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From: Brady, Juliette D (Mexico City)
Sent: 5/14/2010 12:46:18 PM
To: SMART Core
Subject: MEXICO MERIDA INITIATIVE SPOT REPORT #33: CONTROL DE CONFIANZA SETS THE FOUNDATION FOR MERIDA

UNCLASSIFIED



MRN: 10 MEXICO 2012
Date/DTG: May 14, 2010 / 141644Z MAY 10
From: AMEMBASSY MEXICO
Action: WASHDC, SECSTATE ROUTINE
E.O.: 12958
TAGS: SNAR, KCRM, KJUS, PGOV, PREL
Captions: SENSITIVE
Pass Line: STATE FOR INL AND WHA/MEX
TREASURY FOR ENFORCEMENT SECRETARY
DOJ FOR BSWARTZ/KBLANCO DEP ASSIST ATTY GEN
FBI DIR FOR LA/CU, OC/DB, OIU, CID
DEA FOR OD, OF, OFC, AO, DO, NPSM
CUSTOMS FOR LA OPS AND FOR OIA/WHB
Subject: MEXICO MERIDA INITIATIVE SPOT REPORT #33: CONTROL DE CONFIANZA SETS THE FOUNDATION FOR MERIDA

1. (SBU) THIS CABLE IS SENSITIVE BUT UNCLASSIFIED.

2. (SBU) SUMMARY: NAS Mexico assists the Government of Mexico (GoM) to design and develop sound practices to reduce corruption in its judicial, intelligence and security agencies through the Merida Initiative "Control de Confianza" program. In the context of Merida, Control de Confianza refers to vetting and internal controls. Two principal concepts defined by NAS shape the overall plan: Gatekeeper and Institutional Internal Culture of Lawfulness. The plan focuses on using GoM Federal agencies (CISEN, SSP, PGR, INAMI and SAT) to deploy nine small working modules. NAS will provide U.S. Subject Matter Experts (SMEs), equipment, training, and technical assistance to establish practices, programs and procedures in each module. The total estimated cost of the development stage of the plan is \$ 13.3 million. Because of the centrality of ending corruption to ultimate success in winning in the war against the DTOs, we consider the Control de Confianza program to be one of the most important of the Merida Initiative. END
SUMMARY

GATEKEEPER

REVIEW AUTHORITY: Alan Flanigan, Senior Reviewer

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3. (SBU) The first of two principal concepts defined by NAS to shape Control de Confianza is known as Gatekeeper. The objective is to implement procedures to prevent corrupt individuals or those with a propensity to engage in corrupt behaviors from entering government law enforcement organizations. Of the nine total modules of the Control de Confianza plan, three address this concept:

--Background Investigations: Currently the GoM lacks a solid and meticulous background investigation process to uncover an individual's character, abilities, loyalty, reliability, integrity, and financial irregularities. NAS will work with the GoM to train investigators, supervisors, and managers to conduct top quality background investigations and train supervisors and managers to set standards and parameters for interpreting investigation results.

--Police Registry: Because the police service is decentralized in Mexico, hundreds of police agencies employ hundreds of thousands of police officers across federal, state and municipal organizations. As corrupt officers are uncovered and fired, they simply move from one police agency to another. The GoM has established the "Kardex Policial" system to keep records of all police officers and private security guards in Mexico. When employees are detected in corrupt activities or serious misconduct, an entry will be made in the Kardex which will bar them from any future employment where a Kardex certification is required.

--Kardex Policial, administered by the SSP, is fully functional at this time. NAS assistance in this area will focus on providing the GoM with hardware to expand the volume of data entry and make the system accessible in more areas across Mexico. Additionally, SMEs will provide technical assistance and expertise on how to better audit and monitor the Kardex system and other databases to reduce the possibility of wrongful use.

--Polygraphs: The technical part of administering polygraph examinations is well underway by the GoM. CISEN (Mexico's Intelligence Agency) will lead the effort in polygraph development and will use the U.S. model where all federal agencies follow one training and examination doctrine. Currently, CISEN, PGR, SSP, SAT and INAMI have more than 300 trained polygraphers and CISEN is scheduled to train approximately 200 additional polygraph operators in 2010. Experts from the U.S. and GoM policy makers have all agreed that expanding a polygraph program too fast would be detrimental to the program.

The total budget for "Gatekeeper" elements is \$9.3 million.

INTERNAL CULTURE OF LAWFULNESS

4. (SBU) The second principle concept is Internal Culture of Lawfulness. The objective is to augment and support ongoing GoM efforts to reduce corruption within their institutions. These modules focus on deterring corruption with strong internal controls, identification and monitoring of

risk factors, and an aggressive educational campaign. The following six modules address this objective:

--Polygraph: The polygraph capabilities to address internal affairs matters and employee reinvestigations will be addressed under the Gatekeeper objective. It is presented under Internal Culture of Lawfulness so that effectiveness in this area can be tracked and the polygraph deployment phase better coordinated.

--Operational Internal Investigations: The use of undercover techniques in Mexico to expose corrupt officials has not been exploited, largely because Mexican culture views such techniques as entrapment. A key element in reducing corruption is to create fear among corrupt officials that the other parties to the corrupt act may be an agent of the government acting in an undercover capacity. This module is designed to establish an operational unit with the necessary equipment and training to conduct highly sensitive internal investigations targeting employees and units known to be corrupt or involved in illegal activities. The GoM will be exposed to proven operational and management techniques used by U.S. law enforcement agencies when dealing with undercover operations.

--Ethics: The objective of this module is to establish an Ethics Unit to deal with all ethics issues for target agencies. The Unit will develop clear standards of conduct policies addressing honor codes, core values, ethics standards, employment policies, ethics training, conflict of interest, gifts, conflicting financial interests, impartiality, misuse of position, outside activities, financial disclosure, recusals, waivers, and divestiture.

--Reinvestigation: The reinvestigation module will focus on conducting re-investigations on active duty personnel. The purpose is to ensure employees continue to be trustworthy public servants.

--Adjudication: An objective adjudications process is necessary to address any inconclusive polygraph results, unresolved allegations, or other issues that may put someone's integrity in question. This module will stand up a well-trained and equipped Adjudication Unit to work within the legal or other administrative section already established in the target agencies. The unit will have responsibility for resolving standard disciplinary matters and focus primarily on policy, procedures and rationale of dealing with questionable and inconclusive issues.

--Performance, Awards, Appraisals and Recognition: This module will create a unit whose ongoing responsibility will be to look for ways to provide positive reinforcement for good behavior and confronting corruption. Whistleblower protection and methods of encouraging employees to denounce corrupt coworkers will be implemented.

The total budget for "Internal Culture of Lawfulness" programs is \$4 million.

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JUAREZ PILOT PROJECT

5. (SBU) To strengthen the key security units in Ciudad Juarez, a pilot project is under development between USG and GOM that would help to build institutions with the integrity to confront and reverse the violence that has plagued the city while establishing a culture of lawfulness in the community. Although not yet officially programmed, NAS views the following as potential ways to implement Control de Confianza in Juarez under this pilot project:

--Provide a site in El Paso where 20 polygraph machines and quality control supervisors will provide on-the-job training to GoM polygraphers.

--Provide a location in El Paso where 10-15 investigators, one supervisor and a secretary can manage background investigations.

--Assist with coordination between USG and GoM officials to use USG intelligence to facilitate Control de Confianza decisions in Mexico and provide expert advice on how to conduct assessments to quickly categorize employees as high, medium or low risk in terms of their potential to engage in corrupt activities.

PROGRAM PROGRESS

6. (SBU) To date, Merida funds have provided 318 polygraph units, worth a total of \$2.4 million, which will go to CISEN (Mexican Intelligence Agency), SSP (Federal Police), PGR (Attorney General), INAMI (Migration), SAT (Customs), and select state and municipal agencies. It is worth noting, however, that experts from the U.S. and GoM policy makers agree that expanding the polygraph program too fast would be detrimental to maintaining its integrity and upholding high standards for technique.

7. (SBU) A \$4.8 million contract for hardware to support Kardex Policial (see para 3) is under negotiation, and expected to be signed shortly.

8. (SBU) Representatives from the Consortium for Police Leadership in Equity (CPLE) were in Mexico City the week of April 26th to initiate an assessment gauging the levels and depth of corruption in the Mexican government. The assessment will provide a baseline to measure improvements as the Control de Confianza program advances. CPLE will also try to determine the impact Merida training has on corruption levels once trained officers are reintroduced to the work environment.

9. (SBU) During the first week of May, 29 Mexican polygraphists from five government institutions attended the American Association of Police Polygraphists seminar in St. Louis, Missouri. Participants interacted with the top polygraphists in the United States at the conference. Polygraphists from several Central American countries also attended. This program is particularly important in order to encourage inter-agency cooperation and

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communication, which is not the status quo among Mexican law enforcement agencies.

10. (SBU) Customs and Border Patrol (CBP) and the Defense Agency for Credibility Assessment (DACA) pledged support to provide advanced capability training for polygraph operators. Jose Gonzalez, a CBP employee detailed to DACA will commit 25% of his time, or one week per month, to working with the GoM to improve their polygraph program under an IAA.

11. (SBU) During 2010, NAS will work on professionalizing current GOM polygraphists by providing senior examiner courses to 300 polygraphist and sponsoring 75 memberships and attendance to professional polygraph associations and seminar in the U.S. \$2.5 million in equipment will be purchased to support the increase function of Control de Confianza Centers. Equipment, training and technical assistance to conduct sophisticated investigations such as undercover operations and electronic surveillance will be implemented in internal affairs units. Grants will be awarded to organizations who will work with GoM officials to identify and implement ways to provide positive stimulus and protection to officers who stand-up against corruption; implement strong ethical values; and implement sound practices on how to handle inconclusive vetting results. These objectives will be focused on the federal level and upon implementation, they will be evaluated and based on cost and performance, they will be deployed to select state and municipal agencies.

CENTRALITY OF CONTROL DE CONFIANZA TO OVERALL SUCCESS

12. (SBU) Control de Confianza is a system designed to detect and deter potential corruption among the Mexican security forces. A well-functioning and trustworthy police force is critical in order to make any progress in the battle against drug trafficking organizations (DTOs). Most citizens in Mexico have little trust in the police and as a result often do not report crimes or case leads. Control de Confianza addresses the very fundamental need in Mexico to build a police force that earns the public's trust and serves citizens in an efficient and effective manner, starting with recruiting the right people and establishing internal controls to maintain the integrity of the organization.

13. (SBU) Control de Confianza is critical to the success of the entire Merida Initiative. If equipment and training are provided to corrupt individuals, the USG will have accomplished nothing more than provide expertise and technology to individuals who may use it to undermine all USG efforts in Mexico. The bottom line is that if Control de Confianza fails, Merida fails.

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Info: DIR ONDCP WASHINGTON DC*ROUTINE* ; DEPT OF TREASURY WASHINGTON DC
ROUTINE ; DEPT OF JUSTICE WASHINGTON DC*ROUTINE* ; FBI WASHINGTON DC*ROUTINE* ;
DEA HQS WASHINGTON DC*ROUTINE* ; ATF INTEL WASHINGTON DC*ROUTINE* ;
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WHA CENTRAL AMERICAN COLLECTIVE*ROUTINE*

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From: Leach, Michael W (Mexico City)

Sent: 1/11/2013 4:18:33 PM

To: SMART Core

Subject: Pillar II Cable - Bilateral Institutional Capacity Building to Sustain Rule of Law at the Beginning of a New Administration

RELEASED IN PART B1,1.4(D)

UNCLASSIFIED

SBU



MRN: 13 MEXICO 244
Date/DTG: Jan 11, 2013 / 112118Z JAN 13
From: AMEMBASSY MEXICO
Action: WASHDC, SECSTATE ROUTINE
E.O.: 13526
TAGS: SNAR, KCRM, KJUS, PGOV, PREL
Captions: SENSITIVE
Reference: A) 13 MEXICO 242
B) 12 MEXICO 7498
C) 11 MEXICO 4352
D) 11 MEXICO 4346
E) 11 MEXICO 4348

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OPDAT CALEXANDRE
Subject: Pillar II Cable - Bilateral Institutional Capacity Building to Sustain Rule of Law at the Beginning of a New Administration

Summary

REVIEW AUTHORITY: Oscar Olson, Senior Reviewer

1. (SBU) This is one of a four-part series of cables summarizing the achievements of over \$1 billion spent over the last four years in Merida Initiative activities. (RefTel A and B) The Merida Initiative faces Mexico's first change of administration since the program's inception in 2008. Merida efforts ushered in an era of unprecedented bilateral cooperation, challenging narcotics trafficking and other forms of transnational organized crime in Mexico and strengthening ties between the GOM and USG. At the same time, Merida built capacity for crime deterrence, law enforcement, investigative capacity, and judicial efficacy. Programs which are part of Pillar II, the "Development of An Institutionalized Capacity to Sustain the Rule of Law," produced important advances in Mexico's justice sector infrastructure. These include professionalizing police, modernizing corrections facilities, developing trustworthy institutions, advancing judicial reforms and crime laboratory development, and training all levels of justice sector personnel.

2. (SBU) Incoming president Enrique Peña Nieto (EPN) has indicated that his administration will focus on the issue of safety

Classified by DAS MGraveld, A/GIS, DoS ~ Class: CONFIDENTIAL ~ Reason: 1.4(D), B1 ~ Declassify on: 01/10/2038

and security for Mexicans, a policy which may affect certain operational aspects of Merida and will very likely make Pillar II programs even more important given their links to longer-term reform. END SUMMARY

Police Training

3. (SBU) The United States provides training to officers from over twenty-one different states. The USG partners with police academies in five cities (Hermosillo, Chihuahua, Ciudad Juarez, Monterrey and Puebla) to train students from these states and other outside agencies. The Mexican academies provide classrooms and other facilities for classes taught by U.S. instructors. The USG has also provided equipment to these state police academies --from gym equipment to training handcuffs to ambulances for injured cadets. The USG is also providing specialized intelligence analysis training for Joint Intelligence Task Force units being established in specific states. At the federal level, Merida has provided classes to incoming federal police recruits in specialty areas such as Explosive Devices, Terrorism and Drug Trafficking. Merida assistance has also supported a wide array of training courses facilitated by partner agencies such as the Office of Antiterrorism Assistance (ATA), the Bureau of Alcohol, Tobacco, and Firearms (ATF), the Department of Homeland Security (DHS), and the Federal Bureau of Investigation (FBI). These courses include technical training and mentoring programs focused on justice sector security operations, quick response and mirrored and coordinated border security operations, facility security, dignitary protection, fugitive apprehension, and witness security.

Corrections Development -- Federal Level

4. (SBU) In 2008, the GOM developed a strategic plan to build modern facilities to house all Mexican inmates who are under federal jurisdiction. This plan involved increasing the federal prison system from six facilities holding 4,525 inmates to 22 prisons with a capacity to house approximately 50,000 inmates. This plan also focused on improving the professionalization of staff operating the prisons, the standardization of correctional practices, and the development of programs to assist inmates the transition back to society.

5. (SBU) Since 2008, the Mexican federal prison system has been recognized as an international leader in prison reform for its ambitious corrections system overhaul and its training programs which have trained prison officials from Mexico as well as from other countries. The National Penitentiary Academy (ANAP) was opened in Xalapa, Veracruz in 2009, and has trained over 4,700 prison security and technical staff. ANAP created a mobile training unit which will provide the same level of training throughout the country. The Academy and seven federal prisons have received accreditation from the American Correctional Association (ACA), with all other federal facilities working toward this goal by implementing these standards of operation. The federal prison system has developed an objective prisoner classification system, which allows authorities to assign inmates to an appropriate prison security level based on the risk level of the prisoners.

6. (SBU) Looking to the future, the opening of nine new prison facilities in 2013 will require recruitment and training of more than 10,000 new employees. As officials further develop the federal prison system they will continue to need specialized training to improve the central transportation unit, emergency response teams (ERT), and security threat group (gang) training. The federal prison system offered to provide training to the states through the use of mobile training units, which provide equipment and instructors from ANAP to carry out training onsite at state prisons. In addition, the federal parole and probation unit has initiated a model parole office in Mexico City which has active supervision of inmates based on risk level. There are no parole offices outside of Mexico City, and therefore parolees in other states are currently tracked on paper. The Mexican prison system needs to fully develop its anti-gang capabilities, specifically by assigning gang officers to each correctional facility and establishing a central gang unit at headquarters to share all information with other law enforcement agencies. Information provided by this central unit will allow proper placement of disruptive inmates into high security facilities, allowing for safer operations. Additional work, education, and mental health programs need to be developed at all the federal prisons to help provide rehabilitation opportunities to offenders. Facilities with effective programs help limit inmate idleness, thus reducing violence within a prison.

7. (SBU) In its Strategic Plan for 2008-2012, the Public Security Secretariat (SSP) had described the state-level penitentiary system as "one of the most underdeveloped and abandoned components of public security. There are 420 state prisons

and detention centers, which currently have about 211,000 inmates incarcerated, with about 25,000 of them being held on federal charges. The National Commission on Human Rights (CNDH) and NGO's have reported that corruption, overcrowding, prisoner abuse, gang violence and exploitation, and drug addiction are prevalent in most state facilities, as are poor sanitary conditions, poorly trained and paid staff, and inadequate medical care. Prison deaths have been on the rise in state facilities, as are prison riots and escapes. Correctional employees are routinely threatened by inmates and organized crime groups, and many have been murdered.

8. (SBU) The development of a robust Federal Prison system is helping to relieve some of the overcrowding at the state level, with the relocation of some of the 25,000 federal inmates from state facilities, including many of the more dangerous and influential inmates. This relocation will help resolve the overcrowding at the state level, as some facilities are currently at 80 percent overcapacity. Some states have invested in building new facilities to help reduce overcrowding. The states of Baja California and Chihuahua have started the process of accreditation from the ACA. The Merida Corrections Program, together with the federal prison system, is helping these states prepare for accreditation by sending trained staff to audit these facilities and provide recommendations for improvements to meet the standards. The federal prison system needs to continue supporting efforts in the states to enact reforms by sharing their improved security protocols, assisting with training through the use of mobile training units, and providing technical assistance with audits based on international standards. The federal system should expand parole offices to each state, providing appropriate levels of supervision to parolees.

Developing Trustworthy Institutions

9. (SBU) Under the Merida Initiative, the Developing Trustworthy Institutions (DTI) program provides equipment, training and mentoring to the internal control units of the SSP, the Attorney General's Office (PGR), and the Ministry of Public Administration (SFP) to help them detect and deter corruption. As of December 1, 2012, NAS has provided the three agencies with over \$3,952,000 in basic undercover surveillance equipment. The DTI program partners with over a dozen agencies in the U.S. to train GOM officials from these three agencies on the policies and procedures of undercover investigative methods. In addition to these federal-level programs, we prioritized work at the state level in the states of Chihuahua, Tamaulipas, and Nuevo Leon in the past two years of Merida. (See Reftel C, D, and E)

10. (SBU) The SSP, PGR, and SFP have each contributed to enhancing the capacity of their respective internal control units to facilitate investigations of corruption and criminal wrongdoing by restructuring or increasing the number of personnel in their units. The SSP, for example, increased the size of its internal control unit to approximately 120 people. The head of the SSP's internal control unit reported directly to the President, a procedural anomaly among most GOM agencies. Similarly, the PGR also increased the number of people assigned to its internal control unit (the "Visitaduria") and decided to focus its investigations on cases involving serious misconduct and criminal activity, as opposed to performance issues such as arriving late for work. The SFP is not a law enforcement agency, but has the ability to investigate, sanction and fine all federal executive branch employees. As a consequence, NAS has found a formidable partner in this institution to address the levels of corruption in Mexico. The 25-member SFP IA unit has welcomed guidance and equipment from NAS in the area of undercover operations. They have had less additional resources provided by the GOM than SSP and PGR. However, SFP's website reports 482,852 sanctions levied against public servants in its online database.

11. (SBU) The PGR's Visitaduria utilized the resources and training provided by the DTI program to conduct an undercover operation that led to the indictment of a high-ranking officer of the Ministerial Federal Police of Veracruz in March of 2011. Under former PGR head Marisela Morales, beginning in May of 2011, the Visitaduria began conducting investigations of several high level officials within the PGR who were suspected of corrupt activities. In the first 100 days of this initiative, 462 PGR employees were dismissed and 111 of these were referred for prosecution for alleged crimes including fraud, document falsification, and theft, among others. Of the dismissed employees, 289 were mid- or upper-level management, and 59 were prosecutors. An additional 700 officials remain under internal investigation.

12. (SBU) The future of these agencies' internal control units is uncertain due to reorganizations under the new administration. However, as the DTI program continues to provide training and mentoring, NAS is seeing measurable results in these units' ability to help strengthen their respective institutions and contribute to building a culture of lawfulness in Mexico; we will seek continue GOM engagement to this end and will work with any new anti-corruption entity brought into force under the Pena Nieto government.

