

# NEWS

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United States Department of Justice  
U.S. Attorney, District of New Jersey  
970 Broad Street, Seventh Floor  
Newark, New Jersey 07102

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***Ralph J. Marra, Jr., Acting U.S. Attorney***

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***More Information?*** Call the Assistant U.S. Attorney or other contact listed below to see if more information is available.

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Contact:

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FOR IMMEDIATE RELEASE  
Feb. 26, 2009

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Former Port Authority Police Recruit, Boxing Manager Admits  
Conspiring in Theft, Sale of Drugs from Sheriff's Department

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(More)

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NEWARK – A former Port Authority police recruit who also managed professional boxers in New Jersey pleaded guilty today to conspiring with a detective-sergeant in the Passaic County Sheriff's Department to distribute significant quantities of cocaine that had been stolen from the Sheriff's Department evidence vault, Acting U.S. Attorney Ralph J. Marra, Jr., announced.

Henry Cortes, 35, of Mahwah, admitted before U.S. District Judge Jose L. Linares that he conspired with Alan Souto, then a detective-sergeant in the Sheriff's Department and a former member of the Haledon Borough council, to steal and later sell the drugs from the evidence vault. Souto pleaded guilty on Dec. 4 and stipulated in his plea agreement that the amount of stolen drugs was at least 43 kilograms (94.6 pounds) of cocaine and 700 grams of heroin. Cortes stipulated to those same amounts in his plea agreement.

Cortes pleaded guilty to one count of conspiracy to distribute and possession with intent to distribute five kilograms or more of cocaine. Cortes said the conspiracy spanned at least from about August 2007 to July 2008, during which time he was a probationary police recruit with the Port Authority of New York and New Jersey, as well as a professional boxing manager in New Jersey.

Cortes admitted that he arranged with Souto to hide the stolen drugs at a vacant property Cortes owned in Haledon. He said he had told Souto in advance where to find hidden keys to access the property. Cortes said another co-conspirator would then retrieve the drugs and sell them to various individuals in Passaic County.

After the drugs were sold, Cortes and Souto took shares of the proceeds, and Cortes said he received more than \$200,000 for his involvement in the conspiracy.

"This was law enforcement turned on its head – a sheriff's deputy stealing drugs from his department, and a police trainee selling them back on the street," said Marra. "For their conduct, they can expect to be sentenced to years in federal prison."

"Today, the citizens of New Jersey have achieved a victory over the scourge of drugs and corruption with the guilty plea of Mr. Cortes," said Weysan Dun, Special Agent in Charge of the FBI in Newark. "That Cortes teamed up with a corrupt sheriff's officer to peddle poison on our streets is alarming. I wish to thank Passaic County Prosecutor James Avigliano and his office and Sheriff Jerry Speziale of the Passaic County Sheriff's Department for their cooperation and assistance in this matter."

The charge to which Cortes pleaded guilty carries a statutory mandatory minimum sentence of 10 years in prison and up to life in prison, as well a maximum fine of \$4 million. In determining an actual sentence, Judge Linares will consult the advisory U.S. Sentencing Guidelines, which provide appropriate sentencing ranges that take into

account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors, including acceptance of responsibility. The judge, however, has discretion and is not bound by those guidelines in determining a sentence. The judge could also determine that certain factors make Cortes eligible for the so-called "safety valve" provision that would allow the judge to consider a sentence below the mandatory minimum of 10 years.

Assuming safety valve eligibility, which requires a clean criminal record, Cortes faces an advisory sentencing range of between 87 and 108 months in prison, and Souto between 108 and 135 months in prison.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all of that time.

Judge Linares scheduled sentencing for Cortes for June 6. Cortes is free on a \$200,000 unsecured bond pending sentencing. Souto is free on a \$300,000 secured bond pending sentencing scheduled for March 10.

For the earlier news release on Souto's guilty plea, follow this link and scroll down to the release on Dec. 4:

<http://www.usdoj.gov/usao/nj/press/2008releases.html>

Marra credited Special Agents of the FBI, under the direction of Special Agent in Charge Weyssan Dun, for the investigation of Souto. He also credited for their assistance in the investigation prosecutors and investigators with the Passaic County Prosecutor's Office, under the direction of Prosecutor James F. Avigliano, and investigators with the Passaic County Sheriff's Department, under the direction of Sheriff Jerry Speziale, and investigators with the Port Authority of New York and New Jersey Police Department, under the direction of Superintendent of Police Samuel J. Plumeri, Jr.

This case is being prosecuted by Assistant U.S. Attorney Christopher J. Gramiccioni of the U.S. Attorney's Office Special Prosecutions Division.

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Defense Counsel: Ronald Fava, Esq., Wayne.

