

Special Report

FOIA records reveal Justice Department cover-up in mass-murder case in Mexico

By Bill Conroy

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September 15, 2005—A dozen people were tortured and murdered between August 2003 and mid-January 2004 in a house in Ciudad Juárez, Mexico, just across the border from El Paso, Texas.

The murders were carried out as part of a criminal enterprise overseen by Heriberto Santillan-Tabares, who U.S. prosecutors claim was a top lieutenant in Vicente Carrillo Fuentes' Juárez drug organization.

The U.S. Immigration and Customs Enforcement (ICE) field office in El Paso had a paid informant inside of Santillan's criminal syndicate. ICE, along with a U.S. prosecutor in El Paso, were using their informant to snare Santillan.

However, a high-ranking DEA agent, Sandalio Gonzalez, claims something went terribly wrong with the Santillan investigation.

Gonzalez, who served as the head of the DEA's field office in El Paso when the murders took place, contends ICE agents and a U.S. prosecutor knew their informant was participating in the homicides. He alleges that U.S. law enforcers allowed the murder spree to continue to assure their informant was not exposed—so they could continue to use him to make their drug case against Santillan.

Gonzalez first discovered the corruption in the Santillan "House of Death" investigation in early 2004, after a DEA agent and his family were confronted by Santillan's death squad, who had mistaken the agent for a competing smuggler. The agent and his family escaped unharmed, but had fate been against them that day, they might well have been in store for a trip to the House of Death, Gonzalez stresses.

In the wake of that confrontation, and after discovering that the ICE informant was a participant in the House of Death murders, Gonzalez sent an internal letter on Feb. 24, 2004, to the top ICE official in El Paso and to Johnny Sutton, the U.S. Attorney in San Antonio, Texas. In that letter, Gonzalez dropped the dime on the whole sordid tale.

But rather than investigate the charges, officials within the Department of Justice (DOJ) went after Gonzalez, seeing to it that he was reprimanded and his career tarnished with a negative job-performance review. Gonzalez also was ordered to remain silent on the whole matter.

According to Gonzalez, the retaliation he experienced after writing the whistleblower letter was initiated at the behest of Sutton, who wanted to bury the letter to avoid compromising a career-boosting case against a major narco-trafficker. That means, according to Gonzalez, that a U.S. attorney is now implicated in the cover-up of a U.S. government informant's participation in mass murder.

Santillan was eventually lured across the border and arrested. However, as part of an apparent attempt to keep a lid on the scandal, the U.S. Attorney's Office in San Antonio avoided a public trial by cutting a plea deal with Santillan—which involved dropping the murder charges against him.

Sutton's office has declined to comment on the cover-up allegations or the House of Death case.

However, Freedom of Information Act (FOIA) documents unearthed recently by the online investigative newspaper [Narco News](#) pull back the dark shroud over the House of Death.

Included in the FOIA records are internal Department of Justice e-mails concerning the House of Death case. In general, the FOIA documents, including the e-mails, are heavily redacted, based in part on alleged privacy-protection exemptions.

As it turns out, among the items redacted in the e-mails are the names of the high-ranking DOJ officials who drafted or received the e-mails as part of performing their public duties—on the taxpayers' dime.

However, despite the attempt to conceal those names through the FOIA process, an unredacted version of one of the DOJ e-mails—authored by DEA Administrator Karen Tandy—recently surfaced in a federal court case.

Tandy sent the e-mail, dated March 5, 2004, to the following DOJ officials:

- Catherine M. O'Neil, Associate Deputy Attorney General;
- Jeff Taylor, Counsel to the Attorney General for Criminal and National Security Matters;
- David Ayers, Chief of Staff to the Attorney General;
- James B. Comey, Deputy Attorney General—who earlier this summer took a job as general counsel for defense contractor Lockheed Martin Corp.

Others within DOJ who received a copy of Tandy's e-mail included:

- Michele Leonhart, Deputy Administrator of DEA;
- Stuart Levey, former Principal Associate Deputy Attorney General who is now Under Secretary of the Treasury for Terrorism and Financial and Intelligence;
- Chuck Rosenberg, former Chief of Staff for the Deputy Attorney General, who is now U.S. Attorney for the Southern District of Texas in Houston;
- Mark Corallo, Director of Public Affairs for the Justice Department.

The unredacted copy of Tandy's e-mail was filed earlier this month by a U.S. prosecutor as an exhibit in an employment discrimination case Gonzalez has pending in U.S. District Court in Miami against DOJ.

Why government censors decided to redact the FOIA version of the e-mail, but failed to do the same for the court-exhibit version is not clear. You can be the judge of this bit of bureaucratic bumbling.

The unredacted text of Tandy's e-mail follows; the El Paso SAC (special agent in charge) is Gonzalez:

SUBJECT: Re: Possible press involving the DEA Juárez-ICE informant issue

DEA HQ officials were not aware of our el paso SAC's inexcusable letter until last evening—although a copy of the letter first landed in the foreign operations section sometime the day before. The SAC did not tell anyone at HQ that he was contemplating such a letter, and did not discuss it or share it with HQ until we received the copy as noted above, well after it was sent.

I apologized to Johnny Sutton last night and he and I agreed on a no comment to the press.

Mike Furgason, Chief of Operations, notified the El Paso SAC last night that he is not to speak to the press other than a no comment, that he is to desist writing anything regarding the Juárez matter and related case and defer to the joint management and threat assessment teams out of HQ—and he is to relay these directions to the rest of his El Paso Division.

The SAC, who reports to Michele [Leonhart], will be brought in next week for performance discussions to further address this officially.

It is important to note that to this day no one in the above e-mail chain, including Sutton, has announced any investigation into Gonzalez' charges that ICE agents and an assistant U.S. attorney in El Paso are complicit in the House of Death murders. Instead, DOJ's energies appear to have been wholly focused on concealing Gonzalez' allegations from the public and in retaliating against the whistleblower.

Also keep in mind that even though the e-mails and resulting scurry to deep-six Gonzalez' whistleblower letter occurred under the reign of then-Attorney General John Ashcroft, current Attorney General Alberto Gonzales recently promoted Sutton to the post of vice chairman of his Advisory Committee of U.S. Attorneys, which plays a key role in determining DOJ policies and programs.

Regardless of how the House of Death cover-up now plays out, the revelations contained in these FOIA records are sure to raise even more questions, because the cobwebs of this horror story have been spun intricately through the U.S. Justice System.

But of all the questions that still remain unanswered, the biggest one, for me, is where is the outrage from our political leaders? Have we really become a nation that tolerates, maybe even condones, murder in the pursuit of career, power and money? That is an ugly thought, but then there is really nothing pretty about homicides.

As for former DEA agent Gonzalez, he is only asking for the truth to be told.

Maybe that's a starting point; maybe it's time someone starts listening to him.

"This is not about me," Gonzalez says. "What happened to me is minor compared to the enormity of what took place here, and the fact that nobody is focused on it.

"We need an independent investigation of this by someone outside the Executive Branch. And then we can let the chips fall where they may."

Bill Conroy is a journalist and frequent contributor to the online newspaper Narco News—[where a longer investigative story about this case](#), including the FOIA records, can be found. Conroy can be contacted at wkc6428@aol.com.