Co-Production and Oversight: Citizens and Their Police

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Brief Project Description

This Working Paper is the product of a joint project on civic engagement and public security in Mexico coordinated by the Mexico Institute at the Woodrow Wilson International Center for Scholars and the Justice in Mexico Project at the University of San Diego. As part of the project, a number of research papers have been commissioned that analyze the range of civic engagement experiences taking place in Mexico to strengthen the rule of law and increase security in the face of organized crime violence. Together the commissioned papers will form the basis of an edited volume. All papers, along with other background information and analysis, can be accessed online at the Mexico Institute's webpage and are copyrighted to the author.

The views of the author do not represent an official position of the Woodrow Wilson Center or of the University of San Diego. For questions related to the project, for media inquiries, or if you would like to contact the author, please contact Mexico Institute Director Duncan Wood at 202-691-4086 or via email at duncan.wood@wilsoncenter.org.

Introduction

There is a natural tendency to look exclusively to law enforcement for solutions to problems of crime and insecurity. As noted throughout the papers in this series, however, the role of ordinary, everyday citizens in addressing Mexico's security crisis is often underestimated and underemphasized. This analysis looks at two important roles that citizens can play to help respond to Mexico's security challenges. The first is through the "co-production" of public security; in other words, citizens can work with police to "co-produce" a more secure environment. Co-production might entail preventive measures, such as putting locks on doors and alarm systems in cars, but it also means reporting crime, providing information to police, and serving as witnesses.

The second role for citizens examined here is oversight of public officials and law enforcement agencies. In theory, citizens elect representatives who are responsible for ensuring a police force that acts in the public interest. Nonetheless, despite almost two decades of competitive local elections in many major Mexican cities and a similar period of promises to reform law enforcement, the incentives within Mexico's police forces still do not appear to favor honest, professional policing.[1] The failure of elected officials to align incentives within the police suggests the need for a more direct role for citizens in monitoring and overseeing law enforcement agencies.

This study finds reasons for both pessimism and optimism. On the one hand, there is plenty of evidence that citizens distrust their police and are generally unlikely to report crimes or provide information to law enforcement. On the other hand, improvements to call centers, the creation of anonymous emergency numbers, and sustained campaigns to encourage reporting are

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[1] Elena Azaola, "The Weaknesses of Public Security Forces in Mexico City," *Police and Public Security in Mexico*, Robert A. Donnelly and David A. Shirk, eds. (San Diego: University Readers, 2009); Elena Azaola Garrido and Miguel Ángel Ruíz Torres, *Investigadores de papel: Poder y derechos humanos entre la Policía Judicial de la Ciudad de México* (Mexico City: Fontamara, 2009); Diane E. Davis, "Undermining the Rule of Law: Democratization and the Dark Side of Police Reform in Mexico," *Latin American Politics and Society* 48, no. 1 (2008): 55-86; Neils Uildriks, *Mexico's Unrule of Law: Implementing Human Rights in Police and Judicial Reform under Democratization* (Lanham, Md.: Lexington Books, 2010); Daniel Sabet, *Police Reform in Mexico: Informal Politics and the Challenge of Institutional Change* (Palo Alto: Stanford University Press, 2012).

unquestionably welcome developments. Police now generally recognize the need for greater citizen cooperation.

This analysis also finds good and bad news when it comes to citizen oversight. On the negative side, this study documents how preexisting oversight tools, such as citizen public security committees, have generally not resulted in effective oversight. Nonetheless, in recent years a new oversight model has emerged: citizen observatories. Observatories are essentially citizen-led organizations that compile, analyze, and disseminate information to the public about the public security situation. As such, they offer a means to fill the information gap that currently exists, particularly at the local level. Despite the promise of these new mechanisms, they have been slow to develop and to date there are only a handful of successful examples. There is a legitimate fear that the observatories are just the latest fad, whose oversight functions could be undermined by continued dependence on government support.

Co-production: Reporting crime

Safety and security are not the type of public goods that can be "produced" by police officers and "consumed" by citizens. Instead it is necessary for citizens to play a role in the "production process," or for these goods to be "co-produced."[2] As mentioned above, there are several ways in which citizens can contribute to the public good of security, including by reporting crime, providing information to the police, serving as witnesses, and taking preventive measures. Despite the common perception promoted by U.S. television shows that crimes are solved by brilliant detective work and cutting edge technology, research clearly shows that the vast majority of cases are

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[2] Elinor Ostrom, "Crossing the Great Divide: Coproduction, Synergy, and Development," *World Development* 24, no. 6 (1996): 1073-87; Stephen Percy, "Citizen Participation in the Coproduction of Urban Services," *Urban Affairs Quarterly* 19, no. 4 (1981): 431-446.

resolved because the victim, witnesses, or accomplices come forward with information.[3] This is to say nothing of the role of citizens in working with police to prevent crime from occurring in the first place, for example, through youth outreach programs or neighborhood watch groups. To put it in the most basic terms: because the police cannot be on every street corner, law enforcement agencies cannot be effective without the support of citizens.

