

**Marion County
Public Safety Coordinating Council
Draft Minutes
January 10, 2006**

Summary Meeting with the Mexican Consulate

Please note that the following are notes and not minutes from a presentation by the visit to Marion County by the Mexican Consul Fernando Sanchez Ugarte and his two staff Luis Elias and Bertrand Foulkes.

Commissioner Milne welcomed Mexican Consul Fernando Sanchez Ugarte and his staff to Marion County and explained the format of the presentation. She then thanked Sheriff Ramirez for officiating the meeting and then turned it over to Consul Fernando Sanchez Ugarte.

Consul Fernando Sanchez Ugarte thanked Commissioner Milne and Sheriff Ramirez and said that he would give an overview of what the consulate in Oregon does, the efforts made by the Mexican government to combat meth and then respond to any questions that the audience had.

Consul Fernando Sanchez Ugarte gave some background about the Consulate of Mexico. He said that the Consulate is an agency that belongs to the Mexican Ministry of Foreign Affairs. Its major role is to take care of the interests of Mexican nationals traveling in the state of Oregon. It has the cooperation of U.S. federal, state and local governments, and also consular districts. There are treaties that govern consular relations with the United States.

The Consul's Portland Office is divided into 4 major areas:

Documentation: This is where passports and consular ID cards are issued, along with services such as powers of attorney, civil registration, births and marriages.

Trade: This is to facilitate business relations between Mexico and the State of Oregon. Mexico is the 5th largest trading country with the USA and trade has been increasing very rapidly over last 10 years. Mexico is the largest importer of Xmas trees from Oregon and additionally it also imports hi-tech and industry products from Intel, Hewlett Packard, etc. Also, the Mexican community in Oregon has also been increasing rapidly over the past decade.

The Consul mentioned that they also operated a mobile consulate once a month around the state where they go out to different localities in Oregon. Mission is to get out to the community to protect the human rights of Mexicans. Concerned about mistreatment by authorities.

Family Issues: such as custody of minors, parents of dual nationality, child support for kids in Mexico and parental rights, location of minors,

kidnappings, abductions, divorce, immigration fraud, shipping of human remains back to Mexico. Mexican nationals that are ill have to be repatriated. The Consul also tries to help their nationals on issues such as workers comp, minimum wages, and working conditions in general. The Consulate is more of an advocate for their nationals.

Criminal Cases: The Consul tries to ensure that the defendant understands the cultural differences in the law enforcement system. The U.S. criminal justice system is very different from Mexico. There is a language barrier. Many detained Mexican nationals in the U.S. don't speak English, or if they do, don't understand legal terms. There are also cultural issues. The Mexican legal system is based on the French Napoleonic Code. All trials are written. There are no courts where a prosecutor and the defense attorney are making presentations, and no jury. All evidence is in written form. Material is read in front of the accused and his/her attorney. The judge has final word. Also there is no life imprisonment, the maximum sentence is 50 years. No death penalty. Plea-bargaining does not exist. The DA can't lower sentence.

The Consulate then described what the Mexican Government was doing to fight meth and other drugs. He pointed to a chart showing the number of clandestine labs destroyed by the government in the last six years, and said that in 2005, 28 labs were destroyed. The states where the labs were found also happen to be the same states from which Mexican nationals arrive into the U.S.: the Pacific coast, Texas, all drug trafficking routes. As the no of labs were put out of production in 2005, this resulted in a decline in drug trafficking. Mexico has introduced major restrictions to the components involved in the manufacturing of Meth. Most of these chemicals are not made in Mexico but imported from China and India, etc. Mexico is making sure that now only legal labs can import pseudoephedrin and it can't be sold in a dept store. Only 9 grams of the drug can be purchased at a time.

(Questions was asked here- unable to decipher)

Q: In 2004 Mexico imported up to 3 times the quantity of pseudoephedrin than what was officially used. Is there legislation that will be addressing this?

A: We introduced controls in 2005. Up till this time we did not have strict controls. pseudoephedrin was an uncontrolled substance until then. Mexican authorities now can restrict importations and regulate sales. Hong Kong also has to notify the Mexican government what quantity they will be exporting to Mexico. A Commission monitors these types of pharmaceutical sales.

