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A Border Patrol agent conducts a patdown search of an illegal immigrant during a stop near Sells. TRICIA McINROY/Tucson Citizen

Watchdog overwhelmed

The agency that monitors the Border Patrol is 'pathetically

understaffed,' its chief admits.

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he Department of Justice agency responsible for monitoring U.S. Border Patrol agents lacks the manpower to keep up with the growing volume of allegations of misconduct, officials say.

"We've been pathetically understaffed for so long, we should really be

rolling on a lot of things," said William King Jr., special agent in charge of the Tucson Office of Inspector General.

The office's seven investigators monitor more than 1,500 Border Patrol agents in the Tucson sector alone - plus thousands of other employees of the Immigration and Naturalization Service, U.S. Marshals Service and Federal Bureau of Prisons in Arizona and Nevada.

Although King's staff has nearly doubled since 1989, when he had four investigators, the number of agents has more than quadrupled.

The result is that the King's agents spend the majority of time on the "most egregious" allegations, such as agents being involved in homicides, assaults and drug trafficking.

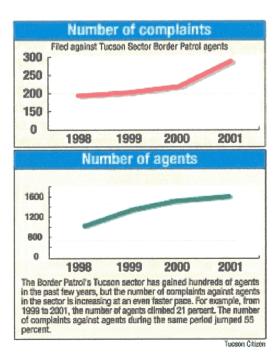
King's office received 284 complaints last fiscal year against Border Patrol agents and opened 36 cases. The number of complaints against agents has jumped 55 percent in the past three years.

Ron Sanders, who was the Tucson sector Border Patrol chief from 1994 to 1999, said the number of serious criminal allegations against agents is unusual for any police force.

"I don't know of any law enforcement agency that has as much adverse publicity concerning criminal allegations as the Border Patrol. That's just a simple fact," he said. "They have way, way too many allegations."

David Aguilar, current Tucson sector chief, defended the Border Patrol's record, saying his agency has a "zero tolerance" policy and encourages agents to report perceived wrongdoing within the ranks.

Border Patrol agents make more arrests than any other police force in the nation, he said. And the complaint-to-arrest ratio in the Tucson sector is the lowest in the U.S. Border Patrol, with 1 for every 14,300 apprehensions, he said.



But critics charge that a large number of complaints go underreported because agents deal mainly with Mexican migrants, who are less likely to report misconduct.

"Historically, (the Border Patrol) attempts to put the better spin on it," said Isabel Garcia, a Tucson lawyer and immigrant advocate. "They don't do any follow-up. They don't let the victims know how the cases are handled. Typically, they don't do anything. They minimize, they hide - anything to avoid dealing with the situation."

King said the shortage of investigators to look into allegations has implications for all ranks of the Border Patrol, from managers to patrol agents who are accused of crimes.

"Most agents are hardworking, honest and they want a good agency," King said. "Most of them don't want blemishes on their record. It's just as important for us to disprove allegations as it is to prove allegations."

U.S. Rep. Jim Kolbe, R-Ariz., called the understaffing of the Office of Inspector General "a huge problem.

"We've had a tremendous increase in federal agencies and no commensurate increase in the Office of Inspector General," he said.

Kolbe said Congress allocated \$5 million in the last budget for the OIG, which will give the Tucson office two additional investigators.

And more Border Patrol agents may be on the way, with President Bush proposing to double the current number to help keep terrorists out of the country. Most of the new agents would be assigned to the Canadian border.

The rapid growth has worried some within the Border Patrol's ranks. Some veteran agents say working conditions, including living in impoverished border towns, have resulted in a revolving door. Many agents are interviewing to become air marshals, union officials say.

The average Border Patrol agent in the Tucson sector has 4.8 years of experience compared with 6.9 years throughout the agency.

"We have a lot of young agents and inexperienced agents," said Bud Tuffly, vice president for the Tucson sector union. "The problem is that the agency has done very little to retain experienced agents ... They need to start looking at how do we retain a guy with five to 10 years."

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