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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY: _____

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2012 Grand Jury

11 UNITED STATES OF AMERICA,)

12 Plaintiff,)

13 v.)

14 GREGORY THOMPSON,
15 STEPHEN LEAVINS,
16 GERARD SMITH,
17 MICKEY MANZO,
18 JAMES SEXTON,
19 SCOTT CRAIG, and
20 MARICELLA LONG,

21 Defendants.)

CR No.

CR 13 00819

I N D I C T M E N T

[18 U.S.C. § 371: Conspiracy;
18 U.S.C. § 1503(a): Obstruction
of Justice; 18 U.S.C. § 1001:
False Statements]

22 The Grand Jury charges:

23 INTRODUCTORY ALLEGATIONS

24 At all times relevant to this Indictment:

25 1. The Los Angeles County Sheriff's Department ("LASD")
26 was a local law enforcement agency within the Central District
27 of California. Among other things, the LASD was responsible for
28 managing the Los Angeles County Jails, including the Los Angeles
County Men's Central Jail ("MCJ") and the Los Angeles County

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1 Twin Towers Correctional Facility ("TTCF"), both of which were
2 located in the City of Los Angeles.

3 2. The LASD operated computer databases that, among other
4 things, tracked the location of inmates housed in the Los
5 Angeles County Jails and shared the location of those inmates
6 with law enforcement agencies, including federal law enforcement
7 agencies (the "LASD computer databases").

8 3. Federal grand juries investigated allegations of
9 violations of federal criminal law in secret proceedings.
10 Federal grand juries issued grand jury subpoenas to obtain
11 documents and testimony from witnesses.

12 4. The Federal Bureau of Investigation ("FBI") was a
13 federal law enforcement agency that investigated allegations of
14 violations of federal criminal laws, including those allegedly
15 committed by employees of local law enforcement agencies such as
16 the LASD. Some of these investigations included allegations of:
17 (a) civil rights abuses, such as deputies using excessive force
18 on inmates in jails; and (b) public corruption offenses, such as
19 deputies smuggling contraband into jails in exchange for bribes.
20 The FBI often conducted investigations in a covert manner so
21 that the subjects of the investigations would be unaware of the
22 existence, manner, and extent of the investigations.
23 Additionally, the FBI often acted as an arm of federal grand
24 juries by, among other things, serving grand jury subpoenas,
25 obtaining evidence to be presented to the grand jury, and
26 interviewing witnesses to alleged crimes being investigated by
27 the grand jury.

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1 5. Federal grand juries obtained the testimony of inmates
2 held in local jails through Writs of Habeas Corpus, which were
3 federal court orders signed by federal district court judges.

4 6. The United States Marshals Service ("USMS") was a
5 federal law enforcement agency that, among other duties, helped
6 federal grand juries obtain the testimony of inmates located at
7 local jails. The USMS served Writs of Habeas Corpus on entities
8 operating local jails, including the LASD, and arranged for the
9 transportation of inmates scheduled to testify before federal
10 grand juries.

11 7. Defendant GREGORY THOMPSON ("THOMPSON") was an LASD
12 lieutenant who oversaw its Operation Safe Jails Program and its
13 Jail Investigations Unit, which was tasked with conducting
14 investigations within the Los Angeles County Jails.

15 8. Defendants GERARD SMITH ("SMITH"), MICKEY MANZO
16 ("MANZO"), and JAMES SEXTON ("SEXTON") were LASD deputies
17 assigned to the Operation Safe Jails Program.

18 9. Defendant STEPHEN LEAVINS ("LEAVINS") was an LASD
19 lieutenant within its Internal Criminal Investigations Bureau,
20 which was tasked with investigating allegations of local crimes
21 committed by the LASD's personnel.

22 10. Defendants SCOTT CRAIG ("CRAIG") and MARICELLA LONG
23 ("LONG") were LASD sergeants within the Internal Criminal
24 Investigations Bureau.

