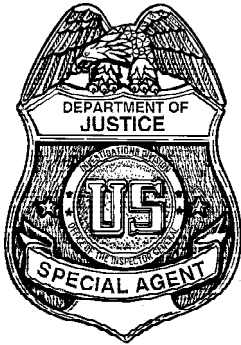


THE INVESTIGATIONS DIVISION

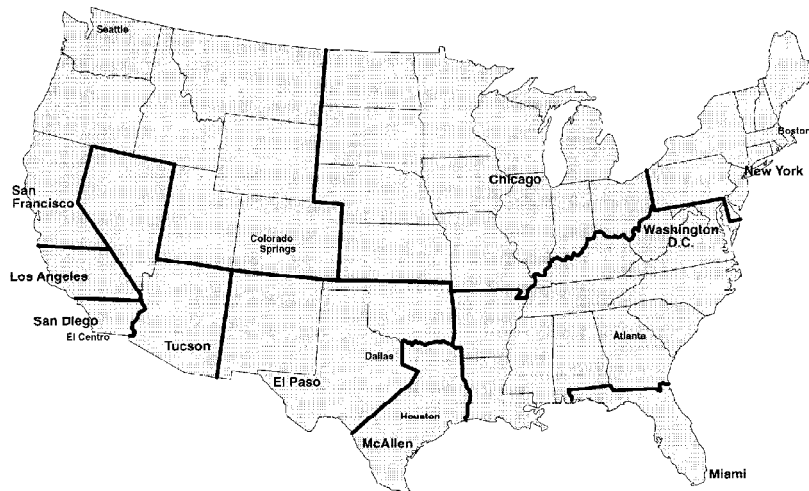


The Investigations Division investigates allegations of bribery, fraud, abuse, civil rights violations, and violations of other laws and procedures that govern Department of Justice employees, contractors, and grantees.

The Investigations Division (Investigations) investigates allegations of bribery, fraud, abuse, civil rights violations, and violations of other laws and procedures that govern Department employees, contractors, and grantees. Investigations develops cases for criminal prosecution and civil and administrative action. In many instances, the OIG refers less serious allegations to components within the Department for appropriate action and, in the more important cases that are referred, reviews their findings and disciplinary action taken.

Investigations carries out its mission through the work of its special agents who are assigned to offices across the country. Currently, Investigations has 11 field offices located in Chicago, El Paso, Los Angeles, McAllen, Miami, New York, San Diego, San Francisco, Tucson, and Washington, D.C. (two field offices—the Washington Field Office and Fraud Detection Office), and 7 smaller, area offices located in Atlanta, Boston, Colorado Springs, Dallas, El Centro, Houston, and Seattle. Investigations Headquarters, in Washington, D.C., consists of the immediate office of the Assistant Inspector General and four branches: Operations, Investigative Support, Information Resource Management, and Policy and Administration.

Geographic areas covered by the field offices are indicated on the map below. In addition, the San Francisco office covers Alaska; the San Diego office covers Hawaii, Guam, the Northern Mariana Islands, and American Samoa; and the Miami office covers Puerto Rico and the U.S. Virgin Islands.



During this reporting period, Investigations received 3,720 complaints. We opened 269 investigations and closed 353. We made 68 arrests involving 28 Department employees, 36 civilians, and 4 Department contract personnel. Convictions resulted in 46 individuals receiving sentences up to 292 months' incarceration and \$1,356,260 in fines, recoveries, and orders of restitution. As a result of OIG investigations, 23 employees, 2 grantees, 2 contractors, and 1 contract employee received disciplinary action, including 15 who were terminated. In addition, 23 employees and 3 contract employees resigned either during or at the conclusion of our investigations.

