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EXPLAINING THE SLIGHT UPTICK  
IN VIOLENCE IN TIJUANA

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## Explaining the Slight Uptick in Violence in Tijuana

### Introduction

After a two-year decline in drug-related violence in Tijuana, seven homicides were reported in a two-day period in early June 2013.<sup>1</sup> The homicides are notable because Tijuana is one of the few places in Mexico where drug violence has spiked and subsequently subsided. This white paper explores the reasons behind the limited increase in violence and provides policy recommendations to address it.

Between 2008-2010, drug-related violence between two factions of the Arellano Felix cartel nearly brought Tijuana to its knees.<sup>2</sup> However, the 2010 arrest of a top cartel lieutenant brought relative peace to the city, prompting the administration of former Mexico president Felipe Calderón to promote Tijuana as a public safety success story.

Since then, Tijuana has remained calm yet open to drug trafficking. Many Mexico security analysts, myself included, have speculated that this is due to a *modus vivendi* or agreement between the two cartels that use the city as a drug corridor—the Sinaloa cartel and the remaining members of the Arellano Felix cartel.<sup>3</sup> The silver lining of the city's slight uptick in violence is that it does not appear to indicate a breakdown in the large-scale "cartel" agreements that have kept violence low up to this point.<sup>4</sup> Evidence indicates that the increase is instead linked to low-level drug dealers vying for territory, as well as the consequences of criminal deportations from

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<sup>1</sup> Jill Replogle, "Street Dealers Fuel Spike In Violence In Tijuana," KPBS.org, June 12, 2013, <http://www.kpbs.org/news/2013/jun/12/street-dealers-fuel-spike-violence-tijuana/>.

<sup>2</sup> Richard Marosi, "Tijuana's Security Chief Needs All of It He Can Get: Julian Leyzaola Lives with Threats and Worse, Plus the Accusations," *Los Angeles Times*, December 20, 2009, <http://www.latimes.com/news/nation-and-world/la-fg-tijuana-police20-2009dec20,0,1484440.story>.

<sup>3</sup> Nathan Jones and Stacy Cooper, "Tijuana's Uneasy Peace May Endure, Despite Arrests," Insight Crime, November 16, 2011, <http://insightcrime.org/insight-latest-news/item/1854-tijuanas-uneasy-peace-may-endure-despite-arrests>; Nathan Jones, "Tijuana Cartel Survives, Despite Decade-Long Onslaught," InsightCrime, June 20, 2012, <http://www.insightcrime.org/insight-latest-news/item/2790-tijuana-cartel-survives-despite-decade-long-onslaught>.

<sup>4</sup> See Colleen W. Cook for a discussion of the use of the term "cartel" as it pertains to drug trafficking organizations. Mexican cartels are not economic cartels that can control prices through supply. Thus, they are more accurately described as drug trafficking organizations or drug networks. "Cartel" is used here because it is the common usage. Colleen W. Cook, *C.R.S Report For Congress: Mexico's Drug Cartels* (Congress: Congressional Research Services, December 10, 2007), [www.fas.org/sgp/crs/row/RL34215.pdf](http://www.fas.org/sgp/crs/row/RL34215.pdf).

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the United States.<sup>5</sup> This conclusion is based on recent reports and my own analysis of Tijuana violence data, which I will expand upon in this paper.

The Tijuana *plaza* is unique in Mexico in that it is neither contested, nor monopoly controlled and yet is relatively tranquil. It appears to have the following features: (1) it is open for drug trafficking to the Sinaloa cartel “alliance,” (2) it is closed for drug trafficking to the Zeta alliance, and (3) kidnapping and extortion are minimized.

