



Written Testimony of

**Sheriff Sigifredo Gonzalez, Jr.**  
**Zapata County, Texas**

**Immediate Past-Chairman**  
**Southwestern Border Sheriff's Coalition**

**Chairman**  
**Intergovernmental Relations Committee**  
**Texas Border Sheriff's Coalition**  
**and**  
**Southwestern Border Sheriff's Coalition**

Monday, November 8<sup>th</sup>, 2010

Written Testimony on

*Homeland Security and Border Security Issues*

Before the State of Texas

**Senate Committee on Transportation and Homeland Security**

*Honorable Tommy Williams, Chairman*

*Honorable Kirk Watson, Vice-Chairman*

Chairman Williams, Vice-Chairman Watson, Members of the Committee, it is an honor and a privilege to be invited to appear before your committee to discuss Border Security and Homeland Security issues from the view of local law enforcement. I will try to briefly touch on issues such as drug trafficking, gun smuggling, border violence, criminal infiltrations, human trafficking, gang violence, and international relations.

## INTRODUCTION

In May of 2005, the sixteen Texas sheriffs whose counties border the Republic of Mexico formed the Texas Border Sheriff's Coalition. Since then four other sheriffs have joined our coalition. This coalition was formed out of frustration in what we felt was the inadequacy of our federal government to protect our border in preventing a potential terrorist and their weapons of mass destruction from entering our country. We felt then, and still do, that the 1,276-mile Texas border with the Republic of Mexico is very much unprotected, wide-open, and extremely porous; that many people whose intentions are unknown are coming into our country to perhaps commit acts in our own country similar to or worse than what happened on September 11, 2001, where over 3,000 innocent persons lost their lives.

In late March 2006, also because of their frustration, sheriffs from New Mexico, Arizona, and California joined us in our efforts and we formed the Southwestern Border Sheriff's Coalition. The 2,000 miles of southwestern border needs protection and immediate attention. In Texas, the twenty border sheriffs are responsible for 47,089 square miles and a population of over 2,244,940 persons.<sup>1</sup>

The first and foremost priority of our coalitions is protecting all residents of this country against a terrorist act without regard to race, sex, color, or ethnic origin. We continue to believe that many persons have entered our country with intentions of harming us. We continue to believe that terrorists have expressed an interest and a desire to exploit the existing vulnerabilities in our border security to enter or attack the United States. We are sincere when we tell you that we are not blaming the agents of the United States Border Patrol, ICE, or any other federal agency, but, rather, we criticize the policies that they have to adhere to.

I want to briefly relate to you some of the problems we have encountered along the border, specifically combating criminal activity and how they relate to the safety, efficiency, and security of border crossings. The border sheriffs, just as you, also feel that this issue is vitally important to the future of Texas and are of great interest to people across not only the state, but also the United States.

First and foremost, I would like to make one clarification, sheriffs along the border are not tasked with enforcing illegal border crossings, nor do they enforce

---

<sup>1</sup> United States Census Bureau - Texas counties: Brewster, Cameron, Culberson, Dimmit, El Paso, Hidalgo, Hudspeth, Jeff Davis, Jim Hogg, Kinney, Maverick, Pecos, Presidio, Starr, Terrell, Val Verde, Webb, Willacy, Zapata, and Zavala.

immigration laws, even though we have some authority granted us by the Texas Penal Code and the Texas Code of Criminal Procedure. We do, however, work very closely with all of our federal partners. Referrals are at times made to agents of United States Customs and Border Protection, Immigration and Customs Enforcement, and other federal and state agencies for the benefit of immigrants that are not identified as criminals.

Sheriffs along the border have assumed the task, based on our priority, to identify possible terrorists, immigrants coming into the country from countries of special interest to the United States, and known criminals, in order to prevent them from committing other criminal activities in our counties, this state, or the nation. I am, however, willing to answer any questions you may have regarding illegal border crossings, if I am able to.

### BORDER VULNERABILITIES

**Domestic Terrorism**—Defined—Code of Federal Regulations: "...the unlawful use of force and violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives."<sup>2</sup> For the exception of the last seven words of this definition, people living along the border, and even some in the Houston, Dallas, and San Antonio areas, and other areas in Texas and the United States, have and are presently experiencing "domestic terrorism". Whether or not they are involved in drug trafficking, innocent bystanders, including family members, stand to suffer for the actions of individuals that may have crossed, knowingly or not, a member of a drug cartel.

For years we in law enforcement have seen individuals enter the country illegally; however, in the last five years, we feel that many of these persons are no longer entering the country to look for legitimate employment. We are now seeing that many of these persons are members of ruthless and violent gangs. Intelligence information has indicated that these gang members are presently working with the major drug cartels in Mexico and are actively coordinating and transporting drugs and humans.

Based on U. S. Border Patrol statistics for "Other Than Mexicans" (hereinafter referred to as OTMs) there were 30,147 OTMs apprehended in FY03, 44,614 in FY04, and 165,178 in FY05. Most of them, including immigrants from countries of special interest (i.e. Afghanistan, Algeria, China, Ethiopia, Iran, Iraq, North Korea, Sudan Syria), were apprehended along the southern border of our country.<sup>3</sup>

United States Customs and Border Protection reported that during the first three quarters of Fiscal Year 2009, CBP officers identified and denied entry to 129,779 inadmissible aliens mixed in with legitimate travelers at U. S. Ports of Entry; 23,286 of

---

<sup>2</sup> 28 C.F.R. Section 0.85 and [http://www.fbi.gov/publications/terror/terror2000\\_2001.htm](http://www.fbi.gov/publications/terror/terror2000_2001.htm)

<sup>3</sup> Statistics provided by U. S. Border Patrol.

whom had criminal backgrounds. CBP officers also seized 19,530 fake or fraudulent documents.<sup>4</sup>

At any given time, daytime or nighttime, one can get on a boat (and in some areas walk) and traverse back and forth between Texas and Mexico and not get caught. If smugglers can bring in tons of marihuana and cocaine at one time, and can smuggle 20, 40, 60 persons at one time, one can just imagine how easy it would be to bring in 2-3 terrorists or their weapons of mass destruction across the river and not be detected. Chances of apprehension are very slim. We have always maintained that if you don't live on the border you don't know how vulnerable this country is for a terrorist attack. Persons living 50 miles or more away from the border have the impression that this border is very well protected.



