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Mexican Tale: Drugs, Crime, Torture and the U.S.

By JULIA PRESTON and CRAIG PYES

MEXICO CITY -- As the man in the videotape begins to spill the inner secrets of Mexico's most violent drug gang, he appears nervous, chewing off pieces of his left thumbnail and gulping water.

Alejandro Enrique Hodoyan had been a minor though well-placed member of the drug organization, running guns and errands. On the tape, he sits center stage, recounting in a soft voice how his brother and a circle of their childhood friends joined a criminal enterprise that killed dozens of police commanders, prosecutors, drug rivals and innocent bystanders.

"Killing is a party for them, it's a kick," Hodoyan tells Mexican investigators. "No remorse at all. They laugh after a murder, and go off and have a lobster dinner."

His testimony, which produced eight hours of videotape and more than 200 pages of transcripts, is viewed on both sides of the border as a law enforcement triumph, a breakthrough in Mexico's flagging fight against drug traffickers. Mexican officials say his disclosures have already prompted the dismissal of "several dozen" detectives and police commanders accused of ties to the Tijuana-based organization, which is led by the Arellano Felix brothers.

But behind the image on the videotape is a tale of a middle-class family torn apart, with brother turned against brother in a violent drug culture. It is also a story of kidnapping and coercion that highlights some of the perils for the United States in working with the secretive Mexican military, which has been given a central role in the drug war despite its lengthening record of corruption and brutality.

Hodoyan, an American citizen who was born in San Diego and lived most of his life just across the border in Tijuana, was abducted and detained illegally for 80 days by Mexican military officers. Soldiers

tortured him with cigarette lighters and electric shocks to the eyelids, according to an account he later gave his

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The Mexican military eventually turned Hodoyan over to officials who are preparing a major, new indictment against the Arellano Felix organization. Some U.S. officials involved in the case now acknowledge they were too willing to turn a blind eye to the methods used by the Mexican military to secure Hodoyan's cooperation.

American diplomats in Mexico learned of Hodoyan's captivity shortly after he was imprisoned, but did nothing to help him. After his family reported him missing to U.S. officials, a law enforcement agent assigned to the American Embassy interviewed him at a unused barracks, where he was blindfolded and handcuffed to a steel bed.

The embassy official assigned to follow up on the agent's report of a captive American citizen took no action. U.S. officials later described this as an egregious failure to deliver the basic protections guaranteed citizens in trouble in foreign lands.

Donald R. Hamilton, the embassy's spokesman, otherwise defended its handling of the case, saying Hodoyan did not complain to any American official in Mexico of torture or suggest that he was under duress.

The account of Hodoyan's experiences was pieced together from interviews with his family, American officials in Mexico, and Mexican justice officials who knew him as an informant. It is also based on confidential Mexican court documents as well as audio tape-recordings, obtained by The New York Times, of telephone calls he made to his family in Tijuana last year when he was a military prisoner.

In December 1996, the military officer who supervised his interrogation and handover to the Americans was named Mexico's top anti-drug official, in part because of successes he scored in the drug war using information supplied by Hodoyan.

Two months later, that officer, Gen. Jesus Gutierrez Rebollo, was jailed on charges of collaborating with another drug lord, a bitter rival of the Arellano Felix brothers. Mexican officials now suspect that much of the information the general extracted from Hodoyan went directly to the rival drug organization.

Since then, the military has dismissed and is investigating 33 other

officers, including four generals, on corruption and narcotics charges, defense officials said.

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In the end, Hodoyan was not much help to Amer
After 10 days in San Diego, he suffered what family members described as a psychological breakdown. Under pressure to give evidence against his brother, he disappeared across the border to Mexico where he had numerous enemies, including the Arellano Felix gang, which, he was told, had put out a contract on his life.

THE SETTING: UNLIKELY FAMILY FOR CRIME CAREER

Alejandro Hodoyan, known to his family and friends as Alex, seemed an unlikely candidate for a career in crime. His mother Cristina, who is 55, is a prim, devoutly Catholic woman from an upstanding Mexican family. His father, Alejandro Hodoyan Ramirez, 63, is a respected Mexican civil engineer.

