

The Weakest Link: The Dire Consequences of a Weak Link in the Informant Handling and Covert Operations Chain-of-Command¹

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"Trust but verify."

—Russian proverb and motto of the KGB

Law enforcement agencies call them CIs (Cooperating Individuals, Confidential Informants, and/or Criminal Informants). Cops who use them call them stoolpigeons, stools, rats, *chotas*, etc. Intelligence agencies (Central Intelligence Agency [CIA], Defense Intelligence Agency [DIA], etc.) call them "assets" or the more confusing "agents." Whatever they are called, 99.9999% of them have one thing in common: they are traitorous information whores who betray friendships, relatives, business and/or criminal associates, nations, and even terrorist organizations. They are criminals and conmen who use their insider positions of trust to steal and barter information that can and often does destroy those who most trust them.

A good police instructor with *real* first-hand experience will always tell you "Never trust an informant." A prosecutor who wants to win his case at all costs will always tell a jury "Trust this informant." If you're assigned to a narcotics and/or an anti-terror unit, both of which overlap mightily these days, and you believe the prosecutor, do yourself a favor and grab a transfer to the Traffic Division. You're a danger to yourself and to your community.

I'm not going to talk about the alleged 1% of informants who risk their lives in this very dirty and dangerous game and who training manuals refer to as "good citizens" or people motivated to inform on other people as a result of "ideological motivation" mainly because in my now 44 years of training and experience encompassing the close association with more than 10,000 CIs,² I've yet to meet one I would trust enough to give my home phone, except when I was stationed overseas and had no choice.

Yet, every one of the thousands of covert operations in which I have been directly or indirectly involved during my long career has depended upon the manipulation and use of CIs. Thus, as a police instructor and/or Department of Justice supervisory reviewer—as opposed to most, if not all, training that I am aware of—it made no sense to me to separate the use and/or misuse of a CI from the training of law enforcement personnel in undercover tactics. It was for this reason that, when I was asked to devise a course for the New York State Department of Justice Services, the course was entitled Undercover Operations and Informant Handling.³

Failure Analysis

In this paper, I will present real and documented cases of tragic operational failures that resulted entirely from the use and / or failed use of Criminal Informants in covert operations. All the cases presented, with the exception of the first and second attacks on the World Trade Center, the CIA's little known "Thousand Informant Disaster," and the informant child rapist case, come from my own personal involvement as either case agent, supervisory officer, reviewing official, or trial consultant and expert witness. What follows, in essence, will be a failure analysis of each case—as viewed through the lens of my training and experience particularly as an Office of Professional Conduct (OPR) operational inspector—in affixing management responsibility for these operational disasters. I will then summarize this paper with what I believe can be done to best improve our defenses in these areas.

Donald Carlson v. Agents and Officers of the DEA, U.S. Customs, and the San Diego Police Department¹

Donald Carlson was butt-dragging weary. His job as a top executive with Anacomp, a Fortune 500 company, had kept him working late, and after a very late dinner, he just wanted to get home and get to bed. As he drove through his quiet, upscale neighborhood in Poway, California, he couldn't possibly have noticed the dozen or so cars and vans, strange to this neighborhood, parked on the dark streets approaching his home, most with their engines running.

Not in Donald Carlson's wildest of two-martini dreams could he have imagined that at the very moment he was using his remote to open one of the doors to his three-car garage, nervous voices were barking radio commands calling him "subject" and, "target" and that he was one of several targets of a three-month state, federal, and international narcotics trafficking investigation.

Not even if he were stoned on LSD would Donald Carlson have believed that at the very moment he was making a beeline toward his bedroom, a dozen heavily armed men, a newly formed SWAT team of San Diego police and federal agents, were racing across his meticulously manicured front lawn in combat crouch positions, cradling submachine guns and shotguns, expecting to be met by four Colombian hit men who had sworn never to be taken alive, guarding 500 kilos of cocaine.

Unfortunately for Mr. Carlson, he had a pistol license. So when he heard his door being battered down followed by what he thought was a grenade exploding in his living room, he grabbed his pistol and moved to the hallway, shouting for the intruders to identify themselves. Talk about bringing a knife to a gunfight. Donald Carlson might just as well have been armed with a Swiss Army knife for what was about to happen.

When the raiders clad from head to foot in black combat suits and flak vests with black balaclavas concealing their faces charged through the door, Carlson, his hand trembling a nine on the Richter Scale, fired two times, missing everything moving. A Drug Enforcement Agency (DEA) agent, just back from what is basically a jungle combat tour in South America, then executed a Ramboesque, diving, combat roll firing a dozen shots from an H&K submachine gun, turning the living room into sawdust, but missing Mr. Carlson.

The wily albeit hysterical corporate executive then retreated to his bedroom, threw the gun away, and dialed 911. He was still holding the phone when he was hit twice by gunfire, handcuffed, arrested, and transported to the hospital where he lay close to death in the intensive care unit, handcuffed to his bed. His most vivid memory of the hospital is some officer's voice telling the doctors and nurses attending him that he was a "drug dealer."

Of course, the raiders found no Colombians, no drugs, not even an unlicensed dog to shoot. The Fortune 500 executive, they were about to learn, was a Dudley Do-Right who wouldn't know cocaine from garden mulch.

The Customs supervisory officer commanding the troops, himself undaunted by not finding drugs or Colombians, still had two more search warrants to serve, all of which were based almost entirely on the semiliterate words of a CI who couldn't even speak Spanish. The next house they hit they found vacant, nothing to shoot, not even a stick of furniture to seize.

In the third house, they found a San Diego City Marshal and her husband fast asleep. The Marshal luckily didn't go for her gun. Once again, contrary to what Ron Edmonds—the man the Customs supervisor had described as a "reliable informant" in court papers—had said, the raiders found not an iota of drugs, not even a package of Bambu rolling papers.

Mr. Carlson, who miraculously survived his wounds, sued the government as well as each officer as individuals, and that's where I came in.

Analyzing a Disaster

When the lawyers representing Mr. Carlson contacted me, they were looking for a use of force expert, which happens to be one of my areas of expertise. I don't accept cases against police agencies easily, but when I heard some of the details, my jaw literally dropped and I was on board. The lawyer was surprised when I told him that what he really needed in addition to a use of force expert was an informant handling and undercover tactics expert.

As Mr. Carlson's expert and trial consultant, I was furnished with thousands of pages of reports, transcripts, photos, training records, and sworn deposition statements of every officer involved to read, study, and absorb. My job was to arrive at an expert opinion about which I would testify under oath as to how in the world a semiliterate, street-level CI and petty conman could have possibly fooled teams of supposedly well-trained cops and prosecutors for a three-month period of time into believing in the existence of an international conspiracy that did not exist when the Pacific Bell phone company didn't even trust the man enough to give him a telephone.⁵

The Way It Went Down

"I met this guy Carlos in the park," said Ron Edmonds. "The guy be watchin' me doin' one arm pushups. He say he from the Medellin Cartel and wanna hire me for security to cover a big load of coke comin' in from Colombia. Five hundred kilos." This was the story he told a San Diego DEA group supervisor.

Edmonds, the group supervisor learned, was a street-level informant described as “previously reliable” by the Hillsboro County Sheriff’s Department in Florida.

A short time after listening to Edmonds, the group supervisor, an experienced rat handler, called him a liar and booted him out of the office.

But Edmonds, undaunted and wise to the world of informant competition between all law enforcement agencies, told the same story to a Customs supervisory officer who had recently been placed in charge of a multi-agency task force combining the San Diego Police, the DEA, and other agencies. Let’s call him Weak Link #1 (WL#1).

WL#1 might have been a good administrator, and a courageous leader of men in battle. He might have even had a law degree and taken every course in informant handling available. Whatever his qualifications were on paper, he lacked the most important quality necessary to handle a CI. He was simply not streetwise.