25 11. Inmate AB was an inmate in the custody of the LASD at
26 the MCJ who was a cooperating witness in the investigation of
27 alleged federal civil rights and public corruption violations
28 committed and being committed by employees of the LASD working

1 at the Los Angeles County Jails. The investigation concerned
2 the alleged use of excessive force by LASD deputies against
3 inmates within the MCJ and TTCF and the alleged smuggling of
4 contraband by LASD deputies into the MCJ and TTCF in exchange
5 for bribes (the "Federal Investigation"). Specifically, Inmate
6 AB was assisting in a covert public corruption investigation of
7 LASD Deputy Gilbert Michel ("Deputy Michel"), who worked at the
8 MCJ. Additionally, Inmate AB was providing information about
9 alleged federal civil rights offenses being committed by
10 employees of the LASD working at the MCJ who were allegedly
11 abusing inmates.

12 12. Special Agent LM and Special Agent DL were Special
13 Agents with the FBI. Special Agent LM and Special Agent DL were
14 among the FBI agents participating in the Federal Investigation.

15 13. As part of the Federal Investigation, the FBI
16 conducted an undercover operation to determine whether Deputy
17 Michel would accept a bribe to provide Inmate AB with a cellular
18 phone. In or about late July 2011, Deputy Michel accepted a
19 bribe and provided Inmate AB with a cellular phone. On or about
20 August 8, 2011, the LASD discovered that Inmate AB had in Inmate
21 AB's possession the cellular phone that Deputy Michel had
22 smuggled into the MCJ in return for a bribe.

23 14. By no later than in or about August 2011, defendants
24 THOMPSON, LEAVINS, SMITH, MANZO, SEXTON, CRAIG, and LONG were
25 aware that the FBI and a federal grand jury were conducting an
26 investigation of the LASD's employees within the Los Angeles
27 County Jails and that Inmate AB was an informant assisting in
28 the Federal Investigation.

1 15. On or about August 25, 2011, a federal judge ordered
2 Inmate AB's appearance as a witness before a federal grand jury
3 as part of the Federal Investigation. The USMS served this
4 order on the LASD on or about August 25, 2011.

5 16. By no later than on or about September 8, 2011,
6 defendants LEAVINS, CRAIG, and LONG were aware that FBI Special
7 Agents could neither be arrested nor prosecuted for violations
8 of state or local laws for acts engaged in while carrying out
9 their duties as federal agents.

10 17. By no later than on or about September 26, 2011,
11 defendants LEAVINS, CRAIG, and LONG were aware that there was no
12 probable cause to believe that Special Agent LM had acted
13 outside of her authority as an FBI Special Agent by introducing
14 a cellular phone to Inmate AB through Deputy Michel in an
15 undercover operation designed to determine whether Deputy Michel
16 would smuggle contraband into the MCJ in return for a bribe.

17 18. These Introductory Allegations are hereby incorporated
18 into each count of this Indictment as though set forth fully
19 therein.
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COUNT ONE

[18 U.S.C. § 371]

A. OBJECT OF THE CONSPIRACY

Beginning no later than on or about August 18, 2011, and continuing through on or about October 3, 2011, in Los Angeles County, within the Central District of California, defendants GREGORY THOMPSON, STEPHEN LEAVINS, GERARD SMITH, MICKEY MANZO, JAMES SEXTON, SCOTT CRAIG, and MARICELLA LONG, together with others known and unknown to the Grand Jury, knowingly conspired to corruptly influence, obstruct, and impede, and endeavor to influence, obstruct, and impede, the due administration of justice, in violation of Title 18, United States Code, Section 1503(a).

B. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE ACCOMPLISHED

The object of the conspiracy was to be accomplished in substance as follows:

1. Defendants THOMPSON, LEAVINS, SMITH, MANZO, and SEXTON would attempt to prevent the FBI from interviewing or contacting Inmate AB knowing that Inmate AB was being utilized by the FBI to investigate illegal acts allegedly being committed by LASD personnel at the MCJ.

2. Defendants THOMPSON, LEAVINS, SMITH, MANZO, and SEXTON would move Inmate AB from the MCJ to other locations to hide him from the FBI, the USMS, and the federal grand jury.

3. Defendants THOMPSON, LEAVINS, SMITH, MANZO, and SEXTON would impede any attempt by the FBI and the USMS to find Inmate AB through record searches, including by:

1 a. Obtaining Inmate AB's physical file, called a
2 "records jacket," from the LASD's records center so the records
3 center would have no physical record showing that Inmate AB was
4 in the LASD's custody.

