

# Jaime Arredondo, PhD

## Decriminalization Going South: A Cautionary Tale From Mexico

Décriminalisation: Une Nouvelle Tendance  
Beyond the Buzzword  
CAPUD, Stimulus, AIDQ



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[Jaime.arredondo@bccsu.ubc.ca](mailto:Jaime.arredondo@bccsu.ubc.ca)

[Jaime.arredondo@cide.edu](mailto:Jaime.arredondo@cide.edu)



Política de Drogas  
CENTRO DE INVESTIGACIÓN  
Y DOCENCIA ECONÓMICAS A.C.



PrevenCasa A.C.

## Personal Background

- Professor of Drug Policy at CIDE-Mexico
- Interdisciplinary work to change our communities through robust evidence-based research and grass-roots activism
- Government Experience
  - Chief of Staff, State Ministry of Public Safety
- Graduate studies
  - PhD in Global Health, UCSD/SDSU
  - Post-Doctoral BCCSU
  - Implementation of community-based harm reduction interventions
- Community work
  - Health clinics and harm reduction services



Source: Hans-Maximo Musielik, 2014

## Mexican “war on drugs”

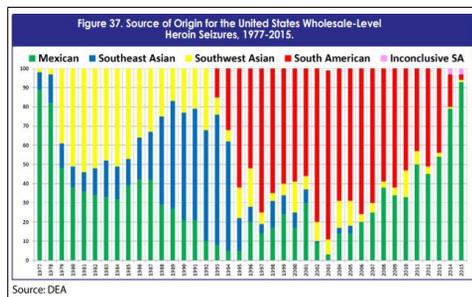
- Strongly influenced by the position of the United States
  - War on drugs by former president Richard Nixon (Smith, 1992)
  - One of the original six countries on the 1971 “Drug Problem” message to Congress
- Use of the military since the 1970s to eradicate illegal crops



Source: GRANGER. POPPY FIELD, 1977

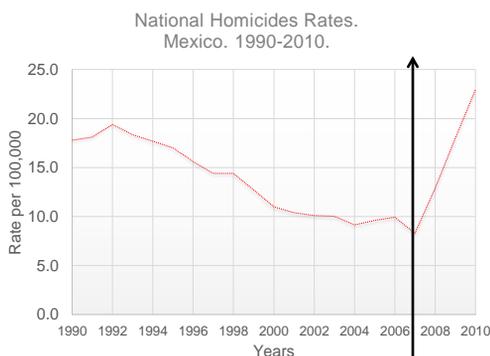


Source: aforeverrecovery.com



## Mexican “war on drugs”

- Army mobilized to fight drug cartels (Shirk, 2011)
- High incarceration rate due to drug crimes (Correa, 2014)
- Explosive drug-related violence.
  - Doubling rate of homicides
  - Higher than the national average in municipalities with military intervention (Espinosa et al. 2014)
- A parallel move to address “Substance use”



In December 2006 President Calderon implemented the military intervention in Michoacan

# Violence in the border

Los Angeles Times

Meth and murder: A new kind of drug war has made Tijuana one of the deadliest cities on Earth

The San Diego Union-Tribune

Why is Tijuana's homicide rate so high and what can be done about it?

## US – Mexican Border

- Border region
  - Open-air drug markets, street injection and Overdose
  - Vulnerable populations: PWUD, homeless, Sex work, deportees
  - High levels of violence (101 per 100k) and HIV/HCV (5-8% among PWUD)
  - Higher rates of heroin (fentanyl) and methamphetamine consumption



Source: jaime arredondo.



Source: Getty Images.

