

# “Control...Over the Entire State of Coahuila”

An analysis of testimonies in trials against Zeta members  
in San Antonio, Austin, and Del Rio, Texas



**HUMAN RIGHTS CLINIC**  
THE UNIVERSITY of TEXAS SCHOOL of LAW

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# Executive Summary

THE HUMAN RIGHTS CLINIC AT THE UNIVERSITY OF TEXAS SCHOOL OF LAW, in cooperation with the Centro Diocesano para los Derechos Humanos Fray Juan de Larios from Coahuila, Mexico, has compiled a report based on analyzed witness testimonies from three U.S. federal trials. Between 2013 and 2016, Zeta members were put on trial in Austin, San Antonio, and Del Rio for crimes of homicide, conspiracy to import drugs and weapons, and money laundering. These trials brought new information to light and corroborated information that has already been documented about Zeta operations and human rights abuses. First-hand testimonies of ex-Zeta cartel members and victims provide a more comprehensive understanding of the dire situation in Coahuila and offer a glimpse into the Zeta structure, members, and nexus with state officials and institutions.

After reviewing the witness testimonies, the Clinic has determined two major findings: (1) the Zeta cartel committed numerous human rights abuses in Coahuila with impunity; (2) public institutions and officials played a role, by actions or omissions, in the commission of these abuses.

Testimonies describe the nature and degree of Zeta influence over state and municipal officials and institutions. The Zetas paid bribes and integrated police officers into their hierarchy to ensure the cartel would be able to continue their illicit operations without resistance. However, the Zetas did not only influence low level state or municipal police; witnesses described a level of Zeta control which extended to city police chiefs, state and federal prosecutors, state prisons, sectors of the federal police and the Mexican army, and state politicians. Multiple witnesses described bribery payments of millions of dollars to Humberto Moreira and Ruben Moreira, the former and current governors of Coahuila, in exchange for complete control of the state. According to the testimonies, the Zetas' influence over Coahuila government operations at all levels allowed them to conduct their business throughout the state with impunity and often with direct assistance from state officials and police officers.

The report also documents the human rights abuses discussed in the witness testimonies, including the large-scale disappearances and killings in March and April of 2011, during what is known as the Piedras Negras and Allende Massacres. These crimes were perpetrated in response to information that three former Zeta operatives had begun to cooperate with U.S. authorities. In retaliation, the Zetas kidnapped, killed, and disappeared over 300 people who they believed to be associated with the former Zeta operatives.

According to witnesses, this brutality was not unique to these massacres. The report documents a pattern of kidnappings, killings, torture and disappearance, targeting anyone whom the Zetas believed posed a threat to their illicit operations. In order to exercise control, Zetas also targeted innocent civilians who were completely unconnected to the cartel. Witnesses described the callous manner in which the Zetas stripped victims of their humanity, killed, and disposed of their bodies. The Zetas maintained a tight grip on Coahuila through violence and intimidation tactics such as



death threats and through the forced recruitment of Coahuila residents, including the recruitment of minors. It is also clear from the testimonies that witnesses were being threatened even when members of the Zetas were already in custody in the United States.

The testimonies also highlight the transnational nature of drug trafficking and the violence associated with this. In particular, witnesses discussed how weapons purchased in the United States were imported to Mexico and drugs produced in Mexico were trafficked into the U.S. Zeta operations extend to various cities in the United States, including San Antonio, Houston, Austin, Eagle Pass, Chicago and Atlanta, as well as to other states, such as New Mexico, California, and Oklahoma.

The Zetas supported this transnational operation through a large network of businesses, which they used to launder money and fuel their operations in the trafficking of people, guns, and drugs. The Zetas owned ranches, race tracks, and breeding facilities in the U.S. and Mexico as a part of an elaborate horse racing scheme. Aside from owning properties connected to the horse racing scheme, the Zetas also exploited numerous businesses in Mexico, such as stores, casinos, restaurants, gyms, and carwashes. These enterprises were used as safe houses, as meeting points for drug and money trafficking operations, or instruments of the money laundering operations. Witnesses explained how the Zetas paid bribes and contributed to the campaigns of governors and political candidates to secure the free continuation of their illegal operations. These bribes also ensured that Zeta-owned companies received government contracts and building permits.

Further, as has been made clear from the three analyzed trials, the U.S. government possesses valuable information regarding killings, disappearances, threats, and other violations perpetrated by the Zetas. Witness testimonies and the investigations carried out for these trials include key information, such as the location where disappearances and murders occurred. This indicates that the U.S. government may currently have undisclosed information that could lead to the clarification of murders and disappearances perpetrated in Mexico. However, witnesses made clear that the Mexican state has not conducted investigations into these murders, even when the U.S. government has directly shared vital information.

Mexican State officials have willfully refused to pursue justice despite having knowledge of countless human rights abuses carried out by members of the Zeta cartel. Both the Zetas and the State are responsible for the violence in Coahuila. At best, the State turned a blind eye to the widespread corruption and grave human rights abuses committed by the Zetas in Coahuila, and at worst, directly participated in the perpetration of these abuses.

# Introduction

## A. PROJECT DESCRIPTION AND PURPOSE

IN MARCH AND APRIL OF 2011, RESIDENTS IN THE NORTHERN MUNICIPALITIES OF ALLENDE, Piedras Negras, Nava, and Morelos, in the State of Coahuila, Mexico sustained constant and frequent attacks by the criminal organization “Los Zetas.” These municipalities are located directly south of the U.S. border. According to the testimonies of residents of the area, at least 300 people were killed and disappeared during this period. These attacks are known as the Piedras Negras and Allende Massacres and are assumed to have occurred in retaliation against ex-Zeta members Hector Moreno, Mario Alfonso Cuellar and Jose Luis Gaytan Garza, who had begun to cooperate with the U.S. government. At the time of the massacres, the Zetas operated in Coahuila without significant military or police opposition. U.S. federal trials against Zeta members in Texas shed light on how the cartel operated with impunity, enabling them to perpetrate two massacres, and other grave human rights abuses in the state of Coahuila with the support and acquiescence of state officials.

The Human Rights Clinic at The University of Texas School of Law, in cooperation with the Centro Diocesano para los Derechos Humanos Fray Juan de Larios from Mexico, has been working with the information arising out of three U.S. federal trials against Zeta members. Through this information, the Clinic hopes to highlight the human rights abuses committed by the Zeta cartel and the connections between the cartel and federal, state and municipal Mexican officials and institutions. In the first trial (“Austin Trial”), a jury convicted Francisco Colorado-Cessa and four other defendants<sup>1</sup> of conspiracy to launder money based on their involvement in a horse racing scheme.<sup>2</sup> In the second trial (“San Antonio Trial”), Marciano Millan Vasquez, a high-ranking Zeta commander from Piedras Negras, Coahuila, was convicted of committing murder in furtherance of drug trafficking, conspiring to possess firearms to further a drug trafficking crime, and conspiring to traffic drugs for distribution in the United States.<sup>3</sup> In the third trial (“Del Rio Trial”), Jose Eluid Lugo-Lopez and Emilio Villalobos-Alcala were convicted of conspiracy to possess, distribute, and import narcotics, conspiracy to possess firearms in furtherance of a drug trafficking crime, and aiding and abetting the exportation of firearms from the U.S.<sup>4</sup>

All of the information and analysis in this report comes from the witness testimonies in these federal trials. The report focuses on the Zeta hierarchy and structure, the connections between Mexican State authorities and institutions and the Zetas, and the human rights abuses perpetrated

1 The codefendants in this case were Jose Trevino-Morales, Fernando Solis-Garcia, Eusevio Maldonado-Huitron and Jesús Maldonado-Huitron.

2 *U.S. v. Francisco Colorado Cessa*, 785 F.3d 165 (5th Cir. 2015). There are frequent references to the horse racing scheme throughout this report. Part of the money laundering operations by the Zetas was based on multiple aspects of horse racing. “Horse racing scheme” refers to the horse owning and racing business, the buying and selling of horses, the (fixed) horse races and manipulated betting systems. Most of the trials, and therefore the analyzed witness testimonies, were focused on these activities.

3 *U.S. v. Marciano Millan Vasquez*, No. SA-13-CR-655-XR, 2016 U.S. Dist. LEXIS 111293 (W.D. Tex. Aug. 22, 2016).

4 *U.S. v. Lugo Lopez*, 833 F.3d 453 (5th Cir. 2016).

by the Zetas against the residents of Coahuila. The human rights abuses section of this report highlights the alleged killings, disappearances, kidnappings, death threats and forceful recruitments by the Zeta cartel in the state of Coahuila, based on information extracted from the testimonies. The report recounts the testimonies, which describe a pattern of State complicity, tolerance, acquiescence, and/or cooperation with the Zeta cartel and its illicit dealings. This pattern has been widely documented by national and international human rights organizations.<sup>5</sup>

The scope of the report is limited by the narrow nature of the witness testimonies and information elicited through direct and cross-examinations. The Austin trials dealt mainly with money laundering charges,<sup>6</sup> so human rights abuses and State complicity were tangential to the prosecutors’ case. Human rights abuses were not discussed in great detail or at times, not discussed at all. The San Antonio trial proceeded on charges of drug trafficking and money laundering, as well as homicide committed in furtherance of drug trafficking; as a result, the witness testimonies from this trial offer more details about the human right abuses committed by cartel members. Nevertheless, discussion of human rights abuses remains secondary to testimony on drug trafficking and money laundering. This was also the case with the Del Rio trial. The report largely concentrates on the situation in Coahuila, although some testimonies refer to other Mexican states. It is also important to note that several witnesses expressed being scared to testify against Zeta members, which likely affected their ability to provide a complete and comprehensive testimony.<sup>7</sup>

Jamie Drillette, Cassie Gianni, and Maura Riley compiled and summarized the first set of testimonies. Anna Smulders, Stephanie Corte, Sarah Gohary, and Moravia de la O wrote this report for the Human Rights Clinic of The University of Texas School of Law. The Clinic Director, Ariel Dulitzky, supervised, guided, and edited the report.

## **B. THE TRIALS**

### **I. The San Antonio Trial**

THE TRIAL IN San Antonio against Marciano Millan Vasquez was based on charges of conspiracy to commit murder and conspiracy to traffic drugs and weapons in furtherance of a drug distribution operation. A year prior to this trial; unsurprisingly, given the pattern of impunity, Millan Vasquez was exonerated of similar charges in Coahuila.<sup>8</sup> The Clinic analyzed the testimonies of eleven witnesses from the San Antonio trial, most of whom were either former Zeta members or worked closely with the cartel. Some of the witnesses testified to being present while Zeta members carried out executions or various other egregious human rights abuses. Others presented valuable insight into the connection between state officials and institutions and the Zetas. Family members of victims also testified at the trial, placing themselves and their families at risk in order to seek justice.

5 See e.g. “Undeniable Atrocities: Confronting Crimes Against Humanity in Mexico,” Open Society Justice Initiative, 2016.

6 In addition to drug trafficking, the Zetas laundered massive sums of money through a horse racing scheme with the help of the third Treviño Morales brother, Jose, a U.S. citizen living in Texas. This scheme was the basis for the charges against Francisco Colorado-Cessa, who played an active role in the scheme discussed in the Austin trials.

7 See e.g., Testimony Witness A.

8 “Zetas cartel leader on trial in Texas for allegedly killing 400 people, burning the bodies,” Fox News, 7 July 2016.



Witness	Referred to as	Position	Location	Dates	Current Status
<b>Jose Luis Rodriguez</b>	Rodriguez	Drug trafficker for high-level Zeta drug suppliers	Piedras Negras; Feria del Sol, Soriana	2005-2011	Arrested in 2011 and currently incarcerated for drug trafficking and kidnapping
<b>Rodrigo Humberto Uribe Tapia</b>	Uribe	Investment advisor and money launderer	Piedras Negras	2006-2011	Has been a confidential source for law enforcement since 2009
<b>Adolfo Efren Tavira-Alvarado</b>	Tavira	Former administrator of production for Televisa and drug trafficker	Piedras Negras	2004-2013	Turned himself in to U.S. authorities in 2013 in Eagle Pass
<b>Saul Fernandez</b>	Fernandez	Zetas scout, drug trafficker, contractor, and firearms smuggler	Eagle Pass, TX; Piedras Negras	2008-2014	No information available
<b>Jorge de Leon-Navarro</b>	de Leon	Personal assistant to top Zetas leader; drug and money carrier	Ciudad Acuña; Piedras Negras	2013	Arrested in 2013; started cooperating with authorities
<b>Gustavo Rodriguez-Costilla</b>	Costilla "Titio"	Prisoner forced to become a sicario for the Zetas	Piedras Negras	2006	No information available
<b>Efren Aguilar Diaz</b>	Diaz	Drug trafficker for the Zetas	Piedras Negras and Austin, TX	2006-2014	Arrested in 2014; started cooperating with authorities
<b>Not Named <sup>9</sup></b>	Witness A	Forced to work in the transportation and distribution of drugs across the U.S. border	Piedras Negras	2011-2013	No information available
<b>Not Named</b>	Witness B	Spouse of former drug trafficker that was disappeared by the Zetas	Piedras Negras	2010	No information available
<b>Not Named</b>	Witness C	Drug trafficker for the Zetas	Eagle Pass, TX	2010	No information available
<b>Anthony Livingstone</b>	Livingstone	Homeland Security Investigations Agent	Del Rio, TX	2013	Currently stationed in San Antonio, TX

## II. The Austin Trials

THE AUSTIN TRIAL had multiple defendants: Jose Treviño Morales, Fernando Solis-Garcia, Eusevio Maldonado-Huitron, Jesus Maldonado-Huitron and Francisco Colorado-Cessa. The Clinic analyzed district and appellate court documents from this case, focusing specifically on the government's case against Francisco Colorado-Cessa.<sup>10</sup> Colorado-Cessa, a businessman and front man who was primarily responsible for the Zeta's horse racing scheme, was charged with laundering tens of

<sup>9</sup> For security and privacy reasons, the Clinic decided not to include the names of several witnesses.

<sup>10</sup> Neither the cases of the other defendants provided relevant information, or the defendants took a plea bargain, and court documents are not available.

millions of dollars for the cartel through a U.S. quarter horse ranch. The Clinic analyzed twelve witness testimonies from this trial, all of which were testimonies of Zeta members or individuals who worked closely with the cartel.

