

# WHAT IF?

By Terry Hodges

**W**arden Zeke Awbrey, California Department of Fish and Game, was on the prowl. At the wheel of his Ford Bronco patrol vehicle, on low-speed patrol along the All-American Canal, he scanned with sharp eyes the road ahead and the desert lands to the north. He drank in the scent of the canal, a damp riverbank smell that to him somehow promised adventure, and again the euphoric feeling of extreme good fortune washed over him as he was reminded of how lucky he was to be a game warden. Two years into the profession he had loved from day one, he couldn't imagine doing anything else.

It was January 30<sup>th</sup>, 2000, Super Bowl Sunday, a day most wardens would be glued to their TV sets. But Awbrey's lieutenant, with good reason, felt that at least one warden should be out and about, and because Awbrey was junior in seniority, he drew the short straw. Awbrey was fine with it, and eagerly awaited whatever action might come his way.

At that time, about 40 miles of the All-American Canal was the only barrier between California and Mexico. No fences had yet been built there. Ahead on the canal, Awbrey spotted activity and stopped. He then watched through his binoculars as a teenage boy, with one end of a rope, swam for the U.S. side some 20 yards distant. Awbrey held his breath, for swimming the canal was highly dangerous due to swift and deadly undercurrents not apparent on the surface. Hundreds of unwary swimmers had been sucked under and drowned there over the years. Awbrey, in fact, had spotted and helped recover the badly decomposed remains of a probable drowning victim a few weeks earlier. But on *this day*, *this* boy was lucky and scrambled ashore on the U.S. side. Aware of what was coming next, Awbrey picked up a handset radio on loan from the U.S. Border Patrol and gave them a call on their frequency.

From a gap in the tules, the boy hauled on the rope, and a crude raft of wooden pallets floated by truck inner tubes appeared on the Mexico side. The raft, bearing three people, started across. People on the Mexico side paid out a second rope tied to the raft. When the three people clambered ashore on the U.S. side, the empty raft was pulled back to the Mexico side and the process repeated. About a dozen illegal immigrants made the crossing as Awbrey watched. They had reached the great land of opportunity, but their jubilation was cut short by the sudden arrival of several Border Patrol units. They didn't know it, but their arrests on that day might easily have saved the lives of one or more of them, for their immediate future otherwise would have been fraught with substantial danger.

Continuing on, Awbrey noted that the road he traveled had been "dragged" by the Border Patrol, who were very good at what they did. They would often drag tires behind their vehicles to erase both vehicle and human tracks. They could then return later and determine not only where illegals had crossed, but count how many had made the crossing. Awbrey knew also that he had passed and triggered sensors that had alerted the Border Patrol of his own presence there. It would normally have been Warden Steve Messick patrolling the border that day, but Messick was home, watching a football game.

Ahead, Awbrey spotted a fishing camp on a wide pull-off along the canal. Retired people were camped there to fish night and day for the abundant catfish and other game fish. Awbrey noted three pickup and travel-trailer rigs had been parked in a defensive half-circle, surrounding a few

yards of canal bank where fishing rods stood in rod-holders, their taut lines disappearing into the water. Awbrey pulled in next to them and conducted a routine check of their fishing licenses, equipment and fish they had taken. A channel catfish of about four pounds was secured to the bank on a fish stringer. Upon seeing the catfish, Awbrey almost gagged, recalling the nightmare memory of several such fish aggressively feeding on the rotting corpse of the drowned swimmer, even as he and others were dragging it from the water.

Continuing his business with the fishermen, he was in no way surprised to see all had guns within easy reach, as was the case with almost all anglers he checked on the canal. They obviously knew bad things often happen near the border. Awbrey always talked to these people, many of whom were retired cops or military, for they often had interesting information to pass on. On *this* day, one of them spoke of a strange procession of vehicles that had passed by earlier. They described it as two large vans and two "high-dollar cars." Awbrey would mention this to the Border Patrol.

Upon resuming his patrol, Awbrey was reminded of his close bond with the Border Patrol, several of whom had become his friends. From these agents he had learned about many sad and disturbing events along the border. Immigrants paid thousands of dollars to hire "coyotes," to lead them across the border and the desert beyond. But the coyotes were often stone-hearted cartel people who exploited and abused the immigrants, including children, in every conceivable evil way, sometimes abandoning them in the desert with little food or water. Or they would force them to become drug mules. "You take our dope across, or we'll kill your family."

