

**Statement for the Record**

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**By**

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**Before the U. S. Senate Caucus on International Narcotics Control**

**Regarding**

**'Drug Trafficking Violence in Mexico: Implications for the U.S.'**

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Chairman Feinstein, Co-Chairman Grassley, and Distinguished Members of the Senate Caucus on International Narcotics Control, thank you for your continued interest and support as we face the challenges presented in our fight against corruption and organized crime that have plagued our neighbors to the south. Since 2006 when the Republic of Mexico, under the courageous leadership of President Felipe Calderon, began their campaign against this scourge, we have seen many successes as well as heart-wrenching consequences. Mexico's efforts have been furthered by our government's willingness to partner with them under the Merida Initiative. This has allowed us to share in many of those successes, but it has also burdened us with some of the consequences. Even so, it is a just cause that must be carried out with unwavering resolve until organized crime returns to being a law enforcement problem rather than a national security issue for both countries.

### **Background**

Chula Vista, California, is San Diego County's second largest municipality and is located seven miles from downtown San Diego and seven miles from the busiest international border crossing in the world. The city's resident population is approximately 237,595. With a population of 3.18 million residents in San Diego County and at least 1.5 million residents, directly across the border in Tijuana, the San Diego-Tijuana area is the largest cross-border metropolitan area in North America.<sup>1</sup> While San Diego County spans less than 5% of the U.S. border with Mexico, it accounts for 44% of the U.S. Southwest border population.<sup>2</sup> San Diego is easily accessible by land, sea, or air, and contains major interstate highways linking Los Angeles to three ports of entry at the Mexican border. Due to its proximity to the border, San Diego

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<sup>1</sup> 2008 U.S. Census Bureau and 2005 Mexico National Institute of Statistics, Geography and Informatics.

<sup>2</sup> 2004 U.S. Census Bureau; total population calculated using the 24 counties along the U.S.-Mexico border

County is a major hub for narcotics-related activity and associated violence, and is designated a High-Intensity Drug Trafficking Area (HIDTA) by the Office of National Drug Control Policy.

The governing HIDTA for the region is the California Border Alliance Group (CBAG) and is comprised of executive staff for law enforcement and prosecutions at the federal, state, and local levels for San Diego and Imperial Counties. (See Figure 1 below).



**Figure 1: California Border Alliance Group (CBAG) Region**

The evolution of cross border violence has been progressively monitored and evaluated in the San Diego area by most law enforcement agencies in our region. It is important to note that some of the information shared in this testimony is specific to the City of Chula Vista, which represents only 7% of the population within San Diego County.<sup>3</sup>

<sup>3</sup> State of California, Department of Finance, E-4 Population Estimates for Cities, Counties, and the State, 2001–2009, with 2000 Benchmark. Sacramento, California, May 2009.

## Increased Threat

In recent years, due to the Mexican government's counter drug operations and the associated turmoil among drug trafficking organizations (DTOs), many Mexican nationals have moved to San Diego County and Chula Vista in particular.<sup>4</sup> Because of our proximity to the border, immigrants can continue their personal and professional activities, whether legitimate or criminal, in Mexico while residing in the U.S. Recent intelligence from federal, state, and local sources indicates drug traffickers, business entrepreneurs, and other Mexican nationals are moving to San Diego County and Chula Vista to avoid the gun battles, kidnappings, and extortion they face in Tijuana. Since 2006, more than 22,700 people have been murdered in Mexico by narco-terrorists in the ongoing war amongst the cartels and between the cartels and the government. The pace of the murders has been steadily escalating - 9,635 murders in 2009 – an increase of 50% from the unprecedented level in 2008 and three times the 2,837 killed in 2007.<sup>5</sup> Nearer our region, in Tijuana Baja California Norte, the struggle to control drug trafficking routes has resulted in significant violence with 337 killings in 2007, 843 in 2008, 664 in 2009, and 245 for the first quarter of 2010.<sup>6</sup>

Historically narco-terrorists and organized crime in Mexico has resulted in some spillover violence in San Diego County. From 2004 to 2007, just prior to President Calderon's administration, the *Los Pallilos* cell committed 11 murders and numerous kidnappings in the San Diego region, in addition to trafficking drugs as far away as Kansas City. Most of the kidnappings went unreported because *Los Pallilos* targeted associates of a rival organization.

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<sup>4</sup> DHS Operations Plan for Southwest Border Violence 10/29/2008; Cearley, Anna. (2005, December 12). "Drug War in Tijuana Spills Over the Border (San Diego)." *The San Diego Union Tribune*.

