014,” 8.

increase in arrests. However, of those arrested, only 55.6 percent were prosecuted, 5.2 percent were disposed, and 39.3 percent were declined indicating that FBI agents had a significantly high number of arrests without substantial evidence to prosecute these suspects.

Arresting agency	2006		2010		Average annual growth rate, 2006–2010 ^a
	Number	Percent	Number	Percent	
All agencies	144,072	100%	179,489	100%	5.8%
Justice	67,955	47.2%	73,258	40.9%	2.0%
Alcohol, Tobacco, Firearms, and Explosives	6,399	4.4	6,070	3.4	-1.3
U.S. Marshals Service	39,463	27.4	43,244	24.2	2.4
Drug Enforcement Administration	12,594	8.7	12,619	7.1	0.2
Federal Bureau of Investigation	9,466	6.6	11,118	6.2	4.2
Other ^b	33	—	207	0.1	—
Homeland Security	61,160	42.5%	98,112	54.8%	13.1%
Customs and Border Protection	41,593	28.9	64,314	35.9	13.0
Immigration and Customs Enforcement	17,258	12.0	31,461	17.6	16.5
Secret Service	2,309	1.6	2,117	1.2	-1.6
Other ^c	0	—	220	0.1	—
Interior	1,292	0.9%	1,030	0.6%	-5.1%
Defense	622	0.4%	432	0.2%	-7.4%
Agriculture	193	0.1%	283	0.2%	11.0%
State	346	0.2%	417	0.2%	6.1%
Treasury	709	0.5%	867	0.5%	5.8%
Postal Service	1,102	0.8%	1,342	0.8%	5.1%
Federal Judiciary	656	0.5%	415	0.2%	-10.1%
Other^d	10,037	7.0%	2,780	1.6%	-20.2%

Note: Excludes D.C. Superior Court arrests. In 2010, 553 records were missing information on arresting agency. In 2006, no records were missing arresting agency information.

^aCalculated using each fiscal year from 2006 to 2010.

^bIncludes U.S. Parole Commission, U.S. Trustees, and other agencies.

^cIncludes citizenship and Immigration Services, Federal Emergency Management Agency, Transportation Security Administration, U.S. Coast Guard and other agencies.

^dIncludes self-surrender, independent agencies (Environmental Protection Agency, Federal Drug Administration, Housing and Urban Development), state and local law enforcement, tasks forces, and other agencies.

— Less than 0.05%.

Source: Bureau of Justice Statistics, based on data from U.S. Marshals Service Prisoner Tracking and Justice Detainee Information Systems, fiscal years 2006 and 2010.

Figure 7. Suspects Arrested and Booked by the U.S. Marshals Service, by Arresting Agency, 2006 and 2010¹⁴⁹

¹⁴⁹ Mark Motivans, “Federal Justice Statistics, 2010—Statistical Tables,” *U.S. Department of Justice*, 7, December 2013, <http://www.bjs.gov/content/pub/pdf/fjs10st.pdf>.

Investigating department/agency	Total suspects in matters concluded		Outcome of matters concluded			Number of suspects prosecuted	Median time to prosecution ^a
	Number	Percent	Prosecuted	Disposed by U.S. magistrate	Declined		
All agencies	193,021	100%	48.4%	35.7%	15.9%	93,494	24 days
Department of Homeland Security	103,891	100%	39.0%	56.8%	4.2%	40,551	22 days
Customs and Border Protection	73,488	100	23.8	76.0	0.3	17,473	22
Immigration and Customs Enforcement	23,653	100	79.8	11.2	9.0	18,871	21
Citizenship and Immigration Services	1,808	100	78.2	16.7	5.1	1,413	24
Secret Service	4,586	100	57.2	4.8	38.1	2,622	62
Joint DHS/state/local task forces	233	100	45.9	3.4	50.6	107	85
Other ^b	123	100	52.8	3.3	43.9	65	142
Department of Justice	59,125	100%	64.7%	5.5%	29.8%	38,247	29 days
Alcohol, Tobacco, Firearms, & Explosives	11,437	100	70.0	2.9	27.1	8,001	30
Joint ATF/state/local task forces	1,304	100	66.7	1.9	31.4	870	45
U.S. Marshals Service	2,100	100	41.2	12.4	46.4	865	22
Joint USMS/state/local task forces	82	100	43.9	13.4	42.7	36	16
Drug Enforcement Administration	17,682	100	77.0	7.2	15.9	13,608	24
Joint DEA/state/local task forces	1,330	100	75.4	4.8	19.8	1,003	26
Federal Bureau of Investigation	23,132	100	55.6	5.2	39.3	12,856	54
Joint FBI/state/local task forces	1,053	100	58.0	2.8	39.2	611	77
Other ^c	1,005	100	39.5	7.4	53.1	397	14

Note: Agency of referral information missing for 101 records.

^a Median days from receipt of matter to prosecution is the midpoint or the number of days for which half of the suspects were prosecuted more slowly than the median days and half were prosecuted more quickly. A median of zero means that half of the suspects were prosecuted on the same day as they were referred.

^b Includes Federal Emergency Management Agency, Transportation Security Administration, U.S. Coast Guard and other agencies.

^c Includes: U.S. Parole Commission, U.S. Trustees, and other agencies.

Source: Bureau of Justice Statistics, based on data from Executive Office for U.S. Attorneys, National LIONS database, fiscal year.

Figure 8. Outcomes of Suspects in Matters Concluded by Department of Homeland Security and Department of Justice, 2010¹⁵⁰

G. CONCLUSION

The FBI has shown to be an established, reputable, and effective organization. Even though the FBI is downsizing, the government has continued to provide an increasing amount of money to help the agency meet its strategic goals. The FBI's rigid recruitment standards provide the agency with a highly qualified and intelligent force. The training regimen is extensive and involves a mental, physical, and academic approach to problem solving that increases the net worth of its recruits and agents. Recruits are provided with the tools necessary to become effective investigative agents. Furthermore, the FBI offers special agents with a variety of advancement opportunities for their career paths. Salary compensation provides officers with enough income to live in the middle class bracket, which helps retain officers and prevent corruption within the institution. Congress provides institutional oversight of the FBI, which helps prevent corruption and civil rights violation. In addition, the FBI IA section provides internal

¹⁵⁰ Motivans, "Federal Justice Statistics, 2010—Statistical Tables," 15.

oversight of its agents to ensure compliance. Congress has continued to fund the FBI at an increasing rate to ensure it maintains a level of effectiveness.

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IV. THE MEXICAN FEDERAL MINISTERIAL POLICE INSTITUTIONAL CAPACITY

This chapter provides background information on the PFM agency and attempts to apply the five factors previously identified as contributing to police effectiveness. Therefore, this chapter examines the design of the PFM institution in terms of personnel recruitment, training and education, career path, institutional oversight, and funding. These factors are important because they provide the framework necessary to improve law enforcement capabilities in Mexico and increase the legitimacy of the government.¹⁵¹

A. BACKGROUND

The PFM was transformed to its current organizational structure after numerous attempts by the government to control corruption and ineffective policing practices. Before the PFM or Federal Investigation Agency (AFI) was in control over federal investigations, the PJF was responsible for preventing federal crime.¹⁵² However, corruption within the PJF proved overwhelming for the Fox administration, and in 2000, was replaced by the AFI.¹⁵³ Institutional changes did little to prevent corruption within the AFI. Regional comandantes and top-level officials were bribed by cartels.¹⁵⁴ In May 2009, and after being “fed up with the corruption of the A.F.I.,” Felipe Calderon’s administration revamped the PJF.¹⁵⁵ The organization was replaced by the PFM, which has become the “principle investigating arm of the [PGR].”¹⁵⁶ Rampant corruption and

¹⁵¹ David H. Bayley, “Democratizing the Police Abroad: What to Do and How to Do It,” *U.S. Department of Justice*, 14, June 2001, <https://www.ncjrs.gov/pdffiles1/nij/188742.pdf>.

