



# Inside ICE

## ***24 ARRESTED, 349 CARS SEIZED***

### **ICE, AZ SMASH SMUGGLING CAR SCAM**

ICE and Arizona officials announced Oct. 4 that they have arrested 24 people, shut down 11 used car lots and seized 349 vehicles worth almost \$1.4 million while dismantling an organization that provided Arizona criminal smuggling organizations with transport vehicles.

The year-long, multi-agency investigation led to state indictments of 21 individuals on charges including illegally conducting an enterprise, money laundering, participating in a criminal syndicate and transportation of cocaine and marijuana. The defendants are currently in custody or out on bond with court dates pending. In a separate but related case, the U.S. Attorney's Office indicted seven individuals on federal charges of conspiracy to transport illegal aliens. Four of those defendants also face state charges.

The investigation, opened by the Arizona Attorney General's Office, was led by a task force with representatives from ICE, the Arizona Attorney General's Office and the Arizona Department of Public Safety. Last year, the task force identified suspects who facilitated the movement of drugs and undocumented immigrants into and out of Arizona using a "rotational" system relying on vehicles supplied by cooperative used car owners. The investigation led to used car lot owners who allegedly provided vehicles used in the commission of the crimes.

According to the indictments, the accused car dealers provided smugglers with fictitious title documentation for vehicles that had previously been seized by law enforcement. The phony titles helped smugglers elude detection when they used previously seized vehicles to transport human smuggling loads.

The investigation also revealed that some

of the accused car dealers installed secret compartments in vehicles to aid smugglers in concealing cocaine or cash. Finally, the car lots themselves served as vehicle supply depots for smugglers, who used them to acquire and store the vehicles needed to sustain their illegal enterprise. The arrangement offered smugglers a unique and essential commodity-- vehicles that could not be traced or physically linked to them.

In addition to the arrests and the seizure of the car lots and vehicles, Arizona officials seized almost \$500,000 in cash and bank accounts, nine commercial and residential properties, six guns and approximately three pounds of cocaine.

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**An ICE agent working on "Operation Used Cars" checks the identification number on one of 349 vehicles seized during the operation in Arizona that dismantled an organization providing human smugglers with transport vehicles.**

## ICE WINS LANDMARK RWANDAN GENOCIDE CASE

ICE attorneys have won a landmark immigration appeals court case upholding, for the first time in history, a removal order for a human rights violator found inadmissible to the United States for having engaged in genocide.

### **PUBLIC SECURITY**

Enos Irigaba Kagaba, a citizen of Rwanda, was arrested in December 2001 at the Minneapolis-St. Paul International Airport. He was initially charged with attempting to enter the United States without valid entry documents and with fraud for misrepresenting his identity. A subsequent in-depth investigation uncovered evidence that Kagaba had committed acts of genocide during the 1994 war in Rwanda, in which 800,000 Tutsis and moderate Hutus were killed.

Kagaba requested a hearing before a federal immigration judge, who in August 2003 sustained the genocide charge, as well as the charge that he did not have valid entry documents. That ruling was appealed to the Board of Immigration Appeals in Falls Church, Va., which issued a September 17 decision sustaining the lower court's ruling on the genocide and lack of valid documents charges. The federal immigration judge's removal order is now final.

As Inside ICE was going to press,

Inside ICE is an e-newsletter produced by the ICE Office of Public Affairs to inform the public about the mission, operations and activities of U.S. Immigration and Customs Enforcement. Please send comments and contributions to:

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Kagaba had filed a court motion for a stay of the deportation order. ICE attorneys will contest that action.

"The United States will not be a safe haven for human rights abusers," said Kristine D'Alesandro, Acting Chief of ICE's Human Rights Law Division (HRLD). "ICE attorneys secured an important victory for the hundreds of thousands of legal immigrants who come to America each year in pursuit of freedom and opportunity. The legal immigration system they respect will not be exploited by criminals."

This case marks the first time that an alien has been charged with inadmissibility for having engaged in genocide under the Immigration and Nationality Act. Congress added genocide to the grounds of inadmissibility in 1990.

ICE recently apprehended another Rwandan genocide perpetrator. In May, Jean-Marie Vianney Mudahinyuka was arrested by ICE agents in Chicago and criminally charged with visa fraud after lying about his role in the Rwandan genocide. Mudahinyuka is currently awaiting trial for visa fraud and assault of a federal officer. The government of Rwanda has issued a warrant for the arrest of Mudahinyuka on charges of genocide and crimes against humanity.