<sup>5</sup> Lieberman, J. (2010, April 20). Opening statement of Chairman Joseph Lieberman, Homeland Security and Governmental Affairs Committee. Border Security: Moving Beyond the Virtual Fence.

<sup>6</sup> Dibble, S. (2010, April 29). Tijuana violence slows, drops from spotlight. *The San Diego Union Tribune*. Retrieved April 29, 2010, from <http://www.signonsandiego.com/news/2010/apr/26/tijuana-violence-slows-drops-out-of-spotlight/>

Since the arrest of the *Los Pallilos* in 2007, the highly visible cases in San Diego have lessened, yet many other indicators tell us that the cartels are still active in the U.S and are operating covertly.

The Chula Vista Police Department has tracked cross-border violence related events in Mexico with a nexus to the city of Chula Vista. From January 2009 to date, there have been 47 cross-border events, most relating to incidents of murder, kidnapping, extortion, and paid ransoms occurring in Mexico.

Region-wide, our analysis tells us that because of the stepped up drug enforcement, on both sides of the border, and the resulting difficulty in moving narcotics across the border, many criminal organizations have shifted their focus to the lucrative trade of kidnapping and extortion as another source of income. Intelligence data reveals that the majority of kidnap incidents go unreported.<sup>7</sup> The reluctance to report kidnappings and extortion is because of the fear of retaliation by the kidnap cells and a culturally ingrained distrust of law enforcement; making it difficult for law enforcement to gauge the full magnitude of the problem and the profits gained by the cartels to fund their operations. In addition, reports from law enforcement officials on both sides of the border indicate that the cartels have increased efforts to recruit street gang members in the U.S. primarily along the southwest border to conduct criminal activity in the U.S.

Therefore, it is only prudent to be concerned that as Mexican nationals move into the U.S. to escape the violence there, criminal organizations will follow them, looking to continue their exploitation.

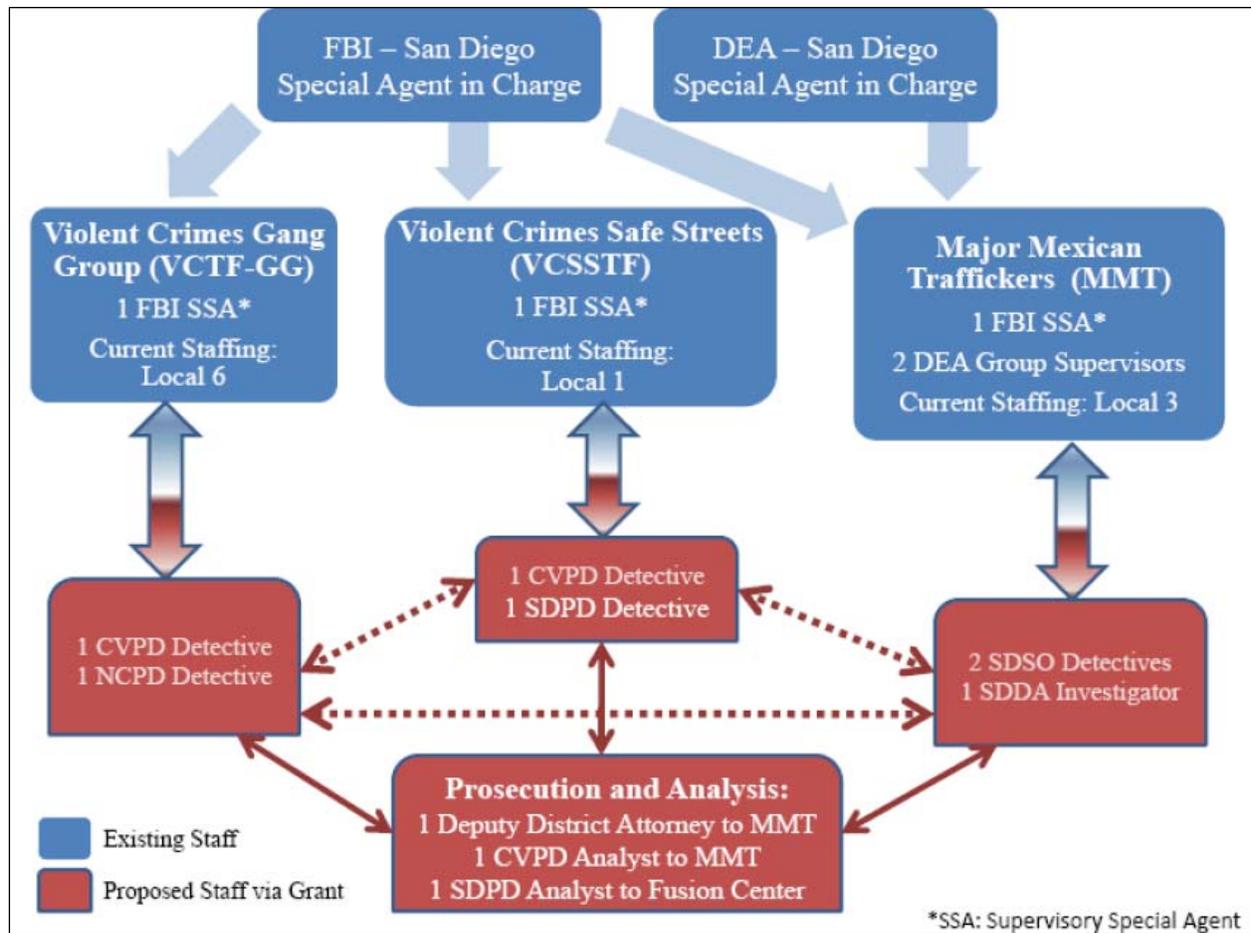
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<sup>7</sup> While CVPD has documented numerous trends associated with an increasing kidnapping threat (bodyguards escorting children to schools; armored cars; large monetary withdrawals at banks; inquiries by private kidnapping consultants), most of these incidents are not reported by victims or their families.