13. (SBU) The DTI program is also helping to reduce corruption within Mexico's public and private security forces at the

federal, state, and local levels by supporting the Government of Mexico's (GOM) efforts to expand the scope and geographic reach of Mexico's national police registry system, referred to as "Kardex Policial." Kardex allows the capture, storage, and retrieval of biometric information on registered law enforcement officials. Merida-funded hardware will host Kardex and make it more accessible to state and municipal authorities throughout Mexico, providing agencies at all levels and jurisdictions with information about an individual's past conduct and employment history. Kardex will help reduce corruption in Mexico's security forces, as the information it provides will enable agencies to avoid hiring officers dismissed for corruption or other misconduct in a different jurisdiction. (Reftels C, D, and E)

Control de Confianza

14. (SBU) Prior to the Merida Initiative, the GOM's ability to effectively exclude corrupt individuals—or those with a propensity to engage in corrupt behavior—from working in its judicial, intelligence, and law enforcement institutions suffered from several weaknesses. Under Mexico's 2009 General Act on the National Public Security System (*Ley General del Sistema Nacional de Seguridad Pública*), all public security institutions—including the SSP, the PGR, the Center for Research and National Security (CISEN), the Tax Administration Service (SAT), and some offices within Mexico's National Institute of Migration (INAMI)—must administer a five-part evaluation to vet all potential and current employees. Referred to as the "Control de Confianza" program, this five-part evaluation consists of a polygraph test, a background examination, a psychological exam, a drug test, and a medical exam. The GOM has invested in vetting public security personnel by assisting the states in building forty Control de Confianza Centers throughout Mexico in order to meet requirements set out in the 2009 General Act on the National Public Security System. At the end of Felipe Calderon administration, 30 State Centers and 3 Federal Centers (86.84%) have been fully certified and accredited by the GOM's National Center for Certification and Accreditation that was created to supervise the forty state Control de Confianza centers.

15. (SBU) While well-intentioned, the GOM's polygraph test results were questionable as polygraphists conducted more exams per day than recommended and interviewed subjects in groups instead of individually as required to ensure accuracy. In addition, polygraphists from different GOM agencies received training from different private institutions around the world and learned different technical languages, procedures, and standards.

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16. (SBU) The NAS DTI program has provided over \$8 million for equipment, training and technical assistance to improve the professionalism of GOM evaluators. For example, the DTI program sponsored Mexican polygraphists to receive advanced training in the United States under the same standards used by all U.S. federal agencies; is helping to develop advanced training; and is funding an American advisor to provide federal agencies and states with advice and guidance on testing and policy matters. The DTI program is also beginning to work via an interagency agreement with the U.S. Department of Homeland Security, Customs and Border Protection (CBP), on enhancing the capacity of the GOM to conduct thorough background investigations that examine a candidate's past behavior. The DTI program has been able to provide the GOM with the equipment and training necessary to conduct background investigations that will be comparable to those conducted in the U.S. for someone needing a clearance to handle classified material. This background investigation development module will also be disseminated to the states after it is implemented and tested at the federal level.

17. (SBU) Developed with guidance from NAS, the GOM now has uniform training and operational policies for all federal polygraphists. In accordance with U.S. government (USG) practice in which all USG polygraphists train at one school under one standard, the GOM has established a polygraph school at CISEN and all GOM federal polygraphists receive their basic training at this school. This standardization, along with the training provided by the DTI program, has increased the accuracy of the GOM's polygraph tests and has thereby helped minimize the hiring of corrupt actors or those with a propensity to engage in acts of corruption. Dozens of GOM polygraph examiners are also now actively involved with the American Association of Police Polygraphists. Nevertheless, the demand for vetting currently exceeds the capacity of trained GOM polygraphists, resulting in a bottleneck in the Control de Confianza process and thus the staffing of institutions.

18. (SBU) The DTI program plans to continue equipping and training its GOM counterparts to enhance their capacity to root-out corruption and strengthen Mexico's judicial, intelligence, and law enforcement institutions. In addition, the DTI program is beginning to work with the states of Chihuahua, Estado de Mexico and Nuevo Leon to enhance their capacity to

conduct Control de Confianza evaluations.

CENAPI

19. (SBU) Mexico's National Center for Analysis, Planning and Information to Combat Crime (CENAPI) is an agency within the Attorney General (PGR) charged with supporting PGR capabilities to process diverse data using appropriate scientific methodology, information technology, and communications, to assist the planning, collection, analysis and exploitation of law enforcement intelligence. CENAPI is responsible for preparing "Averiguaciones Previas" (Preliminary Investigation/Discovery), which are comprehensive documents containing the results of criminal and civil investigations. With USG support through the Merida Initiative, NAS helped to put in place a process of high-speed document scanning, optical character recognition (OCR), categorizing, and analysis that greatly speeds up the previous (manual) process and results in an end product that is highly secure, supports advanced intelligence and relationship analysis, and aids the GOM judicial process. The project is valued at approximately \$190,000 and took four months to complete.

20. (SBU) Future improvements to CENAPI's capacity for digital and automated processing of preliminary investigations/discoveries and their components are only limited by the availability of additional equipment and personnel to operate it. This could be addressed by an expansion of the project to include the implementation of scanning/imaging tools at either the regional prosecutor offices or within a supported area. As Mexico continues to implement its national judicial reform, thousands of prosecutors will depend on CENAPI to lead the way in modernizing the technology required to provide for speedy, accurate, and secure access to investigation documents and analysis. The CENAPI Document Management Program is an effective way to support and advance these efforts.

Forensic Laboratory Development

21. (SBU) The Department of Justice International Criminal Investigative Training Assistance Program (DOJ/ICITAP) has worked with the PGR and SSP laboratories for the past two years with a goal of assisting them to obtain international accreditation. This process normally takes a fully functional forensic laboratory anywhere from two to four years, depending on the discipline. Accreditation in a given forensic discipline demonstrates that the lab uses some quality assurance system in their analysis process. It does not necessarily equate to perfect analysis, but it does demonstrate that they are employing international standards and best practices. As an integral part of the justice system, it is essential that not only the court but also the public have confidence in the results of any forensic analysis.

22. (SBU) On November 30, the EMA (the Mexican Accreditation Agency) provided the SSP Laboratory's Genetics Section with EMA accreditation under ISO-17025, the international standard for DNA testing laboratories. This is a significant step forward for any laboratory, but in the case of the SSP, which started with an inexperienced group of analysts, it represents a monumental achievement, as in record time they have raised their technical level to a point where they have now satisfied the requirements of ISO-17025. The next step for DOJ/ICITAP is to assist the SSP in meeting the American Society of Crime Laboratory Directors -Laboratory Accreditation Board (ASCLD-LAB) standards which is a more rigorous, forensics-based standard. Importantly, ASCLD-Lab standards include the ISO-17025 standards in addition to supplemental requirements, so passing ISO-17025 is a milestone in reaching full forensics accreditation. The DOJ has received over \$11,000,000 for forensics development under Merida.

23. (SBU) Crime laboratory development in Mexico is a collaborative effort with NAS, DOJ/ICITAP, and the GOM as Merida funding provided much of the forensic laboratory equipment for the SSP. DOJ/ICITAP plans to take this program to the state-level forensic laboratories in early 2013.

Project Diamante: Judicial Reform and Coordination of Investigations

24. (SBU) Under Project Diamante, the Department of Justice provides training and support to Mexican federal agencies supporting the implementation of Mexican judicial reform, which was passed in July, 2008. Under the new law, Mexico's criminal justice system will transform from its traditional inquisitorial system to an adversarial system, allowing both the prosecuting attorney and the defense to cross-examine witnesses and to present evidence. Project Diamante trains GOM

personnel from agencies such as the Federal Agency of Investigation (AFI), the Attorney General (PGR), in gathering admissible evidence, establishing evidence in court, and in the proper procedures for gaining convictions under the new judicial reforms. In addition, the Merida Initiative provides training to GOM officials in specialized areas, such as money laundering, intellectual property, maintaining a proper chain of custody, anti-human trafficking investigations, journalist protection and witness protection.

25. (SBU) As of the end of the Calderon Administration, 7700 PGR employees have been trained (prosecutors, peritos and investigators) through Proyecto Diamante and 200 laptops provided. In addition, OPDAT established a Judicial Institute in Puerto Rico that has trained 36 Mexican judges with 50 additional judges already selected for training in 2013. In total, OPDAT/ICITAP have provided training to 21,776 Mexican law enforcement personnel; prosecutors, experts and judges. DOJ's Project Diamante has been supported by approximately \$10,000,000 since it was first implemented.

26. (SBU) Peña Nieto publicly announced his commitment to a national standard criminal procedure that will comply with the new judicial reforms. Based on this commitment, NAS and OPDAT are hopeful the reforms will continue and perhaps accelerate.

1.4(D)
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Organizational Development

27. (SBU) The Department of Justice's International Criminal Investigative Training and Assistance Program (DOJ/ICITAP), with funding and support from the Merida Initiative, is working with PGR and SSP on the development of personnel systems, and leadership development at all levels. To date the program has focused on the Federal Ministerial Police (PFM-former AFI) and the development of personnel evaluation systems. Utilizing a working group composed of representatives from different part of the PFM organization, ICITAP experts have mentored Mexican counterparts on how to develop evaluation profiles. At the conclusion of the work, the organization will not only have evaluation profiles for specific positions in the organization, but more importantly they will have personnel trained on how to continue this task in the future. A critical component is ensuring that the organization begins to utilize standards and best practices in the performance of its duties. This is the initial step into developing standards for other areas of the organization to include training and career development.

Justice Sector Reform

28. (SBU) Beginning in 2004, Mexican states began pioneering reforms to transition from a written, inquisitorial criminal trials system plagued with inefficiencies and impunity to an oral, adversarial one that would promote fair, swifter justice and increase the confidence of Mexicans in the justice system. Four years later, a constitutional amendment mandated nation-wide reform, with implementation currently proceeding state by state under the coordination of the federal government's Technical Secretariat (SETEC). Since 92% of crimes in Mexico fall within state jurisdiction, the importance of state reforms cannot be overemphasized. Results of Mexican state-level reform efforts and USAID Merida Initiative cooperation continue to crystallize. Already, Mexican prisons hold 30,000 fewer people without charges, a major problem under the traditional system, and prosecution rates have risen in states implementing the reform. Reform states are issuing longer sentences with fewer acquittals, indicating that the adversarial system has the potential to be both tough on crime while protective of rights. USAID assists this process as part of Pillar II of the Merida Initiative: institutionalizing the rule of law and respect for human rights.

29. (SBU) While reaching more than 30,000 justice sector operators in the new criminal justice system through training and institutional support to training units, USAID has built or strengthened key institutions such as alternative and restorative justice centers and victims assistance units in target states. Now halfway to the 2016 deadline of reform implementation, 22 of Mexico's 31 states have passed a new criminal procedure code and at least some of the necessary secondary legislation and procedural reforms to implement the new justice system.

30. (SBU) Training considers the context of institutional strengthening actions, such as the application of model policies, procedures, regulations, and systems developed in conjunction with SETEC. USAID, together with SETC, developed standard operating procedures for judges, prosecutors, public defenders and police rolled out nation-wide. USAID strengthened in-house training programs for judicial institutions in priority states with a focus on ensuring long-term

sustainability. This allows justice institutions to continue building the capacity of staff and measuring compliance in absence of direct USAID assistance. USAID supported bilateral academic studies and nation-wide public opinion polls providing empirical data on the reforms and establishing a baseline to measure impact in future years.

31. (SBU) USAID strategically focuses assistance in the target states (known as "Tier 1" states) of Baja California, Chihuahua, Hidalgo, Morelos, Nuevo Leon, Puebla and Oaxaca. USAID also provides support for the "Tier 2" states of Estado de Mexico, Tamaulipas, Durango and Campeche when strategic opportunities for success arise. USAID supported civil society organizations to assume a more proactive role in monitoring and advocating for criminal justice reform implementation. This critical measure strengthened civil society's capacity to collect and disseminate accurate information about the reforms, inform public opinion, and advocate political decision makers on behalf of the reforms. The Justice and Security Program works to increase the journalists' knowledge and understanding of the reforms and their role within the new justice system.

32. (SBU) USAID's key achievements include the following:

- Training for more than 20,000 justice sector operators directly and over 14,000 more through training of trainer and institutional support in the new criminal justice system.
- Development and training on protocols for coordination on investigation between police and prosecutors.
- Establishment and strengthening of Alternative Justice Centers in priority states. Since January 2010, USAID has trained over 400 staff of Alternative Justice Centers on mediation, negotiation and restorative justice.
- USAID-supported first pre-trial services unit for juveniles in Latin America opened in Morelos in 2011. USAID is supporting replication pre-trial services units in Baja California and Puebla.
- USAID cooperative establishment of the Oaxaca Victims of Crime Assistance Unit. Based on lessons learned in Oaxaca, USAID is also providing assistance on the model in Chihuahua, Ciudad Juarez and Monterrey.
- Small grants of less than \$100,000 supporting 44 Mexican NGOs that promote criminal justice reform, human rights, victims' assistance, anti-TIP efforts, and other related issues and work with media outlets in target states to better educate citizens on the reforms.
- A master's degree program in human rights and security for 300 police and other officials launched in partnership with the Latin American Institute for Educational Communication (ILCE) and the Secretariat of Public Security (SSP).

33. (SBU) The Pact for Mexico (Pacto por México), signed by the main political parties and the President in December 2012, has the potential of dramatically affecting the Criminal Justice Reform (CJR). The CJR is mandated by a constitutional amendment adopted by the Mexican Congress in 2008, and the cornerstone of its implementation has been the passing of state Criminal Procedure Codes (SCPC). Although several laws integrate the legal CJR framework – such as alternative dispute resolution (ADR), victim's assistance, organic laws of the judicial branch, prosecutor's office and public defender's office – the SCPC usually marks the start of the significant legal and administrative changes needed to comply with the constitutional amendment. The Pact includes the creation of a unified Criminal Procedure Code, and of a unified Penal Code. A successful discussion and swift passing of these two unified codes by the federal congress will most likely precipitate the reform in the less advanced states and positively shake and accelerate the reform in states already implementing it by clearing the way for state congresses to concentrate on other laws relevant to the reform.

34. (SBU) COMMENT: The continued success of Pillar II programs depends upon a smooth transition that maintains the strong, bilateral collaborative efforts of the GOM and the USG. It is unclear how the inevitable shifts in priorities, as well as the reorganization of GOM agencies, will affect current and future activities, but the USG agencies involved in Pillar II programming are working to maintain good relations with interlocutors who remain and to reach out to newly appointed counterparts as they are identified. END COMMENT.

Signature: WAYNE

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DEPT OF TREASURY WASHINGTON DC RUEPTRS ROUTINE ;
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C O N F I D E N T I A L MEXICO 001063

RELEASED IN PART B1, 1.4(b), 1.4(d), B6, B7
(C),DECONTROLLED/UNCLASSIFIED,B6

SIPDIS

DEPARTMENT FOR INL

E.O. 12958: DECL: 11/12/2028
TAGS: PREL, PGOV, PHUM, SNAR, KCRM, MX
SUBJECT: THE GOM'S FEDERAL POLICE REFORM PLANS AND
ACCOMPLISHMENTS

Classified By: Political Minister Counselor Charles V. Barclay,
Reason: 1.4 (b), (d).

1. (U) On February 27, Emboffs met with [redacted]
[redacted] to learn more about the GOM's police
reforms and SSP's restructuring plans. This cable outlines
the seven goals/guidelines that constitute SSP's "bible" for
where the Secretariat is headed.

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Goal 1: Aligning the State's Capability to Combat Crime

Justice System Reforms

REVIEW AUTHORITY: Adolph Eisner, Senior Reviewer

2. (U) On March 6, 2008, Congress approved a package of criminal justice system reforms, which will complement SSP's strategic reform plan. The approved legislation promotes a uniform criminal code and adversarial justice system, including oral trials. The legislation will also allow the authorities to record private conversations, and will enforce house arrest and pre-trial detention in cases involving suspected organized crime, national security or homicide. The legislation also aims to modify the entire federal police structure across the country to emphasize internal affairs units and other ways to professionalize the police. (Note: Since the justice system reform package includes constitutional amendments, a minimum of 17 states need to approve the reform. End note.)

National Security Council

3. (SBU) SSP has also created a National Council for Public Security to encourage cooperation among federal public security agencies and with state and local authorities. According to [] 95% of Mexican states are participating in the council.

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Federal Police Merger

4. (SBU) This goal also includes the integration of various federal police entities under a single command. The recently approved criminal justice system reforms will officially centralize the command structure of federal police agencies, so as to better coordinate anti-crime operations. As of March 2007, the Federal Preventive Police (PFP) (of the Public Security Secretariat (SSP)) and the Federal Investigations Agency (AFI) (formerly of the Attorney General's office (PGR)) were engaged in merging into a single unified "Federal Police" under SSP's control. The justice system reform officially merges the two entities and also includes provisions to transfer budget control for AFI from PGR to SSP. Consolidation of the leadership of the PFP and AFI will also expand the authority of the new Federal Police to include investigations (which the PFP lacked).

5. (C) [] said Federal Police (FP) officers will be better trained and capable of conducting investigations. [] also noted that the current police restructuring plan will grant SSP greater responsibilities on migration and customs issues. He was vague, however, on how the SSP would be able to exercise those authorities. He told Emboffs that

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SSP's Subsecretariat of Police Strategy and Intelligence

6. (SBU) SSP's Subsecretariat of Police Strategy and Intelligence (PSI) will oversee the operations of the new combined Federal Police (FP). On February 27, SSP announced Facundo Rosas Rosas as the new Undersecretary for Police Strategy and Intelligence, replacing Patricio Patino. (Note: Patino was repositioned as Undersecretary of the Federal Penal System, replacing Jose Luis Lagunes Lopez. End Note.) According to [REDACTED] these changes

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were based on the need "to provide the police with more capacity to investigate and combat organized crime." [REDACTED] told Emboffs that he does not expect Rosas' appointment to portend any significant changes to SSP's reform agenda.

7. (SBU) [REDACTED] an organizational chart of the PSI Subsecretariat and its six sections:

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-- Police Intelligence Unit: Responsible for field collection, tactical analysis, and technical support.

-- Information Analysis Unit: Charged with consolidating information in a criminal data base and providing thematic and regional analysis, as well as interpol (liaison functions).

-- Judicial and Ministerial Services Unit: Responsible for coordinating with local and state authorities as well as federal entities, such as the customs and immigration services, and the courts. [REDACTED] likened this unit to the U.S. Marshals Service.)

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-- Prevention and Social Proximity Unit: Responsible for metropolitan police, airport security, and ports of entry. This unit will also liaise with community organizations and NGOs to improve the police's image and oversee campaigns to encourage citizen participation in the war against crime (such as encouraging the population to provide information on suspect activity).

-- Federal Support Forces: This component will house SSP's

-- Antidrug Police Unit: This unit will be largely
autonomous and house its own intelligence, analysis, and
rapid response capabilities.

500 Police Stations

8. (C) [] said FP officers will eventually be disbursed
to 500 police bases around Mexico. (Note: SSP has previously
stated that there would eventually be an FP presence in every
city of 15,000 or more. End Note.) [] noted that there
are now only 34 bases and expects the 500 to be achieved by
2012 (the end of President Calderon's term); he added that
another 40 bases should open in 2008. The police stations
will be responsible for:

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--Receiving citizens' reports of crime and responding in a
timely fashion.

--Providing the analysis, technical services and
investigation needed to generate intelligence that will lead
to the disruption of criminal organizations.

--Integrating FP approaches to the prevention, investigation
and prosecution of crimes.

--Responding to regional crime trends, especially in high
crime areas.

----- Goal 2: Crime Prevention and Citizen Participation -----

9. (SBU) This goal envisions creating citizen councils for
the purpose of strengthening citizen involvement in security
issues. Subject matter experts and NGOs will be members of
the councils, in order to develop security policies, and to
carry out critical reviews of the efficiency of actions taken
in security matters at the national, state, and local level.

10. (SBU) SSP's goal paper on Crime Prevention and Citizen
Participation references an "inter-institutional" strategy
with the Secretariats of Social Development, Education and
Health, as well as the National Sports Commission, focused on

public schools; (2) the "Health Without Drugs" program to
prevent addictions; and (3) the "Recovering Public Spaces"
program, which promotes the rehabilitation of public areas
for social gatherings under a drug-free and safe environment.

Because of their proximity, the planned 500 police bases
(see Goal 1) will be instrumental in stimulating social
participation in these citizen programs and councils.

Goal 3: Improving the SSP's Institutional Capacity

A Police Career Service

11. (C) This goal includes a process of development and
training to create a professional federal police career
service. SSP is currently seeking new recruits at Mexican
universities to ensure they get qualified and well-educated
candidates. [] said that in 2007 SSP hired 600
university graduates and by the end of Calderon's term they
hope to bring on an additional 8,000. He acknowledged that
this figure might be ambitious, but he was confident that the
goal would be met by 2012. All new recruits will go through
four months of basic training. Afterwards, there are two
phases of police education: (1) intelligence training and
(2) the Superior Academy in San Luis Potosi. The academy
currently has 950 students, including local and state police
recruits, as well as participants from Central American
countries.

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12. (SBU) In a separate meeting on March 13, []
told [] that the Federal Police
force is currently adding approximately 10,000 police
personnel to patrol the northern and southern borders of
Mexico. He related that there are currently 1,500 additional
management level elements currently receiving/completing
advanced degrees and preparing to take leadership positions
within the SSP, and another 1,500 police elements undergoing
Basic Police Academy training. [] signaled that
professionalizing and institutionalizing the Federal Police
was his number one priority and that both he and President
Calderon believe 2008 is vital to making lasting changes
within the SSP for its survival. He said, "When I'm gone,

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Human Rights Curriculum

13. (SBU) On March 6, SSP officials told DAS Jacobson that they were working with Amnesty International, Human Rights Watch, and the UN Human Rights Commission on curriculum development for the police academy. They expect the new curriculum to be ready for course work in November 2008.

