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Department of Justice
 U.S. Attorney's Office
 Southern District of California

FOR IMMEDIATE RELEASE

Thursday, August 16, 2018

Former U.S. Border Patrol Supervisor Pleads Guilty, Admits to Violating Civil Rights of Legal Border Crosser

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NEWS RELEASE SUMMARY – August 16, 2018

SAN DIEGO – Former U.S. Border Patrol Supervisory Agent Martin Rene Duran pleaded guilty in federal court today, admitting that he used his official position to create bogus alerts in a border-security law enforcement database to have an innocent man detained by Customs and Border Protection officers at the San Ysidro Port of Entry.

According to the complaint, the target of Duran's false alerts was R.C., a man who had accused Duran's brother-in-law, Raymundo Estrada Figueroa, of sexually abusing R.C.'s child in Mexico. Within one week of those allegations, as admitted during the plea proceedings, Duran directed a subordinate Border Patrol officer to create a law enforcement alert for R.C. which falsely claimed R.C. was frequently armed with a .45 caliber handgun. As Duran admitted today, over the next several months, Duran then entered several false alerts for R.C. into a system known as TECS, the principal database used by officers at the border to assist with screening individuals seeking entry into the United States. In one TECS alert, Duran falsely claimed R.C. was "known to carry firearms" and was linked to a narcotics organization. In another, Duran falsely claimed R.C. had made recent threats to law enforcement.

According to the complaint, R.C.—who is identified only by his initials to protect his son's identity—is a lawful permanent resident of the United States with no known criminal history. He was detained on multiple occasions at the San Ysidro border crossing in 2013 based on the false alerts entered by Duran. According to the complaint, every time R.C. was detained, no weapons or contraband were found and he was released. On one occasion, R.C. and his wife were removed from their vehicle, handcuffed, separated from their minor children, escorted to the security office and put in a holding cell for almost two hours before they were released. According to the complaint, R.C. believed Duran was trying to pressure him into dropping the charges against Estrada, the brother-in-law. And today, Duran admitted he had R.C. detained at the Port of Entry so he could question him about the matter involving Estrada.

In a separate case earlier this year, Duran was convicted by a federal jury of seven counts of illegal transportation of firearms and one count of possession of a short-barreled rifle. Duran is scheduled to appear before U.S. District Judge Marilyn L. Huff on September 17, 2018 at 9:00 a.m. for sentencing on both matters.

"This agent used his significant power against someone he was sworn to protect," said U.S. Attorney Adam Braverman. "He targeted a law-abiding citizen because of a personal vendetta, and for that he will pay a price."

DEFENDANT

Martin Rene Duran Age: 49 Chula Vista

SUMMARY OF CHARGES

Case Number: 15CR2818

Deprivation of Rights Under Color of Law, in violation of Title 18, U.S.C., Sec. 242

Maximum Penalty: 12 months' custody, a fine of \$100,000, one year of supervised release.

Case Number: 15CR2817

Title 18, United States Code, Section 922(a)(3) – Illegal Transportation of Firearms

Maximum Penalties: 5 years' incarceration, a fine of \$250,000, three years of supervised release.

Title 26, United States Code, Sections 5861 and 5871 – Possession of Unregistered Firearm: Maximum Penalties: 10 years' incarceration, a fine of \$250,000, three years of supervised release.

AGENCIES

Bureau of Alcohol, Tobacco, Firearms and Explosives

Immigration and Customs Enforcement – Office of Professional Responsibility

Department of Homeland Security – Office of **Inspector** General

U.S. Customs and Border Protection - Office of Professional Responsibility

Topic(s):

Civil Rights

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