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Interview no. 419

James C. Marchant

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UNIVERSITY OF TEXAS AT EL PASO

INSTITUTE OF ORAL HISTORY

INTERVIEWEE: James C. Marchant
INTERVIEWER: Oscar J. Martínez
PROJECT: _____
DATE OF INTERVIEW: February 24 and March 2, 1977
TERMS OF USE: Unrestricted
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BIOGRAPHICAL SYNOPSIS OF INTERVIEWEE:

United States Customs Patrol Officer, El Paso District.

SUMMARY OF INTERVIEW:

Experiences as a Customs Patrol agent in the El Paso area; experiences as Customs Officer at Kennedy Airport in New York; days as Air Marshal; corruption in the Customs Service. Part of interview takes place while Marchant is on the job.

Length of Interview: 2 hours Length of Transcript: 53 pages

James C. Marchant
by Oscar J. Martínez
February 24 and March 2, 1977

[The interview takes place out in the field along the U.S.-Mexico border in El Paso.]

OM: Okay, Jim, would you first tell me what your job is?

JM: Okay. As a Customs Patrol Officer with the patrol division in El Paso-- I'll stipulate El Paso--our job is to interdict contraband coming across the border between the ports of entry on the United States-Mexican border. And that's what it is generally. The contraband can be anything from cattle to marijuana--parrots, anything. Any kind of thing that's entering the United States illegally.

OM: Okay. But you patrol the river bank. This is your specific job, is that right?

JM: Well, I wouldn't...patrol is a kind of a hard word because we really don't have the personnel to patrol. It's more of appointed interdiction. You might call it that, because what I actually do is control a certain land area. I can't control everything, no man here can because we don't have that many people to do it. In the El Paso station we have less than 50 people, and we have about 813 miles of river to cover, so you can't really say you patrol the whole thing. What you do is you pick particular high risk and high trafficked areas, or you might come across some information from time to time. And those are the areas that you work, those are the areas that you watch for the contraband. And when you're successful, that's usually the way it comes about.

OM: And you have many sensors in this El Paso region to tell you where traffic is coming across, to alert you.

JM: We have a pattern of sensors that we set up. We have two different kinds. One is a small sensor that is used to control an area maybe half a mile

wide. But this is worked by an individual, usually on the ground--he's walking, he's working these things, watching. And all it is is a help to keep that man alert, to direct him to an attempt to penetrate that space that he's covering at that time. We have another type of sensor which is a permanent type of sensor. It can be activated in many different ways, from seismic indications to metallic indications. The thing is triggered with a magnet kind of affair. Or it can be triggered by sound or any number of things. And this is usually set in a sensor field. To elaborate where they are, I'll tell you, but I won't put it on the tape.

OM: Okay, fine. Let me go on to another question. We are sitting here at a very interesting spot. This is a place where last week a jeep was coming across and it got stuck right in the middle of the river, and we had a tug-of-war here, and you were an eyewitness to this event. Could you recall what you saw when that happened?

JM: What happened...I'll preface a little bit because I wasn't here until it was about 45 minutes into the struggle, you might say. But when I came to work, I came to work a little bit early, and one of my buddies was down here. He had been called in by the local police that there had been an attempted intrusion right here on this spot. And what had happened, the jeep had tried to cross the river. You can see the water down there, it's running a little bit. And when the jeep got in the middle of that watered area, he found it was quite boggy and just sunk in. Then he got out of the thing and fled back to Mexico. But this was observed by one of the local police units and they called our units in on it, because this is our job, to interdict the contraband.

We came down and one of the officers that got here first called in a wrecker to pick it up. But it was kind of mutually... I think the actions

took place together, because a wrecker also came in on the other side and it hooked up to one end and we hooked up to the other. In the initial stages of it, why, the other truck, being a bigger truck, was pulling ours backwards down the hill here, and so we called in another wrecker who came shortly thereafter and hooked up to it. Then it was a stalemate for about two and half hours on who would pull what where. And finally the attempt was made by the Mexican side to pull it across to that side. And by this time there was about five or six hundred people lining that side of the bank with numerous cars in the background, and we had about the same number here. The street behind us was closed down and it become to be kind of like a gala event, you might say, because everybody was coming down. And I was surprised not to see somebody out here with a picnic lunch.

But finally an attempt was made to pull it to the Mexican side, and they tried twice. The first time the cable did break. But the second time my supervisor, who was standing right here, ordered another wrecker to come. And we came down with a bigger wrecker that just hooked up to it and pulled to this side.

OM: Was that a private wrecker, the big one?

JM: Well, it all belongs to the El Paso Wrecker Service. The big one was called by that service. That's the one we usually rely upon on situations where we have to tow a vehicle. We call them to come and get it. But that's what happened during the tug-of-war here on the river bank. It was brought to our attention by some of the local police, who were down the river here just a little bit, that they had observed weapons being passed among several of the people on the other side. What kind of weapons, they didn't elaborate on. But we called in a chopper and it came in and hovered around this area. We had a rifleman and he observed the banks on the

other side and generally just backed us up. Several times he was called to come down close to the crowd just to brush them back so we wouldn't get involved in a big banter with the crowd themselves right there, 'cause this was a foreseeable thing also. The people over there were chuckin' rocks and things and mud balls and whatever onto this side, and our men were trying to work in among it. And those of us that were here were trying the best to protect them and keep them so they could do their job and get down there and get that thing out. Generally that's what it was. For a long time the whole thing was just a stalemate. And we did have Mexican officials on the other side who seemed not to want to talk about it. We had our people here who was trying to talk about it.

OM: What kind of officials?

JM: Policía, judiciales, were over here.

OM: Any Customs agents?

JM: I didn't see any, I didn't see any over there. And that's generally what happened right here.

OM: Did the chopper go to the other side and raise up some dust and sand, or did he stay on this side of the river?

JM: He tried as best as he could to stay on this side just to stay over us. Because when he's over the top of us, he's blowing a down draft like this and it goes out on all sides of us and blows everything back away from us. But anybody standing in the periphery gets hit by a lot of flying, blowing junk, and that's what happened generally. He did buzz the crowd over the top right there to check, to make sure that he didn't see anybody with a weapon, to let us know in case there was, after this report came in. But the man knew what he was doing. I know the man personally, and he's a good pilot.

OM: Was there any danger of the situation breaking out into some armed conflict or real conflict?

JM: Whenever you get something like that, there's always a danger of that.

OM: Did you feel that it came close to that?

JM: No, not this time. The only thing that we worried about, we could see that the Mexican officials weren't gonna do anything, but then on the other hand they didn't seem to be arousing anybody to try to do anything, either. So our worry was with the crowd itself, not with anybody else but the crowd.

OM: How long did this incident take from the time that it started to the time that it was completed?

JM: Oh, about two and a half to three hours [from] the time it started and when we got the thing back and secured.

OM: And what was the mood of the crowd on the other side?

JM: Well, from time to time they showed hostility, like I said, by throwing things at us and shouting and whatever, like this. But generally it was pretty well ordered because we had quite a group right here, and I think that's what did it. They had quite a deterrent right here on the bank, with everybody that was here.

OM: What did they throw at you? Rocks, mud balls?

JM: Rocks, mud balls, things of that nature. Just stuff they could pick up over there off the ground.

OM: Was there a carnival atmosphere here, would you say, to some extent?

JM: Oh, to our side, definitely. They thought it was fun. It's a very unusual incident. You don't get this much of a conflict. In fact, I don't think I ever remembered anything in my experience to compare with it, actually one side against the other side. It's unusual.

OM: And the guys who were trying to bring the jeep across, of course, they got away. But did they stay around with the crowd on the other side, just to look at what happened?

JM: I'm sure somebody did over there. Somebody had to call the wrecker over there and get everything going for it. I wouldn't be able to tell you who or what, because like I say, there was literally hundreds of people down there at that time.

OM: This particular spot is right behind the Hacienda Cafe, isn't it?

JM: Yes, it is.

[PAUSE]

OM: Right now, Jim, there are people across on the other side, there are four guys and some women walking along the river bank. Do you see people like this all the time on your patrols?

JM: During the day you can see literally and virtually hundreds of them on the bank over there. Depends on what time of the day it is, too. If it's early in the day, early in the morning, five or six o'clock, there's a big drove over there. Great large numbers of people that come.

OM: And they're mostly waiting to cross over to this side?

JM: Yeah. That's what it amounts to. They choose and pick their times.

OM: Jim, how long have you been working with the Customs Service?

JM: On March of this year it'll be six years.

OM: And have you worked in El Paso all this time?

JM: No, just the last three years. Actually, three and a half.

[PAUSE]

OM: Okay, Jim, would you tell me where we are, and tell me about some of the experiences that you've had in this place?

JM: Okay, we're above the little town of Meadow Vista in New Mexico. We're

at Monument Three on a mesa on top of a plateau and we're right on the Mexican-American border. That's the location. The experience I was gonna tell you about here is, this is where myself and two other members of a team secured an area and made a seizure of about 900 pounds of marijuana and secured the arrest of five individuals that night.