(Note: On March 12 polooff followed up with [REDACTED])

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said AI-Mexico and SSP do not have a formal arrangement on training, but that AI has made verbal agreements to provide training to approximately 900 mid-level SSP police officers. Herrera said that AI-Mexico itself does not have the capacity to support this type of training; however, AI-Netherlands will come to Mexico and train police officers on human rights. Right now the role of the AI-Mexico is to be the point-of-contact for SSP, AI-Netherlands and the AI headquarters in London. He said AI-Mexico hopes to participate in training for SSP in the future after they obtain the resources. End Note.)

Goal 4: Improving the Penitentiary System

14. (SBU) SSP recognizes the need to begin to address the many problems associated with modernizing its prison system and has begun to strengthen this program through a number of personnel changes at top levels within the SSP, with the appointment of a new Prison System Director and a new Under-Secretary to begin to implement modern practices. While this program is in a formative stage, SSP is considering the use of a number of anti-corruption measures,

to include changes in: personnel selection criteria (not only for prison guards, but for mid-level and leadership personnel as well); application of new technology to reduce smuggling of illegal goods and drugs into the prisons; cell phone jamming technology to eliminate continued control of street activity by imprisoned cartel and organized crime leadership; streamlining the flow of intelligence information to aid in criminal investigations within the system and at the street level; and an aggressive nationwide training program for all

Goal 5: Combating Corruption

15. (C) SSP is strengthening its vetting processes. [redacted] noted that SSP officials, federal police officers, and new recruits will go through several layers of scrutiny -- including every six months anti-doping (toxicology) testing, polygraphs, psychological, and personal assets screening. SSP will create the National Center for Evaluation and Integrity Control, which will be responsible for these evaluations and generating standards relevant to the National Police Career Service (see Goal 3).

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16. (C) By mid-2008 SSP plans to have a cadre of about 300 trained polygraphers. This group will be responsible for testing SSP employees, as well as state and local police. The examiners will also be made available to other federal entities. [redacted] was unable to provide specifics about how the polygraphers would be used in the state and local contexts. He was also unsure about whether SSP would be able to force local authorities to undergo screening, or if it would be by invitation only. [redacted] said the police reforms will prompt the SSP to clean house and that officers shown to be corrupt will be forced to leave. SSP realizes that this may cause temporary manpower shortages. There was also concern about the possibility that separated officers may go to work for "the other side," by which [redacted] meant organized crime.

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Goal 6: Information Technology: Platform Mexico

17. (SBU) Police reforms also entail the creation of a nationwide database to track criminals and monitor criminal activity across jurisdictions. As such, the GOM has begun the multi-year development of Platform Mexico (PM), an initiative valued at roughly \$100 million. When finished, PM will establish real-time interconnectivity among all levels of police and prosecutors (federal, state & local) and generate a single, unified national crime database. According to

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Goal 7: Indexes and Measurement

20. (SBU) In order to strengthen the culture of accountability and ensure transparency and results, SSP will design measures centered on crime prevention, successful prosecutions, administration of justice and professionalism. Such measures will be created in coordination with civil society organizations. In order to establish credibility and trust, civil society will also be responsible for monitoring the indexes.

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Visit Mexico City's Classified Web Site at
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Partnership Blog at <http://www.intelink.gov/communities/state/nap/>

NNNN

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Page 1 of 9

RELEASED IN
PART B1,1.4(D)

From: svcsmartmfi
Sent: 11/17/2009 2:03:15 PM
To: SMART Core
Subject: NARCOTICS AFFAIRS SECTION MEXICO MONTHLY REPORT FOR OCTOBER 2009

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Sensitive

Classified by DAS, A/GIS, DoS on: 02/19/2013,
Class: CONFIDENTIAL, Reason: ☐ B1, 1.4 (D),
Declassify on: 11/16/2024



MRN: 09 MEXICO 3257
Date/DTG: Nov 17, 2009 / 171908Z NOV 09
From: AMEMBASSY MEXICO
Action: WASHDC, SECSTATE ROUTINE ; DEPT OF TREASURY WASHINGTON DC ROUTINE ;
DEPT OF JUSTICE WASHINGTON DC ROUTINE ; FBI WASHINGTON DC ROUTINE ;
HQS WASHINGTON DC, DEAROUTINE ; BATF WASHINGTON DC ROUTINE ;
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E.O.: 12958
TAGS: SNAR, KCRM, KJUS, PGOV, PREL, MX
Captions: SENSITIVE
Sensitivity: Sensitive
Reference: REF A) CIUDAD JUAREZ 00000339 B) NUEVO LAREDO 00000240 C) TIJUANA 00001116
Pass Line: STATE FOR INL AND WHA/MEX
TREASURY FOR ENFORCEMENT SECRETARY
DOJ FOR BSWARTZ/KBLANCO DEP ASSIST ATTY GEN
FBI DIR FOR LA/CU, OC/DB, OIU, CID
DEA FOR OD, OF, OFC, AO, DO, NPSM
CUSTOMS FOR LA OPS AND FOR OIA/WHB
Subject: NARCOTICS AFFAIRS SECTION MEXICO MONTHLY REPORT FOR OCTOBER 2009

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STATE FOR INL AND WHA/MEX
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E.O. 12958: N/A
TAGS: SNAR, KCRM, KJUS, PGOV, PREL, MX
SUBJECT: NARCOTICS AFFAIRS SECTION MEXICO MONTHLY REPORT FOR OCTOBER

REVIEW AUTHORITY: Alan Flanigan, Senior Reviewer

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2009

REF: REF A) CIUDAD JUAREZ 00000339 B) NUEVO LAREDO 00000240 C)
TIJUANA 00001116

1. (SBU) THIS CABLE IS SENSITIVE BUT UNCLASSIFIED

ISSUES FOR INL - WASHINGTON

-- We appreciate Washington's support for our COR training that will be conducted in Mexico City December 7-11. We intend to have all Project Officers and many of our support staff take this training in order to better manage contracting in the future. We would appreciate as few diversions and visitors as possible during this time, and patience with a slowdown in responses to requirements.

-- The pilot projects in the north remain a moving target given the challenge of organizing both country's inter-agency and agreeing on exactly what we can do together. We appreciate Washington's support for this effort and hope to still get in an assessment of some sort by the end of the year.

-- The large numbers of individuals being trained with US funding has led to a bottleneck in our vetting process and to increasing numbers of individuals, some at a high level, who fail vetting. We may need funding to hire more support staff in order to properly conduct vetting. We should also collectively look at the development of systems to make the vetting process more efficient. There are differing requirements for inputting names by the various agencies, and there appears to be a good deal of over-vetting for individuals who go to more than one course.

-- PD&S increment of \$4.6M will be allotted to post the week of November 16th. The funding will be used for 265 Reforma costs and salaries.

-- With the finalization of plans for 265 Reforma, OBO will now move to the contracting and construction phases of the project. Post will need INL support in monitoring progress in Washington in order to avoid unnecessary delays.

-- Post will coordinate with INL on the creation of a new FS-02 position and the Public Affairs PSC position which was noted as a requirement in the OIG report.

INTERNAL DEVELOPMENTS

2. (SBU) Violence: Ciudad Juarez reported a full day with zero organized crime-related casualties on October 29, a first this year. But the rest of the month more than made up for it - with approximately 840 murders directly linked to organized crime reported in Mexico in October, a third of them in Juarez, surpassing September as the second most violent month of Calderon's term. Continued violence nationwide pushed the 2009 death toll over the 2008 mark of 5,661, with October closing at an estimated 6,700 organized crime-related murders YTD.

3. (SBU) Violence against Officials: This month's tally includes forty-four law enforcement officials, eight public servants and two soldiers. Three federal police agents were among the dead,

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kidnapped in the state of Chihuahua while investigating the LeBaron case (Reftel A). Nearly 3,000 police and troops were deployed to the area in hopes of finding the three men alive. In that same state, the mayor of the border city of Palomas was kidnapped and brutally murdered. He took office in 2008 following the resignation of the city's entire security force and his predecessor who sought asylum in the US.

4. (SBU) Troop Movements: October witnessed continued armed confrontations between law enforcement, military and organized crime in key areas throughout Mexico. The rotation of 900 troops into the IV Region (Nuevo Leon, Tamaulipas, San Luis Potosi) brought successful operations in those states netting bulk cash, illicit narcotics, and arms (including the discovery of 62 grenades in an abandoned vehicle). This troop movement was also related to violent clashes in the border cities of Reynosa, Matamoros and Nuevo Laredo (Reftel B). Military operations in the state of Michoacan, also the site of increased law enforcement pressure, led to the seizure of several large clandestine methamphetamine laboratories and the arrest of high profile targets.

5. (SBU) Federal officials this month announced the assignment of military officers to head public security positions in nine cities whose senior officials were detained during the "Michoacanazo" in May 2009. On the other side of the spectrum, Tijuana, which has benefited from a healthy military presence from early on (Reftel C), clamored for federal support in the face of the reported withdrawal of federal police. Although 300 marines are expected to be deployed to assist in the patrolling of the area, state police chief Julian Leyzaola was resolute that the current crisis "will not be resolved with gunfire" but instead with new intelligence systems.

6. (SBU) Taking Stock: In meetings in Vienna former Mexican president Vicente Fox also expressed concerns with the current policing model, noting that "using force against force hasn't resolved the problem" and that state/local forces should take the reins from the military. The precariousness of the existing situation was clear in one incident in Monterrey that led to an armed standoff between an estimated 70 Nuevo Leon state/local law enforcement officials and an equal number of federal police and troops. The standoff, reminiscent of a similar altercation in June in the same city, followed a shootout between military forces and state/local police sighted receiving payoffs. Details of the incident remain obscure, but reports indicate that five state/local officials were injured in the crossfire.

7. (SBU) With the integrity of state/local law enforcement under scrutiny and tenuous ambitions from within the federal government to eliminate and realign these forces altogether, the military is poised to continue in its current civil policing role well past previous anticipated deadlines. Budgetary constraints predicted during FY2010 indicate an estimated 2.5% percent reduction in funding for SEDENA, with cuts to administrative and aerial budgets. These cuts are not expected to reduce funding for a number of programs focused on public security and most proposals being debated call for funding for human rights training and the administration of the Directorate General of Human Rights, neither of which have been considered for funding previously.

8. (SBU) Human Rights: Increases in the human rights budget within SEDENA, the cornerstone of Mexico's current policing model, highlight recent moves by the GOM to systematically address abuses. Guidelines published October 15 by SEMAR also reflect this momentum, banning the use of lethal force in response to civilians that do not

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heed to searches at checkpoints and other military posts. These guidelines, which were well-received by the Mexican Human Right Commission, follow a series of polemic incidents where civilians have been killed or wounded by military forces after disregarding requests to halt. The new guidelines also call for training in the legitimate use of force and provide for equipment needed at the various administrative choke points throughout the country to implement this policy change.

 MERIDA INITIATIVE

9. (SBU) 7th Bilateral Implementation Meeting: GOM hosted the

seventh Merida Mexico Bilateral Implementation Meeting in Mexico City November 3, co-chaired by SRE Deputy Secretary for North America Julian Ventura Valero, SRE Merida Coordinator Benito Andion, Deputy Chief of Mission John Feeley, and NAS Director Keith Mines. Combined attendance was over 60 and included senior officials from all relevant GOM agencies including for the first time the Chief Advisor for the Technical Secretariat for Judicial Reform and SEGOB's Director General for Social Communications, who will charged with Merida public relations for the GOM.

10. (SBU) Key issues raised during the meeting were:

-- In addition to the common refrain about the slow pace of delivery, the GOM expressed frustration with the erratic delivery schedule due to our contracting process which makes planning, budgeting and arranging for their inputs to projects difficult.

--Luis Estrada has been named the new public affairs coordinator for Merida, and the GOM expressed interest in developing a joint media strategy to publicize Merida Initiative deliveries and training. Follow up meeting with Dr. Estrada was very encouraging.

--The GOM agreed to establish a Money Laundering Working Group.

--U.S. side pressed GOM counterparts to develop their requirements for FY2009 funding so that when the funding is apportioned we can quickly begin with implementation.

--The next Bilateral Implementation meeting was set for December 2, 2009.

11. (SBU) The GOM stressed the importance of the following key Merida projects:

--Manuals for law enforcement training.

--A virtual academy/distance learning to expand the reach of the training underway at San Luis Potosi.

--Polygraph equipment.

--Justicia Efectiva Para Todos (PGR case tracking system - formerly Project Constanza).

--The configuration and delivery of CASA aircraft.

12. DOS participated in the third session of the Merida Initiative Citizen Dialogue Mechanism in Jalisco. Hosted by the Interior and External Affairs Secretariats, the event was attended by NGOs,

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academics and students interested in human rights and international affairs. Participants received information on the scope and nature of the Initiative, and were able to provide feedback to implementing agencies on both sides of the border. The need to establish an information service for citizens was an important point of agreement, in order to (among other things) highlight the long history of bilateral cooperation in narcotic affairs. This shows the acknowledgement, by both governments, that the success of the initiative depends largely on citizen engagement. From the promotion of higher crime reporting rates to civic education at primary and secondary levels, the meeting showcased the Initiative as a truly binational, multi-faceted cooperation effort.

INTERDICTION

13. (SBU) [REDACTED]

[REDACTED] major seizures in October:

1.4(B)

1.4(D)

B1

--October 2 - Nuevo Laredo, Tamaulipas: Seizure of 17 tons of precursor chemicals (phenylacetic acid)

--October 2 - Manzanillo, Colima: Seizure of 20 tons of precursor

chemicals (phenylacetic acid) originating in India

--October 4 - Alamos, Sonora: Seizure of a clandestine laboratory and 50 kilograms of methamphetamine

--October 4 - Mexico City International Airport: Seizure of 10 kilograms of cocaine discovered by federal police canine units.

--October 6 - Zacatecas: Reported eradication operation in the municipalities of Atolinga and Moyahua yielded 40 tons of marijuana plants distributed among various plantations as well as 200 kilograms of dried marijuana.

--October 6 - Atengo, Jalisco: Seizure of a methamphetamine laboratory

October 7 - Cabo San Lucas, Baja California Sur: Seizure of 560 kilograms of cocaine.

--October 9 - Liliba, Sonora: SEMAR intercepted 311 kilograms of marijuana airdropped from a Cessna aircraft

--October 9 - Villa Union, Sinaloa: Seizure of 6.285 kilograms of black tar heroin.

--October 7 - Mazatlan, Sinaloa: Coordination between US Navy and SEMAR led to the seizure of approximately 500 kilograms of cocaine.

--October 16 - Ameca, Jalisco: Seizure of a methamphetamine laboratory.

--October 17 - Mexico City International Airport: Seizure of 50 kilograms of cocaine from two Mexican nationals inbound from Caracas, Venezuela.

--October 21 - Chetumal, Quintana Roo: Seizure of 30 kilograms of cocaine.

--October 27 - Tiquicheo, Morelia: Seizure of approximately 1 ton of marijuana

--October 24 - Chapala, Jalisco: Seizure of a methamphetamine laboratory

--October 25 - Taretan, Michoacan: Seizure of a methamphetamine laboratory

--October 28 - Navojoa, Sonora: 4.3 kilograms of heroin

--October 29 - Apatzingan, Michoacan: Seizure of a methamphetamine laboratory

PROFESSIONALIZATION AND TRAINING

14. (SBU). SSP training is ongoing at San Luis Potosi, with 2,052 investigators already trained, and 1,051 students currently attending classes. Training for 45 high-level SSP officers and 243

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mid-level officers completed. SSP Field Training Officer manuals were delivered, and a Capacity Building SSP Manual Project is in the planning stages. The GOM commented on the importance of the manuals, emphasizing that they were a key element in integrating their training and reforms and when completed will allow the SSP to push doctrine and training better down to the state and local levels.

15.. (SBU) USAID is working with SSP to edit manuals and design curriculums in human rights. USAID is also working with SSP, PGR, and state prosecutors on victim assistance issues. USAID is training prosecutors in investigative and trial techniques, and is developing curriculums in justice and human trafficking. USAID held an anti-kidnapping and anti-extortion course for police and public officials in the state of Morelos. Anti-kidnapping units from Baja California and Chihuahua are currently training in Miami. Search and rescue training is underway for INAMI's Grupos Beta; twenty-two have graduated from the training, and a new group begins in November.

16. (SBU) The GOM requested help in establishing a virtual academy so that the type of training now underway in San Luis Potosi can be disseminated throughout the country in multiple locations. The GOM also commented on their need to receive more timely information on training schedules.

EQUIPMENT

17. (SBU) Personal protective gear for PGR was delivered on October 30. Personal protective gear for SSP was delivered November 10. Four IBIS units were delivered to Culiacan, Tijuana, Ciudad Juarez and Chihuahua; operator training is underway. A \$2 million purchase of forensic equipment is in the contracting process.

CORRECTIONS SYSTEMS REFORM PROJECT

18.. (SBU) A third corrections officer instructor course at New Mexico Corrections Academy is underway, with 43 Mexican and 19 Guatemalan students attending; 26 Mexican officials are attending training with the Colorado Department of Corrections; 430 new corrections officers have completed training or are currently in training at the Mexican National Penitentiary Academy in Xalapa.

NON-INTRUSIVE INSPECTION EQUIPMENT

19.. (SBU) NAS, ODC, and SEDENA officials inventoried 30 handheld ion scanners at a SEDENA base on October 1. NAS had delivered this NIIE to SEDENA the previous month under the Merida Initiative. SEDENA will use the ion scanners to detect vapor traces from recently fired weapons, explosives, drugs, chemicals, money, etc., found in commercial and private vehicles at highway and off-road military check points throughout Mexico.

20.. (SBU) Two weeks of NAS-financed Basic Operator training concluded in Mexico City on October 9 for 30 SSP personnel (15 each week) assigned to operating the 5 ZBV Backscatter X-Ray Vans and Forward Scatter Trailers that NAS delivered to the SSP in August 2009 under the Merida Initiative. SSP will utilize the ZBVs and

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trailers, both in the mobile and stationary modes, along the nation's highways to inspect the contents of commercial buses and light commercial and private vehicles for contraband.

21.. (SBU) NAS took delivery at the USG Logistics Center, Brownsville, TX, of the first four of ten X-Ray Minivans purchased for Mexican Customs (SAT) under first-year Merida Initiative monies. The other six units will arrive in similar pairs every two weeks for the next two months. NAS began the preliminary importation paperwork in mid-October. This NIIE will permit SSP to inspect commercial bus passenger luggage for illegal items at check points along Mexico's national highways.

----- JUSTICE PROGRAMS -----

22. (SBU). DOJ led arms trafficking conferences were held in Phoenix in September and in Tapachula in October. Extradition training is underway. USAID took part in bilateral multi-agency forums on kidnapping and victim assistance and participated in a train-the-trainer program for victim assistance. USAID is also providing technical support to the attorney general in Baja California on pre-trial services, and is providing advice on mediation to Chihuahua's Center for Alternative Justice. USAID will assist with the second conference of the National Association of Citizen Participation Councils November 8 -10, 2009 in Veracruz. The event will be inaugurated by President Calderon, and Ambassador Pascual will attend.

23. (SBU) USAID coordinated a program between the Chicago-Kent College of Law at the Illinois Institute of Technology and the law school at the ITESM campus in Mexico City to modernize teaching programs in accordance with the norms of an accusatorial system of criminal justice.

24. (SBU) The PGR requested our IT and technical assistance in developing a viable human resources system, development that will boost to their ability to attract, retain, and motivate personnel.

----- CONTROL DE CONFIANZA -----

25. (SBU) \$2.5 million in polygraph equipment is in contracting and the GOM is working to establish a National Academy of Polygraphy. The GOM has expressed frustration that delays in delivery of fingerprint equipment have hindered their efforts to proceed with the National Police Registry program.

----- IT PROGRAMS -----

26. (SBU) IT programs report the following status:

-- Equipment and training has been delivered for INAMI Document Verification project.

--The bilateral project plan for a Mexican database for INAMI System for Immigration Operations has been approved; first delivery of equipment expected in December.

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-- Equipment installation and testing underway for the INAMI Biometric Program. Deliveries of additional equipment requested by INAMI will begin in mid-December.

--Negotiations are still underway for purchasing secure satellite communications systems for SCT.

1.4(D)
B1

--The PGR Case Tracking and Penal Process projects: The assessment of the technical aspects of Project Constanza is underway. Other efforts include the CENAPI IT infrastructure upgrades - CENAPI technical requirements are being clarified. OASISS is in final stages of delivery, delays still expected due to lack of MOU between DHS and PGR. INACIPE support for improved internet connectivity has started; pending is the IT infrastructure upgrade.

--Contracting is underway in for the GOM anti money laundering elements. For the SHCP Financial Intelligence Unit modernization project; equipment deliveries are expected to begin in April, 2010. The asset forfeiture project has been delayed by a staffing gap.

-- SSP Cruces Project: All Native Services initiated a test bed study to evaluate available solutions that meet SSP stringent requirements in Plataforma Mexico for quantitative analysis tools for temporal and spatial correlations to analyze large volumes of information and considers integration with SSP's database, information indexing, search capacity, generation and elaboration of categories for searches and perpetual searches. The evaluation will terminate on December 23, 2009.