**SIGNIFICANT
INVESTIGATIONS****FRAUD**

- A contractor to the BOP, Federal Prison Industries (UNICOR), was alleged to have provided a false certification of domestic production in regard to tanned leather used to manufacture work gloves for the Department of Defense and others. BOP officials reported the allegation to the Fraud Detection Office following a request for proof from the supplier that the product was of domestic origin, as required by contract under the Buy America Act. When the supplier could not provide sufficient proof of origin and admitted to partial foreign production, the matter was presented to and declined for criminal prosecution by the U.S. Attorney for the District of Columbia in favor of an administrative resolution in which the contractor agreed to pay \$350,000 to the government.
- A civilian immigration consultant was arrested and pled guilty to Arizona State charges of fraud. An investigation by the Tucson Field Office developed evidence that the immigration consultant, a former INS employee, contracted with aliens to assist them in the preparation and filing of INS forms for permanent residency but failed to deliver these services. The investigation revealed that she defrauded approximately 40 aliens resulting in significant financial losses to the aliens and the expiration of their eligibility for legal residency benefits from the INS. As part of her plea agreement, she agreed to pay more than \$31,000 in restitution to the victims. The plea agreement further stipulated that the county attorney will file additional charges if additional victims are located. The immigration consultant was sentenced to 3 months' incarceration and 84 months' supervised release.
- In the Northern District of California, a Nicaraguan national and El Salvadoran national were arrested on charges of conspiracy, sale of false immigration documents, and aiding and abetting. The Nicaraguan was also charged with impersonating a federal officer. This San Francisco Field Office investigation, assisted by the INS, developed evidence that the Nicaraguan national identified himself as an INS officer to illegal aliens and offered to provide them with genuine INS employment authorization documents (EADs) for a fee of between \$1,000 and \$2,000. He then purchased fraudulent EAD cards from a document vendor and claimed they were genuine. The El Salvadoran national materially assisted in the scheme. Both defendants were found guilty following a 2-week jury trial at which several of the alien victims testified. Sentencing is pending.
- Our March 1999 *Semiannual Report to Congress* reported on a case in which a Sioux tribal chief of police and a tribal police sergeant were arrested on charges of conspiracy to defraud, false claims, theft concerning programs receiving federal funds, and making false statements. These charges stemmed from a Chicago Field Office investigation into the misuse of COPS grant funds. The former police chief was convicted in a jury trial and sentenced to 18 months' incarceration and 36 months' supervised release and ordered to pay \$15,000 in restitution and \$138,140 in recoveries. The former sergeant was also found guilty and sentenced to 60 months' probation and ordered to pay \$10,000 in restitution.
- Our September 1997 *Semiannual Report to Congress* described a case in which six document vendors were arrested on charges of filing false INS documents, alien smuggling, mail fraud, and money laundering. Following this report, three additional civilians

SIGNIFICANT INVESTIGATIONS

were indicted, two of whom have been arrested. The third remains a fugitive. This investigation by the OIG Los Angeles Field Office, INS, and U.S. Postal Inspection Service found that the document-vending ring solicited Philippine and East Indian aliens seeking resident visas and sold them counterfeit immigrant visas. Eight of the nine civilians pled guilty and received sentences ranging from supervised parole to 108 months' incarceration and were ordered to pay more than \$1.2 million in fines and restitution.

THEFT

■ Two Border Patrol agents were arrested on charges of conspiracy to steal government property, theft of government property, and aiding and abetting. An investigation by the San Diego Field Office disclosed that the two employees were assigned to the "Retro-Fit Unit" that was responsible for removing the seats and consoles from new Border Patrol vehicles and replacing them with modified seats. The agents stole the seats and consoles from warehouse storage and transported the items to a local vendor for sale to the public. OIG agents, acting on a tip, intercepted and videotaped the subjects stealing more than \$55,000 worth of goods from the warehouse. In total, the investigation disclosed that the Border Patrol employees stole more than \$260,000 in government property. Both individuals await trial in the Southern District of California.

■ In the Northern District of Texas, two former INS contract employees were arrested on charges of presenting materially altered money orders. A third former INS contract employee supervisor was arrested on charges of aiding and abetting the presentation of altered money orders. A 2-year investigation by the El Paso Field Office led to an indictment alleging that the three subjects, while employed by an INS contractor, were involved in stealing and forging money orders totaling approximately \$1,100 that were sent to the INS Texas Service Center by perspective applicants seeking INS benefits.

