

## Guardsmen head to court in alien-smuggling case

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Three National Guard soldiers deployed as part of President Bush's plan to curb illegal immigration on the U.S.-Mexico border will answer charges tomorrow in a Texas federal court to conspiring to smuggle illegal aliens into the United States.

A criminal complaint filed last week in U.S. District Court in Laredo, Texas, by U.S. Attorney Don DeGabrielle named Pfc. Jose Rodrigo Torres, 26, and Sgt. Julio Cesar Pacheco, 25, both of Laredo, and Sgt. Clarence Hodge Jr., 36, of Fort Worth -- all of whom appeared before a federal magistrate and were ordered released on \$75,000 bond.

The three soldiers were assigned to checkpoint duties with the U.S. Border Patrol as part of "Operation Jumpstart," Mr. Bush's initiative ordering 6,000 National Guard troops to the Southwest border to free up the Border Patrol force for expanded patrol duties.

National Guard troops build roads and fences, conduct aerial reconnaissance and provide medical aid and communications support. They also perform administrative duties and serve on entry-identification teams.

According to the complaint, Pfc. Torres was arrested during the late evening hours of June 7 by Border Patrol agents after 24 illegal aliens were discovered in the Department of Homeland Security-leased van he was driving on Interstate 35 near Cotulla, Texas, about 70 miles north of the border.

Pfc. Torres was in uniform at the time of his arrest. Sgt. Hodge and Sgt. Pacheco were arrested June 8.

The complaint said Sgt. Hodge assisted Pfc. Torres in passing through a Border Patrol checkpoint on I-35 without inspection. It said Sgt. Hodge approached Pfc. Torres' vehicle "to make it appear that the two were conducting National Guard business."

The three soldiers, according to the complaint, used cell-phone text messaging to negotiate the details, price and number of people who would be smuggled. A message that day from Sgt. Pacheco instructed Pfc. Torres that a trip was a go, with a promised payment of \$3,500 for the delivery of 24 illegal aliens, the complaint said.

Sgt. Pacheco is accused in the complaint of recruiting the guardsmen to transport illegal aliens and paying \$1,000 to \$3,500 for each smuggling trip. The complaint said Pfc. Torres told federal investigators that it was his seventh smuggling trip and implicated Sgt. Hodge as the person who waved him through the checkpoint.

"The alleged actions of these three men is disturbing and will be addressed but should not and does not diminish the outstanding contribution of the thousands of Texas National Guardsmen who daily do their duty alongside federal law-enforcement officials to secure the borders of our nation," Mr. DeGabrielle said.

Texas Adjutant General Lt. Gen. Chuck Rodriguez said he was extremely disappointed to learn of the arrests.

"Our military service members have an affirmative obligation to be actively supportive of our law-enforcement partners at every level of government," Gen. Rodriguez said.

If convicted, each guardsman faces a maximum of 10 years in prison without parole and a \$250,000 fine

