

The Fall of the Last Patrón.

HIS FATHER BATTLED THE POLITICAL BOSSES OF STARR COUNTY, BUT HE BECAME ONE. FOR SEVENTEEN YEARS, SHERIFF EUGENIO FALCÓN RULED HIS BAILIWICK—UNTIL THE LURE OF EASY MONEY BROUGHT HIM DOWN.

by HELEN THORPE JUNE 1998

FROM TEXAS MONTHLY

LAST AUGUST, AS THE RELENTLESS SUN HAMMERED at the dusty streets of Rio Grande City, Sheriff Eugenio Falcón, Jr., emerged from the air-conditioned refuge of his office and walked one block to Linda's Bail Bonds, a modest brick building in the center of town. A large man with massive shoulders, olive skin, and black eyes, the 44-year-old Falcón wore a striped, short-sleeved sports shirt and a gimme cap, a casual outfit that spoke of the ease he'd acquired in his job. Seventeen years had passed since he'd first taken office, and the position now fit him like a second skin. He ruled Starr County with tactics borrowed from the old South Texas political bosses—a connoisseur of local history might call him the last of the *patróns*. Most of his constituents viewed him simply as the barrier that stood between good and evil.

But in Starr County, the distinction between what is good and what is evil becomes oddly blurred at times, as if obscured by the all-consuming dust. Situated halfway between Brownsville and Laredo, Starr County is an isolated backwater, with no major north-south highway and hardly any hope. Half its residents survive on incomes that fall below the poverty line. The rich soil of the bustling Rio Grande Valley lies just out of reach, NAFTA has yet to make an impact along this stretch of the border, and the prolific oil and gas fields found elsewhere in South Texas are missing here. In this forsaken landscape of sandy hills and dense brush, politics is a year-round preoccupation, because those in office control the most precious commodities in the area, namely jobs and contracts. There are always some citizens who are willing to pay for access to the favors of government. And it is perpetually true that here even the best men are susceptible to corruption.

At Linda's Bail Bonds, Sheriff Gene Falcón strolled past a sign that showed a man behind bars (aptly suggesting the bottom-feeding quality of the business) and into the reception area. He had come to see the owner, Homero Arturo Longoria. Although Longoria came from a respected family, his own name had gone to seed—there were stories of welching on debts, among other indiscretions. His profile sagged in a similar fashion; he was balding, wore glasses, and had a paunch. Yet his new business was thriving. Though Linda's Bail Bonds was only five months old, Longoria was handling more inmates than many established bondsmen in town. In fact, he was getting so many clients from the county jail that federal officials in Houston had come to suspect that the sheriff was at the center of an extensive influence-peddling scheme. At that very moment—unknown to Falcón—FBI agents were shadowing every move he made.

A renewed federal commitment to exposing South Texas graft had already resulted in the conviction of the sheriffs of two neighboring counties, as well as other public officials. "The number one priority of the Southern District is to address public-corruption issues," U.S. attorney James DeAtley told me. To the federal prosecutors, Sheriff Falcón personified all that was wrong with South Texas, and they considered it their job to expose his faults. To his

supporters, however, Gene Falcón had always embodied the best of Starr County. Falcón came from one of the area's oldest families, and he was hailed as a reformer when he took office. He brought progress, an infrequent visitor, to Rio Grande City, in the form of federal grants and new jobs. It's true that the sheriff had been accused of offenses that ranged from mingling with reputed drug dealers to a murder in Mexico (for which another man was ultimately convicted). Yet Starr's residents have always judged their leaders by how they serve the community, not whether they conform to laws that are written far from the border's gritty reality. The dealers Falcón supposedly associated with sold their drugs in Houston or in San Antonio, not on his turf. When did anyone in those distant cities demonstrate concern for Starr County? So to the sheriff's admirers, the prosecution of Gene Falcón by attorneys based in Houston made it seem as if the county itself were on trial. And in a way, it was.

