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While Mexican courts are sorting legal issues related to the extradition of Sinaloa cartel leader Joaquín “El Chapo” Guzmán Loera, another top lieutenant of the same drug-trafficking organization, Jesús Héctor Palma Salazar, also known as “El Güero,” completed a prison sentence in the US and was turned over to Mexican authorities.

In May, Mexican federal courts issued two rulings that opened the door for Guzmán Loera to be sent to the US to face trial (SourceMex, May 18, 2016). However, the legal team for the drug capo filed an appeal against the decision by the foreign ministry (Secretaría de Relaciones Exteriores, SRE) to approve the extradition. Guzmán Loera’s lawyers argued that the extradition is unconstitutional, which could mean that the matter would eventually end up in the hands of the Suprema Corte de Justicia de la Nación (Mexico’s high court, SCJN), said José Luis González Meza, one of the lawyers.

The legal challenge also means that Guzmán Loera’s extradition will probably be delayed further, especially if an opinion from the SCJN is required. Guzmán Loera is facing a variety of charges in a handful of US jurisdictions, including trafficking of cocaine, organized crime, money laundering, racketeering, homicide, and illegal possession of firearms.

There are other legal issues surrounding Guzmán Loera, including a dispute on whether the drug capo should be paid royalties for an upcoming series that is based on his life. The US networks Netflix and Univisión announced in May plans to collaborate on the production of the series called “El Chapo,” which is set to air in 2017. “If they air this [show], they are immediately going to be sued,” attorney Andrés Granados told the Associated Press. “They need the authorization of Mr. Guzman, because he is not dead.”

According to Granados, Guzmán Loera’s legal team is willing to negotiate with Netflix and Univisión on the royalties.

In another matter that affects Guzmán Loera indirectly, Mexico’s Chamber of Deputies has stripped immunity from Deputy Lucero Guadalupe Sánchez López, a politician from the center-right Partido Acción Nacional (PAN). There are allegations that Sánchez López had direct connections, and possibly a romantic liaison, with the drug capo and possibly assisted with his escape from El Altiplano federal prison in July 2015 (SourceMex, July 15, 2015). Guzmán Loera was eventually recaptured in January 2016 (SourceMex, Jan. 20, 2016).

According to the attorney general’s office (Procuraduría General de la República, PGR) Sánchez López visited Guzmán Loera while he was at El Altiplano. She is alleged to have entered the prison using false identification.

In testimony before a committee of the lower house, Arturo Ruiz Toribio, an investigator for the Ministerio Público de la Federación, an investigative unit of the PGR, said authorities also found the legislator’s driver’s license in a vehicle parked inside the last safe house Guzmán Loera occupied.
before his recapture. Sánchez López, who represents a district in Sinaloa in the lower house, has denied any connection to Guzmán Loera.

Under the Mexican Constitution, legislators holding office cannot be prosecuted for criminal activity unless they are stripped of immunity. The decision by the Chamber of Deputies in mid-June to strip Sánchez López of legal protection opens the door for authorities to prosecute her if they find sufficient evidence that she collaborated with Guzmán Loera.

“El Güero” Palma returned to Mexico

As Guzmán Loera continues to fight extradition, US authorities returned Palma, considered one of the founders of the Sinaloa cartel, to Mexico in mid-June after he completed nine years of a 16-year sentence in the US on the charge of trafficking up to 50 kilograms of cocaine. Palma, who was part of the first wave of drug traffickers to be extradited to the US (SourceMex, May 16, 2007), was released from the prison in Atwater, California, because of good behavior, authorities said.

According to sources, US authorities handed over Palma to Mexican officials in the border city of Matamoros, in Tamaulipas state, just across from Brownsville, Texas. Mexican law-enforcement authorities immediately took Palma into custody on the premise that he was “probably responsible” for two murders in the western state of Nayarit. The move to arrest Palma immediately after his return to Mexican soil averted the prospect that Palma would go free in Mexico, an outcome that authorities were keen to avoid. The former drug trafficker was immediately taken to El Altiplano.

Attorney General Arely Gómez said her office did not know whether additional charges were planned against Palma. “We are in the process of carrying out an exhaustive review, checking all the prosecutors’ offices,” she said. “In some cases, the statute of limitations has run out.”

If Palma is eventually freed, experts believe he would immediately return to the drug trade. “He could try to get involved, but I don’t know how directly,” said Alejandro Hope, a former official with the government’s investigative agency (Centro de Investigación y Seguridad Nacional, CISEN).

Hope, who now works as a private security analyst, offered an alternate trajectory for Palma, who probably lost his connections and money during his time in prison. Like Rafael Caro Quintero, the last drug trafficker from the old guard to be released, Palma could disappear from the public eye.

Caro Quintero was released in 2013 from a Mexican prison because of apparent judicial misconduct (SourceMex, Aug. 14, 2013, and Oct. 14, 2015). He had served 28 years of a 40-year sentence for the kidnapping, torture, and murder of US Drug Enforcement Administration (DEA) special agent Enrique Camarena in Guadalajara in 1985. Charges were pending in the US at the time of his release. He has not been seen since.