

*Special Report*

**U.S. Attorney General linked to cover-up in House of Death mass murder**

**By Bill Conroy**

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October 17, 2005—The ongoing cover-up of a U.S. government informant's participation in mass murder in a Mexican border town extends to the highest level of the U.S. Justice Department, recently obtained public documents show.

Court testimony from DEA Administrator Karen Tandy confirms that the attorney general at the time, John Ashcroft, was briefed on the U.S. prosecutor's and federal agents' complicity in the murders. However, to date, no one has been prosecuted for these "House of Death" homicides.

The informant helped carry out the slayings of a dozen people—all tortured, murdered and buried in the backyard of a house in Juárez, a sister city to El Paso, Texas. The murders occurred between August 2003 and mid-January 2004 while the informant was under the watch of federal agents and a U.S. prosecutor. The U.S. law enforcers allegedly allowed the homicides to occur in order to make a drug case against a narco-trafficker.

Tandy's testimony reveals that the trail of the cover-up extends from the U.S. Immigration and Customs Enforcement (ICE) agents who handled the informant, to the U.S. Attorney's Office in San Antonio, to the administrator of the DEA and top officials within ICE, to the top gun in the U.S. Department of Justice in Washington, D.C.

Yet, to date, no one, not the Congress, not the U.S. Courts, not the White House, not even the mainstream media, has sought to expose the cover-up in this mass-murder case. Instead, as of this writing, only a lone whistleblower within DEA has been punished—his reputation tarnished by a negative job-performance review in retaliation for trying to shine a light on the cover-up.

In a recent deposition taken as part of an employment discrimination case, the DEA whistleblower's attorney queries DEA Administrator Tandy about why she retaliated against the agent for writing an internal letter to Johnny Sutton, the U.S. Attorney in San Antonio, Texas. In that letter, written in February 2004, the DEA agent, a high-ranking supervisor named Sandalio Gonzalez, exposed the informant's and federal agents' complicity in the mass murder. Gonzalez wrote the letter after the DEA evacuated its personnel from Juárez because the informant's activities nearly resulted in the murder of a DEA agent and his family.

Sutton, who oversaw the prosecutor leading the narco investigation that led to the House of Death homicides, responded to Gonzalez' letter not by investigating the charges, but rather by using his connections within the Justice Department to strike back at Gonzalez.

To make matters worse, after Ashcroft retired, his successor, Alberto Gonzales, allowed the cover-up to continue, and actually promoted Sutton to the post of vice chairman of his Advisory Committee of U.S. Attorneys, which plays a key role in determining DOJ policies and programs.

Following is an excerpt from Tandy's House of Death-related court deposition—which was filed in August of this year in federal court in Miami. She is being interviewed by Gonzalez' attorney, Richard Diaz.

Tandy's Deposition

Diaz: Okay. And how did you learn of that (Gonzalez' Feb. 24, 2004, letter to Sutton)?

Tandy: The letter?

Diaz: Yes.

Tandy: I believe I was notified about the letter by the Deputy Attorney General's office.

. . . Diaz: And when you said utter loss or lack of confidence, based on the letter, what in particular in the letter caused you to have that utter lack of confidence [in Gonzalez]?

Tandy: The letter was inexcusable.

Diaz: Why?

Tandy: It was like tossing a hand grenade into the middle of a firefight. There was a substantial issue between DEA and the Immigration and Customs Enforcement agency, known as ICE, over ICE's use of an informant. And the jeopardy that DEA agents and others had been placed in as a result of ICE's handling of an informant that DEA had previously blackballed.

Mr. Gonzalez was very well aware at the time he sent that letter that this was a very sensitive, very delicate situation between DEA and ICE. It was such a significant issue for these two agencies, that I went personally to brief the Attorney General and the Deputy Attorney General over the issues with ICE, that I spoke to the U.S. Attorney [Sutton] about my concerns about the issues of ICE's handling of this informant along with that U.S. Attorney's AUSA [Assistant U.S. Attorney Juanita Fielden], that I met with DEA—personally met with in El Paso, the DEA agents, employees and their families, who had been evacuated from [Juárez] Mexico as a result of this issue—that we had requested, DEA headquarters had requested, an inter-agency ICE joint, ICE and DEA headquarters review team to go into Mexico and El Paso to review what had happened in this debacle, and that that team had been hand-selected by DEA and that that team had been on the ground, and was still in the course of conducting their joint review for a report jointly to DEA and ICE and ultimately to the Attorney General.

. . . Diaz: Based on your recollection of the letter, do you believe that anything that Mr. Gonzalez wrote in the letter was untruthful?

Tandy: I don't have a recollection either way. It was such colossally poor, fatal judgment on Sandy's [Gonzalez'] part, to get in the middle of what he knew was a sensitive, established, ongoing process to deal with the issues.

Diaz: Were you aware of the matters that were raised in the letter [which included the alleged complicity of ICE agents and a U.S. informant in mass murder] before you became aware of the letter [Gonzalez' letter] itself?

Tandy: Absolutely. I had already briefed the Attorney General [Ashcroft] and Deputy Attorney General [Comey] on the issues, the underlying issues with ICE's handling of this informant, along with the AUSA [Fielden].

[Note: Tandy sent an e-mail on March 5, 2004, to a number of high ranking Department of Justice officials—including Comey—concerning Gonzalez' letter, indicating that she only recently became aware of it. In the e-mail, Tandy describes Gonzalez' letter as "inexcusable" and indicates that she "apologized

to Johnny Sutton . . . and he and I agreed on a no comment to the press." The e-mail also is part of the record in this same case in federal court in Miami.]

. . . Diaz: When you say that Mr. Gonzalez exercised poor judgment in sending the letter, what would have been—once Mr. Gonzalez became aware of this issue, what, in your estimation, would have been the proper course of action for him to take? . . . Nothing at all or something different, and if so, what differently?

Tandy: This was being handled at the highest level of the Department of Justice and at the highest executive levels of ICE and DEA, at headquarters' levels. Mr. Gonzalez knew that that is how this was being handled. He knew that that was the process that was sensitive and important to this agency. . . .

### **Haunting the Living**

Apparently, government officials involved in this cover-up found the informant's and law enforcers' behavior in this case to be so "sensitive and important" that to date, nearly two years after the last of a dozen known people were tortured, murdered and buried in the backyard of a house in Juárez, not a single prosecution has been pursued against anyone in relation to those slayings.

In fact, murder charges against Heriberto Santillan-Tabares, the narco-trafficker who was the target of the investigation, were actually dropped as part of a plea deal that kept the whole sordid affair from ever being exposed in a courtroom.

There are only two things necessary for a cover-up to succeed: that a crime is committed (in this case mass murder) and for those in power to do nothing about it. It seems the House of Death is the perfect crime by that measure, to date.

But then that doesn't account for the dead, who have a way of haunting the living. And my bet is that there is a lot more haunting to come in this story.

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