United States Transfers More Than $750,000 in Forfeited Funds to Government of Peru

More than $750,000 in forfeited funds from an embezzlement scheme by a Peruvian military officer have been transferred to the government of Peru.

The forfeited funds were taken from the private account of Marco Antonio Rodriguez Huerta, a former Peruvian Army General, who was also on the board of directors of the Peruvian Military and Police Pension Fund in 1996. According to court documents, by abusing those positions, Rodriguez Huerta was able to divert funds intended for use as retirement benefits for retired military and police officers into fraudulent real estate investments. These diverted funds were then transferred into the private accounts of Rodriguez Huerta and other high officials of the Peruvian government. According to court documents, Rodriguez Huerta and his associates utilized banking institutions in the United States to hide their illicit profits from the Peruvian government. For these crimes and other illegal activities, Rodriguez Huerta was arrested and convicted by Peruvian authorities in 2002, and sentenced to 15 years in prison in Peru.

"As today’s action demonstrates, the Department of Justice will not allow U.S. financial institutions to be used as repositories for hidden criminal proceeds from abroad," said Assistant Attorney General Lanny A. Breuer. "The return of funds to Peru can now rightly benefit retired military and police officers in that country."

"With our many international ties, the Southern District of Florida is a valuable resource for foreign investment and commerce. When those connections are used for wrongdoing, they will be ferreted out. This case serves as an excellent example of such an instance. The results are a testament to the cooperation of the Peruvian and U.S. governments as well as the law enforcement agencies that joined together in this investigation," said Jeffrey H. Sloman, Acting U.S. Attorney for the Southern District of Florida.

"The United States will not be a hiding place for criminals' illicit profits and assets," said John Morton, Department of Homeland Security Assistant Secretary for ICE. "ICE is committed to investigate, identify and seize the goods foreign nationals have obtained through illegal activities. In this case, ICE special agents in Miami were able to confiscate hundreds of thousands of dollars embezzled from the Peruvian government and concealed in private accounts in the United States. We are pleased to return these funds to the Peruvian government."

In August 2004, the Peruvian government requested ICE assistance in identifying Rodriguez Huerta’s assets in the United States which resulted in ICE agents in Miami initiating an asset forfeiture investigation. In December 2004, the U.S. government filed a civil complaint in the Southern District of Florida, and seized three bank accounts under the control of Rodriguez Huerta. Subsequently, the U.S. District Court for the Southern District of Florida issued a final order of forfeiture of these seized funds in 2005.

In May 2008, the government of Peru submitted a petition for remission of the forfeited funds to the U.S. Department of Justice. As a result of the cooperation between the governments of Peru and the United States, the Criminal Division’s Asset Forfeiture and Money Laundering Section (AFMLS) has approved the repatriation of more than $750,000 to the Peruvian government and the Peruvian pension fund.

AFMLS, the Criminal Division’s Office of International Affairs and the U.S. Attorney’s Office for the Southern District of Florida worked jointly with the ICE Office of Investigations in Miami, the ICE Office of International Affairs, the Department of the Treasury Executive Office for Asset Forfeiture, and the Government of Peru to pursue the transfer of funds.