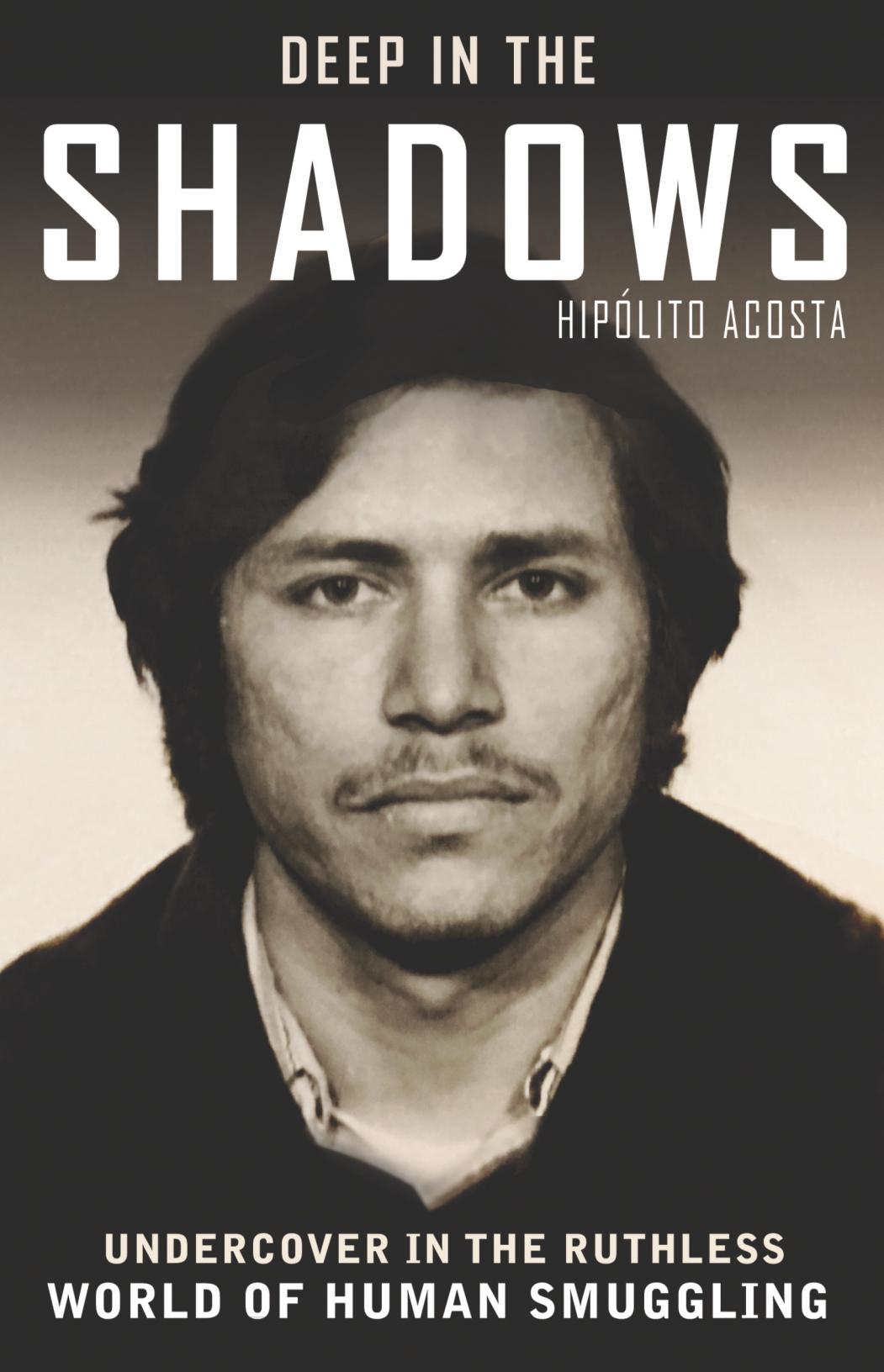


DEEP IN THE
SHADOWS



HIPÓLITO ACOSTA

**UNDERCOVER IN THE RUTHLESS
WORLD OF HUMAN SMUGGLING**

DEEP IN THE
SHADOWS

HIPOLITO ACOSTA

**UNDERCOVER IN THE RUTHLESS
WORLD OF HUMAN SMUGGLING**



Arte Público Press
Houston, Texas

Deep in the Shadows: Undercover in the Ruthless World of Human Smuggling is funded in part by grants from the City of Houston through the Houston Arts Alliance and the Texas Commission on the Arts. We are grateful for their support.

Recovering the past, creating the future

Arte Público Press
University of Houston
4902 Gulf Fwy, Bldg 19, Rm 100
Houston, Texas 77204-2004

Cover design by Michael Moore

Cataloging-in-Publication (CIP) Data for *Deep in the Shadow* is available.

♾ The paper used in this publication meets the requirements of the American National Standard for Information Sciences—Permanence of Paper for Printed Library Materials, ANSI Z39.48-1984.

Copyright © 2017 by Hípolito Acosta

Printed in the United States of America

Note to the Reader

The incidents in this book are true. The names of the criminals, dates, places and crimes committed are real. In certain cases, the names of undercover agents or informants may have been changed to protect those individuals and their families from harm by the criminal organizations whose members were imprisoned or deported due to the investigations revealed in this book.

To Terrie, my beloved, beautiful wife
and partner in our great journey.

Table of Contents

Introduction	ix
Acknowledgments	317
Chapter 1 Rendition in Nicaragua	1
Chapter 2 The Journey Begins	16
Chapter 3 Lovely Couples—Neighborhood Counterfeitors	24
Chapter 4 Castros' Castoffs	49
Chapter 5 Driver's Licenses for Sale	74
Chapter 6 An Amateur Dope Dealer Pays a Professional Price	97
Chapter 7 Operation Villasana Ciudad Juárez	112
Chapter 8 Not All Were Friends	130

Chapter 9	
Human Smuggling Ring Broken	151
Chapter 10	
River Rats and Three Smuggling Gangs	181
Chapter 11	
Two Bad Apples—No Use for Crooked Agents	202
Chapter 12	
Operation Black Rose—Columbian Gold	214
Chapter 13	