I MET FALCÓN FOR THE FIRST TIME ON A MILD, CLEAR DAY IN January. Red, white, and blue political placards blanketed the town, an indication that the all-important March primaries were just weeks away. The sheriff had been indicted two weeks before; the question of his guilt or innocence had yet to be resolved. Even in pressed Wrangler blue jeans, a khaki shirt, roper boots, and a white Stetson hat, Falcón still had something spit-and-polish in his look that suggested the disciplined aura of the state trooper he had once been. He appeared personable and clean-cut—not at all the stereotype of a seamy politician. At the same time, he seemed impossible to read, perhaps because of the impenetrable web of rumors that surrounded him. “A sheriff wears many different hats, all colors and all shapes,” Falcón volunteered. “You deal with all kinds of people, from hardened criminals to good citizens. Sometimes couples come to me, and I wind up doing marriage counseling.”

I had just watched Falcón deliver a similar type of counseling session. A hunched, older man had buttonholed him and delivered a convoluted story in Spanish. Its central theme was that the man's son appeared to be mixed up with drugs. Falcón had leaned against the wall of his lawyer's office, throwing one arm up toward the ceiling to listen. He cut an authoritative, almost swaggering figure, but he addressed the speaker with a kind of subservience. The old man represented one of Starr County's voters, and Falcón held his job at their collective whim. The sheriff was polite and attentive; he promised to speak to the boy. The job of a *patrón* appeared to involve an odd mix of public relations, hand-holding, and moral leadership.

If the sheriff could be respectful of his constituents, another obvious quality was his pride. After asking about my background, he grinned upon hearing that my parents had immigrated to this country. “Oh, you're a newcomer!” he said. “I go back nine generations.” In fact, the Falcóns represent the local equivalent of aristocracy; the sheriff traces his ancestry back to **Blas María de la Garza Falcón**, a Spanish army captain who helped colonize the rolling, thorny strip of brush country between the Nueces and the Rio Grande. Historian T. R. Fehrenbach has called the area a Mexican irredenta (from the Italian term for “unredeemed,” the word describes a territory historically related to one political unit, though presently subject to another). Scratch the surface of Starr County and you discover outlaw sentiments. “The white man has taken our land, taken our minerals, taken our natural resources,” an attorney in Rio Grande City said to me, in rhetoric typical of the place. “We are a colony.”

And for a long time Starr County did function like a colony, though it wasn't always the white man who benefited. For seventy years the autocratic Manuel Guerra, along with his brothers, cousins, and sons, collectively known as the Guerra boys, dominated local government. Central to the patronage system they ran was the *mordida* (little bite), a small levy they demanded from citizens for the privilege of doing business with the county. Their empire first began to totter in the fifties, largely because of independent-minded men like Eugenio Falcón, Sr. The sheriff's

father left the highly circumscribed universe of Starr County to serve in the Army during World War II and then to attend college. By the time he returned to Rio Grande City, he had taken the measure of the outside world, and the perspective he had gained must have greatly reduced the stature of the Guerra boys in his eyes. Always iconoclastic, Eugenio Falcón, Sr., was a Republican Methodist, twin allegiances that excluded him from the county's patronage system. "At that time there were only two people with master's degrees in Starr County," recalled his son Antonio, a physician, "yet he couldn't get a job as a schoolteacher in Rio Grande City."

Falcón eventually found work in the school system at Roma, thirteen miles upriver, where he worked as an administrator. But because of the difficulty he'd had, he methodically set about reviving the county's long-moribund Republican party apparatus. As its county chairman, he was a perpetual thorn in the side of the men who ran Starr County's monolithic Democratic machine. He made them spend money on campaigns, and he even managed to elect a lone Republican to the commissioners' court in 1964. "That's what the old veterans fought for," said Antonio. "They fought for fairness. He wanted everybody to have the same opportunity."

