

Homeland Security Investigations Special Agent Indicted for Drug Distribution Conspiracy

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A grand jury in Salt Lake City returned an indictment today charging Special Agent David Cole of Homeland Security Investigations (HSI), 50, of South Jordan, Utah, with conspiring with another HSI special agent to sell alpha-PHP, a drug commonly referred to as “bath salts,” in Utah.

According to court documents, Cole and another HSI special agent used their status as federal law enforcement officers to acquire bath salts by representing to others in HSI and in other law enforcement agencies that they were going to use the bath salts to conduct legitimate HSI investigations. Cole and his co-conspirator then sold bath salts to HSI confidential human sources for thousands of dollars and allowed those sources to resell the bath salts on the streets of Utah for a profit. Cole and his co-conspirator profited hundreds of thousands of dollars through their illegal drug sales.

“The indictment alleges that David Cole abused his position as a federal law enforcement agent to obtain and sell dangerous drugs for profit,” said Principal Deputy Assistant Attorney General Nicole M. Argentieri, head of the Justice Department’s Criminal Division. “A drug dealer who carries a badge is still a drug dealer — and one who has violated an oath to uphold the law and protect the public. Today’s indictment reflects the department’s commitment to holding accountable law enforcement officers who engage in criminal conduct, because no one is above the law.”

“David Cole took an oath to protect and serve. Instead, he allegedly distributed dangerous drugs in our communities for profit,” said Special Agent in Charge Shohini Sinha of the FBI Salt Lake City Field Office. “Cole’s alleged actions not only helped fuel an already devastating drug crisis but also undermines the public’s trust in law enforcement. The FBI remains committed to holding accountable those who violate the law, regardless of their position.”

“Today’s arrest sends a clear message that federal employees who violate the trust of the public and break the law will be prosecuted,” said Inspector General Joseph V. Cuffari of the Department of

Homeland Security Office of Inspector General (DHS-OIG). "DHS OIG is grateful for our continued partnership with our law enforcement partners as we continue fighting corruption."

Cole is charged with one count of conspiracy to distribute and possess with intent to distribute a controlled substance. If convicted, he faces a maximum penalty of 20 years in prison. A federal district court judge will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

The FBI and DHS-OIG are investigating the case, with support from HSI Executive Management.

Trial Attorneys Jordan Dickson, Alexander Gottfried, and Blake Ellison of the Criminal Division's Public Integrity Section are prosecuting the case.

An indictment is merely an allegation. All defendants are presumed innocent until proven guilty beyond a reasonable doubt in a court of law.

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