CANINES

27. (SBU) Basic explosives and narcotics training canine teams will begin in January, 2010. Assistance is being given in construction of canine academy.

AVIATION PROGRAM

28. (SBU) One CASA 235 MPA aircraft has been purchased. GOM expressed concerns about the configuration and delivery the CASA aircraft. Five Bell 412 EP helicopters will be delivered in December.

DEMAND REDUCTION

29. (SBU) On October 21-22, 2009, the National Institute on Drug Abuse (NIDA) held its Clinical Trials Network Steering Committee meeting in Bethesda, Maryland. This annual meeting brought together treatment researchers from Mexico, senior staff from NIDA and other participants to discuss and review recent studies and to answer

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specific questions about new treatments for drug addictions. Under the Merida Initiative, the NAS will be providing the GOM, through the Mexico's National Institute of Psychiatry (NIP) support to create a clinical trials network in Mexico. This will allow the NIP to work with the research community such as NIDA on building recommended programs for preventing drug use and treatment.

MANAGEMENT

30. (SBU) Post welcomed the visits of INL auditor Katherine Hax, October 18-30, and Paige Thompson, Oct 18-29. In order to acquaint herself with the Merida programs and conduct initial risk assessments, Katherine met with the Director, Deputy, Management Officer, all of the program coordinators and key management staff.
31. (SBU) The OBO team working on 265 Reforma visited post on Oct 22 to finalize designs and do a final walkthrough of the empty space.

PASCUAL

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MARTINEZ SANCHEZ - DIRECT - [REDACTED]

1 THE COURT: Let's have the jury please.

2 Still finishing today, [REDACTED]?

3 [REDACTED] Yes, your Honor. I think I'll be done
4 in the next hour.

5 (Jury enters.)

6 THE COURT: Be seated, please. Proceed,

7 [REDACTED]

8 [REDACTED]: Thank you, Judge.

9 BY [REDACTED]

10 Q Mr. Martinez, a couple of follow up questions from before
11 the break. You testified about a conversation where Alvarez
12 Tostado passed a message to you from Vincent Carrillo. When
13 was that conversation?

14 A Approximately in 2004.

15 Q Have you ever paid any bribes?

16 A Yes.

17 Q To whom?

18 A The federal police.

19 Q In Mexico?

20 A Yes.

21 Q For what purpose did you pay those bribes?

22 A To protect the drugs that I was transporting.

23 Q About how many times did you do that?

24 A Five, ten times.

25 Q How much money in bribes did you pay on those occasions?

MARTINEZ SANCHEZ - DIRECT - [REDACTED]

1 A Between 100 and -- between 100 and \$150,000 per time.

2 Q Is that U.S. dollars?

3 A Yes.

4 Q Let's go back to your cooperation with the Government.

5 At some point were you arrested for the crimes you committed
6 in connection with the cartel.

7 A Yes.

8 Q When was that?

9 A It was February 2 of 2014.

10 Q Where were you arrested?

11 A In the city of Leon, Guanajuato Mexico.

12 Q Shortly after your arrest did you meet with agents from
13 the U.S. Government while in Mexico?

14 A Yes, at the jail.

15 Q Who else was present aside from U.S. authorities?

16 A Mexican authorities, from the PGR.

17 Q Were you cooperating with U.S. Government at the time?

18 A No.

19 Q Were you completely truthful during that meeting?

20 A No.

21 Q What were you not truthful about?

22 A Well, about two things. The first one was when they
23 asked me how long it had been since I had seen my former wife.
24 I told them that she had left me in 2010 and that I hadn't
25 seen her since. And I that was a lie, because I would see her

Alexander Cifuentes - cross - [REDACTED]

1 Q And you claimed that this had happened, these initiation
2 of the military operation to kill Beltran-Leyvas two to three
3 times?

4 A Yes, sir.

5 Q So during the war between Beltran-Leyvas and Mr. Guzman,
6 according to you, he was paying the military to fight for him?

7 MS. [REDACTED] Objection to form.

8 THE COURT: Overruled.

9 A The organization, yes, sir.

10 Q The Beltran-Leyva organization?

11 A The Sinaloa Cartel with Joaquin Guzman Loera.

12 Q And the war between Mayo and Chapo against the
13 Beltran-Leyvas?

14 A Mayo, Chapo, the others against the Beltran-Leyvas, yes,
15 sir.

16 Q But the one -- the one part of this equation that you
17 don't recall is the fact that the Beltran-Leyvas were paying
18 Mexican President Calderon to fight for him as well?

19 MS. [REDACTED] Objection, misstates the --

20 THE COURT: Sustained.

21 Q Do you find it unusual that that's the one part you don't
22 remember?

23 MS. [REDACTED] Objection.

24 THE COURT: Sustained.

25 Q Now, you also told the Government that the Mexican

Alexander Cifuentes - cross - [REDACTED]

1 federal police actually trafficked drugs with the
2 Beltran-Leyvas?

3 A I think so, sir.

4 Q Well, you told the Government that, didn't you?

5 A Could you refresh with a document, please?

6 Q I certainly can.

7 A Thank you.

8 Q HACV-28, page five, paragraphs 13 and 14. If you can
9 read those two paragraphs to yourself when they're translated
10 to you and let me know when you're finished.

11 A (Reviewing.)

12 I'm ready, Counsel.

13 Q Does that refresh your recollection that you told the
14 Government that the Mexican federal police trafficked drugs
15 with the Beltran-Leyvas?

16 MS. [REDACTED]: Objection.

17 THE COURT: Overruled.

18 A That it was possible. In fact in, that document that you
19 had I was explaining that my wife, Angie San Clemente, and I
20 were working with the Mexican federal police. We had been
21 authorized by Joaquin Guzman Loera to import cocaine from
22 Argentina to Mexico.

23 Q Sir, the question simply was, having read that, does that
24 refresh your recollection that you told the Government that
25 Mexican federal police trafficked drugs with the

Alexander Cifuentes - cross - [REDACTED]

1 Beltran-Leyvas?

2 A Yes, sir.

3 Q And you told the Government that cocaine filled suitcases
4 were sent on a plane from Argentina to Mexico?

5 A Yes, sir.

6 Q And you told the Government that once in Mexico, the
7 federal police would retrieve the suitcases?

8 A Yes, sir.

9 Q The police would be sent a photo of the suitcases and the
10 flight number?

11 A Yes, sir.

12 Q And then, according to you, you said that the police
13 would then claim the suitcases at baggage because they had the
14 information of the flight and a picture of the suitcases?

15 A Yes, sir.

16 Q And you claim that the police would then sell the drugs?

17 A Yes, sir.

18 Q And you told the Government that the police were actually
19 the customers of the drug dealers?

20 MS. [REDACTED]: Objection, 401, 403.

21 THE COURT: Overruled.

22 A Yes, sir.

23 Q And you told the Government that these Mexican federal
24 police also did this for a drug trafficker named Barbie?

25 A Yes, sir.

1 Q And how long were you on that assignment for?

2 A Three years.

3 Q Where did you go after that?

4 A To the regional security division.

5 Q What is the regional security division?

6 A It's a division of the federal police that provides
7 security on highways and at airports.

8 Q And where specifically were you assigned when you were
9 working in the regional security division?

10 A At the Mexico City Airport.

11 Q And what year did you start at the Mexico City Airport?

12 A I was there in 2007.

13 Q Who was the head of regional security in 2007?

14 A Ramon Pequeno.

15 MS. [REDACTED] I would like to show the witness what
16 has been marked for identification as Government Exhibit 3.

17 Q Do you recognize the person in this photo?

18 A Yes.

19 Q Who is it?

20 A It's a photo of Ramon Pequeno.

21 Q Have you seen him in person before?

22 A No.

23 Q Have you seen him at ceremonies before?

24 A Yes.

25 Q Is this photo a fair and accurate depiction of Ramon

1 Pequeno?

2 A Yes.

3 MS. [REDACTED]: I'd move to admit and publish.

4 MR. [REDACTED] No objection.

5 THE COURT: Received.

6 (Government's Exhibit 3 received in evidence.)

7 Q Who did Ramon Pequeno report to?

8 A To Commissioner Facundo Rosas Rosas and to the Secretary
9 Genaro Garcia Luna.

10 MS. [REDACTED]: You can take the exhibit down, Ms.

11 [REDACTED]. Thank you.

12 Q In 2007, approximately how many law enforcement officers
13 were there in the federal police?

14 A There were approximately -- there had to have been about
15 40,000 agents.

16 Q Who was the head of airports within regional security
17 when you started working at the Mexico City Airport?

18 A It was Oscar Moreno Villatoro.

19 Q And Oscar Moreno Villatoro report to?

20 A To Ramon Pequeno.

21 Q How long was Ramon Pequeno the head of regional security?

22 A He was replaced by Luis Cardenas Palomino in 2009.

23 MS. [REDACTED] Showing the witness what's in evidence
24 as Government Exhibit 2.

25 Q Do you recognize the person in this photo?

1 A Yes.

2 Q Who is it?

3 A Luis Cardenas Palomino.

4 Q When Cardenas Palomino became the head of regional
5 security for the federal police, who did he report to?

6 A To Commissioner Facundo Rosas Rosas and to the Secretary
7 of Security, Genaro Garcia Luna.

8 MS. [REDACTED]: Ms. [REDACTED] you can take the Exhibit
9 down.

10 Q Mr. Arellano, what was your role at the Mexico City
11 Airport?

12 A I performed surveillance, and I had to provide security
13 for passengers.

14 Q When you worked there, how many terminals did the Mexico
15 City Airport have?

16 A Two terminals.

17 Q How did the Mexico City Airport compare in size to other
18 airports in Mexico?

19 A The Mexico City Airport was a lot -- well, it had the
20 highest flow for flights.

21 MS. [REDACTED]: I would like show the witness only what
22 has been marked for identification as Government Exhibits 306,
23 307, 308, and 309.

24 Q And, sir, when you have had a chance to review each
25 photo, just let me know you're ready for the next one. So

1 this is 306.

2 A Okay.

3 Q 307.

4 A Okay.

5 Q 308.

6 A Okay.

7 Q And 309.

8 A Okay.

9 MR. [REDACTED]: We have no objection to these.

10 THE COURT: All right. Received.

11 (Government's Exhibits 306, 307, 308 and 309
12 received in evidence.)

13 Q Starting with Government 306, what are we looking at
14 here?

15 A It's the entrance to Terminal 2 at the Mexico City
16 Airport.

17 Q Moving to Government Exhibit 307, what are we looking at
18 here?

19 A It's an aerial shot of Terminal 2.

20 Q Moving on to Government Exhibit 308, what is this?

21 A This is where the planes park in Terminal 2.

22 Q And Government Exhibit 309.

23 A This is where the planes come in, in Terminal 2.

24 Q How many days a week did you work at the airport?

25 A I would work 25 consecutive days, and I would rest five

1 days.

2 Q On the days that you were working, how many hours did you
3 work in a day?

4 A Eight hours.

5 Q What was your salary?

6 A About 8,000 pesos biweekly.

7 Q Can you describe a typical shift at the airport from
8 start to finish?

9 A Yes. We would show up, and we would be ready for roll
10 call. We would wait for instructions from the bosses; and
11 then we would go to the different areas at the airport
12 depending on the area that had been assigned to us.

13 Q What was the purpose of the federal police presence at
14 the Mexico City Airport?

15 MR. [REDACTED]: Objection.

16 THE COURT: I'll allow it.

17 A To do surveillance and provide security for the
18 passengers.

19 Q Can you describe the layout of the Mexico City Airport?

20 A It Had four areas. You had the transit area, which
21 entailed the main entrances; you had the screening area where
22 you check baggage for flights; the waiting gate areas when you
23 waited for the planes; and the tarmac platforms, which is
24 where the airplanes are.

25 Q These areas that you described, how many do the federal

1 police cover?

2 A All of them.

3 Q During that time you worked at the airport, what was the
4 biggest security threat the airport was facing?

5 MR. [REDACTED]: Objection.

6 THE COURT: Overruled.

7 A The illegal traffic of merchandise.

8 Q What sort of merchandise?

9 A Drug, drugs, money and weapon.

10 Q -- how do you know?

11 A Those were part of instruction that is we would receive
12 from our bosses letting us know that we should be on the look
13 out for the type of illegal merchandise.

14 Q What, if anything, did you observe with respect to drug
15 trafficking at the Mexico City Airport?

16 A As time went by, I realized that it was happening.

17 Q What did you realize?

18 A They would give us a weird order by the radio. So this
19 order would tell us that for some time it would say by 45, all
20 in 35, which meant until further order we had to be on standby
21 and that was an order that came from the higher-ups.

22 We couldn't carry out any revisions, any arrests,
23 anything at all; we just had to be there on standby.

24 Q What is the significance of 45 and 35?

25 A We handled codes that we had learned since we joined the

1 police. 45 meant by an order from the higher ups.

2 And 35 meant to be on standby.

3 Q Where did you learn these codes?

4 A At the federal police training academy.

5 Q How often were standby command issued?

6 A Once or twice per week.

7 Q What, if anything, did you observe about the standby
8 orders and the arrival of certain flights?

9 A I observed that some colleagues ignored these orders and
10 they would leave and they didn't have any issues. And this
11 was right around the time of certain flights coming in from
12 South America and also taking off to the United States and
13 Europe.

14 Q What were you supposed to do when a standby order was
15 issued?

16 A I had to stay in my area without being able to conduct
17 any revisions or any arrests.

18 Q How did you react to that order?

19 A It was a weird order.

20 (Continued on next page.)

21

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1 (Continuing.)

2 BY [REDACTED]:

3 Q Why?

4 A Because, at any point in time, a crime could be committed
5 and we couldn't be searching at all.

6 Q You testified that you observed some of your colleagues
7 leave when these orders were issued, right?

8 A Yes.

9 Q Did you observe them come back?

10 A Yes. Whenever we got the order to resume our normal
11 duties, they would come back.

12 Q About how long were they gone for?

13 A They would be gone for the time the order lasted.

14 Q And how long did these orders typically last for?

15 A From one to two hours.

16 Q What was your colleagues' demeanor like when they
17 returned?

18 A They would usually come back with an attitude that showed
19 that they were very happy. And they hadn't gotten into
20 trouble because they had left.

21 Q How did you and your fellow officers refer to these
22 colleagues who left?

23 A We started calling them "the special group" because they
24 had a lot of advantages.

25 Q Approximately how many officers were in this special

1 group?

2 A About 30 officers.

3 Q About how many special group officers worked on each
4 shift?

5 A About two per area, more or less.

6 Q Were you part of the special group?

7 A No.

8 Q What are some of the names of the special group officers?

9 A Commander Israel Espinoza, who was the second in command
10 at the airport, Officer Jose Luis Martinez, Officer Mario
11 Nieto, Officer Bailón.

12 Q How do you know these people you mentioned were in the
13 special group?

14 A Many times we bumped into each other during meals or we
15 saw each others on the hallways while we were heading to our
16 own areas.

17 Q How could you tell who was in the special group?

18 A When we were sharing meals, they would always be together
19 and talking about the things that had happened when the
20 special orders had been given.

21 Q Did any of the special group officers try to recruit you
22 into the group?

23 A Sometimes they would tell us --

24 [REDACTED]: Objection.

25 THE COURT: Sustained.

1 [REDACTED]: Your Honor, if I could have a sidebar.

2 THE COURT: Okay.

3 (Continued on the next page.)

4 (Sidebar conference.)

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1 (The following occurred at sidebar.)

2 [REDACTED]: At this point, I expect the witness --

3 THE COURT: Now I can't hear you. Try it again.

4 [REDACTED]: At this point, I expect the witness will
5 testify that the standby special group officers talked about
6 what they did during the standby commands that the suitcase
7 for Sinaloa or the Beltráns made it through, and that those
8 contained drugs, and that everyone was happy.

9 THE COURT: That's why I sustained the objection,
10 okay. That's not a statement by co-conspirators, that's an
11 impression that this guy gets from talking to a bunch of
12 unidentified people.

13 [REDACTED]: The officers in the special group would
14 say these things in front of him.

15 THE COURT: Yeah. Who?

16 [REDACTED]: He listed several of the officers that
17 were in the group, and specifically --

18 THE COURT: If you can tie it down to any one of
19 them saying any of that, then I'll let you do it.

20 [REDACTED]: By the way, in all the 3500 of this
21 witness, this is the first time that we've heard that he named
22 any of the officers in the special group. They've always been
23 this nameless cloud --

24 THE COURT: Good cross.

25 (End of sidebar conference.)(Continued on next page.)

1 (In open court; Jury present.)

2 BY [REDACTED]:

3 Q Mr. Arellano, of those officers that you mentioned were
4 in the special group, Martinez, Nieto, Bailón, Israel
5 Espinoza, did you ever hear of any of those officers
6 specifically say what they did during a standby command?

7 A Yes.

8 Q Who?

9 A I pretty much heard them all when we --

10 MR. [REDACTED]: Objection. Move to strike.

11 THE COURT: You know, I'm going to allow that. But
12 you got to pay attention to furtherance, okay?

13 MS. [REDACTED]: Yes, Your Honor.

14 A I pretty much heard them all when we ran into each other
15 during meal time.

16 Q And what did you hear them say?

17 MR. [REDACTED]: Objection.

18 THE COURT: Sustained. You got to get -- I've said
19 enough.

20 Q What was the purpose of these conversations you heard
21 them in?

22 MR. [REDACTED]: Objection. Objection.

23 THE COURT: Well, she's asking what was his
24 understanding of the purpose of them having these
25 conversations.

1 A They would usually talk without any discretion at all.

2 MR. [REDACTED]: Objection, Your Honor.

3 THE COURT: Well, I didn't hear the answer.

4 MR. [REDACTED]: Oh, I'm sorry.

5 A About the fact that they were happy because the --

6 THE COURT: Okay. Sustained. Sustained.

7 Q Did you ever report your colleagues in the special group
8 for disobeying the standby order?

9 A There was -- well, there was no reason for me to do that,
10 because the higher-ups, our bosses were aware of that.

11 MR. [REDACTED]: Objection.

12 THE COURT: That's overruled. That's state of mind.

13 Q Please finish the translation.

14 A And the order had been given over the radio from the
15 command office.

16 Q You testified that the officers in the special group
17 spoke without discretion. Did the fact that they spoke
18 without discretion have any impact on you?

19 MR. [REDACTED]: Objection. Form.

20 THE COURT: I'll allow it.

21 A Yes, of course, it did because they were discussing the
22 fact that illegal goods had gone through.

23 MR. [REDACTED]: Objection.

24 THE COURT: Sustained. Sustained.

25 Q How were members of the special group treated by the

1 heads of the airport compared to those who weren't in it?

2 A They had a lot of advantages. They could miss work, they
3 could arrive late, nothing ever happened to them.

4 Q What, if anything, did you observe with respect to the
5 wealth of the officers in the special group?

6 A Yes. They would usually drive luxury sports cars.

7 MR. [REDACTED]: Judge, I'm going to object to the
8 "they." Could we actually name a person?

9 THE COURT: I don't think that's necessary as to
10 this. I'll overrule that objection.

11 A They wore jewelry.

12 Q Could you afford those cars on your salary?

13 A No.

14 Q You testified that Oscar Moreno Villatoro was head of
15 airport security under Ramón Pequeño; is that right?

16 A Yes. He was the director general of airports.

17 MS. [REDACTED]: And that name, the court reporter, was
18 Oscar Moreno Villatoro.

19 Q Where was Oscar Morena Villatoro's office?

20 A It had been at the Contel Control Center, but then it was
21 moved to the Mexico City Airport.

22 Q Have you ever seen his office at the Mexico City Airport?

23 A Yes. We would usually go for roll call right outside of
24 his office.

25 Q Did you ever observe anyone visiting Morena Villatora at

1 the Mexico City Airport?

2 A Yes. He would meet with people who were heads of
3 airports.

4 Q And how do you know he was meeting with other airport
5 heads?

6 A Because they would announce themselves when they arrived
7 that they were going in to speak with Commander Villatoro.

8 Q About how often would airport heads visit?

9 A One to two times every two weeks.

10 Q Which airport heads did you observe -- visited most
11 frequently?

12 A The person in charge of the Tijuana airport, the one in
13 Monterrey, the one in Guadalajara, Jalisco, the one for the
14 State of Mexico, the one for Cancún.

15 Q Did these airport heads bring anything with them?

16 A They would usually come with a small briefcase.

17 Q Did you ever see inside the briefcases?

18 A Yes.

19 Q Can you describe?

20 A Yes. We were all there ready for what roll call, and the
21 person in charge of the Toluca Airport came. As he was about
22 to go in to Chief Villatoro's office, one of my fellow
23 officers happened to be coming out of his office. And as they
24 were walking down the hallway which was narrow, they bumped
25 into each other. The briefcase fell, it opened, there was

1 money inside of it.

2 Q What type of money?

3 A It had dollars in it.

4 Q Approximately when was this?

5 A In 2007.

6 Q How did the head of the Toluca Airport react when the
7 U.S. currency fell out of his briefcase?

8 A He quickly bent down to pick that up and put them back in
9 and then ran off to go into the office of Chief Villatoro.

10 Q What was your reaction when this happened?

11 A I was very surprised.

12 Q Why were you surprised?

13 A Because there was no reason for him to be bringing money
14 to Chief Villatoro vis-à-vis the things we do as police
15 officers.

16 [REDACTED]: Your Honor, this might be a good time
17 for a break or I can keep going.