¹⁵² Benjamin Reames, “Police Forces in Mexico: A Profile,” *Center for U.S.-Mexican Studies, UC San Diego*, 5, 2003, <http://escholarship.org/uc/item/1sq4g254>.

¹⁵³ Harvard University, The Institute of Politics, “The War on Mexican Cartels: Options for U.S. and Mexican policy-Makers,” September 2012, http://www.iop.harvard.edu/sites/default/files_new/research-policy-papers/TheWarOnMexicanCartels.pdf.

¹⁵⁴ Robert C. Bonner, “Cracking the Mexican Cartels,” *New York Times*, updated April 15, 2012, http://www.nytimes.com/2012/04/16/opinion/16iht-edbonner16.html?_r=0; Ken Ellingwood, “Mexico Traffickers Bribed Former Anti-Drug Chief, Officials Say,” *Los Angeles Times*, updated November 22, 2008, <http://www.latimes.com/world/mexico-americas/la-fg-bribe22-2008nov22-story.html>.

¹⁵⁵ Bonner, “Cracking the Mexican Cartels.”

¹⁵⁶ *Ibid.*, 17.

the agency's inability to prevent crime pushed the government to overhaul the institution. During Vicente Fox's administration, corrupt police officers were reshuffled or dismissed. However, these officers were re-employed by the AFI/PFM because no database-tracking capability was available to scrutinize the applications of dismissed officers.¹⁵⁷

Often times, police were assigned mundane tasks that rendered them ineffective as an investigative agency. According to Daniel Sabet, "[the] ministerial police are tasked to carrying out warrants on cases they know nothing about; they are asked to chauffeur witnesses to the public ministers rather than conduct interviews themselves; and they are buried under paperwork."¹⁵⁸ These policies rendered the police ineffective and converted them into a reactionary force that acted more like security guards.¹⁵⁹ In addition, reporting requirements took the power of police investigation away from its agents. Agents were forced to focus on the paperwork trail of policing rather than on investigating the crime.¹⁶⁰

Legal PGR reforms in 2001 and 2009 helped focus the PFM into a more investigative agency. For instance, the PFM relegated tactical analysis and reactive operations to the PF in 2009, which allowed the government to streamline the PFM institute and concentrate on investigations on federal crime.¹⁶¹ In addition, the PGR gave the PF more power over its own investigations, which it did not have prior to 2001.¹⁶² The policy helped enhance the capability of the PF by allowing it to conduct investigations immediately after a crime had been violated. The PGR's policy was beneficial to the productivity and effectiveness of the police because it helped focus the PFM on investigations and not on other mundane tasks.

¹⁵⁷ De la Torre, "Drug Trafficking and Police Corruption a Comparison of Colombia and Mexico," 39.

¹⁵⁸ Ibid., 6.

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

¹⁶¹ Daniel Sabet, "Police Reform in Mexico: Advances and Persistent Obstacles," *Woodrow Wilson International Center for Scholars*, 12, May 2010, http://www9.georgetown.edu/faculty/dms76/policefiles/Sabet_police_reform.pdf.

¹⁶² Ibid., 11–12.

The restructuring of the AFI/PFM in 2001 and in 2009 by the PGR led to an increased number of investigations and warrants executed by investigative agents.¹⁶³ According to Daniel Sabet, federal performance indicators showed that the average time to investigate a crime fell from 270 days in 2006 to an average of 154 days for years 2007 to 2009.¹⁶⁴ The report also indicated that agents investigated more cases and executed more judicial warrants during 2006 to 2009, which demonstrated that the PFM institute was capable and effective at enforcing law and meeting new government standards.

While PFM agents carried out streamlined investigative directives and were able to perform under the new PFM structure, the new police model created a productivity problem for the PGR. Judicial warrants became backlogged and the attorney general's office was overwhelmed, which slowed PFM investigations. The number of sentences executed by the judicial arm of the law fell from 22.4 percent in 2006 to 15.3 percent in 2009.¹⁶⁵

Mexico's judicial system is tasked with protecting citizens and presiding over the PFM, but that system has not been effective at preventing crime. Law enforcement in Mexico is mandated by article 21 of the Mexican constitution, which empowers the judiciary with the exclusive right to impose penalties on citizens and prevent crime. However, the public prosecutor with such authoritative power has been unable to reduce the high levels of violent crime by drug traffickers or corruption within police institutions.¹⁶⁶ In fact, according to Pablo Piccato, "The [Mexican] police and judiciary have been perceived by the population as sources of insecurity and unmerited harassment rather than protection."¹⁶⁷

¹⁶³ Sabet, "Police Reform in Mexico," 12.

¹⁶⁴ Ibid., 12–13.

¹⁶⁵ Ibid., 13.

¹⁶⁶ Organization of American States, "Constitution of Mexico," 6–7, accessed June 9, 2014, http://www.oas.org/juridico/mla/en/mex/en_mex-int-text-const.pdf.

¹⁶⁷ Pablo Piccato, "Reforming the Administration of Justice in Mexico," in *A Historical Perspective on Crime in Twentieth-Century Mexico City*, ed. Wayne A. Cornelius and David A. Shirk (Indiana: University of Notre Dame Press, 2007), 83.

Militarization in Mexico has played a key role in preventing public security institutions from improving their capability to deter crime. Although the PFM has been redesignated several times, more emphasis has been placed on militarization practices vis-à-vis civilian law enforcement. Militarization as defined in this thesis is the appointment of military agents and senior military officers as officials in charge of key political positions.¹⁶⁸ According to Marcos Pablo Moloeznik, military involvement at federal levels has increased because of the president's ability to appoint former military generals as the attorney generals to the public ministry.¹⁶⁹ The public ministry operates without autonomy due, in part, to this administrative tie with Mexico's top leader.¹⁷⁰ Hence, the president has significantly influenced the administrative and executive performance of the PGR. Consequently, the government has continued to rely on the military instead of the police to combat drug trafficking and organized crime.¹⁷¹

1. Mission

The PFM agency has adopted U.S. FBI strategic goals.¹⁷² According to laws that went into effect and published in the official federation diary on March 5, 2013, the PFM is tasked with conducting investigative functions to support the attorney general's office in the prosecution of federal crimes.¹⁷³ Similarly, the PFM conducts investigations and apprehensions to support the PGR with administrative prosecutorial evidence against federal law violations, such as organized crime, illegal drugs, intellectual property rights, copyright infringement, and other types of federal crimes.¹⁷⁴ However, unlike the FBI,

¹⁶⁸ Artz, "The Militarization of the Procuraduria General de la Republica [Office of the Attorney General]," 153.

¹⁶⁹ Moloeznik, "Public Security and Police Reform in Mexico," 170.

¹⁷⁰ *Ibid.*, 169.

¹⁷¹ Artz, "The Militarization of the Procuraduria General de la Republica [Office of the Attorney General]," 153.

¹⁷² Benjamin Reames, "Police Forces in Mexico: A Profile," *eScholarship, University of California*, 2003, <http://repositories.cdlib.org/usmex/prajm/reames>.

¹⁷³ Secretaria General, "Ley Orgánica de la Procuraduría General de la Republica [Organic Law of the Attorney General]," 19, May 29, 2009, <http://www.diputados.gob.mx/LeyesBiblio/pdf/LOPGR.pdf>.

¹⁷⁴ Procuraduría General de la República [Office of the Attorney General], "Policía Federal Ministerial [Federal Ministerial Police]: Memoria Documental 2006–2012," 22, accessed May 27, 2014, <http://www.pgr.gob.mx/Temas%20Relevantes/Documentos/Transparencia/MD27.pdf>.

which has a stronger strategic intelligence role in the United States, Mexico's PFM does not emphasize the use of intelligence capabilities to prevent terrorist attacks in its country.

