By Scott Stewart and Fred Burton

Rey Guerra, the former sheriff of Starr County, Texas, pleaded guilty on 1st May 2009 to a narcotics conspiracy charge in federal district court in McAllen, Texas. Guerra admitted to using information obtained in his official capacity to help a friend (a Mexican drug trafficker allegedly associated with Los Zetas) evade U.S. counternarcotics efforts. On at least one occasion, Guerra also attempted to learn the identity of a confidential informant who had provided authorities with information regarding cartel operations so he could pass it to his cartel contact.

In addition to providing intelligence to Los Zetas, Guerra also reportedly helped steer investigations away from people and facilities associated with Los Zetas. He also sought to block progress on investigations into arrested individuals associated with Los Zetas to protect other members associated with the organization. Guerra is scheduled for sentencing July 29; he faces 10 years to life imprisonment, fines of up to $4 million and five years of supervised release.

Guerra is just one of a growing number of officials on the U.S. side of the border who have been recruited as agents for Mexico's powerful and sophisticated drug cartels. Indeed, when one examines the reach and scope of the Mexican cartels' efforts to recruit agents inside the United States to provide intelligence and act on the cartels' behalf, it becomes apparent that the cartels have demonstrated the ability to operate more like a foreign intelligence service than a traditional criminal organization.

Fluidity and flexibility

For many years now, STRATFOR has followed developments along the U.S.-Mexican border and has studied the dynamics of the cross-border illicit flow of people, drugs, weapons and cash. In recent times Defence Viewpoints has published many of their analyses.

One of the most notable characteristics about this flow of contraband is its flexibility. When smugglers encounter an obstacle to the flow of their product, they find ways to avoid it. For example, as we've previously discussed in the case of the extensive border fence in the San Diego sector, drug traffickers and human smugglers diverted a good portion of their volume around the wall to the Tucson sector; they even created an extensive network of tunnels under the fence to keep their contraband (and profits) flowing.

Likewise, as maritime and air interdiction efforts between South America and Mexico have become more successful, Central America has become increasingly important to the flow of narcotics from South America to the United States. This reflects how the drug-trafficking organizations have adjusted their method of shipment and their trafficking routes to avoid interdiction efforts and maintain the northward flow of narcotics.

Over the past few years, a great deal of public and government attention has focused on the U.S.-Mexican border. In response to this attention, the federal and border state governments in the United States have erected more barriers, installed an array of cameras and sensors and increased the manpower committed to securing the border. While these efforts certainly have not hermetically sealed the border, they do appear to be having some impact - an impact magnified by the effectiveness of interdiction efforts elsewhere along the narcotics supply chain.

According to the most recent statistics from the Drug Enforcement Administration, from January 2007 through September 2008 the price per pure gram of cocaine increased 89.1 percent, or from $96.61 to $182.73, while the purity of cocaine seized on the street decreased 31.3 percent, dropping from 67 percent pure cocaine to 46 percent pure cocaine. Recent anecdotal reports from law enforcement sources indicate that cocaine prices have remained high, and that the purity of cocaine on the street has remained poor.

Overcoming human obstacles

In another interesting trend that has emerged over the past few years, as border security has tightened and as the flow of narcotics has been impeded, the number of U.S. border enforcement officers arrested on charges of corruption has increased notably. This increased corruption represents a logical outcome of the fluidity of the flow of contraband. As the obstacles posed by border enforcement have become more daunting, people have become the weak link in the enforcement system. In some ways, people are like tunnels under the border wall - i.e., channels employed by the traffickers to help their goods get to market.

From the Mexican cartels' point of view, it is cheaper to pay an official several thousand dollars to allow a load of narcotics to pass by than it is to risk having the shipment seized. Such bribes are simply part of the cost of doing business - and in the big picture, even a low-level local agent can be an incredible bargain.

According to U.S. Customs and Border Protection (CBP), 21 CBP officers were arrested on corruption charges during the fiscal year that ended in September 2008, as opposed to only 4 in the preceding fiscal year. In the current fiscal year (since Oct. 1), 14 have been arrested. And the problem with corruption extends further than just customs or border patrol officers. In recent years, police officers, state troopers, county sheriffs, National Guard members, judges, prosecutors, deputy U.S. marshals and even the FBI special agent in charge of the El Paso office have been linked to Mexican drug-trafficking organizations. Significantly, the cases being prosecuted against these public officials of all stripes are just the tip of the iceberg. The underlying problem of corruption is much greater.

