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## Interview no. 425

Robert T. Hudgins

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UNIVERSITY OF TEXAS AT EL PASO

INSTITUTE OF ORAL HISTORY

INTERVIEWEE: Robert T. Hudgins (1922- )  
INTERVIEWER: Oscar J. Martínez and James Marchant  
PROJECT: U.S. Customs Service  
DATE OF INTERVIEW: June 11, 1977  
TERMS OF USE: Unrestricted  
  
TAPE NO.: 425  
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BIOGRAPHICAL SYNOPSIS OF INTERVIEWEE:

(Fines, Penalties, and Forfeiture Officer, U.S. Customs Service) Born in Idaho in 1922; his family moved to California, where he attended high school and college; was in the Army during World War II; has worked for private business, the IRS, and the Customs Service.

SUMMARY OF INTERVIEW:

Biography; work experiences in business and subsequent position with IRS and Customs Service; interesting cases encountered while working for the government on the border, including fraud and smuggling.

Length of Interview: 2 hours Length of Transcript: 72 pages

Robert T. Hudgins  
by Oscar J. Martínez and James Marchant  
June 11, 1977

JM: Ok, Bob, where were you born and when, and from there just kind of give a little bit of a sketch up until the present time, if you would.

H: Okay. I was born in Boise, Idaho, in 1922. In fact, it's June 3, Confederate Flag day.

OM: Then you just had a birthday?

H: I just had a birthday, just got [to be] 55 years old. And I went to school there until I was 14, then I moved. My dad was in the oil business, he moved to California. And I went to high school in Alhambra, California, in Long Beach, California, went to Long Beach City College. And then I became a hero, went in the Army.

JM: Oh, is that right?

H: Yeah. I was one of these...gonna be a professional hero. It didn't work out that way. (Laughter) But I studied in college before I went into the Army. I was gonna study medicine, ended up being more fascinated with law than I was medicine, it was a lot more fun. Then I went in the Army.

JM: And when would this be, in the Army?

H: Oh, 1942, '43. The big war, anyhow. And then I was disabled out of that in '45. It seemed like we had some very unfriendly people over there in Europe. I came out, and I went back to school, and took a degree in Diesel Engineering, of all things. Worked at that for...let's see, I worked at that until 1950.

JM: Where was this--still in California?

H: This was in California. Then I was transferred. I went to work for a company, and they transferred me to Bakersfield. I managed an organization for 'em up there, the Tri-counties--Turrentine and Tullery County, California. Run that until...1953? Yeah, about 1953, and then I transferred back to LA

as assistant sales manager for a big machinery company. Then I went on the road traveling for them till 1955, '56, along in there. All this time I went to...took part of my law degree at UCLA under Justice Goldberg, Arthur Goldberg, the former Supreme Court Justice.

JM: Oh, you went back and got a law degree?

H: Oh, I've never been out of school.

JM: You've never been out?

H: I've never been out. There's no five-year period [of time] that I haven't gone to school, since I started in grade school. There's no five-year period in my life that I've never gone to school. Anyhow, I just...you need it in business, you need law. Okay, so I'd go study something up. Then we needed arbitration law, so I went [and] took a course under Justice Goldberg. Then we needed repossession law, because you get involved in repossessing equipment, so... Mining law, land law. So I'd go to school on it, go nights. And I got fascinated with it. But of course, I was still doing sales work. Then I traveled in...we went into foreign operation. I traveled in South America and Africa. And, you know, you name the place, I've been there, almost. Traveled a couple of million miles doing that.

JM: Still with this sales company?

H: Yeah, I was with these companies. The last one I was with was the people that were building...oh, they built this big thing in the copper mines in the Catonga, in Africa; and they built the dams in Campinas, Brazil; and Bocano Dam in Venezuela; and the bridge over Lake Maracaibo--construction outfits. Then I had a small heart attack, one of those small things that'll kill you. I decided there's a better way to make a livin' than money. I was making good money. Hell, in 1955 I was making \$25,000 a year.

That's a lot of money in those days. But I was working for the Wasting Corporation, went into appliances. I was a salesmanager for the Wasting Corporation when the government come in one day and said, "You're a [recruit]." Believe it or not, the government went out and recruited. Said, "Hey, we know what you're makin', we can offer you almost that much money if you'll come to work for us." I said, "You gotta be kiddin', man." But they wasn't. It was when the Internal Revenue [first] come in with this blue ribbon program, after the scandals in Truman's administration.

OM: Which scandals?

H: Well, like the Commissioner of Customs making a million dollars a year. You don't remember about Caudell Johnson and a few of these people? Oh, he's missed out. T. Coleman Andrews.

JM: I never heard of them either.

H: A district director of Customs was making at that time eight thousand bucks a year. A district director of the Internal Revenue made \$8,000 a year, but he kept \$150,000 of the bribes. No investigator for Internal Revenue worth his salt made less than 50 grand a year. Oh, this was unbelievable. We didn't collect any taxes, but we sure the hell made good money! The blame always has been blamed on Truman, but that's not true. Truman uncovered it when T. Coleman Andrews...[Truman] found out the guy was making almost a million a year. Truman didn't think that was right.

OM: He was a top officer in Customs?

H: No, he was in Internal Revenue.

OM: Oh, Internal Revenue.

H: Yeah. And that's why they fired him. Man, they went through and put people

in jail, and that's when they started this new program of recruiting business people to come into the government. And they changed their grades and all this stuff.

OM: How was the situation here in El Paso?

H: I wasn't in El Paso at the time, I was in LA.

OM: With regard to the corruption within Customs.

H: We're not talking Customs, we're talking Internal Revenue.

OM: Internal Revenue.

H: Internal Revenue, at that time. Customs was nothing at that time. You know, Customs Service in 1952, '53, '55, what'd they have? You know, guys at the bridges.

JM: Well, you're still dealing with that kind of a token force on the Mexican border.

H: Yeah. At that time, when I first came here to El Paso, we had one bridge-- one bridge. Fifteen inspectors.

JM: Let's go back just a little bit, before we get into that. I'd like to know how you got from working with these private companies into the job you have now.

H: Just the recruiting. They came by and says, "Look, we can offer you so much money. Eleven month a year job, get your leave, you know, which is almost a month. Your medical, da, da..." You know, all the benefits.

M: Now, did you go right for Customs at that time?

H: No, no. I went into Internal Revenue. I went into work for Treasury. There're three offers. I had an offer for Agriculture, I didn't like that; I had an offer from U.S. Information Agency; [and] an offer for Treasury Department.

M: What kind of offers were these?

H: Well, U.S. Information Agency, they wanted me to go overseas because I was bilingual and could be trilingual--I spoke enough German I could get by, besides Spanish--to go into these libraries, you know, information libraries. Propaganda man. Department of Agriculture wanted me basically because I had been in South America, in their Eradication Program for hoof and mouth or some stupid thing, I don't know what it was. But Internal Revenue, the Treasury, they wanted me for a enforcement officer, what they call a Revenue Officer. It would be the same thing as the special agent here, roughly.

JM: What GS levels did they start you at in those days?

H: They started me as a seven, started me at GS 7 level at that time, 1960, which was not bad.

JM: No. Was that the journeyman level, too, there?

H: No, journeyman was [GS] 9 and the senior level was eleven.

JM: What year was this?

H: 1960. Yeah, it was when Kennedy was elected. Wasn't that '60?

JM: [Yes.]

H: I went in during Eisenhower and worked during Kennedy.

JM: Okay, now how'd you get from Internal Revenue to Customs?

H: Real simple. We're both Treasury, and they transferred me. I worked four years in LA for Internal Revenue and then transferred here. I worked here until I got so hot that nobody...you couldn't do anything. Everybody knows you on the street. So, just before Intercept, 1969, they transferred me, just an internal transfer. I went from Revenue Officer such and such, to Customs Inspector such and such. They just moved me across.

JM: What kind of degrees have you got now?

H: Well, that's a strange thing. I don't have a whole lot. I've got a lot of learning, but no...I never thought that the degree itself was worth much-- you know, the piece of paper. I've got lots of certificates, but actually to sit down in one college and get a degree, I have none, believe it or not.

JM: Is that right?

H: But I've got the equivalent in semester hours for two Ph.D.'s.

JM: You and I have a lot in common.

H: But what happened is, I've traveled a lot. I've traveled more than a million miles in foreign [countries] and I've traveled more than a million miles inside the United States. I have traveled. You name the place, I've been there, almost.

OM: When you were working in Internal Revenue Service, were you doing border-related work?

H: No, no, no. I worked in fraud work, primarily corporation fraud work. You know, companies that underpay their corporation tax, by \$6,000,000 or \$12,000,000, or some other figure.

JM: When you first come in contact with border-related problems, was that as an inspector?

H: No, it was as an Internal Revenue guy.

OM: When you came here to El Paso?

H: Yeah.

OM: What were you doing here?

H: Doing the same thing--collecting delinquent taxes, fighting fraud, this type of thing.

OM: From local companies?

H: Oh, yeah. Oh, this was the gravy train! El Paso had never been touched.



Believe it or not. There was fraud here. Guys say, "El Paso, if you want to work fraud, you can sit back with your feet on the desk and find it here."

OM: Could you describe the kind of fraud that went on at that time?

H: Okay. A corporation puts on 25 non-existin' employees, and the manager puts 'em in his pocket. He reports it against Jose García, Joe Gonzalez, you know, all these dudes that are. You ask him, "Who are these kids?" "I don't know, some guy that lives in Mexico." But he's putting all that money in his pocket, salaries. Yeah; you know, seventy-five, eighty, ninety thousand dollars a year unreported income to the owner. The company's deducting it as a \_\_\_\_\_ expense.

Another idea. Another type of fraud was real common here. [It] was like one of our politicians. He was reporting \$8,000 a year income and he was making \$3,000 a month deposits in a Mexican bank account. And we didn't think that was right. A major corporation, they keep all of their withholding tax. You know, they withhold taxes from the employee, pay for social security and withholding, you know. You keep all that. You never pay it over to the government. You know, \$7,000,000 in a year that they keep. The employee doesn't get credit for it. That's the type of fraud we're talking about.

OM: And it was widespread here?

H: Oh, widespread. Billy Sol Estes was here. We had lawyers in town, we convicted 12 major lawyers for criminal tax violations, 22 counts. They're still practicing.

OM: When was this?

H: 1962, '63, '64.

OM: You think the border location here makes a difference in the amount of

fraud that goes on?

H: No. The border location is only convenient, it doesn't make any difference. One of the things that made the big difference, I noticed, was that you came into West Texas and it was a bunch of Good Ole Boys, the same thing you see today. If you're a friend of somebody, you don't comply with the law. It's still widespread. That's why we're so unpopular in Customs. Patrol guy goes down the river. Why don't they like him down there? Because he's telling 'em, "Hey, Clyde, you can't do this. You can't smuggle stuff into the country and run, you know. You can't bring in cattle from Mexico without paying duty on 'em. You can't bring narcotics over, we don't like that." It's primitive down here! If you sit in my office and you would see things that I see, you wouldn't believe it! People that for years have been running slavery. We're talking about slavery, like in the South before the Civil War. The wets come over from Mexico, they work for 25 cents an hour, 20 cents an hour. That's slavery they go into.

OM: Today?

H: Yeah!

OM: Where?

H: Well, would you try Hudspeth County, Culberson County, Presidio County, Jeff Davis County, Ector. Shall we go on?

OM: How does the system work?

H: Well, they guy comes across the river and works for you. He's unemployed in Mexico, he makes zero over there. He's starving to death. Over here he gets his food, he gets two bits an hour, a dollar, that he can take back to Mexico. Nobody bothers him.

JM: You term it a kind of slavery proposition for him, 'cause he's tied into it.

H: Well, he can work for nothin' or he can work for two bits an hour. You know what I'm talking about. You take this part of Coahuila. Except for dope, what's a guy got to live on down there? You've been down in that country. You can't scratch a living out of the land. There's no irrigation, it's just desert. What're you gonna live on? Well, you come over, and you work [for] the American farmers. It's what we keep talking about, and people don't believe us. Or, let's take...up in New Mexico. We have it all the time up there. They uncover these people working ranches, where they have their own living up there. You're on the ranch, you work on the ranch, at the end of the year they give you three or four hundred dollars. I don't know, maybe it's not slavery, but that's awful good for a definition.

OM: Pretty close to it.

H: It is the definition.

OM: Sure.

H: Another one you run into, like these old mining companies, you know, back in the early days. You lived in the company town, you bought in the company store. And the company fired you, you were dead, nobody'd hire you. Well, you got exactly that same situation right down here along the border. So, that's what dope has done for 'em. You know, it's made a lot of them rich.

JM: Let's go a little bit further into some of that.

H: Yeah.

JM: Let me ask you about some of the cases that you've seen in the past few years. What are some of the most interesting ones that have interested you to remember as examples?

