THE HUNT FOR MAAN SINGH

Hipólito Acosta A. J. Irwin

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—*El Paso Times*

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Hipolito Acosta A.J. Irwin

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Dedication

I dedicate this book to my parents, Andy and Maxine, who loved me unconditionally, even during the difficult times. They raised me to value family, so additionally to my brothers, Dan and Sid; my sisters, Janna and Kelly; and lastly to my two wonderful, kids Drew and Alicia.

—A. J. Irwin

I proudly dedicate this book to my sister, Minnie Acosta Hartnett, and my brother-in-law, Dick Hartnett. Your unwavering support and sacrifice for our entire family has meant the world to me. You have been great role models and examples for all of us. You have always been there for us and, for that, we are all eternally grateful.

To my ever lovely wife, Terrie, whose support, faith and encouragement have always been there for me, and to my wonderful children, Gabe, Keith, Michelle and David. I am truly blessed.

—Hipólito M. Acosta

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Note from the Authors

We have chosen to avoid the first-person pronouns “I” and “We” in order to make our story more readable and less egocentric. We beg your indulgence.

Also, we have changed the names of various people who appear in our story and played prominent roles in our adventures, or misadventures, to protect them (and us).

In Memory

Carlos Martínez, aka Babaco, was a man of a conflicting history who chose to join our team on this case and many that followed. He was equally gifted in the roles of smuggler and agent of the U.S. government, walking that thin line like a circus performer. Carlos' willingness to expose himself to and infiltrate ruthless smuggling organizations at extreme risk to himself with little or no backup, while always protecting us in faraway places, was unique and invaluable. Carlos would have been killed for his participation in this case, if not extracted from Ecuador with his wife and one-week-old daughter. He did what was asked of him and had earned his shot at the American Dream, yet he willingly continued to assist the U.S. government in the dismantling of numerous significant smuggling organizations throughout Latin America. Sadly, he never realized the dream for his family of a legal immigration status. The best anti-smuggling operation ever implemented by the Department of Justice was partially due to having the best informant. Go with God and rest in peace, our friend, our colleague.

Margarita Fernández reclined her seat and relaxed on her Copa Airlines flight from Quito, Ecuador, to Panama City. A budding romance was awaiting her, as well as interesting business prospects. Her boutique specializing in East Indian women's wear was thriving, as well as her behind-the-scenes arrangement with her backer, Naranjan Maan Singh. An international player who was now thriving in moving people across borders, Singh had set her up as a front to his human trafficking business. After landing in one of the Hemisphere's centers for capital refuge, Margarita deplaned with high hopes and headed straight for the ladies room to refresh her makeup. "Andrés," whom she had only met through extended phone conversations regarding the human smuggling pipeline she had more and more become involved in, sounded like a nice guy, if there was such a thing in that illicit trade. They had agreed to meet in person and take it from there.

She emerged from the ladies room full of expectations of being picked up by "Andrés" at baggage claim. From there, hopefully, it would be on to a sweet weekend with "Andrés" in a city that knew how to party.

She exited the powder room, looking around expectantly, practically bouncing with excitement, when suddenly she was grabbed by two very tall and muscular Anglo women. A tall white American and broad Latina, each one latched onto an arm and began dragging her forward. With no explanation and no warning, the women shoved Margarita into a small office marked Migración. There, a short uniformed Panamanian immigration officer pointed to a chair, and the

two Amazons pushed her down into the seat. After about forty-five minutes of silence, the women pulled her up and shoved her out the door and down through the terminal and out on to the tarmac, where a twin engine plane awaited.

Margarita Fernández was headed to Houston and a nightmare, instead of a romantic weekend in Panama City.

CHAPTER 1

Hipólito "Poli" Acosta was the officer in charge of the U.S. Immigration and Naturalization office at the U.S. Consulate in Monterrey, Mexico. Poli kicked off his shoes, leaned back in his reclining chair and contemplated the plaque-festooned wall in front of him. His eyes scanned over to a photo of himself in an Afro from his undercover days, and he smiled to himself. He had come a long way from Presidio, Texas, located on the Mexican border, that would become a substantial part of his identity and his profession. Crossing the Rio Grande back and forth practically his whole life accounted for his double cultural perspective and his 100% fluency in English and Spanish. Raised in a rural, arid setting with twelve siblings, he did not learn English until he attended the local three-room school in Redford, seventy-five miles from the school district headquarters in Marfa. His early years were characterized by following the crops with his family, to pick cotton, onions, cucumbers and cantaloupe, whatever was in season. Somehow, he fell in love with reading and became a young nerd, and suffered for it as bullies pushed him around. After high school, he headed for California and worked a variety of jobs as a laborer, and then signed up for a four-year tour with the U.S. Navy, part of which was served on an aircraft carrier in the western Pacific. Back home again, he started college and got

