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United States Attorney District of Arizona Border Security Fact Sheet June 2010

PHOENIX – The United States Attorney’s Office for the District of Arizona has a strong history of responding to border-related criminal activity. Recent increases in this office’s resources have contributed to significant public safety successes against the drug cartels and criminal enterprises that take advantage of Arizona’s highway infrastructure and desert terrain to bring drugs and illegal aliens into the United States and to move money and weapons out of the United States.

- *99% increase in drug filings since 2008*
- *91% increase in drug defendants since 2008*
- *Approx 3,200 felony and 22,000 misdemeanor illegal immigration cases filed in fiscal year 2009*
- *Bulk currency exportation cases up 236% in Fiscal Year 2010 compared to a year ago, involving over \$3 million*
- *50% increase in federal wiretaps*

District Summary

- **The United States Attorney’s Office (USAO) for the District of Arizona has experienced a dramatic increase in resources to investigate and prosecute border-related crimes.** Presently we have 152 Assistant United States Attorneys (AUSAs) on board after having added 42 positions since 2006. The number of AUSA positions in the District of Arizona has increased by 62% in the past 10 years.
- The increase in resources followed a dramatic increase in the number of U.S. Border Patrol and other federal law enforcement agents in Arizona since 1995. The Border Patrol employs over 60 percent of the more than 6,400 federal law enforcement agents in Arizona.

- The USAO works closely with its federal law enforcement partners to police the border through the use of reactive drug and immigration prosecutions while at the same time confronting the criminal organizations operating on both sides of the U.S.-Mexico border. Although Arizona's 389-mile border with Mexico largely defines the district's caseload, the caseload is as diverse as the many communities in Arizona. The USAO handles cases ranging from firearms trafficking to fraud relating to tribal gaming, and from bank robberies to theft of artifacts, protected plants, wildlife and cultural resources, as well as violent crime in Indian Country and mortgage fraud.

Robust and Innovative Immigration Enforcement

- **The USAO prosecutes sophisticated alien smuggling organizations.** In April, the USAO unveiled indictments in Operation In Plain Sight, a case that was more than two years in the making. The operation resulted in 47 criminal arrests, the execution of roughly 30 search warrants, and the seizure of over 50 vehicles. The investigation targeted every level of a cross-border human smuggling organization that used the guise of lawful shuttle transportation companies to move illegal aliens into the U.S. The investigation also revealed unprecedented cooperation between U.S. and Mexican law enforcement against alien smuggling organizations. One of the lead targets in the case, Claudio Ramirez-Morales, was arrested by Mexican law enforcement officials as part of the investigation and faces prosecution in Mexico as a result.
- The USAO maximizes resources by providing criminal consequences to a wider range of offenders through innovative charging and plea strategies. The USAO filed nearly 3,200 felony immigration cases in fiscal year 2009, and over 22,000 misdemeanor cases. Of the 3,200 felony immigration cases, 2,272 were re-entry after removal cases under Title 8 of the United States Code, Section 1326. This represents a substantial increase over fiscal year 2008, largely as a result of the increase in resources the USAO received in 2008. The district's year-to-date felony immigration filings for FY 2010 have increased more than 13 percent over the same period in FY 2009.
- The USAO's **Impostor Initiative** is aimed at individuals who attempt to enter the country through a port of entry using a false identity document. Working closely with U.S. Customs and Border Protection's Office of Field Operations (CBP-OFO), the USAO implemented an early disposition program that enabled it to prosecute over 1,000 of these cases in calendar year 2009, with defendants serving at least 60 days in custody for presenting phony identification documents. The district is on pace to increase that number by 20 percent in FY 2010.

Continued Emphasis on All Facets of Drug Trafficking Enforcement

- **The District of Arizona has no threshold quantity for drug trafficking cases.** The USAO prosecutes a heavy caseload of both reactive and long-term, complex drug investigations and prosecutions. The USAO increased drug case filings by 482 (an increase of 99%) and drug defendants by 724 (an increase of 91%) from FY 2008 to FY 2009. Thus far in FY 2010 we have filed 1,107 drug cases.

- Carlos Ramon Castro-Rocha, a Consolidated Priority Organization Target (CPOT), was arrested in Mexico and is awaiting extradition to the United States to face charges brought in Arizona and North Carolina as part of Project Deliverance, a nationwide drug enforcement action. CPOT designation is reserved for command and control level drug traffickers and money launderers responsible for the importation of large quantities of narcotics into the United States. The arrest of Castro-Rocha is an example of the Department of Justice's deepening cooperation with the Republic of Mexico. The indictment alleges Castro-Rocha conspired to import heroin from Mexico and distribute it within the United States. The Castro-Rocha Drug Trafficking Organization (DTO) used vehicles with hidden compartments to transport the heroin to locations outside the Phoenix area. Agents seized over 45 pounds of black-tar heroin that is directly attributable to Castro-Rocha.
- **Vekol Valley Operations.** In two recent operations, agents and officers seized over 11,100 pounds of marijuana, over 4 pounds of methamphetamine, 10 firearms and 31 vehicles, and made 350 arrests for criminal and immigration violations in the Vekol Valley region off Interstate 8 southwest of Phoenix. The USAO worked with ICE, Border Patrol, DEA, the Bureau of Land Management, the Arizona Department of Public Safety, the Arizona National Guard, the Gila River Indian Community Police Department, and the Pinal and Maricopa County Sheriffs and County Attorneys to gather intelligence and interdict armed scouts and backpackers smuggling marijuana and other drugs through the area.
- The USAO worked in close coordination with numerous federal, state, and local law enforcement partners to dismantle a Mexican drug trafficking organization believed responsible for moving at least 40,000 pounds of marijuana through southern Arizona. The organization employed advanced counter-surveillance, ramp trucks to overcome vehicle barriers at the border, and hidden vehicle compartments. Operation Vaqueros, unveiled in April 2010, involved the use of federal wiretaps, which revealed an employee of the Cochise County Attorney's office was providing confidential information to one of the drug traffickers in exchange for money. Twenty-six people were indicted on federal charges and another thirteen were indicted on state charges.