18 THE COURT: We'll take a break. Ladies and
19 gentlemen, 15 minutes. Please come back at 11:10. Don't talk
20 about the case.

21 THE COURTROOM DEPUTY: All rise.

22 (Jury exits the courtroom.)

23 THE COURT: Okay. Recess 11:10.

24 (A recess was taken.)

25 THE COURTROOM DEPUTY: All rise.

1 THE COURT: Okay. Let's get the jury back.
2 Everyone can sit down for just a minute while they're lining
3 up. We did receive a note from the jurors which I've marked
4 as Court Exhibit Number 2. Although this one isn't signed, so
5 I don't know which juror gave it. But I had the same thought
6 this juror had. Could you move the presentation board,
7 difficult for jurors, closest to back of courtroom, to see.

8 I'll leave it to the Government.

9 [REDACTED]: Your Honor, may I ask a quick
10 question?

11 THE COURT: Sure.

12 [REDACTED]: Just in terms of laying the
13 foundation for in furtherance, I wanted to -- at the risk of
14 looking like I'm asking for advice from the Court, I
15 apologize, we did want to just propose a question. And if
16 it's not acceptable to the Court, we won't go there, but to
17 ask the witness: Without stating what they said to you, did
18 the conversation that the special group have either --

19 (Jury enters the courtroom.)

20 THE COURT: Why don't we continue this at sidebar
21 once the jury is in? Okay. Let me have a sidebar with the
22 lawyers.

23

24 (Continued on the next page.)

25 (Sidebar conference.)

1 (The following occurred at sidebar.)

2 THE COURT: How do you want to do it?

3 MS. [REDACTED] In order to avoid hearsay without
4 a foundation, the question would be: Without telling us what
5 they said, did the conversations that the special group have,
6 have the effect either -- either have the effect of dissuading
7 you from reporting them to the authorities, or did you
8 perceive them as intending to recruit you?

9 THE COURT: Two questions.

10 MS. [REDACTED] Or do it as two questions, but
11 with those purposes in mind?

12 THE COURT: Yes, I think that does it.

13 MS. [REDACTED]: Okay. Thank you.

14 (End of sidebar conference.)

15 (Continued on the next page.)

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1 (In open court; Jury present.)

2 MS. [REDACTED]: May I inquire, Your Honor?

3 THE COURT: Please.

4 BY MS. [REDACTED]:

5 Q Mr. Arellano, before the break, we talked about the
6 special group. Do you remember that?

7 A Yes.

8 Q Without telling us what the special group members said,
9 did the conversations you overheard have the effect of
10 dissuading you from reporting their activities?

11 A Yes. I felt completely dissuaded from doing that because
12 the number two --

13 MR. [REDACTED] Objection, Judge.

14 THE COURT: Overruled.

15 A -- chief, at the airport would usually be sitting with
16 them eating and talking about those things.

17 Q And without telling us what the special group members
18 said, did -- the conversations you heard, did you perceive
19 them as attempts to recruit you and others?

20 A Yes. Because sometimes they would do it in sort of an
21 arrogant way.

22 Q What did you hear the special group officers discuss?

23 MR. [REDACTED]: Objection.

24 THE COURT: Overruled.

25 A They would discuss the fact the suitcase had gone

1 through. And they said that it had gone through without any
2 problem, usually nothing happening. Then they were happy.

3 Q Did they ever say what was in the suitcases?

4 A Yes. They will say that the 7-9 suitcase had gone
5 through wait a problem or the 4-0 suitcase.

6 Q Are you aware of what 7-9 and 4-0 refer to?

7 A Yes. According to our codes, 7-9 meant drugs, 4-0 was a
8 reference to money.

9 Q Did the special group members say who the suitcases were
10 for?

11 A I did hear a number of times that the suitcase belonged
12 to Sinaloa or the Beltrán Leyvas.

13 Q What, if anything, did the special group say about
14 government officials when they were talking about the suitcases?

15 [REDACTED] Objection.

16 THE COURT: Overruled.

17 A Yes. I did hear that everybody was happy, that they
18 would even say --

19 [REDACTED]: Objection, Your Honor.

20 THE COURT: Hold on a second.

21 [REDACTED]: Can we have a sidebar on this, Judge?

22 [REDACTED]: Your Honor, can we complete the
23 translation first?

24 THE COURT: No. Let's have the sidebar.

25 (Continued on the next page.) (Sidebar conference.)

1 and some time in the early morning hours, the helicopter
2 landed, and we were able to pick him up. We rescued him.

3 Q What happened next?

4 A I took him to Mexico City. I asked my brother to come
5 with me, but I said we should go separately, you go
6 separately.

7 Q At this time, after Chapo's escape from prison in early
8 2001, was that a highly publicized event?

9 A Yes. His photograph was everywhere. It was put
10 everywhere. It was a very noteworthy topic that was being
11 reported on.

12 Q And you testified that the army was trying to recapture
13 him, right?

14 A Yes. That's correct.

15 Q Why did you feel safe taking Chapo Guzman through Mexico
16 City right after his escape?

17 A Well, because an AFI commander helped me and a Federal
18 Police Highway Officer helped me.

19 Q How did they help you?

20 A Well, I asked both commanders, you know, each one of you
21 stay on top of your teams, and I asked them to please make
22 sure that -- check that there was no obstacles on the way in
23 the area of state until we got to Mexico City.

24 Q From 2001 until 2012, was when Chapo ever arrested?

25 A Well, I was arrested in 2008. He was free up until then,

1 and then he was arrested afterwards, but I don't remember when
2 that was.

3 Q You also testified that you ran the Mexico City
4 International Airport for the Sinaloa Cartel.

5 A Yes.

6 Q Just for context, what is the size of the Mexico City
7 International Airport compared to other airports in Mexico?

8 A There is no comparison. The Mexico City Airport is huge
9 compared to the others.

10 Q When did you start working at the Mexico City
11 International Airport for the Sinaloa Cartel?

12 A In 2000.

13 Q Did Government officials assist you with that work?

14 A Yes.

15 Q Who?

16 A Officers from the PGR, from the AFI, Highway and Port
17 Federal Police Officers, officers from the Interdiction
18 Bureau.

19 Q Was that assistance important to you?

20 A Very. Very important to me. We wouldn't have been able
21 to work without that help.

22 Q Can you explain that further?

23 A Well, the way things work at the airport is that we use
24 suitcases, we use cargo by plane, we use private planes,
25 charters, small private planes.

1 Q And was using those planes -- how did the use of those
2 planes to traffic cocaine compare in risk to other forms of
3 transportation?

4 A Well, it was very safe.

5 Q Why?

6 A Well, because there was control when the plane took off
7 and control where the plane landed, which was Mexico City.

8 Q Who had that control?

9 A The Government.

10 Q Did you pay Government officials to use that control?

11 A Yes.

12 Q Who did you pay?

13 A Well, I paid the federal highway and port police, I paid
14 AFI, and the attorney Oscar Paredes paid Palomino and his
15 people. It was a very safe way to work.

16 Q When you paid individuals at the airport, the airport
17 directors, for example, did you -- who did you intend that
18 money to go to?

19 A Well, for him and for his higher command.

20 Q And towards the end of your time in the Sinaloa Cartel in
21 2008, who were you paying to help you run the international
22 airport for the Sinaloa Cartel?

23 A I was paying Bayardo, Piqueño, Rosas, Fidel, those with
24 the secretariat for public security.

25 Q And how much were you paying them?

1 would receive stuff in the Pacific over there as well.

2 Q Which airports did you traffic cocaine in?

3 A Mainly, they were traveled through the Mexico airport,
4 Mexico City airport. And we would also have the flight plans
5 at other airports: Toluca, Acapulco, Querétaro. Also the
6 airports at Guadalajara, Vallarta, and Cancun.

7 Q Did the Sinaloa cartel help you move cocaine through the
8 Mexico City airport?

9 A Yes. Yes, that too, through Rey Zambada and also through
10 Arturo.

11 Q Can you describe how you moved cocaine through the Mexico
12 City airport?

13 A It would be sent through suitcases or dried goods sent
14 from Colombia to Venezuela. They would be sent there to the
15 Mexico City airport, and then they would deliver them to us.

16 Q Who's they?

17 A They who?

18 Q Who would deliver them to you?

19 A The workers who were there. The people who worked for
20 the government there at the airport and the part-time workers
21 that were there.

22 Q How did you ensure that your cocaine wasn't seized by the
23 authorities?

24 A Through the relationships and payments, that's how we --
25 that's how we would try to ensure that shipments or the money

1 that we would bring down wouldn't be seized.

2 Q Who managed those relationships at the Mexico City
3 airport?

4 A Mainly, Rey Zambada and Arturo. They had Grande there
5 running the airport and other people as well.

6 Q With respect to the money that you made trafficking
7 drugs, what did you do with it?

8 A Parts of it was used to pay for our arrangements. Part
9 of it we would reinvest. And we would invest in
10 infrastructure. And the rest, the profits we would all look
11 to find ways to invest it personally.

12 Q What do you mean by arrangements?

13 A Arrangements, that was payments to the government so it
14 would provide security and protection.

15 Q And how did you invest your money personally?

16 A Well, through real estates, through car companies,
17 through consultants, ranches, buildings. We would try to
18 launder the money through companies and people. That's what
19 we would try to do.

20 Q Did you buy jewelry with your money?

21 A Yes, I did that too; we would buy jewelry.

22 Q What kind?

23 A Watches and jewelry for us and also gifts that we would
24 give at times.

25 Q Did you buy wife watches?

1 Q How did Mayo Zambada help you get from Mexico to
2 Colombia?

3 A Well, we had a meeting at one of Mayo offices and we
4 coordinated it. In fact, he called his brother, Rey Zambada
5 and he asked Rey to send me to Colombia to make sure that
6 nothing happened to me, and that's how it happened. In fact,
7 Rey, you know, bought the tickets for us, he came -- he
8 brought me to the airport, I didn't have to go through
9 Immigration, it was wonderful. I went straight into the
10 plane, I had absolutely no problems there.

11 MR. [REDACTED]: I'd like to show the witness what's
12 already in evidence as Government Exhibit 13.

13 Q Do you recognize this person?

14 A Yes, it's Rey Zambada.

15 Q And that's the person you were just talking about who
16 helped you get from Colombia to Mexico?

17 A Yes.

18 Q Did you have any problems at the airport when you went
19 from Colombia to Mexico?

20 A No, none at all. No, none at all. It was, like, the
21 only time I had been able to go through without going through
22 Immigration or doing any kind of paperwork or documentation
23 with the authorities.

24 Q And who helped you by-pass all of that?

25 A He recommended some police agents to me and they were the

1 ones who led the way and they got me on the plane.

2 Q Who recommended the police agents to you?

3 A Rey. Rey did. Rey took me to the airport and he
4 delivered me to the police officers. The police helped me
5 with a small bag that I had and they escorted me all the way
6 there to the gate to the plane.

7 Q And to be clear, was this at the Mexico City Airport?

8 A Yes, at the Mexico City Airport.

9 Q Where were you going from the Mexico City Airport to?

10 A I was going to Bogotá, Colombia.

11 Q When you bypassed customs and all of that, was that at
12 the Mexico City Airport?

13 A Yes, we're talking about the Mexico City Airport.

14 Q How did you -- sorry, withdrawn. Is there a time when
15 you came back to Mexico?

16 A Yes. Yes, I worked about a year for Mayo, I kept sending
17 him several ships loaded with about 9 to 10,000 kilos of
18 cocaine.

19 Q But how did you come back to Mexico?

20 A I returned because in Colombia, a war also broke out
21 between Varela and Diego Montoya. And Varela was going to
22 kill me in Colombia. I called Mayo and I said that I wanted
23 to return to Mexico and I asked him if there was a possibility
24 that I could be received there the same way that I left.

25 Q When you got back to Mexico, did you repair the situation

1 Q How do you know that the words Tartamudeo and Metralleta
2 were used to refer to Genaro Garcia Luna?

3 A Because the accountant that they had told me that those
4 payments were being made to Genaro Garcia Luna. And
5 afterwards, when I continued to work for Pineda Villa
6 brothers, that's the way that Pineda Villa brothers generally
7 referred to Genaro Garcia Luna.

8 Q Now, it sounds like Mario Pineda did not, himself, make
9 payments to federal officials.

10 Did he ever make payments to state officials?

11 A Yes, he would pay them all the time, the state and the
12 municipal police. Like, for example, one time he would be
13 like: Pay this guy. This guy who worked for the judicial
14 police, they called him Santa, as well as the secretary for
15 public security for the state.

16 Q And who was the secretary for public security for the
17 state that was paid by the cartel?

18 A Cabeza de Vaca.

19 Q Were you present for payments to this person Cabeza de
20 Vaca?

21 A Yes, I handed over \$500,000 once.

22 Q And how was that money -- how did you hand the money
23 over?

24 A In cash, in U.S. dollars.

25 Q What was the source of that money?

1 A Drug trafficking.

2 Q And how were payments to Cabeza de Vaca reflected in the
3 accounting ledgers?

4 A In different ways, like the one with the horns, like
5 Cabeza, like Vaca, but never as Cabeza de Vaca.

6 Q What kinds of things was the Sinaloa Cartel getting in
7 exchange for the payments to Genaro Garcia Luna?

8 A Well, protection to do all the things related to drug
9 trafficking and to get the drugs in from Colombia and
10 Venezuela, and to move around the country without being
11 arrested.

12 Q Did the cartel ever have control over the placement of
13 certain federal officials?

14 A Yes. And actually, I can talk about one time that Mario
15 Pineda asked for some federal agents to be moved to the state
16 of Morelos because they had a better relationship with them,
17 and in that way they could have better control of the area, of
18 the inner state.

19 Q And was that person or those people, were they moved to
20 Cuernavaca?

21 A Yes, that's right.

22 Q When you worked for the Sinaloa Cartel, did the cartel
23 bring drugs through any airports?

24 A Yes.

25 Q Which airports?

1 A Mainly through the Mexico City Airport, but Acapulco,
2 Guerrero, Chiapas and Morelos.

3 Q And when you started working for Sinaloa, who was in
4 charge of the Mexico City Airport for the cartel?

5 A Mr. Rey Zambada.

6 Q Were the Pineda Villa brothers in charge of any airports?

7 A Yes. Yes, the ones in Guerrero and Morelos.

8 Q And did the federal police ever help the Sinaloa Cartel
9 traffic drugs at any of those airports, Guerrero or Morelos?

10 A Yes, on several occasions.

11 Q Were you ever directly involved in a time when the
12 federal police helped the cartel at those airports?

13 A Yes, several times. And I can talk to you about one time
14 in particular that was very relevant.

15 Q Please do.

16 A Yes, one time at the airport in Morelos, there was a
17 plane that was coming in that had been reported by the air
18 interdiction unit.

19 Q And Approximately when was this?

20 A December of 2007.

21 Q And what is an air interdiction, or what did you mean by
22 that?

23 A Air interdiction is a unit in the government that reports
24 airplanes that come in without flight plans.

25 Q And do you know if the United States was involved on this

1 right?

2 A Yes.

3 Q The cartel people you worked with, right?

4 A Yes.

5 Q The drugs that were moved and that you helped with?

6 A Yes.

7 Q The killings, the kidnappings, the torture you
8 participated in?

9 A Yes.

10 Q You talked about the bribes that you and others received
11 from the cartels, right?

12 A Yes.

13 Q You talked about corruption by government employees?

14 A Yes, local ones.

15 Q Only local ones?

16 A No. And about the period between the 2013 and 2017.

17 Q Well, you talked about judges, right?

18 A Local ones, yes.

19 Q You talked about the governor?

20 A Yes.

21 Q Talked about police commanders, right?

22 A Yes.

23 Q Talked about generals, right?

24 A Yes.

25 Q From the military?

ACTION INL-00

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REVIEW AUTHORITY: Oscar Olson, Senior Reviewer

DEPARTMENT FOR INL

E.O. 12958: DECL: 12/21/2017

TAGS: PREL, PGOV, PHUM, SNAR, KCRM, MX

SUBJECT: CALDERON CONTINUES ANTI-CORRUPTION SWEEP

REF: A. MEXICO 2371

B. MEXICO 3321

Classified By: Deputy Political Counselor James Merz.

Reason: 1.4 (b), (d).

1. (C) Summary. The Calderon administration's anti-corruption initiative Operation Cleanup most recently produced the arrest of the head of Interpol in Mexico and a former Deputy Attorney General/anti-drug czar. While the revelations of narco-infiltration into the upper echelons of law enforcement community have given rise to alarm in public circles, they also help Calderon burnish his credentials as a leader committed to combating organized crime and corruption -- an effect that may come more into view over the longer

Classification Extended on : 10/09/2013 ~ Class: CONFIDENTIAL ~ Authority: DSCG 11-1 ~
Declassify on: 11/24/2028

term.

B1
1.4(D)

End Summary.

Operation Cleanup: Cleaning House

2. (SBU) As part of the Mexican Government's anti-corruption Operation Cleanup (Limpieza), an ongoing investigation into information leaks by law enforcement officials to drug traffickers (see reftels), Rodolfo de la Guardia Garcia, a former top official at AFI, was placed under forty- days arrest-in-place after being taken into custody in October. More recently, the Director for International Police Affairs at the Federal Investigative Agency (AFI) and head of Interpol in Mexico, Ricardo Gutierrez Vargas, was similarly placed under forty -days arrest-in-place last week for his alleged links with drug cartels. Interpol announced November 20 that it sent a team to Mexico to investigate the possibility that its communication systems and databases are not being used for legitimate law enforcement purposes, even while the Mexican government sought to assure Interpol that no sensitive information from the international police agency's system was leaked to cartels. Mexico's Interpol office, or National Central Bureau, is staffed and run by AFI.

3. (SBU) In addition to these apprehensions, Mexico's former head of the Attorney General's (PGR) Office of the Sub-Prosecutor for the Investigation of Organized Crime (SIEDO), Noe Ramirez Mandujano, popularly regarded as Mexico's anti-drug czar, was also arrested last week for his alleged involvement with cartels. Ramirez had served in that position for twenty months until he resigned in July. Attorney General Media Mora announced that information from a member of the Sinaloa cartel accused Ramirez of accepting a 450,000 USD monthly payment from the cartel in exchange for confidential information. Over thirty Mexican government officials have been arrested or dismissed since July in connection with Operation Cleanup.

Good For President Calderon

4. (C) Gutierrez and Ramirez are two of the highest ranking GOM officials uncovered by Operation Cleanup, demonstrating the Calderon administration's ostensible commitment to cleaning house even as investigations encroach on the upper echelons of government.

B1
1.4(D)

[redacted] told Poloff on November 24 that he was "pleasantly surprised" by the arrests of Gutierrez and Ramirez and opined that Calderon is "hitting the right targets" with Operation Cleanup. [redacted] said that this was the strongest anti-corruption message the president has sent so far.

B1
1.4(D)

5. (C) [redacted] expects that the recent round of arrests and investigations probably will lead, at the very least, to more apprehensions of mid-level officials. In the short term, the arrests may undermine public confidence in both Calderon and Mexico's security apparatus as the extent of narco-infiltration in government is made clear. [redacted] suggested that in the long term, however, the housecleaning will help to build Calderon's track record as being truly committed to restoring the integrity of and public faith in

Mexico's public security system.

Bad for Garcia Luna?

6. (SBU) Mexican media outlets have highlighted that many of the recent investigations have been focused on officials close to Secretary of Public Security (SSP) Garcia Luna, including Gutierrez, Francisco Navarro, chief of SSP's Special Operations, Gerardo Garay Cadena, head of the Federal Preventative Police, and Mario Velarde Martinez, who had served as Garcia Luna's private secretary. While in Peru attending the APEC Summit, Calderon publicly expressed his confidence in Garcia Luna and said that Garcia Luna would not be the Public Security Secretary if the president had any doubts as to his abilities. Calderon exhorted observers not to interpret Operation Cleanup as targeted at any one person.

7. (C) [redacted]

B1
1.4(D)

While press sources speculate that Calderon may

B1
1.4(B)
1.4(D)

Comment

9. (C) Calderon may be stung in the short term by a public
reeling from revelations of narco-infiltration into high
levels of the Mexican security apparatus. In the longer
term, however, such efforts will help him to build a
reputation as being committed to combating organized crime
and the cartels both inside his own house and in the country
writ large.