The good news is that police in Mexico appear to recognize their dependence on citizens. Evidence from the Guadalajara Justiciabarómetro, a survey conducted in metropolitan Guadalajara in 2009 of 5,422 police, is illustrative. When asked to select the most effective factor in combating crime, the most common response was greater community participation, which was mentioned by 45% of the survey respondents.[4] This dwarfed other potential factors, including increasing the number of police (14%), investing in more equipment (13%), and even ending corruption (26%).[5]

One of the most important forms of co-production is simply reporting crimes when they occur. This could mean a witness to a crime coming forward with information or a crime victim filling out a police report. It should go without saying that it is unrealistic to expect the police to effectively respond to crimes and crime problems of which they have not been made aware. As such, state and local governments are constantly developing new programs to try to encourage more widespread reporting. In the paragraphs that follow, I use the northwestern state of Baja California as an illustrative example to discuss some recent efforts to encourage greater crime reporting.

Mexico has seen dramatic improvements in the quality of its call centers in recent years. As late as the mid-2000s, different jurisdictions each had their own emergency number and callers

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[3] Jan M. Chaiken, Peter W. Greenwood, and Joan Petersilia, "The Criminal Investigation Process: A Summary Report," *Policy Analysis* 3: 187-217 (1977); Colleen Cosgrove and Mary Ann Wycoff, *Investigations in the Community Context* (Washington, D.C.: Police Executive Research Forum, 1997); William Bieck and Tim Oettmeier, *The Houston Police Department: Integrating Investigative Operations through Neighborhood Oriented Policing* (Washington, D.C.: Police Executive Research Forum, 1998).

[4] Marcos Pablo Moloeznik, David A. Shirk, and Ma. Eugenia Suárez de Garay, *Reporte Global: Resultados de la encuesta de la policía preventiva de la Zona Metropolitana de Guadalajara 2009* (San Diego: Justice in Mexico Project, 2009), www.justiceinmexico.org.

[5] Ibid. Of course, corruption is a probably an important factor in discouraging greater citizen-police collaboration.

would often receive a busy signal when trying to reach under-resourced emergency call centers.[6]

Today, however, citizens can call a standardized number throughout the country: 066. Moreover,

Mexico's 227 call centers, distributed across the 31 states, the Federal District, and the country's

larger municipalities, are in many cases well-funded, high-tech operations. For example, Baja

California's Center for Control, Command, Communication, and Computing (C4) has been certified

by the U.S.-based Commission on Accreditation for Law Enforcement Agencies. Over the course of

the 2011-2012 fiscal year, its 113 operators received over 4.7 million calls, and the state contended

that it could match callers with the appropriate first responder in just 32 seconds.[7]

Parallel to these emergency call centers, each Mexican state also has a 089 call center

exclusively dedicated to receiving anonymous calls, such as Baja California's State Center for

Anonymous Reporting, which was created in 2009. These call centers offer citizens a means to

provide the police with information without the risk of having their identity discovered.[8] Callers are

provided with a case number so that they can follow up on their call. During the 2011-2012 fiscal

year, the Baja California state government claimed that calls to the 089 number led to 3,201 arrests.[9]

Although the vast majority of these were for misdemeanors and violations of city ordinances, 469

were for more serious federal crimes. The state government also claimed that these calls led to the

rescue of 38 minors from domestic violence or physical or sexual abuse, five female trafficking

victims, and two kidnapping victims. Since the 089 system was introduced, calls have increased

dramatically each year. In Baja California they went from 5,198 in 2007, to 11,335 in 2008, to

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[6] Assertion based on interviews with police officials and observation of call centers in various jurisdictions in 2005.
[7] The majority of these calls are not legitimate crime reports but also include requests for information and kids playing practical jokes. As such, the challenge is not just to encourage people to use these services, but to ensure that the right people use them. Gov. José Guadalupe Osuna Millán, *Quinto Informe de Labores* (Mexicali: Gobierno de Baja California, 2012).
[8] The need for a secure anonymous means to report crime was highlighted by several cases of organized crime infiltration of regular dispatch centers. Julian Cardona, for example, profiles one case in Ciudad Juárez where a man who called a drug hotline to report suspicious activity was later found tortured with a note threatening future hotline callers. Julian Cardona, "Army feeble as murders surge in Mexico drug war city," Reuters, July 8, 2009.
[9] Osuna Millán, *Quinto Informe*.

19,993 in 2009, and to 32,654 in 2010.[10]

Simply having these different resources is insufficient if citizens are not informed or distrustful. Given the potential for unawareness and distrust, many jurisdictions have launched campaigns to encourage reporting. For example, Tijuana initiated its Tijuana 3D campaign in 2011, which stands for Define, Denounce, and Defend. The initiative included a massive dissemination campaign entailing the use of phone calls, text messages, televisions and radio spots, and billboards, most of which use the catch phrase: "Report it: because the worst crime is staying quiet."

These initiatives have benefited from the support of the business community, and private sector funding has helped pay for much of the awareness-raising campaign. Additional initiatives have sought to encourage the participation of the private sector. The Chamber of Commerce in Tijuana works with the police to publicize a most wanted list for burglars targeting commercial establishments in a program known as Target the Criminal (*Ponle dedo al ratero*), and Programa Alerta 066 Negocio Seguro (Program Alert 066 Safe Business) offers businesses a means to link their video surveillance cameras to the police. State and city governments have also tried to encourage crime reporting and improved information flows by organizing neighborhood-watch-style groups throughout the urban areas. In Baja California, as of 2012 the state claimed that there were 10,000 citizens participating in Public Security Citizen Networks throughout the state.[11]

These examples from Baja California suggest that there are new tools, programs, and campaigns to promote information sharing and crime reporting, and some evidence suggests that citizens are taking advantage of these opportunities to positive effect. Nonetheless, there is also evidence that co-production activities are still falling short. In the above-mentioned Justiciabarómetro survey in Guadalajara, 59% of surveyed police *disagreed* with the statement that

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[10]Ibid.

