

JSS: RA: AG
F#2002R01952

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

I N D I C T M E N T

- against -

Cr. No. _____
(T. 18, U.S.C., §§ 1001(a)(2)
1001(a)(3), 1543, 1621(1)
and 3551 et seq.),

REGINA NORMAN DANSON,
also known as
"Adelaide Abankwah" and
"Kukwa Norman,"

Defendant.

- - - - -X

THE GRAND JURY CHARGES:

INTRODUCTION

1. On or about March 29, 1997, the defendant REGINA NORMAN DANSON, also known as "Adelaide Abankwah" and "Kukwa Norman," entered the United States via John F. Kennedy International Airport in New York, and presented officials of the Immigration and Naturalization Service ("INS") with a fraudulent Ghanaian passport in the name of "Adelaide Abankwah." DANSON was notified at that time that she was excludable from the United States because she sought to gain entry by fraud.

2. On or about May 20, 1997, the INS conducted an exclusion hearing for the defendant REGINA NORMAN DANSON. At this

hearing, DANSON made the following admissions: (a) she had lied to INS officials about, among other things, having previously been in the United States upon her arrival at John F. Kennedy International Airport; (b) she did not have a proper visa for entry into the United States; and (c) she had illegally purchased a doctored passport with the aid of a friend in Ghana. On the basis of these findings, Immigration Judge Donn Livingston found that DANSON had attempted to enter the United States by fraud and should be excluded. However, Judge Livingston informed DANSON that if she was afraid to return to Ghana, she could file an application for asylum. The Judge then warned DANSON that her asylum application had to be truthful and accurate.

3. Defendant REGINA NORMAN DANSON chose to file an application for asylum. In this application, which DANSON filed using the name "Adelaide Abankwah," she claimed that she could not return to Ghana because she was afraid of being forced to undergo female genital mutilation or killed.

4. On or about September 9, 1997, after taking an oath to testify truthfully and under the penalty of perjury, defendant REGINA NORMAN DANSON testified in a hearing before Immigration Judge Donn Livingston, captioned In the Matter of Adelaide Abankwah, No: A 74 881 776 (NY 1997), concerning, among other things, the reason she

was seeking asylum. Prior to testifying, on September 5, 1997, DANSON submitted an affidavit similarly outlining the reason she was seeking asylum.

5. After listening to the testimony of the defendant REGINA NORMAN DANSON and considering other testimony and evidence, Judge Livingston denied DANSON asylum. In the Matter of Adelaide Abankwah, at 12. On or about July 30, 1998, the Board of Immigration Appeals ("BIA") affirmed Judge Livingston's decision denial of DANSON's application for asylum.

6. On or about July 9, 1999 the Court of Appeals for the Second Circuit reversed the decision of the BIA in Adelaide Abankwah v. INS, 185 F.3d 18 (2d. Cir. 1999). On or about August 13, 1999, DANSON was granted asylum by the BIA.

PERJURY AND FALSE STATEMENTS REGARDING THE DEFENDANT'S IDENTITY

COUNT ONE
(Perjury)

7. On or about September 9, 1997, within the Eastern District of New York, the defendant REGINA NORMAN DANSON, also known as "Adelaide Abankwah" and "Kukwa Norman," having taken an oath that she would testify truly before a competent tribunal, officer and person in a case in which the law of the United States authorizes an oath to be administered, knowingly, willfully and contrary to such

oath stated and subscribed material matter which she did not believe to be true, to wit, DANSON gave the following underlined testimony concerning her identity before Immigration Judge Donn Livingston of the United States Immigration Court, Jamaica, New York:

[Tr. 63]

Q: Please state your name again for the record.

A: Adelaide Abankwah.

Q: Have you been known by any other names?

A: Yes, Kukwa.

* * *

[Tr. 86-87]

Ma'am, before you told us about another name you used, Kukwa? Is that the name?

A: That name is Kukwa. It means I was born on a rainy day. And Adelaide is a Christian name they gave to me when I went to school.

Q: What's your last name?

My other name is Kukwa Norman, but they never used that name Norman; they call me Kukwa. Because everybody know me by Kukwa; that's why I gave that name Kukwa to them, because that's what everybody know.

Okay. Is that a first name?

Yes.

And what's Norman? What's that?

Norman.

Norman? Was that your last name in Ghana?

Yes. That's the name my mother called me, but they don't use that name. Nobody call me. They use the Kukwa.

How did you come up with the last name Abankwah?

A: That Abankwah name, my mother told me that is from my father's father, my grandfather.

[Tr. 88-89]

Ma'am, is it possible that your true name is Kukwa Norman and the name Adelaide Abankwah is just the name you got off this passport?

* * *

No, my real name is Adelaide Abankwah. In my house, they call me Kukwa.

* * *

[Tr. 94]

Is Adelaide Abankwah a common name?

A: I cannot tell, but it is my name.

(Title 18, United States Code, Sections 1621(1) and 3551 et seq.)