WL#1 believed Edmonds’ claims and assigned the investigation to a Customs Agent/Pilot—WL#2—a man who was equally clueless in the informant handling department. A debriefing report of Edmonds was prepared in which the career stoolpigeon’s incredible story was repeated. This was submitted to an upper-level management figure, WL#3, who read the thing and signed off on it, authorizing operational funding.

The end result of all this listening, writing, and signing was that for the next three months, Ron Edmonds, supervised by WL#1, would be paid a five-figure salary plus expenses for his services. In return for this taxpayer-funded bounty, he would furnish his handlers with a steady flow of tantalizing information implicating dozens of innocent people as members of a cult-like group of fanatical, multi-cultural drug dealers, conspiring to import a massive load of cocaine from the Medellin Cartel at any moment.

Edmonds described the group as being comprised of people who spoke in mysterious codes and held clandestine meetings that he would find out about hours or even minutes *after* they had happened. The “conspirators” had Edmonds’ contact information and would call him regularly to make certain he was ready to perform security duties the moment the massive load arrived, but he had no way of contacting them.

Finally, as the months dragged on and not a single body was put in a cage, nor a gram of drugs seized, WL#1, under pressure from WL#3 for spending all those government greenbacks without results, and hearing rumors that the men and women under his command were laughing at him, amped up the pressure on Edmonds—if he didn’t come up with some proof of his months of allegations, he would be blackballed from ever working as a stoolpigeon again, and maybe even prosecuted.

“No problem” said Edmonds, like most CIs, a man with the equivalent of a PhD in Street Survival. If the feds would give him a tape-recorder, he’d try to record a conversation between himself and a female San Diego City Marshal, who, along with her husband, he had identified as part of the conspiracy. Within days, he was back with the recording. When the Weak Links heard it, they brought it to a

secret meeting with one of the Marshal's bosses, who said that it "sounded" like her. That was all the combined Weak Links needed to hear. Now their flagging confidence in Edmonds was restored again to new heights.

It would later be learned that the recording had been staged between Edmonds and a female who would never be identified and that Edmonds' "information" about the identities and descriptions of the Marshal and her husband had come from a casual association at a local health club. It would also be learned that the other "suspects" who had been named by Edmonds during his three months of "undercover" work were names taken from old news articles, phone books, and overheard conversations. License plates were picked at random on the street. Some of the names were of people with whom he'd had casual conversations. All were implicated as "drug traffickers" in government databanks on nothing more than Edmonds' uncorroborated words which were repeated in voluminous government reports as "fact."

The specific tactics Edmonds used to turn BS into taxpayer dollars were typical of those that a minimally satisfactory training course should have provided countermeasures against. They are listed as follows:

- Streetwise CI skillfully dangles "the big case" before the noses of decidedly un-streetwise handlers and a supervisor. A typical CI seduction pattern.
- Streetwise informant threatens to "shop" the case—that is, *If you don't believe me, I'll go to the FBI, and they'll get all the credit.*
- Streetwise informant picks out the least streetwise officer he meets and tells the unit leader he'd be the "perfect" handler for the case.
- Cons his handlers to believing that he couldn't wear a wire to record his alleged criminal conversations without "burning" the case. They accept this with no standard corroborative checks.
- Cons his handlers into believing that close surveillance of his activities would "burn" the targets of the investigation.
- Cons his handlers into believing that violators will not speak on the telephone and/or that they have refused to give Edmonds any contact information.
- Edmonds supplies license plates and descriptions of alleged criminal contacts that could easily have been obtained in public records and/or news reports. No standard corroborative checks are performed.
- Edmonds is given a tape-recorder to record his own conversations, with no law enforcement controls or corroborative checks.

When another month passes and Edmonds is still unable to bring the squad of feds any closer to the "big load" he had promised, WL#1 amps up the pressure again. This time he manages to frighten Edmonds into an act of LID (Lying Informant Desperation) that is hard for the unschooled to even conceive of, but "old news" for those of us who have truly been around the block. Edmonds suddenly tells WL#1 that he has *just* learned from one of his mysterious but not fully identified contacts that the 500 kilos of cocaine had *already* arrived and was now hidden in the garage of a home in Poway, California. He'd been given the address but nothing else. He also throws in another address as a possible "stash house." This would be the vacant house.

Prosecutors, many of whom, in my experience, are completely untrained in the tactics of CI handling and covert ops, then accepted a sworn affidavit of WL#1, describing Edmonds as a “previously reliable informant” and issued three search warrants, and two arrest warrants for the Marshal and her husband.

The rest is now civil court history.

Mr. Carlson and his lawyers agreed to accept \$2 million to go away. My own detailed review of the case as the expert retained by Mr. Carlson and his lawyers indicated that none of the Weak Link management officials charged with the oversight of Edmonds had sufficient technical and/or tactical knowledge and/or the aptitude to be assigned to their positions. In the aftermath of this case, no changes were made in training standards or requirements, and WL#1 was promoted in rank to a mid-level management position where he could oversee the handling of dozens of CIs.

No One Bucks a Chain of Command

My review of the case resulted in another extremely important finding that holds true in every informant or undercover disaster case that I have ever reviewed, from those run by small local police departments to those run by the FBI and CIA, that will be covered in the continuation of this article—that no matter how stupid, dangerous, inept, or downright insane the order given by a superior officer, *no* law enforcement officer, military man, or spy will buck that chain of command.

For example, the DEA agents who were assigned to work under the command of WL#1, including the carrying out of a military style assault on an American home, did so in spite of the fact that a DEA supervisor was on record as calling Edmonds an obvious liar. No one would buck the chain of command. One of the San Diego police officers assigned, when interviewed by Internal Affairs, said that the people handling the CI should not be allowed to have badges and guns, yet they were functioning as his superior officers and when they issued orders that he knew from his own experience were both wrong and dangerous, he followed them anyway.

In my Informant Handling & Undercover Tactics classes, I usually wait until there is a certain amount of trust built between myself and the state and federal law enforcement officers sent to attend. Then my question is, “By a show of hands, how many of you with some experience handling informants and/or undercover work have *never* had a superior officer order you to do something that you thought might put lives at risk?

I have yet to see a hand raised.

This is a serious and even deadly problem in every agency involved in the use of human intelligence as the continuation of this article will point out; however, it is made even more serious by the fact that in most cases of informant and/or undercover disaster, no matter how ill-advised the orders, if they are issued by a weak link in the upper levels of the chain of command, they are followed without question.

Michael Robinson, CI—Pedophile and Child Rapist⁶

Michael Robinson, a man with a serious record for the kidnapping and rape of small boys (three convictions), was removed from incarceration to act as a CI for an Albuquerque, New Mexico, federal task force. Robinson was used to work undercover in the penetration of what was alleged to be a murderous gang of drug traffickers. In fact, on one court record, Robinson admitted to having committed as many as 200 child rapes. Robert Schwartz, former chief of the Albuquerque District Attorney's Office, said that all the prosecutors in his office knew Robinson as "the most dangerous pedophile we had ever seen."⁷

While working undercover under the "control" of task force agents, supervisors, and federal prosecutors, Robinson kidnapped and raped young boys at knifepoint. During a news report of the incident, Robinson claimed to have told his handlers that he was feeling the compulsion to commit a rape and was told to just "hold out" until the arrests were made in the case.⁸

As the undercover use of the federal CI continued, more reports of child rape were fielded by local police. Albuquerque detectives, unaware that a child rapist was working under the protection of a federal task force, posted artist drawings and descriptions of the rapist and his car in newspapers and on television. Two of his federal handlers would later state that they suspected it was Robinson but no action was taken. Jeanne Webb, one of the detectives trying to find the, at that point, unidentified rapists would later claim that her investigation was thwarted by the task force and the federal prosecutor's office who were protecting their CI and that, as a result, more children were raped.⁹

In a televised interview, the federal prosecutor charged with authorizing the removal of Robinson from prison—thereby putting himself as a top link in the chain of command—stated that he felt that federal agents passing by Robinson's place of employment to see that he was in fact there was "more than sufficient" control of the CI.¹⁰

In my opinion, for the good of the community, anyone currently assigned to duties involving the handling of Criminal Informants who believes that should be immediately reassigned to other duties.

