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

- - - - -

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
RAFAEL CARO-QUINTERO, et al.,)
)
Defendants.)
_____)

Case No. CR-87-422-ER

REPORTER'S PARTIAL TRANSCRIPT OF PROCEEDINGS
LOS ANGELES, CALIFORNIA
MONDAY, DECEMBER 7, 1992

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

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I N D E X

WITNESS

DIRECT CROSS REDIRECT RE CROSS

HARRISON, LAWRENCE

By Mr. Medvene

By Mr. Rubin

By Mr. Carlton

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1 LOS ANGELES, CALIFORNIA; MONDAY, DECEMBER 7, 1992; 9:30 AM
2 (Prior proceedings had and reported but not transcribed)

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

4 MR. CARLTON: Your Honor, with the consent of the
5 defendants and the permission of the Court, I liked to
6 reopen for two or three brief questions.

7 THE COURT: Very well.

8 BY MR. CARLTON:

9 Q Mr. Harrison, are you familiar with individual named
10 Emilio Quintero-Payan?

11 A Yes, I am.

12 Q Who is he?

13 A He is Rafael Caro-Quintero's uncle.

14 Q Was he a member of this group that associated with
15 Ernesto Fonseca?

16 A Yes, he's a member. Not one of the close members.
17 Kind of -- he operates mostly in the northern part of the
18 country, but, yes, he is a member of their group.

19 Q Looking in front of you, I believe there is a laser
20 pointer?

21 A Yes.

22 Q If you would look at the large photograph on the easel
23 to your right, which I believe is marked 125-B, do you see
24 Emilio Quintero-Payan in that photograph, and if you do,
25 would you please indicate generally with the laser pointer

1 where he is?

2 A Well, Mr. Payan is here. He is standing to left of
3 Dr. Machain.

4 MR. MEDVENE: Objection, Your Honor. Move to
5 strike the last part as non-responsive to the question.

6 THE COURT: Well, the question was asking you to
7 identify were this --

8 MR. CARLTON: No, just locate him among the
9 picture.

10 THE COURT: Have you located him?

11 THE WITNESS: Yes, right here.

12 THE COURT: All right.

13 BY MR. CARLTON:

14 Q And do you also see Dr. Alvarez Machain in that
15 photograph?

16 A Yes, I do.

17 Q May you indicate with the laser pointer were he is?

18 A (Indicating.)

19 MR. CARLTON: Thank you. Nothing further, Your
20 Honor.

21 THE COURT: You may cross-examine the witness.

22 CROSS-EXAMINATION

23 BY MR. MEDVENE:

24 Q Mr. Harrison, during the time that you worked for
25 Ernesto Fonseca, did you observe him to meet on a number of

1 occasions with a specific group of individuals?

2 A Yes, I did.

3 Q And who was at those meetings?

4 A Normally, they -- if you -- were you referring to the
5 high-level planning meetings of the core group of
6 traffickers.

7 Q Yes.

8 A Present at those meeting were normally Rafael
9 Caro-Quintero and Ernesto sometimes, and on many occasions
10 they were joined by Miguel Fergoso-Aguilar, Elison
11 [phonetic] Juan Esparaagoza, Javier Barba on some
12 occasions, and Cochiloco.

13 Q And approximately how many of those meetings did you
14 observe from afar?

15 A Many meetings. It's hard to put a number on them.
16 It's greater than ten, less than a hundred, I believe.

17 Q Now, each of those individuals had their own retinue
18 of people?

19 A Yes, they did.

20 Q And it appeared to you as if they met on the occasions
21 you saw them to discuss matters of importance to the group?

22 A It was obvious that they were taking decisions,
23 because when they came out of these meetings they would
24 relay the conclusions they come to, or they would indicate
25 to us the dispositions that were to be taken on the

1 decisions they had taken.

2 Q The meetings were on serious sensitive business
3 matters for the group?

4 A Yes.

5 Q Now, no one was allowed into their room while the men
6 were discussing these serious sensitive matters; isn't that
7 correct?

8 A Well, they weren't always in a room by themselves.
9 They would go off by themselves to an area were nobody was.
10 It was understood that you weren't to get close to them.

11 Q And others were not allowed to be physically present
12 or close; isn't that correct?

13 A Yes, it was -- the order was given not to get too
14 close.

15 Q Now, at these meetings that you have told us about,
16 these sensitive meetings of the group, Mr. Zuno was never
17 present at any of those meeting, was he?

18 A Never.

19 Q You know Ernesto Fonseca's main people; do you not?

20 A I think I do, yes.

21 Q And who are they?

22 A Samuel Razo-Ramirez, Javier Barba-Hernandez, Cubaracha
23 Molina [phonetic]. There many people. I mean, many people
24 in what areas? There were many assistants for those
25 people.

1 Q How about Felix-Gallardo's main people?

2 A Well, Felix-Gallardo was an entity of -- so he was not
3 part of Mr. Fonseca's retinue. He was a partner. If you
4 want to talk about his partners, then you shouldn't have
5 gone down the totem pole, but to the side.

6 Q How about Caro-Quintero's main people?

7 A That's to the side. Those are all people that are on
8 the same level, Caro-Quintero, Felix-Gallardo Ernesto
9 Fonseca, Cochiloco, Razo.

10 Q Some of the Caro-Quintero retinue included who?

11 A Mr. Caro's retinue included the Chief of Homicide, the
12 Bureau of the State Judicial Police. On many occasions the
13 Head of the Federal Judicial Police. He had another person
14 called Samuel. There was another person who's name was
15 Acheco [phonetic], who was a major figure of his. I don't
16 remember all of their names.

17 Q Now, is it correct, sir, that you maintained a radio
18 system that you had set up for Ernesto Fonseca and
19 Caro-Quintero?

20 A Well, I set it up for Ernesto Fonesca on the orders of
21 Government Nacion, but it later came to include
22 Mr. Caro-Quintero because Ernesto inviteed him to use it.

23 Q You maintained that system?

24 A Did I maintain it? Sir, yes, I did.

25 Q And did you monitor it on a 24-hour a day basis?

1 A Yes, sir, I did.

2 Q And there was a telephone system?

3 A Well, it had an interface with the telephone system.
4 From the radio you could call on the telephone or you could
5 also answer telephone calls on the radio.

6 Q Those calls were taped?

7 A I had intervened many of telephones in Mr. Fonseca's
8 residence and some of the telephones in Mr. Caro's
9 residence on instructions from the Minister of the
10 Interior. I taped those calls. I did not tape
11 specifically the ones that were on the radio.

12 Q Is it correct that you overheard literally thousands
13 of conversations that in one way or another were
14 drug-related ?

15 A Yes, sir, that's true.

16 Q And those conversations were basically between people
17 in the Fonseca-Quintero group and their various underlings
18 and various official of one kind or another?

19 A Yes.

20 Q And you never heard Ruben Zuno's voice on those tapes,
21 did you?

22 A I did not specifically recognize the voice of Mr. Zuno
23 on any of those conversations.

24 Q And --

25 A Maybe he was on then, but I didn't specifically

1 recognize his voice.

2 Q You never heard his name mentioned?

3 A No, I did not.

4 Q To your personal knowledge -- your personal knowledge,
5 Mr. Zuno was not involved in drug dealing.

6 MR. CARLTON: Objection. Lack of foundation.
7 Irrelevant.

8 THE COURT: The objection is sustained.

9 BY MR. MEDVENE:

10 Q As far as you personally knew, Mr. Zuno was not a
11 member of the Cartel; isn't that correct, your personal
12 knowledge?

13 A Did I know him to be a partner of theirs?

14 Q Yes, sir.

15 A No, I did not.

16 Q Now, you told us on Friday of an occasion when you
17 escorted certain trucks.

18 On those occasions, would you meet those trucks at
19 a prearranged meeting spot?

20 A Yes, we would.

21 Q And you were dispatched from Ernesto Fonseca's house
22 to go to a particular meeting spot?

23 A Yes, sir.

24 Q You would wait at that meeting spot until you saw the
25 trucks?

1 A We would wait until we received radio communications
2 from them. Usually they were between 15-20 kilometers
3 away, and they would say we are on our way.

4 Q You'd be sitting in your car and you would see the
5 trucks arrive?

6 A We would be outside the cars. We normally would set
7 up roadblocks. Because of sensitive nature of what we were
8 doing, we couldn't have other people driving by or being
9 there at that particular time, so we would set up a
10 roadblock to keep the road clear, and we would be outside
11 manning the roadblock.

12 Q When you saw the truck come, you would be in your car
13 or get in your car and lead the convoy wherever you were
14 going to lead them?

15 A That was the purpose of the radio communication
16 beforehand, to be able to be in the car, waiting on the
17 side of the road at the time that the truck passed. All we
18 had to do was to form up.

19 Q And -- I'm sorry, were you finished?

20 A That's -- yes, sir.

21 Q And when the truck came, the truck always were covered
22 with a tarp on so you couldn't see what was inside?

23 A I couldn't, no.

24 Q And you always on these four occasions you told us
25 about escorted the trucks to an access road around the City

1 of Guadalajara; is that correct?

2 A Yes, sir, that's true.

3 Q And once you --

4 A More or less. We did not -- our destination wasn't
5 that road, but more or less arriving in that area. On the
6 outskirts of the city, we would break off and go on to
7 Mr. Fonseca's house.

8 Q Once you got the trucks safely into the access area of
9 Guadalajara, you would go off in one direction and the
10 trucks would go off in another?

11 A Yes, sir.

12 Q And you would go off to Mr. Fonseca's house or
13 wherever you were going?

14 A We would go to Mr. Fonseca's house.

15 Q You didn't follow the trucks to see where they were
16 going?

17 A No, sir. We knew where they were going, but we didn't
18 follow them.

19 Q And you didn't ride back to see the trucks, you want
20 to -- you'd done your job and you went to Mr. Fonseca's
21 house and you did whatever you were supposed to do?

22 A On those days, yes. The days -- the next day we might
23 be ordered to go where the trucks went, and we would see
24 the trucks there. We knew where they were going, but as
25 far as that point in time, yes, we would.

1 Q Now, you said Friday you attended some classes at a
2 U.S. University. Was -- were you making reference to the
3 University of California at Berkeley?

4 A Yes, sir, I was.

5 Q And did you previously say under oath that you had
6 done undergraduate work at Berkeley before going to law
7 school there?

8 A Yes, I did.

9 Q And did you previously say in substance under oath
10 that you graduated from Berkeley and went on to the law
11 school at Ball?

12 A No, I did not.

13 Q I read from your testimony given approximately June of
14 1990, at 13, Page 147:

15 "Question: You told them that you
16 took undergraduate courses at Berkeley
17 before going to law school at Ball. Is
18 that correct?

19 "Answer: I believe I said I did
20 undergraduate work at Berkeley.

21 "Question: The implications of
22 what you told the Grand Jury was that
23 you graduated from Berkeley and then went
24 to law school at Ball; is that correct,
25 sir?

1 "Answer: Yes."

2 Now, sir, you never graduated from Berkeley, did
3 you?

4 A No, I did not.

5 Q You never took a course for credit at Berkeley, did
6 you?

7 A No, I did not.

8 Q You never graduated from Ball Law School, did you?

9 A No, I did not.

10 Q You never took one course for credit at Ball Law
11 School, did you?

12 A No, I did not.

13 Q You never graduated from any American university?

14 A No, I did not.

15 Q And never took any accredited course at any American
16 law school?

17 A American law school, no.

18 Q You were in prison, were you not, sir, from
19 approximately September 11th of 1984, through approximately
20 May of 1985 in Mexico?

21 A Well, I was in the hospital -- Civil Hospital of
22 Guadalajara for approximately two months, and then they --
23 the rest of the time of which you are speaking of I was in
24 the State Prison, yes.

25 Q And being in the hospital or the prison you have no

1 personal knowledge of the event surrounding the kidnapping
2 and murder of Enrique Camarena; isn't that true?

3 A That is correct.

4 Q You've been convicted of extortion, yes or no, sir?

5 A Well, it's hard for me to say, sir. When I was -- I
6 had not been convicted when I came here.

7 Q Excuse me, sir. My question is --

8 A I can't tell you. I can't -- how can I know that if I
9 wasn't there, sir? I mean --

10 Q I will read from the man's prior testimony under oath
11 in June of '90, Volume 13, Page 193, Lines 8 and 9.

12 "Question: And were you convicted
13 of extortion?

14 "Answer: I do not know, sir. I
15 think I was?"

16 A That's it. I don't mislead you Mr. Medvene. We had
17 such a ruckus last -- on Friday that I'm trying to be
18 carefull about my answer. I just don't want to --

19 Q Mr. Harrison, you were convicted of robbery; is that
20 correct, sir?

21 A Once again, I don't know. I was told by my attorney
22 that I was convicted and that conviction was reversed.

23 Q You were convicted of gangsterism?

24 A I was told by attorney that I was convicted on that
25 charge and that that conviction was reversed.

1 Q Do you have any record of any kind to show -- let's
2 take it a step at a time.

3 First, you were convict of gangsterism; correct,
4 sir?

5 A I was told that by my attorney. In a telephone
6 conversation he later told me the conviction was reversed.

7 Q Do you have papers to show the conviction was
8 reversed?

9 A Neither one way or the other. I was hear. I was not
10 allowed to go Mexico. How could I know.

11 Q I read from Page 13, 193, Lines 16 and 17:

12 "Question: You were convict of
13 gangerism; is that correct?

14 "Answer: I believe that was one
15 of the charges, too, yes, sir."

16 Q Were you convicted --

17 A I still believe --

18 Q -- Mr. Harrison, of impersonating an official?

19 A I was told by attorney that I was convicted of that
20 and that that charge was reversed on an appeal. That
21 conviction was vacated.

22 Q You have any record of any kind to show that, sir?

23 A I don't have any records to show I was convicted, and
24 I don't have any records to show it was reversed on appeal,
25 other than what my attorney told me.

1 Q You did not say when you testified under oath in June
2 of '90, when you said that you were convicted, anything
3 about anything being reversed, did you?

4 A It hadn't been reversed yet. The appeal hadn't been
5 taken, Mr. Medvene. Time has passed.

6 Q Were you convicted of illegally of transporting
7 firearms, sir?

8 A Yes, I know I was convict of that. It was possessing
9 firearms.

10 Q Now, you previously worked for Garate Bustamante?

11 A Yes, sir.

12 Q And you worked for him for a couple years in the early
13 '80's?

14 A I didn't work for him for a couple of years. I did
15 piece work him, as well as other comandantes.

16 Q And Garate Bustamante worked for Ernesto Fonseca?

17 A Mr. Garate Bustamante, when I met him, had just been
18 either suspended or had left the State Riot Squad, the Riot
19 Squad of the State Police Department, and he represented
20 himself to me to be a chief of a special squad authorized
21 by the governor. In fact, he had a placque on his desk
22 that said he was the chief of a special -- you want to now
23 what he was? That's what I understood he was.

24 Q Was Mr. Bustamante, to your knowledge, involved in
25 working with and for drug traffickers?

1 A Yes, as every police officer I knew at that time, yes.

2 Q If you would answer my question, sir, I asked about
3 Mr. Bustamante.

4 A That's the only way I know.

5 Q Excuse me.

6 A That's the only way I knew, Mr. Medvene?

7 Q Excuse me, sir.

8 A Okay. I'll have to answer no.

9 THE COURT: Counsel, he's answered your question.

10 BY MR. MEDVENE:

11 Q Now, the first time you spoke to any D.E.A.
12 representative in connection with the overall Camerena
13 investigation, was some time in September of 1989; is that
14 correct, sir?

15 A That is correct.

16 Q And your initial contact in getting to see the D.E.A.
17 was Garate Bustamante; is that true, sir?

18 A I'm not sure of the connection there. I don't know.
19 I would assume that to be so, but I'm not sure. I couldn't
20 testify yes or no because I don't know. They contacted me
21 in 1987. Whether they were sent by Mr. Garate Bustamante,
22 I really don't know, Mr. Medvene.

23 Q I read from your testimony under oath in June of 1990,
24 at Volume 13, Page 194, Lines 17 to 19:

25 "Question: And who did you first

1 contact before you came here about
2 coming here?

3 "Answer: Garate Bustamante."

4 A That was he called me on the telephone.

5 Q Excuse me, sir, there is no question pending.

6 Mr. Harrison, did Mr. Bustamante send someone to
7 see you as an intermediary between him and the D.E.A.?

8 A Could you indicate a time reference, Mr. Medvene?

9 Q Yes, sir. When there were discussions about -- or
10 negotiations about you coming to see the D.E.A.?

11 A They were about me coming to the United States.

12 Q The time period is -- the time period --

13 THE COURT: At any time?

14 THE WITNESS: Mr. Garate Bustamante, from the time
15 he came to the United States, he call me continuously. He
16 called every week. He would locate me wherever I was and
17 call me. He would say, "What's happening? I just wanted
18 to talk to you. Hello. How are you?"

19 And I would most of the time hang up on him or
20 tell him I didn't want to talk to him. So you have to be
21 specific because he called me continuously. We never
22 discussed coming to the United States. That was discussed
23 by people that I think he put me in touch with, but I'm
24 sure whether he did or not, since they contacted me and
25 didn't tell me whether they were doing it at the insistance

1 of Mr. Garate Bustamante or not.

2 Q Were you contacted sometime in or around July of 1989,
3 by someone you understood was calling you on the behest of
4 Mr. Bustamante?

5 A Yes.

6 Q Who was that?

7 A Do I have to reveal the names of Mr. Garate
8 Bustamante's operatives in Mexico? They are still there
9 and I don't know what will happen to them if I do reveal
10 their names.

11 THE COURT: Well, you may answer the question.

12 MR. CARLTON: Your Honor, the government would
13 object to the revelation of those names.

14 THE COURT: Overruled.

15 THE WITNESS: I was contacted by Mr. Garate
16 Bustamante's brother in 1989, but it had absolutely nothing
17 to do with coming up here or testifying or anything else.

18 BY MR. MEDVENE:

19 Q Under oath in June of '90, were you asked if you
20 recalled the name of the person that contacted you, and did
21 you say you did not recall the name?

22 A I was not referring to that person, and I did say I
23 did not recall the name, yes.

24 Q Do you recall the name now?

25 MR. CARLTON: Objection, Your Honor. Same

1 objection.

2 THE COURT: Well, there -- the question is not
3 clear.

4 BY MR. MEDVENE:

5 Q The name of individual that you spoke to,
6 Mr. Harrison, about coming to the United States?

7 MR. CARLTON: Objection. Lack of relevance.

8 THE COURT: Overruled.

9 THE WITNESS: Your Honor, I strongly petition the
10 Court not to give his name up. This man will be killed.
11 This man is -- his career will be destroyed, Your Honor.

12 MR. MEDVENE: Objection, Your Honor.

13 MR. RUBIN: Objection, Your Honor.

14 MR. MEDVENE: Move to strike, Your Honor.

15 THE COURT: I will direct you to pass that
16 inquiry. Move on to something else until we take this up
17 at the recess.

18 BY MR. MEDVENE:

19 Q Did you --

20 MR. MEDVENE: I'm not going to ask for the name
21 right now, Your Honor, but I'm just staying in that area.

22 BY MR. MEDVENE:

23 Q Did you say under oath in June of 1990, that you had
24 previously met this particular person on more than a
25 hundred occasions?

- 1 A Yes, Mr. Medvene, I did.
- 2 Q And did you say that even though you had met this
3 person on more than a hundred occasions, you did not recall
4 their name?
- 5 A Yes, sir, I did.
- 6 Q And when you said you did not recall their name under
7 oath --
- 8 A Yes, sir.
- 9 Q -- that was not correct; isn't that true?
- 10 A That was a lie, Mr. Medvene, I freely admit it. I
11 tried to save this man's life.
- 12 Q Thank you, sir. You have answered my question.
- 13 A I don't want him to die.
- 14 Q Mr. Harrison, the first person you spoke to with the
15 D.E.A. when you came to this country in September of '89
16 was Mr. Berrellez?
- 17 A Which Mr. Berrellez.
- 18 Q Mr. Hector Berrellez?
- 19 A No.
- 20 Q What D.E.A. agent did you first speak with when you
21 came to this country?
- 22 A I believe the first person I spoke with here was
23 Mr. Berrellez' brother, Art.
- 24 Q And where did you -- was he D.E.A. agent?
- 25 A Yes.

1 Q Where did you meet him?

2 A Met him in Hermosillo, Mexico.

3 Q And could you tell us your -- well, from Hermosillo,
4 Mexico to Los Angeles?

5 A Just --

6 MR. CARLTON: Objection. Lack of relevance.

7 THE COURT: Sustained.

8 BY MR. MEDVENE:

9 Q From the time you arrived at Hermosillo, Mexico,
10 approximately how many hours did it take until you arrived
11 in Los Angeles?

12 A I think it took four or five hours.

13 Q And you were with D.E.A. agents all of that time; is
14 that correct?

15 A Yes, I was.

16 Q Is it true sir, that not once in that four or five
17 hours did you mention to those agents that you had any
18 information or knowledge of any kind with reference to
19 Mr. Zuno and knowing any drug dealers or anything such as
20 that? Is that a correct statement, sir?

21 A Your question is compound. I did not mention knowing
22 Mr. Zuno. I certainly mentioned knowing some drug dealers,
23 yes.

24 Q You told us already you didn't know Mr. Zuno to be a
25 drug dealer. I'm asking you during the four or five hours,

1 sir, Mr. Harrison is it --

2 THE COURT: Counsel, it appears to me he's
3 answered the question.

4 BY MR. MEDVENE:

5 Q Now, in front of you, Mr. Harrison, is what has been
6 marked Defendants' 402. It's underneath the water pitcher,
7 sir.

8 And the -- we have stipulated with the --

9 MR. MEDVENE: I might inform Your Honor that we
10 have stipulated with the prosecution that the dates and
11 payments shown there are correct.

12 THE COURT: On this exhibit?

13 MR. MEDVENE: Yes, sir.

14 MR. CARLTON: Your Honor, we stipulated to the
15 amount, the dates, and the payments, but not to exhibit.

16 MR. MEDVENE: No, no, that's correct.

17 THE COURT: To the information on it?

18 MR. MEDVENE: Yes.

19 THE COURT: The amounts and the information on it
20 is correct is?

21 MR. CARLTON: Yes.

22 BY MR. MEDVENE:

23 Q Using that, Mr. Harrison, to refresh your
24 recollection, sir, is it correct that on September 8th of
25 '89, you were paid \$2,000?

- 1 A According to this exhibit, yes.
- 2 Q On September 15th, \$2,000?
- 3 A Yes.
- 4 Q September 19th, \$2,000?
- 5 A Yes, I think so.
- 6 Q September 27th, \$1,000?
- 7 A Yes.
- 8 Q September 28th, \$2,000?
- 9 A Yes.
- 10 Q October 3rd, \$2,000?
- 11 A Yes.
- 12 Q October 17th, \$1,000?
- 13 A Yes.
- 14 Q February 8th of '90, \$3,000?
- 15 A Yes.
- 16 Q February 15th, \$1,000?
- 17 A Yes.
- 18 Q February 21st, \$2,000?
- 19 A Yes.
- 20 Q February 28th, \$3,000?
- 21 A Yes.
- 22 Q March 7th, \$2,000?
- 23 A Of what year?
- 24 Q '90?
- 25 A Yes.

- 1 Q April 3rd, \$3,000?
- 2 A Yes, sir.
- 3 Q June 1st, \$3,500?
- 4 A Yes, sir.
- 5 Q June 7th, \$1,900?
- 6 A Yes, sir.
- 7 Q July 3rd, \$3,500?
- 8 A Yes.
- 9 Q July 19th, \$6,000?
- 10 A Yes, sir.
- 11 Q August 3rd, \$3,500?
- 12 A Yes, sir.
- 13 Q August 11, \$470?
- 14 A Yes, sir.
- 15 Q September 1, \$3,500?
- 16 A Yes.
- 17 Q September 4, \$6,000?
- 18 A Yes, sir.
- 19 Q September 18, \$400?
- 20 A Yes, sir.
- 21 Q September 25th, \$3,500?
- 22 A That is correct.
- 23 Q October 2nd, \$500?
- 24 A Yes, sir.
- 25 Q October 19th, \$500?

- 1 A Yes.
- 2 Q November 2nd, \$3,500?
- 3 A Yes.
- 4 Q November 14th, \$1,500?
- 5 A Yes.
- 6 Q November 30, \$3,500?
- 7 A Yes.
- 8 Q January 2nd, \$3,500, of '91?
- 9 A Yes. Yes, that is correct.
- 10 Q January 28, \$5,400?
- 11 A Yes.
- 12 Q January 29th, \$500?
- 13 A Yes.
- 14 Q February 1st, \$3,500?
- 15 A Yes.
- 16 Q March 25th, \$500?
- 17 A Yes.
- 18 Q April 2nd, \$3,500?
- 19 A Yes.
- 20 Q April 7th, \$5,000
- 21 A Yes.
- 22 Q April 30, \$3,500?
- 23 A Yes.
- 24 Q May 31, \$3,500. I'm skipping some smaller payments.
- 25 A May 31st, yes. Yes, that's here.

1 Q July 1, \$3,500?

2 A It stops there. I'm sorry.

3 Q July 1, \$3,500?

4 A I'm sorry. It goes and skips back up again. I don't
5 see that July 1st on there.

6 THE COURT: What date?

7 MR. MEDVENE: July 1 of '91.

8 THE COURT: Well, let's just stipulate to that if
9 it's true.

10 THE WITNESS: As you can see, it goes see from May
11 to June and skips back up to June, and I don't --

12 BY MR. MEDVENE:

13 Q At the top of page, sir?

14 Q I'm sorry. You say July 1st? Yes, sir, I got it.
15 Okay. I'm sorry.

16 Q \$3,500?

17 A It skips around.

18 Q Is that correct, sir?

19 A Yes, that is correct.

20 Q August 2nd, \$3,500?

21 A Yes.

22 Q Another August '91 payment of \$3,500?

23 A It's black there. I can't make it out. If you say so
24 I'm sure it is.

25 Q When you say it's black, you mean -- you mean the

- 1 date?
- 2 A It's black. It's not legible, I believe.
- 3 Q Is the \$3,500 legible, sir? It says August '91,
4 \$3,500?
- 5 A You mean on the 2nd of August?
- 6 Q The 2nd of August, you see \$3,500; correct, sir?
- 7 A Yes. That's legible.
- 8 Q You go down, one, two, three, four spaces. I'm
9 skipping the smaller payments.
- 10 A Uh-huh.
- 11 Q It's another \$3,500; is that correct, in August?
- 12 A In August, yes.
- 13 Q In September, did you receive payments of \$548,
14 \$1,155, \$800, \$3,500, and \$418?
- 15 A According to this, yes.
- 16 Q In November, \$1,750, and another \$1,750, and another
17 \$1,000 or another \$1,100, and another \$500?
- 18 A Yes.
- 19 Q In December, \$3,000 and another payment of one or more
20 \$1,000?
- 21 A Only the amount -- the dates are wiped out. Only the
22 amounts. There's one for \$3,000 one for \$500.
- 23 Q In January of '92, payments --
- 24 A Yes, sir.
- 25 Q -- of \$8,000?

- 1 A I'd have to add them up. I don't know.
- 2 Q \$2,500, \$2,500, and \$3,500?
- 3 A Yes, sir.
- 4 No. It's \$2,500, \$2,000 and \$3,500.
- 5 Q In February, \$2,000?
- 6 A Yes, sir.
- 7 Q In March, \$4,300?
- 8 A Yes, sir.
- 9 Q In April \$4,000?
- 10 A Yes, sir.
- 11 Q In May, \$4,700?
- 12 A Yes, sir.
- 13 Q In June, approximately \$3,400?
- 14 A For \$3,485, sir.
- 15 Q In July, \$3,500?
- 16 A Yes, sir.
- 17 Q August, \$3,500?
- 18 A Yes, sir.
- 19 Q September, \$3,500?
- 20 A Yes, sir.
- 21 Q How about October?
- 22 A I get \$3,500 a month. I don't know. It's not on
23 here.
- 24 Q You received \$3,500 in October and November and
25 December of this year?

1 A Yes.

2 Q Okay. Now, were you ever asked by anyone to -- strike
3 that.

4 You mentioned on Friday being asked to go look at
5 a gate at 881 Lope de Vega.

6 When was that?

7 A It was shortly after we had driven by that house. I
8 don't remember the exact date. I don't -- I didn't note it
9 down, but I can't think. It was -- what can I tell you.
10 It was summer around the end of 1983, the first part of
11 1984. I was -- in my own mind, I'd situate it somewhere
12 around January or February of 1984.

13 Q Did you previously say under oath that it was in
14 August?

15 A That was it what?

16 Q In August?

17 A I may have. I may have given a range of dates. I'm
18 not -- I don't want to say that I'm sure on the date,
19 because I really am not.

20 Q You said the other day it was approximately January of
21 February?

22 A As more -- as much as I can think about it, every time
23 I testified to this, and every time it comes up, I try to
24 situate dates. I didn't take it down. I tried to relate
25 it with other things that happened and figure out a better

1 date. Maybe I'm not very good at it. I can assure you
2 that it happened.

3 Q That's what we are here to fine out, Mr. Harrison.

4 A Well, I --

5 Q Mr. Harrison, did you know that Mr. Zuno did not live
6 at the house at Lope de Vega in January or February of
7 1984?

8 A Did I know it when? In 1984? In 1984, I had no idea
9 whether Mr. Zuno lived there or not. I didn't.

10 Q All right, sir.

11 A Mr. Zuno didn't cross my mind in 1984.

12 Q Now, did you knock on the gate when you came up to the
13 house?

14 A Yeah, I knocked on the gate. As I say, I said on
15 Friday, Mr. Medevene --

16 Q Excuse me, sir.

17 A -- I just -- we're not going to be able to understand
18 each other in these questions. I mistranslated. Puerta in
19 Spanish means door, gate, and garage door. I was speaking
20 when I was told to go there I understood it to be the
21 garage door. I knocked on the side gate and the person
22 came out of it.

23 So I don't want to mix it up. I just know there
24 are not three words in Spanish for those three types of
25 doors. I mistranslated. I hadn't spoken English in a long

1 time and --

2 Q What did you knock on, the garage door?

3 A No, a gate that's in front of the front door.

4 Q Isn't it true, sir, that there is no gate in front of
5 the front door?

6 A Well, I'm not sure if it was in front of the front
7 door.

8 Q Excuse me.

9 A I knocked on what you -- on what you normally knock on
10 for the people to come out. I saw the guy come out of the
11 house.

12 MR. MEDVENE: May I approach the witness, Your
13 Honor, just for purposes of --

14 BY MR. MEDVENE:

15 Q Well, next to you Mr. Harrison --

16 THE COURT: What is it?

17 MR. MEDVENE: I want to show him -- I want to
18 exhibit to the jury --

19 THE COURT: The exhibit in front of him?

20 MR. MEDVENE: Yes, sir. I put it next to him.
21 It's a picture.

22 THE COURT: Do you see the picture there?

23 All right. You may approach.

24 BY MR. MEDEVENE:

25 Q Mr. Harrison --

1 MR. MEDVENE: May I stand here for just a moment,
2 Your Honor?

3 MR. CARLTON: Could we have an exhibit number,
4 Your Honor?

5 MR. MEDVENE: Yes, sir. 13-A.

6 BY MR. MEDVENE:

7 Q Isn't it true, Mr. Harrison, that there is no gate
8 that you knocked on -- strike that.

9 Is 13-A a picture of 881 Lope de Vega?

10 A Yes, it is.

11 Q Isn't it true, Mr. Harrison, that the gate or garage
12 door that you said you knocked on, it would make no sense
13 to knock on it because nobody lives in the garage?

14 MR. CARLTON: Objection. Speculative. Ambiguous.

15 THE COURT: Sustained.

16 THE WITNESS: You want to now, sir --

17 THE COURT: Just a moment.

18 THE WITNESS: -- I knocked here.

19 THE COURT: Just a moment. You have another
20 question?

21 MR. MEDVENE: Yes, sir.

22 BY MR. MEDVENE:

23 Q Are you saying, Mr. Harrison, that you knocked where
24 you pointed and I'll put an "X" there?

25 THE COURT: Let the witness put the "X".

1 BY MR. MEDVENE:

2 Q Will you put an "X" there, sir? Right by the gate.

3 A Right around here. In front of the door. Where you
4 stand in front of the front door.

5 Q You said on the gate, so will you put it by the gate
6 were you -- okay.

7 MR. CARLTON: Your Honor, may I approach so I can
8 see what has been marked?

9 THE COURT: Well, I'm about to send him back, so
10 you don't need to. You can see it later.

11 BY MR. MEDVENE:

12 Q Mr. Harrison, isn't the gate that you claimed that you
13 knocked on about 20 feet in front of the door?

14 A It's the next thing -- well, which door are you
15 talking about?

16 Q Isn't there just a small gate about four foot high
17 that you would open and then walk up to the front door,
18 which is 20 feet in, and you're going to knock, you would
19 knock on the front door, but if you were --

20 A No way. No way.

21 Q All right, sir?

22 A Number one, for --

23 Q Excuse me.

24 A -- you don't do that, and number two, if Mr.

25 Caro-Quintero's house, if you think he lives here, you

1 don't do that's either. There's no way. I had some kind
2 of coin and I banged on the gate, I banged on the metal
3 part of the fence.

4 Q Does the 13-A accurately depict, sir?

5 A Yes, it does.

6 Q The four-foot gate, three-and-a-half, four-foot gate,
7 that you can open to walk to the front door, is it
8 accurately depicted in that picture, sir?

9 A Well, it's there, yes. That's the area.

10 Q Is this picture an accurate picture, sir?

11 A Yes, I think so, yes.

12 Q Okay. Now, you made some reference Friday,
13 Mr. Harrison, about a radio transmission?

14 A Yes, sir.

15 Q When was that that you overheard allegedly this radio
16 transmission?

17 A That would have also been in the same time frame as
18 when I was sent over, because I was -- it was shortly
19 before the incident were I was sent over to see the garage
20 door.

21 Q And again, so in the January-February '84 timeframe?

22 A That's where I have it situated in my mind.

23 Q You have no information -- strike that.

24 As you told us, you didn't know if Mr. Zuno was
25 then living permanently in Mascota or not; isn't that

1 correct?

2 A That is correct.

3 Q Do you know whether at that time Sergio Velasco-Virgen
4 and his family were actually renting the 881 Lope de Vega
5 house?

6 A I don't know Sergio Velasco.

7 Q Do you -- you have no knowledge one way or the other
8 if he was renting the house?

9 A No.

10 Q How did you happen to be in the vicinity of
11 881 Lope de Vega on this particular occasion?

12 A Which occasion, sir?

13 Q The occasion when you claimed that you overheard some
14 transmission?

15 A We were driving past Jardines Del Bosque to get into
16 downtown, get into the downtown area.

17 Q Now, what side of the street is 881 Lope de Vega on?

18 A It's on the --

19 MR. CARLTON: Objection. Ambiguous.

20 THE WITNESS: Depends on which way you are going.

21 MR. MEDVENE: Which way?

22 BY MR. MEDVENE:

23 Q Well, which way --

24 THE COURT: It wouldn't depend on which way you
25 were going, on what -- if it's on the north side, it's on

1 the north side. If it's on the east side, it's on the east
2 side. Whether you're going either way.

3 THE WITNESS: Well, I could only situate on the
4 left or the right. And the truth is I don't know north and
5 south. I'm not very good at that.

6 BY MR. MEDVENE:

7 Q Well, how did you approach the house? In which
8 direction were you driving?

9 A We were driving on Sol. We were driving on Sol
10 Street, S-O-L, and we happened to go past that house. I
11 think it's on the corner or near the corner. And I just
12 got a remark that that's, you know --

13 Q Did you go past the front of the house?

14 A I think we went past just part -- a portion of it. We
15 may have driven in front of it. I don't really remember.

16 Q Did you or didn't you?

17 A I was concentrating on the radio, not on the house. I
18 was bringing this radio up and down. I had the antenna
19 down on the floor. We were driving past. You'll have to
20 excuse me, but I really didn't -- I don't have a
21 photographic picture in my mind of how we did it. We just
22 happened to be going by there.

23 Q Are you saying now you don't recall if you went past
24 the front of the house or not?

25 A We went past the house. I assume we went past the

1 front of the house. But as we were moving right in front
2 of that house, I had the radio down on the floor.

3 As I testified on Friday, the signal was so strong
4 that what I wanted to do was to ground the antenna.

5 Q Excuse me.

6 A When you bend over in the seat, you don't really see a
7 lot out of the window.

8 Q Did I hear you correctly -- I don't mean to
9 misstate -- did you say as you drove past the front of the
10 house you did this?

11 A I believe we drove past the house, yes.

12 Q Now, when you drive down El Sol, you don't go past the
13 front of the house, do you?

14 A If you turn onto Lope de Vega, yes.

15 Q Well, I thought you told us before you drove down El
16 Sol. Now are you telling us you drove down El Sol and you
17 turned on Lope de Vega?

18 A I'm not sure whether we turned or not. I don't want
19 to lie to you. But I don't want to give you a false
20 impression of what we were doing. I wasn't driving. It
21 wasn't my car, I was more concentrating on the radio. I've
22 only seen this house twice in my life. I never went back.
23 I didn't know whose house it was, as a matter of fact,
24 until much later.

25 Q You wouldn't go by that house to -- were did you start

1 from that day when you claim you want by the house?

2 A We started on Mariano Otero. On the street of Mariano
3 Otero.

4 Q And you were -- your destination was were?

5 A We were going into the downtown area. We were going
6 over to were -- close to the American Consulate.

7 Q Were you starting from a house?

8 A We started out from the house on Porcho [phonetic].

9 Q I'm sorry?

10 A We started out from the house on Porcho, yes.

11 Q From Ernesto Fonseca's house?

12 A Yes.

13 Q Going downtown to the American Consulate?

14 A Going straight over.

15 Q Okay. Were you using a hand held radio?

16 A Yes, sir.

17 Q Is that susceptible to distortion?

18 A Yes, sir.

19 Q What frequency -- strike that.

20 What type antenna did you have on the radio that
21 you claim you received the transmission on?

22 A I had a quarter inch -- quarter wave rubber duck
23 antenna.

24 Q What frequency was the radio receiving on?

25 A At that particular time it was receiving on 148350.

1 Q Were there any repeater sites in the area?

2 A Oh, yes.

3 Q Where was the closest repeater site?

4 A The closest repeater site was in the telephone
5 building about four block away from the American Consulate
6 in Guadalajara.

7 Q Were there any transmitters in the area?

8 A Well, there are -- it's a well Haras area
9 supersaturated with FVHFF Transmitters. I'm sure there
10 were plenty.

11 Q And the VHF -- there was a VHF system -- a VHF band?

12 A Yes. That is the VHF band. That's the very high
13 frequency band, FM Band, and the city is saturated with
14 those.

15 Q And those bands are sufficiently wide so they pick up
16 other signals; isn't that correct?

17 A The band width of the radio frequencies that are
18 assigned are five kilihertz. If they do pick up adjacent
19 channel and even beat frequency where two frequencies come
20 together and create a third, they pick up interference all
21 the time.

22 Q There were lots of house in that area; weren't there.

23 A Oh, yes, sir.

24 Q Now, did you -- you didn't make any determination that
25 there were no other sources of transmission, did you, cause

1 that wasn't your particular interest at that time?

2 A It was too quick, number one. It all happened really
3 quick. We were driving by a place. I'm bending over
4 putting the radio on the floor. What I can tell you is I
5 that I took it off the repeater and put it on the normal
6 radio to radio frequency. And that type of frequency comes
7 in through the radio case and will override any
8 interference. You'd have to have a 20,000 watt transmitter
9 on one side, and even if you were just one kilocycle up,
10 you still would not get interference if you have a -- if
11 you were just standing right in front of a radio, it is so
12 strong that even if you took the antenna off, you'd still
13 receive it because the radio's receiving the frequency
14 through the case. It's disregarding antenna. I mean, it
15 has nothing. That's why you ground the antennas to see how
16 strong it is.

17 Q Do you recall now, eight years later, whatever it is
18 what Mr. Quintero was saying on the phone?

19 A Oh, yes. That I recall very well.

20 Q What was he saying?

21 A He was bawling out -- see, there was a friend of mine
22 who had gotten in trouble with him and he had been sent in
23 exile to a ranch, this Ranch Pueyna [phonetic], owned by
24 Ernesto Fonseca. And this man's name was Mario. He had
25 come back into the Guadalajara area. And Mr. Caro got on

1 him right way and said, "What are you doing? Why did you
2 leave the ranch? What are you doing back here? I told you
3 to stay there."

4 Q Did you see Caro-Quintero on that occasion?

5 A No.

6 Q Did you see him broadcasting?

7 A No.

8 Q Didn't you tell -- strike that.

9 On September 29, 1989, didn't you have a
10 conversation with D.E.A. Agents Martinez and Morales?

11 A I assume so, yes.

12 Q Didn't you tell them on that occasion that you saw
13 Caro-Quintero?

14 A I would never said that. No, I don't.

15 Q Didn't you tell them you saw him dispatching out of
16 the house?

17 A No.

18 Q If you said that, it was in error?

19 A Totally. I never saw him. I'm not saying that I ever
20 saw Mr. Caro-Quintero in that houuse. I don't want to say
21 that. That would be a lie.

22 Q But what you --

23 A I think that Mr. Caro-Quintero was broadcasting from
24 that house, even though the radio could just as well have
25 been behind me as in front of me. I don't want to give

1 anybody the false impression here. There's -- I don't have
2 X-ray eyes. I couldn't say that he was definitely in that
3 house. All I know is that he was broadcasting in an area
4 within 40 or 50 feet in a circle around me.

5 Q All right.

6 A That could have behind and on the side just as well.

7 Q You are saying under oath here that you never told the
8 D.E.A. agents that you saw him actually dispatching on that
9 occasion?

10 A No. I never told anybody that, and I wouldn't have
11 said that.

12 Q All right, sir.

13 Now, directing you to the area of your testimony
14 Friday when you made reference to a party, about 175 to 200
15 people?

16 A Yes, sir.

17 Q How many years ago was that when you have memory of
18 the people that were there?

19 A Well, I would assume it was 1983. This is 1992. I
20 would suppose that makes it nine years.

21 Q Now, did Ernesto Fonesca order you to go to that
22 party?

23 A Yes, sir.

24 Q And what were -- what time did you get there?

25 A I got there that afternoon about three or four

1 o'clock, I think. I had to bring some supplies.

2 Q And when was that? What day?

3 A It was -- I can't tell you the exact day. I
4 understood it was De La San Rafael, which would have been
5 the Saint Day of Saint Rafael in Mexico.

6 Q Now, what did you do -- strike that.

7 How many hours were you at the party?

8 A I was there from that afternoon continuously. I
9 left around, I guess, 11:30 or 12 o'clock to go to the
10 repeater site. I came back around one o'clock in the
11 morning, and I was there until the next day -- or the
12 afternoon of the next day or the midday of the next day.

13 Q Now, from the time you got there about three or four
14 o'clock until, let's say, about eight o'clock in the
15 evening, what were you doing? Were you busy or just
16 sitting around or --

17 A I was busy all afternoon. I brought the beer. I was
18 helping Mr. Fonseca's brother-in-law make pork rinds. I
19 was doing everything. I had a lot of work to do there,
20 yes.

21 Q Fair so say that during the hours you were there, you
22 were very active, moving around, doing a variety of things?

23 A Yes.

24 Q Did you make any notes eight-nine years ago of who was
25 at the party?

1 A No, sir, I did not.

2 Q Since the party eight-nine years ago, did you make any
3 notes of who was there?

4 A No, sir.

5 Q Is it correct, sir, that you did not see Mr. Zuno
6 allegedly arrive?

7 A Well, let's me --

8 Q Excuse me, sir. My question is did you see him
9 arrive?

10 A You don't -- just a minute. What does arrive mean? I
11 didn't see you arrive. I saw you come into the courtroom
12 today, but I don't know what time you drove up in your car.

13 Q Arrive, sir --

14 A Let's get it straight in our minds, okay.

15 Q All right, sir, let me try to be helpful.

16 A I saw him here for the first time in my field of
17 vision. I assumed he had arrived.

18 THE COURT: Just a moment. It might be a better
19 question to ask whether he knows how long Mr. Zuno had been
20 there at the time he first saw him.

21 BY MR. MEDVENE:

22 Q Do you know how long Mr. Zuno had been there before
23 you first saw him?

24 A No, I did not.

25 Q You did not see him come in, allegedly come in to the

1 party, did you?

2 A Well, I didn't see him pass the front gate. I saw
3 him --

4 Q Excuse me, sir.

5 A I saw him appear there, yes. He appeared.

6 Q I read from your testimony under oath in June of '90,
7 14-43, Lines 5 and 6:

8 "Question: Did you see him come in?

9 "Answer: No, I did not?"

10 A That's true. I didn't.

11 Q Now, is it true, sir, that you also, after this brief
12 incident you described, you also didn't see Mr. Zuno later
13 in the afternoon?

14 A That's true also.

15 Q You were surprised Mr. Zuno was at the party?

16 A Yes, I was.

17 Q You didn't think he knew Caro-Quintero; isn't that
18 true?

19 A I was just wondering what he was doing there. I
20 didn't -- you know, a meeting of two worlds.

21 Q Now, you claimed you had this long relationship with
22 his family. You claim that; is that right?

23 A Well --

24 Q Strike that. Let me ask you another question.

25 A You're characterizing the relationship. I had a

1 relationship with his family, yes.

2 Q Did you -- you hadn't seen Mr. Zuno for a period of
3 time before this alleged incident --

4 A That is correct.

5 Q -- when you briefly saw him at the party?

6 A That's true.

7 Q Did you go up and say hello to him?

8 A No. I was there as a servant.

9 Q Now, you also made reference Friday to Ernesto
10 Fonseca's house?

11 A Yes, sir.

12 Q You claim that in all of the times you were there,
13 worked there, lived there, whatever, there was one occasion
14 you saw Mr. Zuno; right?

15 A Yes, sir.

16 Q What was the address of that house where you claim you
17 saw Mr. Zuno?

18 A I don't know the address. I couldn't tell you. It
19 was at the corner of Cuarzo Obsidiana, the number address,
20 I don't know.

21 Q I'm sorry. It was on the corner of where?

22 A Cuarzo Obsidiana. I don't know the number. The
23 number of the street I don't know. I believe the number
24 was on Obziano, if I'm not -- the number was on the front
25 door that we never used. We didn't enter from that side.

1 We didn't enter from that street.

2 Q Excuse me one second, sir.

3 MR. MEDVENE: One second, Your Honor.

4 BY MR. MEDVENE:

5 Q Could you spell street address, sir, where you -- oh,
6 I found it. Can you spell the street address where you
7 said the -- where you saw Mr. Zuno?

8 A Cuarzo is C-U-A-R-Z-O, okay. Obsidiana is
9 O-B-S-I-D-I-A-N-A, Obsidiana.

10 Q Didn't you previously state under oath, sir, in May of
11 '90, that that wasn't the house at all, that then you
12 claimed that house was at Circunvalacion Sur 113, Colonial
13 Los Fuentes?

14 A Mr. Medvene, I hoped you wouldn't do that again, but
15 as you did before, you're confusing the two incidents. You
16 are confusing the two houses. One house is on
17 Circunvalacion Sur and the other one is where I said it
18 was. There are two houses, two separate incidents.

19 Q I read the -- with -- at 14 -- Volume 14, Page 46,
20 testimony of June of '90, question with reference to the
21 Fonseca meeting:

22 "Question: Where is the house?

23 "Answer: The house is located at
24 Circunvalacion Sur 113, Colonial Las
25 Fuentes."

1 I apologize to the people for my pronunciation.

2 "Question: Is that the house you

3 told us the birthday party was for

4 Caro-Quintero?

5 "Answer: That's were I said I saw

6 him, sir."

7 Mr. Harrison, you said, correct, sir, that prior

8 to -- strike that.

9 Is it correct, sir, that after -- that up through

10 and including the time you had been with D.E.A. agents for

11 five years -- excuse me -- that up to through the time you

12 had been with D.E.A. agents for some five hours, that you

13 never previously had said you had ever seen Mr. Zuno with

14 Mr. Fonseca or Mr. Quintero on one occasion or any

15 occasions?

16 THE COURT: Just a moment. Is this relating to

17 this drive or trip from Hermosillo?

18 MR. MEDVENE: I'm asking him now just as a final

19 question, Your Honor, is it --

20 THE COURT: This question has been asked and

21 answered previously.

22 MR. MEDVENE: All right, sir.

23 I have nothing further.

24 THE COURT: You may cross-examine the witness.

25 MR. RUBIN: Thank you, Your Honor.

CROSS-EXAMINATION

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BY MR. RUBIN:.

Q First, Mr. Harrison, turning your attention to your statement that you don't want to give anyone a false impression, it's true, is it not, that in June 1990, when you told -- and you testified under oath -- that you didn't recall the name of the person, you were lying at that time; isn't that right.

MR. CARLTON: Objection, Your Honor. Vague and ambiguous.

THE COURT: The question is vague and ambiguous. Be more specific.

BY MR. RUBIN:

Q Mr. Harrison, in June 1990, you testified that you didn't recall the name of the individual who contacted you about coming to the United States; is that correct?

A That is correct, sir.

Q And at that time you were under oath and sworn to tell the truth, correct?

A Yes, sir.

Q And that wasn't the truth, was it, Mr. Harrison?

A No, sir, I freely admit that I lied on that occasion.

Q In fact, you lied under oath, correct?

A Oh, yes, I did.

Q Did you tell anybody in the courtroom that you were

1 lying under oath at that time?

2 A I have a feeling everybody in the courtroom knew I was
3 lying under oath.

4 Q And they -- did they do that by looking at your face
5 and telling you that you were lying under oath.

6 A No.

7 MR. CARLTON: Objection.

8 THE WITNESS: His Honor reprimanded me on that
9 occasion. I understand why, but I also understand why I
10 did it. It's the only time I ever lied, and I did it to
11 save a life and I'd do it again. I don't want these people
12 to be killed. I feel strongly about it. I'm sorry.

13 BY MR. RUBIN:

14 Q So it's your testimony then that you would lie again
15 under oath; is that correct?

16 A No, sir. On that particular thing, if I could find
17 some way not to give that name up, yes, sir, I would.

18 Q So it's your determination in your mind when it's
19 appropriate to lie under oath and when it's not appropriate
20 to lie under oath; is that correct?

21 A No, sir, it would have to be the very high -- really
22 high reason, such as saving an innocent person's life.

23 Q And you decided that without consultation with
24 anybody, correct, that it was appropriate?

25 A Nine bullets.

1 Q You were entitled --

2 A It doesn't take too much to decide.

3 Q Sir, you had decided without any consultation or
4 questioning of anybody that you felt it was okay to lie
5 when you were sworn not to under oath; isn't that true?

6 A I consulted my conscience, sir. And, boy, it told me
7 not to tell that name.

8 Q Now, when did you first come to an agreement with the
9 government to cooperate and testify for them?

10 A Again, a compound question, cooperate and testify. I
11 came to an agreement to cooperate with the government in
12 1989. I told them I did want to testify. I left it
13 completely off the list. I said I was totally against
14 testifying and they said, well, what if you're needed,
15 would you assist your government, will you help the
16 government of the United States, and I said if it is
17 necessary, I will give you my word that I will go ahead.
18 I'm keeping my word here today, not to my life.

19 Q Sir, the first time then that you came to an agreement
20 to cooperate was in 19 --

21 THE COURT: Is it necessary to repeat the witness'
22 answer, Counsel? Just move on to another question.

23 MR. RUBIN: Yes, Your Honor.

24 BY MR. RUBIN:.

25 Q Did you approach the government or did the government

1 approach you?

2 A They approached me.

3 Q They had previously approached you for your
4 corporation; had they not?

5 A Give me a time reference, date.

6 Q Well, in fact, in 1985, right after you had been shot,
7 Special Agent Camarena came to you and asked for your
8 corporation; did he not?

9 A He asked if I wanted him to help me.

10 Q And?

11 A Not he specifically. He was accompanied by another
12 person who wasn't from the D.E.A.

13 Q You understood that to mean that he wanted -- that he
14 could help you if would cooperate with him; true?

15 A I understood that to be the import of what he said to
16 me, yes.

17 Q At the time, you refused to cooperate with him; isn't
18 that true?

19 A That's true. I refused his help.

20 Q You re refused his help.

21 And between -- and you refused his help even
22 though you had just been shot by the drug traffickers that
23 you had been working for, correct?

24 A I was surrounded by guards of those same drug
25 traffickers. They were nine of them standing in a row

1 around my bed, and I felt it better to say no.

2 Q Well, in fact, you left the hospital in May and
3 June -- May or June; hadn't you?

4 A No, sir. I was standing -- he was standing beside
5 the bed in the hospital. And I had only been shot four or
6 five days, and I was surrounded by nine special guards who
7 were there to keep me from having a lawyer or being able to
8 contact my family or --

9 Q Sir, but you eventually left the hospital in May or
10 June of that year; did you not?

11 A In May or June of that area? No, sir, I did not.

12 Q Of the following year? Excuse me.

13 A No, sir, I did not.

14 Q When did you leave the hospital?

15 A I left the hospital I would think -- it must have been
16 around November the 14th or 15th of 1984.

17 Q After you left the hospital, did you contact Special
18 Agent Camarena or call the D.E.A. to offer your cooperation
19 or your assistance at that time?

20 A Well, I was taken under custody, tortured, and I
21 didn't really have a lot of chances to get to a phone.

22 Q There was no -- there was no -- did you ever become
23 free at all to any -- got to a telephone?

24 A When I -- if you're referring to the fact that at the
25 time I got out of the state prison were I was falsely

1 imprisoned in May of 1985, from that time, no, I did not
2 contact the D.E.A. and I didn't want to.

3 Q And at that point, you didn't have this patriotic
4 fervor to help your government at that time that you
5 testified that led you to be willing to testify?

6 MR. CARLTON: Objection. Argumentative.

7 THE COURT: Overruled. Answer the question.

8 THE WITNESS: The question was I a patriot? Yes,
9 I always have been, Mr. Rubin, a long, long time.

10 BY MR. RUBIN:

11 Q You have been a patriot for a long, long time?

12 A Yes.

13 Q All right. You knew when you joined Ernesto Fonseca's
14 organization that he was importing narcotics; did you not?

15 A I knew that he was working closely with a foreign
16 government. He was a close ally of the United States.

17 Q Did you know that he was a drug trafficker, sir?

18 A Eventually, yes, I did know.

19 Q And you continued to work for Mr. Fonseca's, even
20 though you knew he was a drug trafficker; true?

21 A Worked for the intelligence division of a foreign
22 country, who was an ally of the United States.

23 Q Sir, were you working for Mr. Fonseca knowing that he
24 was a drug trafficker?

25 A I worked for that entire government knowing it was

1 drug trafficking.

2 Q So you felt you were an undercover operative working
3 for the police when you worked for him?

4 A I was -- working for which police? The intelligence
5 agency of the Mexican Government? Yes, sir. Absolutely.

6 Q Did you think that police agency that you were working
7 for was also involved in drug trafficking?

8 A Yes.

9 Q And, in fact, you considered yourself -- strike that.
10 Isn't it, in fact, true that during the years you
11 were working for Mr. Fonseca and the agency, that you were
12 part of a conspiracy to import -- to traffic in narcotics?

13 A I particularly was part of a conspiracy to put in a
14 radio system.

15 Q That radio system was to help this organization
16 traffic in narcotics; isn't that correct?

17 A Well, the radio system was for them to pick it up and
18 talk on it. What they did with it was their business.

19 Q And, sir, isn't it also true that you knew that all of
20 these narcotics or most of these narcotics were being sent
21 into the United States; isn't that true?

22 A I assumed that, yes.

23 Q Do you consider it part of your patriotism and feeling
24 for the government to be part of a conspiracy that imports
25 narcotics into the United States?

1 MR. CARLTON: Objection. Argumentative.
2 Irrelevant.

3 THE COURT: You may answer.

4 THE WITNESS: Let me try be clear on this. A
5 person who set in a place to watch and report, watches and
6 reports. What decision are taken father up the line don't
7 really -- didn't real concern me. Had it been within my
8 scope, I would have wiped out all that drug traffic in one
9 instant. It wasn't unfortunately within my scope. It
10 isn't today.

11 BY MR. RUBIN:

12 Q If would have been within your -- strike that.

13 But you workedfor them for three years; is that
14 right?

15 A I worked for the Federal Security Director, which is
16 intelligence agency, the National Security Agency of the
17 Mexican Republic.

18 Q You knew those people were drug traffickers?

19 A I knew that the entire government as part of a larger
20 plan was cooperating and doing all of that, yes, I did.

21 Q Did you tell -- call the D.E.A. and tell them I don't
22 want to be involved in drug trafficking because of this
23 patriotic fervor you had for the government of the United
24 States?

25 A Well, I didn't -- I didn't have their telephone

1 number, and it wasn't -- I wasn't reporting to the D.E.A.,
2 Mr. Rubin. I was reporting to the Mexicans.

3 Q Do you think if you would called -- strike that.

4 Do you know if Mexican telephone systems has
5 information?

6 A I wouldn't have needed information. I had ample
7 access to ever line in Guadalajara, sir.

8 Q So I take it, then, you could have called the D.E.A.;
9 isn't that true?

10 A I could have broken in on their telephone
11 conversation. I wouldn't have had to call them.

12 Q And, in fact, you didn't call them, did you?

13 A No, I didn't. I wasn't reporting to that government.
14 I was represent to another one. I wasn't reporting to this
15 government. I was reporting to another one.

16 Q Now, you've been -- you have given a number of
17 interviews to government agents during the course of your
18 cooperation, correct?

19 A Every time they've asked, yes.

20 Q And, in fact, isn't it true that before 1989 you gave
21 information to the D.E.A.?

22 Let me make it clear. I'll withdraw the question.

23 Isn't it true that on June 2nd of 1987, you gave
24 information to D.E.A. Agents Benito Mayestrez?

25 A I had contact with people in 1987 who told me where

1 they were from the D.E.A. I had -- I'm not sure who I had
2 contact with in 1987, though. I have come to understand
3 that that was the D.E.A.

4 Q Did you show you credentials that they were from the
5 D.E.A.?

6 A No, they did not.

7 Q Did you understand that they were from the D.E.A. at
8 the time?

9 A Well, that was my impression at first, yes.

10 Q And, so, in fact -- strike that.

11 And at that time in 1987, the specific area of
12 conversation was your knowledge of drug trafficking in the
13 Enrique Camarena investigation, correct?

14 A We did not discuss the Enrique Camarena problem. That
15 wasn't the substance of our talks. They were trying to get
16 me to talk to them, and I was trying to get them to leave
17 me alone.

18 Q Well, you thought these were representative of the
19 U.S. Government; did you not.

20 THE COURT: That's -- he already answered that.

21 BY MR. RUBIN:.

22 Q And at this patriotic feeling you had for the
23 government, you were trying to get agents away from you and
24 not give them any information?

25 A Yes.

1 Q Now, you didn't talk about Camarena at that time; is
2 that your testimony.

3 THE COURT: He answered that question.

4 BY MR. RUBIN:

5 Q Now, isn't it true that at no time during that meeting
6 in June 1987, did you ever mention that you knew
7 Dr. Humberto Alvarez Machain?

8 A I answered such questions as were asked me. That
9 question was not asked.

10 Q You were trying to give information to them; weren't
11 you?

12 A What time is that, 1987?

13 Q June of 1987?

14 A Trying to get them to go away.

15 Q Now, then in September of 1989, you had another series
16 of interviews with the D.E.A. agents?

17 A Yes.

18 Q Correct?

19 A That is correct.

20 Q Now, at that time you had decided now to cooperate and
21 give information to them?

22 A Yes.

23 Q And so at that time, you were trying to help them as
24 much as you could; isn't that correct?

25 A I was keeping my word to them, yes.

1 Q And did you have an immunity agreement at that point?

2 A No, I did not.

3 Q But you certainly weren't trying to hold anything back
4 from them, hide any information?

5 A As I wasn't wanted for anything, and I wasn't the
6 subject of any criminal investigation, you know, what would
7 I would need the immunity for? I hadn't done anything.

8 Q Now, on September 7th of 1989, you were interviewed
9 for over an hour by Special Agent Wayne Schmidt; isn't that
10 correct?

11 A The date again?

12 Q September 7th, 1989?

13 A I -- I'm assuming the date to be correct I was
14 interviewed on two or three occasion by agent Wayne
15 Schmidt.

16 Q That was immediately prior to your testifying in front
17 of a Federal Grand Jury? Do you remember that day?

18 A It was around the same time.

19 Q Now, and at that time, isn't it true, on September
20 7th, 1989 in this interview with Special Agent Schmidt, you
21 never mentioned that you had seen Dr. Machain giving
22 injections at parties at Fonseca's house?

23 A Once again, I answer you in the same vein. I answered
24 such questions as were asked me. These questions were
25 never asked. Mr. -- Dr. Machain never came up in that

1 conversation.

2 Q Sir, it was clear to you that the D.E.A. wanted as
3 much information as you had; isn't that right?

4 A I could have given information on Mr. Fonseca's
5 daughters, too. I answered such questions that were asked.
6 You misunderstood the way these interviews are conducted.

7 MR. RUBIN: Your Honor, there is no question
8 pending, I don't believe.

9 THE COURT: Pose one then.

10 BY MR. RUBIN:.

11 Q Sir, they didn't prohibit you from giving them names;
12 did they?

13 A Once again you misunderstand.

14 Q Sir, did they prohibit --

15 A Early. They ask, you answer.

16 Q My question was to you did they prohibit you from
17 giving any names?

18 A They didn't prohibit me from anything. They asked. I
19 answered.

20 Q In fact, sir, isn't true that the D.E.A. wanted you to
21 give them as many names as you could; isn't that true?

22 MR. CARLTON: Objection. Speculation.

23 THE COURT: Overruled.

24 THE WITNESS: I don't know whether -- I don't know
25 if that's true or not.

1 BY MR. RUBIN:

2 Q In fact, sir, isn't it also true that that's the very
3 purpose of being interviewed as to get as much information
4 and as many names as they can so they can do as broad scope
5 an investigation as they can; isn't that true?

6 A As you're sure doing in this trial, I think the
7 agent's attempt to direct your attention to a certain
8 thing, and ask you questions about it, that's what it is.
9 And I say to you again, they asked, you answer.

10 MR. RUBIN: Your Honor, I move to strike and ask
11 now the witness --

12 THE COURT: The motion is denied.

13 As another question.

14 BY MR. RUBIN:

15 Q In fact, sir, isn't it true that in that meeting you
16 never indicated that Dr. Machain gave injections at
17 Mr. Fonseca's house?

18 A That's true.

19 Q In fact, isn't it also true that you never even
20 mentioned Dr. Machain's name to Special Agent Schmidt?

21 A Mutually true. We never mentioned Dr. Machain's name.

22 Q Then, sir, that same day you went into the Grand Jury;
23 isn't that right?

24 A That's right.

25 Q. And you took the same oath to tell the truth that you

1 took today; isn't that true?

2 A Yes.

3 Q And at that time, you discussed one party; isn't that
4 right, the one with the horse?

5 A I answered questions and the Grand Jury also -- it's
6 not a discussion group, it's like a grand jury, they kind
7 of ask you questions, you answer.

8 Q And, in fact, isn't it true that in your Grand Jury
9 testimony that you never mentioned that you had seen
10 Dr. Machain giving injections at parties?

11 A Equally true. They didn't ask. I didn't answer.

12 MR. CARLTON: Objection. Asked and answered.

13 THE COURT: Just a moment. What is your
14 objection?

15 MR. CARLTON: The objection was irrelevance, Your
16 Honor.

17 THE COURT: Well, it's improper question to ask a
18 witness if what he told the Grand Jury unless you can show
19 what they asked him.

20 MR. RUBIN: Well, it's a lack of a question, Your
21 Honor, that there was nothing mentioned.

22 THE COURT: Well, just go on.

23 BY MR. RUBIN:

24 Q Now, on September 8th of 1989, you were interviewed
25 again by Agent Schmidt; correct?

- 1 A Yes, sir.
- 2 Q And that was over another hour interview?
- 3 A I think it was a little more than an hour, I think.
- 4 Q And?
- 5 A Short on the time.
- 6 Q Again, in that interview on September 8th, 1989,
7 didn't mention a word about Dr. Machain, did you?
- 8 A Same answer, neither asked nor answered.
- 9 Q Did you ever volunteer names in any of the interviews,
10 did you ever volunteer names that they didn't ask you
11 about?
- 12 A Mr. Rubin, they weren't asking me to write a book.
13 They were asking me questions. I was answering.
- 14 Q Sir, in the interviews that you gave to the agents,
15 did you ever volunteer names that they didn't ask you
16 about?
- 17 A That I know of, no. I answered the questions they
18 asked.
- 19 Q So they always asked you about -- they gave you a
20 specific name; is that correct?
- 21 A No. They gave me a specific incident or a specific
22 topic. They said what do you know about this.
- 23 Q And they certainly discussed who were associated with
24 Ernesto Fonseca; did they not?
- 25 A That is correct.

1 Q And in response to those questions -- strike that.

2 And they certainly asked who was at Fonseca's
3 house; didn't they ask you that?

4 A They asked me who his associates were. They never
5 asked me who his doctor was. I'm sorry.

6 Q So, Dr. Machain is not one of Mr. Fonseca's
7 associates, correct?

8 A I didn't know he was one of drug associates. No, I
9 did not.

10 Q Now, September 9th, another interview, almost two
11 hours, and again never mentioned Dr. Machain's name; isn't
12 that right?

13 A Neither asked nor answered.

14 Q Never volunteered by you, correct?

15 A I was totally unaware that Dr. Machain figured in the
16 case. I'm sorry Mr. Rubin, but I just I thought he was
17 their doctor.

18 Q In fact there are about, oh --

19 THE COURT: Counsel, I think you should ask one
20 question to cover all meetings and not just go through
21 these one -- you wasting a lot of time here.

22 MR. RUBIN: Well --

23 THE COURT: Ask him if he had at any time
24 mentioned your client.

25 MR. RUBIN: I want to -- if I can bring up two

1 questions, Your Honor.

2 BY MR. RUBIN:.

3 Q You had meetings, two groups of meetings. You had
4 meeting also September 11th, September 20th, and October
5 4th, and February of '89, and February 9th of 1990; true?

6 A I rely on your recollection of the dates.

7 Q In fact, one of those meetings was even tape recorded?
8 One of those interviews was even tape recorded?

9 A Oh, yes, one of those interviews was tape recorded.

10 Q And in none of those meetings did you ever mention
11 Dr. Machain names, did you?

12 A I never mention Dr. Machain's name until I was asked
13 if I knew him.

14 Q Now --

15 A Then I said, yes, I know him.

16 Q Now, on June 6th, when you testified, you were
17 questioned about many of the same events that you were
18 questioned about today -- yesterday; were you not?

19 A June?

20 Q June 6th, 1990?

21 A Will you refresh my memory?

22 THE COURT: It's irrelevant.

23 BY MR. RUBIN:

24 Q Well, sir, at the parties that you -- what -- you
25 worked for doctor -- Fonseca for three years; is that

1 right?

2 A I was assigned to Mr. Fonseca on and off for, I think,
3 four years.

4 Q Four years?

5 A Yes.

6 Q Forty-eight months?

7 A I don't want to get into months.

8 THE COURT: Just a moment. Stop wasting time.

9 MR. RUBIN: Your Honor --

10 THE COURT: Four years is 48 months.

11 MR. RUBIN: That's true, Your Honor.

12 THE COURT: That's not a question that needs to be
13 asked.

14 BY MR. RUBIN:

15 Q And, in fact, mseeing Mr. -- Dr. Machain at --
16 allegedly seeing Dr. Machain at Mr. Fonseca's house 25
17 times would average out to once every two months; is that
18 correct?

19 A Well, however you average it out, I saw him a number
20 of times at Mr. Fonseca's house, yes.

21 Q Now, at these parties that you allegedly saw
22 Dr. Machain at, the individuals in the house were smoking
23 crack?

24 A Yes.

25 Q Is that right?

- 1 A Yes.
- 2 Q Were you smoking crack at the time?
- 3 A No, I wasn't.
- 4 Q Was Dr. Machain smoking crack?
- 5 A Not that I ever saw him smoke crack.
- 6 Q Now, what was the first party you saw Dr. Machain give
7 an injection?
- 8 A Injections. It would have been between the last part
9 of '83 and the first part of '84.
- 10 Q Do you remember the month?
- 11 A I really don't.
- 12 Q Do you remember the person he gave the injection to?
- 13 A He gave the injections to Ernesto, he gave the
14 injections to Barba. I know who brought the injections.
15 Yes, I know that entire story, yes.
- 16 Q These people -- did these people take injections
17 regularly, Ernesto Barba?
- 18 A They were sold a series of injection that were
19 supposedly to rejuveniate them by another doctor and he
20 left, and I guess somebody -- he left and I guess somebody
21 else had to give the injections.
- 22 Q So somebody else?
- 23 A Another doctor.
- 24 Q Another doctor sold them injections?
- 25 A Another doctor came down and sold them a bunch of

1 so-called rejuveniation injections, and also some
2 supposedly super secret anti-cancer -- he called them "The
3 Bombs," and he charged them thousands of dollars for them,
4 and he left them there. He left. I think he wanted to get
5 out of there before they discovered he was a fraud, and
6 somebody was left to complete the series of injections.

7 Q So, then Fonseca had in his house syringes and --

8 A Yes.

9 Q They were already -- Dr. Machain didn't bring them
10 with him?

11 A I didn't -- I wasn't invited. I didn't see them being
12 injected.

13 Q But you do know of your personal knowledge that
14 Mr. Fonseca's had syringes of rejuveniating liquids in his
15 house?

16 A I don't were he kept the medicine. I know that he had
17 it his house. I know he had syringes. How many of them, I
18 don't know. I saw two or three of them.

19 Q And did you ever see anyone else other than
20 Dr. Machain inject people?

21 A Yes.

22 Q Who did you see inject?

23 A Dr. Cisneros [phonetic] and Dr. Everes [phonetic].

24 Dr. Everes died. Doctor Cisneros is still around, as far
25 as I know. All three of them were doctors of the D.F.S.

1 Q Did any non-medical personnel ever inject each other?

2 A Not that I know of.

3 Q Not that you saw?

4 A No.

5 Q You know an individual named Fredrico Castel del Oro?

6 A Yes, sir, I do.

7 Q And he worked for what agency?

8 A He was the Comandante of Direccion Federal De
9 Seguridad in Guadalajara in 1984.

10 Q Do you know whether he was -- strike that.

11 Do you know whether he was involved in any illegal
12 activity?

13 A Yes, I do.

14 Q And what were those?

15 A He was specifically sent to Guadalajara by the chief
16 of agency to take care of the narcotics traffickers and
17 make sure they weren't interfered with.

18 Q He was drug trafficker, correct?

19 A He was the police officer who was specifically ordered
20 from Mexico City, and on many occasions, in my presence,
21 reprimanded by the director of his agency for not giving
22 enough cooperation to the traffickers.

23 Q Was he also a bank robber?

24 MR. CARLTON: Objection. Speculation. Beyond the
25 scope. Irrelevant.

1 MR. RUBIN: If he knows.

2 THE COURT: What was the question?

3 MR. RUBIN: I asked him he was involved in bank
4 robbery.

5 THE COURT: You may answer, if you know?

6 THE WITNESS: I believe he was, yes.

7 BY MR. RUBIN:

8 Q Was he involved in hijacking trucks?

9 A I think that he was, yes.

10 Q Was he involved in burglary?

11 A I don't know.

12 Q Now, did there come a time when you learned from
13 others that Mr. Fonseca's planned to murder Mr. Castel del
14 Oro?

15 A Yes, that time did come.

16 Q And at that time --

17 A I didn't learn it from others. I learned it from him,
18 himself.

19 Q You learned it from Mr. Castel del Oro?

20 A Yes.

21 Q Did you feel an obligation to warn him?

22 A No.

23 Q Let me ask you this. What -- why are testifying --
24 are you testifying here today because of you feel it's a
25 moral obligation or because of the benefits you receive --

1 you are receiving from the government?

2 A Would you list those benefits, please?

3 Q Well, you received, would you agree, you
4 received -- Mr. Medvene went through the payments, but
5 total approximately \$150,000; is that correct?

6 A Yes, I keep going through that in my mind, and
7 abandoned more than \$500,000 worth of property in Mexico to
8 come up here and receive \$130,000, and I'm getting this
9 wonderful immunity so that my family afraid for -- in fear
10 for their lives for the rest of there lives. Somehow I
11 just don't see the --

12 Q Well, sir, if you went back to Mexico --

13 A I don't see the profit, but --

14 Q Well, sir, if you went back to Mexico, you'd be --
15 wouldn't you have to go into prison? Weren't you sentenced
16 to prison?

17 A If I had never come up here, I wouldn't have been
18 sentenced to prison.

19 Q If you went back to Mexico, would you have to go back
20 to prison?

21 A Perhaps so. Perhaps not.

22 Q So?

23 A It's a lot less likely there then here.

24 Q And isn't it true that one of the reasons you are here
25 is to avoid being in a Mexican prison?

1 A Absolutely not. I was not sentenced to anything. I
2 had set aside that conviction and was well on the way to
3 negating that before I ever came up here.