The Hodoyans hoped to raise their children with the best of the American and Mexican cultures. Their three boys and a girl were all born in San Diego, but the family lived just across the border in Tijuana, a city where the multi-billion-dollar drug trade has in recent years become a lure even for privileged and educated young people.

The Hodoyan children came of age in Tijuana discos where teenagers experimented with cocaine in the free-wheeling way of wealthy American youth. They also mingled with Mexican gang members who were rising stars in the cocaine business.

One of the flashiest was Ramon Arellano, a leader of the gang who met members of the Hodoyan family at a society wedding in Tijuana. It was a sweltering summer day, but Arellano sported a mink jacket and leather pants.

"He was wearing a big thick chain with a big gold cross encrusted with emeralds," said a Hodoyan relative, who asked not to be identified. "Everything about him made you turn around and say, who is he?"

Mexican court documents describe Arellano as a compulsive murderer who has killed several times for sport and is implicated in more than 60 homicides. He and his brothers began their careers as provincial drug dealers, but shot and bullied their way to seize control of drug-smuggling along a western swath of the U.S.-Mexico border. One by one, friends the Hodoyans had known since childhood were drawn into the Arellanos' circle of riches and violence.

Fabian Martinez Gonzalez, a grade-school classmate of Alex Hodoyan's younger sister who teased the girls by skirts, grew up to become el Tiburon, or the Shark, being one of Arellano's most feared gunmen and murder in Mexico.

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Emilio Valdez Mainero was a boyhood buddy Hodoyan chose years later to be the godfather at his first daughter's baptism. Valdez became a top operative in the organization, arranging drug shipments and assassinations, the Mexican and American police have charged in court.

"In Tijuana the Arellanos bought their way into the cream of society," said a Mexican anti-drug prosecutor who asked not to be identified. "In a normal situation, a family like the Hodoyans would never find themselves involved with traffickers."

THE DETENTION: CLAIMS OF TORTURE, THEN A 'GOOD COP'

Hodoyan, the oldest of the Hodoyan children, is a 35-year old law school dropout and cocaine addict who never held a steady job. An even-tempered man with an amiable face, he started doing small favors for the Arellanos and eventually helped them import rifles and grenades to arm their hit squads. In return they gave him loads of cocaine and marijuana to move across the border, allowing him to keep the proceeds, he told Mexican prosecutors.

Alfredo Hodoyan, 25, the rakish and strong-willed brother who is Alex's youngest sibling, took on a more violent role in the gang, according to his brother and other associates. He joined one of the cartel's hit squads and is wanted on murder charges in Mexico.

On September 10, 1996, the Arellano gang sent Alex Hodoyan to Guadalajara, the central Mexican city that has emerged as a battleground for competing drug gangs. His mission, he later said, was to find a new "safe house," a local base for the group's operations.

He was walking straight into a military trap.

Seven weeks earlier, gunmen for the Arellano organization had bungled a plot to assassinate Amado Carrillo Fuentes, the leader of a rival cartel. Instead they killed two army soldiers who were at the scene.

The killings infuriated the soldiers' commander, Gen. Gutierrez Rebollo, a bulldog of an officer with a shaven head who was in

charge from his headquarters in Guadalajara of a vast military region encompassing much of central Mexico.

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On the afternoon of Sept. 11, Alex Hodoyan went to an Arellano safe house in a working-class neighborhood. A squad of General Gutierrez Rebollo's intelligence troops, wearing black uniforms, was watching the house and seized him.

By law, the Mexican armed forces can hold criminal suspects for no more than 48 hours before turning them over to the civilian authorities. But General Gutierrez Rebollo kept Hodoyan incommunicado for the next two months, mainly in a vacant army base on the outskirts of Guadalajara. The troops had no arrest warrant and filed no report to the police.

