

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

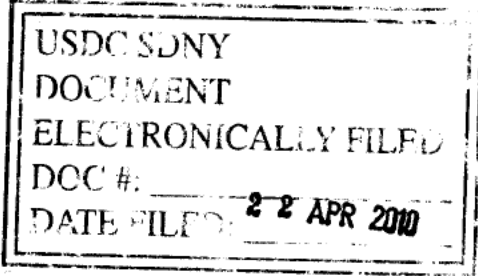
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UNITED STATES OF AMERICA : INDICTMENT

-v.- : S1 07 Cr. 862

DANIEL BARRERA BARRERA, :
a/k/a "Arnoldo Barrera Barrera," :
a/k/a "Loco Barrera," :
a/k/a "German Barrera Barrera," :
Defendant. :

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COUNT ONE

(Narcotics Importation Conspiracy)

The Grand Jury charges:

BACKGROUND TO THE CONSPIRACY

The Autodefensas Unidas de Colombia

1. The *Autodefensas Unidas de Colombia* was founded in 1997 as an umbrella group uniting a number of paramilitary bands in Colombia, and was at times relevant to this Indictment a right-wing organization, whose main political objective was to defeat the left-wing *Fuerzas Armadas Revolucionarios de Colombia* ("FARC") in armed conflict, and remove FARC sympathizers from government and positions of influence in Colombia. At its peak, the *Autodefensas* claimed 20,000 paramilitaries.

2. Today, following demobilization efforts by the Colombian government, the *Autodefensas* (collectively, the "AUC") has reemerged as the *Bandas Criminales Emergentes* or *BACRIMS*,

which are organized under substantially the same structures, and engaged in the same activities, including drug trafficking and acts of violence, as the AUC.

3. At all times relevant to this Indictment, the AUC has carried out its political objectives through kidnapings, attacks against Colombian government, military, police and civilian targets, and the mass murder of civilians claimed by the AUC to be FARC sympathizers. The AUC has financed its terrorist activities through the proceeds of cocaine trafficking in AUC-controlled areas, which trafficking is "taxed" by AUC commanders, with the proceeds being used to fund the purchase of military-grade weapons for use by the AUC. The AUC was designated by the State Department as a Foreign Terrorist Organization ("FTO") on September 10, 2001, and as a Specially-Designated Global Terrorist Organization ("SDGT") on October 31, 2001, and it remains so designated.

4. At all times relevant to this Indictment, the AUC was organized in individual bloques. Each AUC bloque controlled a separate area of Colombia. The Bloques did so in part by "taxing" narcotics traffickers operating in these areas, and using the narcotics proceeds to secure military-grade arms, including automatic rifles and grenades. The Bloques' leadership also developed illicit business relationships with drug

trafficking organizations in Mexico, through which relationships they exchanged cocaine for military-grade weapons.

Fuerzas Armadas Revolucionarias de Colombia

5. From in or about 1964 through the date of filing of this Indictment, the FARC has been and is an international terrorist group dedicated to the violent overthrow of the democratically elected Government of Colombia. Since its inception, while continuing to engage in bombings, massacres, kidnappings, and other acts of violence within Colombia, the FARC also evolved into the world's largest supplier of cocaine. The FARC has been designated by the United States Secretary of State as a foreign terrorist organization since October 1997, and has remained on the list of designees since that time. The European Union also has designated the FARC as a terrorist organization.

6. During at least the five years prior to the date of filing of this Indictment, the FARC has directed violent acts against United States persons and property interests in foreign jurisdictions, including, but not limited to, Colombia. In order to protect its financial interests in the cocaine trade, the FARC leadership has ordered its members to take counter-measures against the Government of Colombia's cocaine fumigation campaign, including, among other actions: attempting to shoot down fumigation aircraft; forcing members and supporters to publicly rally against fumigation; and attacking the Colombian

infrastructure. Having recognized that the United States has contributed significantly to Colombian fumigation efforts, the FARC leadership has ordered FARC members to kidnap and murder United States citizens and to attack United States interests, at least partly in order to dissuade the United States from continuing its efforts to fumigate and disrupt the FARC's cocaine and cocaine paste manufacturing and distribution activities.

7. The FARC's violent acts directed against the United States and United States interests have included: (1) the murder of United States nationals; (2) the kidnaping of United States nationals; and (3) the bombing of a restaurant in Bogota, Colombia, frequented by United States nationals.

8. The FARC is a highly structured terrorist organization, styled as a military group and comprised of at least 10,000 armed guerillas organized into seven "blocs," 68 numbered "fronts," nine named fronts, and four urban "militias."

Daniel Barrera Barrera

9. DANIEL BARRERA BARRERA, a/k/a "Arnoldo Barrera Barrera," a/k/a "Loco Barrera," a/k/a "German Barrera Barrera," the defendant, is a large-scale, multi-ton narcotics manufacturer and trafficker. From in or about 1998 up to the date of the filing of this Indictment, BARRERA purchased ton-quantities of raw cocaine paste or cocaine base from members of the FARC in Colombia. BARRERA then converted the cocaine paste into cocaine

powder in labs owned and operated by BARRERA, in (among other places) the Los Llanos area of Eastern Colombia. Thereafter, BARRERA arranged the shipment and transportation of processed cocaine powder out of South America via Colombia and Venezuela and on to (among other places) the United States, Europe, and Africa.

10. From in or about 1998 up to and including the date of the filing of this Indictment, DANIEL BARRERA BARRERA, a/k/a "Arnoldo Barrera Barrera," a/k/a "Loco Barrera," a/k/a "German Barrera Barrera," the defendant, has purchased up to at least approximately 30,000 kilograms of cocaine base per month from the FARC and produced up to at least approximately 30,000 kilograms of cocaine powder in his Los Llanos-based laboratories -- in total, up to about 360,000 kilograms or about 400 tons per year.

