

69.

Co This year, I believe.

C This year?

Co I believe ~~that's right~~ so.

P That was with regard to what allegation? The 29 pound deal.

Co No -- no that occurred in 73. I know that.

P What one are we talking about?

Co This one where he gave part of the purchases of heroin to the guy that brought him into the connection.

P Oh, I see.

Co As payment.

P Ok.

C Actually gave the informant part of --

Co It wasn't the informant. It was a kind of unwitting informant.

That brought him in. there's so god-damned much stuff.

P Will how long have you been gone from El Paso, here, Jack?

Co I left November 4th, 73. And I've tried to stay away from these people as much as possible. I--I'll tell you one that happened in San Antonio. You're familiar with it too. That Rudy Ingersall case. You remember that dentist there -- 73 -- before the merger. And I was still with Customs and --

C I do remember a case on a dentist, I believe.

Co Didn't we have -- didn't we -- conference in Judge Sessions office and talking -- we had -- oh -- Vanderloo and a whole bunch of ATF people, we were talking about a lot of stuff we'd dug up in our investigation that was a kind of shotgun -- every agency had a shot at the damned thing. Seems it was in April, ^{or May} 73. I know once you were called in on. But, any way, in that particular case there was a contact put out on Ingersall. And before we had started into the investigation too ~~deep~~ deep, we went to BN and asked if they had anything they were doing on these people, Ingersoll, Jim Dement, guy named _____ a ~~whole~~ whole lot -- Jack Hanratty. They said no, didn't have anything. Not a god damned thing. And -- ah -- turned out they did. They had a guy named Johnny Castillo that was an informant of theirs that had been approached by Boyd Beck and Bobby Ray Irwin to kill Ingersoll. They knew this all the time and we found out about it through a completely different source. That there was a contract on him. We didn't take a chance. We sent the

Co guy up to Dallas. Put him in a hotel up there. And the guy made a mistake and called a broad that he knew in Dallas -- but, anyway, Castillo ends up in Lake Lakemeyer, deader than hell. And Castillo was an informant that had just got through working some cases in Detroit. He had just come back into town. So, we were sure, you know, that they were setting on all this god damned information for themselves. And, you know, what else. Which could have been disasterous for us if we hadn't lucked out and got our own piece of information. It was disasterous for one man. And I -- I think stuff like that. I can't see the sense in it. ^{But that's} ~~xxxxxxx~~ about it its in ~~xxxxxxx~~ the files in San Antonio. Very well documented. They had me write that up after Castillo was found and we got the whole story. Well, boy. Then, in Mexico, I worked with a guy a very short period of time, two or three weeks. He came down to take the place of somebody who'd gotten run off by Arpio. His name was ~~Frank Guzman~~. He came out of New York to Mexico City. Got in some trouble down there and got bounced out of Mexico. And he was sent to New Orleans. He got sent out of New Orleans to Nashville, Tennessee. All right. ~~Frank~~ supposedly developed a conspiracy case on a guy by the name of Lee Chagra and a whole lot of other people -- 45 of them. Well, Frank came out here before I got back into Customs. And he said, you know you have been working on a guy named Tim O'Shay. I said yeah, I have. And he said I understand you've got some tapes, tape recorded stuff he gave you on all these people. I said yeah, he did, but he ~~xxxxx~~ gave it to us with the understanding that it wouldn't be used unless he got granted immunity. Now at that time, Bill Sessions and I worked together on that thing. Sessions and I went over to Uvalde where I had him in jail and we talked to the guy and it was all explained to him. ~~xxxx~~ Even though we couldn't give him immunity, we wouldn't use the tapes. Gentlemen's agreement - that he would go ahead and tell us but we were waiting for an answer out of Justice which we never got. But I had the tapes. But being that I was no longer really in control of anything while I was with DEA, those tapes ended up in the hands of Frank Guzman, and I don't know where they are now. They ended up with Guzman. Guzman asked me to take him out to -- to -- ah -- talk to Shea. I told him yeah, I'd do that. I'd take him out there and

