

No. 23-1141

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**In the Supreme Court of the United States**

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SMITH & WESSON BRANDS, INC., ET AL., PETITIONERS,

*v.*

ESTADOS UNIDOS MEXICANOS, RESPONDENT.

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*ON WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT*

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**BRIEF FOR *AMICI CURIAE* MEXICAN ACTIVISTS,  
SCHOLARS, AND VICTIMS  
SUPPORTING RESPONDENT**

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## INTEREST OF *AMICI CURIAE*<sup>1</sup>

*Amici curiae* include activists and scholars who have in-depth knowledge of gun violence and the economic and social costs that result from the trafficking of firearms from the United States into Mexico. *Amici* also include individuals who have personally experienced the effects of gun violence.

***Amicus* Sara San Martín Romero** is knowledgeable about the particular toll that gun violence exacts on women, children, and minorities in Mexico.

***Amicus* Dr. Cecilia Farfán-Méndez** studies the impacts of armed violence on the Mexican population, including displacement.

***Amici* Paulina Vega González and Teodomira “Teo” Rosales Sierra** examine the disappearance of Mexican citizens arising from the illegal use of firearms. They are also knowledgeable about the forced displacements that the Mexican population suffers at the hands of armed persons.

***Amici* Dr. Sergio Aguayo Quezada and Dr. Carlos A. Pérez Ricart** are academics who have researched and analyzed the economic and societal impacts of crime and gun violence on their country.

*Amici* also encompass individuals who represent victims of gun violence (**Santiago Aguirre Espinosa**) or who have personally experienced gun violence or have family members affected by gun violence (***Amici* Marcos Vizcarra, Adrian LeBarón, María Isabel Cruz Bernal, María Herrera, and Lorena Reza Garduño**).

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<sup>1</sup> No counsel for a party authored this brief in whole or in part. No person other than *Amici*, their members, or their counsel made a monetary contribution to its preparation or submission. A full list of *Amici* appears in the Appendix to this brief.

*Amici* have unique perspectives on the devastating effects of illegal firearm trafficking and use in Mexico. Through their scholarly and personal insights, *Amici* demonstrate the need to stem the tide of unlawful weapons crossing the border from the United States into Mexico.

### SUMMARY OF ARGUMENT

*Amici* submit this brief to describe the staggering toll that unlawful trafficking of firearms from the United States into Mexico takes on Mexican lives, property, and the nation's societal fabric. Illegal arms trafficking from the United States to Mexican criminal organizations has fueled an epidemic of violence and claimed untold lives; displaced tens of thousands; and cost the Mexican government billions of dollars in police and military costs, along with lost employment, wages, and tax revenue.

The facts, figures, and stories that *Amici* relate illustrate the plight that Mexico has suffered as a result of the unlawful influx of firearms from the United States. *Amici's* accounts are based on their experiences, including their direct work with activist organizations, their academic expertise on criminal matters, their research on the effects of gun violence on Mexican society, and the personal impact they have suffered as a result of gun violence. *Amici's* wide-ranging insights into the devastating effects of gun trafficking into Mexico powerfully demonstrate why the Court should affirm the judgment below.

### ARGUMENT

#### I. Introduction

Firearms trafficking from the United States into Mexico has caused an epidemic of violence in that country. Mexico has some of the most restrictive gun laws in the world, which makes it virtually impossible for criminals to obtain weapons lawfully. The Mexican army operates the



country's only two gun stores,<sup>2</sup> and every gun purchased from those stores must be registered with the Mexican federal government.<sup>3</sup> In addition, Mexican law prohibits most private citizens from possessing rifles that shoot bullets larger than .30 caliber.<sup>4</sup> Yet, thousands upon thousands of unregistered firearms circulate in Mexico, including high-caliber weapons that can penetrate body armor and disable vehicles.<sup>5</sup> All of these weapons enter the country through illicit trafficking.

The United States is the leading source of guns linked to crime and recovered in Mexico. In 2023, 49% of the guns recovered in Mexico and submitted for tracing to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) originated in the United States.<sup>6</sup> An additional

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<sup>2</sup> See *Armas de fuego: Preguntas frecuentes de armas de fuego* [Firearms: Frequently Asked Questions About Firearms], SEDENA (Feb. 1, 2024) (Mex.), <https://www.gob.mx/sedena/acciones-y-programas/armas-de-fuego-19734>.

<sup>3</sup> See *Ley Federal de Armas de Fuego y Explosivos [LEAFE]* [Federal Firearms and Explosives Law], tit. 2, cap. 2, arts. 15–17, *Diario Oficial de la Federación [DOF]* 11-1-1972, últimas reformas DOF 7-6-2024 (Mex.).

<sup>4</sup> See *id.* cap. 1, arts. 9–10.

<sup>5</sup> See Steve Fisher & Roque Ruiz, *The American Guns that Mexican Cartels Covet: A Visual Guide*, *Wall St. J.* (Oct. 5, 2024), <https://www.wsj.com/us-news/law/mexican-drug-cartels-gun-smuggling-us-4ce9b298>; e.g., Press Release, U.S. Dep't of Just., *Five Arrested in South Texas for Allegedly Trafficking Military Grade Firearms to Mexican Drug Cartel* (Mar. 26, 2024), <https://www.justice.gov/opa/pr/five-arrested-south-texas-allegedly-trafficking-military-grade-firearms-mexican-drug-cartel>.