2. Organizational Structures

Mexico's PFM organizational chart revealed a minor attempt by the PGR to duplicate the FBI.¹⁷⁵ According to research on the PFM, the institute is less hierarchically dispersed than the FBI vis-à-vis institutional capabilities. For instance, the PFM has far fewer divisions than the FBI and each commanding officer in charge reports directly to the director. The organization chart in Figure 9 shows the structure of the PFM.

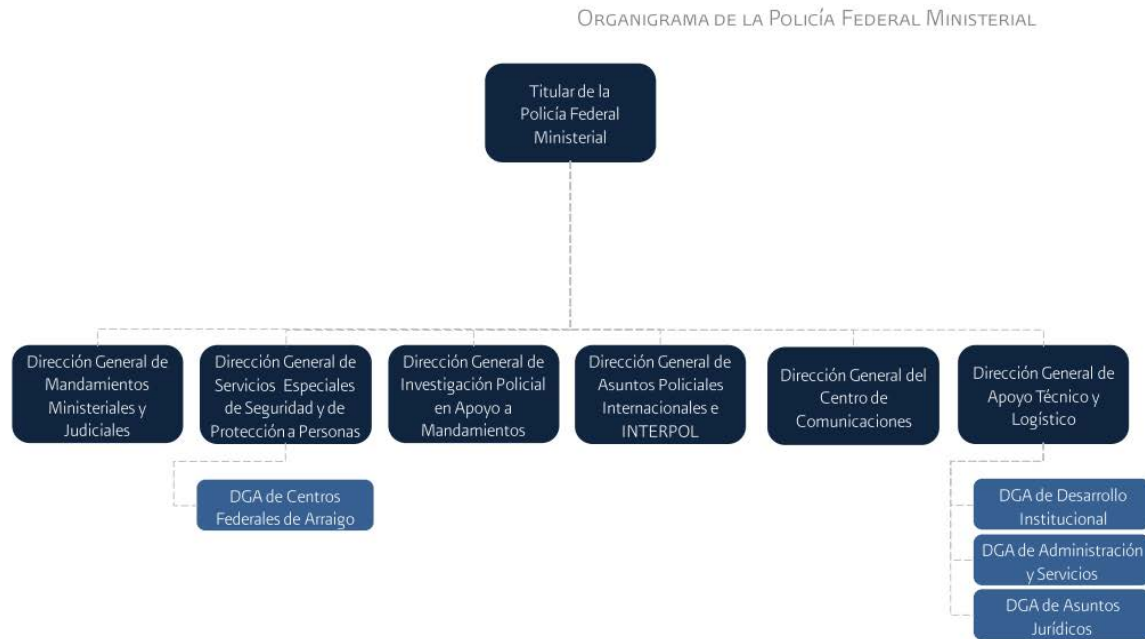


Figure 9. Federal Ministerial Police Organization Chart¹⁷⁶

¹⁷⁵ Diario Oficial de la Federación, “Reglamento de la Ley Orgánica de la Procuraduría General de la República [Regulation of the Organic Law of the Attorney General's Office],” accessed May 1, 2014, http://dof.gob.mx/nota_detalle.php?codigo=5260683&fecha=23/07/2012.

¹⁷⁶ Procuraduría General de la República, “Policía Federal Ministerial [Federal Ministerial Police],” 11; Sergio Aguayo Quezada and Raúl Benítez Manaut, “Atlas de la Seguridad y la Defensa de México [Atlas Security and Defense of Mexico] 2012,” *Colectivo de Análisis de la Seguridad con Democracia*, 2012, <http://www.seguridadcondemocracia.org/category/1-atlas-2012.html>. (a different account of AFI).

Six areas of responsibility provide the PGR with pertinent investigative offices to build cases against criminals. Starting from left to right, the first branch acts on judicial injunctions and tackles the backlog of 35,000 arrests, warrants, and re-apprehension orders. In addition, it is responsible for searching, locating, and capturing fugitives who take refuge in Mexico.¹⁷⁷ A second branch provides special security for branch heads in 31 states and the federal district in Mexico. This branch performs detention activities for apprehended individuals, which is similar to the U.S. Marshall Service. The third branch provides information and case evidence to the prosecution and provides chain of custody oversight to help in the prosecution of a case. The fourth branch manages police actions based on relationships with international organizations. It coordinates police activities with the world's largest International Police Organization (INTERPOL) inside and outside its borders, such as extradition, updating criminal databases, and coordinating actions against fugitives. The fifth branch provides IT support to the agency, maintains databases, and ensures communications networks are operational. The sixth branch provides technical and logistic support for the sustainment of the police force. This branch also updates, maintains, and establishes mechanisms for the implementation of policies and guidelines for the strategic development of the police.

B. PERSONNEL RECRUITMENT

1. Manning the Force

Statistical data that accounts for AFI/PFM personnel has traditionally been inconsistent.¹⁷⁸ The PGR reported that in 2007, the number of police agents was 5,324 of which 423 were assigned to protect officials.¹⁷⁹ Guillermo Zepeda Lecuona finds that in 2007, Mexico's National Public Safety Commission (*Systema Nacional de Seguridad*

¹⁷⁷ Ruben Torres, "Nombran a Gomez Arrieta Como el Director de Servicioa Especialies de la PGR [Arrieta Gomez Named As Director of PGR Special Services]," *El Economista*, July 2, 2014, <http://eleconomista.com.mx/sociedad/2013/07/02/nombran-gomez-arrieta-como-director-servicios-especiales-pgr>.

¹⁷⁸ Sabet, "Police Reform in Mexico," 4.

¹⁷⁹ Procuraduría General de la República, "Sexto Informe de Labores [Sixth Labor Report]," 193, 2012, <http://www.pgr.gob.mx/Temas%20Relevantes/Documentos/Informes%20Institucionales/2012/Sexto%20Informe%20de%20Labores%20de%20la%20PGR.pdf>.

Pública—SNSP) reported a total of 5,900 PFM agents who accounted for 1.60 percent of Mexico's total law enforcement personnel.¹⁸⁰ One thing is certain, the number of agents employed has continued to decline. The PGR estimated that in 2012, approximately 3,630 agents were on duty, which included 556 employed for the protection of government officials.¹⁸¹ In that same report (sixth labor report), the PGR revealed that a national personnel accountability registry system (*Sistema Institucional del Registro de Personal Sustantivo*—SIRPS) only accounted for 3,150 PFM agents.¹⁸² These inconsistent numbers reveal the inefficient nature of the tracking capabilities of law enforcement. Mexico's PFM agency could improve its employee screening capabilities by allowing FBI partners to train and equip the PFM human resource personnel with the establishment of policies and the use of technology that has worked to retain and select employees within the FBI.

2. Recruitment

The Mexican government passed reforms that improved the quality of its police recruits. In 2000, President Vicente Fox aggressively pursued police reforms by announcing that public security was his top priority.¹⁸³ In 2001, his reforms transformed requirements for officers. Thus, the AFI pushed for “policies that emphasized education, training, merit-based promotion, higher salaries, and improved equipment and facilities.”¹⁸⁴ In addition, new government policies required that federal agents (PF, AFI and PFM) possess college degrees, to provide law enforcement institutions with high caliber educated officers. In 2009, the Calderon administration implemented reforms that imposed stringent requirements on PFM recruits and all active agents. Recruits and agents were required to pass polygraph tests, disclose their finances, and pass medical,

¹⁸⁰ Sabet, “Police Reform in Mexico,” 4.

¹⁸¹ Procuraduría General de la República, “Sexto Informe de Labores [Sixth Labor Report],” 193.

¹⁸² *Ibid.*, 243.

¹⁸³ Beth J. Asch, Nicholas Burger, and Mary Manqing Fu, *Mitigating Corruption in Government Security Forces: The Role of Institutions, Incentives, and Personnel Management in Mexico* (Santa Monica, CA: RAND, 2011), 22.