Co introduce him and give him the pitch but it was up to him if he wanted to cooperate. You know, I would ~~just~~ just make the introduction, and that's it. And they went out there on their own. Guzman and some other people who I don't know who they are. They came down in an operation they called Sand Storm that they were working on _____ . Anyway, they insisted that Shea cooperate and they were threatening to take him and the ~~xxx~~ tapes and everything to a grand jury. And give the tapes to _____. Well, he was concerned and he called me, and I got concerned. I called Bill Sessions who was still U. S. Attorney in San Antonio. He ~~xxxxxx~~ assured me and Shea and everybody that the agreement still held. ~~But the next thing happened, Frank Guzman got bought. Now they know that he took \$10,000 from a lawyer in the case and they think \$33,000.~~ Now I got some information and I don't really want to say right now, but I understand ^{Buddy} Brother & Chagra and some of these other people around here paid into the kitty to buy the singer. He was putting out the word, you know, not to everybody but I mean a certain few that it was in _____. We thought with the courts but it was better than that. It went right straight to the agent and and they ain't never done nothing about that. They just fired the guy, but they should have pursued that god damned thing because I think most of that originated right out here while he was here. He was here a long time working on a case.

C What was ~~xxxxxxx~~ Guzman's position?

Co Special Agent, DEA. At that time DEA, formerly BNDD, formerly FBN. He had been around a while.

P When was he fired?

Co Not long ago, just a few months ago. So that's a matter of record with --

P ~~And he was the case agent on the Chagra case?~~

Co Yeah, god damned sure was. Sure was.

C ~~And you mentioned that there was evidence that he had received at least \$10,000?~~

Co Right. They had -- I don't know they got it, but they had a scrap of paper that said IOU \$10,000 and signed Frank Guzman you _____. But that was just a loan, but the word is ~~RRX~~ --

72.

C Who was that supposed to have been from? Who'd he get the money from.

Co One of the other lawyers in the case, I think, in Nashville.

But the word among the _____ ^{word was} talking the _____ easing out they was \$36,000 took _____ not all in one lump sum, but --

P What was Guzman able to do for them in return for that amount of money?

Co ~~It was unbelievable, screwed that case up.~~ That case wasn't prosecuted when he got through with it. His report was bad; everything was bad. A lot of things he didn't follow up on, he should have followed up on. Just -- for a conspiracy that -- I think they ended up with 45 defendants in the damned thing. You couldn't convict hardly anybody with what he wrote up. Anyway. The case was thrown out and he retired and there wasn't anything else said. ~~Yyyx~~ Very quietly got away.

RX Were you aware of it? Aside from the case being thrown out?

C Well, I was aware the case in Tennessee and Chagra had been dismissed but I did not know, I don't know any of the facts and circumstances.

Co I didn't think _____ because I am sure -- as long as he was out here, I know god damned well, that it originated right here. I'll lay you any odds on it. Now I don't know where those tapes are. I've got no idea where they are.

C ~~How did Guzman come into possession of your tapes of your conversations with Shea?~~

Co ~~Hell, I -- I worked for the outfit. I had to give them up. You don't understand this outfit, John, they're not -- they don't play by anybody's rules but their own.~~

C Well, who would have been the proper custodian of those tapes?

Co Me. Under the circumstances.

C But under the regulations or rules of the agency, you had to give them up, all right, to whom?

Co Well, I -- I gave them up to, I believe, Bartorff.

C & P ~~Bartorff? Bob Bartorff?~~

Co Yeah. That's another story too, but I had to give those, I believe

--

R & P He was then the acting SAIC out here?

Co Yeah. Either gave them to him or Roberts. ^{on} Robertson got a promotion shortly after coming into DEA. I might have given them to Robertson. I don't remember. I was really proud about ever getting anything.

3.