SOMETIMES A FATHER RAISES A SON IN HIS OWN IMAGE, AND sometimes the world changes around a family so that a son raised to be like his father becomes his opposite after all. Eugenio Falcón, Sr., always remained on the periphery of Starr County's convoluted political melees, but his second son became a central protagonist in them. Perhaps Gene was meant for power all along: He possessed a charismatic personality that drew people to him. "If there's such a thing as being a favorite, I think he was my father's favorite," said Antonio. "Gene is just very likable. He wasn't as serious as the rest of us." Always the center of attention, Gene became a legend on the football field during high school. "He was a star," recalled **Baldemar Garza**, the mayor of Rio Grande City, "and we looked up to him."

Gene's family had a reputation for being civic-minded. His mother, Emma, a schoolteacher, made sure the four boys attended services every Sunday in the yellow-brick Methodist church that earlier generations of Falcóns had helped build. All the boys chose government or public-service careers: Antonio practices family medicine, José works as a schoolteacher, and Federico became an officer with the Immigration and Naturalization Service. Gene became intrigued with police work because of two neighbors. "One was a state game warden," he said. "And one was a state trooper. They were kind of my idols." In 1974, two years after his father died abruptly from a pulmonary embolism, he started working for the highway patrol out of Harlingen. "I'd trust him with my life," said his former partner, Sherwood Hamilton. "In fact, I have."

Four years later, Falcón transferred back to Rio Grande City, where he soon acquired a reputation as a straight arrow. "As a state trooper, he was very, very strict," recalled former district attorney Arnulfo Guerra. "Sometimes the authorities weren't as strict as they should have been in dealing with people who drank. Gene represented the opposite." Such an unyielding posture might not have worked to his political advantage under normal circumstances, but in the spring of 1980 the Democratic nominee for sheriff unexpectedly died. Though Falcón was only 28 at the time and had never run for office, he asked the executive committee of the county Democratic party (made up of the precinct chairmen) to appoint him the party's nominee. "I felt there was a need for leadership," he said. "At that time there was a very poor relationship between the sheriff's office and the other agencies. The state troopers didn't back up the sheriff's office, and they didn't back us up. I thought that was very important."

He barely squeaked through the selection process. At first only one precinct chair supported his bid—a woman who'd worked with his father—but eventually she swung the others around by arguing that Falcón could operate unhampered by political ties. “To be quite frank, a lot of people didn't want Gene,” said Arnulfo Guerra. “The politicians were afraid of him. They thought he was too independent, too straight, and too strict. And too young. The reason he eventually prevailed was that the people who supported him said he'd be a refreshing face in the political structure here. And he proved to be that for—well, he has for years and years.”

AT FIRST FALCÓN EMBODIED THE IDEA OF INDEPENDENCE, BUT in time he came to represent something else, something even more dear to Starr County residents: He stood for progress. Of the 254 counties in the state, Starr ranks last in per capita income, and the ardent desire for economic advancement explains much of the local culture, from a lenient attitude toward smuggling to the ferocious political infighting. Falcón presented an image of steady improvement. He started out with minimal resources and devoted most of his considerable energy to expanding his operation. “That's what sheriffs have to deal with on a daily basis: How are you going to pay your bills?” he said. He did what *patróns* have always done: funded his projects from the deepest pockets he could find—in this case, Uncle Sam's. Falcón engineered a politically astute deal with the United States Marshals Service to house federal prisoners, thereby obtaining \$1 million in federal funds to build a new county jail. The sprawling white complex stands on the crest of a sloping hill at the very center of Rio Grande City, making it the highest structure in town. From his office at the peak of the hill, Falcón could look down over the capacious, yellow-brick county courthouse, where he formerly worked out of a windowless office in the basement.

The jail complex grew exponentially. After Falcón presided over an \$8 million expansion, also with the help of federal funds, he typically housed 220 federal inmates at a time. Last year that generated an average of \$150,000 a month in housing fees. Trustee inmates performed all of the jail's maintenance, cooking, cleaning, and laundry; the sheriff even had them service his pursuit vehicles. As Falcón liked to point out, all of these innovations meant that no local taxpayer money was required to run the jail. “It saved the taxpayers over \$700,000 a year,” he said.