■ In September 1999, the OIG San Francisco Field Office launched a limited investigation as the result of vulnerabilities it identified in INS imprest funds. The OIG conducted unannounced cash counts of seven funds—five maintained by the INS San Francisco District, one maintained by the Livermore, California, Border Patrol Sector, and one maintained by the San Francisco INS Asylum Office. The cash counts revealed that the \$1,000 Asylum Office imprest fund balance was missing. Further OIG investigation determined that the imprest fund cashier had removed the monies from the imprest fund safe and converted the funds to personal use. The cashier was subsequently charged with failure to account for public money in a criminal information filed by the USAO for the Northern District of California. The cashier pled guilty; sentencing is pending.

THE SAN DIEGO UNION-TRIBUNE SUNDAY, FEBRUARY 13, 2000

2 Border Patrol agents accused of stealing \$267,000 in car parts

ASSOCIATED PRESS

A Border Patrol agent was free on bond Saturday and another was due to be arrested within days on suspicion of stealing \$267,000 worth of parts from the agency's vehicles and bartering with them at an off-road equipment store.

40, and 31, were accused of conspiracy and theft of government property in a federal indictment unsealed Friday.

pleaded not guilty and was released after posting \$40,000 bail.

who now is stationed in New Orleans, is expected to be arrested within days, said assistant U.S. Attorney Richard Cheng.

did not immediately return a reporter's phone calls Saturday.

The two agents worked last spring at a Border Patrol unit "goods and services" from the store's manager in exchange for the parts, according to the indictment.

Neither the store nor any of its employees was named in the indictment.

The Justice Department's Office of the Inspector General, an internal watchdog unit for the Border Patrol and other federal agencies, began investigating and about a year ago after receiving an anonymous tip, said Joseph Artes, the agent in charge of the inspector general's San Diego office.

Both men had been working since 1997 at the unit that customized vehicles. A Border Patrol spokesman, Roy Villareal, said agents are assigned to the unit when they are injured or there is a backlog of new vehicles that must be prepared for use in the field.

of Chula Vista, and of Siltell, La., both joined the

SIGNIFICANT INVESTIGATIONS

BRIBERY

■ A former INS immigration inspector, previously assigned to the INS San Diego District Office, was arrested on charges of conspiracy and misuse of INS entry documents. While employed with the INS, the immigration inspector had access to a safe containing Green Cards that had been confiscated from drug smugglers and were to be destroyed. A San Diego Field Office investigation developed evidence that, between March 1995 and August 1996, the immigration inspector stole 14 Green Cards and gave them to an accomplice who sold the cards in Mexico and returned the proceeds to the immigration inspector. The immigration inspector resigned from the INS after learning that the OIG was investigating his activities. He pled guilty and was sentenced to 10 months' incarceration and 36 months' supervised release.

■ In the Southern District of Texas, two Mexican nationals were arrested and pled guilty to charges of bribery of a public official. The investigation was initiated after an INS special agent notified the McAllen Field Office that two Mexican nationals had offered him a cash bribe in exchange for INS immigration documents. Meetings involving the subjects and the cooperating INS special agent were videotaped, during which the payment of a \$5,000 cash bribe for two I-94s (Arrival/Departure Records) was made. The Mexican nationals were sentenced to four months' and six months' incarceration, respectively, and 36 months' supervised release.

■ An INS immigration inspector assigned to the San Francisco International Airport was arrested subsequent to an OIG undercover operation in which he accepted \$10,000 cash as partial payment of a \$100,000 bribe in return for providing a genuine INS admission stamp, an Adit stamp, and two bottles of security ink to an OIG confidential informant. The immigration inspector confessed to stealing the INS admission stamps from a fellow employee and expediting the entry of two aliens into the United States. The immigration officer consented to a search of his residence where \$7,500 in cash that had been previously deposited into his bank account as "good faith" money by the OIG was recovered. A criminal complaint was filed in the Northern District of California charging the immigration inspector with bribery, conspiracy, and other criminal violations. INS Manila, Philippines, assisted the OIG San Francisco Field Office in this investigation.