Figure 1 -Different views of the southwest border of Texas.

As noted in Figure 1, the southwest border of the United States is very different. The international boundary can be a lake, a somewhat wide river, a stream, or a fence dividing both countries. These barriers cannot keep out people intent on entering the U.S., no matter what their intentions.

Along many areas of the U.S.—Mexico border in South Texas, the Rio Grande River can be easily breached by smugglers on foot or in vehicles, enabling Mexican Drug Trafficking Organizations to smuggle multi-kilogram quantities of illicit drugs, primarily marihuana and cocaine, into the United States. Drug traffickers and other criminal groups engage in activities such as firearms trafficking and alien smuggling along the U.S.—Mexico border in South Texas. [Additionally, in addition to firearms] alien smuggling is a rising concern to law enforcement officials in the South Texas HIDTA (High Intensity Drug Trafficking Area) region. In addition to smuggling migrant workers, alien smuggling organizations smuggle criminal aliens and gang members into the United States.<sup>5</sup>

## BORDER THREATS

Although recent statistics indicate that major crime along the southwest border is down, violence along the southwest border intensified along some areas since the latter part of 2004. More and more, local law enforcement, mainly, learned of an increase in

<sup>4</sup> [www.cbp.gov/xp/cgov/newsroom/news\\_releases/archives/2009\\_news\\_releases//july\\_2009/07142009\\_3.xml](http://www.cbp.gov/xp/cgov/newsroom/news_releases/archives/2009_news_releases//july_2009/07142009_3.xml)

<sup>5</sup> National Drug Intelligence Center, U. S. Department Of Justice, Drug Market Analysis, South Texas High Intensity Drug Trafficking Area, 2008.

abductions, kidnappings, carjackings, home invasions, murders, and large-scale incidents. These violations of law are attributed to spillover violence caused by drug trafficking organizations (DTO's) and cartels.

Through intelligence information we have learned that several murders in along the Texas—Mexico border, have been orchestrated by members of drug cartels operating on both sides of the Rio Grande River. These drug cartel enforcers cross the Rio Grande River, some illegally in areas other than a designated port of entry, commit their murders in the United States, then go back to Mexico, again, via the Rio Grande River. They are very well armed and are very accurate in what their assignment is.

The cartels operating in Mexico and the United States have demonstrated that the weapons they possess can and will be used in protecting their caches. One informant familiar with the operations of these cartels mentioned to us that the weapons we use are “water guns” compared to what we will have to come up against if we ever have to. These cartels, known to frequently cross into the United States, possess and use automatic weapons, grenades, grenade launchers, and rocket propelled grenades. They are also experts in explosives, wiretapping, counter-surveillance, lock-picking, and GPS technology. The original members of this cartel were trained in the United States by our own government.

More and more law enforcement is seeing, and citizens are reporting, armed individuals entering the country via the southwest border. It is a matter of time before a shootout will occur between law enforcement and armed drug/human smugglers. In the unfortunate event of a shootout, federal, state, and local officers along the southwest border, seeing the weapons used by the cartels (Figures 2, 3 and 4), are not adequately armed. Compared to the ruthless, brazen, and open behavior of these cartels, law enforcement is certainly outmanned. In the event of a sustained shootout, many casualties will occur. Federal, state, and local officers all along the southwest border of the United States are outgunned and outmanned.



Figure 2-Weapons seized in Matamoros, Tamaulipas, Mexico by Mexican Military in February 2007.



Figure 3-Rocket Propelled Grenade and .50 Cal. Machine gun found in Nuevo Laredo, Mexico, in mid-February 2010.



Figure 4-Hundreds of weapons seized at a Zeta Cartel training camp in Higuera, NL, Mexico about 80 miles from the Texas border.

In Zapata County, Texas, during one operation, deputy sheriffs seized several rounds of .50 caliber cartridges. More of these types of seizures have occurred in many areas of the Texas—Mexico border. Specifically, several of these investigations have been initiated in Webb and Maverick Counties.



Figure 5 - Ammunition, including .50 cal. bullets, seized by Zapata County Sheriff's Deputies.

In confirming the above, the National Drug Intelligence Center has stated that “drug traffickers in the South Texas HIDTA region use sophisticated surveillance, counter-surveillance, and communication techniques to aid their trafficking operations. Mexican Drug Trafficking Organizations maintain cells that monitor law enforcement activities and the smuggling operations of rival traffickers.”<sup>6</sup> These cells are very active in most towns and cities along the border. They are in constant contact with their supervisors in Mexico via “boost” or phones with “walkie-talkie” capability.

In late January 2006, Immigration and Customs Enforcements’ Border Enforcement and Security (BEST) Task Force confiscated components of Improvised Explosive Devices (IEDs) in Laredo, Texas. It is believed that these components were to be sent to Mexico for use by the cartels or to be used against U. S. law enforcement at the appropriate time.<sup>7</sup>

On July 12<sup>th</sup>, 2006, deputy sheriffs of the Hidalgo County Sheriff’s Office and Border Patrol agents were fired upon from Mexico after they tried to rescue two individuals. This incident happened south of Donna, Texas. Hidalgo County Sheriff

<sup>6</sup> National Drug Intelligence Center, U. S. Department Of Justice, Drug Market Analysis, South Texas High Intensity Drug Trafficking Area, 2008.