It was then revealed that Robinson's handlers did in fact notify the Sheriff's Department three days *after* the child rapes were published in the media that Robinson might be the attacker. However, the handlers, acting under the authority of their supervisors and prosecutors, told the sheriff's investigators that taking Robinson off the streets would jeopardize their case. Thus, a plan was concocted for the feds and the Sheriff's Department to conduct their own investigation into the child rapes, leaving Robinson on the street to finish his assignment.

There were two problems with this plan. The first was that *no one* was assigned to follow Robinson to stop him from future child rapes. The second was that *none* of the Albuquerque detectives actually working the investigation were ever notified that Robinson was a suspect.¹¹

Days after the secret investigation of Robinson had been initiated by the feds and the Sheriff's Department, Albuquerque detectives found the CI on their own and arrested him. On his way to being booked, Robinson told the detectives that in three days time he was to enter the Witness Protection Program and be whisked away to an unknown location under a new identity. This, of course, was denied by the federal prosecutor, who told a 20/20 interviewer that, even if he could go back and do it all over again, he would still use Michael Robinson as a CI.¹²

The end of the story, which delivers the message to all law enforcement that you *never buck the chain of command*, is that the detective who moved in and arrested Robinson was suspended for acting without "the proper authorization."¹³

CIA Informant Disaster—Operation Agent Scrub

No one knows how many weak links there are in the CIA when it comes to the handling of informants, who they call "agents," but if the following event is any indication, one of the best-kept secrets in that top-secret agency may be their massive ineptitude in the handling of their informant agents.

In 1997, the then director of the CIA, John Deutch, under the code name Operation Agent Scrub, reviewed the performance records of all the CIA's informant agents and found that 1,000 of them—nearly a third of all their informant agents—were nonproductive liars, many of whom used their CIA cover to commit crimes with impunity.¹⁴ The fact that they even designate their criminal informants as agents, by the way, in my opinion as a police instructor and court-qualified expert, adds to the problem by placing common stoolpigeons on an equal psychological footing with their handlers and at the same time giving the CIs a sense of being above the law.

The Venezuelan National Guard Case—Only One of One Thousand

A glaring example of CIA ineptitude in informant handling, and the price paid by the unsuspecting public, began when a Venezuelan National Guard plane landed at Miami National Airport. When Customs agents found a ton of cocaine on board, General Guillen, the commander of the operation, announced that he was working for the CIA. The Customs officers who were not impressed (possibly because they had never read a Tom Clancy novel) said, "Yeah, uh-huh," and placed the general and his crew under arrest, charging them with enough drug smuggling crimes to bury them in a federal prison.

This of course was not to be. The CIA, acknowledging that General Guillen was in fact their agent, would act to get the general and his crew released from jail and back to Venezuela from where they would never be brought to the U.S. to stand trial.¹⁵

A secret DEA investigation then ensued, revealing that the drug-smuggling general had been recruited by the CIA's Venezuela station. The investigation spurred the outraged head of the DEA, Federal Judge Robert Bonner, to appear on *60 Minutes* and accuse the CIA of being drug traffickers.¹⁶ Judge Bonner's assertion was consistent with events in my own career with the DEA wherein I documented CIA agents as being among the most damaging drug traffickers on earth.¹⁷

One cannot even begin to calculate the damage that 1,000 lying, crime-committing, out-of-control informants have done to the CIA's effectiveness and reputation, and, more importantly, to the American people. A ton of cocaine is only scratching the surface of the activities of only a single, mishandled CIA agent who happened to be a general in the Venezuelan National Guard. My own interview of DEA agents with firsthand knowledge of the investigation indicated that many tons of cocaine had already been smuggled into the U.S. before the Guillen drug smuggling was stopped by the alert Miami Customs officers.

No Effort to Identify CIA's Weak Links

When CIA Director Deutch "fired" the 1,000 agents, it was only half the job that should have been done if our nation is to get the best protection from its defenders. In my experience as an Internal Affairs investigator and/or OPR operational inspector for the Department of Justice, had a single DEA informant gotten away with providing false information and/or committing crimes for any length of time, a criminal investigation and/or fitness for duty review would have been conducted targeting the CI's handler in order to determine how in the world this situation could have come to exist. This type of remedial action is vital for the internal "health" of the agency, the credibility of all law enforcement and intelligence gathering agencies, and the safety and security of the American people we've sworn to protect. All claims that espionage or counterterrorism is ruled by a different god are no longer valid. Drug traffickers and terrorist cells, as the DEA had learned decades ago, function in an identical manner as do the methods of attacking each with the effective use of CIs and undercover tactics.

Yet, no remedial action of any kind has ever happened in the CIA as to the aptitude, ability, and training of every link in their chain of command in the handling of informants which, in my opinion as a trained OPR operational inspector, goes a long way in explaining the horrific human intelligence failures that are the hallmark of that agency's history, including those directly related to 9-11.¹⁸

U.S. v. Roberto Suarez et al.¹⁹

"I'm going to give DEA the biggest most important case in its history," she said, speaking Spanish with a lazy Bolivian accent. "They, *La Mafia Cruzeña* [The Santa Cruz Mafia], control most of the cocaine in the world, and one man controls the whole organization: Roberto Suarez."

She said her name was Lucy. She had dark glasses covering bulging frogeyes, the body of an aging roller derby queen, and the face of an Incan war mask. We were in my office at the American Embassy in Buenos Aires at the beginning of my second week in the position of Country Attaché to Argentina and Uruguay in January of 1979. She was my first walk-in CI, and this is precisely what she told me.

Eight years later, when the debacle I am about to summarize was over and the damage done to our war on drugs irreparable, Felix Milian Rodriguez, Medellin Cartel money launderer, convicted of laundering \$1 billion in drug money, would tell a Senate Subcommittee investigating narcotics trafficking and terrorism that Roberto Suarez was the most powerful drug dealer on the face of the earth.²⁰ What neither he nor the senators knew was that an undercover team of DEA agents

had netted him, and that inept decisions by a single weak link in the DEA's chain of command—the Empty Suit—had allowed him to escape and to set up what would become "The General Motors of Cocaine."²¹

How It Went Down

The CI was immediately and thoroughly debriefed as to *all* the information she possessed that would be of any value whatsoever to any agency or department of the U.S. government. The information she supplied had to be carefully reviewed and corroborated for authenticity, and there were some shortcuts to do this. For example, to corroborate some of her claims, the CI was immediately asked to place a monitored phone call to some of the major targets to whom she claimed she had access.

My review of hundreds of files during my last 19 years as a trial consultant, covering informant handling practices of dozens of state and federal law enforcement agencies, indicates that these simple tactics of informant corroboration are rarely if ever done any longer. I cannot, for example, believe that most of the CIA's 1,000 lying informants who had caused the destruction of innocent lives and gobbled up only God knows how many billions of U.S. taxpayer dollars could have passed such a test nor could have Ron Edmonds, the CI in the Carlson case.

The choreographed phone calls were successfully recorded. It was immediately evident that CI Lucy was telling the truth. At least she knew them, and they were amenable to her bringing them a new U.S. "customer" who wanted to buy "lots of shirts." Thus, the investigation had already begun with physical evidence corroborating her story. If this had failed, the Suarez investigation might not have gone any further. There's a lot of crime out there and not enough money and/or time to waste on a BSing informant.

Then began the critical detailed debriefing of Lucy which was accomplished by both me and an extremely streetwise agent, Max Pooley.

Introduction of an Undercover Agent

Lucy was then asked to make additional controlled and recorded phone calls, this time to key figures in the Santa Cruz Mafia who she had mentioned during her debriefing. She was instructed to ask them to meet with a new "customer" arriving in from the U.S. Her willingness to do this would be a key additional factor in determining the veracity of her information and its potential.