■ Our last *Semiannual Report to Congress* described a case in which a supervisory Border Patrol agent and a Cameron County schoolteacher were arrested on charges of conspiracy to defraud the United States, bribery of a public official, making a false document, and making a false entry in a document. A civilian immigration consultant also was arrested and pled guilty to charges of bribery of a public official. The McAllen Field Office investigation determined that the immigration consultant directed illegal aliens to the Border Patrol agent who gave them fraudulent documents to travel into and remain in the United States. During

San Antonio Express-News
Saturday, January 15, 2000
Former INS agent gets 2-year sentence
False papers part of scheme
By ALAN CHANG
BROWNSVILLE — A former senior U.S. Border Patrol agent was sentenced to prison for bribery and making false paperwork allowing undocumented immigrants to remain in this country, U.S. Justice Department officials said Friday.
...
"Nobody's above the law. We believe that those of us who work with us who violate the law should be prosecuted. After all, as law enforcement, we are supposed to serve as the best examples."
...
See EX-INS/48

this reporting period, the supervisory Border Patrol agent pled guilty and was sentenced to 24 months' incarceration and 36 month' supervised release and was ordered to pay \$4,970 in restitution. The immigration consultant pled guilty and was sentenced to 16 months' incarceration and 36 months' supervised release and ordered to pay \$4,220 in restitution. The schoolteacher was sentenced to 12 months' probation.

■ Our September 1998 *Semiannual Report to Congress* described a case in which a retired INS supervisory district adjudications officer and a civilian immigration consultant were arrested on charges of conspiracy, bribery, and immigration document fraud. The adjudications officer agreed to cooperate in the ensuing San Francisco Field Office investigation that led to the identification of three additional co-conspirators. The investigation developed evidence that the adjudications officer, while working for the INS, accepted approximately \$400,000 in bribes from the civilian immigration consultant and a Korean businessman, his wife, and his sister-in-law to approve applications for permanent residency for at least 275 of their clients. The adjudications officer pled guilty to conspiracy charges and was sentenced to 12 months' incarceration and 60 months' supervised release. The businessman pled guilty and was sentenced to 33 months' incarceration and 36 months' supervised release and fined \$7,600. His wife and sister-in-law pled guilty and were sentenced to four months' incarceration and four months' home confinement, respectively. The immigration consultant was found guilty after a jury trial in the Northern District of California. His sentencing is pending.

INTRODUCTION OF CONTRABAND

■ A federal inmate incarcerated at Three Rivers Federal Correctional Institution (FCI) and his civilian wife were sentenced in the Southern District of Texas to 55 months' incarceration followed by 48 months' supervised release and 21 months' incarceration followed by 36 months' supervised release, respectively, following their plea to charges of possession with intent to distribute marijuana. An investigation by the McAllen Field Office developed evidence that the couple established and maintained an organization to smuggle and distribute marijuana and heroin in the prison.

■ A BOP correctional officer assigned to FCI Englewood in Colorado was arrested and pled guilty to charges of bribery. A joint OIG Colorado Springs Area Office and FBI investigation established that the officer provided approximately one pound of marijuana to inmates in FCI Englewood on two separate occasions in exchange for payments totaling \$1,800. The officer, who resigned during the investigation, was sentenced in U.S. District Court for the District of Colorado to 6 months' incarceration and 36 months' supervised release. In addition, the USAO charged two inmates for their involvement in this crime.

■ A BOP correctional officer assigned to the Low Security Correctional Facility (LSCI) in Butner, North Carolina, was arrested and pled guilty in the Eastern District of North Carolina to charges of introduction of contraband. This joint OIG Washington Field Office and U.S. Postal Inspection Service investigation determined that the correctional officer agreed to provide an inmate at LSCI Butner with marijuana in exchange for \$500.

**SIGNIFICANT
INVESTIGATIONS**

In a sting operation, the correctional officer was arrested after taking possession of approximately four ounces of marijuana and \$500 cash that had been mailed to her residence. The BOP terminated the correctional officer as a result of this investigation. Judicial action continues.

■ In the Southern District of Texas, a former BOP contract employee of the Corrections Corporation of America previously assigned to the INS Service Processing Center (SPC) in Houston, Texas, pled guilty to charges of bribery of a public official. An investigation by the Houston Area Office developed evidence that the contract guard accepted numerous bribes in exchange for introducing contraband into the facility for distribution to inmates. The contract employee was terminated and sentenced to five years' probation and six months' home confinement and fined \$2,000.