<sup>7</sup> Testimony of Ms. Marcy M. Forman, Director of Office of Investigations, United States Immigration and Customs Enforcement, Department of Homeland Security, March 1<sup>st</sup>, 2006, before the U. S. Senate Committee on the Judiciary, Subcommittee on Immigration, Border Security and Citizenship and Terrorism, Technology, and Homeland Security.

Guadalupe “Lupe” Trevino was quoted as saying that 300 to 400 continuous rounds were fired from automatic weapons from the Mexican side of the Rio Grande. It was also reported that shots were also fired at the officers from the east, the United States side. The FBI has indicated that this was the third incident of shootings from Mexico at local or federal officers in the last seven months between Laredo and Brownsville.

There have been many instances where local, state, and federal officers have encountered or have had reported to them armed drug and/or human smugglers. Officers have seen for themselves, while on surveillance, individuals coming into the country that are carrying what the officers believe to be automatic weapons. In one instance, deputy sheriffs conducting surveillance along the riverbank observed 20-25 individuals marching two abreast in a cadence, away from the river and towards a main highway running parallel to the river, carrying backpacks and duffel bags with machine guns slung on their shoulders. They seemed to be in very good physical condition, very clean cut, and wearing camouflage clothing. In another incident, a game camera caught a man that had come into the country. He was probably a drug or human smuggler and he was armed. Figure 6 shows this individual. These smugglers will not hesitate to engage law enforcement in the U. S. In the second photograph in Figure 6, below, the man in the right side of the photograph is seen carrying a long-arm.



Figure 6 – Armed drug or human smugglers are caught on camera as they, in all probability, are escorting a load of drugs or humans across the border. The second picture was taken in Brooks County, Texas, miles away from the border.

The New Mexico State Police, as well as Texas law enforcement agencies, reported in early 2009 that they had received information that the leadership of a Mexican DTOs is authorizing violence to protect human and drug trafficking established routes. This applies to law enforcement officers or members of another faction of a DTO. These individuals, as noted in Figure 6, are now carrying weapons to protect themselves due to the ongoing war in Mexico and the United States.

The Rio Grande Valley, Cameron, Hidalgo, and Starr Counties, have continuous problems with pseudo-cops coming from Mexico to extort and kidnap citizens in these counties. This area is the fastest growing area in the nation. They have seen their share of terrorist activity as it relates to the migration of many members of ruthless gangs that come into this country for reasons other than legitimate employment.

In many counties along the border, police receive reports from informants of kidnappings in their respective counties. Individuals are kidnapped and taken to Mexico for ransom. Family members seldom file official reports due to fear of further retaliation. In Zapata County, as well as in other counties along the border, we get reports from informants of kidnappings in our counties. Individuals are kidnapped and taken to

Mexico for ransom. Family members seldom file official reports due to fear of losing their loved ones.

On April 2<sup>nd</sup>, 2010, a kidnapping was thwarted in Zapata County. Enforcers of the Zeta Cartel were sent to Zapata County to kidnap and take to Mexico an individual who may have provided information regarding a marihuana transaction to the Zapata County Sheriff's Office. They were to kidnap the Zapata resident and take him to Mexico where they were kill him while videotaping the killing. Four of the six involved are from the Mexican state of Durango, another from Zapata and yet another from Roma, Texas. Information was obtained about the kidnapping, surveillance was conducted, and arrests were subsequently made. The FBI's Assistant Agent-in-Charge of the McAllen, Texas, office, John Johnson testified before a joint hearing of the Border and Intergovernmental Affairs Committee and the Public Safety Committee that kidnappings had almost doubled between October 2008 and September 2009. He stated that most were connected to the drug trade. He was quoted as saying that "Fiscal Year 09 was off the charts".<sup>8</sup>

Abductions are also very common along the United States side of the border of South Texas. Presently, the Texas Rangers are investigating a case of a missing 34 year old Zapata resident. This resident was tricked and subsequently abducted. It is believed that he was killed somewhere either in Zapata County or Mexico. This case is still under investigation.

As previously submitted to this legislative body, on February 10<sup>th</sup>, 2005, a high-ranking member of the *Mara Salvatrucha*, or MS-13, was apprehended in Brooks County, Texas. He had been previously deported at least four times. This MS-13 gang member is believed to have been responsible for the killing of 28 persons, including six children, and the wounding of 14 others, in a bus explosion in his native country. These people, as many others, find it very easy to come into our country through a very porous, wide-open, and unprotected border.

According to a 2008 report of the National Drug Intelligence Center (NDIC), U. S. Department of Justice, drug traffickers and gang members involved in drug smuggling frequently commit assault, automobile theft, burglary, extortion, and murder throughout the United States, specifically the South Texas border area to facilitate smuggling activities and to protect their operations from rival trafficking organizations and gangs.

This same agency, in a Situation Report published on April 11<sup>th</sup>, 2008, illustrate that Mexican Drug Trafficking Organizations are the most pervasive organizational threat to the United States. The DTOs are active in every region of the country and dominate the illicit drug trade in every area except the Northeast. Mexican DTOs are expanding their operations in the Northeast and have developed cooperative relationships with DTOs in that area in order to gain a larger share of the northeastern drug market.

---

<sup>8</sup> Texas House of Representatives joint meeting of the Border & Intergovernmental Affairs Committee and the Public Safety Committee, April 29<sup>th</sup>, 2010, McAllen Convention Center, 700 Convention Center Blvd., Room 101, McAllen, Texas.