As the jail grew, Falcón's staff multiplied, going from 9 to 95. The sheriff started out with a fleet of 3 used cars and wound up with a fleet of 24, most of them new. Soon the height of Falcón's office on the hill represented his new place in the order of things: Twelve thousand people lived in Rio Grande City, and most of them now looked up to him. It was bootstrapping economic development, as opposed to crime fighting, that gave Falcón the most satisfaction. “My greatest accomplishment was providing the leadership to furnish a salary so that a deputy could provide for his or her family,” he said. The steady expansion of the office occupied most of his time; typically he didn't concern himself with sleuthing. He would make an appearance at the scene of a crime, but afterward he gave his investigators a leeway that most appreciated. “He let us work,” said Guadalupe Marquez, now the chief of police in Rio Grande City.

The jail expansion had saddled the Sheriff's Office with a stiff mortgage that hovered around \$55,000 per month, however—and that responsibility gradually transformed Falcón. “Let me tell you, the sheriff's job was like running a business,” he said. “We had to produce revenues to keep working. So every day, the first thing I did was to check inmate population. That was the first thing. Because the bills were constant.” His primary concern became keeping the jail full at all times. This must have been the beginning of the erosion of his character: Falcón had started out as a state trooper interested in law and justice, but as sheriff, he came to think the top priority of law enforcement was paying the bills.

FORTY-SEVEN-YEAR-OLD U.S. ATTORNEY James DeAtley was born to work for the government. “My dad was a civil service employee in the Navy,” recalled DeAtley. “And my grandfather was with the Department of Justice. I think it was the bonds and spirits division. He used to prosecute old-time moonshiners.” DeAtley grew up in Washington, D.C., and moved to Texas to attend Baylor University. After completing law school there as well, he worked briefly as a public defender before becoming a federal prosecutor. In 1993, when he was working in the Western District of Texas, based in San Antonio, his career meandered into a weird cul-de-sac: For three years, while the appointment of the new U.S. attorney was stranded in political limbo, DeAtley served as acting U.S. attorney, unable to exercise full authority. Last October the Justice Department moved him to Houston as the head of the Southern District, a vote of confidence that gave him the chance to put his stamp on that office in a way he’d never been able to do in San Antonio. “Each U.S. attorney tries to set priorities for the district,” said DeAtley. “For the border area, my number one priority is public corruption. We can’t be worrying about criminal activity within our own law enforcement community. We’ve got to get that issue resolved.”

Shortly after arriving in Houston, DeAtley held a meeting with prosecutors in the division of public integrity. Like a football coach hectoring his team, he told the division its area was his top concern. “He wanted us to aggressively pursue these cases,” said assistant U.S. attorney Richard Smith, a pugnacious trial lawyer in the division. “He placed an emphasis on pursuing cases along the border because of the problems that exist there. I’m not saying every public official along the border is corrupt. I’m saying that wherever we found corruption, he wanted us to aggressively address it, go after it, and eradicate it.”

Petty corruption is part of the border’s terrain, and in trying to reform it, DeAtley was taking on a Sisyphean task. DeAtley, however, attributed the area’s problems to the new curse of drugs rather than the old bonds of tradition. “We are a drug-trafficking center,” he said. “With that drug activity has come a mountain of cash, and it has had a dominating and corrupting influence. Other people see this going on and think, ‘If they can do it and get away with it, what about me?’ That’s part of the message that I have to get across: The price isn’t worth it. Sooner or later we’re going to identify you, we’re going to investigate you, and we’re going to prosecute you. You’re not going to like the result.”

DESPITE ALL HE DID FOR STARR County, Sheriff Falcón’s tenure was marred by a series of confusing incidents that aroused suspicion. Many of his difficulties began during the predawn hours of August 23, 1986, when four men in camouflage fatigues jogged into the Hospital Civil de Reynosa across the border from McAllen. Finding Raul Margarito Piedra Ayvar, a convicted marijuana dealer, handcuffed to a hospital bed on the second floor, the commandos pumped seven rounds from an Israeli machine gun into his body.

