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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
HONORABLE EDWARD RAFEEDIE, JUDGE PRESIDING

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UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. ) Case No. CR-87-422-ER  
 )  
RAFAEL CARO-QUINTERO, et al., )  
 )  
Defendants. )  

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REPORTER'S PARTIAL TRANSCRIPT OF PROCEEDINGS  
LOS ANGELES, CALIFORNIA  
FRIDAY, DECEMBER 4, 1992

MARY TUCKER, CSR 9308  
Official Court Reporter  
429-D U.S. Courthouse  
312 North Spring Street  
Los Angeles, Calif. 90012  
213/687-0530

I N D E X

1					
2	WITNESS	DIRECT	CROSS	REDIRECT	RE CROSS
3	RETZMOZA, FRANK				
	By Mr. Medvene		3		
4	By Mr. Rubin		8		
	By Mr. Medrano			14	
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1 LOS ANGELES, CALIFORNIA; FRIDAY, DECEMBER 4, 1992; 1:30 PM

2 (Prior proceedings had and reported, but not transcribed)

3 THE COURT: You may cross-examination the witness.

4 MR. MEDVENE: Thank you, Your Honor.

5 CROSS-EXAMINATION

6 BY MR. MEDVENE:

7 Q Mr. Retamoza, Ruben Zuno was not at any meeting you  
8 testified about this morning involving drug trafficking; is  
9 that correct?

10 A That is correct, sir.

11 Q And his name was mentioned at any meeting you  
12 testified about this morning involving drug trafficking; is  
13 that correct, sir?

14 A That is correct.

15 Q You never delivered any monies to Mr. Zuno for any  
16 purpose?

17 A No, sir, I never did.

18 Q Mr. Zuno never delivered any drugs to you?

19 A No, sir, never did.

20 Q And Mr. Zuno now was not involved in any way in any of  
21 the cocaine transactions you talked about this morning;  
22 isn't that correct, sir?

23 A No, I don't think so.

24 Q Now, you say you don't think so. My statement is a  
25 correct one?

- 1 A Yeah, I think so. I believe that they are, sir.
- 2 Q You start getting paid by the D.E.A. some time in  
3 1989?
- 4 A I don't understand your question.
- 5 Q When did you start receiving payments from the D.E.A.?
- 6 A I never did, sir. I never receive any payments from  
7 the D.E.A.
- 8 Q Have you ever received any payments from any  
9 government agency to your knowledge?
- 10 A I believe that you are referring to the money that I  
11 get for subsistence every month?
- 12 Q Yes.
- 13 A Yeah, that was after I joined the witness protection  
14 program, yes.
- 15 Q And you mentioned you were receiving approximately  
16 \$1,600 a month?
- 17 A Right.
- 18 Q Isn't it true that -- strike that.  
19 Did you start receiving payments under that  
20 program some time in or about September of -- strike  
21 that -- some time in 1989?
- 22 A Some time in 1989, that's correct.
- 23 Q Approximately August?
- 24 A Approximately June.
- 25 Q June. Is it true some months you received as much as

1 \$14,000?

2 A Excuse me, what is it again?

3 Q Is it true that some months you received as much as  
4 \$14,000 a month?

5 A Sir, no, that's -- well, I -- no, that's not true. I  
6 was receiving the same amount. The -- I always received  
7 the same amount, sir.

8 Q Isn't it true that since you started receiving  
9 payments, you have received some \$900,000?

10 A I have not received it, sir.

11 Q Huh?

12 A I have not received \$900,000, no. They might incur,  
13 you know, in expenses that are amounted to that figure, but  
14 I didn't receive the money in my hands, you know.

15 Q Well, who received the money?

16 A I only received the --

17 MR. MEDRANO: Objection, Your Honor. Lack of  
18 foundation.

19 THE COURT: The objection is sustained.

20 BY MR. MEDVENE:

21 Q Well, did you received either directly or indirectly  
22 for yourself or for your benefit, some \$900,000 since  
23 approximately August of 1989?