married to Terrie, his hometown sweetheart, but ended up joining the Border Patrol rather than obtaining a degree. But Poli yearned for more exciting work than tracking aliens across the desert, checking traffic on the two-lane road between Presidio and Marfa and checking trains in Valentine, Texas. The day he was involved in stopping a smuggling load and making a criminal case against the smugglers, he realized that he would have to transfer somewhere else to get into the more exciting and promising work of interdicting smugglers. When criminal investigator positions in the Chicago district were announced, he threw his name in and was selected. The rest, as the saying goes, is history. From the beginning, he worked undercover on major cases that not only resulted in a reputation for street smarts and daring, but also won him the right to choose to work on whatever cases interested him. Along the way, he picked up numerous awards, including the Newton-Azrak Award, the highest recognition given by the U.S. Border Patrol.

The phone buzzed. It was Jerry "Jake" Jacobson, the Assistant Regional Director for Investigations. The INS assistants had assistants, and *they* had assistants. But Jake was really the top dog in the area.

"Man, have I got something good for you."

"Oh, shit, Jake, what are ya gonna get me into this time?"

"Look, we've got a huge smuggling operation that involves Pakistanis, Indians and Middle Easterners, maybe even terrorists. I really need your help for foreign operations . . . 'cause the big guys are based outside the country. They're crossing the aliens on foot and then sending them out to cities unknown all over the United States *by air*."

"No!"

"Yep, they're flying out of McAllen, and from there to who knows where. So I need you to come up to a meeting at the McAllen Border Patrol Sector Headquarters. We'll touch base with the anti-smuggling unit and the chief patrol agent and his staff. We gotta get the whole unit onboard. Yeah, they're coming in through McAllen like water through a sieve."

"I'm on it," said Poli, trying not to show how much he wanted to get from behind his desk and back into the field.

"Good, I'll send you the details."

Chief Patrol Agent Joe Garza came in holding a cup of coffee and headed for the conference room at sector headquarters in McAllen. Stars on his epaulets, his leather and brass all shiny, he knew something big was up. Jake Jacobson stood front and center, dressed as dapper as a Chicago mobster. The supervisor of anti-smuggling wore Wrangler jeans and snakeskin cowboy boots—he was a local boy. A few others had assembled when Poli arrived after his two-and-a-half hour drive up from Monterrey.

"Okay, everybody, can we start now?" Jake was chomping at the bit, impatient to light a fire under these people. "Look, this is what's happening. We have a potentially huge smuggling operation that's bringing in Middle Easterners and possibly the 'T' word. And it's happening right here."

Everyone took a deep breath when Jacobson mentioned the possible terrorist connection.

"McAllen will lead the stateside investigation," Jake continued. "Poli Acosta from Monterrey will run the foreign operation side and I'll coordinate from the regional office. We're gonna get this designated as a multi-jurisdictional task force investigation. Yeah, this is gonna be a fuckin' multi-jurisdictional!"

"Sounds like a plan," said the supervisor as he eyed Acosta warily.

Poli Acosta was a legend in the agency for his undercover exploits and busting the biggest human smuggling cases in history. He seemed tireless, time did not matter, but he also had a reputation as overly demanding and, when agents found excuses to not pursue difficult investigations, he simply took over and got it done the right way.

Poli echoed to himself, "Let's get it on," but was aware that many agents got their commendations for fishing people out of the

river and sending them back to Mexico. Nothing was easier than sitting around and bullshitting, then going out for the evening's catch.

Hunched over and supporting himself at the head of the conference table, Jake finished off saying, "Look people, instead of taking down local *coyotes*, we're gonna take down an entire smuggling organization . . . let's call it a cell. Once we identify the operation, we're not gonna take it down. Don't get antsy. We're gonna follow the groups up to the delivery point, with the ultimate objective of identifying everyone . . . from the point of origin all the way to the end . . . including businesses and relatives who pay the huge smuggling fees that, I understand, can be up to $30,000 per head."

