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<http://www.latimes.com/nation/la-na-border-patrol-outsider-20161019-snap-story.html>

**An outsider takes charge of the Border Patrol — and yes, he'll wear the green uniform**

As the new chief of the troubled Border Patrol, Mark Morgan faces any number of complex problems, from corruption in the ranks to a new surge of children and families streaming to the border.

But the former U.S. Marine, Los Angeles Police Department officer and FBI agent was confronted by a far more personal question when he addressed an all-hands muster at the Border Patrol station here in El Paso on Oct. 5.

How dare he wear the uniform?

Morgan is the first outsider to head the Border Patrol in its 92 years. His decision to shed his dark business suit for the agents’ distinctive olive-green uniform, complete with black utility belt and holster, has sparked bitter controversy in the notoriously closed culture.

After all, Morgan, 51, was hired to bring fresh eyes and a reformer’s mindset to help clean up the nation’s largest — and critics say least accountable — law enforcement agency.

The Border Patrol’s powerful union had opposed his appointment, saying a chief should have come from within. Morgan didn’t come up through the ranks, didn’t attend the patrol academy, never arrested anyone sneaking across the border, and never searched on horseback for smugglers in the desert.

So standing in the muster room, Morgan told the agents that he had struggled with the decision to wear their uniform. But he had decided it would help him represent the 20,000 agents and advocate for their needs with lawmakers and the public.

He also told them he welcomed being taken to task.

“I really hope that’s going to get out and they are going to say, ‘Holy crap, he challenged the chief and then it was a good discussion,’” Morgan said later while touring the Border Patrol facilities.

Morgan spent 20 years at the FBI and was first brought to Customs and Border Protection, the Border Patrol’s parent agency, in 2014 to overhaul its internal affairs division. After a subsequent stint running the FBI’s training academy, he got the top job at the Border Patrol in June.

His immediate priority: Thousands of Central American families are again flowing north and surrendering to Border Patrol agents in Texas, threatening to overwhelm sector stations and replicate the crowded, unsanitary conditions that sparked ugly headlines in 2014.

Last fiscal year, the number of people apprehended on the border jumped 23% over the previous year — from 331,333 to 408,870 — although it was still below the influx two years ago.

Morgan says he is looking at whether government contractors or federal workers can screen and register the families so Border Patrol agents can spend less time on paperwork and more time on the border.

But Morgan also faces pressure to improve agent training and procedures to avoid shootings of unarmed migrants and other abuses that have outraged critics.

Over the last decade, Border Patrol agents have shot and killed at least eight Mexicans who were across the border, records show.

Only one of the agents involved has faced charges, although the Supreme Court this month agreed to consider whether the family of a Mexican teenager who was shot and killed across the border can sue the Border Patrol agent who pulled the trigger.

The civil case focuses on Sergio Adrian Hernandez Guereca, 15, who was shot in the face in June 2010 as he stood on the Mexican side of a riverbed dividing El Paso, Texas, from Juarez, Mexico.

Morgan also wants to crack down on the drug-smuggling, bribery and other corruption cases that have embarrassed the Border Patrol

In March, a report from the Homeland Security Advisory Council, an independent task force, concluded that the system for disciplining abusive or corrupt Border Patrol agents is "deeply flawed" because of a weak internal affairs operation.

At the same time, arrests of border agents and customs officers exceed, on a per capita basis, arrests at other law enforcement agencies, according to the report. More than 170 employees at U.S. Customs and Border Protection, including Border Patrol, have faced corruption charges since 2005.

Morgan, who still has his athletic build and Marine buzz cut, has toured nine Border Patrol sectors and met with hundreds of agents since June. He next plans to visit patrol offices in Tucson and Washington state along the northern border.

His new staff, hustling to keep up, have taken to calling Morgan the “Energizer Bunny.”

Morgan — and his critics — say his toughest job may be winning over the agents who work far from Washington, D.C., and distrust any top-down management on border security, a politically charged issue that has played a key role in the presidential race.

“The really tricky part is to make sure he has buy-in from the rank and file and the boots on the ground who will be following his leadership,” said Michelle Brané, an immigrant rights advocate at the New York-based Women's Refugee Commission, who met with Morgan last month.

Problems on the border have changed in the last five years. Fewer economic migrants from Mexico now cross to find jobs, while more women and children show up seeking refuge from the drug wars and other violence in Guatemala, Honduras and El Salvador.

As the type of migrant changes, the Border Patrol needs to adapt, Brané says.

“I think they need to get child welfare or social welfare people in the Border Patrol stations,” she said. “Border Patrol officers are trained to patrol the border. They don’t need to be sitting there babysitting kids or taking care of pregnant women.”

An energetic figure, Morgan got his hands dirty during his visit to El Paso. He put on an industrial diving helmet and sank to the bottom of a training pool to see how agents search for sunken drug packages in murky rivers and lakes.

He rappelled down a 60-foot tower and played fetch with Bocephus, a dog trained to track and sniff out migrants hiding in the brush. He competed on a live fire range, hitting targets with a handgun, sniper rifle and semiautomatic rifle.

“I think he is realizing how difficult it is to be a Border Patrol agent,” Shawn Moran, a vice president of the Border Patrol union, said in a phone interview from San Diego.

Moran, whose union opposed Morgan’s appointment, gives him grudging credit for his first few months.

He particularly applauded Morgan’s decision last month to reclassify an agent’s death on a family fishing trip as a so-called “duty death,” a move that ensures survivor benefits for the family and a listing in a national memorial for law enforcement officers.

Javier Vega Jr. and his family were at a campground near Brownsville, Texas, in 2014 when two men tried to rob them at gunpoint. When Vega reached for his own gun he was shot; his alleged assailants, two Mexicans who had been deported multiple times, have been charged with murder.

At first, the Border Patrol determined Vega was not killed in the line of duty. But a review completed in September reversed that ruling and said Vega had responded to the robbery according to his training as a law enforcement agent.

“That was one of our big issues and I was definitely encouraged when I saw that,” Moran said.

Morgan’s decision to wear the Border Patrol uniform doesn’t bother Moran. “I know that has upset some people,” he said.

Morgan sees the dispute as an opportunity. The day after he was confronted at the El Paso muster, he called and left a voice message for the agent who had challenged him, another former Marine.

“I just wanted to personally let you know I really, really appreciate you asking the question you did,” Morgan said. His goal is to create an environment “where you are willing to say what’s on your mind and disagree regardless of rank, with dignity, respect and professionalism,” he added.

“Be safe out there and Semper Fi.”