Co a source of
But I had ~~such~~ assurance that they wouldn't be used where they intended to use them, so I didn't pursue it any further than that. Also, along about that time I had a lot of personal problems. My wife was sick and had to put her in the hospital. I got a hardship ~~transfer~~ so I really didn't care that much, other than keeping my word to the boy. Aside from that, I let it go. But knowing what ^{there's} I know about Guzman and also as an agent over there in New Orleans, which is still DEA. I -- hell I've been in narcotics with him for - jeaus - years and he told me confidentially what they had on Guzman as far as the rest of the money. One they ~~knawxnf~~ ^{nailed him} for sure was \$10,000 but the rest of it was around \$36,000. It had come from another source here in El Paso. Bunch of crooks -- it was \$36,000. Far as I know it was \$36,000. I believe it. The guy that _____, they were making tremendous amount of money off this narcotic. I am sure they had it to pay. Because I'm sure it was worthwhile paying. Of course, it's an embarrassing situation, too because that would have made some kind of headlines. But -- you know, let me give you an example. When I left BNDD and come to Customs, they had no idea I was going to do it. I couldn't tell anyone I was going to do it. They're the most vindictive bastards you ever want to meet. If they find out you are fixing to go out, if they can wreck you before hand, they will. So, I had no problems as far as my job performance , no way, I -- In fact I had gotten two awards, back to back. One of them came just about four days before I actually gave them the word I was quitting. So they couldn't do a hell of a lot so far as -- you know, bad mouthing me after -- one of the awards came directly form Ingersall for something I did in New Orleans. But it came directly from him, so -- when I got back ^{word of} ~~wixk~~ the merger, I got a message. Now you're going to find out how the Jews felt when they fled from Germany to Austria. You know, they didn't have to tell me that. I already knew it. I'd been in that outfit a long time, and I'd seen this kind of stuff --

P Who told you that?

Co Off the record I'll tell you, but not on the record.

C Well, it doesn't do us any good unless we can use it.

74.

Co Vince Memalo

C Vince who?

Co Memalo

P Who is he?

Co DEA. _____ I think he is a training officer in region in Dallas.

P Do you think he said that in a position to enforce it or --

Co I think -- ~~he~~ no he wasn't in a position to enforce it. I'm pretty sure he was delivering a message and ah -- so. Saul-- ah ~~Fleur?~~ Flint.

Let me tell you about Flint. The allegations of the gentlemen this mi----- (TAPE ENDS)

TAPE 12

Co Regional Director of DEA in Dallas. The informant who gave me the information about all the other agents, which proved correct, also gave information ~~he~~ about Art Fleur. Art Fleur was demoted and transferred. That's all that happened. Transferred to Arizona. But now he's back up. But we always -- there existed in headquarters what we called the Purple Gang. The old bureaucrats. I don't care what name you give them. ~~That gang has prevailed throughout. Now, Ingersoll may be at the head, or Bartels, or Geradonald.~~

_____ that same hierarchy has been there and is still there. Now granted a few have retired here in the last year. I think behind it -- some pressure has been brought to bear. Congressional hearings. Some of them chosen to drop out. That same group is there. They always make the policy. They always will as long as they're there. This -- this -- you can see for yourself or ask anybody who's been around this business very long. But that was a group that ^{you} did not want down your back. If they told you to do something, you'd better ~~hurry~~ get doing it in a hurry, because they weren't going to accept any other answers except _____. Now, One time I was called -- this was during the same period of time. I think it was late 67 or very early 68 -- still hadn't had the merger, with BDAC, called at home, I was acting agent in charge in New Orleans, told to stand by, don't leave for work. He's called _____ my next instruction was call in sick. I called in sick. Next question was you got any wiretap equipment. I said no, I don't have any ~~wiretap~~ wiretap

75.

Co equipment. Because Senator Long's committee was running amuck. We turned in everything. They said, well, can you get it. I ~~saxx~~ said maybe I can get it. Gulf Port TV had a ton of it. Yeah, probably can. Well, see if you can and call us back. Called back. Ok. He said we're going to tell you who to put it on but I tell you if you get caught, you're going to get fired. I said well I'm not going to do it. You'all forget it. He called back later and said, well, we'll reprimand you and transfer you. I said no sir, I'm not going to do that. You know, if you're not going to help, you're not going to back me, the hell with it, I'm not going to go. So, they decided I wasn't the right man. They never told me who to put it up. But they damned sure -- I'll ~~guarantee~~ lay you odds somebody put it on.

E P Who called you to tell you that?

Co ~~Frank Papas. You know Frank Papas hasn't got sense enough to know what wiretap is.~~ Somebody _____ cause he didn't know anything about anything.

C Jack, do you have any other information about -- what might be violations that evolved or occurred in El Paso while you were here?