Federal, state, and local law enforcement reporting reveals that Mexican DTOs operate in at least 195 cities throughout the United States.<sup>9</sup>

Information has been received by law enforcement that there have been times that rogue members or “wannabes” of Mexican DTOs have contemplated killing a police officer on the U. S. side of the border. It is believed that Mexican DTO higher-ups have never approved of such killing as this would draw many law enforcement officers and military personnel to the border area, thus, halting their smuggling operations. Three federal agents (Border Patrol) have been killed at the California/Mexico border. Our U. S. government basically failed to acknowledge these senseless killings by young punks setting up the agent on at least one occasion. They do, however, want to make examples of what they can do to U.S. law enforcement officers if they are discovered in Mexico.

People will also travel into Mexico when warned not to. Many of these people have relatives living in Mexico or have always traveled to Mexico without apprehension. Lately, since the cartels want to scare away officers on the U. S. side of the boundary, they resort to killing, or making sure they instill fear to people on both sides of the border.

On July 1<sup>st</sup>, 2006, twenty-six year old Starr County, Texas, Detention Officer Gilberto Hernandez, Jr. went across the river from his hometown of Roma to visit his girlfriend in Mexico. The detention officer failed to return and his parents reported him missing the following day. On July 3<sup>rd</sup> his badly beaten body was found in Mexico several miles from the border. His hands had been tied behind his back and his eyes had been bandaged. It is believed that he was tortured before being shot through the head, from behind, the bullet exiting through his forehead. During his funeral services a kidnapping was taking place across the street from the funeral home. One of the kidnapers was a Mexican National who had an outstanding warrant in Starr County for a murder he had committed a year before in the same county.

On March 13<sup>th</sup>, 2010, El Paso County Sheriff’s Office Detention Officer Arthur Redelfs, 34 years of age, and his wife, Lesley Enriquez Redelfs. Along with their 7 month old daughter, went to a birthday party in Juarez, Chihuahua, Mexico. They were supposedly mistaken for someone else when both were shot and killed while driving towards the United States. Mrs. Enriquez was four months pregnant. Originally it was ruled a case of mistaken identity. Several other speculations evolved later but the case has not and will in all probability not be solved.

Other threats that our offices have to deal with along the border on a daily basis include, but are not limited to, the following:

- Kidnappings
- Carjackings
- Home Invasions
- Extortions

---

<sup>9</sup> U. S. Department of Justice, National Drug Intelligence Center, Situation Report, April 11, 2008.

- Shooting from Mexico at law enforcement officers.
- Armed individuals escorting drug and human loads into the United States.
- Members of Mexican Drug Trafficking Organizations (DTO's) visiting the homes of U. S. officers to threaten them and their families.
- Drug/Prison/Gang members working for Mexican DTO's.
- Documented/Deported criminals re-entering the United States, including murderers and child sex molesters.
- Auto theft (vehicles are used for smuggling of humans and drugs).

These criminal violations are spill-over violence from Mexico.

Regarding the threats and vulnerabilities, reference should be made to the Senate Committee on Transportation and Homeland Security, Report to the 80<sup>th</sup> Legislature, December 2006, and the Appendices of such report.<sup>10</sup>

Shootings in Mexico along the U. S.—Mexico border are very common in south Texas and the El Paso area. On many occasions bullets from gun battles in Mexico have landed or hit structures on the U. S. side of the border. A police chief in south Texas who lives alongside the Rio Grande River hears the gunshots and sees the plumes of smoke and the flashes or grenades going off just yards from his residence. He wonders if his home will have any bullet holes when he awakens the next day. This happens often.

A single mother living in Starr County, Texas, has to hide under her bed, along with her young daughters, every time she hears gunshots in Mexico. Bullets from gun battles in Mexico have struck her home. Figure 7 below shows the bullet indentations to her home.



Figure 7 – Bullet indentations in home in Starr County, Texas.

It is also known that bullets have also stuck colleges/universities in El Paso and Brownsville, Texas. The City Hall in El Paso was also stuck. The college dorms in Brownsville, Texas, have also had to be evacuated in the middle of the night due to gun battles in Matamoros, Tamaulipas, Mexico. An elementary school in San Ygnacio, Texas, was placed on “lockdown” last year due to someone hearing a gunshot across the river in that small community in Zapata County, Texas. Children had to lie on the floor at their school for several hours until the threat was over.

---

<sup>10</sup> Pages 47 to 54 and pages 157 to 516 of the Appendices.

Federal officials at one of the international bridges in Laredo had to call the local police department for assistance after the threat of gunfire on the streets of Nuevo Laredo, Mexico, by the international bridge. Emergency calls are often made by bridge federal officers to the Laredo Police Department requesting assistance.<sup>11</sup>

Information has again been received by my office that the cartels immediately across our border are planning on threatening or killing police officers on the United States side or to lure the officers, by false pretenses, into Mexico, for the purpose of killing them. This is being planned for the purpose of attempting to “scare us” away from the border. It is very possible these cartels may form a nexus, or have already formed one, with members of Al Qaeda and other terrorist organizations. This is not the first time that this information has been received.

It is known that many of the operatives of cartels in Mexico live in the United States. Information received by our respective agencies indicates these criminals are living in our communities, communities along the border. They come to our cities and towns when things get too hot in Mexico. They come here to escape the possibility of apprehension in Mexico. Information received is that they are living along the border.

From information received, human smuggling has become more lucrative than drug smuggling. The innocent, unsuspecting immigrants place themselves at the mercy of the *coyotes* that don't care about the safety and well being of the immigrants, but rather their money.