H: Well, I have one that goes back to...it involved a whole lot of agencies.

It's known as the big, famous, Baby Adoption Case. You ever hear of it?

JM: No.

H: Okay. We had a missionary, "missionary," from Washington, D.C. He's a known...and if you look his record up, you'll find that he's a real known promoter. What he does, people are trying to adopt children in this country. Believe it or not, there's a lot of people that try to adopt; and the state laws back in the '60s, you couldn't adopt unless you had...it was almost impossible. Older people couldn't adopt. If you were over 25, they wouldn't touch you, you know. It's a social problem. But this guy was bleeding on these people, the baby selling rackets. So, what he did, he came out to El Paso, Texas, because of the proximity to the border, opened an orphanage down here, known as the Angel Wing Ranch.

JM: Where was that located?

H: On Moon Road.

JM: Moon Road. Out in Moon City?

H: That is right. A great big orphanage out there.

OM: When was this?

H: 1963. He also opened an orphanage in Salsado, which is across the river by Porvenir. The idea was, you know, unwed mothers and all this in Mexico, the abandoned children would be taken to the orphanage. Then, the Angel Wing Ranch, of course, is a nice "religious" organization. They bring them over here, and all of a sudden they just disappear into the woodwork. Immigration doesn't see 'em, you know. The children come over for a Sunday afternoon, 50 come over, 20 go back. And in the confusion, he was getting away with it. Well, I got interested in it because he was a professional bankrupt, also; he does other kind of fraud. And I was chasing him, because he went

bankrupt in a plywood mill up in Oregon.

JM: You were with the Internal Revenue?

H: I'm still Internal Revenue then. I chased him, we run him down out here, and I started finding out that this was a so-called tax-free thing. Another one of the frauds. You call it a church, nobody looks at it. We looked at it. What he was doing was, he'd bring the children over. He then put ads in papers in St. Cloud, Minnesota--all over the country--he had ads in these papers, you know, about legitimate baby adoption, agency licensed, the good Lord work, and all this stuff. People's write to him and he'd sell these kids. You know, adopt one--three thousand bucks and we'll send you a little girl; twenty-four hundred dollars and we'll send you a little boy, you know. Regular price list, practically. Then it got involved in a couple of other things, like if you wanted a 13-year-old girl, that could cost you \$5,000. And this went on for a while.

OM: Where were they selling the girl? Was it more than just an adoption agency, it got to be into the prostitution?

J: It got into other things, yes. But their take was over a half a million dollars a year in donations. Half a million in donations. This is because of their good work. We don't know how much total, but they took, we believe, over three million in sale of human bodies, sale of these children. The guy that tripped, really got Immigration and the State Department, the Department of Public Welfare--got them involved--was a guy that worked for IBM up in Minneapolis. His child died at two years. They wanted to adopt a two-year-old child. They came to the guy and they paid him \$3,000, and he smuggled the child in and delivered him up in Minnesota. Immigration got wind of it 'cause he tried to enroll the kid in school, in kindergarten.

"Where'd he come from?" "Oh, I bought him down in Mexico." And everybody got excited and they chased this guy. Well, it ended up that I got involved with all the rest of these agencies and we had him staked out. But that was an interesting case.

JM: The parents that took 'em...

H: Innocent. Perfectly innocent people.

JM: Perfectly innocent people who wanted children.

H: That's right.

JM: But this guy down here was slipping 'em back and forth across the border.

H: Oh, yeah! He'd kidnap 'em over in Mexico.

OM: He'd kidnap them?

H: [There's] a warrant for his kidnapping over in Mexico. There's one out, we'd like to get him over there.

OM: Did he also buy them?

H: We don't know, we can't prove it. Probably did, probably paid some of the mothers off. But it became so lucrative, he'd do anything. We took photos. We had a group of undercover people settin' up in the Holiday Inn downtown, photographing him taking money and delivering a baby in the Plaza.

OM: Downtown El Paso?

H: Yeah. We had a 3,000 millimeter lens on a camera taking pictures of the guy doing it. The day that Intercept started, we had a set up to bring over a carload--you know, five or six kids with the two women, you know. They were gonna smuggle these kids in to sell them to a guy at LIFE magazine that set up the deal to make a bust. [The] day Intercept started, it blew it, because nobody could get over.

JM: Is that right?

H: Yeah. But we broke it up. The guy got 14 years in jail. The old lady, his "wife", she got 12 years. We've peeled them for about almost \$3,000,000, total properties, that they'd acquired illegally.

OM: How did you break them up?

H: We just kept digging out, and finally the Internal Revenue filed liens. We knew the income, because we'd get this guy to tell us he paid him three thousand; and that guy paid him three thousand.

JM: You had to go to each one of the cotton pickin' parents?

H: Oh, I didn't, but we had people do it. And then we did what you call a net worth, How much did he spend? How much did he bank? Well, it's a long [process], it took us three and a half years of just diggin', diggin', diggin' on it. Then he tried to burn his house down, down here when he left. And I got a call at two o'clock in the morning, and the firemen were putting the fire out. They said, "Get down here, he's trying to burn the joint." Well, I got down and we went into the embers, and we dug all these papers. And he tried to burn all of his evidence, but he put too much of it in the fire together and it didn't burn. We opened up. We found here bank accounts where he'd deposited \$240,000. We found one piece of property he bought, which was in the outskirts of Denver, Colorado. He bought 13,000 acres, and paid cash for it, outside of Denver. Now, you know, you don't buy that stuff for 50 bucks an acre. He bought a church in Washington, D.C., one of the church buildings, and paid over \$500,000 for it. Well, we know he spent that money because he had paid. So you set up a tax on that basis. Once you get a tax assessment, it's easy. Then it's just a matter of going and enforcing it.

JM: How did you finally make the arrest on the man?

H: We didn't. The Immigration Service made the arrest actually--smuggling of aliens. That was the easy case to make. Now, we could've made him on tax fraud, but that's hard to prove. Smuggling aliens, man, that's easy. They just walked up, put the handcuffs on him, and put him in jail.

JM: He's in for that now?

H: He's out now.

JM: He's out?

H: Yeah. Well, you know, you never serve 14 years. He got out in [1974.] See, we put him away in about...well, it was right at Intercept, '69, and he was out in '74. He served five years.

OM: Any other cases like that?

H: Not like that one. I know of another one, an Internal Revenue case. Now, this is a good type of fraud. You have a corporation, you make a corporation with three guys, big corporation. You hire a lot of people. This is a steel manufacturing people. You know, they fabricate tanks and beams, all this type of stuff. But the three officers of the corporation are janitors, welders and lathemen. This particular company hired three Mexican young kids, young Mexican American types--bright kids. "You're the president, you're the vice-president, you're the secretary-treasurer." They sat in offices, they didn't do anything. All they did was sit in offices and hold the title. And these guys were stealing corporate funds, they were stealing tax money, they were failing to report income. You know, everything they could, they [were] just rippin' people off. Well, who gets the blame? The officers of the corporation, right? The officers of the corporation were three nice young fellows that just graduated like say from UTEP, in Business Administration. They're innocent,



but they were the suckers that signed the letters. You know, [the stationery said] President on it. Internal Revenue doesn't work that way. They say the responsible party. They don't say the responsible officer, responsible party.

So we started diggin'. I says, "Hell, this kid couldn't have done it. Who's your boss?" He says, "Well, I check all my decisions with John," whatever his name was, I don't remember. "Who's he?" "Well, he works around the plant here, you know. He tries to keep in with the men." "Oh, that's interesting," you know. We interviewed all three of them, we got the same story. Any decision, like the buying of steel, the chartering of an airplane, the payment of taxes, payment of bills, [they'd] always discuss it with these guys that, you know, they tried to have rapport with the employees, always worked out in the shop. Well, isn't that strange, you'd go to them to find out? So, we did more diggin'; and what it boils down to is, these guys had been through bankruptcy before and learned that an employee is never liable for anything, the officer is liable. So, you appoint three guys officers, tell them to come to you, you're just an employee.

So, what they did, they had peeled over \$47,000 in tax. This is tax money they stole--you know, employees' withholding tax. And they said, "Well, there's nothing you can do about it. So, take the company." The company ain't got anything; it's all, you know, mortgaged. "Go ahead and take the company." I says, "No, friend. We're gonna get you." He says, "Ain't no way you can get me. I'm just an employee of the company." I says, "We'll see you in court." There is a provision under tax law that says that if the responsible party misappropriates tax money, he is liable

in his own person. We had to prove that he knew, that he knowledgeably did this, that he removed it with knowledge and with malice--all the intent, you know. It took me about 2,000 hours of research, and we proved it. He never went to court. They walked in, said, "Well, we disagree with the assessment, we'll pay it." They paid us \$49,000 and something, including some interest.

And I did 26 of those right here in El Paso, Texas--twenty-six. They call them a corporate dissolution. You go to the officers for corporate debt. Yuck! El Paso was ripe. It was a beautiful spot. Nobody ever [had collected] from a corporation. "All right; forget it." They go on their merry way. These guys were gettin' rich. You know, go up and look on the titles of Rim Road property and it'll tell you a little story. It's a real interesting story. How did those people get that money?

OM: The people who live on Rim Road?

H: Some of them, not all of 'em. Some of 'em are real solid citizens, old money, people that are farmers. But tell me how some of these guys that come into town and in three years were able to buy on Rim--this is back when Rim Road was it--buying Rim Road property. Or, tell me how Frank Estes acquired \$800,000 worth of property in one day and never saved a dime in his life. He was Billy Sol's brother. They never found the property Billy Sol had, did they? Well, if they'll look in the proper place, in the county records, they'll find that Frank S. Estes and William S. Estes acquired over \$1,600,000 worth of property the day before the tax lien was filed.

OM: Are they from El Paso?

H: No, they're at Pecos. It's the El Paso area.

JM: That big blow up...

H: Yeah. You remember Billy Sol Estes.

OM: I remember that case, yes.

H: Billy Sol had no assets when we went out with the tax lien. He'd gotten rid of everything, everything. Nobody could find it. It took an old guy from California to find it. I walked in the county records in Culberson and Hudspeth County, and there it lay.

OM: Any other cases like this that involved importing workers from Mexico?

H: Oh, we don't get into much of the importing workers; that's an Immigration main thing. But we know of it, we know of a lot of them. You know, Greyhound buses of 'em over at Lordsburg that are picked up. Greyhound buses, 56 illegals. The guys are professionals. They got a \$50,000 bus, they haul 'em to California. That really is not my bailiwick because I only know of certain cases that we did because of other things we do. Now, like the [Border] Patrol stuff, we see.

OM: Well, what I was referring to is like in this case where this guy was selling kids. The border location in this case was important for him.

H: Yeah.

OM: I was wondering if in corporate fraud, there may have been other cases that involve bringing workers in from Mexico, and in that way this enhanced the fraud operation that was going on.

H: Well, I'm sure there was an aspect to it. But when I first came here in El Paso, a legal worker was gettin' 35 bucks a week, 1966. It use to be a Farah check. People would come in with a weekly Farah check, \$35, \$37. You know, either you work for that or you don't work, period. This was an attitude. Boy, El Paso was like 25 years behind Los Angeles when I

came here. I couldn't believe it. People were working for this kind of money.

JM: The amazing thing wasn't that they were working for low wages, but that low a wage.

H: That low a wage. And they were working at it. You'd go out...I'd hire a maid. When I first came here, I went crazy. I says, "Geez, you hire a maid for two bucks a day?" "Yeah." That's two bits an hour. I says, "This is crazy, this is illegal." They were paying \$8 a day over in LA at that time, and that was before maids were under the minimum wage. I says, "This is illegal." "No, no, that's the way it always is." You'd hire a maid for a month. If you paid 'em over 50 bucks, you were crazy. If you paid them over 50 bucks, live-in maid, you were crazy. When I first came here, I couldn't believe it. I said, "I've stepped back into the 11th century."

OM: That was in '66 that you got here?

H: Sixty-six. I bought a home. It's 2080 square feet, brick, fully air-conditioned, fully cooled, slate entrys, 30 by 18 patio, 8 foot wall all the way around it. They thought they were rippin' me off and I thought I was gettin' a good deal--\$16,000, including the lot. LA, I had a home half that big, not brick, not air-conditioned--sold it for \$24,000.

JM: That's typical. Now prices are really going up.

H: See, we're complaining about inflation. The only thing we're doing is, we're catching up.

OM: What was the difference in the home price then?

H: Well, the house that I presently have, in Los Angeles would have sold for \$40,000 at the time I bought it. I bought it for \$16,000, it would be

sold for \$40,000 in LA.

OM: But you said that you bought this house here for \$16,000?

H: Yeah.

OM: What did you think about that low price in comparison to LA? What was the explanation?