[11]Ibid. While such mechanisms offer considerable potential to promote co-productive activities, as will be discussed below, they generally seem to far short of expectations. Official numbers tend to overstate public involvement and include individuals that might have simply showed up for a meeting.

"society cooperates with the police in preventing crime" (See Table 1).[12] There was also a sense of frustration with citizens, as suggested by the 84% of surveyed officers who felt that citizens were only happy with the police's work if the police actually solved their problem.

Table 1: Police views of citizen support in Ciudad Juárez and Guadalajara

	Ciudad Juárez (2011)		Guadalajara (2009)	
	Disagree	Agree	Disagree	Agree
Society cooperates with the police in preventing crimes	71%	29%	59%	41%
People are only content with our work if their problem is solved	16%	84%	16%	84%

Source: Moloeznik, Shirk, and Suárez de Garay, *Reporte Final*; Moloeznik, Shirk, and Suárez de Garay, *Reporte Global*

When this survey was repeated in Ciudad Juárez in 2011, the results were similar: 71% of surveyed police disagreed that society cooperates with the police in preventing crime, and 35% of the total were in complete disagreement.[13] A similar percentage of 69% also disagreed that society cooperates with the police in locating, identifying, and arresting criminals. Only 27% felt that they were well received in attending to calls, and most (54%) felt that it depended on the situation. Similarly, 84% agreed that citizens are only happy with police work if the police solve their problem. These survey results suggest, at least from the perception of the police, that citizens are not doing enough to help "co-produce" public security.

Furthermore, while calls to 066 and 089 call centers might be increasing, victimization surveys still suggest that only a small percentage of crimes are actually reported. Mexico's national victimization survey, a massive survey of 90,000 households (ENVIPE, the Encuesta Nacional de Victimización y Percepción sobre Seguridad Pública 2012) asked respondents if they had been a

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[12] Moloeznik, Shirk, and Suárez de Garay, *Reporte Global.*
[13] Marcos Pablo Moloeznik, David A. Shirk, and Ma. Eugenia Suárez de Garay. *Reporte Final: Diagnóstico Integral de la Policía Municipal de Ciudad Juárez* (San Diego: Justice in Mexico Project, 2011).

victim of a crime in the last year and if they reported that crime. According to the respondents, only

12.8% of crimes were actually reported to the police.[14] Changes in the methodology prevent an easy

comparison over time; however, previous iterations of the survey suggest that the percent of crimes

being reported has not changed in recent years.[15]

There are several very good reasons why citizens are still not reporting crimes. For example,

when the question was put to the respondents, 63.7% placed the blame on the authorities. They

considered reporting to be a waste of time, feared the *length* of time required, distrusted the

authorities, or feared being extorted. The remaining 36.3% did not report the incident because they

considered the crime to be of low importance; they lacked evidence; or they feared retribution

among less common reasons.

The concern that reporting a crime requires considerable time appears to be well

substantiated. In most states reporting a crime requires a trip to the public ministry to formally file a

police report. Doing so took less than an hour in only 19.8% of cases. By contrast, 33.9% of those

who reported a crime estimated that the process took 1-2 hours, 20.6% estimated 3-4 hours, and

23.2% estimated that it required more than 4 hours (See Table 2).

Table 2: Time required to report crime according to the victim

	Less than 1 hour	1-2 hours	3-4 hours	More than 4 hours
National average	19.8%	33.9%	20.6%	23.2%
Baja California	23.6%	47.5%	22.1%	6.3%

Source: INEGI, ENVIPE, 2012

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[14] INEGI, Encuesta Nacional de Victimización y Percepción sobre Seguridad Pública 2012 (ENVIPE). Tabulados básicos.

[15] The current survey is conducted by the country's statistical agency, INEGI, while a previous version of the survey was conducted under the auspices of the Instituto Ciudadano de Estudios sobre la Inseguridad. A change in methodology consistent with United Nations recommendations led to a dramatic increase in crime numbers and a dramatic drop in the number of crimes reported. Nonetheless, the data prior to the ENVIPE suggest that reporting is fairly steady. These earlier surveys found that 23% of crimes were reported in 2004, 21% in 2007, 22% in 2008, and 22% in 2009. ICESI, *ENSI-7 Resultados primera parte: Nacionales y por entidad federativa,* 2010. Instituto Ciudadano de Estudios sobre la Inseguridad.

There were also varying degrees of satisfaction with the process: 31.6% rated their treatment by the authorities as good or excellent, 29.4% as fair, and 39.0% as bad or very bad.[16] In the worst case scenario, there is evidence that public ministry officials in specific locations have even actively discouraged reporting so as to keep crime statistics low in their jurisdiction.[17]

Only a relatively small percentage of respondents seem to have benefited directly from having reported the crime: 6% stated that they had regained their lost items, 4.7% reported that a suspect had been arrested, and 4.3% stated that their case was resolved in mediation. The survey found 16.3% of cases were still being processed; in 61.8% of cases citizens reported no progress (See Table 3). As such, long time periods to report crime, the possibility of poor treatment, and the low probability of obtaining a benefit create strong disincentives for reporting.