In June 2003, ICE created its Human Rights Violators and Public Safety Unit (HRVPSU) to place a greater emphasis on investigating human rights cases, making it one of ICE's top investigative priorities. Its counterpart, the HRLD, was created in August 2003 to provide legal and litigation support to the effort to remove human rights violators.

Many of the most egregious human



**Enos Irigaba Kagaba**

rights violators residing in the United States are living and working among some of their victims who have sought asylum and refugee status in the United States. While there are no official estimates, research by several non-governmental organizations suggests that there may be several hundred suspected human rights violators currently residing in the United States. Many human rights violators have come to the United States in an effort to evade prosecution and punishment for their crimes committed in their home countries.

ICE is making great strides to bring human rights abusers in the United States to justice. ICE attorneys are currently tracking and litigating more than 500 cases involving human rights violators from more than 60 countries in immigration courts nationwide. In its first year alone, HRLD, with the assistance of ICE attorneys nationwide, successfully completed more than 100 cases.

## ICE AGENT GETS MEDAL FOR "KIDS FOR COVER" CASE

An ICE senior special agent was honored with the "Service to America" medal September 28 for his role in dismantling an international drug organization that used rented infants and female couriers to smuggle cocaine into the United States in baby formula cans.

### **BORDER SECURITY**

Boston ICE Senior Special Agent Peter Darling received the "Service to America - Justice and Law Enforcement" medal, which recognizes a federal employee for significant contribution to the nation in activities related to justice and law enforcement. The award was presented by the Partnership for Public Service, a non-profit organization devoted to revitalizing federal service, in ceremonies held in Washington, D.C.

Agent Darling, a native of Newbury, Massachusetts, and a 16-year law enforcement veteran, is one of just eight federal employees to receive a medal from the Partnership for Public Service.



**Admiral James Loy, left, Deputy Secretary of the Department of Homeland Security, congratulates ICE Senior Special Agent Peter Darling during ceremonies September 28 where Agent Darling received the "Service to America" medal.**

Darling's award is the result of his crucial role in "Operation Kids for Cover," a long-term investigation by ICE, the Drug Enforcement Administration and the U.S. Attorney's Office in Chicago. The investigation targeted an international drug organization that used female couriers and "rented" infants to help smuggle cocaine into this country in cans of baby formula. To date, Operation Kids for Cover has resulted in 49 convictions. The leader of the conspiracy was convicted and sentenced to life in prison.

"This award is really for our team, for the work we accomplished together. I'm proud to work with such a group of dedicated agents, proud to be part of ICE and the Department of Homeland Security, and proud to know that we're doing our part to make America safer," Agent Darling said.

"ICE is proud of Agent Darling and the entire investigative team's work to bring to justice the members of this international crime organization," said Assistant Secretary Michael Garcia.

## CHILD PREDATOR GETS 100 YEARS

A child sex predator received a 100-year prison sentence September 28 after being convicted on multiple child pornography charges stemming from a joint ICE and U.S. Postal Inspection Service investigation.

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U.S. District Court Judge Cecilia M. Altonaga handed down the sentence in Miami to Angel Rafael Mariscal for his sexual abuse of children for the purpose of producing and distributing child pornography.

At trial, the government presented evidence that Mariscal traveled repeatedly to Ecuador and Cuba where he produced and manufactured child pornography. The defendant videotaped himself sexually abusing minors, some under the age of 12, over a period of at least seven years. More than 100 victims were filmed exposing their genitals and/or engaging in sexual activity with the defendant and at least two adult female co-conspirators.

With the assistance of the Diplomatic Security Service of the De-

partment of State and the United States Interest Section in Havana, the government was able to identify and obtain birth certificates from Cuban officials for some of the victims depicted in the videotapes. Co-conspirators were arrested in both Cuba and Ecuador.

At the sentencing hearing, additional evidence was presented revealing that Mariscal had engaged in unprotected sexual conduct with children knowing he was HIV-positive. Mariscal videotaped the children, reproduced the recordings onto CD-ROMs or VHS tapes and distributed the recordings throughout the United States. He would advertise these items by mail. The child pornography sold for anywhere from \$595 to \$995 per item. Customers also were given the option of writing their own fantasy script. At trial, evidence was presented that at least 40 buyers were identified.

