



Written by [Kelly Holt](#) on March 7, 2011

ATF Agent Ordered to Let U.S. Guns Into Mexico

John Dodson, one of seven front-line Bureau of Alcohol, Tobacco, Firearms and Explosives (BATF) special task force agents in a Phoenix-based operation named “Fast and Furious,” has blown the whistle on the agency. His job was to stop border gun trafficking, but instead he was ordered to permit the guns to cross into Mexico.



[The Center for Public Integrity](#), whose mission is to “produce original investigative journalism in an effort to make institutional power more transparent and accountable,” reported on March 3 that the [ATF permits hundreds of guns into the hands of Mexican gunrunners](#) — guns eventually used in drug cartel violence and murders along the border. Two of those ultimately turned up at the scene in the December 14, 2010 killing of [Border Patrol agent Brian Terry](#), but have not been identified as the weapon that killed him.

“Fast and Furious” was initiated in October 2009 as an ATF effort to permit gun sales to straw buyers with the expectation the weapons would be used in crimes across the border — indeed many were later traced to criminal activity. With approval from ATF Washington headquarters and supervision of the Phoenix U.S. attorney’s office, the special task force, Group VII, (of which Dodson was a part) was given permission to let licensed gun stores continue to sell weapons to buyers already linked to suspected gun runners. In all, almost 2000 guns had been bought by suspects prior to and after the operation began.

How the ATF intended to track the guns was not revealed, as they were only collected after being used in crimes. Dodson told the Center for Public Integrity that the guns

are going to be turning up in crimes on both sides of the border for decades...with the number of guns we let walk, we’ll never know how many people were killed, raped, robbed ... there is nothing we can do to round up those guns. They are gone.

A year after the operation began, in 2010, Mark Chait, ATF assistant director in charge of field operation decided to change the policy after efforts to interdict small time buyers proved futile:

When we look at the complexities of the organizations working around the border of Mexico, just dealing with the lowest level purchaser, the straw purchaser, doesn’t get you to the organizer, the money people and the key people in that organization to shut that down. We found that if we don’t attack the organization and shut the organization down, they will continue to move guns across the border. It’s kind of a somewhat common sense approach that if you don’t get to the higher-level folks that are making the calls, then guns will continue to cross the border.



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But since most drug violence is committed by lower echelon cartel members, it's unclear how gun tracking would target the kingpin.

"Fast and Furious" in the meantime, was proving to be anything but. Internal agency memos show gunrunners continued to move sometimes hundreds of guns a month in the face of Justice Department delays in securing prosecutions. Five months after the operation started, a Department report revealed:

To date over 1,500 firearms have been purchased since October 2009 for over one million (\$1,000,000.00) cash in over-the-counter transactions at various Phoenix area gun dealers.

But Dodson remembered, "Nothing happened. We're monitoring the same buyers buying the same guns from the same dealers at the same rate and we're not stopping any of it."

He continued that another time a supervisor told him, "It's kind of a moot argument. 'They're going to get those guns somewhere.'" Dodson said, "But my feeling is we shouldn't be making it easier for them."

Another memo revealed a schism developing among Group VII members (four of the seven agents were increasingly uncomfortable about the operation) and the agents interpreted some comments as veiled threats of job loss if they didn't fall in line. Group VII Supervisor David J. Voth wrote:

If you don't think this is fun you're in the wrong line of work — period! This is the pinnacle of domestic U.S. law enforcement techniques. Maybe the Maricopa County Jail is hiring detention officers and you can get paid \$30,000 (instead of \$100,000) to serve lunch to inmates all day.

However, later Voth wrote of a sense of urgency as operations dragged:

I believe we are righteous in our plan to dismantle this entire organization and to rush in to arrest any one person without taking into account the entire scope of the conspiracy would be ill advised to the overall good of the mission.

I acknowledge that we are all in agreement that to do so properly requires patience and planning. In the event, however, that there is anything we can do to facilitate a timely response or turnaround by others, we should communicate our sense of urgency with regard to this matter.

