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Crying out for Justice: Murders of Women in Ciudad Juárez, Mexico March 2005

In 1993, the bodies of young women – many showing signs of rape, beatings, and mutilation – began appearing in the desert on the outskirts of Juárez, Mexico, a city of 1.4 million just across the border from El Paso. This was the beginning of an epidemic of brutal rape and murder aimed at Juárez’s young, poor women.

Over the past twelve years, nearly 400 women have been killed in the cities of Juárez and Chihuahua, 250 miles south. Of these, at least 137 of the victims were sexually assaulted prior to their murders. Because of the similarities in these “sexually motivated” murders, some suspect that they are the work of one or more serial killers who prey on young female students, store clerks, and assembly-plant workers. Their victims, some as young as 13 years old, were kidnapped, raped, strangled, mutilated, and buried in shallow graves in the desert or at construction sites and railroad yards around the city. Many other women have died at the hands of husbands, boyfriends, drug traffickers and other criminals. Very few have been punished for these crimes – they are murders that flourish in a city where everyone knows that you can kill a woman with impunity.

There have been insufficient police investigations to identify suspects in the serial killings, and a lack serious efforts to prosecute them. Though eleven men have been convicted for 21 give the number (I think it’s 20) of these murders, they were sentenced with little evidence except for confessions extracted under torture, and under the theory that they were working for a jailed mastermind. Despite their arrests and prosecutions, women’s mangled bodies continue to appear around Juárez –four women were found in January 2005 alone.

For almost a decade, the Mexican authorities did little to address the tragedy of the Juárez murders. Efforts in Mexico combined with international pressure have helped shine a spotlight on the situation, prompting President Fox to create federal offices responsible for preventing murders, investigating and punishing the perpetrators, and promoting women’s rights and safety. Continued international pressure will be necessary to ensure that the federal and state officials take effective action to bring an end to Juárez’s nightmare of murder and impunity.

Background

Young women are easy targets in Juárez, a city plagued by drug cartels, migrant-smuggling rings, police corruption and brutality, severe underdevelopment and a ballooning population. Since the advent of the *maquiladora* industry – assembly plants that take advantage of cheap labor – in the 1980s, poor Mexicans have flocked to this border town in search of jobs. They live in shantytowns without basic utilities or services, and the women who work in the *maquiladoras* often leave for work before dawn or return home in the middle of the night, alone and unprotected.

Although violence against women in Juárez is all too common, there is only one women’s crisis center, *Casa Amiga*, founded in 1999 by women’s rights activist Esther Chavez Cano. A number of groups have formed to demand an end to the killings and justice for the victims’ families, including “May Our Daughters Return Home” (*Nuestras Hijas de Regreso a Casa*), a group of the mothers of disappeared and murdered women in Juárez, and “Justice for our Daughters” (*Justicia para Nuestras Hijas*), a similar organization based in Chihuahua City.

The local authorities have been slow to react. Their original response was to blame the victims, implying that their behavior led to their rapes and murders. Former State Attorney General Arturo González Rascón said in 1999 that some murder victims’ provocative dress had encouraged the attacks against them. Many police officers and

investigators share that attitude. Recent reports still allege that the victims are involved in the drug trade, or they wore provocative clothing.

The authorities have demonstrated a lack of both will and ability to find the culprits. Police have failed to collect clothing fragments and other evidence at the sites where women's bodies are discovered. They have mixed up DNA tests, destroyed important evidence, and have allegedly returned some young women's remains to the wrong families. The few who have been arrested in connection with the serial murders credibly allege that police tortured them into confessing. The authorities declare that the perpetrators are in jail, and yet the killings continue.

Authorities have been indifferent, insensitive, and even hostile toward the victims' families, who are often subject to harassment and threats. One relative of a murder victim received a threatening voicemail message warning her to drop the case; the caller ID showed that the call had come from the state judicial police.

The Federal Bureau of Investigation (FBI) has offered assistance to the Chihuahua state authorities, including training, DNA testing, and the use of FBI profilers. The FBI has also endorsed a binational investigation of the murders. The Chihuahua authorities have responded only with requests for training and other limited forms of assistance.

Response from the State and Municipal Authorities

Homicide is a state crime and therefore falls under the jurisdiction of the Chihuahua state police and attorney general's office. The municipal authorities are not responsible for investigating crimes; however, they are often the first to arrive at the site of a murder and can affect how well the crime scene is preserved.