Witness	Referred to as	Position	Location	Dates	Current Status
<b>Hector Moreno</b>	Moreno	Drug trafficker for the Zetas	Piedras Negras, Coahuila	2007-2011	Arrested in 2011; then became an informant for U.S. officials; the massacres occurred right after he began working as a witness
<b>Mario Alfonso Cuellar</b>	Cuellar “Poncho”	Drug trafficker for the Zetas	Piedras Negras	2007-2011	Arrested in 2011
<b>Jose Carlos Hinojosa</b>	Hinojosa	Former prosecutor turned accountant for the Zetas	Miguel Aleman	2002-2008	Arrested in 2008
<b>Jesus Rejon Aguilar</b>	Aguilar “Mamito” “Z-7”	Ex-Mexican special forces; hitman for Gulf Cartel then became national supervisor for Zeta plazas and sectors	Throughout Mexico; specific references to Tamaulipas	1999-2011	Arrested in 2011
<b>Jose Luis Vasquez Jr.</b>	Vasquez Jr.	Drug dealer, gun runner and money trafficker	Dallas; Ciudad Acuña; Piedras Negras; Allende	2007-2011	Arrested in 2013
<b>Jose Luis Vasquez Sr.</b>	Vasquez Sr.	Money trafficker	Dallas; state of Coahuila; Queretaro	2008-2013	Turned himself in to U.S. authorities in 2014
<b>Carlos Nayen-Borbolla</b>	Nayen	Money launderer, drug trafficker and key player in the horse racing scheme	Laredo; Saltillo; San Antonio; Veracruz	2000-2009	No information available
<b>Fernando Garcia-Solis</b>	Garcia	Horse trainer and key player in the horse racing scheme	Northeast Mexico	2002-2009	No information available
<b>Alfonso del Rayo Mora</b>	del Rayo	Real estate developer from Veracruz, was kidnapped by Zetas.	Veracruz and Oklahoma	2010-2011	No information available
<b>Ivan Velazquez-Caballero</b>	Caballero	Former money trafficker for the Gulf Cartel; began working for the Zetas in 2004 and was put in charge of Zacatecas in 2007	Nuevo Laredo, Tamaulipas and Zacatecas	2001-2012	No information available
<b>Rene Amarillas</b>	Amarillas	DEA special agent	Monterrey	2007-2011	No information available
<b>Arian Jaff</b>	Jaff	Money lender and currency trader	California and Veracruz	2009-2011	No information available

### III. The Del Rio Trial

THE TRIAL IN Del Rio was against two important Zetas, Jose Eluid Lugo-Lopez, also known as Cochi Loco, and Emilio Villalobos-Alcala, also known as La Tripa. The two defendants were convicted at the district court for conspiracy to possess and import marijuana with intent to distribute, conspiracy to possess firearms in furtherance of a drug trafficking crime, and aiding and abetting the exportation of weapons. Both defendants were sentenced to life imprisonment. The Clinic analyzed one testimony from the Del Rio trial: the testimony of a former Coahuila municipal police officer, who testified to the extent of Zeta control over the local authorities.

Witness	Referred to as	Position	Location	Dates	Current Status
Marlon Campos Salmeron	Campos	Municipal police officer and drug and weapons trafficker for the Zetas	Piedras Negras, Coahuila	2012-2013	Arrested in 2013 for drug and weapons trafficking.

## C. BACKGROUND INFORMATION

TO CONTEXTUALIZE THE historical and geographical impact of the human rights abuses committed by the Zetas and the deep-seated connection between the Zetas and the Mexican state, a brief explanation is presented here.

### I. Mexico's Security Strategy

FOR THE LAST eleven years, Mexico has adopted and implemented a primarily militarized security strategy that has had disastrous consequences for human rights in the country.<sup>11</sup> In December 2006, President Felipe Calderon, the then-newly elected president of Mexico, announced that he planned to launch an all-out assault on organized crime in his home state of Michoacan. Since this initial escalation, practically all of Mexico has become militarized under the guise of the drug war—with the military taking on public security responsibilities throughout the country.<sup>12</sup> Between 2007 and 2011, the number of soldiers carrying out law enforcement tasks more than doubled from 45,850 to 96,261.<sup>13</sup> The United States government has supported Mexico's drug war by allocating \$2.5 billion dollars of funding through the Merida Initiative.<sup>14</sup>

While this strategy has successfully targeted drug cartel leaders, it has failed to dismantle organized crime or restrict the flow of drugs to the U.S. The drug war has resulted in increased

11 Amnesty International Report 2016/17: The state of the world's human rights, chapter on Mexico.

12 "Drug War as Neoliberal Trojan Horse," Dawn Paley, *Latin American Perspectives*, 42(204), 2015.

13 "Informe sobre el estado del marco normativo y la práctica de la Tortura en México," Instituto para la Seguridad y la Democracia (INSYDE), Comisión Mexicana de Defensa y Promoción de los Derechos Humanos (CMDPDH), Comisión Ciudadana de Derechos Humanos del Noroeste (CCDH), 2014.

14 "Mexico's Drug War," Council on Foreign Relations, <https://www.cfr.org/background/mexicos-drug-war>.

violence and generalized human rights abuses. These abuses are committed by state forces and—as this report highlights—by organized crime, in multiple instances with the support and acquiescence of the state.<sup>15</sup> Since 2006, at least 170,000 people have died as a result of the drug war in Mexico.<sup>16</sup> In the last few years, disappearance has also become an irrefutable and widespread crisis, with at least 32,000 people disappeared in Mexico.<sup>17</sup> However, there is a lack of clear and accurate data documenting the number of disappearances and there is no national search plan for the disappeared.<sup>18</sup> More recently, the parents of the 43 disappeared students from the Ayotzinapa Rural Teachers College have led large-scale national and international protests demanding their return. Despite this mobilization and significant pressure from international organizations to address the issue, the increase in the number of disappearances continues unabated.

Thus far, Mexico is unwilling to acknowledge the crisis of disappearance in particular, and human rights abuses more generally. Widespread and systematic impunity—documented through witness testimonies in this report—further facilitates these human rights abuses.<sup>19</sup> Within this context, states in the northern part of Mexico have been particularly hard-hit by violence and human rights violations.<sup>20</sup>

## II. Coahuila, Mexico

THE STATE OF Coahuila is situated in the northern region of Mexico, directly south of the U.S. border. Coahuila has 38 municipalities and almost three million inhabitants. The state’s five largest cities are the capital city, Saltillo, and Torreon, Monclova, Ciudad Acuña and Piedras Negras.<sup>21</sup> Ciudad Acuña and Piedras Negras are also located on the United States border. Since 2005, two brothers, Humberto (2005-2011) and Ruben Moreira Valdez (2011-present), have governed the state.<sup>22</sup>

The Gulf Cartel, which had formed a coalition with the Zetas at that time, used Coahuila as a route by which to transport drugs across the border and into the U.S. After the Zetas arrived in Coahuila in 2007 and split from the Gulf Cartel in 2010, Coahuila became the cartel’s center of operations. The Zetas eventually spread throughout the state and into the cities of Saltillo, Piedras Negras, and Ciudad Acuña.<sup>23</sup>

15 “Declaración del Alto Comisionado de la ONU para los Derechos Humanos, Zeid Ra’ad Al Hussein, con motivo de su visita a México”, October 7, 2015.

16 “A tres años de la masacre de Ayotzinapa, ¿cómo entender la violencia en México?,” *El Diario*, Sept. 25, 2017.

17 Report of the Working Group on Enforced or Involuntary Disappearances: Follow-up report to the recommendations made by the Working Group. Missions to Mexico and Timor Leste (No. A/HRC/30/38/Add.4), 2015.

18 *Id.*

19 *Id.*

20 “Situation of Impunity and Violence in Mexico’s Northern Border Region,” Washington Office on Latin America (WOLA), Latin America Working Group Education Fund, Kino Border Initiative. March 2017.

21 Instituto Nacional de Estadística Geografía e Informática, México. (Rapport 2015)

22 Governor Humberto Moreira left office early to run for the presidential nomination for his party, the Partido Revolucionario Institucional (PRI) in 2011. Jorge Torres Lopez was selected as interim governor and held the position from January to December 2011. Ruben Moreira won the 2011 election for governor and was sworn in in December 2011.

23 “Cartel occupies state in Mexico,” *Tracy Williams - Los Angeles Times*, 11-04-2012.



Map of Mexico showing the location of Coahuila state. IMAGE FROM WIKIMEDIA COMMONS

### III. Brief History of the Zeta Cartel

THE ZETA CARTEL is a powerful drug trafficking organization based in Mexico, with operations that extend throughout Central America and reach various cities in the United States.<sup>24</sup> The cartel funnels thousands of kilograms of narcotics into the United States, generating millions of dollars of revenue each year.<sup>25</sup> The Zetas originated as a violent enforcement branch of the Gulf Cartel, consisting mostly of ex-Mexican army and deserters from Guatemalan special forces at its founding. The branch was formed in 1998 to protect the Gulf Cartel against the Sinaloa cartel and was led by Osiel Cardenas Guillen.<sup>26</sup> In the following years, the Zetas became increasingly important to the Gulf cartel and were eventually put in charge of securing cocaine supply and trafficking routes for both money and drugs.<sup>27</sup>

On November 21, 2002, the first Zeta leader, Arturo Guzman Decena, was killed and subsequently replaced by Heriberto Lazcano. In early 2004, the Zetas started to expand their money laundering capabilities by establishing a network of small and large businesses. One of these companies,

24 "High Ranking Mexican Cartel boss convicted in Texas for conspiring to commit numerous murders and other acts of violence," *U.S. Immigration and Customs Enforcement*, 07-19-2016.

25 *Id.*

26 "Mexico: narco-violence and a failed state?" *George W. Grayson*, 2010, p. 339.

27 "Los Zetas: the Ruthless Army Spawned by a Mexican Drug Cartel," *George W Grayson - U.S. Foreign Policy Research Institute*. 08-23-2008.



ADT Petroservicios, was an important asset in the Zeta’s money laundering operations. Francisco Colorado-Cessa, the defendant in the Austin trials, founded the company.

In the same year, the Zetas sought to expand their influence within the political sphere. Efrain Torres, a founding Zeta member, started to send large amounts of money to a gubernatorial candidate in the state of Veracruz. According to the sworn testimony of an FBI agent, this candidate was Fidel Herrera, who served as governor of Veracruz from 2004 to 2010. During the Austin trial, witnesses also mentioned payments made to Fidel Herrera’s gubernatorial campaign in 2004.<sup>28</sup>

In 2008, brothers Omar and Miguel Treviño Morales, two high-ranking Zeta members, began laundering money in the U.S. through, among other methods, a quarter horse operation. Their brother, Jose Treviño Morales, a U.S. citizen, ran this operation. Jose was ultimately convicted of money laundering. In 2010, the Zetas split from the Gulf Cartel under the authority of Heriberto Lazcano. Lazcano was killed in 2012 and was succeeded by Miguel Treviño Morales. After Miguel’s arrest in July of 2013, Omar Treviño Morales assumed the leadership of the Zetas.<sup>29</sup> In March of 2015, Omar was arrested in a suburb of Monterrey, Nuevo Leon, Mexico.<sup>30</sup> Since his arrest, the Zetas have become fractured, with various people vying for leadership.<sup>31</sup>

28 Testimony *Hinojosa*, 04-18-2013.

29 “Zetas cartel leader Heriberto Lazcano’s corpse stolen by gunmen after dying in firefight,” *National Post World News*, 10-9-2012.

30 “Officials: Leader of Mexico’s Zetas drug cartel captured,” *Fox News*, 4 March 2015.

31 *Id.*

# Findings on the Zeta Cartel Structure and Operations

## A. HIERARCHY AND ORGANIZATION

THE ZETAS IS A HIERARCHICAL CARTEL ORGANIZATION THAT RESEMBLES A paramilitary group in its origins and structure.<sup>32</sup> The Zetas Cartel was originally founded by 31 ex-members of the Mexican army and Guatemalan Special Forces in the late 90s. Most of the original members have been killed or are in prison; however, over the years, many more have joined the cartel, either voluntarily or forcibly.<sup>33</sup> Based on the information that was extracted from the witness testimonies, the Clinic tried to construct a hierarchy of the Zeta cartel to include those who worked for the cartel and were part of the organization, but not necessarily called “a Zeta.”<sup>34</sup>

“When you are a member, you work for them. You give them some benefit, either money for drugs for them. When you are a Zeta, you’re someone that kills for them. You’re one of the criminals.”<sup>35</sup>

All of the information in this section is taken from the witness testimonies and is not supported by additional evidence. However, the findings described here support other reporting that has been done on the cartel.<sup>36</sup> As such, this section does not intend to provide an exhaustive description of the Zeta structure.

It appears from the analyzed witness testimonies that the structure of the Zetas revolves around different cities, or *plazas*, as the Zetas refer to them.

“A plaza is like a city of theirs – Piedras Negras would be called the plaza of Piedras Negras, as a city”<sup>37</sup>

“A plaza is like a city. And they have a person they put in charge so they could control the city . . . Plaza bosses are more like for safety for the cartel, [to] make sure that nobody bothers the people that are actually selling drugs.”<sup>38</sup>

32 “‘Los Zetas Inc.’ Author on Why Mexico’s Drug War Isn’t About Drugs,” *The Texas Observer*, Sept. 14, 2017.

33 “The Evolution of ‘Los Zetas,’ a Mexican Crime Organization,” ISN Security Watch, 03-15-2009.

34 Testimony Rodriguez, 07-12-2016.

35 Testimony Cuellar, 11-30-2015. Most witnesses are not consistent in their use of the terms “Zeta” and “Zeta member.”

36 See e.g., “Los Zetas’ Brutal Business Model,” *The Texas Observer*, May 3, 2011.

37 Testimony Vasquez Jr., 11-30-2015.

38 Testimony Vasquez Jr., 04-16-2013.

Additionally, every plaza is governed by a plaza boss, usually a high-ranking Zeta.

“That’s the person that is in charge of the entire state of – of the entire plaza to have control over the cities and the routes for the drug distribution and to be in control of everything.”<sup>39</sup>

The control that plaza bosses exerted also extended to deciding who was killed or disappeared. Plaza bosses almost always had to sign off on the assassination of a fellow Zeta and were often the ones who directly ordered it.<sup>40</sup>

Plaza bosses are assisted by *centrals* and *comandantes*. Centrals, generally women within the cartel, are responsible for coordinating the communication between the different plaza bosses.<sup>41</sup> Comandantes manage subordinate Zeta members, and work to maintain control over the plazas,<sup>42</sup> which they achieve by sowing terror within the community.<sup>43</sup> The comandantes are the heads of each group of *sicarios*, or Zeta “soldiers.”<sup>44</sup> The sicarios are in charge of practical organization and control of the plazas,<sup>45</sup> kidnapping and executing people,<sup>46</sup> extorting, and keeping the plaza boss safe.<sup>47</sup> Sicarios are the brute force behind the comandantes. Within the group of sicarios, there are distinctions between high and low-ranked sicarios.<sup>48</sup>

“A sicario is someone who takes care of the drug stores, who takes care of the men, who takes care of the plaza. And you are out patrolling and looking out for the military.”<sup>49</sup>

Sicarios are assisted by *focas*, *halcones* and *células*. These are lower-ranked cartel members who patrol the plazas and keep watch for Marines, federal police and other cartels.<sup>50</sup> Células patrol the city through the use of a radio system with its own codes and towers.<sup>51</sup> The cartel uses these radios to ensure that communication among members remains private.<sup>52</sup>

It is important to note that most of the Zetas mentioned in the trials use nicknames when communicating within the cartel.<sup>53</sup> Zeta members may also be referred to by number, combined with the letter “Z.”<sup>54</sup> This system was used by the original Zetas during calls among

39 Testimony *Hinojosa*, 04-18-2013.

40 Testimony *Rodriguez*, 07-13-2016.

41 Testimony *Fernandez*, 07-07/08-2016.

42 *Id.*

43 Testimony *Uribe*, 07-06-2016.

44 *Id.*

45 Testimony *Rodriguez*, 07-12-2016.

46 Testimony *de Leon*, 07-07/08-2016; *Uribe*, 07-06-2016.

47 Testimony *Rodriguez*, 07-12-2016; *Uribe*, 07-06-2016.

48 *Id.*

49 Testimony *Rodriguez*, 07-12-2016.

50 Testimony *Uribe*, 07-06-2016; *Costilla*, 07-08-2016.

51 Testimony *Uribe*, 07-06-2016.

52 Testimony *de Leon*, 07-07/08-2016; *Uribe*, 07-06-2016.

53 For example, the defendant in the San Antonio trial, Marciano Millan Vasquez, is referred to as “Chano” (Testimony *Jorge de Leon*, *Saul Fernandez*, *Tavira*) and the defendant from the Austin trial, Francisco Colorado-Cessa, is referred to as “Pancho.”