Table 3: Outcome of crime reporting according to the victim

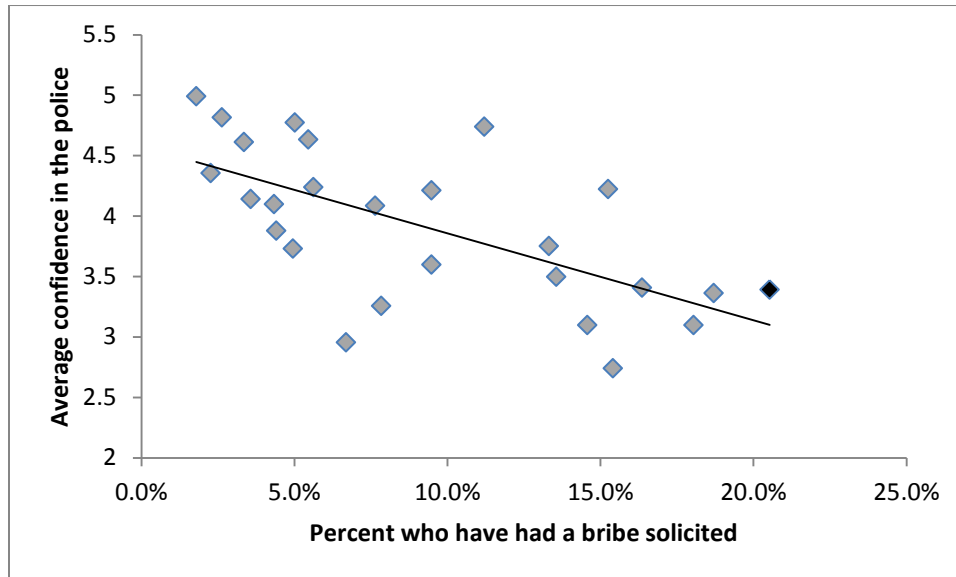|	Nothing	Still being processed	Recovered goods	Criminal tried	Parties came to an agreement	Other	Not specified
Average: all crimes	61.8%	16.3%	6.0%	4.7%	4.3%	2.5%	4.5%
Car theft	52.5%	17.2%	20.5%	.2%	.5%	2.1%	7.0%

Source: INEGI. ENVIPE, 2012

Of course, a widespread perception of police corruption further reduces the incentive to report. According to data from the most recent Latin American Public Opinion Project (LAPOP) survey from 2012, 20.5% of respondents in Mexico reported having been asked to pay a bribe by a police officer in the past year prior to the survey. While this is a statistically significant decrease from the previous iteration of the survey in 2010, it is nonetheless the highest reported rate in the 26 Western Hemispheric countries that participated in the study. Not surprisingly, as shown in Figure

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[16] This does appear to be a slight improvement over previous iterations of the survey. The 2010 victimization survey found that only 16% of cases took less than an hour, while 31% took 1-2 hours, 23% took 2-4 hours, and 30% took more than 4 hours. In that same year a lower 40% rated the process poorly, compared with 32% who rated it as ordinary and 28% as good or excellent.

[17] Catalina Pérez Correa, "Front Desk Justice: Inside and Outside Criminal Procedure in Mexico City," *Mexican Law Review* 1, no. 1 (2008): 3-32.

1, there is a strong relationship between the percent of people who have been asked to pay a bribe and the average confidence in the police force in a given country.

Figure 1: The relationship between the percent who have had a bribe solicited and confidence in the police (1-7) across 26 countries in the Western Hemisphere

Note: Mexico is presented in black.
Source: AmericasBarometer 2012; Latin American Public Opinion Project.

Returning to the ENVIPE data specific to Mexico, when respondents were asked to rate their level of confidence in the police, 65.6% reported little or no confidence in the municipal police and 58.2% little or no confidence in the state police (See Table 4). Respondents expressed somewhat greater confidence in the federal police and judges and much greater confidence in the army and the navy.

Table 4: Response to the question: "What level of confidence do you have in the following:"

	Much (%)	Some(%)	A little (%)	None (%)
Traffic police	6.9	22.7	43.7	25.7
Municipal preventive police	7.8	25.6	44.0	21.6
State police	10.8	28.9	40.5	17.7
Federal police	18.6	32.7	33.0	13.5
Ministerial or judicial police	10.6	24.1	37.4	25.8
Public minister or prosecutors	9.9	23.9	39.2	24.5
Army	46.0	30.2	16.1	5.8
Navy	50.5	28.4	12.8	3.7
Judges	12.8	25.5	35.9	23.0

Source: INEGI. Encuesta Nacional de Victimización y Percepción sobre Seguridad Pública, 2012

A further look into the data suggests three ways to increase the percentage of crimes reported. In recent years, Baja California has permitted municipal preventive police, typically the first responders to calls for assistance, to fill out and accept a formal crime report. Partially as a result of this change, according to the ENVIPE 2012 victimization survey, 26% of crimes are reported to the police in Baja California, the highest in the nation. In some states, such as Guerrero, the percentage of crimes reported goes as low as 6% and as mentioned above the national average is only 12.8%. Next to Chihuahua and Nayarit, reporting a crime required the least amount of time in Baja California, with only 6.3% of crimes requiring more than four hours to report, compared with the national average of 23.2% (See Table 2).