A major challenge to addressing the issue of border corruption is the large number of jurisdictions along the border, along with the reality that corruption occurs at the local, state and federal levels across those jurisdictions. Though this makes it very difficult to gather data relating to the total number of corruption investigations conducted, sources tell us that while corruption has always been a problem along the border, the problem has ballooned in recent years - and the number of corruption cases has increased dramatically.

In addition to the complexity brought about by the multiple jurisdictions, agencies and levels of government involved, there simply is not one single agency that can be tasked with taking care of the corruption problem. It is just too big and too wide. Even the FBI, which has national jurisdiction and a mandate to investigate public corruption cases, cannot step in and clean up all the corruption. The FBI already is being stretched thin with its other responsibilities, like counterterrorism, foreign counterintelligence, financial fraud and bank robbery. The FBI thus does not even have the capacity to investigate every allegation of corruption at the federal level, much less at the state and local levels. Limited resources require the agency to be very selective about the cases it decides to investigate. Given that there is no real central clearinghouse for corruption cases, most allegations of corruption are investigated by a wide array of internal affairs units and other agencies at the federal, state and local levels.

Any time there is such a mixture of agencies involved in the investigation of a specific type of crime, there is often bureaucratic friction, and there are almost always problems with information sharing. This means that pieces of information and investigative leads developed in the investigation of some of these cases are not shared with the appropriate agencies. To overcome this information sharing problem, the FBI has established six Border Corruption Task Forces designed to bring local, state and federal officers together to focus on corruption tied to the U.S.-Mexican border, but these task forces have not yet been able to solve the complex problem of coordination.

Sophisticated spotting

Efforts to corrupt officials along the U.S.-Mexican border are very organized and very focused, something that is critical to understanding the public corruption issue along the border. Some of the Mexican cartels have a long history of successfully corrupting public officials on both sides of the border. Groups like the Beltran Leyva Organization (BLO) have successfully recruited scores of intelligence assets and agents of influence at the local, state and even federal levels of the Mexican government. They even have enjoyed significant success in recruiting agents in elite units such as the anti-organized crime unit (SIEDO) of the Office of the Mexican Attorney General (PGR). The BLO also has recruited Mexican employees working for the U.S. Embassy in Mexico City, and even allegedly owned Mexico's former drug czar, Noe Ramirez Mandujano, who reportedly was receiving $450,00 a month from the organization.

In fact, the sophistication of these groups means they use methods more akin to the intelligence recruitment processes used by foreign intelligence services than those normally associated with a criminal organization. The cartels are known to conduct extensive surveillance and background checks on potential targets to determine how to best pitch to them. Like the spotting methods used by intelligence agencies, the surveillance conducted by the cartels on potential targets is designed to glean as many details about the target as possible, including where they live, what vehicles they drive, who their family members are, their financial needs and their peccadilloes.

Historically, many foreign intelligence services are known to use ethnicity in their favor, heavily targeting persons sharing an ethnic background found in the foreign country. Foreign services also are known to use relatives of the target living in the foreign country to their advantage.

Mexican cartels use these same tools. They tend to target Hispanic officers and often use family members living in Mexico as recruiting levers. For example, Luis Francisco Alarid, who had been a CBP officer at the Otay Mesa, Calif., port of entry, was sentenced to 84 months in federal prison in February for his participation in a conspiracy to smuggle illegal aliens and marijuana into the United States. One of the people Alarid admitted to conspiring with was his uncle, who drove a van loaded with marijuana and illegal aliens through a border checkpoint manned by Alarid.

Like family spy rings (such as the Cold War spy ring run by John Walker), there also have been family border corruption rings. Raul Villarreal and his brother, Fidel, both former CBP agents in San Diego, were arraigned March 16 after fleeing the United States in 2006 after learning they were being investigated for corruption. The pair was captured in Mexico in October 2008 and extradited back to the United States.

'Plata o Sexo'

When discussing human intelligence recruiting, it is not uncommon to refer to the old cold war acronym MICE (money, ideology, compromise and ego) to explain the approach used to recruit an agent. When discussing corruption in Mexico, people often repeat the phrase "plata o plomo," Spanish for "money or lead" - meaning "take the money or we'll kill you." However, in most border corruption cases involving American officials, the threat of plomo is not as powerful as it is inside Mexico. Although some officials charged with corruption have claimed as a defense that they were intimidated into behaving corruptly, juries have rejected these arguments. This dynamic could change if the Mexican cartels begin to target officers in the United States for assassination as they have in Mexico.