COUNT TWO
(False Statements)

8. On or about September 9, 1997, within the Eastern District of New York, defendant REGINA NORMAN DANSON, also known as "Adelaide Abankwah" and "Kukwa Norman," in a matter within the jurisdiction of the executive, legislative and judicial branch of

the Government of the United States, to wit, the INS, knowingly and willfully made materially false, fictitious and fraudulent statements and representations, to wit, DANSON gave the underlined testimony contained in paragraph 7 above, before Immigration Judge Donn Livingston of the United States Immigration Court, Jamaica, New York.

(Title 18, United States Code, Sections 1001(a)(2) and 3551 et seq.)

PERJURY AND FALSE STATEMENTS REGARDING THE DEFENDANT'S
ROLE AS THE QUEEN MOTHER OF HER VILLAGE IN GHANA

COUNT THREE
(Perjury)

9. On or about September 9, 1997, within the Eastern District of New York, the defendant REGINA NORMAN DANSON, also known as "Adelaide Abankwah" and "Kukwa Norman," having taken an oath that she would testify truly before a competent tribunal, officer and person in a case in which the law of the United States authorizes an oath to be administered, knowingly, willfully and contrary to such oath stated and subscribed material matter which she did not believe to be true, to wit, DANSON gave the following underlined testimony concerning her role as the Queen Mother of her village in Ghana before Immigration Judge Donn Livingston of the United States

Immigration Court, Jamaica, New York:

[Tr. 67-68]

Q: Who was the queen mother in your tribe when you were living there?

A: My mother.

* * *

Q: Is your Mother alive now?

A: No, my Mother is dead.

Q: When did she die?

A: She died last year on the 13th of July.

Q: And what happened after her death?

A: When she died, the committee that in one year time they will find another person to be appointed as the queen mother.

Q: And did they find the person they want to appoint as the queen mother?

A: No, they have to appoint from the oldest child, and I was the oldest child.

* * *

Q: Did someone ask you to become the queen mother?

A: No, nobody asked me but so far as my mother is now dead, I'm the one who has to be in charge of that place.

Q: So when did you find out that you would have to become in charge?

A: After they had the funeral, then my grandmother told me that . . . I will be the chief of the -- queen

mother. I will be the next queen mother.

[Tr. 82]

Q: Couldn't they get somebody else to be the queen mother?

A: The customary rules means that I have to replace my mother.

(Title 18, United States Code, Sections 1621(1) and 3551 et seq.)

COUNT FOUR
(False Statements)

10. On or about September 9, 1997, within the Eastern District of New York, defendant REGINA NORMAN DANSON, also known as "Adelaide Abankwah" and "Kukwa Norman," in a matter within the jurisdiction of the executive, legislative and judicial branch of the Government of the United States, to wit, the INS, knowingly and willfully made materially false, fictitious and fraudulent statements and representations, to wit, DANSON gave the underlined testimony contained in paragraph 9 above, before Immigration Judge Donn Livingston of the United States Immigration Court, Jamaica, New York.

(Title 18, United States Code, Sections 1001(a)(2) and 3551 et seq.)

PERJURY AND FALSE STATEMENTS REGARDING FEMALE GENITAL MUTILATION

COUNT FIVE
(Perjury)

11. On or about September 9, 1997, within the Eastern District of New York, the defendant REGINA NORMAN DANSON, also known as "Adelaide Abankwah" and "Kukwa Norman," having taken an oath that she would testify truly before a competent tribunal, officer and person in a case in which the law of the United States authorizes an oath to be administered, knowingly, willfully and contrary to such oath stated and subscribed material matter which she did not believe to be true, to wit, DANSON gave the following underlined testimony concerning female genital mutilation in Ghana before Immigration Judge Donn Livingston of the United States Immigration Court, Jamaica, New York:

[Tr. 69]

Q: And what are the taboos in your religion?

A: Before they install you as the queen mother, you don't have to meet -- have a boyfriend. But because I went to school, I had a boyfriend. I was afraid if they found out that I have met a boy they will punish you, and then they will do a whole another test against you, so I was afraid of that.

Q: When you say that if they find out you had a boy, what exactly does it mean specifically? Does it mean only meeting a boy or is it having intercourse?

A: Yes, I have some sex with him.

Q: So what would happen if they found out you had sex with him?

A: They will circumcise me. And they will ask me about the boy, and if I tell them which boy it was, they will find him and kill him.

[Tr. 70-71]

Q: But my question is if there is a way they would find out that you were not a virgin.

A: The man that they will appoint for me when I have been installed as a queen mother, they will tell the man to go and sleep with me to have sex, and the man will prove that if I have had sex before, then the man will tell them.

Q: And what would happen then?

A: Then they will circumcise me.

* * *

[Tr. 80-81]

Q: Now you told us that if they find out you're not a virgin that they would perform circumcision. Is that correct?

A: Yes, I did.

Q: So is this a form of punishment?

A: Yes, because they mean that you are disgraced the gods, so they will punish you.

* * *

Q: Well, are any -- is the female circumcise used for other purposes in your tribe?