### Background and History of the Tijuana Plaza

Experts speculate that in the late 1980s, members of the Arellano Felix family (AFO) were small-time players not well-known to Mexico’s most infamous traffickers. However, the AFO established control of the Tijuana *plaza*, or drug corridor, in the early 1990s following the maximum-security imprisonment of rival drug lord Miguel Angel Felix Gallardo,<sup>6</sup> and through a series of patrols that prevented others from trafficking through the area without paying *cuota*, or a tax. The AFO recruited street and prison gang members (sometimes the same individuals) through their top enforcer, David Barron Corona. Following an aggressive binational law enforcement campaign in the late 1990s and early 2000s, the AFO lost nearly all of its first generation of leadership to death or arrest.<sup>7</sup>

Leadership passed to the Arellano Felix brothers’ nephew, Fernando Sanchez Arellano, also known as El Ingeniero, somewhere between 2006 and 2008; his uncle, El Doctor, served as an advisor until his arrest in 2008.<sup>8</sup> A rival lieutenant, Teodoro Garcia Simental, also known as El

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<sup>5</sup> Replogle, “Street Dealers Fuel Spike,” June 12, 2013.

<sup>6</sup> Elaine Shannon, *Desperados: Latin Drug Lords, U.S. Lawmen, and the War America Can’t Win* (New York: Viking, 1988).

<sup>7</sup> Nathan Jones, “The State Reaction: A Theory of Illicit Network Resilience” (dissertation, University of California, Irvine, 2011); “Major Cartel Lieutenants Arrested in Mexico” (press release, Drug Enforcement Administration, 2004), [http://www.justice.gov/dea/major/united\\_eagles/index.html](http://www.justice.gov/dea/major/united_eagles/index.html); “Drug Enforcement Administration Lecture Series: Harrod, Scharf and Ziegler” (lecture series, Department of Justice, 2008), [http://www.deamuseum.org/transcripts/Harrod\\_Scharf.pdf](http://www.deamuseum.org/transcripts/Harrod_Scharf.pdf).

<sup>8</sup> Jones, “The State Reaction: A Theory of Illicit Network Resilience”; Richard Marosi, “U.S. Charges Top Leaders of Tijuana-based Drug Cartel,” *Los Angeles Times*, July 24, 2010, <http://www.latimes.com/news/local/la-me-drugs-20100724,0,1943978.story?track=rss>.

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Teo, broke with El Ingeniero in April 2008 over the issue of kidnapping.<sup>9</sup> El Ingeniero wanted it to stop because it drew too much attention to the drug trafficking business, but for El Teo, it was a critical source of revenue. The brutal conflict between the two factions ended in early 2010 when El Teo was arrested, and his top lieutenants fell shortly thereafter.<sup>10</sup> Early in the war it appeared El Teo had the backing of the Sinaloa cartel, but the alliance was short-lived and may have been jettisoned because of El Teo's violent behavior and predatory business model based on kidnapping and extortion of the local population.<sup>11</sup> Since that period, Tijuana has enjoyed a relative calm despite the entry of the Sinaloa cartel into the *plaza*.<sup>12</sup>

### Existing Reports

Reporting on Mexico's organized crime structures is notoriously difficult, given that drug networks intentionally obscure their activities. However, solid reporting on drug issues in Tijuana exists. The National Public Radio (NPR) Fronteras desk carries reports from Jill Replogle,<sup>13</sup> and Zeta Magazine, a Tijuana weekly, provides excellent organized crime coverage. The newspaper El Mexicano has also provided strong on-the-ground reporting of specific killings.<sup>14</sup> Both NPR and Zeta Magazine report that officials believe that the uptick in Tijuana's violence can be largely attributed to local drug dealers killing each other over drug and turf related disputes. An analysis of the available crime data, detailed later in this paper, seems to confirm the assertion.

The conflict between local drug traffickers is apparently related to retail drug sales, which have been expanding in Tijuana since the early 2000s. After the September 11 attacks, the U.S. increased security at the border, making drug trafficking more difficult and inspiring some

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<sup>9</sup> Marosi, "Tijuana's Security Chief," December 20, 2009; William Finnegan, "In the Name of the Law: A Colonel Cracks Down on Corruption," *The New Yorker*, October 18, 2010, [http://www.newyorker.com/reporting/2010/10/18/101018fa\\_fact\\_finnegan#ixzz12ONN9dAn](http://www.newyorker.com/reporting/2010/10/18/101018fa_fact_finnegan#ixzz12ONN9dAn).

