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FORMER GUATEMALAN SPECIAL FORCES SOLDIER ARRESTED IN PALM BEACH COUNTY, FLA., FOR MASKING ROLE IN 1982 MASSACRE OF GUATEMALAN VILLAGERS ON IMMIGRATION FORMS

WASHINGTON – A former Guatemalan special forces soldier was arrested today in Palm Beach County, Fla., for lying on his naturalization application about his participation in a 1982 massacre at a Guatemalan village known as Dos Erres, announced Assistant Attorney General Lanny A. Breuer of the Criminal Division, U.S. Attorney Wifredo A. Ferrer for the Southern District of Florida and Assistant Secretary John Morton of U.S. Immigration and Customs Enforcement (ICE).

Gilberto Jordan, 54, of Del Ray Beach, Fla., was arrested today by ICE special agents based on a criminal complaint filed in U.S. District Court for the Southern District of Florida, which charges him with unlawful procurement of naturalized U.S. citizenship. The former Guatemalan soldier allegedly lied to U.S. immigration authorities in his naturalization application about his past foreign military service and criminal role in the Dos Erres massacre.

The criminal complaint alleges that in November 1982 a Guatemalan guerrilla group ambushed a military convoy near Dos Erres, Guatemala, killing soldiers and taking a number of rifles. In response, a patrol of 20 Guatemalan special forces soldiers, known as “Kaibiles,” were deployed in December 1982 to the village of Dos Erres to search for the stolen rifles and find suspected guerillas. Allegedly, the Kaibiles searched the houses for the missing weapons, forced the villagers from their homes and interrogated them about the missing rifles. According to the complaint, the Kaibiles then proceeded to systematically murder the men, women and children at Dos Erres by, among other things, hitting them in the head with a hammer and then throwing them into the village well. These special forces soldiers also allegedly raped many of the women and girls at Dos Erres before killing them.

The criminal complaint alleges that Jordan admitted he served as a Kaibil in the Guatemalan military. Jordan stated that he was present at Dos Erres, and that he participated in the killings. Specifically, Jordan stated that the first person he killed was a baby, whom he murdered by throwing into the village well.

“The acts alleged in this complaint are horrific. It is unacceptable for participation in them allegedly not to have been disclosed to the authorities determining whether to grant citizenship,” said Assistant Attorney General Breuer. “Through the work of our Human Rights

and Special Prosecutions Section, in conjunction with our partner U.S. Attorneys' Offices and law enforcement agencies, the United States will not allow those who commit human rights abuses abroad to find safe haven in this country."

"The massacre at Dos Erres was a dark moment for the Guatemalan people, and we will not allow suspected perpetrators to escape justice by taking refuge in our cities and towns," said U.S. Attorney Ferrer. "Although South Florida has a long and proud history of welcoming immigrants and exiles, we will not provide shelter and cover to those who lie about their criminal past, especially human rights abuses, to gain U.S. citizenship."

"Those who commit human rights abuses abroad cannot subvert U.S. immigration laws in order to take shelter in the United States," said U.S. Immigration and Customs Enforcement Assistant Secretary John T. Morton. "We are firmly committed to denying human rights abusers entrance into this country, weeding out those that are already here, and will enforce this U.S. government policy of no safe haven for human rights violators."

The criminal complaint alleges that approximately 12 years after the Dos Erres massacre, a Guatemalan judge appointed an Argentinean forensic anthropology team to exhume the corpses at Dos Erres. According to the complaint, this forensic team uncovered approximately 162 skeletal remains from the village well, whose deaths were presumed to have occurred in December 1982 as a result of traumatic injuries and gunshot wounds.

In 1996, Jordan allegedly applied to naturalize as a U.S. citizen. Under penalty of perjury, Jordan allegedly falsely stated in his naturalization application that he had never committed any crime for which he had not been arrested and he denied past military service.

If convicted on charges of naturalization fraud, Gilberto Jordan faces up to 10 years in prison and revocation of U.S. citizenship upon conviction.

The case is being prosecuted by Trial Attorney Hillary Davidson and Brian Skaret of the Human Rights and Special Prosecutions Section of the Criminal Division, and Assistant U.S. Attorney Marie Villafana of the Southern District of Florida. The case was investigated by ICE special agents and ICE's Human Rights Violators and War Crimes Unit. The Criminal Division's Office of International Affairs provided assistance in this matter.

The Department of Justice Criminal Division announced the formation of the Human Rights and Special Prosecutions Section (HRSP) on March 30, 2010, as part of the U.S. government's efforts to bring human rights violators to justice and deny those violators safe haven in the United States. The new section represents a merger of the Criminal Division's Domestic Security Section (DSS) and Office of Special Investigations (OSI).

A criminal complaint is merely an accusation. All individuals are presumed innocent until proven guilty at trial beyond a reasonable doubt.

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