¹⁸⁴ *Ibid.*, 23.

toxicology, social-economic, and psychological examinations.¹⁸⁵ These policies appear in line with the FBI's stringent policies for its employees and could result in a significant contribution to the effectiveness of the PFM institution.

The evolution of recruiting standards continued to improve since Fox took office. The PGR ensured that PFM recruits meet minimum standards to join the force. These standards provide the institution with a pool of qualified candidates from which it can select and employ. Article 35 of PGR law established 14 minimum requirements for new applicants and imposed another 10 requirements for active agents.¹⁸⁶ For example, to gain entry into the PFM police-training program, a PFM recruit must be a Mexican-born citizen and hold no other nation's citizenship. As previously mentioned, a college degree or equivalent education was required. Candidates must prove that they are between the ages of 21 and 30 and meet minimum height requirements; men must be no less than five feet and four inches in height and women can be no less than five feet and one-eighth inch in height.

PGR law supported government reforms by adding recruitment policies on new applicants and current agents. Weight requirements are based on height as determined by the body mass index of the Mexican Official Standard NOM-174SSA1-1998. Men have been required to complete compulsory military obligations before applying. Candidates are required to be in good public standing, have no pending or permanent criminal convictions, and be able to pass drug-screening tests. These requirements are similar to the FBI's rigid and trustworthy screening process that applicants must meet. In addition, since many PFM officers dismissed for corruption had regained entry into the agency, new applicants who had worked as PGR police officers, AFI agents, PJF, or as an officer in another police force, could no longer apply. Candidates have been required to be in good physical condition, able to pass a physical training course, and hold a valid driver's

¹⁸⁵ La Crónica de Hoy, "Toda la Policía Federal Pasó por Exámenes de Control de Confianza: SSP [All Federal Police Passed Exams for Control and Trust: SSP]," last updated May 19, 2013, <http://www.cronica.com.mx/notas/2011/580417.html>; Asch, Burger, and Fu, *Mitigating Corruption*, 24.

¹⁸⁶ Secretaria General, "Ley Orgánica de la Procuraduría General de la Republica [Organic Law of the Attorney General]," 21.

license. Each of these implemented policies was similar to the FBI's requirements and an attempt to introduce quality agents into the PFM institution.

Mexico's PGR has adopted institutional mechanisms to retain and recruit trustworthy individuals. For example, candidates must be willing to submit to tests and assessments that determine the level of trust and confidence the government can expect from its agents. The organization that conducts this screening process is the *Centro de Evaluacion y Control de Confianza*.¹⁸⁷ The testing and evaluation subject recruits to six main criteria, which are governed by article 49 of PGR law: background check, medical evaluation, psychological assessment, polygraph, toxicology analysis, and other unidentified tests.¹⁸⁸ The PGR adapted FBI recruitment practices to improve the quality and integrity of its agents.

C. TRAINING AND EDUCATION

1. Training

Training regimens are critical to the effectiveness of a police force. Niels Uildriks posits, "training is also a form of internal institutional control."¹⁸⁹ Training provides recruits and agents with a performance baseline, which they can rely on to execute their duties effectively. However, training baselines are only as effective as the policy that aims to improve the institution. Police training in Mexico varies greatly among police agencies, which often educate recruits and agents with dissimilar content and focus.¹⁹⁰ Training and education has provided the institution and recruits with a desired identity, instills codes of conduct, and provides the agency with operational guidelines.¹⁹¹

¹⁸⁷ PGR, "Curso de Formación y Capacitación Inicial Para Agentes de la Policía Federal Ministerial, Generación [Initial Training Course and Training for Agents of the Federal Ministerial Police Generation] 2010," 2010, http://www.pgr.gob.mx/licitaciones/convoca_ingreso_icap_3_.pdf.

¹⁸⁸ Secretaria General, "Ley Orgánica de la Procuraduría General de la República [Organic Law of the Attorney General]," 27.

¹⁸⁹ Uildriks, *Mexico's Unruly of Law: Implementing Human Rights in Police and Judicial Reform Under Democratization*, 115.

¹⁹⁰ *Ibid.*, 116.

¹⁹¹ *Ibid.*, 115.

In addition, cadets and active agents require constant instruction to benefit from the knowledge of a well-seasoned veteran force. According to Asch, Burger, and Fu, police reforms in 2001 aimed to improve training and education that would help modernize and professionalize the AFI.¹⁹² However, the agency was plagued by a “cloud of corruption in 2005 with [the] announcement by the Office of the Attorney General that nearly 20 percent of AFI’s officers were under investigation for involvement with organized crime.”¹⁹³ In 2009, new reforms improved police training and education requirements and gave the investigative power to the PF.¹⁹⁴ Government reforms were intended to reduce corruption by replacing the AFI with a newly named and less corrupt organization called the PFM.

Currently, PFM recruits undergo a six-month training program to become Class C agents. Trainees partake in physical and intellectual activities designed to increase the knowledge of law enforcement recruits. Specifics on PFM training curricula could not be located online or in scholarly material. However, a search within a PFM recruitment Facebook page for 2013 recruits revealed that an August 2013 posting stated that at least 40 recruits had been scheduled to train at the National Institute for Criminal Science (Instituto Nacional de Ciencias Penales—INACIPE).¹⁹⁵ However, if the video on Youtube.com is an indication of the seriousness with which ministerial police take their training, its leadership needs to redefine what actual training is supposed to entail. Much of the training in the video showed a relaxed attitude toward police actions in scenario-based training. Furthermore, the institution should recruit mature and experienced officers who can urgently impart the PGR’s need for serious training considerations for Mexico’s police.¹⁹⁶

¹⁹² Asch, Burger, and Fu, *Mitigating Corruption*, 23.

¹⁹³ *Ibid.*, 23–24.

¹⁹⁴ *Ibid.*, 24.

¹⁹⁵ Facebook, “Policia Federal Ministerial Facebook,” accessed May 23, 2014, <https://es-la.facebook.com/FEDERALMINISTERIAL>.

¹⁹⁶ “Entrenamiento Policías Ministeriales [Ministerial Police Training],” YouTube video, posted by Anibal Moyers, November 16, 2012, <http://youtu.be/jTgVfYkGPJY>.

International organizations, besides those in the United States, have provided police training to Mexico's PFM. A memorandum dated February 5, 2014 revealed that Spain provided anti-organized crime training to the agency from May 2010 to May 2012.¹⁹⁷ According to the Spanish Embassy in Mexico, six training activities were completed. Ten people from the tactical analysis group were trained to detect money-laundering activities and 80 PFM officers were trained in evidentiary chain of custody. A special intervention group was established to deal with hazardous substances and explosive devices. In addition, Spanish trainers created a panel within the PFM to investigate terrorism and subversive groups in Mexico. Spain also enabled the creation of a PFM Special Operations Forces Group (Grupo Especial de Operación—GEO) and trained it to fight organized crime. Little is known of the extent of training provided by external organizations in Mexico, but the FBI is known to conduct training in various locations worldwide. Hence, it could leverage its training capabilities by encouraging cross-agency cooperation to help improve the law enforcement capabilities of Mexico's PFM agency.

2. Professionalism

Political pressure exerted by presidents on police statistics provides an obstacle to the development of an effective law enforcement institution. Research on the political effects of police policies has shown that Mexican presidents have long used law enforcement statistics for their own political gain. According to Uildriks, police forces should seek to become an autonomous organization that functions under the basic principle of rule of law.¹⁹⁸ Since the PFM is directly responsive to presidential directives, it may find it difficult to change its organization as an autonomous and professionalized

¹⁹⁷ Agencia Española de Cooperación Internacional para el Desarrollo, "Ficha Resumen Proyecto: Proyecto de Apoyo al Programa de Capacitación Profesional de la Nueva Policía Federal Ministerial [Summary Sheet Project: Support Professional Training Program of the New Federal Ministerial Police]," 2, accessed June 4, 2014, [http://www.aecid.org.mx/documents/FICHA_RESUMEN Nº 9 y 10 PGR.doc](http://www.aecid.org.mx/documents/FICHA_RESUMEN_Nº_9_y_10_PGR.doc).

