



PRESS RELEASE

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**KEVIN GARNER RECEIVES 115 MONTH PRISON SENTENCE FOR DRUG
TRAFFICKING OFFENSE INVOLVING 1/4 OUNCE OF METHAMPHETAMINE**

ALBUQUERQUE – This morning a federal judge in Santa Fe, N.M., sentenced **Kevin Garner**, 44, of Albuquerque, N.M., to a 115-month prison sentence for his drug trafficking conviction, announced U.S. Attorney Kenneth J. Gonzales. Garner will be on supervised release for five years after he completes his prison sentence.

Garner has been in federal custody since his arrest on December 29, 2010, on a one-count indictment charging him with distributing methamphetamine on February 17, 2010. On October 14, 2011, Garner entered a guilty plea to a superseding indictment alleging that he distributed methamphetamine on February 17, 2010. In his plea agreement, Garner admitted selling a quarter ounce (5.7 grams) of methamphetamine to a person whom he later learned was working as a confidential informant for the Albuquerque Police Department. The drug deal took place at Garner's residence on the west side of Albuquerque.

According to state court records, Garner has an extensive prior criminal history that begins in 1986 and includes convictions for drug trafficking, aggravated assault with a deadly weapon, and aggravated burglary. The records also reveal that, despite his lengthy criminal record, the longest prison sentence served by Garner was 4.5 years of a 20 year sentence imposed for a 1998 conviction for shooting from or at a motor vehicle, being a felon in possession of a firearm, and four counts of aggravated assault on a peace officer using a deadly weapon. In contrast, Garner is likely to serve virtually all of his 9.6 federal prison sentence because there is no parole in the federal system and federal prisoners can only accrue 56 days of “good time” per year.

Garner initially was charged with offenses related to the offense of conviction in state court by the District Attorney’s Office for the Second Judicial District of the State of New

Mexico. The state case was dismissed after the U.S. Attorney's Office accepted the case for federal prosecution under a federal anti-violence initiative that targets "the worst of the worst" offenders for federal prosecution. Under the initiative, a state-wide, multi-agency effort denominated as the New Mexico Federal Gang Task Force, the U.S. Attorney's Office and federal law enforcement agencies work with New Mexico's District Attorneys and state, local and tribal law enforcement agencies to target violent or repeat offenders for federal prosecution with the goal of removing the offenders from our communities for as long as possible.

Following Garner's sentencing hearing, U.S. Attorney Gonzales said, "The sentence imposed on Kevin Garner today is significant particularly when you consider the small amount of drugs involved. Kevin Garner was prosecuted federally despite the small amount of drugs because Albuquerque is safer when he is off the streets. Kevin Garner has been a menace to our community and a major headache for the law enforcement community for more than 25 years. As the result of the cooperative effort between the DEA, APD and the District Attorney's Office, Kevin Garner will be off the streets of Albuquerque for almost ten years."

District Attorney Kari E. Brandenburg added, "'Our partnership with the United States Attorney's Office better enables us to hold serious repeat offenders accountable, resulting in safer streets for Bernalillo County citizens."

This case was investigated by the Drug Enforcement Administration and the Albuquerque Police Department, with assistance from the District Attorney's Office for the Second Judicial District for the State of New Mexico, and was prosecuted by Assistant U.S. Attorneys Joel R. Meyers and Jon K. Stanford.

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