OM: When was this?

JM: Oh, this was in November of '75, I believe. Been a while. But what would happen is, the Mexicans and the smuggler, the contrabandista, come in from the south, here. There are roads leading into this area here from the south that follow the lip of this mesa all the way around into Juárez. And they would come around that road and stop right here close to this area, unload their contraband, and from here they would send lookouts and whatnot out to the end of this mesa on down towards the town of Meadow Vista. These lookouts would clear the area and make sure nobody was there, and then they would come back and get the load and walk it out into a pick-up point down in that town.

The night that we had the action here was a little interesting because, due to the locale and the number of men we have, we were scattered real thin. We had information on a deal that was going down on the other side of El Paso, and virtually 80 percent, 90 percent of our station was called to go into that. And myself and the team members on this team felt we had quite a good chance of doing something right here since we'd gathered information from checking the sign, cutting sign, and from talking to other local agencies out here on operations that had been happening right here. So, anyway, I secured the okay from one of our supervisors. I didn't get as many men as I wanted, but I got two. We came out here, myself and two other officers. We had taken this area and set our little

sensors in and had bugged it so that we would know when something was going on, if it in fact did. We set down off the side of this mesa down towards town. About nine o'clock that night we started having some real regular activity on one of our sensors that was placed on top of this mesa. My two partners decided that they would...we thought in the first part of it, it was a train.

Before I go any further with this, I'd like to explain one thing to you. Due to the activity on the other side of town, most of our equipment had been taken that way. We were here with the radio and a radio that was included in the jeep, but we had no portable radio for anyone to carry with them on the ground if they went out. But we figured, our plan, our game plan had been, if anyone came through, is to collar them closer down towards the town and to secure the arrest down in that area, not here.

But when we started seemingly having difficulty with one of the sensors...because it just kept going off for an hour, and no other activity, and it was kind of an isolated sensor, too. So my two partners decided that they were gonna get out and walk to the top of the hill, and if they could then talk to me on this sensor... This sensor was the kind that was an audio sensor also, activated by seismic waves. But when the seismic waves activated it, it had a microphone that we had hidden in the brush and this microphone went on also. So, this way we could tell if it was a cow, horse, moose, whatever, coming down the trail. And we decided, well, when they got up on top, they would just talk into the mike once they activated it and tell me whether or not anything was wrong.

Well, as the thing proceeded, they started up the hill here. And they were near the top, as we project, they were near the top, when I

started having activity on a number of the other sensors going down the east side of the hill, on that side. And when this happened, I knew that more than likely what was happening was that anybody that was on top was going down the east side while my partners were going up the west side. So it was kind of bad right there. So I got out and I started moving down towards our other sensor field to see if I could pick up on this, see if it was a lookout or if it was in effect the load coming through. But while I was in the process of doing this, my other two partners, one of them reached the rim here first. And as he looked over the side, he saw a number of individuals, by his count around 10 to 12 individuals, coming down one of the trails here towards the point of the hill. And he could see them carrying large objects.

So he went down, got my other partner, and brought him up to the top of the hill. And as they watched, they knew that the way we were spread out, that it had to be either then or not at all, because of the lack of equipment, the positioning. We were out of position. But these two officers decided that they were gonna have to take that bunch right where they were at. And this is not usual, because these officers both were armed only with 38 caliber pistols, and this was a group of 10 or so individuals. And so what happened, actually, is the first officer that made the first contact with them went down off the hill, got the other one, brought him back up. They waited for a few minutes, got their breath, got ready, went over the top of the hill and secured the arrest of five individuals out of that group. The rest of 'em fled.

OM: How many were there all together?

JM: Well, as I pieced it together later, I figure about 15 all together.

What I had, when I was down off the hill, was the lookouts coming down.

As I was away from the radio and away from all the monitoring equipment when it happened, I watched the rim of the hill when they made the bust on top. They flashed at me something was going on, and in effect said, "Get your ass up here." That's what came off the top of the hill. And so I broke off with the people that I was in pursuit of down at the bottom, went and got in the jeep, and came on up the hill to provide security and cover for the officers up here that went into it. And as we counted the bags, it turned out to be 22 bags of marijuana, and they were destined for the little town down here for a pick-up point.

OM: Twenty duffle bags?

JM: Twenty-two duffle bags.

OM: Twenty-two duffle bags.

JM: Army duffle bags.

OM: Did this make the newspapers?

JM: Oh, a little bit here and there, it does. You might get a spread, maybe an inch, two inches long, in the 17th chapter of the last page. But that's what happens. One thing that is unusual about this was, I think, really, the guys that were on top displayed at the moment of the supreme crisis, was when they finally made the contact, and they made it here rather than trying to trail these people through the blackness and the darkness. And it really gets black here and dark at night. And to go down there... Our experience had been, if you try to track 'em, you lose 'em, because it's so dark and it's so hard. You set up on 'em and you wait. And when they come to you and you have the upper hand and the upper...they come to your situation, you don't go to theirs. And that way you secure the best chance of having the thing all go down the way you want it to rather than have something go wrong. And these officers

did know the area, they did have a plan in mind, and they knew what they could do here. That's why they decided just to go ahead and hit 'em instead of lettin' 'em go down the hill and then have to drop off in plain sight and everything and go with them. And since we did not have radio communications, it was imperative that they did what they did at the time that they had to do it. And that's the way this one went down right here.

OM: What happened to the five individuals who were arrested?

JM: Well, this is very interesting. We took the case to court, federal court, in Albuquerque, New Mexico. The five that were secured and arrested here for illegal importation of contraband, marijuana, were arraigned before Federal Judge McCoy up in the court up in Albuquerque. And as the arraignment proceeded, in the course of the case, it was thrown out of court. Basically because the judge felt--excuses that I feel that he gave; of course, I'm a little bit prejudiced right now, being law enforcement oriented--that when officer Hughes first observed them coming down the trail, he had to break away from them, he had to go down the hill. This number of individuals were no longer walking, they were no longer carrying anything. And in fact, they were sitting on top of the bags. The judge simply stated that since those bags were being set upon by those individuals, we didn't know whether those were the same individuals that carried them down the trail or not. So, under that pretense, he dismissed the case and turned the aliens--they were illegal aliens--turned them over to the Border Patrol. And that's how that case terminated.

OM: Technicality.

JM: Technicality.

OM: As we drive down, Jim, I wonder if you would mind telling me about some of

the things that we were talking about as we were driving up here. You mentioned your experiences of patrolling this area at night, and how you have developed a sense for working in this area at night and spotting individuals.

JM: Well, I guess it comes from familiarity with what you're doing, I believe. Because I've become so familiar with this area--with the bushes and with the way things look after dark, and with the way the shadows fall and the way the light reflects off the different areas, of how to move in it and out of it without someone seeing you. Of course, it helps, when we work on foot at night usually we're dressed in camouflage clothing also. So you have an advantage there. But it's just a sense that you develop. A lot of people can't do it, so I've been told. But I think most anybody could, that actually had to get out and do it each night. I do it because it's a challenge to me to pick these people up as they're coming through a area that I have set out [to contro]. I'm gonna control this particular amount of space tonight. Nothing's coming through that particular amount of space, that I don't know about, from Mexico. And that's the way I work. And usually it's with a back-up team somewhere--myself and one other officer, or myself and a back-up team somewhere. And this is the way that it's worked out.

It's really something, a sense that you develop about the dark, the night. Of course, there's a boogie man, there's everything else like that you have as kids. And I know a lot of people aren't comfortable working in dark places and in dark areas, but to me it's been the other way around. It's been kind of a challenge, and especially since I've had some success in it and watched my own reactions under pressure, and to see what happens to me when these things start happening. And I've at

times been pleased with myself and at times been very aggravated and very put out with the way I reacted to certain situations. But mostly it comes down to being comfortable with what you're doing and enjoying it.

OM: And you've arrested individuals at night?

JM: Oh, yes.

OM: In this area?

JM: Yes.

[PAUSE]

OM: Just go ahead and tell me about this.

JM: (Laughs) Well, now you're gonna make me clam up. I really enjoy working around in it. I haven't gotten what I wanted to get out here, yet. But just the matter of working in the darkness and watching how people react in doing things, it's good experience for you to go other places.

OM: I understand a lot of people also cross over in the Cristo Rey area.

JM: Yes.

OM: Have you had any experiences there?

JM: More than anyone else in the patrol here.

OM: Really?

JM: I work that now. Have you ever heard the...you know, the thing that Walt Disney put out, "Night on Bald Mountain?" It has one of Tchaikovsky's symphonies in it, or some symphony in it. And in that thing there's depicted, at the top of the mountains, the devil. And he is sending all his emissaries down to swoop through the towns and to raid all the people and to scare and frighten and cause all kinds of bad things. But then at the end and the morning comes, they all have to flee and go back to where they came. Well, this mountain, at night, reminds me of that symphony, and it's really something. There are more-- what do you call 'em? -- legends

and stories about that hill than any of 'em in town. The thing is interesting. A part of 'em are caused by--well, what should I say?--Customs Patrol officers getting bored and having fun, and Border Patrolmen doing the same thing.