New Challenges in a Diplomatic Assignment	235
Chapter 14	
World War II Veterans—Deserving Americans	249
Chapter 15	
Back on the Border—the Southern Side	254
Chapter 16	
Killers on the Border	265
Chapter 17	
Mexico City—A New Challenge	272
Chapter 18	
Final Stop and a New Beginning—Houston	296
Appendix	309

Introduction

IN MUCH OF THE WORLD, a shadowy profession abounds —human smuggling and trafficking. The criminals who run these operations charge steep fees to move people illegally from one country to another, and more often than not, the final destination is the United States. In Spanish, these criminals are called *coyotes*, and their clients *pollos* (chickens). And they do have a predator-prey relationship. Human smugglers often mistreat, rob and rape their clients and sometimes even leave them to die, locked in vehicles or cargo containers with no food or water in freezing cold or blistering heat. For many reasons, the U.S. government would like to put a stop to this activity, and that's where I came in.

For more than thirty years, I worked as a U.S. special agent assigned to infiltrate the underworld of human smuggling and shine a light onto its shadowy dealings. Much of my work was undercover, taking on various disguises to make myself fit in with the bad guys and the people they were smuggling, gain their confidence and eventually arrest them.

Human smuggling is a multi-billion-dollar-a-year business. Millions of Asian, Middle Eastern and Hispanic immigrants, along with countless other nationalities, become commodities that are exploited, abused and coerced for profit. U.S. Immigration and Customs Enforcement (ICE) reported that in 2014, the agency removed 315,943 aliens from the United States, including 213,719 apprehended while attempting to unlawfully enter the country. Many were caught at the borders or after they entered our

country illegally. Some were held in detention centers to await deportation proceedings, yet their capture, detention and deportation has never deterred the thousands of men, women and children who continue to enter our country illegally each year.

