



Former Arizona Army National Guard Member Charged with Allegedly Participating in Bribery and Drug Trafficking Conspiracy

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 9:01 AM November 12, 2011

The Federal Bureau of Investigation (FBI) on November 10, 2011 released the following:

“WASHINGTON— A former member of the Arizona Army National Guard was charged today for his alleged role in a widespread bribery and illegal drug trafficking conspiracy that operated from January 2002 through March 2004, announced Assistant Attorney General Lanny A. Breuer of the Justice Department’s Criminal Division.

The 10-count indictment returned today in U.S. District Court in Arizona charges Adalberto Valenzuela, 31, of Tucson, Ariz., with two counts of conspiracy, two counts of bribery, two counts of bribery involving programs receiving federal funds, two counts of Hobbs Act extortion under color of official right and two counts of possession with intent to distribute cocaine. The charges arise from Operation Lively Green, an undercover FBI investigation that began in December 2001.

According to the indictment, Valenzuela was a corporal in the Arizona Army National Guard at the time he participated in the conspiracy. Valenzuela allegedly conspired to enrich himself by obtaining cash bribes from individuals he believed to be illegal narcotics traffickers, but who were actually FBI agents. The indictment alleges that in return for the bribes, Valenzuela used his official position as a corporal in the Arizona Army National Guard to assist, protect and participate in the activities of an illegal narcotics trafficking organization that was transporting and distributing cocaine within Arizona and from Arizona to other locations in the southwestern United

States. In order to protect the shipments of cocaine, Valenzuela allegedly wore official uniforms and carried official forms of identification, used official vehicles, and used his official authority where necessary to prevent police stops, searches and seizures of the narcotics.

According to the indictment, Valenzuela transported cocaine on two separate occasions and, as a result, received bribe payments totaling \$7,000 for the 40 kilograms of cocaine involved.

In 2006, an arrest warrant was issued for Valenzuela. Repeated attempts to locate and contact him have been unsuccessful. Valenzuela is now considered a fugitive and anyone with information regarding his whereabouts is encouraged to contact their local FBI office.

If convicted on the conspiracy charges, Valenzuela faces a maximum of five years in prison. The bribery and Hobbs Act charges each carry maximum prison sentences of 20 years. The federal program bribery charges each carry a maximum penalty of 10 years in prison, as do each of the drug conspiracy and possession charges. Valenzuela also faces a maximum \$250,000 fine for each charged count.

To date, 57 additional defendants have been convicted and sentenced on related charges as part of Operation Lively Green. An additional 14 defendants have pleaded guilty in the Western District of Oklahoma in a related investigation known as Operation Tarnish Star.

Operation Lively Green cases are part of a joint investigation being conducted by the Southern Arizona Corruption Task Force (SACTF), which includes the FBI, the Drug Enforcement Administration, the U.S. Immigration and Customs Enforcement at the Department of Homeland Security, and the Tucson Police

Department. The Arizona Air National Guard, Air Force Office of Special Investigations, Defense Criminal Investigative Service and the Criminal Investigation Division of the Internal Revenue Service are also participating in the investigation.

The case is prosecuted by Trial Attorneys Peter Koski and Monique Abrishami of the Criminal Division’s Public Integrity Section.

An indictment is a formal accusation of criminal conduct, not evidence. A defendant is presumed innocent unless and until convicted through due process of law.”

Douglas McNabb – McNabb Associates, P.C.’s

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Douglas McNabb and other members of the U.S. law firm practice and write and/or report extensively on matters involving Federal Criminal Defense, INTERPOL Red Notice Removal, International Extradition and OFAC SDN Sanctions Removal.

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