## 2009 Mexico's "Narcomenudeo" Reforms

- Major shift in Drug Policy since 1994
  - Removed federal penalties for drug possession crimes if considered as personal consumption (DOF, 1994)
- Shifted legal prosecution of small-scale drug possession ("Narcomenudeo") to the state (General Health Law)
- Individuals possessing less than legal threshold should be released
  - "3 strike rule," diversion to mandatory treatment
- Narcotrafico/trafficking penalties increased (Federal Penal Code)

Narcotic	Maximum level of personal and immediate doses	
Opium	2 gr.	
Diacetylmorphine or heroin	50 mg.	
Cannabis Sativa, Indica or Manguana	5 gr.	
Cocaine	500 mg.	
Lysergide (LSD)	0.015 mg.	
MDA, Methylenedioxyamphetamine	Powder, granular or cristal	Tablets or capsules
	40 mg.	1 Unit with weight not greater than 200 mg.
MDMA, di-34-metilendioxi-r-dimetilfenilamina	40 mg.	1 Unit with weight not greater than 200 mg.
Methamphetamine	40 mg.	1 Unit with weight not greater than 200 mg.

Table 1. General Health Law, article 479.

- Created a table of maximum amounts of drug possession

7

## "Narcomenudeo" Reforms and Local Police

- Can increase police interactions with street drug users
  - Law mandates to present all individuals with drugs to the "Ministerio Público" (Public prosecutor)
    - Quantities for personal possession are small
  - Increasing opportunities for corruption
  - Diverting police from prosecuting other high impact crimes (Hernández, 2009)
- Implementation in Tijuana
  - Nearly universal absence of drug user knowledge or experiences of the law (Beletsky, 2015)
  - Lack of preparation and coordination to operationalize the reforms (Werb, 2015)

# Law on the street vs the books

International Journal of Drug Policy 54 (2018) 1–8

Contents lists available at ScienceDirect

International Journal of Drug Policy

journal homepage: www.elsevier.com/locate/drugpo

Research Paper

The law on the streets: Evaluating the impact of Mexico's drug decriminalization reform on drug possession arrests in Tijuana, Mexico

J. Arredondo<sup>a,b</sup>, T. Gaines<sup>c</sup>, S. Manian<sup>c</sup>, C. Vilalta<sup>a</sup>, A. Bañuelos<sup>d</sup>, S.A. Strathdee<sup>a</sup>, L. Beletsky<sup>a,e</sup>

<sup>a</sup>University of California, San Diego, 9500 Gilman Dr, La Jolla, CA 92093, USA  
<sup>b</sup>San Diego State University, San Diego, 5800 Campanella Drive, San Diego, CA 92182, USA  
<sup>c</sup>Center for Research in Geography and Statistics (CIRGEG), Centro de Estudios, CP 14240, CDMS, Mexico  
<sup>d</sup>Secretaría de Seguridad Pública Municipal, Dirección de Planeación y Proyectos Estratégicos, Blvd Cuauhtémoc Sur y Río Sacchar #2746, Colonia Morelia, CP 22055, Tijuana, Mexico  
<sup>e</sup>Northwestern University, School of Law & David College of Health Sciences, 100 Westington Ave., Boston, MA 02115, USA

Panel analysis of drug possession, violent and non-violent fugitive arrests per 11 police precincts for the city of Tijuana.

Model	1	2	3
Outcome	In (Drug-Free) Drug Possession	In Violent Homicide-robbery + Robbery	In (nonviolent) Fugitive + car theft
Time Controls	YES	YES	YES
Quarter Seasonality Year (Quarters)			
Variables of Interest			
Reform/Decriminalization Law (August 2012)	0.187 (0.231)	0.001 (0.000)	-0.043 (0.071)
Local Election months	0.360*** (0.088)	0.204*** (0.044)	0.190*** (0.049)
Socio-Economic controls (income 2010)	YES	YES	YES
(Demographics, Education, Social Security Coverage, Housing Conditions, Female-Headed Households, Economic Structure)	0.274*** (0.026)	0.322*** (0.013)	0.345*** (0.024)
% of Men per 100 Women	-0.017** (0.007)	-0.200*** (0.027)	-0.111*** (0.026)
% Pop. < 15 with incomplete basic education	-0.012 (0.014)	-0.053 (0.025)	-0.041 (0.026)
% Pop. with no social security coverage	-0.012 (0.014)	-0.053 (0.025)	-0.041 (0.026)
% of Female inmates with dual floor	0.087 (0.073)	0.208 (0.121)	0.084 (0.090)
% Female-headed households	0.097 (0.039)	0.137 (0.033)	0.090** (0.028)
% Female unemployment	0.097 (0.154)	0.137 (0.192)	0.156 (0.150)
Constant	-25.68*** (2.684)	-26.35*** (3.051)	-12.27*** (2.765)
R <sup>2</sup> adj.	0.348	0.487	0.421
Intercept correlation coefficient (ICC)	0.162	0.405	0.309
Observations	791	792	792
Number of police precincts	11	11	11

