



# Department of Justice

United States Attorney's Office  
Western District of Texas

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## **FORMER JARRELL POLICE CHIEF PLEADS GUILTY TO FEDERAL BRIBERY CHARGE**

Former Jarrell (TX) Police Chief Andres Tomas Gutierrez, age 51, faces up to 20 years in federal prison after pleading guilty this morning to a wire fraud/theft of honest services charge announced United States Attorney Robert Pitman; Homeland Security Investigations (HSI) Special Agent In Charge Janice Ayala in San Antonio; Department of Homeland Security Office of Inspector General—Investigations Special Agent In Charge J. Kirk Beauchamp in Houston; and Federal Bureau of Investigation Acting Special Agent In Charge John Boles, San Antonio Division.

Appearing before United States Magistrate Judge Mark Lane in Austin this morning, Gutierrez admitted that from the Fall of 2011 to November 2013, he devised a scheme to defraud and deprive the citizens of Jarrell of their right to his honest services through bribery and concealment of information.

“Gutierrez solicited and accepted cash bribes—between \$10,000 and \$40,000—from several undocumented aliens in return for requesting and obtaining for the aliens limited immigration benefits that the U.S. government intended and designed for law enforcement purposes,” stated U.S. Attorney Robert Pitman. “Gutierrez falsely represented to the U.S. government that the undocumented aliens were assisting the Jarrell Police Department with ongoing investigations into narcotics trafficking and human trafficking,” Pitman added.

According to court records, individuals unconnected to the City of Jarrell and its Police Department introduced Gutierrez to undocumented aliens who had money to pay for immigration benefits. Gutierrez or the individuals who made the introductions, or both, then met with the aliens and explained the benefits they could receive if they paid certain amounts of money. They lied to the aliens, telling them that the Jarrell Police Department would receive the money and use it to pay for law enforcement operations. They also told the aliens that they would provide information or assistance to the Jarrell Police Department, for use in criminal investigations, in return for the immigration benefits. That was also a lie. Gutierrez never asked the aliens to provide assistance or information in connection with criminal investigations. What Gutierrez asked for and received from the aliens was money.

Furthermore, with the help of the individuals who introduced him to the aliens, Gutierrez simply sold the aliens the benefits. After an alien paid his or her money, Gutierrez would submit to the U.S. government an application for the alien to receive what is known as a Significant Public Benefit Parole, which is a type of immigration status that federal immigration laws make available to aliens who actually assist federal, state and local law enforcement agencies. The Paroles authorize an alien to reside and work in the United States for up to a year, and they can be renewed. The applications that Gutierrez submitted said the aliens were providing assistance with ongoing criminal investigations by the Jarrell Police Department, which was false. Also, the Defendant never disclosed to the United States government that he was selling the Paroles.

(more)

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“Today’s guilty plea serves as a stern and sobering reminder that no one is above the law especially those who hold a position of public trust,” said Special Agent in Charge Janice Ayala, HSI San Antonio. “HSI will continue to work with its law enforcement partners to root out public corruption wherever it exists.”

“Acts of corruption within law enforcement threaten our nation’s system of justice and undermine the honest and hardworking law enforcement personnel who consistently strive to keep that system the best in the world. The Department of Homeland Security will not tolerate corruption, and we will aggressively pursue those who choose to break the law,” stated DHS OIG SAC J. Kirk Beauchamp,

“Gutierrez abused his authority and repeatedly broke the law he was sworn to uphold. He tarnished the badge he wore and violated the trust of the people of Jarrell. This case demonstrates the FBI’s commitment to enforce the law and hold individuals accountable, regardless of rank, position, or status,” stated FBI Acting Special Agent In Charge John Boles.

Gutierrez is out on bond pending sentencing. No sentencing date has been scheduled.

This investigation was conducted by agents with Homeland Security Investigations, Department of Homeland Security Office of Inspector General--Investigations and the Federal Bureau of Investigation. Assistant United States Attorneys Alan M. Buie and Gregg N. Sofer are prosecuting this case on behalf of the Government.

The government’s investigation into the bribery scheme is ongoing. Anyone who has pertinent information should call one of the following: the FBI at (512) 506-2136; HSI at (512) 801-1862; or, the DHS Office of Inspector General at (713) 212-4305.

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