The authorities have failed in many ways to effectively investigate the murders of women in Juárez and Chihuahua. First, investigators have failed to collect and preserve key evidence. Groups of volunteers in Juárez and Chihuahua organize searches of desert areas to find bodies and detect evidence left behind by police. In February 2002, volunteers searching the Juárez site where eight bodies had been found in November 2001 discovered clothing that was recognized by the mother of one of the victims, who participated in the search, as well as hair, shoes, and clothing remnants, none of which had been gathered by police investigators during their search of the area three months earlier. Second, authorities have mishandled and destroyed key evidence, such as clothing, fibers and fluids, and even the victims' remains. Third, investigators have ignored important leads. Fourth, they have incorrectly identified victims, or failed to identify them at all.

The shoddy investigations reveal a profound lack of concern for punishing those who abduct, rape, and murder women. They also point to more than mere incompetence, suggesting corruption and cover-up. If this is the case, the authorities are complicit through their deliberate failure to find and punish those responsible. Their reluctance to investigate also fosters a climate of impunity by sending the message that protecting the lives of women is not a priority.

The State Attorney General's office came under fire in February 2004 after 13 state police were arrested for executing 12 men at the behest of drug traffickers. There are pending arrest warrants for four other officers in connection with these murders. During the course of investigation, reports surfaced that police may have been responsible for abducting and killing women to celebrate successful drug runs. These allegations led State Attorney General Jesús José Solís to resign in March 2004. Despite widespread calls to investigate him for his role in both the drug-related crimes and the crimes against women, no charges have been filed against him.

Status of the Investigations

On occasion, state authorities have carried out arrests to quell public concerns over the murders. Many detainees have been tortured into providing false confessions that are later contradicted by more reliable forms of evidence. This pattern of behavior reflects a desire to scapegoat convenient suspects, such as convicted sex offenders and *maquiladora* shuttle-bus drivers, more than a desire to find the real culprits.

In 1995 state authorities arrested Omar Latif Sharif, an Egyptian-born engineer who worked at a *maquiladora* plant, and charged him with raping and murdering an 18-year-old. They also claimed he was responsible for dozens of other killings. He was convicted on one count of rape and murder. He won an appeal in 1999 when his lawyer proved that the victim's description did not match the body, but the conviction was upheld in February 2003.

When more women were found dead after his arrest, police argued that he had orchestrated the killings from prison by contracting others to commit them, and many of the suspects have been held in prison since 1996. In 1999, after authorities were pressured to "solve" additional murders, the state police rounded up four *maquiladora* shuttle-bus drivers who confessed to murdering 20 women on Sharif's orders. They allege they were tortured into confessing. Authorities have yet to produce any evidence, other than their confessions, linking these suspects to the crimes. Despite this, in January 2005, ten of these suspects were convicted of 12 murders, and received sentences of up to 40 years in prison.

On November 7, 2001, eight more women's bodies -- showing signs of extreme brutality and sexual violence -- were found in an empty lot in Juárez. Two days later, state police had arrested two bus drivers, Victor García Uribe and Gustavo González Meza, and tortured them into confessing. According to forensics expert Oscar Maynez, who resigned after refusing to falsify evidence against García and González, no evidence other than their confessions links the men to the murders. Nevertheless, a judge ordered them to stand trial, ignoring evidence of torture, including a prison doctor's report confirming bruises and burns and suggesting the use of electric prods.

In February 2002, state police shot and killed González's lawyer, claiming he had been mistaken for a fugitive. A state judge ruled the police were acting in self-defense and would not be tried for the homicide. González was found dead in his cell under mysterious circumstances on February 8, 2003. At this time, his death is not being investigated. García Uribe was convicted of the murders in October 2004, and is serving a 50-year sentence. Despite evidence of torture that was certified by state experts, his confession was allowed to stand.

Torture as an Investigative Tool

Torture is commonly used in the context of criminal investigations in Mexico. According to the State Department's 2004 Human Rights Report for Mexico, "the police regularly obtained information through torture, prosecutors used this evidence in courts, and the courts continued to admit as evidence confessions extracted under torture."

The United Nations Committee Against Torture also reported that torture is systematically practiced in Mexico. It occurs not as a result of "exceptional situations or occasional excesses by police agents," but is "habitual and is used systematically as a resource in criminal investigations." Methods include beatings, electric shocks, simulated executions, suffocation, and deprivation of food and water.

A report by Physicians for Human Rights echoes these concerns, concluding that, "Torture and ill treatment of detainees is a major problem in Mexico facilitated by multiple medical and legal factors." The organization surveyed forensic doctors employed by Mexico's federal and state attorney general's offices. Forty percent of Mexican forensic doctors had suspected torture and/or ill treatment of detainees examined in the previous year, and approximately fifty percent believe that torture is a severe problem.