Robust standard errors in parentheses.  
 \*\*\* p < 0.01, \*\* p < 0.05, \* p < 0.1.

9

## Implementing an Intervention: Police Education Program

- NIDA - Police education program
  - Training 1,900 Tijuana police officers
  - High prevalence of accidental needle stick injuries
  - Improve occupational health and harm reduction knowledge
- A 3-hour model – SHIELD
  - Basic epidemiology, HIV/HCV, tuberculosis
  - National and state drug laws
  - General elements of harm reduction, substance use and community services
- Unique implementation and evaluation model
  - Train the trainers
  - Two year follow-up with 800 police officers
  - Measure changes in knowledge, attitudes and behaviors
  - Mixed methods: Quantitative surveys and in-depth interviews



Source: SHIELD project.

10

# Evaluating the intervention

Arredondo et al. *Harm Reduction Journal* (2017) 14:72  
DOI 10.1186/s12954-017-0198-2

Harm Reduction Journal

**RESEARCH** Open Access

**Measuring improvement in knowledge of drug policy reforms following a police education program in Tijuana, Mexico**

J. Arredondo<sup>1,2\*</sup>, S. A. Strathdee<sup>1</sup>, J. Cepeda<sup>1</sup>, D. Abramovitz<sup>1</sup>, I. Artamonova<sup>1</sup>, E. Clairgue<sup>1</sup>, E. Bustamante<sup>1</sup>, M. L. Mittal<sup>1,3</sup>, T. Rocha<sup>1,2</sup>, A. Bañuelos<sup>4</sup>, H. O. Olivaria<sup>5</sup>, M. Morales<sup>1,2</sup>, G. Rangel<sup>6</sup>, C. Magis<sup>7</sup> and L. Beletsky<sup>1,8</sup>

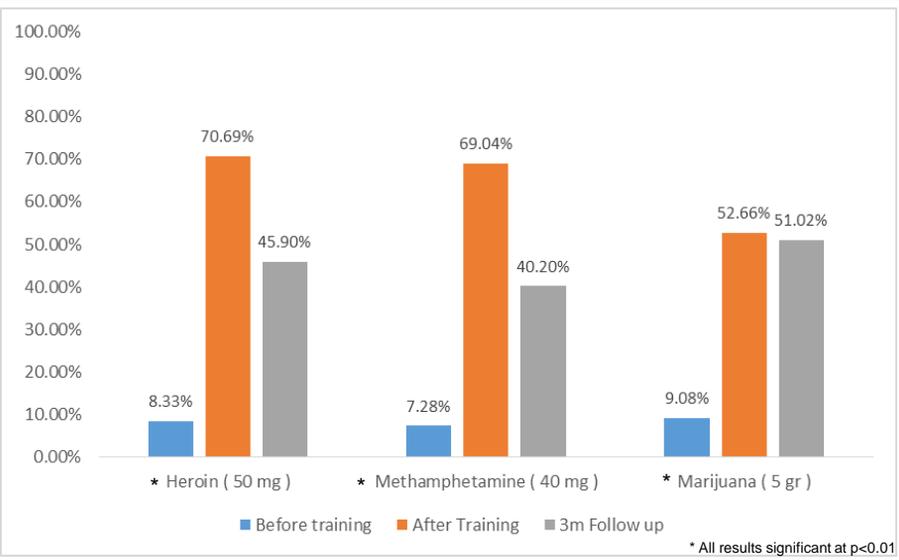
**AJPH OPEN-THEMED RESEARCH**

**Interactive Versus Video-Based Training of Police to Communicate Syringe Legality to People Who Inject Drugs: The SHIELD Study, Mexico, 2015–2016**