54 Testimony *Uribe*, 07-06-2016; *Cuellar*, 11-30-2015.

cartel members.<sup>55</sup> The letter “Z” identified cartel members who were ex-military officers, and the numbers were assigned based on the order in which the member joined the cartel.<sup>56</sup> For example, Aguilar, the seventh person who joined the cartel, is referred to as “Z-7.”<sup>57</sup> Of course, the numbers are not completely precise as many members joined the cartel at the same time.

## B. MOST IMPORTANT ZETA MEMBERS BASED ON TESTIMONIES

THE ZETA HIERARCHY is complex and is subject to constant and frequent changes—members die or are killed, detained, replaced, promoted, or cut off. In order to remain as clear as possible, this overview describes two different hierarchy structures: the first under the authority of Heriberto Lazcano and the second under the authority of the Treviño Morales brothers, Miguel and Omar. Again, these divisions and categorizations are described in the testimonies from the Austin, San Antonio, and Del Rio trials, and support what has been extensively reported and documented by Mexican journalists and human rights organizations.<sup>58</sup>

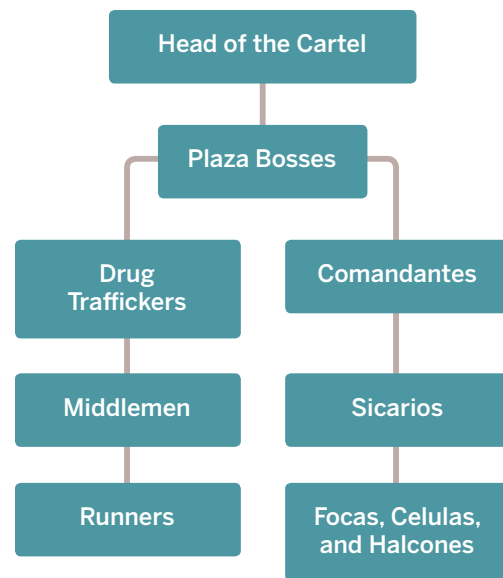


Diagram of the structure of the Zetas.

### 1. Heriberto Lazcano

Heriberto Lazcano (Z-3) became the head of the Zeta Cartel after it separated from the Gulf Cartel,<sup>59</sup> and lead until he was killed in 2012. During Lazcano’s time as head of the cartel, Efrain Teodoro Torres (Z-14) was the second highest ranked member in the cartel. After Torres died in 2007, Miguel Treviño Morales (Z-40) took his place as second in command.<sup>60</sup>

### 2. & 3. Miguel and Omar Treviño Morales

The Treviño Morales brothers took over the Zeta Cartel after Lazcano died.<sup>61</sup> At first, Miguel Treviño (Z-40) directed the cartel, but after he was arrested in 2013, Omar Treviño (Z-42) replaced him as commander.<sup>62</sup> During Miguel Treviño’s tenure, Omar Treviño was the plaza boss of Piedras Negras and controlled all of the drug movement into the United States.<sup>63</sup> Omar also supervised all the Zeta-controlled plazas in Mexico. According to testimonies, Miguel Treviño was known to be

<sup>55</sup> *Id.*

<sup>56</sup> Testimony Aguilar, 04-23-2013.

<sup>57</sup> *Id.*

<sup>58</sup> See e.g., “Los hermanos Treviño, nuevos líderes del cártel de Los Zetas,” *La Jornada*, October 11, 2012.

<sup>59</sup> Testimony Uribe, 06-07-2016.

<sup>60</sup> Testimony Vasquez Jr., 04-16-2013.

<sup>61</sup> Testimony Uribe, 07-06-2016.

<sup>62</sup> *Id.*

<sup>63</sup> Testimony Aguilar, 04-29-2013.

a very cruel man.<sup>64</sup> The testimonies do not provide any information on the hierarchy of the Zetas after the arrest of Omar Treviño.

#### **4. Daniel Menera Sierra**

Daniel Menera Sierra, often referred to as “Danny,” worked as a sicario and narcotrafficker for the Zetas under Lazcano’s leadership. Millan Vasquez, “Chano,” was his right hand.<sup>65</sup> Menera was involved in drug trafficking and human trafficking and was responsible for handling personal matters for Lazcano.<sup>66</sup> Between 2006-2007, he worked directly under Rodrigo Santos, “Cien”, and between 2009-2013, he was a comandante in Piedras Negras and became one of the most important people within the cartel.<sup>67</sup>

#### **5. Marciano Millan Vasquez**

Marciano Millan Vasquez, nicknamed “Chano,” was the defendant in the San Antonio trial. He became a Zeta sicario in 2006, and rose through the ranks to ultimately become a comandante in Piedras Negras. Millan Vasquez trafficked people, guns, and weapons from Mexico to the United States, and was known for utilizing violence and intimidation to exercise control.<sup>68</sup> Millan Vasquez was the plaza boss of Piedras Negras two times, particularly while Danny Merera was in prison.<sup>69</sup> He was the right-hand of Danny Menera, a comandante in charge of Piedras Negras.

#### **6. Francisco Colorado-Cessa**

Francisco Colorado-Cessa, nicknamed “Pancho,” was the defendant in the Austin trial. He was the founder and owner of ADT Petroservicios and was heavily involved in the horse racing scheme. He was also a key player in the Zeta’s money laundering business in general.<sup>70</sup>

#### **7. David Alejandro Loreto Mejorado**

David Alejandro Loreto Mejorado, referred to as “El Enano” or “El Nano” in the testimonies, was a comandante in Piedras Negras during the same time as Danny Menera (around 2011). Loreto is mentioned in the testimonies in connection with a number of kidnappings, murders and disappearances and was known as being very violent. Loreto was ultimately killed by Gulf Cartel members in 2012.<sup>71</sup>

### **C. BUSINESSES & PROPERTIES MENTIONED BY WITNESSES**

FROM THE WITNESS testimonies, the Clinic concluded that a large part of the money laundered by the Zetas was moved through the horse racing scheme. The Zetas owned ranches, race tracks,

<sup>64</sup> Testimony Uribe, 07-06-2016.

<sup>65</sup> Testimony Tavira, 07-14-2016.

<sup>66</sup> Testimony Uribe, 07-06-2016.

<sup>67</sup> *Id.*

<sup>68</sup> Testimony de Leon, 07-13-2016.

<sup>69</sup> *Id.*

<sup>70</sup> *Id.*

<sup>71</sup> *Id.*



and breeding facilities in the U.S. and Mexico. These locations were used to organize the sale and purchase of horses and to hold fixed horse races.<sup>72</sup> Aside from owning these properties connected to the horse racing scheme, the Zetas also exploited numerous businesses in Mexico, such as stores, casinos, restaurants, gyms, and carwashes. These enterprises were used as safe houses (places where drugs and weapons were stored, and kidnapped people held),<sup>73</sup> as meeting points for drug and money trafficking operations, or instruments of the money laundering operations.

According to the testimonies, one of the largest Zeta businesses used for money laundering was the “Black City Mall.” The mall was located in Piedras Negras and was owned by Rodrigo Uribe Tapia, a witnesses in the San Antonio trial.<sup>74</sup> It is not clear from the analyzed testimonies if all the restaurants, bars, and other shops in the Black City Mall were owned and operated by the Zetas. However, several businesses were part of Zeta operations, including the restaurants “La Cantinita” and “Picalitos.” Although the Zetas may not have owned all of the stores in the mall, money laundering operations were conducted throughout the building.<sup>75</sup>

In his testimony, Uribe said that he acquired around 30 to 40 pieces of real property for the Zetas.<sup>76</sup> Most properties located in and around the Black City Mall were used for private meetings, money laundering, and some even functioned as safe houses for Zetas members.<sup>77</sup> Multiple other entities located in the center of Piedras Negras, including car rental companies, clubs, salons, and carwashes<sup>78</sup> were used to negotiate drug deals,<sup>79</sup> or served as meeting points for money deliveries to the local police and politicians.<sup>80</sup> These businesses were also used as cross-through points for drug and money trafficking.<sup>81</sup>

According to Hinojosa, aside from these relatively small enterprises, the Zetas, through Francisco Colorado-Cessa and ADT Petroservicios also participated in money laundering on a much larger scale:<sup>82</sup>

“It was a company to build highways, to do Pemex<sup>83</sup> projects, to do drilling, to do clean up, things like that, anything that the government hired them to do.”<sup>84</sup>

It is not clear how much PEMEX officials knew or were involved in ADT’s criminal operations. However, the testimonies have revealed that ADT Petroservicios itself was partially financed by

72 Testimony *Nayen*, 12-04/05-2015. The Zetas financed these properties and operations with profits from cocaine trafficking and dealing; See *Cuellar*, 04-16-2013.

73 Testimony *Rodriguez*, 07-12-2016.

74 Testimony *Uribe*, 07-06-2016.

75 *Id.*

76 *Id.*

77 *Id.*

78 Testimony *Rodriguez*, 07-12-2016.

79 “Eddie’s pizza,” Testimony *Uribe*, 06-07-2016.

80 “Hotel Quinta Real,” “Hotel Posada Rosa,” “Mario’s,” “Las Aguas,” “Manuel Perez Treviño Bypass,” Testimony *Uribe*, 07-06-2016.

81 Testimony *Rodriguez*, 07-12-2016.

82 Testimony *Hinojosa*, 08-18-2013.

83 PEMEX is the Mexican state-owned petroleum company. “Pemex means *Petróleos Mexicanos*, Mexican oil, and it has to do with everything that all the products that come from the oil that is property -- that is of the nation. Gasoline, any oil product” - Testimony *Hinojosa*, 04-18-2013.

84 Testimony *Hinojosa*, 04-18-2013.

money from cartel drug trafficking operations.<sup>85</sup> Between 2004 and 2005, Efrain Torres, the second highest Zeta member at the time, gave Colorado-Cessa, the Austin trial defendant, approximately \$6 million to invest in machinery and other equipment. These funds were to aid in the expansion of ADT Petroservicios.<sup>86</sup> Colorado-Cessa was aware that the money derived from drug trafficking.<sup>87</sup> According to Hinojosa, there was at least one other occasion in which Torres gave Colorado-Cessa money for ADT Petroservicios.<sup>88</sup>

The role of ADT Petroservicios is especially important because of its alleged transactions with the state, particularly with state governors. As will be explained in detail later, witnesses spoke of how the Zetas made sizable contributions to the political campaigns of candidates running for state governor.<sup>89</sup> Candidates understood that if they won their race, once in office, they would be obliged to use their power to influence federally assigned contracts. For instance, the governor could direct the outsourcing of PEMEX cleanup projects to ADT Petroservicios.<sup>90</sup> Due to heavy Zeta investment and contracts with the government, ADT Petroservicios continued to grow and expand, and eventually became a key component of the cartel’s money laundering operation.<sup>91</sup>

“[...] As partners,<sup>92</sup> they were going to expand it and grow using government projects. When the candidate won the governorship, he was going to give them projects, and then, they were going to get government contracts through Pemex from the federal government.”<sup>93</sup>

Aside from their businesses and properties in Mexico, several witnesses mentioned that the Zetas also operated in United States. According to testimonies from both the San Antonio and Austin trials, the cartel operated in the Texas cities of San Antonio, Houston, Austin, Eagle Pass and Dallas,<sup>94</sup> as well as in other cities across the U.S., such as Chicago and Atlanta, and in the states of New Mexico, California, and Oklahoma.<sup>95</sup> Most of the U.S.-based businesses mentioned were ranches and racetracks. These were used as boarding facilities for the horses owned by the Zetas or as locations to hold fixed horse races.<sup>96</sup> Other properties were used to drop or stash money, or were used as covers for money laundering activities. Initial investigations into the businesses and properties used in Zeta’s cross-border money laundering operations prompted the broader investigation into the defendants in the three Texas trials.<sup>97</sup>

85 *Id.*

86 *Id.*

87 *Id.*

88 *Id.*

89 *Id.*

90 Testimony *Hinojosa*, 04-18-2013.

91 *Id.*

92 The partners referred to are Francisco Colorado-Cessa and Efrain Torres.

93 Testimony *Hinojosa*, 04-18-2013.

94 Testimony *Vasquez Jr., Vasquez Sr., Tavira*.

95 Testimony *Vasquez Jr., Vasquez Sr., Garcia, Nayan*.

96 The fixed horse races were a way to launder money through a trapped betting system.

97 *U.S. v Marciano Millan Vasquez*, No. SA-13-CR-655-XR, 2016 U.S. Dist. LEXIS 111293 (W.D. Tex. Aug. 22, 2016).

# Testimonies on State Connection to Zeta Cartel

THE TESTIMONIES ANALYZED FOR THIS REPORT HIGHLIGHT THE ZETAS' HIGH LEVELS of connection, cooperation, and in some instances, control over different levels of government in Coahuila, from local law enforcement to the office of the governor. Witnesses describe the common use of bribes and suggest, at a minimum, the acquiescence of local and state police and other government actors to Zeta operations and use of violence. Some witnesses also describe the direct involvement by state officials of different levels. The various levels of the Zeta's connection with the state are discussed in the analysis to follow; ties to security forces, law enforcement and prosecutorial institutions, and other state officials are considered.

## A. ALLEGED CONTROLLED TERRITORY

MULTIPLE WITNESSES FROM the three trials testified about Zeta control over various states. Uribe mentions the states of Nuevo Leon, Coahuila, Tamaulipas, Veracruz, Zacatecas, San Luis, and Puebla as being under "complete control" of the Zetas and the states of Cuernavaca and Tampico as being "under the influence" of the Zetas, though not under complete control.<sup>98</sup> Without providing many details, Cuellar mentions that the Zetas control over 26 or 27 states in Mexico.<sup>99</sup>

"Mr. Gardner: 'And is Coahuila [...] a Zeta-controlled territory?'"