B1
1.4(D)

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GARZA

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INFO RHEHND/DIR ONDCP WASHINGTON DC//OR//

RUEATRS/DEPT OF TREASURY WASHINGTON DC

RHMFIUU/DEPT OF JUSTICE WASHINGTON DC

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RUEABND/DEA HQS WASHINGTON DC

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RUEABNE/EPIC EL PASO TX

RUEKJCS/SECDEF WASHINGTON DC

RHMFISS/JOINT STAFF WASHINGTON DC

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RHMFISS/HQ USSOUTHCOM MIAMI FL

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ALL US CONSULATES IN MEXICO COLLECTIVE

WHA CENTRAL AMERICAN COLLECTIVE

BT

CONTROLS

UNCLAS

Classified by Director A/GIS/IPS, Acting, DoS on 04/29/2016 ~ Class: CONFIDENTIAL ~ Reason: 1.4(B), 1.4(D), B1 ~ Declassify on: 03/23/2034

MEXICO 000867

SENSITIVE

E.O. 12958: N/A

BODY

TAGS: SNAR, KCRM, KJUS, PGOV, PHUM, PREL, MX

SUBJECT: **MEXICO** MERIDA INITIATIVE SPOT REPORT #11 - FEDERAL POLICE

SECRETARY GARCIA LUNA WELCOMES U.S. ASSISTANCE IN POLICE DEVELOPMENT; OUTLINES VISION FOR NEW FORCE

1. (U) THIS CABLE IS SENSITIVE BUT UNCLASSIFIED
2. (SBU) SUMMARY: SECRETARY FOR PUBLIC SECURITY GARCIA LUNA OFFERED EMBASSY LAW ENFORCEMENT OFFICERS AN OVERVIEW OF A VERY AMBITIOUS TRAINING AND DEVELOPMENT PROGRAM WHICH HE HOPES WILL PRODUCE A NEW AND MORE EFFECTIVE FORCE IN RELATIVELY SHORT ORDER. HE HAS CREATED AN OPENING FOR U.S. INVOLVEMENT IN THE LARGE-SCALE TRAINING OF SENIOR LEADERS, INVESTIGATORS, INSTRUCTORS, AND SPECIAL UNITS, MAKING CLEAR THAT WHILE HE HOPES TO ALSO ENGAGE OTHER COUNTRIES AS

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REVIEW AUTHORITY: Alan Flanigan, Senior Reviewer

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PARTNERS, [REDACTED]

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[REDACTED] GARCIA LUNA OUTLINED ONGOING OPERATIONS IN CHIHUAHUA AND SUGGESTED THAT THEY ARE AN EXAMPLE OF WHERE THE SSP NEEDS TO INCREASE ITS CAPACITY IN ORDER TO TAKE BACK FROM THE MILITARY THE CORE MISSION OF REGIONAL SECURITY. HE IS ALSO FOCUSED ON THE POLITICAL AND SOCIETAL FACTORS THAT HAVE CREATED THE CURRENT OPENING FOR LARGE-SCALE CRIMINAL ACTIVITIES AND BELIEVES THE ONGOING REFORMS WILL HELP TO CLOSE SOME OF THE OPERATING SPACE DRUG TRAFFICKING ORGANIZATIONS (DTOS) NOW CONTROL. END SUMMARY.

3. (SBU) NAS DIRECTOR, LEGATT, AND DHS ATTACHE MET WITH SECRETARY OF PUBLIC SECURITY GENARO GARCIA LUNA MARCH 5 AND NAS DIRECTOR AND LEGATT MET HIM AGAIN ON MARCH 19 TO DISCUSS POLICE DEVELOPMENT AND TRAINING. GARCIA LUNA, AS USUAL, WAS VERY ANIMATED AND SHARED WITH US A NUMBER OF NEW INITIATIVES AND PROGRAMS. [REDACTED]

NEW FEDERAL POLICE PARADIGM

4. (SBU) GARCIA LUNA PROVIDED AN OVERVIEW OF THE CHALLENGES OF FIGHTING THE ONGOING DRUG WAR WHILE ALSO WORKING TO PUT IN PLACE THE INSTITUTIONAL FRAMEWORK FOR A NEW FORCE. HE PROVIDED A SCHEMATIC THAT DESCRIBED THE "NEW MODEL OF POLICING" THAT EMPHASIZES THE IMPORTANCE OF PROPERLY VETTED UNIVERSITY GRADUATES WITH A SPIRIT OF SERVICE AS THE CORE OF THE NEW FORCE. THE EMERGING FORCE WILL BE BOLSTERED BY THE NEW PUBLIC SECURITY LAW, HE SAID, WHICH WILL INTEGRATE MEXICO'S SECURITY FORCES WITH A SINGLE SYSTEM OF INFORMATION, COMMON TRAINING STANDARDS, AND AN INTEGRATED SYSTEM OF ACCOUNTABILITY. IT IS THE FIRST REAL COORDINATED INSTITUTIONAL CHANGE IN THE POLICE, GARCIA LUNA SAID, AND ALTHOUGH IT WILL TAKE UP TO FOUR YEARS TO FULLY IMPLEMENT, HE HOPES THAT IN THE FIRST YEAR THE LAW IS ENACTED IT WILL BEGIN TO BEAR FRUIT.

5. (SBU) SECRETARY GARCIA LUNA EMPHASIZED THAT IN ADDITION TO ENHANCING THE BASIC SKILLS OF POLICE OFFICERS, [REDACTED]

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6. (SBU) [REDACTED]

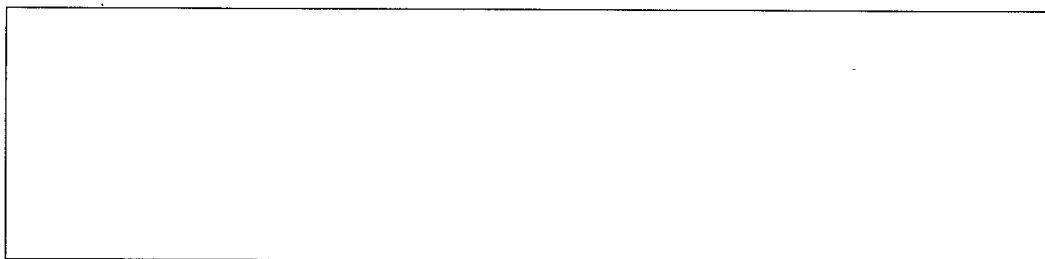
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TRAINING IS KEY

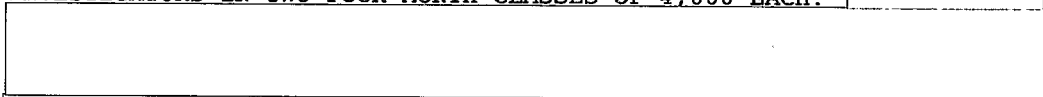
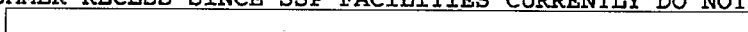
7. (SBU) GARCIA LUNA OUTLINED AN AMBITIOUS TRAINING AGENDA, AND WE FOLLOWED UP THE FIRST MEETING WITH AN EXTENSIVE REVIEW OF THE SSP DEVELOPMENT PROGRAM WITH HIS TRAINING TEAM. HE SAID THERE ARE 21,000 NEW POLICE TO BE TRAINED THIS YEAR, INCLUDING 6,000 RIOT CONTROL POLICE, 2,000 PRISON GUARDS, 3,000 VIP PROTECTION, AND 10,000 NEW INVESTIGATORS. THE FEDERAL POLICE, HE SAID, WILL THUS

INCREASE FROM 12,000 TO 33,000 BETWEEN 2007 AND 2010. 1.4(B)
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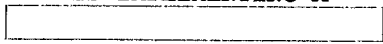
8. (SBU) THE FOUR AREAS WHERE HE SPECIFICALLY ASKED FOR U.S. ASSISTANCE ARE:

INVESTIGATORS: GARCIA LUNA SAID HE WOULD LIKE TO TRAIN 8,000 NEW INVESTIGATORS IN TWO FOUR-MONTH CLASSES OF 4,000 EACH. 

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 HE HAS A MEETING ON MARCH 25 WITH RECTORS OF LOCAL UNIVERSITIES WHERE HE WILL SEEK TO RENT TRAINING SPACE DURING THE SUMMER RECESS SINCE SSP FACILITIES CURRENTLY DO NOT HAVE THE CAPACITY. 

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NEW INSTRUCTORS AND CURRICULUM: GARCIA LUNA SOLICITED OUR HELP AND ADVICE TO TRAIN A NEW STAFF OF INSTRUCTORS WHO CAN CHANGE THE WAY THE SSP TRAINS AND DEVELOPS OFFICERS. HE IS IMPLEMENTING A MAJOR NEW CURRICULUM AND TRAINING PROGRAM 

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[REDACTED] HE WANTS TO USE TRAINING TO
INSTILL IN THE ENTIRE FORCE A NEW WAY OF DOING BUSINESS. HE DID NOT
SPECIFY NUMBERS.

NEW LEADERSHIP: IN WHAT WOULD BE THE MOST LONG-LASTING OF HIS
PETITIONS, GARCIA LUNA ASKED FOR OUR ASSISTANCE IN TRAINING 150 OF
THE BEST MID-LEVEL POLICE OFFICERS TO BE PROMOTED INTO ROLES OF
SENIOR LEADERSHIP. HE ENVISIONS A FOUR TO SIX MONTH COURSE, AND
WANTS TO EXPLORE THE POSSIBILITY OF DOING IT IN THE U.S. SO THAT THE
OFFICERS WOULD RECEIVE DIRECT EXPOSURE TO THE U.S. MODEL OF
POLICING. [REDACTED]

-- SPECIALTY COURSES: GARCIA LUNA ALSO ASKED FOR ASSISTANCE WITH
VARIOUS SPECIALTY COURSES WHERE THE U.S. OR ANOTHER COUNTRY HAS A
COMPARATIVE ADVANTAGE OR EXPERTISE NOT AVAILABLE IN MEXICO.
U.S. ASSISTANCE WELCOME

9. (SBU) GARCIA LUNA SOLICITED U.S. ASSISTANCE FOR ANY OF THE FOUR
INITIATIVES AND ASKED THAT WE WORK CLOSELY WITH HIS TRAINING TEAM TO
ENSURE THAT THE PROPOSALS INCLUDE THE RIGHT CONTENT TO PRODUCE THE
REQUIRED OUTCOME IN THE FORCE. [REDACTED]

[REDACTED] GARCIA LUNA WAS ALSO VERY INTERESTED IN MERIDA
PROJECTS ON FORENSICS, PLATAFORMA MEXICO, AND TECHNICAL ASSISTANCE
FOR THE NATIONAL COMMAND CENTER (THE "BUNKER") BEING EMPLACED IN HIS
HEADQUARTERS. [REDACTED]

OPERATIONS IN CHIHUAHUA

10. (SBU) WITH REGARDS TO THE ONGOING OPERATIONS IN CHIHUAHUA GARCIA
LUNA DESCRIBED A SIX STEP PLAN FOR RESTORING ORDER:

TAKE BACK THE STREETS THROUGH THE USE OF HIGH CONCENTRATIONS OF
PATROLS BY THE MILITARY AND FEDERAL POLICE.
CLOSE DOWN THE "GIROS NEGROS," OR BLACK MARKETS WHERE PERIPHERAL
CRIMES SUCH AS PROSTITUTION AND PRODUCTION OF PIRATED DVDS ARE
TAKING PLACE. [REDACTED]

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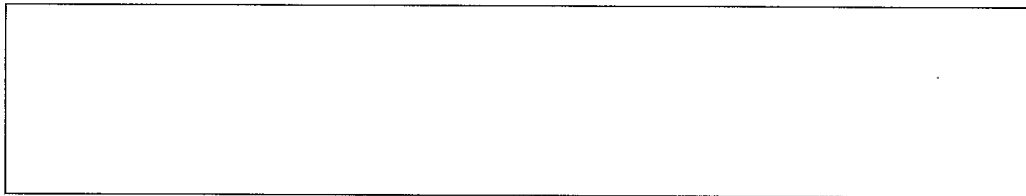
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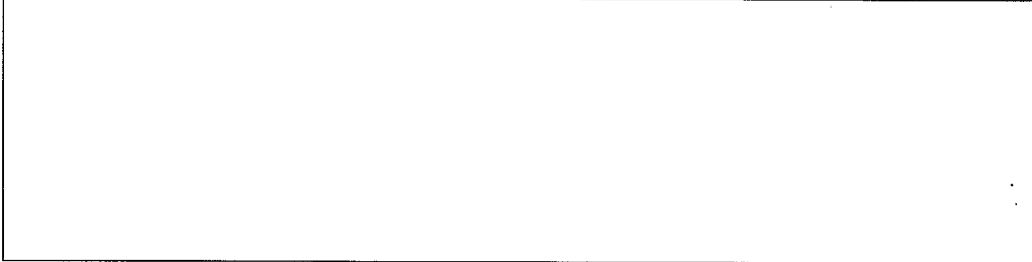
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11. (SBU)

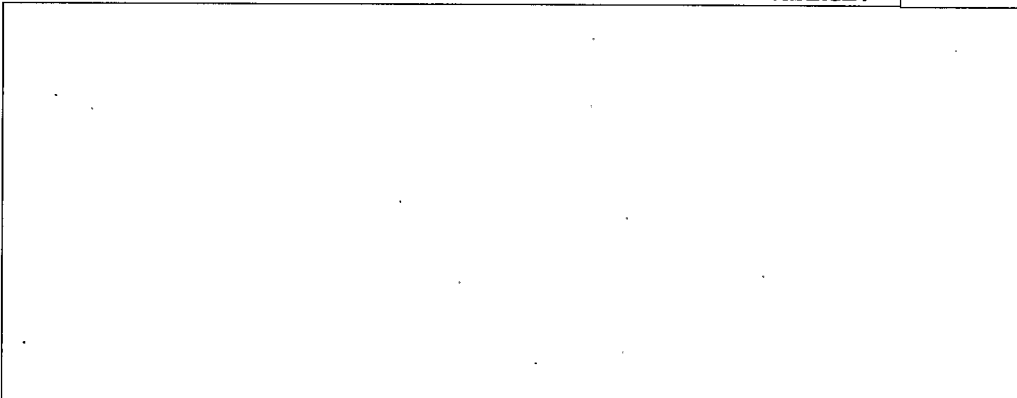


12. (SBU)

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WITH THE
EMERGENCE OF TRUE DEMOCRACY AND MULTI-PARTY RULE THIS SYSTEM HAS
BEEN TURNED UPSIDE DOWN, SO THAT THE PRESIDENT OFTEN HAS NO DIRECT
CONTROL OVER A GOVERNOR WHO MAY NOT HAVE ANY DIRECT CONTROL OVER A
MAYOR. IT IS A TRUE FEDERAL SYSTEM, BUT WITHOUT THE FUNCTIONALITY
OF OTHER FEDERAL SYSTEMS. GARCIA LUNA SAID THAT THE NEW REFORMS ARE
MEANT TO HELP RECTIFY THIS, BUT IT WILL TAKE TIME AND WILL REQUIRE
ADDITIONAL REFORMS TO SOLIDIFY THE NEW SYSTEM.

13. (SBU) GARCIA LUNA SAID SOME OF THE SURGE IN JUAREZ WOULD BE DONE
BY THE MILITARY AND SOME BY THE FEDERAL POLICE BUT HE CONCEDED IN
THE MARCH 5 MEETING THAT THE MILITARY WOULD BE IN CHARGE.



IMPORTANCE OF CIVIL SOCIETY

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14. (SBU) IN ADDITION TO POLICING, GARCIA LUNA EVINCED A STRONG INTEREST IN THE SOCIETAL FACTORS THAT BOLSTER PUBLIC SECURITY. HE SAID DTOS HAVE, ESPECIALLY IN PLACES LIKE CIUDAD JUAREZ, FOLLOWED AN ERRATIC BUT SOLID PLAN TO GAIN CONTROL OF THE OPERATING SPACE THEY NEED TO CONDUCT CRIMINAL ENTERPRISES ON A LARGE SCALE. [REDACTED]

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[REDACTED] THE SURPRISE NOW, HE SAID, IS THAT THE CALDERON GOVERNMENT HAS NOT BACKED DOWN BUT HAS RATHER REDOUBLED ITS EFFORTS. FOURTH, THEY ATTEMPT TO CREATE A COUNTER-CULTURE OF ILLEGALITY, SUCH THAT NARCOTICS LEADERS HAVE A CERTAIN AMOUNT OF RESPECT AND POSITIVE MYSTIQUE AND POPULAR CULTURE LEGITIMIZES THEIR ACTIVITIES.

15. (SBU) GARCIA LUNA EXPRESSED A GOOD DEAL OF INTEREST IN HISTORICAL CASES WHERE SOCIETIES HAVE ROLLED BACK THIS KIND OF CRIMINAL OFFENSIVE. HE MENTIONED MEDELLIN, WHERE THE AUTHORITIES USED EX-GUERRILLAS AND REFORMED NARCOTICS BOSSES AS PUBLIC SECURITY OFFICIALS, AND SPAIN DURING THE ETA OFFENSIVE, WHICH WORKED TO BUILD A SOCIAL BASE TO COUNTER THE INSURGENTS. HE SAID MEXICO NEEDS TO DO MORE TO WORK ON THE ISSUES OF SOCIAL MOBILIZATION THAT WOULD SQUEEZE OUT THE OPERATING SPACE OF THE TRAFFICKERS AND ORGANIZED CRIME.

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[REDACTED] IF PART OF A TRAINING PROGRAM WERE
CONDUCTED IN THE WASHINGTON AREA, IT COULD INCLUDE EXPOSURE TO
NATIONAL LEVEL INSTITUTIONS AS WELL AS COMMUNITY POLICING. WE
SHOULD ALSO LOOK FOR WAYS TO ADD VALUE IN THE TRAINING OF
INVESTIGATORS, ALTHOUGH THE SCALE OF THIS VENTURE WOULD BE BEYOND
OUR ABILITY TO TAKE ON COMPLETELY. THE OTHER AREAS OF SPECIALTY
TRAINING AND INSTRUCTOR DEVELOPMENT CAN LIKELY BE MANAGED FROM OUR
CURRENT TRAINING PROGRAMS.
BASSETT

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MARSTON/DIRECT [REDACTED]

1 servers?

2 A A total of ten.

3 Q And why did the FBI make supplemental requests following
4 this initial MLAT in April of 2011?

5 A Dutch laws as signed off by the judge required them to be
6 reviewed every 30 days.

7 Q And so ultimately during what time period did you receive
8 calls for?

9 A April 2011 to the beginning of January 2012.

10 Q And at that point beginning -- end of 2011, early 2012,
11 did you stop making requests for the interception of these
12 servers?

13 A We did.

14 Q Why?

15 A The defendant stopped using the system in the summer of
16 2011 and the call volume went down significantly thereafter.

17 Q Now, during this time period did the FBI also receive
18 calls by means other than through the Dutch MLAT process?

19 A We did.

20 Q How so?

21 A We also conducted a search warrant towards the end of or
22 in September of 2011, as well as we received e-mails with --
23 from our source, Christian, that also contained some of the
24 calls that were in the server.

25 Q Did Christian e-mail these calls on his own or was he

CASE NAME: United States v. GUZMAN LOERA

SOURCE INFORMATION: 2011-04-14-19_46_26-5213337491001-mex-cel-1505

DATE: April 14, 2011

TIME: 7:46 p.m.