■ Our last *Semiannual Report to Congress* described a Chicago Field Office case in which a former UNICOR foreman, two inmates and two former inmates of FCI Greenville were arrested and pled guilty to federal narcotics charges in the Southern District of Illinois. During this reporting period, the former UNICOR foreman was sentenced to 10 months' incarceration and 24 months' supervised release and was fined \$2,200. The two inmates were sentenced to an additional 37 months' incarceration and to 24 months' and 36 months' supervised release, respectively. The two former inmates were sentenced to 3 months' and 6 months' incarceration, respectively, and 24 months' supervised release.

SEXUAL HARASSMENT/ABUSE

■ In the Western District of Texas, a former BOP correctional counselor was arrested and convicted in a jury trial of sexually abusing female inmates while he was employed at the Federal Transfer Center in Oklahoma City. An El Paso Field Office investigation led to an 11-count indictment alleging that on numerous occasions the correctional counselor engaged in sexual abuse, sexual abuse of a ward, and abusive sexual contact with multiple female inmates. He was convicted on all counts. The correctional counselor resigned his position during the course of the investigation. Sentencing is pending.

■ In the Southern District of New York, a former BOP correctional officer was arrested on charges of sexual abuse of an inmate and abusive sexual contact with an inmate. An investigation by the OIG New York Field Office and USAO led to an information charging the correctional officer with engaging in unlawful sexual acts with female inmates in official detention at the Metropolitan Correctional Center in Manhattan where he was assigned. BOP terminated the employee as a result of the investigation. Judicial proceedings continue.

■ A former BOP correctional officer previously assigned to the Federal Prison Camp (FPC) in Bryan, Texas, was arrested pursuant to an indictment filed in the Southern District of Texas on charges of sexual abuse of a ward. During an investigation by the Houston Area Office, the correctional officer admitting to a sexual relationship with an inmate, sending the inmate money, and introducing contraband into FPC Bryan. The former correctional officer pled guilty and was sentenced to 24 months' probation and fined \$500.

**SIGNIFICANT
INVESTIGATIONS**

■ In the Northern District of Florida, a former BOP correctional officer assigned to FCI Tallahassee was arrested and pled guilty to charges of sexual abuse of a ward. This Miami Field Office investigation established that the correctional officer engaged in sexual acts while performing his official duties at FCI Tallahassee and later smuggled a home pregnancy test kit into the institution after learning that the ward may have been pregnant. He was sentenced to two years' probation.

■ Our March 1999 *Semiannual Report to Congress* reported on an investigation by the San Francisco Field Office in which a former BOP correctional officer assigned to FCI Dublin in California was arrested on charges sexual abuse of a ward and abusive sexual contact involving four female inmates. During this reporting period, he pled guilty and was sentenced in U.S. District Court for the Northern District of California to 10 months' incarceration, 6 months' home confinement, and 36 months' supervised release and ordered to pay a \$3,000 fine.

CIVIL RIGHTS

■ In the Eastern District of Texas a BOP senior correctional officer assigned to the Federal Correctional Complex in Beaumont, Texas, was arrested on Texas State charges of official oppression. An investigation by the Houston Area Office into the correctional officer's alleged beating of four inmates on four separate occasions was declined for prosecution by the Eastern District of Texas USAO and the Civil Rights Division. The Jefferson County (Texas) District Attorney reviewed this case and accepted it for prosecution. The correctional officer was indicted on charges of official oppression for mistreating and hitting an inmate. Judicial proceedings continue.

■ During December 1999, a Border Patrol agent assigned to the El Centro Border Patrol Station in California entered into an agreement for deferred prosecution relative to a joint OIG El Centro Area Office and FBI investigation for committing a civil rights violation—deprivation of rights under color of law. The investigation disclosed that the Border Patrol agent fired a pellet gun at a raft carrying undocumented aliens in the All American Canal in the Imperial Valley during May 1999. He observed the occupants of the raft fall into the water, left the scene, and then discarded the pellet gun by throwing it into another river; there were no injuries as a result of his actions. As a condition of the deferred prosecution, the Border Patrol agent resigned from the Border Patrol, waived all administrative appeal rights, and will not seek employment with any law enforcement entity.