Aggressive Response to Violent Crime Related to Drug Trafficking and Alien Smuggling

- **The USAO aggressively prosecutes hijacking, hostage-taking and home invasion cases relating to alien smuggling and drug trafficking.** Working with the U.S. Immigration and Customs Enforcement office of Homeland Security Investigations (ICE-HSI), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the Arizona Department of Public Safety's Illegal Immigration Prevention & Apprehension Co-op Team (IIMPACT), the Phoenix Police Department's Home Invasion and Kidnapping Enforcement (HIKE) squad, the Maricopa County Attorney's office, and the Arizona Attorney General's office, AUSAs work to rescue victims, to track down and prosecute those who hold smuggled aliens hostage, and to arrest and prosecute people who perpetrate drug-related home invasions. Below are examples of cases prosecuted within the past year.
 - Carlos Alvarez-Espinoza was convicted following a jury trial and sentenced to 137 years in prison. The government proved Alvarez-Espinoza was responsible for

holding at least 23 illegal aliens hostage at gunpoint in a house in Phoenix. Some victims were beaten and pistol whipped and all were threatened with death.

- The District of Arizona was the **first USAO to use the Hobbs Act (armed robbery in interstate commerce) to respond to hijacking in the alien smuggling context.** Adriel Laurel-Vasquez pleaded guilty and was sentenced to prison in connection with the armed hijacking of a group of illegal aliens from a rival alien smuggling organization.
- **Working with the USAO, an ATF-led home invasion task force** identified and arrested eight home invasion crews as they prepared to commit armed robberies of drug stash houses in Phoenix. Forty-eight defendants were arrested and charged with various drug and firearms offenses.
 - Over twenty defendants entered guilty pleas and are awaiting sentencing.
 - Six defendants were convicted at trial and are awaiting sentencing.
 - Most convicted defendants face at least fifteen years in prison, with potential sentences ranging as high as life.

Vigorous Firearms Trafficking Enforcement

- **The USAO pursues firearms trafficking cases.** In April 2010, six defendants were sentenced after they pleaded guilty to conspiracy to smuggle semi-automatic assault rifles to Mexico. The lead defendant drove young people with no criminal histories to a firearms dealer, told them what guns to buy, and provided the purchase money. The lead defendant then paid the straw buyers and took the weapons, removed the serial numbers, zip-tied them to the undercarriage of a car, and drove them to Mexico.
- In a similar case in December 2008, ATF agents arrested ten individuals involved in a conspiracy to straw purchase firearms in Arizona for the purpose of supplying them to the Sinaloa cartel. The group exported approximately 120 firearms, predominantly assault rifles, including a .50 caliber rifle, into Mexico. Of the handguns exported, the majority were weapons of choice of the Mexican drug cartels. ATF identified the Sinaloa cartel member who headed the conspiracy, Ruben Javier Elense Ruiz, aka “Rambo,” and provided his fingerprints to the FBI. The FBI matched “Rambo’s” fingerprints to prints connected to the murder of a Mexican federal prosecutor in 2004. In March 2009, Rambo and several other cartel members were arrested in Mexico. All ten of the individuals arrested and indicted in the United States have entered guilty pleas. Six of the defendants have been sentenced to prison terms. Three defendants, including two of the leaders in the conspiracy, are pending sentencing.

Cutting the Flow of Money to the Cartels

- Together with CBP-OFO, the USAO maintains a robust currency exportation prosecution program. Thus far in Fiscal Year 2010, bulk currency exportation cases are up by 236% compared to the same time period in Fiscal Year 2009, with 37 cases involving a total of \$3,053,502.
- Seizure Warrants issued in the District of Arizona this year already exceed those issued last year by 21 percent. These seizure warrants deny criminal enterprises their profit and working capital by seizing currency, bank accounts, vehicles, and other property. At this rate, the USAO is on track to more than double the number of seizure warrants issued last year.

Cooperative Partnerships With Mexican Law Enforcement

- The USAO has worked with the ICE-HSI and CBP-OFO to implement the Controlled Substance Project (CSP), under which some drug cases from the Nogales Port of Entry are referred to the Mexican government for prosecution. Thus far, 27 defendants have been prosecuted under Mexican law. To date, four cases have been tried in the Mexican court system. Each defendant was convicted and received a sentence of 10 years in prison.
- Building on the groundbreaking CSP program, Arizona U.S. Attorney Dennis Burke recently met with his Sonoran counterpart, the Delegate from Mexico's Procuraduría General de la República (PGR). Building on that outreach, the USAO created the first-ever Rule of Law unit consisting of eight Spanish speaking AUSAs from the District of Arizona. The AUSAs will assist in providing oral trial training to PGR attorneys as Mexico pursues its transition from an inquisitorial to a more accusatorial criminal system. As part of the Mérida Initiative, the USAO is working with the Department's Overseas Prosecutorial Assistance and Training program to provide regional training designed to strengthen working relationships with the PGR in Sonora as they take courageous steps to prosecute drug traffickers and human smugglers under Mexican law. The USAO also will provide training in specific areas such as drug trafficking, money laundering, and trafficking in persons and firearms.