OM: And they make up stories?

JM: Well, no. You...

OM: Or they exaggerate stories?

JM: No. I'll tell you a story. There's one trail going the other side of that hill, that goes on down, and it comes out down here by Anapra. And after dark that is the wildest, wooliest looking thing you've ever seen. There's shadows, there's blackness, there's all kinds of different shapes and shadows of rocks, of trees, bushes. And the mojados come through there--sometimes in large groups, sometimes in two's and three's, sometimes alone. And some of the guys have been known... Let me put it this way--some of the guys have been known to do pretty imitatively, to imitate the sounds of different kinds of animals. And even worse than that, sometimes they put blankets over their shoulders, snort and snirt, and come down out of the brush. And they look forever like giants, huge bats, coming, chasing out of the side of the hill. And when you do a few things like that, the reputation of the mountain begins to get around. It's very comical. Some of the people that I've stopped to check and talked with up there, what they think that is really in that mountain, it's really...it's something.

OM: What are some of the stories that you've heard about this place?

JM: Oh, have you heard the legend of Big Foot?

OM: Yes. Is Big Foot around here?

JM: Oh, there's a few that live up in here. There's also big jaguars and pumas

and wild buglers and all kinds of things that can develop in people's imaginations. Once you give them cause to do something... What I'm saying is not that myself or any single individual has ever caused any of this kind of thing to go on, but over the last period of years, that's just the kind of area that that is like, that's all. It's one conducive to legend and to storytelling.

OM: Well, that little mountain has a lot of history in it, with that monument that is up there. They have processions during the year.

JM: I wanted to preface this a little bit on it. I worked it constantly for about five months straight and then off and on for about a year after that; and I was able to secure, three different times, seizures of narcotics coming through this area. But due to the procedure that the smuggler uses, it was very difficult. Because number one, they have a lot of lookouts that come down and they set around and watch all the time, sometimes for days and days. Other times the ones that escort the load will come down and check the crossing itself night after night, day after day, and just look things over until they feel things are right to shoot that load across. And the loads down here are usually escorted on the Mexican side--well, virtually 100 percent of the time--by armed personnel.

OM: What about on this side, Jim?

JM: We've had our problems, too, Oscar.

[PAUSE]

JM: ... Like creeping, you know. That's a tactic I learned first in the Army, and then in additional training we had with the Navy SEAL Teams in Niland, California, on how to infiltrate, the process of infiltrating and the night work, really. So, when I came down here, I just started doing that here. And as far as I can tell, nobody else was really doing that here

at all in town. And that's why I've come up with so many different experiences down here than most people here, is because I did get out and I did do a lot of walking along in here after dark--watching, listening, picking spots that seem to have the most activity, and hanging with them for a period of time to see what would happen. In doing this, just absolutely leaving the wets alone, letting the normal course of traffic go back and forth, until something looked out of the ordinary. And, you know, you can tell what a regular old wet looks like. Any good Border Patrolman will tell you that. You can tell them on the street in downtown El Paso. You just develop a sense. Well, down here you can develop a sense of who belongs there and who doesn't--of who and what time the traffic crosses that turns out to be wet traffic going to El Paso, and who is down there checking an area looking for things, looking like I'm looking for something, out of the ordinary. And that's the way I went in with this idea down here, and it turned out to be quite profitable for me, as far as making seizures and gaining experience on the river.

OM: How many seizures did you make?

JM: Well, in this one area I'm taking you to, I've made three. One of 'em was about 300 pounds, another one about 125 pounds, and the last one I made down here was right at 70 pounds. And this denotes the decline in the way they're crossing it, because of these lomas here. The obstacles that they're encountering are becoming bigger and bigger, and as a result, the loads that they're carrying are becoming smaller and smaller.

OM: The river gets quite narrow here.

JM: Yes. Well, usually it's not over your knee deep, over knee-deep.

OM: So, is this the river here?

JM: That's the river. The other side is the Mexican levee. You have the

river, then this is our levee on this side. The whole thing was built by the...what is it? WPA, in 1930? During Franklin Delano Roosevelt's administration.

OM: I didn't know that.

JM: Works Project Administration. This extends about 90 miles southeast of here down to Esperanza, Texas.

OM: Just like this?

JM: Just like this, in this fashion all the way down.

OM: But, this right here is not a canal.

JM: That's the río.

OM: The río.

JM: El otro lado del río es México.

OM: Do you have a lot of people crossing here? This is the east side of El Paso, the east side of Juárez. About how many miles would you say?

JM: Well, this is right in the center of the town.

OM: Well, I mean from downtown.

JM: Oh, from downtown, maybe four miles from downtown El Paso. This is Ascarate Park coming up on our left right here.

OM: Is this a popular spot for smugglers and wetbacks?

JM: This whole area has been used by both for years and years. In the 1930's it was booze. They used to smuggle booze through here. Now it's cigarettes, marijuana, parrots, any number of things down here. You go on further down towards the ranches and you'll find a lot of cattle bein' brought across.

OM: Oh, really?

JM: Yeah. Since I've been here I've gathered up about 75 head of cows.

OM: Is that right?

JM: Yeah. Two or three different operations.

OM: That's interesting. Well, this is wide open here. You would think that anybody could just walk across freely without any interference.

JM: You're thinking correctly.

OM: But I imagine you have sensors here that at least help you out somewhat.

JM: Well, I'll tell you, it's a hard thing down here, Oscar. Because of the traffic now which is going up and down this road, we find it very difficult to work this with sensors, because the traffic here interferes with them. It used to be before the traffic came here, I utilized sensors down here all the time. Every time I worked down here I did. Two of those loads I got down here I used sensors on. But since then, the lights, like I say, have gone in and the traffic going back and forth has not only made it difficult for the smuggler, it's made it much more difficult for us to get close. See now, you have traffic over here right now.

Now this area I'm taking you into is between Ascarate Park and what we call Carolina Street, on the American side down here. There are several crossings in between here--George Orr, Polo Inn, Barker Street--just any number of 'em between here and up there, numerous areas where the wets cross and go through. Also from time to time these areas are used by the smugglers going through that are taking the contraband. Now you can see that side of the river over there, you can see the levee area real plain. And one of the tactics I used, I would set down on the inside of that levee, or I would walk just on under the lip of that levee. Because on the other side over there, they can't see you. That's one of the hardest places to see, is right there. So I would walk that until I found activity, then I would set down I would watch that activity for a little while, to ascertain whether it was wets getting ready to cross or if it

was someone like myself watching over there, to do the same thing.

Now we're in an area here of Barker Street. This is the area I'm telling you about before. I'll just pull off down here. Now, in this area is where I've observed most of the things that I've seen. Note, there's a road that comes in straight from the Mexican side to that path you see coming off either side right there. It's a direct access from the other side, and it's kind of shadowed and kind of obscure on the other side. This is the area I was telling you about where I saw [smugglers] come down and park down here. One of them came down and parked down there about a quarter mile. That's east and west, either way. And then the load car drove to the middle, right to that pathway there that's directly in front of us, and they unloaded several bags out of the car that they had and brought them down here.

Now, on the average here, it runs like I say...oh, then the loads were a little bit more than 100 pounds at a time. And what they would do when they would bring a load...and I saw more loads down here than I got. And this is the way it's been with me, since I've been here I've observed about one and a half times more attempts to cross than the ones that I've caught. Because these guys are just as coyote as hell. They come down here, and if something's not right, they pick it up and go home. So I've seen 'em come down, bring the stuff down and plop it right there on the bank, and set on it and watch. One time I observed them for over five hours, while I was settin' against the bank behind us here and watchin'.

OM: And they knew you were there?

JM: No, they didn't know.

OM: Oh, they didn't.

JM: No. But what they would do was, they would come down off of that bank, and

then six or seven of 'em would disperse, two or three going either side of the load as it sat in the middle. And these guys would form a periphery around it. And usually I've seen, on this crossing I've seen M-1 carbines, shotguns, pistols, automatic weapons of different kinds which I couldn't make out in the dark. All I could see was big banana clips hanging out from beneath them.

OM: They were bringing these weapons across to the U.S. side?

JM: No, no. They were bringing them down to guard what they had.

OM: Oh, I see.

JM: See? So then I would wait on this side sometimes behind you to the right, sometimes to the left over there, and simply wait until somebody from our side came down to pick it up. At that time it seemed like that they would bring it here, but they wouldn't bring it any further than our bank of the river. Somebody had to be there to get it. Now, this one load that I'm gonna tell you about, that's what happened that night. And prior to the load, coming across, finally, we had activity. We had four or five groups of individuals going back and forth at different times. And the one prominent group was about of five different individuals. And they came down here once and they disappeared into the brush. At that time there was much more brush than there is here now, too, because it was in the fall of the year. And this stuff grows up to where you can walk through it and it's waist high down in here.

