

United States District Court

DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

V.

WARRANT FOR ARREST

CASE NUMBER:

07-872

DANNY V. RAMIREZ,

TO: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest **DANNY V. RAMIREZ**, and bring him or her forthwith
Name

to the nearest _____ to answer a(n) :

☒ Indictment ☐ Information ☐ Complaint ☐ Violation Notice ☐ Probation Violation Petition

charging him/her with : Theft Concerning Programs Receiving Federal Funds; Deprivation of Civil Rights Under Color of Law; Money Laundering; Money Laundering; Structuring Financial Transactions to Avoid Reporting Requirements; Aiding and Abetting.

in violation of Title 18

United States Code, Section(s): 666(a)(1)(A); 18 U.S.C. § 242; 18 U.S.C. § 1956(a)(1)(B)(i); 18 U.S.C. § 1956(a)(1)(B)(ii); 31 U.S.C. § 5324(a)(3); 18 U.S.C. § 2:

Matthew J. Dykman, CLERK

Name of

Mark Soler

Signature of

5/8/07 Albuquerque NM
Date and Location

Bail fixed at \$ _____

by _____
Name of

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

Date Received

Name and Title of Arresting Officer

Signature of Arresting Officer

Date of Arrest

FILED

IN THE DISTRICT COURT OF THE UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

FOR THE DISTRICT OF NEW MEXICO

MAY - 8 2007

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEPHEN J. ALTONJI, and
DANNY V. RAMIREZ,

Defendants.

MATTHEW J. DYKMAN
CLERK

CRIMINAL NO. 07-872

Counts 1 - 2: 18 U.S.C. § 666(a)(1)(A); Theft
Concerning Programs Receiving Federal
Funds

Counts 3 - 6: 18 U.S.C. § 242;
Deprivation of Civil Rights Under Color of
Law

Counts 7 - 15: 18 U.S.C. § 1956(a)(1)(B)(i);
Money Laundering

Counts 16 - 23: 18 U.S.C. § 1956(a)(1)(B)(ii);
Money Laundering

Count 24: 31 U.S.C. § 5324(a)(3); Structuring
Financial Transactions to Avoid Reporting
Requirements

18 U.S.C. § 2: Aiding and Abetting

INDICTMENT

THE GRAND JURY CHARGES:

INTRODUCTION

At times material to the Indictment:

1. Defendants, **STEPHEN J. ALTONJI** ("ALTONJI") and **DANNY V.**

RAMIREZ ("RAMIREZ") were employed by the Santa Fe Police Department ("Police
Department"), and as such were agents of the City of Santa Fe and the Police Department

CERTIFIED a True Copy of the
Original Filed in my office
by *Matthew J. Dykman*
Deputy

within the meaning of Title 18, United States Code, Section 666(d)(1).

2. On or about May 17, 2006, Defendant **ALTONJI** had been a police officer with the Santa Fe Police Department for approximately 10 years.

3. On or about May 17, 2006, Defendant **RAMIREZ** had been a police officer with the Santa Fe Police Department for approximately 19 years.

4. The City of Santa Fe was a local government, and the Police Department was a local government agency, within the meaning of Title 18, United States Code, Sections 666(d)(2) and (3).

5. The City of Santa Fe and the Police Department were receiving benefits under federal programs involving grants, contracts, subsidies, loans, guarantees, insurance or other forms of federal assistance through various federal agencies, including but not limited to United States Department of Justice Grants.

6. On or about May 17, 2006, Defendants **ALTONJI** and **RAMIREZ**, officers and agents of the Police Department, in conjunction with other officers and agents of the Police Department, executed an arrest in the City of Santa Fe, New Mexico of a resident herein referred to as "P.V.", for state narcotics violations.

7. After a search of the vehicle of P.V., Defendants **ALTONJI** and **RAMIREZ**, in conjunction with other officers of the Police Department, seized both a quantity of a controlled substance (marijuana), and a large sum of U.S. Currency, from within the vehicle of P.V.

8. Soon after the seizure of the narcotics and money from within the vehicle of P.V., also on or about May 17, 2006, Defendants **ALTONJI** and **RAMIREZ**, in conjunction with other officers and agents of the Police Department, seized, *inter alia*, an additional amount of U.S. Currency, and narcotics (marijuana and cocaine) from the

residence of P.V. in the City of Santa Fe, New Mexico.

9. Defendant **ALTONJI** prepared an Offense/Incident Report concerning the above-referenced arrest and seizures, in which Defendant **ALTONJI** stated, *inter alia*, that the amount of the U.S. Currency seized from the vehicle of P.V. was "more than \$170,000." Defendant **ALTONJI** further stated in said Offense/Incident Report that "approximately" \$18,000 dollars was seized from the bedroom of P.V., for a total, according to Defendant **ALTONJI**, of \$188,000.00 seized from both the vehicle and residence of P.V. Defendant **ALTONJI** further stated in the Offense/Incident Report that the total amount of money seized from P.V. was \$180,646.00.

