

Thornburgh role in kidnap plot exposed

by Jeffrey Steinberg

At a federal court hearing in Los Angeles on May 25, a senior official of the Drug Enforcement Administration provided critical evidence that Attorney General Richard Thornburgh personally approved the payment of up to \$50,000 for the kidnaping of a Mexican gynecologist, who was indicted in the United States, for allegedly abetting the murder of DEA agent Enrique Camarena. The kidnaping of Dr. Humberto Alvarez Machain on April 3 of this year at his office in Guadalajara, Mexico touched off an international scandal.

Alvarez Machain was abducted by a team of former and current Mexican police acting under the direction of a long-standing DEA informant. They forced the doctor to fly in their custody to El Paso, Texas where a team of DEA agents was waiting to arrest him and transport him to Los Angeles, where he was arraigned on the Camarena murder charges.

Initially, senior officials of the Department of Justice (DoJ) denied that they had authorized or financed the abduction.

DoJ denial erodes in court

That implausible denial began to erode as soon as DEA officials began to be questioned under oath by Federal District Court Judge Edward Rafeedie. First, long-time DEA informant and retired Mexican police officer Antonio Garate Bustamante testified that he had arranged for the doctor to be brought across the border with the approval of DEA officials. After an initial plan fell through, which would have involved the simultaneous extradition of a Mexican drug fugitive back to Mexico to stand trial there and a payment of \$100,000, Garate said that he arranged for some of his "friends" to abduct and transport Dr. Alvarez to the United States. An initial payment of \$20,000 was made, and \$6,000 payments were subsequently made every week starting April 6. As of the end of May, those payments were still being made.

Garate told the court that he had set up this kidnaping plot at the behest of Los Angeles DEA agent Hector Berellez, the agent in charge of the ongoing Camarena probe.

On May 25, Berellez told Judge Rafeedie that he had gotten approval for the kidnaping from a senior official from

DEA headquarters, Peter Gruden. At the time of the abduction, Gruden was a deputy director of the agency. When the scandal broke, he was quietly transferred out of headquarters to the Washington, D.C. field office where he is now regional director.

The very next day, a Justice Department official told the *New York Times* that aides to Thornburgh had been apprised in advance of the kidnaping plot and had voiced no objections. The *Times* further noted that, under a standing order issued several months before the Alvarez grab, Attorney General Thornburgh was to be consulted in advance and had to give his personal stamp of approval before any "sensitive" operations were undertaken by either the DEA or the FBI.

"It was not clear," the *New York Times* stated, "if Mr. Thornburgh himself knew in advance of the operation. The Justice Department official said it would have been highly unusual if Mr. Thornburgh's aides did not tell him of plans for the doctor's abduction which set off an uproar in Mexico."

Mexican President Carlos Salinas de Gortari on May 25 called on the Bush administration to turn Dr. Alvarez back over to Mexican authorities. "We are making the appropriate gestures to achieve the return of Dr. Alvarez Machain because his transfer was illegal, contradicting Mexican law. If the doctor faces criminal charges, it should be in Mexico in accordance with Mexican law," President Salinas said.

Thornburgh facing defections

Attorney General Thornburgh's troubles are not just centered around the blatant violation of international law, which has become known as the "Thornburgh Doctrine," carried out with his apparent prior approval. He faces a continuing cocaine scandal back in his home state of Pennsylvania, where top aides have been either indicted or face expected indictments as users and traffickers.

The illegal leak of false information by senior Justice Department officials last year targeting Pennsylvania's powerful Democrat Rep. Bill Gray, also continues to divide the department and suggests possible criminal coverup by the attorney general himself. In May, Deputy Attorney General Donald Ayers resigned in protest over Thornburgh's handling of the Gray leak probe, among other issues.

Now, according to the June 6 *Washington Times*, Michael Shaheen, a career Justice Department attorney who has headed up the Office of Public Responsibility (OPR), the in-house watchdog unit in the DoJ, is also reportedly considering resignation. Shaheen's office, which normally would have directed the probe into Justice Department corruption in the Gray matter, was frozen out of it altogether. Shaheen was kept out of the probe even after Ayer and criminal division chief Edward Dennis both urged Thornburgh to bring in the OPR to give its imprimatur to the investigation. Top aides to Thornburgh, Robin Ross and David Runkel, both were caught lying in polygraph examinations administered by the FBI as part of the Gray leak investigation.