The *coyotes* of years ago are very different now. Due to the openness and brazen behavior of these new *coyotes*, or cartels, these individuals are now armed and make demands of residents living along the riverbank. Many landowners constantly complain about their fences being cut by human and drug smugglers. The repairing of landowners' fences becomes very expensive. Some of these landowners decide not to repair their fences since it is very costly for them. They complain to local officers about the trash left on their properties. Some of the trash is eaten by their livestock, causing their livestock to die. Figure 8 below shows one such area. There are many areas along the border in this or worse condition.



Figure 8-Trash left on an immigrant/drug trail in Dimmit County, Texas. Ranchers complain to sheriffs that their cattle eat this trash causing them to die.

---

<sup>11</sup> Recording of 911 call to Laredo Police Department requesting assistance after a gun battle in Nuevo Laredo, Mexico [www.pro8news.com/news/local/87295207.html](http://www.pro8news.com/news/local/87295207.html)

In other counties along the border, residents are now scared with the big influx of immigrants coming across their property. These immigrants are not the same as what we saw 2-3 years ago. Many of the immigrants have tattoos across their chest or back advertising what gang they belong to and demand from the residents living along the border to use their phone or other necessities. They no longer ask for things but rather they demand. These landowners, who have lived on their farms for decades, choose to move away from their properties. Farmers along the border have reported to sheriffs that they have fear when working their fields. They report having their homes surrounded by drug or human smugglers until they are forced to leave. They report, with a lot of fear, when their homes get invaded by persons coming across the border and hide in their garages. Many residents living along the river live in fear.

In a newspaper article appearing in the San Antonio Express-News newspaper, the county judge of Kleberg County, Texas, Judge Pete de la Garza, was quoted as saying, "I do not go to the back of my ranch after dark," after discussing the different type of individuals coming across his ranch. The article mentions that Judge de la Garza runs cattle on about 500 acres and that undocumented immigrants in the areas used to be harmless and poor Mexicans looking for work, whom his family would help with food and water as they passed through, but that now he and his family are personally taunted on his own property in recent years.<sup>12</sup>

Like Judge de la Garza, many landowners from San Diego, CA, to Brownsville, TX, have complained to county sheriffs that they fear living on their farms or ranches, or of going to their property after dusk. Some have chosen to sell their land or to move to towns and cities instead of living their comfortable and quiet lives on their own property. Farmers along the border have reported to sheriffs that they have fear when working their fields. They report, with a lot of fear, when their homes get invaded by persons coming across the border and hide in their garages. Many residents living along the border live in fear.

On March 27<sup>th</sup>, 2010, Cochise County, Arizona, rancher Robert Krentz was killed while on his ranch. It was very well known that Mr. Krentz, just like Judge de la Garza and his family, would always help illegal immigrants coming through his property. They would do this in order to prevent these illegal aliens from destroying things on his property. It is believed that Mr. Krentz was killed by a drug smuggler who was discovered in the act by Mr. Krentz.

In the small community of Kinney County, in April 2010, four suspects forced entry into a residence, beat the homeowner, and stole cell phones, a vehicle and cash. The homeowner stated that the invaders carried backpacks and appeared to be illegal immigrants.

There are many areas within the 2,000 mile southwest border that are used for recreational purposes, some private and some public. Falcon Lake, located in Zapata

---

<sup>12</sup> San Antonio Express-News, posted on the web on 10/13/2006. Article written by Jesse Bogan, Rio Grande Valley Bureau.

County, Texas, is considered by many to be the best wide-mouth bass fishing lake in the nation. Falcon Lake and the Rio Grande River are also used by Mexican fishermen for commercial fishing. Commercial fishing on Falcon Lake and the Rio Grande River is illegal but is not enforced on the Mexican side. As mentioned above, the whole border is “owned” by certain cartels and anyone utilizing the riverbanks for smuggling purposes must pay a tax. U. S. fishermen would always buy a Mexican fishing license to be able to legally fish in Mexico.

Mexican DTOs issued a warning to commercial fishermen that anyone caught on Falcon Lake after dusk would be treated as a threat. They did this to ensure that if anyone was doing any smuggling without paying the tax would be shot out of the water. Unfortunately, this also applied to law enforcement conducting operations on the lake or river. It was also reported that the drug traffickers would defend their loads at all costs against law enforcement.<sup>13</sup> The Zeta Cartel currently controls the corridor along Falcon Lake, the “*plaza*”, in Mexico that borders Falcon Lake. This cartel is well known for their use of extreme violence.

On May 17<sup>th</sup>, 2010, the Texas Department of Public Safety, in coordination with the Texas Parks and Wildlife Department and my office, put out a joint news release warning boaters on Falcon Lake to stay on the U. S. side of the lake and not to venture into Mexico. There had been at least three reported incidents of individuals getting robbed on the lake when on Mexican waters.<sup>14</sup>

It had been discovered several months before that tons of marihuana were being stored by the Zeta Cartel in an area across from Zapata, Texas, on the Mexican side of Falcon Lake, known as Arroyo Salado. When these U. S. fishermen ventured into Arroyo Salado as they would always do to fish for their prized bass, they were accosted by cartel enforcers demanding to know who they were to ruled out the possibility that these fishermen were not spies for their rival drug cartel.

On September 30<sup>th</sup>, 2010, Colorado residents David and Tiffany Hartley ventured into Arroyo Salado on their jet skis. They wanted to go into Old Guerrero, in Arroyo Salado, to take pictures of a now submerged church in the old town. David and Tiffany took their pictures and were on their way back to the U. S. when they were chased by commercial fishing boats while they tried to outrun them. The fishing boats were occupied by enforcers of the Zeta Cartel. These enforcers were shooting at them and a bullet hit David in the back of the head. He fell into the water. Tiffany headed back to the U. S. side of the lake to summon help after not being able to load up her husband’s 250 pound body on her jet ski. Other than contacting Mexican authorities, there was very little U. S. law enforcement could do to help.