¹⁹⁸ Uildriks, *Mexico's Unrule of Law: Implementing Human Rights in Police and Judicial Reform Under Democratization*, 252.

police force. Furthermore, the difficulties in achieving fundamental changes for the police institution cannot be achieved until it is depoliticized.¹⁹⁹

The federal prosecution, as part of the executive branch, encouraged the investigation and prosecution of crimes to support political accomplishments. For example, under Lopez Obrador, the government of Mexico City had imposed arrest quotas “for particular types of crimes (such as auto theft), and police received financial rewards for meeting these.”²⁰⁰ However, during presidential elections, quotas were removed, presumably to show that the current administration had been successful in reducing crime.²⁰¹

Mexico’s human rights training contributes to the enhancement of police professionalism. Uildriks points out that Rachael Neild’s research on police reform identified human rights training as an integral part of the curricula to professionalism. In addition, she posits that human rights training should be central to the academic program, vis-à-vis just being an add-on course.²⁰² Furthermore, law enforcement institutions should incorporate the role of human rights into every aspect of their mission with the intent to uphold the constitutional right of every citizen. The PFM could improve its impact on human rights violations by establishing similar FBI practices that incorporate human rights components into its core curricula to ensure agents can uphold the individual rights of citizens.

D. CAREER PATHS

1. Salary Compensation

On average, Class C PFM agents earn a base salary of \$499.32 USD per month but, as shown in Figure 10, agents earn enough income to be classified as middle class workers in Mexico. According to the United Nations, Mexico falls within a low to

¹⁹⁹ Ibid.

²⁰⁰ Uildriks, *Mexico’s Unrule of Law: Implementing Human Rights in Police and Judicial Reform Under Democratization*, 190.

²⁰¹ Ibid.

²⁰² Ibid., 250.

middle-income class economy with a middle class that earns between \$1,026 to \$4,035 USD.²⁰³

RAMO: PROCURADURÍA GENERAL DE LA REPÚBLICA
VIGENCIA: 1 DE AGOSTO DE 2013

CÓDIGO	DENOMINACIÓN DE LA CATEGORÍA	NIVEL	ZONA ECONÓMICA	SUELDO BASE TABULAR BRUTO MENSUAL	COMPENSACIÓN POR RIESGO Y MERCADO BRUTA MENSUAL
CF54005	Agente de Seguridad "C"	CF54005	1	6,576.00	30,489.96

REGLAS A LAS QUE SE SUJETARÁ LA APLICACIÓN DE ESTE CATÁLOGO DE CATEGORÍAS Y TABULADOR DE SUELDOS Y SALARIOS:

Figure 10. PGR Starting Salary (in Mexican Pesos) for Class C PFM Agents, August 1, 2013²⁰⁴

In addition to base their salaries, Class C agents receive a hazardous duty pay (*Compensacion por Riesgo y Mercado Bruta*) of \$2,315.11 USD per month.²⁰⁵ The total monthly allowance averages to \$2,814.43 USD for Class C agents. Agents earn almost three times more (29%) than the average Mexican who earns a yearly wage of \$9,885.²⁰⁶ Agents earn substantially more than the average Mexican, which means that they can live comfortably during their service to the federal government. These numbers while significantly lower than the FBI still allow for a decent living for agents in Mexico.

2. Retirement Compensation

A large gap exists between the base salary earned and the total salary authorized during an officer's career. PFM agents can only earn retirement by calculating an officer's base salary, and it does not include hazardous duty pay. This gap can leave

²⁰³ United Nations Development Group, "List of Middle Income Countries," *International Institute for Sustainable Development Reporting Services*, 2014, <http://micconference.org/mic/list-of-mics/>.

²⁰⁴ Secretaria de Hacienda y Credito Publico, "Remuneración Mensual por Puesto [Monthly remuneration by Rank]," November 12, 2013, <http://www.pgr.gob.mx/Temas%20Relevantes/Documentos/Administracion%20de%20los%20recursos/TABULADORES.pdf>.

²⁰⁵ The World Bank, "Mexico, Official Exchange Rate (LCU per US\$, Period Average)," accessed April 10, 2014, <http://data.worldbank.org/indicator/PA.NUS.FCRF>.

²⁰⁶ Organization for Economic Co-operation and Development Better Life Index, "Mexico," accessed June 15, 2014, <http://www.oecdbetterlifeindex.org/countries/mexico/>.

retiring officers with little incentive to be productive or effective during their time in service. As previously mentioned, living conditions for officers during the performance of their duties is that of a middle-income family. However, when officers finish their careers, they must rely on a relatively smaller retirement pension. The retirement gap means they have less disposable income to maintain their middle-class lifestyle, which is what agents are accustomed to living. Low pensions contribute to corruption practices towards the end of an agent's career because expected earnings upon retirement are much lower after they have completed their service to the nation.

The secretary general governs government employee retirements under state social worker laws (Ley del Instituto de Seguridad y Servicios Sociales de los Trabajadores del Estado—LISSSTE), Title VI, Article's 252, 253, and 254.²⁰⁷ These laws apply government-wide to all law enforcement officers depending on their position and rank. According to the Organisation for Economic Co-operation and Development (OECD), the average retirement age for Mexicans is 65 (male or female) and most people will live until the age of 72.²⁰⁸

The government provides several alternatives for federal employees to collect a pension. Mexico's social security benefits program guarantees that individuals at the age of 65 and with 25 years of public service can at least collect the standard minimum wage.²⁰⁹ However, social security benefits are insufficient for most people in Mexico because they are relatively low.

Like the FBI, the PGR is under federal law and must offer alternative pensions to its employees. The PGR Benefits Manual for Employees states that PFM agents can elect a retirement account with or without a bonus. In the first case, employees may contribute

²⁰⁷ Cámara de Diputados del H. Congreso de la Unión, "Ley del Instituto de Seguridad y Servicios Sociales de los Trabajadores del Estado [Law Institute of Security and Social Services for State Workers]," 73, updated February 4, 2014, <http://www.diputados.gob.mx/LeyesBiblio/pdf/LISSSTE.pdf>.

²⁰⁸ Organization for Economic Co-operation and Development, "Pensions, Statistics," accessed April 17, 2014, <http://dx.doi.org/10.1787/888932907186>.

²⁰⁹ Emma Aguila, Michael D. Hurd, and Susann Rohwedder "Pension Reform in Mexico: The Evolution of Pension Fund Management Fees and their Effect on Pension Balances," *University of Michigan Retirement Research Center*, 3, 2008, <http://deepblue.lib.umich.edu/bitstream/handle/2027.42/61825/wp196.pdf?sequence=1>.

to an individual retirement account with up to 2 percent of their base salary. The PGR will then contribute 3.25 pesos for every peso that PFM agents allot to this individual retirement account. Base salaries account for only one-third of an employee's monetary income (Class C agents earn \$499.32 USD per month); thereby, committing the government to match individual contributions at a relatively low amount.

A second retirement option that agents can elect omits any contributions to an individual retirement account by employees or the government. Retirement pension distributions are calculated by taking the employees' age and years of service. For example, male employees with 53 years of age and 15 years of service could retire in the year 2014 with 50 percent of their base salary. Women aged 53 with 15 years of service can retire two years earlier than a man and receive the same 50 percent of their base salary.²¹⁰ Officers with at least 10 years of service and retiring at age 62 and beyond can retire with a guaranteed salary (in pesos) as depicted in Table 10.