<sup>10</sup> Eliot Spagat, "Reputed Mexican Drug Lord Teodoro Garcia Simental Is Captured," *Washington Post*, January 13, 2010.

<sup>11</sup> Ibid.; Richard Marosi, "Mystery Man Blamed for Gruesome Tijuana Deaths," *Los Angeles Times Times*, December 18, 2008, <http://www.latimes.com/la-fg-tijuanadruglord18-2008dec18,0,5864824.story>.

<sup>12</sup> "A Glimmer of Hope," *The Economist*, accessed November 27, 2012, <http://www.economist.com/news/special-report/21566774-after-five-years-soaring-murder-rates-killings-have-last-begun-level>.

<sup>13</sup> Replogle, "Street Dealers Fuel Spike," June 12, 2013.

<sup>14</sup> Said Betanzos, "Tres Asesinatos Durante El Fin de Semana," *El Mexicano*, April 28, 2013, <http://www.el-mexicano.com.mx/informacion/noticias/1/22/policiaca/2013/04/28/669278/tres-asesinatos-durante-el-fin-de-semana>.

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trafficking groups to diversify their clientele by creating a domestic drug market. Cheap meth known as *crystal* has become a scourge in Tijuana,<sup>15</sup> and local drug dealers seem to be jostling for position.

### Cartel Operating Procedures in the Plaza

According to NPR, there has been a shift in how cartels operating in the area manage their operations. Vicente Calderon, a reporter cited in the report, says that cartels now hire more freelance cells that operate independently.<sup>16</sup> The cells are less connected to the cartels, are provided less protection by the cartels, and the cartels maintain less control over them. El Tomate—a former Teo lieutenant who worked for the Sinaloa cartel, though was not considered a member—is an example of a freelancer hired by organized crime. His arrest and subsequent statements to authorities gave an insight into the operational procedures and structures of the Sinaloa Cartel. The use of freelance cells may have become a preferred organizational method for El Chapo and El Mayo, the leaders of the Sinaloa cartel, because of their experience with the Beltran Leyva Organization (BLO) break-off. The Beltran-Leyva Organization was once a trusted portion of the Sinaloa cartel. Following the arrest of one of the Beltran-Leyva brothers, which the BLO believed to have been arranged by the Sinaloa Cartel, they split from the Sinaloa cartel. This split led to significant increases in violence in Mexico. For the Sinaloa cartel, the lesson was to avoid the concentration of power by regional heads. Following these events, they supported independent cells that often competed with each other.<sup>17</sup>

Most available reports indicate that the retail drug vendors responsible for the recent violence are all involved with the Sinaloa cartel.<sup>18</sup> These retail vendors can be viewed as at the Sinaloa network's "periphery" or within its "sphere of influence"; the network thus has little control over them.<sup>19</sup>

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<sup>15</sup> Jones, "The State Reaction: A Theory of Illicit Network Resilience."

<sup>16</sup> Replogle, "Street Dealers Fuel Spike," June 12, 2013.

<sup>17</sup> "Borderland Beat: El Tomate Reveals the Sinaloa Cartel's Methods of Operation," January 12, 2010, <http://www.borderlandbeat.com/2011/01/el-tomate-reveals-sinaloa-cartels.html>.

<sup>18</sup> Betanzos, "Tres Asesinatos Durante," April 28, 2013.

<sup>19</sup> Michael Kenney, *From Pablo to Osama: Trafficking and Terrorist Networks, Government Bureaucracies, and Competitive Adaptation* (University Park, Pa.: Pennsylvania State University Press, 2007), <http://www.loc.gov/catdir/toc/ecip075/2006037198.html>.