5 b. Making false entries into the LASD computer
6 databases to make it appear as though Inmate AB had been
7 released from the LASD's custody when, in fact, Inmate AB
8 remained hidden in the LASD's custody.

9 c. Re-booking Inmate AB in the LASD computer
10 databases under false names, with fictitious booking
11 information, and without fingerprinting Inmate AB, so that
12 Inmate AB's true name would not be connected to this fictitious
13 booking information.

14 4. Defendants LEAVINS, SMITH, CRAIG, and LONG would
15 conduct interviews of Inmate AB and various employees of the
16 LASD to attempt to determine the manner and extent of the
17 Federal Investigation.

18 5. Defendants LEAVINS, CRAIG, and LONG would attempt to
19 convince potential witnesses and informants not to cooperate
20 with the Federal Investigation, including by:

21 a. Informing and suggesting to individuals,
22 including Deputy Michel, that the FBI was and would be lying to
23 them, manipulating them, blackmailing them, and threatening
24 them; and

25 b. Suggesting to Inmate AB that the FBI had
26 abandoned him by informing Inmate AB that the FBI had not come
27 back for him.

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1 6. Defendants LEAVINS, CRAIG, and LONG would attempt to
2 compel the FBI to disclose the manner and extent of the Federal
3 Investigation, including by attempting to obtain a court order
4 from a California Superior Court in the County of Los Angeles
5 seeking to compel the FBI to provide the LASD with, among other
6 things:

7 (a) Investigative records, reports, and notes of all
8 investigations involving the Los Angeles County Jail system
9 since August 5, 2009; and

10 (b) The true identity of any agents and the current
11 assignment of those involved in any investigation involving the
12 Los Angeles County Jail system since August 5, 2009.

13 7. After the California Superior Court in the County of
14 Los Angeles denied this proposed court order, defendants CRAIG
15 and LONG would attempt to intimidate Special Agent LM and to
16 coerce Special Agent LM into providing details concerning the
17 Federal Investigation by confronting her outside of her home and
18 falsely informing her that defendant CRAIG was in the process of
19 swearing out a declaration for a warrant for her arrest.

20 8. Defendant LONG would falsely inform Special Agent LM's
21 supervisor that there was going to be a warrant issued for
22 Special Agent LM's arrest.

23 C. OVERT ACTS

24 In furtherance of the conspiracy and to accomplish the
25 object of the conspiracy, defendants THOMPSON, LEAVINS, SMITH,
26 MANZO, SEXTON, CRAIG, and LONG, and others known and unknown to
27 the Grand Jury, committed various overt acts within the Central

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1 District of California, including but not limited to the
2 following:

3 1. On or about August 18, 2011, defendant THOMPSON
4 instructed an employee of the LASD to prohibit "outside" law
5 enforcement from meeting with Inmate AB.

6 2. On or about August 23, 2011, after learning that the
7 FBI had interviewed Inmate AB at the MCJ and that the LASD had
8 terminated the interview, defendant LEAVINS informed Inmate AB
9 that he would be moved to a different location.

10 3. On or about August 23, 2011, defendant THOMPSON asked
11 a deputy assigned to the MCJ's medical ward whether there was an
12 open cell toward the back of the medical ward.

13 4. On or about August 23, 2011, defendants SMITH and
14 MANZO moved Inmate AB to a cell in the MCJ's medical ward.

15 5. On or about August 23, 2011, defendants SMITH and
16 MANZO stood guard outside of Inmate AB's cell in the medical
17 ward.

18 6. On or about August 24, 2011, defendants THOMPSON,
19 SMITH, and MANZO held a meeting with LASD deputies who were to
20 be assigned to stand guard outside of Inmate AB's cell at all
21 times.

22 7. On or about August 24, 2011, defendant THOMPSON
23 directed LASD Deputy A to obtain Inmate AB's records jacket.

24 8. On or about August 25, 2011, defendant THOMPSON sent
25 an email to LASD employees stating that the FBI would need
26 approval before interviewing any inmate in LASD custody.

27 9. On or about August 25, 2011, defendant THOMPSON caused
28 LASD employees to use intimidation to convince the LASD's

1 records center employees to create false entries in the LASD
2 computer databases to show that Inmate AB had been released from
3 the custody of the LASD when, in fact, Inmate AB remained in the
4 LASD's custody.