Shortly after the raid, a prisoner staying in the same room told Mexican authorities that Falcón had participated in the assault. Two days before the murder, Falcón had visited Piedra at the hospital to question the dealer about a triple homicide that had taken place in Starr County. “I was escorted by the head of the state judicial police to interview Piedra,” recalled Falcón. “There was not much information exchanged because he refused to talk to me about the murders.” Now the prisoner claimed to know Falcón from that visit. “When they turned on the lights, that’s when I recognized the sheriff,” he said in his statement. “. . . I tell you, it’s one of them that came here before.”

Mexican authorities issued a warrant for the arrest of Falcón, who denounced the charges as a frame-up. “My reaction was, ‘Come on, you’re kidding me,’” said Falcón. “I knew I wasn’t guilty of anything.” Ultimately, the prisoner reversed himself, and Mexican authorities convicted a reputed hit man of the murder. That made the entire episode seem nothing more than the Kafka-esque fallout of policing the border. “That crap about the sheriff going over to Reynosa and bursting into a hospital room and killing somebody—that was the most ridiculous thing I ever heard,” said Arnulfo Guerra, the former DA. “Totally, totally incredible.”

Still, talk about the killing swaddled Falcón’s name in innuendo, causing opinion of the sheriff to cleave in two. The incident undoubtedly drew the notice of federal authorities; Falcón himself said, “I’ve been looked at for years and years. Everything I did was closely scrutinized.” If federal officials were indeed watching Falcón at this time, they would have noted that he socialized with individuals suspected of being drug traffickers—but so did just about everyone in Starr County. Some of the suspected dealers were people Falcón had known all his life. “There’s a whole bunch of families—and I can’t recall their names offhand—who enjoy reputations as being drug families,” said Guerra. “The sheriff has been known to deal with those people, in the sense of talking to them. But if somebody invites you to a party, and you are the sheriff, you go. You go to a *pachanga*, you go to a gathering. That’s the nature of the beast here in Starr County.”

In 1990 the old murder charge became the subject of a *Dallas Morning News* article headlined PROFILES IN SUSPICION. Stitching together facts and rumors, the story strongly suggested that Falcón was facilitating the drug trade and hinted that he might even have bumped off Piedra as a favor to an alleged trafficker named Ramon Garcia Rodriguez. (He became a fugitive and was never convicted.) The *Morning News* reported that Falcón had investigated a previous attempt on Garcia’s life and later bought a \$90,000 ranch style brick home with a swimming pool that had once belonged to the drug dealer’s wife, though Falcón had purchased it from a subsequent owner. The medium-sized house sat on ten acres of land, surrounded by a cinder block wall; it was hyped in other stories as a sprawling ranch-style home.

To Starr County residents accustomed to the border’s close-knit ways, the sheriff’s links to Garcia appeared tenuous and benign. People in the county have long resented the bad press the area perennially attracts, and it was easy for them to dismiss the story, particularly after Falcón successfully sued the *Morning News* for libel. When he donated the \$45,000 he won to the local Boys and Girls Club, the victory elevated him to a folk hero. His constituents also saw Falcón as a figure of morality. He led a campaign to keep dirty movies out of the hands of children and tried to steer wayward teenagers onto the right path. (“I’m going to send you some kids that won’t really come under your jurisdiction,” he told new municipal court judge William Page, “but if you don’t talk to them, there’s nowhere else for them to go.”)

Eventually, however, some of his fellow elected officials came to feel that the location of the sheriff’s office at the apex of town took on a more sinister significance: No longer an outsider like his father, Eugenio Falcón, Jr., had become the closest thing Starr County had to a modern-day political boss. Heriberto Silva, the current district attorney, became the sheriff’s implacable enemy by initiating a series of grand jury investigations probing whether Falcón was still the strict lawman he’d once been. “I’m having a problem with the level of competence in the sheriff’s office,” Silva told me. “He’s become more of a politician than a law enforcement officer.” Silva investigated whether Falcón was currying favor by furloughing inmates after a woman complained that her husband had harassed her when he was supposed to be locked up in his cell. “I wasn’t able to prove it or disprove it,” said

Silva. Later he charged the sheriff with assault and abuse of official power after Falcón allegedly punched Adrian Cortez—a particularly opinionated character who had once worked for the sheriff—when Cortez arrived at the jail to help serve subpoenas for Silva.