"There is not enough justice to give this individual what he deserves for the horrible crimes that he committed," said Jesus Torres, ICE Special Agent-in-Charge in Miami. "Thankfully, the law enforcement teams were able to stop this predator."

## ICE ACTIVE IN INITIATIVE TO "STOP" PIRACY

Department of Homeland Security (DHS) Under Secretary Asa Hutchinson joined Commerce Secretary Donald Evans, Attorney General John Ashcroft and U.S. Trade Representative Robert Zoellick at press conference in Washington, D.C., October 4 to announce a national Intellectual Property Rights (IPR) initiative know as Strategy Targeting Organized Piracy (STOP).

### FINANCIAL AND TRADE INVESTIGATIONS

Developed over the last year, STOP is the most comprehensive initiative ever advanced to smash the criminal networks that traffic in fakes, stop trade in pirated and counterfeit goods at America's borders, block bogus goods around the world, and help small businesses secure and enforce their rights in overseas markets.

As the host agency of the National Intellectual Property Rights Coordination Center, ICE coordinates the U.S. fight against both domestic and

international IPR crime. During the first half of the 2004 fiscal year, ICE IPR investigations resulted in a 60 percent increase in criminal IPR arrests.

Growing global trade in pirated and counterfeit goods threatens America's innovation economy, the competitiveness of our leading companies and small manufacturers, and the livelihoods of their workers.

Bogus products – from CDs, DVDs, software and watches to electronic equipment, clothing, processed foods, consumer products and auto parts – are estimated to account for up to seven percent of global trade and cost rights holders around the world billions of dollars annually.



Department of Homeland Security Under Secretary Asa Hutchinson discusses the Strategy Targeting Organized Piracy (STOP) initiative during a press conference October 4 in Washington, D.C.

## ICE PLAYS KEY ROLE IN RECORD COCAINE BUST

ICE agents, working in a multi-agency task force investigation, played a key role in two seizures totaling roughly 27 tons of cocaine and the arrest of 18 people on two fishing vessels in the Eastern Pacific. The seizures are among the largest maritime seizures of cocaine in United States history.

In the first seizure, ICE and other federal agents on the Operation Panama Express investigative team developed intelligence that the vessel Lina Maria was transporting cocaine. U.S. Navy, ICE, and U.S. Coast Guard aircraft were sent to intercept the vessel.

An ICE P-3 aircraft soon spotted the Lina Maria off the coast of Ecuador and passed the information to federal authorities and a nearby Navy aircraft. A Navy vessel, with a Coast Guard law enforcement detachment

### BORDER SECURITY

on board, subsequently intercepted the Lina Maria. The Coast Guard boarding team found 14.52 tons of cocaine concealed in a sealed ballast tank on the ship and detained 10 individuals.

The second seizure occurred in much

the same fashion. Intelligence was passed on to federal authorities, who dispatched aircraft and vessels for interception. An ICE P-3 surveillance aircraft spotted the fishing vessel San Jose 1,500 miles southwest of Manta, Ecuador.

ICE and Coast Guard aircraft monitored the San Jose until a Navy ship with a Coast Guard law enforcement detachment on board intercepted the cocaine-laden vessel on September 23. The Coast Guard boarding team found approximately 13 tons of cocaine in a hold buried under fish and ice. Eight individuals were taken into custody.

## ICE NABS CHILD PORN FUGITIVE FEATURED ON "MOST WANTED"

ICE special agents on September 30 arrested a child pornography fugitive who bragged about his appearance on the television show "America's Most Wanted" and claimed he wouldn't go back to jail. Acting on a viewer's tip, ICE agents tracked the fugitive down at a suburban Missouri home where he was hiding.



**ICE agents lead Kevin Leslie Nolen, left, to a cell after his arrest on September 30. Nolen was a fugitive child predator profiled on "America's Most Wanted"**

On September 11, "America's Most Wanted" profiled Kevin Leslie Nolen, 39, a fugitive wanted in Decatur, Ill., on child pornography charges. Nolen, who used at least eight different aliases, is the 808th criminal apprehended as a result of viewer tips to "America's Most Wanted."