5 10. On or about August 25, 2011, defendants THOMPSON,
6 SMITH, MANZO, and SEXTON caused Inmate AB to be booked in the
7 LASD computer databases under the name "John Rodriguez" and with
8 fictitious information, including a false race, a fake date of
9 birth, and with the false statements asserting that Inmate AB
10 had refused to provide his social security number and
11 fingerprints.

12 11. On or about August 25, 2011, defendants THOMPSON,
13 LEAVINS, SMITH, and MANZO caused Inmate AB to be moved from the
14 MCJ to the LASD's San Dimas station.

15 12. On or about August 26, 2011, defendant THOMPSON caused
16 a high ranking employee of the LASD's MCJ to instruct MCJ
17 lieutenants and sergeants that:

18 If any federal law enforcement agency comes to MCJ with an
19 inmate removal order, visitation order, or ANY OTHER order
20 of the court you shall receive the order and advise the
21 federal officer that before you can proceed, you have to
22 submit the order to the Department's legal advisor for
23 review. DO NOT RELEASE THE INMATE OR ALLOW CONTACT.

24 13. On or about August 26, 2011, defendants THOMPSON,
25 SMITH, MANZO, and SEXTON caused the LASD computer databases to
26 falsely show that "John Rodriguez" had been released pursuant to
27 a court order.

28 14. On or about August 26, 2011, defendant LONG informed
Inmate AB that the FBI had not "come back for" Inmate AB.

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1 15. On or about August 26, 2011, defendant SEXTON stood
2 guard outside of Inmate AB's cell at the LASD's San Dimas
3 station.

4 16. In or about late August 2011, defendant SMITH told
5 LASD Deputy A that the FBI was on its way to take custody of
6 Inmate AB and directed LASD Deputy A to physically stop the FBI
7 from taking custody of Inmate AB.

8 17. On or about August 30, 2011, defendants LEAVINS and
9 CRAIG informed Deputy Michel that the FBI was manipulating,
10 blackmailing, and threatening him in an attempt to convince
11 Michel to be a witness in the Federal Investigation.

12 18. On or about September 2, 2011, defendants CRAIG and
13 LONG caused the LASD to conduct surveillance of Deputy Michel to
14 determine whether the FBI was following him.

15 19. On or about September 2, 2011, defendants THOMPSON,
16 SMITH, and MANZO caused Inmate AB to be booked in the LASD
17 computer databases under the name "Chris Johnson" and with
18 fictitious information, including false statements asserting
19 that Inmate AB refused to provide his social security number and
20 fingerprints.

21 20. On or about September 8, 2011, defendant CRAIG
22 presented a proposed court order to a California Superior Court
23 judge in Los Angeles County in an attempt to compel the FBI to
24 disclose information related to the Federal Investigation.

25 21. On or about September 13, 2011, defendants CRAIG and
26 LONG caused the LASD to conduct surveillance of Special
27 Agent LM.

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1 22. On or about September 14, 2011, defendants CRAIG and
2 LONG caused the LASD to conduct surveillance of Special
3 Agent LM.

4 23. On or about September 23, 2011, defendants CRAIG and
5 LONG caused the LASD to conduct surveillance of Special
6 Agent LM.

7 24. On or about September 26, 2011, defendants CRAIG and
8 LONG confronted Special Agent LM outside of her residence and
9 falsely informed her that:

10 (a) Special Agent LM was a named suspect in a felony
11 complaint; and

12 (b) Defendant CRAIG was in the process of swearing out
13 a declaration for a warrant for the arrest of Special Agent LM.

14 25. On or about September 26, 2011, defendant LONG falsely
15 informed Special Agent LM's supervisor at the FBI that there was
16 going to be a warrant issued for Special Agent LM's arrest and
17 that the arrest warrant could be issued as soon as the next day.

18 26. On or about September 28, 2011, defendants CRAIG and
19 LONG caused the LASD to conduct surveillance of Special
20 Agent LM.

21 27. On or about September 28, 2011, defendants CRAIG and
22 LONG caused the LASD to conduct surveillance of Special
23 Agent DL.

24 28. On or about September 29, 2011, defendants CRAIG and
25 LONG caused the LASD to conduct surveillance of Special
26 Agent DL.