Cortez asked that the charges be dropped before trial. More recently, Silva took over the county's drug task force from Falcón after state officials began investigating whether Falcón hoarded forfeited money and vehicles for use by his department alone, rather than sharing them with other agencies.

Even so, most of Falcón's constituents never lost faith, believing that he had adopted the ways of a strongman for the sake of bettering the community. Certainly the fact that the district attorney was spending so much time investigating the sheriff had little impact on Starr County voters, who saw it merely as part of the blood sport of South Texas politics. For these reasons, nobody in Rio Grande City paid much attention when Ernesto Castañeda and his son, Octavio, filed suit against Falcón in 1992 alleging favoritism in how bail bonds were distributed. Castañeda's Insurance and Bail Bonds owned several properties within a stone's throw of the large white jail, and the Castañedas covered the buildings with huge, garish signs advertising their calling. Yet they didn't get anywhere near the share of business they thought they deserved. Most people sided with the sheriff. Unlike Falcón, Ernesto Castañeda was not a reputable figure in town: He'd once been convicted of providing false information to government officials, and he's now under indictment for money laundering. And so, when the Castañedas insinuated to others that Falcón might be on the take, it was easy to dismiss their remarks as bitterness. A judge ruled for Falcón, but the case remains on appeal.

WHEN JAMES DEATLEY ARRIVED in Houston in the fall of 1997, assistant U.S. attorney Richard Smith had been investigating Falcón for seven months—though few people knew that. “We went to great lengths to keep it that way because we didn't want to do anything that would have a chilling effect on the conduct that was going on,” said Smith. The burly prosecutor grew up in Talladega, Alabama, in a humble but strict setting. “You did three things in our household: You went to church, you went to school, and you went to work,” he said. “It was in that order.” He started his career as an assistant state attorney in Jacksonville, Florida, and began working as a federal prosecutor in Houston in 1992. There he demonstrated tenacity and a zest for courtroom combat that resulted in a striking track record. Public-corruption cases are notoriously difficult to prove: “It's almost a given that the public officials charged will have noteworthy, very sincere character references from people who just can't believe they would have committed this kind of an offense,” said DeAtley. “That alone can raise an issue of reasonable doubt.” And local juries are often predisposed to favor their officials. Yet Smith won every public-corruption case he tried—including four in South Texas.

Then he trained his sights on Falcón. The investigation started after Smith heard some interesting news from FBI agents in McAllen. “They had two confidential informants who were providing information about Homero Arturo Longoria and the bail-bond business that he was attempting to open in Rio Grande City,” recalled Smith. “They believed the bondsman was paying bribes to get business.” The question was whether he could gather solid evidence. “You never know,” said Smith. “Sometimes investigations fizzle out. Unlike a bank robbery, where you're trying to find out who committed a crime, in corruption cases you're trying to determine if in fact a crime has been committed.”

The prosecutor knew Longoria's involvement could compromise the case. It was an ill-kept secret that Longoria had worked as a snitch for the federal government, although few people knew the full extent of his cooperation. Later, court documents would reveal that he had fed information to Drug Enforcement Administration (DEA) agents for sixteen years—almost exactly as long as Falcón had been sheriff. In that time he had assisted DEA agents in no fewer than 205 cases and had been paid approximately \$107,000. (“Arturo is about as slippery as they come,” said Arnulfo Guerra, summarizing popular opinion.) In this instance, however, Longoria himself was being informed on.