Edad	Suma Asegurada
62	\$10,000.00
63	\$10,500.00
64	\$11,000.00
65	\$11,500.00
66	\$12,000.00
67 o más	\$12,500.00

Table 10. Years 2012 and 2013, Voluntary Retirement Income (in Mexican Pesos) Ages 62 and Up with at Least 10 Years of Service

3. Career Progression

In 2005, the administration of former President Vicente Fox improved regulations for career-service law enforcement officers. Article 2 guarantees equal income and promotion opportunities are available to all law enforcement officers. Instead of being

²¹⁰ Cámara de Diputados del H. Congreso de la Unión, "Ley del Instituto de Seguridad y Servicios Sociales de los Trabajadores del Estado [Law Institute of Security and Social Services for State Workers]," 75.

strictly political in nature, as when promotions were based on whom you knew, the Fox administration added requirements so that advancement would be based on merit and experience.²¹¹ These advancements may help increase the effectiveness of Mexico's law enforcement overall. PGR Career Service Law, Article 2 states:

Career Service Federal Law Enforcement is a system that ensures equal opportunity for income and provides promotions based on merit and experience; designed to elevate and promote the professionalization of its members and ensure compliance with the principles established by the Organic Law of the Attorney General's Office. The Career Service for Federal Law Enforcement is comprised of the ministerial and expert police branches, the prosecutors in the Federation, members of the Federal Investigative Police, professional experts and Technicians.²¹²

According to regulations, investigative officers could potentially advance to nine levels of promotion. The first three sets of opportunities are strictly for agent positions. The second are supervisory levels and last three are commissioner levels. All agents start at Class C but can progress to Class B and then to Class A.²¹³ Chapter III, Article 46 regarding PGR career advancement, lists the minimum criteria that law enforcement agents must meet to be promoted. In general, Class C, B, and A agents must work for two years in their respective levels to be eligible for a promotion.²¹⁴ Career advancement opportunities exist at supervisory investigative levels to qualifying agents. After reaching the level of a Class A agent, those promoted can advance as investigative supervising officers who manage Class C, B, and A agents. Advancement opportunities are well within grasp of the new recruits. However, since the institution had a history of being political in nature, the effectiveness of the new promotion system has yet to be determined.

²¹¹ Cámara de Diputados del H. Congreso de la Unión, "Reglamento del Servicio de Carrera de Procuración de Justicia Federal [Career Service Regulations of Federal Law Enforcement]," 1, accessed June 7, 2014, <http://www.diputados.gob.mx/LeyesBiblio/regla/n131.pdf>.

²¹² Cámara de Diputados del H. Congreso de la Unión, "Reglamento del Servicio de Carrera de Procuración de Justicia Federal [Career Service Regulations of Federal Law Enforcement]," 1. (translated by Erik Fuente).

²¹³ Ibid., 2.

²¹⁴ Ibid., 10.

E. INSTITUTIONAL OVERSIGHT

1. Internal Controls

An abuse study by Fundar, a Mexican-based independent think tank, revealed that ministerial police abuse their power to some extent. Mexico City residents who had contact with ministerial police accused them of threatening citizens to obtain a confession, of causing harm, or of charging them on false grounds.²¹⁵ Therefore, it is important to limit the power of law enforcement institutions and reign in the power of the police force. According to Asch, Burger, and Fu, “reforms that seek to standardize and modernize police organizations, professionalize the police force through clearly articulated civil service systems, and impart better oversight through data collection can be considered efforts to limit the use of power by those with power.”²¹⁶ Mexican PFM regulations discussed thus far seem to lean towards improving the effectiveness and professionalism of its force, which political administrations have expected them to meet.

The government has imposed internal controls policies to improve the reliability and trust record of the PFM. Through strict administrative policies, applicants and current agents must subject themselves to government tests and evaluation for trust and confidence. PGR law gives current PFM agents 30 days to take these tests, which are controlled by the *Centro de Evaluación y Control de Confianza*.

In an attempt to stop the trust and confidence tests, a former PGR officer challenged the constitutionality of Articles 46 and 54 of the Organic Law of the PGR, which authorizes the PGR to conduct trust and confidence tests on its officers. In March 2014, the Mexican Supreme Court of Justice (*La Suprema Corte de Justicia de la Nación*)—(SCJN) upheld the PGR’s constitutional right to perform control and trust assessments for its employees on the grounds that it helps meet personnel criteria that must be used for its accreditation as a law enforcement institute.²¹⁷ The support of the

²¹⁵ Claire Naval, “Irregularities, Abuses of Power, and Ill-Treatment in the Federal District,” April 2006, www.fundar.org.mx/mexico/pdf/metagora_eng_long.pdf.

²¹⁶ Asch, Burger, and Fu, *Mitigating Corruption*, 22.

²¹⁷ Dennis A. García, “Constitucionales, Evaluaciones a Policías Federales Ministeriales: Corte [Constitutional, Ministerial Federal Police Evaluations: Court],” last updated March 13, 2014, <http://www.cronica.com.mx/notas/2014/821369.html>.

judicial system in this case will substantially change the quality of recruits who enter its force.

While PFM policies shape the administrative controls of its officers, technology is also playing a similar role. Global positioning satellites (GPS) are providing tracking capabilities to the Mexican police. In an effort to protect and control its officers in vehicles, PFM management has implemented GPS-tracking equipment on its vehicles to monitor the police fleet. Through the use of satellite tracking capabilities, PFM leaders are able to provide immediate law enforcement support to its agents, while also ensuring GPS data is used to audit (protecting or prosecuting) the behavior of its agents.²¹⁸ These actions on part of the management will continue to strengthen the capacity and effectiveness of the PFM to become more effective like the FBI.

2. Disciplinary Control

Very little literature in English and Spanish shows the disciplinary methods employed by the PGR or the PFM. However, it is clear that article 21 of PGR law places the general inspector (GI) in charge of the IA section specifically designated to audit the PFM.²¹⁹ Through this IA section, PFM employees are subject to investigations in determining the culpability of officers accused of wrongdoing. Furthermore, the IA section helps monitor and protect PGR agents from potential lawsuits. These intermediary controls provide the PFM institution with similar protections afforded to the FBI.

F. FUNDING

The U.S. and Mexican governments have invested a significant amount of money to improve the institutional effectiveness of law of the PFM institution. As of 2012, over 350 million pesos were invested to improve the capability of the PFM. For instance, the agency acquired 24 ballistic armored tactical transport (BATT) vehicles capable of

²¹⁸ Sinembargo, “Inicia Funciones Centro de Comunicaciones de la PFM [PFM Communications Center Initiates Functions],” updated November 27, 2012, <http://www.sinembargo.mx/27-11-2012/443346>.

²¹⁹ Secretaria General, “Ley Orgánica de la Procuraduría General de la Republica [Organic Law of the Attorney General],” 16.

transporting 24 agents.²²⁰ In addition, the PFM invested 50 million pesos, plus an additional 150 million provided by the Mérida Initiative (MI), to improve the investigative aptitude of PFM agents.²²¹

1. Merida Initiative

In 2007, the Calderon administration requested support from the United States to combat drug trafficking and organized crime.²²² The United States agreed, and in 2008, implemented the measure that provided U.S. assistance to Mexico and Central America. As part of the package, U.S. assistance helped provide Mexico's police force with the resources (training and equipping) to help increase its level of effectiveness. In addition, Mexican police forces that engaged in anti-crime efforts also received U.S. support in the form of intelligence sharing and operational support.²²³ U.S. priorities seem to be heeded by Mexico but tactical efforts alone were not enough to fight against drug-trafficking problems. In March 2010, the United States and Mexico agreed to change its strategic direction and focus on renovating weak government institutions and the underlying social conditions.²²⁴

The MI provided the necessary collaboration platform for North American law enforcement institutions to build trust. Furthermore, the transfer of technological and operational procedures helped transform Mexico's law enforcement policies to those closer to a North American perspective. Since 2008, the MI has provided an estimated \$1,743 billion dollars in assistance to International Narcotics Control and Law Enforcement (INCLE) as seen in Table 11.²²⁵ Honorable William R. Brownfield, Assistant Secretary, Bureau for International Narcotics and Law Enforcement Affairs of

²²⁰ PGR Dirección General de Comunicación Social Comunicado de Prensa, "PGR Fortalece a la PFM con Equipos de Vanguardia y Tecnología de Punta [PGR strengthens the PFM with Vanguard Equipment and Technology]," 1, November 27, 2012, <http://www.pgr.gob.mx/Prensa/2007/bol12/nov/387.pdf>.