With plomo an empty threat north of the border, plata has become the primary motivation for corruption along the Mexican border. In fact, good old greed - the M in MICE - has always been the most common motivation for Americans recruited by foreign intelligence services. The runner-up, which supplants plomo in the recruitment equation inside the United Sates, is "sexo," aka "sex." Sex, an age-old espionage recruitment tool that fits under the compromise section of MICE, has been seen in high-profile espionage cases, including the one involving the Marine security guards at the U.S Embassy in Moscow. Using sex to recruit an agent is often referred to as setting a "honey trap." Sex can be used in two ways. First, it can be used as a simple payment for services rendered. Second, it can be used as a means to blackmail the agent. (The two techniques can be used in tandem.)

It is not at all uncommon for border officials to be offered sex in return for allowing illegal aliens or drugs to enter the country, or for drug-trafficking organizations to use attractive agents to seduce and then recruit officers. Several officials have been convicted in such cases. For example, in March 2007, CBP inspection officer Richard Elizalda, who had worked at the San Ysidro, Calif., port of entry, was sentenced to 57 months in prison for conspiring with his lover, alien smuggler Raquel Arin, to let the organization she worked for bring illegal aliens through his inspection lane. Elizalda also accepted cash for his efforts - much of which he allegedly spent on gifts for Arin-- so in reality, Elizalda was a case of "plata y sexo" rather than an either-or deal.

Corruption cases handled differently

When the U.S. government hires an employee who has family members living in a place like Beijing or Moscow, the background investigation for that employee is pursued with far more interest than if the employee has relatives in Ciudad Juarez or Tijuana. Mexico traditionally has not been seen as a foreign counterintelligence threat, even though it has long been recognized that many countries, like Russia, are very active in their efforts to target the United States from Mexico. Indeed, during the Cold War, the KGB's largest rezidentura (the equivalent of a CIA station) was located in Mexico City.

Employees with connections to Mexico frequently have not been that well vetted, period. In one well-publicized incident, the Border Patrol hired an illegal immigrant who was later arrested for alien smuggling. In July 2006, U.S. Border Patrol agent Oscar Ortiz was sentenced to 60 months in prison after admitting to smuggling more than 100 illegal immigrants into the United States. After his arrest, investigators learned that Ortiz was an illegal immigrant himself who had used a counterfeit birth certificate when he was hired. Ironically, Ortiz also had been arrested for attempting to smuggle two illegal immigrants into the United States shortly before being hired by the Border Patrol. (He was never charged for that attempt.)

From an investigative perspective, corruption cases tend to be handled more as one-off cases, and they do not normally receive the same sort of extensive investigation into the suspect's friends and associates that would be conducted in a foreign counterintelligence case. In other words, if a U.S. government employee is recruited by the Chinese or Russian intelligence service, the investigation receives far more energy - and the suspect's circle of friends, relatives and associates receives far more scrutiny - than if he is recruited by a Mexican cartel.

In espionage cases, there is also an extensive damage assessment investigation conducted to ensure that all the information the suspect could have divulged is identified, along with the identities of any other people the suspect could have helped his handler recruit. Additionally, after-action reviews are conducted to determine how the suspect was recruited, how he was handled and how he could have been uncovered earlier. The results of these reviews are then used to help shape future counterintelligence investigative efforts. They are also used in the preparation of defensive counterintelligence briefings to educate other employees and help protect them from being recruited.

This differences in urgency and scope between the two types of investigations is driven by the perception that the damage to national security is greater if an official is recruited by a foreign intelligence agency than if he is recruited by a criminal organization. That assessment may need to be re-examined, given that the Mexican cartels are criminal organizations with the proven sophistication to recruit U.S. officials at all levels of government - and that this has allowed them to move whomever and whatever they wish into the United States.

The problem of public corruption is very widespread, and to approach corruption cases in a manner similar to foreign counterintelligence cases would require a large commitment of investigative, prosecutorial and defensive resources. But the threat posed by the Mexican cartels is different than that posed by traditional criminal organizations, meaning that countering

it will require a nontraditional approach.

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