H: Cheap labor. That's what they told me. Of course, well, brick is made in Mexico, which it is. The laborers are Mexican. I guess the wood...I don't know [where] the wood even come from. But basically, they were just rippin' these people off. The cement maker, cement finisher, they go gettin' seven bucks an hour in LA in 1965. Over here, the biggest cement man in this town told me, he says, "I pay 'em two bucks an hour because I want a keep a few of 'em. If they hear about LA, they'll leave." The guy's payin' two bucks an hour, \$16.00 a day for a cement finisher. This is the kind of thing we're talking about. Internal Revenue, when I came here in 1966, I had a wage of 8800 and some dollars, and I was in the upper ten percent of the incomes of El Paso. El Paso had a per capita income, published by the El Paso National Bank, of under \$4,000 when I came here. See, this town has grown a lot.

JM: Well, Bob, these problems to do with illegals or legals that have just become legal, or people that have immigrated from Mexico and been here for one or two generations, do you feel that this problem has been perpetuated here?

H: Oh, definitely.

JM: Why?

H: Well, it's because the...I probably am treadin' on toes, but it's the advantage of the people, the old Good Ole Boys.

JM: Like you're talking about.

H: Yeah, the Good Ole Boys. If you can get a guy to work for two bucks an hour and sell your product in competition to a guy that's paying \$6.00 an hour. Gasoline was the same price as LA when I came here. We were paying about 36 cents a gallon here and we paid 36 in LA. In LA they gave the guy three bucks an hour. Over here, they paid him 60 cents an hour. Who's making the profit? Gasoline didn't cost 'em any more. Why was the union wage paid at the Texaco Refinery in El Paso half of what it was--the union wage paid--in LA? Gas price, same thing. My question comes up, who gets the money? Well, I know who gets the money. I was in Internal Revenue. Gas stations in this town, if a guy had managed it properly, you can make yourself a goddamn...get rich on it. I mean, literally rich. Go out and look at the standard gas station operators that were flying the Bonanzas. It happens, friend, it happens. They guy had a eight pump, standard gas station, and he was affluent enough to have a Cadillac, his wife had a Cadillac, and he flew a Bonanza airplane. You don't do that on a salary of a gas station attendant.

JM: Well, then most of this money, you think, was staying right here, a lot of it?

H: A lot of it was. That's where a lot of these people got rich. You're selling a product in competition to New York, Los Angeles, Denver, San Fran, and you're payin' a lot less wage. Okay, the profit has to be more. If you take in a thousand, you spend a hundred, you got a \$900 gross profit. If you take in a thousand, you spend \$400, you got a \$500 gross profit.

JM: You know, once before you told me about making people righteous. This seems like such a huge problem.

H: It isn't a problem. It's a fact of life.

JM: It's a fact of life. But to make things equitable, or make them somehow work out to where people are being honest with one another, what would you suggest--or do you have any ideas?

H: Well, you're getting out of the legal, you're getting into social. Because you can't regulate morals with law. Its never been done in a thousand years, and it isn't gonna be done by us. What you're gonna have to do is, people wake up and say, "Look, if this dude's paying 80 cents an hour, I won't buy his product." I'll tell you what'll happen. He'll either lower the price of the product so substantially you can't afford to not buy it, or he'll raise the wage until you take the onus off. But it's basically a social problem. We can't go out and say, "OK, you pay a minimum wage, three bucks an hour." Yeah, that's the law of the land now. Why do we have so many illegals? Because all these righteous people, all these Good Ole Boys, still pay it. Why is dope being hauled? Because of the big profit. Has nothing to do with how good it is, it has to do with profit. When you see an 18-year-old kid that can make a million bucks, he'll haul dope. And we did. The case of the guy Taylor, you remember. His mother says, when she found the \$800,000 in his dresser, and he's a 17-year-old kid, you know, in high school, "Well, I thought he was working at the Minute Market." Of course, she was peddlin' dope also, the old lady was peddlin' heroin.

OM: Let's go back and trace your career with the Customs Service when you got here in 1966.

H: All right. I transferred over. I was working a gun case. Give you an example--we were working these gun cases on South El Paso Street in 1969. Got so bad that the crooks knew me. They'd say, "Hey what are you doing out here tonight?" You know, you're worthless. So what happens, they

transferred me to Customs.

OM: What gun cases?

H: Never heard of Sun Hardware? OK, we took out of Sun Hardware 79,000 pounds of 50 caliber machine guns, mortars, bazookas, tommy guns.

OM: This was in '69?

H: Sixty-eight; yeah, '67 or '68, along in there. Yeah, this guy was the largest gun dealer in the United States. He sold more 30-30 rifle ammunition than any other hardware dealer in the United States. He sold it by the boxcar load. He supplied Mexico. You can't believe this guy. He had unbelievable amounts.

JM: Is this the one that was down in Ysleta?

H: No, he was right down here on South El Paso Street. Sun Hardware.

OM: Where were these guns going to?

H: Well, all over the world.

OM: Legitimate people or revolutionaries?

H: No, Lord, no. Nobody legitimate ever had a 50 caliber machine gun or a bazooka, what they was sellin' 'em.

OM: Where was this stuff going to?

H: To revolutionaries--in Mexico, probably, or maybe for transshipment. We don't know. All we know is that he was using it--hand grenades, pistols, you name it.

JM: How was he acquiring it, though?

H: Legally. He was a gun dealer. And of course, our laws are very unstrict. You know, nobody wonders about why would a guy in El Paso, Texas, sell more 30-30 ammunition than any dealer in the United States. Never ask him. He's paying cash for boxcar loads of 30-30, ain't nobody cares.



OM: What was the guy's name?

H: Pedro Muñoz. If he comes on this side, we still got a warrant for his arrest.

OM: Oh, he's in Mexico?

H: You betcha, you betcha. Oh, yeah, go read the newspapers startin' in '63, about the big gun cases. These guys, it's unbelievable. We had 79,000 pounds. This isn't countin' the ammunition, this doesn't count the powder or any of the explosives. This is only the hardware. That's 40 tons.

OM: Do you have any idea how he was getting it across?

H: Smugglin' it. Pick-up trucks. They'd have a pick-up truck with a bed this deep, put 50 rifles in it. Lay up a sheet of paper over it, take it across. Pay the Mexicans 50 bucks, down the road. Same way you haul dope. Fly it. Anything and [everything].

OM: How long did he do this?

H: We don't know. We caught him, and we stopped it when we caught him. But probably 10 years.

JM: He flew the coop before you could get your fingers on him, though.

H: Well, it was again one of those circumstances that, nobody seemed to be able to find him until he got in Mexico. We figured that there was a...I know that there was a tip-off.

JM: And this was still while you were with...

H: Internal Revenue, yeah.

JM: Ok, now when did you come to Customs?

H: September 17, 1969, the week before Intercept started.

OM: Well, that's a very interesting time, because Intercept was just about to start. What was the environment here with the Customs Service at that time?

H: Before Intercept?

OM: At the time that you came in.

H: All right. We were a group of greeters, we were public relations men. You never opened a trunk; and if you did, and you didn't catch a load of dope or somethin', you got your rear end eat up. It was a greeting service. We didn't enforce the law, nobody really cared. No problems, you know. We're a nice bunch of nice people. "Hello, how are you, sir?" You know. "Fine." "Bring anything from Mexico?" "No, I'm not bringing anything from Mexico." "Okay," down the road. I crossed this border from '66 to '69, I crossed it and I never [got checked]. I mean luggage, everything. I even adopted a child, brought that child into the United States with adoption papers, and nobody looked at 'em. They wouldn't look at your luggage. If you'd look at people's luggage, they'd complain to the congressman, you'd get fired.

OM: Why this policy of just being greeters?

H: It wasn't policy, it was the way it was. If you searched a guy and he didn't like it, he goes to the congressman, the congressman gets you fired, or gets you transferred. It don't take you very long to figure out, "Well, hell, they don't want to enforce the law."

OM: Do you think there was pressure from local people?

H: Oh, I know there was. I don't think it at all, I know there was.

OM: There was?

H: Yes. If you'd...you'd hit Mayor Telles, open the trunk and mess Mayor Telles' car, you just signed your death warrant, period. When we caught the Assistant Chief of Police smuggling 16 cases of liquor, they took that [Customs] officer and transferred him. "Don't do that."

JM: It isn't that way now, is it?

H: No. We had to change the whole... Intercept had absolutely nothing to do with catching dope. It was the action taken by a new President who says, "We've got to take a stand. We'll call it stoppin' dope." But basically it was a political move. Look at the record. We had Intercept on, [and] every car, every person that crossed this border for ten weeks--trunk, hood, glove box, purses, pockets--everything was searched. We got less than a pound of dope. And I'm talking about search. We're not talking about looking at the car--we're talking about pulling the seats out, openin' the trunk, poundin' the spare tire, in the car, in the person. Got less than a pound of dope. But it did teach us one thing: we can enforce the law and make it stick.

JM: On anyone.

H: And you ain't gonna believe the horrendous things. Let's talk about a penalty before I came in here. A large furniture manufacturer in this town would come over with furniture. Duty would be \$300. He'd under declare it. He'd declare it as value a hundred dollars. Its actual value was a thousand. We'd catch him. We'd seize it. He'd come over and pay a \$25 penalty, and get it down the road. Save him \$18, \$20 per seizure on duty. It was cheaper to pay the penalty [than] it was the duty.

They'd come over, the standard gag was, you bring your girl over. You make a big production, you know, like a theater production, in the office of the director and say, "You are fired. You should've thought [that] the value of this was different." Okay, the director lets it go for 25 bucks. So the guy pays the 25 bucks and saves \$38 in duty. [The old collector] did this for years, until Mr. Pratt, the District Director, the

new one came in. He says, "No. [That's] not gonna be that way. If you violate the law, mister, you pay the penalty. The penalty's a thousand bucks." The guy says, "You can't do this." He said, "I can." Next thing we do, we got a call from Lyndon B. Johnson. He was the President of the United States at that time. Mr. Lyndon Johnson himself called and says, "Turn it loose."

OM: He called here local?

H: Yes, sir.

OM: When was this?

H: This's in '68.

OM: And, what did he say?

H: Well, I wasn't here, I came in '69. But I know this is a fact. When the men that are totin' the badge today got a call from Lyndon B. Johnson [that] says, "Turn it loose," he turned it loose. "You want to turn it loose, Mr. President?" "Turn it loose." They didn't turn it loose after Mr. Pratt.

OM: When Nixon came in and started...

H: Had nothin' to do with Nixon. Nixon was the guy that did it, but actually the guy that caused it was the Secretary of the Treasury. They saw what we were...they were rippin' this country apart. Had people bringing stuff in [like] shirts, shoes--foreigners would never pay any duty. They were just hurting the manufacturers. So, the manufacturers were screamin' and hollerin'. Nixon come in, you know, he's the new Republican, the businessman's friend, all this bit. Well, he'd get the credit for it. But the Secretary of the Treasury's the guy that went and said, "Hey Clyde, here's what's happenin', we're being ripped off. Do somethin'." Well, you wouldn't want to say we're going to get the commercial community, that wouldn't be politic.

But [you say], "We're gonna get the dopers, that's what we're going to do."  
But you turn the thing around.

We could've called it something else, the gas crisis, or...well, you know, what do you like? Communism. Joe McCarthy called it Communism. It's whatever you pick. It got the job done. And it got it done legitimately. We started abiding by our own laws. One example--I got cases right in my files in there where we flagrantly violated the people's rights and the law, seized something because you don't like [the] sonafabitch. "Don't like goddamn hippies, put 'em in jail!" The judge'd try your case for you in court. That's right. You make a substantial error. "Don't worry, don't pay attention to it." I've seen it. You didn't give a guy \_\_\_\_\_. Well, you intended to. "He's a bad dude anyhow." That kind of stuff. It shocks me.

But I come in here and I turned a seizure back to some guy, and he says, "Well, back in the old days, you know, we didn't have a guy like you." "That's right. Back in the old days you didn't. Back in the old days we did a lot things that we're not gonna do now." You've got to recognize we're not back in the old days. And we better start treatin' people's rights like they had rights. Or when do we say, "Well, I don't happen to like bald-headed men?" Or Republicans? Or Democrats? Or you know, "I don't like university professors." Hitler did and he got away with it. We were close. We got to the point where the Good Ole Boys [would say], "Well, he's a Mexican. You know how it is." It was public, public knowledge. Ain't nothin' against the law about shooting a Mexican. We had a District Director here that one time made that statement in public. He says, "Hell, I don't know of any law that says you can't shoot a Mexican." That was

the attitude.

OM: When was that said?

