

# Congress of the United States

Washington, DC 20515

August 29, 2014

The Honorable John Kerry  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520

Dear Secretary:

We write to urge your immediate attention to the case of Ms. Nestora Salgado, a U.S. Citizen who was arrested in Guerrero, Mexico and has been detained since August 21, 2013. We have closely monitored Ms. Salgado's incarceration since her arrest and now call attention to the serious abuse of human rights and due process experienced by Ms. Salgado throughout her detention.

On August 21, 2013, Ms. Salgado was arrested on charges related to her leadership position in an indigenous community police force in her hometown of Olinalá, Guerrero. The State of Guerrero has an established tradition of legally recognizing such groups, one of which elected Ms. Salgado as their representative. Ms. Salgado was initially charged with aggravated kidnapping which is an offense usually handled by the local court system. However, she was immediately transferred to a maximum security federal prison in the State of Nayarit where she has remained for nearly a year without trial. Until very recently, Mexican authorities had denied her access to her lawyer and she has yet to meet with her defense team in person. Her defense is further complicated by the fact that she is held in a remote prison that will only grant her very short meetings with her counsel.

There are several concerning recent developments that warrant immediate attention to Ms. Salgado's case. On April 3, 2014, a Mexican federal judge dismissed the criminal charges against her and confirmed her actions were legal as an authorized leader of her indigenous community police force. The judge issued an order of immediate release from federal prison for Ms. Salgado as she was no longer being charged for federal crimes. However, to this day the state courts have never responded to the judge's revoked detention order or to any defense motions. Yet, they have been able to ensure that Ms. Salgado remains imprisoned by adding new charges based on facts that have already been considered and dismissed by federal courts. The state courts have deprived Ms. Salgado of due process by refusing to consider the motions of Ms. Salgado's defense team. Indeed, all legal deadlines to respond to these motions have long passed.

We remain deeply concerned about Ms. Salgado's detainment conditions. She suffers from neuropathy in her hands and feet and has been denied access to medication and adequate exercise throughout the time she has been imprisoned. The persistent numbness and pain from her condition is intensified by her isolation; she is not allowed to have contact with other inmates and is only allowed very minimal exercise, which is significantly less than is prescribed to

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alleviate her pain. Her attorneys also report that the continued confinement has taken a toll on Ms. Salgado's mental state and she is currently being treated for depression.

Community support for Ms. Salgado continues to grow throughout the U.S. and Mexico. Last May, a march in Seattle organized by family and friends sought to increase awareness of Ms. Salgado's imprisonment and fight for justice in Mexico. Similar marches for her were held in New York, Los Angeles, and throughout the State of Guerrero, Mexico. Additionally, the family has held press conferences and actively worked to generate substantial press coverage, both nationally and internationally.

Furthermore, representatives in the Mexican federal government have expressed deep concern about Ms. Salgado's imprisonment. In June, they visited Ms. Salgado and produced a report on her detainment conditions, irregularities in her case, and highlighted the violations to her due process. They convened a working group with the Guerrero government to discuss terms of release for her and similar community police leaders. Frustrated with the lack of progress in meetings with the state prosecutor, the group is now pushing to meet directly with the Governor of the State, Ángel Aguirre Rivero, to come to an agreement and secure Ms. Salgado's release.

We urge you to employ the resources of the State Department to continue efforts to secure Ms. Salgado's release. The authorities in the State of Guerrero have not demonstrated a concern for her well-being, nor have they carried out the due process of law afforded to Ms. Salgado. We remain troubled by the detainment conditions to which she is subjected. It is for these reasons that we seek your assistance to achieve a diplomatic conclusion to this long fought battle so that Ms. Salgado may return to the safety of her family in Washington State.



ADAM SMITH  
Member of Congress



PATTY MURRAY  
United States Senator




MARIA CANTWELL  
United States Senator

CC: The Honorable Early Anthony Wayne, U.S. Ambassador to Mexico

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