Anyway, we had the traffic going back and forth. And then at that time, I was also using sensors, and I had sensor activity on one of my left flank sensors. So I moved a little bit that way to see what was going on. At the same time we had activity on the right flank sensor, too, and my partner went that way. And these people had moved down across

the river on both sides. Well, the one that we were to be concerned with occurred on this side. And I went back and got him, and then we pulled over and we set down and we waited and watched. Then after a few minutes, two individuals came up. And at that time the lights weren't in, and it was black, it was dark down here. And I pursued one individual that I could see, and he had a large sack over one shoulder. And I thought, "Well, they're piecemealing it across." I went after him, I tried to get something, anyway. So, I couldn't stay with him, and he just flat outran me and got over and got to where he was going. In the darkness, I flat lost him. I came back, my partner says, "Who were you chasing?" And it turned out that he was chasing somebody else other than what I was chasing, going another direction. And we talked about it for a few minutes. We thought we'd blown it, we thought it was all over, because we'd been sitting on it already for about five hours. The thing was, we had shown ourselves, we had gone over the top of the levee, and we thought surely they've seen us, surely things are gone. We had talked in loud voices and everything.

So, well, anyway, we decided mutually that we'd better come back down and just give it a little bit more, make sure it was off. And so we sat down here. And about three o'clock in the morning that morning, we again had activity on our left flank sensor over here. I observed two individuals coming up out of the river carrying great, big, huge bundles. So, we said, "That's it. That's the one, that's what we want." Since my partner didn't have his binoculars, I just told him, "The load is moving, there it is." I got up, I ran towards where they were coming; I ran down inside of the levee here. They came up and came kind of diagonally towards me; they couldn't see me. So as they got here and got ready to go over

the top of the levee, I intercepted them right there at that point; and as they went up over the top of the levee, I went up over with them and my partner was right behind me. And I secured the last man in the line, knocked him down and put him on the ground on the other side of the levee here.

OM: You knocked him down?

JM: Yeah.

OM: How'd you hit him?

JM: It's not too bad, just...

OM: Oh, you just pushed him?

JM: Yeah.

OM: Did you hit him with something?

JM: Well, I'll tell you Oscar. What happened was, as I came up over the top of the levee, I could see that these guys were again running in ahead of me. They had dropped their load, however; the load had been left and abandoned, but they were both running. I knew from observing what we had over here that these guys were armed that night. We knew that. The one that I was pursuing was going towards those houses and going in towards those houses. I shouted, "Stop!" I said, "I'm a federal officer. Stop!" The man proceeded to run, he kept running. And I knew that if I was gonna go into those houses that the darkness and the blackness there...which was a great as it was out here at that time, because the lights weren't as many and as varied as they are in there now. And there's a lot of families and things that live over there. And I knew if I chased him in and among those houses, the chance of actually having a shooting match with me coming out on the worst end would be enhanced, to say the least.

So what I did is, I just busted a cap, I fired a shot into the levee ground right there, told him to stop; I meant it. And when I did that, they guy just tumbled head over heels. I thought I'd hit him with some kind of ricochet. But I hadn't. The [bullet] had gone right into the ground. And the kid was about 20 years old, he was afraid I was gonna shoot him. So what he did is just hit the dirt and curled up in a little ball. But I secured his arrest. And the other one ran to the car that was parked on Barker Street right here. And as we came upon 'em and busted this, my partner was on the phone, on the radio, trying to tell one of our back-up units where this guy was going. And between he and I, being breathless and everything, we finally got the word out. And one of our units coming down Alameda spotted this same...it was a Ranchero, coming out of one of the side streets here onto Montana, and they proceeded to intercept. This guy proceeded to run on them and try to get away and do evasive action, and they finally wound up ramming him in the side to stop him, and knocked him over against the little Hamburger Hut or whatever it is up here on Alameda.

And when they secured his arrest, finally, we found the first bag that I'd seen him carry across. So we not only got the load coming across, but the piecemeal that he'd brought across earlier. And we got both of them, plus the car, and the total load, finally. And it was very gratifying after the whole thing was over, because we'd spent so many long hours at it and tried to intercept it and thought we'd blown it, went back into it, and finally secured the whole thing. And it especially felt good, knowing what we were facing on this bank right here in the earlier hours.

OM: How much stuff was there?

JM: About 300 pounds.

[PAUSE]

OM: You sit here and observe and wait?

JM: Well, there's a little more to it than that. My planning procedures include looking an area over, watching and talking to people that lived here, seeing what happens during the day. I even go so far to fly over 'em, take aerial photographs of the actual crossing, get an idea of how they're gonna approach it on the other side, see whose access routes are the best, where I can expect activity once I start coming in and working it. Then an extensive ground...I don't know how to explain this, but to become familiar with the area that I'm working, so that even at night I know exactly where I am. And that way I know this area better than anyone that's in it. I know every pot hole, I know every little pathway, I know where the dogs run up over the top of the levee here at night when they come to play, and where the kids come up over down here to smoke their dope. I know each part as an essential of the whole, you know. It all comes together in a kind of a map for me. And part of my procedure is writing up game plans. How am I gonna work this? I'll show you some of those. I don't have any with me tonight, but I'll bring a couple and let you look at those if you're interested sometime.

OM: Sure.

JM: But, writing up everything I know about the area, writing up information that I've received about it. And just in general, planning, well, if that guy comes over here, what am I gonna do? If he goes over here, how am I gonna do it? If there's a car that comes down here off this levee and drives down here to the bottom of the river right here, how am I gonna handle that, what am I gonna do with it? All these, you might call 'em

contingency plans, they're forever running through my mind when I'm working down here, of how I'm gonna handle each individual different situation. And it's the same...wherever I work out here, it's been the same.

It was pointed out to me not so long ago what happens to you when you don't do this. I had an experience, one of the loads I lost down east of here, down towards Fabens. And I observed four or five individuals carrying sacks down there one night about 10 o'clock, but I had gone down into that area by myself in order just to observe for a little while and get an idea if something was happening. I hadn't really intended on spending a lot of time and hours that night working. And I did not know the area. Well, right after dark, about 10 o'clock, in a pitchest, blackest dark night--El Paso doesn't get that black, by the way, as it does down there--I had activity on one of my sensors, and I observed four or five individuals, I can't be sure how many, carrying large sacks over the top of the levee, going north. I called up a back-up unit [and] attempted to pursue, but as they went over the top of this levee, there was a canal right on the other side. And I knew they'd crossed that canal somehow, I didn't want to make noise, and slosh through the canal for fear of spookin' everybody. I wanted to get closer to 'em, I knew I was behind 'em. In effect, what happened to me when I got over to the other side and went down in to that other thing is, I got lost. I couldn't find the crossing, I went back and forth, up and down, trying to find...usually the foot boards and the little things they put across to walk across on 'em, and I couldn't find them. And I finally had to use my light; and when I did that, I think that blew the whole thing. These guys really hooked it up and got out of there. My nearest back-up was about 15 minutes away, 15 to 20 minutes away, and it was just too long a time interval.

And when I got setting down later on and figuring, it was a full five minutes after the time that I had seen them, the initial contact, to where I was able to find my way across that silly little canal and get through it. And by that time, they had enough lead on me to get right out of the area. And they did, they did so. So, you know, that pointed out to me the necessity of coming down and organizing what you're doing.

OM: Well, is it standard procedure with all the Customs officers to do this, develop contingency plans?

JM: A lot of them don't.

OM: It's really up to you, huh?

JM: It's up to you what you do with what you have. We're allowed considerable latitude here. You can work in almost what manner you want as long as it's to do with border interdiction. We don't investigate; don't get me wrong there, we're not an investigating agency. But we are allotted jobs, and to accomplish that job, you're not supervised every step of the way. A man...his initiative is not removed, in other words. He is able to come down here, and if he wants to bag loads and come down here and get involved, he can very much do so. I can't deny that some people do a lot of...in fact, this is common with almost every agency that I've ever worked with. You do have the type of individual that likes to wear a badge, and likes to be seen. If you have that kind of guy, then sometimes they don't get involved. They remain that type of individual and it's a hard thing to break. But luckily we don't have too many of those. Most of the people I've worked with in this outfit, I've been in the situations with them like I've described to you, and those guys make sure that I go home to Mama the next morning. So I can't say too many things bad about 'em.