Even if they are successful in getting past border security with the coyotes and slip into the United States undetected, there is a different class of criminals inside the country waiting to prey on these fresh arrivals: unscrupulous employers and counterfeit document vendors who, for high fees, will provide fake green cards, social security numbers, state identification cards and other documents. But it is not only the illegal aliens who pay a high price. Millions of American citizens and legal residents have their identities stolen and face the nightmare of having to straighten out credit ratings and sometimes even criminal histories they know nothing about.

I dedicated my life to government service, and from the beginning of my career, it was clear to me that I would be locked in a long battle with the criminal organizations running human smuggling operations and catering to the desperate needs of newly arrived undocumented immigrants. After four years in the Navy, I joined the U.S. Border Patrol in 1975, and worked hard not only to enforce the nation's laws, but to change the means of enforcement ever since. Bureaucracy-busting became one of my favorite sports, along with teaming up with some great agents to go after the most notorious and challenging smuggling organizations. During my career, I had an opportunity to do things other federal agents would never dream of: going undercover in foreign countries, sometimes alone and without backup; collaborating in the first-ever wiretap case by the Immigration and Naturalization Service (INS); crossing the Rio Grande River posing as an undocumented immigrant, for starters. I saw firsthand how the human-smuggling and trafficking community worked from the inside. I was accused of foreign espionage by envious fellow agents. I was in fist fights, dragged by a car, stabbed, thrown into a Mexican jail when my cover was blown, and my life was threatened on a regular basis.

As the first U.S. agent ever to infiltrate smuggling organizations in Central and South America and the Caribbean, I had to reinvent myself with a new identity with each new case, go after a different target and innovate tactics to assimilate into their criminal world. Whether playing the part of an undocumented alien being smuggled into the country in search of a better life, or acting as a ruthless smuggler in order to enter the secret world of international traffickers, I met the criminals in their own back yards and was successful in putting them in jail and deported many times. Through the investigations I led, the first of their kind in history, the U.S. government was able to bring major human smugglers to justice, including captains and crews of ships transporting hundreds of illegal aliens, some from as far away as China. Facing obstacles from within and the danger of being recognized while operating alone outside the United States, I went after targets that other agencies could not touch and took them down.

Along the way, I learned the life stories of some of the good people trying to get into our country, as well as the criminals who treated them as commodities. *Deep in the Shadows* brings together cases, chasing smuggling operations and their associated criminal activities, such as narcotics trafficking, sale of weapons, sexual slavery and counterfeiting documents. My goal is to provide the reader with an eye-opening view of the shadowy and dangerous world I infiltrated and a rare revelation of the emotions, suffering, tragedies and triumphs of those who come through America's back door seeking the American Dream.

It is an honor to share some of my experiences and accomplishments. I take tremendous pride in the opportunity I had to serve our great nation, and it is my hope that the risks and dangers I confronted as a U.S. special agent have made the country a safer place to live, even if just a little.

CHAPTER ONE

Rendition in Nicaragua

THE AIRPLANE JOLTED, banked and then began a slow descent into the dense haze of pollution and dust enveloping Managua. The sun was setting as we touched down in Nicaragua's largest city. I was in pursuit of two human smugglers who had never set foot in the United States and could not be extradited from Nicaragua. I had my work cut out for me, and I didn't really even have a plan.