H: Oh, that was way back. That was Otero, Collector Otero. It was probably back in the late '40s. But this was people's attitude. Talk to the old-timers. "Oh, I 'member we used to take that dude out in the back of the building and beat him with a blackjack. It'll teach these guys to talk to us, you know." And it happened, it happened. It don't happen now. But we've evolved, just like the police. You know, they used to carry brass knuckles and beat on people. You don't now. No, we run a real professional service now. And a lot of it is attributed to some pretty smart people that came in and says, "Look, you can't run a place like this. You can't. This is a dictatorship. You can't run it this way." "Well why not?" "Well, because the law says." You know, "Take the guy's car, he run the bridge." "Well, what makes you think he run the bridge?" "Well, you know, he did. He didn't report." "Well, what specific?" "Well, he did." That's not evidence. It won't get it in my office anymore. If you can't show me the probable cause, here's your case back. If you can't show me the violation of the law, here's your case. I don't want it.

This is the evolving. When you got the old attitude, the Good Ole Boy attitude...Hudspeth County is an example, you know. They got that bad dude down there. They beat him to death the other day. "He's real bad, you know how Mexicans are. They get drunk and they cause disturbances. You know how it is." Since when do we carry pool cues in the jail house? Didn't know that was an issued weapon. You mean you don't have mace? You don't have other ways to restrain this real vicious guy? He's so drunk, 3.2, that he can whip a guy as big as that door? You may believe it, but I don't. You

know, I've been in Mississippi, too. I know how the jails are down there.

But this is exactly what I fought when I first came here. I got a penalty officer job. I'd been an inspector, [but] I got run over. A guy run over me, deliberately, one night. Waited until I was inspecting his car and run over me, backed over me, put it in gear and drove over me. They do this out here, you know.

OM: Did he actually run over you?

H: Well, no. It was an accident. You see, he drove up. I said, "What are you bringing from Mexico?" He said, "Nothing." I says, "Can I look in the back?" He says, "Sure." So he opened the back window, you know, of the station wagon, and I leaned in to look. He started his car, stuck it in reverse and backed over me. Accident.

OM: Were you hurt?

H: Well, only disabled, and the left arm was paralyzed for six months. They took me off the line. The director was a real good guy. He tried. He says, "Well, we've gotta do somethin' with ya'. We can't disable ya', you know. You think you could run the penalty office?" I says, "Well, I was runnin' one, similar, for a long time. Let me try." So, I did. He gave me the job, eventually--promotion and all this crap. But when I came in I was shocked. Do you know what we worked on in that penalty office? Now, we're talking about 5,000 cases a year, taking people's rights and property. A five by eight card was all the laws they used, printed on a five by eight card.

JM: With 5,000 cases a year?

H: Yeah. No law books. Those U.S. codes I got in there were all virgin. Not a page had been cracked on 'em. They didn't have a copy of a single presidential article, they didn't have a legal magazine, they didn't have a court

decision--nothing. They had a brand new set of U.S. codes settin' there'd never been opened. And all the law that they used was on a five by eight card. And the former director, you know where he kep' it? In the phone book, so other people wouldn't know where it was. That was how we run a penalty. In effect, that's how our administrative law judge run. We don't need to know anymore.

I wrote the first law book on Customs, of how to use Customs Law, that's ever been written, period. I'm not talking about in El Paso, I'm talking about the first one's ever been written, period. It's all over the country now. Everybody's got a surreptitious copy of the damn thing, because I can't publish it. It's done [on] government time, it's a open publication.

JM: You're talking about the one I've got?

H: I'm talking about the book you've got.

JM: I got it in San Antonio, when I was down there two months ago or three months ago.

H: I kept trying to figure out, you know, where's the law? So, I can tell this guy, "This is how you run the law. This is how you seize the merchandise. This is what the violation is." Nobody knew. So I started compiling. It took me two years, and I compiled all the laws we use and all the procedure, and how to do it, and wrote it up in a book. They won't publish it officially. I published it on a mimeograph. I made, I guess, a couple or 300 copies.

JM: It's all over the place, now.

OM: The government won't publish your edition?

H: No.



OM: Why?

H: It isn't legal.

OM: It isn't legal?

H: Well, you see, the way it looks is this. You gotta go and you gotta get all the congressmen to look it over and you gotta get all the publication houses to look it over. "Well, that word maybe isn't quite right, so we'll send it back to study." We've been trying to publish a book, officially, like this since 19... When was the reorganization? Sixty-four? Sixty-four or sixty-five. There's been a committee in Washington that's to publish this book. We haven't got the first draft copy of it yet. It is now 1977. Because if I say somethin' and he don't like it, well, you have to go back and do it. Then I change it so he likes it. That makes Joe over here don't like it. So, I change it so that both of you like it, by the time you don't like it. See, every division has his little pecking order. What I did, I published..."Do it this way and you won't be in trouble." Now, there are things in it that is not perfectly in accordance with the law. For instance, it says that you can put a man in jail for smuggling, even if it's one lousy cigarette. But the fact of life is, you're never gonna do it. So, in the book I would say, "If he has this much or more, we'll talk about puttin' him in jail." Well, the law doesn't say that. See, it isn't exactly legal, but it's practical.

Another one, a bridge runner. They guy comes down he says, "He's drunk." He's so drunk he can't even fall out of his car. "What's your citizenship?" You get [a mumble for an answer]. Well, did he report? No, not according to the book. Did he try to report? Yep. But he was too stupid to tell you who he was. Is there a crime committed? Legally

there is. He did not report. But let's face it, what've you got? You got a fall-down-on-his-face drunk. He couldn't commit a crime if he wanted to. He wouldn't know how. But we used to put these guys in...you know, seize their cars and put 'em in jail for [a violation], for smuggling. They didn't declare it. Another old trick. The old brownie point trick, we call it. I want a prove I'm a better officer than you. I don't want to touch any of the good people, you know, because they'll complain to the congressman. And I don't want'a open anybody's trunk, 'cause, God, that might embarrass 'em, you know, and then they'd complain and my boss and... Here comes a real fall down drunk, right from skid row. Let's see if he's got a bottle. So, you find he's got a bottle on him. You seize that. Boy, we're really enforcing the law. That's what we used to do. Or you get some...we call 'em today, in a more enlightened age, one of our minority members of the society. But as one of the old-timers used to say, he says, "You can always get yourself a drunk nigger. Boy, we used to really rack those guys. Man, this guy, he's a crook. He's a bad dude. He bought a cigar over in Mexico and didn't declare it."

Believe me, I'm telling you not a fairy story, I'm telling you the truth. Now, we say, "You seized what?" "I seized a pint of liquor." "Oh, for God's sake. What are you, crazy? You're gettin' paid \$6 an hour and you seized a \$2.20 pint of liquor? Forget it." We don't have it. I've got the statistics to show you, just happen to have 'em right here. This is the fact. This is in the year of 1974, fiscal, which goes from '73- '74, we had 724 liquor seizures in that fiscal year. The following year we had 401 liquor seizures. Then we dropped to 378 liquor seizures. We're back up a little bit, four hundred. Traffic in that same period of

time, those same four years, though, has doubled. Same thing, we used to see switchblade knives. Boy, you get every switchblade knife, made a big federal case out of it. We don't anymore. We just break 'em and throw 'em in a bucket.

Every time you'd seize a potato or a pear or a head of cabbage out here, from the aggies, you made a seizure of it. Don't do it anymore. Now, we spend our time gettin' dope, heroin, fraud. And we have almost doubled our...well, more than doubled our collection. We've more than doubled our penalty actions, in actual money. Collections indicate success. The last year before I became a penalty officer, we collected \$2,000,000. The first year I was a penalty officer, we collected \$3,000,000. Last year, we collected just under \$9,000,000. And we seized less liquor, didn't fine anybody in agriculture stuff, we seized more cars, we seized more airplanes, and we seized more dope. And [as far as] I'm concerned, that's what we're supposed to do.

JM: In your tenure here, now, as the penalty officer, how much effect do you think you've personally had on changing the policies of the government along these lines?

H: Government? Little. But, I have done something that I don't know of anybody else that did. I had the assistant commissioner apologize to me the other day for being wrong. I'm proud of that letter. They said that we were doing something, and I says, "We are not." And I proved it to him. As I like to say, stuck it in his ear. He accused the El Paso District of having more legal errors on their cases than anyplace in the nation. So, I got their own statistics--not mine, theirs. I got their own statistics out and proved they were wrong. It's the statistic game that some of them play.

Another thing I've done is that we at least have got a penalty book out now, something we never had before. We also have gotten now an upgrading of the penalty officers nationwide, something that never happened before.

JM: How many penalty officers do you have in the district?

H: There's one in the district.

JM: And you're the only one in the entire district?

H: I'm the only one. I'm kind of like Winnie the Pooh's Tigger. I'm the onlyest one. There's only 22 in the nation. It's a new job. It's a concept. There's 22 in the United States. And I'm the senior one, incidentally, of the whole bunch. It's been a job that everybody just drifts in and out of.

JM: Can you describe, you know, a typical case as it comes to you and what you do with it?

H: Oh, yeah. My definition of my job, if you look at my job definition and the job definition of an administrative law judge, they're almost parallel, the difference being is that an administrative law judge does not work like I do. In other words, my supervisor is the district director. An administrative law judge, if I had that title, my supervisor would be chief counsel. The difference [is] that they can transfer me, and in the administrative law judge category, you can't be transferred by your own agency. See, it's a protection. But basically I do the same thing.

Case comes in. They make a seizure, let's say, out of the line. We presume they are legally correct when they made it. It comes in to me and I look to see if it is, and not a large percentage, but more than 5 percent of them, have to be redone, or something is wrong with them, something substantially is wrong with them. I look it over, see if we've got...

Let's take the ideal case. We do have a violation, the violation is da ra ra, ta ra. We accept the seizure, then we process. The guy comes in, has a right to petition for relief. Either he petitions to get his car back or petitions to reduce the fine, or whatever. And we, you look at the evidence--what do we have, and what does he have? And you kind of become the prosecutor and judge at the same time. How good is his evidence against ours? What errors do we have that we've gotta count? What were the circumstances? What's his intellect level? Would he've known? How much would he've known of the violation? It's a kind of a complex thing. Because a real ignorant person can violate the law technically and not really know that they violated it--have absolutely no intent or no ability to really know it. Then you get the smart guy that does know, and he does it just for the hell of it. There's a difference in the grade of violation. This is what you look at, then you set a penalty.

In a way it's a heady job, because you can really hurt a person. You can also help 'em. And you got pressure from both sides. If I am too easy, I get all the pressures from my own agency. "Well, you're getting too soft, you shoulda got that crook." If you get too hard, you get the pressures from the outside. There's always the courts taking a look over your shoulder on every decision, you know, spot checking. If you get out of line, they'll knock you down. But your real problem is the pressure from the inside of the agency. Every cop wants to see everybody go to jail for 9,000 years for everything he did. And it just isn't that way.

One of the worst things I have is when I get a case out here, and here's a classic example of things you catch. Case comes in beautifully written. Joe Blow come across from Mexico and he had 15 grams of marihuana

on him--seeds in the car, and 15 grams of marihuana. Seized the car, and the guy comes in to petition. His petition says, "Well, the two hitchhikers that were with me had the dope in the back seat. I didn't have any, and I don't think I should pay the penalty." We look at the report and it shows that he had it, and he was the only guy in the car. Now, somebody is telling an untire statement. Which one? Well, you question the guy. "Who were the guys with you?" "Well, they were a couple of soldiers I picked up out near Fort Bliss." "Well, how do you know they had the dope?" "Well, that's where the officer found it, the guy had it inside his skivvies." The guy's got too much detail to have been too much wrong, or else he's telling a hell of a good story.

So, you pick up and you call the inspector. "Say, about those three guys you had the other night?" You're guessing now. "Yeah, what about them?" he says. "Why didn't you put the two guys, the two hitchhikers, in?" "Oh, this guy's a wiseacre, give it to him. The hitchhikers had nothing to do with it." And I says, "Did you get the dope off of 'em?" "Yeah, they [were] just hidin' it for the driver." He's assumed something. So, we get the guy in and say, "Hey, look Clyde, how many guys were in the car?" "Three." "Why didn't you put it down?" "Well, you know, save time and paper." "Where'd you find the seeds in the car?" "Well, there wasn't any seeds in the car, you know. The stuff was in the guy's skivvies in the back seat. But if you don't put down seeds in the car, you don't have any cause to search him." I says, "Fella, you ain't got a case." "Oh, this guy's a bad dude, he knew what they were doing." "You can't prove that to me." We sent the guy down the road. "Write him a letter of apology and tell him, 'Sorry, son'." Now, it's illegal to do this, and we could've fined him.

The car was the transporter. But when we're that far out of line, buddy, we better, you know, say, "How do you like your car polished?" You know, "Could we fill it full of gas for you sir?" You can't run a business this way.

JM: On the other hand, you get exactly the same thing, only the seeds were in the back seat.

H: Oh, yeah.

JM: And what can you do when it's \_\_\_\_\_?