It didn't take long for the substation in Brownsville to catch a load of Indians and Pakistanis crossing the border. Special Agent Enrique Flores went into action and flipped one of the *coyotes*. Now, a sleazebag named Juan Pérez would be working for the INS. Pérez guided the aliens to the Best Western Inn, where they regularly paid off the clerks. Pérez interviewed the aliens, finding out their routes and ultimate destinations, and the government agents got an earful. But this was only secondary to his actually collecting the passports and money and allowing the agents to copy the documents. The agents then ran the names on the passports through the databases to make sure the aliens were not on terrorist lists—if so, they'd be taken down immediately. Also, the passport copies would allow the agents to track down the aliens in the future, because there'd be no free passes as a result of this undercover operation. Plus, they'd need these aliens to testify in any eventual case, and the smuggling fees would come to play at court in tying the aliens to the smugglers.

Enrique Flores and his crew had spent time training Pérez on how to elicit important information from the aliens. It was important for them to reveal their contacts and experiences along the route they had taken to get them to the U.S. border. Pérez's conversations with the aliens were being recorded. Despite the agents' interest in shutting down a local operation, one name of someone beyond the bor-

der was repeated on the lips of the aliens: Maan Singh. McAllen Border Patrol had never heard that name and was not interested in following this lead. They wanted to interdict and take down the local operation, feel good about it and get back to business as usual.

But Jake Jacobson, back in Dallas, had read the McAllen reports and had the geeks of Regional Intelligence research the names that came up, including that of Maan Singh. All the intelligence had been condensed into a 35-page report on human trafficking from India. It estimated that seventy-five percent of the Indians entering illegally through the southern border were attributable to Maan Singh.

When Jake finished reading the report, he blurted out, "Holy shit! He's the godfather of alien smuggling from South Asia!" It was obvious to Jacobson that the intelligence community, including the CIA, was aware that a big boy in human smuggling was a guy named Maan Singh. The higher ups in intelligence knew it, but that info had never gotten down to the people on the ground. Therein lay the danger to our country: as in the 9/11 snafu, there was no intelligence sharing. If Maan Singh had decided to smuggle in terrorists, he would have been successful, because he only cared about one thing: the fees he collected, regardless of the intent of his individual clients.

McAllen had unleashed a monster it would not be able to control.

Jacobson was ready and empowered. The 1996 Omnibus Crime Bill had, for the first time in history, allowed the INS to conduct wiretaps and implement money laundering investigations under the Racketeering Influenced and Corrupt Organizations Act (RICO). Being a forward thinker, he pulled in his team of agents to Dallas, Texas, from border stations, foreign operations and interior INS offices. Jacobson assembled some fifteen agents in the conference room of the regional headquarters. He briefed the crowd and proceeded to facilitate brainstorming. He asked what each group present could contribute to investigating the smuggling bases outside the United States and eventually prosecuting the leaders back in the U.S.

of A. Setting up an undercover operation outside our borders was essential.

All had something to say, but a lower-ranking journeyman agent, A. J. Irwin from Dallas, was selected to facilitate the operation; he was to be a gofer attending to details, especially those that the local guys in McAllen would not attend to.

A. J. came from tough stock. Raised in southern California by an Anglo civil servant and a Mexican mother who'd been a migrant worker, he had that bicultural perspective on life in the Southwest. He had law-enforcement in his blood, having followed his father into police work and eventually into the Border Patrol. Somewhat short and muscular, A. J. had been a skinny but indomitable tackle and linebacker in high school football and had also scouted for farm league baseball, but had repeatedly been sidelined because of fighting and other scrapes. From his very first days as a cop in Georgia, he had worked undercover, back then getting the goods on drug dealers at industrial sites, and that involved wiretaps, disguises and cultivating informants. With his mixed heritage, A. J. was frequently mistaken for a Puerto Rican because of his light skin and referred to as "Chico," but his Spanish was definitely tinged with Mexican dialect. While posted in the Oklahoma City office, he was the lead in busting the local drug distribution cell for the Juárez Cartel, and that is what got A. J. transferred to Dallas: the cartel had put out a hit on him. Along the way, A. J. became a crack writer of reports with well-drafted narratives rich in details and covering the salient legal issues. All of these talents would be tapped during the next months in the hunt for Maan Singh.

Poli was coming in and out of the meeting, his time split between this and another operation he was running. He, nevertheless, was there long enough to pledge, as a senior agent with years of experience, "Jake, you can count on me for the foreign operation. I'll do whatever it takes: doing undercover work, overseeing the operation outside the States . . . "

Jim Rayburn from Washington State said, "I've got an informant who deals with Maan Singh . . . he can even phone him . . . any time.