COUNT TWO

[18 U.S.C. § 1503(a)]

From on or about August 25, 2011, to on or about September 12, 2011, defendants GREGORY THOMPSON, GERARD SMITH, MICKEY MANZO, and JAMES SEXTON corruptly endeavored to influence, obstruct, and impede the due administration of justice by: (a) attempting to prevent the FBI from interviewing Inmate AB; and (b) hiding Inmate AB from the FBI, USMS, and the federal grand jury.

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COUNT THREE

[18 U.S.C. § 1503(a)]

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3 From on or about August 25, 2011, to on or about
4 September 26, 2011, in Los Angeles County, within the Central
5 District of California, defendant STEPHEN LEAVINS corruptly
6 endeavored to influence, obstruct, and impede the due
7 administration of justice by: (a) hiding Inmate AB from the FBI,
8 USMS, and the federal grand jury; (b) convincing and attempting
9 to convince witnesses and potential witnesses not to cooperate
10 with the FBI; and (c) authorizing and directing LASD Sergeants
11 Scott Craig and Maricella Long to approach Special Agent LM
12 outside of her home in an attempt to cause the FBI to disclose
13 the nature and extent of the Federal Investigation.
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COUNT FOUR

[18 U.S.C. § 1503(a)]

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3 From on or about August 25, 2011, to on or about October 3,
4 2011, in Los Angeles County, within the Central District of
5 California, defendants SCOTT CRAIG and MARICELLA LONG corruptly
6 endeavored to influence, obstruct, and impede the due
7 administration of justice by: (a) convincing and attempting to
8 convince witnesses and potential witnesses not to cooperate with
9 the FBI; (b) approaching Special Agent LM outside of her home
10 and threatening to arrest her; and (c) informing Special Agent
11 LM's supervisor that there was going to be a warrant issued for
12 Special Agent LM's arrest and that the arrest warrant could be
13 issued as soon as the next day.
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COUNT FIVE

[18 U.S.C. § 1001(a)(2)]

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3 On or about September 26, 2011, in Los Angeles County,
4 within the Central District of California, in a matter within
5 the jurisdiction of the executive branch of the government of
6 the United States, namely, the FBI and the United States
7 Attorney's Office for the Central District of California,
8 defendant SCOTT CRAIG knowingly and willfully made the following
9 materially false and fictitious statements and representations
10 to Special Agent LM:

11 1. Defendant CRAIG falsely stated that Special Agent LM
12 was a named suspect in a felony complaint. In fact, as
13 defendant CRAIG knew, Special Agent LM was not a named suspect
14 in a felony complaint; and

15 2. Defendant CRAIG falsely stated that he was in the
16 process of swearing out a declaration for a warrant for Special
17 Agent LM's arrest. In fact, as defendant CRAIG knew, he was not
18 in the process of swearing out a declaration for a warrant for
19 Special Agent LM's arrest.
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COUNT SIX

[18 U.S.C. § 1001(a)(2)]

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3 On or about September 26, 2011, in Los Angeles County,
4 within the Central District of California, in a matter within
5 the jurisdiction of the executive branch of the government of
6 the United States, namely, the FBI and the United States
7 Attorney's Office for the Central District of California,
8 defendant MARICELLA LONG knowingly and willfully made the
9 following materially false and fictitious statements and
10 representations to the FBI:

11 1. Defendant LONG falsely stated that there was going to
12 be a warrant issued for Special Agent LM's arrest. In fact, as
13 defendant LONG knew, there was not going to be a warrant issued
14 for Special Agent LM's arrest; and

15 2. Defendant LONG falsely stated that a warrant for
16 Special Agent LM's arrest could be issued as soon as the next

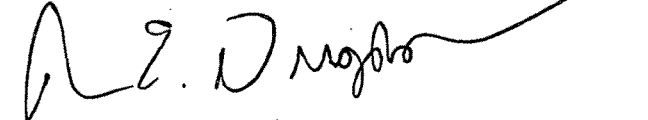
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1 day. In fact, as defendant LONG knew, no warrant for Special
2 Agent LM's arrest would be issued on September 27, 2011.

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4 A TRUE BILL

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6 Foreperson

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8 ANDRÉ BIROTTE JR.
United States Attorney

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10
11 ROBERT E. DUGDALE
Assistant United States Attorney
12 Chief, Criminal Division

13 LAWRENCE S. MIDDLETON
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