[PAUSE]

H: Your question is, basically, do we have the other thing? Where we write it up legal, and the other guy comes in with an unrighteous story. All right. We do it. I have this all the time. We write it up that there was a guy in the back seat, a guy in the passenger seat, and a guy driving. The seizure report will say that there were seeds on the floor of the car, there were paraphernalia and papers in the glove box--you know, rolling papers in the glove box. We took the guy up and searched him, the driver had a bag in his shorts, the passenger had papers in his wallet and the baggie in his boot. The guy in the back seat was high on somethin', but we don't know what, but he didn't have anything. This is the story.

So, the petition comes in. What actually happened was this--according to the petitioner it was. He picked up these two hitchhikers. He's never been near dope, he wouldn't know dope if he saw it, he's against it, he's a righteous citizen. He picked up these hitchhikers and just because of the goodness of his heart they wanted to go over and get a bottle of liquor. So he took them over to Mexico. He came back and the inspectors found this dope was hidden on the passenger, and he doesn't know why he should be

penalized for it. I guess they don't think I read the report, because actually we have guys deny [it, even] when we caught it on their person. You'll ask the man, "Well, now you've never been near dope? Can you tell me how the seeds got in the car?" "I don't know. Are you sure there're seeds in the car?" "Yeah, there're seeds in the car." "Well, I've been to McDonald's, maybe they're sesame seeds." "No, they're not sesame seeds, they're marihuana seeds." "Well, I wouldn't have the slightest idea how they got in the car. It must have been those hitchhikers that put [them there]." "Well, can you tell me how the dope got in your shorts?" "Well, uh, well..." "Now let me tell you really how it happened."

I treat people this way. Sometimes they'll say, "Yeah, okay, I tried." Sometimes they say, "It wasn't in my shorts." We're looking at three guys out here, who have no reason to lie, they found it in his shorts. And he says, "No, it wasn't in my shorts. It was the other guy's shorts." They sit and just lie right down. And I know some of our guys are telling the truth, because it's happened to me when I found it in his shorts, the guy says, "It wasn't in the shorts." You know, when I was an inspector, I found guys with grass in their shorts and they'd sit there and swear it wasn't grass, or [it] wasn't [their] shorts, or [it] wasn't on 'em, or that we planted it. I had a guy in my office less than two weeks ago. He had about 15 grams inside his shorts, and he was wearing these real tight pants, you know these...what do you call them?

JM: Hip huggers.

H: Hip huggers, you know. And he had a belt that was one of these big wide ones with the Coors buckle on 'em. Now, you can hardly put a dime in your pocket with those things on, but he had this baggy of grass inside his shorts.



So, here is his story. He come across the bridge, he'd taken a hitchhiker over to Juarez, and he was coming back empty. And he was driving a Lincoln Continental, incidentally; it has this turned down arm in the middle of the seat. The arm was up, and he happened to be just wantin' to relax. This was at 10:30 at night. He turns the arm of the seat down, he noticed this folded piece of paper, which he recognized immediately contained marihuana. So, since he was innocent, the only reaction normally would be to stick it in his shorts to hide it from customs.

I said, "Well, now, that's a nice story, but let me ask you a couple of questions. Number one, it was ten o'clock at night, it's dark up there on the bridge, wasn't it?" "Yeah." "How long did you have to wait in line?" "Oh, about 15 minutes." "Clear, black, dark up on the bridge." "Yeah, yeah." "Now, when you turned this arm down, how did you see this instantly was marihuana in the folded paper, if it's black dark?" "Well, um..." "The paper was folded. You had to open it, then, in the black dark, and you could instantly tell it's marihuana, right? Then you put it in your shorts. Let me try something here." And I picked up a piece of paper off my desk and tore it, folded it up, and said, "Stick it in your shorts and don't wrinkle it." He couldn't do it. And I says, "The real truth is you couldn't have done it. You had the window opened on that car, you could've thrown it out, but you didn't think we'd catch you, is the whole problem." "Well..." I says, "Look fella, you're not talking to the probation officer, the social worker, you know. You talkin' to somebody that's been around." "Well, that's what you tell them downtown." These guys know more about what to tell the probation officer.

JM: I'm going to get you back just a little bit now. When reports are correct

from the officer, the line officer, whoever it happens to be, and then you get the man with the opposite story, what kind of penalty can you levy? Like on this original thing we're talking about, 15 grams? What kind of penalty did you levy against him with his two people in the back seat and the driver and...?

H: Okay. Whether he's right or wrong, the law says, the law specifically says: Any vehicle transporting any contraband substances, forfeits it to the United States for its value, period. No mitigating circumstance named. If you've got it in your car, the car's ours and the penalty is equal to the value of the car. But that isn't how the law works. There's other sections, 16.18 being the big one that tells you how to handle, you know, the judgement area.

What you really would do...you could've taken the guy's car. What you really do is...you take the case of the first guy. He's an innocent guy, he picked up two dudes, they had the grass on them, we made a mistake. You run him down the road, no penalty. If [it] hadn't been a Customs error, let's say, we wrote it up honest, everything was correct, you'd look at the guy and say, "Ok, how long have you been at Fort Bliss?" "Two weeks, sir." "How long have you known these guys?" "Oh, they're just in the unit, I don't know. Just picked them up tonight." "You ever smoke dope?" "Yeah, I tried it once or twice." Okay, that tells me the guy's at least trying to be honest. "You know of anybody smokes dope out at the base?" "Oh, yeah, there's a lot of guys that do." "Well, I ain't gonna ask you who it is." "No, and I wouldn't tell you either, sir." The guy's playin' level. "Ok, you could lose your car," I go through the thing. "You could lose your car, you could do this." Probably he would be fined if it was 15 grams,

you'd be looking at precedent, about 50 bucks, 25 maybe. Depends on how you...there's no exact science in judication, but it wouldn't be much more than 50, because he had nothing on him, there were evidence that he'd used it in his car, he had two other guys. You look at it from the standpoint, what will it take to cure the violation? Maybe just chewing his rear end out and 25 bucks will do it. Maybe it won't, you don't know. So, it depends.

But let's say for instance, there were a few seeds in the car. You ask him. "Well," he says, "you know, we from time [to time] blow a little grass in the car, you know. But I didn't have any that night." Okay, that's maybe \$50 to \$70, you know. There is some knowledge there. Where you get the case of the guy that had it on him, and then he lays a big story, he's lying to you--and it's patently, he's lying, because he can't get convicted on making a statement; he just is lying because he wants to lie--then you start from the top down. You don't start from the bottom--how little can it be up; you start from the top down--how much can it be and then what will we mitigate it. You look at the case. Basically what you look at is, first, not what the money is, but what will cure the violation. If you conclude nothing will cure the violation, then you just take a look and open the book. For so many grams it's \$175, you charge that. That's all you do. Now, the law doesn't say that, as I said. But this is the precedent. What have the courts held over the years? You've got to address what the courts have held or otherwise he's gonna go to court with you. So, we're trying to be a quasi-judicial thing. We're actually considered... the courts consider us a part of the judicial system. The administrative area, you know, the enforcement people, they consider us part of them. And

we're really kind of in betwixt and between. But it could be a very severe penalty.

Now, the normal one, is, the guy had the grass on him. He knew it. He got caught. And it's a small amount. Seven to ten grams. You look at his background. What kind of a guy is he? Okay, he's a typical guy. Peer pressures being what they are, there is grass being used, let's face it. There is stuff around. What kind of a car has he got? Well, he's got a kind of an oldish car. What's he doing? Well, he goes to UTEP. What kind of grades he get? Good grades. Okay, he's obviously not a heavy user. Heavy users do not get good grades. Casual users apparently do. Quite a few of 'em do get pretty good grades. "What kind of courses are you taking?" "I'm taking..." whatever it is, you know. Indicates the intensity of his interest. What's his family like? They're typical, local family. You got yourself a guy that's a victim, really; he's a kind of a victim of peer pressure. Penalizing him for three, four hundred dollars isn't gonna do a bit of good; all you're gonna do is hurt the family. So, this type of guy, a lot of times the psychology works a lot better than money. You make a money penalty of 75 to a hundred bucks. But, mainly you tell him, "Look, guy, you could lose you car over this. It ain't worth it. If you're gonna blow a gram, keep it the hell out of your car." We rarely get this kind of a guy back. You know, he's smart enough to realize that we're telling him, "Look, we could've done a lot worse, but we're not going to."

JM: Yeah, Bob, but are you teaching them to circumvent the law?

H: No. The guy that's gonna circumvent the law will circumvent the law and he won't do it with what I teach him. No. You've gotta be honest with these people. That's our whole damn trouble. "I'm going to put you in jail."

"Oh, you are?" Well, then, why ain't he in jail? I hear this all the time. "You could go to jail for 40 years on this." That's right. You sure could. But it isn't...don't tell them that. Be honest with people. I found one thing, these pompous judges downtown [say], "I'm gonna put you on probation, and if you violate your probation you can go to Huntsville for 15 years." Hell, the guy walks out of the courthouse and violates probation, because he knows the guy's bullshittin' him. They walk in here and I saw, "Now, I'm not gonna tell you not to do it, but I'm gonna tell you, next time you come in here, friend, it's my car." And we do it. Second time through, it's our car. He goes back up to the barracks at UTEP and he says, "You know that old baldheaded sonafabitch was right. He kept my car."

OM: What happened to that guy that you caught with the dope in his shorts?

H: I think that was a case where it was so funny. The lie was so stupid, and I caught him at it, all you can do is go to the maximum. And I think in this case it was \$100. The judge wouldn't stand still. If I went up to Judge Sessions, he wouldn't stand still for more than a hundred. Second time the guy pulls it, we'll go three, or keep the car or something. But you aren't gonna cure some of them. We've got one guy here five times. We've taken three cars from him. He isn't gonna learn. So, there, that case, you open the other page of the book, practically, and say, "Okay, the only way we're gonna keep this guy from hauling dope is to keep taking his vehicles away from him." He can't haul enough dope walkin' to make it worthwhile, so we'll just keep... They won't prosecute him. He knows smart enough never to carry over a pound. You know, after you've caught him five times with less than a pound, you'd think the courts would put him in jail. They won't. So, what can we do? I can't put anybody in jail. I don't have

the judicial authority to remand a guy to jail. I can recommend indictment, I can recommend, you know, these things to the judge, but I can't do it. So don't come into my office and say, "Fella, I'm gonna put you in jail," because I can't put him in jail. I can't even make the judge put him in jail. I can recommend.

OM: Could we go back to when you first started into the service here in '69? Do you recall any interesting experiences in connection with the Operation Intercept?

H: Yeah. In fact, the first time I got run over was in Operation Intercept.

JM: The first time?

H: The first time.

OM: Oh, you've been run over...

H: Five times I've been run over. I make about once a year. I was one of these inspectors that dug into things. But in this case, we were in Intercept. This is one of those cases where we know we had dope, one of the runners. Gal came up. "Open your hood and trunk." She got out of the car, opened the trunk, and I went back to look. She got in the car, and she'd left the engine running, but it was in neutral. We got careless. We should've made them shut it off. I said, "Would you open the hood?" She said, "Well, I can't open the hood." So, she come out and tried to fiddle with it and I went up, and helped her and opened the hood. Nothing in there. We'd look in all the crevices and knock and all that stuff. So, I shut the hood down. She got back in the car, and I said, "Would you open the glove box?" Just then I noticed, under the back seat, there was some plastic sticking out. And I reached down, and when I did, she gunned it. And the window caught me right here. It carried me until you know, the upright pillar in Line Five,

right here at this bridge. I hit the pillar and it flipped me out of the window and out in the middle of the street. She went peeling off down off the road. We did get her license number. We do know what she had because she got killed over in California. And you know the bug stations, when you come in at Winterhaven? You know, the aggie inspection. She pulled in there and the guy says, "What do you got?" And she says, "I haven't got any fruit." And he said, "Well, let me look." And she realized that she might get caught, so she started out and she come out of the bug station and hit a truck head on. Killed her. She had 34 pounds of grass under the back seat. So, we do know that one of them got by.

But, then we had another one, where I worked on this, I wrote the seizure of it. This gal come over, and...

JM: This was during Intercept?

H: Yeah, this was during Intercept. And they took her out of the car 'cause she had what looked like marihuana in her purse. They dragged her in the office and we run the test kit on it and it [had a] kinda odd reaction. It wasn't a real clean reaction, but it could've been marihuana. They talked to her. No. This is a remedy she uses, makes poultices out of. She had a good story, that she boils it up and makes a soggy mass and puts it on boils and it cures boils. It still kept testing for tetrahydrocannabinol-- kind of bad, but it did test. So, they took her name and all this stuff. We didn't really want to put her in jail, arrest her and put her in jail, but do you turn her loose? You know. They did the best [they could]. Finally they says, "Well, let her go. We can always, you know, maybe go and indict her." They sent the stuff to the lab. Yeah, it was marihuana, 10 percent. Ninety percent of it was what they call Malva. It's a exotic

weed that grows in the ground. The marihuana portion they put in it, apparently this is a dulling, it has a some kind of an analgesic effect. They make a poultice out of it and stick it on a boil. By God, it will cure it. It's one of these old herbal medicines. Illegal as hell to import, the marihuana portions. The Malva, you can go get that all you want. But they apparently use that as a kind of a natural analgesic to kill the pain when you put this poultice on.