Navtej Sandhu and Carlos Martínez thought they were secure and beyond the U.S. government's reach, operating their smuggling enterprise several thousand miles from our border. They kept a two-country buffer—Guatemala and Mexico—between them and the long arm of American law enforcement. Our undercover enforcement operations could only legally reach into Mexico and Canada, usually by sneaking ourselves across the border for secret meetings with our targets and then luring them into the United States for a pending transaction. Working too far from the safety zone of the U.S. border was often risky, since many countries would not allow us to work undercover. We seldom had diplomatic protection for these activities, and we also had to concern ourselves with corrupt law enforcement officials in these countries. Smugglers like Sandhu and Martínez never worried that we would be com-

ing after them in own their back yards, so I had the advantage of surprise on my side as I landed in Managua that day.

Martínez was a smuggler with dual Mexican and Salvadorean citizenship. His associate, Sandhu, was an East Indian with British citizenship. The Immigration and Naturalization Service (INS) did not have a representative at the U.S. Embassy in Managua, and it wouldn't have made any difference if we had. Human smuggling is a big business and, oftentimes, is not seen by foreign countries as their problem. In fact, it's more of a solution for Third World countries because of the high remittances sent from those that make it successfully into our country. Also, they have no incentive to arrest someone that is just passing through and assume the cost of detaining them or sending them back to where they came from.

Before I boarded the flight to Managua, I had drafted an internal cable that went to our U.S. diplomatic missions throughout Latin America to inform them that Sandhu and Martínez were still at-large and wanted by the U.S. Department of Justice. In response, Bob Bluhm, the U.S. State Department General Counsel in Nicaragua, called and said, "Poli, I read your cable, and if you're still interested in Martínez and Sandhu, come 'n' get 'em. They're here in Managua."

Bob informed me that with the help of intelligence agencies, he had learned of intercepted telephone conversations disclosing that the duo had resumed their operations in Nicaragua with the assistance of corrupt immigration officials. He went on to explain that Interpol in Nicaragua was keeping an eye on Sandhu and Martínez's activities and willing to expel them from Nicaragua if the U.S. government executed a warrant for their arrests.

This was great news!

"But . . .," he started to say. Of course, there was always a "but." But if we wanted the rendition of these two smugglers,

we had to come and get Sandhu and Martínez immediately. This was the way things worked in many Central and South American countries—you had to move fast before someone corrupt or wielded more influence learned of your plan. Once a rendition was operational, it was almost always too risky for a corrupt official to intervene because they would not risk being exposed by the U.S. government. The old saying, “a moving target is harder to hit,” had never been truer.

Our goal was to have Sandhu and Martínez expelled from Nicaragua and put them in transit to the United States, so that arrest warrants could be executed once they touched down on American soil and before they could board on another country connecting flight. It was a good plan, but there were a lot of obstacles. Just getting me to Nicaragua was a challenge. I had to find out if my old arrest warrants for Sandhu and Martínez were still valid, because there was no way I could procure new ones on such short notice. I also needed to get approval from the appropriate INS district director to bring them in through a U.S. port of entry—most probably an airport. Finally, I needed authorization from our district office in Mexico City to be able to travel to a foreign office to conduct the operation, and I had to notify INS headquarters in Washington. There was one bureaucratic level on top of another.

My administrative assistant, Amalia, immediately started work on clearing all of these obstacles. Soon, I was in route to Managua, although I had no fixed plan in mind. At no time in our agency’s history had an agent gone *into* a foreign country and brought back a human smuggler for prosecution. If I could pull it off, it would become a precedent that would change how we brought human smugglers to justice and extend our agency’s legal reach into other lands. Assistant U.S. Attorney Terry Leonard, a federal prosecutor in McAllen, had assured me there

were no legal issues to overcome if I worked with Nicaraguan officials in expelling the perps.

“You get ‘em; I’ll get their butts convicted,” he told me. Not all my calls received the same enthusiastic response. From the enforcement branch in the Office of International Affairs in Washington, D.C., I heard the following: “Are you freaking crazy? Why the hell would you go down to Nicaragua and kidnap someone?”

The reply from the acting district director in Houston was no better. “I’m not agreeing to any such thing unless I get a memo from INS headquarters.” What a condescending jerk!