Another interesting source of variation is presented by the type of crime. Most crimes have a high "dark figure" (*cifra negra*), or the percent of crimes that are not captured in formal police reports. This figure is estimated through victimization surveys like the ENVIPE and for most crimes it ranges between an estimated 82.6% and 96.6% (See Table 5).[18] However, the dark figure for vehicle theft is only estimated at 36.2%. Much of this dramatic difference is driven by the greater probability that the police will be able to recover a stolen vehicle. In fact, in 20.5% of cases where the vehicle theft was reported, the victim was able to recover their vehicle (See Table 3). By contrast

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[18] The dark figure is based only on those crimes that lead to a formally filed police report. As such, the percentages presented here are not directly comparable to the 12.8% figure presented above.

only 3.1% of those who reported a house theft were able to recover their lost items. This suggests that a more effective police response would increase crime reporting. In fact, for those who currently report a crime, most report doing so out of a sense of justice and a hope that the criminal would be punished (40.2%) rather than a hope that they will recover their lost goods (28.5%) or have their damages compensated (11.8%).

Table 5: Unreported crime according to the ENVIPE victimization survey across diverse crimes

Type of crime	Dark figure
Car theft	36.2
Partial car theft	94.9
House burglary	88.2
Theft or assault in private or public transportation	94.8
Other robbery	89.7
Fraud	92.0
Extortion	96.6
Verbal threats	89.0
Injury	82.6
Other	94.0

Source: INEGI. ENVIPE, 2012

Interestingly, the high reporting for car theft also appears to be driven by the need for a police report to submit an insurance claim. Across all crimes, only 6.7% of crime reporters did so primarily for insurance purposes. In fact, Mexico's insurance penetration is comparatively low, which offers another potential answer to the low proportion of crimes reported, particularly for issues such as house theft.[19] As such, it seems likely that greater expansion of insurance coverage would also lead to an increase in crime reporting.

In summary, there is both evidence of new tools, programs, and campaigns to promote crime reporting, but fundamental obstacles remain. Distrust in the police is still high, and it will probably remain high as long as petty corruption is tolerated. Furthermore, the process to formally report

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[19] Fitch Ratings, "Latin American Insurance Review and Outlook 2010: Good Growth Prospects with Challenges Ahead," May 18, 2010.

crime remains a difficult one that requires considerable time. Baja California's experience suggests that crime reporting can be dramatically increased by making the process easier and through awareness raising campaigns. While it might seem obvious that improved police effectiveness will increase reporting, it is also important to note that greater insurance penetration would create a stronger financial incentive to report crimes.

Citizen oversight

As suggested above, crime reporting is either the product of a vicious or a virtuous cycle. If the police are distrusted and viewed as ineffective, then there is little incentive to report crime. However, the failure to provide police with information and support will only ensure continued ineffectiveness. By contrast, if the police are trusted and viewed as effective, then people will report crime and provide information: further increasing police effectiveness. If a country or community is trapped in the vicious cycle, the question then becomes how to extract itself. The promises of elected leaders and their appointed officials to clean up and reform the police have clearly been insufficient in the Mexican case, suggesting the need for greater direct citizen involvement and oversight.

In one sense, Mexican citizens have several tools at their disposal to monitor and oversee their police and law enforcement agencies. Many police forces or local governments have units or departments for receiving complaints from citizens about mistreatment or police misconduct. Victims of human rights violations can file a complaint with the national or state human rights commissions. Citizens can also lodge anonymous complaints by calling the above mentioned 089 number. As was also discussed above, there have been governmental efforts to form neighborhood committees, which, in theory, should offer residents an organizational tool to monitor and advocate for better services in their neighborhoods. In addition, since legislation in 1995, Mexico has experimented with citizen public security councils, or committees, at all three levels of government.

These committees, which draw upon the participation of important civic leaders, should in theory also offer a means for citizens to monitor and oversee the police.

One can point to success stories where such tools have in fact helped increase accountability. For example, Baja California's state Citizen Public Security Council can claim several achievements in the area of oversight since its founding in 1999. Over the course of its existence, the council has organized citizen evaluation committees, conducted annual analyses of the state's security situation, drawn public attention to major law enforcement failings, met regularly with public security officials, promoted neighborhood watch groups independent of government (*vecinos vigilantes*), and even led protest marches against insecurity.[20]

Nonetheless, such success stories seem to be the exception rather than the rule. This is not to say that citizen public security committees have been ineffective; rather, such committees are typically far more successful at encouraging co-production than meaningful oversight.[21] "Successful" citizen committees tend to marshal community resources to support the police or conduct campaigns to encourage legal compliance or crime reporting. While extremely important, these functions are not the same as oversight. In fact, many of the committees' governing legislation do not even contemplate an oversight role.[22] Despite their name, the citizen public security councils have typically been made up of equal parts government and citizen councilors. The objective of this design was to engender cooperation between government and civil society, but it has also created dependence on the current government and undermined the potential for oversight. As such, administrations that are not ideologically committed to citizen participation are able to marginalize these bodies. As Ramos García writes in his study of public participation in public security, "… social participation has been temporary and conditioned by the priority policies of the government in