<sup>6</sup> *Firearms Trace Data: Mexico – 2018-2023*, ATF, <https://www.atf.gov/resource-center/firearms-trace-data-mexico-2018-2023> (last updated Oct. 18, 2024). Tracing “is a systematic process of tracking the movement of a firearm from its manufacture,

19.3% originated in other countries but passed through the United States before entering Mexico, meaning that more than 68% of firearms recovered in Mexico and submitted for tracing in 2023 came from the United States.<sup>7</sup>

The precise volume of firearms that illegally crosses the U.S.-Mexico border is difficult to determine with certainty, although credible estimates range from 200,000<sup>8</sup> to over half a million annually.<sup>9</sup>

The seizure of arms shipments is also telling. A 2024 study published by the Small Arms Survey<sup>10</sup> reporting on seizures of firearms shipments from the United States found that “[m]ost of the rifles bound for Latin America were intended for Mexico, where they are in high demand among drug cartels.”<sup>11</sup>

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or from its introduction into U.S. commerce by the importer, through the distribution chain (wholesalers and retailers), to identify an unlicensed purchaser.” *National Tracing Center*, ATF, <https://www.atf.gov/firearms/national-tracing-center> (last updated Sept. 19, 2024).

<sup>7</sup> *Firearms Trace Data: Mexico*, *supra* note 6.

<sup>8</sup> Ieva Jusionyte, *Exit Wounds: How America’s Guns Fuel Violence Across the Border* 8 (2024).

<sup>9</sup> Christopher Hernandez-Roy et al., Ctr. for Strategic & Int’l Studies, *Under the Gun: Firearms Trafficking in Latin America and the Caribbean* 12 (2024), <https://www.csis.org/analysis/under-gun-firearms-trafficking-latin-america-and-caribbean>.

<sup>10</sup> Small Arms Survey is a global research organization that examines key aspects of small arms and armed violence. *See Vision and Mission*, Small Arms Survey, [https://www.smallarmssurvey.org/who\\_we\\_are/vision\\_mission](https://www.smallarmssurvey.org/who_we_are/vision_mission) (last visited Jan. 16, 2025).

<sup>11</sup> Matt Schroeder, Small Arms Survey, *Trends in Trafficking: Comparing US-Based Firearms Trafficking to the Caribbean and Latin America* 2 (2024), <https://www.smallarmssurvey.org/sites/default/files/resources/SAS-Situation-Update-2024-Caribbean-Trafficking-EN.pdf>.

Indeed, firearms successfully trafficked from the United States to Mexico are used by criminal organizations to commit widespread violence, with assault rifles as “the weapons of choice.”<sup>12</sup> These assault rifles are the preferred weapons because they can be easily converted into fully automatic weapons.<sup>13</sup>

Between January 1990 and November 2024, 683,927 homicides occurred in Mexico; more than half were committed with a firearm.<sup>14</sup>

The use of firearms has also resulted in massive displacement of Mexican citizens. From 2008 to 2023, roughly 392,000 people were forcibly displaced due to violence generated by organized armed groups.<sup>15</sup> And, there were nearly 9,000 internal displacements from conflict in the latter half of 2024 alone.<sup>16</sup>

Moreover, each year hundreds of thousands of people disappear in Mexico as a result of criminal violence;

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<sup>12</sup> Chelsea Parsons & Eugenio Weigend Vargas, *Beyond Our Borders: How Weak U.S. Gun Laws Contribute to Violent Crimes Abroad*, Ctr. for Am. Progress (Feb. 2, 2018), <https://www.americanprogress.org/article/beyond-our-borders/>.

<sup>13</sup> *Id.*

<sup>14</sup> Dulce Alicia Torres Hernández & Sergio Aguayo Quezada, El Colegio de México, Seminario sobre Violencia y Paz, *Aporte del Seminario sobre Violencia y Paz a la discusión sobre las armas de fuego en México* [Contribution of the Seminar on Violence and Peace to the Discussion on Firearms in Mexico] 6 tbl.1 (2025), <https://violenciaypaz.colmex.mx/archivos/UHVibGljYWVudG8=/Aporte%20del%20SVP%20sobre%20armas%20de%20fuego%20en%20M%C3%A9xico-P%C3%A9xico-04ene2025.pdf> (finding that 54.47% of homicides involved a firearm).

<sup>15</sup> See *Country Profile: Mexico*, Internal Displacement Monitoring Ctr., <https://www.internal-displacement.org/countries/mexico/> (last visited Jan. 16, 2025).