10. In a separate police report prepared by an officer of the Police Department, hereinafter referred to as "Detective M.M", Detective M.M. stated that the amount of U.S. Currency seized from a bag in the vehicle of P.V. was \$172,000.00, and the amount seized from the home of P.V. was \$8,646.00, for a total cash seizure of \$180,646.00, excluding \$264.00 purported to be seized from the wallet of P.V. by Defendant **ALTONJI**.

11. In testimony before the grand jury, on January 10, 2007, Defendant **RAMIREZ** testified under oath that Defendant **RAMIREZ** along with Detective M.M., and others, searched the home of P.V. not long after searching the vehicle of P.V., and that Defendant **ALTONJI** also participated in the search of the home of P.V. Defendant **RAMIREZ**, in his sworn testimony, further stated that Defendant **RAMIREZ** chose not to seize an amount of U.S. Currency from the home of P.V. notwithstanding the fact that he testified he believed the money was proceeds from drug trafficking, which amount he believed to be \$5,000.00 because said U.S. Currency was bound and wrapped in a manner consistent with the U.S. Currency seized from the vehicle of P.V. Defendant

RAMIREZ also testified further that another \$5,000.00 in U.S. Currency was seized from within the same room as the U.S. Currency Defendant **RAMIREZ** chose not to seize, and, an additional amount of U.S. Currency that Defendant **RAMIREZ** testified "could have been" as much as another \$3,000.00 located in a head board to a bed, \$6,000 in a small box, and an additional amount of U.S. Currency in other locations in the home of P.V., all totaling well in excess of \$8,646.00.

COUNT 1

1. Paragraphs One through Eleven of the Introduction are hereby incorporated by reference as though fully set forth herein.

2. On or about May 17, 2006, in Santa Fe County, in the State and District of New Mexico, the Defendant, **STEPHEN J. ALTONJI**, an employee of the City of Santa Fe and an agent of the Police Department, did embezzle, steal, or otherwise without authority knowingly convert to his own use \$5,000 or more that was under the care, custody or control of the Police Department, which was seized from P.V., a resident of the City of Santa Fe.

In violation of 18 U.S.C. §§ 666(a)(1)(A), and 2.

COUNT 2

1. Paragraphs One through Eleven of the Introduction are hereby incorporated by reference as though fully set forth herein.

2. On or about May 17, 2006, in Santa Fe County, in the State and District of New Mexico, the defendant, **DANNY V. RAMIREZ**, an employee of the City of Santa Fe and an agent of the Police Department, did embezzle, steal, or otherwise without authority knowingly convert to his own use \$5,000 or more that was under the care, custody or control of the Police Department, which was seized from P.V., a resident of

the City of Santa Fe.

In violation of 18 U.S.C. §§ 666(a)(1)(A), and 2.

COUNT 3

On or about May 17, 2006, in Santa Fe County, in the State and District of New Mexico, the defendant, **STEPHEN J. ALTONJI**, then a police officer of the Santa Fe Police Department, while acting under color of the laws of the State of New Mexico, stole or otherwise converted to his own use money belonging to a person, P.V., and thereby did willfully deprive P.V. of the right secured and protected by the Constitution and laws of the United States not to be deprived of property without due process of law by one acting under color of law.

In violation of 18 U.S.C. §§ 242 and 2.

COUNT 4

On or about May 17, 2006, in Santa Fe County, in the State and District of New Mexico, the defendant, **DANNY V. RAMIREZ**, then a police officer of the Santa Fe Police Department, while acting under color of the laws of the State of New Mexico, stole or otherwise converted to his own use money belonging to a person, P.V., and thereby did willfully deprive P.V. of the right secured and protected by the Constitution and laws of the United States not to be deprived of property without due process of law by one acting under color of law.

In violation of 18 U.S.C. §§ 242 and 2.

COUNT 5

On or about January 11, 2005, in Santa Fe County, in the State and District of New Mexico, the defendant, **STEPHEN J. ALTONJI**, then a police officer of the Santa Fe Police Department, while acting under color of the laws of the State of New Mexico, stole or otherwise converted to his own use money belonging to a person, R.H., and thereby did willfully deprive R.H. of the right secured and protected by the Constitution and laws of the United States not to be deprived of property without due process of law by one acting under color of law.

In violation of 18 U.S.C. §§ 242 and 2.