Hodoyan's kidnapping and secret detention have been described in separate, mutually corroborating accounts by army officers who are now testifying against Gutierrez Rebollo in two trials. Their statements are contained in confidential court records.

According to the officers, the windowless bunker where Hodoyan was shackled hand and foot to a bed was Gutierrez Rebollo's private interrogation center, where illegally detained suspects were questioned for days and weeks.

After Hodoyan was released, he said the soldiers had tortured and threatened to kill him.

"They told me I had arrived in hell," he said in a statement he dictated to his parents months later.

According to Hodoyan, the soldiers forced soda water spiked with searing hot chile peppers up his nose until he was nearly asphyxiated. He said they had burned the soles of his feet with lighters and had applied electric shocks to his eyelids and toes.

Within days, several witnesses said, there was a change in Hodoyan's demeanor. He began to cooperate, almost too enthusiastically, with his captors. Drawing on his prodigious memory, he poured out what he knew about the Arellanos in manic bursts.

Hodoyan's claims of torture have not been confirmed by independent witnesses, and the statement he gave his family, which he never signed, remains the only record of his first days in captivity.

Two Mexicans who saw Hodoyan in later weeks of his detention say

they noticed a fresh scar in the middle of his forehead. He told them that he had been tortured, but said he could not. The scar, he said, was where skin peeled away w blindfolds were changed.

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Gutierrez Rebollo played his prisoner with a maestro's touch, according to the officers who testified in the trials against him. He waited 13 days before visiting Hodoyan. Then he came on as the consummate good cop, pretending to scold his subordinates for treating the prisoner harshly and ordering them to loosen his manacles and upgrade his food.

Hodoyan soon became devoted to his jailer. When allowed, he trailed behind Gutierrez Rebollo. A Mexican drug prosecutor who saw the two men together toward the end of Hodoyan's captivity said they were "like father and son."

Gutierrez Rebollo had good reason to court Hodoyan. On Sept. 14, three days after Hodoyan was abducted by his soldiers, a hit squad linked to the Arellanos assassinated a top Mexican anti-drug prosecutor in Mexico City.

Soon after, Mexican officials sent their American counterparts information developed by Gutierrez Rebollo indicating that Alfredo Hodoyan, Alex's brother, was a triggerman in the killing. The Mexicans said Alfredo was hiding out near San Diego with Emilio Valdez, the godfather of Alex Hodoyan's daughter, who was wanted in Mexico on another murder charge.

American federal agents arrested Valdez and Alfredo Hodoyan on Sept. 30 in San Diego, and at Mexico's request U.S. prosecutors opened an extradition case to return them to Mexico for trial.

Gutierrez Rebollo set out to convince Alex Hodoyan to testify against his friend and his brother. In Mexico, where ties of blood and ritual kinship are nearly sacred and the law absolves suspects from incriminating immediate relatives, it was a formidable undertaking.

THE AMERICANS: U.S. AGENT SEES THE PRISONER

As soon as the Hodoyan family realized Alex was missing, they turned to the American authorities for help. On Sept. 20, Adriana Hodoyan, Alex's sister, called the U.S. consulate in Guadalajara to say she believed that her brother, an American citizen, had vanished there.

Five days later, Adriana Hodoyan, who is 30, traveled to Guadalajara

and gave the consulate a photo of Alex and a detailed account of the travel route he had planned.

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On Oct. 7, when Alex Hodoyan had been missing his sister called the consulate again. She was frantic. According to American officials, she said there were reports that Alex had been detained on Sept. 11 by the military authorities in Guadalajara.

American diplomats in Guadalajara made what they later described as routine phone calls to local police stations and jails to see if he was there.

"It was just a usual-suspects thing," a U.S. official in Guadalajara said, just another of the 71 cases the consulate handled in 1996 of Americans who went missing in that region.

No one at the consulate ever spoke with the Mexican military.

"We would have no reason to call the military," an American official said, explaining that the armed forces do not usually detain people under Mexico's legal system.

