

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 09-  
 :  
 v. : 21 U.S.C. § 846  
 :  
 HENRY CORTES : I N F O R M A T I O N

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges that:

Conspiracy to Distribute and Possess with  
Intent to Distribute Cocaine

1. At all times relevant to this Information:

a. Defendant HENRY CORTES (hereinafter "CORTES") was a resident of Paterson, New Jersey who served as a: (1) probationary police recruit with the Port Authority Police Department of New York & New Jersey; and (2) professional boxing manager of several prizefighters in the State of New Jersey.

b. Co-conspirator Alan Souto (hereinafter "Souto") served a Detective-Sergeant for the Passaic County Sheriff's Department ("PCSD"), assigned as the Commanding Officer of the PCSD Evidence Bureau. Souto was responsible for, among other things, the preservation and maintenance of evidence obtained in the course of various federal, state and local criminal investigations and prosecutions. In this regard, Souto maintained 24-hour access to various items of evidence maintained

in PCSD evidence vault.

c. Upon completion of the entire criminal and appellate process for cases with evidence maintained at the PCSD, Souto's duties and responsibilities included the preparation of destruction lists and the scheduling of narcotics evidence for destruction, also referred to as a "drug burn," since it was no longer necessary to maintain such narcotics evidence in the Evidence Vault.

**The Conspiracy**

2. Between in or about August 2007 and in or about July 2008, in Passaic County, in the District of New Jersey and elsewhere, defendant

HENRY CORTES

did knowingly and intentionally conspire and agree with Souto and others to distribute and possess with intent to distribute 5 kilograms or more of a mixture or substance containing cocaine, a Schedule II narcotic drug controlled substance, contrary to Title 21, United States Code, Sections 841(a) and 841(b)(1)(A).

3. It was the object of the conspiracy for CORTES, Souto and others, on various occasions, to steal and later sell quantities of narcotics that were maintained as evidence, including significant quantities of cocaine, at the PCSD Evidence Vault.

4. It was a further part of the conspiracy that, prior to Souto's thefts of narcotics from the PCSD Evidence Vault, CORTES arranged for the stolen narcotics to be hidden at a vacant property owned by CORTES in Haledon, New Jersey. Prior to each planned theft, CORTES advised Souto where CORTES had earlier hidden keys to access planned "drop" locations that were used to conceal the stolen narcotics, which included a metal electrical box on the property and the basement.

5. It was a further part of the conspiracy that, shortly before a drug burn was scheduled to occur, Souto, on various occasions, entered the Evidence Vault during non-operating hours via an access card issued by the PCSD to Souto. Once inside, Souto removed multi-kilogram quantities of narcotics from evidence bags and placed them inside plastic freezer bags. Souto then transported the narcotics from the Evidence Vault to the aforementioned drop locations designated by CORTES.

6. It was a further part of the conspiracy that, once Souto delivered the narcotics to the drop locations, Souto contacted CORTES who, in turn, contacted another co-conspirator known to CORTES who would obtain and later sell the stolen narcotics to various individuals in Passaic County, New Jersey and elsewhere.

7. It was a further part of the conspiracy that, once the narcotics were sold by the co-conspirator, CORTES received shares

of the proceeds totaling in excess of \$200,000 in exchange for his participation in the conspiracy. After receiving his share of the sales proceeds, CORTES, on some occasions, directed other co-conspirators to deliver portions of the sales proceeds to Souto as compensation for his participation in the conspiracy.

In violation of Title 21, United States Code, Section 846.

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RALPH J. MARRA, JR.  
Acting United States Attorney