

NEWS RELEASE



OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA

San Diego, California

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For Immediate Release

CBP OFFICER SENTENCED FOR CONCEALING FUGITIVE FROM LAW ENFORCEMENT

Officer also sentenced for separate insurance fraud scheme

NEWS RELEASE SUMMARY - January 18, 2013

United States Attorney Laura E. Duffy announced that former Customs and Border Protection Officer Thomas P. Silva was sentenced today by United States District Judge Anthony J. Battaglia to serve eight months in custody after Silva pled guilty 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 the sentence, Judge Battaglia ordered Silva to forfeit over \$16,000 in illegal proceeds from his criminal activity and pay \$8, 129.37 in restitution to Farmers Insurance, the victim of his wire fraud scheme.

Silva previously 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.

In handing down the judgment, Judge Battaglia told Silva that his conduct was "an abomination" and that he had "brought shame" to the United States by carrying out these criminal activities while working as a CBP officer.

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 had a "zero tolerance" policy for government employees who thought they were above the laws that they were sworn to enforce.

DEFENDANT **Criminal Case No. 12CR4050-AJB**

Thomas P. Silva

SUMMARY OF CHARGES

Count 1: Title 18, United States Code, Section 1343 – Wire Fraud

Count 2: Title 18, United States Code, Section 1071 – Concealing Person From Arrest

INVESTIGATING AGENCIES

Federal Bureau of Investigation
Customs and Border Protection

Transportation Security Administration
Drug Enforcement Administration