Cuellar: 'Yes, sir.'"

According to the testimonies of Cuellar and Moreno, this control manifested itself in different ways, including extraordinary violence and corruption. Witnesses explain how the cartel exercised influence over law enforcement, prosecutors, and state officials to prevent interference with Zeta operations and to effectively sow terror in the area. However, the witnesses did not always go into detail about the extent of the Zeta control over state apparatuses or how it manifested.

Additionally, the description of Zacatecas plaza boss Ivan Velasquez-Caballero<sup>100</sup> provides an understanding of the Zeta's overall control over a specific locale:

<sup>98</sup> Testimony Cuellar, 04-16-2013; Moreno, 12-01-2015; Uribe, 07-06-2016.

<sup>99</sup> Mexico has 32 states, including Mexico City.

<sup>100</sup> Testimony Caballero, 12-07-2015. Ivan Velasquez-Caballero worked as a money trafficker for the Gulf Cartel and started working for the Zetas in 2004. He was put in charge of the state of Zacatecas in 2007.

“Mr. Gardner (U.S. Attorney): ‘And as head of Zacatecas, what were your responsibilities for the Zeta cartel?’

Caballero: ‘I started organizing, getting everything organized, the cities, operations, the police, everything that had to do with organizing it. So security, police, operations, and getting the — purchasing the marijuana. Purchasing the marijuana and getting it transferred up to Coahuila.’”

Finally, Cuellar described the Zeta’s control over the plazas:

“A plaza is a city, something like Piedras Negras where you establish control over the municipal police, over the federal police, and other law enforcement agents, where you pay a monthly fee so you can do whatever drug business or whatever other crimes you want to commit [...]”<sup>101</sup>

## B. INFLUENCE OVER SECURITY FORCES

EVIDENCE OF THE Zetas’ alleged control over certain Mexican states is brought forth through testimonies referring to the cartel’s influence over state and municipal police, and sectors of the federal police and the military. Cuellar and Uribe testified to Zeta control over security forces, specifically in and around Piedras Negras between 2006 and 2011:

“Mr. Leachman (U.S. Attorney): ‘So when you say ‘in control of the police’ does that mean some of the police or all of them?’

Uribe: ‘All of them, including state police, some of the federal, local police, politicians, mayors, [other] politicians.’

Mr. Leachman: ‘Did it include the immigration, Mexican immigration officials at the border in Piedras?’

Uribe: ‘Of course, yes.’”<sup>102</sup>

“Mr. Gardner: ‘And when you say control the feds, the soldiers and the police, what you do mean by control?’

Cuellar: “That they [the Zetas] pay. They paid their quotas so that they could move their drugs freely so they wouldn’t have any trouble so that the drugs could come through Coahuila and get to Piedras Negras, and they could cross it over and work without having any problems and

<sup>101</sup> Testimony Cuellar, 04-16-2013.

<sup>102</sup> Testimony Uribe, 07-06-2016.

without having it seized.”<sup>103</sup>

According to Uribe’s testimony, the Zetas maintained control over the local police in two ways. First, police officers were directly paid and integrated into the Zeta hierarchy, primarily to prevent them from interfering with Zeta business, but also to motivate their involvement in the Zeta’s day to day operations. Second, the plaza boss maintained control over the police and the police chiefs. The police chief answered directly to the plaza boss, and would be eliminated if he failed to keep the police force under Zeta control.<sup>104</sup> Costilla’s testimony highlights the plaza bosses’ power.<sup>105</sup> Costilla recounted how he was stopped by the police after a night out, but was immediately released after threatening to call the plaza boss:<sup>106</sup>

“Oh, because my friends, they told the police that they were going to get in touch with Chano, they were going to call him up, so then the police let us go.”<sup>107</sup>

Marlon Campos Salmeron, a witness in the Del Rio trial and former police officer in Piedras Negras, Coahuila, testified to the nexus between the Zetas and the state police.<sup>108</sup> Campos described how state police acted in the interest of the Zetas:

“Mr. Leachman: ‘So did the police basically work for the Zetas?’

Campos: That’s right.

Mr. Leachman: Would they ask you to detain people for the cartel?

Campos: That’s right.

Mr. Leachman: Would they ask you to gather intelligence for them?

Campos: Yes.”<sup>109</sup>

Campos explained how he started working for the cartel, trafficking guns and marijuana, and providing intelligence, while he was employed as a police officer in Coahuila.<sup>110</sup> He and other local police officers stopped cars to monitor traffic and relay information to the Zetas about the individuals who were coming and going from Piedras Negras. If a driver was found to be in

103 Testimony Cuellar, 11-30-2015.

104 Testimony Uribe, 07-06-2016.

105 Testimony Costilla, 07-08-2016.

106 *Id.*

107 *Id.*

108 Testimony Campos, 06-18-2014.

109 *Id.*

110 *Id.*



possession of drugs, the police were required to turn that person and his contraband over to the cartel. The Zetas maintained control over the police, compelling their cooperation through force and intimidation.<sup>111</sup> If a police officer refused to perform certain tasks, the Zetas would threaten him and his family’s lives.<sup>112</sup>

Almost all witnesses mentioned the bribing of police.<sup>113</sup> On the subject of bribery and corruption, Hinojosa’s testimony is especially valuable. As one of the Zetas’ managing accountants, Hinojosa was responsible for most of the bribing of local and federal police, as well as customs officials.<sup>114</sup>

“Well, at the time I did – I handled many of the same things. I was the one that would collect the fees from all the drug dealers. I do the payments so the people wouldn’t be bothered. Everything I was told to do. I also was the one that got the fees from the coyotes or the people that traffic across the border, bribe to the federal police, customs, everything I knew about.”<sup>115</sup>

Jorge de Leon, the right-hand of Antonio Caldaria, a drug trafficker based in Ciudad Acuña, Coahuila, described the relationship between the local police and the Zetas as hierarchic:

“most of [the local police] were bought by [the Zetas].” And, [the local police] worked for [the Zetas] too.”<sup>116</sup>

Several witnesses said that local police were almost always completely bribed.<sup>117</sup> In addition to bribing police, de Leon’s testimony adds a new dimension to the connection between the state and the cartel. In 2013, de Leon was stopped by police on two occasions while transporting cash from one cartel member to another. After he told the police he was on an errand for “Comandante Chano,”<sup>118</sup> the police escorted him and his delivery to the plaza boss, Marciano Millan Vasquez.<sup>119</sup> According to de Leon, the Zetas never feared arrest because the police received payments and specific instructions to ensure that the Zetas could continue their operations without hindrance.

Hector Moreno, a high-ranked drug trafficker and *comandante* for the Zetas from 2007 to 2011, was stationed in Piedras Negras, the Zeta headquarters. He described his experience with the authorities and the Piedras Negras police as very easy “as long as you pay, you can get anything done.”<sup>120</sup> Tavira, who lived in Piedras Negras between 2004 and 2013, described the situation in almost identical terms, “[...] you could pay the agents, and you could work very easily.”<sup>121</sup>

111 *Id.*

112 *Id.*

113 See Testimony Cuellar, 12-01-2015; Hinojosa, 04-18-2013; de Leon, 07-13-2016; Tavira, 07-14-2016.

114 Testimony Hinojosa, 04-18-2013.

115 *Id.*

116 Testimony de Leon, 07-13-2016.

117 Testimony Fernandez, Cuellar, Moreno, Tavira, Uribe, Hinojosa and Aguilar.

118 Comandante “Chano” is Marciano Millan Vasquez.

119 Testimony de Leon, 07-13-2016.

120 Testimony Moreno, 12-01-2015.

121 Testimony Tavira, 07-14-2016.

The police were also allegedly indirectly involved in the 2012 manhunt of “El Tucan” in Piedras Negras.<sup>122</sup> Fernandez testified that “El Tucan” was a Zeta member who had started cooperating with the Gulf Cartel and had provided information about the Zetas to the Marines.<sup>123</sup> The Zeta manhunt included checkpoints on every street to monitor everyone entering and leaving Piedras Negras. When asked what the local police did about this, Fernandez answered, “Well, they would pretend nothing would be happening.”<sup>124</sup>

Most testimonies refer to the connections between state or municipal security forces and the Zetas. Adolfo Efren Tavera-Alvarado mentioned that during his time with the cartel, from 2004 to 2013, the Zetas had various arrangements with the *Policía Federal Preventiva* (PFP). The PFP was one of the seven divisions of federal police forces under the authority of the then *Secretaría de Seguridad Pública* (the Security Secretariat).<sup>125</sup> However, Tavera did not elaborate on the nature of these arrangements.<sup>126</sup>

While the witnesses did not identify or offer details about which specific military units or federal forces were corrupt, some testimonies alluded to specific instances of corruption. De Leon explained that the Mexican military had a non-adversarial relationship with local law officials who were working with the Zetas.<sup>127</sup> Furthermore, Tavera mentioned that the military unit stationed around Ciudad Acuña was working with local police and the Zetas.<sup>128</sup>

“Not the whole military, but, yes, to some. Yes, certain groups of the military, yes. To the PFP, they had arrangements with them, too.”<sup>129</sup>

While some of the testimonies demonstrate that the purpose of the bribes was to keep the police and military from interfering with the Zetas, others explain that the bribes were a payment for the government’s active involvement in Zeta operations, which included fighting against rival cartels.<sup>130</sup>

Furthermore, Uribe described several incidents in which grave human rights abuses were committed at the hands of the Zetas, with the direct involvement of the state. For instance, the Zetas bribed the government of Coahuila, and in return, state officials handed over Gulf Cartel members. Uribe discussed what the Zetas got in return for the payments they made to the government.<sup>131</sup>

122 Testimony Fernandez, 07-07/08-2016.

123 *Id.*

124 *Id.*

125 “Ratifican a Nicandra Castro en la PFM”. *La Jornada*, 12-11-2009. The federal police force consists of the *Policía Federal* (Federal Police), the former *Policía Federal Preventiva* (Preventive Federal Police), the *Ministerial Federal Police* (the Ministerial Police), and the investigation department, previously known as the *Agencia Federal de Investigación* (Federal Investigations Agency – AFI). The federal police is divided into seven subdivisions and was originally established in the late 1990’s to coordinate and intensify the fight against drug cartels in Mexico.

126 Testimony Tavera, 07-14-2016.

127 Testimony de Leon, 07-13-2026.

128 Testimony Tavera, 07-14-2016.

129 *Id.*

130 Testimony Aguilar, 04-29-2013.

131 Testimony Uribe, 07-06-2016.

“Control over the plazas, over the entire state of Coahuila. At that point, the Gulf was no longer there, which was also useful to them, to detain them and pass them on to the Zetas.”

Another incident that Uribe described was the killing of a Zeta member’s relative by state law enforcement. Under his administration, Governor Humberto Moreira created “los GATES”,<sup>132</sup> a special division within the state police in Coahuila that was specifically assigned to fight the Zetas. Los GATES killed Miguel and Omar Treviño Morales’s nephew, Alejandro, and as revenge, the Zetas murdered Humberto Moreira’s son.<sup>133 134</sup>

Testimonies also highlighted the Mexican State’s use of coercion to illicit confessions. For example, Jesus Rejon Aguilar, one of the original Zeta members, testified that he was arrested by Mexican authorities in 2011, and was held blindfolded for five days.<sup>135</sup> Aguilar indicated that after five days of detention, he delivered a coerced confession, which was then broadcast on television.<sup>136</sup> In his testimony, Aguilar expressed that he suspected he was turned into the police by Miguel Treviño, but he did not go into further detail.<sup>137</sup>

However, not all local or federal authorities were under Zeta influence. Uribe described the antagonistic nature of the relationship between the Zetas and the Mexican navy:

“Well, by the state authorities, no, but if at some point the Marines would show up, they were the ones who would be able to arrest...”<sup>138</sup>

Uribe testified that Zeta members took additional precautions, such as flying in state government helicopters, using Blackberry telephones, and arranging a system of lookouts, to prevent detection by the marines.<sup>139</sup> Plaza bosses also moved among the various plazas under Zeta control in order to protect themselves from potential arrest.<sup>140</sup> Witness A described how the Zetas purposefully avoided the marines and all other federal authorities.<sup>141</sup>

132 This is the acronym for the name of the group in Spanish, Grupo de Armas y Tácticas Especiales (GATE).

133 Testimony Uribe, 07-06-2016.

134 There are allegations against governor Ruben Moreira claiming that he gave the GATES orders to kill Miguel and Omar Treviño Morales’s nephew to scare off the Zetas, because he was afraid of retaliations against him resulting from his failing to give the Zetas their portion of a money laundering operation that both parties were involved in. The Zetas killed Humberto Moreira’s son in 2012, but it is unclear whether this was done as retaliation for the murder the Zeta leader’s nephew, or for not receiving their part of the money. See “En España, investigan vínculos de Humberto Moreira y ‘Los Zetas,’” *Aristegui Noticias*, 01-21-2016; “Fiscalía española investiga a Moreira por presuntos vínculos con ‘Los Zetas,’” *Armando G. Tejeda - La Jornada*, 01-21-2016

135 Testimony Aguilar, 04-29-2013.

136 *Id.*

137 *Id.*

138 Testimony Uribe, 07-06-2016.

139 *Id.*

140 *Id.*

141 Testimony Witness A.

## C. INFLUENCE OVER AND CONTROL OF PRISONS & PROSECUTORS

### Control over Piedras Negras Prison

THE PRISON IN Piedras Negras lies in the center of Zeta territory. Many human rights abuses were committed in the prison.<sup>142</sup> These abuses occurred in part because the Zetas had complete control over the prison, but also because of the state's acquiescence and support.<sup>143</sup>

Rodriguez described how the prison in Piedras Negras was under complete control of the Zetas<sup>144</sup>, and explained that the cartel utilized the prison for its own operations, including fixing cars to make them suitable to transport drugs, making “clavos,”<sup>145</sup> and selling and distributing drugs. Furthermore, he said the prison was used as safe place for Zetas to hide from the marines and the federal police.<sup>146</sup> According to Mexican law, federal forces can only enter local and state prisons at the request of the prison director.<sup>147</sup>

Uribe described how the Zetas used the prison for their own pursuits:<sup>148</sup>

“The Cereso, for the jury to understand, it is like the — it is a jail in Mexico, and it is a place where it is very easy to hide, to take things there, to do things there. Yes, so for example, at the Cereso, that’s where they built the — they put together the cars, where they have the hidden compartments.”

Furthermore, Uribe explained that during the day, incarcerated Zetas were free to come and go as they wanted. Uribe learned of this arrangement from his brother, Miguel Humberto Uribe, who commanded the prison for a period of time.<sup>149</sup>

“Mr. Leachman: ‘Tell the jurors about some examples of that.’