[PAUSE]

JM: I don't know how it will come out on tape, but it was sure funny the night it happened. I was working with a man down here, and it was when I really wasn't too familiar with what was going on down here, but somewhat. And he was gonna show me the ropes and show me how to work it. So he did. We got one of the Cherokees and we drove it right down like we are now, sitting right down here in the bottom of the vega. And then he took a blanket out and he went out in front and laid it on the ground, set down on the blanket out in front. He had what you call a night scope, a star scope. So, he was gonna sit on that blanket and watch with that star scope. I think he had three blankets, to tell you the truth, the way it finally worked out. But as I was sitting watching this, I says, "Well, this is no good," to myself, you know. "Anybody that sees this isn't gonna cross within 10 miles of us." So there was a tree right behind us. Looked up into it, and there was a crow's nest that's been built by the kids and the wets and whatever. [I said], "Well, I'll climb up towards that and see if I can see further down the river, maybe I can see something further down." Fine.

So, I crawled up into it and it was about 20 feet overhead. I set there for one hour, and then the other hour passed. It was getting late, it was about two or three in the morning now. And I was getting sleepy. So, I set up on that thing and started to doze off. Have you ever dozed off and had your chin hit you chest before you knew it did it? Well, it happened to me about three times, and I just come unglued. Every time that did that, why my arms went just around that post and everything, just like that. You know, just grab a hold of that thing and hang on, because, man, I almost fell out, you know. I felt like...I really wasn't falling, but I dozed off enough to where I had to come back and grab

everything. I imagine from the bottom it looked pretty comical. Well, after about the second or third time of that, I said, "Nah, this ain't gonna get it." So I climbed back down out of the tree. And as I came down off the tree, my partner was laying on the blanket in front of the Cherokee, and he had a blanket pulled up over him.

Here's some people coming across right now. You see 'em?

OM: Uh huh.

JM: We just blew it. And he's got a sack. Oh, I think we might o' just blown it. I always do this when I got people with me. Did you see him coming?

OM: Well, I see him now.

JM: There are three of them there.

OM: Three? I see one.

JM: How come they didn't send somebody first? The one was carrying the bag. We're gonna have to move. Now they're all going down. When I was telling you about the story, that's exactly what happened. People would see you and then they'd duck back down the other side.

OM: Yeah.

JM: Let me move out of the way, and I'll finish that little story. And maybe we can get on the other side here, watch these people come in, if you wanna watch 'em come in.

OM: Yeah. They probably won't realize that you have seen 'em, and they think that you're just pulling away.

JM: Well, I hope so. [PAUSE] When I got down out of the tree, there was my partner in front of it and he had a blanket pulled over his rear end. He pulled his knees up underneath him...it's like a kid playing marbles, you know -- knees up underneath, elbows on the ground. And I could see the night scope sticking out from under the front of the blanket, going that

way, straight out in front of him. It looked like it was on a pillow. I think he had a blanket rolled up on the front. So he had tented himself, in effect--got that thing all set and got himself all comfortable. As I walked up to him I could hear [snoring]. And it's the funniest position I've ever seen a grown man sleep in in my life. (Laughter) That's the story. When I went and shook him, I says, "Loren, wake up." And he come straight up out of the ground, "What you mean, wake up? I wasn't asleep. What do you mean wake up?"

[PAUSE]

On that one right there, I can't work the way I would like to. I just can't do it. We'll pull way back here where they can't see us. We're far enough back to where they can't see us. It's gonna take them a few minutes to cross over the top.

[PAUSE]

OM: Jim, the other night as we were sitting there in the jeep close to the river, you mentioned that on a previous ocassion you had had a similar situation happen to you, when you had someone in the jeep and you encountered people who were trying to cross. Could you relate that experience, please?

JM: Yeah, I will. That night I had a special agent from the Santa Fe Railroad with me. And he and I had worked together for several months prior to that on different things down and around the area of Santa Fe yards in El Paso. That night we had been talking, and I was telling him some of these experiences that I'd had down on the river, and he wanted to see some of these places. He says, "Man, I can't believe that. I'd like to go down and see some of that. Or at least see where you're having all this going on in El Paso." And I says, "Okay. Let's go on down. I'll show you the

one particular crossing where a lot of it's been happening."

So we drove down to that same crossing that you and I were on. And as we got down there it was just at dusk. The sun was just going down. And we drove down there and I'm pointing to one side or the other, showing him and talking about different things to him. And I drove down on the bank, right on the bank, almost where we were parked, and then I commenced to telling him the story. I says, "They come over the top on that side, and they usually deploy around in a horseshoe fashion or in a perimeter fashion. And then they bring the loads down between 'em." I says, "And then you look over underneath that tree right over there where that woman is sitting..." And I stopped, I looked. And it turned out that they had already come down and stacked it up, an there was the load stacked up right there, and the woman was sitting on top of the load. And we got out and I couldn't believe what I was seeing. We walked right in the middle of it. And he walked down a little ways to my left, to the east, actually, of where we were standing with the Cherokee. And then he came back and he says, "Jim, don't move!" And I says, "What do you mean, don't move?" He says...well, I'm getting ahead of myself a little bit. I better relate this other thing.

While the woman was sitting there, I talked to her in my limited broken Spanish, and I asked her what was going on. She wouldn't say anything. And then there was some brush on the left-hand side of the walkway down. Two men got out of this brush and walked over to me, and I asked them what was going on. They told me that they were the policía and they were down there looking for bad guys. And I asked them if I could assist them and I wanted to know if there was anything I could do. That's what I asked them. And one of them was carrying a pump shotgun, 12 gauge

pump shotgun, as he was standing there talking to me. And I knew what was going on, there wasn't any question in my mind what was going on. And I knew that I'd stepped in the middle of a big blunder. It wasn't very good, what I was doing at the time. So we just played it cool and played it dumb, to say the least.

And then was the time that the special agent moved to my left about 20, 30 yards, and then he walked back and told me, he says, "Don't move!" He says, "They've got men on both sides of us on the other side. So don't make any move towards that load at all." And I says, "Fine." And I asked the guy on the other side how many there were with them, and he says, "Oh, there's just us right here, you can see." And at that moment he and the other man picked up the load, threw it over their shoulders, and walked back up over the top of the levee. And the man that was talking to me-- he seemed to be the leader of the whole group--and when he got to the top of the levee on the other side he said, "Véngase." And five other men got out of the brush on either side of us.

OM: On the U.S. side?

JM: On either side of us, but still south on the bank of the Mexican side. But actually as we were positioned they were on our right flank and our left flank. And when Mel had came back to me, he says, "Don't move," because he had heard the bolt of a rifle closing on the other side, he heard the click. You know, it's an unmistakeable click to those of us that have been familiar with that in the past. And so we just held our ground and stood and watched, and made sure that that was what was going on, watched through the binoculars. Then when the man got on top of the levee and shouted to the other ones down the brush, why, five other individuals came out of the brush. And all of them were carrying long sidearms.

And by a long gun, I mean that was a long gun--it wasn't a pistol, it was a rifle. And by this time it was dark enough to where we couldn't really tell what type they were carrying, but we did definitely make out that almost every one of them were armed with some kind of a weapon.

So that was the experience I was gonna relate to you. That always happens to me when I'm showing people the river. (Laughter) Not always, but it seems to me like I'll go for weeks and weeks and not have anything happen, and then take someone down on a educational motivated background or something like that. Anyway, when I don't want it, the most unexpected things happen. And that's what happened that night.

OM: Of course, my visit was not as exciting as this other one.

JM: No, we didn't give yours a chance to mature. (Laughter)

OM: Okay, Jim, let's back track to the time when you first started working for the Customs Service. Could you relate the circumstances which led to your seeking employment in the Customs Service?

JM: Well, I came to El Paso in the Army, and I spent a couple of years out at Fort Bliss. I got out and I began to attend the University here, you know, with the idea of getting a degree and going into teaching. And I just got bored, to tell you the truth. I'd been on a mission and I'd been in the Army. It seemed like all of my life I'd just been doing for other people, and I wanted to do something that I wanted to do for a change. I guess maybe that was kind of an immature attitude at the time, but that's neither here nor there. But I saw on the television one night, I saw an advertisement, and they were talking about the terrorist activities in Europe and in the other places, and some of the American airliners were being hijacked and they had procured from the Army a bunch of officers to ride the aircraft and in effect guard the aircraft to and from its destination.

And they were hiring people down here through the federal government to do that. And that looked pretty interesting. I was married, but we didn't have any children and we were willing to do something unusual. So I went down and I took the federal service entrance exam and applied for the job. And two months, I guess, later, they notified me that I had been selected, and that I would report to New York City as a duty station. And that's the way I got into the Customs Service, generally.

OM: What did you do in the Army?

JM: Well, I was drafted in the beginning. I was completing my fourth year at the BYU, third or fourth year. (It's been so long ago now, I can't remember.) But I was beginning my senior work anyway, up there. And my draft board was in such a situation up there that they told us that whenever you reach the age of 24 or you had four years of college, they didn't care which one you completed first, but then you would be considered automatically for the draft. And my deferment ran out. And as a result they told me, "Don't register for school." And I was drafted into the Army. In the Army, I went to Fort Ord, California, for basic training. Then I came here to El Paso for advanced individual training in air defense artillery. And when I got out, I was a track commander, a E-5, a sergeant, over here at Fort Bliss. I worked on a Chaparral missile system. And that was the extent of my Army career.

