



Department of Justice

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IMPD RECEIVES MORE THAN \$900,000 IN ASSET FORFEITURE FUNDS

PRESS RELEASE

Timothy M. Morrison, United States Attorney for the Southern District of Indiana, along with Dennis Wichern, ASAC, Drug Enforcement Administration, Al Patton, SAC- IRS-Criminal Investigation Division, Dan Dill, RAC, Immigration and Customs Enforcement, Thomas Gancarz, ASAC, Federal Bureau of Investigation, and Chief Michael Spears of the Indianapolis Metropolitan Police Department (IMPD) announced today that the IMPD received \$947,692.40 in asset forfeiture funds from the United States Department of the Treasury. The money was electronically transferred to the city on Friday, February 6, 2009. The money represents IMPD's share of forfeited assets seized from an international drug trafficking ring. Other than the large amount of money involved, this forfeiture would seem routine. It is not.

Although all of these agencies worked on the case that produced the forfeiture, almost none of us who are here today had anything to do with it. The case agents for all the federal agencies have long since retired.

This case started in the mid-1980's. The investigative team, which was comprised of one agent/officer from each of the aforementioned agencies, each working full-time on this case, uncovered and dismantled a worldwide marijuana drug trafficking organization that had been in operation since the mid 1970's and reached to Colombia, South America, and as far away as Thailand. Stash houses were located in Florida, Texas, Washington, Indiana, New York and Massachusetts. Marijuana deliveries totaling 20,000 pounds were not uncommon and investigators were able to document routine money transfers in excess of \$500,000. The drug organization commonly used tractor trailers and recreational vehicles to transport the drugs across the country. This investigation remains the single largest marijuana case ever uncovered in the State of Indiana.

In November, 1987, more than 30 defendants were charged by a federal grand jury in the Southern District of Indiana with more than 50 offenses. One of these defendants, who, in 1985

alone, was involved in the importation and distribution of about 75 tons of marijuana, which generated proceeds of approximately 50 million dollars, was a fugitive for nearly ten years. He was eventually arrested and in 1997, he pled guilty to one count of that 1987 indictment, which charged him with a continuing criminal enterprise, as well as pleading guilty to the charge alleged in a separate information concerning a money laundering offense that occurred in North Carolina, and an escape offense that had been charged in yet another case in the Northern District of Florida.

This defendant had amassed about \$3 million dollars of drug trafficking proceeds deposited in various banks in the Principality of Liechtenstein, which is a tiny country of about 35,000, located in Europe between Switzerland and Austria. Despite having an area about one-fourth the size of Marion County, Liechtenstein has 15 banks who observe strict bank-client secrecy and hold trillions of dollars in assets.

As part of his plea agreement, this defendant pledged to help the government forfeit approximately \$3 million. However, he reneged and for the next ten to eleven years, the United States was forced to litigate with this defendant, in the Liechtenstein courts and in the district court in Indiana in an effort to enforce the agreement and forfeit the \$3 million. All the while the defendant has remained in federal custody.

While this litigation was pending, the attacks of September 11, 2001, occurred. In response to those attacks, the Patriot Act was passed by Congress. The Patriot Act added a provision to federal forfeiture law that allows the United States to seize money through a bank in the United States, when its correspondent, foreign bank is holding forfeitable proceeds.

Making use of this new forfeiture tool, the government filed a new forfeiture complaint, naming as the defendant money belonging to the Liechtenstein banks that was deposited in correspondent American bank accounts. After two more years of litigation with the defendant and discussions with the Liechtenstein banks, the three million dollars was finally forfeited to the United States.

During the height of the investigation, three police officers from the then Indianapolis Police Department were assigned to assist. For years, IPD officers put in hundreds of hours debriefing witnesses, conducting surveillance, executing search and arrest warrants, preparing reports of investigation and assisting in trial preparation. IPD also often provided additional narcotics and uniform officers when needed. Due to IMPD's hard work and support years and years ago on this case, the U.S. Department of the Treasury has approved sharing 30% of the money with IMPD.

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