24 A No, I didn't, sir.

25 MR. MEDVENE: Excuse me one second, Your Honor.

1 (Pause in proceedings.)

2 BY MR. MEDVENE: \

3 Q Would it be fair to say that you received  
4 approximately \$900,000 for yourself and all family members  
5 since August of 1989?

6 A I repeat, sir, I -- I -- as to my understanding that  
7 the expenses that the government incur in taking care of me  
8 and my family all through this ordeal, you know, that we  
9 went through, you know --

10 Q Yes.

11 A -- getting relocated and all of that, that's my  
12 understanding that the expenses amounted to that, but I --

13 Q All right. So that's --

14 A -- never received that money.

15 Q All right. So you understand your expenses since  
16 about August of '89 amount to about -- for you and your  
17 family -- about \$900,000; is that correct, sir?

18 A That's my understanding, yes.

19 Q Now, is it also true, sir, that you were provided with  
20 immunity from prosecution in those jurisdictions where you  
21 were previously involved in narcotic trafficking?

22 A Yes, that is correct.

23 Q And you received immunity from prosecution  
24 specifically in the Central District of Los Angeles?

25 A Yes.

1 Q The Eastern District of California?

2 A Yes.

3 Q The Southern District of California, including San

4 Diego?

5 A That is correct.

6 Q The Southern District of Florida?

7 A That is correct.

8 Q District of Arizona?

9 A Yes, that is correct.

10 Q And the Federal District of Washington, D.C.?

11 A I believe so, yes.

12 MR. MEDVENE: I have nothing further, Your Honor.

13 THE COURT: Cross-examination?

14 MR. RUBIN: Do you have any questions?

15 MR. RUBIN: Yes, Your Honor. Excuse me one

16 second, Your Honor.

17 (Pause in proceedings.)

18 MR. MEDVENE: May I ask to approach the witness,

19 Your Honor, for purpose of asking if this information the

20 government gave us, if he's aware if it's accurate for

21 purposes of marking it for identification and moving it

22 into evidence?

23 MR. MEDRANO: Objection.

24 MR. MEDVENE: It's the payments schedule.

25 MR. MEDRANO: He's indicated that --

1 THE COURT: The request is denied.

2 MR. MEDVENE: All right, Your Honor.

3 THE COURT: Do you have any questions?

4 MR. RUBIN: Yes, Your Honor.

5 CROSS-EXAMINATION

6 BY MR. RUBIN:

7 Q Mr. Retamoza, it's true, is it not, you've received  
8 substantial benefits from the United States Government.

9 THE COURT: Counsel, do we need that?

10 MR. RUBIN: I would like to go into a little bit  
11 more detail, Your Honor.

12 THE COURT: Well, then get to the detail.

13 BY MR. RUBIN:

14 Q Concerning the immunity that you were given in all of  
15 those district, turning first to the one in Seattle, that  
16 one involved a case were you were accused of -- or you were  
17 involved in the sale of half a kilogram of cocaine;  
18 correct?

19 A Yeah. Yes.

20 Q And when you got the immunity for being involved in  
21 that crime, did you understand that the potential penalty  
22 for imprisonment for that single crime alone was a minimum  
23 of five years in prison?

24 A No, not really. I know that, you know, that crimes  
25 that I had incurred were big, yes, I knew that, but as far



1 as numbers, I didn't know.

2 Q Isn't it true and would it be fair to say that for all  
3 the crimes you committed you were facing hundreds of --  
4 potentially hundreds of years in a federal prison; isn't  
5 that true?

6 A I am not aware of the term that I would serve if I  
7 were convicted all those crimes. I'm not really aware.

8 Q When -- did you have counsel with you when you  
9 negotiated these immunity agreements with the government?

10 A I did.

11 Q And at the time, was the potential penalties discussed  
12 to those crimes before you entered the immunity agreements?

