

**MEMORANDUM**

FEDERAL PUBLIC DEFENDER  
CENTRAL DISTRICT OF CALIFORNIA

TO: Jimmy Gurule, Assistant United States Attorney  
Roel C. Campos, Assistant United States Attorney DATE: 7-14-88

FROM: Elsa Leyva, Deputy Federal Public Defender *EL*  
Yolanda M. Barrera, Chief Deputy Federal Public Defender *YMB*

RE: United States v. Rafael Caro Quintero, et al.  
CR 87-422(B)-ER

Copia 2 and 4 Transcripts

The attached pages reflect errors in the transcriptions and translations of the copia 2 and 4 tapes that we have discovered. Please advise us if you will be correcting your transcripts to reflect these changes. If you do not plan to do so, please advise me immediately. We plan to submit corrected pages to the court if you do not plan to do so.

Thank you for your attention to this matter.

cc: Michael Pancer  
Juanita Brooks  
Donald C. Randolph  
Barry Tarlow

I. Do you know the famous Manuela...?

C. No, I have never seen her...

I. With the information passed to you....why didn't you go and check..?

C. I went by the place where the boutique was, but we only passed by...

(background voice: "what a good thing")

I. And didn't they give you a description of this girl...?

C. No, I don't, I don't know her...he only said that she was a sister...  
of Jose...

I. But he did not locate her...?

C. Eh..?

I. Did he locate her for you...?

C. The place..?

I. Her..?

C. No...uh..uh...since he left the Tapatio we haven't, I tell you, we have  
not seen him since....

I. And when you pass by the house of the...the mother of this friend (com-  
padre)...?

C. No, no, I say, I passed by only once...no, no, as I say, who is going  
to take the risk, as I say of setting up surveillance, and make a lot  
of passes by there if one does not have an arm (firearm) and one is a-  
lone...

I. What has happened is that you have not wanted to pass on the informa-  
tion to Mexico...directly...

C. What do you say...?

→ I. Eh...? You are selling yourself to these bums..? <sup>those</sup>

C. No.., I tell you...

I. That is how the report arrived....

C. No.... (pause)

- I. Listen, don't you have the locations of the domiciles of....on the part of this, engineer, this Barba...?
- C. I don't understand...?
- I. Yes, the one that you said a while ago that sold houses to....
- C. Who handled properties for...for Fonseca....
- I. Who handled properties..?
- C. Yes... but the only one that I know of...is that hotel he bought...no..., I do not remember the name of the hotel but it is at Gonzalez and Celaya before getting to the traffic circle....there where the...those Ganaderos are....
- I. Yes....
- C. On the right hand side....
- I. Ah...(throat clearing) what other places do you know of his...?
- C. Not a one...um...yes, look, like a hotel, do you know it? it is a hotel or condominiums, right? on Vallarta after crossing Americas...
- I. Whose is it?
- C. Ernesto's, ...ah, look, wait, wait...I think the hotel is called "Venus"
- I. Yes...
- C. Yes... it is the one that is there, going out to the highway...no the highway by Gonzalez Gallo....
- I. And properties of...of <sup>that</sup>this...Rafael..?
- C. No, the only...well, that is the other thing that this Ramirez told us... that he also knows that he had just purchased the Country Ford...the automobile dealership which is there on Lopez...I mean on Americas... it is the only business that I know he has...
- I. And it is his property..?
- C. That he had just bought it.. (pause)..

jus...Chihuahua is dealt with by the office in Hermosillo...

I. Why...? didn't they say that Rafael was somewhere around here?

C. Pardon...?

I. Didn't they say that Rafael was somewhere around here?

C. That is what Jesus Alvarez said, but he did not put...but he did not say where...

I. And you pretended to be the forgetful ones...?

C. I don't understand your question...

I. Hmmm....

C. I did not understand your question...

I. You did not investigate...?

C. No, sir...

I. Then, what work do you do...?

C. Well..um...depending, to make cases, right, sir...get information on where there is merchandise, but we do not do it...we do not have the people to give us that information....

