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U.S. Authorities Take Custody of Two Members of Tijuana Cartel

by LADB Staff

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Within the span of about a month, the US government gained custody of two of the Arellano Felix brothers, members of the notorious Tijuana drug cartel. In mid-August, US authorities captured Francisco Javier Arellano Felix on a sport-fishing vessel off the coast of Baja California Sur. That was followed by the Mexican government's extradition of Francisco Rafael Arellano Felix to the US. He had skipped out on bail after being charged with trying to sell narcotics to an undercover officer.

The two actions were a minor setback to one of Mexico's most dangerous drug organizations but were not considered significant in the overall war on drugs, said analysts. Francisco Javier Arellano arrested on fishing vessel Francisco Javier Arellano, also known as El Tigrillo, was captured by members of the US Coast Guard while his vessel was in international waters, about 27 km off the coast of La Paz, the capital of Baja California state.

Seven other men were also detained, including Arturo Villarreal Heredia and Marco Fernandez, two of the cartel's top hit men. US prosecutors said Villarreal, a US citizen, is linked to the murder of Francisco Ortiz Franco, an investigative reporter and editor at the Tijuana weekly newspaper *Semanario Zeta* (see SourceMex, 2004-06-30).

US prosecutors have not yet handed down an indictment against Villarreal, who is known as El Nalgon, because of the possibility that he could agree to testify against Arellano, said assistant US attorney Laura Duffy. "He has been identified as a high-ranking member of the cartel...who would have in-depth knowledge," Duffy said during a court hearing in late August.

Villarreal is also wanted in Mexico on drug charges, and Mexican authorities have initiated paperwork to have him extradited, said Duffy. US and Mexican authorities said Arellano's arrest was the result of close cooperation between state and federal entities in the two countries.

Baja California Gov. Eugenio Elorduy Walther alluded to this cooperation during a speech at the Border Governors Conference in Austin in August (see SourceMex, 2006-08-30). There were allegations that the US arrest of Arellano was a unilateral move, which Mexico's Attorney General Daniel Cabeza de Vaca promptly disputed. "We contributed the significant information that led to the arrest of this individual," Mexico's chief prosecutor said at a press conference.

The attorney general said the two governments moved to detain Francisco Javier Arellano on the open sea because drug cartels sometimes schedule meetings in international waters on US-flagged vessels to avoid Mexican authorities.

There was no evidence, however, that Arellano was on anything but a recreational trip, with three children among those on board. There is disagreement on exactly what impact Arellano's detention would have on the US and Mexican government's efforts to combat drug trafficking. The US government attempted to put a positive spin on the arrest. "We have taken the head off the snake," Michael Braun, operations chief for the US Drug Enforcement Administration (DEA), said at a press conference in Washington.

Some Mexican observers noted, however, that the DEA assessment was overly optimistic. "For the war against drugs, this means nothing, since Francisco Javier was not an important part of the organization," said *Semanario Zeta* publisher Jesus Blancornelas, whose newspaper has covered the Tijuana cartel for decades. Blancornelas was the subject of an assassination attempt by the cartel in 1997 (see SourceMex, 1997-12-17).

Blancornelas said Francisco Javier had only a passing interest in his family's drug operations. "He's a member of the family, nothing more, dedicated to partying. I'd call him a playboy," said the *Zeta* publisher.

Another Arellano brother extradited to US

In mid-September, Mexico extradited Francisco Javier's older brother, Francisco Rafael Arellano Felix, to the US. The move was significant only because Francisco Rafael was the first prominent figure from a drug-trafficking cartel to be extradited to the US.

The Mexican government's decision to turn Francisco Rafael over to the US came more than three years after US authorities presented the extradition request in June 2003. A Mexican judge approved the request in 2004, but the *Secretaria de Relaciones Exteriores* (SRE) did not move on the petition until this year.