Experienced and well-trained handlers of CIs use this tactic whenever possible to verify information—an art form in itself that requires much experience as both an undercover officer and informant handler. It is also an effective tactic in protecting the informant who, once the undercover agent is introduced to the targets, may never need to testify. It is significant to note that this tactic was never employed in either the Carlson or The Brotherhood cases (see details of The Brotherhood case below).

Lucy made calls to key members of the Santa Cruz Mafia, including Marcello Ibañez, the ex Bolivian Minister of Agriculture, and *El Comandante* himself, Roberto Suarez. The calls continued to corroborate everything the CI had claimed. The

CI, as instructed, arranged an undercover meeting between an undercover agent (myself) and a key member of the cocaine cartel for the following week in Buenos Aires. She, as promised, would make the introduction personally.

Undercover Meeting with Target in Buenos Aires

Since by this time in my career I had already logged well over a thousand hours of undercover work, my Spanish was fluent and I was knowledgeable in the esoteric minutiae of the cocaine manufacturing and distribution business—critical for the assignment, I assumed the principle undercover role.

After long rehearsals of a fictitious history between us, Lucy introduced me to Marcelo Ibañez as an American Mafia capo. During a full week of undercover meetings with Ibañez in Buenos Aires, additional intelligence about the burgeoning power of this organization was gleaned, and a tentative deal for the purchase and delivery of 1,000 pounds of cocaine was made.²² This was to be followed by from 1,000 to 4,000 kilos (4.4 tons) of cocaine a month for the foreseeable future, the minimum acceptable amount required by this organization to do business.

Enter the Bureaucrat

As Chief of the DEA station, I then cabled DEA headquarters with a fully detailed report of the investigation, requesting approval of a suggested operational plan that included the formation of a fictitious Mafia family in Miami along with a bogus cocaine laboratory and an undercover aircraft to pick up the cocaine in Bolivia in order to convince the Suarez Organization to go through with the transaction. The long-range purpose stated in the cable was to buy the drugs and complete the transaction, thus enabling a team of DEA undercover agents to enter the inner sanctum of this organization as highly valued customers and co-conspirators in order to fully identify its hierarchy and operational functions, and then carefully choreograph its destruction from the inside.

I had just convinced the most powerful drug dealers in the Western Hemisphere, that I was a drug dealer with the resources to buy tons of cocaine per month. They were only waiting on my word to start the transaction rolling. It would begin with them coming to the U.S. to inspect my operation. Any delay in my putting my end together would be looked on suspiciously. But as I was about to learn, the officer in charge of calling the shots, the same bureaucrat who later would be in charge of The Brotherhood investigation (see below), had no understanding of undercover work, informant handling, or the inner workings of the drug business. I was in trouble.

It is important to note the term *Bureaucrat* is used in a factual and not a disrespectful manner. The fact is that the use of essentially unqualified people in covert operations, particularly in key supervisory and decisionmaking positions, has and continues to wreak havoc in all U.S. agencies involved in covert activities as will be seen in the continuation of this study.

After a long delay that in itself created distrust by the traffickers in my ability to put together my end of the deal, I received a reply from the Bureaucrat in which he refused permission to continue the covert operation on the basis of there being

no record of the Suarez Organization in the data system. The Bureaucrat simply did not have the aptitude and/or hands-on experience as an undercover officer or informant handler to appreciate that traffickers are not bureaucrats and only perceive inexplicable delays as suspicious. Not acting like the “real thing” can be deadly, and the man calling the shots, a top-level link in my chain of command, had no idea how the real thing thought or acted. The Bureaucrat was also applying bean-counter logic to a developing covert operation—that is, if it’s not in the computer, it doesn’t exist. It’s a good thing Queen Isabella didn’t consult with a databank when Columbus came to her for funding.

In spite of the Bureaucrat’s refusal to approve the undercover operation, I did what I would never do again: bucked the chain of command by ignoring orders. I continued to use the CI in making undercover contact with the Suarez organization in South America, keeping them apprised of bogus “problems” the American Mafia was having that were delaying the transaction. In the meantime, I made a direct request to the DEA’s Bolivia Country Office to conduct as much of a collateral investigation as they could to corroborate the CI’s information. Within weeks, the intelligence picture presented by the Bolivia DEA office was undeniable. The criminal organization headed by Suarez was already in *de facto* control of the police and military and was threatening to overpower the elected government.

After another delay of two weeks, the Bureaucrat finally cabled us with headquarters approval for the operation. The DEA office in Bolivia then skillfully obtained covert support and secret official approval for the operation to enter Bolivia from trusted members of the sitting government, who logically were in great fear of the Suarez organization. We were finally on track. It was May 1980, and we had been stalling the cartel for three months waiting for the Bureaucrat’s approval.

As the lead undercover agent, I used the now frightened and demoralized CI to tell Suarez that my “organization” was finally ready to do business. As I feared, they didn’t buy the story. All the trust we had garnered during the undercover meeting was now out the window. In the ensuing tape-recorded conversations between myself and the now suspicious Marcelo Ibañez and Roberto Suarez, they demanded that—before doing business with my Mafia family—they come to the U.S. to inspect our fictitious operation. As a security measure, they wanted to verify that we did in fact have \$8 million in cash (the agreed-upon price) ready for payment and to see firsthand that I was who I said I was.

After yet another delay of two weeks, the Bureaucrat finally approved the following operational plan:

- An undercover “mansion” would be rented as my home and headquarters in Fort Lauderdale, Florida, where both Ibañez and Suarez would stay while they were with us.
- A team of Spanish and/or Italian-speaking undercover agents would be gathered to play the role of my Mafia family. They would be equipped with a fleet of luxury cars leased for the occasion.
- Since we were buying a half-ton of cocaine paste, a bogus laboratory would be set up, capable of converting the paste to cocaine hydrochloride.
- Permission was granted to furnish Ibañez and Suarez with prostitutes and cocaine for their personal use if they so desired.

- An undercover plane would be flown in from the DEA air wing by two undercover pilots who would be part of my fictitious organization.
- \$8 million dollars would be brought to a Kendall, Florida, bank vault to first show Ibañez and Suarez, and then, once the cocaine was received, to be used as payment.
- Once Ibañez and Suarez were satisfied with the arrangements and convinced that we were the “real thing,” my pilots and my “brother”—the role played by undercover DEA Agent Richard Fiano—would fly both cocaine barons back to one of the Suarez organization’s jungle laboratories where we would pick up the first 1,000 pounds of cocaine paste. Once I heard from my pilots, via radio, that the cocaine was safely in the air and en route back to the U.S., I would pay the \$8 million in cash to two ranking members of the Santa Cruz Mafia who would contact me in Miami.
- The next step in the plan—after the buy was completed—was to initiate a much larger and more complicated transaction that would provide us with a cover pretext to examine the operations of the then biggest cocaine manufacturing organization on earth—an opportunity under the pretext of business negotiations to fully identify the ruling members of the cartel, and engineer, with the help of the already cooperating Bolivian government, its total destruction. Thanks to a series of inept decisions made by the Bureaucrat, this would never happen.

The Miami Operation—The Bureaucrat Creates More Obstacles

I next flew in from Argentina with the CI, arriving 48 hours before the scheduled arrival of the Bolivians. Saucedo arrived soon after, coming from DC as the coordinator from headquarters. The ultimate decisionmaking power, however, continued to be in the hands of the Bureaucrat.

The Bureaucrat, well-experienced in budgetary, administrative, and political matters but unable to understand customary practices of South American cocaine dealers, had only seen fit to allow for \$2,000 cash expenses for the entire Miami portion of the operation, and this was to include food and provisions for the undercover agents round trip to Bolivia for the drugs.

The CI, upon whose shoulders the entire operation would depend, was now extremely upset by the fact that our “luxury mansion” turned out to be a small suburban house. The Bureaucrat had vetoed the expense for the rental of a large luxury house, stating that the drug traffickers would appreciate that the Fort Lauderdale property values were high.

The rental house had no furniture. At the last minute about a third of our budget was spent renting furniture.