<sup>16</sup> See *id.*

currently, there are more than 120,000 missing people in the country.<sup>17</sup>

The economic toll is also substantial. According to Mexico's National Institute of Statistics and Geography (INEGI),<sup>18</sup> in 2023 the economic cost to the country because of crime and insecurity was \$124.3 billion pesos (approximately \$6.17 billion U.S. dollars), or 0.51% of Mexico's gross domestic product.<sup>19</sup>

Importantly, firearm violence from guns trafficked to Mexico also helps drive migration to the United States. Between March 2022 and August 2023, 47.7% of Latin American and Caribbean asylum seekers interviewed at the U.S.-Mexico border reported having been personally threatened with a firearm.<sup>20</sup>

In short, illegal firearms trafficked into Mexico from the United States have taken an enormous toll on human lives and have had a devastating, destabilizing effect on

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<sup>17</sup> *Estadística del Registro Nacional de Personas Desaparecidas y No Localizadas (RNPNDNO)* [Statistics of the National Registry of Missing and Not Located Persons (RNPNDNO)], Comisión Nacional de Búsqueda (Mex.), <https://versionpublicarnpdno.segob.gob.mx/Dashboard/Index> (last visited Jan. 16, 2025).

<sup>18</sup> INEGI is an autonomous agency of the Mexican Government dedicated to coordinating the National System of Statistical and Geographical Information of Mexico.

<sup>19</sup> INEGI, *Encuesta Nacional de Victimización de Empresas (ENVE) 2024: Principales Resultados* [National Survey of Business Victimization (ENVE) 2024: Main Results] 24 (2024) (Mex.), [https://www.inegi.org.mx/contenidos/programas/enve/2024/doc/enve\\_2024\\_presentacion\\_ejecutiva.pdf](https://www.inegi.org.mx/contenidos/programas/enve/2024/doc/enve_2024_presentacion_ejecutiva.pdf).

<sup>20</sup> Eugenio Weigend Vargas et al., *Firearm-Related Threats Before Migrating to the USA from Latin America and the Caribbean*, *Inj. Prevention*, at 2 tbl.1 (Oct. 23, 2024), <https://injuryprevention.bmj.com/content/early/2024/10/21/ip-2024-045369.long>.

Mexican society and the economy, as demonstrated by the research and accounts below.

## II. The Effects of Gun Violence on the Mexican People

The following *Amici* offer distinct knowledge and insights about how gun violence affects different populations within Mexican society.

### A. Women, Children, and Marginalized Groups

***Amicus Sara San Martín Romero***, an educator and peace activist, is a member of the Centro de Estudios Ecuménicos [Center of Ecumenical Studies], a civil society organization based in Mexico City. She focuses on advocating for arms control and increasing the transparency of the flow of illegal weapons into Mexico. She relates that unlawful gun use has taken a disproportionate toll on children and adolescents, women, and LGBTQ+ communities in Mexico.

Ms. San Martín cites the following statistics, illustrating the effect of firearms on children and adolescents:

- Between January 2015 and October 2024, 6,936 homicides of children and adolescents between birth and the age of seventeen were committed with firearms (1,094 girls and 5,842 boys);<sup>21</sup>
- From January to October 2024, 665 children and adolescents between birth and the age of seventeen were killed by firearms;<sup>22</sup>

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<sup>21</sup> *Violencia con arma de fuego contra infancia y adolescencia en México* [Firearm Violence Against Children and Adolescents in Mexico], REDIM (Nov. 21, 2024), <https://blog.derechosinfancia.org.mx/2024/11/21/violencia-con-arma-de-fuego-contra-infancia-y-adolescencia-en-mexico-a-octubre-de-2024>.

<sup>22</sup> *Id.*

- Young people are most affected by armed violence. In 2023, 31.4% of all homicides of children under age ten were committed with a firearm;<sup>23</sup> and
- Many children have lost a parent or have been orphaned due to gun violence, resulting in radical changes to their economic and family situations. Ms. San Martín recounts the story of Víctor Yunuen Mendoza Vivas and his then twelve-year-old sister, who lost their mother Marina Vivas when she and her friend Rosy were attacked and shot to death in Acapulco. Víctor was forced to identify his mother's body. Rosy's three-year-old daughter witnessed the attack and was also orphaned by this tragic event.<sup>24</sup>

Ms. San Martín also reports the following statistics concerning homicides of women in Mexico:

- From 2007 to 2023, murders of women with firearms increased by 371%;<sup>25</sup> and

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<sup>23</sup> See *Estadísticas de Defunciones Registradas* [Registered Death Statistics], INEGI, <https://www.inegi.org.mx/programas/edr/#microdatos> (last visited Jan. 16, 2025). The underlying data was obtained from the registered deaths database of the INEGI and was analyzed by Intersecta Organización para la Igualdad A.C. (Intersecta), a feminist organization that works to eliminate discrimination in Mexico.

<sup>24</sup> Intersecta et al., *Violencia de género con armas de fuego en México* [Gender Violence with Firearms in Mexico] 50–51 (2021), [https://cdn.prod.website-files.com/64c019456bb62d07dc3af2b9/6552879cbd3a6ff6c9851e87\\_Violencia%20de%20ge%CC%81nero%20con%20armas%20de%20fuego%20en%20Me%CC%81xico.pdf](https://cdn.prod.website-files.com/64c019456bb62d07dc3af2b9/6552879cbd3a6ff6c9851e87_Violencia%20de%20ge%CC%81nero%20con%20armas%20de%20fuego%20en%20Me%CC%81xico.pdf).