Nolen is wanted on 10 counts each of possession and distribution of child pornography for approximately 26,000 pornographic images of children. Prior to his arrest, investigators considered him armed and dangerous after learning he had

told friends he had a gun and would not go back to jail.

Information on Nolen came September 27 and 28 from an anonymous tipster who said Nolen was living under an assumed identity with a friend. The tipster's friend was apparently unaware of Nolen's criminal past and learned of it after several friends saw Nolen featured on "America's Most Wanted."

Following the show, the tipster went to the "America's Most Wanted" Web site at [www.amw.com](http://www.amw.com) to see Nolen's mug shot and verify that the photo matched the man he knew as Kevin Hamilton. After confirming Nolen's identity, the tipster called the show's tip line (1-800-CRIME-TV).

Hotline operators immediately forwarded the tips to ICE Senior Special Agent Jarrod Winkle, who had been on Nolen's trail since the child pornographer first fled in June 2003. Winkle, who works out of ICE's Special Agent-in-Charge office in Chicago, contacted the ICE office in Springfield, Mo. ICE special agents deployed to the address provided by the tipster while the Midwest Violent Fugitive Task Force, which agreed to assist in the investigation, conducted surveillance of an alternate address. A few hours later, ICE special agents arrested Nolen when he came out of the house to collect his mail.

## MIAMI ICE ARRESTS GUN DEALER FOR ILLEGAL SALE TO TERRORISTS

A joint ICE and Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) investigation has led to the arrest of a Miami gun dealer on charges that he illegally sold weapons to South American terrorist groups.

### **PUBLIC SECURITY**

Joseph Ruiz, owner and operator of Dade County Guns &

Ammo, Inc., located in Miami, was charged in a criminal complaint with using his business to supply weapons and ammunition to a group of weapons builders and smugglers who then supplied the weapons to South American terrorist groups. They then arranged to illegally export the weapons and ammunition by sea to Venezuela. Once exported, the weapons and ammunition were allegedly sold for profit to the highest bidders, usually in Venezuela and Colombia.

The investigation determined that the weapons and ammunition were purchased by middlemen acting on behalf of the Colombian FARC (Fuerzas Armadas Revolucionarias de Colombia) and the Colombian Paramilitary Group, AUC (Auto Defensas Unidas de Colombia). Both are designated as terrorist organizations by the State Department.

As part of this investigation, ICE special agents and ATF agents seized more than 700,000 rounds of ammunition, more than 200 weapons, and the tools and parts necessary to build many more automatic weapons.

## "ROAMING CHARGE" COLLECTS 135 ARRESTS FOR PHONE FRAUD

More than 135 individuals have been arrested worldwide in the most extensive multinational enforcement operation ever directed at telemarketing fraud schemes.

ICE played an important role in the ongoing action, known as Operation Roaming Charge, which began on Jan. 1, 2004. It involved unprecedented coordination at the national and international levels.

The schemes uncovered in this operation include every major category of telemarketing fraud: bogus lottery, prize and sweepstakes schemes; offers of nonexistent investments; bogus offers of "pre-approved" credit cards or credit-card protection; employment and business opportunity swindles; tax fraud schemes; and "recovery room" schemes, in which criminals pretend to be members of law enforcement.

# Inside ICE

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## U.S. Immigration and Customs Enforcement

**U.S. Immigration and Customs Enforcement (ICE) is the largest investigative arm of the Department of Homeland Security, responsible for the enforcement of border, immigration, customs, infrastructure and transportation security laws.**

### ***FACING JUSTICE...***



*Reinaldo Gustavo Zamora-Sandoya, right, an accused cop killer and one of Ecuador's most wanted fugitives, is escorted from an ICE detention van prior to his removal from the United States on October 6. A self-proclaimed folk hero to Ecuadorians, he illegally entered the United States sometime during 1993. Zamora-Sandoya is accused of killing two police officers while robbing a bank in Ecuador and then throwing money into the street in order to attract a crowd and facilitate his escape. A citizen of Ecuador, Zamora-Sandoya was convicted of crimes in the United States under the assumed name "Edwin Andrades-Rojas" and believed federal officials did not know his real identity. Wanted by authorities in Ecuador, he completed his criminal sentence in the United States Sept. 7 and was immediately taken into custody by ICE detention and removal officers. He was escorted from the United States by ICE deportation officers and Ecuadorian police.*