Commission has imposed strict restrictions on the amounts that can be produced by licensed labs. There has been a decline in pseudo traffic to Mexico. Mexican labs are primarily rural and not as sophisticated. Drug trafficking is a very

complicated problem requiring the attention of multiple local governments such as the Health Department, Ministry of Communication and Transportation as well as the Ministry of Finance and Public Credit, which is responsible for customs and duties.

More recently certain government officials have begun to be trained to learn about psuedoephedrin in the manufacturing of meth and the effects it has on the environment.

Q: There have been concerns on the Matricula- this is the identification used by Mexicans- the validity of the document, is it fraud proof?

A: We have been working over the past year and a half to ensure that the document is fraud proof. We have created a national data base in Mexico. Also have introduced controls regarding other agencies. At this point our Matricula is state of the art . The updated version was introduced 2 weeks ago. Matricula is an ID card for a Mexican national here in the U.S. It shows the name and address of the person.

Q: What types of prevention & intervention efforts are being implemented at the state and city level in Mexico?

A: Drug control is the exclusive responsibility of the Mexican Government. There is pending legislation in Mexico where the responsibility of drug enforcement would also be shared by state authorities. This will hopefully result in more effective drug trafficking enforcement, and free up the feds to deal with larger criminal organizations.

Q: We arrest previously deported Mexican drug nationals. What is the Mexican consulate doing to keep the deported criminals from returning?

A: Tough question. We don't know if someone has been deported for a criminal offense in the US, unless he/she is transferring sentence from the US to Mexico.

Q: Isn't there a legal framework when the US deports convicted drug felons? You don't have a record of this person being transferred?

A: Only record is for deportations. No record saying that the individual was convicted for anything.

Q: Your country is not notified if a national is arrested for drugs?

A: At the consulate we receive information when someone is being transferred as part of his/her sentence. When this happens we send the paperwork to Washington DC. Our embassy there sends the paperwork to the Department of Justice. Then they decide if person will serve the sentence in Mexico. When a Mexican national is arrested here, according to the Vienna convention, authorities notify the Mexican consulate. This is by choice- only if the arrested wants.

Mexico is on the list of non-mandatory countries to be notified. But an arrest does not mean a conviction. We have no notification of the conviction. Many times people are deported because law enforcement authorities here don't want to pursue the case. So if there is an extradition or transfer of prisoners we would get information. A Mexican national may be convicted in the U.S. and s/he might request that the courts have him/her sentenced instead in Mexico. The US rarely authorizes this because there are mandatory sentences here e.g. Measure 11. So generally the U.S. will not allow these transfers to take place. Extraditions are happening more and more each day. Over the past several years the Mexican Government has extradited a number of drug cartel leaders. If a person is wanted in Mexico the consular office works with the US DOJ to ensure that all the information regarding the case is processed fluidly.

Q: Besides law enforcement interventions and sanctions what other means is the Mexican government employing to address the many problems related to meth production and consumption? Is treatment available for substance abusers?

A: Our youth are not consuming meth on par with the youth here in the U.S. We are having more problems with traditional drugs such as cocaine and marijuana. Meth over time will become more serious. Currently there is an increase in meth consumption in those geographic areas of Mexico in close proximity to the U.S. The treatment programs that we have for other drugs we also use for meth. We have organizations in Mexico providing treatment if treatment is a court requirement.

At the Consulate our mission involves focusing on drug prevention in cooperation/partnership with other entities. We would like to make people aware of the consequences of dealing with drugs. This involves all members of the family since we've had many cases where the parents are arrested for drugs and the children are taken into custody. We've had to contact other relatives in Mexico.

Sheriff: We had Western Oregon University conduct a jail survey to review how serious the meth problem is for single/married parents/ethnicity/gender etc. Based upon ethnicity, Hispanics have the lowest consumption and use of meth and Caucasians have the highest. In between you have Native American and other groups.

Q: What is your role when minors are turned over to immigration that have committed a crime, or admitted to one.

A: We ensure a relative receives him. Minors that are already serving in a correctional facility, we ensure they are treated properly, have right consul. We can't do much else.

