

Former Union President Sentenced in Connection with \$36,000 Embezzlement

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For Immediate Release

U.S. Attorney's Office, Southern District of California

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NEWS RELEASE SUMMARY – September 27, 2023

SAN DIEGO – Felix Luciano, former President of Local 2805 chapter of the American Federation of Government Employees and former Department of Homeland Security officer, was sentenced in federal court today to four months in custody for filing a false report to conceal his embezzlement of thousands of dollars in union dues.

U.S. District Judge Jinsook Ohta also ordered Luciano to repay \$36,000 to Local 2805 as money that he embezzled and pay a \$10,000 fine. In imposing the sentence, Judge Ohta found that Luciano abused the trust of union members.

Local 2805 is a labor union which represents Department of Homeland Security, Immigration and Customs Enforcement employees in San Diego and Imperial Counties.

According to court records, from January of 2016 to December of 2018, Luciano used some of Local 2805's money for a variety of personal expenses, including shopping, travel reimbursements, groceries, dining, dry cleaning, and paying for non-union accounts. He did this by writing checks from Local 2805's checking account and using Local 2805's debit and credit cards to directly pay personal expenses. As a result of Luciano's actions, he caused a total loss of \$36,000 to Local 2805.

As Local 2805's president, Luciano was required to file an annual Form LM-3 financial report with the United States Department of Labor, Office of Labor-Management Standards. A Form LM-3 is a report containing information about the organization over the prior year, including assets, liabilities, and disbursements to officers. A Form LM-3 is sworn under penalty of perjury. In the LM-3 report he filed in 2018, Luciano underreported the amount of money that he received from Local 2805 and Local 2805's cash balance. In doing so, Luciano attempted to hide his embezzlement from the Department of Labor, his fellow union officers, as well as the union membership whose dues were the source of the embezzled funds.

“When workers devote their hard-earned money to labor unions, they rightly expect the officers to be honest stewards of their dues,” said Acting U.S. Attorney Andrew R. Haden. “Felix Luciano abused the trust of the government employees represented by Local 2805 for his own personal benefit. We hope this criminal prosecution helps to hold Luciano accountable for his crimes and serves as a deterrent for others who might consider abusing the trust of union members.”

“While the vast majority of union officials do their work diligently and without incident, unfortunately criminal violations do occur. When they do, it is the union and its members that are the victims. Felix Luciano embezzled over \$36,000 from AFGE Local 2805 that should have been used for its members’ benefit,” said Ed Oquendo, District Director, U.S. Department of Labor, Office of Labor-Management Standards. “OLMS is committed to hold accountable anyone who unlawfully exploits their position for financial gain at the expense of their fellow union members.”

Carroll Harris, Postal Inspector in Charge of the Los Angeles Division, stated, “This investigation was an excellent example of a partnership between federal law enforcement agencies, working together in the pursuit of justice. I fully commend the hard work and countless hours put forth by all the law enforcement agencies involved.”

This case is being prosecuted by Assistant U.S. Attorney Christopher Alexander.

DEFENDANT

Case Number 22cr2201-JO

Felix Luciano

Age: 61

San Diego, CA

SUMMARY OF CHARGES

False Statement, a felony, in violation of Title 18, United States Code, Section 1001.

Maximum Penalty: Five years in prison and a fine of \$250,000.

AGENCIES

Department of Labor, Office of Labor Management Standards

Department of Labor, Office of Inspector General

Department of Homeland Security, Office of Inspector General

United States Postal Inspection Service

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