Co You know, I kinda think -- ah -- ~~I have suspicions~~ about one and I'm not -- I'm not in a position where I can give you first hand information. Now Herb Hales ~~would~~ would -- he could tell you if he wants to tell you. I understand -- they had a gun fight over there -- but the gunfight --

C ~~In Juarez?~~

Co ~~In Juarez.~~ But we are sure from information we get from our sources that it wasn't really a gun fight. The one guy had a gun. Man never found that. He never found the gun. So it looked like, although there may have been one gun, the rest of them didn't have them ~~wkxx~~ and they were fleeing. In the process of flight, Lecombe shot one of them, fleeing. Tried to get Hales to do it and Hales didn't do it. And he emptied the gun, emptied the god damned gun. Still alive, though. Shot to pieces but he was still alive. And one guy they ~~saxx~~ found in a field that -- couldn't determine where he was there or not, but he'd been shot, too. But he was a rotting skeleton w you know, when they found him. He'd been just about right -- died about

76.

Co the right time but no way really of saying that guy was there.

_____ that was skimmed over very _____.

P When did that occur?

Co It occurred-----

P Hales can give us the details on that?

Co Yes he can. He sure can. Now I wasn't there but the pattern, whenever you have a shoot-out in Mexico, it gives you _____.

You don't tell the truth. Officially or unofficially. I ~~know~~ did.

My reports in Mexico have got the truth in them. In my

judgment. The Mexicans may change one to go except all the responsibility for it. And he did officially with the Mexican government.

Which _____.

They kept the thing as

far as they could. Inspection is supposed to investigate every

shooting. Not necessarily the individual but the incident. And they

didn't this one. Because Arpio was super tight with Ingersoll

and got Ingersoll not to do it. He didn't want an investigation in

that office. He couldn't have stood an investigation. Now the shooting

would have been a vehicle for them to be in there and once they were

there, it would have been holy hell. And he knew it because in less

than a year _____ before he left _____ and he really couldn't

survive it. So, whatever strings he pulled with Ingersoll, and he

admitted he ^{did} pulled the ~~strings~~ strings, there was never an investiga-

tion. They accepted what we put on paper as correct. And it was --

it was correct. Still it should have -- should have been done. Now

vouchers=and things like that, there were fraudulent vouchers. In

other words, they bought things for Mexicans that were charged off

some other way. I was supposed to review and approve vouchers and

I wouldn't approve some of them but Arpio did. _____ when I wouldn't

do it, he'd do it. But they were always _____, you know, like

\$45.00 for a god ~~damn~~ damned breakfast for two people _____ in

Mexico. So this kind of shit went on and on and on. And, well, hell,

so _____ in the process of ~~hiding~~ hiding reports, we were under

orders from the White House to furnish all copies of our reports con-

cerning smuggling to Customs. We didn't. We gave them some things, but

we had two sets of files. We were like a bookkeeper chiseling keeps

two sets of books. We had another set of files locked up in the safe.

77.

Co We _____ we had a liaison man there in the office. In fact he was so fogged with footwork, he really thought everything was beautiful. No way. No way. We -- cut that thing off. We had one man reviewed Mexican newspapers. If he read there was a seizure somewhere in Mexico, he would call wherever that seizure was made and get the names of the defendants, the amount of the drugs, and write it up just like we had done it. And this was -- ~~this was a pattern and he took credit for everything that was done like that. Unless it was a small amount of marijuana or something, mainly hard narcotics.~~ ~~This~~

P This was at the direction of Ar Arpio?

Co Right.

P Who made up the reports?

Co Well, when I refused to do it, he did ~~he~~ it. So he did it himself. And this was very often, -- now the one who actually wrote the BND-6 as we called, which is an investigative report, mostly Burton and Laredo, Burton Laredo would write it. Now there were certain things that he had been directed to do on some major violators that we had surfaced, ~~but~~ that he didn't do. George Belt that has just recently retired, came down with a real scorcher directed at me to get one of these reports. And I -- it was supposed to come from Laredo. Taken out of my hands and another agent's hands and assigned to him. But he wouldn't do it. And I went to Arpio and showed it to him. And he said it wasn't any of my business. But there was another one came down -- another teletype. ~~This was getting nasty. So I wrote a BND-6 showing my efforts to get a report just to cover my ass, because that was the game we played, cover your ass.~~ So, that memorandum was returned to me. It was a big red X and returned. And so I wrote a memorandum to him and sent a copy to Washington, explaining what I had tried to do. And he couldn't fight that, but I did get a severe ass chewing from Arpio for sending it direct in, but that was the only way I could do it. And keep the problem from happening to me. But I don't understand really why he wouldn't do it. Now there was something there that I didn't know about, going on, but -- very strange. Oh boy. So I did write a memorandum also covering the graft. I set out exactly what type

78.