<sup>25</sup> See *Estadísticas de Defunciones Registradas* [Registered Death Statistics], *supra* note 23.

- In 2023, the percentage of women who were murdered and killed with firearms rose to 61.2%.<sup>26</sup>

Ms. San Martín also notes the impact of gun violence on Mexico's LGBTQ+ population. In 2023, firearms were used in 51.5% of homicides of people from the LGBTQ+ community.<sup>27</sup>

### **B. Displaced People**

**Amicus Dr. Cecilia Farfán-Méndez**, an expert on organized crime in Mexico, has researched the use of gun violence by criminal groups and the subsequent displacement of the population, *e.g.*, people involuntarily forced to leave their homes and families as a result of such violence. Displaced people often leave behind housing, employment, and schooling, and have access to significantly lesser forms of housing, jobs, and education.

Dr. Farfán-Méndez, an affiliated researcher at the University of California Institute on Global Conflict and Cooperation,<sup>28</sup> provides the following information on displacement due to gun violence:

- In 2023, the United Nations Refugee Agency (UNHCR), citing data from NGOs in Mexico,

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<sup>26</sup> Inst. for Econ. & Peace, *Mexico Peace Index 2024*, at 3 (2024), <https://www.visionofhumanity.org/wp-content/uploads/2024/05/MPI-ENG-2024-web-130524.pdf>.

<sup>27</sup> Letra S, *La violencia LGBTfóbica en México, 2023: Reflexiones sobre su alcance letal* [LGBTphobic Violence in Mexico, 2023: Reflections on Its Lethal Scope] 25 (2023), <https://letraese.org.mx/wp-content/uploads/2024/06/Informe-crimenes-2023-v.2-1.pdf>.

<sup>28</sup> Among other professional pursuits, between 2023 and 2024, Dr. Farfán Méndez consulted for the Organization for American States, developing a methodology for measuring the effect on gender of firearms trafficking in the Americas. In September 2024, she testified before the House Judiciary Committee on the impact of firearms and drug trafficking on the U.S.-Mexican bilateral relationship.

reported that 96% of internal displacements in Mexico occur as a result of violence perpetrated by armed criminal groups;<sup>29</sup>

- At the end of 2023, approximately 392,000 Mexican people were estimated to be displaced as a result of violence, a figure that has consistently increased over the last decade,<sup>30</sup>
- At the end of 2023, Mexico had the second highest number of internally displaced people in the Americas due to conflict and armed violence,<sup>31</sup> and
- The Jalisco New Generation (CJNG) and Sinaloa Cartel criminal organizations were responsible for 4,000 displacements in a town along Mexico's border with Guatemala, evidencing the southward spread of these cartels.<sup>32</sup>

**Amicus Paulina Vega González** is a Mexican human rights lawyer who assists groups of victims and activists affected by gun violence. Ms. Vega González has analyzed the impact of internal displacement and has supported the work of local human rights non-profit organizations assisting displaced communities in the Mexican states of Chiapas and Guerrero. She notes that families with members of all ages, including infants, have been forcibly

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<sup>29</sup> Alto Comisionado de las Naciones Unidas para los Refugiados, *Desplazamiento interno en México, enero – junio 2023* [Internal Displacement in Mexico, January – June 2023], at 4, <https://www.acnur.org/mx/sites/es-mx/files/2024-02/Bolet%C3%ADn%20Desplazamiento%20Interno%20-%20Primer%20Semestre%202023%20-%20%20ACNUR%201.pdf>.

<sup>30</sup> See *Country Profile: Mexico*, *supra* note 15.

<sup>31</sup> Internal Displacement Monitoring Ctr., *Global Report on Internal Displacement 2024*, at 81, <https://api.internal-displacement.org/sites/default/files/publications/documents/IDMC-GRID-2024-Global-Report-on-Internal-Displacement.pdf>.

<sup>32</sup> *Id.* at 90.



displaced after receiving threats or experiencing violence inflicted by heavily armed groups. For example, Ms. Vega González noted that more than 3,499 people from the municipality of Aldama in the state of Chiapas were forcibly displaced after attacks with high-caliber weapons were recorded.<sup>33</sup>

Human rights groups often come to the aid of the displaced. For instance, ***Amicus Teodomira “Teo” Rosales Sierra*** is the co-founder and director of the Centro Regional de Defensa de Derechos Humanos José María Morelos y Pavón [Regional Center for the Defense of Human Rights José María Morelos y Pavón]. This organization supports vulnerable populations and defends human rights by assisting families of victims of forced displacement, forced disappearance, and gender violence in the state of Guerrero.<sup>34</sup> This Center has provided support to more than 250 families forcibly displaced from their communities by armed violence in recent years. Between 2018 and 2022, the organization observed that approximately 26,700 people, mainly women and children, were forcibly displaced from the Guerrero municipalities of Zitlala, Leonardo Bravo, and General Heliodoro Castillo after receiving threats by armed groups.

