



## NEWS RELEASE

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### **Former Department of Homeland Security Official Found Guilty of Obstruction of Justice for Lying to Federal Judge and Prosecutor**

*LOS ANGELES* – A former assistant special agent in charge for U.S. Immigration and Customs Enforcement (ICE) was found guilty this afternoon of obstruction of justice and making false statements for giving false information to a federal prosecutor and a federal judge in Florida.

Frank Johnston, 55, of Whittier, who retired from ICE in August 2009 after 31 years in federal law enforcement, was convicted of the two felony charges following a 9-day trial.

The evidence presented during the trial showed that Johnston in 2006 and 2007 made false statements that resulted in the delay – lasting nearly a year and a half – of a prison term for a man who received an 18-month sentence after being convicted in relation to a cigarette-smuggling operation. At the time, Johnston began receiving payments for “consulting” services from a foster family agency run by a man with ties to the man who had been convicted of felony charges in Florida.

After telling a number of Justice Department officials that the convicted felon was cooperating with investigators and while trying to convince underlings at ICE to use the man as a cooperator, Johnston ultimately told a Justice Department prosecutor and a United States District Judge that the convicted felon was providing “ongoing cooperation” in two criminal investigations being conducted in Los Angeles. Johnston claimed that the “informant” was helping investigators who were looking into an alien smuggling ring and a “Vietnamese organized crime group” that were involved in “the

smuggling and exploitation of Asian and Hispanic women that have either been smuggled or trafficked into the United States and are working as prostitutes.”

The convicted felon was not actually providing any useful information to investigators, and no one at ICE was investigating either purported crime organization.

As a result of today’s convictions, Johnston faces a statutory maximum sentence of 15 years when he is sentenced by United States District Judge S. James Otero on January 23.

On January 24, Johnston and his wife are scheduled to go on trial before Judge Otero on charges stemming from the alleged theft of hundreds of thousands of dollars his wife received in salary from ICE, even though she had done virtually no work for the agency in years. The indictment in the case alleges that Johnston’s wife, Taryn Johnston, obtained approximately \$582,000 in salary and benefits from ICE and its predecessor agency, the Immigration and Naturalization Service, in the scheme to defraud the government.

Frank Johnston is charged with wire fraud. Taryn Johnston, 54, who previously worked as an immigration enforcement agent and then as an intelligence research specialist for the law enforcement agencies – is charged with making false statements to ICE investigators.

*An indictment contains allegations that a defendant has committed a crime. Every defendant is presumed to be innocent until and unless proven guilty in court.*

The case against the Johnstons was investigated by ICE’s Office of Professional Responsibility.

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