

# ***NEWS RELEASE***

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## ***OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA***

***San Diego, California***

***United States Attorney  
Laura E. Duffy***

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***For Immediate Release***

### **NEWS RELEASE SUMMARY** - September 24, 2010

United States Attorney Laura E. Duffy announced today the filing of a complaint charging Oscar Osbaldo Ortiz-Martinez, a Customs and Border Protection Officer (CBPO) assigned to the Calexico Ports of Entry, and Victor Manuel Silva, Jr. with conspiracy to import a controlled substance, bribery and attempt to aid and abet the importation of cocaine and methamphetamine. The defendants were arrested yesterday by agents of the Department of Homeland Security, Office of the Inspector General, and Immigration and Customs Enforcement, Office of Professional Responsibility.

According to the complaint, Ortiz-Martinez used his official position at the Calexico Ports of Entry to allow what he believed to be loads of illegal narcotics to enter into the United States through his assigned lanes. In return for his participation, he received cash bribes, which Silva helped arrange. The complaint alleges that Ortiz-Martinez received \$22,000 for allowing vehicles he believed to be carrying narcotics to pass through his primary inspection lane on June 3, 2010 and September 21, 2010. The complaint further alleges Ortiz-Martinez was arrested on the morning of September 23, 2010 as he met to receive an additional \$30,000

for his assistance with the September 21 vehicle crossing. According to the complaint, the defendants believed they were working for individuals with ties to a drug trafficking organization when, in fact, they were undercover agents and federal law enforcement cooperators posing as narcotics traffickers.

The defendants were arraigned earlier today before United States Magistrate Judge Peter C. Lewis in federal court in El Centro, California. The defendants are next scheduled to be in court on September 28, 2010, at 1:30 p.m. for a detention hearing.

**DEFENDANTS**

**Criminal Case No. 10mj9110**

Oscar Osbaldo Ortiz-Martinez	Age: 30	El Centro, California
Victor Manuel Silva, Jr.	Age: 30	El Centro, California

**SUMMARY OF CHARGES**

Title 21, United States Code, Section 952, 960 and 963 - Conspiracy to Import Cocaine  
Maximum Penalties: 10 Years to Life in Custody; \$4,000,000 fine

Title 18, United States Code, Sections 201(b)(2) - Bribery  
Maximum Penalties: 15 Years in Custody; \$250,000 fine (Or 3X the bribe, whichever is greater)

Title 21, United States Code, Section 952, 960 - Attempt to Aid and Abet Importation of Cocaine  
Maximum Penalties: 10 Years to Life in Custody; \$4,000,000 fine

Title 21, United States Code, Sections 841, 846 - Attempt to Aid and Abet Importation of Methamphetamine  
Maximum Penalties: 10 Years to Life in Custody; \$4,000,000 fine

**PARTICIPATING 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

**A complaint itself is not evidence that the defendants committed the crimes charged. The defendants are presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.**