### C. Disappeared People

Every year, Mexicans see their family members and friends disappear. Gun violence is the root cause of many such disappearances. In some cases, gun violence preceded the disappearances and, in others, families have

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<sup>33</sup> Cecilia Jiménez-Damary, United Nations High Comm’r for Refugees, *Report of the Special Rapporteur on the Human Rights of Internally Displaced Persons* app. at 23 (2023), <http://documents.un.org/doc/undoc/gen/g23/108/09/pdf/g2310809.pdf>.

<sup>34</sup> See *¿Quiénes somos?* [Who Are We?], Centro Regional de Defensa de Derechos Humanos José María Morelos y Pavón, <https://centromorelos.org/quienes-somos/> (last visited Jan. 16, 2025).

found the bodies of their loved ones with evidence of gunshot wounds.

In the face of widespread disappearances, organized groups have formed citizen-led “search collectives” or “brigades” to search for missing loved ones. These brigades, often comprised of and led by family members of the disappeared, may also include the participation of human rights activists, community volunteers, NGOs, and government officials. Over the past 10 years, the organization of brigades to search for disappeared persons in Mexico has grown exponentially—coinciding with the significant increase in disappeared persons. Brigades have notably led efforts to discover and excavate clandestine grave sites throughout the country.<sup>35</sup>

As of August 2024, there were approximately 200 family search collectives that operate across the country.<sup>36</sup> The nature of these search brigades varies widely in terms of organization and resources. Many are grassroots collectives driven by personal loss, where family members and volunteers conduct searches for their loved ones.

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<sup>35</sup> See, e.g., *Brigada de Búsqueda de Desaparecidos Localiza Fosa Clandestina en Huitzuco* [Search Brigade for the Disappeared Locates Clandestine Grave in Huitzuco], *Diario Objetivo* (Jan. 22, 2019) <https://diarioobjetivo.com.mx/2019/01/22/brigada-de-busqueda-de-desaparecidos-localiza-fosa-clandestina-en-huitzuco/> (Fourth Brigade); *Morelos: Brigada Nacional de Búsqueda de Personas Desaparecidas encuentra en Mixtlalcingo 75 restos óseos cubiertos con yeso* [Morelos: National Search Brigade for the Disappeared Finds 75 Skeletal Remains Covered with Plaster in Mixtlalcingo], *Aristegui Noticias* (Nov. 23, 2021), <https://aristeguinioticias.com/2311/mexico/morelos-brigada-nacional-de-busqueda-de-personas-desaparecidas-encuentra-en-mixtlalcingo-75-restos-oseos-cubiertos-con-yeso/> (Sixth Brigade).

<sup>36</sup> *Meet the Mexican Women Searching for Their Loved Ones*, Amnesty Int’l (Aug. 29, 2024), <https://www.amnesty.org/en/latest/campaigns/2024/08/meet-the-mexican-women-searching-for-their-loved-ones/>.

They use rudimentary tools or even their bare hands to dig in possible grave sites.<sup>37</sup> These local efforts often operate independently, motivated by desperation and solidarity in communities deeply affected by disappearances.

In contrast, more formal brigades may operate at the state or national level, involving collaboration with government entities, law enforcement, or forensic experts.<sup>38</sup> These more formal groups often employ advanced technologies, such as geospatial mapping, forensic anthropology, and cadaver-detection dogs, to search for and identify remains systematically.<sup>39</sup> Leading national brigades include: Red de Enlaces Nacionales [National Liaison Network]; and La Brigada Nacional de Búsqueda de Personas Desaparecidas [National Search Brigade for the Disappeared], which has led search efforts in the Mexican states of Veracruz, Sinaloa, Guerrero, and Morelos.

Each of these brigades shares the goal of addressing the crisis of disappearances in Mexico and bringing truth and justice to families whose loved ones were almost certainly the victims of gun violence by organized crime.<sup>40</sup>

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<sup>37</sup> See, e.g., Janice Gallagher, *Bootstrap Justice: The Search for Mexico's Disappeared* 158 (2022); see Olinca Marino Uribe, *Estrategia y organización para que regresen a casa* [Strategy and Organization to Bring Them Home] 36–37, 48 (2021), <https://drive.google.com/file/d/1pOxScyBdQlqp7ReEAD5W7SN7WVuhNVu0/view>.

<sup>38</sup> Gallagher, *supra* note 37, at 154–55, 159–60, 181, 224.

<sup>39</sup> *Id.* at 106, 158–59, 224.

<sup>40</sup> Some victims of forced disappearances in Mexico are Central American migrants. As a result, brigades have also involved the surviving family members of those Central American victims. In those cases, the brigades are not only national efforts to find victims,

**Amicus Ms. Vega González** also supports citizen-led search brigades and is aware of the numerous discoveries of clandestine graves where human bodies with gunshot wounds were buried. For example, Fuerzas Unidas por Nuestros Desaparecidos en Nuevo León [United Forces for Our Disappeared in Nuevo León], a group led by the relatives of missing individuals, discovered a site known as “El Tubo” in the state of Nuevo León. Local authorities recovered the remains of at least seventeen people at the site, as well as thousands of human skeletal remains. All of the skulls recovered were impacted by gunshot wounds.