A: In my village, if they find you a man and then you marry that man, that means you are a good person; they wouldn't do that to you. But if you disobey

them, and then they find out, they want to punish you, then they will do that to you as a punishment.

(Title 18, United States Code, Sections 1621(1) and 3551 et seq.)

COUNT SIX
(False Statements)

12. On or about September 9, 1997, within the Eastern District of New York, defendant REGINA NORMAN DANSON, also known as "Adelaide Abankwah" and "Kukwa Norman," in a matter within the jurisdiction of the executive, legislative and judicial branch of the Government of the United States, to wit, the INS, knowingly and willfully made materially false, fictitious and fraudulent statements and representations, to wit, the defendant REGINA NORMAN DANSON gave the underlined testimony contained in paragraph 11 above, before Immigration Judge Donn Livingston of the United States Immigration Court, Jamaica, New York.

(Title 18, United States Code, Sections 1001(a)(2) and 3551 et seq.)

PERJURY AND FALSE STATEMENTS REGARDING DANGER UPON RETURN TO GHANA

COUNT SEVEN
(Perjury)

13. On or about September 9, 1997, within the Eastern District of New York, the defendant REGINA NORMAN DANSON, also known

as "Adelaide Abankwah" and "Kukwa Norman," having taken an oath that she would testify truly before a competent tribunal, officer and person in a case in which the law of the United States authorizes an oath to be administered, knowingly, willfully and contrary to such oath stated and subscribed material matter which she did not believe to be true, to wit, DANSON gave the following underlined testimony concerning the danger she would face if returned to Ghana before Immigration Judge Donn Livingston of the United States Immigration Court, Jamaica, New York:

[Tr. 71-74]

Q: And did you tell your people that you didn't want to become a queen mother?

A: No, I couldn't tell them that way.

Q: Why not?

A: I was afraid that they would throw me away.

Q: What do you mean by that?

A: If I were to tell them, I was afraid that they themselves will be afraid to keep me in the house, so they will throw me away from their house.

* * *

Q: What do the people in your village think about you?

A: They thinking that I have disobeyed their god.

Q: And what do you think will happen to you if you return to your country?

A: At this time, they are very angry with me, and if I return, maybe they'll find me and kill me.

* * *

Q: What do you think will happen to you if you return to Accra?

A: If I return to Accra, I don't know where to go in Accra at the moment. I have to return to my village, and when I go to my village, they will kill me. That's why I came over here.

Q: Is there any other part of Ghana besides Accra that you can go to, if you know?

A: Because it is involved with Chief Tenancy and traditional situations, wherever I go in Ghana, they will find me and they will look for me.

Q: Who do you think will look for you?

A: The people from our village, they will contact many chiefs around the place in Ghana that their princess have run away, and they're looking for their princess. So the other chiefs in other towns also will look for me for them.

* * *

[Tr. 95-97]

Q: You also mentioned that you couldn't tell the elders in your village that you did not want to become queen mother.

A: No, I didn't tell them.

Q: But you said you could not tell because elders would find out. Is that it?

A: Yes, that's it.

Q: And why couldn't you tell the elders that you did not

want to be queen mother?

A: Nobody had ever done that before so I could not tell them that way. That's why I ran away from them.

Q: What do you think they would do if you told them?

A: They will say that I have degrade them, so they may circumcise me, and maybe, if they are very angry, they may kill me.

* * *

Q: Can you explain why you couldn't say, no, I don't want to be a queen mother?

A: It's a customary rule that I have to do that.

Q: What would happen if you said, no, I don't want to? Or what do you think would happen?

A: They will be very angry with me and they will kill me.

(Title 18, United States Code, Sections 1621(1) and 3551 et seq.)

COUNT EIGHT
(False Statements)

14. On or about September 9, 1997, within the Eastern District of New York, defendant REGINA NORMAN DANSON, also known as "Adelaide Abankwah" and "Kukwa Norman," in a matter within the jurisdiction of the executive, legislative and judicial branch of the Government of the United States, unlawfully, willfully and knowingly made materially false, fictitious, and fraudulent statements and representations, to wit, DANSON gave the underlined

testimony contained in paragraph 13 above, before Immigration Judge Donn Livingston of the United States Immigration Court, Jamaica, New York.

(Title 18, United States Code, Sections 1001(a)(2) and 3551 et seq.)

COUNT NINE
(Passport Fraud)

15. On or about March 29, 1997, within the Eastern District of New York, defendant REGINA NORMAN DANSON, also known as "Adelaide Abankwah" and "Kukwa Norman," knowingly and willfully used and attempted to use a false, forged, counterfeited, mutilated and altered passport and instrument purporting to be a passport, and a passport validly issued which had become void by the occurrence of a condition therein prescribed invalidating the same, to wit, the defendant REGINA NORMAN DANSON presented to immigration officials at John F. Kennedy International Airport a false, forged, counterfeited, mutilated and altered passport upon entry to the United States.

(Title 18, United States Code, Sections 1543 and 3551 et seq.)

A TRUE BILL

FOREPERSON

ROSLYNN R. MAUSKOPF
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK