

Mexico court reverses conviction of Camarena's killer

By Arthur Golden
STAFF WRITER

A University of San Diego law professor expressed outrage yesterday at the decision of a Mexican appellate court to overturn a reputed drug kingpin's 40-year sentence for the 1985 murder of U.S. drug agent Enrique Camarena.

"It is most unprecedented and really shocking," declared Mexico-born Jorge Vargas, who suggested that the appellate panel had yielded to outside pressure in annulling the sentence of Rafael Caro Quintero.



Enrique Camarena

In its decision Thursday, the three-judge appellate court based in Guadalajara agreed with defense lawyers that there had been procedural errors in Caro Quintero's trial and remanded the case back to the trial court.

Vargas said he feared a new trial would probably result in a more lenient sentence for Caro Quintero.

President Clinton will visit Mexico from May 5-7. The U.S.-Mexican effort to staunch the north-bound flow of narcotics and smash drug-trafficking organizations will be a principal item on the presidential agenda.

But a U.S. official, who requested anonymity, said the appellate court's ruling in the Caro Quintero affair will only serve to heighten the perception in the United States that

Mexico is not serious about punishing major drug-traffickers.

Caro Quintero was convicted of homicide in 1989 and sentenced to 40 years for the murder of Camarena, 37, and the U.S. agent's pilot, Alfredo Zavala, 58.

Camarena and Zavala were abducted separately in Guadalajara in February 1985, and their mutilated bodies were discovered a month later half-buried at a ranch 65 miles southeast of Guadalajara. Caro Quintero was seized in Costa Rica in April 1985 and swiftly returned to Mexico.

Don Hamilton, spokesman for the U.S. Embassy in Mexico City, said from the Mexican capital: "While we found the decision to reopen the case disappointing, we have been repeatedly assured by the government of Mexico that

they intend to fully stay with this case and make sure that Caro Quintero continues to be locked up."

Indeed, the Mexican attorney general's office said in a statement yesterday that Caro Quintero would remain a prisoner at the high security Almoloya de Juarez prison outside Mexico City. Besides awaiting the new trial in the Camarena case, the statement said Caro Quintero is still facing charges from his ownership of a 6,000-acre marijuana plantation in northern Mexico.

Vargas said he was saddened by the appellate court's ruling for a number of reasons. "Mexico has a long history of corruption and unfortunately the area where corruption is most prevalent, and deeply rooted, is precisely in the criminal law system," he said.

Vargas said the members of the

appellate court could have been influenced by political pressure, outright bribery or even death threats.

As for the new trial, Vargas said the appellate court had, in effect, sent out a signal to the trial judge that 40 years was too lengthy a sentence for Caro Quintero. "He may get four years next time," Vargas said.

Robert S. Pastorino, a retired diplomat who served as political officer at the U.S. Embassy in Mexico City when Camarena was kidnapped, said he was "flabbergasted" by the appellate court's decision.

"I must assume that there was pressure from someone" on the appellate court judges, Pastorino said from San Francisco, where he is president of the Bay Area World Trade Center.

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