As of today’s date, the body of David Hartley has not been found and it is believed that the body will not be found. It is believed that his body was “disappeared”.

---

<sup>13</sup> Texas DPS, BIA, Awareness Bulletin, 11/05/08.

<sup>14</sup> Texas DPS, Media Relations Office, News Release, May 17, 2010.

Reliable information was received recently that DTOs are using boats to escort into the U.S. other boats laden with narcotics. These boats are referred to as scouts. The individuals in the boats are reportedly armed with automatic rifles and are instructed to use the weapons if approached by law enforcement.

The National Drug Intelligence Center has recently reported that increased operations in the United States and Mexico may be causing slight disruptions to some drug smuggling operations along the U.S.—Mexico border in South Texas.<sup>15</sup> This is attributed to increased patrol by local sheriff's offices.

The report goes on to state that “drug trafficking-related violence is a constant threat to the South Texas HIDTA region” and, sadly, “that cocaine abuse among adolescents and young adults in the South Texas border area is of considerable concern to public health officials. High school students residing in Texas counties along the U.S.—Mexico border are reportedly more likely to experiment with or abuse cocaine than are high school students living in other areas of Texas”.

Another weapon that is successfully used against law enforcement is homemade spikes. Recently, three border patrol units and one local police department unit were disabled with the use of these spikes that were thrown from a vehicle being pursued. More than sixteen spikes that were thrown at the pursuing vehicles were recovered.

Figure 9 - Spikes made from concrete nails welded together used on pursuing law enforcement vehicles. These spikes have been found in South Texas and Arizona.



More information that is very factual is the increase in attacks against law enforcement officers. Recently, in New Mexico, while officers attempted to stop a vehicle, the driver of the pursued vehicle turned the vehicle around and came at the agents and hit one officer with the truck. The agent was forced to defend himself and fired his service weapon, striking the driver. Both the agent and the driver suffered non-life threatening injuries. The pickup truck contained 1,500 pounds of marihuana. A cartel leader instructed his group to take steps to protect their loads of drugs. They were instructed to have with them long guns and protective ballistic vests for those transporting the drugs. Cartel enforcers were given the “green light” to confront law enforcement officers.<sup>16</sup>

In Laredo, Texas, a U. S. Border Patrol agent had to shoot and kill a suspect when he was attacked by the suspect while a marihuana load was being smuggled. More assaults against federal and local agents have been documented.

<sup>15</sup> National Drug Intelligence Center, U. S. Department Of Justice, Drug Market Analysis, South Texas High Intensity Drug Trafficking Area, 2008.

<sup>16</sup> Officer Safety Alert, New Mexico Investigative Support Center, 02/20/09.

In a report regarding violent criminal activity occurring along the U.S.—Mexico border, it found that:

- 1) Drug-related violence has increased in northern Mexico in recent years and is now affecting some U.S. border communities;
- 2) Mexican drug traffickers, alien smugglers, and their enforcers are increasingly engaging in violent offenses, including kidnappings, home invasion robberies, and homicides within U.S. communities and against U.S. citizens visiting Mexico;
- 3) Paramilitary groups, prison gangs, and street gangs that serve as enforcement arms of Mexican drug cartels often engage in violent activity in U.S. and Mexican border communities at the behest of the cartels.
- 4) The number of assaults against U.S. Border Patrol (USBP) agents along the U.S.—Mexico border has risen as DTOs and alien smuggling organizations increasingly use aggressive tactics to smuggle illicit drugs and illegal aliens into the United States.<sup>17</sup>

In reference to the last bullet above, there has been a big increase in assaults against law enforcement officers along the border. Drug traffickers and alien smugglers have become increasingly violent toward U.S. law enforcement officers, particularly USBP agents, since approximately 2000, when the U.S. government began allocating additional law enforcement personnel to the U.S.—Mexico border. This is a particular concern in Arizona, which is the principal alien smuggling corridor into the U.S. from Mexico. These allocations were further bolstered in 2006 with the deployment of National Guard troops to the southwest border as part of Operation Jump Start, resulting in additional smuggling-related violence targeting law enforcement officers. Customs and Border Protection (CBP) official report that the increase in assaults is the result of growing frustration among drug traffickers and alien smugglers as they attempt to smuggle illicit drugs and illegal aliens into the U.S. while facing enhanced security initiatives along the border. The total number of assaults against USBP agents along the U.S.—Mexico border increased 11% from fiscal year 2007 through fiscal year 2008; 1,097 assaults against USBP agents along the southwest border were reported in FY2008. The majority of the assaults occurred in the San Diego Sector, which experienced a 48% increase in assaults from FY2007 through FY2008. Conversely, the Yuma Sector experienced the largest decrease in assaults (56%) from FY2007 to FY2008. Rockings, physical assaults, vehicular assaults, and shootings occur regularly. While much of this violence is intended to deter agents from seizing illicit drugs and arresting illegal aliens, these assaults occasionally result in injury to or death of law enforcement officers. In January 2008, USBP agents working in the Imperial Sand Dunes Recreational Area near Andrade, California, attempted to stop two suspected drug smugglers. One of the smuggling vehicles intentionally struck and killed a USBP agent attempting to deploy a tire deflation device. In other incidents, USBP agents in California, New Mexico, and Texas discovered wire strung between border fencing that was intended to injure agents patrolling the border on all-terrain vehicles (ATVs).<sup>18</sup>

---

<sup>17</sup> U.S. Department of Justice, National Drug Intelligence Center, Situation Report, January 2009.

<sup>18</sup> Ibid.

It is likely that Mexican DTOs and alien smuggling organizations will increasingly retaliate against USBP officers who direct counterdrug and border security measures against their operations.