Francisco Rafael, who served a 10-year sentence in Mexico, was turned over to US authorities in Brownsville, Texas, on Sept. 16. He was then transported to California to face charges stemming from a case in 1980 in which he allegedly sold 252 grams of cocaine to an undercover police officer. Arellano was arrested after that incident and allowed to post bail. He then fled to Mexico, where he was arrested and imprisoned (see SourceMex, 2002-10-02).

The transfer of drug traffickers and other alleged criminals to the US justice system became easier in 2001 after the Mexican high court (*Suprema Corte de Justicia de la Nacion*, SCJN) ruled that the federal government has the authority to expedite extraditions without violating the Mexican Constitution on the condition that suspects not be subject to the death penalty or a life sentence (see SourceMex, 2006-02-22).

In 2006, the SCJN eliminated a requirement that US prosecutors not seek a life sentence, easing the process even further (see SourceMex, 2006-02-22). Several US requests for extradition are pending, including that of Osiel Cardenas Guillen, leader of the Gulf cartel (see SourceMex, 2003-03-26).

President Vicente Fox, in a speech to the UN in mid-September, said the government would continue to use extradition to the US as a tool to fight drug trafficking. "We will extradite all those

who have matters pending with US justice," said the Mexican president, who acknowledged that 75,000 members of drug cartels were being held in Mexican jails.

President-elect Felipe Calderon Hinojosa, who takes office on Dec. 1, plans to follow the same policy. "Using extradition as a tool to fight drug traffickers will be honored by the president-elect," said Arturo Sarukhan, Calderon's chief foreign policy adviser.

The Arellano Felix family, which in recent years lost its dominant position in the North American drug trade to the Sinaloa and the Gulf cartels, remains an influential organization, sources said. The cartel became weaker following the arrest of Benjamin Arellano Felix, who was considered the mastermind of the operation in 2002. Another influential brother, Ramon Arellano Felix, was murdered that same year, allegedly by hit men employed by the Sinaloa cartel (see SourceMex, 2002-03-06).

Experts say the cartel may have begun to regroup under the leadership of sister Enedina and another brother, Francisco Eduardo. Other leaders are also coming from outside the family, including Gustavo Rivera Martinez, who is close to Enedina, and Jose Jorge Briceno Lopez, considered a successor to enforcer Arturo Villarreal, said Semanario Zeta.

Benjamin, still considered the brains of the cartel, continues to play a major role in cartel operations from his jail cell, said Zeta. The elder Arellano Felix managed to develop a cooperative relationship while in federal prison with Gulf cartel leader Cardenas Guillen, who was arrested in 2003.

The two cartels had united in their efforts to counter the Fox government's anti-drug initiatives and their turf battles with the Sinaloa drug organization in various parts of the country (see SourceMex, 2005-01-12). Mexican prosecutors said, however, that the relationship between the Gulf and Tijuana organizations is not as close as it was a couple of years ago. "Our intelligence sources indicate that this relationship is very much diminished," said Cabeza de Vaca. "There are no confrontations, but there are also no agreements." (Sources: Los Angeles Times, El Universal, El Economista, 08/17/06, 08/18/06; La Crisis, 08/18/06, 08/21/06; The Herald-Mexico City, 08/18/06, 08/22/06; La Cronica de Hoy, 08/22/06; Excelsior, 08/17/08, 08/18/06, 08/22/06, 08/23/06; Agencia de noticias Proceso, 08/16/06, 08/21/06, 08/22/06, 09/05/06; Associated Press, 08/17/06, 08/19/06, 09/06/06; Semanario Zeta, 08/25/06, 09/08/06; Notimex, 08/17/06, 08/31/06, 09/19/06; La Jornada, 08/17/06, 08/18/06, 08/22/06, 08/23/06, 09/06/06, 09/19/06; Reforma, 08/17/06, 08/21/06, 08/22/06, 09/07/06, 09/19/06; Reuters, 08/17/06, 09/18/06, 09/19/06; The San Diego Union-Tribune, 08/17-19/06, 08/21/06, 08/29/06, 09/20/06)

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