PARTICIPANTS:

JGL: Joaquin Guzman Loera

M-10: Mario Nuñez Meza aka M-10

ABBREVIATIONS:

[Brackets] Transcriber's notes

[U/I] Unintelligible in English

[I/I] Unintelligible in Spanish

Italics Words spoken in English

[ph] Phonetic rendering

[OV] Overlapping conversation

| | <u>NAME</u> | <u>ORIGINAL LANGUAGE</u> | <u>ENGLISH TRANSLATION</u> |
|---|--------------|---|--|
| | | [comienza la grabación] | [recording begins] |
| | | [suena el teléfono] | [ring tone] |
| 1 | M-10: | Bueno. | Hello. |
| 2 | JGL: | Bueno. Y ¿tú no has tratado de-de hablar o mandar hablar con ese gobernador? ¿Cuánto tiempo va a tener la gente ahí? | Hello. And have you tried to call or send word to that governor? How long is he going to keep the people there? |
| 3 | M-10: | Sí, con él tenemos el contacto, pues, diario se puede decir. | Yes, we are in touch, you could say that we have daily contact with him. |
| 4 | JGL: | Bueno, pos si hay comunica— | All right, well, if there is communica— |
| 5 | M-10: | [OV] Ponerle el-el [UI]— | [OV] Put him [UI]— |
| 6 | JGL: | --si hay comunicación con él, pos, está bien fácil. Pos, pos, pos, "Oiga, retiren a ese gente y ya se quedan los puros [UI]". Y ya—ya se...Pero, pues, eh, yo no sé cómo estará ese gobernador con ustedes. Pos, pos debe de-de—o ¿está molesto o qué? O no entiendo yo por qué esa gente...Tiene que estar a petición de él ahí esa gente. | --if there is communication with him, well, it is really easy. Then, then, then, "Listen, remove those people and then--then the [UI] can stay." But, uh, I don't know how it is with that governor and you all. So, so, he must be—or, is he annoyed or what? Or I don't understand why those people. . . Those people have to be there at his calling. |

- 7 **M-10:** Eh, supuestamente lo que dice este, ese amigo, este Azúl, que ellos vienen mandados directamente desde México por órdenes de allá—pagados por seis meses. Pagados por seis meses hasta que nos chinguen a—a nosotros. Así es lo que dicen. Uh, supposedly what this, that friend is saying, this Azul; is that they were sent directly from Mexico by orders from over there--paid for six months—paid for six months until they fuck us over. That is what they say.
- 8 **JGL:** Ay, pos tú dile a ese cabrón que—que, pos, pos ahí puede durar un año y que—que pura madre. Y pos, ya él, ya saben ustedes. Y ahora lo más delicado es lo que me estás diciendo que eso sí, yo necesito, este, ver eso porque yo para hablar con esta gente... Yo teniendo los pelos en la mano, yo hablo con ellos y les digo, "Yo me hago un lado. Ustedes ahí averígüensela con esta gente. Yo me hago un lado". [pausa] Sí, porque, pos imagínate, este, ya me pasó con Arturo. Y ahora seguir igual, no, no, no, no. Yo me hago un lado. Oh, well, you tell that bastard that—that, well, well they can stay there for a year and that—what the fuck. And well, and then him, you already know. Now the most delicate thing is what you are telling me that for sure, I need to, uh, look into that because so I can talk with these people... If I have absolute proof in my hand, I will talk to them, and tell them, "I will step to one side. You all work it out with these people. And I will step aside." [pause] I'm saying because, well, imagine, uh, it already happened to me with Arturo. And now to continue the same, no, no, no, no. I will step aside.
- 9 **M-10:** Sí, sí, señor. Y-y créame que yo por eso tengo la atención y-y con usted la confianza y no hay mentiras y-y igual si hubiera una plática con alguien de—de—de los contrarios o si lo fuera ver yo a usted, tengo el valor y-y tengo el compromiso de hablarlo con usted y no contarle nada porque el día de mañana de todos modos usted se va a dar cuenta. Y, pos yo— Yes, yes, sir. And-and believe me that for that reason I have the deference and—and with you, the trust and there are no lies and in the same way, if there were a conversation with someone from—from—from the opposite side or if I were to go see you, I am brave enough and—and I have the obligation to talk it over with you and not say anything because you are going to find out at a later date anyway. And, well I—

| | | | |
|----|--------------|---|--|
| 10 | JGL: | [OV] No, no, no, no, pero [UI] que—no hay—no hay nada oculto en este mundo, no hay nada oculto. Oiga, si, y este... Bueno, ahorita seguimos este tema, este, ¿cómo quedó el Licenciado con la vieja allá en la PGR? | [OV] No, no, no, no, but I am going to [UI]. There is no—there's nothing hidden in this world, there is nothing hidden. Hey, if, uh. . . All right, we'll continue with this topic in a little bit. What did Licenciado arrange with the old lady over there at PGR? |
| 11 | M-10: | Eh, pues no, no, mire—no nos hemos visto. Yo al Licenciado no lo he visto, mensajemos poco porque pos cada quien anda por su lado. Así como nos traen éstos, pos andamos—nos andamos cuidando todos y, este, hay-hay comunicación, sí hay comunicación pero ya ve que apenas están los acomodados. Y pos no, no hay mucho...no, no hay mucho acomodo pues todavía no hay mucho avance ahí. No tenemos mucha comunicación. | Uh, well, no, no, look, we haven't seen each other. I haven't seen Licenciado, we message each other very little because well, each is going in his own direction. They have us like that, well, we're—we are all being careful and, uh, there is communication, there is communication but you see that the accommodations are barely there. And well, no, there is not much—there is not much accommodation. That is why there is not much progress there yet. We don't have much communication. |
| 12 | JGL: | Pero que como quiera la otra vez me habías comentado que—que el Licenciado, este, miraba a alguien allí en la—en la [UI]. | But either way, the other day you had told me that—that Licenciado, uh, was seeing someone there in the—in the [UI]. |
| 13 | M-10: | Sí, si, señor. Y, ya ahí--ahí— | Yes, yes, sir. And, then there—there— |
| 14 | JGL: | [UI] | [UI] |
| 15 | M-10: | --pues tenemos relaciones ahí desde... | --well, we'd had a relationship there since... |
| 16 | JGL: | Pos, por eso te pregunto. | Well, that's why I ask you. |
| 17 | M-10: | [OV] [UI] | [OV] [UI] |

- 18 **JGL:** Por eso te comento que—que si—
 cómo anda la—la—la...la cosa allá,
 [carraspea] allá en la PGR.
 [carraspea] That's why I'm telling you that—that
 if—how is the—the—the—the thing
 going over there, [clears throat] over
 there at the PGR. [clears throat]
- 19 **M-10:** Fíjese que no ya ve que apenas
 tomó posición allí ésa nueva y—y
 no, en realidad yo no, no le he
 preguntado ni me he dicho mucho
 de eso tampoco—la mera verdad. Well, no, you know how that new one
 just took the position there and—and
 no, actually, I have not, not asked and
 he hasn't told me much about that
 either—honestly.
- 20 **JGL:** Ah, pues sí, acaba de llegar. Y ver
 qué diga de esto. Pos hay que—hay
 que ver esa persona, tú Mario, y de
 eso de Beto [PH], pos no me
 extraña porque ya ves que dónde
 quiera. Ahí agarraron un amigo en
 Sonora y ni lo conozco y ahí, este,
 creo que dice el amigo que es gente
 mía. Y este, yo ni lo conozco. Así
 que no me extraña eso que Beto
 ande diciendo esas babosadas de
 que, de que yo estoy diciendo que
 estoy en contra de ustedes. Yes, she just got there. And we'll see
 what this one says about this. Well,
 we have to—we have to see that
 person, your Mario, and the thing
 about Beto [PH], well I'm not
 surprised because you know how
 that's everywhere. They arrested a
 friend in Sonora and I don't even
 know him and there, uh, I think the
 friend is saying that he's one of my
 people. And, uh, I don't even know
 him. So I am not surprised that Beto
 is saying those stupidities that-that
 I'm saying that I am against you.

- 21 **M-10:** Sí, que porque nosotros nos volteamos y que no se confunda y que no se enrede y que ahí le va a mandar un presente. Pero el—el comandante es—es amigo de un comandante que está ahí. Entonces fue él el, fue el que lo platicó desde antes que llegara que sabía que iba para allá. Ya cuando llegó que le hablaron, le habló el comandante de Culiacán—le habló de esa otra persona, este Beto, y ya dijo, "Oigan, pues, ¿cómo está el pedo? Es que yo—yo la verdad, yo no me quiero enredar". Yo le dije al comandante, "Dígale que le diga a ese contacto a—a el que le habló, que venga y lo vea aquí en la capital", le dije. "Y yo me arrimo a darle cara", le digo, "pa' que vea que estamos al 100 con el Señor. Y si quiere una llamada, también", le dije. Entonces, por qué—
- Yes, that because we turned, and don't get confused, and don't get involved, and that he's going to send him a present. But the—the commander is—is a friend of a commander who is there. So it was he, he was the one who told him since before he got there and knew he was going over there. Then when he got there they called him, the commander from Culiacán called him, he talked to him about this other person, this Beto, and he said, "Well, listen, well, so what's going on? It's that I—truthfully, I—I don't want to get involved." And I told the commander, "Tell him to tell that contact, uh, uh, the one that called him, to come and see you here at the capital," I told him, "And I will go there and face him," I told him, "so you can see that we are 100 percent with the Señor. And if he wants a call, that too," I told him. So why—
- 22 **JGL:** [OV] Pos sí—
- [OV] Well, yes—
- 23 **M-10:** --si él está al 100, pues ¿por qué no se arrima?
- if he is 100 percent, then why doesn't he come here?
- 24 **JGL:** Sí, pos es gente cabrona que—que—que—que se le hace fácil hablar así como, eh, donde quiera. Ya ves el otro día por ahí, este, levantaron un MP también, que yo fui.
- Yes, well, they are fucked up people who—who—who find it easy to talk like that like anywhere. You know the other day around here, uh, they picked up a MP too, [said] that it was me.

- 25 **M-10:** Sí, también allí hay mucho...Es lo que le comentaba yo a—a Alejo [PH] allí. Todo eso nos perjudica. Todo eso es—es, este, en contra de uno y eso se charoleando de todos modos que es—yo pienso que nadie ha aportado un granito de arena, al menos de—de—de esos lugares, digo, como uno ha hecho el esfuerzo y ha apoyado en lo que se ha podido al—al cártel, ¿verdad? Y esa gente no más charoleando y beneficiándose particularmente y ni—y aparte están en—en contra de uno porque pos, no veo yo que hagan algo en—en beneficio.
- Yes, there's a lot there too...That is what I was commenting to—to Alejo [PH]. All of that hurts us. All of that is—is, uh, against us and all that talking, in any case, I don't think anybody has put in their two cents, at least from—from those places, I'm saying, as we have made the effort and have supported the—the cartel in what we have been able to, right? And those people just talking and benefiting individually and not even—and besides they are against us because, well, I don't see that they are doing anything to—to benefit us.
- 26 **JGL:** [pausa] Sí, pos nada, nada, nada. Es todo de esta persona—
- Yes, well, nothing, nothing, nothing. Uh, it's all this person—
- 27 **M-10:** [OV] Puro—puro—
- [OV] Nothing but—nothing but—
- 28 **JGL:** --esta persona que dices tú, ¿no crees tú que la convenza—que la convenzas, este, para...para eso, pa' hablar con ella? ¿No, no—esa persona que dices tú, este, que me dices tú que—que está mencionando mi compadre que él está atrás de todo?
- this person who you are saying, do you think that you can convince—that you can convince her, uh, so, so we can talk to her? That, that—that person that you are telling me, uh, that you are telling me about who—who is saying my compadre is behind everything?

Mire, yo estoy haciendo lo posible de—de que—de que el amigo, este, ojalá y lo convenza para que si usted está de acuerdo, lo recibiera o que lo recib—que lo reciba alguien que usted mande o cuando menos, este, este, que reciba una persona de su confianza de usted para que si él no quiere salir o algo, no... Porque, pos, si es—está delicado el asunto, ¿verdad? Pero si él está dispuesto a recibir una persona, este, de—de confianza de usted, que vea que no, que no, este, es un plan, que no, ¿cómo le dire? Sí, pos que, que no está, que no lo está manejando uno ni presionando ni de, ninguna manera para que vea que todo es verídico. Ojalá y se preste el amigo para—para, este, que le lleve el mensaje, este, claro como—como es, sin—sin ponerle de más ni--ni de menos.

Look, I am doing everything possible to—for—for the friend, uh, hopefully I can convince him if you are in agreement, you could meet him or he mee—for him to meet someone you send or at least, uh, uh, for him to meet up with a person whom you trust in case he does not want to go out or something, not. . . . Because, well, it is—the matter is—is delicate, right? But if he is ready to meet with a person, uh, who—who you trust, that he sees is not, that it's not , uh, it's not a plan, that we are not, how shall I say? Yes, well that, that we are not manipulating him or pressuring him in any way so he can see that everything is legitimate. Hopefully the friend lends himself for—for, uh . . . that he will deliver the message, uh, clearly as—as is, without—without adding or taking from it.

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| 34 | JGL: | [OV] [UI] no, no, yo sé, yo sé que es abusivo el cabrón de Meño. ¿Qué no hay manera que lo agarren? ¿Dónde está o qué? | [OV] [UI] no, no, I know, I know that that bastard Meño is abusive. Isn't there a way to get him? Where is he or what? |
| 35 | M-10: | Allá lo tienen, eh, Felipe creo que lo tiene en Phoenix. | They have him over there, uh, I believe Felipe has him in Phoenix. |
| 36 | JGL: | ¿Ahí desde allá les hace daño? Ese cabrón— ¿desde allá les hace daño? | He hurts them from over there? That bastard, he hurts them from all the way over there? |
| 37 | M-10: | No, pos es que él—él traía una oficina grande. Ya traía casi 30—30 chavos, este, de oficina—de él de su rancho, de su confianza que todos en su momento, pos todos—todo lo sacó, los sacó y-y los metió a oficina, junto con los del Flaco Salgueiro [PH]. Los últimos levantados, esos es lo que estaban—lo que estaban diciendo. Toda la—la gente de Meño la tenía mixteada con las de Salgueiro. | No, well, he—he had a big office. He already had almost, uh, 30—30 office guys—from his own ranch, whom he trusted that, well, he took them out at a given moment, well all of them—he got them all out, he got them out and—and put them in the office, together with the ones with Flaco Salgueiro [PH]. The last ones that got picked up; that's what they were—what they were saying. All of Meño's people, he had them mixed in with Salgueiro 's [PH]. |
| 38 | JGL: | Sí, tu me dijiste, tu me dijiste la otra vez, oye, y ese, y ese Meño ¿de que, de dónde es, o qué, de qué pueblo? | Yeah, you told me, you told me last time, hey, and that—that Meño, from what, where is he from or what, what town is he from? |
| 39 | M-10: | Es de ahí de—de Santiago. Es de Santiago [UI]. | He's for there from—from Santiago. He's from Santiago [UI]. |
| 40 | JGL: | Oh, bueno. Este, pero pa' allá pa'— | Oh, okay. Uh, but over there towards— |
| 41 | M-10: | [UI] | [UI] |

| | | | |
|----|--------------|--|--|
| 42 | JGL: | --para allí pa' aquel lado de con Chillo [PH], ¿no, no, esa gente no se arrima? | --over there towards that side with Chillo [PH], those people don't—don't get close? |
| 43 | M-10: | ¿Esa gente de—de Meño? | Meño's people? |
| 44 | JGL: | Sí, pa'llá con Chillo, ¿no se arriman? | Yes, over there with Chillo, they don't come close? |
| 45 | M-10: | Pues...Meño estuvo un tiempo con Chillo, allá en—en aquella zona, en—en, este, ¿cómo se llama? En La Cienega [PH] y...en La Cienega y— | Well...Meño was with Chillo for a while, over there in—in that zone, in—in, uh, what's the name? In La Cienega [PH] and... in La Cienega and— |
| 46 | JGL: | [OV] Oh. | [OV] Oh. |
| 47 | M-10: | --y en El Caballo, y por ahí. | --and in El Caballo, and around there. |
| 48 | JGL: | Pues, pos sabrá Dios si—quién sabe cómo la lleven. Pos, si andaban juntos, ¿cómo la llevarán? | Well, God knows if—who knows how they're doing. Well, if they were together, how would they be getting along? |
| 49 | M-10: | No, este, Meño, en una ocasión le le—le golpeó un muchacho mucho a Chillo y—y Chillo no quedó bien con Meño. Chillo no-no quedó nada de bien. Chillo, inclusive ha hablado en estos días [UI] con él y, este, Chillo, está, pos al margen ahí y-y a la orden, pero ya se le avisó que no haga confianza de Meño y que esté muy al pendiente de él. | No, uh, Meño, on one ocasión, he—he beat up one of Chillo's guys really bad and—and Chillo was not okay with Meño. Chillo was very unhappy. In fact, I have talked with Chillo [UI] in the last few days and Chillo is, well, on top of things there and ready, but he has been notified that he must not trust Meño and to be very watchful of him. |

- 50 **JGL:** Bueno, mi amigo, pos, este, ahí si hay—si hay algo con ese amigo ahí me avisa a través de-de-de-de Ale. Y pues hay que tener paciencia sobre eso, hay que aclarar bien [IA] yo me hago un lado y, este, y el trabajo, cuando necesites algo allá por el sur, te reitero ahí 'tamos a la orden con los contactos que hay allí, *container* o avión. Allí te ayudo yo.
- 51 **M-10:** Sí, muchas gracias, Señor. Y—y creame que—que pos yo estoy preocupado por esta situación y por eso lo comento con usted porque pos usted—con usted la lealtad y la confianza al 100 por ciento y como le digo, el mitote, estos se hicieron cargo de hacer mitote con medio mundo y que yo me volteé y que no sé qué. Si—como le digo, si hay alguna comunicación, si la hubiera o la vaya a haber, yo—yo tengo que—la obligación de decírselo a usted. Y, este, la confianza y no tengo por qué ocultarle las cosas porque como le digo, el día de mañana de todos modos se va a dar cuenta porque no hay nada que podemos ocultar.
- 52 **JGL:** Mire, este—
- 53 **M-10:** [OV] Este—
- Okay, my friend, well, uh, there if there is—if there is something with that friend there, you let me know through-through-through-through Ale. And we have to be patient with that, we have to really clarify [IA] I'll step aside and, uh, and regarding work, when you need something over there in the south, I reiterate, we are there at your service for whatever with the contacts over there, by *container* or plane. I will help you there.
- Yes, thank you very much, sir. And—and believe me that—that, well, I am concerned about this situation and that is why I tell you because, I well, you—with you loyalty and trust are 100 percent, and like I tell you, the mess, these [guys] took it upon themselves to create a mess with half the world, and say I had turned, and I don't know what. Yes, like I said, if there is some communication, if there was or is any, I—I have—the obligation to tell you. And, uh, the trust—and I don't have a reason to keep things from you because like I said, one day, you will find out anyway because there is nothing we can hide.
- Look, uh—
- [OV] Uh—

--sí, sí, sí este, mil gracias, muchas gracias igualmente. Y con lo todo que me estás platicando y que me dijo Ale ayer, pos, este, tú, pues cuídate hasta tu misma sombra porque, este, con todo que me dices, este, pos hay que analizar bien las cosas a fondo, pero sí, sí cuídate. Este, si entre menos puedas ver a alguien, es mejor porque pues, Dios no quiera, mañana o pasado que ya ves, este, como sucedieron las cosas también ya tanta experiencia y—y—no va a faltar. Hay muchos enemigos. No va a faltar, hasta el mismo gobierno... que te pueden decir que yo estoy involucrado también y-y-y este, por eso te digo que-que tú analiza las cosas, cuídate mucho cuando ha—cuando hables conmigo tira el teléfono y—y este, co...y tú sabes, tú sabes cuidarte. Por algo estás bien.

--yeah, yeah, uh, thank you very much, likewise, thank you very much. And with everything that you are telling me and what Ale told me yesterday, well, uh, well, be careful even of your own shadow because, uh, with all that you are telling me, uh, well, we really need to get to the bottom of this. But, yes, yes, take care of yourself. Uh, the less people you see, the better because, well, God forbid, tomorrow or the next day, that you know, uh, how things happened and so much experience and—and there's always going to be something. There are many enemies. **There is always going to be something, even the government... can tell you that I am involved and-and-and, uh, that is why I tell you that if you can, analyze things, take very good care of yourself when you tal—when you talk to me, throw the phone away and—**and, uh, wi . . . and you know, you know how to take care of yourself. There is a reason you are okay.

- 55 **M-10:** Muchas gracias, señor. Y—y, este, no pos, ¿qué le puedo decir? Yo agradezco mucho, pos, el apoyo y-y la atención que tiene de recibirme la llamada y hacerme la llamada. Yo lo-lo que quiero, créame que yo desde un principio que fuimos para allá, yo era el más interesado, yo creo. ¿Por qué? Porque yo sé que hemos tenido errores, hemos tenido fallas, pero yo creí que las podíamos solucionar, podíamos arreglar de alguna manera, pero yo veo que estos amigos de plano, de plano, este, están actuando de mala fé y con [UI] totalmente. Y yo como le digo, le comento a Alejo, yo no voy a—a dejar ver caer a mi gente, que caigan unos y otros y yo cruzado de brazos. Yo, pos yo prefiero quedar, pero peleando, ¿verdad? Y ojalá—ojalá y, este—
- Thank you very much, sir. And—and, uh, well, no, what can I say? I very much appreciate, well, well, your support and the attention for taking my calls and calling me. What I—what I want, believe me that since the beginning when we went over there, I think I was the most interested. Why? Because I know that we have made mistakes, we have had failures, but I thought we could solve them, we could fix them somehow, but I see that these guys flat out, flat out, uh, are acting in bad faith and with [UI] totally. And I, like I said, like I told Alejo, I am not going to—to let my people down, for some of them to fall and stand there doing nothing. I, well, I prefer to go down fighting, right? And hopefully—hopefully and, uh—[UI]—
- 56 **JGL:** [OV] [UI] [OV] [UI]
- 57 **M-10:** --tengamos la—la claridad de la cosas al cien, usted esté totalmente claro y—y pos ya decidimos después de eso, ¿verdad? Para, para no hacer antes yo, como le digo, lo menos que quiero es—es, este, enemistar con usted ni—ni—ni faltarle al respeto ni mucho menos yo a su compadre. Pero así cómo está la situación, digo, pos, no me están dejando otra alternativa, la mera verdad, Señor. Si es así con su compadre, pos yo...pos ¿qué le puedo decir?
- we can have the—the clarity of things 100 percent, that you are totally clear and—and, well, then we decide later about that, right? So, so I don't do it—like I said, the last thing that I want is—is, uh, to be enemies with you or—or—or disrespect you or your compadre. But the way the situation is, I mean, well, they leave me no other alternative, truthfully, Señor. If it's like that with your compadre, well, I...well, what can I say?

- | | | | |
|----|--------------|---|---|
| 58 | JGL: | <p>No, pos hay que—hay que analizar bien eso—eso de-de ese amigo hay que analizarlo bien y platicar con él. Ojalá lo convenzas y—y, pos, este escuchar—escuchar y analizar las cosas porque eso del gobierno, pos hay que cuidarnos todos con el gobierno. Pero este amigo en Durango, ¿sí sacó toda la gente Felipe?</p> | <p>No, well, we have to—we have to really analyze that—that about—about that friend, we have to analyze it very well and talk to him. Hopefully you can convince him and—and, well, uh, listen—listen and analyze things because with the government, all of us have to be careful with the government. But this friend in Durango, did Felipe take all the people out?</p> |
| 59 | M-10: | <p>Sí, sí, señor. Pos, eh, prácticamente—</p> <p>[llamada desconectada]</p> <p>[fin de la grabación]</p> | <p>Yes, yes, sir. Well, uh, practically—</p> <p>[call disconnected]</p> <p>[end of recording]</p> |

CASE NAME: United States v. GUZMAN LOERA

SOURCE INFORMATION: 00498_00000127 / 143151-o-120-170

DATE: July 9, 2011

TIME: 6:39 p.m.

