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Violent Escape at Nuevo León Prison Exposes Severe Corruption, Overcrowding in Mexico's Jail System

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Another violent drug-related incident in Nuevo León state could affect the political fortunes of a top state official, and the ripples from the incident could even have repercussions on the 2012 presidential election. The incident, a violent escape at the Apodaca state prison near the community of San Nicolás de los Garza, also raised concerns about overcrowding and corruption in Mexico's prison system. Nuevo León Gov. Rodrigo Medina de la Cruz has come under heavy criticism for lax security at the prison, which may have contributed to a brawl that resulted in the escape of 29 prisoners and the death of dozens of other inmates. The escaped prisoners are believed to be members of the infamous Zetas drug-trafficking organization. The escapees bludgeoned 44 fellow inmates, all believed to be associated with the rival Gulf cartel.

The perpetrators, who apparently left the premises with minimal effort, created a diversion by setting fire to several mattresses, which caused a short circuit in the prison's electrical system. But investigators said the escaped Zetas might have received assistance from several guards and prison officials, including warden Gerónimo Miguel Andrés Martínez and security chief Óscar Deveze Laureano. Several guards later admitted during interrogations that they assisted with the escape and the massacre and acknowledged receiving bribes from the Zetas.

The murder of the members of the Gulf cartel reflected the power struggle among criminal organizations for control of Nuevo León and Tamaulipas states, an important staging area for drug shipments to the US. In an interview earlier this year, Defense Secretary Gen. Guillermo Galván pointed out that the economic strength of Nuevo León, the high standard of living, and the large number of university students made the state attractive for criminal organizations. In addition to the Zetas and the Gulf cartel, the Sinaloa and Juárez organizations are fighting for a space in Nuevo León, said the Secretaria de Seguridad Pública (SSP).

Heavy political fallout for Gov. Medina, PRI

The incident at the Apodaca prison is a black mark for Gov. Medina, a member of the opposition Partido Revolucionario Institucional (PRI), who is accused at the very least of failing to implement proper oversight at the prison. But there are some allegations that Medina knew of the Zetas activity and looked the other way. Reports surfaced that the Zetas donated a large sum of money to Medina's gubernatorial campaign in 2009. Medina won that election handily, keeping the seat in the hands of the PRI (SourceMex, July 8, 2009). Some of the allegations came from the Zetas themselves.

"Nuevo León is Zetas' territory, and our power is demonstrated in recent developments. Even if you don't like it, we supported [Rodrigo Medina] in the gubernatorial race," said a banner hanging in Monterrey. Zeta leaders Heriberto Lazcano and Miguel Treviño allegedly signed the message.

Medina took immediate action to limit the damage by firing warden Andrés Martínez, who was originally given the job despite a history of colluding with organized crime. In 2009, Martínez was fired from the Santa Martha Acatila prison in Mexico City on charges that he allowed a group of

kidnappers and extortionists to operate from that facility. The governor also fired state public safety director Gen. Jaime Castañeda, replacing him with Gen. Javier del Real Magallanes.

Medina's alleged connections with the Zetas raised strong concerns with the PRI executive committee (Comité Ejecutivo Nacional, CEN), which demanded that President Felipe Calderón and Interior Secretary Alejandro Poiré Romero offer their immediate support to the Medina administration instead of criticizing the governor. "Under these circumstances, the worst thing one can do is undermine the authority of the state government," said PRI president Pedro Joaquín Coldwell. "Our party demands that the federal government set aside its double-discourse, under which it remains silent on this issue while attacking [Gov. Medina] via the Partido Acción Nacional (PAN)."

Coldwell's comments reflect the party's concern that allegations of past and recent ties of PRI governments to drug-trafficking organizations might hurt its presidential candidate Enrique Peña Nieto. This concern came to the forefront when reports surfaced in late January that the Procuraduría General de la República (PGR) was investigating three recent governors of Tamaulipas state: Manuel Cavazos Lerma (1993-1999), Tomás Yarrington Ruvalcaba (1999-2005), and Eugenio Hernández Flores (2005-2010) for possible ties to the Gulf cartel. Even though the PGR did not comment directly on the investigation, sources said the three governors had agreements with cartel leaders Juan García Ábrego and Osiel Cárdenas Guillén.

The PRI has denied that any of the three governors had connections with the Gulf cartel, and Cavazos—who recently was tabbed by the PRI for one of its at-large slots in the Mexican Senate after the 2012 election—suggested the charges amounted to a politically motivated "dirty war."

The PRI has turned the tables on the PAN by alleging that two former Baja California governors colluded with the Tijuana cartel. The PRI delegation in the Baja California state legislature has asked the PGR to investigate whether ex-Govs. Ernesto Ruffo Appel (1989-1995) and Eugenio Elorduy Walther (2001-2007) had connections with the Arellano Félix drug-trafficking organization.