I. Then is Rafael giving you money..?

C. No, sir, to me no, sir...

→ I. Then why do you say that you don't know anything about him? (see p. 16 Spanish)

C. Because, sir, the only thing I know is about the houses, those locations that Mr. Juan Alvarez gave me, right, look, I have passed by Cuauhtemoc

but,..no, no, not in other matters, right?, when I say other matters,

→ I mean that I go from one place to another, but, ~~not~~<sup>NOT</sup> to conduct surveil<sup>S</sup>lance<sup>PH</sup> over there at the house, I have never, sir...for the same reason... that , well...I am afraid...

I. Then no one was investigating that...?

C. Rafael ? no, sir

lo trabaja la oficina de Hermosillo...

I. ¿Porqué, no decían que Rafael andaba por aquí?

C. ¿Perdón?

I. ¿Que no decían que Rafael andaba aquí?

C. Eso es lo que dijo Jesús Alvarez, pero no puso....pero no pudo decir donde...

I. ¿y ustedes se hicieron los olvidadizos?

C. No le entiendo la pregunta....

I. Humm....

C. No le entiendo la pregunta....

I. ¿No investigaron ustedes..?

C. No, señor...

I. Entonces ¿cual es el trabajo que tienes?

C. Pues...um...según de hacer casos verdad, señor...agarrar información de ahí donde hay mercanía, pero, como ya nosotros no hacemos...no tenemos la gente que nos de información esa....

I. ¿Entonces les está dando feria Rafael a ustedes?

C. No, señor, a mi no, señor...

I. ¿Entonces porque dice que no saben nada de él?

C. Porqué señor, lo único que se yo son las casas, esas ubicaciones que me dió el señor Juan Alvarez, ¿verdad?...digo, yo he pasado por Cuauhtemoc, pero no...no...en otros asuntos..¿verdad?, cuando digo otros asuntos, que voy de un lugar para otro, digo, pero no...hacer vigilancia allá en la casa, yo nunca señor...por la misma razón...que, pues, tengo miedo....

I. ¿Entonces ninguno andó investigando eso?

C. A Rafael no, señor...

- I. Then, Miguel is the only one who is being investigated..?
- C. He is the one that...is being investigated, sir...neither is Ernesto being investigated, sir...
- I. Why...?
- C. We do not have people who will give us information about him...apart from those I have already told you about....
- I. Then, if you have the locations of these others, why haven't you reported them..?
- C. Who, sir...?
- I. Ernesto Fonseca and Rafael Caro....?
- C. That I have not...I have not reported them, sir, because, for the same reason, that I don't...I did not want trouble...I just wanted to get out of here...
- I. What is your work then, as I have said...?
- C. Well, that of intelligence...answering the telephones...when they ask for...
- I. It is that he is giving you money, is that not true..?
- C. No, sir, no, sir, I was explaining...to the Commander that...the DEA did not deposit my <sup>check</sup> cheque...and my <sup>checks</sup> cheques were bouncing...my salary...
- I. Give me a good location for Rafael...
- C. I don't have one, please! What can I say if I don't have one...?
- I. Of Ernesto..?
- C. Well, Ernesto...the...those houses...but where he is...no, no, no,... what I want to say is, that we do not go out on the street to find them, because it is very dangerous....
- I. And, don't you have information, more or less, where they are...?
- C. No, sir...I..um...have information on the houses, but where they are, no.

given only \$200.00 dollars...(throat clearing)...

I. And he is one of the people that goes around with...with all the time..?

C. The person that he did not give me the name of, Commander, if I knew the name I would give it to you, sir..you know that...

I. Didn't he give you some...some sign?

C. Nothing...nothing..!..didn't I tell you that he got angry because he was only given 200 dollars...he wanted more money.. it is...because they don't give him money for the protection of the candidate for Governor of Colima...he has to finance the security...and needs money...and as we only gave him 200 dollars he went off disgusted... and no, no, no he did not give us that information...