11. In order to maintain his cocaine laboratories, DANIEL BARRERA BARRERA, a/k/a "Arnoldo Barrera Barrera," a/k/a "Loco Barrera," a/k/a "German Barrera Barrera," the defendant, paid monthly "taxes" or fees to the AUC in order both to maintain his network of cocaine-processing laboratories in Los Llanos, Colombia, an area controlled by the AUC, and to safely move the processed cocaine through and out of Colombia into Venezuela and other countries in South and Central America.

STATUTORY ALLEGATIONS

12. From at least in or about 1998 up to and including the filing of this Indictment, in the Southern District of New York and elsewhere, DANIEL BARRERA BARRERA, a/k/a "Arnoldo Barrera Barrera," a/k/a "Loco Barrera," a/k/a "German Barrera Barrera," the defendant, who will first enter the United States in the Southern District of New York, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

13. It was a part and an object of the conspiracy that DANIEL BARRERA BARRERA, a/k/a "Arnoldo Barrera Barrera," a/k/a "Loco Barrera," a/k/a "German Barrera Barrera," the defendant, and others known and unknown, would and did import into the United States from a place outside thereof five kilograms and more of a mixture and substance containing a detectable amount of cocaine, in violation of Sections 812, 952(a), and 960(b)(1)(B) of Title 21, United States Code.

14. It was further a part and an object of the conspiracy that DANIEL BARRERA BARRERA, a/k/a "Arnoldo Barrera Barrera," a/k/a "Loco Barrera," a/k/a "German Barrera Barrera," the defendant, and others known and unknown, would and did manufacture and distribute a controlled substance, to wit, five kilograms and more of a mixture and substance containing a

detectable amount of cocaine, intending and knowing that such substance would be imported into the United States from a place outside thereof and into waters within a distances of 12 miles of the coast of the United States, in violation of Sections 959, 960(a) and 960(b)(1)(B) of Title 21, United States Code.

OVERT ACTS

15. In furtherance of said conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed:

a. In or around 2000, DANIEL BARRERA BARRERA, a/k/a "Arnoldo Barrera Barrera," a/k/a "Loco Barrera," a/k/a "German Barrera Barrera," the defendant, attended a meeting in Panama City, Panama, in which BARRERA agreed to provide cocaine to a co-conspirator not named as a defendant herein ("CC-1"), which cocaine would be shipped via the Atlantic Ocean from Colombia to Guatemala.

b. At some point after the meeting described in paragraph (a) above, and pursuant to the agreement described therein, CC-1 received 1.4 tons of cocaine in the area of Puerto Berrios, Guatemala, that had arrived via go-fast boat from Colombia.

c. In or about 2002, in Venezuela, co-conspirators not named as defendants herein possessed over 1,000 kilograms of cocaine.

d. In or about 2003, in Miami, Florida, co-conspirators not named as defendants herein possessed approximately 68 kilograms of cocaine.

e. In or about 2003, BARRERA met with a co-conspirator not named as a defendant herein ("CC-2") in Colombia, and discussed BARRERA's paying taxes in order to ensure the safe passage of narcotics through areas of Colombia controlled by the AUC.

f. In or about late 2004, BARRERA provided over 1,000 kilograms of cocaine for CC-1, to be concealed in a container of scrap metal and transported from Panama to Mexico City.

g. In or about 2006, in Valencia, Venezuela, co-conspirators not named as defendants herein met and discussed transporting narcotics shipments on behalf of BARRERA from Venezuela to, among other places, the United States, Africa, and the Dominican Republic.

h. In or about 2006, in Bogota, Colombia, a co-conspirator not named as a defendant herein ("CC-3") met with BARRERA and discussed CC-3's transporting multiple tons of BARRERA's cocaine out of Venezuela.

FORFEITURE ALLEGATION

16. As a result of committing the controlled substance offense alleged in Count One of this Indictment, DANIEL BARRERA

BARRERA, a/k/a "Arnoldo Barrera Barrera," a/k/a "Loco Barrera," a/k/a "German Barrera Barrera," the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 970, any and all property constituting and derived from any proceeds that the defendants obtained directly and indirectly as a result of the said violations and any and all property used and intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Count One of this Indictment, including but not limited to, a sum of money representing the amount of proceeds obtained as a result of the offense described in Count One of this Indictment.

Substitute Assets Provision

17. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

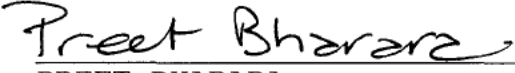
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other

property which cannot be divided
without difficulty;

it is the intention of the United States, pursuant to Title 21,
United States Code, Section 970, to seek forfeiture of any other
property of the defendants up to the value of the forfeitable
property.

(Title 21, United States Code, Sections 963 and 970.)


FOREPERSON


PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK**

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**DANIEL BARRERA BARRERA,
a/k/a "Arnoldo Barrera Barrera,"
a/k/a "Loco Barrera,"
a/k/a "German Barrera Barrera,"**

Defendant.

INDICTMENT

S1 07 Cr. 862

(Title 21, United States Code, Sections 812, 952(a), 959,
960(a)(3), 960(b)(1)(B), 963, and 970)

**PREET BHARARA
United States Attorney.**

A TRUE BILL

Foreperson.

4/22/10
supposedly
SD SD
~~*But it is not the case*~~
in present to get
A/W order
Mag Judge Polinger