### III. The Societal and Economic Costs of Gun Violence in Mexico

**Amicus Dr. Sergio Aguayo Quezada** is an associate researcher at the FXB Center for Health and Human Rights at Harvard University and a research professor at El Colegio de México, where he coordinates the Seminar on Violence and Peace. Research conducted by Dr. Aguayo and his colleagues<sup>41</sup> shows the following:

- According to research on the security policies and strategies of the last seven presidents of Mexico, during the period between 1983 and 2024, the four principal Mexican government agencies responsible for security spent a sum equivalent to US \$322.95 million. Despite the amount spent,

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but take on an international dimension. *See, e.g.*, Resources, Wash. Off. on Latin Am., <https://mexicodisappearances.wola.org/directory-resources/> (last visited Jan. 16, 2025).

<sup>41</sup> Dulce Torres and Dr. Rodrigo Peña contributed to the research and analysis in the report.

criminal organizations have continued to grow in Mexico;<sup>42</sup>

- Homicides have also increased. According to recent data from INEGI and the Executive Secretariat of the National Public Security System (SESNSP), 683,927 homicides occurred in Mexico between January 1990 and November 2024;<sup>43</sup>
- According to INEGI figures, since 1998, firearms have been responsible for more than 50% of the homicides in Mexico. Since 2008, this percentage has fluctuated between 60% and 70%, reaching an all-time high of 72.92% during the period from January to November 2024;<sup>44</sup>
- Homicides have been linked to the use of firearms in 29 out of the 32 Mexican entities.<sup>45</sup> In 2023, homicides resulting from the use of a firearm were the most common form of murder of men in all but one Mexican state, and the most common form of murder of women in all but three Mexican states. In that year, firearm homicides represented more than 50% of all homicides of women in 19 Mexican states.<sup>46</sup>

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<sup>42</sup> Sergio Aguayo Quezada et al., El Colegio de México, Seminario sobre Violencia y Paz, *Siete presidentes y la seguridad, 1982-2024: Lecciones para la presidenta y la sociedad: Avances de investigación* [Seven Presidents and Security, 1982-2024: Lectures for the President and Society: Research Advances] 4 (2025), <https://violenciaypaz.colmex.mx/archivos/UHVibGljYWVudG8=/SVP-Briefing%20informe%207%20presidentes-06-01-2025.pdf>.

<sup>43</sup> Torres & Aguayo, *supra* note 14, at 6 tbl.1.

<sup>44</sup> *Id.* at 5.

<sup>45</sup> *Id.* at 4.

<sup>46</sup> See *Estadísticas de Defunciones Registradas* [Registered Death Statistics], *supra* note 23.

**Amicus Dr. Carlos A. Pérez Ricart** is an assistant professor in International Relations at the Center for Research and Teaching in Economics in Mexico City. A champion of human rights, Dr. Pérez Ricart has studied the effects that gun violence has wrought on the societal and economic fabric of Mexico. In a recent book that he co-authored, Dr. Pérez Ricart analyzed victimization surveys, finding that crime victimization impacts not only the lives of the victims but also produces social instability and harms regional welfare.<sup>47</sup> Dr. Pérez Ricart examined the 2023 AmericasBarometer report, noting that nearly one in four adults in the Latin American and Caribbean region (23%) had been a victim of crime in the previous year.<sup>48</sup> He also notes that a recent report of the Inter-American Development Bank estimated that the annual economic cost of crime was 3.44% of the gross domestic product of Latin America and the Caribbean in 2022.<sup>49</sup>

Dr. Pérez Ricart has also published research on issues affecting the victims of non-fatal gunshot injuries (NGIs), including young men ages eighteen to thirty-five, the population most vulnerable to such injuries in Mexico.<sup>50</sup>

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<sup>47</sup> See Carlos A. Pérez Ricart et al., *Guns in Latin America: Key Challenges from the Most Violent Region on Earth*, in *Gun Trafficking and Violence* 93, 95 (David Pérez Esparza et al. eds., 2021).

<sup>48</sup> LAPOP, *Pulse of Democracy* 96 (Noam Lupu et al. eds., 2023), <https://www.vanderbilt.edu/lapop/ab2023/AB2023-Pulse-of-Democracy-final-20231127.pdf>.

<sup>49</sup> Santiago M. Perez-Vincent et al., Inter-Am. Dev. Bank, *The Costs of Crime and Violence* 12 (2024), <https://publications.iadb.org/es/publications/english/viewer/The-Costs-of-Crime-and--and-Violence-Expansion-and-Update-of-Estimates-for-Latin-America-and-the-Caribbean.pdf>.

<sup>50</sup> See Eugenio Weigend Vargas & Carlos Perez Ricart, *Non-Fatal Gunshot Injuries During Criminal Acts in Mexico, 2013-2019*, 28 *Inj. Prevention* 238, 241 (2021), <https://injuryprevention.bmj.com/content/28/3/238>.