According to court documents, the bribery scheme was set in motion on March 7 of last year, when Longoria met with Falcón at a Whataburger restaurant to tell the sheriff he wanted to open a bail-bond business. Falcón asked Longoria to contribute to his petty-cash fund. One of the informants later said Longoria had told him that the sheriff's department was behind Linda's Bail Bonds “one hundred percent” because Longoria was going to give them “a lot of money.” But the informants could only describe when officials were showing up at Linda's Bail Bonds, not what transpired in the back office. Smith was worried that their testimony would never persuade a jury. “Do I want to try a public-corruption case just on the word of a confidential informant and have the defense show that this person has baggage, which could cause a jury to question his veracity?” he asked. He needed corroborating evidence. In May FBI agents installed a wiretap on Longoria's phone. In July Smith summoned the bondsman to McAllen, where he presented Longoria with the gist of what he'd learned. Knowing his cooperation would mean a lighter sentence, Longoria agreed to have his phone calls tape recorded, wear a wire, and notify FBI agents whenever he was approached about a meeting so that the agents could videotape the bribes.

Linda's Bail Bonds sat in plain view of the Sheriff's Office, making the videotaping plan a logistical nightmare. Agents Dave Staretz and Leo Martinez managed to smuggle the equipment inside the redbrick office building. Every time Longoria called to say an official wanted money, Martinez would sneak back in, put a tape in the hidden video camera, hit the record button, and lock up the camera so that nobody could delete anything. Afterward, he would sneak back to retrieve the tape. The agents quickly bagged images of a Starr County jailer and a justice of the peace taking kickbacks.

Although they were certain Falcón was involved, a month passed without his paying a visit to Linda's Bail Bonds. On August 7 he arrived wearing the striped shirt and gimme cap and disappeared into the back office. After Falcón left, Martinez removed the videotape that had been rolling and drove back to McAllen to view it.

Falcón had followed Longoria into a room lined with fake wood paneling, where the two sat down at a large desk. Leather-bound law books stood on shelves beside them. As casually as a bank teller, Longoria counted out \$1,000, specified that it was for the referral of an inmate to him, and handed the money to Falcón. The sheriff pocketed the money. (What they said then isn't public record, but on another occasion Falcón took a payment and said to Longoria, “Thank you for paying me what you owed me on the horse that I sold you.” Longoria laughed and said, “Okay, on the *what?*”)

As FBI agents watched the encounter between Falcón and Longoria unfurl, they felt like fishermen who finally get a tug after watching a large dark shadow meander under water for a long time. The infamous *mordida* takes place in private, between two consenting individuals, both of whom have no interest in publicizing the transaction, which is why many people in South Texas can be gulled into thinking that the *mordida* is only a myth. But there it was, in grainy black and white.

IN SUBSEQUENT WEEKS FEDERAL AGENTS recorded Falcón taking two more bribes and captured images of three other county officials accepting kickbacks as well. On January 14 federal officials rounded up Falcón, five of his deputies, and a justice of the peace, drove the county officials to the federal courthouse in McAllen, and charged them with corruption. The news traveled through Rio Grande City like a seismic event. Some doubted Falcón had taken the money; others doubted the government could prove he had. AH CHIHUAHUA, INNOCENT UNTIL PROVEN GUILTY read the headline in the *Rio Grande Herald*. The paper portrayed federal prosecutors as over ambitious outsiders on a misbegotten quest for glory. It also disparaged the case as shaky, since it apparently relied solely on Longoria (who pleaded guilty and was later sentenced to a year and a day).

People who admired Falcón found the allegations completely at odds with the man they knew. “He’s about as honorable a person as I’ve ever come across,” said his former highway patrol partner, Sherwood Hamilton. “I simply can’t imagine that he would dishonor his family in this way.” It didn’t seem to make sense that the sheriff—who had survived charges of murder and stories insinuating involvement in the drug trade—would be brought down for taking picayune bribes. “If somebody came and offered me five thousand dollars, I’d say, ‘You’ve got to be crazy, man,’” Hamilton said, fuming. “If you offer me a million, well, we could maybe negotiate. The whole idea is just ludicrous to me.”