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The shift from hierarchical to more loosely connected cells could be problematic. It means that more cells could potentially come into conflict with each other and larger organized crime groups would have limited ability to stop violence. The problem could be addressed by the underworld in two possible ways. First, a more hierarchical structure could be established that allows for more discipline from top-level leadership figures. Second, organized crime in Tijuana could, in the end, maintain an equilibrium similar to that of U.S. street and prison gangs, as Kings College London lecturer David Skarbek describes in his work on prison gangs.<sup>20</sup> In the U.S. model—which has kept violence levels low despite the massive size of the U.S. drug consumption market—when two street gangs come into conflict with each other, prison gang representatives (who have been released from prison) announce themselves and negotiate settlements to protect business operations. The failure of street gangs to work with prison gangs leads to credible threats of violence when these street gangs enter the prison system.<sup>21</sup> The loosely knit criminal structure in Tijuana could similarly maintain effective discipline over a diverse array of local gangs or cells.

### Is Tijuana an Open Plaza?

While some argue that the Tijuana *plaza* is an open corridor for any drug trafficking organization, there is one piece of circumstantial evidence that suggests it is not: There are no reports that the Zeta cartel and its known allies—the Juarez cartel and the Beltran Leyva Organization—are present in Tijuana. It appears that the ruling agreement between the Sinaloa cartel and the remaining members of the AFO keeps them out.

This suggests that Tijuana is not a free or open *plaza* because if it were, the Zetas would likely make a play for the lucrative drug corridor. It does not appear that the exclusionary Sinaloa-AFO agreement applies to La Familia Michoacana,<sup>22</sup> Caballeros Templarios<sup>23</sup> or the Nueva

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<sup>20</sup> David Skarbek, “Governance and Prison Gangs,” *American Political Science Review* 105, no. 4 (2011): 1–15.

<sup>21</sup> Ibid.; Christopher Sherman, “Mexican Traffickers Get Help from U.S. Prison Gangs,” *Associated Press*, accessed May 7, 2010,

<sup>22</sup> Said Betanzos, “‘La Familia’ Paga Por ‘piso’ Al CAF -El Mexicano,” *El Mexicano*, January 13, 2011, <http://www.el-mexicano.com.mx/informacion/noticias/1/3/estatal/2011/01/13/449106/la-familia-paga-por-piso-al-caf.aspx>.

<sup>23</sup> Ivan Pedraza, “Caen Dos Presuntos Caballeros Templarios En Tijuana,” *El Universal*, December 2012, <http://www.eluniversal.com.mx/notas/888425.html#1>.

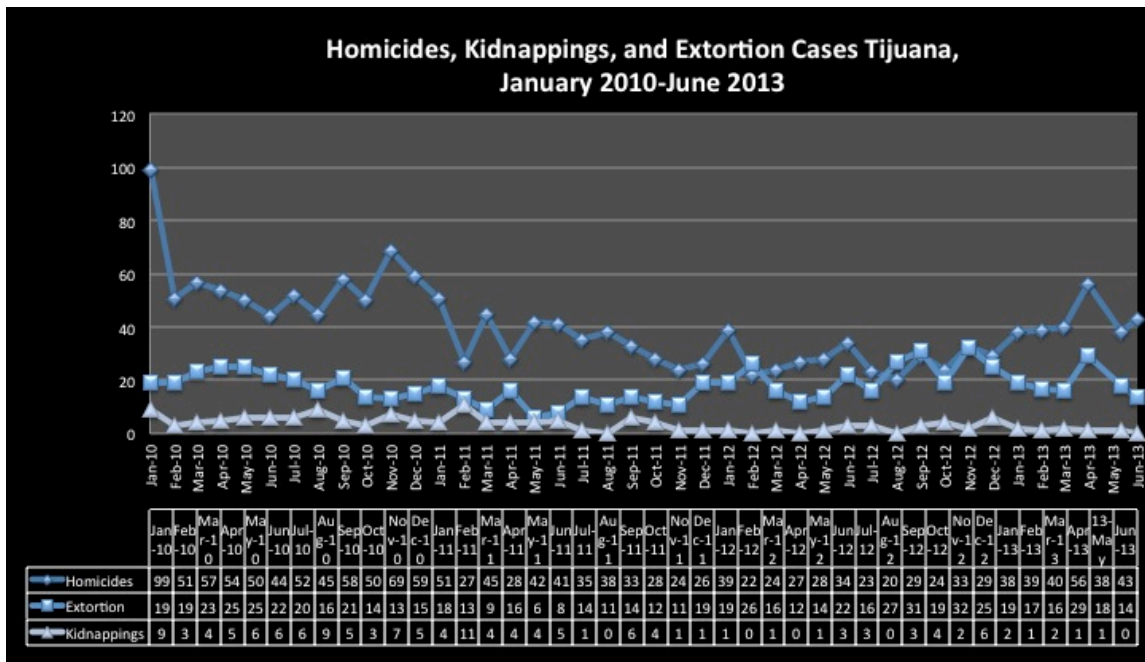
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Generacion de Jalisco<sup>24</sup> cartels, as there are reports of their presence in the area. This may suggest that Tijuana is a *plaza* that is open to Sinaloa cartel allies, but not to Zeta allies.