Awbrey had learned that, from the All-American Canal, immigrants traveled north over sixty miles through farmland and desert in hopes of evading the Border Patrol to reach the relative safety of inland California. The last



Border Patrol check station was on a highway leading north from the desert town of Niland, where Awbrey was based. So, the fugitive immigrants had to make it past this check station. The cartel people had learned the surest way to do this was to cram the frightened immigrants into stolen vehicles and drive them north, doing an end run through dangerous country. The drivers were usually cartel-recruited juvenile males who would haul the people on bad roads through the rough foothills of the Chocolate Mountains, northeast of Niland and the great Salton Sea.

The Chocolate Mountains, despite their rather inviting name, were perhaps the most inhospitable country Awbrey had ever seen. Except for a sparse scattering of low desert shrubs, the rugged hills there resembled landscapes on the moon. During the summer months, daytime temperatures were frightening, often exceeding 130 degrees. For this and other reasons, our military had designated much of this total wasteland as a weapons testing area, and it was closed to the public. It was not unusual for Awbrey to see a Navy or Marine F-18 fighter rocketing low on a bombing run there; seconds later he would feel the concussion of a detonating 500-pound bomb strike him like a stomach punch. Neither the Border Patrol nor the Sheriff's Department patrolled this area, so the cartel coyotes used those dangerous roads in that dangerous place for their illegal purposes. Only Awbrey was sometimes there to cause them grief.

One dangerously hot September day, Awbrey, in his patrol rig, crawled along on a road that was barely a road at all. Among law enforcement people, only the toughest of the tough would climb mid-day into an oven of a patrol vehicle and venture out when the thermometer was pecking at 130 degrees. Warden Zeke Awbrey was such a man. He was studying ATV tracks leading him through the foothills of the Chocolate Mountains, tracks most likely made the night before by "herpers." These reptile-loving

people, often educated rich people from San Diego, collected snakes and lizards for personal pets or for illicit sale to outlaw reptile-buyers. But Awbrey decided whoever had made the tracks had to be long gone because of the heat. As he began his turn-around, a speck of blue caught his eye. A course change and a few minutes brought him in sight of a battered and rusted blue van stopped in a dry riverbed.

The sight of the van reminded him of something he'd experienced a few days earlier, the opening morning of dove season. He had been checking dove hunters along a sandy road that followed a dry canal bed. He was out of his vehicle talking to dove hunters when, suddenly, the eyes of one of the hunters looking beyond him widened as he shouted, "Watch out!" Awbrey spun around to see a van bearing down on him, a vehicle with destroyed tires, running on its rims. And he was in time to see the driver of the vehicle, a young male wearing a blue and white ball cap, abandon the wheel and dive rearward between the seats. The now driverless van careened off the road and rolled over, coming to rest upside down in the dry canal bed. A full load of people began scrambling out however they could.

Miraculously, no one was hurt. Awbrey, upon confronting the wreck, reached through an open front door and snatched up the blue and white ball cap. He then asked the passengers, in crude but workable Spanish, to tell him who had been driving. As usual, no one said a word. Yet, when Awbrey held up the ball cap and asked who had been wearing it, a vengeful and shaken old lady pointed a boney finger at a 14-year-old boy. Awbrey was not surprised, for it was common practice for the cartels to employ juveniles to drive vehicles carrying dope or illegal immigrants on the U.S. side. The cartels knew that juve-

niles, if arrested, would not be prosecuted. However, *this* particular juvenile was to spend several unhappy months in a juvenile detention facility, an experience that would likely leave him committed to crime for the rest of his life.

But on *this* day, as Awbrey approached the battered and rusted blue van, for reasons he could not explain, he felt a feeling of foreboding. Upon arriving at the van, he stepped from his patrol rig, and the stench of death was instantly upon him. It was not the smell of recent death, but death that had occurred weeks or months earlier. He first looked inside the van and recoiled in shock, finding the dried and horribly mummified bodies of two women. Their skin had dried to the color and texture of jerky, and the intense heat had somehow caused their hair to lose its color and shrivel and frizz against their skulls.

Beneath the van, he initially found the bodies of two more women and two men. It appeared that the men, in desperation, had crawled under the vehicle and punctured its radiator to drink whatever deadly liquid it contained. The women had scooped out depressions in the sand beneath the van to escape the heat as best they could. All of them had died horrible, agonizing deaths by thirst, but upon a closer look at one of the women, Awbrey was stunned by the sight of something that would haunt him perhaps for the rest of his life. This woman's dried and shrunken lips were drawn back in a hideous grimace, suggesting that she had died shrieking in unspeakable anguish. And clutched in her skeletal arms against her desiccated breast was the withered and pitiful remains of a baby.