Despite the bucket of cold water thrown in my face, I continued with my plans. I was doing nothing wrong, other than taking our enforcement actions to a higher level. If they thought that was wrong, then screw them.

Four hours after that call, I was on a flight from El Paso to Managua by way of Houston. I’d figure out a way other than kidnapping to bring Sandhu and Martínez into the country. There’s always someone who makes up for pessimists and in this case it was Joe Banda, INS officer-in-charge in Tegucigalpa, Honduras, whose jurisdiction included Managua.

“I’ll meet you in Managua later this evening,” he told me. “This is going to be fun!”

As my plane was making its final descent into Managua, I wondered what was in store for me. I had no choice but to trust the Nicaraguan law enforcement officials I would be working with. I had no idea what their motives were, other than sketchy information that they were assigned to Nicaraguan Interpol. I didn’t know their track record of working with the U.S. government. I would simply have to trust them until they proved themselves untrustworthy—after all, they were the ones who called and reported the information to Bob Bluhm. But what if this was a trap? I had been the one to take down another mem-

ber of Sandhu and Martínez's operation. Could they have the influence and ability to set me up in Nicaragua? I was about to find out.

I landed in Managua on November 5, 1996, the night of the U.S. presidential election. It was my job to explain my operation to John Maisto—the U.S. ambassador to Nicaragua—but he was hosting an election-night gathering that included the new president of Nicaragua. I would have to brief Ambassador Maisto during the festivities.

On the drive to the embassy, Lenny Bernier, the regional security officer, filled me in. He informed me that Nicaraguan law enforcement had Sandhu under surveillance, but they could only maintain it for a few more hours before they had to stop because of their limited resources and more pressing priorities. They knew where Martínez was but didn't have the manpower to watch both of them. That meant we would have to apprehend Sandhu immediately and get him out of the country first thing in the morning. It also meant a return trip to Nicaragua, unless I could have another officer go in my place. I was disappointed but couldn't really be upset with the Nicaraguans. Hell, I didn't even have permission from my own agency for Sandhu's and Martínez's entry into the United States, and I knew for sure that we couldn't go through Houston. I explained my little dilemma to Lenny, and he asked if Miami might be easier because American Airlines had direct flights between Managua and Miami International Airport. He was right. It would be a little out of the way, but it would have to do. Luckily, I had a friend in Florida and knew how to track him down. Bernier had reserved a room for me in Nicaragua. I used the opportunity during a brief stop to drop off my bag, shower and make a quick call to Bob Wallis, head of the Miami office.

6 Hipólito Acosta

"I have a couple of crooks I want to bring into the country. We have warrants but need to have them processed through your port of entry."

"Say no more, my friend," he said. "You got it. You don't have to explain anything. Just let the port director know you're coming in, and they'll be there for you."

That was one less thing I had to worry about as I arrived at the ambassador's party. Lenny and I walked in and found a festive mood; with the exception of the security personnel, all who worked under Lenny, no one paid much attention to us. All the guests were watching the election results on a large screen. As I meandered, I sipped a cold beer, waiting to get face time with the ambassador. The food looked good and I served myself some shrimp and other fancy snacks. I would not get a chance to see him in his office, so the briefing would have to be done in the middle of the celebration. I finally got a chance to sidle up to him. To anyone attending, it seemed like just a friendly chat between two individuals instead of a discussion on the operation about to go down. Ambassador Maisto was congenial and listened intently as I explained what our case was about and what we proposed to do. The conversation lasted no longer than ten minutes. Once we finished talking, Ambassador Maisto wished me good luck in what I thought was a very sincere tone, shook my hand and went to attend to his other guests.

As I turned to leave, the party was still in full swing. The new president of Nicaragua joined the rest of the lively crowd in the celebration of U.S. democracy in action, as President Bill Clinton was reelected. Shortly after I stepped outside the ambassador's mansion, the driver assigned to take me to meet with the Interpol agents out in the field arrived to pick me up. It was showtime.