### Analysis of SSP Baja California Data

Data released by the Secretaria de Seguridad Publico de Baja California (SSP, or Baja California State Secretary of Public Security) shows a slight uptick in monthly homicides from January 2013 through June 2013, the last month for which information is available. The increase in homicides is not as drastic as in periods of inter-cartel conflict, such as during the war between the Teo faction and the AFO from April 2008 to January 2010.<sup>25</sup>

**Figure 1.**



Source: Author’s chart built from data provided by Secretaria de Seguridad Publica de Baja California

As Figure 1 demonstrates, the kidnapping rate has remained low following a steady drop after the 2008-2010 AFO-Teo faction war. This is an important fact for a city that once feared widespread, violent kidnappings that targeted a wide swath of society rather than a select group

<sup>24</sup> “Detienen a Tres Integrantes Del Cártel Jalisco Nueva Generación,” *UniradioInforma.com*, accessed August 2, 2013, <http://www.uniradioinforma.com/noticias/policiaca/articulo123636.html>.

<sup>25</sup> Jones, “The State Reaction: A Theory of Illicit Network Resilience.”



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of wealthy citizens.<sup>26</sup> The consistently low kidnap rate, despite an increase in homicides, could indicate that kidnapping continues to be a crime considered off-limits in Tijuana’s underworld.

**Table 1.**

	Average Annual Homicides	Average Annual Instances of Reported Extortion	Average Annual Kidnappings
2010	57.33	19.33	5.67
2011	34.83	12.58	3.75
2012	27.67	21.58	2.00
2013 (Jan-June)	42.33	18.83	1.17

Source: Secretaria Seguridad Publica de Baja California.

As Table 1 and Figure 1 show, the homicide rate increased in the first five months of 2013, bucking the trend of declining violence since 2010. Figure 1 shows that extortion cases appear to have also declined or stayed relatively stable in the first six months of 2013. Kidnappings, however, are clearly down and staying low in 2013. The monthly average in 2012 was two while in the first six months of 2013 it was only 1.17. Even if kidnappings are underreported—as is likely the case—we have no reason to believe this would not be a systematic bias. In other words, a kidnap gang that might, as a standard operating procedure, threaten a victim’s family members if they report crimes to authorities.<sup>27</sup> Thus, the continued downward trend in kidnappings is meaningful.

### Why Now?

What explains the timing of the slight uptick in homicides in Tijuana, while still explaining the stability of reported cases of extortion and the reduction in kidnappings?

<sup>26</sup> Nathan Jones, “The Unintended Consequences of Kingpin Strategies: Kidnap Rates and the Arellano-Félix Organization,” *Trends in Organized Crime* (January 16, 2013), doi:DOI 10.1007/s12117-012-9185-x.

<sup>27</sup> Jones, “The Unintended Consequences of Kingpin Strategies: Kidnap Rates and the Arellano-Félix Organization.”