Co officials were getting how much, how often. And the process it took to get a badge in Mexico -- you buy your badge. And you pay to keep it -- pay \$500 a month to keep it. So I had all this broken down in a pretty damned lengthy report entitled, you know, police corruption. I seriously doubt that thing went anywhere, really.

C You submitted that to Arpio.

Co Yeah. But I get you a copy of it.

C You think you still do have a copy?

Co Yeah. Now I can give you a lot of dates -- I've got my -- you know, we made daily reports. ~~A lot of this stuff, I can pinpoint exactly.~~

~~With dates. Which you would need, right. As far as Guzman in~~ Nashville, I don't know how you are going to go about getting that unless you can -- got a way to pry it out of DEA inspection, and I don't know whether they would give you the whole package or not. Maybe they would. I don't know. I don't want you to take my word for it. I know what I am telling you is factual. The man is gone and that's why he is gone.

C Your surmise is they let him out with a resignation in order to avoid the unpleasant publicity that would result from anything else?

Co Yeah. It dang sure is.

C And he was able to botch up the case so much that it resulted in the dismissal?

Co Yeah. And I do believe that he got a lot of information that he would have never got from those tapes. That he got from me or in any event that came from me. Now I should have copies those tapes. I didn't though. I should have. But for the most part, Bill Sessions knows what's on them. I mean, you know, he heard them. I think he was there when I got the tape. So I don't know what his exact recollection would be on it, but we did write reports on it. There is a case report. I -- just Thornton and S Abraham that same case. Ralph wouldn't go on it. He felt like it was not enough.

C By Ralph, you mean Ralph Harris?

79.

Co Harris, yeah. Now, I talked to Jamie about a good bit of this stuff. And Jamie, of course, pretty damned solid guy as far as I am concerned. He was concerned about ~~afkxkx~~ some of the things going on and our -- I'll tell you I didn't ~~gat~~ go to ~~axk~~ -- now I don't want this to sound like an allegation -- it's not, please believe me, it's not an allegation. ~~I just wasn't really sure~~ that ~~I could talk to Ron~~. Because Ron was fairly new at the time and he was -- I think -- ~~enamoured with Marjo, you know, Martinez,~~ the former U. S. Magistrate. And I had an informant that was around the _____ a lot and that they were -- he was telling me that they were getting ~~kixxaxkxkx~~, you know, really special treatment at the _____.

C By they, you mean-----?

Co Ron and Mario. And I didn't really^{si} (TAPE ENDS)

TAPE ~~33~~13

Co -----you know what he might say to ^{Mario.} ~~Maxaxkx~~ You know, as far as Ron is concerned, I don't think Mario -- may _____ . At that time, he was pretty impressed by

M Mario. It was obvious. ~~They would go out together with their families and all that. I just really didn't trust Mario more than I didn't trust Ron, you know it wasn't that. I was just afraid of the friendship. And even after Mario left office, Ron was in the U.S. Attorney's Office, they still went out together. As far as I know, they still do. I don't know I haven't been in contact with this informant for some time. But they were getting very, very favored treatment _____.~~

P What is this Golfing Club?

Co It's a dog track/^{race track}over at Juarez.

C Who was giving the favored treatment, Jack.

Co _____ owned by the _____ that's who owns the god damned thing _____.

_____ special treatment ----- when they came in they were really _____. I just, like I say, I didn't trust Mario. He may be a great guy, but I don't think so.

80.