But on Oct. 7, the day of Adriana Hodoyan's most urgent appeal for help, one arm of the U.S. government learned that the Mexican military knew exactly where to find Hodoyan.

Officers at the Defense Ministry in Mexico City invited an agent from the U.S. Bureau of Alcohol, Tobacco and Firearms to question an exceptional informant they had about arms smuggling to Mexican drug traffickers. Not long after Gutierrez Rebollo had captured Hodoyan, he had informed his superiors about him.

The ATF bureau declined to make the agent who questioned Hodoyan available for an interview. His account was relayed by officials in Washington and Mexico who said they had reviewed reports the agent filed at the time.

American officials said the Mexican armed forces had provided an airplane to fly the ATF agent to Guadalajara. Two Mexican officers, in plainclothes, drove the agent to the base where Hodoyan was held and accompanied him into the meeting.

In the bare room, the agent introduced himself to Hodoyan, blindfolded and cuffed to a bed. The agent later told colleagues that it bothered him that he could not see the prisoner's eyes.

Nevertheless, for nearly two hours the American agent probed to

find out what the prisoner knew about the traffic of weapons.

"The amazing thing is, the guy just doesn't shut up," the official who questioned the ATF agent about Hodoyan said, "talking, talking, talking. He immediately implicated his brother and himself in a number of crimes."

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Mexican officers told the ATF agent that Hodoyan had been blindfolded to prevent him from seeing the American's face, since the prisoner, they said, was a "dangerous and violent criminal."

The echo-filled room and strangely empty military barracks struck the ATF agent as an "unusual but not inappropriate" place for the meeting.

After two hours, the official said, the agent believed that he "had a live one." He began to make mental plans to take Hodoyan to the United States as a witness in gun-running cases.

That was when Hodoyan, who had spoken throughout the interview in Spanish, announced that he would not need a visa.

"I was born in San Diego," he said. "I am an American citizen."

Hodoyan volunteered nothing about mistreatment by the soldiers, American officials said, and the statement he later gave his family suggests a reason.

Gutierrez Rebollo's officers, he said, warned him before the interview that if he told the ATF agent about his torture, "he would be the last person I would ever cross a word with."

The day after the interview, Mexican military officials told the ATF agent that the general had changed his mind and was not ready to release Hodoyan.

The agent remained uneasy about what he had seen. He consulted with the No. 2 official in the embassy, Charles H. Brayshaw, who sent him to the Consul General for Mexico City, a senior diplomat who handles problems involving U.S. citizens.

For half an hour, the agent described the American imprisoned in Guadalajara. According to American officials, the Consul General, Thomas L. Randall, told the ATF agent that he believed Hodoyan was probably one more Mexican trying to get out of a jam by claiming to be an American.

Then, several officials said, Randall did nothing further about

Hodoyan. "He didn't tell anybody above, below or alongside," a diplomat said later, calling Randall's performance nonfeasance."

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"Had this person done even the minimum which duty, regulation, law and custom indicate, the consular service would not have been ignorant of Hodoyan's detention," said Hamilton, the spokesman for the embassy in Mexico City. Hamilton refused to identify the consul involved in the case by name.

A Washington spokesman for the ATF bureau, Patrick D. Hynes, said classified memos showed that the agent met with the embassy's Consul General, which was the position Randall held at the time. Other officials confirmed that it was Randall, who was recalled from Mexico to Washington late last year and retired from the Foreign Service in January 1997.

Reached by telephone at his southern California residence, Randall said he had no recollection of Hodoyan's case.

"I'm sure I would have done whatever needed to be done," he said, calling it "convenient" that embassy officials had heaped all of the blame on the one person involved who was no longer in government service.

Brayshaw did not inquire again what had become of Hodoyan because he assumed that the consul general had done his job, Hamilton said.

THE FAMILY: HIS DAUGHTERS COME BEFORE BROTHER

In late October, Gutierrez Rebollo was sufficiently confident of his new informant's cooperation that he allowed him to call his family and tell them he was still alive.