Awbrey had been shaken by the magnitude of what he saw on that day, but finding human remains was nothing new to him. Since he patrolled remote places rarely visited by anyone, it was not uncommon for him to come upon the skeletal remains of unfortunate people who had died unpleasant deaths. It was simply a fact of life in the border country. Fortunately, not all of Awbrey's

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patrol district was dominated by danger and death, for it also encompassed the great Salton Sea around which he spent much of his time.

“The Sea” was a vast saltwater lake roughly 40 miles long and 17 miles wide. During the winter months, duck and goose hunters pursued the great flocks of waterfowl that wintered there, and Awbrey was there to remind them of the law. The sea was also teeming with delicious-tasting fish. It therefore was heavily fished year round by both legal and illegal fishermen. However, it was not always a pleasant place to be, for it lay 227 feet below sea level and was subject to temperature extremes much like Death Valley.

Awbrey worked it a lot, mostly pursuing bank-fishermen who, if so inclined, could take huge overlimits by hook and line. But the greediest of the violators fished illegally at night with long gillnets to haul in hundreds of pounds of corvina, sargo, tilapia and croakers. They would stash in ice chests hidden in heavy brush or buried beneath tent-bottoms or beach blankets.

Awbrey had recently watched one suspicious-looking group of fishermen for an entire weekend as they appeared to be ignoring all fishing laws including bag limits. But he resisted the temptation to make contact with them until daybreak on Monday morning, when he was there, watching from cover as they broke camp to leave. They were actually in their vehicles, driving his way, when they suddenly stopped. His pulse quickened as their doors flew open and several of them dashed into heavy brush beside the road. They emerged, dragging several huge ice chests, containers he had somehow not seen. They hurriedly loaded them into their vehicles. When they resumed driving his way, Awbrey was ready for them. Assisted by Warden Steve Messick, who was impressed by Awbrey’s choice to wait three days for the “package deal,” the time when the suspects and their illegal catch and equipment were conveniently contained in their vehicles.

The six terrified suspects watched with growing alarm as the wardens hauled the ice chests from the vehicles and sorted through them, counting fish. The ice chests contained, among other species, 112 corvina ranging from undersize half-pounders to fish over eight pounds, over 200 pounds of evidence. The suspects, who spoke little English, sat quietly as they received their citations.

**AS MEMORIES** of these and countless other events ran through his mind, Awbrey continued his patrol on that Super Bowl Sunday. As was his practice, he stopped often to scan the country around him through his binoculars. During one

such stop, he heard something that brought him up short, the unmistakable ripping sound of fully automatic weapons fire. Because fully automatic weapons were illegal in California, Awbrey set out to investigate. Following the sound, he finally reached high ground from

which he could see what appeared to be military training in progress. He could see about 15 men armed with AK-47 assault rifles. These men appeared to be receiving training from unarmed men overseeing them. The shooters would fire at a target, eject empty magazines, drop to the ground, roll to a new shooting position, insert a fresh magazine and resume shooting. The training appeared to be well supervised and deadly serious.

Turning his attention to their vehicles, he could see two large, 15-passenger white vans, a new Jaguar, and a Mercedes Benz. And he noted something unusual about the trainees. Most were wearing black skull caps and long, light-colored shirts almost reaching their knees, definitely Muslim clothing. It was as though he were witnessing military training in Iraq. His inclination was to drive in and confront them, but his survival instincts clicked in and he reached for Border Patrol radio instead.

The Border Patrol responded instantly to his call, and soon Awbrey, eight Border Patrol units and a Sheriff’s Department unit were bearing down on

the training camp. The shooters were not happy to see them. The law enforcement people were first met with hostile silence, then one of them responded to questions, speaking calmly, but with barely concealed contempt.

“You’re profiling us because we’re Arabs,” he said. “You can’t do that.” They were obviously well educated and well aware of their rights in America. The same adult did most of the talking, but at one point an older, distinguished-looking bearded man, spoke something in Arabic, nodding his head toward two Border Patrol vehicles that had quietly taken up widely separated positions 200 or more yards beyond the training site. He had correctly concluded that Border Patrol snipers with scoped rifles were watching their every move. A senior Border Patrol agent, upon hearing the foreign words, took a step toward the man and responded in a forceful voice.

“Speak English or don’t speak,” he said.

The Arabs indeed had rights in California, but those rights did not include possessing and firing fully automatic weapons. The same senior Border Patrol agent, with a look of authority, explained this to them and informed them that their fully automatic AK-47s would be seized as evidence. Awbrey looked around at the trainees and saw pure hatred in their eyes. Still, they provided identification when it was demanded, and they stood quietly as the officers filled out field identification cards on all of them. The I.D.s of many of them revealed their use of alias English names.