PARTICIPANTS:

JGL: Joaquin Guzman Loera

GATO: FNU LNU aka El Gato

UM: Unidentified Male

ABBREVIATIONS:

[Brackets] Background/ Noise

[U/I] Unintelligible in English

[I/I] Unintelligible in Spanish

Italics Words spoken in English

[OV] Overlapping conversation

[ph] Phonetic rendering

| | ORIGINAL LANGUAGE | ENGLISH TRANSLATION |
|----|---|--|
| | [comienza la grabación] | [recording begins] |
| | [voces de fondo] | [background voices] |
| 1 | GATO: ¿Bueno? | Hello? |
| 2 | UM: ¿Bueno, bueno? | Hello, hello? |
| 3 | GATO: Sí, ¿bueno, bueno? | Yes, hello, hello? |
| 4 | UM: Eh, permítame señor. Un segundo. | Uh, excuse me, sir. Just a second. |
| 5 | GATO: [OV] Seguro. | [OV] Sure. |
| 6 | [pausa extendida] | [extended pause] |
| 7 | JGL: Mi amigo, ¿cómo le va? Buenas tardes. | My friend, how are you? Good afternoon. |
| 8 | GATO: [UI] Buenas tardes. Buenas tardes. ¿Cómo le va? | [UI] Good afternoon. Good afternoon. How are you? |
| 9 | JGL: Bien, bien, amigo, ¿cómo ha estado? Cuénteme. | Fine, fine. And how have you been? Talk to me. |
| 10 | GATO: Aquí, aquí, tranquilo. Aquí pasando el día. Echándole ganas, pa' lante. | Not much, not much, cool. Here, surviving. Giving the best, forward. |

- | | | | |
|----|-------|--|---|
| 11 | JGL: | ¡Qué bueno! ¿Cuándo vamos a inaugurar? | That's good! When are we going to do the grand opening? |
| 12 | GATO: | Pues, primeramente Dios pronto. Primeramente Dios pronto, oiga ya, van muy enterrados. Este... nos quedan alrededor de unos 100, por ahí. | Well, God willing, soon. God willing, soon. They are very well into it. Uh... we have around 100 to go. |
| 13 | JGL: | Ah, no pasa ni un mes y lo termina. | Oh, you will be finished in less than a month. |
| 14 | GATO: | Primeramente Dios. Primeramente Dios. Este... está todo muy bien, muy bonito, muy bonito todo, muy... muy bien, muy bien. Muy bonito, muy bonito todo. Oiga, estoy aquí con El—El Yanqui, el de—el que está ahorita llegó nuevo. Yo siempre le he estado pagando aquí. Este... pues ahí para que estén a las órdenes y lo tengan uno ahí al tanto de—de aquí de lo que pasa. ¿Cómo ve usted? | God willing. God willing. Uh... everything is very well, very nice, everything is very nice, very... very well, very well. Very nice, everything is very nice. Hey, I'm here with El—El Yanqui, the one—the new one who just arrived. I have always been paying him here. Uh... well, so they could be at our service and keep us up to date with—with what happens. What do you think? |
| 15 | JGL: | Eh, ¿cuándo llegó el nuevo? | Uh, when did the new one arrive? |
| 16 | GATO: | Tiene como un mes y medio. | It's been about a month and a half. |
| 17 | JGL: | Y-y ¿quién lo presentó? | And-and who introduced him? |
| 18 | GATO: | Me presentó... inicialmente fue el Licenciado. Ya sabe quién, el que le marcó ahorita pa' que me marcara usted. Y este, pero y— | Initially... in the beginning it was Licenciado who introduced me. You know who, the one who just called you so you could call me. And, uh but— |
| 19 | JGL: | [OV] No, no, no. Pero el nuevo, el nuevo. ¿Se lo marcó el que se fue? ¿Se lo—digo, se lo presentó? | [OV] No, no, no. But the new one, the new one. The one that left called? I mean, introduced you? |

- 20 GATO: Sí, el que se fue... Lo que—mire, [tartamudea], deje que le explico cómo está la cosa. Aquí hay un grupito de los del AFI, que ellos son los que siempre están conmigo. Son los que—los que se han ido quedando, y esos están bien, porque yo ya les tengo confianza a ellos, y ellos—yo les doy la cuota a ellos. Yo nunca se la he dado al yanqui. Siempre me mandan a este chavalo que está con—conmigo.
- Yes, the one who left... What—so [stutters], let me explain to you how things are. Here there is a small group from the Federal Ministerial Police, who are always with me. They are the ones who—who have been, staying, and those are okay, because I trust them already and they—I give them the dues. I have never given it to El Yanqui. They always send me this guy who is with—with me.
- 21 JGL: Sí.
- Yes.
- 22 GATO: El Yanqui no, nunca recoge nada. Siempre lo-lo recoge este chavalo, y el cha—y este chavalo tiene su grupo. De ahí mismo, de los del AFI.
- El Yanqui never picks up anything. This guy always picks it-it up, and the g—and this guy has his group. From there, from the Federal Ministerial Police.
- 23 JGL: Ya.
- Okay.
- 24 GATO: Entonces me está comentando que este—que este jefe nuevo que llegó le—le—le está cambiando un chavalo de los que tiene él y me dijo—pero haga de cuenta que sin avisarle nomás, ideas de él. Entonces, pero pues el señor se ve bien yo le he dado—yo esta es la segunda vez que lo veo, y ahí está pa' trabajar, y—pero sí no está de más que—que a él le diga que no le cambie—que no nos cambie la gente que nos ayuda aquí, porque él se va y queda el mismo grupo que hemos tenido desde que empezamos.
- So he has been telling me that this—that this new boss that arrived is—is—is changing one of those guys that he has and told me—but without letting me know, just his decision. So, but the man looks good and I have given him—this is the second time that I see him, and he's there to work, and—but there's no harm in—in telling him not to change—not to change the people that help us here, because he leaves and the same group that we have had from when we started remains.
- 25 JGL: Pero, este, ¿pero él está recibiendo la mensualidad?
- But, uh, but is he receiving the monthly payment?

- 26 GATO: Sí, él está recibiendo la mensualidad. Yes, he's receiving the monthly payment.
- 27 JGL: Sí. Entonces, ¿quiere que yo le mande pedir el favor de que deje a—que deje a ese muchacho? Este, pásame el nombre de él. Yes. So, you want me to ask him to please leave the—to leave that young man? Uh, give me his name.
- 28 GATO: Aquí está conmigo. ¿No quiere que le pase al—al Yanqui? He's here with me. Do you want me to—to put El Yanqui on?
- 29 JGL: Ah, mejor, mejor, mejor. Oh, that is better, better, better.
- 30 GATO: Pues sí, así ya platica con él y—y le di—díglele, “¿Sabe qué? El grupito que-que-que ha estado siempre.” Desde que empezamos aquí es el mismo grupito que yo ya le tengo confianza y—hay un carro por ahí mal parado y yo los mando y van en chinga, y a mí me dan muy buenos resultados ellos. No se ha ocupado una cosa así importante. El operativo que hacen ellos luego-luego me lo—me lo hacen saber a mí. Y entonces nada más díglele al-al-al Yanqui que-que el grupito ese que-que tenemos aquí que no lo mueva porque hay pa—ahí está haciendo muchos cambios. Ahí mandó ya uno pa' San Quintín. Eso no se lo diga. No le diga nada de lo que yo le estoy platicando a usted para que no nos vaya a—no vaya a tomar de chismosos a los-a los chavalos que ten—que-que-que-que tenemos nosotros del AFI. Nomás díglele que no me los vaya a mover. Well yes, so that you can speak with him and—and t—tell him, “You know what? The small group that-that-that has always been.” Since we started here it has always been the same small group whom I trust and—if there's a car parked in the wrong place and I send them, they go fucking fast and they give me very good results. They have not been used in anything so important. They do the operation and they-they let me know about it right away, right away. So just tell El-El-El Yanqui not-not- not to move the small group that we have here because he's-he's been making many changes. He already sent one to San Quintin. Don't tell him that. Don't tell him anything of what I'm telling you so he won't—he won't think that the-the guys that we have—that-that-that we have from **The Federal Ministerial Police are blabbermouths. Just tell him not to move them.**
- 31 JGL: No, yo le digo que esos muchachos porque siempre han trabajado aquí en la empresa, digo a favor de la No, I'll tell him that those young men, since they have always worked here at the company... I mean, in favor of the

empresa, y que pues, a mí no me conviene que-que-que-que los quite.

company that it's not convenient to me to-to-to-to remove them.

32 GATO: Entonces, este, deje le hablo para que usted se lo diga y ya él se esté quieto y este, y, mire, yo—le estábamos dando 80 a los chavalos, ahí a los del AFL. ¿Sí, sí tiene conocimiento?

So, uh, let me call him so you can tell him and he can stand by and, uh, and, so, I—we were giving those guys 80 to those guys from the Federal Ministerial Police. Did, did you know about that?

33 JGL: Sí.

Yes.

34 GATO: Ahora quedamos de trabajar— ¿Se acuerda que yo le comenté, “Usted cómo ve? Este, ¿sigo dando la mensualidad o les paro? Usted dígame”. Usted me dijo, “Síguales dando”. Entonces yo les he seguido dando nomás. Hablé con los chavalos. Les dije, “Oiga,” le digo, “¿sabe qué? Apóyenos ahorita al 50 mientras las cosas se medio acomodan pos-pos no estamos trabajando.” Y si es lo que estoy dando para que usted esté enterado.

Now we are working— Do you remember that I told you, “What do you think? Uh, do I continue giving them the monthly payment or do I stop?” You told me, “Continue giving it to them.” So, I have continued giving it to them. I spoke with the guys. I told them, “Hey” I said, “You know what? Support us at 50 while things get somewhat settled because—because we are not working.” And that's what I'm giving them so you know.

35 JGL: Sí, sí, no, y ahorita hay que más bien no dejarle de dar. Yo a Los Azules también no he dejado de darles porque no conviene ahorita que-que tenemos ese proyecto que—menos hay que dejar de darles.

Yes, yes, right, and especially now we can't stop giving it to them. I haven't stopped giving it to Los Azules because it's not convenient especially now that—that we have that project with more reason. We can't stop giving it to them.

36 GATO: Sí, exactamente. Entonces, este, no, no, no, yo-yo siempre les he estado dando. Así como usted me dijo que les esté dando, yo siempre he estado dando. Nomás les estoy dando 50. Yo hablé con el chavalo éste, el—con el que siempre me he entendido yo desde que, desde que el-el chavalo que

Yes, exactly. So, uh, no, no, no, I-I have always been giving it to them. I have always been giving it to them the way you had told me to give it to them. The only thing is that I'm giving them 50. I spoke with this guy, the-the one with whom I have always dealt since—since the-the guy you sent me

usted me mandó me presentó con ese chavalo que—el que me mira todo el tiempo, y el chavalo ya le reparte ahí al del AFI y ellos no sé qué harán con su dinero. Pero yo se lo doy a él. Nomás este nuevo que llegó, me está diciéndome este chavalo que-que-que como que le da una cara y como que siente que es otra, entonces ya me—y luego el otro día, este, que atoraron dos cabrones por aquí y le dijeron al Yanqui que-que iban a abrir un túnel. Entonces le dije, “Bueno, ¿y quiénes son esos cabrones?” Pe—eso fue lo que m-me platicó mi amigo. El Yanqui no me platica. Como que es medio sordón. Entonces-entonces, este, “Y que estaban directamente con usted” le dije “Pues yo no sé quiénes serán esas personas.” Entonces yo a mi amigo le dije, “Investígueme” y ya me-me trajo unas fotos—unas fotos de él y aquí las tengo, de esos [UI] que andaban—le dijeron al Yanqui que iban a abrir un túnel en 15 días. Entonces el—entonces mi amigo me confió a mí porque El Yanqui le dijo. Nomás me dijo, “No le vas a decir al Yanqui porque yo voy a quedar como chismoso con usted.” Le dije, “No se preocupe. Yo no le digo nada.” Pero El Yanqui ya es la segunda vez que lo veo y no me comenta nada. Entonces, este, que dos-dos-dos amigos por ahí de Mazatlán. Entonces—entonces, ¿sabe? Yo no, no, no—los soltaron. Les tomaron \$75,000 dólares y los soltaron. Les dije, “Yo no sé.” Y yo, y vi las fotos y yo no sé ni quiénes son. Pues pa’ que usted esté enterado. Y yo le platiqué ahí a su muchacho. Le dije, “Hay que saber quiénes son esos cabrones, porque andan hablando cosas. A lo mejor igual, pues, a lo mejor van a poder abrir uno ellos. Yo

introduced me to this guy who—who sees me all the time, and the guy already distributes it to the one from the Federal Ministerial Police and I don’t know what they may do with their money. But I give it to him. Just this new one who came, this guy is telling me, that-that-that he shows himself as being one thing and he acts otherwise, so then I already—and uh, the other day, uh, two guys dropped in and told El Yanqui that-that they were going to open a tunnel. So I told him, “Well, and who might those guys be?” But—that was what m-my friend told me. El Yanqui doesn’t speak to me. He’s kind of deaf. So-so, uh, “And that they dealt directly with you” I told him “well I don’t know who those people are.” So I told my friend, “Look into this for me” and he-he brought me some photos-some photos of him, and I have them here, of those [UI] that were—they told El Yanqui that they were going to open a tunnel in 15 days. So the—so my friend confided in me because El Yanqui told him. He only told me, “Don’t tell El Yanqui because otherwise it will look like I gossip to you.” I told him, “Don’t worry. I won’t tell him anything.” But it’s the second time that I see El Yanqui and he hasn’t said anything. So, uh, that two-two-two buddies from Mazatlán. So—so, who knows? I don’t-don’t-don’t—they released them. They took \$75,000 dollars from them and released them. I told them, “I don’t know.” And I—and I saw the photos and I don’t even know who they are. So that you are aware. And I told your guy. I told him, “We need to find out who those assholes are, because they are talking stuff. Maybe, just maybe they will be

no estoy enterado a lo mejor. Pero aunque lo abran ellos, ¿qué facilidad de-de hablar esas cosas tan delicadas, verdad?

able to open one. I don't know, I am not aware. But, even if they open it, how do they talk so openly about-about such sensitive matters, right?

37 JGL: Bueno, pues consígame los datos pa' ver quién es esa gente y ¿usaron el nombre mío?

Well, then find the information for me to find out who those people are and, did they use my name?

38 GATO: ¿Bueno?

Hello?

39 JGL: ¿Usaron el nombre mío? [pausa]
¿Usaron el nombre?

Did they use my name? [pause] Did they use the name?

40 GATO: ¿Bueno?

Hello?

41 JGL: ¿Usaron el nombre?

Did they use the name?

[llamada desconectada]

[call disconnected]

[fin de la grabación]

[end of recording]

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1 A Yes.

2 Q Okay. And have you heard of the term "zapatones" before?

3 A Yes, yes. I have heard it in Culiacan.

4 Q And what is that a code word for?

5 A Well, it can refer to soldiers, to the military.

6 Q Okay. And why was that the term that was used?

7 A Because of the military boots that they used.

8 Q How much were the payments that were being made by the
9 cartel?

10 A Well, it depend on the person. A director of the judicial
11 state police was given 30- to \$50,000 a month. A Yankee we
12 would give also \$50,000 a month.

13 Q And this was a monthly salary they were receiving?

14 A Yes, monthly salary that they received.

15 Q Were there occasions where they would receive a bonus on
16 top of that monthly salary?

17 A Yes. In my case, my father, there were many times when he
18 sent an extra gift.

19 Q And what would occasion such a gift?

20 A Well, for example, when a shipment of coke arrived
21 correctly in Culiacan, they would get an extra bonus.

22 Q And who were these payments being made on behalf of?

23 A Well, my dad is the kind of person who liked to see the
24 Yankees or commanders personally, and I would go with him to
25 see them; and when my dad would go meet with these Yankees and

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1 commanders, he said it was on his behalf and that he also was
2 on behalf of his Compadre Chapo.

3 Q Okay. We discussed payments that were being made in
4 Culiacan. Are you aware of payments being made in other parts
5 of the country?

6 A Yes. In different points of the republic where there were
7 people for my dad or for my Compadre Chapo in this case.

8 Q Who was responsible for making payments in the southern
9 part of Mexico?

10 A Well, in the south, we had Benny, and we would send him
11 the money so he could pay those people in that area in Chiapas
12 and Oaxaca.

13 Q And how about up towards the border with the United
14 States? Who was responsible for making payments up there?

15 A In Ciudad Juarez, we had German. In Mexicali, I had a
16 person named Pacheco.

17 Q Who is Pacheco?

18 A Pacheco is one of my people directly. He was one of the
19 people who was closest to Gonzalo Insunza and Macho Prieto, and
20 I asked permission from my dad to send him to be in charge of
21 the Mexicali Plaza.

22 Q Was there anyone making payments at the federal level?

23 A I had a friend named Licenciado Carlos who was the contact
24 with the military. My father also had direct contact with
25 people in Mexico City, with military, PFP, SIEDO, everyone

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1 there; and there was someone else on behalf of my Compadre
2 Chapo, El Doctor Rodolfo. He would pay the PFP and the
3 military as well.

4 Q And what was his full name?

5 A Rodolfo Beltran, if I remember right.

6 Q Was he any relation to the Beltran Leyva brothers?

7 A No.

8 Q Are you aware of whether Chapo had any workers with
9 contacts in the military in Culiacan?

10 A Well, there came a time in 2008 -- actually, in 2007 when
11 I met up with Damaso to give him some information. I was going
12 to give to the Beltran Leyva's, the Carrillo's, the Zetas
13 regarding military people he had in the ninth military zone.

14 Q And that was where?

15 A In Culiacan, Sinaloa.

16 Q Okay. Let's talk a little bit about the state judicial
17 police.

18 Was there anyone within the state judicial police who
19 was working with the Sinaloa Cartel?

20 A Well, there were many commanders. And, in fact, many of
21 them were right there with my dad. They protect him; they
22 watch over him.

23 Q Are you aware of who the director of the state judicial
24 police was?

25 A Yes. Chuy Tono, Jesus Antonio Iniguez.

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1 Q And was he helping the Sinaloa Cartel in any way?

2 A Yes. He's very good friends with my dad.

3 Q What, if anything, was he doing for the Sinaloa Cartel?

4 A Well, he's the director, so he is in charge of all of the
5 judicial state police in Sinaloa, so he would give us
6 information or protection or information about any of the
7 police operations in the state of Sinaloa.

8 Q As the director of the state judicial police, did he have
9 the ability to move the commanders within the state judicial
10 police?

11 A Yes.

12 Q And did you have any meetings with him to discuss this?

13 A Yes, together with my dad.

14 Q Okay. And what did you guys agree to?

15 A Well, my dad would require that -- for him to locate
16 friendly commanders whom he knew in the areas where he was
17 staying at: El Salado, Costa Rica, El Dorado, and Cruz de
18 Elota.

19 Q This may be self-explanatory, but why would you want a
20 friendly police commander in certain areas?

21 A Well, so if there was any information, if there were any
22 police operations against my dad in those areas, then the
23 commanders with the judicial state police would tell us.

24 Q What was the estimated monthly payroll for corruption
25 payments?

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1 A Well, in total, with everything, it would exceed
2 \$1 million.

3 Q And that was just the monthly salaries?

4 A Yes. Monthly.

5 Q And bonuses were on top of that?

6 A Yes.

7 Q Okay. Were there any members of the defense that you met
8 with?

9 A Yes. I met up with a general.

10 Q And who was that?

11 A General Altimio in 2008, he was my contact, and I brought
12 him over to see my dad. Excuse me, I would like to clarify
13 that it was in 2007, at the end of 2007.

14 Q And what was General Altimio's role within the defense?

15 A Well, he was a general, so I imagine he was the highest
16 ranking official with defense.

17 Q And where did the meeting with your dad and General Altimio
18 occur?

19 A In Culiacan.

20 Q And what was discussed at that meeting?

21 A Well, my dad was there; the general; and Licenciado
22 Carlos, who was the one who brought him over to us. Well, the
23 general was actually seeking to speak to my dad because there
24 was a rumor going on at the defense secretariat from other
25 generals, and that's what General Altimio said, and that there

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1 was some rumor that people within defense were split up -- you
2 had the Lazcano's, you had the Beltran Leyva people, you had
3 the Carrillo Fuentes -- and that they were looking to get more
4 connections with other generals so that they could attack my
5 dad and my Compadre Chapo; and, in fact, that him and other
6 generals had been contacted by the Carrillo Fuentes, the
7 Beltran Leyva's and the Zetas because they wanted to send them
8 money for them to help them detain my dad and my Compadre
9 Chapo.

10 And General Altimo spoke to other generals saying that
11 it was better to seek my dad out, and that it was better to be
12 on my dad's side because of who and how my dad was and my
13 Compadre Chapo was, and because of everything that was
14 happening in Mexico with the Zetas and the Beltran's and the
15 war that had broken out all over the republic, and that he had
16 heard that Arturo Beltran Leyva -- and now I'm talking about
17 the time before the war against the Beltran Leyva's broke
18 out -- and that we already had pretty much background, we knew
19 that the Beltran Leyva's were getting together with the Zetas,
20 with the Carrillo Fuentes's to go against my dad and my
21 Compadre Chapo and us, and that Arturo was one of them as well,
22 and that he was seeking connections so that he could attack my
23 dad and my Compadre Chapo.

24 And so my dad, while he spoke to the general for about
25 five hours, and -- well, he said thank you, and the general

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