

# Federal Jury Convicts U.S. Customs and Border Protection Officer of Depriving a U.S. Citizen of Rights

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## For Immediate Release

U.S. Attorney's Office, District of New Mexico

ALBUQUERQUE – Alexander M.M. Uballez, United States Attorney for the District of New Mexico, and Gilberto Carreon Jr., Special Agent in Charge of Customs and Border Protection, Office of Professional Responsibility in El Paso, Texas, announced today that a federal jury returned two guilty verdicts against Oscar Orrantia after five hours of deliberation. The jury convicted Orrantia on one count of deprivation of a right and one count of falsification of records. Judge Margaret I. Strickland presided.

A federal grand jury issued a Second Superseding Indictment accusing Orrantia of two felony offenses on Nov. 15, 2023. According to evidence presented at trial and other publicly available court records, on June 18, 2019, Orrantia, who was then an officer with Customs and Border Protection (CBP), was checking travelers who were coming into the United States via the Columbus Port of Entry. A 63-year-old male United States Citizen, who is identified as John Doe in the indictment, entered the primary inspection area. John Doe lived in Deming, New Mexico and often traveled to Mexico to run errands. When John Doe pulled up to primary, he complained in Spanish that it was hot outside. Orrantia responded that John Doe should not cross the border. John Doe then declared that he was bringing pills and handed a package to Orrantia. At some point, John Doe tried to look at Orrantia's name tag. Orrantia testified when this happened, he thought John Doe was going to make a complaint against him. Switching to English, Orrantia repeatedly and in swift succession demanded to know if John Doe was threatening him.

At trial, experts testified that Orrantia's conduct escalated the encounter. Two different experts testified that officers with CBP are trained in de-escalation techniques.

Instead of deescalating, Orrantia ordered John Doe to get out of the vehicle but gave him no time to comply. Instead, Orrantia reached into the vehicle to forcibly unbuckle John Doe's seatbelt. Once out of the vehicle, Orrantia turned John Doe to face away from him and told John Doe that he was going to knock him down. Two seconds later, Orrantia made good on his threat, resulting in John Doe hitting his head against a nearby brick barrier. Orrantia proceeded to take John Doe all the way to the ground,

although Orrantia himself admitted that he could have handcuffed John Doe while he was still standing. While John Doe was handcuffed and face down on the ground, Orrantia told another officer that that John Doe was “fucking being a dick,” and was resisting when told to get out of the vehicle.

An expert with CBP with the Less Lethal Training Branch opined that the take-down maneuver used by Orrantia was not a technique taught by CBP, and that there was not enough space to do a proper take-down in the first place. That same expert opined that Orrantia had acted contrary to his training during the encounter.

John Doe sustained bruising to his body and head as a result. A paramedic testified that John Doe had a hematoma, and an emergency room doctor who saw John Doe two days later testified that John Doe had bruising and discoloration of the skin which was consistent with a blunt force trauma injury. After John Doe was checked by paramedics, he was free to go. There was no indication he had committed any crime when he attempted to enter the United States.

Following the incident, Orrantia wrote a report that contained numerous false statements including allegations that John Doe had thrown the package he was declaring at Orrantia. At trial, video footage disproved this claim, depicting John Doe handing the package to Orrantia.

Orrantia also claimed that John Doe twice stated he was not going to get out of the vehicle. The same footage captured audio from the entire interaction and proved that John Doe in fact asked Orrantia to let him take off his seatbelt first. Orrantia’s own use of force expert admitted that the report contained false statements.

“Those that wear the badge are expected to treat members of the public they serve with the utmost dignity and respect,” said U.S. Attorney Ubaldez. “When an officer abuses their position, they erode the trust of the community we serve. We will scrupulously investigate, and vigorously prosecute, those who abuse the public trust and then try to cover up their misdeeds. The uniform will not protect you from justice.”

“The success of this investigation demonstrates the critical importance of fostering collaboration between law enforcement professionals,” said Special Agent in Charge Carreon. “The efforts rendered by all led to Officer Orrantia’s conviction and the continued accountability of those entrusted to serve the public.”

Orrantia will remain on conditions of release pending sentencing, which has not been scheduled. At sentencing, Orrantia faces up to 10 years in prison for deprivation of rights and up to 20 years in prison for falsifying records.

This case was investigated by Customs and Border Protection Office of Professional Responsibility (CBP OPR) with assistance from the Federal Bureau of Investigation, CBP Law Enforcement Safety & Compliance Less Lethal Training Branch, CBP Office of Assistant Chief Counsel, Department of

Homeland Security, Office of Inspector General (DHS OIG) and the United States Marshals Service. Assistant U.S. Attorneys Marisa Ong and Eliot Neal are prosecuting this case.

[View the Second Superseding Indictment](#)