According to Dr. Pérez Ricart's research, between 2013 and 2019, 97,551 persons were murdered with a gun in Mexico, but 150,415 suffered an NGI during a crime in that time period.<sup>51</sup> Dr. Pérez Ricart has detailed the impacts NGIs can have:

- Nonfatal injuries often affect the victim considerably through tissue and organ damage and spinal cord injuries;<sup>52</sup>
- Likewise, victims often experience psychological trauma such as post-traumatic stress disorder;<sup>53</sup>
- Victims of NGIs often find it hard to acquire and sustain employment and they suffer disproportionately from alcoholism and isolation;<sup>54</sup> and
- Perhaps most importantly, victims of NGIs face inflated healthcare expenses compared with to general population, creating a major public health challenge in Mexico. Dr. Pérez Ricart's scholarship has found that "initial individual healthcare expenditures associated with gunshot injuries are 13 times higher than those associated with other forms of non-fatal criminal injuries."<sup>55</sup>

**Amicus Dr. Farfán-Méndez** also studies the impact of gun violence on Mexican society. In a national survey conducted in 2024, Dr. Farfán-Méndez and her colleagues found that Mexican citizens' views of core societal functions such as the armed forces and the political system were undermined by the perceived strength of criminal

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<sup>51</sup> *Id.* at 240.

<sup>52</sup> *Id.* at 238.

<sup>53</sup> *Id.* at 239.

<sup>54</sup> *Id.*

<sup>55</sup> *Id.* at 240.

groups and drug trafficking organizations. Specifically, the survey found the following:

- 74% of Mexican citizens strongly agreed or somewhat agreed that organized criminal groups or drug trafficking organizations have more and better weapons than the armed forces;
- 62% of Mexican citizens strongly agreed or somewhat agreed that organized criminal groups or drug trafficking organizations could influence electoral processes at both the local and federal level; and
- Fully 18% of Mexican citizens reported seeing in the last year in their neighborhood armed people (excluding the police and the armed forces) either daily or a few times per week. In a country with only two gun stores, this means approximately 23 million people see armed people in their neighborhood on a daily or weekly basis.<sup>56</sup>

#### **IV. Gun Violence Has Personally Impacted *Amici***

***Amicus* Santiago Aguirre Espinosa** is intimately familiar with the effects of gun violence; he has spent two decades advocating for human rights and gun control. He is the Director of ***Amicus* Centro de Derechos Humanos Miguel Agustín Pro Juárez A.C.** [Center for Human Rights Miguel Agustín Pro Juárez A.C. Centro Prodh] (Centro Prodh). Centro Prodh is a non-profit in Mexico City that provides free legal aid and representation to victims of violence. The organization has studied the dramatic effects of gun violence on individuals in Mexico, including the following:

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<sup>56</sup> See *Organized Crime and Firepower: Perceptions in Mexico*, Mexican Democracy, <https://mexicandemocracy.org/es/organized-crime-firepower/> (last visited Jan. 16, 2025).



- The murder of Francisco Javier Barajas Piña. Mr. Barajas was killed in May 2021 in the state of Guanajuato. He had been searching for his sister Guadalupe, who disappeared in February 2020, and whose body was later found in one of the largest clandestine graves in the state. Three months after his sister's body was identified, and after receiving multiple threats, Mr. Barajas himself was shot and killed. In May 2024, two individuals were convicted of murdering Mr. Barajas. This was considered a landmark case as the first conviction for the murder of a "*persona buscadora*," or a person who has dedicated his or her life to searching for victims of forced disappearance. In December 2024, following an appeals process, four individuals were convicted for the disappearance of Mr. Barajas's sister, Guadalupe. Two are in custody and two remain fugitives; and
- The murder of Jesuit priests Javier Campos and Joaquín Mora. In June 2022, two elderly Jesuit priests and human rights defenders, Javier Campos and Joaquín Mora, were shot and killed in the town of Cerocahui in the state of Chihuahua. The two priests were trying to protect a man who ran into a church seeking refuge while fleeing from an armed man. Two others were also shot and killed. The perpetrator, a known criminal leader, was found dead in March 2023.

**Amicus Marcos Vizcarra**, a freelance journalist reporting on human rights, corruption, organized crime, and displaced persons, experienced firsthand the powerful impact that gun violence can have. On January 5, 2023, members of a drug cartel clashed with Mexican security forces in the city of Culiacán following the arrest of Ovidio

Guzmán, leader of the Sinaloa cartel. Cartel members harassed and robbed journalists covering the ensuing riots. A group of teenagers armed with 9mm and Glock pistols, whom Mr. Vizcarra suspected were cartel members, stopped him at gunpoint and stole his car. He took refuge in a nearby hotel, where the same group of armed teenagers insisted he stop reporting the events, stole his cell phone and computer, and threatened to kill him if he did not comply. Mr. Vizcarra remained hidden for a time because he was afraid of being attacked. He eventually decided to return home in order to work, although he has had to limit his reporting to minimize the risk to his safety.