At one point, Awbrey and some of the agents inspected the vehicles there, particularly the vans. They were astounded to find the rear storage areas of those vans to be so heavily loaded with ammunition that they squatted low in the back on their suspension. There were dozens of large, foreign-made, wooden ammunition boxes with rope handles. Each one contained over 40 pounds of live AK-47 cartridges. The rear storage of the second van was also jammed with ammunition, including pistol ammo. Awbrey was amazed.

A blanket had been spread on the hood of the Jaguar, and it was covered

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with a variety of pistols. Not an American gun among them. All were foreign made, from Yugoslavia, Russia or China. The sum of all he saw suggested the arms and ammunition had been smuggled into this country for no good purpose. There would be no large purchases here to raise suspicion.

It was late afternoon, just at sunset, when Awbrey and the others were finished and were preparing to leave. They got one more surprise before leaving. The Arabs unrolled prayer rugs, and knelt, facing East, to pray. Responding to sing-song chants from a leader, they alternately touched their foreheads to the mats and rose to their knees.

As Awbrey drove home that evening, he was disturbed by what he had seen on that day. He couldn't shake the feeling that those young Arab men would sooner or later kill Americans. And he got the distinct impression that the Border Patrol, because they were understaffed and overworked, might not follow through with an investigation. He decided to do something about it himself.

Awbrey called the wife of one of his friends on the Border Patrol that evening, a woman who worked for the FBI. As he had hoped, she gave him phone numbers for two agents at the FBI office in El Centro, where she worked. It being Sunday night, he left messages on two voice recorders there urgently requesting calls in the morning. By mid-morning the following day, having received no return calls, he climbed into his patrol rig and headed for El Centro. To his surprise, upon his unannounced arrival, he was immediately ushered into the office of the head FBI agent in the office. The man greeted him politely, but Awbrey soon concluded that he was speaking with someone who had absolutely no interest in sinister-looking Arab men shooting up the desert.

"We're focused right now on domestic terrorists and drug smugglers, not foreign threats."

A few months earlier, Timothy McVey had blown up the Federal Building in Oklahoma City, and the FBI, it seemed, was blind now to anything else except drug cases. This was the same FBI that a few months later

would ignore ominous reports of Arab men taking flying lessons at airports near San Diego. Flight instructors there expressed concern that the trainees were eagerly learning how to take off and control planes in flight, but they were showing no interest in learning how to land. Awbrey left the FBI office that day totally frustrated. Months passed.

About a year following his encounter with the Arab militants, Awbrey transferred to a warden's position that had opened in San Diego. Not only had he grown up near San Diego, but the climate there was wonderful, the total opposite of that in Niland. Though Awbrey said goodbye to the desert, he would return there from time to time. Mainly to hunt and visit friends.

It was on a duck hunting trip, a few months after his transfer, when he stopped at a Border Patrol check station near the Salton Sea. One of the agents recognized him and was happy to see him and, during their small-talk catch-up that followed, the man had shocking information:

"Do you remember all those Arab guys with machine guns we checked near the border that day? Well, we just found out that three of them were aboard planes that were flown into the World Trade Center."

Awbrey blinked in astonishment, staggered by the news, and he immediately felt a numbing regret engulf him. He and the others had had those militants in their grasp and, if different choices were made on that day, decisions that might have resulted in thorough investigations of those Arab men, hundreds or maybe thousands of deaths might have been prevented. September

11th may have been just another day.

It was unreasonable for Awbrey to feel even a flicker of responsibility for what happened on that horrible day in New York, and yet he did. What if he had gone a step further and sought out an FBI agent of higher authority? What if he had better conveyed the sense of total evil he had felt in the presence of those hate-filled men from countries where America was considered "The Great Satan?"

Unreasonable or not, Awbrey could not shake the feeling that he had somehow blown a great opportunity, and his life from that point on, in some small but profound way, would be forever changed. And he would never escape the ever-present, nagging question, "What if?"

**Author's Note:** Zeke Awbrey, at six-feet two and 210 pounds, was a formidable warden, but it went far beyond mere size. He was a warrior. He earned black belts in two martial arts while still in high school and studied boxing in college. Following college, he pursued the martial art of Muay Thai, which is Thai kickboxing, actually going professional for about a year. During those gladiator years, he made extra money as a bouncer in nightclubs and bars. Upon becoming a warden, he represented the Department of Fish and Game at the Police Olympics and battled his way to many boxing victories, winning gold medals, as a light heavyweight, for five years running.

At the time of this writing, Awbrey is working in the Sierra County district in Northern California. 🇺🇸

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