Half an hour later I jumped into another vehicle, this one driven by someone from Interpol. I would have preferred to

keep the embassy driver, but he couldn't be on an operation like this. Instinctively, my guard went up as I sized up my new driver. He was not one of ours. The driver's instructions were to take me to the house where Sandhu was being watched. He did just that, avoiding conversation other than the greetings we exchanged when we first met. I was operating in a foreign country without a weapon, backup or radio contact to my team; riding in a car driven by someone I didn't know; heading to an unknown place in a city where I'd never been. My life was in their hands. I tried making small talk with the driver, trying to keep my bearings as we wheeled through narrow streets past gritty stoops and rundown storefronts. The driver stopped the car at a dimly lit street corner. I was halfway introduced to one of the leaders of Nicaragua's Interpol. I say halfway because I gave him my name, but he never gave me his, although we did shake hands. His firm and direct manner of speaking made me feel more at ease. There was no doubt he was in charge of the operation. The officer explained that Sandhu was inside a non-descript house nearby, and his agents were about to go in and get him. When I asked if I could accompany the team on the raid, he said very respectfully that I could not. He was also clear on what they expected. They would arrest Sandhu now, but I had to get him out of the country by the next morning; otherwise there was a possibility Sandhu would receive assistance from corrupt immigration officials or get some type of judicial order releasing him from custody. I assured him that I had every intention of getting both Sandhu and myself out of the country as soon as possible.

"You get him. I will do my part," I said.

The entry into the house went smoother than I had anticipated. Navtej Sandhu was not surprised by the late evening intrusion from the Nicaraguan officials. He had operated throughout Latin America for several years and knew that

unannounced visits from corrupt officials were just part of doing business. Once the right person was paid off, this little inconvenience would all be forgotten.

Sandhu had been relaxing at the residence when agents knocked on the door and entered. They did not ask permission, and he did not try to stop them. He simply asked what the problem was, but never got an answer as the agents grabbed him and forcefully escorted him out of the house. Sandhu, a tall, lean East Indian, was neatly dressed and wearing a turban. He was polite while being taken into custody. From his turban, I could tell he was Sikh, a monotheistic religion centered in the Punjab region of South Asia. Sikhs are forbidden to cut their hair and, thus, keep it tucked away inside their turbans. Sandhu displayed no fear, obviously believing it was a normal shake-down and that he would be released in a few hours once the appropriate bribes were paid. This was a dangerous possibility, much more so once the Interpol agents turned him over to Nicaraguan immigration officials at the airport for safekeeping until morning. There would be no sleep for me that night. I was determined to keep a close watch on Sandhu and not let him slip out of custody to freedom if I could do anything to stop it.

Sandhu's disposition changed once we arrived at the airport. He no longer knew what was going on. He demanded the guards call the Nicaraguan Director of Immigration on his behalf, but it was to no avail. They ignored him and pretended they didn't know what he was talking about. But I think we all knew.

I stayed close to the group at the airport, but we kept the conversation at a minimum. The airport was pretty deserted. All the flights for the day had already come and gone. A few workers were mopping floors and shopkeepers were closing their stores. It was eerily quiet.

Joe Banda had arrived during the time I had been out with the Interpol guys and had gone directly to the hotel to wait for

me. I needed to brief him on what my plans were. The arrest of Sandhu had gone without a hitch and my confidence was growing that we would be able to get him out.

The hotel was about twenty minutes away and with everything seemingly in good shape, I went back and rested for a couple of hours. I later returned with Joe Banda to continue the vigil. Joe and I were relieved when American Airlines personnel arrived at five o'clock that morning, along with two Interpol agents who had returned to the airport to assist us, although probably also to make sure we left the country. Following my call to Director Bob Wallis, the officer at the Miami port of entry notified the airlines that Sandhu could board without a visa. This was important because an airline typically will not board anyone without sufficient documentation—passports and visas. If someone slips through the cracks, the airline is subject to fines and may have to transport the passenger back to his point of origin at the airline's expense. We had Sandhu's passport but no U.S. visa. He would not have been allowed to board without Miami INS concurrence. Wallis had come through.