OM: Okay. So then you're in the Custom Service and you go to New York. That was your initial assignment?

JM: The initial assignment was to go to New York. I went there and I spent about two and a half years in New York. A year and a half of it was with the Customs Security Officer phase, which is better known as the Sky Marshals. And I flew out of New York City and flew with TWA and American

Airlines. Those two airlines were the only ones I flew on. I worked ground security on all of them that are at Kennedy Airport, but that was a different phase of the training and whatever. And the rest of it was just flights, transoceanic flights to Europe and to different cities in the United States. And I flew that for almost a year.

OM: Were all the air marshals that they were using at that time employed by the Customs Service?

JM: At this time, they were. Initially, they were kind of drafted from all other sources the federal government had--the Army, special agents from Customs, the FBI, Secret Service. A lot of 'em were taken in to do this until the program could be established whereby something could be grounded and founded permanently to do it. And this is where I came in. I was hired specifically as a Customs Security Officer to provide security for flights, period. And that involved both ground security and undercover activities in the aircraft on board in flight. And that's what it amounted to.

OM: You knew that you were going into that initially?

JM: Yes.

OM: What kind of training did you get?

JM: Well, I was sent to Washington, D.C., Fort Belvore, and we spent four or five weeks there as a kind of a basic thing. They gave us Customs law, arrest techniques--a real crash course in Customs training. Now, this was turned over to the Customs Service; then it was the Customs Bureau, because it's part of the Treasury Department and international relations are handled through the Customs Bureau, then, with other countries. That basically was the reason that Customs got the Sky Marshal program. At least as far as I understand it, that's the reason.

OM: Was your training adequate for what you were expected to do?

JM: Oh, for what we were expected to do there, I think it was, yes.

OM: Any unusual experiences while you were a Sky Marshal?

JM: Well, a lot of it was unusual to me. The travel part as far as anything on aircrafts, the worst I ever had to deal with were drunks. And they turned out to be some people that you wouldn't really...(Laughs)
Human nature is human nature, and some people who are rather well-known turned out to be the typical drunk that was interesting, at the time that I was doing that. But as on board aircraft, I never had any incidences as of attempted hijacking. On the ground there were a few here and there, reports of firearms and sidearms and bombs. And some of us got involved in different things on the ground. I gained a basic knowledge of narcotics detection. During the pre-departures we used to seize quite a bit of it. I can remember myself and one other officer in the Pan American terminal in New York City working in one of the jet ways. The flight was going to San Juan and they were going to have a rock concert down there. Oh boy, what a mess! Just me and the other man [were working]. Almost every other person getting on that flight, and there're around 400 of them--even I think there were more than that--when the thing was finished we had about 30 individuals lined against the wall. And we had baggies and bags and pills and needles and everything else in the world. We had so many people we couldn't remember which bag went to who. And as a result we just seized all the narcotics and put 'em all back on the plane. There wasn't anything we could do, really. And I can remember a lot of times going up the jet way after we'd finish doing one of the pre-departures, and just gathering up all the narcotics dropped in the hall. There used to be quite a bit of it. And we'd find it in the johns and all kinds of stuff like that.

There was a time or two when firearms were reported to us and we would go to these people and secure them and things like this, too. At times we'd have different agencies come down. I can remember going on one flight looking for escapees from one of the penal institutes up in Connecticut. You know, things like these happen from time to time. And it was interesting.

OM: Were you disappointed that you did not encounter attempted hijackings?

JM: No, not really. I had no desire to really mix it up with 'em, because I knew... From our training, the basic training that you received was that when it was in the sky, in the air, and when you were undercover, there was a lot of techniques taught to you. And one of them was that if a man attempted to hijack that aircraft, you were within your rights and within the laws of the United States then to do whatever was necessary to secure the safety of the passengers in that aircraft, and the crew. And if that meant if the man walked by you...we used to have game plans and signals set up with the stewardesses and the pilots. All it took was one tip-off gesture, one walk, one bump, one wrong stumble. And a man walking by you, you would have to shoot him in the back of the head. That never did appeal to me very much. I knew that if it came right down to it, I would probably do it; but it just never did appeal to me, because I guess I just have too big a conscience to deal with something like that, even though that man may be attempting to kill all the rest of the passengers.

And we were given profiles of hijackers. Some of the psychologists in the country got together and the sociologists and the psychiatrists, and they drew up what we called a profile of a skyjacker. And the worst ones and the ones that you really couldn't deal with any other way were

the psychotics, were the ones that were taking the airplane to destroy themselves, and wished to go out in a ball of fire and flame and glory-- I guess, I don't know. But those were the ones I used to think about, but then I didn't really. I just kind of took every day as it came and tried to take the best I could get out of it. The flights were long and boring, being able to stay awake for 14 hours became a necessity, and sometimes you would only have a three or four hour lay over and then you'd be on your way back. The time changes. It was grueling, not in a physical manner, but in a general overall wear down of the men that did it. Our schedules were much heavier than the crew's schedules. We would fly twice as much, literally twice as much as the crews would fly--which never did seem to make sense to me, but that's what we did.

OM: You would think that you needed to remain fresh in order to carry out your duty sufficiently.

JM: Well, I think part of the problem was the limited resources, again. And this is what I've been faced with ever since I've been in law enforcement work--limited resources, limited man power, especially in El Paso. And then it wasn't any different. You still had the three or four men that were supposed to cover responsibilities of eight or nine, and it just has not changed any. And I don't believe it's different in any place in the United States as far as law enforcement goes. I think that's about it.

OM: Let's talk about your experiences in New York, when you started working the Customs Service there.

JM: Well, like I say, I worked with the sky marshal program for about a year and a half. Then they started a new division and they started phasing out the Sky Marshals, the Custom Security Officer. That's a dead dog now, it's an old bone; the Custom Security Officer, the Sky Marshal no longer

exists. It was phased out of existence after ground security techniques were perfected well enough to secure that aircraft so the people would not have to go on board armed, and in effect cause more consternation on board that aircraft than there would have been if it'd been caught on the ground. So, the plan was to secure that aircraft before it ever got off the ground, and therefore you wouldn't have to deal with the skyjacking. And after a while, this was developed. And then those of us that wanted to remain with the federal government applied for different jobs. One of the things that was instituted, one of the reasons for it was to put these ex-Sky Marshals to work, and another one was that Customs Service wanted to branch out and regain some of the holds lost because of President Nixon's policy on drug enforcement. And a lot of authority and power was taken to the DEA out of Customs. And Customs wanted to re-do something there. So, they began what's known today as the Customs Patrol and the Customs Patrol Division around the country. And this is where the action's at now in Customs, this is where things happen. The Customs Agency Service has kind of atrophied into a investigatory thing for cargo theft, and for pilferage. And it seems, really, from what I've talked with different agents, rather, that their jobs have really been limited.

But anyway, the Patrol started, and I was, I put in for it and I was made a Customs Patrol Officer in Kennedy Airport. And I was put in the cargo theft division, patrolling in marked patrol cars on Kennedy and around Kennedy for the purpose of preventing pilferage and cargo theft from Customs custody. Now, cargos would come into Kennedy and we would in effect try to deter smuggling and theft. And a lot of times they would come in and they would be invoiced wrong. And there would be twice as many as the invoice said, therefore, they'd only pay half the

Customs duty. This way you're protecting the revenue of the United States, also, which is the primary function of Customs, period.

But the other part of it, the enforcement part, the experiences we had--oh, we used to sit on the apron and watch, through powerful binoculars, the unloading procedures, watch the employees. I can remember watching 'em as they'd open the cartons and get the size of shirt and pants, the shoes out they wanted, and put it in their lunch box. I can remember picking up guys that had 97 or 120 pairs of socks in the trunk of the car and lists as long as your arm in little black books, stating what John wanted and what Joe wanted and what Mary wanted. And they would go about on their job, and when these cartons come through, they'd whip a few out, one or two out of a caseload--one or two here and one there, two here. And when you got the volume of what was happening, it was just monstrous on that airport alone. Now, I only worked on Kennedy, I didn't work down on the waterfront where a lot of the ships came in.

But this Patrol has developed into really a multifaceted organization. We have land branches and sea branches and air branches and it just literally covers the area between the ports of entry in the United States and every way possible that people come in. And Kennedy was just one facet of that. That was the cargo theft.

I also worked in a plain clothes division there after a while, because of some difficulties I had when I was in the cargo theft division. And that was interesting, too, the work itself. Well, when I began, I began working with the cargo theft division, and it had been going about five or six months. And my partner and I, a little guy named John Ryan, little old Irish boy from New York, he and I fit together pretty well. He was short and pudgy and shot real quick and fast. He was a fire eater. And

I was kind of the other way around, I'd be the nice guy.

