

1-1-2011

Mexican Cartel Strategic Note No. 5: Border Corruption of US Officials by the Mexican Cartels & Cases Shown

Robert J. Bunker
Claremont Graduate University

Recommended Citation

Bunker, Robert J. "Mexican Cartel Strategic Note No. 5: Border Corruption of US Officials by the Mexican Cartels & Cases Shown." *Small Wars Journal*. 19 Oct. 2011: 1-3. Web.

This Blog is brought to you for free and open access by the CGU Faculty Scholarship at Scholarship @ Claremont. It has been accepted for inclusion in CGU Faculty Publications and Research by an authorized administrator of Scholarship @ Claremont. For more information, please contact scholarship@cuc.claremont.edu.

Mexican Cartel Strategic Note No. 5

Border Corruption of US Officials by the Mexican Cartels & Cases Shown

By [Robert Bunker](#)

SWJ Blog Post Oct 19 2011 - 4:25pm

Key Information:

Via the statement of Alan Bersin, Commissioner, Customs and Border Protection (June 2011):

Since October 1, 2004, 127 CBP employees have been arrested or indicted for acts of corruption including drug smuggling, alien smuggling, money laundering, and conspiracy. Of the 127 arrests, 95 are considered mission compromising acts of corruption. This means that the employee's illegal activities were for personal gain and violated, or facilitated the violation of, the laws CBP personnel are charged with enforcing. An example of the impact a single corrupt employee can make through a mission compromising act of corruption can be seen in the instance of former CBP Technician Martha Garnica who was indicted federally in 2009. In 2010 Garnica was sentenced to 20 years in federal prison, ordered to pay a \$5,000 fine, and serve four years of supervised release after pleading guilty to conspiring to import over 100 kilograms of marijuana into the United States, conspiring to smuggle undocumented aliens, three counts of bribery of a public official, and one count of importation of a controlled substance.

Apart from the 95 cases identified above, the remaining 32 arrests are considered non-mission compromising acts of corruption in which the employee's illegal activities involved the misuse or abuse of the knowledge, access, or authority granted by virtue of their official position in a manner that did not facilitate the violation of laws that the agency is charged with enforcing at the border. These cases fall into one of five broad categories: Theft; Fraud; Misuse of a Government Computer/Database; False Statements; and Drug-Related Offenses [1].

See [Crossing the line: Corruption at the border; 128 cases shown](#)

<http://projects.cironline.org/bordercorruption/>] at Center for Investigative Reporting for specific case information. The interactive site contains individual case profiles, supporting documentation, and case statistics; gender, agency, years or service, type of crime, state, year, age and duty station [2].

Analysis:

Much of the concern relating to the Mexican cartels focuses on acts of violence such as homicides, assaults, and torture along with the illicit economic activities of narcotics trafficking, kidnapping, extortion, bulk thefts, and human smuggling. A large component of Mexican cartel operations is derived

from the targeted corruption of public officials within their areas of operation. The initial intent is to achieve impunity and freedom of action. This represents the ‘insurgency’ element of the criminal insurgencies taking place in Mexico, Central America, and now over the US Southern Border, an element, according to John Sullivan, that is still not recognized by many individuals. Essentially, the public agency (be it local, state or federal) being targeted is compromised one official at a time. When combined with the threat (and subsequent use) of violence the well known cartel technique of offering the choice of silver or lead (Plata O Plomo) is achieved. This is akin to the environmental modification of a street, barrio, or plaza controlled by a cartel or gang with the imposition of a new set of values (cultura) and rules (cartel political authority)— though, in this instance, it is directed at a public entity in order to compromise and co-opt it (representing the aggregate of all of the individuals corrupted). What has worked so successfully in Mexico and Central America is now being incrementally utilized by the cartels against the United States’ ports of entry—and, we can also assume, much deeper into the US homeland. The following quote from Alan Bersin is most telling in this regard:

CBP IA agents participate as active members of the FBI-led National Border Corruption Task Force (NBCTF) initiative. Presently, CBP IA agents are deployed in 22 Border Corruption Task Forces (BCTFs) and/or Public Corruption Task Forces (PCTFs) nationwide, including 13 task forces operating along the southwest border. These multi-jurisdictional, multi-agency task forces share information, intelligence, and investigative resources in an effort to combat border corruption. The task force approach serves as a force multiplier on corruption investigations and allows for a higher level of return on the investment of appropriated resources [1].

The FBI-led National Border Corruption Task Force (NBCTF) initiative is now very active and appears to be growing. How this threat to US sovereignty will further evolve is unknown. What is recognized is that as a nation we can recover from cartel violence directed at our officials and our citizens—the corruption of our public institutions is an entirely different matter. This element of the criminal insurgent threat represented by the Mexican cartels must not be underestimated. Per Andrew Becker and Richard Maros:

Since 2006, the number of investigations has more than tripled, from 244 to about 870 last year, according to the Department of Homeland Security’s Office of the Inspector General [3].

We already have at least 127 Customs and Border Protection employees indicted or convicted in corruption cases—that list is going to grow along with that of public officials in other city, state, and federal agencies. The question is to what extent and, ultimately, what our national response is going to be to protect our public institutions from criminal co-option.

Notes

This Strategic Note is a byproduct of discussions between the author, John Sullivan, and Dr. David Shirk after the Justiciabárometro Ciudad Juárez Police Survey held at the Trans-Border Institute (TBI), University of San Diego, San Diego, CA., Tuesday 18 October 2011. The author would like to thank John Sullivan for his analytical insights pertaining to criminal insurgencies and to David Shirk for his identification of the Center for Investigative Reporting border corruption case dataset.

Source(s):

1. Statement of Alan Bersin, Commissioner, Customs and Border Protection, before the Committee

on Homeland Security and Governmental Affairs, Ad Hoc Subcommittee on Disaster Recovery and Intergovernmental Affairs on "Border Corruption: Assessing Customs and Border Protection and The Department of Homeland Security Inspector General's Office Collaboration in the Fight to Prevent Corruption." 9 June 2011 http://www.dhs.gov/ynews/testimony/testimony_1307549850535.shtm

2. Crossing the line: Corruption at the border; 128 cases shown. Center for Investigative Reporting. 17 October 2011 <http://projects.cironline.org/bordercorruption/>. (See also the extensive list of news reports and documents).

3. Andrew Becker and Richard Marosi, "Border agency's rapid growth accompanied by rise in corruption." Center for Investigative Reporting. 17 October 2011. <http://centerforinvestigativereporting.org/node/4885>

About the Author

Robert Bunker

Dr. Robert J. Bunker holds degrees in political science, government, behavioral science, social science, anthropology-geography, and history. Training taken includes that provided by DHS, FLETC, DIA, Cal DOJ, Cal POST, LA JRIC, NTOA, and private security entities in counter-terrorism, counter-surveillance, incident-response, force protection, and intelligence. Dr. Bunker has been involved in red teaming and counter-terrorism exercises and has provided operations support within Los Angeles County.

Available online at : <http://smallwarsjournal.com/blog/mexican-cartel-strategic-note-no-5>

Links:

{1} <http://smallwarsjournal.com/author/robert-bunker>

{2} <http://projects.cironline.org/bordercorruption/>

{3} http://www.dhs.gov/ynews/testimony/testimony_1307549850535.shtm

{4} <http://centerforinvestigativereporting.org/node/4885>

{5} <http://smallwarsjournal.com/comment/reply/11646#comment-form>

Copyright © 2013, Small Wars Foundation.

Select uses allowed by Creative Commons BY-NC-SA 3.0 license [Terms of Use](#)
Please help us support the [Small Wars Community](#).