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[20] Marco Antonio Carrillo Maza and Jesús Fuentes Orozco, *La participación ciudadana en Baja California: a 10 años del Consejo Ciudadano de Seguridad Pública* (Mexicali: Consejo Ciudadano de Seguridad Pública, 2012); Sabet, *Police Reform in Mexico*.
[21] Sabet, *Police Reform in Mexico*.
[22] Ibid.

office."[23]

Other oversight tools have also failed to produce meaningful accountability to citizens. Complaint mechanisms often boil down to the word of a citizen versus the word of a police officer. International experience shows that when used in isolation, reactive investigations based solely on citizens' complaints have been an ineffective anticorruption tool.[24] Research in Mexico has also found that neighborhood groups are often neglected and ignored by governing administrations and that they are better designed for the authorities to mobilize citizens than for citizens to hold officials accountable.[25]

Recently there has been a push for a new type of citizen oversight model: the *observatorio ciudadano.* Translated as either citizen observatory or citizen monitor, the *observatorio* offers a tool to generate reliable and accurate information about security outcomes over time. Unlike the citizen public security councils, whose mission is broad and somewhat ambiguous, the observatories' goal is (at least in theory) more focused: to identify, develop, and track reliable and accurate indicators of police and criminal justice system performance. While fairly new to Mexico, observatories emerged in Colombia in the 1990s and have since expanded throughout much of Latin America with financial support from foundations, development aid organizations, and development banks.[26] They have emerged as a promising tool precisely because of the lack of reliable indicators with which to evaluate the success or failure of public security agencies and policies. The original observatories

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[23] José María Ramos García, *Inseguridad Pública en México: Una propuesta de gestión de política estratégica en gobiernos locales* (Mexico City: Miguel Ángel Porrúa, 2006): 189.

[24] Kutnjak Ivković, for example, notes that complaint-based accountability mechanisms are entirely reactionary and less effective than preventive or proactive methods, such as sting operations. She also notes that while citizens are willing to file complaints for a wide range of police abuses, corruption complaints are relatively infrequent even in environments with high levels of corruption. Sanja Kutnjak Ivkovic, *Fallen Blue Knights: Controlling Police Corruption* (New York: Oxford University Press, 2005).

[25] Héctor Padilla Delgado, "Democracia y gobernabilidad en una experiencia local: El caso de Ciudad Juárez visto desde la perspectiva de la clase política," *Transición democrática y gobernabilidad: México y América Latina*, Julio Labastida Martín del Campo, Antonio Camou, and Noemí Luján Ponce, eds. (Mexico City: Plaza y Valdes, 2000); Andrew Selee, *Democracy Close to Home? Decentralization, Democratization, and Informal Power in Mexico* (University Park, Pa.: Penn State University Press, 2011); Daniel M. Sabet, "Stuck in the Transition from Clientelism to Citizenship," paper presented at the annual meeting of the American Political Science Association, September 1-4, 2005.

[26] CISALVA (Instituto de Investigación y Desarrollo en Prevención de Violencia y Promoción de Convivencia Social), *Guía Metodológica para la Replicación de Observatorios Municipales de Violencia* (Cali: Centro Editorial CATORSE SCS, 2008).

viewed crime as similar to a public health problem that could be addressed through an "epidemiological approach" involving diagnosing the malady and developing and systematically testing treatments.[27]

The need for better statistics has particular resonance in Mexico. There have always been problems with state and national level data, but the greatest concern has been at the local level.[28] Individuals or organizations interested in municipal level data have largely been dependent on what information the local government decided to share with the public through press releases and annual reports. Given that these forums were typically used to celebrate the accomplishments of a given administration, data was often "cherry picked" rather than presented in a comprehensive and objective way.[29] As such, citizens have had limited information by which to diagnose their problems or hold local government officials accountable for security outcomes.

This manipulation of information is perhaps surprising given the existence of local citizen public security committees in many state and municipal jurisdictions and provided the existence of transparency laws that, in theory, allowed citizens to request such information. In very few cases, however, had the citizen councils made an effort to systematically make crime data available to the public. One important exception was the above mentioned Baja California state Citizen Public Security Council during the 2001-2007 administration of Governor Eugenio Elorduy Walther. During this administration, the governor gave the council access to the state's raw data for the development of a series of independent annual analyses. Nonetheless, the Baja California experience was in many ways the exception that proved the rule. While the council included an exceptional group of citizens, this oversight was only possible because of the governor's ideological support for

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[27]Ibid.

[28] Individuals could generally find national level crime data and some state breakdowns either through the country's statistical agency INEGI or the National Public Security System. The data was confusing and difficult to access, but it was at least available.

[29] To offer one example, in its 2008 annual report, the city of Mexicali presented data on only six public security indicators with only simple comparisons with the previous year. All of the graphs showed dramatic improvements, leaving the reader wondering if the previous year had been a statistical anomaly and if the administration chose to exclude indicators that did not show positive change. Rodolfo Valdez Gutiérrez (mayor), *Primer Informe de Gobierno* (Mexicali: Ayuntamiento de Mexicali, 2008).

citizen oversight.

