

9-12-2012

Questions Remain in Incident Where Mexican Federal Police Attacked U.S. Agents

Carlos Navarro

Follow this and additional works at: <https://digitalrepository.unm.edu/sourcemex>

Recommended Citation

Navarro, Carlos. "Questions Remain in Incident Where Mexican Federal Police Attacked U.S. Agents." (2012).
<https://digitalrepository.unm.edu/sourcemex/5920>

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in SourceMex by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.

Questions Remain in Incident Where Mexican Federal Police Attacked U.S. Agents

by Carlos Navarro

Category/Department: Mexico

Published: 2012-09-12

It reads like the pages of a spy novel. Officers from the Mexican federal police (Policía Federal, PF) fired shots at an automobile with diplomatic license plates, and there was major confusion as to why the shots were fired in the first place. An embarrassed federal-government official issued an apology, pledging to conduct a thorough investigation and punish those responsible.

But then the plot thickened. It turns out that the vehicle was carrying three agents from the US Central Intelligence Agency (CIA) and that the incident occurred in an area where drug traffickers are known to operate. The government released that information to correct earlier versions that suggested that the vehicle was carrying personnel from the US Drug Enforcement Administration (DEA).

Then, new revelations emerged. The Secretaría de Gobernación (SEGOB) reported that the PF were in the area because they were looking for a group of kidnappers who abducted an official from the Instituto Nacional de Antropología e Historia (INAH). But the PF was apparently not communicating with the Procuraduría General de la República (PGR), which did not know why the agents were there in the first place.

Those were the real-life events that occurred on Aug. 24 near the community of Tres Marías, on the road to Cuernavaca in Morelos state. The PF officers pursued and fired several shots at the sport utility vehicle, which had diplomatic plates, injuring the US agents and a Navy captain. The official explanation was that the men in the SUV with diplomatic plates were traveling to a military shooting range at the time the vehicle was attacked.

A US Embassy spokesperson said the injured agents were transported to the US for treatment, but their injuries were not life threatening.

Despite government explanations, many questions remain. "There are way too many questions that have not been answered. How is it that a vehicle with diplomatic plates was not recognized, even after several kilometers of pursuit?" columnist Luis Gutiérrez Esparza wrote in the Mexico City daily newspaper Excelsior. "Why did the federal police shoot at the embassy's vehicle, when it had been initially accosted by a different vehicle? What is the explanation for the 30 bullet holes in the embassy's SUV?"

The PF officers were in the area wearing civilian clothes, although they were riding in units clearly marked as official vehicles. Another question is why they did not inform the PGR about their operation. Because of this, the PF commanders in charge of the Morelos and Tlalpan districts were summoned to the PGR to offer an explanation. They acknowledged that they did not report any special operations in the zone and that they had not hired any civilian personnel to provide assistance.

Were officers seeking kidnappers?

So, were the PF officers involved in a rogue operation? "They knew who was in the vehicle, because this was not the first time that the [embassy personnel] traveled on this road, and they clearly targeted them," a high-level government official told reporters. "What we don't know is whether there was some sort of [PF] operation or whether the [SUV] was singled out because it carried foreign agents and the attack was intended to send a message."

Attorney General Marisela Morales Ibáñez said the PGR would conduct a thorough investigation, including an examination of the incident. "We want to dispel all doubts," said Morales. "This case must be resolved in a very definitive and scientific manner."

But others noted that the PF had been investigating several cases of kidnapping in the vicinity of Tres Marías and Huitzilac. "Let us not forget that Huitzilac has been a hideout for kidnappers. It has been an area where laws are not followed and a refuge for the Beltrán Leyva cartel," said Arturo Argente, director of the law department at the Instituto Tecnológico de Monterrey-Toluca Campus.

One kidnapping victim, INAH public relations director Salvador Vidal Flores Pérez, said the PF personnel who investigated his case did not strike him as drug traffickers or thugs. "These officers were friendly, qualified, and professional," said Flores. "I find it incredible that they are being labeled as criminals."

While the PGR was kept out of the loop, Interior Secretary Alejandro Poiré said he was aware that there was an anti-kidnapping operation in the area. "It is a fact that there have been several complaints about kidnappings and that there was an abduction in Tres Marías [the day before the shooting]," said Poiré, giving credence to the theory that the PF was not targeting the US agents. "I do not want to identify the victim, but the crime existed, we made it public, and we acted accordingly."

Navy Secretary Mariano Francisco Saynez also disputed the notion that the US agents might have been targeted. "Perhaps there were mistakes, but from my viewpoint, there were no bad intentions," said Saynez. "But we certainly have to review the procedures, determine where we failed, and enact the appropriate punishments."

Still, there were myriad opinions suggesting that something was wrong with the manner in which the PF acted in the case. "What happened shouldn't have happened," says Juan Salgado, a professor of judicial studies at the Centro de Investigación y Docencia Económicas (CIDE). "This shows there is an important question about the [management] of the federal police."