The cargo plane to be used for the undercover trip had been used in Bolivia to ferry corrupt Bolivian police officers around the country and was known as a DEA plane. The Bureaucrat, having had no personal experience in the high-wire world of the undercover operative, had vetoed the expense involved in changing the N number on the plane’s tail (FAA fees) and/or changing the plane’s appearance, concluding that it would be unlikely that any of the police would be at the jungle laboratory at the time of delivery.

The bogus cocaine lab had been put together so much “on the cheap” as per the budget allotted that the undercover team agreed it would be too risky to show it to the targets. We would lie and say that due to police heat it had been temporarily dismantled.

There were only four Spanish-speaking undercover agents in the entire undercover Mafia team. The Bureaucrat had vetoed the expense of flying in Spanish-speaking agents from other parts of the country for the assignment. As if this wasn’t enough, the Spanish-speaking agent who was to play the role of my personal driver was arrested that morning for making obscene phone calls.

Finally, and most important of all, the Bureaucrat had ruled that all subjects within the confines of the United States at the time of the delivery of the drugs and/or payment of the \$8 million would immediately be arrested, and the covert operation would end. No amount of reasoning on the part of the far more experienced field officers would change his mind. Not even the fact that there was no extradition treaty between the U.S. and Bolivia that would cover narcotics violations affected his decision. This, as it would turn out, would make the arrest of Suarez himself impossible if he did not come to the U.S. as scheduled, which is what did happen. The Bureaucrat also ignored current intelligence indicating that if the Suarez organization were left in tact, the sitting Bolivian government that was secretly cooperating with the operation was in grave danger.

And so it was that the Bureaucrat, high ranking in the DEA’s chain of command, yet inexperienced, inept, and untrained in matters of covert operations and CI handling, had the last word; and not one of us who knew better had the courage to buck the chain of command.

Results of Operation *U.S. v. Roberto Suarez et al.*

The skills and courage of the undercover team in pulling together a convincing act for Marcelo Ibañez (the paranoid Suarez changed his plans about coming at the last moment), in spite of the obstacles created by the Bureaucrat, were so above and beyond the call of duty that the highest medals for heroism our country bestows were merited but never received. This is particularly true of the pilots and undercover DEA agent Richard Fiano, who agreed to fly into the Bolivian jungle in a plane that any corrupt Bolivian cop on site would have easily recognized as a DEA plane.

The case drew to a close in a Kendall, Florida, bank vault where, with the plane loaded with cocaine winging its way back to the U.S., I paid \$8 million in cash to two Bolivian cartel leaders, Alfredo Gutierrez, an aircraft broker, and Jose Roberto Gasser, scion of the richest and most powerful family in Bolivia. Both were arrested with the money in their hands leaving the bank.²³

The case received much media attention around the world, and was called the “greatest undercover sting operation in history” by *Penthouse Magazine*.²⁴

Unnoticed by media, the Suarez organization would move swiftly to eliminate the Bolivian government that had aided the DEA in causing Suarez a little bit of embarrassment and the loss of \$8 million in merchandise. On July 17, 1980, a Suarez-backed revolution began, which would soon be dubbed “The Cocaine Coup.” Its

result was the military ousting of the Bolivian government that had aided the DEA in the sting operation. Members of that government would be repaid for aiding the U.S. with rape, murder, and exile. The “General Motors of Cocaine” would centralize its powers and control in the world cocaine market, and, during the next decade, would grow the United States, its primary customer (via Colombian labs), into a \$180 billion a year habit. In the opinion of those of us who were there, if it weren’t for one major weak link in the chain of command, the Bureaucrat, it did not have to be this way.

The Brotherhood Investigation

As opposed to the mainstream media’s belief when quoting “experts,” cops and agents know that just because you have the job does not mean you know what you are doing.

The use of officers with established knowledge in the “business” at hand and proven expertise in the tactics of informant handling is critical in the debriefing and control of *all* CIs relative to any crime, not to mention those with information affecting national security. Just because a law enforcement or intelligence agency manager has the title—and I don’t care how many years of service he’s got—does not mean he has the expertise or talent necessary to handle a CI as evidenced by the “The Brotherhood,”²⁵ one of many cases from my personal files.

In The Brotherhood investigation, a CI who happened to be a high-ranking police official of a South American nation, approached the Buenos Aires DEA office with detailed information concerning the existence of a multinational criminal and political terror organization with its headquarters in Paraguay. The then DEA agent in charge, a high-ranking officer with decades of experience, accepted the information at face value since it came from another high-ranking police official. The ensuing investigation continued for more than four years and, in fact, at one point or another involved virtually every DEA, CIA, and DIA office in Europe, the United States, and South America; local and state police agencies within the U.S.; and numerous foreign counterpart military and police agencies.

On assuming command of the Buenos Aires DEA station, as well as the CI, who at that point had been on the payroll for four years and had collected well into six figures in “expense” payments. The Bureaucrat, who directed the Suarez operation, ordered me to make this investigation a priority.

I undertook what should have been a standard corroborative investigation. After two months, the evidence clearly indicated that The Brotherhood was a complete but clever fiction concocted by the CI. By that time, the cost of the investigation was many, many millions of U.S. taxpayer dollars, the total destruction of what had been an innocent man’s multinational business, and the loss of several innocent lives.

The 9-11 Terrorist Act

An example of a significant lack of sufficient tools in informant handling tactics throughout the chain of command, from the field-level street agents to the ultimate and most ill-equipped decisionmakers at the headquarters levels, is exemplified in the FBI’s handling of a potential informant, the professional handling of whom might have rolled up the tragic Bin Laden plot before the hijackers ever reached an airport.

Zacarias Moussaoui, the convicted “20th hijacker” in the worst terrorist act in American history, had actually been arrested by the FBI almost a month *prior* to 9-11 on U.S. Immigrations violations, and he was arrested *with* his laptop computer.

It remains unknown and unexplored by Congress whether or not any FBI agents even attempted to “flip” the student pilot from the Middle East who paid cash for his jumbo jet lessons and was not interested in learning how to land, and basically did everything but wear a T-shirt with orange glow in dark letters, front and back, spelling out I AM A TERRORIST. But it is now well-known that the agents did seize the 20th hijacker’s laptop computer and *never* explored its contents.²⁶

“Flipping” informants—convincing them to do the right thing and cooperate, and searching without a warrant in circumstances that were clearly exigent—is something rookie DEA agents and New York Police Department narks learn to do in their first weeks on the job. Those of us “cursed” with decades of training and experience in these types of rapid-response law enforcement actions are plagued with questions that never seemed to surface in either the media or during the Congressional hearings—questions that an OPR operational inspector trying to rectify a terrible flaw in our defenses would have asked first:

- From the very moment of the arrest of Moussaoui, what attempts were made to flip him, if any?
- If no attempts were made, why weren’t they?
- If attempts were made, what were they specifically, why did they fail, and why weren’t they documented?
- Why did the agents who had seized Moussaoui’s computer not immediately begin to explore its contents under the exigent circumstances rule?
- Who was in charge of this first-reaction team and why did he or she not know better?
- What was there in the training and/or experience and/or selection of all involved that led to them falling so far short of a professionally acceptable response?

What did come to light, which seems to give us at least one answer, is the fact that the responding agents who did seize Moussaoui’s laptop, instead of just diving into it to find—as they would have—evidence of the whole unfolding plot in time to stop it cold, asked *permission* to do so at the FBI headquarters level and were *refused!*

FBI agent Coleen Rowley, voted *Time Magazine* woman of the year, would later state that the inside joke in the FBI about those policymakers high in the chain of command who were running the war on terror was that they were called “moles for Bin Laden.” This again highlights the problem that, in spite of agents in the field knowing that those leading them were so inept at what they were doing that they were placing lives in jeopardy, it became an inside joke rather than action that would have required jumping the chain of command.

World Trade Center Bombing – 1993

An inept key link in the chain of command may take it on himself to disregard and/or disbelieve an invaluable CI’s information—as happened in the Suarez case—and, without appropriate corroborative checks, abort and/or undermine covert actions that may even be vital to national security. This is precisely what happened during

a covert FBI investigation that led directly to the first World Trade Center bombing in 1993 and might have gone a long way toward preventing 9-11 if it were not for orders issued by a weak link FBI bureaucrat who I will designate as FBIWL.