And he can make a personal introduction for Poli." But Rayburn refused to divulge the informant's name or any of the details: who, where, what . . .

Joe de la Cruz, who would later be transferred to McAllen from Laredo to head up the anti-smuggling unit in McAllen, was invited to join because a number of smuggled loads had been moved through Laredo. The plan was to run what was now known as "Operation Featherless" because the INS would clip the wings of air smuggling operations through McAllen.

Joe stood up and announced, "I don't have to listen to this shit. I've got a plane to catch." As he headed for the door, he dropped a bomb: "This agency doesn't have the knowledge or the maturity or the horses to conduct wiretaps. We should refer the case to the FBI." That was a dirty word for these INS agents: *FBI!* No way!

It was A. J. who spoke up first, "Wait a minute . . . "

Joe ignored him and kept walking toward the door.

Again A. J., this time shouting, "Hey, wait! You don't know what the fuck you're talking about!"

Joe turned towards A. J., bracing himself for a fight.

"I've worked many wiretaps . . . ," shouted A. J., "as police officer and as an agent."

"You don't know what the fuck you're talking about. If you continue to bark at me like this, I'll kick your ass."

"Yeah? Well, let's take it outside, and we'll see who does the ass-kickin.'"

Then Poli and a few others sprang to their feet and restrained A. J. and shoved Joe outside and escorted him to the parking lot, where he called over his shoulder as he headed for his car, "I'll be back, motherfuckers."

Back inside, Poli asked the group, "Is there anyone else who feels that way?"

When no one answered, Poli said, "Let's get back to work."

After that inauspicious beginning, which was a harbinger of conflicts to come, planning proceeded on "Operation Featherless." The outcome was that a next meeting would be held in McAllen with the

previously unidentified confidential informant. Poli was to come in and meet him.

A. J. was enjoying happy hour at the Best Western Hotel, where the interview would take place the next morning. He could not help but notice a turbaned Indian-looking fellow talking up the girls at the bar. A. J. heard him identify himself to the young ladies as an anti-smuggling agent and that he was in McAllen to work on a major undercover operation. This was unseemly to A. J. on a couple of accounts. First, it was a serious violation of protocol to have a C. I. stay at the same hotel as the agents. Also, why in the world was this dude broadcasting what was supposed to be a secret?

Later that evening, A. J. reported the break in protocol to his boss, Bill Harrington.

Bill replied, "Don't make a big deal out of it, A. J. This is not our case. We're just here to support them."

"But this is dangerous, Bill. How can we put Poli in this position?"

After some convincing, Bill concluded, "I knew coming down here with you was gonna be a bombshell. Do what you think is right, but I'm not gonna have anything to do with it." Bill finished his drink and went to his room.

A. J. decided to go to the front lobby and wait for Poli to arrive.

After about forty-five minutes, Poli came in, and A. J. approached him.

"Hey, Poli, you might not remember me, but I was in the Dallas meeting."

"Oh, I know who you are. How ya doin'?"

"We need to talk."

"Okay, what's up?" Poli said as they headed for the bar.

"This C. I. . . . he's gonna get you killed."

"What d'you mean?"

"Last night the C. I. was running his mouth . . . like real loud . . . at the bar about a heavy operation coming down . . . and that he was an agent. Plus, all day I've been hearing about how this guy's been heading up a counterfeit document ring. He's been providing the

documents for Indians smuggled in through Tijuana. Our agent in Spokane, who's been running this guy, thinks just because he's so good at printing documents that those smuggled by Maan Singh use . . . that he can introduce you to the Maan. But they've said today that this guy *has never even met Maan Singh*. Man, you're gonna be hung out to dry. There's no way you should gamble your life on this guy's credibility."

Some quiet set in after they were served their beers and each took a swig. Poli was digesting the unfortunate report from A. J.

Finally, Poli broke the silence. "I believe you, man. I'm not going through with it. Thanks for the info. You might have saved my skin."

The meeting of the agents that had been waiting for Poli broke up and they found Poli and A. J. at the bar. They ordered beers and asked Poli when he had arrived.

Poli turned to them and said, "I don't care what you've planned, guys, but you're gonna get that C. I. out of here. This is a shit plan and it's over."

Most of the agents looked at A. J. and understood where Poli was coming from, but Rayburn was disgusted and announced, "Then I'm outta here, too."

That was the end of the McAllen meeting, but the beginning of long and tight friendship for A. J. and Poli. And that's when the hunt for Mann Singh really began.