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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

October 2002 Grand Jury

UNITED STATES OF AMERICA,)	SA CR 03-_____
)	
Plaintiff,)	<u>I N D I C T M E N T</u>
)	
v.)	[18 U.S.C. § 371: Conspiracy;
)	18 U.S.C. § 2071(a):
DAWN RANDALL and)	Destruction of Documents
LEONEL SALAZAR,)	Filed or Deposited with
)	Public Office; 18 U.S.C. §
Defendants.)	2(b): Causing an Act to be
)	Done]
)	

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 371]

A. INTRODUCTION

At all times relevant to this indictment

1. The Immigration and Naturalization Service ("INS") contracted with JHM Research and Development, Inc. ("JHM") to perform records management services, including the receipt and processing of incoming mail, at INS Regional Centers, including the INS California Service Center ("CSC") in Laguna Niguel, California. The CSC received mail addressed to the INS from Arizona, California, Guam, Hawaii, and Nevada.

GWS:gws

1 2. JHM subcontracted with Datatrac Information Services,
2 Inc. and SEI Technology, Inc. to perform the functions of the
3 contract with the INS at the Regional Centers, including the CSC.
4 The employees of the three companies worked at the CSC under an
5 administrative unit referred to as the Service Center Operations
6 Team ("SCOT").

7 3. Defendant DAWN RANDALL was a SCOT employee at the CSC.
8 Defendant DAWN RANDALL held the position of Assistant Manager in
9 charge of File Room Operations for the day and evening shifts at
10 the CSC.

11 4. Defendant LEONEL SALAZAR was a SCOT employee at the CSC.
12 Defendant LEONEL SALAZAR held the position of Senior Supervisor
13 in the File Room for the evening shift. Defendant LEONEL SALAZAR
14 reported to defendant DAWN RANDALL.

15 5. As part of their duties, defendant DAWN RANDALL and
16 defendant LEONEL SALAZAR supervised subordinate SCOT employees in
17 the handling and processing of "interfiling." "Interfiling" is a
18 term used at CSC to describe documents that are sent to the INS
19 by applicants and other members of the public, which are to be
20 placed in client A-files or other INS files. Examples of
21 interfiling include INS applications and supporting
22 documentation, such as passports, marriage or birth certificates,
23 and fees in the form of checks or money orders. Interfiling also
24 includes returned mail sent from the INS to applicants or other
25 correspondents, consisting of INS approval or rejection notices
26 or requests for additional documentation. Typically, a SCOT
27 clerk would attempt to locate the correct file for a piece of
28 interfiling by running a computer check. The SCOT clerk then

1 would retrieve the file and insert the piece of interfiling.
2 Interfiling consists of documents that are maintained by the INS.

3 6. In approximately January 2002, defendant DAWN RANDALL
4 ordered defendant LEONEL SALAZAR and other File Room supervisors
5 to conduct a count to determine the amount of the backlog of
6 interfiling in the File Room at the CSC. The number arrived at
7 by the SCOT employees was approximately 90,000 pieces.

8 B. OBJECT OF THE CONSPIRACY

9 7. Beginning in or about February 2002, and continuing to
10 on or about April 4, 2002, in Orange County, within the Central
11 District of California, defendants DAWN RANDALL and LEONEL
12 SALAZAR, and others known and unknown to the Grand Jury,
13 conspired and agreed with each other to willfully and unlawfully
14 destroy records, documents, papers and other things filed or
15 deposited with the INS at Laguna Niguel, California, in violation
16 of Title 18, United States Code, § 2071(a).

17 C. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE
18 ACCOMPLISHED

19 8. The object of the conspiracy was to be accomplished in
20 substance as follows:

21 a. In order to reduce the backlog of unprocessed
22 interfiling, defendant DAWN RANDALL would direct defendant LEONEL
23 SALAZAR and others to deliberately shred and destroy the
24 interfiling.

25 b. Defendant LEONEL SALAZAR would direct SCOT clerks
26 under his supervision to shred interfiling.