On July 23<sup>rd</sup>, 2009, a second U. S. Border Patrol agent, 30 years of age, was killed while responding alone to a suspected border incursion near Campo, California, a town in rugged, arid terrain in southeastern San Diego County. He was shot in the head and his body at least 10 times, including a shot between the eyes, and was dead when backup agents arrived. Federal officials have expressed concerns that the drug cartel battles plaguing Mexico could spill into the United States with the targeting of U.S. law enforcement officials. Investigators did not rule out the possibility that the agent was slain by drug smugglers or even human smugglers.<sup>19</sup>

Information has recently been obtained that they Mexican DTO's or cartels have begun to extort business on the United States of the border. If the business owner does not want to pay, relatives are hurt in Mexico. The business owners have to pay the "tax" or risk the injury or death of a loved one in Mexico or the United States. The business will eventually have to close because of the inability to pay the *quota*. This is the new trend in South Texas.

## TEXAS SECURITY

The National Drug Intelligence Center (NDIC) issued a report in response to heightened interagency concern over the mounting threat posed to U.S. national security from increased violent activity associated with drug trafficking along the U.S.—Mexico border. The key findings of the report found that:

- Mexican drug traffickers engage in violent offenses—including kidnappings—within U.S. communities along the Southwest Border.
- Mexican drug cartels train enforcement groups and cell members to perpetrate kidnappings in the U.S. and Mexico. Cartel-run training camps are typically located in Mexico; however, in 2008, law enforcement authorities discovered a training camp in South Texas that was operated by members of the Gulf Cartel's enforcement arm, *Los Zetas*.
- Mexican DTOs also use U.S.—based prison and street gangs to carry out enforcement-related activities, including kidnappings in the Southwest Region.
- Drug-related kidnappings are increasing in some U.S. cities near the Mexico border. The actual number of kidnapping incidents is most likely higher, since many drug-related kidnappings are not reported because the victims are involved in drug trafficking or are fearful of deportation.<sup>20</sup>

In the same report it is revealed that anecdotally, law enforcement reporting indicates that the number of kidnappings conducted by Mexican nationals engaged in

---

<sup>19</sup> July 25<sup>th</sup>, 2009, <http://www.foxnews.com/story/0,2933,534761,00.html>

<sup>20</sup> U. S. Department of Justice, National Drug Intelligence Center, Situation Report, June 2009 and U.S. Department of Justice, NDIC, Situation Report, June 2009.



drug and human smuggling in the Southwest Region is increasing.<sup>21</sup> Officials report that the actual number of kidnapping incidents may be higher, since such incidents are believed to be widely underreported.

- Kidnappings in Phoenix, Arizona, occurred at the rate of approximately one a day over the past 2 years, and many of the victims were killed. The Phoenix Police Department reported that there were 253 reported kidnappings in 2006, 357 in 2007, and 368 in 2008; many of these are believed to have been drug-related.<sup>22</sup>
- The number of kidnappings in San Diego increased more than 91 percent from 2006 to 2008, according to the FBI San Diego Field Division. There were 12 reported kidnappings in 2006, 15 in 2007, and 23 in 2008.<sup>23</sup> San Diego law enforcement authorities believe that many of the kidnappings in their jurisdiction are drug-related.
- The FBI's Joint Terrorism Task Force and Intelligence Group located in McAllen, Texas, reports an increase in the number of kidnapping investigations in their jurisdiction. Reporting indicates that agents initiated more than 130 kidnapping investigations from Del Rio to Brownsville, Texas, from January 1, 2004 through March 16, 2009, with 160 victims identified in those investigations.<sup>24</sup> Additionally, agents had begun 13 investigations in McAllen since October 2008.

In addition to Mexican DTOs, organized crime groups kidnap U.S. citizens who may or may not be involved in drug trafficking. These groups operate independently of the cartels and engage in criminal acts such as kidnappings for profit. As a result of widespread violence in Mexico, the U. S. Department of State has issued several travel warnings to all U.S. citizens traveling to Mexico, citing cases of kidnappings, disappearances, and murders of U.S. citizens. The U.S. State Department reports that since 2004, more than 200 U.S. citizens have been murdered in Mexico—including four U.S. citizens from San Diego killed in Tijuana in May 2009. (Source: Federal Bureau of Investigation; U.S. Department of State.)<sup>25</sup>

Mexican cartel members, seeking refuge from violence in Mexico, are traveling to the United States, increasing the threat of violence to U.S. communities. Mexican cartel members have traditionally used U.S. cities such as Laredo, El Paso, and San Diego for refuge when violence has spiked in Mexico, reasoning that the safety provided by U.S. law enforcement to those residing in the United States would protect them from violence. Because of increased violence in northern Mexico communities, cartel members and their families are increasingly seeking sanctuary in U.S. border communities. Consequently, rival DTOs and alien smuggling organizations conflicts in Mexico are emerging in U.S.

---

<sup>21</sup> U. S. Department of Justice, NDIC, Field Program Specialist Reporting, IIR Mexican DTO Violence and Kidnapping Task, dated April 2009 and Ibid.

<sup>22</sup> Phoenix Police Department, Planning and Research Bureau, Crime and Analysis and Research Unit, 12/17/08 and Ibid.

<sup>23</sup> U. S. Department of Justice, FBI, San Diego Field Division, 07/18/08 and Ibid.

<sup>24</sup> U. S. Department of Justice, FBI, Joint Terrorism Task Force, McAllen, Texas, 03/17/09 and Ibid.