Uribe: ‘Well, for example, my brother was put in jail. And so then by paying – there is a female attorney who was in charge of making the payments, and that would give you the freedom to – you know, you would be free to go about your day during – outside of the jail and just sleep in jail. The only ones who can go in there would be state police. And for the same reason, they were being paid so that we could come and go and do whatever we wanted.’”<sup>150</sup>

142 See Human Rights Abuses, section 5.

143 Testimony *Costilla*, 07-12-2016.

144 See Testimony Witness A as cited in the comments in the next subsection.

145 “Clavos” are hidden drug compartments in cars, trailers etc. See Testimony *Rodriguez*, 07-12-2016.

146 Testimony *Rodriguez*, 07-12-2016.

147 Article 37 of the National Law on Prisons, *Ley Nacional de Ejecución Penal*, Retrieved online from <http://www.diputados.gob.mx/LeyesBiblio/pdf/LNEP.pdf>. Also, Testimony *Uribe*, 07-06-2016.

148 Testimony *Uribe*, 07-06-2016.

149 *Id.*

150 Testimony *Uribe*, 07-06-2016.

The testimonies indicate that there was no such thing as strict imprisonment. When Zeta members were sentenced to time in prison, they would have a private room, and would have access to drugs, alcohol, weapons, TVs, cellphones, refrigerators, and women.<sup>151</sup> In 2012, there was an outbreak from the Piedras Negras prison (this is analyzed in a later section of this report). During this incident, the Zetas gathered about 130 people and transported them out of the prison to recruit them into the cartel—in some cases this recruitment was forced.<sup>152</sup> According to Fernandez’s testimonies, there was no resistance from the prison guards or local police.<sup>153</sup>

“I heard it from El Nano, directly from him, that they didn’t break out how they say in the news. How did they get out? He told me that they took two buses and they took them through the front door.”<sup>154</sup>

### Control Over Federal and State Prosecutors

ASIDE FROM CONTROL over the prison, the testimonies mentioned that the Zetas paid large sums of money to the *Procuraduría General de la República* (PGR)—the Mexican Attorney General’s Office—and to the State Attorney General’s office in Coahuila to get criminal charges against their members dismissed and to make sure that any complaints filed against Zetas would not be investigated.<sup>155</sup> According to Uribe, even if cartel members were convicted—generally due to pressure from a higher authority—their sentences could be influenced by the Zetas. Often this meant that the Attorney General’s office had an agreement with the Zetas to allow their operatives to freely come and go from prison during the day.<sup>156</sup>

Witness A also testified to the Zeta’s relationship with state prosecutors. She stated that a Zeta sicario that she had been romantically involved with paid \$167,000 pesos to be released from prison and to get the charges against him dropped.<sup>157</sup> According to Witness A, there were others who also paid to be released from prison or to have their charges dismissed.<sup>158</sup>

Vasquez Jr. confirmed previous claims about the Zetas’ influence over the prosecution in Mexico, testifying that he turned himself into the United States government and not the Mexican government because of the Zetas’ control over Mexican law enforcement.<sup>159</sup> Vasquez Jr. believed that his safety could not be guaranteed within the judicial system in Mexico given the systematic control by the Zetas over the judiciary.

This influence over the prosecution reached beyond state officials. Upon his arrest in 2011, Rodriguez attempted to pay bribes to federal and international law enforcement officials to avoid

151 Testimony Rodriguez, 07-12-2016; Uribe, 07-06-2016; Hinojosa, 04-18-2013 for a general discussion of prisons in Mexico.

152 Testimony Costilla, 07-08-2016.

153 Testimony Fernandez, 07-07/08-2016.

154 *Id.*

155 Testimony Uribe, 07-06-2016.

156 *Id.*

157 Testimony Witness A.

158 *Id.*

159 Testimony, Vasquez Jr., 04-16-2013.



being extradited to the United States, and testified that officials from Interpol even drove him around to attempt to collect this money.<sup>160</sup> According to his testimony, multiple parties, including Daniel Menera, Millan Vasquez, Neto (a Mexican prosecutor), the AFI, and Interpol met up to attempt to negotiate Rodriguez's release for 3 million pesos. In the end, Daniel Menera gave the order to "let it go and let [the police] take" Rodriguez.<sup>161</sup> In other words, the Zetas were unable to get the criminal charges against Rodriguez dropped as the FBI and international law enforcement agents were on his case as well.

However, before Rodriguez was officially taken into custody by the AFI he was allowed to call all of his drug contacts to ask that they hand over their unpaid accounts to Millan Vasquez.<sup>162</sup> In other words, local and federal authorities allowed Rodriguez to finish his drug dealings with the Zetas before being sent to prison. Mexican officials did, however, manage to delay his extradition for two years by putting Rodriguez in "AFI custody," during which time he paid bribes to the police and Interpol of \$20,000 each, twice a year.<sup>163</sup> In addition to the payments, Rodriguez sent prostitutes, whiskey, and drugs to ensure the delay of his extradition.<sup>164</sup> He testified that it was very common for Zetas like Daniel Menera, "Chano" (Marciano Millan Vasquez) and Raul Parra to pay their way out of criminal charges.<sup>165</sup>

There were also Zeta operatives working within the District Attorney's office in Piedras Negras.<sup>166</sup> During his testimony, Campos stated that Emilio Villalobos-Alcala, a member of the Zetas and a drug trafficker, worked for the *Ministerio Publico*—the DA's office—in Piedras Negras.<sup>167</sup>

In addition, Moreno testified that after he and Cuellar fled to the U.S. and the retaliatory massacres in Allende and Piedras Negras began, family members of the disappeared victims tried to file criminal complaints against the Zetas, but the police refused to help and told them to leave town.<sup>168</sup>

"When 'Poncho' and I came here to the United States, they started to kill all these innocent people, the family members tried to go file complaints, and they were told there would be none and they had 24 hours to leave town."

Witnesses also spoke of how information received from the U.S. government as to the site of killings and other human rights abuses often went uninvestigated by Mexican authorities.<sup>169</sup>

160 Testimony Rodriguez, 07-12-2016.

161 *Id.*

162 *Id.*

163 *Id.*

164 *Id.*

165 *Id.* Daniel Menera was a one of the highest ranked people within the cartel, and was involved in coordinating kidnappings and drug deals.

166 Testimony Campos, 06-18-2014.

167 *Id.*

168 Testimony Moreno, 12-01-2015.

169 See Testimony Livingstone, 07-13-2016.

## D. INFLUENCE OVER STATE OFFICIALS

ADDITIONALLY, TESTIMONIES FROM the analyzed trials shed some light on the connections between state officials and the Zetas. These connections are mostly related to bribes from the Zetas to multiple politicians and other state actors in Coahuila. From the testimonies, it appears that the Zetas made payments or offered bribes to local officials to gain control of a city. Uribe witnessed and participated in several Zeta bribes during the period of 2006 –2011.<sup>170</sup> The Zetas also made payments to the Mayor of Piedras Negras and a local councilman to get building permits.<sup>171</sup>

The testimonies also speak to the involvement of the governors of Coahuila between 2005-2012.<sup>172</sup> Looking at the time range and the specific names mentioned by some of the witnesses, both Humberto and Ruben Moreira, the former and current governors of Coahuila, are associated with receiving some of these large sums of money.<sup>173</sup> Humberto Moreira was the governor of Coahuila from 2005 to 2011,<sup>174</sup> and he allegedly received multiple payments from Zeta members during this time. Uribe testified that money was delivered to Vicente Chaires, the personal secretary to Humberto Moreira, and Jesus Torres Charles, the Attorney General of Coahuila at the time, to bribe the governor.<sup>175</sup> Uribe personally went with Danny Menera, on behalf of the Zetas, to drop off two payments of \$2 million in cash, in exchange for total control over the entire state of Coahuila.<sup>176</sup>

“Mr. Leachman: Who was being paid off in connection with the state government?”

Uribe: “Well, it was done through Mr. Vicente Chaires, and Jesus Torres Charles. And what they did there in Saltillo, they paid off the Attorney General of the Justice Department and that was for protection and whatever agreement they had come to with Mr. Humberto Moreira, who at that time was the governor of Coahuila.”<sup>177</sup>

In 2011, Ruben Moreira, Humberto Moreira’s brother, became the new governor of Coahuila. According to Tavira, Ruben Moreira was working with the Zetas as well. Tavira described one instance where the Zetas delivered a payment to Ruben Moreira at a ranch belonging to another drug trafficker, Beto Casas,<sup>178</sup> in a Suburban filled with suitcases full of money.<sup>179</sup>

The alleged connections between the Zetas and state officials went beyond the state of Coahuila. Jose Guillermo Herrera Mendoza, a politician from the Mexican state of Veracruz, was mentioned

170 Testimony Uribe, 07-06-2016.

171 *Id.*

172 Testimony Uribe, 07-06-2016; Tavira, 07-14-2016.

173 *Id.*

174 In 2016, the government of Spain, on request of the U.S. government, arrested Humberto Moreira. He is suspected of money laundering in relation to the Zeta cartel. See “The Former Mexican Governor Is Arrested, but Not by His Own Country,” *The New York Times*, 01-21-2016.

175 Testimony Uribe, 07-06-2016.

176 *Id.*

177 *Id.*

178 In the transcript from Tavira’s testimony, there is a reference to a “Beto Canas,” but Rodriguez, another witness refers to him as “Beto Casas”

179 Testimony Tavira, 07-14-2016.

in connection with the kidnapping and extortion of Alfonso del Rayo, a real estate developer from Veracruz.<sup>180</sup> Herrera Mendoza was the Undersecretary of Tourism for the state of Veracruz during this conspiracy, beginning in December of 2010. In early December, del Rayo was kidnapped, held, and tortured by the Zetas for nine days. The Zetas demanded 50 million pesos for his release. However, del Rayo was released without paying this ransom after Herrera Mendoza interceded on his behalf before Carlos Nayan, a money launderer for the Zetas. After he was released, del Rayo was forced to buy a racehorse to repay Nayan's favor to Herrera Mendoza.<sup>181</sup>

Witnesses also named two governors from Veracruz during the trials. Uribe described a meeting with Lazcano, Cien, Daniel Mennera, and an accountant that was held at a house belonging to Javier Duarte, who served as governor of Veracruz from 2010 to 2016.<sup>182</sup> According to Uribe, Lazcano murdered the accountant after this meeting in the backyard of this house.<sup>183</sup>

On another occasion, Colorado-Cessa was given \$12 million dollars by Efraim Torres, a Zeta leader, to support the 2004 campaign of Fidel Herrera for Governor of Veracruz.<sup>184</sup> The intention of this "donation" was to curry favor with the governor, so that Colorado-Cessa's company, ADT Petroservicios, would receive PEMEX contracts and make large profits.<sup>185</sup> As the "Businesses and Properties" section makes clear, these contracts were another source of income for the Zetas and a part of their money laundering businesses. It was not uncommon for the Zetas to pay a certain percentage of the value of contracts as a bribe to the government to acquire the contracts. According to Hinojosa, an accountant for the Zetas, about 10-16 percent of each government contract was paid to government officials in bribes.<sup>186</sup>

Uribe explained that PEMEX contracts were not the only means by which the Zetas laundered money and made profits. Schools, coal mines, and the government allegedly participated directly in money laundering activities through a variety of ways.<sup>187</sup>

"Mr. Leachman: 'And some of those included government and mining and schools? Explain to the jury how those were some of the money laundering activities that the Zetas were involved in.'

Uribe: 'They would purchase machinery, machinery that would go into that. Over there, they make the purchase by – they have to bid. They have to compete in bids. It was already fixed that they would get it directly through Urbano Santos. And the carbon [coal], let's say, which is to make electricity, that would be sold directly to a government business or enterprise.'"<sup>188</sup>

Uribe testified that the Zetas also sold coal directly to Mexico's Federal Electricity Commission (CFE for its initials in Spanish)—the state-owned electricity company—and were guaranteed these

180 Testimony *del Rayo*, 12-09-2015.

181 *Id.*

182 Testimony *Uribe*, 07-06-2016.

183 *Id.*

184 Testimony *Hinojosa*, 12-01/02-2015.

185 Testimony *Hinojosa*, 04-18-2013.

186 Testimony *Hinojosa*, 12-01/02-2015.

187 Testimony *Uribe*, 07-06-2016.

188 *Id.*

contracts because of the close relationship with state officials.<sup>189</sup> Furthermore, according to Uribe’s testimony, the Mexican Secretariat of Finance and Public Credit helped the Zetas manufacture debt so that they would not have to pay as many taxes on their income.<sup>190</sup>

Hinojosa declared that in the state of Tamaulipas, government officials also received payments from the Zetas to prevent authorities from interfering in their activities. In 2000, Hinojosa worked at the Federal Prosecutor’s office in Miguel Aleman, Tamaulipas as a legal clerk. His office was involved in accepting bribes and cooperating with the Zetas.<sup>191</sup> In exchange for the bribes, the office allowed the Zetas to move their drugs freely throughout the border area, which was under the jurisdiction of the Federal Prosecutor. They also allowed the drug dealers to operate freely in the area of Miguel Aleman.<sup>192</sup>

“It was about mid-2001, that they [Zeta members] gathered up all of us that worked in security agencies, government employees that had to do anything with security of law enforcement, and they kind of read the rules to us. They established the rules to be followed and that we were not to interfere with or bother any of the trafficking or anybody else that they told us we were not to bother, but that they were to be allowed to work freely”<sup>193</sup>

189 *Id.*

190 Testimony *Uribe*, 07-06-2016.

191 Carlos Jose Hinojosa worked at the Prosecutor’s office in Miguel Aleman from 2000-2002. Although he doesn’t mention specific names, aside from *Raymond Guerra* (a corrupt sheriff at the prosecutor’s office), he describes that collusion with the Zetas within different departments was a normal course of events. This could indicate that more people working at the prosecutor’s office within this time period collaborated with the Zetas. Testimony *Hinojosa*, 04-18-2013; *Hinojosa*, 12-01/02-2015.

192 Testimony *Hinojosa*, 04-18-2013.

193 *Id.*

# Testimonies On Human Rights Abuses<sup>194</sup>

THE FOLLOWING SECTION IS A COMPILATION OF HUMAN RIGHTS ABUSES GATHERED from the witness testimonies, including killings, kidnappings and disappearances, death threats, and forced recruitment. The Zeta cartel had many reasons for committing human rights abuses, but almost all these reasons sprung from their need to maintain control over their territory, the trafficking of various illegal goods, cartel members, and their network of workers.

The Zetas would kill whomever they suspected of betrayal, or would kill if they received information of a possible double-crossing by a member or local resident. Many times, this information was incorrect. From the testimonies, it is difficult to understand the degree to which victims were linked to the cartel. However, witnesses often described how the Zetas killed completely innocent people who had no connection to the cartel or drug trafficking—especially in relation to the Allende and Piedras Negras Massacres. Furthermore, Zetas also killed state officials and law enforcement officials if they stood in the cartel’s way. Overall, the testimonies suggest that if the Zetas thought that someone was negatively impacting them in some way, they would eliminate them and anyone who was connected to them—however tenuous that connection.