Q: If a minor is in OYA custody and his term is served, is he turned over to you?

A: He or she could be deported. So then we'd arrange to have someone receive him in Mexico.

Q: If Mexico implemented good drug and alcohol programs would you not agree then that this would reduce the consumption at home?

A: You could also put it the other way around. Overall the use of drugs and alcohol consumption is a problem for us both. This is happening as a result of drugs being available everywhere. So we try to do the best to fight it. For a time drug consumption in Mexico was not a problem until recently. Mexico was a transfer point for drugs coming from South America, and gradually, over the past ten years, domestic consumption has become more of a serious problem. Traffickers are now aware that the market in Mexico is large, so they are focusing on Mexican youth.

In Mexico, education is a priority. It is a poor country with limited resources. We're spending up to 7% of our GDP on education. First priority of government is to expend funds on education. Many other countries have similar problems. Our community is changing so rapidly especially in very rural areas, with no prior exposure to the outside world. The government is reacting as fast as it can, but can't do anything overnight even though change is rapid and transformative. For example, they are detecting AIDS cases in the Mexican mountains in Oaxaca, even now, very isolated communities. Some of these inhabitants come to the US, have unprotected sex, then go back home without knowing that they are HIV+ and transmit the disease. So our two countries are blending together rapidly and much more needs to be done with regards to drugs. We are moving as fast as we can, but our problems are overwhelming.

We should focus on the prevention issues here locally. We will take your concerns from here and send it to Mexico. We will try and send out a prevention message locally.

The Mexican government is reacting to what is happening. As a result of the Oregonian article which we sent back to Mexico, the government is already working on reducing the sale of pseudoephedrin, etc. Many times this research info is unavailable to us. I was not aware of the problem of meth a year ago. So all of our awareness also needs to be raised. This will happen in the future, as the epidemic is moving southward very rapidly. Meanwhile we want to cooperate with you.

Walt Beglau: "We've experienced the same problems as you. We have a common problem here, recognizing that governments cannot act on this alone. We've pulled in the community, schools, faith community to come together, work cooperatively, and the people on our Council have helped us put this effort together. The community effort is very important. We could share this approach.

Q: Even with legislation, in 2004 DOJ statistics show that 90% of all drugs, cocaine, marijuana and meth coming in through Mexico are controlled by Mexican cartels.

A: We are fully aware of the problem and fully committed to fighting it. Doing what we can. We've done some prevention with our nationals that don't know how the law works here. So we need additional education. Cultural differences. We're working with the Portland Police Department so they understand these cultural differences and relate to the Mexican people. It is important that we have open communications. We're trying to build partnerships with the Mexican Community.

Q: If you incorporate prevention/education in your mobile visits these would be great. But we also need to look at intervention and treatment, and meth is here on both sides. We'll see families devastated. So I think that it's important to not look at cultural differences and instead look at how these differences go away. When you live in another county you have to adopt to it.

A: I agree but it is a process that takes time and requires help. We need joint cooperative efforts.

Q: (From Representative Brian Boquist) Marion County which is probably 1/200 the size of Mexico seized more drug labs than the entire country of Mexico last year. Secondly the People's Republic of China is the number one exporter of products that we're trying to stop from coming into this country. So the message you should convey to your government is one of seriousness. I understand that things are getting better but some of this doesn't add up. There is a disconnect at the political level.

A: We understand the seriousness of the problem, a lot of work that we still need to do. For Mexico the most important relationship of any kind is with the US. 80% of our relations are with the US and 20% with other countries. We're fully committed to fight this. We must also have very good communications and understand what the problem is. We still don't know all the logistics of meth production if it is all coming from Mexico.

Sheriff Ramirez thanked the Consul and said that their presence allowed us to have a dialogue on this issue. "Message is that government cannot solve problems by themselves. Faith, education, business community, all have to learn to work together. Issue of trust. Not just a one sided view. Also, there is some responsibility on our part to for example what is our government doing with respect to trade in China? China and the US have billions of dollars worth of trade between them. So we also have some responsibility from our side. So this has to be a partnership. Message to Mexico is enforcement and partnerships. I know you're working on this. But even with these precursors everything comes down to trust and relationships. We're committed to working with you."