There is tangible evidence that criminal organizations have attempted to sway the elections in Tamaulipas state. In June 2010, gubernatorial candidate Rodolfo Torre Cantú was gunned down during an ambush just a week before the election. Torre was killed because of his alleged refusal to cooperate with the Zetas ([SourceMex, June 30, 2010](#)).

But the Zetas have wreaked havoc on politicians from the two leading parties in the state. The organization was linked to a fatal fire that killed dozens of people at a casino in Monterrey in August 2011 ([SourceMex, Aug. 31, 2011](#)). The administration of Mayor Fernando Larrazábal also came under fire for lax enforcement of regulations governing casinos. While no evidence surfaced to link Larrazábal directly to the Zetas, his brother Manuel Jonás Larrazábal was caught on tape allegedly taking bribes from individuals apparently connected to organized crime.

Criminal organizations control prisons

At the broader level, the Apodaca incident raised questions about overcrowding and corruption in the Mexican prison system. In statements to reporters following the Apodaca incident, Public Safety Secretary Genaro García Luna said corruption was more of a problem than overcrowding. "The escapes occurred not because a wall was knocked down or because a commando stormed the facility," said García Luna. "In this case and others, someone was opening the doors or giving the perpetrators access."

Other experts agreed that corruption in the prison system poses a problem that needs to be addressed. "Many people know that the directors, deputy directors, jail supervisors, and jailers at these facilities are the equivalent of ornaments," columnist Ricardo Alemán said in the Mexico City daily newspaper *Excélsior*. "This is because the criminals and their gangs threaten or bribe them, ultimately turning them into servants of the inmates."

Several high-profile escapes have occurred in recent years with the complicity of jail authorities. In May 2009, 53 prisoners, including several Zetas, escaped from a jail in the state of Zacatecas as guards looked on. A similar escape occurred at the Nuevo Laredo jail in Tamaulipas state in December 2010, when 151 prisoners left the facility with relative ease.

But easy escapes are not the only problem. In some instances, the inmates remain in jail but are used for other purposes. For example, in an infamous case in July 2010, administrators at the prison in Gómez Palacio in Durango state allowed members of the Sinaloa cartel to transport inmates from the facility to participate in a massacre of people attending a party in nearby Torreón. What's worse, the killings took place with weapons borrowed from prison guards ([SourceMex, July 28, 2010](#)).

"Governments come and go, but the situation in the jails is apparently not improving," said Miguel Carbonell, a researcher at the Instituto de Investigaciones Jurídicas at the Universidad Nacional Autónoma de México (UNAM). "Public opinion appears to have no effect on the situation, and even in those states that have made advances in human rights, the prison system remains neglected."

Carbonell pointed out that Mexican jails on average are at 130% of capacity and that 42% of the inmates are kept in custody while awaiting trial.

President Calderón expressed his concerns about overcrowding in comments after the Apodaca incident. While pointing out that the prison system was "in crisis" in some states, he unveiled a plan for the federal government to construct several new prisons. No new prison facilities have been constructed for 20 years, he noted.

"We are fighting criminals and, of course, have made some advances in this area," the president told reporters during a tour of Queretaro state in late February. "But we are also in the process of building nine new prisons, conducting a review of local police and prosecuting offices, and creating a federal police force."

Human rights advocates demand answers

The Apodaca incident also attracted the attention of human rights advocates. The Comisión Nacional de los Derechos Humanos (CNDH), an autonomous entity funded by the government, has launched its own investigation of the circumstances related to the escape and the murders at the Nuevo León prison. "The CNDH reiterates its demand to the appropriate authorities to apply procedures that would prevent these types of incidents at prisons around the country," Raúl Plascencia Villanueva, director of the commission, said in a statement.

The case has also received some international notice. The Inter-American Commission on Human Rights (IACHR) condemned the situation that led to the deaths at the Apodaca facility and at the Topo Chico prison in Nuevo León. In the latter incident, which occurred in late February, three inmates were stabbed to death shortly after they were placed at the facility. The three victims were being held on kidnapping charges.

"The IACHR reiterates that states, as protectors of the rights of people who have been deprived of liberty, must adopt all the necessary measures to protect the life and personal integrity of the inmates," the commission, an organ of the Organization of American States (OAS), said in a statement.

The UN Office of the High Commissioner for Human Rights (OHCHR) asked the Mexican government to conduct an exhaustive investigation of the Apodaca incident. "The people responsible, including the corresponding prison authorities, must be brought to justice, and all the necessary measures must be taken to prevent a repeat of these types of attacks," said a spokesperson for the agency.

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