In this case, a female FBI agent had recruited an ex Egyptian police officer, Emad Salem, as her CI. Salem was to infiltrate a terrorist group in New York City headed by the now infamous "Blind Sheik," Sheikh Omar Abdel-Rahman. Under the skillful guidance of the agent, the CI infiltrated the group then planning to plant a bomb under the World Trade Center. The CI in fact was taking part in the actual building of the bomb, soon to be completed by terrorist Ramsey Yousef, a man who would later be linked to the planning of 9-11.²⁷

The FBIWL did not trust the CI's claims nor did he apparently trust the abilities of the handler, the female FBI agent. Without bothering to attempt any of the basic CI corroborative tactics taught, for example, in the DEA schools, he assigned another agent to contact the CI to inform him that he was no longer going to receive the \$500 a week salary he'd been receiving and for the CI "not to tell his handler."²⁸

The FBI agent himself was apparently so inexperienced and/or untrained in the handling of CIs that he violated one of the primary rules of Informant Handling 101: Never discuss anything on a telephone with a CI that you don't want played back to you in court. In this case, Salem tape-recorded the conversation that would become evidence in the trial of the World Trade Center bombers. Incredibly, the recording remains virtually untouched by mainstream media, who, when it involves covert operations and informant handling, are themselves weak links.

In the recording, Salem is heard telling the FBI agent the consequences of his removal as a paid informant: "The bomb, it is already being built . . . and it will explode, and [the FBI] will not know when, or who did it."²⁹ FBIWL ordered him off the payroll. He would later claim that Salem was "not producing enough."³⁰ Apparently, that was not the case, because the bomb did explode precisely as Salem had predicted. The FBI then had to re-recruit Salem and pay him \$1.5 million to help "solve" the bombing case.

The important factor to be noted in this case, that applies throughout the study of informant handling and covert ops disasters, is the reluctance to buck the chain of command by personnel who know and realize that their superior officer's decision is an ill-conceived one, again, even when national security is involved. The following is an excerpt from the actual conversation between Emad Salem and one of his FBI handlers:

Agent: "*He [the supervisor] doesn't understand these things.*"

Salem: "*He is the boss. He have to understand these things. We are all running our heads around this boss.*"³¹

Words that ought to be engraved on the cornerstone of the new World Trade Center.

Operation Trifecta and The Mega Suit³²

"Customs is in way over their heads on this one," were the words of a mid-level officer at DEA headquarters in DC. He'd just called me at the New York DEA office where I was assigned as a Group Supervisor. "They got some stool out of jail in Oklahoma, says he set up a delivery of a ton of coke off the Baja coast. Bolivian dopers using the Mexican Navy. The CI told them he's got a Mafia customer for the dope. That's you. All you gotta do is one meet. Convince them you're Mr. Big, and they make the delivery."

"There's a problem with the whole story," I said. "Bolivia's a landlocked country. Bolivian dopers don't deliver in boats."

"Yeah, well, apparently nobody in Customs knows that. That's why we want you to kind of take control of the case, without hurting their feelings."

Twenty-four hours later I was on a plane heading for California on the way to what many experts believe would have been the greatest victory in drug war history if it weren't for one weak link in the DEA chain of command.

The Setup

On the way out to the undercover house in La Jolla, my DEA agent driver brought me up to date. The Customs CI, David Wheeler, was pounding rocks in an Oklahoma jail, when the news hit that Congress had censured the Commissioner of Customs, Dwight Van Raab, for calling Mexico a "*bandido* government," and telling him to put up or shut up. Wheeler contacted Customs Enforcement and told them, "Get me out of jail, and I can help you prove that Mexico was in the business of drug trafficking." Customs bought the story, and Wheeler too.

By the time we arrived at the undercover house, I learned that the CI had already engineered himself a dismissal of drug sale charges carrying a twenty-to-life sentence. He'd gotten his handlers to provide him with a salary and expense account comparable to any corporate executive's, expensive jewelry and clothing commensurate with his "role," and the promise of a hefty reward at the end of the case.

I was ushered into an expansive living room with a wall of glass overlooking the Pacific Ocean. The entire place was wired for sound and video, with a hidden control room manned 24/7 by technicians. The rental alone, I learned, cost more than the entire budget for the Suarez operation. It was now just 24 hours before the scheduled arrival of the Bolivians and Mexicans. The undercover team, including a Customs mid-level chief and a group supervisor, were milling around waiting to have our first planning session and rehearsal. "David," I was told, "is taking a shower and cannot be disturbed."

A half hour later, David Wheeler, appeared in a fluffy, terrycloth robe, a solid gold Rolex on his wrist, and genuine alligator boots on his feet. In the middle of a room full of federal agents, the drug dealer turned informant sat down on a recliner and held his hand out for a cigarette. One of the agents handed one to him and lit it. Wheeler then looked me up and down and said "He'll do." The Customs bosses smiled, and I realized that they didn't have a clue about covert operations

or informant handling. Trusting a CI to call the shots in an undercover operation is like getting into a car with a falling down drunk driver. Once again, any minimally acceptable training course should have taught that.

As a supervisory officer, when I saw CIs grossly mishandled, I would step in and correct the situation before it went redline, but it wasn't happening now. By this time in my career, I, like most law enforcement officers involved in covert operations, was well-accustomed to weak links above me in the chain of command, but this time I was working with Customs bosses, and I was DEA. I could work around them, or so I thought.

When Wheeler told me of the specifics of the deal he had allegedly made through his Mexican connection for the delivery of Bolivian cocaine via the Mexican Navy, I called him a liar. I told him that, as far as I was concerned, he was a CI and I was the federal agent. Ergo, he was working for me. The suddenly unsmiling Customs boss called the DEA in Washington and complained about my attitude. A DEA upper-level suit called me and told me to "be nice." We were off to the races.

The Mexicans and Bolivians arrived as scheduled. Wheeler's Mexican connection, Pablo Giron, an ex Dirección Federal de Seguridad (DFS) (Federal Direction of Security) officer now a bodyguard for the incoming President of Mexico, Carlos Salinas de Gortari, had brought together the "real thing" for a meeting—Colonel Jaime Carranza of the Mexican Army, a grandson of the ex-President of Mexico, who had authored that country's Constitution, and Jorge Roman, the head of *La Corporacion*—the organization that came to be known as the "General Motors of Cocaine."³³ During the meeting with me posing as the mafia capo, it became quickly apparent that the "boat deal" was a lie told by Wheeler to keep the salary and expense money flowing, a fact that never seemed to bother the Customs bosses. The cagey Bolivians were there to look us over and to talk a "possible" deal. The Mexicans were hungry to get their piece of anything that came of the meeting.

Once sufficient, albeit wavering, control over Wheeler was established and the DEA had slid into overall control of the operation, complex international undercover negotiations for the purchase of 15 tons of cocaine from *La Corporacion*, with help from the Mexican Army, were successfully negotiated as follows.

1. The Panama Based Money-Laundering Operation

I traveled to Panama with Wheeler and the undercover team, where in my role as Luis Miguel Garcia, a Sicilian/Puerto Rican Mafia capo, the Bolivians introduced me to Remberto Rodriguez, the head of a massive Noriega-protected money-laundering operation. The Rodriguez operation laundered drug money for both the Bolivian and Colombian cartels. Meetings were held at Rodriguez's headquarters—an open office about the size of a city block lined with desks and employees running cash through counting machines. The place was located in a downtown Panama apartment hotel, making it really easy for his eventual takedown—or so I thought.

It took us two days of negotiations to hammer out the tactics for the completion of a deal for the transfer of cash payments for the 15 tons of cocaine from Bolivia, through Mexico, and into the United States in one-ton shipments. A

total of \$75 million would be transferred through the Rodriguez operation. The \$15 million, which was to go to top figures in the Mexican government, would be paid directly to Colonel Carranza in San Diego.

