



FOR IMMEDIATE RELEASE
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SMUGGLER CHARGED IN DROWNING DEATHS OF FOUR IN ARIZONA CANAL

PHOENIX - A federal grand jury in Phoenix returned a 3-count indictment yesterday against Juan Moreno-Gonzalez, 26, a Lawful Permanent Resident of Eloy, Ariz., for Conspiracy to Transport Illegal Aliens, Transporting Illegal Aliens and Transporting Illegal Aliens resulting in Death. Four illegal aliens drowned in the San Tan High Line Canal during a failed smuggling attempt on October 26, 2008. According to the criminal complaint filed in federal court on October 28, 2008, Moreno-Gonzalez was identified as the driver of the vehicle. Moreno-Gonzalez is currently detained pending a detention hearing set for Wednesday, November 12, 2008.

The indictment alleges that on October 26, 2008, Moreno-Gonzalez transported approximately 21 illegal aliens. Two men and two women died during the smuggling attempt. At the time of the offense, Moreno-Gonzalez was on pre-trial release out of U.S. District Court in Tucson where he is charged for assaulting a federal officer on September 10, 2008.

“Human smugglers are only concerned about their own financial gain. They have no concern about the lives of those they smuggle,” stated Diane J. Humetewa, U.S. Attorney for the District of Arizona. “Not only will smugglers be prosecuted for the crime of transporting illegal aliens into this country but they will also be held accountable for any harm or death resulting from their actions.”

“Illegal entry into the United States is a crime, but it shouldn’t be a death sentence,” said Matt Allen, special agent in charge of the Arizona ICE Office of Investigations. “Human smugglers will be held accountable for the tragedies that occur as a result of their actions.”

A conviction for Conspiracy to Transport Illegal Aliens carries a maximum sentence of five years; Transporting Illegal Aliens carries a maximum sentence of 10 years; and Transporting Illegal Aliens resulting in death carries a maximum sentence of life and is a death penalty eligible offense. All three counts have a maximum fine of \$250,000 which may be imposed in addition to incarceration. Because Moreno-Gonzalez is on pre-trial release in a separate federal matter, he faces an additional 10 years sentence for each count. In determining an actual sentence, U.S. District Judge G. Murray Snow will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation preceding the indictment was conducted by U.S. Immigration and Customs Enforcement, U.S. Border Patrol, the Gila River Police Department, the Chandler Police Department and the Pinal County Sheriff’s Office. The prosecution is being handled by Lisa Jennis Settel, Assistant U.S. Attorney, District of Arizona, Phoenix.

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