## A. KILLINGS

### The Allende Massacre

THE MOST WELL-KNOWN and grave of all the killings in the state of Coahuila is what is now commonly referred to as the “Allende Massacre.” The Allende Massacre is the mass killings and disappearances committed by the Zeta cartel in the area surrounding the city of Allende in the spring of 2011—specifically in the months of March and April 2011.<sup>195</sup> This massacre was not an isolated incident. It was part of a pattern of mass killings and kidnappings committed in retaliation for top cartel members fleeing to the U.S. to cooperate as witnesses in the federal trials referenced in this report.<sup>196</sup> The Zeta cartel members who fled and are most frequently named as the reason for the retaliation are Hector Moreno, Mario Alfonso Cuellar, and Jose Luis Gaytan Garza.<sup>197</sup> Jose Luis Vasquez Jr. was another cartel member who began cooperating with the U.S. authorities along with Moreno, Cuellar, and Gaytan Garza.<sup>198</sup> At the time that Cuellar fled, he also owed at

194 The jury found Millan Vasquez guilty of the deaths of a number of victims. For a list of victims listed in the jury verdict for this case see Appendix A.

195 Testimony *Rodriguez*, 07-12-2016.

196 *Id.*

197 *Id.*

198 Testimony *Vasquez Jr.*, 04-16-2013.

least \$10 million to Omar Treviño Morales.<sup>199</sup> Over 300 people with alleged ties to those that fled to the U.S. were rounded up and were killed or disappeared during these two months.<sup>200</sup> These killings and disappearances took place in Allende and in several other rural towns including Cinco Manantiales, as well as in Ciudad Acuña, across the border from Del Rio, Texas.

Mario Alfonso “Poncho” Cuellar, a Zetas *comandante*, testified that when he fled to the U.S., he told all of the people who had been working for him that he was leaving.<sup>201</sup> He suggested that they flee to the U.S. as well.<sup>202</sup> Hector Moreno testified that in March of 2011 he fled to the U.S. with “Poncho,” who was his cartel boss. Soon after, he heard that the Zetas retaliated by killing large groups of people. One witness described the situation:

“Lots of deaths. (Zetas) even started killing families in Allende, and Piedras Negras, and Musquiz and Sabinas. They also wanted to kill me.”

“When ‘Poncho’ and I came here to the United States, they started killing all these innocent people, the family members tried to go file complaints, and they were told there would be none and they had 24 hours to leave town.”<sup>203</sup>

### The Piedras Negras Massacre

THE SECOND MAJOR massacre by the Zetas in the state of Coahuila is referred to as the Piedras Negras Massacre. In March of 2011, around the same time as the Allende Massacre, the Zetas forced 40 people to their knees and shot them dead in the city of Piedras Negras.<sup>204</sup> The reasoning behind this massacre is said to be the same as the reasoning behind the Allende Massacre: retaliation for the cooperation of Zeta members with U.S. officials. The Zetas were not only angered by the humiliation caused by these betrayals, but were also panicked at the fact that these ex-Zetas would reveal information about their overall operation as witnesses in federal investigations in the U.S. The massacres were also intended to sow fear and terror in order to prevent others from double-crossing the Zetas in the future.

When “Poncho” Cuellar fled to the United States, Z-40 and Z-42—the Treviño brothers—and their sicarios took revenge by massacring everyone affiliated with Cuellar.<sup>205</sup> Rodriguez, a drug trafficker, was present when the news of Cuellar’s departure reached the Zetas leadership.<sup>206</sup> Rodriguez testified that Z-40 gave the order to identify all those associated with Poncho Cuellar as well as his property interests in Piedras Negras.<sup>207</sup>

199 Testimony Rodriguez, 07-13-2016.

200 Testimony Rodriguez, 07-12-2016; Moreno, 12-01-2015.

201 Testimony Cuellar, 04-16-2013.

202 *Id.*

203 Testimony Moreno, 12-01-2015.

204 Testimony Tavira, 07-14-2016; Rodriguez, 07-12-2016.

205 Testimony Rodriguez, 07-12-2016.

206 *Id.*

207 *Id.*

“Rodriguez: ‘To go ahead and pick up everybody and everything that smelled to Poncho Cuellar; everything that smelled, you know, everything that had his surroundings.’

Mr. Leachman: ‘Okay. Anything that had anything to do with it?’

Rodriguez: ‘Yes, sir’.”<sup>208</sup>

According to Rodriguez, this death order included men, women, children, or elderly people who were in any way affiliated with Poncho Cuellar, including those who were not involved in drug trafficking.<sup>209</sup> The people identified as “smelling of Poncho Cuellar” were then picked up by sicarios and taken to a central location where they were killed.<sup>210</sup>

Adolfo Efren Tavira Alvarado was the only survivor of the Piedras Negras Massacre. Tavira was affiliated with Cuellar because he had moved drugs for him before he fled to the U.S. In March 2011, armed cartel members kidnapped Tavira from his home in Piedras Negras and brought him to Z-40 and Z-42 and their sicarios in handcuffs. Tavira testified that the same men had kidnapped Victor Cruz (a friend of Cuellar’s), Cruz’s wife and children, and more than 30 other people—all of whom were kneeling near them.<sup>211</sup> According to Tavira, the Zetas questioned Cruz’s wife about Cuellar’s business affiliates. Shortly after, Z-40, Z-42 and the other armed men present began killing all those who were handcuffed and on their knees and threw their bodies into three or four pickup trucks.<sup>212</sup>

“Suddenly, you started hearing shots. I was there in the car, and the shots, they finished, and I saw that they started moving the people that they had tied up, and they were killing them in cold blood. And, their bodies, they would grab them and throw them into some pickup trucks....”<sup>213</sup>

In his testimony, Tavira said Zeta members later confirmed that they had killed the Cruz family, the son of a man named Sanchez Garza, the father, brother, and friend of a man named Rafita, some workers from Cuellar’s ranch, and a teacher from a school in Allende and her husband who were friends with Cuellar.<sup>214</sup> A man by the name of Toño Gonzalez and his 80 year-old father were also killed.<sup>215</sup> The massacre occurred in the western part of Piedras Negras. Only Tavira was spared, because he had begun moving drugs for other Zetas besides Cuellar and because Daniel Menera, the Piedras Negras Comandante, vouched for him.<sup>216</sup>

208 *Id.*

209 *Id.*

210 *Id.*

211 Testimony *Tavira*, 07-14-2016.

212 *Id.*

213 *Id.*

214 *Id.*

215 Testimony *Rodriguez*, 07-12-2016.

216 Testimony *Tavira*, 07-14-2016.



### Killings by hacking and “cooking”

BESIDES THE TWO massacres described in the previous section, witnesses described dozens of murders perpetrated by the Zetas cartel by hacking people to death and “cooking” their remains.<sup>217</sup> Witnesses described two methods of “cooking” remains employed by the Zetas. One method involved fires inside barrels. Cartel members would kidnap people, cut their limbs off, and continue hacking away at them until they died. They would then throw their dismembered bodies into fires lit inside barrels, where the bodies were burned.<sup>218</sup> A second method described by witnesses involved using vats of acid to make bodies disappear.<sup>219</sup> Both practices were referred to as “cooking” by people working with the Zetas.

For instance, in early 2013, the Zetas held Jorge de Leon responsible for a lost load of marijuana. When he was unable to pay the cost of the load, de Leon was kidnapped and held in Piedras Negras against his will for thirteen days. While he was kidnapped, the Zetas forced de Leon to watch a number of atrocious acts of murder, which he detailed in his testimony.<sup>220</sup> He first described two separate incidents that occurred in a pink house in Piedras Negras. In the first incident, Millan Vasquez, “Chano,” ordered the death of an unnamed man who was hacked to death and whose remains were then burned inside a barrel.

“They had a person there who was blindfolded and handcuffed. They had a steel drum that had a lit fire in it. They cut him up alive. “Chano” gave the order for them to cut him [with] an axe. First the knee, then this part here, then an arm, and then the other side likewise; the knee, the same, the arm. And at the end, they beheaded him. They threw them into the tank to burn [the remains].”<sup>221</sup>

In the second incident, two men and a woman were also hacked to death and disposed of in the same way.

“Again, they got me off the car. They made me kneel. They took the blindfold off of me and they cut up those three people. They began to cut them up....they would always cut them from the knee and then here and then the arm. All of them, the majority of them, they cut them the same way.”<sup>222</sup>

De Leon witnessed a similar killing of another unnamed man at The Centinela near the prison.

“They took the blindfold [off me] and they already had a person down, laying down there. They

217 Testimony de Leon, 07-13-2016; Rodriguez, 07-12-2016.

218 Testimony de Leon, 07-13-2016.

219 Testimony Rodriguez, 07-12-2016.

220 Testimony de Leon, 07-13-2016.

221 *Id.*

222 *Id.*

cut him up and they burned him also.”<sup>223</sup>

After those incidents, de Leon described how he was forced to witness the murder of a family in their home in Piedras Negras by “Chano,” “Enano,” and other sicarios.<sup>224</sup> The family consisted of a father, a mother, and a girl who appeared to be about 6-years-old. Millan Vasquez, “Chano,” began with the little girl. The parts of her body that “Chano” chopped off first were thrown into a fire lit in a barrel.

“He [“Chano”] began taking the axe and he cut a knee and an arm off of her. She would cry. She would scream. He would laugh. He would say to her father...he could see so that he would remember. They would grab him [the father] by the hair so that he would see, so that he would look.”<sup>225</sup>

The mother and father were crying. The father was not allowed to look away. The mother was then cut up and burned by the sicarios, while “Chano” and “Enano” forced the father to keep looking. The father was killed in the same way. De Leon said he could smell the bodies burning in the fire.<sup>226</sup> Saul Fernandez confirmed this incident.<sup>227</sup>

When de Leon was detained by Border Patrol in 2013, he spoke to the agents that detained him about the killings he witnessed and provided the locations for where they took place.<sup>228</sup> Anthony Livingstone, an agent with Homeland Security Investigations who interviewed de Leon at that time, testified that he shared that information with the Mexican government. However, no further investigations were undertaken by Mexican law enforcement.<sup>229</sup>

“The only response we got was, some of the places couldn’t be located. And some of the places that they could locate, the police was not willing to go in that area”<sup>230</sup>

Rodriguez testified that the Zetas killed Severino Abascal, a drug trafficker for the Zetas, Vaneli Luna, Abascal’s girlfriend, and Cesar Sanchez because the Zetas believed Abascal and Sanchez were cooperating with authorities in the United States.<sup>231</sup> Rodriguez further testified that Menera, the Piedras Negras Comandante, told him this shortly after he had finished “cooking” them. Uribe said a man named Tommy Aleman was killed outside the Attorney General’s Office because he

<sup>223</sup> *Id.*

<sup>224</sup> *Id.*

<sup>225</sup> *Id.*

<sup>226</sup> Testimony *de Leon*, 07-13-2016.

<sup>227</sup> Testimony *Fernandez*, 07-07/08-2016.

<sup>228</sup> Testimony *Livingstone*, 07-13-2016.

<sup>229</sup> *Id.*

<sup>230</sup> *Id.*

<sup>231</sup> Testimony *Rodriguez*, 07-12-2016.

was talking with a member of the Sinaloa cartel.<sup>232</sup> Aleman’s debt was passed on to his brother, who was known as “Chi Chi.” When he was not able to pay, the Zetas also killed “Chi Chi” and disappeared his remains in a barrel of acid.<sup>233</sup>

According to Diaz, Millan Vasquez often disposed of bodies by burning them:

“Mr. Galdo: ‘Did Chano say anything else about cutting bodies up and burning them?’

Diaz: ‘Well, yes. He cut them up and he burned them.’

Mr. Galdo: ‘Did he talk about doing that to anybody else besides Rodolfo?’

Diaz: Yes. Other people.”<sup>234</sup>

### Killings of officials

ACCORDING TO TESTIMONIES, the Zetas regularly killed members of the military and police. Some of the witnesses had knowledge of these types of killings but none knew the actual names of the victims. For example, de Leon described the shooting of three military officials near a small river outside Piedras Negras while “Chano,” “Enano,” Z-40, and Z-42 were present.<sup>235</sup> Aguilar testified to an incident where the Zetas attacked two U.S. officials in San Luis Potosi, Mexico.<sup>236</sup> One was wounded and the other was killed as a result of their investigation into the Zetas’ operations.<sup>237</sup> Uribe described the murder of an uncooperative chief of police who had previously arrested a Zeta commander.<sup>238</sup> After this incident, marines regularly wore ski masks to cover their faces when arresting Zetas. Otherwise, Uribe testified, the Zetas would give the order for them to be killed.

“When I say ‘kill them,’ I am saying that they will dismember them. They will cut off their heads and then they will go after their entire families. And they would do the same to them regardless of whether they are children or adults.”<sup>239</sup>

### Other killings and disappearances

WITNESSES ALSO DESCRIBED the systematic killing of people perceived to be affiliated with rival cartels or law enforcement. For example, in his testimony, Uribe testified that the Zetas executed

<sup>232</sup> Testimony Uribe, 07-06-2016.

<sup>233</sup> *Id.*

<sup>234</sup> Testimony Diaz, 07-11-2016.

<sup>235</sup> Testimony de Leon, 07-13-2016.

<sup>236</sup> Testimony Aguilar, 04-29-2013.

<sup>237</sup> *Id.*

<sup>238</sup> Testimony Uribe, 07-06-2016.

<sup>239</sup> *Id.*

a man known as “El Chaparro” and his entire family for speaking with the Sinaloa Cartel, a rival drug trafficking cartel.<sup>240</sup> Another witness, Costilla, testified that he was present during “seven to ten” executions of about ten people each.<sup>241</sup> This amounts to a total of about 70-80 murders. Before execution, the Zetas would interrogate the people they had kidnapped and believed were members of rival cartels. They would then have them kneel on the ground and would shoot them, regardless of their answers.<sup>242</sup> “El Enano” fired the fatal bullet in every one of these incidents.

During this testimony, de Leon went on to describe two additional incidents in which alleged rival cartel members were killed. In the first, four boys “who sold newspapers at traffic lights” were picked up and taken to a junkyard to be hacked to death and burned on “Chano’s” orders.<sup>243</sup> In the second, two additional newspaper boys were killed in the same manner, as the Zetas thought that the boys were working for a different cartel.<sup>244</sup>

The Zetas also killed people who they perceived to be cooperating with law enforcement. For example, “El Enano” ordered the killings of his and Chore’s girlfriends because the women started dating members of los GATEs and the “federales.”<sup>245</sup> The Zetas also killed Costilla’s brother after they found out that he was being interviewed by U.S. law enforcement officials.<sup>246</sup> Additionally, the cartel ordered the killing of Alejandro Morales-Betancourt and his family as retaliation after he began cooperating with Mexican authorities. Aguilar was ordered to kill Morales-Betancourt’s wife but did not end up following these orders.<sup>247</sup> The family was then killed by another cartel member.