We got it developed down to where we were developing a system of informants because we were catching people every day that were stealing things. In the beginning, we were following policies; and what we would do is, we'd catch the pilferer, the guy that was stealing something, and we'd take him in and in fact book him in our office there. We also had a system of summons books, where we would write a summons to that individual from the director of Customs in that area, that he was to appear before an agent of the United States, and that agent would take him in and question him on what happened. And if in fact we got a big case, at the time they would take him right there and arraign him before a judge and take him in. But what they were trying to do was to develop a system of informants where the agents could work these cases and get to the sources of what was happening on a lot of the bigger stuff--the narcotics and the other stuff.

Well, like I said, every day we were catching somebody stealing something. And after a while it dawned on us that we could do the same thing that the agent could do without all the hassle. We could develop the source and go right to the head without having to go through all this paperwork and bog things down and get involved with an agent that didn't know what you were doing, or sometimes wouldn't care what your informant had. You know, this kind of thing. And to me and John, we decided we were gonna see if we couldn't go the other way. So we start pickin' these guys up and squeezin' them. And we had a big lever there, because if we'd notified their boss that we had given them a summons and that they were stealing cargo or some kind of material from that company, this man would lose his job. And those were good jobs out there, they paid good money. They paid a lot better money than we were makin'. And when you start

talking to a man like that, you start making a little bit of headway with him. And one of the other things that we had going for us was that about once a week we were picking up one of the supervisors down there that would have his trunk loaded with something. And when you get that kind of people, why, then it's even better.

And one day John and I were on the patrol and we spotted a van, a white van, going into one of the parking areas. And we knew from past experience that that van didn't belong there, that that van did not go into that personal parking area. That was where they parked their personal cars, and they were under orders not to drive company vehicles into that parking lot. Well, this guy went there, let one man out; the man got out and he had something under his arm, and he walked quickly through the gate and into the parking lot. Well, we were right behind him. We went into the parking lot, and lo and behold the guy just flat disappeared, 'cause we were right behind him. And what he did was, he ran in there and he saw us coming and he dove underneath a car. And that parking lot was one of these things where you have literally thousands of cars. I mean, it's a huge one. It's just an all-day parking lot, and it's huge; it's right in the center of Kennedy Airport.

Well, we knew that we were going to be hunting a mouse in a haystack there, a needle in a haystack, so we turned around, we took after the van. We caught the van, we caught the driver. And it turned out that the driver in the van had stereo equipment that had been ripped off. And we asked him where his buddy was and whatever, and he wouldn't tell us, and he got all upset. So we figured, John and I did, that if the man was working there he'd be back to his locker room and pick up his gear, anyway, if he didn't think we knew who he was. So we handcuffed the one man, put him

back in the car, and drove over and waited, just simply waited at the Allied company's... This company was the Allied Company, and it was actually a cargo moving company on Kennedy, one of the many. And we waited for him in his locker room. When he showed up, we read him his rights, clapped him in handcuffs, and proceeded to take him out the door. And the man took me right out to his car and we retrieved some camera equipment that he had taken. That's what he had under his arm when he ran into the parking lot. So we caught both of those guys and it was a pretty good case. It was a grand theft case in New York.

And as we pursued it, what we had to do was have the manager of the Allied Company come over and press charges against the man for stealing from his company. And since these shipments turned out not to be in bond, they weren't under Customs jurisdiction, they were materials that were included by the passengers themselves. In other words, these guys were ripping off passengers' personal belongings, and therefore we had to have the man from the company press charges against his own employees. But when he came over, it turned out that one of the men was, as I recall, his next-door neighbor, which we didn't know at that time. And this man was the chief of security of the Allied people there. And also he had just been released a few months earlier from being the chief of police with the port authority in New York, which is a huge organization, almost comparable to NYPD. And this incident caused considerable political consternation among my chief and him and a number of different peoples, 'cause all of a sudden it dawned on some people back there that they had two officers there they couldn't control. That's what it boiled down to.

Anyway, the man came in and we let him read our reports and the whole thing, and then the port authority police were there. These are police

officers that, like the NYPD in the city itself have jurisdiction, the port authority police have jurisdiction at the ports for local commerce. And they provide all the police functions on the airport of a local police force. And any charges that would have had to been levied would go through the port authority police and then to one of the New York city courts.

Well, the two officers came to pick these men up, and we had a chain of custody thing set up with them. And they said, "Oh, you don't have your paper work done yet," which we didn't. We hadn't finished interrogating the prisoners and finishing our work. So they says, "We'll be back in half an hour and pick them up. We'll get a cup of coffee," or something like that. Anyway, it turned four hours later they never returned. Now, this is after midnight, and this thing happened about seven thirty or eight o'clock at night. And when they came back, why, they told us, well, not much we can do. And we says, "What do you mean, not much we can do? We've already arrested these men. We've in effect, started proceedings against them. All that's necessary is the chief of security there to press charges against them." "Well, he says to tell you that he's gonna be out of town Sunday. He's not gonna be there to press charges before him. Take them before the judge in town." And in effect, what this did is forced us to release these people, because we could not get one of the local people to press charges against them, being that it was not a federal violation under our law. And this is one of the political things that happened.

Well, anyway, I went to summer camp. When I came back from summer camp--that's with the Army--my partner had been removed from the cargo theft division. And I can remember thinking, "Well, from what happened that night, I can imagine why." And then just a week later I was removed.

And it was one of the most humiliating things I've ever had happen to me as far as that goes, 'cause we were put to watching doors in the International Arrivals building. We were told that this door, "Nobody is supposed to come in, so keep an eye on that door." And I stayed on that door, I guess, until they thought I'd learned my lesson, for about two weeks. And my partner stayed there longer than that. (Chuckles) He was there longer than that.

Anyway, I wound up after that being put in a plain clothes division. I worked the passengers coming off the flights. And what we'd do is, we'd go in and mix with three or four hundred people as they came off these huge international flights, walk around the room and sniff--"Hello people," and, "Hey, could you help me?" Pat the guy on the back. And you could develop techniques of finding things without the guy even know you patted him down--being a friend and looking for things. You know, all the techniques. The next time you come through Customs at some international port, you watch if somebody doesn't walk up to you and clap you on the shoulder and say, "Have a good flight? Everything okay?" Slap you on the back a couple of times. If you're not careful, that's probably a Custom's Patrol Officer, and he just found out whether or not you had a body carry. And we used to do things like this and play games with them and all, whatever.

But the first two or three days I was there, I was called into the supervisor's office and he sat me down. And we had a talk for about, oh, an hour and a half, or two hours. And initially the talk began, "You're new here, you don't know what goes on here, we want you to understand. We want to know how you react and everything." Well, what it boiled down to, they were trying to feel me out to see what kind of reactions I would

have to different things. And they asked me, and my answers did not come back the way, apparently, they should've done. As this discussion drew to an end, it was quite bitter from both sides. And I was told that if I saw something on the airport concerning one of the employees of the government there, of guys that I was working with, in fact, and that if I turned him in, or did anything about it, that I would be...my wife would be without a provider is actually the words they said. And I blew up and I told them that if they didn't want me to see anything, they better not show it to me. And we almost went to physical blows there in the room. The only reason we didn't is because there was one of the other CPO's there that happened to be a friend of mine. But he was also involved with them.

But anyway, I decided after that that New York City was no place for me to be. It might be that my cowardice was showing, I don't know. But when the Mexican border opened up, I just welcomed it with open arms. I says, "If I don't go there I'm quitting anyway because I can't put up with this." And there just seemed in New York City, there seemed to me like there was no place to go. After I got down back here to El Paso, internal security came down here, interviewed me about the same subject we're talking about now. And my boss in New York was forced to resign. And there was a whole bunch of things that went on that I wasn't unaware of. But my partner and I posed a threat at that time to them. They knew if they let us go we would do or at least try to do what we were hired to do. However well we did it would've been another question, but at least we would've been trying. Anyway, my former boss there was forced to resign. His name was A.M. Fernacy, good Italian name. And anyway, that was generally the view that I got from New York.

Now, I learned a lot [of] things there. I learned a lot in simple narcotics identification and prototypes and profiles of would-be smugglers, and a lot of things that I had no idea about before--granted that. But I also learned the other half of it, too--that wherever you go, whether it be in New York City or in the Mexican border, that you always have to deal with a certain amount of this kind of stuff. And my outlook has been different down here and I have not had to put up with any of this kind of thing down here, as far as fellow employees go. I've just done the best I could and, to me, I've accomplished things. I've had experiences that have proved worthwhile and given me a certain amount of satisfaction.

Working down here I've had my problems, granted that. We have had problems. We had one man go bad and try to sell what he thought was eight pounds of coke. And we all were gung-ho greenies, to tell you the truth. 'Cause when this first started down here nobody had real training in border traffic. And we were brought from different locales without any formal training. I still have not had any formal patrol training, by the way. Everything I've done I've learned OJT, on the job. The Customs does have a basic Customs Patrol Academy for another five or six weeks. Plus they have a language training program down here now.

OM: In El Paso.