²²¹ Ibid.

²²² Clare Ribando Seelke and Kristin M. Finklea, "U.S.-Mexican Security Cooperation: The Merida Initiative and Beyond," 6, June 12, 2013, <http://www.fas.org/sgp/crs/row/R41349.pdf>.

²²³ Ibid.

²²⁴ Ibid., 6.

²²⁵ Ibid.

the U.S. Department of State said, “the United States had delivered \$1.2 billion in support and assistance to professionalize Mexico’s law enforcement and build capacity under the rule of law.”²²⁶ Some 4,000 federal police investigators completed U.S. training courses under the Merida Initiative.²²⁷ Moreover, Mexico has spent 10 dollars for every dollar contributed by the United States for its security challenges.²²⁸ The U.S. government provided an additional “\$111 million worth of inspection equipment that has resulted in more than \$3 billion in illicit goods seized in Mexico.”²²⁹

(\$ in millions)

Account	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014 (est.)	Account Totals	FY2015 Request
ESF	20.0	15.0	15.0 ^a	18.0	33.3	32.1	46.1	179.5	35.0
INCLE	263.5	406.0	365.0	117.0	248.5	195.1	148.1	1,743.2	80.0
FMF	116.5	299.0	5.3	8.0	N/A ^b	N/A	N/A	428.8	N/A
Total	400.0	720.0	385.3	143.0	281.8	227.2	194.2	2,351.5	115.0

Table 11. FY2008–FY2015 Mérida Funding for Mexico²³⁰

Merida funding provided a human rights component that if implemented properly could transform the corrupt law enforcement institutions into a credible, reliable, and effective police force. The focus has shifted from training and equipping security entities to institution building. In an effort to reduce police abuses in Mexico, the U.S. Congress placed human rights conditions on 15 percent of Merida-related assistance.²³¹ A 2012

²²⁶ Committee on Foreign Affairs, “U.S.–Mexico Security Cooperation: An Overview of the Merida Initiative 2008–Present, U.S. Government Printing Office, (Hearing Before the Subcommittee on the Western Hemisphere of the Committee on Foreign Affairs House of Representatives One Hundred Thirteenth Congress),” 6, May 23, 2013, <http://docs.house.gov/meetings/FA/FA07/20130523/100907/HHRG-113-FA07-20130523-SD001.pdf>.

²²⁷ Seelke and Finklea, “U.S.–Mexican Security,” 9.

²²⁸ Committee on Foreign Affairs, “U.S.–Mexico Security Cooperation: An Overview of the Merida Initiative 2008–Present,” 6.

²²⁹ Seelke and Finklea, “U.S.–Mexican Security,” 6.

²³⁰ *Ibid.*, 7.

²³¹ *Ibid.*

U.S. consolidated Appropriations Act gave the Secretary of State 90 days to report how the U.S. Merida programs helped police reform in Mexico.²³²

The MI provided a significant amount of funding dedicated to institution building of the judicial system. According to the Wilson Center in 2008, former President Bush signed into law legislation that stipulated at least \$73,500,000 dollars for “judicial reform, institution building, anti-corruption, and rule of law activities.”²³³ In addition, \$3 million dollars was provided to the government of Mexico for the implementation of “a unified registry of federal, state, and municipal officers.”²³⁴

a. Special Canine Unit

The Mexican government has taken advantage of the MI to increase the capability of its police units. According to a CRS report, MI has increasingly provided training to Mexican canine teams in an effort to strengthen its law enforcement institution.²³⁵ As of November 2012, the PFM had a squad of 53 accredited and specially trained canine animals.²³⁶ The canine and canine handler units provide the PFM with an important law enforcement capability. The canine unit is trained to conduct drug, bomb, munitions, and arms-sniffing for counterdrug operations, as well as security for high-level personnel, and can search for kidnap and murder victims. No statistical information is available to substantiate the success or failure of canine units in Mexico. Hence, assessing the effectiveness of PFM canine units is elusive at best and cannot be determined with the existing information.

²³² Ibid.

²³³ Eric Olsen, “Six Key Issues in U.S.-Mexico Security Cooperation,” *The Woodrow Wilson Center*, 2, accessed May 1, 2014, http://www.wilsoncenter.org/sites/default/files/six_issues_usmex_security_coop.pdf.

²³⁴ Ibid.

²³⁵ Seelke and Finklea, “U.S.-Mexican Security,” 8.

²³⁶ “Policía Federal Ministerial Adquire Nuevo Equipamiento [Federal Ministerial Police Acquires New Equipment],” YouTube video, posted by Efekto Noticias, 2:46, November 28, 2012, https://www.youtube.com/watch?v=n_ypKuWB30E.

b. Forensics

The PGR received an addition \$5 million dollars from the MI to improve its forensic capability.²³⁷ Although, no statistical data exists to establish the use of forensic analysis in the investigation of crimes, what is certain is that the PFM has hired an additional 40 forensic experts following university studies in Nuevo León.²³⁸ Further development of the forensic capability of the PFM is needed to comprehend completely its impact on the effectiveness of the organization.

c. Interagency and Intra-Agency Communications Cells (Fusion Center)

The PFM has a communications intelligence center that provides information-sharing capabilities to many government agencies in Mexico. As illustrated Figure 11, the PGR fusion center provides communications integration among the following agencies: the PF, the state PGJ, the PFM, other federal, state and local institutions, the PGF-DF, CEDAC, the PFM intelligence division, international organizations (INTERPOL), and the state C-4 center. In addition, the communications platform provides intelligence information to Mexico's 31 states and the federal district.²³⁹ The fusion center is designated as a bridge to the national intelligence center called *Plataforma Mexico*.²⁴⁰ Using this communications center, any agency can query and collaborate with entities integrated within the network. The PGR fusion center encourages cross-agency collaboration. This capability is significant given the issues of accountability for law enforcement personnel. Although the results of policing actions using this new platform have yet to be determined, the center is a key aspect of cross-agency collaboration that has shown to contribute significantly to effective policing practices within the FBI.

²³⁷ Olsen, "Six Key Issues in U.S.-Mexico Security Cooperation," 7.

²³⁸ Union Jalisco, "40 Egresados se Integran a PGR Como Forenses [40 Forensic Graduates will Integrate into the PGR]," updated December 30, 2013, <http://www.unionjalisco.mx/articulo/2013/12/30/seguridad/40-egresados-se-integran-pgr-como-forenses>.

²³⁹ PGR Dirección General de Comunicación Social Comunicado de Prensa, "PGR Fortalece a la PFM con Equipos de Vanguardia y Tecnología de Punta [PGR strengthens the PFM with Vanguard Equipment and Technology]."

²⁴⁰ Amílcar Salazar Méndez, "Adelantan su Navidad a la PFM [Christmas Arrives early for the PFM]," *Nuklear Noticias*, November 28, 2012, <http://nuklearnoticias.mx/zona-nuklear/adelantan-su-navidad-a-la-pfm/>.



Figure 11. PGR Communications Center

G. CONCLUSION

PGR reforms streamlined the focus of the PFM institution towards a more investigative and intelligence role. Given the increased effectiveness of the PFM, the federal prosecution was surprised with the increased caseload and could not work on cases quick enough. Presidential administrations continue to influence PFM policy politically by appointing former military leaders as department heads.