4 Q This \$500,000 property you received was from the
5 profits from drug trafficking?

6 A Absolutely not.

7 Q Where did you obtain the money to purchase a
8 \$500,000 --

9 A When I first went to Mexico in 1968, we purchased on
10 time a piece of property for \$20,000. We sold that piece
11 of property for 300 -- 280-some thousand dollars in 1974,
12 and purchased another piece of property with the proceeds
13 in Accapulco. And whatever was left to be paid off there,
14 we paid it off strictly with the profits made ever month by
15 renting the house out. This was 1984 before I even knew
16 Mr. Fonseca.

17 Q Sir, concerning the other benefits, you understood
18 that your activities -- or do you understand that your
19 activities working for Mr. Fonseca would expose you to
20 criminal liability in the United States for being part of
21 conspiracy to traffic in drugs?

22 A I was woring on radios.

23 Q You were just following orders?

24 A Had to.

25 Q You were following orders? You weren't part of the

1 conspiracy?

2 A Do I have a Hitler response? I was just putting in
3 radios.

4 Q And, sir, nonetheless, the government is giving
5 immunity, correct?

6 A That is correct, because there is obviously a danger
7 about talking about any of those things. I wasn't under
8 any criminal investigation. I wasn't running from anybody.

9 Q Sir, if you didn't have the immunity you would be
10 subjecting yourself to possible incarceration for many
11 years for drug trafficking; isn't that correct?

12 A I wasn't under any criminal investigation. I was
13 working for Fonseca. I didn't have an arrest warrant or
14 anything like that. I didn't do anything. I wasn't a
15 partner there. I was there a slave.

16 Q So, sir, have you ever offered to tell the government
17 you don't want immunity and don't need it?

18 A I am not that dumb, sir. I went to school.

19 THE COURT: We will take our noon recess.

20 (Recess had)

21

22

23

24

25

1 THE COURT: You may continue.

2 MR. RUBIN: Thank you, Your Honor.

3 CROSS-EXAMINATION (Continued)

4 Q Mr. Harrison, with respect to your gunshot wound that
5 you suffered in 1984, Dr. Machain was not the physician
6 that treated you for that, was he?

7 A No.

8 Q Now after you got out of the hospital, within months
9 you went to work for Columbian drug traffickers; isn't that
10 correct?

11 A I went to for work for the same people, state police
12 instead of the State of Valista, who took me out to work
13 for the people. They had contracted with them. It wasn't
14 -- these people weren't my contracts I didn't now them at
15 all.

16 Q So the state police assigned you to work for Columbian
17 drug traffickers; is that correct?

18 A They picked me up in a patrol car and took me out
19 there and said you put in a radio system.

20 Q Was the state police also drug traffickers at that
21 time?

22 A Yes.

23 Q And at the time you want to work for this new -- these
24 new people, you knew they were drug traffickers as well?

25 A Well Mr. Rubin, the entire government operata was

1 involved in this trafficking. I don't know where I could
2 have gone to work. I wouldn't have known that somebody was
3 involved in drug trafficking. They were all were.

4 Q When you went to work -- I was referring to the
5 Columbians that you then went to work for and set up radio
6 systems. You knew they were drug traffickers; did you not?

7 A When I saw them. When I first saw them there, yes, of
8 course.

9 Q Now, you indicated I believe in -- well, strike that.

10 Turning your attention to the larger plan that you
11 made reference to in your direct testimony, could you
12 explain what this larger plan was?

13 A Will you refresh my memory?

14 Q I believe you indicated that you said that this -- you
15 had been placed in drug trafficking -- in your drug
16 trafficking position by an ally of the United States as
17 part of a larger plan?

18 A I think you're probably interpreting that a little
19 subjectively. These -- I'm just saying that Mexico was an
20 ally of the United States. It wasn't up to me to question
21 their governmental decisions or their governmental policy,
22 and that I did not go and try to go to the president of the
23 United States and tell them maybe the president of Mexico
24 is going something wrong. It wasn't my -- you were telling
25 me why didn't I go and tell somebody. Who would I tell?

1 The United Nation?

2 Q Now, what were your -- strike that.

3 And since your testimony in June of 1990, how many
4 meetings have you had with either governments, government
5 attorneys, or D.E.A. agents concerning this case?

6 A I haven't counted them. Concerning the testimony,
7 none. Meetings, sometimes they invite me to lunch or
8 something like that, many.

9 Q Prior to testifying today, did you have any meetings
10 with government attorneys concerning your testimony?

11 A Oh, yes.

12 Q How many meetings did you have?

13 A I believe there were probably five.

14 Q And it's true, is it not, that during those meetings
15 government attorneys went over the questions that they were
16 going to ask you?

17 A They did the same thing every time, Mr. Rubin. They
18 sat me down in front of them and said, "What is your
19 testimony?" And I went over it and they had my testimony
20 in my hands. And at the end, they told me if there had
21 been anything different, we would have prosecuted you for
22 perjury.

23 Q Sir, my question to you --

24 A That's the truth. You want the truth?

25 Q Sir, my question to you was during the meetings, did

1 you go over the questions that you were going to be asked?

2 A No, I did not.

3 Q Did you go over the areas of questions that you would
4 be asked about?

5 A No. What happened is exactly what I told you what
6 happened on each occasion.

7 MR. RUBIN: Your Honor, no question pending.

8 BY MR. RUBIN:.

9 Q At the time you agreed do cooperate with the
10 government, were you employed?

11 A Was I employed? Yes.

12 Q And where were you --

13 A I had my own business.

14 Q What kind of business was that?

15 A I was a consultant for radio -- radio systems, radio
16 communication system, PBX systems.

17 Q How long have you been in that business?

18 A I had been doing it on my own for about six months.

19 Q And how much money had you earned in that business?

20 A How much money did I clear?

21 Q Yes.

22 A The last month that I was there I cleared roughly 13
23 million pesos, which would have been about three, four
24 thousand dollars. I don't know.

25 Q And the \$150,000 that you received from the government

1 has been tax free; has it not?

2 A Well, I don't think it's been tax free. We have been
3 waiting to see they're probably going to change our names,
4 probably going to give us new identities. We haven't
5 known -- okay, let's go point by point.

6 MR. RUBIN: Your Honor, could I move to strike the
7 testimony as non-responsive to the question?

8 THE COURT: Well, it's an intended response. Make
9 your question more specific.

10 BY MR. RUBIN:

11 Q Sir, have you paid income taxes on any of the money
12 that you received from the government?

13 A Not yet.

14 Q You received some of the money in 1989; true?

15 A That's true.

16 Q And 1990?

17 A That's true.

18 Q Did you file tax returns?

19 A No.

20 Q You intend to file 1989 tax returns?

21 A I am sure that when the trial is over and we have new
22 identities, we will be obligated to account for everything,
23 I'm sure.

24 Q And you will do that?

25 A I suppose so. I'm not a fortuneteller.

1 Q Did you ever go by the name Mr. Williams?

2 A No.

3 MR. RUBIN: No further questions. Thank you.

4 THE COURT: Any redirect examination?

5 MR. CARLTON: Briefly, Your Honor.

6 REDIRECT EXAMINATION

7 BY MR. CARLTON:

8 Q During the time that you worked for Ernesto Fonseca,
9 were you aware that he had many houses?

10 A Yes, I was.

11 Q And, likewise, did Caro-Quintero have many house?

12 A Yes he did.

13 Q Were you familiar with these house, several of them?

14 A Some of them. Some of them, yes.

15 Q Did you know of any houses owned by those individuals
16 or their associates in the immediate vicinity of 881 Lope
17 de Vega?

18 A No. No, I don't know of any.

19 Q When you testified in June 1990, were you asked about
20 the location of the party at which Caro danced with the
21 stallion?

22 A Yes, I was.

23 Q Were you asked about the location at which Mr. Zuno
24 met with Fonseca?

25 A Yes.

1 Q And did you testify at that time that the dancing
2 stallion's party was at the Las Fuentes house and the
3 meeting was at the Corto house.

4 MR. MEDVENE: Objection. Leading and suggestive.

5 THE COURT: The objection is sustained. Restate
6 your question.

7 BY MR. CARLTON:

8 Q What did you testify in 1990 as to the locations of
9 those two events?

10 A I testified at the Grand Jury --

11 MR. RUBIN: Objection, Your Honor.

12 THE WITNESS: -- in 1990 and today the same thing.
13 Nothing has changed.

14 THE COURT: What is it?

15 MR. RUBIN: Objection. Improper questioning.

16 What he testified to in the transcript speak for itself not
17 his recollection. It's a not related.

18 MR. CARLTON: The transcript is not in evidence.

19 THE COURT: Well, that is the proper way to
20 present what he testified to, question and answer.

21 BY MR. CARLTON:

22 Q The transcript of the June 1990 trial, Volume 14, Page
23 47, were you asked and did you -- were you asked this
24 question and did you make this answer:

25 "Question: Now, where, sir, in

1 this house did the alleged meeting take
2 place?

3 "Answer: Which meeting? Which
4 house? I don't want to confuse the two
5 incidents as you are doing. Tell me
6 what you are talking about and I'll
7 tell you about which one. One was at
8 the house on Las Fuentes and the other
9 was at the house on Corto. Tell me which
10 one you're referring to and I'll tell
11 you want to know."

12 Did you make --

13 A Yes, that was my answer.

14 Q When you attended class at Berkeley, what was your
15 status at the time as a student?

16 A I was a non-registered as many people were during
17 those years. I was serious.

18 MR. CARLTON: May I have just a moment, Your
19 Honor?

20 (Counsel confer.)

21 MR. CARLTON: Nothing further.

22 THE COURT: Anything further?

23 MR. MEDVENE: We'll read in one portion, Your
24 Honor, in our --

25 THE COURT: Do you want to read an additional

1 portion of testimony?

2 MR. MEDVENE: Yes, sir, it's a --

3 THE COURT: Identify it and read it.

4 MR. MEDVENE: The June 7th, 1990 transcript,
5 Volume 14, Page 45, starting at Line 23:

6 "Question: Whether" -- I think it
7 should be the word "but" -- "Whether it
8 was Mr. Fonseca's house were you claim
9 you saw Mr. Zuno?

10 "Answer: In the Colonial Las Fuentes
11 and Guadalajara. It's actually in Zapal
12 Pon.

13 "Question: Where is the house?"
14 Line 3:

15 "Answer: The house is located at
16 Circunvalacion Sur 113, Colonial
17 Las Fuentes."

18 At Line 8:

19 "Question: Isn't it true, sir,
20 that you told the Grand Jury you did not
21 see Mr. Zuno meet Mr. Fonseca at that
22 house, but you claimed in front of the
23 Grand Jury it was some other house?
24 Isn't that true, sir?

25 "Answer: Nope."

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At Line 12.

THE COURT: All right.

MR. RUBIN: Nothing further.

THE COURT: You may step down.

(Witness excused.)

(Further proceedings had and reported but not transcribed)