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One obvious answer is that Mexico has a new president who has initiated a massive organizational shift in the country's security forces. The federal Secretaria de Seguridad Publica (Secretary of Public Security) was renamed the Comision de Seguridad Publica (Public Security Commission) and put under the control of the Secretaria de Gobernacion (Secretary of the Interior).<sup>28</sup> Such a major organizational shift is bound to require time, and create short- to mid-term operational gaps. Uncertainty was further exacerbated by recent gubernatorial elections, which the ruling PAN has held against a strong PRI candidate.<sup>29</sup> The possibility of a PRI victory in the PAN stronghold of Baja California may have complicated organized crime's attempts to corrupt various portions of the state apparatus.

In addition, Gen. Duarte Mujica, who was widely credited, along with municipal police chief Julian Leyzaola, with reducing violence in the region by targeting the El Teo faction, was rotated out of Tijuana on January 3, 2013.<sup>30</sup> If Mujica's successor, Gen. Hernandez Abreu, is still getting settled in, it may mean he has yet to establish a strong military presence in the region.<sup>31</sup> He may have new mid-level commanders who do not yet know the city and its criminal underworld well. The remedy may simply be time. On the other hand, if he does not coordinate with civilian authorities as well as his predecessor did, he may want to immediately modify his working style. Coordination with municipal police will be critical to minimizing violence related to local retail drug traffickers.

### A Troubling Trend

The U.S. government has long deported criminals who are not U.S. citizens. This practice has had particularly deleterious consequences, such as internationalizing the Maras (the Central American gangs that have become transnational criminal organizations, or TCOs).<sup>32</sup> A similar

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<sup>28</sup> "Comisión Nacional de Seguridad," accessed August 2, 2013, [http://www.ssp.gob.mx/portalWebApp/wlp.c?\\_\\_c=7d1](http://www.ssp.gob.mx/portalWebApp/wlp.c?__c=7d1).

<sup>29</sup> Timothy Johnson, "PAN's Victory in Baja California Vote Keeps Hope of Oil Industry Reform Alive," *McClatchy News Service*, July 8, 2013, <http://www.mcclatchydc.com/2013/07/08/196052/mexicos-pan-holds-onto-baja-california.html#.Ud3D7lPgJT4>.

<sup>30</sup> Sandra Dibble, "General Who Headed Baja Drug-fighting Efforts Transferred," *UTSanDiego.com*, January 3, 2013, <http://www.utsandiego.com/news/2013/Jan/03/general-who-headed-drug-fighting-efforts-baja-tran/>.

<sup>31</sup> *Ibid.*

<sup>32</sup> Ana Arana, "How the Street Gangs Took Central America," *Foreign Affairs* 84 (2005): 98.

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process is occurs with Mexican nationals. Many of these individuals grew up in the United States, are culturally assimilated, lack Spanish language proficiency, and have no family ties in Mexico. Worse, after serving time in U.S. prisons, they may have received a criminal education or have other problems, such as a drug addiction and/or gang affiliations. According to Baja State authorities, the U.S. government does not inform Mexican authorities of the specific crimes committed by deportees, such as differentiating between petty, violent, or drug-based offenses. As a result, Baja authorities claim that 20 homicides occurring between January and June 2013 are attributable to the deportation of 12 Mexican nationals from the U.S.<sup>33</sup>

### **Policy Recommendation: A Shared Criminal Database**

The Department of Homeland Security should establish a shared binational database on repatriated Mexicans with criminal backgrounds. A shared criminal database on deported Mexican nationals would provide the Mexican government with important information on an individual's likelihood of engaging in violent crime. It would allow the Mexican government to effectively allocate scarce law enforcement resources to keeping track of the most violent criminals. This could result in a direct reduction of homicides in Tijuana and other border city repatriation sites. It would further assist in the prevention of transnational and domestic organized crime recruitment of these individuals. Nonviolent nationals could be targeted for scarce social service resources that would ease their transition into the legitimate economy.

