



FOR IMMEDIATE RELEASE
Wednesday, January 28, 2009

For Information Contact Public Affairs
SANDY RAYNOR
Telephone: (602) 514-7625
Cell: (602) 525-2681

CUSTOMS OFFICIAL AND HIS WIFE CHARGED WITH ACCEPTING BRIBES TO SMUGGLE DRUGS INTO U.S.

YUMA, Ariz. - U.S. Customs and Border Protection Officer, Henry M. Gauani, 41, and his wife Flora A. Gauani, aka Kitty, 46, both of Yuma, were arrested without incident on Tuesday night and charged with Conspiracy to Accept a Bribe by a Public Official for their part of a scheme in which over 600,000 fake ecstasy pills were allowed to pass through the San Luis, Ariz. (Yuma) Port of Entry (POE) into the United States.

The complaint and other documents were unsealed today at the couple's initial appearance before U.S. Magistrate Judge Jay R. Irwin in Yuma federal court. They were both released from federal custody and are set to appear for a preliminary hearing in Phoenix federal court on Thursday, February 5, 2009, at 11:00 a.m. before U.S. Magistrate Judge Edward C. Voss.

"Law enforcement officers are held to a higher standard because we rely on them to protect our communities and our borders," stated Diane J. Humetewa, U.S. Attorney for the District of Arizona. "The vast majority of law enforcement officials are honest and hard working and I appreciate the efforts of the federal agencies who weed out those who chose to betray the public's trust and confidence."

According to the complaint unsealed today in federal court, an informant had told federal authorities that the Gauanis (aka Mr. and Mrs. Wong) had allowed undocumented Chinese aliens to pass through Henry Gauani's POE inspection lane sometime in the past. The complaint also alleges that the Gauani's entered into an agreement with this informant during which they would facilitate bringing in ecstasy pills through Henry Gauani's inspection lane at the San Luis POE.

The complaint alleges that the Gauani's were paid \$8,000 to allow 100,000 ecstasy pills to enter into the U.S. through Henry Gauani's inspection lane in December 2008. However, the pills were not real. As part of a joint investigation by federal law enforcement, the Gauanis were arrested on Tuesday, January 27, 2009, after allowing another shipment, of what they believed were an additional 500,000 ecstasy pills, to pass through his inspection lane. The Gauanis believed that they were to be paid \$25,000 for the latest part of their scheme. The approximate street value of the 600,000 ecstasy pills they thought were being smuggled into the U.S. is almost \$11 million in U.S. currency.

"The facilitation of the distribution of illegal drugs by a public official will not be tolerated," stated Special Agent in Charge John E. Lewis. "Whenever a law enforcement officer is charged with conspiracy to accept a bribe, the public's trust is diminished. Only the continued efforts by the FBI and its law enforcement partners will restore this trust. The fight against public corruption continues to be a top investigative priority of the FBI."

-MORE-

Richard Skinner, Department of Homeland Security Inspector General, stated that “The OIG will continue to be committed to working with our law enforcement partners to identify and aggressively investigate all allegations of corruption to protect our borders and the integrity of DHS personnel, programs, and operations.”

A conviction for Conspiracy to Accept a Bribe by a Public Official carries a maximum penalty of five years, a \$250,000 fine or both. In determining an actual sentence, the assigned U.S. District Court Judge will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

A criminal complaint is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation in this case was conducted by the Federal Bureau of Investigation; Department of Homeland Security, Office of the Inspector General and U.S. Customs and Border Protection, Office of Internal Affairs. The prosecution is being handled by Cassie Woo and Howard Sukenic, Assistant U.S. Attorneys, District of Arizona, Phoenix.

MAG NUMBER: M-09-1206
RELEASE NUMBER: 2009-027(Gauani et al)

###

For more information on the U.S. Attorney’s Office, District of Arizona, visit <http://www.usdoj.gov/usao/az/>