Even if information is not selectively "cherry picked," existing data sources present numerous challenges. Relying on *denuncias,* or formal crime reporting to the public ministries, is the most consistent and reliable source of information, but as discussed above, it is often inaccurate given the large amount of crime that is not formally reported. The problem with relying on formal filings is illustrated by the issue of extortion. A recent report from the National Citizens Observatory found that reports of extortion had gone up 20% over a previous three month period.[30] What was not clear from this statistic, however, was whether actual extortion had gone up by 20% or if people were responding to campaigns and simply reporting a higher percentage of cases.

To offer another example, the sum of crimes reported in the municipalities of a given state should equal the total crimes in that state; however, in practice the National Citizens Observatory has found that there are often divergences.[31] The observatory looked at six types of crimes across four months and measured the number of months and crimes where there were differences between municipal and state totals. If there was complete disagreement on all crimes for all months, then there could be 24 possible differences. The authors found no inconsistencies in Baja California and Chihuahua, but they uncovered inconsistencies in 17 out of 24 reportings in Sonora, and 8 out of 24 in Tamaulipas and Coahuila—just to offer a few examples from Mexico's northern border states. They also looked for omissions in municipal reporting, and found, for example, that the municipality of Cuauhtémoc in Chihuahua was not providing data on kidnapping, extortion, and homicides. In fact, even the most basic statistics like homicides and traffic accident deaths have proven to be problematic, as data from the health secretariat or statistical agency has not always matched up with that of law enforcement agencies.

Given the failure of local government to make crime data systematically available and given

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[30] Observatorio Nacional Ciudadano, "Reporte periódico de monitoreo sobre delitos de alto impacto," 2012.

[31] Ibid.

the problems in existing data sources at all three levels of government, there appears to be a clear need for the citizen observatory model. In the Colombian experience, the observatory provided a platform whereby officials from different agencies along with technical experts in civil society and from the academic community could sit together and iron out any methodological differences and data collection problems. Then this more reliable and accurate data would be made available to the broader public for use in policy making.

Unfortunately, despite initial enthusiasm, the model has had a hard time getting off the ground in Mexico. While "observatories" for different causes had started to pop up in Mexico in the mid-2000s, the first clear call for public security observatories was in the landmark 2008 National Agreement for Security, Justice and Lawfulness, an agreement between all three levels of government and different sectors of society to work together to address Mexico's security crisis. Nonetheless, there was disagreement about the meaning of the 2008 agreement. On the one hand it issued a call to civil society: "Participate in the creation and strengthening of mechanisms to monitor and evaluate authorities to eradicated corruption and increase effectiveness and social recognition."[32] But on the other hand, it only specifically mentioned the creation of one observatory, and gave the Public Safety Ministry responsibility for the observatory. It also tasked the observatory to narrowly oversee the agreement rather than to oversee public officials and law enforcement more generally.[33]

The lack of clarity in the agreement coincided with at least two disagreements about how the observatories should operate. First, should the observatories only "monitor" government, compiling and analyzing information, or should they go a step forward and attempt to influence policy? Second, should they offer a collaborative platform between citizens and government officials—like the citizen public security councils and the Colombian-style observatories—or should they be autonomous citizen initiatives?

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[32] "Acuerdo Nacional por la Seguridad, la Justicia, y la Legalidad," Article 9 (LXX).
[33] Ibid, Article 2 (XXVI).

Despite the potential of observatories, several years after the signing of the national

agreement, only a handful of observatories were functioning effectively and they were only just

starting to produce useful results. Two worth profiling include the National Citizens Observatory

(Observatorio Nacional Ciudadano) and the municipality of Ciudad Juárez's Observatory for Safety

and Coexistence (Observatorio de Seguridad y Convivencia). The National Citizens Observatory

exemplifies the struggle that monitors have faced to get off the ground. Informally created after the

signing of the National Agreement, it struggled to consolidate itself into a formal organization.

Disagreements over its functions, its relationship with the government (particularly the Public

Safety Ministry), and its leadership structure led to continual delays. It was not until July 2011 when

it emitted its first analysis of high-impact crimes, including homicides, robbery, car theft, extortion,

and kidnapping.[34]

In theory, the national observatory was to serve as a model for and support state-level

observatories; however, difficulties in consolidating the national observatory slowed development at

the local level as well. By 2012, however, the national body had worked with the Consejo Cívico de

las Instituciones Laguna (Civic Council of Institutions of the Laguna) in the Laguna area of

Durango and Coahuila to develop a local analysis of high-impact crimes. The report documented

dramatic increases in several high-impact crimes, which were well above the national average.[35]

The study also drew attention to the lack of formal reporting of kidnapping and extortion,

demonstrating a clear lack of trust in the authorities, even as other jurisdictions have successfully

encouraged greater extortion reporting.

In fact, the citizen monitor model has the greatest potential for impact at the local level.