<sup>25</sup> U. S. Department of Justice, NDIC, Situation Report, June 2009 and Ibid.

communities as drug-related violence, including kidnappings, home invasion robberies, and homicides, is directed at cartel members and their families in U.S. border communities.<sup>26</sup>

Home invasion robberies in U.S. border communities are an increasing concern of law enforcement. In addition to kidnappings, some Mexican DTOs are generating additional income through home invasion robberies in U.S. communities along the U.S.—Mexico border. For example, in June 2008, men armed with assault-type weapons and dressed in Phoenix Police raid shirts and full tactical gear fired 50 to 100 rounds of ammunition into a Phoenix residence, killing the homeowner and injuring an occupant. The attackers, who were purportedly trained in Mexican military tactics, were arrested for their role in a home invasion and subsequent murder.<sup>27</sup>

In reference to paramilitary groups and gangs, the report indicates that Mexican drug cartels employ paramilitary enforcement groups and U.S.-based gang members to commit violent acts and kidnappings within the United States. *Los Zetas* have engaged in extortion, kidnappings, and murder throughout northern Mexico and the United States. Moreover, U.S. intelligence officials report that the *Zetas* are recruiting *Kaibiles* and members of the violent *Mara Salvatrucha* street gang. *Los Zetas* maintain a presence throughout the Mexican states of Nuevo Laredo, Tamaulipas, Sonora, and possibly Chihuahua. Additionally, law enforcement officials report that *Los Zetas* maintain a strong presence in Texas, particularly in Dallas, Houston, San Antonio, the Rio Grande Valley, Laredo, and Del Rio.<sup>28</sup>

## SUMMARY

The Texas Border Sheriff's Coalition is very concerned with the very unique problems along our border. Border Patrol is doing the best they can with the resources that are available to them. Immediate help is needed for them and for southwestern border sheriffs for the protection of our country.

In nine years we have seen broken promises of protecting our great nation. September 11, 2001, was a dark day in American history and the protection of a great nation. What has changed since that day along the border and in my backyard? Nothing. As I speak before you today funding aimed at border security didn't come from Washington, DC, it came from Austin, Texas.

You as legislators, and the governor of this state, are in the same position we in law enforcement have been in for years. We are fed up and tired of failed policies and promises. Texas is the can do state. You and Governor Perry decided to fund a border security initiative that has literally shut down criminal enterprises in several Texas counties.

---

<sup>26</sup> U.S. Department of Justice, NDIC, Situation Report, January 2009.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

We did this with state funds and working with federal partners on an initiative that puts law enforcement in the driver's seat instead of the cartels, smugglers, and border crossing criminal entrepreneurs. This should have been done on September 12, 2001, by our federal government. Washington, DC didn't just fail me and my law enforcement comrades....it has failed Americans. Just over seven years from that day and the border remains open to smuggling operatives, criminal organizations and people aimed at destroying this nation.

In Texas we have no choice; we have had to pick up the fight to save our counties. We didn't ask for this battle on the border.....but we refuse to lose to criminals! Border Security is not a red issue or a blue issue. It is a red, white, and blue issue.

### SOLUTION

Fortunately for our constituents, the 80<sup>th</sup> Legislative Session granted the request of Governor Rick Perry and appropriated over \$110 million for border security. I honestly believe that sheriffs along the Texas—Mexico border have used their share prudently. The 81<sup>st</sup> Legislative Session also granted some border security funding.

It is my desire that the 82<sup>nd</sup> Legislative Session will again fund, at a minimum, the same amount as previous sessions. More funding, however, should be awarded sheriffs and local law enforcement. Sheriff's offices along the border with Mexico are in need of additional funding for overtime for employees but at the same time they are in need of augmenting their manpower to enhance patrolling along the border. Criminal entrepreneurs must stop the illegal activities and their threats against a free society.

The bulk of the funding needs to be directed to where it is needed. Sheriffs are the ones that respond to emergencies called in by their constituents. Sheriffs work in places other than paved roads. Local law enforcement works not only paved roads and highways, but also unpaved county roads, the riverbank, and other areas known to harbor and facilitate contraband entering illegally into the United States. Local officers know the area and the terrain they work at. They know the residents. They know the ranchers and farmers that traverse the various county roads. Local officers have a vested interest in their communities. Offices of the Sheriffs are not exclusively traffic law enforcement agencies.

Parks and Wildlife Game Wardens have been very receptive to the needs of local law enforcement and maintain a good working relationship with local sheriffs. They work hand-in-hand with local law enforcement, thus, maximizing resources.

### CONCLUSION

I have attached a paper written on April 2010 by me for a project of the Army National Guard. The paper is titled "Southwest Border Gang Recognition". This

document contains information regarding gangs and how they operate in our areas. It also mentions the possible nexus between them and the various DTO's along the border.

Committee Members, there cannot be homeland security without border security. Our southwest border needs immediate attention. Local officers answer emergency calls for assistance made by our constituents. We are the first responders.

I want to express my most sincere appreciation for allowing me the opportunity to appear before you today and thank you for the work you do for our state, Texas.

Chairman Williams, this concludes my statement. I will be pleased to answer any questions that you or members of the committee may have.

Recommended reading/viewing material:

- *A Line in the Sand: Confronting the Threat at the Southwest Border*, House Committee on Homeland Security, Subcommittee on Investigations, Michael T. McCaul, Chairman, United States House of Representatives. Can be found at [www.house.gov/sites/members/tx10\\_mccaul/pdf/Investigaions-Border-Report.pdf](http://www.house.gov/sites/members/tx10_mccaul/pdf/Investigaions-Border-Report.pdf).
- *Breaching America Series*, Todd Bensman. [www.toddbensman.com/Bensman/Breaching\\_America\\_series.html](http://www.toddbensman.com/Bensman/Breaching_America_series.html)
- *National Security/Terrorism Coverage*, Todd Bensman. [www.toddbensman.com/Bensman/National\\_security\\_terrorism\\_coverage.html](http://www.toddbensman.com/Bensman/National_security_terrorism_coverage.html)