



JAMES A. BAKER III INSTITUTE FOR PUBLIC POLICY
RICE UNIVERSITY

THE IMPORTANCE OF BUILDING
CROSS-BORDER RELATIONSHIPS ALONG A VIOLENT
U.S.-MEXICO BORDER FROM THE GROUND UP

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Building Cross-Border Relationships Along a Violent U.S.-Mexico Border

Recent news from the border region paints the picture of an increasingly volatile situation: running gun battles along the lower Rio Grande and the streets of Nuevo Laredo, not to mention bomb threats temporarily closing the U.S. Consulate in Ciudad Juárez and the Pharr-Reynosa International Bridge. Citizens have been counseled to shelter in place and not venture into the streets. In addition, corruption is pervasive along the border, with 60 percent or more of Mexican law enforcement estimated to be on the drug cartel payroll in recent years — and the corruption clearly is not limited to the southern side of the border.¹ The situation is dire. The solutions are complex and require the formation of long-term, solid, transborder relationships among law enforcement agencies.

Building collaborative partnerships with Mexican law enforcement has two goals: improving working relationships and enhancing intelligence. Another goal must be paramount as well: Information must be protected from the drug trafficking organizations and their agents.

Building Effective Relationships

Can these goals be achieved? The answer is “yes, they can,” but more stages of development are warranted.

First, the goals must be built upon a foundation of mutual trust, and trust is hard to come by in these days and times of border violence. It is best built through productive working relationships toward a common goal. Trust also requires that all the individuals involved be thoroughly vetted for drug trafficking connections and be protected from drug trafficking intimidation and retaliation. Placing the joint collaboration effort in a city such as Ciudad Juárez, as was recently — and apparently prematurely — reported by the press, could subject the group to unnecessary pressure and/or danger. The group would be better served in an unknown location, where surveillance and countermeasures by the drug trafficking organizations can be deterred.

¹ “Controla el narco el 62 por ciento de los policías en Mexico,” perionotas.com, Feb. 1, 2009, <http://74.125.95.132/search?q=cache:http://perionotas.com.mx/controla-el-narco-el-62-por-ciento-de-los-policas-en-mxico.html>.

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Second, when building the level of trust, both sides should begin the collaboration with limited information. This allows both sides to gain comfort with the nuances of their endeavors and work through the legal frameworks of the two nations, such that all issues of the information-sharing framework can be thought through proactively. As trust is gained, information sharing is expanded.

Third, building trust requires time and judgment. Those placed in these critical positions by both countries must, in turn, be trusted for guiding the process, its timing and judging appropriate steps to take. Seasoned analysts should not be rotated rapidly through the process. Every time a new participant is brought on board, some modicum of trust must be rebuilt, and rapid turnover will doom the effort to lower levels of trust and lower effectiveness.

Collaboration with our neighbors is imperative. However, it must be entered into with open eyes and necessary safeguards. Without these, the efforts will fail or worse. The drug trafficking organizations may be able to penetrate our own intelligence organizations.

Current Collaborative Efforts

Are there organizations working toward this goal already? Again the answer is “yes.” Both Texas and Arizona law enforcement communities have established transborder police associations — the Transborder International Police (TIP) Association and the Policia Internacional Sonora-Arizona. These organizations sponsor conferences on topics such as auto theft, fugitives, child abduction, terrorism and technology, but more importantly they provide the opportunity for relationship-building and collaboration among transborder peers. In this regard, the February 2010 TIP conference was very successful.

The members of these associations are a wealth of information that is invaluable to policymakers. Their experience on the ground can help ascertain the most significant threats and obstacles, as well as temper and fashion the solutions to reality.

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Recommendations from the Field

Specific observations by the February conferees are worth noting.

With detailed vetting of personnel, law enforcement collaborations work and have been proven by pilot programs, but these successes are not translated into policy. The pilot programs appear to just end with no follow-up.

Continuity of personnel, resources and effort is another critical factor. Too often an initiative is committed to by both governments, then there is a change in administrative leadership, and the commitment is dropped or personnel are rotated out. In either case, the long process of relationship building, trust and training must restart from scratch, and can take months or years.

In many law enforcement agencies along the border, liaison positions with counterparts across the border are a collateral assignment, not a primary duty. An inevitable result of collateral liaison positions is a loss of focus as liaison activities take the back seat to a myriad of other requirements. When cross-border relationships are so critical, there is value in having at least a handful of persons in any agency being tasked with liaison activities as a primary duty.

Apprehending criminals in Mexico and the United States requires a mutual understanding of each country's criminal statutes. As part of collaborative law enforcement efforts, capable legal teams that are authorized to assess and commit to legal opinions must be established and accessible. Cross-border enforcement efforts must be conducted in a fashion that meets the requirements of both nations. Over time, protocols with Mexico have been established, but with the high turnover in Mexican agencies, the knowledge has been lost. In the future, turnover on both sides should be handled with the proper "pass down" and personnel overlap, so that protocols and programs are not lost, but become part of a standard operating procedure.

As collaborative efforts are built, there should be an understanding of all parties that the intelligence information available may be limited. Again, each nation has laws and policies that may not allow sharing of all information. The amount of information shared will also depend on

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“the need to know” and the level of trust developed, both of which are judgment calls and should not be legislated.

Mexico has initiated pilot programs that open criminal trials to the public and recently initiated the first Crime Stoppers in Latin America. As these programs achieve success, the successes need to be published for the citizenry.

Crime Stoppers recently has been launched in Ciudad Juárez, and its presence may prove to be a valuable tool. In general, many citizens suffer from a distrust of law enforcement, but they may be willing to reach out anonymously to a nonprofit organization. Likewise, an Amber Alert system may engage the public to assist in fighting crime. Mexicans have inquired about the Amber Alert system, but it has not been pursued.

Under a U.S. government initiative, funds have been provided to the Mexican government for law enforcement equipment to fight the drug cartels. In many cases, the equipment never reached the law enforcement officer. Only when the equipment has been purchased by the United States, delivered to local law enforcement by U.S. representatives, and the individual officer has signed for the equipment he received from the U.S. representatives, has the equipment been guaranteed to reach the individual law enforcement officer.

Conclusion

Success requires working together and achieving results. Small successes can build to larger successes. Building relationships takes time, commitment and continuity. The governments on both sides of the border must make this an unwavering top priority in order to stem the tide of border violence.

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