Eric Olson, an expert at the Woodrow Wilson Center's Mexico Institute in Washington, offered a similar opinion, suggesting that the shooting adds to further doubts about the PF and at best points to a lack of communication between Mexico's military and the police. "This seems to suggest there isn't better communication between the various elements of the Mexican government," he said. "One fundamental issue is the lack of trust."

"It's illogical to think that they [the PF] can't identify a diplomatic car," Raúl Benítez Manaut, an expert on security issues and the armed forces at the Universidad Nacional Autónoma de México (UNAM), said in an interview with The Christian Science Monitor. "This is going to be a heavy hit on the confidence the (US) Embassy has toward the federal police."

The Secretaria de Seguridad Pública (SSP) promised that the attackers would be punished. "Upon confirmation of the excessive use of force, lack of following operational protocols, and complicity in crime in the conduct of public servants, the Federal Police is the first to be interested in punishment in accord with the law," the SSP said in a statement.

Federal police involved in other controversial incidents

The PF has recently been involved in a handful of controversies. In addition to the latest incident, there was a shootout between PF officers near a busy food court at Mexico City's International Airport. Three PF members who were under investigation for trafficking cocaine from South America through the airport fired shots at fellow police officers who were about to detain them. The incident, which occurred at a busy food court in front of civilians in Terminal 2, was a major embarrassment for President Felipe Calderón and key members of his administration, including Attorney General Morales and Public Safety Secretary Genaro García Luna.

The corrupt PF members—Daniel Cruz García, Zeferino Morales Franco, and Bogard Felipe Lugo de León—escaped the scene. Lugo, who was thought to be the ringleader, was arrested in Mexico City in July, but the two others remained at large as of early September. The situation forced the PF to reassign all 348 officers working security in the airport to posts in different states.

Another case that put the PF in a bad light was the kidnapping and torture of Jorge Ferreira in 2010.

Without a warrant or arrest order, federal police invaded his home and tortured him with electric shocks to force him to confess to a crime that he had not committed. Rather than bringing him before the proper authorities to file formal charges, the PF turned him over to the México state police, which continued to torture him. "This is a clear abuse of power from a federal police force that had promised to be different in respecting human rights," columnist Leo Zuckermann wrote in the Mexico City daily newspaper *Excélsior*. "Ferreira was not only tortured in a manner that was typical of the periods of authoritarianism in our country, but he was also denied due process and his valuables were stolen by those who entered his home illegally."

In the latest case involving the shooting of the vehicle with diplomatic plates, authorities detained 12 PF officers. They were to be held for 40 days while the investigation continues, in a process known in Mexican law enforcement circles as the *arraigo*.

Mexican and US officials said they are cooperating in the investigation. "Be it from negligence, lack of training, lack of trust, complicity, these acts cannot be permitted, and they are being investigated absolutely rigorously," Calderón said in a joint press conference with US Ambassador Anthony Wayne.

But some wondered why Public Safety Secretary García Luna had remained silent on this issue. "What is García Luna hiding?" asked syndicated columnist Ricardo Alemán. "He should have been there at the press conference conducted by President Felipe Calderón and US Ambassador Anthony Wayne? Could the rumors be true that he has been fired?" As of mid-September, García Luna remained on the job.

Critics question presence of CIA agents in Mexico

But the presence of CIA employees, and indeed any US operatives, on Mexican soil has long been a subject of controversy in Mexico. "What is it that the CIA agents were really doing? No one knows," columnist Raymundo Riva Palacio wrote in *24 Horas*. "The argument that they were

supervising and training a shooting exercise, which is the Navy's version, is weak. US sources say the CIA employees are part of a larger scheme in which the agency operates 55 secret bases in Mexico and trains special forces of the Navy against drug traffickers, guerrillas, and terrorists."

Riva Palacio noted that the CIA operations might have unintentionally come to light because of the kidnapping of Salvador Vidal Flores. "The person who was abducted and later released without the payment of a ransom said he was transported in a vehicle similar to the one that carried the CIA employees," said the columnist.

Other controversies emerged from this case. Enrique Rusty Mondragón, one of the three lawyers representing the 12 PF officers, said their clients were not being allowed due process. "According to our laws, any accused person has the right to receive assistance from a defense attorney, but they did not allow me to do so," said Mondragón. "I was with my clients when they made their initial declaration, but after that, I was not allowed any contact with them."

Mondragón said a group of US Embassy personnel has been allowed to participate in the investigation, while he was being excluded. "This is pretty hard because they are closing the doors to us when we have every right to defend them," said the attorney.

Mondragón questioned why US personnel were being allowed to participate in the interrogations in the first place, which is a blatant violation of Mexico's sovereignty. He said authorities showed him a document with his forged signature that supposedly authorized the involvement of US Embassy officials in the questioning process. "This is a document that I had declined to sign," said the attorney.

-- End --