

Former U.S. Border Patrol Agent Pleads Guilty to Attempting to Distribute Methamphetamine and Receiving Bribes

Thursday, February 1, 2024

For Immediate Release

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

SAN DIEGO – Former U.S. Border Patrol Agent Hector Hernandez pleaded guilty in federal court today, admitting that he used his official position to smuggle unauthorized immigrants and illegal drugs across the border in exchange for money.

According to his plea agreement, Hernandez admitted to using his official position to open border fences and allowing undocumented immigrants and controlled substances to enter the United States from Mexico. Hernandez also admitted to moving the drugs from the Southern District of California to other locations within the United States.

"Agent Hernandez betrayed his badge and his country," said U.S. Attorney Tara McGrath. "Instead of providing protection from smugglers and drug traffickers, he joined them."

"Border Patrol Agent Hernandez broke the public's trust and abandoned his oath," said DEA Special Agent in Charge Shelly Howe. "Law enforcement officers are required to uphold the law, not break it."

"It's always disheartening when individuals misuse their positions of trust within our government for nefarious activities," said FBI San Diego Special Agent in Charge Stacey Moy. "Let this be a clear message, that we are absolutely resolved with our partners to rigorously investigate and pursue justice in all cases---even when they involve one of our own."

"Department of Homeland Security Office of the Inspector General is grateful for the continued collaboration with our law enforcement partners as we root out corruption and crime along the Southwest Border. Today's plea agreement sends a clear message that federal employees will be held accountable for their actions," said the DHS Inspector General, Dr. Joseph V. Cuffari.

Hernandez admitted to taking Mexico-based smugglers on a tour of the US/Mexico border, identifying the best locations to sneak unauthorized immigrants into the United States, and sharing the locations of monitoring devices and cameras near the border to help them evade detection. Hernandez also

admitted to opening restricted border fences on at least five occasions and allowing immigrants to enter the United States for cash payments of \$5,000 each time.

On May 9, 2023, Hernandez met with someone he believed to be a drug trafficker but who was, in fact, an undercover federal agent. During this meeting, Hernandez agreed to pick up a bag full of narcotics that would be hidden near the border fence and bring it to the undercover agent in exchange for \$20,000. Undercover agents loaded the bag with 10 kilograms of fake methamphetamine, one pound of real methamphetamine, and a tracking device, before placing the bag in a storm drain near the border fence.

Later that evening and while on duty, Hernandez drove his official vehicle to the storm drain and retrieved the bag. He drove the bag to his residence in Chula Vista and left it there for the remainder of his work shift. On May 10, 2023, after his shift was over, Hernandez returned home, retrieved the bag, and drove to meet with the undercover agent. He was arrested at that meeting. Upon arrest, investigators confirmed the bag still contained both the fake and real methamphetamine.

After Hernandez was arrested, agents searched his residence and found close to \$140,000 in cash and 9 grams of cocaine. By Hernandez's own admission, at least \$110,000 of the seized cash represented proceeds from narcotics trafficking and bribery.

As part of his plea agreement, Hernandez forfeited his personal vehicle used to bring the drugs to the undercover agent; \$110,000 of the seized cash; and his interest in the residence where the drugs were maintained.

This case is being prosecuted by Assistant U.S. Attorneys Sean Van Demark and Lawrence A. Casper.

Hernandez is scheduled to be sentenced on April 19, 2024 at 9 a.m. before U.S. District Judge Janis L. Sammartino.

DEFENDANTS

Case Number 23cr1114-JLS

Hector Hernandez

Age: 55

Chula Vista, CA

SUMMARY OF CHARGES

Attempted Distribution of Methamphetamine – 21 U.S.C., Sections 841(a)(1) and 846

Maximum penalty: Life imprisonment with a 10-year mandatory minimum

Receiving Bribe by Public Official – 18 U.S.C., Section 201(b)(2)

Maximum penalty: Fifteen years in prison

INVESTIGATING AGENCIES

Department of Homeland Security, Office of the Inspector General

Drug Enforcement Administration

Federal Bureau of Investigation

IRS Criminal Investigation

Contact

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