COUNT 6

On or about April 21, 2005, in Santa Fe County, in the State and District of New Mexico, the defendant, **STEPHEN J. ALTONJI**, then a police officer of the Santa Fe Police Department, while acting under color of the laws of the State of New Mexico, did assault a person, W.R., resulting in bodily injury to W.R., and did willfully deprive W.R. of the right secured and protected by the Constitution and laws of the United States to be free from unreasonable seizure by one acting under color of law, which includes the right to be free from the use of unreasonable force.

In violation of 18 U.S.C. §§ 242 and 2.

COUNT 7

On or about May 19, 2006, in Santa Fe County or elsewhere, in the State and District of New Mexico, the defendant, **STEPHEN J. ALTONJI**, did knowingly conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce, to wit, the depositing of funds into a personal checking account, which involved the proceeds of specified unlawful activity, namely, theft concerning programs

receiving federal funds, knowing that the transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of said specified unlawful activity and that while conducting and attempting to conduct such financial transaction knew that the property involved in the financial transaction, that is, U.S. Currency in the amount of \$1,900.00, represented the proceeds of some form of unlawful activity.

All in violation of 18 U.S.C. §§ 1956(a)(1)(B)(i), and 2.

COUNTS 8 - 15

On or about the dates set forth below, in Santa Fe County or elsewhere, in the State and District of New Mexico, the defendant, **DANNY V. RAMIREZ**, did knowingly conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce, to wit, the depositing of funds into a personal checking account, which involved the proceeds of specified unlawful activity, namely, theft concerning programs receiving federal funds, knowing that the transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of said specified unlawful activity and that while conducting and attempting to conduct such financial transaction knew that the property involved in the financial transaction, that is, U.S. Currency in the amount set forth below, represented the proceeds of some form of unlawful activity.

<u>Count</u>	<u>Date</u>	<u>Description</u>
8	05/18/06	Cash deposit of \$1,600.00
9	05/23/06	Cash deposit of \$2,500.00
10	05/24/06	Cash deposit of \$500.00
11	05/25/06	Cash deposit of \$3,500.00

12	06/01/06	Cash deposit of \$500.00
13	06/06/06	Cash deposit of \$400.00
14	06/06/06	Cash deposit of \$1,700.00
15	06/16/06	Cash deposit of \$900.00

All in violation of 18 U.S.C. §§ 1956(a)(1)(B)(i), and 2.

COUNTS 16 - 23

On or about the dates set forth below, in Santa Fe County or elsewhere, in the State and District of New Mexico, the defendant, **DANNY V. RAMIREZ**, did knowingly conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce, to wit, the depositing of funds into a personal checking account, which involved the proceeds of a specified unlawful activity, namely, theft concerning programs receiving federal funds, knowing that the transaction was designed in whole and in part to avoid a transaction reporting requirement under Federal law and that while conducting and attempting to conduct such financial transaction knew that the property involved in the financial transaction, that is U.S. Currency in the amount set forth below, represented the proceeds of some form of unlawful activity.

<u>Count</u>	<u>Date</u>	<u>Description</u>
16	05/18/06	Cash deposit of \$1,600.00
17	05/23/06	Cash deposit of \$2,500.00
18	05/24/06	Cash deposit of \$500.00
19	05/25/06	Cash deposit of \$3,500.00
20	06/01/06	Cash deposit of \$500.00
21	06/06/06	Cash deposit of \$400.00
22	06/06/06	Cash deposit of \$1,700.00

23 06/16/06 Cash deposit of \$900.00

All in violation of 18 U.S.C. §§ 1956(a)(1)(B)(ii), and 2.

COUNT 24

Between in or about the dates set forth below, in Santa Fe County or elsewhere, in the State and District of New Mexico, the defendant, **DANNY V. RAMIREZ**, knowingly and for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations promulgated thereunder, structured, assisted in structuring, the following transactions with a domestic financial institution, namely Century Bank, FSB.

<u>Date</u>	<u>Description</u>
05/18/06	Cash deposit of \$1,600.00
05/23/06	Cash deposit of \$2,500.00
05/24/06	Cash deposit of \$500.00
05/25/06	Cash deposit of \$3,500.00
06/01/06	Cash deposit of \$500.00
06/06/06	Cash deposit of \$400.00
06/06/06	Cash deposit of \$1,700.00
06/16/06	Cash deposit of \$900.00

All in violation of 31 U.S.C. §§ 5324(a)(3) and 5324(d) and 2, and Title 31, Code of Federal Regulations, Section 103.11.

A TRUE BILL:

/s/
FOREPERSON OF THE GRAND JURY

Larry Gomez
Acting United States Attorney

_____ 05/07/07 3:37pm