Co So, _____ some things I told Ralph, ~~max~~ in his official capacity. I knew Ralph pretty well, but he didn't seem interested. He never proceeded. The case on _____ I thought was pretty good. It's probably in the U. S. Attorney's office. You may want to pull it and see about it. _____ getting rid of some evidence, and he arranged for it and I expect _____ the whole shebang. He was actually right after the commission of other crimes which was assault on/an officer. ^{a federal} These agents were taken out in the desert and arranged _____. In fact he told one to run _____ and they both talked to _____ got the god damned _____ together and he told him to flee. ^{was a defendant in the case} Kem Shay/and he told him to flee. I _____ including everybody. _____ told her to get the gun. She was the least likely to be under surveillance. You know I thought _____ had it documented. But _____ that's neither here nor there. So nobody was particularly too interested in this kind of stuff so I didn't worry about it. It wasn't my job. This is the first time I've really set down and told anybody. This isn't all of it. I ~~could go through my~~ ~~days and remember as I go along.~~

P We really appreciate you doing that, Jack. You know, trying to pull together everything that you've got. Particularly as to the details if we're going to make anything as to the allegation against Arpio ~~because~~ basically if he was filing false statements, it is going to take a lot of review to go back to them and getting them tied as to facts and cases and most of the things you have told us today have been in that area, when you were in Mexico in 70 and 71. And, correct me if I'm wrong, they do involve allegations against Arpio and basically against him only. Is that it?

Co No ~~Marino~~ Marino was ~~?~~

P Ok, well, you know, if you can pull those out and get the details that'd be fine.

Co I can pull out some names of people that got the ~~hell~~ hell beat out of them and when and when the things were pretty much -- when things transpired -- writing reports. _____ Mr. Pinckney, I don't have access to all those files anymore.

81

R0

P What I'm saying the ones that you can identify, then I -- I mean it's impossible for me to go -- anything without some sort of date, some sort of entry into the system -- defendant or date.

Co Yeah, I can give you that. I can give you enough to come up with the files. A lot of time I could -- you could refer by a bunch of names. I can give you the principle name like _____ and case number so you can zero in. Now this deal with the informant getting murdered _____ in New Orleans and _____ whatever. Those files were never put out _____ these files are always locked in my safe in New Orleans and headquarters and such and I don't even know if these files exist or not. Because _____ gone through _____ Geordano and Ingersoll and Bartels and I don't know who the _____ is now. I never heard of him. (mumbling - unintelligible) Really bad stuff.

C Well, whatever you can furnish us by way of dates or names or files numbers that would help us identify specific records would be helpful. If there are other matters which you think of or think ought to be brought to our attention, whatever it is, we'll be glad to have it and review it.

Co Well, this smuggling operation I was telling you about where they brought the stuff into the country. That was not _____ with Arpio's original knowledge. In fact, he was pretty pissed off about it because they just sent him a copy of the report marked secret that it had already happened, you know, _____ when he started getting stuff back and forth. And similar operations exist. But -- ah -- there was so god damned much of it.

P Where -- what is your present status now. Again, I know you put that on the record. You're in Laredo.

Co Yeah, I'm Director of the Customs Patrol. You know, Dave Porter _____ the exact same position. But I was former Chief of Police in Kingsville and Deputy Sheriff of Beeville before this. This October will be 22 years in law enforcement. And _____ tolerate) _____. I've shot quite a few men but which it was justified and I was shooting back. They started it. The Mexican agent -- I don't know -- _____ and I are pretty good friends _____.

Co _____ speak to others for me. But he could tell you a hell of a lot. And a lot of stuff went on but -- between Arpio and Marino and the Attorney General's Office of Mexico. We _____ because he kept us away from it. He wouldn't allow us -- nobody to . Originally I had been the liaison over there you know we would need officers to go work a case. They were completely untrustworthy. We -- we'd only tell them that we had a case and that we needed them. That was when a case was ready to go down. Ready to bust. We never told them who, where, a damned thing. It was sent over ^{to the} embassy and we left. We never told them. You couldn't tell them. It was -- it was --

P You're talking about the Mexicans?