I had not yet received a response from our district office to my request for coverage of transportation expenses for Sandhu, but I didn't let that deter me. I went ahead and used my American Express card to purchase Sandhu's ticket, rolling the dice that the expense would be approved by the time the bill came due. With the Interpol agents at my side, I informed the airline personnel that I wanted to pre-board Sandhu at least one hour before anybody else got on the plane. I wanted him out of the airport and seated inside the U.S. carrier as soon as possible. Once he boarded the flight, it was the legal equivalent of him being on U.S. terra firma.

I wish we had smart phones in those days. I'd give anything to have a picture of Sandhu as he was escorted onto the tarmac

and saw the American Airlines logo on the plane. The look of panic on his face was priceless.

“Why am I being placed on that airplane? I have no desire to leave Nicaragua or go to the United States. Please call the immigration director,” Sandhu insisted.

“You will get your ass on that airplane if you know what’s good for you,” one of the Interpol agents told him in perfect English. Sandhu got the message and, with obvious resignation, started climbing up the stairs to the plane’s open door. Joe Banda and I followed closely behind him onto the plane.

At my request, the airline had reserved for us the two rear right rows of the plane. I made sure Sandhu was seated by the window. I took the aisle seat and left the middle seat open. Joe sat directly behind Sandhu, in easy reach in case there was going to be any trouble. I really wanted to ask Sandhu what was going through his mind, but I had not yet identified myself to him and didn’t want to risk creating a scene and having the pilot order him off the airplane. Our little chat would have to wait until we got to Miami.

I counted the seconds until take-off. That this operation was a first for the INS was not lost on me. My main concerns were that Sandhu not start a scene and that the Nicaraguan agents not return to the plane and tell us they had changed their minds. Both were real possibilities and could shut down our operation before our plane pulled away from the terminal. It seemed like a long wait, but the early-morning flight began to fill with travelers. The chatter and excitement of the other passengers as they got on the plane eased my anxieties. I finally relaxed as the pilot announced to the crew that we were ready for takeoff. We began rolling down the runway and finally lifted off the ground, breaking through the haze of pollution that blanketed Managua and into blue November skies.

I shouldn't have let down my guard. I was in for another scare during our two-hour trip to Miami.

"Ladies and gentlemen, this is the captain speaking," came the voice through the intercom. "We have great visibility. You can actually see Cuba on your distant right." Most everyone on the right side of the plane looked out the window. Not Sandhu! He got up and asked me to let him pass because he had to go to the bathroom. *No reason not to*, I thought.

Minutes passed, and Sandhu did not come out of the bathroom. *Holy crap!* That's when I realized no one had bothered to frisk him for weapons before we got on the plane, and he could easily have hidden something in his turban or anywhere else on his person. My mind started racing with all kinds of possibilities. *What would he do? How would I react? If he had a weapon, whom would he go after first?* I knew he suspected I was an agent. I had climbed aboard the airplane before any of the other passengers and, although we tried to pretend I was just another passenger, it was pretty obvious what Joe and I were doing there. Sandhu was no fool.

I decided not to wait. I went into the galley of the airplane and stood right next to the bathroom door. I was determined that if he came out with a weapon, I would take him down physically. The minutes stretched. The bastard had been in there for over half an hour. I was almost ready to kick the door in, when he finally stepped out and calmly walked back to his seat. I stayed a few minutes longer, pretending I was waiting to use the bathroom but keeping my eyes on him. Finally, I settled into my seat again and he spoke to me for the first time.

"Sir, can you please ask the attendant to get me a beer when she goes by?"

"Certainly," I replied and returned his look. He seemed serene, at peace with himself. He knew the jig was up.