NEWS RELEASE

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For Immediate Release

Former Customs and Border Protection Officer Sentenced To 12 Years for Bribery and Conspiracy to Import Drugs

NEWS RELEASE SUMMARY – July 3, 2013

Former Customs and Border Protection Officer Oscar Osbaldo Ortiz-Martinez was sentenced today by Chief United States District Judge Barry Ted Moskowitz to serve 144 months in federal prison for conspiring to allow drugs to be smuggled into the United States through his inspection lanes in exchange for tens of thousands of dollars in bribes. Judge Moskowitz also ordered the defendant to serve 5 years of supervised release following his prison term and imposed a $22,000 fine.

Ortiz, a two-year veteran who was assigned to the Calexico Ports of Entry, was convicted by a federal jury in September 2012, of conspiracy to import controlled substances and bribery. After a trial that lasted more than a week, the jury deliberated for just three hours before returning the verdicts.

According to court records and evidence presented at trial, Ortiz and his accomplice, Victor Manuel Silva, Jr., believed they were working for individuals with ties to a drug trafficking organization when, in fact, they were doing business with undercover agents and federal law enforcement cooperators posing as narcotics traffickers. Ortiz accepted $22,000 in bribes and was arrested on September 23, 2010, when he showed up to collect another $30,000 bribe from the informant. Silva was arrested later that day.

At trial, the government presented audio recordings of Ortiz discussing the smuggling of narcotics through his inspection lane with co-defendant Silva and a confidential informant. In two of those conversations, Ortiz made plans to allow the informant to cross 5 - 12 kg of cocaine through his lane in exchange for $20,000 and 15 kg of methamphetamine for $30,000.

Also during those recorded conversations, Ortiz established code words for the informant to use if the computer randomly required Ortiz to send the informant to secondary inspection, and they agreed these code words would prompt the informant to abandon the vehicle and run back to Mexico. Ortiz also at one point suggested the informant use motorcycles to smuggle narcotics, because they could then cross drugs "every day."

The verbal exchanges between Ortiz and the informant when two bribes were paid, for $2,000 and $20,000, were also audio recorded. And for the latter transaction, agents video recorded Ortiz leaving the informant's truck with the bag of money in his hand.

Silva, the accomplice who pleaded guilty in February 2011 to conspiracy to import at least 5 kilograms of cocaine, testified at trial against Ortiz, admitting that he and Ortiz had conspired to use the informant to smuggle narcotics through Ortiz's lane. Silva also testified that he and Ortiz wanted to make as much money as possible.

"While the overwhelming majority of border officers are doing their jobs with vigilance and integrity, we have found that some are not, and we are going to bring to justice every one of these corrupt officials who violate the public's trust and put our borders at risk," said U.S. Attorney Laura Duffy.

"Acts of corruption within the Department of Homeland Security represent a threat to our nation and undermine the honest and hardworking employees who strive to maintain the integrity of the Department," said Dennis M. McGunagle, Special Agent-in-Charge for the Department of Homeland Security, Office of Inspector General. "Corruption will not be tolerated and those who choose to break the law will be pursued aggressively. We appreciate the efforts of the U.S. Attorney's Office for bringing these individuals to justice."

"I commend the outstanding work by the law enforcement team of investigators and prosecutors in this important case," said Joe Jeronimo, special agent in charge for ICE Office of Professional Responsibility. "ICE takes all allegations of criminal misconduct by DHS employees seriously, and will continue to aggressively investigate such allegations to ensure that the perpetrators are prosecuted to the fullest extent of the law."

"Corrupt acts are a disgrace and the exact opposite of the values that form the basis of who we are," said Pete Flores, Director of Field Operations for U.S. Customs and Border Protection (CBP) in San Diego. "CBP is a world-class law enforcement agency and enjoys a special position of national trust as the sole border enforcement agency. The vast majority of our officers are highly skilled, hard-working professionals dedicated to our mission to protect the American public. We will actively ferret out and work to prosecute to the fullest extent of the law any employees who commit unethical or unlawful acts that violate that special trust. This case will send a strong message to the community at large that we will not tolerate corruption in our workforce."

DEFENDANTS **Criminal Case No. 10cr3986-BTM**

Oscar Osbaldo Ortiz-Martinez
Victor Manuel Silva, Jr.

SUMMARY OF CHARGES

Conspiracy to Import Controlled Substances, in violation of Title 21, United States Code, Sections 952, 960, and 963

Bribery, in violation of Title 18, United States Code, Section 201

INVESTIGATING AGENCIES

United States Department of Homeland Security, Office of Inspector General
United States Department of Homeland Security, Immigration and Customs Enforcement, Office of Professional Responsibility