Co ~~Mexicans. It was suicide to tell them. A lot -- I feel like innocent people suffered -- who had no involvement in the drug set up. But yaxk you know, it is easy to get in jail there but a son of a bitch to get out. You can't do it half the time.~~

P Well, most of the case, the Mexicans -- it was their baby at that point ~~time~~. I mean, you talk about their beating up on people, they were in their country, in their custody, violated their laws, and ~~you were present or you never saw fit to intercede and take over this situation.~~

Co ~~No. I couldn't~~

P ~~You couldn't do that, right?~~

Co Couldn't do that. But what I objected to was our own agents participated and this is -- is still going on. And fact daily. And they've got this task force working down there, and that's what they do. American agents are participating in these tortures of not only just Mexican citizens but ~~xx~~ just whoever they happened to have their hands on at the time. That's -- that's fact.

P Well, at this point, why don't we try to see if we can get Hailes in. Why don't you try to pull out some of the records for me, Jack, and we'll get back to you and see where we stand at that point. I want to try to get Hailes in here and talk to him. I know Judge Boyd wanted ~~him~~ to be talked to today and I don't know what time he plans to depart here. But, see if I can go ahead and get --
(tape stops)

START OF INTERVIEW

H = Hailes

P Again, I'm John Pinckney with John Clark in Judge Wood's Quarters in El Paso, Texas, on the 21st day of August, 1975. Now present with Mr. Clark and myself is Herbie Hailes. Is that H - a - i - l - e - s?

H That's correct.

P All right. And where -- what's your occupation, Mr. Hailes?

H I am a Air Officer assigned to U. S. Customs Air Interdiction Unit here in El Paso.

P All right. And how long have you been stationed here in El Paso?

H With the Federal Government, since 1968. With U. S. Customs Air Support Unit since 15 June of 1975.

P And Prior thereto, you were with DEA, is that correct, sir?

H That's correct. I was with DEA since inception July 1st, 1973 and prior to that time I was a special agent with U. S. Customs Agency Service here in El Paso.

P Rngx All right, sir. And it's my understanding that you are here of your own volition today, having indicated your desire to talk to Mr. Clark and myself, having communicated that to Magistrate Boyd. Is that correct?

H That's correct.

P All right. Mr. Hailes, I want to go ahead and advise you of your rights. As I understand it we're investigating or obtaining evidence against possible illegalities as well as improprieties against DEA agents, of which you served for a certain period of time, and if there come a point where we ask you questions where you would want to take your privilege against self-incrimination, I would advise you to do so. And accordingly, I want to advise you of your rights, your so-called Miranda defined rights. You have the right to remain silent. You understand that, sir?

H That's correct.

P And anything you say can be used against you in court. You understand that?

H Yes, sir.

P You have a right to talk to a lawyer for advice before we ask

84.

P you any question and to have him with you during questioning. Do you understand that?

H Yes sir, I do.

P If you cannot afford a lawyer, one will be appointed for you before any questioning, if you wish. Do you understand that?

H Yes sir.

P If you decide to answer questions now without a lawyer present, you still have the right to stop answering at any ~~xxxx~~ time. You also have the right to stop answering at any time until you talk to a lawyer. Do you understand these rights, ~~xxxx~~ Mr. Haile?

H Yes sir, I do.

P All right. Now ~~xxx~~ do you wish to go ahead and talk to us?

H I waive my rights, yes.

P All right. Now, Mr. Hailes, as I understand it, basically the allegations that -- propounded by you and others to Magistrate Boyd are some involving illegalities or violations of criminal laws and others are allegations regarding improprieties or mismanagement in DEA Office here in El Paso. I'd like to take those in that order. First handling illegalities or criminal violations, if any, and then go to the improprieties or mismanagement. If you'll try to handle it ⁱⁿ and/giving me facts, saying those things that you know of your own personal knowledge and also if you know it through hearsay, indicate to us what witnesses we might contact in order to follow up. All right, sir. If you'll just go ahead and start on that first subject matter, I'll appreciate it.

H Ok. This is in regards to any, say, criminal violations.

P Right.

H Personally I don't know if there -- there's any criminal there in this particular case, but --

P All right.

H I'll let you be the sole judge of that.

P Ok.

H Once, in 1973, just after the inception of the Drug Enforcement Administration, I happened to work as a co-undercover agent with one Special Agent by the name of Oscar Lcomb. At which time we were attempting to infiltrate into a heroin-type ring operated by a