2. The Bolivian Cocaine Cartel

Jorge Roman attended all the meetings in Panama with his aids and bodyguard. I wanted to see his jungle laboratories before I agreed to the deal. He readily accepted my demand. This is normal in the drug business. Members of my Mafia family, including undercover pilot Don Henke,³⁴ were dispatched to the jungles of Bolivia where they were given a tour of five immense cocaine labs. During the undercover trip, the agents viewed more than 200 to 300 tons of cocaine on the ground, ready for delivery to both the U.S. and Europe. Henke returned to the U.S. with hefty samples of 100% pure cocaine taken from each.

3. The Corrupt Mexican Officials

As part of the videotaped negotiations with the Mexican government and military representatives, a payment of \$1 million per ton of cocaine trans-shipped through Mexico would be paid directly to Colonel Carranza at the undercover house in La Jolla. On camera, the colonel had promised that with the election of Salinas De Gortari as president and the passage of NAFTA, Mexico would be "wide open" for my mafia organization. To show good faith, he immediately ordered a Mexican Army detachment to begin preparing a clandestine landing strip in Puebla, Mexico, where our planes loaded with cocaine would land and be refueled by the Mexican military. I dispatched undercover pilot Henke along with Wheeler to verify that this was being done. They flew to Puebla, Mexico, and were met by a full colonel in the Mexican Army who was in command of a full detachment of uniformed soldiers already clearing the field. As I had requested, Henke was permitted to take photos of the operation.

The End Game Plan

As in the Suarez operation, the stated plan, Operation Trifecta, was to go through with the buy of the first ton of cocaine for \$5 million, which would then put the undercover "mafia" team in a position of trust to identify all the conspirators in the three countries involved—Bolivia, Panama, and Mexico. As the mafia capo, I could then, using business pretexts, call for meetings virtually any place in the world where we had an extradition treaty to affect their arrests. At the same time, our paramilitary units already stationed in Bolivia could move in and, using the coordinates our undercover pilots had taken during the undercover trip, take down all of the labs. In Panama, we already had trusted assets on the ground; taking down the whole Rodriguez operation would be easy. All we needed from one of the top DEA officials in the chain of command was the okay to spend the \$5 million for the first shipment of a ton of cocaine. This was received. The operation was a go.

Enter the Mega Suit

Just before we went operational, a career top-level officer in DEA's headquarters was placed in charge of overseeing the operation. He would call the shots. I will call him the Mega Suit or MS.

The tactical plan began with the undercover plane immediately dispatched to Curacao from where, on my signal, it would fly into the jungles of Bolivia to pick up the first ton of cocaine.

The undercover team was staged in a Miami hotel, ready to fly into Panama where I would show the Bolivians the \$5 million in cash, after which Don Henke would be dispatched into Bolivia to pick up the cocaine. The moment his plane was loaded with the coke and ready to take off, I would pay the money to Remberto Rodriguez. Carranza was already on his way to La Jolla to pick up his million. At that point, we would be inside ready to both destroy the operation that supplied most of the raw cocaine product on earth (at that time), Panama's biggest money laundering operation, and to expose what would eventually become a corrupt Mexican government that was a ready "funnel" for drugs into the United States.

The DEA Hotel

We were still in Miami getting ready to leave for Panama when I received my first mind-blowing orders from the MS at headquarters. I was ordered to "flash" the money at the one place in Panama that the Bolivians had warned me to stay away from, the Caesar Marriott. The dopers called it the "DEA hotel" because they were aware of many DEA covert ops that had been based there. None of this impressed the MS. His primary concern was the safety of the money. There was no way \$5 million would be lost on his watch. When I told him that he was putting us in a life-threatening situation, he blew his top. If I couldn't live with it, as far as he was concerned, I could call the whole thing off.

Here, once again, despite the absolute senselessness of the order, there was not a single officer in the field, most of whom (myself included) with significantly more tactical and technical expertise than the MS, who was willing to jump the chain of command or even challenge the order. At the same time, we had come too far to let the case die.

When the team arrived in Panama, as luck would have it, we were searched and interrogated at the Panama airport by police on the Bolivian payroll. I called Jorge Roman at his Panama apartment and complained. He swore that he had nothing to do with the search. I now had a decent pretext to tell him that I had the money at the Marriott because it was the one place my mafia investors felt their money was safe from a rip-off. Roman went bad on me, told me he didn't buy my story, and hung up.

In the meantime, the Customs weak links, infuriated by the DEA weak link's orders, believing that their chance to prove Mexican government corruption was now down the tubes, sent Wheeler out into the streets of Panama to contact the Bolivians to make his own deal. I would later learn that part of his discussion with the Bolivians was my assassination.

In an ironic way, the order was so bizarre that it ended up working to shield the security of the operation, which was best captured by the recorded words of Bolivian Cartel leader Jorge Roman who said, "This whole thing is so stupid that the only thing I am certain of is that you are not DEA."

The DEA weak link, perhaps under pressure from Customs, finally relented and allowed us to show the Bolivians our money in a small motel halfway between Panama City and the airport. However, the MS suddenly decided that the DEA did not have the money in its budget and withdrew approval to go through with the undercover purchase, leaving the entire operation high and dry, and likely to collapse. Customs at this point offered to put up the money; however, the MS, feeling his authority challenged, refused to relent. We were to "flash" the money, return to the U.S., and indict all the conspirators, which would be about as effective as indicting Bin Laden.

Once again, I was confronted with an absolute reluctance to buck the chain of command, no matter what the consequences—myself included—which was career death. I only had two cards left to play.

The first was to tell the Bolivians and Mexicans that my investors had now lost all trust, suggesting we all reconvene at the house in La Jolla, where they would be put on my plane with the \$5 million in payment and flown down to Bolivia where my pilots would pick up the first ton of cocaine, thereafter flying back to the U.S. through Mexico. Colonel Carranza would be paid his million at the same time.

The second card, since I was nearing retirement and safety, was to write the book *Deep Cover*, documenting the whole thing. My own way of revealing to our Congress the incalculable damages done to our nation's defenses by not addressing the problem of the weak links running the drug war.

The Finale of Operation Trifecta

All the targets, Bolivians and Mexicans, returned to the undercover house where they were videotaped counting their money, arrested, and charged with conspiracy. All were convicted and sentenced to lengthy jail terms.

Another undercover officer from Customs, Jorge Urquijo, and I were whisked to Panama to identify the money laundering baron for his arrest and extradition only to find that the entire operation had vanished like the wind from its block-square suite of offices in downtown Panama.

Our troops in Bolivia moved into the five jungle labs Henke had identified only to find them dismantled and all the cocaine gone. One of the locations still had a couple of hundred empty 55-gallon drums laying around. These were blown up in huge fiery explosions for the TV cameras of the world's media. What could have been the first, possibly the only real victory in this drug war without an end in sight instead turned into yet another media show—the price paid by all of us for one weak link in the chain of command.

Summary and Suggested Remedies

Technical and tactical expertise in the handling of CIs and covert operations in the wars on terror, drugs, and crime is now more critical than ever. The chains of command of military, paramilitary, and police organizations involved in these high-risk areas must—to a man—be well-trained and well-versed in both the tactical and technical areas of expertise that are vital to a successful operation. No operational

unit can afford a single weak link in its chain of command, from the initial contact with the CI to the ultimate conclusion of the ensuing tactical operation. The training and experience requisite for participation in a covert operations unit are as follows:

- **Interrogations and Interviews of CIs and Potential CIs**

In every law enforcement agency for and with whom I served, a well-known fact of life was that only a small percentage of officers were known as “good with informers.” These men and women, with already proven records of success in the handling of human intelligence and utilizing them in covert operations, must be identified and placed on the front lines of covert activities where they belong.