They were elated but deeply worried. After the first contact, Hoyodan was allowed to call his parents regularly, and as he talked in guarded language, they realized that he was informing on the Arellano gang and was under pressure to turn on his own brother.

For his parents the conversations were agonizing. Their eldest son was in the custody of powerful Mexican military officers who, Alex hinted, would think nothing of killing him. The officers were trying to pit Alex against their youngest son, who was in jail in San Diego fighting extradition to Mexico on a murder charge that could put him in prison for decades.

Hodoyan's mother and father urged him to remain loyal to the family and his circle of childhood friends. But Hodoyan knew that the Arellano gang had sent him into an ambush. Gutierrez Rebollo was leaning heavily on Hodoyan to talk him into joining him in a government witness program where his past criminal record would be erased.

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Tape-recordings of some of Hodoyan's phone calls to his family were made available to The New York Times by participants in the events who requested anonymity. They depict a man overwhelmed by irreconcilable pressures and dominated by a captor who both terrifies him and inspires his devotion.

Cooperating with Gutierrez Rebollo, he argued, was the only way he could survive to see his two young daughters again.

"I love my brother, Mama," Hodoyan told his mother at one point. "But my daughters come first."

In one conversation his father asked him what he wanted to tell his brother Alfredo and his brother's lawyers.

"Tell them I made a deal with the general, and the general is keeping his word to me," Hodoyan said. "He even bought new clothes for me."

"He spared my life and I want to keep my word to him, too," he said later in the conversation.

At one point, the elder Hodoyan told his son that a Mexican lawyer who had defended the Arellanos was offering to help get Alex out of military custody.

Alex exploded, saying: "I don't matter to them! I never did. They just want to help me now because they have problems with the military and the police. They see the end coming."

"My stomach is starting to hurt," he said as he raged at the Arellanos. Finally he broke down in sobs. "I don't want them using me," he said, cursing the Arellanos.

Hodoyan made it clear that Gutierrez Rebollo had promised him that his statements against Alfredo could not be used in any Mexican or American court because they were brothers.

"My son, it's a trap -- you're in a trap, try to understand," Cristina Hodoyan entreated in a phone call on Dec. 10. "You are helping the

man who is accusing your brother!"

"He can't," Hodoyan insisted. "Alfredo is my brother."

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His parents hoped that if Alex were freed, he would testify in the effort to block Alfredo's extradition in San Diego. But they warned Alex that he would have to reveal that he had been tortured by the troops.

Alex Hodoyan panicked, afraid that Gutierrez Rebollo would retaliate if he denounced him.

"No! No! They never did anything to me, Mama, please try to understand," he said. "I thought I explained that to you. I can't say anything about that until I finish what I am doing here."

Alex's father suggested to his son that he was suffering from Stockholm syndrome, which occurs when kidnap victims become attached to their kidnappers. Alex rejected the idea with a fervor that suggested he knew it could be true.

"Look, Papa, everything they promised me they have done," Alex Hodoyan said of the military. "I don't want trouble. I don't want them to kill me. I don't want that."

Mrs. Hodoyan said she felt torn apart by the clashing interests of her two sons.

"Alex, above all, we have to be united," Mrs. Hodoyan said, her voice taut with pain.

Alex replied: "I am not sure if I can help Alfredo, but at least I am sure I will be free and clear for the rest of my life." "But if they hurt me here, who will take care of my little girls? They will be left without a father."

THE AFTERMATH: GENERAL'S ARREST DESTROYS HIS HOPES

Gutierrez Rebollo won the fight for Alex Hodoyan's allegiance. In the last days of November 1996, he summoned Mexican civilian prosecutors to Guadalajara. In three days of declarations, including the sections on videotape, Hodoyan once again told all he knew about the Arellanos -- this time for the legal record.

Speaking to the police video camera in measured words and abundant detail, he accused his brother Alfredo of taking part in not one but several killings.