Dodson stated that along with some of his colleagues, he wanted to intercept some of the weapons, but that their objections were repeatedly overruled. They were instructed to simply record the straw purchases, and monitor the gunrunners until evidence piled up connecting them to Mexican drug lords.

Finally in January 2011, the strike force bagged its primary suspect, Jaime Avila, along with 19 others, who were indicted in Arizona. Indictments included 35 counts of making false statements in connection with firearm acquisition. Not surprisingly, Avila pled not guilty.

Dodson had taken his concerns to his superiors, but was dismissed, and later ignored by even the Justice Department's Inspector General. He then went to the Senate Judiciary Committee, whose ranking member is Sen. Charles Grassley (R- Iowa). The Inspector General finally contacted Dodson only after Grassley intervened. The Senator commented:

The ATF clearly had plenty of information on the bad guys. The problem wasn't the fact that the guns weren't being reported, it was that the ATF didn't act on the information they had. We heard from more than a dozen people who brought forward allegations of wrongdoing at the ATF. What Agent Dobson has done by risking his career in an effort to expose the truth is patriotic. He is guilty of only one thing: committing truth.

Dodson added that some cooperating gun dealers who sold weapons to the suspects at ATF's request



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had concerns and wanted to end their sales, citing worry over legal liability, but were promised protection by federal prosecutors.

That the ATF sanctions gun sales to Mexico isn't limited to Arizona, however. An earlier operation, "Project GunRunner," pointed the finger at border gun dealers, and proved to be as much a failure as "Fast and Furious." According to *Borderland Beat (BB)*, Dec. 13, 2010, more than [60,000 guns](#) have been traced to 7,500 U.S. gun dealers along the border in Texas, Arizona, and California. Most came from Texas, with *BB* claiming that Texas' Houston-based Carter's Country sold more to straw buyers than any other dealer.

It's the largest independent gun dealer in the region, recently gaining notoriety for allegedly making illegal sales of firearms landing in the hands of drug cartels. But [Carter's Country](#) was acting legitimately. The dealer's defense attorney, Dick DeGuerin (defense attorney for the Branch Davidians), said Carter's Country acted as tipsters to the ATF.

They tipped them off to dozens of purchases. What's outrageous is that there could be this kind of suspicion that Carter's Country or anyone at Carter's Country did anything unlawful, when they were just doing what ATF wanted them to do.

They were encouraged to go through with the sales so that the ATF could follow the sales, get information on the purchasers, and perhaps, I guess, interdict the purchaser and seize the weapons. If anybody dropped the ball, it was ATF.

DeGuerin continued,

[In 2006, the] ATF went to Carter's and told them that as long as a gun buyer passed a background check, to sell them the gun, even if salespeople sensed something suspicious. [What Carter's Country did was at the request of the ATF.](#)

About Project GunRunner, a recent Justice Department Inspector General's report called the program weak and ineffective, with most cases brought against single defendants buying small numbers of firearms. The report said Mexican gun tracing has been "unsuccessful." ATF officials complain that, in the past, most guns seized in Mexico were not traced, saying although the number of traces has increased, problems persist.

Bill Newell, special agent in charge of the ATF Phoenix field division, said, "We're not getting all the information we need from them." Even an official in the Mexican attorney general's office called tracing "some kind of bad joke."

The reason for the illegal actions of the ATF remains murky, as gun tracing cannot be effectively realized. Gun dealers persuaded to participate in the operations were sure to eventually be placed in the position of having to defend themselves, as in the case of Carter's Country, and guns will rarely end up in the hands of drug lords. But U.S. gun laws may prove to be the real victim. Increased gun laws may be a result of the scandal, in spite of the fact that Mexican criminals are committing the crimes.

Chris Cox, executive director of the NRA Institute for Legislative Action had this to say about ATF implications: "To suggest that U.S. gun laws are somehow to blame for Mexican drug cartel violence is a sad fantasy."



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