JM: In El Paso, yeah. And I've managed to scrape through the language, anyway.

OM: Why haven't they given you training?

JM: Well, basically because, see, I'm considered an old timer, now, I guess, because I've been out on the river and done a lot of things and produced. And it seems that like, at least in our station, the guys that don't produce are the ones that are sent to get retrained, I guess. That's the way it runs down here. If a guy is producing, if he's out there working,

if he's doing what he can do, and bringing in seizures, narcotics, and otherwise, why, he's left to do it. And if he's not, he winds up back in Washington again for more training. And that's the way the general ball has been bouncing. Now, when I finish the University training here, that's another thing too, that has interfered with this kind of thing, because you'll be gone for six weeks or so. And I've been trying to get my degree here for the past year, little over a year now. Therefore, I haven't been able to be cycled into this part of it. We've also received training in conjunction with the Navy SEAL Teams in San Diego, California. I've been through that training--that's three weeks long, three or four weeks long--and that's excellent training, that's training that's needed. I use training that I received there really effectively on the river here. And I've made seizures using it.

OM: What kind of training are you talking about?

JM: Well, this is training in...actually it's advanced basic foot soldier training. We received training in the use of sensors, the use of aircraft in conjunction with what you're doing, training out of helicopters. By this I mean the use of deployment of troops from helicopters. The use of night devices; goggles; the use of flares; the use of compass courses, even, to find where you're at and go to a certain point at night without the use of light. The training in the disciplines, I call them--night disciplines, light discipline, sound discipline, movement discipline--all of these things that come into the aspect of the realm of what we're working with on the river. That SEAL Team training was probably the most effective training that I've had since I've been here. We've also had in El Paso from time to time what they call Customs Patrol seminars, which you go through brush ups with Customs law and with arrest techniques,

self-defense techniques and things like this. We also receive training in firearms. I've received extensive training in firearms since I've been here, everything from a 45 caliber greaser to a M-16 rifle, all kinds of pistols. It's just lots of firearms training.

OM: That training that you got in San Diego, you call it SEAL training. Why is it called that?

JM: Well, the SEAL Team in the Navy's sea, air, land mobile strike force.

OM: I see, okay.

JM: And that's what they have developed out of Vietnam and some of these other... They were the original frogmen you read about in World War II, you know, the first ones up on the beaches and everything like that. Well, that's the kind of training that they had, and then they are imparting part of that to us.

OM: We were talking about the problems in New York with the in-house corruption. Down here on the U.S.-Mexico border, there have been similar problems. A couple of years ago there was a big investigation of some of the situations that had developed with in-house corruption. You have some knowledge about that. Could you talk about that, Jim?

JM: Yeah. The one thing that happened here concerned an officer named George Howell, and he caused considerable consternation for a lot of us--me included. If it wasn't for him I wouldn't have received a reprimand and had a week off. Like I say, he was the one I was talking about earlier that tried to rip off some would-be coke. And he was set up, is what he was. They gave him some turkey and he was set up by our own internal security agents. And when he got out he started making...well, to try to defend himself, he made all kinds of wild accusations, and some of them were based on rules that had been not circumvented, but bent.

And like I was telling you before, some of the things that we were told when we first came to El Paso was: number one, we need seizures. Number two, if you don't make seizures, the Patrol will be removed. You are literally fighting for the existence of the Patrol on the border. One of our supervisors, the man in charge at that time--and you can find out who he was, Ivan Chappy--told us he didn't care how we made seizures as long as we made 'em. And that was a pretty broad statement to make.

Now I didn't work with George, I never did work with George while he was here. I knew him very well, I talked with him on several occasions, he helped me do a radio program one time. Thank heaven it wasn't aired, at least his part. But there were a number of things like this. Anyway, when George bit the dust out here, the rest of us were trying in the worst way to do the job that was assigned to us. Now, the men that I know here, with the exception of George Howell--and even old Mike Kelly, and he was convicted down here--these men were not doing anything to try to enhance their own personal stature or enrich themselves or to gain something for nothing. They were doing what they thought was directed by our office down here, to accomplish and to make seizures and to build stats down here so that we could have something to compare, specifically at that time, against the Border Patrol stats. And that's what we were doing.

Now, with my personal account, I have a good friend here as a pilot, and one of his duties with the patrol division in the air, he would patrol and would be a support to the ground units. And he was supposed to spot something, then he'd call you in to make the bust. And that's what it would amount to on that. But Al would fly east and west of town, and from time to time he'd come upon aircraft or he would talk to the small airport owners around the country here and gain information and intelligence

on air smuggling operations. And one way or another he found out that there were several little dry lake beds west of town that the smugglers were using to load...the planes would fly down, load, and come back. And he found out where these were. So from time to time he would, himself, fly down there and check them and see if there was any activity. Now, from time to time he found activity down [there], he found the garbage stacked up. And instead of leaving it there for somebody to pick up-- because we had no way of monitoring it down there to when they would pick it up--well, the guy would fly down and land. And he would pick it up and bring it back, and we'd burn it. We'd bring it back here and turn it in as a seizure, and from our seizure compound down here it'd be taken to ASARCO and burned.

Well, my estimation of Al Winsloff, who is the pilot, I just couldn't say enough good about that man. Courage, dependability. If he had been caught on the ground down there, they would have just killed him. We'd never have known what happened to him. This is the kind of chance he was taking to do that.

OM: He would go by himself?

JM: Yes, a lot of times he did do that. He always flew down there by himself. The one that I was involved with, with him, he went down there, he found a sack still on the runway, they couldn't get it in the airplane. That was left over from the load. So he flew down and picked it up and brought it back.

OM: Where is this spot where he landed?

JM: The playa is west of town maybe 30 miles; and I don't know how many kilometers it's into México exactly.

OM: About how many roughly?

JM: Forty or 50, I don't know for sure. I've never been down to it. But I know from looking at maps and things like that it's down south that way, a distance. Anyway, he found that one bag and brought it back out, and he called me from the Sunland Airport. And I met with him, he says, "This is what I found, we've got to turn it in, get rid of it." So, he went in and, well, what he asked me for is because he...tell you the truth, I don't really know why he asked me to corroborate what he did, except that he wanted to make the report, you know, feasible. But he made a report, he put it in to the office, and he asked me to sign it with him and put it in. Well, I signed it with him. And the thing was just very vague. It just stated that he'd found the thing out there and he called me in to assist him and we discovered it was marijuana and then we turned it in. He wasn't specific about the place at all. And that's what got us into trouble.

OM: Did it leave the impression that the place was on the U.S. side?

JM: Yes, definitely. That's the way the thing was written up. And after George got busted and everything, he...

OM: Why did he get busted?

JM: Well, George Howell did, because he was making some kind of deal. And I don't understand all the ins and outs of this either, because I wasn't, like I say, concerned with his prosecution or anything like that. What it boiled down to is, George had what he thought was narcotics, and he was gonna sell it instead of turn it in. That's what it boiled down to there. And when he got busted, why, he started making all kinds of accusations against everyone. Now, there was several of us that were disciplined down here, not for breaking the law. We didn't break any law that I know of. But we did circumvent and bend...not really circumvent either,

just bent it, around it. 'Cause circumvent, as far as I'm concerned, means that you know the law's there and you go around it. Well, we didn't really know the law was there, where the policy was there. We thought we were doing what was expected [of us]. And I knew at that time, personally, that it wasn't correct, and that it wasn't right. But he brought me a problem and I didn't know what else to do with it except help him get rid of it.

OM: You mean this incident of picking up the marijuana in Mexico and then reporting it?

JM: Yeah, right. I knew that the report wasn't correct, in other words. I knew that that was in fact false. But yet we had 25 pounds of marijuana right there and we had to do something with it. So I was willing to help him get rid of it and able to get the problem out of the way. It never occurred to me that it would ever cause any kind of problem, because you didn't concern people with it, there was no arrest made in conjunction with it; it was made as an unknown seizure. And with those, all we'd usually do is turn 'em in, they burn 'em. And that's it.

OM: Where was the problem?

JM: The problem was that this flight going into Mexico was not authorized by one of the federal agencies. Now, flights are made all the time into Mexico by the government. DEA has liaison with them. And the thing that was really comical about it was, while we were waiting for our suspensions to in fact come down to us...we knew they were, and originally they wanted to give me three weeks off. I appealed it and got a week off. And Al did the same. They wanted to fire him, but he appealed it and they gave him 30 days off.

OM: Without pay?

JM: Without pay. And what was comical about it is, here we are, we know that we're gonna be suspended or, in fact, fired; and yet, they had Al flying into Mexico from Laredo in conjunction with other things. I talked to him on the phone. I said, "What are you doing?" He says, "You're not gonna believe this." He says, "I'm flying into Mexico."

OM: While he was waiting to be suspended?

JM: That's right.

OM: And he knew that he was going to be suspended?

JM: Yeah.

OM: And the agency knew it?

JM: That's right. Isn't it something, the way the government works?