

Former ICE agent awaits ruling on job reinstatement

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EL PASO -- A former Immigration and Customs Enforcement agent who was fired earlier this year is trying to get his job back.

Raul M. Bencomo, 47, a former ICE senior special agent, said he was wrongfully fired in part because of his role in a Juárez case that involved a dozen drug cartel murders.

"I was singled out because I was the lowest-level member involved in the case," Bencomo said. "I had a clean record. I even took a polygraph for the (Merit Systems Protection) board hearing and passed it. I believe I was made the scapegoat."

The Merit Systems Protection Board -- an independent, quasi-judicial agency in the executive branch that presides over federal employee appeals -- is receiving final arguments on Bencomo's petition to be reinstated. After that, the board has 120 days to render its decision.

Bencomo is one of several U.S. officials who were at the center of an undercover ICE investigation that began in 2003 and ended later when the Drug Enforcement Administration learned its DEA agents in Juárez had become cartel targets.

Bencomo, who had been on administrative leave with pay since 2004, was fired on Feb. 10. The agency would not say why he was let go.

"It's ICE policy not to comment on personnel actions," ICE spokeswoman Leticia Zamarripa said.

Bencomo first joined the U.S. Customs Service in 1998, and became an investigator for ICE when the new agency began operating in El Paso.

In 2004, Mexican officials acting on a U.S. tip unearthed the bodies of 12 men from the backyard of a Juárez house in the Acequias subdivision. A Chihuahua state police commander was implicated in the deaths.

The case led to a U.S. federal indictment against Heriberto Santillán-Tabares, an alleged lieutenant in the Vicente Carrillo Fuentes drug organization who was arrested in El Paso. He was sentenced to 25 years in prison. The U.S. government first charged Santillán with five counts of murder for the Mexico killings because they occurred in the context of a drug-trafficking enterprise that spread into the United States.

In a plea bargain, the murder charges were dropped and he was sentenced on a charge of continuing criminal conspiracy for drug smuggling.

The slaying case first came to light after ICE informant Guillermo Eduardo Ramírez Peyro tipped off ICE officials about the first of the 12 slayings. Bencomo was one of his handlers.

Bencomo said ICE agents listened to a recording of the first murder Ramirez had taped, and notified supervisors who reportedly decided to continue with the investigation. Ramírez, a former Mexican federal highway policeman, previously said cartel operatives killed 11 more people.

The case became controversial when ICE memos surfaced that suggested the agency knew the slayings were going on and did not try to stop them.

ICE officials have denied any wrongdoing.

Ramírez, who is in U.S. custody in Minnesota, is fighting the U.S. government's efforts to deport him to Mexico. He alleges he will be killed if he is sent back.

The Mexican investigation into the 12 deaths came to a standstill after the official overseeing the Acequias case, Santiago Vasconcelos, died in a plane crash Nov. 4 in Mexico City.

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