13 A It might have been, but I don't remember really.

14 Q Now, it's true, is it not, that from 1982 to 1987, you  
15 were a drug trafficker; correct?

16 A Excuse me?

17 Q You were a drug trafficker from 1982 to 1987; isn't  
18 that right?

19 A Yes, that is correct.

20 Q And because of the agreements you have with the  
21 government, you will not be prosecuted for any of those  
22 crimes from 1982 to 1987; correct?

23 A That is correct.

24 Q Now, in 1982, you said you became involved in drug  
25 trafficking to help your mother; is that right?

1 A No, not really. That wasn't my intention to help my  
2 mother, no. I was just trying to get paid, you know, my  
3 own money.

4 Q Now, did at any point, at the very beginning, did you  
5 ever consider calling the police and advising them that you  
6 were being given cocaine?

7 A Oh, no, never, no.

8 Q Instead, you took the cocaine and you tried to sell  
9 it; correct?

10 A Yes.

11 Q And then the cocaine deals that you were involved in  
12 got bigger and bigger; isn't that right?

13 A Well, I was a cocaine dealer for very short period. I  
14 mean, I just couldn't handle that part of the business.

15 Q Well, when I say a dealer, I mean involved in a  
16 cocaine conspiracy, the conspiracies that you became  
17 involved in, got bigger and bigger?

18 A Oh, yeah, that is correct.

19 Q And at any time did you consider going to the police  
20 and telling them about these cocaine conspiracies?

21 MR. MEDRANO: Objection. Asked and answered, Your  
22 Honor.

23 THE COURT: Sustained.

24 BY MR. RUBIN:

25 Q In 1983, the kilogram that went in your car came in

1 through the car tanks -- the gas tanks of a car, were 54  
2 kilograms in each car; isn't that true?

3 A Wait a minute. Can you rephrase that question?

4 Q Sure. In 1983, your cousin, Felix, sent a female  
5 courier driving a car full of cocaine to you?

6 A Right.

7 Q Correct?

8 A Right.

9 Q And, in fact, it wasn't 18 kilos that were in each  
10 car, it was 54 kilos that were in each car?

11 A Says who?

12 Q Is that correct?

13 A No, it's not.

14 Q Do you know how much a kilogram is in pounds?

15 A Yes.

16 Q How much is it?

17 A Well, it's two pounds plus.

18 Q And so the airplane flights that you were involved in,  
19 each one was about 1,200 or up to 1,500 pounds of cocaine;  
20 correct?

21 A Yes, that is correct.

22 Q And that's more than a half a ton of cocaine each  
23 flight that you were involved in; isn't that right?

24 A That is correct, yes.

25 Q And the money that you transported from California

1 totaled approximately \$150 million; true?

2 A Yes.

3 Q So you personally took \$150 million out of the United  
4 States to give it to your cousin, the drug trafficker --

5 THE COURT: The question has been asked and  
6 answered.

7 MR. RUBIN: -- is that right?

8 THE COURT: Did you hear me, Counsel?

9 MR. RUBIN: Yes, Your Honor, I heard you.

10 BY MR. RUBIN:

11 Q This \$909,000 that you and you family received,  
12 includes money for not only subsistence, but for housing,  
13 medical, and everything; correct?

14 A It's not all correct, no. It's not like you say.

15 Q So you don't receive payment -- the government doesn't  
16 pay for your medical expenses or housing expenses?

17 A Wait a minute. I didn't quite understand your  
18 question the first time.

19 Q Okay. It's true, is it not, that this \$909,000 that  
20 you and your family have received from the government in  
21 three years, includes, in addition to subsistence, housing,  
22 medical, everything's paid for by the government; correct?

23 A It's not quite that way. From the \$1,600 that I  
24 receive a month, I have to pay my housing. I do have to  
25 pay my housing. There is only -- when they pay my housing,

1 it's only when I'm in the process of being relocated that  
2 they had to pay the hotel expense, you know. That's the  
3 only time when they pay my housing. That's not taken out  
4 of the \$1,600.