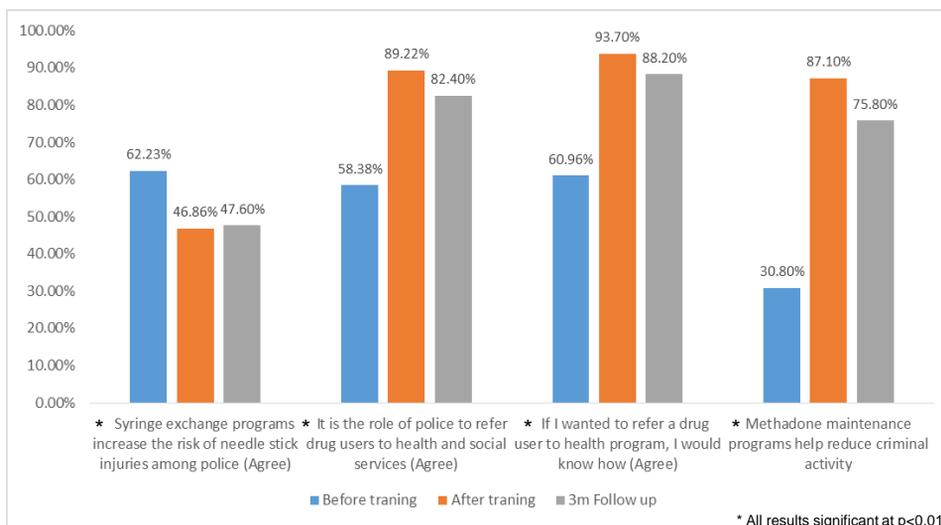
Jaime Arredondo, PhD, Leo Beletsky, JD, MPH, Peter Baker, MPH, Daniela Abramovitz, MS, Inna Artamonova, MS, Erika Clairgue, MA, Mario Morales, MS, Maria Luisa Mittal, MD, Tereita Rocha-Jimenez, MA, Thomas Ken, PhD, Amalijo Bañuelos, BA, Soffiane A. Strathdee, PhD, and Javier Cepeda, PhD, MPH

11

## Change in Legal Knowledge: What a Suspect can Currently Possess (exact)



## Alignment with Public Health Goals



## Cautionary tale: Lessons from a failed reform

- Budgets are needed, reform with no money is an empty shell
- Law changes are not implemented on their own
  - Need to train police officers and other key stakeholders
- The devil is in the details (Russoniello, K., 2012)
  - Quantities for personal possession need to be realistic
  - People with lived experience should be involved
- Use the health system, not the judicial system
  - Mandatory treatments should not be an option
- Decriminalization is not a silver bullet, “necessary but not sufficient”
  - Safe Supply
  - Increased harm reduction services

# Thank you

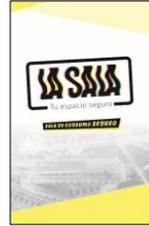
- If you want to know more:  
<https://www.facebook.com/ProyectoEscudo/>
- If want to DONATE to our harm reduction efforts in the border:

<http://verter.org.mx/>

- Only Safe Consumption Site in Latin America
- Only for Women
- Mexicali

<https://www.facebook.com/prevencaateam/>

- HIV treatment + Harm Reduction community Clinic
- Tijuana Mexico



Source: Hans-Maximo Musielik

15