27 c. Pursuant to those orders, SCOT clerks would shred
28 interfiling.

1 d. When the interfiling backlog in the File Room was
2 reported as being at zero, defendant DAWN RANDALL would instruct
3 defendant LEONEL SALAZAR and others to continue shredding
4 incoming interfiling to maintain the backlog at zero.

5 D. OVERT ACTS

6 9. In furtherance of the conspiracy and to accomplish the
7 object of the conspiracy, defendants DAWN RANDALL, LEONEL SALAZAR
8 and others known and unknown to the Grand Jury committed various
9 overt acts within the Central District of California, including
10 but not limited to the following:

11 a. In or about February 2002, defendant DAWN RANDALL
12 willfully and unlawfully instructed defendant LEONEL SALAZAR and
13 others to shred and destroy the interfiling backlog in the CSC
14 File Room.

15 b. In or about February 2002, Defendant DAWN RANDALL
16 instructed defendant LEONEL SALAZAR and others to shred the
17 interfiling primarily during the evening shift to avoid detection
18 by INS employees.

19 c. In or about February 2002, defendant DAWN RANDALL
20 told defendant LEONEL SALAZAR and others that the shredding would
21 be deemed "Special Searches."

22 d. Defendant DAWN RANDALL continued to oversee the
23 shredding and destruction of interfiling until its conclusion on
24 approximately April 4, 2002.

25 e. In or about February 2002, defendant LEONEL SALAZAR
26 willfully and unlawfully ordered SCOT Employee A to shred
27 interfiling. In or about February 2002, Employee A shredded
28 approximately five boxes containing interfiling, including INS

1 Notices of Action, marriage certificates and birth certificates.

2 f. On or about March 14, 2002, defendant LEONEL
3 SALAZAR willfully and unlawfully ordered SCOT Employee B to shred
4 interfiling. On or about March 14 and 15, 2002, Employee B
5 shredded approximately nine boxes containing interfiling,
6 including foreign passports, marriage certificates, birth
7 certificates, and INS applications.

8 g. On or about March 18, 2002, defendant LEONEL
9 SALAZAR willfully and unlawfully ordered SCOT Employee C to shred
10 interfiling. From approximately March 18, 2002 to March 22,
11 2002, Employee C shredded approximately fourteen to sixteen boxes
12 a day containing interfiling, including foreign passports and INS
13 Employment Authorization documents.

14 h. On or about March 25, 2002, SCOT Employee D was
15 ordered to shred interfiling by a SCOT File Room Supervisor.
16 From approximately March 25, 2002 to March 29, 2002, Employee D
17 spent approximately eight hours a day shredding interfiling,
18 including U.S. passports, return mail, INS approval and rejection
19 notices, checks and money orders.

20 i. On or about April 3, 2002, defendant LEONEL SALAZAR
21 willfully and unlawfully ordered SCOT Employee E to shred
22 interfiling. From on or about April 3, 2002 to April 4, 2002,
23 Employee E shredded approximately five boxes containing

1 interfiling, including INS forms-797, INS receipt notices, INS
2 rejection notices and return mail.

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COUNTS TWO THROUGH SIX

[18 U.S.C. §§ 2(b) and 2071(a)]

On or about the dates set forth below, defendant DAWN RANDALL and defendant LEONEL SALAZAR willfully and unlawfully destroyed and caused others to destroy the following records and documents filed and deposited with the Immigration and Naturalization Service in Laguna Niguel, California, a public office, in violation of 18 U.S.C. § 2071(a), as follows:

COUNT	DATE	RECORDS AND DOCUMENTS
TWO	2/02	INS Notices of Action, birth and marriage certificates
THREE	3/14-15/02	Foreign passports, marriage and birth certificates, and INS applications
FOUR	3/18-22/02	Foreign passports and INS Employment Authorization documents
FIVE	3/25-29/02	U.S. passports, return mail, INS approval and rejection notices, checks and money orders