Although personnel management issues are still being worked out, new recruitment policies encourages highly educated applicants to enter the force to improve the quality of officers. However, very little information exists regarding the level of training provided to recruits, which is equally important for an effective law enforcement force. Law enforcement officers should incorporate human rights training into the police core curriculum to reduce the amount of human rights violations. PFM promotion policies provide agents an opportunity to advance up the COC by requiring only two

years in current rank to reach the next level. However, more statistical data is required to analyze actual promotion potential within the agency given its previous political advancement practices it employed prior to those reforms.

Considering the per capita income of an average middle-class citizen, PFM agents appear to earn enough income to live comfortably in Mexico. Salaries during a PFM officer's career are within the range of middle-class economic status. However, based on current retirement policies, PFM officers can only expect to retire with at least 50 percent of their base income. In other words, officers are not provided with enough money to meet the middle-income bracket they were used to living. Thus, an agent's incentive to remain lawful and effective as a public servant may not be as attractive towards the end of service as what a cartel organization may be able to offer.

The PFM agency has little civilian oversight over its operations. However, the PGR was able to create a separate IA section to provide governmental oversight over the PFM. Through this IA department, agents can be audited for problematic conduct or to help protect agents against public lawsuits.

The effectiveness of the PFM is directly correlated to the capability of the judicial or prosecutorial department to prosecute criminal cases. Reforms that include funding for an effective prosecutorial agency are necessary to maintain the performance of the PFM. The PFM and PGR attorney agencies must work congruently to support each other mutually with the development of criminal cases. The effectiveness of the PFM was directly correlated to the productivity of the judicial system. Hence, effective law enforcement agencies cannot be expected to be successful on their own without the support of an effective judicial system.

David Shirk and Rios Cazares argue, "real progress requires comprehensive institutional reforms that increase integrity, effectiveness, and accountability of the state apparatus itself in order to ensure greater access to justice for Mexico's citizens."²⁴¹ A balance of agent priorities needs to be addressed to ensure that agents are able to focus on

²⁴¹ Susan Rose-Ackerman, *Corruption and Government: Causes, Consequences, and Reform* (New York: Cambridge University Press, 1999), 18.

an investigation. Standard operating procedures that encourage investigation and include a standardized paperwork protocol will enhance the effectiveness of the police.

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V. SUMMARY AND CONCLUSION

This thesis focuses on five factors that may improve the effectiveness of law enforcement in Mexico. The FBI was chosen as a model to compare to the PFM because the FBI is viewed as a reputable and effective law enforcement organization. This comparison places the Mexican PFM and the U.S. FBI in a bi-national perspective that makes the analysis relevant for policy makers. The resulting analysis demonstrates the progress achieved by Mexico's federal law enforcement while also identifying areas that need improvement.

This thesis uncovers new practices that have led to increased effectiveness of the Mexican PFM. It analyzed five factors important for an effective police force. This section begins with a summary of the FBI and concludes by revealing information about personnel recruitment practices, training issues, career path incentives, institutional oversight, and funding to improve the effectiveness of Mexico's PFM institution.

A. UNITED STATES

The U.S. FBI agency has become an institution respected worldwide. It achieved success by building its organization on strong institutional fundamentals, such as those analyzed within this thesis. In addition, strong leaders have continued to improve the capability of the agency by targeting federal criminals. It has established itself as an effective organization that trains and supports law enforcement institutions within and outside U.S. borders.

The MI has facilitated collaboration between the FBI and the PFM, which has improved the law enforcement capabilities of Mexican authorities. It has enabled the FBI to provide training, education, and technology to Mexico's PFM institution. The United States will become more secure within its borders by protecting its interests abroad and continuing to invest in Mexico's law enforcement institutions. Cooperation among law enforcement agencies may also help prevent an attack similar to 9/11 in the region. Moreover, improving the capability of the PFM in Mexico may help reduce the use of

militarization efforts against DTOs, and instead, encourage democratic practices to prevail.

B. MEXICO

Mexico continues to struggle with combating DTOs and corruption. Politicians have been unable to transform the PFM into an effective civilian police force and have continued to rely on militarization strategies. As a federal agency constitutionally designated to fight crime, the PFM should be the focus of policies that aim to increase public security in Mexico.

1. Personnel recruitment

New PGR laws have forced the PFM to adopt stronger recruitment policies that increase the quality of police officers. The PFM's personnel recruitment standards are stronger than ever and resemble policies similar to those of the FBI. PFM candidates are now required to provide more personal information for evaluation by a trust and confidence board. These adopted policies have provided a new generation of police recruits who have more education and pass full background checks. Recruitment policies have increased the ability of federal law enforcement officers to protect citizens from human rights violations and drug trafficking crimes.

Mexico has a history of little administrative transparency or sharing of information among its law enforcement agencies, which has caused inconsistencies among human resource accountability statistics. For instance, the number of personnel employed by the PFM has not been consistent with the reported number of PFM officers. Improvements in a human resource department's vis-à-vis personnel training and accountability technology should be considered. For example, enhancing the capability of administrative staff to account for personnel using technology can improve the effectiveness of the institution to exercise administrative control over employees.

a. Training and Education

Training and education regimens continue to improve with each reform. However, little is known about the training schedule and/or course material, which does not allow

for a comprehensive assessment of the value of police training within the PFM. The FBI is postured to assist the PFM because it has a trusted and proven law enforcement academy program that may help improve the effectiveness of PFM officers. Increasing the capacity of agents to investigate and arrest suspected criminals will help alleviate the pressure on political administrations and could reduce their reliance on militarization strategies to tackle organized crime.

b. Career Path

The PFM provides ample opportunity for career advancement. Prior promotion practices were ingrained into the police structure that encouraged corruptive practices. Promotions have evolved to consider merit and experience over personal relationships. However, PFM and/or PGR leaders have conducted little research to determine the extent of new policy adherence. While salaries are consistent with middle class income and provide PFM agents with a fair compensation for their services, retirement pay is far below the expected compensation. An officer's end of service benefits may encourage corruptive practices or the acceptance of bribes because PFM agents' expected earnings fall drastically short of the middle class income. Mexico should consider changes to salary policies because currently, retirement pay does not include hazardous duty pay, which is substantially higher than base pay. Adjusting policies in this manner will alleviate income concerns for officers at retirement and may detract from corrupt practices.

c. Institutional Oversight

PGR reforms changed recruitment policies and have subjected employees to additional tests that aim to scrutinize and measure trustworthiness. These administrative procedures are similar to the FBI's standards for selecting agents and have shown to increase police effectiveness and the level of trust the agency can place in its workforce.

d. Funding

MI has provided Mexico with a substantial amount of funding to improve the effectiveness of the PFM in combating organized crime and government corruption.

Merida funding is currently focused on institution building and cooperation among organizations to ensure the stability of the region. Irrespective of the Mexican government's continued use of the military to fight DTOs, U.S. law enforcement agencies have trained and helped equip Mexico's federal law enforcement organizations. With continued assistance from the FBI and other U.S. law enforcement agencies, the Mexican government may be able to transfer responsibility of public security from the military back to federal law enforcement agencies.

C. CONCLUSION

It appears that Mexico is finally on the right track to increasing the effectiveness of the PFM institution. However, more reforms, changes to policy, and investment at the political and institutional levels are needed to continue to increase the effectiveness of the federal police. Still, more is required in terms of maximizing autonomous control within the police to ensure it is allowed to investigate without undue political influence.

In addition, the judicial system should not be an afterthought. Instead, the justice system requires the same level of investment in its institution to support an increase in the effectiveness of public security agencies in Mexico. The effectiveness of the PFM and the judicial system are tied together in a symbiotic relationship. Without an impactful justice system to issue adequate punishment of criminals, law enforcement agencies like the PFM will fall short of being an effective organization.

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