***Amicus Adrian LeBarón***, in a highly publicized incident, lost his daughter and four of his grandchildren to gun violence in 2019 when they were driving to a wedding in a caravan of vehicles. All told, three women and six children were murdered in a pair of horrific attacks when Mexican gunmen opened fire on the three vehicles in their caravan with automatic and belt-fed machine guns. Five children were also wounded by gunfire. All of the victims held dual U.S.-Mexican citizenship. Members of the drug cartel La Linea were arrested and are believed responsible for the massacre.

***Amicus María Isabel Cruz Bernal's*** son, Reyes Yosimar García Cruz, was a municipal police officer who disappeared in the state of Sinaloa in 2017 after heavily armed men abducted him from his home. Ms. Cruz Bernal subsequently founded the non-profit Sabuesos Guerreras A.C. [Warrior Hounds], a brigade of mothers, family members, and other volunteers who are looking for loved

ones.<sup>57</sup> Ms. Cruz Bernal continues to search for her son and other disappeared people in Sinaloa.

Since July 2024, after the co-founder and leader of the Sinaloa Cartel, Ismael Mario Zambada García (“El Mayo”), was arrested by U.S. authorities, a violent battle for control of the drug cartel resulted in the disappearance of hundreds of people in Sinaloa. Warrior Hounds has posted on its social media platforms the pictures of more than 650 people who disappeared since the battle for control of the cartel began.<sup>58</sup> Testimonies received by the collective confirmed that all of these people disappeared after being taken by different groups of unidentified heavily-armed people. This brigade has determined that 250 of the 650 disappeared are dead. All of them suffered gunshot wounds.<sup>59</sup>

***Amicus María Herrera*** experienced personal loss—the disappearance of four sons—that has spurred her to become a leading human rights activist. She co-founded National Liaison Network, which organizes brigades for relatives, friends, and other activists to search for their missing children and other loved ones in clandestine graves. Ms. Herrera joined her first brigade in 2016, and has since learned from forensic anthropologists how to search for hidden graves of those killed by gun violence. Ms. Herrera has also worked with the National Search Brigade for the Disappeared, a leading group that connects hundreds of search collectives across Mexico and

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<sup>57</sup> Sabuesos Guerreras, A.C., Facebook, <https://www.facebook.com/1234sabuesosguerreras> (last visited Jan. 16, 2025).

<sup>58</sup> The information shown in posts, in addition to the pictures of those who disappeared, includes the day of the disappearance and the age of the disappeared.

<sup>59</sup> The group confirmed 120 people are living; the rest remain unaccounted for.

has organized seven brigades.<sup>60</sup> Ms. Herrera has participated in each, searching for the remains of her sons. She traveled to the Vatican in May 2022 to meet with Pope Francis and receive a blessing for her sons and all the other missing people in Mexico.

***Amicus Lorena Reza Garduño's*** brother Gabriel was tortured and killed after being shot in the head in Jonacatepec, Morelos, in 2021. This was the second loss in Lorena's family due to gun violence; her brother Juan Carlos was abducted in Cuernavaca, in the state of Morelos, by a group of men armed with long-barreled weapons in September 2007. He remains missing. These tragedies prompted Lorena to become an anti-violence activist. Among other things, she has become a member of the National Search Brigade for the Disappeared.

#### CONCLUSION

*Amici* bring a wide variety of perspectives to this case. They are activists, scholars, victims, and families who bear witness to the devastating effects of gun violence caused by the unlawful trafficking of weapons from the United States into Mexico. This devastation and destruction will continue unless and until the illegal flow of guns into Mexico ceases. The Court should affirm the judgment of the Court of Appeals.

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<sup>60</sup> See Guadalupe Vallejo, *Arranca en Morelos la Brigada Nacional de Búsqueda de Personas Desaparecidas* [The National Brigade to Search for Missing Persons Starts in Morelos], *Expansión Política* (Nov. 26, 2022, 5:39 PM), <https://politica.expansion.mx/mexico/2022/11/26/arranca-en-morelos-la-brigada-nacional-de-busqueda-de-personas-desaparecidas>.

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Respectfully submitted,

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JANUARY 2025

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Centro de Derechos Humanos Miguel Agustín Pro Juárez  
A.C. (Centro Prodh)

Centro de Estudios Ecuménicos A.C. (CEE)

Centro Regional de Defensa de Derechos Humanos  
Jose Maria Morelos y Pavón A.C.

Derechos de la Infancia y Adolescencia, A.C.

Dr. Carlos A. Pérez Ricart

Dr. Cecilia Farfán-Méndez

Dr. Sergio Aguayo Quezada

Fuerzas Unidas por Nuestros Desaparecidos en  
Nuevo León (FUNDENL)

Lorena Reza Garduño

Marcos Vizcarra

María Herrera

María Isabel Cruz Bernal, Sabuesos Guerreras A.C.

Nancy Raquel Rosete Núñez

Paulina Vega González

Santiago Aguirre Espinosa, Director, Centro Prodh

Sara San Martín Romero, Centro de Estudios Ecuménicos

Teodomira “Teo” Rosales Sierra