■ Eight Mexican nationals attempted to enter the United States illegally by running through the inspection lanes at the DeConcini POE in Nogales, Arizona. After INS and U.S. Customs inspectors apprehended the eight Mexican nationals, an INS immigration inspector approached one of the offenders and struck him in the face, breaking his nose and injuring his eye. A joint investigation by the OIG Tucson Field Office, District of Arizona USAO, and a local civil rights task force led to the immigration inspector's guilty plea to charges of deprivation of rights under color of law. The immigration inspector was sentenced to 2 years' supervised probation and ordered to pay a \$3,000 fine and the victim's medical expenses. The immigration inspector resigned his position with the INS.

**SIGNIFICANT
INVESTIGATIONS**

- A BOP supervisory correctional officer and two BOP correctional officers were arrested pursuant to an indictment filed in the District of Kansas on charges of deprivation of rights under color of law. This Chicago Field Office investigation developed information that the correctional officers working in the U.S. Penitentiary in Leavenworth, Kansas, physically abused inmates in 1997 and falsified incident reports to cover their actions.

ESPIONAGE

- In the Southern District of Florida, an INS supervisory district adjudications officer assigned to the INS Miami District Office was arrested by the FBI with assistance from the INS and the OIG Miami Field Office for violations of the Espionage Act and making false statements. This 7-month investigation led to an indictment alleging that the INS supervisory district adjudications officer was in contact with Cuban intelligence officers and passed classified information to an unauthorized party.

DISCLOSURE OF CONFIDENTIAL INFORMATION

- In the Southern District of California, an INS supervisory immigration inspector (SII) was arrested on charges of disclosure of confidential information. During April 1999, the brother of the SII—a former INS immigration inspector—was arrested and convicted of attempting to smuggle contraband into the United States. At the time of his arrest, a search of the former immigration inspector's briefcase produced U.S. Customs and INS database printouts that included information on vehicles and aliens. The former immigration inspector admitted that he had obtained the printouts from his brother, the SII, for use in his job as an immigration consultant. The SII awaits trial in the Southern District of California.

HOMICIDE

- Our September 1998 *Semiannual Report to Congress* reported a case in which a Border Patrol agent assigned to the Border Patrol station in Nogales, Arizona, was arrested on charges of murder of a Colombian cocaine supplier—a crime he committed prior to his employment with the Border Patrol. In June 1999, the Border Patrol agent was convicted at trial in the Eastern District of New York on charges of conspiracy to distribute cocaine, possession and distribution of cocaine, and the intentional killing of an individual in furtherance of a narcotics felony. During this reporting period, he was sentenced to 292 months' incarceration and 5 years' supervised release. The OIG New York Field Office, DEA, and the New York Police Department investigated this case.

ESCAPE

SIGNIFICANT INVESTIGATIONS

■ In the Southern District of Texas, a Cuban national was arrested and pled guilty to charges of escape. The Cuban national escaped from the INS SPC in Houston by forcing his way through the front door of the facility. Based on information developed during the Houston Area Office investigation, the escapee was arrested at the residence of his cellmate’s mother, who cooperated in the investigation. He was sentenced to 12 months’ incarceration and ordered to pay more than \$2,000 in restitution to an INS SPC contract guard for medical injuries incurred at the time of the escape.

The following chart summarizes the workload and accomplishments of Investigations during the 6-month period ending March 31, 2000.

INVESTIGATIONS STATISTICS

Investigations Statistics	
Source of Allegations	
<i>Hotline (telephone and mail)</i>	589
<i>Other sources</i>	3,131
<i>Total allegations received</i>	3,720
Investigative Caseload	
<i>Investigations opened this period</i>	269
<i>Investigations closed this period</i>	353
<i>Investigations in progress as of 3/31/00</i>	441
Prosecutive Actions	
<i>Criminal indictments/informations</i>	56
<i>Arrests</i>	68
<i>Convictions/Pleas</i>	57
Monetary Results	
<i>Fines/Restitutions/Recoveries</i>	\$1,356,260
<i>Seizures</i>	\$11,700
<i>Bribe monies deposited to the Treasury</i>	\$12,000