Another one of the things we used to [get], we had one guy come in one night, and he was just nervous, he's tremblin'. "What are you bringing?" "N...n...nothin'." You know, you can tell, [you] know he's a smuggler. So, you reach in, you shut his engine off and grab the keys first, right on the line. "Open the trunk." He goes back opens the trunk. He isn't nervous about that. "Open the hood." And he just breaks up. You know who you got. [You] open it, there's four bags, great big gunny sacks, 'round the six cylinder engine, packed in there, tight. Man, we got ourselves a real smuggler. Guess what he was smuggling? Sunflower seeds. (Laughter) He'd heard that you couldn't...see, what he did, it's like a lot of the Mexican thing. They misinterpret what we said. "You can't bring anything." You know, the word was all over Juarez. You can't smuggle. Well, "You can't bring anything," [is the way] he interpreted it. It's one of these things about telling the joke to 17 people. The last guy didn't hear the joke.

So, he sells sunflower seeds. They're free of duty. They're perfectly legitimate, you can bring them in by the ton. No duty. All you have to do is declare 'em, you know, for tonnage. Somebody in the Commerce Department wants to know how many tonnage of sunflower seeds, you know. It's the only thing you'd have to do, is tell us how much you're bringing. But he thought



you couldn't bring 'em at all, so, he was smugglin' sunflower seeds to take care of his customer who puts 'em up in these little packages and sells them in supermarkets. They said, "Why would you smuggle sunflower seeds?" "Well, you said you couldn't bring anything."

OM: What happened to him?

H: Nothin'! Really, he smuggled, theoretically. It's again, one of these things. He deliberately with knowledge smuggled, to try to attempt to bring things in the United States illegally. He didn't give us his statistical data. But there's no duty. There's no loss of revenue to the government. So, you look at the guy. Hell, he's trying to make a living for his family, instead of being on relief. "Get those sunflower seeds out of here!" You know. "Take them down the road." You tell the guy, "Now, next time, put 'em in the back seat so we can see 'em. Tell us how many pounds you got." You know, we're not gonna be hardnosed. He come out every day, come through after that. "Got my sunflower seeds." "How many you got?" Three hundred and eighty-five pounds," and he'd had you the weight ticket from the scale. You'd say, "Okay, three eight-five." There's a little form you fill out. He'd have it already made up--his name and address, 385 pounds, sunflower seeds and such and then, you know, the tariff number. And signed. All we'd do is stick that up in the garita and wait until the end of the day and take all our decks like that into the house. The guy was misinformed. We have people misinformed out here all the time.

JM: That's with like the sugar business a couple of years ago.

H: Yeah. Sugar was, a big 50 kilo sack, the duty was a dollar and a quarter. But the Mexicans didn't want you to bring sugar out because it was hurting their industry. So, they put out the word that you couldn't bring sugar

into the United States. We didn't, they did. They'd smuggle sugar. You'd see these guys with these big air ride shocks. You open the car. He's got eight sacks of sugar. He's got 800 pounds of sugar in the car. "Well, what the hell're you doin' it for?" "Well, I understood you couldn't bring it." "No, the duty on it's \$9.00. It's a dollar and a quarter a sack." Roughly nine bucks. "Oh, I thought you couldn't bring sugar." "No, you can bring all the sugar you want to." Next day that same guy comes over with a truckload. They spread bad word, you know, or they get misinformed.

They go over to the liquor store. "How much liquor can you take to the United States?" "Oh, you can take all you can buy." Well, that's true, you can. You can't take it legally, but you can take all you can buy. Or the liquor store, the guy says, "Where are you from?" "Well, I'm from Dallas." "Oh, Dallas guys, that's not El Paso. You can take all you want." They sell more liquor this way. Another one. We had a big liquor store for a while that'd do this--he'd go out and he says, "Well, you can only take one quart, but if you hide it they don't do anything about it. They don't, you know, they don't want to mess with it." So he'd go out and help you hide the liquor in your car. Then he'd call up and tell us, "Hey, there's a car coming over. We saw the guy hiding the liquor in it," you know. (Chuckles)

OM: Does that happen a lot?

H: Oh, that happens all the time. This is what makes me wonder about people's intellect. Really. Guy goes over and gets a paint job over at Tommy's. You know, Tommy's a good ole buddy, he gonna help you out. He'll give you an invoice for...you know, you spend \$200, he'll give you a hundred dollar invoice. We already know Tommy's doing this, but there's a secret on the invoice--one that we're not gonna tell. Tommy tells us, by which color invoice he

uses, which is the fake one and which is the real one. And we know when it's comin'. He calls us and tells us, "So and so's got an invoice, should be \$200." Because under the 16.31 act, he gets to recover 25 percent of our recovery. He files on every one of them. He says, "I can save you some duty, buddy. I'll give you this invoice for a hundred bucks." So he gives you the colored invoice...

JM: Well, you know he's working both ends of the middle.

H: Sure he is!

JM: Why do you let him do that?

H: What can I do about Tommy's? He's in Juarez.

JM: Under the law and under the statutes...

H: That's right. There's nothing I can do. Now, I tell the guy, "You go over to get a paint job, for Christ's sake, declare [it] legal. If you come back, say, 'I paid \$200 for this paint job, and he gave me this invoice which says \$100, but I really paid \$200.' We already know you paid \$200." There's no violation, the duty's \$6, down the road. [Tommy's] playing the odds that Americans are crooks. And he's right, a whole hell of a lot of the time.

The furniture store does the same thing. You go in there, you buy the furniture. "Well, \$580. Gee, I'll put half of it on my Bank Americard and give you a check for half." So he makes you up an invoice for half the price. Says, "You give this to Customs, they'll only charge you on the half. Because you see, the BankAmericard will come later, you know, they won't know about that." Hell, man, you ain't outta the parking lot, we already know what the Bank Americard receipt number was, we already know your check number, we know what you paid for it, and we know your license number. Before you can make the bridge it's in the computer.

OM: How do you know that?

H: He calls us. He's playing two odds.

OM: That's what I don't understand. How can he recover part of the money that you get?

H: The law, 16...whatever it is, it's a award of compensation to informers, is the nice terminology.

OM: Oh.

H: He calls us and says, "I want to inform on a guy whose going to attempt to cheat the revenue of the United States." That's effectively what he says. "The guy's license number, so and so and so and so. He's a man with a woman in the car. He gave me a check for \$500 and he gave me Bank Americard for \$500. He asked me for a receipt for \$500. It's actually \$1,000 worth of furniture."

OM: And what percentage does he collect?

H: He can collect up to 25 percent of the recovery. Which would be, in this case, 25 percent of \$500.

JM: That's not a bad day's wage.

H: Well, it is if you do it 10 times in a day, and you get six of 'em that cheat. Then we get this dumbass. Sonnichsen, you know, from the college. Real dumb sonafabitch, real stupid man. He came over one day and says, "You know, inspector, I don't know what's going on over here, but I took my car over and had it painted, and he did a nice job. But," he says, "I gave the guy \$346." He had a check, you know. He says, "He gave me this stupid invoice and the thing only says \$145." He says, "I know I paid this money." He says, "Here's my check stub." He's an honest man. I know what the inspector did, and I'll give you a paraphrase, roughly, of what he did. "Oh, you got a

\$200 paint job, doctor, huh?" "No, I paid \$346." "Fine." He writes it up for a \$200 paint job. Why? We meet so few honest people. Give the guy a break, you know. The loss of revenue to the government is 60 cents, and the inspector out there does have that statutory authority under 3.21, of varying it to the nearest round dollar in duty. Which means, in that case, nearest round dollar in duty could be up--in paint job, see--it'd be 33 bucks.

JM: If people really knew what they could get away with honestly...

H: Well, the inspector is so shocked at honest people. The priest, you know, the guy that runs this little church up at Smeltertown? Can't think of his name, Spanish guy, from Madrid. Real nice priest. He came over one night. I was the inspector, this was just before I came in here, just before Christmas. He drove up to the line, and he had two other guys with him. All right, he's a resident alien--Spanish citizen, resident alien, priest. He had a priest from Monterrey, and a priest from Guadalajara with him, and there were three bottles of liquor. Now, we all know that each guy is allowed a quart of liquor a month, free of duty. And I says, "Fine, Father, take your liquor down..." "Well, two of these bottles, you see, [we] are gonna have to pay duty on this." "Why?" "Well," he says, "I'm only allowed one quart." I said, "That's right, Father, but if you have the two other gentlemen here." "Well, yeah, but this isn't their liquor, that's mine. I'm giving it to them as a gift. I want to pay duty on it." "Well, you don't understand, Father. If they haven't used their exemption, they can..." "No, I don't want to use their exemption. I want to pay the duty on the liquor."

Now this is the first time I've ever had anybody honestly admit that they had used an exemption or something. So, you send him into the office. The supervisor gets him in there and he says, "But, Father, you can apply for the..."

"Well, I don't want to use their exemption, I'll just pay the duty on the liquor." You got a man who is so honest, he's hurting himself. We've had liars, cheaters, you know, ferret out all this crim, and here's a guy that's trying to tell you, "I want to give you \$6.00 in duty." You can't refuse to accept it. But how do you feel? Here's a guy that you know, yesterday he brought a bottle. You say, "When did you bring liquor last?" "Oh, I don't know, about last October, sometime. I don't know, been several months." You know, last night he brought liquor. They'll lie, they'll do anything to save themselves, you know, a nickel and a dime.

OM: Is there any way to prove it?

H: Sure. We can put 'em in the computer. We gain on the loss of revenues \$2.10 maximum on a quart of rum that costs us \$6 or \$7 to process a computer entry. You reach the point where we call it the minimus rule. What do we want to do? If the guy isn't really beatin' us to death, don't worry about it. Do what you can. But if a guy consistently beats you, then you stick him in the computer, because he'll beat you for \$2 every day.

We had a case just this week, out in the import lot. They came to me and says, "Do you want to make a penalty against this guy?" I said, "What'd he do?" "Well, he's been declaring this tubing he brings in as metal manufacture." Metal manufacture is dutiable at 19 percent. Extrusions are not dutiable at all--they're free of duty. He'd been declaring them as extrusions, and they're not--they're metal manufactures. They aren't an extrusion, they're a welded unit. He's been hauling it since January--now we're in June--every day, five days a week, he's been hauling a load of this in. And we've been losing between \$15 and \$19 a load. Finally we found out that he's been doing this to us. I said, "Well, you want to penalize this guy for

all the various derelicts?" "Yeah." "Did anybody ever ask him how this stuff's made?" "No." "Well, how did you discover it?" He says, "One of the inspectors out here asked him. He says, 'How do you make this stuff?' He says, 'Well, we put it in a gig and we weld it.' 'Well, then it isn't an extrusion.' 'No, no it's not an extrusion.' 'Well, why you been entering it as an extrusion?' 'Oh, they told me all this square stuff's extrusion.'"

Who's fault is it? It's our fault. We had a chance January to tell him the difference. And we had a chance in February, you know. We didn't do it, no penalty. "You don't have to pay the duty." It's our fault, not his. Otherwise, you'd get into this, you get into a mousetrap deal, ex post facto laws. I can come over and say, "Okay, you entered this paper as lined instrument." If you believe me, you'd enter it as that rate, right? I may be setting you up for a penalty. You can't do it. You've got to accept that we have rubber erasers on our pencils, too. If our people didn't catch it, then we had a chance... He didn't hide it. He didn't smuggle it. He didn't lie. He didn't refuse to answer. It's just that we were so stupid, we didn't ask him.

Jim runs into this down in the river. A car comes across illegally. He catches the guy. You got a violation of law right there, 15.85 Title 19. He walks up to the guy. The guy's some rancher down there, he's about two-thirds drunk, and he's got his girlfriend with him. The reason he don't want to come through the bridge is because he's embarrassed of havin' a girlfriend with him, see. And if his wife ever found out about it, she'd kill [him].

JM: Forget it, man. That's exactly what we've seen.