Another time, the Zetas convened a meeting of all of the people involved in drug trafficking in Piedras Negras and executed a man named Joaquin.<sup>248</sup> Comandante Cien, the Zetas plaza boss at the time, stated that Joaquin had been collaborating with the DEA and that is why he was being killed.<sup>249</sup>

“And the commander said that he was going to kill him so that people would know, because he was working for the DEA, so that people would become aware that nobody could betray them.”<sup>250</sup>

In a similar case, Uribe testified that Severino Abascal was allegedly killed because he had been suspected of being a DEA informant.<sup>251</sup> The Zetas also killed Ramiro Villarreal by order of Miguel Morales-Treviño, because of the perceived threat that Villarreal might have been captured by the authorities and shared information about the horseracing scheme that would expose the entire operation.<sup>252</sup> Special Agent Rene Amarillas said Villarreal’s death was staged.<sup>253</sup> The Zetas

240 *Id.*

241 Testimony *Costilla*, 07-08-2016.

242 *Id.*

243 Testimony *de Leon*, 07-13-2016.

244 *Id.*

245 *Id.*

246 *Id.*

247 *Id.*

248 Testimony *Diaz*, 07-11-2016.

249 *Id.*

250 *Id.*

251 Testimony *Uribe*, 07-06-2016.

252 Testimony *Aguilar*, 04-29-2013.

253 Testimony *Amarillas*, 12-07-2015.

lit Villarreal’s car on fire and pushed it over an embankment.

In another instance, Efren Aguilar Diaz described a conversation he had with “Chano” about the death of a drug trafficker turned DEA informant. According to Diaz, Chano told him that he had discovered that this person was a DEA informant so he tortured and killed this person with a bullet to the head and proceeded to cut his body up and burn it.<sup>254</sup> Diaz also testified to the killing and disappearance of his cousin, Martin Mondragon, and his entire family because the Zetas believed that Mondragon was sending weapons to La Familia Michoacana, a rival cartel.<sup>255</sup>

Witnesses also testified to the practice of killing people who did not cooperate with the Zetas. For example, Aguilar stated that the Zetas murdered Alejandro Barradas for refusing to participate in the operations.<sup>256</sup> Aguilar also testified to the Zeta’s common practice of ordering the kidnapping, torture, and killing of people who did not pay taxes to the cartel when transporting drugs through their territories.<sup>257</sup>

Other witnesses spoke about people who were killed over financial matters. For example, Uribe described a situation in which he was audited by Lazcano and Cien, and then accused him of stealing money from the Black City Mall construction project.<sup>258</sup> However, the accountant that audited him made a mistake, which is why it appeared that he had stolen money. After this was cleared up, Lazcano killed the accountant just outside of the house where the meeting with Uribe had taken place.<sup>259</sup> In another instance, Uribe’s brothers (Miguel and Mauricio Uribe) and Francisco Villarreal, who ran a money exchange and often held money and drugs for the Zetas, were killed because they owed \$800,000 to one of the Treviño Morales brothers.<sup>260</sup>

## B. KIDNAPPINGS & DISAPPEARANCES

IN THE TRIALS there are testimonies indicating that the Zetas also kidnapped and disappeared hundreds of people without any information on the fate or whereabouts of those persons. The Zetas kidnapped cartel members and their family members if a shipment of drugs, firearms, or money was lost, stolen, or discovered by authorities.<sup>261</sup> The members responsible—who often were completely innocent people—were considered to be indebted to the cartel. If the goods or money were not replaced quickly, the Zetas would kill them and disappear their bodies.

For example, the Zetas disappeared Raul and Alejandro Parra, narcotics traffickers for the Piedras Negras plaza boss around 2006-2011, for not paying some of their debts to the cartel.<sup>262</sup> De Leon, a Zetas drug trafficker turned informant, was first kidnapped with a group of other individuals and was forced to work for the Zetas.<sup>263</sup> The Zetas kidnapped de Leon a second time,

<sup>254</sup> Testimony *Diaz*, 07-11-2016.

<sup>255</sup> *Id.*

<sup>256</sup> Testimony *Aguilar*, 04-29-2013.

<sup>257</sup> *Id.*

<sup>258</sup> Testimony *Uribe*, 07-06-2016.

<sup>259</sup> *Id.*

<sup>260</sup> Testimony *Rodriguez*, 07-13-2016.

<sup>261</sup> Testimony *Fernandez*, 07-07/08-2016.

<sup>262</sup> Testimony *Uribe*, 07-06-2016.

<sup>263</sup> Testimony *de Leon*, 07-13-2016.

when they held him responsible for a lost load of marijuana.<sup>264</sup> When he was unable to pay the cost of the load, de Leon was held in Piedras Negras against his will for thirteen days. He was kidnapped with two other drug dealers, Caldaria and Andrade.<sup>265</sup>

In another instance, Tavira was kidnapped but not killed as part of a round up that preceded the Piedras Negras Massacre. Rodriguez, the former Zetas drug trafficker, testified that the cartel held him financially responsible for close to \$2 million worth of lost cocaine. Rodriguez gave up Leroy Uresti's information so the Zetas could try to extort the money from him instead of Rodriguez.<sup>266</sup> Uresti was kidnapped from Eagle Pass, Texas, taken across the border to Piedras Negras, and held for ransom.<sup>267</sup> Uresti made a deal with the Zetas, promising to raise the money while his father was held as collateral. His father was held by the Zetas for a couple of weeks before escaping to the U.S. after his guards got drunk and fell asleep.<sup>268</sup>

One kidnapping involved Alfonso J. del Rayo, a real estate developer from Veracruz, Mexico.<sup>269</sup> Del Rayo was kidnapped and held captive for 9 days for a 50 million pesos ransom. He was kept in a safe house and tortured the entire time. The Zetas broke two of his fingers after beating him with the butts of their rifles. Del Rayo was eventually released after Carlos Nayan negotiated his release, but was required to purchase a horse in Oklahoma as repayment.<sup>270</sup>

Another case of disappearance involved Martin Mondragon and his entire family, who were disappeared in Piedras Negras in 2010 for allegedly working with La Familia Michoacana, a rival cartel.<sup>271</sup> Mondragon had worked as a drug trafficker since at least 2001 and he was also a close associate of Millan Vasquez.<sup>272</sup> According to Mondragon's cousin, Efren Aguilar Diaz, Mondragon, his parents, and his wife were disappeared in 2010 and have not been heard of since.<sup>273</sup> Mondragon's parents and wife were not involved in drug trafficking.<sup>274</sup>

Witnesses also testified to the 2010 disappearance of a drug trafficker that worked with the Zetas. His disappearance occurred after Millan Vasquez discovered that he was collaborating with the DEA.<sup>275</sup> This man was summoned to speak to Millan Vasquez after a shipment of drugs was seized by U.S. authorities and was never heard from again.<sup>276</sup> His wife was threatened after she began to look for him. According to her, an individual visited her at her home and told her not to look for her husband anymore, otherwise she and her entire family would also be disappeared.<sup>277</sup> Diaz testified that Millan Vasquez told him he had murdered this person after torturing him into confessing his collaboration with the DEA.<sup>278</sup> Millan Vasquez then allegedly cut up and burned the

<sup>264</sup> *Id.*

<sup>265</sup> *Id.*

<sup>266</sup> Testimony Rodriguez, 07-12-2016.

<sup>267</sup> *Id.*

<sup>268</sup> *Id.*

<sup>269</sup> Testimony del Rayo, 12-09-2016.

<sup>270</sup> Testimony Nayan, 12-04-2015.

<sup>271</sup> Testimony Diaz, 07-11-2016.

<sup>272</sup> *Id.*

<sup>273</sup> *Id.*

<sup>274</sup> *Id.*

<sup>275</sup> Testimony Witness B.

<sup>276</sup> *Id.*

<sup>277</sup> Testimony Witness B.

<sup>278</sup> Testimony Diaz, 07-11-2016.

body of this person.<sup>279</sup> However, this person continues to be disappeared, as there has not been a full investigation into these allegations or his whereabouts.

In a similar case, various witnesses testified about the disappearance of Severino Abascal, Vaneli Luna, and Cesar Sanchez in September 2011.<sup>280</sup> According to witnesses, Abascal was suspected of being a DEA informant and had recently lost a shipment of weapons.<sup>281</sup> Sanchez was a good friend of Abascal's and was allegedly romantically involved with Cien's wife.<sup>282</sup> Vaneli Luna was Abascal's girlfriend and worked at one of Uribe's establishments at the Black City Mall.<sup>283</sup> Rodriguez was present when Menera, Cien, and Millan Vasquez discussed the need to kill Abascal.<sup>284</sup> Later, Rodriguez inquired about the whereabouts of Abascal, Luna, and Sanchez on behalf of Abascal's father. Rodriguez testified that Menera told him that he had just killed Abascal, Luna, and Sanchez and “cooked” their bodies.<sup>285</sup> No one has heard from Abascal, Luna, or Sanchez since then.<sup>286</sup> There has not been a full investigation into these allegations or the whereabouts of Abascal, Luna, or Sanchez, so they continue to be considered as disappeared.

There are several other kidnappings and disappearances mentioned in the testimonies, without many additional details. For example, Jaff testified to knowing about the kidnapping of a customs broker but did not give additional details.<sup>287</sup> Fernando Garcia-Solis mentioned in his testimony that the Zetas were involved in human trafficking but gave no specific information.<sup>288</sup> Garcia mentioned that he knew the Zetas had kidnapped Gerardo Ochoa.<sup>289</sup> Jose Carlos Hinojosa explained that initially, he was not completely honest in his cooperation with the U.S. authorities, because his brother, uncle, and some of his employees had been kidnapped by the Zetas.<sup>290</sup> He himself had also been threatened with kidnapping. In another instance, a witness who was part of the Zeta's drug trafficking operation in Texas described a call she received from Chano after a shipment of marijuana was confiscated by law enforcement from her home in Texas. She stated that Chano told her that he had kidnapped the two people who had dropped off the shipment at her house and that she heard sounds of them being beaten up and pleading for their lives.<sup>291</sup> Drug trafficker Jose Luis Vasquez Sr. was kidnapped in Acuña, Coahuila, in retaliation for his son's cooperation with law enforcement authorities in the U.S.<sup>292</sup>

“Well, I went to work. I usually go open the bar about 6:00 in the evening, and I went to work. It was a Saturday and they picked me up about 11:00 at night, took me out there and called me

279 *Id.*

280 Testimony Rodriguez, 07-12/13-2016; Uribe, 07-6-2016.

281 Testimony Uribe, 07-6-2016; Rodriguez, 07-13-2016.

282 Testimony Uribe, 07-6-2016.

283 *Id.*

284 Testimony Rodriguez, 07-13-2016.

285 Testimony Rodriguez, 07-12-2016.

286 Testimony Rodriguez, 07-12-2016; Uribe, 07-6-2016.

287 Testimony Jaff, 12-08-2015.

288 Testimony Garcia, 12-05-2015.

289 *Id.*

290 Testimony Hinojosa, 04-18-2013.

291 Testimony Witness C.

292 Testimony Vasquez Sr., 11-30-2015.



outside the bar and put something over my head where I couldn't see, and threw me in the truck and kept me for 11 days. I was beaten every day when I was there.”<sup>293</sup>

The following paragraphs provide a couple of examples of kidnappings perpetrated against women. Gustavo Rodriguez-Costilla, a Zeta *sicario*, was ordered to kidnap Witness A and bring her to a place where approximately 50 Zetas were waiting in November 2012.<sup>294</sup> When they arrived at a cemetery, Witness A was pulled out of the truck and the Zetas immediately began to beat her up while demanding that she pay off her debt.<sup>295</sup> One of the Zetas leaders present was a Zeta commander from another plaza.<sup>296</sup> Witness A was held responsible for a lost shipment that had belonged to this Zeta commander and still owed \$14,000 when she was kidnapped.<sup>297</sup> After she was brutally beat up, Costilla was ordered to keep her in the truck until the money was paid off to cover the lost drugs.<sup>298</sup> Witness A was held all night and part of the day until she was summoned to a meeting with a number of Zeta leaders.<sup>299</sup> At this meeting, Costilla stated that Witness A was his wife (which was not true; he said it to free her), and she was subsequently released.<sup>300</sup>

In another instance, Saul Fernandez witnessed the kidnapping of a girl who was going out with members of the GATEs.<sup>301</sup> “Chano,” “El Enano,” and other sicarios tied this girl up on top of a Tundra with a hood on her face and threw rocks at her.<sup>302</sup>

### C. DEATH THREATS

ACCORDING TO THE testimonies, it was common practice for the Zetas to consistently threaten their own members, elected officials, the police, military, and civilians into submitting to their demands. Nearly every witness testified to receiving death threats at least once while working for the Zetas. The Zetas threatened to kill de Leon's family when they accused him of losing a load of marijuana.<sup>303</sup> Costilla testified that the Zetas threatened to kill his entire family in Mexico, because the U.S. was negotiating a plea bargain with him.<sup>304</sup> After Mario Alfonso Cuellar began cooperating with the DEA and ICE, he fled to the U.S. to turn himself in to authorities to escape similar death threats from the Zetas.

Vasquez Sr. testified that his son's life was threatened by the Zetas, so he got involved in the cartel operations to save Vasquez Jr.'s life.<sup>305</sup> Del Rayo was threatened several times after he was released

<sup>293</sup> *Id.*

<sup>294</sup> Testimony Costilla, 07-08-2016; Witness A.

<sup>295</sup> Testimony Witness A.

<sup>296</sup> *Id.*

<sup>297</sup> *Id.*

<sup>298</sup> *Id.*

<sup>299</sup> Testimony Witness A.

<sup>300</sup> *Id.*

<sup>301</sup> Testimony Fernandez, 07-07/08-2016.

<sup>302</sup> *Id.*

<sup>303</sup> Testimony de Leon, 07-13-2016.

<sup>304</sup> Testimony Costilla, 07-08-2016.

<sup>305</sup> Testimony Vasquez Sr., 04-17-2013/11-30-2015.

from his kidnapping by the Zetas.<sup>306</sup> He was forced to buy a horse for the cartel in Oklahoma. Two months after that, he was forced to give the cartel 10 million more pesos. The Zetas threatened to kill Nayan’s (the money launderer) family if he did not train horses for them.<sup>307</sup> When Rodriguez, the drug trafficker, was arrested and detained to be extradited, Daniel Menera threatened to kill his family if he cooperated with U.S. authorities. The local police were present and did not say anything.<sup>308</sup>

Campos, a former municipal police officer, spoke about the use of fear and death threats—in addition to bribes—when he explained why he collaborated with the Zetas while serving as a law enforcement official.<sup>309</sup> In another instance, the wife of a drug trafficker that was disappeared by Millan Vasquez stated that she had received a death threat after she began to look for her husband.<sup>310</sup> Witness A also testified that she was forced to work for the Zetas after receiving death threats and, in fact, was kidnapped, beaten, and threatened again because she had not paid off a debt quickly enough.<sup>311</sup>

It is also clear from the testimonies that witnesses were being threatened even when members of the Zetas were already in custody in the United States. One of the prosecutors in the case against Millan Velasquez highlighted the intimidation of witnesses during a bench conference with the judge.

