

Information on Filing a Police Report and Seeking Prosecution

If you decide to pursue a criminal prosecution, you have a choice as to which type of police report you want to file. The type of report you choose to file is based on the type of crime committed and what you hope to accomplish.

1. If you intend to pursue criminal charges, the suspect has already been caught, or an arrest is likely, you may file a complaint, or “denuncia”, with the judicial police. The filing of this complaint formally starts the investigation with the objective of charging a suspect and going forward to trial. For law enforcement to act as quickly as possible, this complaint should be filed in the judicial district where the crime took place. Nonetheless, the process of filing a complaint may take several hours. Many police stations will not have an English-speaking officer available to assist you. Therefore, you can hire an English speaking attorney.
2. If you want to trigger an investigation, but pursuit of a criminal trial is not likely, you may still file a report called an “Averiguación Previa” or “Reporte de Hechos,” with the judicial police. You may need this type of report to pursue an insurance claim or for other purposes. Filing this type of complaint usually takes several hours as well.

If you do decide to file a report or a denuncia, please provide a copy to the U.S. Embassy or closest U.S. Consulate in Mexico accompanied by your address, telephone number, and email address in the event we need to communicate with you. While we are not authorized to act as your legal representative, prosecutor or investigator, our office can help you track the progress of your case and advise you of any developments.

Our office can also provide information regarding ministerios públicos (equivalent to the office of the public prosecutor or district attorney in the U.S.) in Mexico, including those near the U.S. Embassy or consulates that have English translators available. Ministerios públicos are required to take your report regardless of where in Mexico the crime occurred and regardless of your nationality or residency. Again, it is best to file your report in the jurisdiction where the crime occurred, if possible. If for any reason you have difficulties filing your police report with a Mexican official, please notify the U.S. Embassy or consulates immediately.