H: So, what Jim does, he says, "Now look, fella, you can't do this. I don't care what you do to the girlfriend, but don't do it on this levee." So, the

guy says, "Thanks, officer." And he goes back down. Next thing you see, guy comes through the port of entry, you know, nice and clean, no girlfriend. Have we applied the law? Yes, I think we have, substantially applied the law. Legally? No. He did enter the confines, the territories, they call it, of the United States at a non-port of entry. Well, what have you accomplished by seizing his car, you know. He had to go home. "Well, honey, guess what? I got caught with my girlfriend, they got my car seized." You cause a divorce, you socked the family a penalty of \$500, and we get two brownie points. The other way, what do we do? Okay, he goes back, he has a little girlfriend. He comes over. The next time the press says, "The Customs are a bunch of thugs..." "Oh, hell, no. They're good people, man. I got caught the other night down the levee with a girlfriend. They didn't put me in jail." Also, these kind are the same kind of guys who come over and say, "Hey, Jim, I see some guy loadin' some grass over, you know, it looks like bricks of grass in his car over here at the projects. You want to go over with me?" These are the kind of people that help us. We couldn't do it without 'em.

JM: That's a real fascinating part of the job down here, too. I've run into this, I don't know how many times, where you've got somebody just a little bit turned the wrong direction, and they are so relieved that you don't do anything to them more or take them anywhere, or really put the full force of everything behind you that you have and just stomp them down. And especially when you find some of the major families in El Paso.

H: Oh, boy!

JM: You know, you get some of the old folks...

H: Well, you know the guy out in Anapra. You didn't get this one, Jim, but the



guys in Anapra got it. We see a brand new...what's that...?

JM: Blazer?

H: Like the Blazer. The big, new Plymouth.

JM: Trailduster.

H: Trailduster. Nine, ten thousand dollar car, all fancied up, just at dusk, coming through Anapra. So the guys rush up and seize it. The guy comes in my office, next morning. This is over a weekend. He comes in the next morning. And the name would shock you. I mean literally shock you.

JM: That was me.

H: That was you that night? All right. I didn't remember you workin' Anapra. Anyhow, it would shock you. You'd say it'd never happen. The guy says, "Is there any way we can settle this real quick? I don't mind paying the penalty. Money is not the problem," he says. "My wife will be very upset with the girlfriend." Seems like he had his secretary with him.

JM: She was only about 19 years old.

H: Yeah, about 19 or 18, or maybe seventeen. Good looking gal. They had been out...probably she went with him just in case something come up, she could take it down, out in Anapra. He decided, rather than go through the bridge-- somebody might recognize him--he'd come through Anapra to get home. He wants to pay a penalty. The penalty in this case was \$500. He hasn't really committed a violation--a U.S. citizen, he had no contraband with him. The secretary is also a U.S. citizen and she had no contraband with 'em. Unless you would say that raw fur happens to be contraband. But there was no violation, really. They had not done anything except technically entered the United States illegally. They did declare themselves to a Customs officer, never run from him, and they'd been inconvenienced a right tolerable amount. So, we allowed

that maybe he, if he would tell us... "Please, don't do it again, buddy. We'll waive the penalty. You get the car and you go down the road. But don't do it again, because the next time we won't think it's so funny." He says, "Oh," he says, "if mama ever found [out]. I told her I was havin' the car tuned up. And I do, I have to get it [tuned up]."

JM: One thing on people like that, too, is that you do something with them like that, you realize that if I brought it to Bob, here, or even brought it in as a seizure, nothing could become of it. I mean, it'd inconvenience him and he'd beat it for like \$25 or...

H: A hundred or five hundred. Five hundred's nothin' to him. He'd just reach in his money clip and give you five.

JM: But on the other hand, you turn him lose and they wonder, "That ole boy, he knows who I am, he knows who I had, he knows what I was doing. Is he really gonna do what he said? Is he gonna call my wife if I don't call him back in a week?" And this is the way you start getting people to really wonder on both directions. And on the other hand he can say, "Man, that guy was a gentleman and a scholar and he let me go." You know, you can work it either way with the guy.

H: We've let some of them go. We have cases of...I had one here the other day that we're positive was a plant. A nice family come over. A lady come over and you'd be shocked at her name, too. Her name gets in the paper once in a while in the society section. Had heroin on her. They seized her car, they took her away, but they didn't book her--for a very good reason. Somethin' wrong about this case. She came in. The investigators came in and they laid it on me. Seems like she's having some small amount of problem with her husband. They're in the process of a divorce. And, of course, if he can

discredit her, he's the aggrieved party, under Texas law. His wife was a heroin smuggler and it embarrassed him and his business, he can get a divorce just like that. We concluded, really from the evidence we had, it's got to be a plant. Down the road. No arrest, no seizure, no nothin'. Get that car out of here. Because we would be used.

I want to discredit you as a professor. How's the best way to discredit you as a professor? Prove that you're a non-reputable citizen, right? I want your job. So, we plant your car and call up Customs and say, "You know, I saw this guy over here. He was over, near,..." what's the gal's house that sells the dope over here? La Nacha. "He's over near La Nacha's house and he looks like he's hauling dope." So, your car goes in the computer. You can't turn his information down, man; it might be right. It is right, a lot of times. All of a sudden you come in. You're clean. "Sure, I've been over." "Where'd you go?" "I went over to eat." We start searching the car and sure enough in the air cleaner we find heroin. You [at] fault? Might be. That'd be a good place to carry it. A lot of suckers do. But you also might be perfectly innocent. Now, the violation you've committed, the violation is there, flat out. But was there a violation? Because plant is not...there's a very definite exception in the law to the planting of things.

So, you're up against between a rock and a hard spot. If I put this guy in jail, he loses his job. All the rest of his life he's branded as a bad criminal. And it might be wrong. And if we don't, what if we got a dope smuggler? All you do is you do the very best you can. You try for fingerprints. You try for this. You try for that. You try for the pattern. You try to look at his method of livelihood. Is he spending more than he's making? You know, and you have to do this. You can't wait seven months

to do this. This has gotta be done, and a judgement's gotta be made within about three days. Because, otherwise... No, we don't have to do it, the law don't say we do it. But, reason. If we keep your car for six weeks, somebody's gonna figure out that somethin's wrong, you know, and you get branded by association. So, the speed we have to do these things a lot of times is based on not legal requirement, but a human requirement. You know, I keep some guy's car and it's parked out here in the lot and 75 people see it and say, "Ha, [there's] my old professor. The guy's a real crook. Custom's got his car." You car could be here for a lot of reasons and it wouldn't be criminal.

JM: Another thing I found out with this kind of thing, too, is the fact that one of your professors up at UTEP, he bought a car from one of his students.

H: Oh, Jesus!

JM: You know, come through [the line], and Pow! It had residue all over. He didn't even know what it looked like, had no idea.

H: We've had this happen almost every auction. You come in and buy a car at an auction. All right, the car's here. When we seized it and [are] sellin' it, it's because it's a dope hauler. We had one guy come in here, bought a car, came through the bridge. Six weeks later--something like that--Bung! They run him into secondary, knock on the side panel, pull a brick out of the panel. Full two and three tenths pounds of marihuana, in the panel. They arrested him, put him in, you know, hand cuffs. D.A. come down and took him off to jail. We seized the car. He kept saying, "I bought the car from you goddam people! I'm not a dope hauler. It ain't my dope!" In the meantime we tested the thing. By golly, it is old, it's not new crop. The paper is old. We know who it's from, it's one of La Nacha's group. They use a special type of loose paper. Aha! Check you out. Geez, he's never been

mixed with dope, he's got no friends that are into dope. They come to the conclusion /that the man/ is innocent. We'd missed it in the car, originally. We got a load, but the guy'd had a brick we didn't get. They expunge the record, hand him back his car, and says, "Go and sin no more." He's a nice guy.

OM: You mentioned La Nacha. She's a person who's been around a long time.

H: Well, La Nacha is a name. I don't think it's the same person because La Nacha was in the '30s. I think the original La Nacha is dead.

JM: This is the same one we were talking about.

OM: Yeah, she's the same one.

H: It's an organization. It's like saying The Mafia. La Nacha is really an organization. She was heading it. But the only time that I think she was out of business was during when General Quevedo run Chihuahua. She was out of business when he did, 'cause he shot 'em. He was probably the only honest cop they've had over there in, what, 20 years?

JM: Well, this brings up another question. How much involvement can you have with the Mexican Government on fines and penalties? You don't have any kind of liaison with them at all?

H: Never. We officially do. We tell them about the weather, go drinkin' parties with them. I don't, but it's done. You never tell them the truth, because all they do is use it against their own people. See, they run the dope. This is not proven, but guess what? We know it. There's guys that we have some very good intelligence on and we've actually seen 'em haul it over. We've seen the Mexican Customs and the Mexican Army haul the dope over on this side. We know it happens. We also know who runs it, who's farm it comes off of, and all the rest of the stuff. So, in effect, what you do is, if you're telling the Mexican Judicial Police about where dope is, all you're

doin' is pinpointing the source of "mordida". Because they already know it and they're already gettin' a rake off from it. Or if they don't, they'll go get a rake off. But they don't stop the dope. We get the dope over here with the court seal, the rubber stamps from the judicial police and the courts on it, in the wrappings. We still get it. After the trial, they put this guy in jail and they peddle the dope over here. They fly it over in government airplanes. Mexican government airplanes fly dope.

OM: And land in the U.S. and drop it off?

H: Hell, yes; hell, yes! Mexican Army comes over, 15 of 'em, with AR-16 rifles. These are like a machine gun, M-16 rifles. Cross the river with their load of dope, and plant it on the U.S. side and go back--in uniform. They're crude, they don't even take their uniforms off.

OM: Near El Paso?

H: Almost in the city limits.

JM: You're talking to me, aren't you?

H: Yes, I am. I'm looking at you, I'm not talking to you. But yes, within 10,000 yards of here.

JM: I've never seen them cross over.

H: We have guys that have.

JM: I have seen them, like I told you before, but I've never seen them cross over.

H: We've got guys that have stood and watched 'em walk right by 'em. And you know who I'm talking about.

JM: Yeah, the old man that's down in the valley.

H: They come over and you can't whip 'em. One of the Chief of the judicial police car come over here. You open the thing, it's got more dope, you know,

it's got seeds and everything. Postal officials, United States government postal officials cars loaded with dope. Wonder how it gets out in the country. See, when the people want to stop, it'll stop. When the people want heroin stopped, when they want marihuana stopped, when they want anything stopped, it'll stop.

JM: And it won't until then.

H: Yeah, it won't until then. The public does not want it stopped. They'd rather have the heroin addicts and all this stuff. They'd rather pay the five billion dollars to fight dope than say, "Either legalize it or kill it." Legalizing it'd be a disaster, they all know this. They don't want it stopped because, well, you see, it's like this...

JM: Then you'd be bothering my kid 'cause he's...

H: Tell me how many lawyers in town would be in business if it wasn't for dope? Or tell me how many lawyers would be out of business if we stopped dope?

OM: What percentage would you say?

H: Half.

OM: Half? That many?

H: Take a look at your cases. That doesn't mean that half of the lawyers are dopers.

JM: It just means that their cases concern...

H: But take a look at... Counting my cases, my fine penalty cases, patrol stuff, DEA stuff, city police stuff, state police stuff, and federal--if you took all the dope cases out of court, that's that much more money they wouldn't get. And when one of our major dope lawyers admits, in the press, that he only makes \$175,000 a year, and he's not one of the rich ones. You have any idea what a petition costs, a simple two-page petition, what these lawyers

are charging these people? Three hundred dollars to write a two-page letter. I'm telling you. Actually, I'm ambivalent on the thing, really. One, I say, "We couldn't dare legalize dope," because there's an awful lot of pretty good evidence in other countries that have tried that it is a disaster. But apart from that, I'm on the other side, I say, "Well, yes, but when I see what I see from the legal community, it makes you sick." That's one reason I will not practice, I would never practice law. I had a chance. I've had my choices. When I see what the profession is like, I'm sick.

OM: One of our professors was criticized recently for making a statement that 15 to 20 percent of the households in El Paso depend on illegal activities to a significant degree for their income.

H: I don't know where he got his word, his statistic, because I take very deep umbrage at it. What he's effectively saying is, 10 percent of the families in El Paso--about 15,000 families in this town--depend significantly on dope. I don't think you can prove it.

OM: Not just dope, but smuggling of all kinds. Yeah, it's something that you can't really qualify. But what is your reaction to something like that?

H: It's pure bullshit. I'll tell you approximately what my impression is of how many people are involved in it. About six hundred.

OM: Six hundred people?

H: Yeah. Smuggling is very lucrative and they don't tend to spread the joy around. Of the major dope peddlers in this town, you can name 'em on two hands.

JM: The major ones.

H: Now, we're not talking mules, the Juarez mules--we're talking dope peddlers. There's a dozen, maybe.



OM: You're getting into the hardcore...

H: No, we're talking about dope peddlers. Hardcore, we're talking three.

OM: How do you define these different categories?

H: All right. Your number one guy is the guy that supplies it, plans it, finances it, and distributes it. You've got three of them.

OM: In El Paso?

H: Yeah.

OM: Big operation?