## **Addressing Threats**

The cartel activities crisscross state and local boundaries as well as the international boundary. When operating on their own, traditional investigative agencies at every level of government (gang units, narcotics units, and crimes of violence investigators) struggle to deal with these new threats. Experience demonstrates that a well-managed collaborative approach comprised of federal, state, and local law enforcement in a task force environment is the most effective method of addressing these threats. Such task forces bring to bear a broader range of resources, capabilities, and operational sophistication. In addition, because of the shared focus, trust is enhanced and intelligence begins to flow between agencies. This approach often results in frequent and shared successes, more criminal organizations identified, and more suspects arrested and prosecuted.

In 2009, with your support Senator Feinstein, the Chula Vista Police Department, on behalf of the California Border Alliance Group (CBAG), was awarded \$2.86 million from the Justice Department's Bureau of Justice Assistance Recovery Act grant to support existing HIDTA-supported task forces with local representation from five agencies: the San Diego Sheriff's Department, San Diego Police Department, San Diego District Attorney's Office, National City Police Department, and the Chula Vista Police Department. The grant enhanced existing federal task forces addressing narcotics-related cross-border violence by funding the inclusion of the above-mentioned local agencies. Figure 2 shows the organizational relationship of these new positions to those task forces.



**Figure 2: San Diego Regional Cross Border Violence Project - Organizational Structure**

With only six months into the grant project, there have already been several successes.

Task Force Officers:

- Foiled a well-planned ambush to assassinate a high-ranking executive law enforcement officer in Mexico.
- Executed a search warrant that led to the recovery, in Mexico, of a student abducted at the border and the arrest of four people involved in the crime.
- Thwarted seven kidnappings and two murders in the U.S. and prevented two murders in Mexico.
- Seized significant amounts of narcotics, weapons and cash.

Because of the amount of cross border activity occurring in the region and the success of this task force, the FBI is refining this cross-border violence project by forming a new group created within the Major Mexican Trafficker Task Force.

### **Closing Comments**

While the continued violence in Mexico is understandably troubling and often disheartening it should not be a surprise. Recent, comprehensive reviews of studies indicate that the increased violence is a predictable outcome when government and law enforcement crack down on organized crime “drug-related violence and high homicide rates are likely a natural consequence.”<sup>8</sup> The grip of the cartels is loosening on the government and country of Mexico. As powerful and successful bosses are taken out, it is common for brutal, less sophisticated criminal to fill the void. Yet, because they lack sophistication, they are not as adept at penetrating into the higher levels of government, and at some point, their influence and power will diminish. The goal of reducing drug cartels and criminal organizations into a law enforcement concern, rather than a national security concern, will be achieved.

The BJA grant that funds the local participation in the cross-border violence task forces in our area is crucial to helping us achieve this goal. In eighteen months, when the funding expires, the vital local participation in this effort will end for most of the agencies. Additional funding through HIDTA administered by CBAG will enable our region to sustain this critical effort.

Thank you again for this opportunity to testify before you here today and for your support on this important issue.

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<sup>8</sup> International Centre for Science in Drug Policy. (2010). *Effect of Drug Law Enforcement on Drug-Related Violence: Evidence from a Scientific Review*. Vancouver, BC, Canada.