“I just want to make you aware of some security issues that are coming up. We have -- I don’t know if there is anything we can do about it, so I want to start with that, but every day, every name is coming out in the paper and people, some of the witnesses are having armed vehicles that are showing up to their homes [in Mexico].”<sup>312</sup>

In another instance, the prosecutor stated that de Leon’s brother had been killed by municipal police in Ciudad Acuña and that de Leon believed that this was in relation to his testifying at the trial against Millan Vasquez.<sup>313</sup> While testifying, de Leon spoke about the fear associated with testifying against a Zeta:

“Mr. Galdo: ‘Earlier when I asked you if Chano was in the courtroom, why did you take so long to point him out? Did you have trouble recognizing him?’

De Leon: ‘I am afraid for my family.’”<sup>314</sup>

306 Testimony *del Rayo*, 12-09-2016..

307 Testimony *Nayan*, 12-04/05-2015.

308 Testimony *Rodriguez*, 07-12-2016.

309 Testimony *Campos*, 06-18-2014.

310 Testimony *Witness B*.

311 Testimony *Witness A*.

312 *U.S. vs. Marciano Millan Vasquez*, 07-08-2016.

313 Testimony *de Leon*, 07-13-2016.

314 *Id.*

## D. FORCED RECRUITMENT AND RECRUITMENT OF MINORS

THE ZETAS FREQUENTLY used many tactics to forcefully recruit new cartel members. These tactics included some of the abuses that have already been discussed in this report, such as death threats, kidnappings, and killings of family members.

One example of forceful recruitment occurred when the Zetas took control over the Piedras Negras Prison. In September of 2012, the Zetas orchestrated a mass breakout from the prison as a means of recruiting prisoners to help them secure the Piedras Negras plaza from a rival cartel.<sup>315</sup> However, it was not a true breakout, since Mexican authorities posed no resistance to the Zetas removing over 130 prisoners.<sup>316</sup> In fact, the Zetas took several buses to pick up these prisoners and drove them out through the main entrance.<sup>317</sup> According to witnesses, some of the incarcerated people were there on organized crime charges.<sup>318</sup> As has been documented earlier in this report, the Zetas had complete control of the prison and oftentimes would hide out from the army or the marines at the prison.<sup>319</sup> However, there were also individuals at the prison who did not work for the Zetas before the breakout.<sup>320</sup> These ex-prisoners were subsequently forced to patrol and secure Zeta plazas.<sup>321</sup>

Costilla was forced to work as a sicario for the cartel after the Piedras Negras prison break out. He was serving time in the Piedras Negras prison for arms dealing when armed Zeta members took him and about 130 other prisoners out of the prison through a tunnel which led from inside the prison to an empty lot.<sup>322</sup> Once outside, the prisoners were informed that they were going to work for the Zetas. After his training, Costilla was assigned to a truck, given weapons, and told to start protecting the plaza and the Zetas' drugs. His duties included guarding the Zeta leaders, acting as a lookout, engaging in fights with the military, and guarding victims who had been kidnapped by the cartel.<sup>323</sup>

In addition to forcefully recruiting from prisons, the Zetas would frequently announce that they were taking over whichever city plazas they wanted and would force locals to work for them.<sup>324</sup> This is how Tavira was forced to join the cartel. If people did not report to the Zetas at the plazas, they would be killed.<sup>325</sup> De Leon was also coerced into working for the Zetas by being kidnapped and threatened with violence.<sup>326</sup> He was forced to work directly under Antonio Caldaria in the role of personal assistant.

“The first time, they took me with a group of about seven people. They picked us up. They told

315 Testimony *Fernandez*, 07-07/08-2016..

316 Testimony *Costilla*, 07-08-2016.

317 Testimony *Fernandez*, 07-07/08-2016.

318 *Id.*

319 Testimony *Uribe*, 07-06-2016.

320 Testimony *Costilla*, 07-08-2016.

321 *Id.*

322 *Id.*

323 *Id.*

324 Testimony *Tavira*, 07-14-2016.

325 *Id.*

326 Testimony *de Leon*, 07-13-2016.

us that we had to work for someone or work with them, the Zetas. The first one that they asked, he said he didn't want to work and they said okay. That was fine. He turned around and they put a gunshot in him. And from there on, the rest of us accepted.”<sup>327</sup>

In separate testimony, Cuellar said that the Zetas would frequently show up in Piedras Negras to forcefully recruit new members. The cartel killed anyone who refused to work with them.

“In 2007, the Zetas showed up in Piedras Negras and they started picking up people to get them to work with them or they were murdered, and they started lining us up so we would work with them.” <sup>328</sup>

The Zetas also forced people to work for them by blackmailing them for debt repayment. Witness A was forced to work for the Zetas after she was held responsible for a lost drug shipment. According to her testimony, Witness A had not been involved in any aspect of this shipment. However, the father of her oldest child was involved and she had mentioned to a drug trafficker earlier that she knew the person who lost the shipment because they had attended the same elementary school.<sup>329</sup> After the drugs were lost, Witness A was summoned to the home of the drug trafficker who owned the shipment and was told that she owed him \$50,000.<sup>330</sup> After this, she began working under him to pay off this debt.<sup>331</sup>

### Recruitment of Minors

Several witnesses testified to the Zetas' practice of using minors in a number of different roles within the drug trafficking operations, such as drivers, mules, and scouts. For example, Saul Fernandez testified that he became involved in the sale of drugs for the Zetas in the U.S. when he was thirteen years old.<sup>332</sup> While Fernandez was still a minor, he also served as a scout—an individual that looked out for Border Patrol for the Zetas—to ensure that drugs would make it across the border.<sup>333</sup> As a minor, Fernandez was also responsible for recruiting over fifteen classmates from his high school in Eagle Pass, Texas to serve as drivers to transport drugs to the U.S.<sup>334</sup>

Witness A also testified to the recruitment of minors to transport drugs in both the U.S. and Mexico. One of the minors mentioned was Witness A's own daughter, who was made to transport drugs while pregnant as a fourteen year-old.<sup>335</sup> Furthermore, Witness A was responsible for

<sup>327</sup> *Id.*

<sup>328</sup> Testimony Cuellar, 04-16-2013.

<sup>329</sup> Testimony Witness A.

<sup>330</sup> *Id.*

<sup>331</sup> *Id.*

<sup>332</sup> Testimony Fernandez 07-07/08-2016.

<sup>333</sup> *Id.*

<sup>334</sup> *Id.*

<sup>335</sup> Testimony Witness A.

recruiting drivers to transport drugs across the border, some of whom were minors from the U.S.<sup>336</sup>

“Mr. Leachman: ‘And were there reasons why you chose to use minors or that the Zetas would use minors rather than adults?’

Witness A: ‘Yes. So they won’t get time, like a lot of time in jail, or they would just like get released right away.’”<sup>337</sup>

336 *Id.*

337 Testimony *Witness A*.

# Conclusion and Recommendations

## A. CONCLUSION

THE SAN ANTONIO, AUSTIN, AND DEL RIO CASES SHED LIGHT ON NEW INFORMATION and corroborated information that has already been documented regarding the Zetas' operations and human rights abuses perpetrated in Mexico. First-hand testimonies from ex-Zeta cartel members and victims provide a more comprehensive understanding of the dire situation in Coahuila and offer a glimpse into the Zeta structure, members, and nexus with state officials and institutions. The testimonies also highlight different degrees of State cooperation, tolerance, and acquiescence with Zeta human rights abuses. Dozens of names of cartel members, state officials, and law enforcement officials have been gathered. After reviewing the witness testimonies, the Clinic has determined two major findings: (1) the Zeta cartel committed numerous human rights abuses with impunity; and (2) public institutions and officials played a role, by actions or omissions, in the commission of these abuses, to varying degrees, depending on the situation, place, and time.

Firstly, the extensive human rights violations committed by the Zetas are demonstrated through testimonies from the three federal trials. This has also been extensively documented by human rights organizations and journalists in Mexico. The testimonies further prove that the Zetas perpetrated the Allende and Piedras Negras Massacres in the spring of 2011, in which hundreds of people were rounded up, killed, and their bodies disappeared.

The Zetas killed dozens of other people in Coahuila in various other ways. They commonly carry out executions by cutting and "cooking" the victim. Additionally, the Zetas kidnapped, disappeared, threatened, and forcefully recruited many Coahuila residents and residents from the surrounding states. The Zetas employed these tactics to maintain control, show force, to punish anyone who lost drugs or refused to collaborate with them, and to grow their numbers and their territory. Through these practices of terror and intimidation, the Zetas were able to maintain control over the population of Coahuila.

Secondly, the testimonies prove the existence of strong links between multiple state officials and institutions and the Zeta cartel. Testimonies reveal the widespread control over and collaboration with state officials, from local law enforcement, all the way up to the state governor. Many officials, including the former and current governors of Coahuila, accepted bribes to allow the cartel to operate with impunity. On occasion, officials helped the Zetas gain control of businesses and plazas, and provided them access and control over drug trafficking routes. Officials sometimes became directly involved in cartel operations, by handing over rival cartel members or by granting business contracts to Zeta enterprises. Additionally, through their passive inaction and direct involvement, state politicians and law enforcement officials allowed the Zetas to perpetrate human rights abuses throughout Coahuila as well as in various other Mexican states.

As is apparent from the three analyzed trials, the U.S. government has valuable information

regarding killings, disappearance, threats, and other violations perpetrated by the Zetas. Witness testimonies and the investigations carried out for these trials include key information, such as the locations where disappearances and murders took place. However, witnesses made clear that the Mexican state has not carried out investigations into these murders, even when the U.S. government directly shared vital information.

The analyzed trials also highlight the transnational nature of drug trafficking and the violence associated with this. Multiple witnesses spoke to the smuggling of high caliber weapons—such as AK-47s—from the U.S. to Mexico. Witness testimonies made clear that the violence and human rights abuses perpetrated in Coahuila were in the interest of furthering and continuing the trafficking of drugs into the United States. Additionally, the U.S. government may currently possess undisclosed information that could lead to the clarification of murders and disappearances perpetrated in Mexico. Thus, efforts to address human rights abuses committed by organized crime in Mexico must necessarily involve transnational solutions.

State officials have willfully refused to pursue justice despite having knowledge of countless human rights abuses carried out by members of the Zeta cartel. Both the Zetas and the state are responsible for the violence in Coahuila. At best, the state turned a blind eye to the widespread corruption and grave human rights abuses committed by the Zetas in Coahuila, and at worst, directly participated in the perpetration of these abuses.

## **B. RECOMMENDATIONS**

EFFORTS TO ADDRESS, prevent, investigate, and punish human rights abuses in Mexico, including killings and enforced disappearances, will require political will and strong support and involvement from the international community. Nevertheless, Mexico has the primary responsibility to prevent, investigate and punish human rights abuses committed by the Zetas. Widespread impunity and corruption make this duty extremely difficult; therefore, the international community, and the U.S. in particular, must take actions to assist in these efforts.

Based on our analysis of the three federal trials, the Human Rights Clinic recommends that the following actions be taken to address human rights abuses documented in this report:

### **Recommendations to the Government of Mexico**

- Mexico should fully implement the newly passed General Law on Enforced Disappearances and Disappearances Committed by Private Citizens by adequately funding efforts to investigate and punish human rights abuses and search for disappeared people.
- Mexico should also use findings from the three U.S. federal trials to investigate and prosecute human rights abuses perpetrated by the Zetas and the state officials that conspired to commit these abuses.
- Mexico should combat corruption at all levels as an indispensable step to break the strong links between the Zetas and authorities.



### Recommendations to the Government of the United States

- The U.S. must become directly involved to support and encourage Mexican authorities to investigate human rights abuses and corruption.
- The analyzed trials demonstrate that U.S. courts and prosecutors have the opportunity to bring to light multiple human rights abuses through federal investigations and trials. To redress the grievances of victims of these abuses, the Department of Justice should direct U.S. prosecutors to try more cases that highlight killings, disappearances, and other human rights abuses perpetrated by the cartel.
- U.S. law enforcement authorities should share valuable information that could lead to the clarification and resolution of many human rights cases in Mexico, including the fate and whereabouts of disappeared people, not only with Mexican authorities but also with the victims themselves, and with civil society organizations in Mexico and the U.S.
- The U.S. must also expand the human rights requirements for financial assistance to Mexico to include the search for victims of enforced disappearance and credible investigations of these crimes.
- The U.S. should incorporate these requirements within the human rights requirements of the Merida Initiative funding.
- The U.S. Congress and State Legislatures should adopt stricter gun control laws to curb the flow of weapons from the U.S. to Mexico.

## APPENDIX A

### **PORTION OF JURY VERDICT<sup>338</sup> IN U.S. VS. MARCIANO MILLAN VASQUEZ JULY 19, 2016**

“Which victim or victims did you unanimously find the defendant Marciano Millan Vasquez guilty of killing or counseling, commanding, inducing, procuring, or causing the intentional killing of while engaged in drug trafficking offenses, or aiding and abetting the killing of various individuals while engaged in drug trafficking offenses beyond a reasonable doubt?

Answer yes or no next to each name.

Rodolfo Reyes, Jr.—Yes

Severino Abascal—Yes

Vaneli Luna—Yes

Cesar Sanchez—Yes

Victor Cruz—Yes

Victor Cruz’s wife, Brenda Saluda—Yes

Victor Cruz’s son (1)—Yes

Victor Cruz’s son (2)—Yes

Domingo Sanchez-Garza’s grandson—Yes

An unknown military PGR commandante—Yes

An unknown male killed by chopping off his limbs and head (1)—Yes

An unknown male killed by chopping off his limbs and head (2)—Yes

An unknown male killed by chopping off his limbs and head (3)—Yes

An unknown male killed by chopping off his limbs and head (4)—Yes

An unknown female killed by chopping off her limbs and head—Yes

An unknown adult male killed on knees near the Rio Escondito—Yes

An unknown adult male, possibly a second captain in the Mexican military, killed on knees near the Rio Escondito—Yes

An unknown adult female killed on knees near the Rio Escondito—Yes

An unknown adult male killed by chopping of his limbs and burning the body near the Cereso Prison—Yes

An unknown young girl killed in front of her parents—Yes

Her mother—Yes

Her father—Yes

<sup>338</sup> The jury verdict in Case No. SA:13-CR-655-XR-5 *United States vs. Marciano Millan Vasquez* was accessed through PACER Access (via Bloomberg Law).

Newspaper boy killed at junkyard (1)—Yes

Newspaper boy killed at junkyard (2)—Yes

Newspaper boy killed at junkyard (3)—Yes

Newspaper boy killed at junkyard (4)—Yes

Miguel Uribe—Yes

Mauricio Uribe—Yes

Francisco Villarreal—Yes

The Allende murders (an unknown number of persons)—Yes”









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