→ I. That administrator you mentioned...would <sup>he</sup> you know where he is..? See P.16

C. "El Leon"?

I. Yes...

C. Well I think so, sir...but I do not know how to locate him..

I. You don't know where he lives..? (sound of dripping water)

C. If you will let me go to the office I can get the data, right?...

I. You have them in the office..?

C. I imagine that they are filed there, but I don't remember at the moment, sir...(background noise of water dripping or run-

a mi...se fue disgustado...esa última vez que...que se fue necesitaba dinero par ir a Colima y nada mas se le dió \$200.00 dólares...(throat clearing)...

I. ¿Y es de la gente que anda con...con el todo el tiempo..?

C. La persona esa que no me dió el nombre...si...comandante si yo supiera el nombre yo se lo diera, señor...ya sabe que...

I. ¿No te dió algún...alguna seña?

C. Nada...nada.! ...No le digo que se disgustó porque se le dió 200 dólares ...nada mas el quería mas dinero...es que...que a el no le dan dinero para la protección del candidato de Gobernador de Colima...que el tiene que financiar la seguridad...y necesitaba dinero...y como nosotros nada mas le dimos 200 dólares.. se fue disgustado... y no, no..no nos dió los datos esos...

→ I. El administrador ese que dices..¿sabrá donde estará el..?

C. ¿El Leon..?

I. Si...

C. Pues yo creo que si, señor...pero no se como ubicarlo a el...

I. ¿No sabes donde vive..? (sound of dripping water)

C. Si me dejara ir a al oficina yo le saco los datos, verdad...

I. ¿Allí los tienes en la oficina..?

C. Me imagino que están allí archivados, pero no recuerdo ahorita, señor...

(Background noise of water dripping or running) (pause) :

I. A ver, una casa de el...donde pueda estar aquel cabrón...

C. Ojala le pudiera dar algo yo, señor...(pause) :

I. Descansa otro rato...y recuerda...

C. Pues yo le digo todo lo que recuerde, señor...

I. ¿Eh..?



I. I am not going to make you dizzy ..eh?...just try to remember...to see if..to see if I can look for the bum...

C. Yes..I know...

I. Okay.?

C. What I remember I will say, sir...

I. Or any of the bastards that go around with him...

C. I tell you that this Chuy Alvarez should know, sir...because he did not want to give us that information..more than that, he said that...what he did say was that this person has a radio with which he can communicate with Rafael at any time...

I. Who?

→ C. The person who <sup>did not give</sup> ~~gave~~ us the data..the one who wanted more money, right?

I. Who has the radio..?

C. Well of the frequencies he uses (background noise)..that Rafael uses, that frequency was never given to us by Ingeniero Aceves...

I. Try to remember some...some bastard of those that go around with him...

C. (overlap) well I tell you, sir...

I. Eh?...take your time and remember...

C. I will tell you...

I. Yes...about something you have heard there...

C. I will tell you, sir...

hora....

I. ¿Quién?..

→ C. La persona que <sup>no</sup> nos dió los datos...ese que quería mas dinero, ¿verdad?

I. Trae radio, ¿cual?

C. Pues de las frecuencias que usa (background noise)...que usa Rafael, esa frecuencia nunca nos la dió el Ingeniero Aceves....

I. Trata de acordarte de...de algún cabrón de esos que andan con el....

C. (overlap) pues le digo, señor....

I. ¿Eh? toma tu tiempo y acuerdate....

C. Yo sí le digo....

I. Si...de algo que hayas tú oído allí....

C. Yo le digo...señor...

I. Hm...

C. Me estoy acordando de cositas así....pero cada vez que recuerdo se la estoy diciendo....

I. Si...está bien...yo te estoy ayudando...¿eh?...¿eh?...

C. Si....

I. Tú sigue portandote bien..y yo también....

C. Yo coopero con usted, señor....

I. Está bien...no se diga mas...¿okay?

C. Si....

I. Hecho...

C. Hecho...

I. Acuerdate de otra y ahorita me la dice... (overlap)

C. Lo que me acuerde yo se lo digo...

I. Okay! ¿eh? (background noise)

C. En (UI) está bien, pero digo...no...no se...