5 Q Well, in fact, they also pay your medical expenses; is  
6 that true?

7 A Yeah, that they do, yeah.

8 Q You pay income taxes on any of the benefits you  
9 receive from the government, the money?

10 A No, sir, I don't.

11 Q Anyone advise you whether or not you have to pay  
12 income taxes on that?

13 A No, nobody has said anything about that, but since you  
14 don't receive a W-4 Form a year, you know, I don't see how  
15 you can pay the taxes on that money that you receive.

16 Q Now, at any of the meetings that you testified about  
17 this morning Dr. Alvarez Machain was not, was he?

18 A I didn't quite get your question. What is it?

19 Q In the meetings you testified to this morning, Dr.  
20 Humberto Alvarez Machain was not present, was he?

21 A I never heard, I never knew, I just don't know any of  
22 the defendants.

23 MR. RUBIN: Okay. No further questions.

24 MR. MEDRANO: Anything further?

25 MR. MEDRANO: Very briefly.

## REDIRECT EXAMINATION

1

2 BY MR. MEDRANO:

3 Q Mr. Retamoza, this figure of over \$900,000 involves  
4 expenses for not only you and your immediate family; is  
5 that correct?

6 MR. BLANCARTE: Objection. Asked and answered.

7 MR. MEDRANO: Your Honor --

8 THE COURT: Sustained.

9 BY MR. MEDRANO:

10 Q How many were there, over 30 family members, that were  
11 brought to the United States?

12 MR. RUBIN: Objection. Asked and answered.

13 Leading.

14 THE COURT: Sustained.

15 BY MR. MEDRANO:

16 Q Finally, Mr. Retamoza, the portions of the sums  
17 received, is part of that used for relocation when  
18 necessary?

19 MR. BLANCARTE: Same objection.

20 THE COURT: Overruled.

21 THE WITNESS: Yes, sir.

22 BY MR. MEDRANO:

23 Q And that relocation is for your protection?

24 A That is correct.

25 Q And also for the protection of any other family

1 members that have to be relocated?

2 MR. BLANCARTE: Objection. Relevance.

3 THE WITNESS: That's correct.

4 THE COURT: Counsel, when you object, you must  
5 rise.

6 MR. BLANCARTE: I'm sorry, Your Honor.

7 THE COURT: Now that you have, your objection is  
8 overruled.

9 BY MR. MEDRANO:

10 A Did you hear the question Mr. Retamoza?

11 A Yes, I did, and, yes. I said, yes.

12 Q \$900,000 has not just been given to you to spend; is  
13 that correct?

14 A No. No. That's not correct.

15 MR. RUBIN: Objection. Asked and answered.

16 THE COURT: Sustained.

17 MR. MEDRANO: One moment, Your Honor?

18 (Counsel conferring.)

19 BY MR. MEDRANO:

20 Q Why are you in the witness security program? Why did  
21 you join the witness security program?

22 MR. RUBIN: Objection. Irrelevance.

23 THE COURT: Yes, that was asked and previously  
24 objected to and sustained.

25 BY MR. MEDRANO:

1 Q Mr. Retamoza, to this day, sir, do you have concerns  
2 for your safety?

3 MR. RUBIN: Objection. Irrelevant.

4 MR. BLANCARTE: Objection.

5 THE COURT: Sustained.

6 BY MR. MEDRANO:

7 Q Mr. Retamoza, do you have any immediate plans to  
8 return to the Republic of Mexico?

9 A No way.

10 MR. BLANCARTE: Objection. Relevancy.

11 THE COURT: Sustained.

12 MR. MEDRANO: One more moment, Your Honor.

13 (Counsel conferring.)

14 MR. MEDRANO: That concludes our redirect.

15 THE COURT: All right. You may step down, sir.

16 (Witness excused.)

17 (Further proceedings had and reported, but not transcribed)

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