

NEWS RELEASE



OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA

San Diego, California

***United States Attorney
Laura E. Duffy***

***For Further Information, Contact: Assistant U.S. Attorneys Peter J. Mazza (619) 546-7928 and
Mark Conover (619) 546-6763***

For Immediate Release

CBP OFFICER PLEADS GUILTY TO CONCEALING FUGITIVE FROM LAW ENFORCEMENT

Officer Also Pleads Guilty to Separate Insurance Fraud Scheme

NEWS RELEASE SUMMARY - October 2, 2012

United States Attorney Laura E. Duffy announced that Customs and Border Protection Officer Thomas P. Silva pled guilty today before Magistrate Judge William V. Gallo to concealing a person from arrest, in violation of Title 18, United States Code, Section 1071, and wire fraud, in violation of Title 18, United States Code, Section 1343. As part of his plea, Silva also agreed to forfeit over \$16,000 in illegal proceeds from his criminal activity and pay \$7,329.37 in restitution to Farmers Insurance, the victim of his wire fraud scheme.

In entering his plea, Silva admitted to concealing a wanted fugitive from arrest while on duty at the San Ysidro Port-of-Entry. In particular, Silva admitted allowing the fugitive to enter the United States from Mexico without inspection – despite verifying the fugitive’s status using CBP’s computer systems. Silva further assisted the fugitive by purposefully entering inaccurate information related to the fugitive’s car in CBP’s computer system in an effort to help the fugitive elude arrest.

Silva also admitted in his plea agreement to engaging in a separate scheme to defraud Farmers Insurance of over \$7,000 by falsely reporting that his Nissan Titan pickup truck had been stolen from a local San Diego community. Silva admitted, however, that he had in fact taken the truck to Mexico prior to reporting it stolen in furtherance of his fraudulent scheme. Thereafter, Silva filed the false claim with Farmers Insurance, which the insurance company then paid based on his misrepresentations.

FBI Special Agent in Charge Daphne Hearn commented, “We are a nation of laws and justice. The laws of this land are in place to promote the welfare of our communities and protect our citizens. No one is above the law, especially not those who have sworn to enforce it. The FBI and our law enforcement partners are committed to pursuing anyone who illegally lines his or her own pockets at the expense of the public good.”

“The vast majority of our officers are highly skilled, hard-working professionals dedicated to our mission to protect the American public,” said Chris Maston, CBP director of field operations for San Diego and Imperial Valley Counties. “We will not tolerate corruption within our workforce and we will actively ferret out and prosecute to the fullest extent of the law any employees who commit unethical or unlawful acts.”

United States Attorney Duffy praised the members of the Border Corruption Task Force, a federal task force comprised of law enforcement officials from the Federal Bureau of Investigation, CBP-Internal Affairs, CBP-Field Operations, the Transportation Security Administration, and the Drug Enforcement Administration for their outstanding work to uncover Silva’s criminal activity. Duffy added that her office has a “zero tolerance” policy for government employees who flout the laws they are sworn to enforce.

The plea is subject to final acceptance by United States District Judge Anthony J. Battaglia. A sentencing hearing is scheduled before Judge Battaglia on Dec. 14 at 9 a.m.

DEFENDANT **Criminal Case No. 10mj3306-WVG**

Thomas P. Silva

SUMMARY OF CHARGES

- Count 1: Title 18, United States Code, Section 1343 – Wire Fraud
Maximum Penalties: 20 years in custody; \$250,000; \$100 SA; 3-year term of supervised release.
- Count 2: Title 18, United States Code, Section 1071 – Concealing Person From Arrest
Maximum penalties: 5 years in custody; \$250,000 fine; \$100 S/A; 3-year term of supervised release.

INVESTIGATING AGENCIES:

Federal Bureau of Investigation

Customs and Border Protection

Transportation Security Administration

Drug Enforcement Administration