H: We're talking about where he takes a million or more. The other small organizations, the amateur organizations--if you wanna call 'em--you got a dozen or so. Then you got a few shit heads--couple o' hundred. You know, this is a highschool kid at Eastwood, hauls over six bricks and gets caught, or doesn't get caught. But these are no big deal.

OM: We were talking about this professor at UTEP who made the statement that 15 to 20 percent of El Paso's households depended on illegal activity for their income significantly. He was not only talking about dope smuggling, but the everyday smuggling that takes place here, that people engage in. Merchandise being carried over to Juarez en masse--cigarettes, for example, liquor.

H: You're talking about El Paso or Juarez?

OM: El Paso. Well, merchandise going back and forth in both directions.

H: Well, it don't go this way very much. Now, cigarettes goin' out bound have to be Mexicans. El Paso [residents] can't export 'em.

OM: Right. But you have bonded warehouses right here that are legally selling this stuff to Mexicans. But they know darn well that these cigarettes are being smuggled into Mexico. And the Mexican Customs knows darn well that

they're comin' in, but they just ignore it.

H: That's right. But that doesn't make the warehouse illegal.

OM: No, but it's illegal activity.

H: Well, Safeway sellin' toilet paper, then, is illegal activity, because they smuggle toilet paper into Mexico.

OM: And they smuggle a lot of things.

H: Well, if he's gonna use that, then, gasoline's illegal. Read Mexican law. You can't sell any American product without payment of duty, and they don't collect the duty over there. So every company then, that sells to a Mexican, the White House and the Popular, are all illegal. UTEP's then illegal.

OM: No, it's not illegal. There are no laws being broken.

H: Oh, yes there are, oh, yes there are! The Mexican law says, exactly, their Constitution says, you cannot import it if it's made in that country.

OM: Right.

H: And they're doing it.

OM: Right. That's his point. A lot of activity is taking place here and it's institutionalized to such an extent--and it goes back decades--and a lot of people are engaged in that kind of activity. There's a thin line there.

H: Just like UTEP is educatin' the Mexicans. I thought the University of Texas has something about that you can't do that.

OM: Oh, no. They pay tuition.

H: They do? I'll tell you what. I'll bet your salary against mine that I can prove that a lot of 'em aren't.

OM: You're right about that.

H: You betcha. Everybody at UTEP is engaged in illegal activities.

JM: No, wait a minute, wait a minute. We're not talking about what we want to

talk about.

H: No, basically, this is why his statement is false. Everybody is engaged in illegal activity. If he can name them, when he made that statement, if he can tell it, if he's tellin' the truth and he can prove it, then he's a felon. Because misprision of a felony is a felony in the United States. If he has knowledge which he has not imparted to the United States government, he is a felon.

OM: He's making the point that...

H: Is he telling the truth or is he guessin'?

JM: That's the thing right there.

H: If he's telling the truth, then he is a felon for not reporting it. Can he name it? We get back to the thing. You're asking, you're making a statement. Can he name the names? I challenge him to name the names, I challenge him to tell us who they are. Now, if he can, then we'll attempt to put 'em in jail. If he can't, I think he should apologize.

OM: No. Let me get your reaction to the reasoning that's behind this kind of statement. Take for example, the maids who come over here, thousands of maids who come into El Paso illegally to work.

H: Right.

OM: And, you were talking about this before, that a lot of people pay them very little money.

H: That's right.

OM: And that's illegal, they're not paying the minimum wage. That's illegal.

H: That's right.

OM: Now, this illegal activity permits a lot of households to earn extra income because housewives go out into the economy, bring extra income; and

in turn, this income is then spread out all over El Paso to generate secondary activities, to create more economic activity. Now, these maids get what little they make, and a lot of that income winds up on Stanton Street. When they're going home, they do their shopping. And that's income that has been earned illegally that has generated other income.

H: Well, what is the hurting illegally? Tell me what law they broke. Is hiring an illegal alien [illegal]?

OM: No, it's not. But aren't you supposed to pay the minimum wage even if they're illegal?

JM: Could I interject something here?

OM: No, but that's just one example. Let me talk about other examples that is behind his statement. The bonded warehouses that I mentioned, the cigarettes, the liquor--these people know darn well that this is being smuggled into Mexico.

H: That's right.

OM: But everybody accepts it, it's institutionalized. People come from Chihuahua, from Torreon, from Mexico City, and they come to the Popular, the White House, they go to Cielo Vista Mall, and they buy in quantity. And this stuff is being imported into Mexico.

H: Illegally.

OM: And everybody gets paid off along the way, and it winds up in the interior. A. B. Company, Border Tobacco--these companies almost guarantee delivery into the interior of Mexico. When they sell, they're not violating any law here, but they're helping in violating Mexican law. That's the kind of thing he's talking about.

H: All lawyers then, are violatin' the law, are perpetrating it. They're

defending guys who have broken the law. They're perpetrating it. Therefore, anybody who sells to a lawyer is perpetrating it. Let's follow the same logic. There are communists in Mexico. And UTEP accepts people who are communists. Therefore, the University of Texas is a card carrying...or perpetrating the imposition of a communist regime on Mexico. Same logic. The same thing is true that the electricity company that sold electricity so that the shootin' galleries over here could have lights, the El Paso Electric Company then is perpetrating the use of heroin. The El Paso Water company, the El Paso utilities, we used to gave 'em water. And the dopers over there at La Nacha use it. Therefore, we're perpetrating the use of heroin. Let me go a little farther. Since you're educating the people who are taking bribes--because a lot of the Customs people were educated at UTEP--therefore, the University of Texas system is the one who caused all this illegal activity. Shall we go further?

JM: This is a line of thought that doesn't seem to me like it's making any sense.

H: It is. He's claiming that if A.B. Company sells something that is illegally imported into Mexico, then anybody who derives their income from A.B. Company is deriving their income from an illegal activity.

OM: Sure.

H: Therefore, there's no legality in the country. Because then, the Japanese who sell to A.B. Company are also perpetrating it, because if they wouldn't have sold to A.B. Company, A.B. wouldn't have sold to the \_\_\_\_\_ that smuggled it into Mexico, and crime wouldn't have been committed.

OM: The point is that this is a part of border life anywhere.

H: It's a part of every city in the United States.

OM: But these operations are peculiar to the border.

H: No, it isn't. Tell me about RCA. Hammondsville, Indiana, then is supported entirely by illegally activities.

OM: I'm not familiar with that.

H: Well, Hammondsville, Indiana is the home office of RCA Electronics Products Division, which is the big [twin] plant over here. And every piece, every part that goes out of Mexico has been paid a bribe on. Therefore, everything that RCA makes is illegal.

OM: I wouldn't say everything, but...

H: Everything they make in their Electronic Products division has a bribe paid on it.

OM: Really?

H: Everything that's made in Mexico has a bribe paid on it. That I can absolutely assure you. Your professor knows that. Therefore, if you bought an RCA thing, then you're perpetrating it, because if you hadn't bought RCA, they wouldn't [be making money this way]. You have an RCA television set? You're perpetrating a crime. Same logic.

OM: Yeah, you can carry this too far.

H: Well, he did.

OM: Well, I don't think he did. It's just that the way it came out in the paper was all screwed up.

H: Well, I will challenge him to name them.

JM: The only thing I can see on this that we're trying to say, after talking about it ten minutes, is that there're 20 percent of the families in El Paso that are having trade with the other side of the river, and commerce is going back and forth. And let's face it, whenever you have commerce going

and entering into the commerce of Mexico, you have the "mordida" system operating.

H: Well, I can tell you the countries where there isn't any "mordida" to speak of.

JM: And every time this happens, why then you can say, you know, you're contributing to some kind of system that is not comparable to the one we're at. And therefore, we have this many people here in the United States...the logic doesn't seem too sound in that part. If you were to say that there are 50 or 75 percent of the people in El Paso that have daily commerce or have some commerce once a month with Mexico or the other way around, it seems like that would be a much more reasonable thing to say. But I don't see how you can just bring it down to saying 20 percent of the people in El Paso derive their earnings from illegal activities.

H: It depends on what your definition of illegal activities are.

JM: Yeah.

H: I'll bet you \$5.00 that there isn't a guy at UTEP that hasn't broken the law, not one--including the professors.

JM: I'll bet you \$5.00 there's not a guy in this room that hasn't broken a law.

H: That's right.

OM: Sure.

H: Because every time you cross that border...and the professor, I'm sure, has crossed the border. And I'll bet you money his watch is not U.S. made. And if he didn't declare it, every time, he's a smuggler. I'll believe that 30 percent derive it.

OM: Well, we can go back to talk about other things. Actually we're close to running out of tape. Any other big cases that you've been involved in that are particularly interesting?

H: Well, we have a lot. There's some that's been hittin' the paper recently. There's some that will be hitting the paper probably, that it will be a shock to [you] if you ever really look into these good people. We're talking about good people, we're talking about people who support the majority of El Paso. You did read in the morning paper, didn't you, about Mr. Kessler?

JM: This morning?

H: Yeah. Take a look in the financial page. They're suing Mr. Kessler for non-payment of minimum wage. You know, Cal Kessler, Kessler furniture. I think Mr. Lama made the statement the other day in the press, something like that they'd made a small mistake of half a million dollars in their duty payment. And I know you believe it's a mistake. People just do make \$500,000 mistakes. I mean, he put it in the paper, we didn't. You possibly read in the news, or at least you should, about the Litton industries?

OM: What about it?

H: Oh, you didn't know about Litton? Well, it seemed like Litton made a mistake of \$91,000,000. You know, just kind of trivial error of \$91,000,000 in duty payments. Somehow or other, it seems Litton admitted in their financial statement--in fact I believe I still have a copy of it--where they've had a criminal fraud penalties of, I think it was \$900,000 assessed against 'em. You see, these companies that are helping us all out are a real good bunch of people.

OM: Was this "mistake" made here?

H: Well, Mr. Lama's company is right here.

OM: I mean Litton industries.

H: Litton is made in San Diego, but they operate here.

OM: They have a factory here in Juarez.



H: And then there's the [company] that...the one that had the...in the papers some time back, I can't think of the name of the company. Colton Instrument. They're one of the big conglomerates. I think theirs was...they made an error of some \$300,000,000. These are small clerical type errors. And you know the funny thing about it? All these good people who want to see crime stopped, guess what they did? They rushed out and bought the guy's product. Yep. We post the name of a major narcotics smuggler. I don't see him in jail. Because a jury of our peers sit down there and says he's not guilty. See, the monkey's on somebody else's back, not on ours. We put them up there. We arrested over 3,000 people last year. We had put guys up on the stand that hauled 22 pounds of pure heroin, and 12 of our good citizens in El Paso said that they believed he didn't know it was there. When the Columbus Air Force come over...

JM: You better explain that a little bit.

H: The Columbus Air Force is a group of smugglers who have 16 airplanes. They're an organized air force. Marty Holt and that gang that was convicted. "Why, you can't do that to these people. These are prominent citizens." They were out on the streets [in] what? Two years? They finally served eight months. Marty Holt is back in business. While he's on probation, from jail, he is running dope. You think anybody'll do anything about it? Nope. The Bryant case. We caught Mr. Bryant with 900 pounds in his airplane. We were criticized very, very severely by the media and by academia, because we were just depriving this guy of his civil rights. The truck settin' out in the middle of the river back of UTEP that created such a ruckus--500 and some pounds. See, a kilo will make you about 4000 cigarettes. That's 500 and some pounds, which is 200 and some kilos. What we're talking about is

\$5 billion a year that the dopers are making, and about \$7 billion the public is paying to try to fight this, but they won't cooperate. The first time we catch one of these guys that are the smuggling on the line, we got an enemy. I don't like to make this statement, but I personally would like to see the border opened. And after El Paso's ripped off, and the standard of living is \$400 a year, and you have a thing worse than Juarez, the people in El Paso will wake up that we had a problem.

OM: There's been a proposal to establish El Paso as a free zone.

H: Never work. Because the minute you do, everybody'll move north of it. Show me a free zone and I'll show you a place where everybody that has any decency moves out of it. Show me one in the world--[I'll] challenge you. You'll never find one. Free zone--what does it boil down to? Lawlessness, because neither country owns it. Dope, prostitution, lawlessness, thuggery, bribery. Outside the free zone, decent people live.

OM: Doesn't all of that take place already, here?

H: No. You can't buy dope on the street in El Paso, yet. You can in Juarez, but you can't buy it here, yet.

JM: What?

H: Heroin. You can't walk in the drug store and buy heroin here. You can over there, but you can't here. We do keep it down to a reasonable minimum. You have protection that we don't have too many murders here. You still have civil rights. If you don't believe it, try to get up on the stand to cuss President Lopez Portillo on the Mexican side. Go over to my counterpart over there and argue with him. Please don't. You haven't got the time to spend in jail. Find out what the Napoleonic system is, where you're guilty until proven innocent. You have no right of habeas corpus, you have no right of probation, parole, or bail.