The Federal Government's Response

President Fox, who has called the Juárez murders a national shame, first announced in late 2001 that the federal authorities would join investigation. Chihuahua authorities resisted, claiming that President Fox, of the PAN (National Action Party) was attempting to usurp the authority of a governor from the opposition PRI (Institutional Revolutionary Party).

Because homicide is a state crime in Mexico, the federal authorities cannot investigate unless the murders are directly linked to federal crimes like weapons or drug trafficking, and only if the murders were committed specifically for the purpose of committing a federal crime. Within these guidelines, in May 2003 the Federal Attorney General's Organized Crime Unit took over investigations into 14 of the murders under suspicion of organ

trafficking – a federal crime. Though the federal authorities have since dismissed this claim for lack of evidence, they retain jurisdiction over these cases to this day. In their initial investigations, federal investigators confronted resistance from the state police and prosecutors, who refused to share evidence, autopsy reports, and other information.

On July 22, 2003, the federal government launched its “Integrated Public Security Program” to help solve and prevent the murders of women in Ciudad Juárez. The Federal Attorney General’s Office created a commission of state and federal prosecutors, police, and forensics experts to investigate and prosecute the murders. The federal government also detailed its plans for improving public security through improved public transportation, better street lighting, and shelters for battered women.

In November 2003, Fox created a commission to oversee and coordinate federal and state efforts to prevent and punish women’s murders in Juárez, appointing Guadalupe Morfin as commissioner. Despite generalized support for her work, a lack of funding and political backing, and an unclear mandate have hampered her from being effective in her work.

Early in 2004, a special federal prosecutor, María López Urbina, was named to review cases in order to determine leads for the unsolved crimes, determine which murders fall under federal jurisdiction, and document acts of negligence, abuse, and omission that led to impunity for the crimes. To date federal officials have taken on a total of only 24 cases, including the 14 taken by the federal attorney general in 2003 for organ trafficking. However, in an unprecedented step in Mexico, Ms. López Urbina has named 130 state officials who she believes are responsible for negligence or abuse of authority in the investigation of murders. Though their cases have been handed over to state investigators, judges have refused to issue arrest warrants for the first five officials that the State Attorney General saw fit to prosecute.

The federal commissioner’s office and special prosecutor have lent new visibility to the tragedy of women’s murders in Chihuahua state. The new governor of Chihuahua, along with his new Attorney General, have also adopted a tone of concern for the state of investigations. However, these statements of concern and the formation of commissions to investigate and prevent these crimes have done nothing to produce new investigations with credible suspects, or to deter the rate of women’s murders. Instead, they have served to ease political pressure on the government to produce a response to these crimes without holding them accountable for the results.

Recent Victims

- **Teresa Torbellin**, a 33-year-old factory worker, was found on **April 26, 2004** in **Chihuahua City**. She had gone missing on April 22, but state law does not allow families to file missing persons reports until 72 hours have passed since the disappearance, so her family could not report her missing until April 25. She had been beaten to death, and her bloody body had been dragged through bushes and dumped in an isolated area. Authorities initially claimed that she was a homeless woman who had died of natural causes.
- **Luísa Rocío Chávez Chávez**, 14 years old, was found murdered in **Chihuahua City** on **May 28, 2004**. She had disappeared the previous morning on her way home from the store. She had been raped and strangled to death. Her body was found partially clothed. Two suspects were immediately arrested.
- **Alma Brisa Molina**, a 34-year-old factory worker, was found murdered in **Juárez** on **July 26, 2004**. She had been raped and strangled to death. Her body, partially clothed in a bra and panties, was found by passers-by behind a shopping center not far from the offices of the state judicial and municipal police. Jorge Ramos was arrested and charged with the murder. (Authorities did not charge him with rape because they claimed the victim tried to charge him for having intercourse with her.)
- The body of **Cynthia Irasema Ramos**, 21 years old, was found in **Ciudad Juárez** on **December 3, 2004**. She had been raped and strangled to death minutes before her body was found on a sidewalk near a busy intersection in downtown Juárez. She worked as a waitress in a bar downtown, a few blocks from where she was found dead. Cynthia’s sister, Rocío Lizeth Sepúlveda, has reported receiving threatening phone calls warning her not to investigate Cynthia’s death. Family members believe her boyfriend may have been involved in the murder; however, the authorities were investigating the alleged involvement of a gang member whose description was given by witnesses.