"Prior to the murder the witness' brother arrived at the hotel," the record of Hodoyan's testimony reads, referring to the killing of a Mexican boxer said to have encroached on the turf. Alfredo Hodoyan and one other gunman "were finding the victim, whom they murdered in the hallway that connects the restaurant and the bathrooms of the hotel."

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In December, after Gutierrez Rebollo was promoted to head Mexico's anti-drug agency, he offered agents from the U.S. Drug Enforcement Administration a chance to debrief his informant.

The DEA had been told of Hodoyan's military detention more than a month earlier by the ATF agent who questioned him. Still, the drug enforcement agents eagerly accepted the offer as a rare chance to cooperate with the Mexican military and improve their relations with the general.

"He was showing results," the law enforcement official said. "He was a very confident guy who projected the sense that 'We're the military -- we're going to get the job done.' His methods, frankly, were overlooked."

By February, Hodoyan had completed his transformation from hostage to informant. He had been granted formal immunity from prosecution in Mexico in exchange for his testimony. He moved freely about the headquarters of the federal drug agency in the capital, where Gutierrez Rebollo had been transferred.

On Feb. 10, DEA agents flew Hodoyan to the United States. They interviewed him, and hoped that he would eventually be a cooperating witness for the government against the Arellanos. The DEA did not allow its Mexico agents to comment about their role.

But James J. McGivney, the agency's spokesman, said Hodoyan had given no indication he had ever been mistreated. "Every time the DEA saw this guy, he was walking around having a good time," McGivney said. "When we see him, he's not bruised, not beaten, no chile peppers up his nose, no signs of duress."

Soon after he arrived in the United States, Hodoyan, his 32-year-old wife, Bertha Gastelum de Hodoyan, and his mother met with the American prosecutor who was handling the extradition of his brother.

The mother said she had prodded Alex to tell the Assistant U.S. attorney, Gonzalo P. Curiel, about his torture in Mexico. But according to both women, Curiel was reluctant to listen. He replied,

"This is more than I want to hear."

Curiel declined to be interviewed, noting that he was discussing pending cases.

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On Feb. 18, the fragile world Hodoyan built as an informant imploded. Mexican military officials announced the arrest of Gutierrez Rebollo. They released photographs showing that as drug czar he had lived in a luxury apartment owned by Amado Carrillo Fuentes, the leading trafficker.

Hodoyan reeled. His savior was just another drug don. The information he had given to redeem himself had probably just gone to benefit another cartel.

Meanwhile, one of the Arellanos top gunmen, Fabian Martinez, "the Shark," placed several calls from hiding to the Hodoyans, saying he knew Alex was a government informant.

Then the American prosecutor, Curiel, said he intended to put Hodoyan before a grand jury investigating Arellano operatives, including his brother and his friend Valdez, Hodoyan's family said. He would have to go briefly to jail, but then he, his wife and daughters could join a witness protection program.

"I'll never forget what he said," recalled his wife, Bertha Hodoyan. "You know what?" he said, "I'd rather have them kill me."

Before dawn on the morning of Feb. 20, Hodoyan committed what a U.S. official described as "totally irrational and suicidal act." He bolted from San Diego and appeared, wild-eyed and disheveled, at his parents' home in Tijuana.

"He was crazy, loco, desperate," Bertha Hodoyan said. "He was crying, telling us he was sorry. Completely neurotic. He was just like a little child, crying and crying."

Thirteen days later, when Hodoyan was driving in downtown Tijuana with his mother, armed men blocked the path of their vehicle, dragged him out, shoved him into another car and sped away.

He has not been heard from since.

His brother Alfredo and his friend Valdez remain in prison in San Diego fighting extradition to Mexico. Their lawyers have asserted that the statements of Alex Hodoyan and other witnesses provided by Mexico were obtained through torture and are thus invalid.

Curiel acknowledged recently at a court hearing in San Diego that the allegations of torture were plausible and serious, and that they should be investigated by the Mexican authorities.

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