But as its very name implies, the *mordida* has always been a small cut of the legitimate transactions that it helps bring about. And as soon as the discovery process began, attorneys hired by the seven defendants learned exactly how devastating the government’s case was. They also learned that Richard Smith was spending sixteen hours a day preparing to go to war. Everyone in Starr County expected the combative sheriff to fight, but Falcón must have known that he was sunk as soon as he saw the videotapes. On March 4 Falcón slipped into a nearly deserted courtroom in Brownsville. He wasn’t expected for two more days, when jury selection in his trial was scheduled to begin, but he had come to enter a guilty plea. He would get less time that way and could avoid the humiliating publicity of a trial. Falcón admitted taking a total of \$11,050 from Longoria in exchange for funneling a steady stream of inmates to the bondsman. U.S. District Judge Filemon Vela asked Falcón if he was pleading guilty because he really had committed the crimes or was doing so simply at his attorney’s urging. “I’m guilty, Your Honor,” replied Falcón.

“Do you understand the charges before you?” asked Vela.

“Yes, sir,” the sheriff said.

His sentencing was set for late May.

Richard Smith found the outcome mildly deŕiŕating, since he’d spent months gearing up to do battle. “Any good trial lawyer would love to try a case like this, but you do what’s in the best interests of your client,” he said. “Having a guilty plea ensured a successful conclusion of this case. And in this arena, it’s important not to lose cases, because you’ll send the wrong message to the community.”

ON MARCH 16 FALCÓN TURNED IN HIS badge. We met the following day in the lobby of a hotel in Austin. He looked much the same; he was wearing another Western-style shirt, dark green this time, new Wrangler jeans, and black boots. But the absence of a hat revealed his thinning hair, which left him looking more vulnerable.

I said, “Hello, Sheriff Falcón.”

“Call me Gene,” he said. “Don’t call me sheriff.”

We sat down on some overstuffed chairs in the red-tiled lobby. Falcón’s career had just ended in the most humiliating of fashions, and all my questions only made the disgrace more apparent; I had to admire his courage in agreeing to talk. Falcón said he had come to Austin to look for a consulting position. “I’ve got to work,” he said. “I’ve got four daughters to support.” After going over the details of his early career, however, he declined to speak further, saying he couldn’t address the subject of the bribes. I said I wanted to ask just one more question. Starr County being a place thoroughly permeated by rumors, it’s hard to tell where facts end and fiction begins. Even after sifting out unreliable gossip, I was left with two exceedingly disparate images of the sheriff—the whitewashed version painted by his longtime supporters and the darker version painted by prosecutors. How did he think I should reconcile these two sketches?

The sheriff’s eyes misted. “I’ve hurt my family,” he said. “I’ve hurt my daughters. I’ve hurt my wife. It was quite a bomb. It’s amazing to find out how weak you are. But the community has been real supportive.

“It’s hard to end a career this way. I just hope—there’s a saying in Spanish, ‘*Por un mal, viene un bien.*’ ‘From a bad situation, something good will come.’ I strongly believe that. I know God has a plan for me.”

Although he had sidestepped my question, there was a directness to his manner that impressed me. Clearly he had elements of nobility in his character—though there was nothing noble about his behavior at Linda’s Bail Bonds. Falcón could have been a heroic figure, but in becoming the sheriff of a Mexican irredenta, he had instead evolved into merely a powerful man—and then, like Willie Stark in *All the King’s Men*, into a corrupt one. Perhaps to a *patrón* the act of bribery is nothing more than an honorarium, an acknowledgement of status. In that regard, the degree to which Falcón fell short of the man he might have been is the measure of the difference between morality in Starr County and morality in society at large. But of all the people elected to public office in Starr County, Gene Falcón was the one person who was never supposed to assume the habits of the men that his father had opposed. This was not the way things were supposed to turn out—and that is what makes Falcón’s fall a parable of South Texas itself. That geography won out in the end, that circumstances corroded his character, speaks volumes about the difficulty of change in this place, where the sun bleaches every surface and nothing escapes the dust.