The database could be made available to Mexico's army (Secretaria de la Defensa Nacional, or SEDENA), which has responsibility for border protection, but should also be made available to the Secretaria de Gobernacion (Secretary of Interior), and Centro de Investigacion y Seguridad Nacional (CISEN or Center for Investigation and National Security), the Mexican intelligence analysis agency. These agencies could use their discretion in sharing database information with the appropriate local and state law enforcement agencies.

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<sup>33</sup> Rodolfo Montes, "EU 'suelta' En Calles de Tijuana a Varios Criminales Peligrosos," *milenio.com*, July 10, 2013, <http://www.milenio.com/cdb/doc/noticias2011/e94d7bc7dd9b3b4485669de21d82a7f1>; Miriam Wells, "Tijuana Case Highlights Dangers of U.S. Criminal Deportations," *InSight Crime*, July 11, 2013, <http://www.insightcrime.org/news-briefs/us-deports-murderers-without-informing-mexico>.

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There is a precedent for shared U.S.-Mexico databases. The E-Trace system, led by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATFE), traces guns recovered in crimes in Mexico back to straw purchasers in the United States.<sup>34</sup> The system provides the only existing data on guns used in crimes in Mexico, and their origins. Due to the sovereignty concerns of the administration of President Enrique Peña Nieto, it is important to avoid demands for data contributions from Mexico at this time.

It will also be important to maintain the human rights integrity of the deportation process. For instance, some gang deportees to Central American states have been extra-judicially killed for having gang tattoos.<sup>35</sup> Deportees to Mexico should not face a similar fate when returned to Mexico. The U.S. and Mexican governments should take steps to ensure United Nations human rights standards are followed for criminal deportees.<sup>36</sup>

### Conclusions

Tijuana is a unique *plaza*, or trafficking corridor, in Mexico's underworld. It is ostensibly controlled by a *pax mafiosi* involving the Arellano Felix Organization and the Sinaloa cartel. Thus, it is not contested or controlled by a monopoly, and is relatively peaceful. The Sinaloa cartel operates in a diffuse manner and, as a result, it has difficulty imposing discipline from above on its various cells. This factor explains the recent violence among retail drug sellers that, operating independently, have come into conflict with each other. Nonetheless, the Sinaloa cartel and the AFO appear to have established a powerful norm against kidnapping that effectively constitutes a ban. If kidnappings occur and are not reported, they likely involve wealthy individuals who are released when ransoms are paid—a marked difference from the 2008-2010 kidnappings of El Teo. The cartels mentioned in media reports as operating in the area appear to

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<sup>34</sup> "ATF Deploys Spanish eTrace to Mexico, Guatemala and Costa Rica" (press release, Bureau of Alcohol, Tobacco, Firearms and Explosives, December 30, 2009), <http://www.atf.gov/press/releases/2009/12/123009-atf-deploys-spanish-etrace.html>.

<sup>35</sup> Alberto Arce, "Honduras Death Squads: Police Accused Of Killing Gang Members With Impunity," *Associated Press*, May 13, 2013, [http://www.huffingtonpost.com/2013/05/14/honduras-death-squads\\_n\\_3272371.html](http://www.huffingtonpost.com/2013/05/14/honduras-death-squads_n_3272371.html).

<sup>36</sup> "Human Rights and Prisons: A Pocketbook of International Human Rights Standards for Prison Officials" (New York and Geneva: Office of the United Nations High Commissioner for Human Rights, 2005), <http://www.ohchr.org/Documents/Publications/training11Add3en.pdf>.

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be within the Sinaloa cartel alliance structure. There are no mentions of Zetas or Zeta allies operating within the city.

The slight uptick in Tijuana violence can largely be attributed to the local retail drug market and the deportation of violent criminals from the United States. A shared database on criminal deportees would help Mexican law enforcement and civil society address violent criminal actors repatriated from the United States, thereby reducing homicide levels in Tijuana and other border cities.

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