Here crime data can be used to not only evaluate government and law enforcement performance but

to better design civil society and governmental interventions. Ciudad Juárez was one of the first

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[34] Observatorio Nacional Ciudadano, "Reporte Periódico de Monitoreo sobre Delitos de Alto Impacto, 2011.
[35] Consejo Cívico de las Instituciones Laguna and Observatorio Nacional Ciudadano, "Monitoreo de Incidencia
Delictiva en La Laguna," 2010.

municipalities to establish an observatory in 2008: the Citizens Observatory for Security and Coexistence. Following the path of its Colombian predecessors, it adopted an epidemiological approach and benefited from the participation and support of the federal Health Ministry and the Pan American Health Organization, among others. The lead civil society actor in the initiative has been the Autonomous University of Ciudad Juárez, which has housed the observatory and covered its personnel and administrative costs. While autonomous, the observatory collaborates closely with government and other actors. The observatory also worked with the city's traffic police to analyze data on traffic accidents and the Municipal Planning Institute (IMIP) to geo-reference these data. As a result of collaboration, in 2012, the observatory published three polished, geo-referenced diagnostic studies on violent deaths, traffic accidents, and crime. Interactive maps based on these three studies can be accessed on the observatory's website.[36] With a strong empirical base, the members of the observatory are (as of this writing) participating with government officials in the development of a master plan for road safety.

These two observatories have taken different approaches toward relations with government actors. The National Citizens Observatory opted to be entirely independent and separate from government. Its expenses are covered entirely by private donations and it analyzes and critiques existing data sources rather than working with government officials in generating data. As one of its representatives stated in an interview, "Given our social history and taking into account our political and civic culture, today we think that we are better off as entirely autonomous and citizen based." By contrast, at the local level, the Ciudad Juárez observatory is working closely with a wide array of government actors.

Several emerging observatories are more closely tied with government. The incentives to create local level observatories have increased with changes in the Municipal Public Security Subsidy (SUBSEMUN), which provides dedicated federal funds to municipal governments to

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[36] Observatoria de Seguridad y Convivencia Ciudadanas del Municipio de Juárez, http://observatoriodejuarez.org/.

professionalize and develop law enforcement capacity. Since its inception in 2008, the subsidy has come with a long list of required conditions that municipalities must meet in order to access the funds, and as of 2012, it became a requirement for municipalities to establish local citizen observatories. The measure provides a shot in the arm for the development of citizen monitors, but it also risks creating observatories that suffer from the same structural dependence as the citizen public security committees. Interview respondents expressed their hope that emerging observatories would maintain some financial and political autonomy. For example, in the state of Chihuahua, businesses have consensually agreed to a small tax increase that will be used to fund the state observatory and prevention programs in the state. As such, it is the business community that is funding the initiative and the government merely serves as the vehicle for collecting and distributing the funds.

Observatories can also differ in the degree to which they focus on collecting and analyzing data versus influencing decision making. Interview respondents for this study generally felt that the backbone of the observatory initiative has to be ensuring accurate and reliable data. Only once this information is in hand can decisions be based on solid empirical evidence rather than just the political whims of existing office holders. Nonetheless, the term "observatory" has become somewhat fashionable and not all groups that carry the name are necessarily committed to this mission. Furthermore, a singular focus on data reliability and accuracy does not ensure that the resulting information is taken into account in policy development. As one interview respondent provocatively asked, "We're developing indicators for what?" From this point of view, it is essential that the observatory take the extra step and attempt to influence policy. In this sense, the observatory in Ciudad Juarez represents something of a model: they identified a problem of traffic deaths, generated data to inform decision making, and are leading an effort to involve citizens in developing a traffic safety plan for the city.

In short, ideally a citizen observatory will maintain financial and political autonomy but still

be able to work with government to ensure improvements to data collection and to ensure that information generated actually informs policy. To achieve this ideal, however, observatories have to wrestle with how to maintain their autonomy both financially and politically. As of this writing, several nascent observatories are wrestling with these issues, including Cancún, León, and San Luis Potosí at the municipal level, and Queretaro, Chihuahua, Colima, and Baja California at the state level. While the observatories offer considerable potential they confront numerous challenges. As one interviewee noted, "…factors like the lack of capacity (in public institutions as well as civil society), a lack of knowledge about successful methodologies and experiences, political volatility, institutional closure, and the lack of professional competency have appeared to undermine in general the efforts and results of [these initiatives]."

Conclusion

While law enforcement will be central to any solution to Mexico's security crisis, the police simply cannot be effective without the support of citizens. Unless there are police on every street corner, law enforcement agencies will depend on citizens to provide information and report crimes. Unfortunately, to date, distrust of the police along with other factors has produced a situation where only an estimated 12.8% of crimes are reported. This analysis suggests that some steps are being taken to change this status quo, including improving call centers, providing a means for anonymous reporting, and undertaking promotional campaigns. Nonetheless, such efforts will also have to be complemented by initiatives to reduce the length of time required to report crime, to increase police effectiveness, to reduce corruption, and to expand insurance penetration. Despite these challenges, the experience of Baja California suggests that reporting can be increased through such a multipronged approach.

Increasing trust in the police will also entail greater direct citizen oversight. Given the disappointing impact of citizen public security councils, there is optimism that citizen observatories

will offer a new form of citizen oversight that will provide citizens and government officials with the information needed to properly diagnosis crime problems, test treatments, and hold government officials accountable. While the observatory model holds out promise, there are to date only a handful of successful examples and concerns persist that such bodies will lack the autonomy to provide reliable information or effective oversight.

About the Author

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