This is not a skill that is easily learned. A glaring example of not having the appropriately trained and experienced field officers in place occurred when Zacarias Moussaoui, the now convicted 20th pilot involved in 9-11, was arrested one month prior to September 11 by U.S. Immigrations. The amount of evidence already known that would indicate the immense dangers this man and anyone he associated with represented for the U.S. was prodigious. Yet no agent or officer of any U.S. law enforcement or military unit even attempted to interrogate this man and, as we all know, 9-11 happened.

The failed interrogations and corroboration of CIs David Wheeler, Emad Salem, and Ron Edmonds (Carlson Case) are only a few of hundreds of examples I can cite.

- **Personnel Hiring and Selection Processes—Life Experience**

The importance of tactical and technical competence in the upper levels of the chain of command as it relates specifically to the recruitment and utilization of human intelligence in covert operations is now more critical than ever. There are fine officers who can lead men in battle, storm barricades, and administer large and complex military and paramilitary organizations who do not belong within five miles of a complex covert operation. These officers must be identified and moved to positions more suited to their talents or the price paid may be a lot steeper than anyone would want to pay.

The hiring and selection of personnel for particular assignments, as is the case in many law enforcement agencies, places a focus on scholastics and language abilities, which, when it comes to the handling of CIs and covert ops, is entirely missing the boat. I've worked with too many law enforcement officers and intelligence agents who had minimal scholastic qualifications who were fabulous with informants, even when they had to work through interpreters. I've also worked with too many who spoke the informant's language fluently, yet just turned out to be devastatingly weak links.

My now 44 years of training and experience indicate clearly that life experience is a far better indicator of an officer's potential in these areas. A beat cop, for example, who has developed a stable of street informants who he uses successfully, is far better suited to handling a drug or terror informant than, say, an Arabic speaking Harvard law school graduate FBI agent. I think the 9-11 Congressional hearings support that opinion powerfully.

- **Available Training**

Much of my 44-year career, up to this minute, has been involved in the training of law enforcement officers in informant handling and undercover tactics. I have also attended courses given by the CIA and lectured for the FBI's Advanced Undercover Seminar in Quantico. Most of the training I have observed and/or been a part of, in my opinion, falls far short of what is needed. Most agencies train its officers in informant handling and undercover tactics as though they are two different courses of study, one having nothing to do with the other. In my opinion, this is like going to right or left hand schools to learn to play the piano. The two courses must be combined as one for any unit, be it military, paramilitary, or law enforcement. Nothing else makes sense.

The course should be carefully devised by officer/teachers with proven success in the field and *not* just academicians. The course should include a significant amount of time (minimum of 120 hours) in duplicating and solving real-life situations based on failures in the past.

- **Prosecutors**

My 44 years of training and experience scream that *No prosecutor should ever be calling the shots in a covert operation*. They are trained lawyers, not law enforcement officers or spies.

Endnotes

- ¹ Based on a paper presented to the Defense Intelligence Agency, Joint Chiefs, Southern Command conference on December 10, 2008, in Sarasota, Florida.
- ² *Criminal Informants* is the term historically used by police instructors to describe those informants who either are criminals or terrorists informing on their own associates, and/or informants who must perform criminal acts, albeit in an "undercover" capacity, in order to betray.
- ³ *Undercover Operations and Informant Handling*, a training manual published by the New York State Division of Criminal Justice Services, December 2008.
- ⁴ Case files relating to *Carlson v. United States* are in possession of the author who was retained as trial consultant and expert witness for the Plaintiff. The case settled for \$2 million out of court. Also covered by *60 Minutes*. See website policetrialexpert.com to view investigative report.
- ⁵ Money had to be furnished by law enforcement in order that Edmonds have a phone with which to communicate.
- ⁶ "Friday," 20/20, September 1995—a report by Hugh Downs and Barbara Walters, which is available through the author.
- ⁷ Ibid.
- ⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ "Crier Report," MSNBC, March 5, 1997. The author was invited on-air to comment on Operation Agent Scrub, which was then in the news. Astoundingly, this story, so vital to America's national security, was almost untouched by mainstream media.

¹⁵ "The CIA's Cocaine," 60 Minutes—program aired in 1993 on CBS. May be viewed on www.expertwitnessradio.org.

¹⁶ Ibid.

¹⁷ *The Big White Lie*, Michael Levine and Laura Kavanau, Thunders Mouth Press, 1993.

¹⁸ *Legacy of Ashes*, Tim Weiner, Norton, 2008.

¹⁹ See *The Big White Lie*, Michael Levine and Laura Kavanau, Thunder's Mouth Press, 1993, for specific details and references.

²⁰ Hearing Transcript, U.S. Senate Committee on Foreign Relations, Subcommittee on Narcotics and Terrorism, June 25, 1987; closed-door session convened in Room SD-118, The Capitol

²¹ *Deep Cover*, Michael Levine, Delacorte, 1990, and *The Big White Lie*, Michael Levine and Laura Kavanau, Thunders Mouth Press, 1993.

²² At this time in our history, the largest cocaine seizure on record was 200 pounds of cocaine found in the trunk of a car by Border Patrol officers in Miami, Florida.

²³ Gasser would be released within days by Assistant U.S. Attorney Pat Sullivan, all charges dropped. Gutierrez's bail would be lowered by U.S. District Court Judge Alcee Hastings, from \$8 to \$1 million. The cash was already waiting in Miami. Gutierrez would escape back to Bolivia. Neither man would ever stand trial.

²⁴ "The Great Cocaine Sting," *Penthouse Magazine*, Jonathan Kandell, September 1982.

²⁵ This is a pseudonym for the actual name of the organization.

²⁶ 9-11 Congressional Hearings.

²⁷ *1000 Years for Revenge*, Peter Lance, Regan Books, 2004.

²⁸ Ibid.

- ²⁹ The author is in possession of a copy of the actual recording, which may be heard on www.expertwitnessradio.org.
- ³⁰ *Securing the City*, Christopher Dickey, Simon & Schuster, 2009.
- ³¹ Emad Salem tape, available at www.expertwitnessradio.org or through the author.
- ³² The case is fully documented in *Deep Cover* by Michael Levine (Dell Publishing, 1990). The book is now used by universities and police agencies as a reference on covert operations and the trafficking of drugs through South America and Mexico.
- ³³ This organization was the evolution of what had begun as Roberto Suarez's *La Mafia Cruzeña* (The Santa Cruz Mafia).
- ³⁴ Interview of Don Henke is available on the www.expertwitnessradio.org archives.

Michael Levine is a police instructor of Covert Operations and Informant Handling, trial consultant, expert witness, and *New York Times* best-selling author. In January 2008, he authored the student instructional manual *Undercover Operations and Informant Handling* for the New York State Department of Criminal Justice Services. His career, now spanning 44 years, includes service with the Drug Enforcement Administration, Customs (Hard Narcotics Smuggling Unit), the Bureau of Alcohol, Tobacco, and Explosives (BATF), the Internal Revenue Service Criminal Investigations Division, and chief of a sheriff's department narcotics unit. His expert testimony has been accepted in excess of 300 occasions in state, federal, and international courts. His books include the *New York Times* and national best sellers *Deep Cover* and *The Big White Lie* (both still used as law enforcement textbooks) and *Fight Back*, the community anti-drug plan recommended by the Clinton Administration Drug Policy Office. He has lectured on undercover tactics and informant handling before a wide range of law enforcement and intelligence gathering agencies, including, but not limited to, the DEA, the New York State Police, the FBI, the Defense Intelligence Agency, the Melbourne (Australia) Police Intelligence Unit, and at the Ontario Provincial Police College. His articles, opinion pieces, and interviews have been published in the *New York Times*, *The LA Times*, *The Washington Post*, *USA Today*, *Esquire*, *People*, and in many more publications. He has also served as an on-air expert and consultant for *60 Minutes*, *CBS News*, *Crier Report*, *20th Century*, *Good Morning America*, *Crossfire*, *Today Show*, *CBS Morning Show*, *NBC Dateline*, *Donahue*, *Geraldo Rivera*, *Like it is* (Gil Noble), *Dick Cavett*, *MacNeil-Lehrer News Hour*, and many other mainstream media news outlets.

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